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

DECISION OF THE PLANNING ADMINISTRATOR

CLASS 3 SITE PLAN REVIEW / CLASS 2 ADJUSTMENT / CLASS 2 DRIVEWAY APPROACH PERMIT CASE NO.: SPR-ADJ-DAP22-05

APPLICATION NO.: 21-122676-RP, 22-101942-ZO, 21-122677-ZO

NOTICE OF DECISION DATE: March 24, 2022

SUMMARY: Proposed development of a new 901,000 square foot dry goods and cold storage distribution building.

REQEUST: A Class 3 Site Plan Review and Class 2 Driveway Approach Permit for development of a new dry goods and cold storage distribution center approximately 901,000 square feet in size, and associated accessory buildings with Class 2 Adjustments to:

- 1) Eliminate the requirement to provide a pedestrian pathway from the primary building entrance to Mill Creek Drive SE per 800.065(a)(1)(A);
- 2) Eliminate the requirement to provide a pedestrian pathway between buildings on the same development site per 800.065(a)(2);
- 3) Reduce the minimum five-foot wide vehicle use area setback adjacent to the exterior wall of a building or structure per 806.035(c)(4) to 0 feet;
- 4) Increase the distance between required bicycle parking spaces and the primary building entrance from 50 feet per 806.060(a)(1) to approximately 300 feet.

For a portion of property approximately 70.48 acres in size, zoned EC (Employment Center), and located at the 4500 Block of Mill Creek Drive SE - 97317 (Marion County Assessorfts Map and Tax Lot number: 082W07 / 00602).

APPLICANT: Jake Kurth

LOCATION: 4500 Block of Mill Creek Drive SE

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

FINDINGS: The findings are in the attached Decision dated March 24, 2022.

DECISION: The **Planning Administrator APPROVED** Class 3 Site Plan Review / Class 2 Adjustment / Class 2 Driveway Approach Permit Case No. SPR-ADJ-DAP22-05 subject to the following conditions of approval:

Condition 1: At the time of building permit, the applicant shall demonstrate that

illumination levels abutting the natural area to the east conform with

the lighting requirements of SRC Chapters 550 and 800.

Condition 2: At the time of building permit, the applicant shall demonstrate that

required pedestrian connections conform with the design and

material requirements of SRC Chapter 800, specifically SRC 800.065(b)(1) and 800.065(c).

Condition 3:

At the time of building permit, the applicant shall revise the site plan to demonstrate that a minimum of 21 carpool/vanpool spaces meeting all applicable standards of SRC Chapter 806 will be provided to serve the proposed development.

- **Condition 4:** Along the Mill Creek waterway, dedicate:
 - a. A Public Utility Easement (or similar) for overhead powerlines.
 - b. An Open Channel Drainage Easement along Mill Creek. In accordance with PWDS, the easement width shall be either 15 feet from the channel centerline, or 10 feet from the top of the recognized bank, whichever is greater.
 - c. A Public Access and Trail Easement pursuant to the Mill Creek Corporate Center Master Plan.
- Condition 5:

Along Turner Road SE from Logistics Street SE to the Mill Creek bridge, convey land for dedication of the ultimate right-of-way on the development side of centerline and construct a full-width minor arterial improvement. The improvement shall include tapers sufficient to provide a left-turn lane from southeast-bound Turner Road SE to northeast-bound Logistics Street SE. Sidewalks are required only on the development side of Turner Road SE.

Condition 6:

Construct a half-width turnpike improvement along the development side of Kuebler Boulevard SE from 1,200 feet south of Aumsville Highway SE to the Mill Creek Bridge or pay a fee-in-lieu (FIL) of improvements at time of building permit issuance equal to \$1,379,051 FIL.

Condition 7:

Convey land for dedication and construct a full Collector street improvement of Logistics Street SE from Mill Creek Drive SE to Turner Road SE.

Condition 8:

Dedicate right-of-way or a temporary construction easement for the required public improvements at the Logistics Street SE and Turner Road SE intersection.

Condition 9:

Convey land for right-of-way for the existing Recreational Path extending from Turner Road SE to the stormwater facility abutting the subject property. Dedicated right-of-way may be utilized for purposes of calculating the maximum 80 percent impervious coverage requirement of the MCIP Stormwater Management Plan.

Condition 10:

Pursuant to SRC 86.015(e), any person undertaking development adjacent to public streets shall provide street trees along Logistics Street SE and Turner Road SE to the maximum extent feasible in accordance with the standards and specifications set forth in SRC Chapter 86 and applicable administrative rules. Mill Creek Drive shall require trees only where the trees are no longer viable adjacent to the property.

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Condition 11: Replace the existing State-owned sewer east of Logistics Street SE with a public main in Mill Creek Drive SE from Deer Park Road SE to Logistics Street SE and

in Logistics Street SE south of Mill Creek Drive.

- **Condition 12:** Replace the existing southerly extension of the existing State-owned sewer with an 18-inch master plan main extended in Logistics Street SE to Turner Road SE.
- **Condition 13:** An easement or quitclaim agreement to ensure prescriptive rights for the state-owned sewer shall be provided.
- Condition 14: Design and construct a storm drainage system at the time of development in general compliance with SRC Chapter 71 and PWDS and/or the Mill Creek Industrial Park Stormwater Management Plan, or as approved by the City of Salem Public Works Department.
- **Condition 15:** An easement for realigned drainage course shall be provided through the property.
- Condition 16: The adjusted pedestrian access, vehicle separate and bicycle parking development 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

Class 2 Adjustment

Class 2 Driveway Approach Permit

April 9, 2024

April 9, 2024

April 9, 2024

Application Deemed Complete: February 4, 2022

Notice of Decision Mailing Date: March 24, 2022

Decision Effective Date: April 9, 2022

State Mandate Date: June 4, 2022

Case Manager: Aaron Panko, 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, no later than 5:00 p.m. Friday, April 8, 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, 250 804. 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.

SPR-ADJ-DAP22-05 Notice of Decision March 24, 2022 Page 4

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

IN THE MATTER OF APPROVAL OF SITE PLAN REVIEW, ADJUSTMENT, AND DRIVEWAY APPROACH PERMIT CASE NO. SPR-ADJ-DAP22-05 4770 LOGISTICS STREET SE - 97317 **HIGHWAY SE - 97317**) MARCH 24, 2022

) CLASS 3 SITE PLAN REVIEW,) CLASS 2 ADJUSTMENT. AND) CLASS 2 DRIVEWAY APPROACH) PERMIT

In the matter of the application for Class 3 Site Plan Review, Class 2 Adjustment, and Class 2 Driveway Approach Permit applications submitted by Scannell Properties, LLC represented by Jake Kurth and property owner State of Oregon Department of Administrative Services represented by Darrin Brightman, 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 901,000 square foot dry goods and cold storage distribution building.

Request: A Class 3 Site Plan Review and Class 2 Driveway Approach Permit for development of a new dry goods and cold storage distribution center approximately 901,000 square feet in size, and associated accessory buildings with Class 2 Adjustments to:

- 1) Eliminate the requirement to provide a pedestrian pathway from the primary building entrance to Mill Creek Drive SE per 800.065(a)(1)(A);
- 2) Eliminate the requirement to provide a pedestrian pathway between buildings on the same development site per 800.065(a)(2);
- Reduce the minimum five-foot wide vehicle use area setback adjacent to the exterior wall of a building or structure per 806.035(c)(4) to 0 feet;
- 4) Increase the distance between required bicycle parking spaces and the primary building entrance from 50 feet per 806.060(a)(1) to approximately 300 feet.

For a portion of property approximately 70.48 acres in size, zoned EC (Employment Center), and located at 4770 Logistics Street SE - 97317 (Marion County Assessor's Map and Tax Lot number: 082W07 / 00602).

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, SPR-ADJ-DAP22-05 Decision March 24, 2022 Page 2

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 new driveway approaches to Logistics Street SE, and SRC 220.005(b)(3)(F) because Class 2 Adjustments have been requested to pedestrian access standards, vehicle use area setbacks adjacent to exterior building walls and to bicycle parking space development standards.

2. Background

On December 15, 2021, a consolidated application for Class 3 Site Plan Review, Class 2 Adjustment, and Class 2 Driveway Approach Permit was filed for the proposed development. After additional information was provided, the applications were deemed complete for processing on February 4, 2022. The 120-day state mandated decision deadline for this consolidated application is June 4, 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: 21-122676-RP.

4. Neighborhood Association and Public Comments

The subject property is located within the boundaries of the Southeast Mill Creek Association (SEMCA).

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 January 19, 2022, the applicant's representative contacted the SEMCA Chair and Land Use Chair informing them of the proposed project.

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Neighborhood Association Comment: Notice of the application was provided to the SEMCA Neighborhood Association 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. No public comments were received during the comment period.

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 Fire Department Connections (FDC) are missing from the plans, and at the time of building permit review shall be provided in approved locations. The civil plans show valves in the drive aisle that would need to be a post indicator type that would obstruct vehicle traffic. Any control valves on a fire supply line are required to be visually indicating and monitored by the fire alarm system. The northern Fire Department access fate on Mill Creek Drive SE needs to be located a minimum distance of 30 feet from the public way.

6. Public Agency Comments

No public agency comments were received.

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 proposed development includes development of a new dry goods and cold storage distribution center, classified as a warehousing and distribution use, including a main building approximately 901,000 square feet in size, and an accessory

vehicle repair building approximately 14,400 square feet in size. Four adjustments are requested to pedestrian access development standards, vehicle use area separation, and to bicycle parking location standards.

Use and Development Standards – EC (Employment Center) Zone:

SRC 550.010(a) - Uses:

Finding: The proposed dry goods and cold storage distribution center use for the subject property is classified as warehousing and distribution, which is characterized by the storage and/or distribution of goods or personally property. Goods are generally delivered to other firms or the final consumer. Warehousing and distribution are permitted in the EC zone per Table 550-1.

SRC 550.015(a)(1) – Lot Standards:

There are no minimum lot area or dimension requirements in the EC 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 121.4 acres in size (Parcel 3 of Partition Plat No. 2016-49), the subject property is proposed to be further divided as part of the Mill Creek Corporate Center Phased Subdivision (SUB08-05MOD2). The proposed development site is approximately 70.48 acres in size, has a width of approximately 1,250 feet and depth of approximately 2,850 feet. The lot has approximately 1,450 feet of frontage along Mill Creek Drive SE and approximately 3,400 feet of frontage along Logistics Street SE. The subject property is in compliance with the minimum lot standards of the EC zone.

SRC 550.015(a)(2) – Setbacks:

North: Adjacent to the north is right-of-way for Mill Creek Drive SE. Buildings and accessory structures require a minimum 10-foot setback, and vehicle use areas require a minimum 6-10 foot setback adjacent to a street.

East: The development abuts property zoned EC to the east and is occupied by a stormwater management wetland area. Buildings and accessory structures require a minimum 10-foot setback, and vehicle use areas require a minimum 5-foot setback adjacent to an interior property line.

South and West: Adjacent to the south and west is future right-of-way for Logistics Street SE. Buildings and accessory structures require a minimum 10-foot setback, and vehicle use areas require a minimum 6-10 foot setback adjacent to a street.

Finding: The proposed building and vehicle use area setbacks indicated on the site plan are in compliance with all applicable setback requirements of the EC zone and SRC Chapter 806.

SRC 550.015(a)(3) – Lot Coverage, Height:

The maximum lot coverage standard is 60 percent in the EC zone and the maximum height allowance is 80 feet.

Finding: The maximum height for the proposed buildings is approximately 55 feet in height, less than the maximum height allowance in the EC zone. The site plan indicates that the proposed lot coverage is approximately 29 percent, less than the maximum allowance in the EC zone.

SRC 550.015(a)(4) - 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, except that areas used primarily for truck parking, loading, and circulation shall not be required to provide:
 - (i) Perimeter setbacks and landscaping adjacent to buildings and structures, pursuant to SRC 806.035(c)(4).
 - (ii) Trees, pursuant to SRC 806.035(d)(3); and
 - (iii) Landscape islands and planter bays, pursuant to SRC 806.035(d)(4).

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.

SRC 550.015(a)(5) – Outdoor Storage. Within the EC zone, outdoor storage shall conform to the following standards:

- (A) Storage areas shall not be located within required setbacks.
- (B) Storage areas shall be enclosed by a minimum six-foot-high sight-obscuring fence, wall, or hedge; or a berm.
- (C) Materials and equipment stored shall not exceed a maximum height of 14 feet above grade; provided, however, materials and equipment more than six feet in height above grade shall be screened by sight-obscuring landscaping.

Finding: The development proposal does not include any outdoor storage areas; all materials and equipment will be stored inside. Truck and trailer parking will be provided outdoors, all vehicle parking and storage areas will be screened and landscaped from abutting streets.

SRC 550.015(a)(6) – Solid Waste Service Areas. In addition to conforming to the standards set forth under SRC 800.055, solid waste service areas shall be screened from public streets by sight-obscuring landscaping, fences, or walls.

Finding: The proposal does not include exterior solid waste service areas, all trash and recycling activities occur in compactors located at each of the main docks, as well as the recycle dock. Trash and recycling are handled within the facility and will not be stored on the site.

SRC 550.015(a)(7) – Stormwater Management. Runoff from landscape strips, berms or grade drops shall be intercepted by a perimeter swale and diverted to a stormwater treatment system approved by the Director.

Finding: The proposed plan demonstrates compliance with the Mill Creek Industrial Park Stormwater Management Plan.

SRC 550.015(a)(8) – Lighting. Exterior lighting systems, if used, shall be designed to provide illumination for the lot, and not cause glare onto the public right-of-way or any surrounding residentially zoned properties or natural areas. Exterior lighting systems, including parking lot lighting, shall meet the following standards:

- (A) The illumination level beyond any property line adjacent to a residentially zoned property or natural area shall not exceed 0.5 horizontal foot-candles on the adjacent residentially zoned property or natural area; and
- (B) Luminaries shall have a cutoff classification with no more than 2.5 percent of the candlepower above 90 degrees from vertical, and no more than ten percent above 80 degrees from vertical. As an alternative, shields may be installed on the luminaries to achieve the cutoff requirements, or a non-cutoff luminary having a light source that emits no more than 10,000 lumens at each pole location may be installed. The luminaries shall be designed to eliminate glare.

Finding: There are no residentially zoned properties in the nearby vicinity, however the property abuts a natural area to the east. The illumination level beyond the property line adjacent to the natural area shall not exceed 0.5 horizontal foot-candles. Lighting and illumination plans were not provided with the site plan review application but shall be required at the time of building permit review. The plan shall demonstrate compliance with all applicable development standards of the UDC.

Condition 1: At the time of building permit, the applicant shall demonstrate that illumination levels abutting the natural area to the east conform with the lighting requirements of SRC Chapters 550 and 800.

SRC 550.015(a)(9) – Industrial Performance Standards. Within the EC zone, no land or structure shall be used or occupied unless maintained and operated in continuing compliance with all applicable standards adopted by the Oregon Department of Environmental Quality (DEQ), including the holding of all licenses and permits required by DEQ regulation, local ordinance, and state and federal law.

Finding: The proposed development is required to comply with all applicable state and federal regulations, including any license and permits that may be required by DEQ.

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 exterior solid waste service areas, all trash and recycling activities occur in compactors located at each of the main docks, as well as the recycle dock. Trash and recycling are handled within the facility and will not be stored on the site; therefore, the standards of SRC 800.055 are not applicable.

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,

SPR-ADJ-DAP22-05 Decision March 24, 2022 Page 7

shall include an on-site pedestrian circulation system developed in conformance with the standards in this section.

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

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

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

Finding: Direct pedestrian access is provided from the primary entrance of the main building to Logistics Street SE no pedestrian access is proposed to Mill Creek Drive SE and there are no pedestrian connections to the street from other buildings on the site, the applicant has requested an Adjustment to this standard. Findings for the Adjustment can be found in Section 8 of this report.

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

Finding: There is not currently a transit stop located along the street frontage of the subject property. As Mill Creek Corporate Center continues to develop and grow, transit stops may be reconfigured or added along Logistics Street SE, but at this time the locations have not been determined, therefore this standard is not applicable.

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

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

Finding: Three buildings are proposed with this development, the main storage and distribution building, a vehicle maintenance building, and a guard house. Because of the size of the property and for safety reasons, the applicant has requested an Adjustment to this standard. Findings for the Adjustment can be found in Section 8 of this report.

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

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

Finding: The applicant's statement indicates that the proposed off-street parking area is approximately 145,571 square feet in size, therefore this standard is applicable. Pedestrian pathways are provided through the off-street parking area connecting the parking area with the primary building entrance in compliance with this standard.

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

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

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

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

Finding: There is not a planned pedestrian path or trail in the proximity of the subject property. Turner Road SE is listed on the on-street bike network, required improvements along Turner Road include addition of bike lanes on both sides of the road.

The Mill Creek Corporate Center Master Plan shows a recreational trail located along the stormwater facility abutting the subject property and connecting both to Mill Creek Drive and Turner Road. A portion of that trail has already been constructed from Turner Road SE through the subject property. As conditioned, the applicant shall convey right-of-way or provide a public access easement to accommodate the recreational trail.

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

Finding: No vehicular connections will be provided to abutting properties; therefore, this standard is not applicable.

SRC 800.065(b)(1) – Design and Materials.

Required pedestrian connections shall be in the form of a walkway, or may be in the form of a plaza. Walkways shall conform to the following:

- (A) Materials and width. Walkways shall be paved with a hard-surface material meeting the Public Works Design Standards, and a minimum of five feet in width.
- (B) Where a walkway crosses driveways, parking areas, parking lot drive aisles, and loading areas, the walkway shall be visually differentiated from such areas

- through the use of elevation changes, a physical separation, speed bumps, a different paving material, or other similar method. Striping does not meet this requirement, except when used in a parking structure or parking garage.
- (C) Where a walkway is located adjacent to an auto travel lane, the walkway shall be raised above the auto travel lane or separated from it by a raised curb, bollards, landscaping or other physical separation. If the walkway is raised above the auto travel lane it must be raised a minimum of four inches in height and the ends of the raised portions must be equipped with curb ramps. If the walkway is separated from the auto travel lane with bollards, bollard spacing must be no further than five feet on center.

SRC 800.065(b)(2) – Design and Materials.

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

Finding: Proposed pedestrian connections are five feet in width. The type of material proposed for the pedestrian connections is not listed in the application materials, and the method for protecting pedestrians adjacent to walkways is not clearly provided. At the time of building permit, the applicant shall demonstrate that all applicable standards of this section are met.

Condition 2: At the time of building permit, the applicant shall demonstrate that required pedestrian connections conform with the design and material requirements of SRC Chapter 800, specifically SRC 800.065(b)(1) and 800.065(c).

SRC 800.065(c) – Lighting.

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

Finding: Exterior light fixtures are proposed along the building frontage that will illuminate the pedestrian walkways in compliance with 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 buildings.

SRC 806.015 - Amount of Off-Street Parking.

a) Minimum Required Off-Street Parking. The applicant indicates that the primary use for the space is for warehousing and distribution. Table 806-1 requires the

- greater of 0.75 spaces per employee, or 1 space per 15,000 square feet for buildings with a floor area greater than 100,000 square feet in size.
- 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 offstreet parking spaces and falling within the Public Services and Industrial use classifications, and the Business and Professional Services use category, shall designate a minimum of 5 percent of their total off-street parking spaces for carpool or vanpool parking.
- d) Maximum Off-Street Parking. Unless otherwise provided in the SRC, off-street parking shall not exceed the amounts set forth in Table 806-2.

Finding: The applicant indicates that 400 employees are expected for the proposed use requiring a minimum of 300 off-street parking spaces ($400 \times 0.75 = 300$). The maximum off-street parking allowance is 525 spaces ($300 \times 1.75 = 525$). A minimum of 75 of the off-street parking spaces must be standard sized spaces, the remaining spaces may be compact spaces. The proposed site plan indicates that 412 parking spaces will be provided on site, 97 of the proposed spaces are standard size space consistent with the minimum and maximum off-street parking requirements.

Based on the total number of spaces provided, a minimum of nine carpool/vanpool spaces are required for the proposed development (412 x 0.05 = 20.6). Carpool/vanpool parking spaces are not indicated on the site plan. The following condition of approval shall apply to ensure compliance with the standards of SRC Chapter 806.

Condition 3: At the time of building permit, the applicant shall revise the site plan to demonstrate that a minimum of 21 carpool/vanpool spaces meeting all applicable standards of SRC Chapter 806 will be provided to serve the proposed development.

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 off-street parking area proposed is in compliance with the minimum setback requirements of SRC Chapter 550 and 806 with the exception of the vehicle use area setback abutting the exterior walls of the proposed buildings (SRC 806.035(c)(4)), the applicant has requested a Class 2 Adjustment to eliminate this setback, findings for the Adjustment can be found in Section 8 of this staff report.

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 there are two separate interior off-street parking areas requiring interior landscaping. The management parking area is approximately 10,638 square feet in size and requires a minimum of 532 square feet of interior parking area landscaping ($10,638 \times 0.05 = 531.9$), the site plan indicates that 627 square feet of interior landscaping will be provided in this area. The employee parking area is approximately 134,933 square feet in size requiring a minimum of 10,795 square feet of interior parking area landscaping ($134,933 \times 0.08 = 10,794.6$), the site plan indicates that 10,926 square feet of interior landscaping will be provided in this area. The amount of interior landscaping being provided exceeds 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. The applicant's site plan indicates bumper guards will be provided. 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, uses in the warehousing and distribution category require a minimum of 1 space per 10,000 square feet of floor area for the first 50,000 square feet, plus 1 space per 20,000 square feet of floor area for 50,000 to 100,000 square feet.

Finding: The total floor area of buildings on the development site is approximately 918,680 square feet. The following is a summary of the bicycle parking requirements for the development site:

Use	Floor Area	Parking Ratio	Minimum Parking
General Warehousing	0-50,000 SF	1/10,000 SF	5
	50,000- 100,000 SF	1/20,000 SF	3
	100,000- 918,680 SF	1/30,000 SF	27
Total			35 Spaces

A minimum of 35 bicycle parking spaces are required for the development site. The applicant's summary table indicates that 36 bicycle parking spaces are proposed, exceeding the minimum requirement.

SRC 806.060 - Bicycle Parking Development Standards.

- a) Location. Bicycle parking areas shall be located within a convenient distance of, and shall be clearly visible from, the primary building entrance. In no event shall bicycle parking areas be located more than 50 feet from the primary building entrance.
- b) Access. Bicycle parking areas shall have direct and accessible access to the public right-of-way and the primary building entrance.
- c) *Dimensions.* Bicycle parking spaces shall be a minimum of 6 feet by 2 feet and shall be served by a minimum 4-foot-wide access aisle.
- d) Surfacing. Where bicycle parking is located outside a building, the bicycle parking area shall consist of a hard surface material, such as concrete, asphalt pavement, pavers, or similar material, meeting the Public Works Design standards.
- e) Bicycle Racks. Where bicycle parking is provided in racks, the racks may be floor, wall, or ceiling racks, and shall comply with the following standards:
 - (1) Racks must support the bicycle frame in a stable position, in two or more places a minimum of six inches horizontally apart, without damage to wheels, frame, or components.
 - (2) Racks must allow the bicycle frame and at least one wheel to be locked to the rack with a high security, U-shaped shackle lock;
 - (3) Racks shall be of a material that resists cutting, rusting, and bending or deformation; and
 - (4) Racks shall be securely anchored.

Finding: As shown on the applicant's site plan, bicycle parking spaces are provided within the secure employee parking lot at a distance of approximately 270 feet from the primary building entrance, which exceeds the maximum allowance. The applicant has requested an Adjustment to this standard, findings for the Adjustment can be found in Section 8 of this report. The applicant has proposed post and ring style bike racks, which is an acceptable style of bike rack per Figure 806-10.

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.

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SRC 806.070 – Proximity of Off-Street Loading Areas to use or Activity Served. Off-street loading shall be located on the same development site as the use or activity it serves.

SRC 806.075 - Amount of Off-Street Loading.

A warehousing and distribution use is required to have a minimum of twelve off-street loading spaces for building areas 918,680 square feet in size.

Finding: The proposed development requires a minimum of twelve off-street loading spaces. Approximately 155 off-street loading spaces are provided for the proposed warehouse building, exceeding the minimum dimension standards and quantity requirements 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: Mill Creek runs through the subject property. There are no protected trees identified for removal 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: The Salem-Keizer Local Wetland Inventory shows that there are wetland channels and/or hydric soils mapped on the property. The applicant should contact the Oregon Department of State Lands to verify if any permits are required for development or construction in the vicinity of the mapped wetland area(s). Wetland notice was sent to the Oregon Department of State Lands pursuant to SRC 809.025.

Mill Creek runs through the subject property. The subdivision decision creating the Mill Creek Corporate Center requires that all necessary access and utility easements be shown on the plat, as determined by the Public Works Director (SUB08-05MOD2). The following easements are required as part of the proposed development:

Condition 4: Along the Mill Creek waterway, dedicate:

- a. A Public Utility Easement (or similar) for overhead powerlines.
- b. An Open Channel Drainage Easement along Mill Creek. In accordance with PWDS, the easement width shall be either 15 feet from the channel centerline, or 10 feet from the top of the recognized bank, whichever is greater.
- c. A Public Access and Trail Easement pursuant to the Mill Creek Corporate Center Master Plan.

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

Finding: According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are mapped 2-to-3-point landslide hazard areas on the subject property. The proposed activity of a commercial building adds 3 activity points to the proposal, which results in a total of 5-to-6 points. Therefore, the proposed development is classified as a moderate landslide risk and requires a geological assessment. During review of the Mill Creek Corporate Center (MCCC) Subdivision (SUB08-05MOD2), a geologic hazard study was submitted which demonstrated that the site does not contain geologic hazards that will adversely affect the proposed development. No additional information is required under SRC Chapter 810.

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: Mill Creek Drive SE is fully developed and meets the right-of-way width and pavement width standards pursuant to the Salem TSP; therefore, no additional street improvements are required as a condition of the proposed development.

Turner Road SE, Kuebler Boulevard SE, and Logistics Street SE do not meet current standards for their classification of street per the *Salem Transportation System Plan*. During review of the Mill Creek Corporate Center (MCCC) Subdivision (SUB08-05MOD2), the City of Salem and State of Oregon identified the cumulative impacts of development for the MCCC and recommended mitigation projects in an Intergovernmental Agreement for the Development dated Mach 14, 2005. The following conditions are recommended for this phase of development:

Condition 5:

Along Turner Road SE from Logistics Street SE to the Mill Creek bridge, convey land for dedication of the ultimate right-of-way on the development side of centerline and construct a full-width minor arterial improvement. The improvement shall include tapers sufficient to provide a left-turn lane from southeast-bound Turner Road SE to northeast-bound Logistics Street SE. Sidewalks are required only on the development side of Turner Road SE.

Condition 6:

Construct a half-width turnpike improvement along the development side of Kuebler Boulevard SE from 1,200 feet south of Aumsville Highway SE to the Mill Creek Bridge or pay a fee-in-lieu (FIL) of improvements at time of building permit issuance equal to \$1,379,051 FIL.

Condition 7:

Convey land for dedication and construct a full Collector street improvement of Logistics Street SE from Mill Creek Drive SE to Turner Road SE.

Condition 8:

Dedicate right-of-way or a temporary construction easement for the required public improvements at the Logistics Street SE and Turner Road SE intersection.

The Mill Creek Corporate Center Master Plan shows a recreational trail located along the stormwater facility abutting the subject property and connecting both to Mill Creek Drive and Turner Road. A portion of that trail has already been constructed from Turner Road SE through the subject property. The applicant shall convey right-of-way or provide a public access easement to accommodate the recreational trail.

Condition 9:

Convey land for right-of-way for the existing Recreational Path extending from Turner Road SE to the stormwater facility abutting the subject property. Dedicated right-of-way may be utilized for purposes of calculating the maximum 80 percent impervious coverage requirement of the MCIP Stormwater Management Plan.

Street trees are required along frontages to the maximum extent feasible in accordance with SRC 86.015(e). Applicant shall replace dead trees along Mill Creek Drive SE and plant new street trees along Logistics Drive SE and Turner Road SE.

Condition 10:

Pursuant to SRC 86.015(e), any person undertaking development adjacent to public streets shall provide street trees along Logistics Street SE and Turner Road SE to the maximum extent feasible in accordance with the standards and specifications set forth in SRC

Chapter 86 and applicable administrative rules. Mill Creek Drive shall require trees only where the trees are no longer viable adjacent to the property.

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 accesses onto Logistics Street SE provide 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 does not show any new connections to public infrastructure.

As described above, there are private State-owned sewer mains on the subject property that conflict with the proposed building. In order to ensure that adjacent properties are served with public sewer mains pursuant to PWDS 3.2, the applicant shall replace the State-owned sewer with public sewer mains located within adjacent streets. In addition, the Wastewater Management Master Plan shows that an 18-inch main is needed to serve undeveloped property along Turner Road SE.

- Condition 11: Replace the existing State-owned sewer east of Logistics Street SE with a public main in Mill Creek Drive SE from Deer Park Road SE to Logistics Street SE and in Logistics Street SE south of Mill Creek Drive.
- **Condition 12:** Replace the existing southerly extension of the existing State-owned sewer with an 18-inch master plan main extended in Logistics Street SE to Turner Road SE.
- **Condition 13:** An easement or quitclaim agreement to ensure prescriptive rights for the state-owned sewer shall be provided.

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

Condition 14: Design and construct a storm drainage system at the time of development in general compliance with SRC Chapter 71 and PWDS and/or the Mill Creek Industrial Park Stormwater Management Plan, or as approved by the City of Salem Public Works Department.

There is an existing drainage ditch that traverses the property where the building will be constructed. This drainage channel will be realigned as part of the project.

Condition 15: An easement for realigned drainage course shall be provided through the property.

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) Eliminate the requirement to provide a pedestrian pathway from the primary building entrance to Mill Creek Drive SE per 800.065(a)(1)(A);
- 2) Eliminate the requirement to provide a pedestrian pathway between buildings on the same development site per 800.065(a)(2);
- 3) Reduce the minimum five-foot wide vehicle use area setback adjacent to the exterior wall of a building or structure per 806.035(c)(4) to 0 feet;
- 4) Increase the distance between required bicycle parking spaces and the primary building entrance from 50 feet per 806.060(a)(1) to approximately 300 feet.

Eliminate the requirement to provide a pedestrian pathway from the primary building entrance to Mill Creek Drive SE per SRC 800.065(a)(1)(A).

The applicant indicates that a pedestrian connection is proposed between Logistics Street, through an employee parking lot and to the main entrance to the warehousing and distribution building. All pedestrians are directed to this primary building entrance, there are no building entrances or pedestrian pathways leading to Mill Creek Drive SE, therefore the applicant is requesting this adjustment. The applicant's statement further provides that all pedestrian traffic is required to be routed through, and report to, the administration office or dispatch office at the main warehouse. Due to loading vehicle maneuvering and activities associated with the warehouse distribution center, pedestrians are not permitted to walk through the site and an additional pedestrian connection to Mill Creek Drive would not provide any addition benefit to the site.

The proposal to provide a designated pedestrian connection from the main entrance to Logistics Street is therefore equally in compliance with the intent of this provision and is therefore in compliance with this criterion.

Eliminate the requirement to provide a pedestrian pathway between buildings on the same development site per SRC 800.065(a)(2).

The proposed development includes several buildings, the main warehouse building, a vehicle maintenance and refueling building, a guard house and a pumphouse. The applicant is requesting an adjustment to eliminate the requirement to construct pedestrian pathways that would connection between each of the buildings on the same development site. The applicant's statement indicates that the reason for the request primarily deals with safety concerns for visitors and employees. No pedestrians are permitted to walk on the site except in areas specifically designated for pedestrians. The development site is rather large and primarily involves movement of large trucks and trailers through the site to designated parking and loading docks. For safety reasons, employees move between buildings by means of motorized vehicles. Therefore, because pedestrians will not be traveling between buildings, and further doing so potentially puts pedestrians as risk, the proposal to no provide pathways between buildings equally or better meets the intent of this provision and is therefore in compliance with this criterion.

Reduce the minimum five-foot wide vehicle use area setback adjacent to the exterior wall of a building or structure per SRC 806.035(c)(4) to 0 feet.

The applicant has requested an adjustment to reduce the minimum setback required between a vehicle use area and a building required by 806.035(c)(4), from 5 feet to 0 feet. The applicant indicates that emergency exits are provided at intervals along the full extent of the building façade, but under normal operation employees will not be walking in the areas around the exterior building walls. In addition, screening in the form of fencing and landscaping will occur at the perimeter boundary of the property and will screen all drive aisles from public view.

Staff finds that the proposed vehicle use area setback adjacent to a building is equally or better met because the vehicle drive aisles are screened from public view and employees will not normally be using the area for entering and exiting the building. The proposal equally or better meets the intent of this provision and is therefore in compliance with this criterion.

Increase the distance between required bicycle parking spaces and the primary building entrance from 50 feet per 806.060(a)(1) to approximately 300 feet.

The applicant is requesting to increase the maximum distance for the location of bicycle parking from the primary building entrance from 50 feet to approximately 300 feet. The applicant explains that all the bicycle parking spaces will be located within a gated employee parking area where employees will be entering the site through a turnstile and marked pedestrian crossing. Bicycles will not be permitted within the secured area of the distribution center due to safety concerns. The proposal equally or better meets the intent of this provision and is therefore in compliance with this criterion.

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 EC (Employment Center) 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: Four 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 16: The adjusted pedestrian access, vehicle separate and bicycle parking development 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 development will utilize two driveway access points to Logistics Street SE. The northerly driveway access will serve the employee and visitor parking area, the southerly driveway access will serve heavy vehicle and trailers entering the site. The proposed driveways meet 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: The proposed driveways are not accessing onto 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 proposed driveway is currently located with access to the lowest classification of street abutting the subject property.

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 driveways will create traffic hazards or unsafe turning movements. Additionally, staff analysis of the proposed driveways indicate that they 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 Collector 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.

CONCLUSION

Based upon review of SRC Chapters 220, 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, and Class 2 Driveway Approach Permit Case No. SPR-ADJ-DAP22-05 is hereby **APPROVED** subject to SRC Chapters 220, 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: At the time of building permit, the applicant shall demonstrate that illumination levels abutting the natural area to the east conform with the lighting requirements of SRC Chapters 550 and 800.
- Condition 2: At the time of building permit, the applicant shall demonstrate that required pedestrian connections conform with the design and material requirements of SRC Chapter 800, specifically SRC 800.065(b)(1) and 800.065(c).
- Condition 3: At the time of building permit, the applicant shall revise the site plan to demonstrate that a minimum of 21 carpool/vanpool spaces meeting all applicable standards of SRC Chapter 806 will be provided to serve the proposed development.
- **Condition 4:** Along the Mill Creek waterway, dedicate:
 - a. A Public Utility Easement (or similar) for overhead powerlines.
 - b. An Open Channel Drainage Easement along Mill Creek. In accordance with PWDS, the easement width shall be either 15 feet from the channel centerline, or 10 feet from the top of the recognized bank, whichever is greater.
 - c. A Public Access and Trail Easement pursuant to the Mill Creek Corporate Center Master Plan.
- Condition 5: Along Turner Road SE from Logistics Street SE to the Mill Creek bridge, convey land for dedication of the ultimate right-of-way on the development side of centerline and construct a full-width minor arterial improvement. The improvement shall include tapers sufficient to provide a left-turn lane from southeast-bound Turner Road SE to northeast-bound Logistics Street SE. Sidewalks are required only on the development side of Turner Road SE.
- Condition 6: Construct a half-width turnpike improvement along the development side of Kuebler Boulevard SE from 1,200 feet south of Aumsville Highway SE to the Mill Creek Bridge or pay a fee-in-lieu (FIL) of improvements at time of building permit issuance equal to \$1,379,051 FIL.
- **Condition 7:** Convey land for dedication and construct a full Collector street improvement of Logistics Street SE from Mill Creek Drive SE to Turner Road SE.
- **Condition 8:** Dedicate right-of-way or a temporary construction easement for the required public improvements at the Logistics Street SE and Turner Road SE intersection.

Condition 9:

Convey land for right-of-way for the existing Recreational Path extending from Turner Road SE to the stormwater facility abutting the subject property. Dedicated right-of-way may be utilized for purposes of calculating the maximum 80 percent impervious coverage requirement of the MCIP Stormwater Management Plan.

Condition 10:

Pursuant to SRC 86.015(e), any person undertaking development adjacent to public streets shall provide street trees along Logistics Street SE and Turner Road SE to the maximum extent feasible in accordance with the standards and specifications set forth in SRC Chapter 86 and applicable administrative rules. Mill Creek Drive shall require trees only where the trees are no longer viable adjacent to the property.

Condition 11:

Replace the existing State-owned sewer east of Logistics Street SE with a public main in Mill Creek Drive SE from Deer Park Road SE to Logistics Street SE and in Logistics Street SE south of Mill Creek Drive.

Condition 12:

Replace the existing southerly extension of the existing State-owned sewer with an 18-inch master plan main extended in Logistics Street SE to Turner Road SE.

Condition 13:

An easement or quitclaim agreement to ensure prescriptive rights for the state-owned sewer shall be provided.

Condition 14:

Design and construct a storm drainage system at the time of development in general compliance with SRC Chapter 71 and PWDS and/or the Mill Creek Industrial Park Stormwater Management Plan, or as approved by the City of Salem Public Works Department.

Condition 15:

An easement for realigned drainage course shall be provided through the property.

Condition 16:

The adjusted pedestrian access, vehicle separate and bicycle parking development 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 SPR-ADJ-DAP22-05 Decision March 24, 2022 Page 23

Attachments: A. Vicinity Map

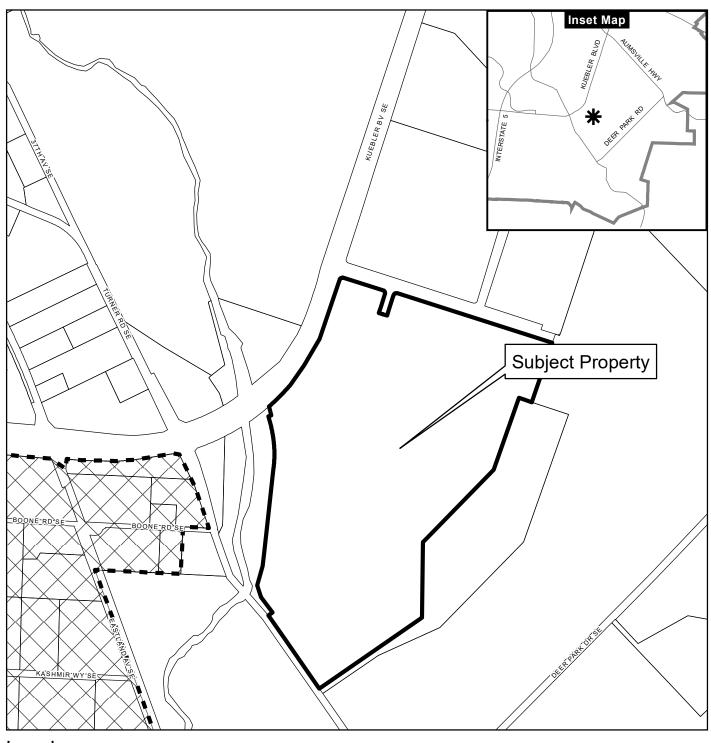
B. Proposed Site Plan
C. Applicant's Written Statement

D. Public Works Memo

http://www.cityofsalem.net/planning

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Vicinity Map 4500 Mill Creek Drive SE



Legend

Taxlots

Urban Growth Boundary

City Limits

400 Feet

Outside Salem City Limits

Historic District

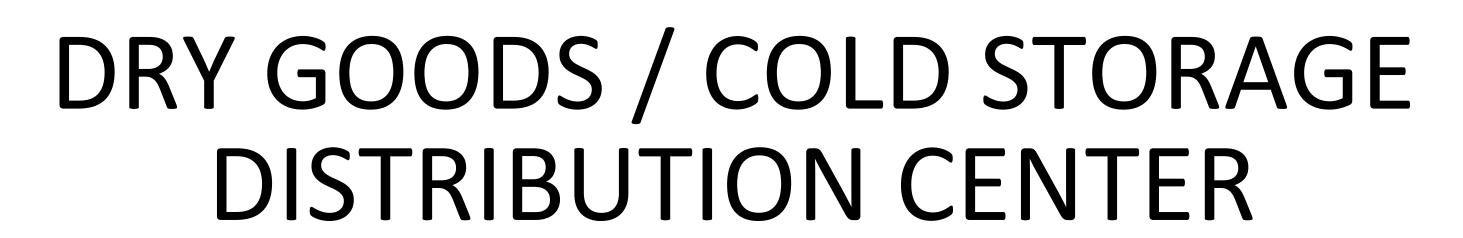
Schools



Community Development Dept.

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PROJECT JUSTIFY
SALEM, OREGON

PROJECT JUSTIFY
DISTRIBUTION CENTER
SALEM, OR

SITE PLAN REVIEW
DECEMBER 6, 2021

SHEET INDEX

ISSUED FOR REFERENCE ONLY

ISSUED

C-010 EXISTING CONDITIONS AND DEMOLITION PLAN

C-121 PAVEMENT JOIINTING PLAN - AREA 1
C-122 PAVEMENT JOIINTING PLAN - AREA 2
C-123 PAVEMENT JOIINTING PLAN - AREA 3

C-000 COVER SHEET

C-100 OVERALL SITE PLAN

● C-103 SITE PLAN - AREA 3

C-200 OVERALL GRADING PLAN

C-300 OVERALL UTILITY PLAN

C-502 SITE DETAILS

C-504 UTILITY DETAILS
C-505 UTILITY DETAILS

L-100 OVERALL LANDSCAPE PLAN
L-101 LANDSCAPE PLAN - AREA 1

L-102 LANDSCAPE PLAN - AREA 2
L-103 LANDSCAPE PLAN - AREA 3

C-201 GRADING PLAN - AREA 1

C-202 GRADING PLAN - AREA 2

C-203 GRADING PLAN - AREA 3

C-301 UTILITY PLAN - AREA 1

C-302 UTILITY PLAN - AREA 2
C-303 UTILITY PLAN - AREA 3
C-310 STORM SEWER PROFILES

C-210 EROSION & SEDIMENT CONTROL PLAN

C-311 STORM SEWER PROFILES & STRUCTURE SCHEDULE
C-312 SANITARY SEWER PROFILES & STRUCTURE SCHEDULE

C-503 EROSION & SEDIMENT CONTROL DETAILS

C-101 SITE PLAN - AREA 1
C-102 SITE PLAN - AREA 2

SSUE DATE

SUBMITTAL

SITE PLAN REVIEW 12/06/2021

DESIGN
LAB

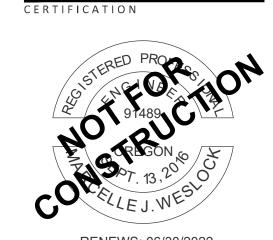
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COVER SHEET

C-000

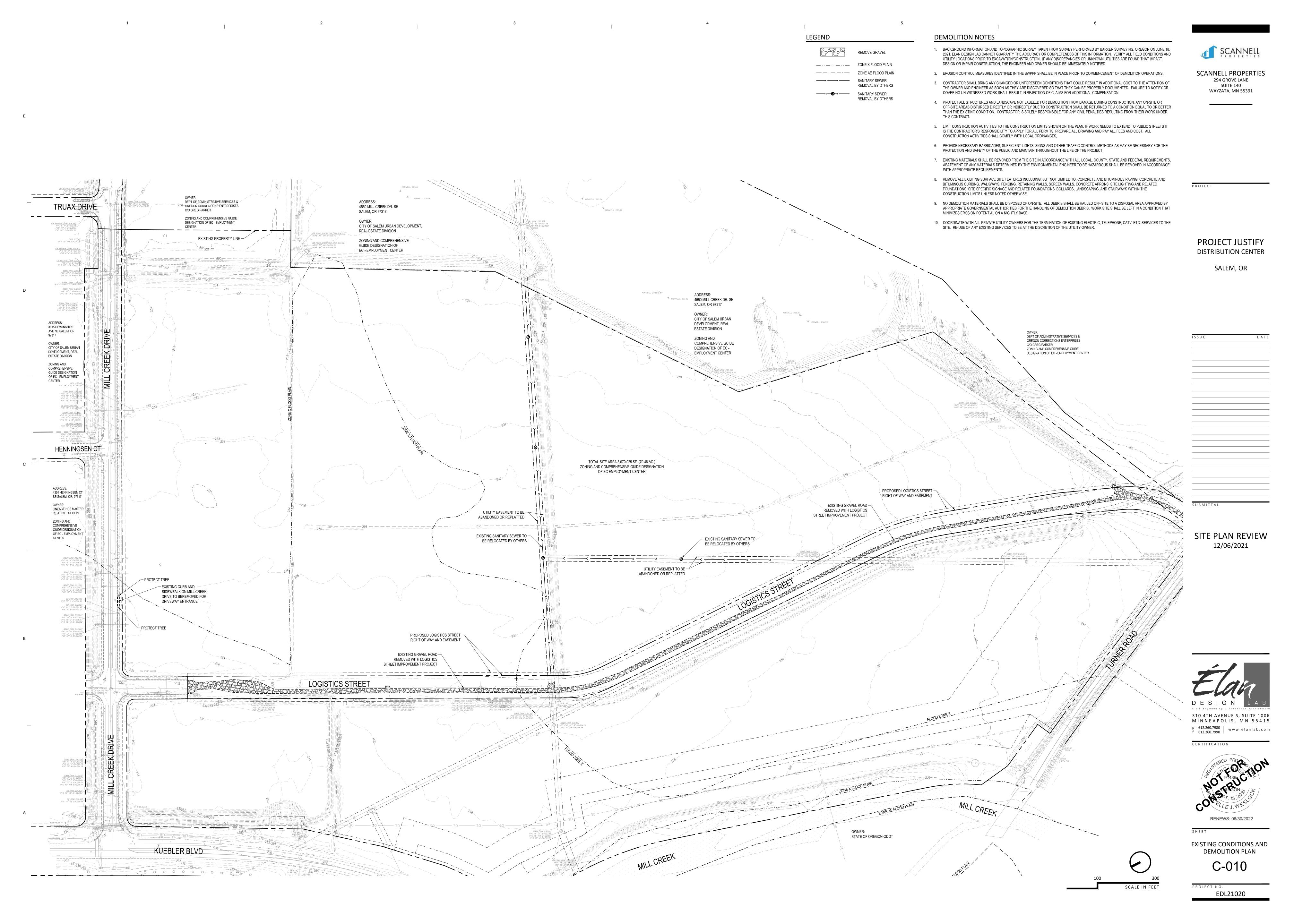
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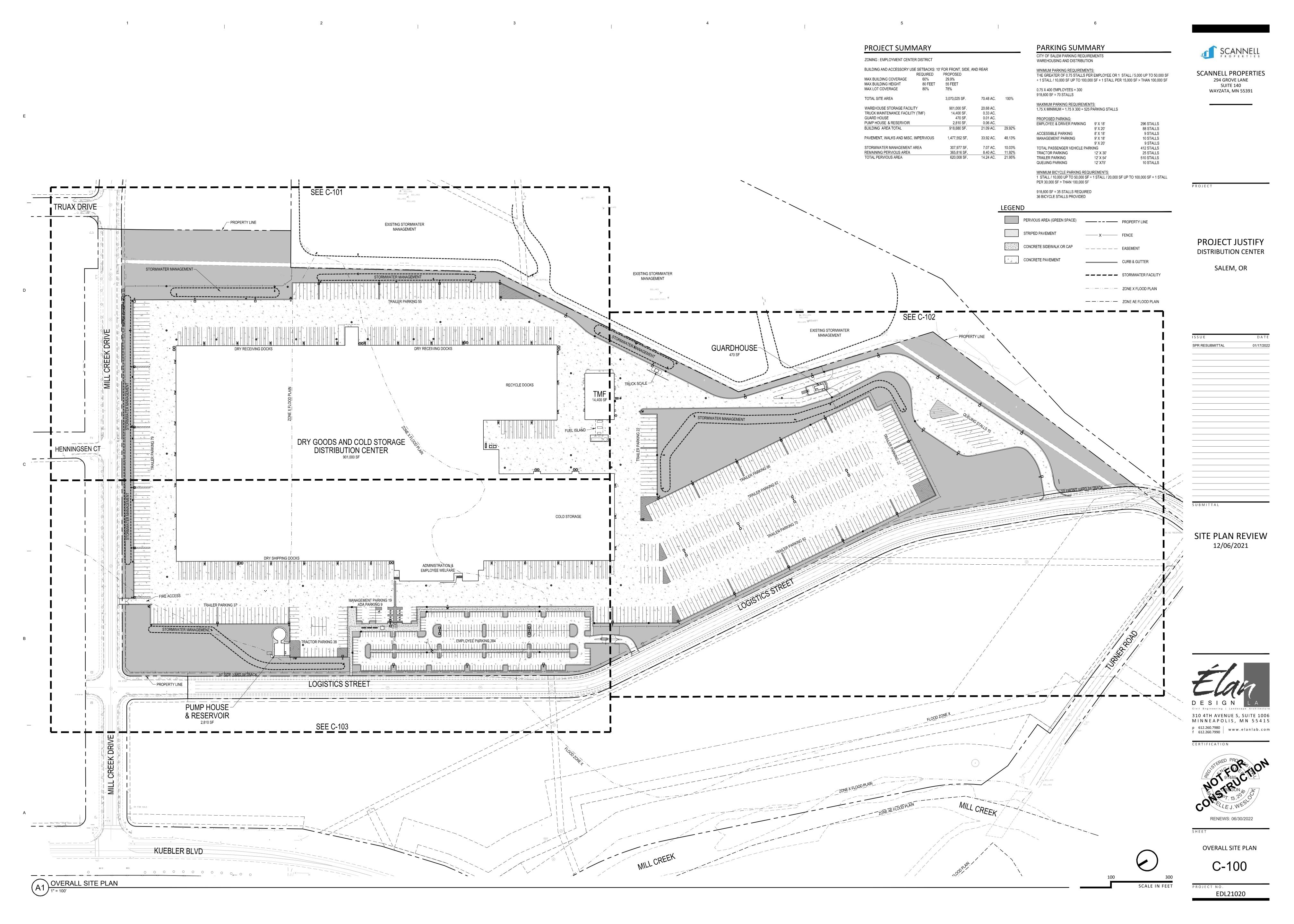


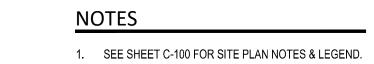
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PROJECT CONTACTS

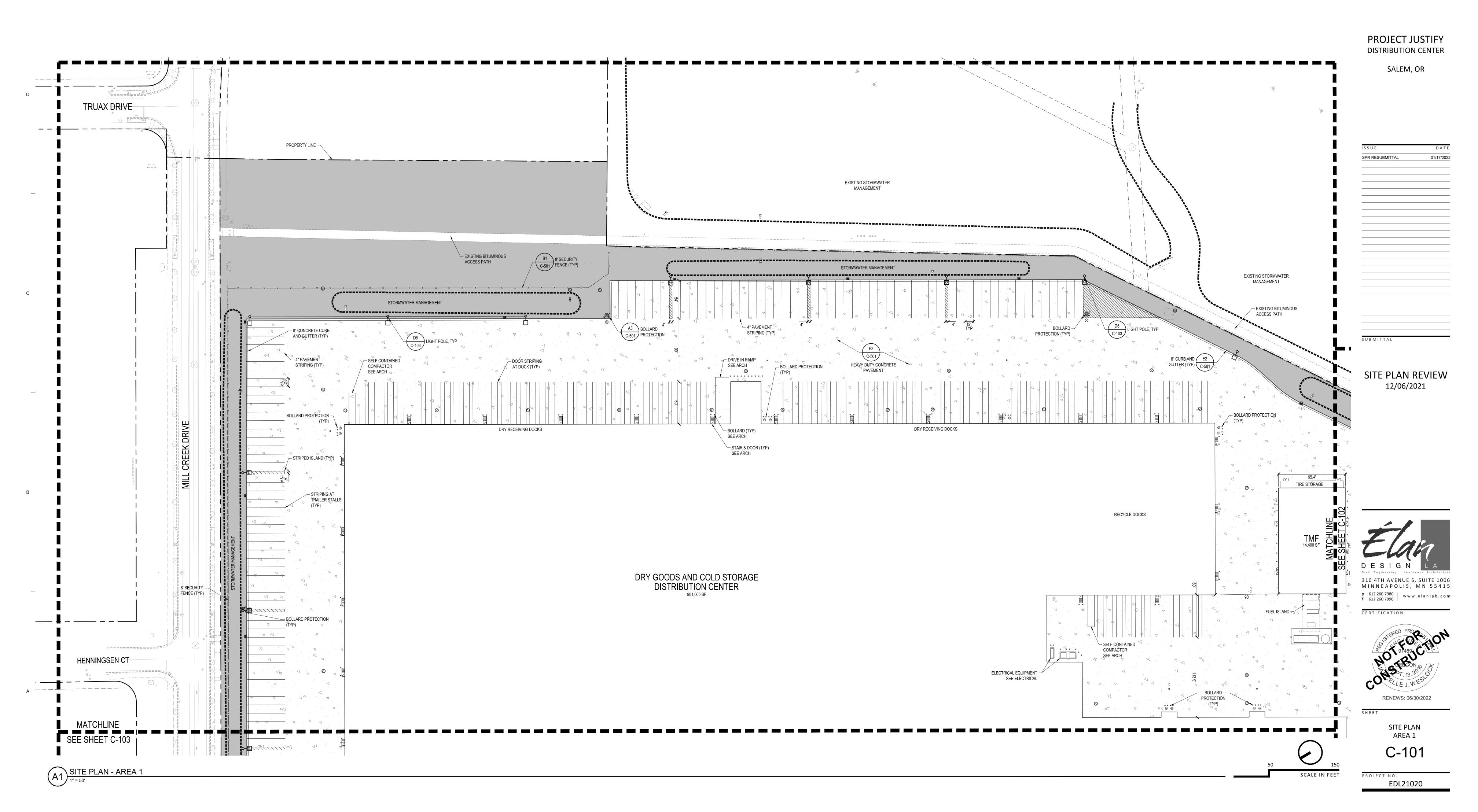
DEVELOPER	SCANNELL PROPERTIES	JAKE KURTH
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CIVIL ENGINEER	ELAN DESIGN LAB, INC. 310 4TH AVENUE S, SUITE 1006	MARCIE WESLOCK, PE
	MINNEAPOLIS, MN 55415	T (612) 260-7981
LAND SURVEYOR	BARKER SURVEYING	GREGORY WILSON, PLS
	3657 KASHMIR WAY SE SALEM, OR 97317	T (503) 588-8800
PLANNING DEPARTMENT	PERMIT APPLICATION CENTER CITY HALL	T (503) 588-6173
	555 LIBERTY STREET SE, ROOM 320 SALEM, OR 97301-3513	PLANNING@CITYOFSALEM.NET
PUBLIC WORKS DEPARTMENT	PUBLIC WORKS DEPARTMENT 555 LIBERTY STREET SE, ROOM 325 SALEM, OR 97301-3513	T (503) 588-5211 PUBLICWORKS@CITYOFSALEM.NET











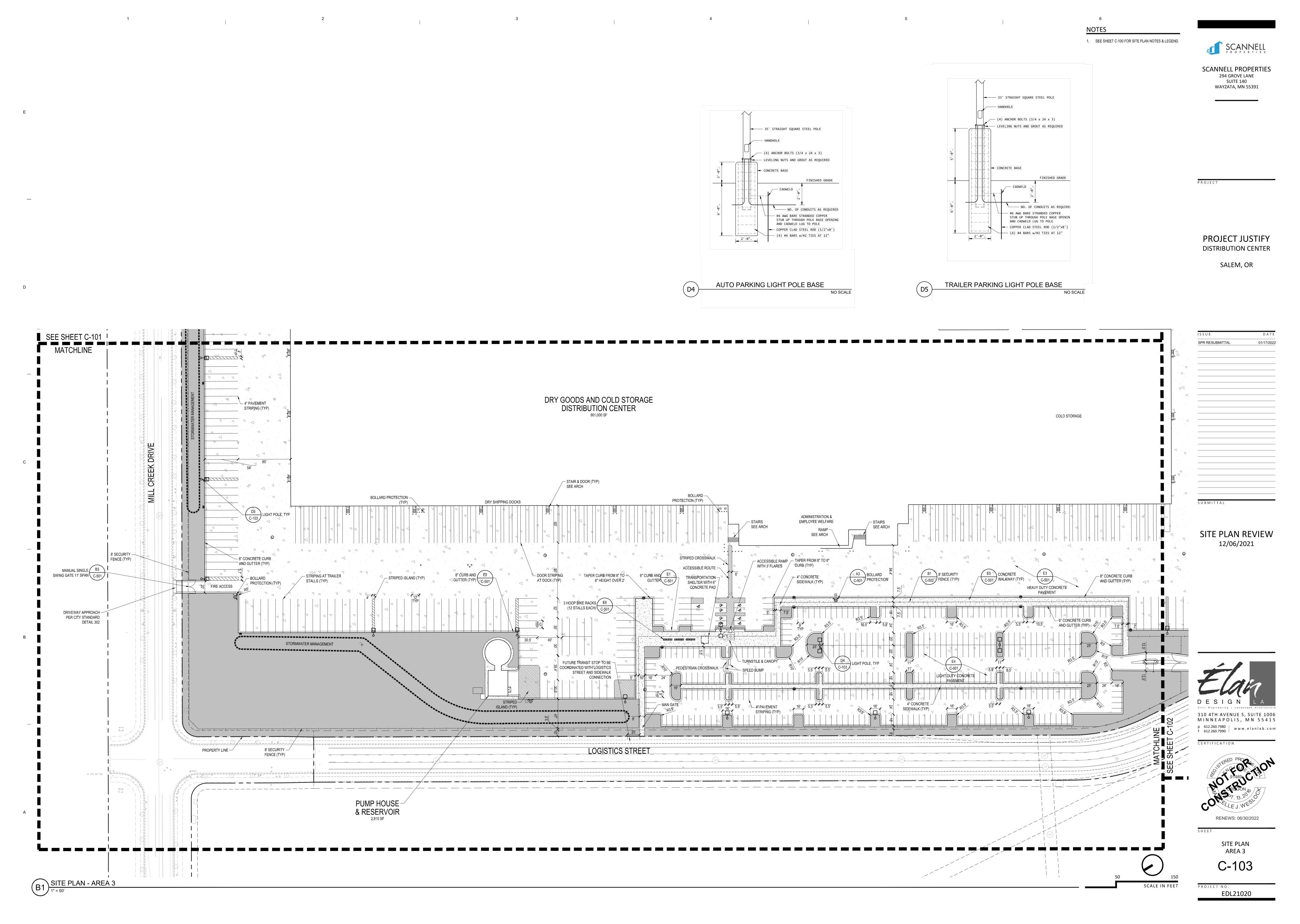
1. SEE SHEET C-100 FOR SITE PLAN NOTES & LEGEND. SCANNELL PROPERTIES

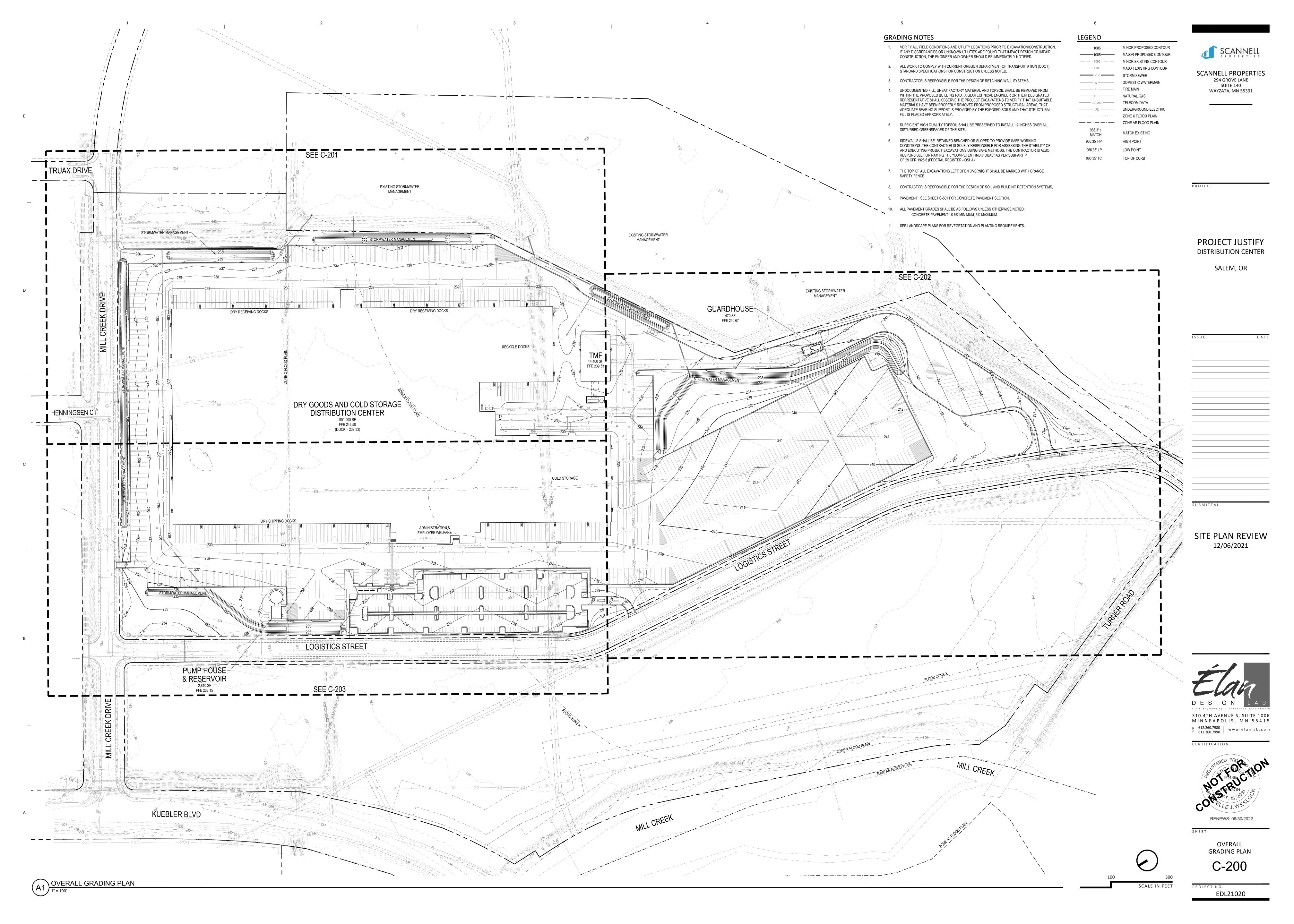
294 GROVE LANE
SUITE 140
WAYZATA, MN 55391 PROPERTY LINE -EXISTING STORMWATER MANAGEMENT EXISTING STORMWATER
MANAGEMENT MANUAL SINGLE
SWING GATE 31' SPAN
C-501 GUARDHOUSE -EXISTING BITUMINOUS
ACCESS PATH TRUCK SCALE -HEAVY DUTY CONCRETE
PAVEMENT JERSEY BARRIER — LANE SEPARATION 78 LINEAR FEET DISTRIBUTION CENTER EXISTING BITUMINOUS ACCESS PATH STRIPED ISLAND (TXP) -SALEM, OR STORMWATER MANAGEMENT STRIPED ISLAND (TYP) -SUBMITTAL PROTECTION (TYP) SITE PLAN REVIEW 12/06/2021 12' - 0" - EXTRUDED ALUMINUM SIGNAGE ILLUMINATED SIGN - TRANSLUCENT FRP LOGO AND GRAPHICS ON BOTH SIDES (TO MATCH COMPANY LOGO) ILLUMINATED SIGN p 612.260.7980 | www.elanlab.com f 612.260.7990 | SALEM, OREGON DISTRIBUTION CENTER STRUCTURAL ALUMINUM CHANNEL BY SIGNAGE MANUF. ALUMINUM CHANNEL BY SIGNAGE MANUF. ANCHOR BOLTS -COORDINATE W/ SIGNAGE MANUF. ROAD IMPROEMENT PROJECT #5 DWLS @ 14" O.C. EA FACE W/ STD HK TYP 5-#5 CONT. (2 TOP, 3 BOT) 14' - 0" DRIVEWAY APPROACH
PER CITY STANDARD
DETAIL 302 #5 @ 14" O.C. TOP &
BOTTOM W/ STD
HOOK EA END COORDINATE ELECTRICAL CONDUIT WITH ELECT. CONTRACTOR SITE PLAN AREA 2 MONUMENT SIGN NO SCALE SITE PLAN - AREA 2 EDL21020 SCALE IN FEET

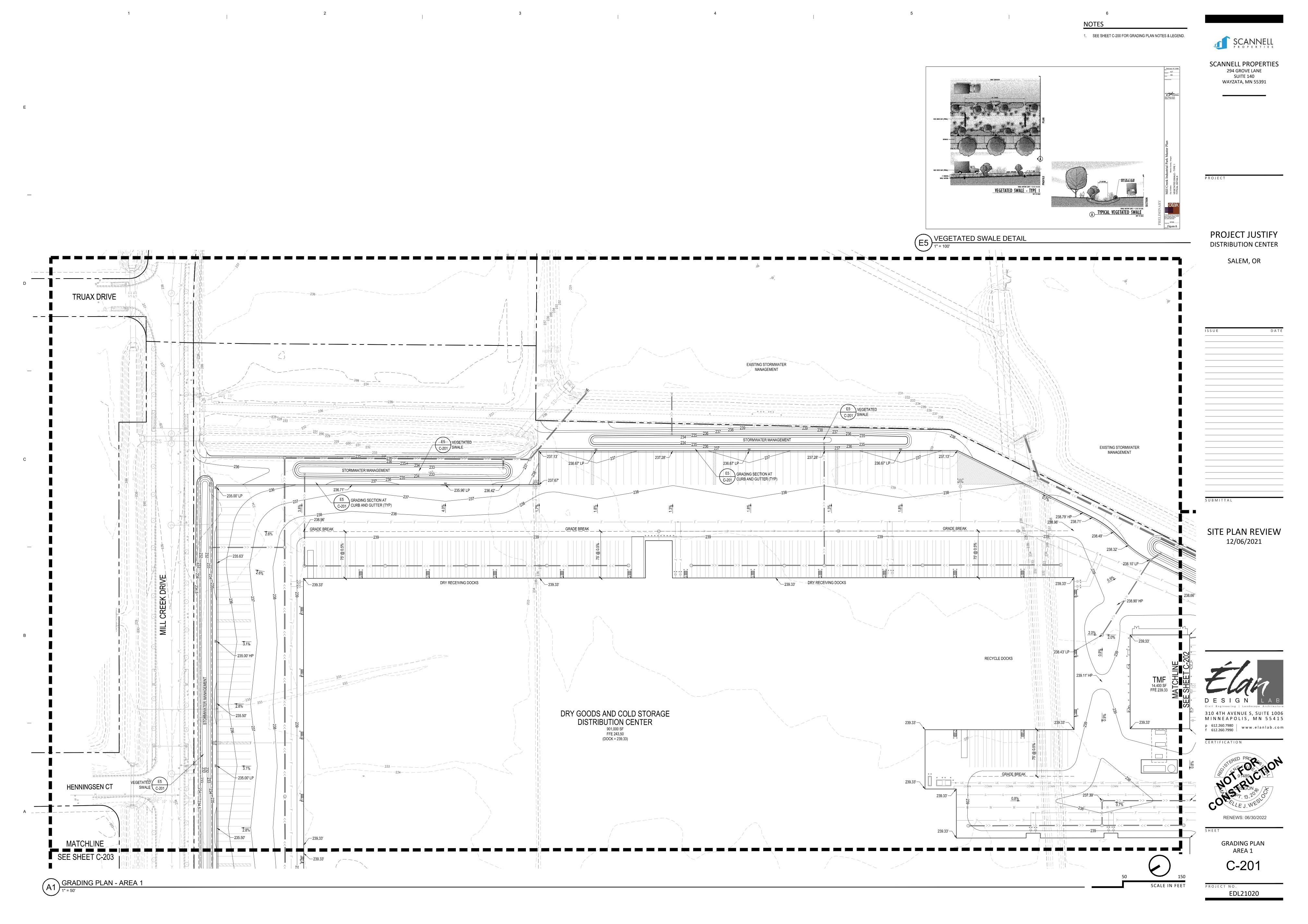
SCANNELL PROPERTIES

PROJECT JUSTIFY

310 4TH AVENUE S, SUITE 1006 MINNEAPOLIS, MN 55415







1. SEE SHEET C-200 FOR GRADING PLAN NOTES & LEGEND. SCANNELL PROPERTIES SCANNELL PROPERTIES

294 GROVE LANE
SUITE 140
WAYZATA, MN 55391 EXISTING STORMWATER
MANAGEMENT EXISTING STORMWATER
MANAGEMENT GUARDHOUSE 470 SF FFE 240.67 PROJECT JUSTIFY DISTRIBUTION CENTER TMF
14,400 SF
FFE 239.33 SALEM, OR STORMWATER MANAGEMENT C-201 VEGETATED SWALE SITE PLAN REVIEW 12/06/2021 p 612.260.7980 | www.elanlab.com f 612.260.7990 | GRADING PLAN AREA 2 C-202 GRADING PLAN - AREA 2 PROJECT NO.
EDL21020 SCALE IN FEET

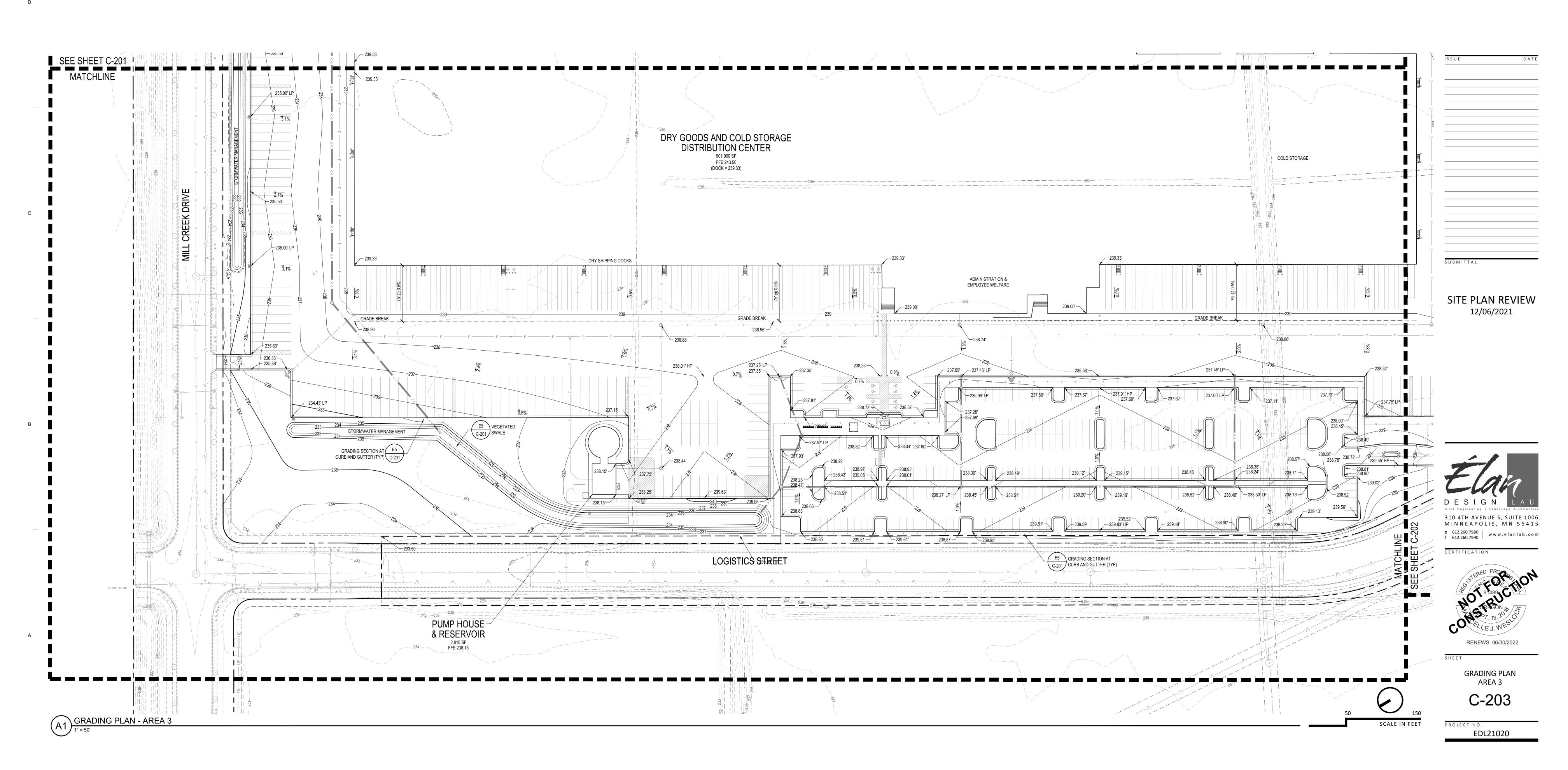
310 4TH AVENUE S, SUITE 1006 MINNEAPOLIS, MN 55415

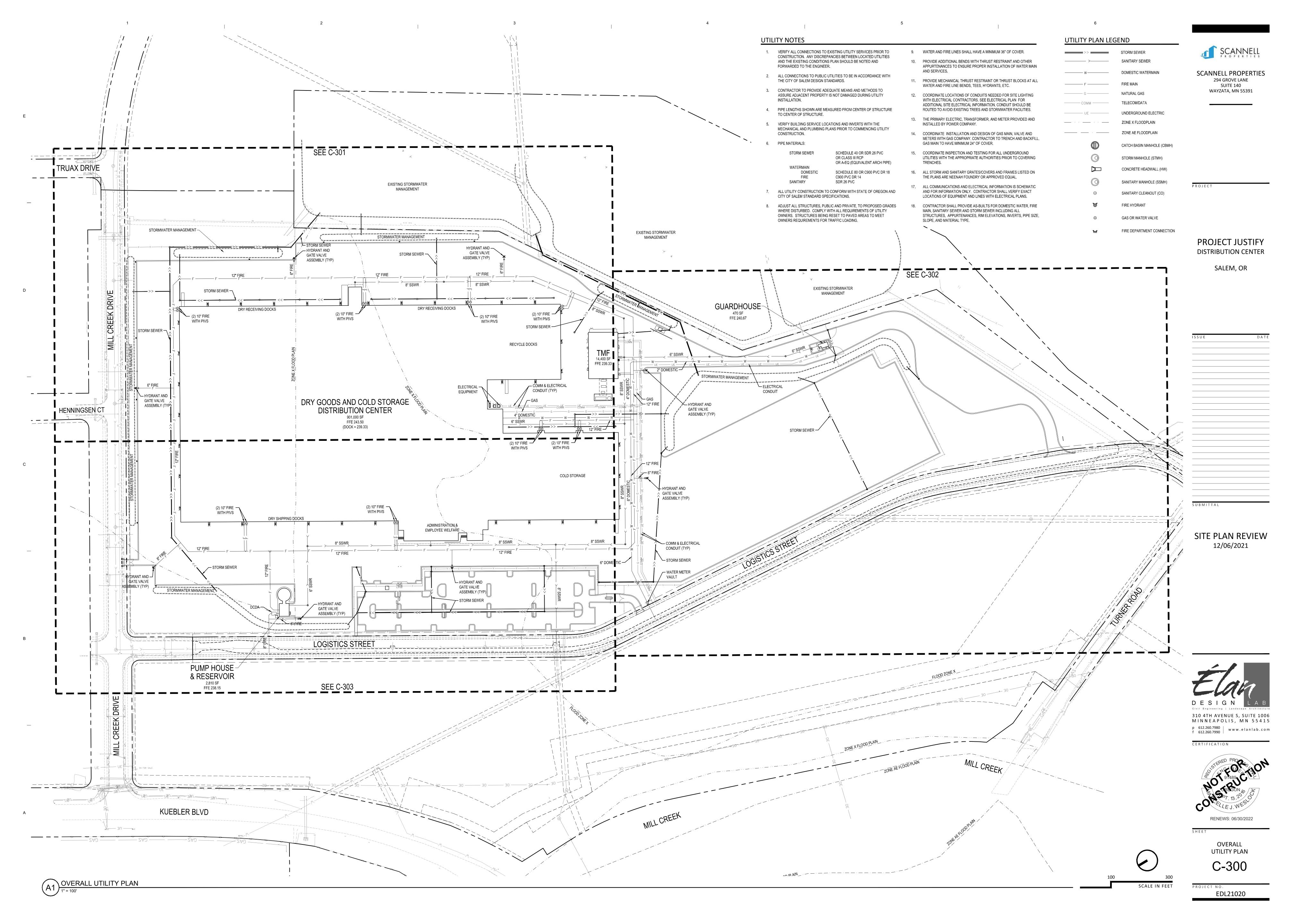
1. SEE SHEET C-200 FOR GRADING PLAN NOTES & LEGEND.



PROJECT JUSTIFY DISTRIBUTION CENTER

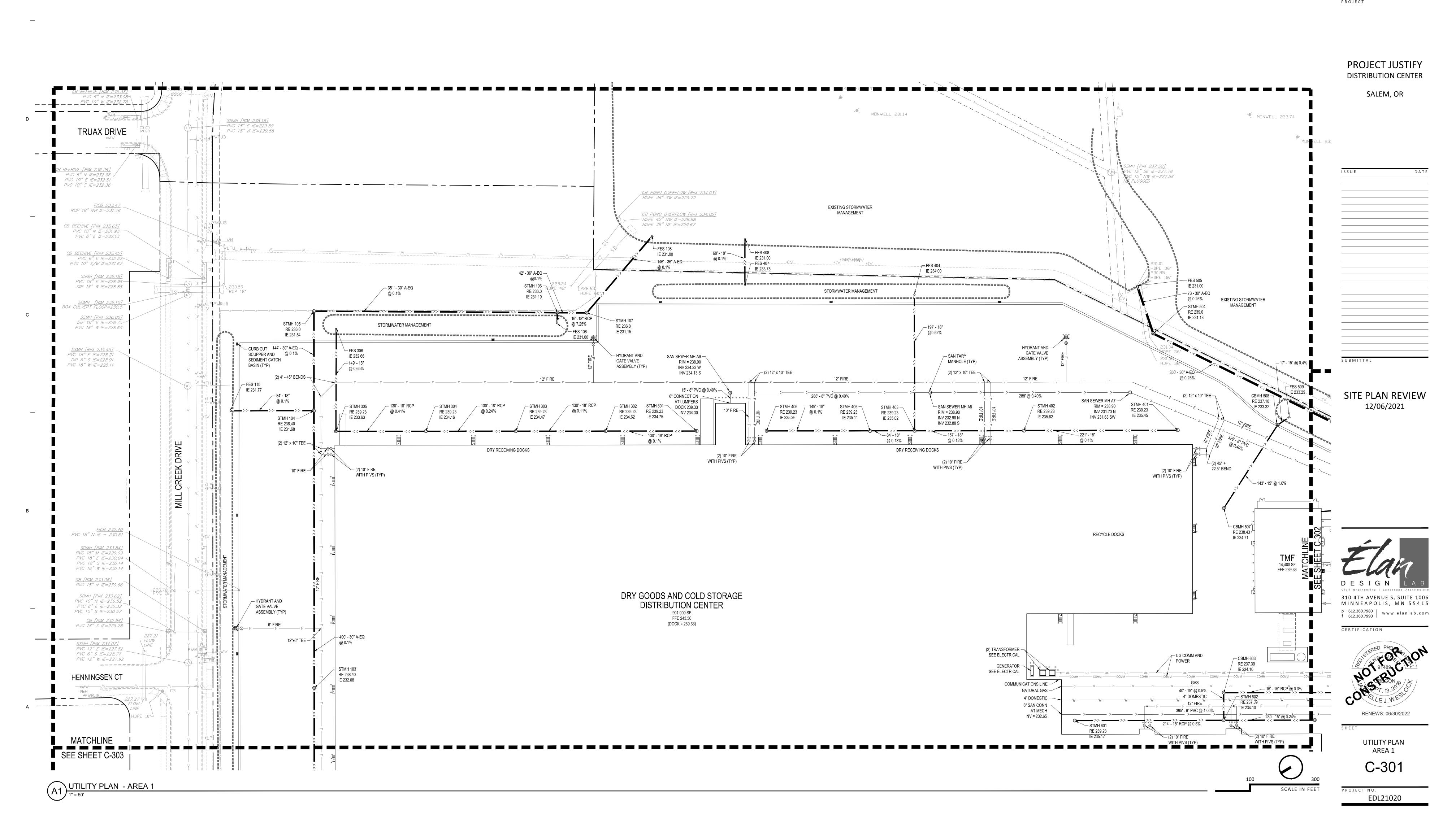
SALEM, OR







SUITE 140 WAYZATA, MN 55391



SCANNELL PROPERTIES 1. SEE SHEET C-300 FOR UTILITY PLAN NOTES & LEGEND SCANNELL PROPERTIES

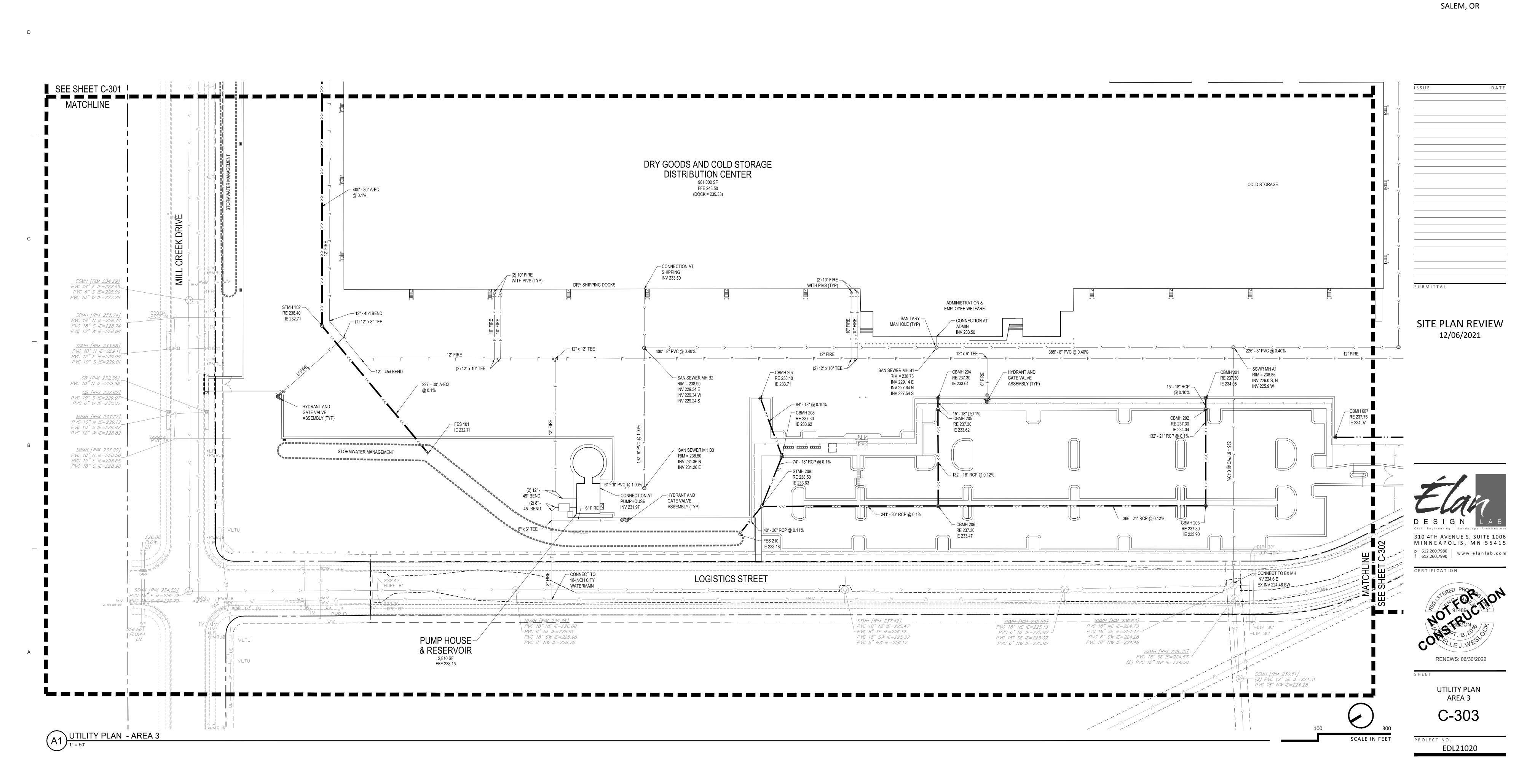
294 GROVE LANE

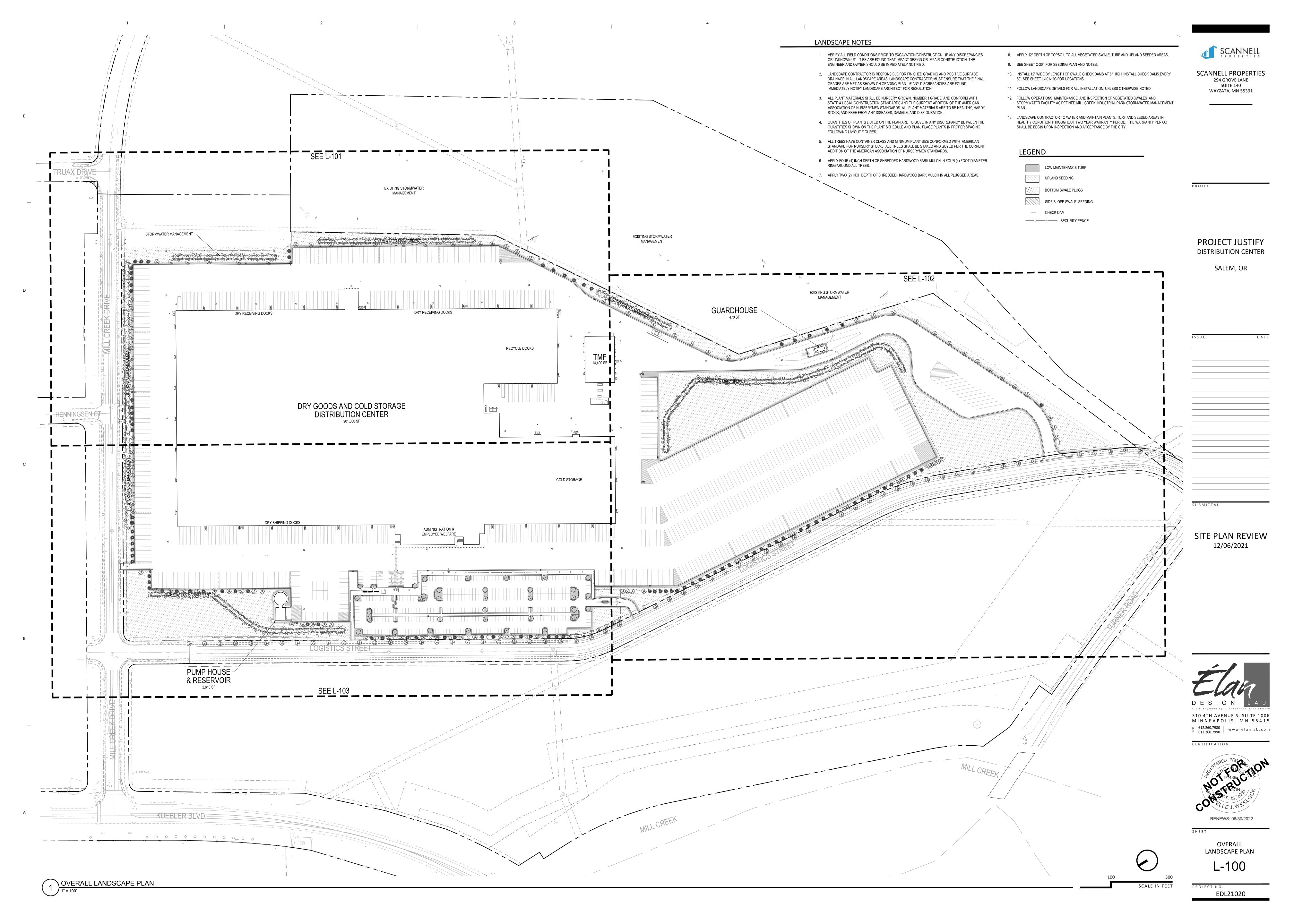
SUITE 140

WAYZATA, MN 55391 — SAN SEWER MH A6 RIM = 238.90 INV 230.35 NE INV 230.25 W °®° M□NWELL 236.39 <u>SDMH [RIM 243.21]</u> -HDPE 36" NE IE=236.49 HDPE 36" SW IE=236.66 — STMH 503 236.04_ HDPE 36″ RE 237.00 EXISTING STORMWATER IE 232.06 EXISTING STORMWATER MANAGEMENT MANAGEMENT __ 146' - 30" A-EQ @ 0.25% STMH 502 RE 237.0 IE 232.42 GUARDHOUSE 470 SF 61' -8" PVC @ 0.40% **FFE 240.67** 235.82_ - SAN SEWER MH A5 SAN SEWER MH C2 RIM = 240.25 INV 235.1 SE INV 235.0 N RIM = 239.15 INV 230.00 N INV 230.00 E INV 229.90 W ROOF V DRAIN L IE 235.86 <u>SDMH [RIM 243.98]</u> —HDPE 36" NE IE=237.58 HDPE 36" SW IE=237.88 RE 239.26 IE 234.96 ___ 184' - 30" A-EQ ∕ 6" SAN SEWER @ 0.23% INV 235.55 N IE 233.25 O/W SEPARATOR SAN SEWER MHC └ 16' - 15" RCP / PROJECT JUSTIFY RIM =239.00 - CBMH 615 @ 0.3% - SAN SEWER MH A4 INV 232.51 N INV 232.41 S RE 239.26 CBMH 511 RE 237.92 RIM = 239.25DISTRIBUTION CENTER INV 229.64 E TMF 14,400 SF FFE 239.33 | INV 229.64 N | INV 229.64 S | INV 229.54 W IE 233.30 277' - 6" PVC @ 1.00% 247' - 6" PVC @ 1.00% SALEM, OR SDMH [RIM 246.65] HDPE 36" NE IE=238.85 HDPE 18" SW IE=239.05 25' - 15" RCP @ 0.5% /— CBMH 617 FICB 241.48 —HDPE 18" NE IE=239.40 HDPE 18" S IE=239.46 <u>SDMH [RIM 253.70]</u> HDPE 18" NW IE=244.70-RE 240.24 IE 235.56 HOLE 12" SE IE=250.90 STORMWATER MANAGEMENT — HYDRANT AND GATE VALVE IE 234.40 - FES 501 ASSEMBLY (TYP) FES 501 IE 232.85 FES 613 — IE 234.0 ─— (2) POST INDICAT∳R VALVE (TYP) 155' **-** 24" RCP — RE 239.00 IE 234.10 @ 0.18% CBMH 604 RE 237.40 IE 233.23 UG COMM AND POWER 6" x 4" TEE W/ 4" REDUCER (E) ─ FES 605 IE 233.16 ~ 24 - 15" RCP @ 0.3% ← FES 610 IE 233.38 — SAN SEWER MH A3 │ RIM = 238.5INV 228.70 E 3TMH 606 — RE 239.23 IE 234.76 INV 228.70 N INV 228.60 W ─ 386' **-** 24" RCP — 31' **-** 24" @ 0.15% ─ CBMH 609 RE 237.40 IE 233.43 RE 239.0 SUBMITTAL IE 234.49 GATE VALVE ASSEMBLY (TYP) SITE PLAN REVIEW 12/06/2021 PVC 10" NE IE=228.78
PVC 10" SW IE=228.84 SSWR MH A2 \(\hat{\chi}\)
RIM = 238.95 ▮ INV 227.00 E INV 226.90 N 45° BEND <u>417' - 21" @ 0.12%</u> — СВМН 608 RE 237.40 IE 233.93 310 4TH AVENUE S, SUITE 1006 MINNEAPOLIS, MN 55415 p 612.260.7980 | www.elanlab.com f 612.260.7990 | AND POWER — WATER METER CERTIFICATION - COORDINATE POWER CONNECTION WITH SALEM ELECTRIC AND COMMUNICATIONS WITH APPROPRIATE PROVIDERS - COORDINATE NATURAL GAS CONNECTION WITH NORTHWEST NATURAL GAS COORDINATE CONNECTION UTILITY PLAN TO EXISTING 18-INCH AREA 2 WATERMAIN WITH CITY C-302 (A1) UTILITY PLAN - AREA 2 EDL21020 SCALE IN FEET



PROJECT JUSTIFY DISTRIBUTION CENTER





NOTES

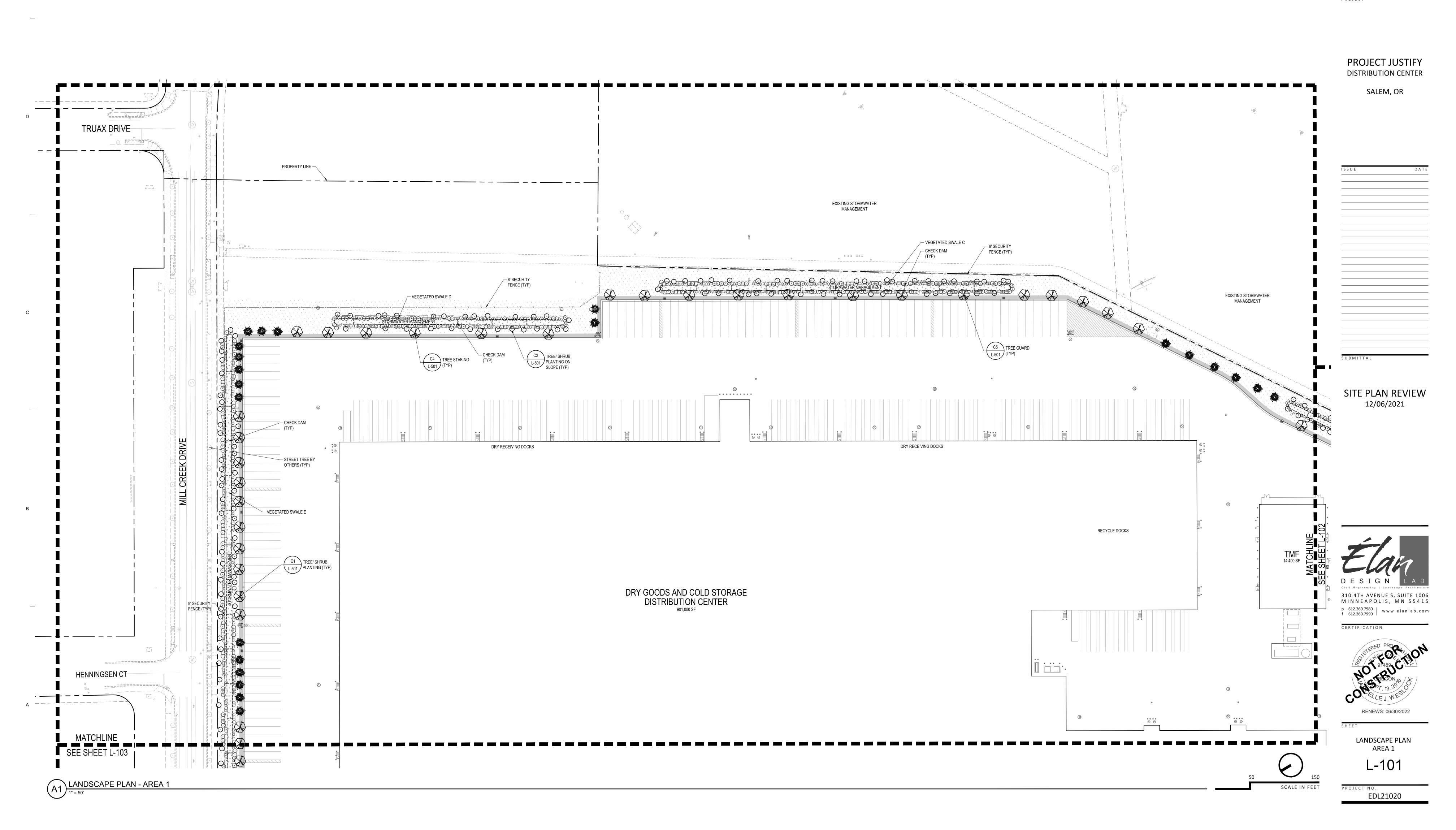
1. SEE SHEET L-100 FOR LANDSCAPE NOTES & LEGEND.

2. SEE SHEET L-104 FOR LANDSCAPE SUMMARY & SCHEDULE.

SCANNELL PROPERTIES

SCANNELL PROPERTIES

294 GROVE LANE
SUITE 140
WAYZATA, MN 55391



1. SEE SHEET L-100 FOR LANDSCAPE NOTES & LEGEND. 2. SEE SHEET L-104 FOR LANDSCAPE SUMMARY & SCHEDULE. SCANNELL PROPERTIES

294 GROVE LANE
SUITE 140
WAYZATA, MN 55391 EXISTING STORMWATER MANAGEMENT EXISTING STORMWATER
MANAGEMENT C2 L-501 TREE/ SHRUB PLANTING ON SLOPE (TYP) GUARDHOUSE -PROJECT JUSTIFY DISTRIBUTION CENTER SALEM, OR - 8' SECURITY FENCE (TYP) SITE PLAN REVIEW 12/06/2021 GROUNDCOVER RESTORATION
BY OTHERS (TYP) LANDSCAPE PLAN AREA 2 L-102 LANDSCAPE PLAN - AREA 2 SCALE IN FEET PROJECT NO. EDL21020

SCANNELL PROPERTIES

MINNEAPOLIS, MN 55415

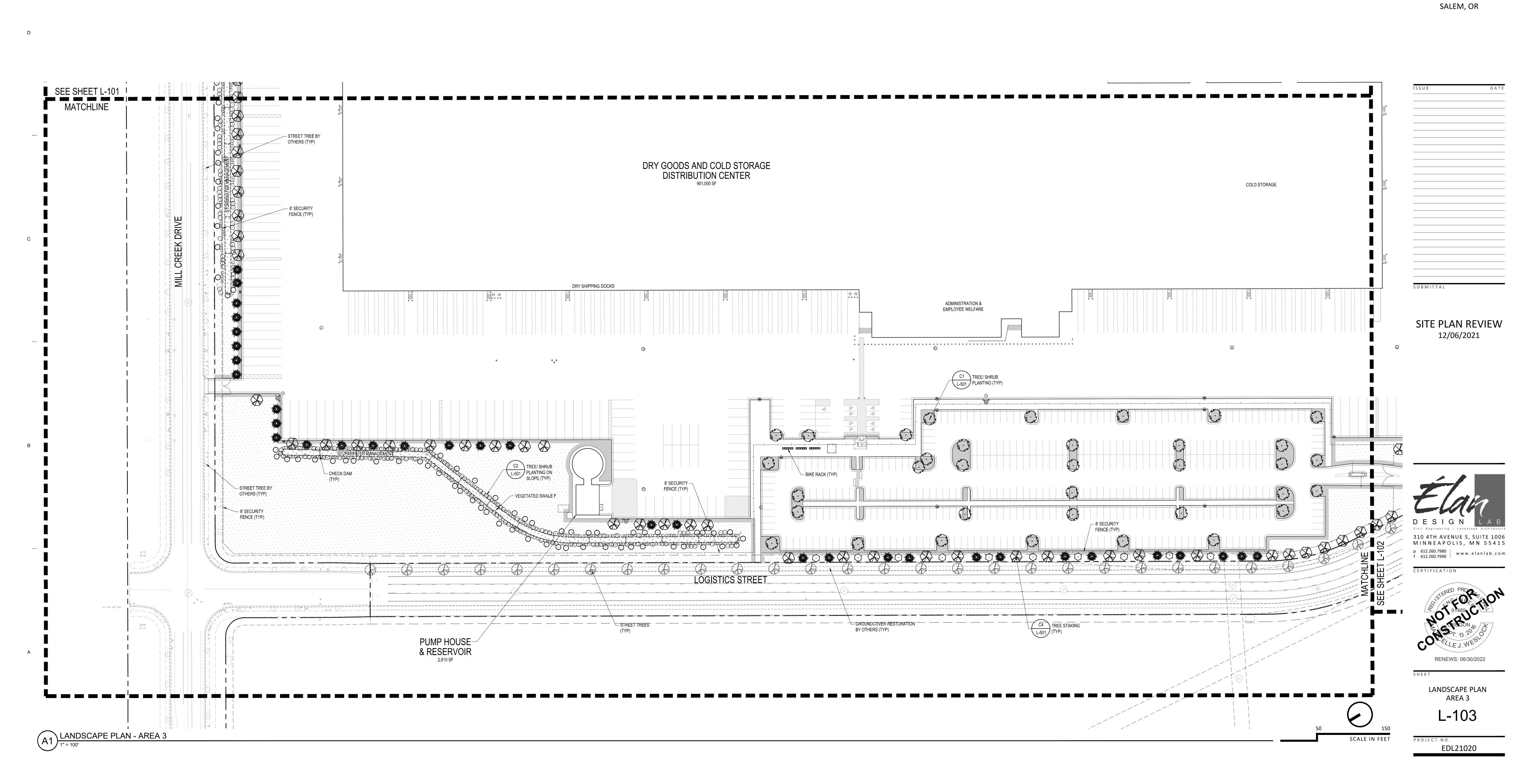
p 612.260.7980 | www.elanlab.com f 612.260.7990 |

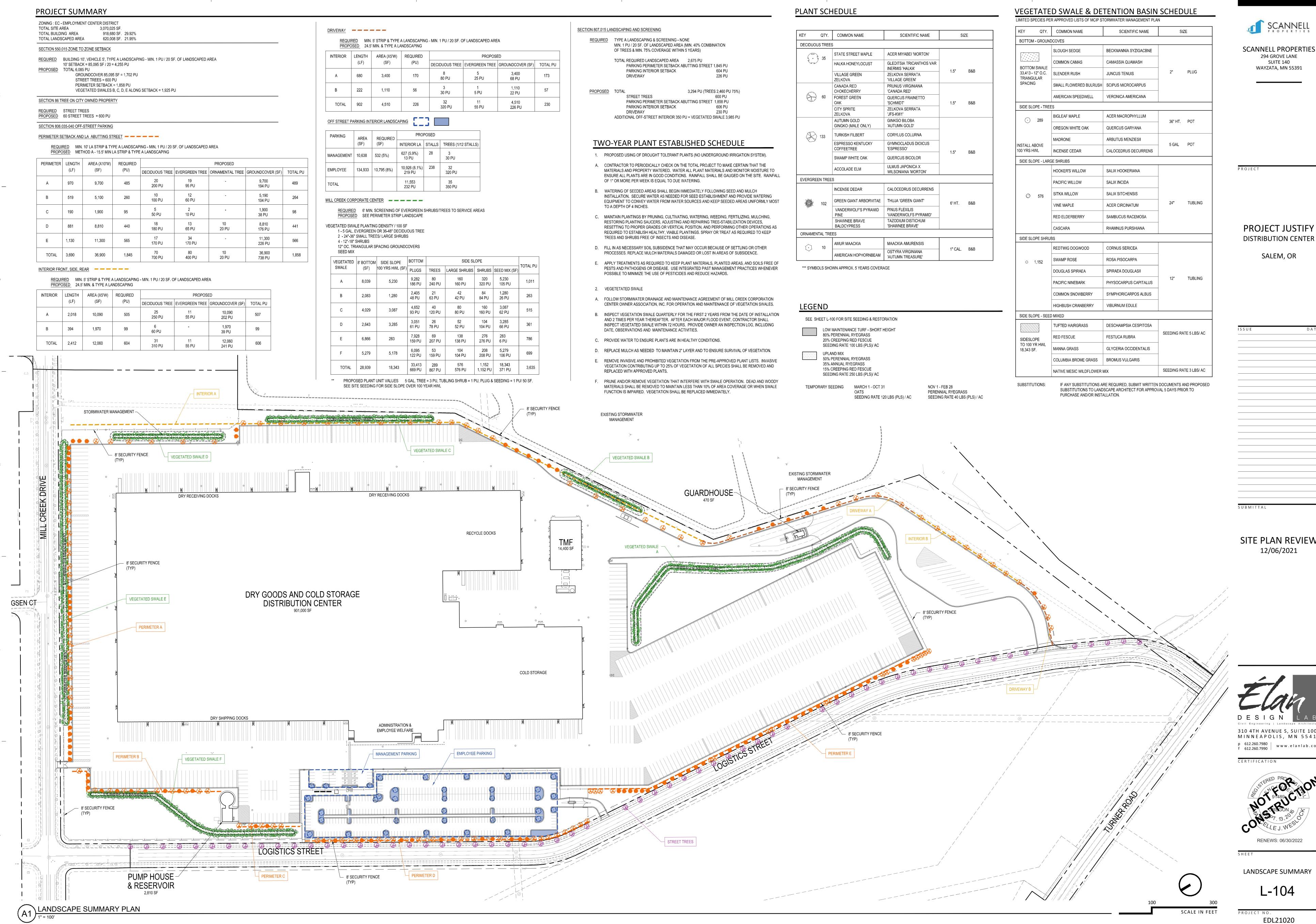
NOTES

SEE SHEET L-100 FOR LANDSCAPE NOTES & LEGENDS.
 SEE SHEET L-104 FOR LANDSCAPE SUMMARY & SCHEDULE.



PROJECT JUSTIFY DISTRIBUTION CENTER





SITE PLAN REVIEW

310 4TH AVENUE S, SUITE 1006 MINNEAPOLIS, MN 55415 p 612.260.7980 | www.elanlab.com f 612.260.7990 |

<u>From Salem SPR Application Packet</u>: A written statement is recommended to be submitted describing how the proposed development meets the following approval criteria for Class 3 Site Plan Review:

- The application meets all applicable standards of the UDC;
- 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;
- Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians; and
- The proposed development will be adequately served with City water, sewer, storm drainage, and other utilities appropriate to the nature of the development.

Project Justify Written Statement:

The proposed development is for a new dry goods and cold storage distribution center within the Mill Creek Corporate Center. The site is currently part of a larger parcel of land totaling 121.3 acres that will be subdivided and replatted. The existing parcel is located east of Kuebler Blvd and north of Turner Road SE along Mill Creek in the southern end of Salem, Oregon. The development is proposed on approximately 70.5 acres located at the southeast corner of Mill Creek Drive SE and Logistics Street SE.

The site is currently an undeveloped field with natural vegetation and is served by a gravel access road and utilities, including watermain and sanitary sewer infrastructure. A future access road is planned to divide the parcel with the east half identified for the distribution center. The road extension will be designed and built through the developer, Scannell Properties.

The site development includes a 901,000 sf combination warehouse of dry and cold storage that would include administration and dispatch offices. Beyond the principal building, the distribution center will have accessory uses that include a trailer maintenance facility (TMF), fuel island, guardhouse, and pumphouse with water tank reservoir. The site components include a truck queuing area, tractor parking, trailer parking, and employee parking. The warehouse has several compactors located at each of the main docks, as well as at the recycle dock. The recycle dock is utilized to break down cardboard for removal from the facility. Trash and recycling is handled within the facility and will not be stored on the site.

Truck traffic will enter the facility from the southern end of the property at Logistics Street through a 24-hour, 7-days per week staffed guardhouse. The truck entrance into the site has been designed to limit truck movements into and out of the site from Turner Road. A second entry and exit into the site has been provide at the northwest corner of the site for fire access only. This drive will be gated and equipped with a knox box.

The site is surrounded by an 8-foot chainlink security fence. Access to the site will be with key cards or entry through the guardhouse. Employees will enter through a separate driveway along Logistics Street

into the employee parking lot accessed through an arm gate. A sidewalk spine has been provided along the main parking aisle, as well as at the perimeter of employee parking at the north and east with connectors provided to the remaining area of the parking lot.

Employees will enter the secure side of the facility through a turnstile with the use of a key card. Before stepping onto the crosswalk, pedestrians will pass between a set of bollards that will activate flashing pedestrian crossing and stop signs to alert and stop truck traffic at the designated crosswalk for safe crossing. A pedestrian gate is provided at the northwest corner of the parking lot for employees arriving by transit. Bicycle parking has also been provided at the east side of the employee lot near the turnstile. Visitor, management, and accessible parking stalls are located on the secure side of the turnstile and will utilize the same crosswalk to access the building. All visitors will enter the facility through the guardhouse.

Stormwater management has been designed to adhere to the Mill Creek Corporate Center's Covenants, Conditions, and Restrictions (CC&Rs). Some of the pavement areas will be handled with surface runoff to curb cuts outfitted with scupper and sediment catchbasin structures. The roof runoff and a portion of the pavement will move through conveyance pipe to the vegetated swales through a series of sump manholes equipped with skimmer baffles.

There is an existing sanitary sewer that extends through the site from east to west. This sanitary sewer main will be relocated as part of a separate project and will be rerouted down Mill Creek Drive SE. The proposed development will connect with a new manhole to the sanitary sewer in the Logistics Drive right-of-way. There is also an existing 48-inch transmission watermain that traverses the overall property mostly located underneath Logistics Drive. Additionally, there is an existing 18-inch waterline that generally follows the Logistics Drive alignment up to Mill Creek Drive. The development will have two separate connections to this watermain. The first will be an 8-inch connection for fire that feeds the pumphouse. The second connection will be for a 6-inch domestic watermain.

The development will have an approximate 300,000 gallon water tank reservoir equipped with two fire pumps to supply the required flow to the 12-inch fire main loop that surrounds the warehouse. Multiple sets of two 10-inch fire service risers have also been provided around the warehouse outfitted with PIVs to provide for redundant supply. Hydrants have been located around the warehouse, as well as at the Pumphouse and TMF.

Known landscaping requirements from both the Mill Creek Corporate Center CC&Rs and the City of Salem's Unified Development Code (UDC) have been incorporated into the development. The development has a total landscaped area of almost 22 percent of the property area and incorporates the required street trees, perimeter landscaping and plantings for the vegetated swales. The employee lot has internal islands that meet the minimum interior landscaping requirement of 8 percent. Likewise, the management parking area meets the 5% interior landscaping requirement.

Known requirements from the City of Salem's UDC and the Mill Creek Corporate Center's CC&Rs are incorporated into the site parking, circulation, building layout, and landscaping.



Headquarters

8801 River Crossing Blvd.

Suite 300

Indianapolis, IN 46240 tel: 317.843.5959

fax:317.843.5957

Offices

Alexandria Boston Chicago Dallas Denver Kansas City Minneapolis

San Francisco

Antwerp Düsseldorf London Milan Paris Würzburg

From Salem UDC Chapter 250-Adjustments:

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

Class 2 Adjustment Requests:

Pedestrian Access Standards - SRC 800.065

1. **Sec. 800.065(a)(1)(A).** Connection between building entrances and streets. (A) A pedestrian connection shall be provided between the primary building entrance of each building on the development site and each adjacent street. Where a building has more than one primary building entrance, a single pedestrian connection from one of the building's primary entrances to each adjacent street is allowed; provided each of the building's primary entrances are connected, via a pedestrian connection, to the required connection to the street.

A pedestrian connection has been proposed from Logistics Street through the employee lot to the main entrance. A sidewalk along Logistics Street will be constructed as part of the Logistics Street improvements from Mill Creek Drive. However, a direct sidewalk connection from Mill Creek Drive SE has not been included as all pedestrian traffic is required to route through one location at either the employee lot or the visitors parking located immediately adjacent to one another directly across from administration offices. Visitors and employees must report to either the administration office or dispatch office located within the administration wing along the west side of the main warehouse. Employees are not permitted to walk through the secured distribution center except where specifically designated, therefore we request an adjustment to this requirement.

2. **Sec. 800.065(a)(2)(A).** Connection between buildings on the same development site. (A) Where there is more than one building on a development site, a pedestrian connection, or pedestrian connections, shall be provided to connect the primary building entrances of all of the buildings.

For safety of visitors and employees, no pedestrians are permitted to walk on the distribution center site except where specifically designated. Employees move between the trailer maintenance facility (TMF), Guardhouse, and Pumphouse by means of motorized vehicles and as such no pedestrian routes or interconnectivity has been provided for the safety of staff. Therefore, we request an adjustment to this requirement.

Vehicle Use Area Setback Adjacent to Buildings and Structures – SRC 806.035(c)(4)

- 3. **Sec. 806.035(c)(4).** Where an off-street parking or vehicular use area is located adjacent to a building or structure, the off-street parking or vehicular use area shall be setback from the exterior wall of the building or structure by a minimum five-foot-wide landscape strip, planted to the Type A Standard set forth in SRC Chapter 807, or by a minimum five-foot-wide paved pedestrian walkway.
 - a. **City Comment:** The site plan indicates that the north and south walls of the Dry Goods and Cold Storage Distribution Center building and the north, east, and south walls of the TMF building do not include the required five foot separation between the exterior wall of the building and the vehicle use area.

A paved protected pathway has been provided immediately adjacent to the administration office (west side) wall of the warehouse. Egress stairs are provided around the warehouse for code compliance. However, these stairs will only be used for emergency exiting. Hard surface is provided to these stairs at the face of the warehouse to provide a means of exiting during emergencies. However, employees will enter and exit the facility through the administration office. Employees move between the trailer maintenance facility (TMF), Guardhouse, and Pumphouse by means of motorized vehicles. The proposed plan provides for pedestrian safety. Additionally, the building use includes handling of food products, therefore having hard surface immediately adjacent to the structure reduces the risk of rodent infestation within the facility. For these reasons, we request an adjustment.

- 4. **Mill Creek Corporate Center Design Standards and Guidelines for Phase IA, Exhibit C Section 1.12.1**. Along building façade elevations where there are few or no surface penetrations, landscaping shall be provided of sufficient size or variety to visually break up the exterior of the building.
 - a. **City Comment:** Staff recommends that landscaping be provided along the northern wall of the Dry Goods and Cold Storage Distribution Center building. A Class 2 Adjustment may be requested to reduce or eliminate the required vehicle use area setback adjacent to other exterior walls.

All of areas of the warehouse have trailer parking or truck circulation immediately adjacent to the building elevations. The trailers are 13.5 feet tall and are positioned in stalls right next to each other. Landscaping installed that close to the building would not be visible above the height of the trailers. Additionally, the building use includes handling of food products, therefore having hard surface immediately adjacent to the structure reduces the risk of rodent infestation within the facility.

The trailer maintenance facility is located as such that its visibility is minimized as it is located behind the cold storage wing, as well as sited over 700 feet from Logistics Street that is lined with street trees. The east façade of the TMF faces the existing stormwater management facilities and the north façade faces the warehouse. The southern elevation is broken up with door openings. The remaining buildings on site are much smaller in scale, both in height and in overall area.

Again, egress stairs are provided around the warehouse for code compliance. Though these stairs will only be used for emergency exiting, hard surface is provided to the face of the warehouse to provide a safe means of exiting during emergencies. The stairs are protected by bollards located 5 feet from the building wall creating a safe landing. For these reasons, we request an adjustment.

Bicycle Parking Development Standards – SRC 806.060(a)

- 5. **SRC 806.060(a).** Bicycle parking located outside a building shall be located within a convenient distance of, and be clearly visibly from, the primary building entrance. In no event shall bicycle parking be located more than 50 feet from the primary building entrance, as measured along a direct pedestrian access route.
 - a. **City Comment:** Proposed bicycle parking spaces are located more than 50 feet from the primary building entrance. Either revise the bicycle parking location so all required bicycle parking spaces are within 50 feet or request a Class 2 Adjustment to modify this bicycle parking location standard.

All required bicycle parking spaces are located within the gated employee lot. The bicycle racks are located within the fenced employee lot and are located for users to secure them before entering through a turnstile. From the turnstile, pedestrians safely cross the drive along a crosswalk outfitted with flashing pedestrian signs and stop signs directed at truck traffic. Bicycle traffic is not allowed within the secured area of the warehouse due to safety concerns crossing the active drives. Bicycle parking before entrance into the warehouse ensures that no bicycles will be ridden inside the distribution center secure area. For this reason, we request an adjustment.





TO: Aaron Panko, Planner III

Community Development Department

FROM:

Glenn J. Davis, PE, CFM, Chief Development Engineer

Public Works Department

DATE: March 23, 2022

SUBJECT: **PUBLIC WORKS RECOMMENDATIONS**

SPR-ADJ-DAP22-05 (21-122676 / 21-122677 / 21-101942)

4770 LOGISTICS STREET SE

DRY GOODS AND COLD STORAGE DISTRIBUTION

PROPOSAL

A Class 3 Site Plan Review and Class 2 Driveway Approach Permit for development of a new dry goods and cold storage distribution center approximately 901,000 square feet in size and associated accessory buildings with Class 2 Zoning Adjustments. For a portion of property approximately 70.48 acres in size, zoned EC (Employment Center), and located at the 4500 Block of Mill Creek Drive SE - 97317 (Marion County Assessor's Map and Tax Lot number: 082W07 / 00602).

RECOMMENDED CONDITIONS OF APPROVAL

- 1. Along Turner Road SE from Logistics Street SE to the Mill Creek bridge, convey land for dedication of the ultimate right-of-way on the development side of centerline and construct a full-width Minor Arterial improvement. The improvement shall include tapers sufficient to provide a left-turn lane from southeast-bound Turner Road SE to northeast-bound Logistics Street SE. Sidewalks are required only on the development side of Turner Road SE.
- 2. Construct a half-width Turnpike improvement along the development side of Kuebler Boulevard SE from 1,200 feet south of Aumsville Highway SE to the Mill Creek Bridge or pay a fee-in-lieu (FIL) of improvements at time of building permit issuance equal to \$1,379,051 FIL.
- Convey land for dedication and construct a full Collector street improvement of 3. Logistics Street SE from Mill Creek Drive SE to Turner Road SE.

- 4. Dedicate right-of-way or a temporary construction easement for the required public improvements at the Logistics Street SE and Turner Road SE intersection.
- 5. Pursuant to SRC 86.015(e), any person undertaking development adjacent to public streets shall provide street trees along Logistics Street SE and Turner Road SE to the maximum extent feasible in accordance with the standards and specifications set forth in SRC Chapter 86 and applicable administrative rules. Mill Creek Drive SE shall require trees only where the trees are no longer viable adjacent to the property.
- 6. Design and construct a storm drainage system at the time of development in general compliance with SRC Chapter 71 and PWDS and/or the Mill Creek Industrial Park Stormwater Management Plan, or as approved by the City of Salem Public Works.
- 7. Replace the existing State-owned sewer east of Logistics Street SE with a public main in Mill Creek Drive SE from Deer Park Road SE to Logistics Street SE and in Logistics Street SE south of Mill Creek Drive.
- 8. Replace the existing southerly extension of the existing State-owned sewer with an 18-inch master plan main extended in Logistics Street SE to Turner Road SE.
- 9. An easement or quitclaim agreement to ensure prescriptive rights for the state-owned sewer shall be provided.
- 10. An easement for realigned drainage course shall be provided through the property.
- 11. Convey land for right-of-way for the existing Recreational Path extending from Turner Road SE to the stormwater facility abutting the subject property. Dedicated right-of-way may be utilized for purposes of calculating the maximum 80 percent impervious coverage requirement of the MCIP Stormwater Management Plan.
- 12. Along the Mill Creek waterway, dedicate:
 - a. A Public Utility Easement (or similar) for overhead powerlines.
 - b. An Open Channel Drainage Easement along Mill Creek. In accordance with PWDS, the easement width shall be either 15 feet from the channel centerline, or 10 feet from the top of the recognized bank, whichever is greater.
 - c. A Public Access and Trail Easement pursuant to the Mill Creek Corporate Center Master Plan.

FACTS

Streets

1. Mill Creek Drive SE

- a. <u>Standard</u>—This street is designated as a Local street in the Salem TSP. The standard for this street classification is a 30-foot-wide improvement within a 60-foot-wide right-of-way.
- b. <u>Existing Conditions</u>—This street has an approximate 50-foot improvement within a 120-foot-wide right-of-way abutting the subject property.

2. Logistics Street SE

- a. <u>Standard</u>—This street is a planned Collector street in the Salem TSP that runs through the subject property. The standard for this street classification is a 34-foot-wide improvement within a 60-foot-wide right-of-way.
- b. <u>Existing Conditions</u>—This street has an approximate 50-foot improvement within a 75-foot-wide right-of-way abutting the subject property.

3. Turner Road SE

- a. <u>Standard</u>— This street is designated as a Minor Arterial street in the Salem TSP. The standard for this street classification is a 46-foot-wide improvement within a 72-foot-wide right-of-way.
- b. <u>Existing Conditions</u>—This street has an approximate 25-foot improvement within a 60-foot-wide right-of-way abutting the subject property.

4. Kuebler Boulevard SE

- a. <u>Standard</u>—This street is designated as a Parkway street in the Salem TSP. The standard for this street classification is an 80-foot-wide improvement within a 120-foot-wide right-of-way.
- b. <u>Existing Conditions</u>—This street has an approximate 40-foot improvement within a 175-foot-wide right-of-way abutting the subject property.

Storm Drainage

1. Existing Conditions

There are existing above-ground stormwater management facilities to the east of the subject property as part of the Mill Creek Corporate Center campus.

Water

1. Existing Conditions

- a. The subject property is located in the S-1 water service level.
- b. An 18-inch water main is located in Mill Creek Drive SE and Logistics Street SE. Mains of this size generally convey flows of 4,800 to 11,100 gallons per minute.

Sanitary Sewer

1. Existing Conditions

- a. An 18-inch sewer main is located in Mill Creek Drive SE and Logistics Street SE.
- b. An 18-inch sewer main is located within a public easement on the subject property that extends from Logistics Street SE to the southern boundary.
- A 12-inch State-owned sewer main is location on the subject property within an easement that runs from the eastern property boundary to the western property boundary.

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 Class 2 Driveway Approach permit, the subject property meets all applicable standards of the following chapters of the UDC: 601 – Floodplain; 802 – Public Improvements; 803 – Streets and Right-of-Way Improvements; 804 – Driveway Approaches; 805 – Vision Clearance; 809 – Wetlands; and 810 – Landslides.

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

The Salem-Keizer Local Wetland Inventory shows that there are wetland channels and/or hydric soils mapped on the property. The applicant should contact the Oregon Department of State Lands to verify if any permits are required for development or construction in the vicinity of the mapped wetland area(s). Wetland notice was sent to the Oregon Department of State Lands pursuant to SRC 809.025.

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According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are mapped 2-to-3-point landslide hazard areas on the subject property. The proposed activity of a commercial building adds 3 activity points to the proposal, which results in a total of 5 to 6 points. Therefore, the proposed development is classified as a moderate landslide risk and requires a geological assessment. During review of the Mill Creek Corporate Center Subdivision (SUB08-05MOD2), a geologic hazard study was submitted that demonstrated the site does not contain geologic hazards that will adversely affect the proposed development. No additional information is required under SRC Chapter 810.

Mill Creek runs through the subject property. The subdivision decision creating the Mill Creek Corporate Center requires that all necessary access and utility easements be shown on the plat, as determined by the Public Works Director (SUB08-05MOD2). The following easements are required as part of the proposed development:

Condition: Along the Mill Creek waterway, dedicate:

- a. A Public Utility Easement (or similar) for overhead powerlines.
- b. An Open Channel Drainage Easement along Mill Creek. In accordance with PWDS, the easement width shall be either 15 feet from the channel centerline, or 10 feet from the top of the recognized bank, whichever is greater.
- c. A Public Access and Trail Easement pursuant to the Mill Creek Corporate Center Master Plan.

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—Mill Creek Drive SE is fully developed and meets the right-of-way width and pavement width standards pursuant to the Salem TSP; therefore, no additional street improvements are required as a condition of the proposed development.

Turner Road SE, Kuebler Boulevard SE, and Logistics Street SE do not meet current standards for their classification of street per the Salem TSP. During review of the Mill Creek Corporate Center Subdivision (SUB08-05MOD2), the City of Salem and State of Oregon identified the cumulative impacts of development for the Mill Creek Corporate Center and recommended mitigation projects in an Intergovernmental Agreement for the Development dated Mach 14, 2005. The following conditions are recommended for this phase of development:

Condition: Along Turner Road SE from Logistics Street SE to the Mill Creek bridge, convey land for dedication of the ultimate right-of-way on the

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development side of centerline and construct a full-width Minor Arterial improvement. The improvement shall include tapers sufficient to provide a left-turn lane from southeast-bound Turner Road SE to northeast-bound Logistics Street SE. Sidewalks are required only on the development side of Turner Road SE.

Condition: Construct a half-width turnpike improvement along the development side of Kuebler Boulevard SE from 1,200 feet south of Aumsville Highway SE to the Mill Creek Bridge or pay a fee-in-lieu (FIL) of improvements at time of building permits equal to \$19,561/acre x 70 acres = \$1,379,051 FIL.

Condition: Convey land for dedication and construct a full Collector street improvement of Logistics Street SE from Mill Creek Drive SE to Turner Road SE.

Condition: Dedicate right-of-way or a temporary construction easement for the required public improvements at the Logistics Street SE and Turner Road SE intersection.

The Mill Creek Corporate Center Master Plan shows a recreational trail located along the stormwater facility abutting the subject property and connecting both to Mill Creek Drive SE and Turner Road SE. A portion of that trail has already been constructed from Turner Road SE through the subject property. The applicant shall convey right-of-way or provide a public access easement to accommodate the recreational trail.

Condition: Convey land for right-of-way for the existing Recreational Path extending from Turner Road SE to the stormwater facility abutting the subject property. Dedicated right-of-way may be utilized for purposes of calculating the maximum 80 percent impervious coverage requirement of the MCIP Stormwater Management Plan.

Street trees are required along frontages to the maximum extent feasible in accordance with SRC 86.015(e). Applicant shall replace dead trees along Mill Creek Drive SE and plant new street trees along Logistics Drive SE.

Condition: Pursuant to SRC 86.015(e), any person undertaking development adjacent to public streets shall provide street trees along Logistics Street SE and Turner Road SE to the maximum extent feasible in accordance with the standards and specifications set forth in SRC Chapter 86 and applicable administrative rules. Mill Creek Drive SE shall require trees only where the trees are no longer viable adjacent to the property.

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 driveway access onto Logistics Street SE provides for safe turning movements into and out of the property.

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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 does not show any new connections to public infrastructure.

As described above, there are private State-owned sewer mains on the subject property that conflict with the proposed building. In order to ensure that adjacent properties are served with public sewer mains pursuant to PWDS 3.2, the applicant shall replace the State-owned sewer with public sewer mains located within adjacent streets. In addition, the Wastewater Management Master Plan shows that an 18-inch main is needed to serve undeveloped property along Turner Road SE.

Condition: Replace the existing State-owned sewer east of Logistics Street SE with a public main in Mill Creek Drive SE from Deer Park Road SE to Logistics Street SE, and in Logistics Street SE south of Mill Creek Drive.

Condition: Replace the existing southerly extension of the existing State-owned sewer with an 18-inch master plan main extended in Logistics Street SE to Turner Road SE.

Condition: An easement or quitclaim agreement to ensure prescriptive rights for the state-owned sewer shall be provided.

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

Condition: Design and construct a storm drainage system at the time of development in general compliance with SRC Chapter 71 and PWDS and/or the Mill Creek Industrial Park Stormwater Management Plan, or as approved by the City of Salem Public Works.

There is an existing drainage ditch that traverses the property where the building will be constructed. This drainage channel will be realigned as part of the project.

Condition: An easement for realigned drainage course shall be provided through the property.

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 driveways meet 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—The proposed driveway is not accessing onto 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 proposed driveway is currently located with access to the lowest classification of street abutting the subject property.

(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;

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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 Collector 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.

Prepared by: Laurel Christian, Program Coordinator cc: File