



# Pre-Application Report

Community Development Department  
Planning Division

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[www.cityofsalem.net/planning](http://www.cityofsalem.net/planning)

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Case Number / AMANDA No.	PRE-AP23-15 / 23-102457-PA
Conference Date	February 16, 2023
Applicant	Nick Wallace Carlson Veit Junge Architects 3095 River Road N Salem, OR 97303 <a href="mailto:nwallace@carlsonveit.com">nwallace@carlsonveit.com</a>
Representative	Nick Wallace
Case Manager	Bryce Bishop

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Mandatory Pre-Application Conference: ☐ Yes ☒ No

Project Description & Property Information	
Project Description	Demolition of the majority of the existing building and construction of a new building, along with associated site improvements, for an automotive dealership.
Property Address	2908 Market Street NE
Assessor's Map and Tax Lot Number	073W24BD08800 & 08900 and 073W24AC02700 & 04701
Property Size	Approximately 3.35 acres
Existing Use	Motor vehicle sales
Comprehensive Plan Map Designation	Mixed-Use
Zoning	MU-III (Mixed-Use-III)
Overlay Zone(s) / Historic Districts	None
Urban Service Area	The subject property is located inside the City's Urban Service Area. <b>Note:</b> When property is located inside the City's Urban Service Area an Urban Growth Preliminary Declaration is not required for development of the property.
Urban Renewal Area(s)	None

## Planning Division Comments

### Proposal

Pre-application conference to discuss demolition of the majority of the existing building and construction of a new building, along with associated site improvements, for an automotive dealership. The subject property totals approximately 3.35 acres in size, is zoned MU-III (Mixed-Use-III) and located at 2908 Market Street NE (Marion County Assessor's Map and Tax Lot Numbers: 073W24BD08800 & 08900 and 073W24AC02700 & 04701).

### Past Land Use Decisions

Staff reviewed the Planning Division's records to determine if there were any prior land use approvals for the subject property. In review of those records, the following past land use decisions were found:

- **Conditional Use Case No. CU80-18:** A Conditional Use Permit to allow the sale of new automobiles and trucks and the sale of automobile parts, accessories, and batteries in a CR (Commercial Retail) zone on property located at 2808 Market Street NE.
- **Variance Case No. VAR86-1:** A variance to allow two freestanding signs of 60 square feet and 130 square feet where one freestanding sign of 150 square feet is allowed (SRC 62.410(d) and 62.502) and to allow a sign(s) to be located in the 50-foot exclusive centerline special setback (SRC 130.180) in a CR (Commercial Retail Zone).
- **Conditional Use Case No. CU87-18:** A Conditional Use Permit to allow the expansion of an existing automobile sales and service facility (SRC 152.040(e)(2) and (f)(5)) in a CR (Commercial Retail) zone for property located at 2908 Market Street NE.
- **Comprehensive Plan Change, Neighborhood Plan Change, and Zone Change Case No. CPC-NPC-ZC97-26:** An application for a Comprehensive Plan Change, Neighborhood Plan Change, and Zone Change to change the Comprehensive plan from Single Family Residential to Commercial, the Northeast Salem Community Association neighborhood plan designation from Single Family Residential to Retail and Service, and the zoning from RS (Single Family Residential) to CR (Commercial Retail) for property located at 2908 Market Street NE.
- **Conditional Use, Class 3 Site Plan Review, and Class 2 Adjustment Case No. CU-SPR-ADJ15-04:** An application for a Conditional Use, Class 3 Site plan Review, and Class 2 Adjustment for a 930 square foot accessory structure for an existing motor vehicle sales use with a request for an adjustment to reduce the required landscaping for the total lot area from 15 percent to 1.7 percent, for property approximately 3.35 acres in size, zoned CR (Retail Commercial), and located at 2908 Market Street NE.

### Legal Unit(s) of Land

The subject property is comprised of four tax lots: 073W24BD08800 & 08900 and 073W24AC02700 & 04701. Subsequent to the pre-application conference staff reviewed Marion County survey records to try to determine when these tax lots were created. Based on review of the records it appears that tax lots 8800, 8900, and 2700 were not included as part of any recorded partition or subdivision plat, but surveys were found (*Survey Nos. 8186 & 8433*) which appear to show tax lots 8800 and 8900 dating back to 1935 and 1937, and a survey was found (*Survey No. 19193*) which appears to show tax lot 2700 dating back to 1966. Based on these survey dates occurring prior to January 1, 1968, it would appear that tax lots 8800, 89900, and 2700 are likely legally established units of land. However, in order to confirm this, evidence will need to be provided showing when the properties were created in their current configuration. This can be done by obtaining a chain of title report for the properties to trace back their creation to the first deeds that established them in their current configuration. Staff will then be able to use the dates from those deeds to determine what land division requirements, if any, were in place at that time and whether the properties were created in conformance with those requirements. If the

properties were not lawfully created, a Validation of Unit(s) of Land will be required to establish the properties as legal units of land.

In regard to the fourth tax lot, tax lot 4701, review of survey records appears to show that in 1982 this property was included as the northern portion of Parcel 2 of Minor Partition Plat No. 82-22M. Subsequently in 1997, Parcel 2 was further partitioned into three parcels with the recording of Partition Plat No. 97-2. However, in review of the plat for Partition 97-2, the northern portion of former Parcel 2 of Partition Plat 82-22M (*which coincides with the current boundaries of tax lot 4701*) was not included in the subsequent 1997 partitioning. It would therefore appear that sometime between 1982 and 1997 the northern portion of Parcel 2 was sold off from the remaining portion of the parcel without going through a land division process and this property, as a result, was not included within the boundaries of subsequent Partition Plat 97-2. Based on this information it appears that tax lot 4701 may not be lawfully created.

For reference, copies of Survey Nos. 8186, 8433, and 19193, as well as copies of Partition Plat 82-22M and Partition Plat 97-2 are included with this report.

### **Required Land Use Applications**

The land use applications checked in the table below have been preliminarily identified as being required for development of the subject property based upon the information provided by the applicant at the time of the pre-application conference. Additional land use applications may be required depending on the specific proposal at the time of future development.

Required Land Use Applications					
Zoning		Site Plan Review			
<input checked="" type="checkbox"/>	Conditional Use (SRC 240.005)	<input type="checkbox"/>	Class 1 Site Plan Review (SRC 220.005)		
<input type="checkbox"/>	Comprehensive Plan Change (SRC 64.020)	<input type="checkbox"/>	Class 2 Site Plan Review (SRC 220.005) <i>(Applicable if the development will meet the triggers for Class 2 Site Plan Review under SRC 220.005(b)(2)).</i>		
<input type="checkbox"/>	Zone Change (SRC 265.000)	<input checked="" type="checkbox"/>	Class 3 Site Plan Review (SRC 220.005) <i>(Applicable if the development will meet the triggers for Class 3 Site Plan Review under SRC 220.005(b)(3)).</i>		
<input type="checkbox"/>	Temporary use Permit – Class 1 (SRC 701.010)	Design Review			
<input type="checkbox"/>	Temporary Use Permit – Class 2 (SRC 701.010)	<input type="checkbox"/>	Class 1 Design Review (SRC 225.005)		
<input type="checkbox"/>	Non-Conforming Use Extension, Alteration, Expansion, or Substitution (SRC 270.000)	<input type="checkbox"/>	Class 2 Design Review (SRC 225.005)		
<input type="checkbox"/>	Manufactured Dwelling Park Permit (SRC 235.010)	<input type="checkbox"/>	Class 3 Design Review (SRC 225.005)		
Land Divisions		Historic Design Review (SRC 230.020)			
<input checked="" type="checkbox"/>	Property Line Adjustment (SRC 205.055)	<input type="checkbox"/>	Major Commercial	<input type="checkbox"/>	Minor Commercial
<input type="checkbox"/>	Replat (SRC 205.025)	<input type="checkbox"/>	Major Public	<input type="checkbox"/>	Minor Public
<input type="checkbox"/>	Partition (SRC 205.005)	<input type="checkbox"/>	Major Residential	<input type="checkbox"/>	Minor Residential
<input type="checkbox"/>	Subdivision (SRC 205.010)	Wireless Communication Facilities			
<input type="checkbox"/>	Phased Subdivision (SRC 205.015)	<input type="checkbox"/>	Class 1 Permit (SRC 703.020)		

<input type="checkbox"/>	Planned Unit Development Tentative Plan (SRC 210.025)	<input type="checkbox"/>	Class 2 Permit (SRC 703.020)
<input type="checkbox"/>	Manufactured Dwelling Park Subdivision (SRC 205.020)	<input type="checkbox"/>	Class 3 Permit (SRC 703.020)
<input type="checkbox"/>	Middle Housing Land Division (SRC 205.051)	<input type="checkbox"/>	Temporary (SRC 703.100)
<input checked="" type="checkbox"/>	Validation of Unit of Land (SRC 205.060)	<input type="checkbox"/>	Adjustment (SRC 703.090)
<b>Relief</b>			
<input type="checkbox"/>	Adjustment – Class 1 (SRC 250.005) <i>(Applicable when a proposed deviation from standards is within 20 percent of the standard)</i>	<b>Other</b>	
<input checked="" type="checkbox"/>	Adjustment – Class 2 (SRC 250.005) <i>(Applicable when a proposed deviation from standards exceeds 20 percent of the standard)</i>		
<input type="checkbox"/>	Variance (SRC 245.005)	<input type="checkbox"/>	Annexation – Voter Approval (SRC 260.035)
<b>Natural Resources</b>		<input type="checkbox"/>	Annexation – Voter Exempt (SRC 260.035)
<input type="checkbox"/>	Tree Conservation Plan (SRC 808.035)	<input type="checkbox"/>	Sign Adjustment (SRC 900.035)
<input type="checkbox"/>	Tree Conservation Plan Adjustment (SRC 808.040)	<input type="checkbox"/>	Sign Conditional Use (SRC 900.045)
<input type="checkbox"/>	Tree Removal Permit (SRC 808.030)	<input type="checkbox"/>	Sign Variance (SRC 900.040)
<input type="checkbox"/>	Tree Variance (SRC 808.045)	<input type="checkbox"/>	SWMU Zone Development Phasing Plan (SRC 531.015)
<input type="checkbox"/>	Willamette Greenway Permit – Class 1 (SRC 600.015)	<input type="checkbox"/>	Urban Growth Preliminary Declaration (SRC 200.020)
<input type="checkbox"/>	Willamette Greenway Permit – Class 2 (SRC 600.015)	<input type="checkbox"/>	Historic Clearance Review- High Probability Archaeological Zone (SRC 230.100)
		<input type="checkbox"/>	Fairview Refinement Plan Minor Amendment (SRC 530.035)
		<input type="checkbox"/>	Fairview Refinement Plan Major Amendment (SRC 530.035)
		<input checked="" type="checkbox"/>	Class 2 Driveway Approach Permit (SRC 804.025)
		<input type="checkbox"/>	Landscaping Permit (SRC 807.020(b))
<b>Staff Comments</b>			

- **Conditional Use Permit:** The subject property has been historically used for automotive sales and service and, as identified in the list of past land use approvals found for the property included earlier in this report, conditional use permits for this use on the property date back to the 1980s.

However, despite conditional use permits for auto sales and service being approved for the site in the past, the proposed development will require a new conditional use permit because, pursuant to SRC 240.005(a)(2), either a new conditional use permit or a modification to an existing conditional use permit is required when a use for which a conditional use permit has been granted is proposed to be expanded or a building or structure devoted to such use is structurally altered or enlarged.

A new conditional use permit, rather than a modification to the existing conditional use permit, is required in this case because the scope of the changes to the building and site to accommodate the new dealership will result in a significant change to the appearance of the site which in turn exceeds the threshold for being able to review the proposal as a modification.

- **Property Line Adjustment:** As discussed at the pre-application conference, due to the location of the existing property lines which run through the site in relation to the location of the proposed building, property line adjustments will be required to eliminate the existing property lines so the proposed building will not be located over the existing lines and the required parking and vehicle use areas setbacks of the MU-III zone will be met.

Please note, however, that property line adjustments can only be reviewed and approved for legal units of land. As noted earlier in this memo, confirmation that the four tax lots which make up the property is therefore needed prior to being able to approve any property line adjustments. If any of the tax lots are not lawfully established units of land an application for a **validation of unit of land** will also be required to first establish the properties as legal of units of land which can then be further adjusted through a property line adjustment.

- **Adjustments:** Depending on the final design and layout of the proposed development, not all of the applicable development standards of the SRC may be able to be met. If the proposed development will not meet an applicable development standard, either a Class 1 or Class 2 Adjustment will be required. A Class 1 Adjustment applies when a requested deviation from a development standard does not exceed 20 percent and a Class 2 Adjustment applies when a requested deviation from a development standard exceeds 20 percent.

### **Online Application Submittal Packets**

The City has electronic application submittal guides for the applications identified above. The webpages include a summary of the review procedure, submittal requirements, and approval criteria. The submittal guides can be found on the City's website at the following location:

- **Conditional Use Permit:**

<https://www.cityofsalem.net/business/land-use-zoning/development-application-help/apply-for-a-conditional-use-permit>

- **Site Plan Review:**

<https://www.cityofsalem.net/business/land-use-zoning/development-application-help/build-on-your-property>

- **Adjustment:**

<https://www.cityofsalem.net/business/land-use-zoning/development-application-help/seek-an-adjustment-to-land-use-standards>

- **Property Line Adjustment:**

<https://www.cityofsalem.net/business/land-use-zoning/development-application-help/move-your-property-lines-property-line-adjustment>

▪ **Validation of Unit of Land:**

<https://www.cityofsalem.net/business/land-use-zoning/development-application-help/validate-property-boundaries>

**Land Use Application Fees**

The applicable land use application fees for these applications can be found on the City's website at the location below. Land use application fees and descriptions start on **page 25** of the document.

<https://www.cityofsalem.net/home/showpublisheddocument/1124/638041198777300000>

**Consolidated Land Use Application Procedures**

When multiple land use applications are required or proposed for a development, the City's land use procedures ordinance (SRC Chapter 300) provides alternatives methods for how such applications may be processed.

The applications may be processed individually in sequence, concurrently, or consolidated into a single application. Where multiple applications proposed to be consolidated include an application subject to review by the Historic Landmarks Commission, the application subject to Historic Landmarks Commission review may be processed individually in sequence or concurrently.

Multiple land use applications consolidated into a single application shall be accompanied by the information and supporting documentation required for each individual land use action. Review of the application shall be according to the highest numbered procedure type and the highest Review Authority required for any of the land use applications proposed to be consolidated.

Multiple applications processed concurrently require the filing of separate applications for each land use action. Each application shall be reviewed separately according to the applicable procedure type and Review Authority, and processed simultaneously.

**Zoning**

The zoning of the subject property has been identified in the table below. For specific requirements of the applicable zone(s), click on the zone(s) in the table.

Base Zones			
<input type="checkbox"/>	<a href="#">EFU – Exclusive Farm Use (SRC 500.000)</a>	<input type="checkbox"/>	<a href="#">MU-II – Mixed Use II (SRC 534.000)</a>
<input type="checkbox"/>	<a href="#">RA – Residential Agriculture (SRC 510.000)</a>	<input checked="" type="checkbox"/>	<a href="#">MU-III – Mixed Use III (SRC 535.000)</a>
<input type="checkbox"/>	<a href="#">RS – Single Family Residential (SRC 511.000)</a>	<input type="checkbox"/>	<a href="#">MU-R – Mixed Use Riverfront (SRC 536.000)</a>
<input type="checkbox"/>	<a href="#">RM-I – Multiple Family Residential (SRC 513.000)</a>	<input type="checkbox"/>	<a href="#">EMSU – Edgewater/Second Street Mixed-Use Corridor (SRC 537.000)</a>
<input type="checkbox"/>	<a href="#">RM-II – Multiple Family Residential (SRC 514.000)</a>	<input type="checkbox"/>	<a href="#">PA – Public Amusement (SRC 540.000)</a>
<input type="checkbox"/>	<a href="#">RM-III – Multiple Family Residential (SRC 515.000)</a>	<input type="checkbox"/>	<a href="#">PC – Public/Private Cemetery (SRC 541.000)</a>
<input type="checkbox"/>	<a href="#">CO – Commercial Office (SRC 521.000)</a>	<input type="checkbox"/>	<a href="#">PE – Public/Private Education (SRC 542.000)</a>
<input type="checkbox"/>	<a href="#">CR – Retail Commercial (SRC 522.000)</a>	<input type="checkbox"/>	<a href="#">PH – Public/Private Health Services (SRC 543.000)</a>
<input type="checkbox"/>	<a href="#">CG – General Commercial (SRC 523.000)</a>	<input type="checkbox"/>	<a href="#">PS – Public Service (SRC 544.000)</a>
<input type="checkbox"/>	<a href="#">CB – Central Business District (SRC 524.000)</a>	<input type="checkbox"/>	<a href="#">PM – Capitol Mall (SRC 545.000)</a>

<input type="checkbox"/>	WSCB – West Salem Central Business District (SRC 525.000)	<input type="checkbox"/>	EC – Employment Center (SRC 550.000)
<input type="checkbox"/>	FMU – Fairview Mixed-Use (SRC 530.000)	<input type="checkbox"/>	IC – Industrial Commercial (SRC 551.000)
<input type="checkbox"/>	SWMU – South Waterfront Mixed-Use (SRC 531.000)	<input type="checkbox"/>	IBC – Industrial Business Campus (SRC 552.000)
<input type="checkbox"/>	NH – Neighborhood Hub (SRC 532.000)	<input type="checkbox"/>	IP – Industrial Park (SRC 553.000)
<input type="checkbox"/>	MU-I – Mixed Use I (SRC 533.000)	<input type="checkbox"/>	IG – General Industrial (SRC 554.000)
<b>Overlay Zones</b>			
<input type="checkbox"/>	Willamette Greenway (SRC 600.000)	<input type="checkbox"/>	Oxford-West Nob Hill (SRC 622.000)
<input type="checkbox"/>	Floodplain (SRC 601.000)	<input type="checkbox"/>	Oxford-Hoyt (SRC 623.000)
<input type="checkbox"/>	Airport (SRC 602.000)	<input type="checkbox"/>	Hoyt-McGilchrist (SRC 624.000)
<input type="checkbox"/>	Portland Fairgrounds Road (SRC 603.000)	<input type="checkbox"/>	Saginaw Street (SRC 625.000)
<input type="checkbox"/>	Chemawa-I-5 Northeast Quadrant Gateway (SRC 618.000)	<input type="checkbox"/>	McNary Field (SRC 629.000)
<input type="checkbox"/>	Superior-Rural (SRC 621.000)	<input type="checkbox"/>	
<b>Staff Comments</b>			
<ul style="list-style-type: none"> <li>▪ <b>Proposed Use:</b> The proposal includes construction of a new building and associated site improvements for an automotive sales and service business. Under the property's MU-III zoning (<i>per SRC 535.010(a), Table 535-1</i>), both Motor Vehicle and Manufactured Dwelling and Trailer Sales and Motor Vehicle Services are allowed Conditional Uses within the zone requiring a Conditional Use Permit.</li> </ul>			

### **Development Standards**

The proposed development will be primarily subject to the requirements of the [MU-III zone](#) and the provisions of the chapters identified in the table below. For specific requirements, click on chapters in the table.

<b>Development Standards</b>			
<input type="checkbox"/>	Multiple Family Design Review Guidelines and Standards (SRC 702.000)	<input checked="" type="checkbox"/>	Off-Street Parking, Loading and Driveways (SRC 806.000)
<input checked="" type="checkbox"/>	General Development Standards (SRC 800.000)	<input checked="" type="checkbox"/>	Landscaping and Screening (SRC 807.000)
<input checked="" type="checkbox"/>	Public Improvements (SRC 802.000)	<input type="checkbox"/>	Preservation of Trees and Vegetation (SRC 808.000)
<input checked="" type="checkbox"/>	Streets and Right-Of-Way Improvements (SRC 803.000)	<input type="checkbox"/>	Wetlands (SRC 809.000)
<input checked="" type="checkbox"/>	Driveway Approaches (SRC 804.000)	<input type="checkbox"/>	Landslide Hazards (SRC 810.000)
<input checked="" type="checkbox"/>	Vision Clearance (SRC 805.000)	<input checked="" type="checkbox"/>	Sign Code (SRC 900.000)
<b>Staff Comments</b>			
Based upon review of the proposed site plan, the following items have been identified concerning the proposed development's conformance with applicable Salem Revised Code standards:			
<ul style="list-style-type: none"> <li>❖ <b>MU-III Zone Building Setback Abutting Market Street NE and Park Avenue NE:</b> Pursuant to SRC 535.015(c), Table 535-3, a minimum setback of five feet is required for buildings abutting a street and a <b>maximum setback</b> of 30 feet applies to <b>new buildings</b> abutting a street. The maximum setback of up to</li> </ul>			

30 feet for new buildings applies only when the setback area is used for a combination of landscaping and pedestrian amenities that meet the following standards:

- ❖ Up to the first 10 feet of the setback area can be used for exclusively for pedestrian amenities; and
- ❖ At least 50 percent of the remaining setback area must be landscaped.

Pedestrian amenity is defined under SRC 535.005 as, "...areas and objects that are intended to serve as places for public use and are closed to motorized vehicles. Examples include plazas, sidewalk extensions, outdoor seating areas, and street furnishings."

As discussed at the pre-application conference, the proposed new building does not meet the maximum 30-foot-building setback required under the MU-III zone abutting Market Street or Park Avenue. A Class 2 Adjustment to the maximum setback standard from these streets will therefore be required. In order for a Class 2 Adjustment to be approved, the applicable Class 2 Adjustment approval criteria must be met, including demonstrating that the underlying purpose of the standard being adjusted is equally or better met by the proposed development. As discussed at the pre-application conference this could include, but is not limited to, removing the existing curb-line sidewalk along Market Street and providing a new sidewalk along the street located at the special setback line so the proposed building is located closer to the sidewalk; thereby enhancing safety and the pedestrian experience along the property's Market Street frontage.

In addition, it was explained that the vehicle display area proposed between the building and Market Street would need to be designed so that it includes an identifiable pedestrian amenity and the number of cars would need to be reduced and sited in a manner that visually complements the pedestrian amenity and does not look like a row of cars lined up for display.

- ❖ **MU-III Zone Building and Parking/Vehicle Use Area Setbacks Abutting Interior Side and Rear Property Lines:** Pursuant to SRC 535.015(c), Table 535-3 & Table 535-4, the required setback for buildings, accessory structures, and parking and vehicle use areas abutting interior side and rear property lines is based on the specific zoning of abutting properties. Because the subject property is zoned MU-III and abutting properties are zoned MU-III, RM-II, and RS, the following zone-to-zone setbacks apply:

- ❖ **Buildings & Accessory Structures:**

- None (*applicable abutting MU-III zone*)

- Min. 10 ft., plus 1.5 feet for each 1-foot of building height above 15 feet, but in no case more than 50 ft. with Type C landscaping & screening (*applicable abutting RM-II and RS zone*)

- ❖ **Parking & Vehicle Use Areas:**

- Min. 5 ft. with Type A landscaping (*applicable abutting MU-III zone*)

- Min. 5 ft. with Type C landscaping & screening (*applicable abutting RM-II and RS zone*)

As discussed at the pre-application conference, required interior side and rear setbacks are not met due to the location of the existing property lines. As such, the existing property lines which run through the site will need removed to meet the applicable required setbacks of the MU-III zone as well as the building code, where property lines are shown running through the proposed buildings.

In addition, the existing vehicle inventory storage area located in the southeastern portion of the site, as well as the existing service building, do not meet required interior side/rear setbacks. As explained at the pre-application conference, these are considered existing non-conforming development. Vehicle use area setbacks are therefore not triggered for the southeastern portion of the site unless the existing paved area is proposed to be removed and replaced. Similarly, building setbacks for the service building are not triggered unless the building is removed and replaced or it is increased in size.

- ❖ **Development Site Landscaping:** Pursuant to SRC 535.015(e)(3), the MU-III zone requires a minimum of 15 percent of the development site to be landscaped. As discussed at the pre-application conference, the amount of development site landscaping required is based on the total area of the development site (**including tax lot no. 073W24AC04701**). The site plan submitted for the pre-application conference



indicates that tax lot no. 073W24AC04701 is excluded from the project area for purposes of site calculations, but this tax lot is required to be included in the total site area for purposes of determining the amount of required development site landscaping.

- ❖ Off-Street Parking Location: The MU-III zone requires, per SRC 535.015(g)(1), new off-street surface parking areas and vehicle maneuvering areas to be located behind or besides buildings and structures. New off-street surface parking areas and vehicle maneuvering areas cannot be located between a building or structure and a street.

This standard applies specifically to off-street surface parking areas. It doesn't apply, however, to vehicle inventory storage and display. As shown on the site plan, the proposed off-street parking area to the east of the building meets this standard because it is located to the side of the building and is not located between the building and the street.

- ❖ Drive-Through Location: Per SRC 535.015(g)(2), new drive-throughs are required to be located behind or beside buildings and structures. As shown on the site plan, there is a driveway, a portion of which is covered, located adjacent to the east side of the building.

Drive-through is defined under SRC Chapter 111 as, "a facility where goods or services are provided to a patron of a business while in their motor vehicle, and typically including queuing lanes leading to drive-up service windows or service areas. A drive-through **does not include motor vehicle services**, as set forth in SRC 400.055(b)." As identified by the definition, a drive-through does not include motor vehicle services. As such, the covered driveway on the east side of the building is not a drive-through.

- ❖ Outdoor Storage: Per SRC 535.015(g)(3), the MU-III zone requires that outdoor storage of merchandise located within 50 feet of the right-of-way shall be screened with landscaping or a site-obscuring or a sight-obscuring fence or wall. This standard applies specifically storage and not display. As such, this standard does not apply to the display of vehicles for sale.
- ❖ Building Entrances: Per SRC 535.015(g)(4), the MU-III zone requires that buildings at or within the maximum 30-foot setback from the street are required to have a primary building entrance facing the street. Where a building has frontage on more than one street, a single primary building entrance on the ground floor may be provided at the corner of the building where the streets intersect.

The proposed new building is setback more than 30 feet from both Market Street and Park Avenue. Because the building is proposed to be setback more than 30 feet from these streets, a Class 2 Adjustment is required in order to allow the maximum setback to be increased. If a Class 2 Adjustment to allow the maximum setback to be increased is approved, a condition of approval would be placed on the adjustment to still require primary building entrances facing the streets in conformance with this standard despite the building being setback more than 30 feet.

Based on the information provided it appears that the building includes a primary building entrance facing Market Street, but it is not clear whether a primary building entrance is provided facing Park Avenue. SRC Chapter 111 defines primary building entrance as, "...the principal public pedestrian entrance into a building. A building may have more than one primary building entrance, such as in those situations where a building has multiple individual tenant spaces, each with their own principle public entrance, or a building which has multiple public entrances located at different locations within the building, all of which are of equal significance in providing public entry into the building. A primary building entrance does not include an employee-only or service entrance, unless the use of the building is such that a public entrance does not exist. In those situations where a public entrance does not exist, the main employee-only or service entrance into the building is the primary building entrance."

- ❖ Ground-Floor Windows: Per SRC 535.015(g)(5), the MU-III zone requires that buildings located at or within the 30-foot maximum setback from the street are required to include transparent windows on a minimum of 50 percent of the ground floor façade of the building facing the street. The windows cannot be mirrored or treated in such a way as to block visibility into the building and are required to have a minimum visible transmittance (VT) of 37 percent.

Because building elevations weren't provided staff is unable to specifically determine if the proposed building conforms to this standard. Because the subject property is a corner lot, the ground floor window requirement applies to the building facades facing both Market Street and Park Avenue.

Please note that, as with the primary building entrance standard, if a Class 2 Adjustment was approved to allow the building to be setback more than 30 feet from the adjacent streets staff would place a condition of approval on a Class 2 Adjustment to require the building to comply with the ground floor window requirements despite the building being setback more than 30 feet.

- ❖ **Solid Waste Service Area Standards (SRC 800.055):** Solid waste service areas are required to provide for the safe and convenient collection of solid waste, recyclable, and compostable materials by the local solid waste collection franchisee. Pursuant to SRC 800.055(a), the solid waste service area design standards included under SRC 800.055 apply to:

- (1) All new solid waste, recycling, and compostable service areas, where use of a solid waste, recycling, and compostable receptacle one cubic yard or larger is proposed, and
- (2) Any change to an existing solid waste service area for receptacles one cubic yard or larger that requires a building permit.

As discussed at the pre-application conference, the proposed trash collection areas on the site will need to be developed in conformance with the applicable solid waste service area standards included under SRC 800.055, including, but not limited to, ensuring that sufficient area is provided on site to allow the franchised hauler to come onto the site to service the receptacles and turn around without having to back onto the street. It is strongly recommended that you contact the franchised trash hauler that serves the area to ensure that the trash/recycling area(s) proposed to be provided will be sufficient to serve the development and that their location and design are sufficient to allow unrestricted access and maneuvering space for servicing by the haulers.

The contact information for the franchised trash hauler for this area of the City can be obtained through the Mid-Valley Garbage & Recycling Association website at the following location:

<https://mrtrashrecycles.com/>

- ❖ **Pedestrian Connectivity Standards (SRC 800.065):** Pursuant to SRC 800.065, the proposed development is required to provide pedestrian connections:
  - ❖ Between building entrances and streets;
  - ❖ Between buildings on the same development site;
  - ❖ Through off-street parking areas;

**Connection between building entrances and street.** As discussed at the pre-application conference, Cherriots provides transit service along Market Street and a new transit stop will be required along the Market Street frontage of the property. Per SRC 800.065(a)(1)(B), when the street abutting a property is a transit route and there is an existing or planned transit stop along the street frontage of the development sit, at least one of the required pedestrian connections is required to connect to the street within 20 feet of the transit stop. As shown on the proposed site plan, the pedestrian connection provided between the primary building entrance and Market Street will be more than 20 feet from the location of the required transit stop on Market Street. As such the location of the connection does not meet this standard.

**Connection between building on same development site.** As discussed at the pre-application conference, a pedestrian connection is required between the proposed new sales building and the existing service building to the south in order to conform to SRC 800.065(a)(2).

## **Natural Resources**

**Trees (SRC Chapter 808):** The City's tree preservation ordinance ([SRC Chapter 808](#)) protects:

- 1) Heritage Trees;

- 2) Significant Trees (including Oregon White Oaks with diameter-at-breast-height (*dbh*) of 20 inches or greater and any other tree with a *dbh* of 30 inches or greater, with the exception of tree of heaven, empress tree, black cottonwood, and black locust);
- 3) Trees and native vegetation in riparian corridors; and
- 4) Trees on lots or parcels 20,000 square feet or greater.

The tree preservation ordinance defines “tree” as, “any living woody plant that grows to 15 feet or more in height, typically with one main stem called a trunk, which is 10 inches or more *dbh*, and possesses an upright arrangement of branches and leaves.”

In review of aerial photos, there appear to be no trees on the subject property.

***Wetlands (SRC Chapter 809):***

According to the Salem-Keizer Local Wetland Inventory (LWI), there are no mapped wetlands or waterways located on the subject property.

***Landslide Hazard Susceptibility (SRC Chapter 810):***

The topography of the subject property is flat. According to the City’s adopted landslide hazard susceptibility maps, there are no areas of mapped landslide hazard susceptibility points located on the subject property. As such, a geologic assessment is therefore not required in conjunction with the proposed development.

**Salem-Keizer Transit Comments**

The Salem-Keizer Transit District (*Cherriots*) reviewed the proposal and provided comments pertaining to the need for a transit stop along the property’s Market Street frontage. Cherriots indicates that the preferred location for the stop is about 50 feet east of Park Avenue on Market Street. Attached for reference Cherriots’ standard bus stop designs. Additional questions about the required transit stop can be addressed by Jolynn Franke with Cherriots. Jolynn’s contact information is as follows:

❖ Jolynn Franke (*Cherriots*): [jolynn.franke@cherriots.org](mailto:jolynn.franke@cherriots.org) / 503-361-7505

**Open House / Neighborhood Association Contact Information**

Applicants are required to contact the applicable neighborhood association for certain types of land use applications prior to application submittal. For a limited number of application types, an open house or presentation at a neighborhood association meeting is required. This allows the neighborhood association to be involved early in the process and helps to identify any potential issues that might arise.

The table below indicates if the proposed development must meet either the neighborhood association contact requirement or open house/neighborhood association meeting requirement prior to application submittal. For specific requirements, see [SRC 300](#).

Pre-Submittal Requirement			
<input checked="" type="checkbox"/>	Neighborhood Association Contact (SRC 300.310)	<input type="checkbox"/>	Open House (SRC 300.320)
Staff Comments			
<b>Neighborhood Association Contact</b> is required for Conditional Use Permits and Class 3 Site Plan Review applications. Please refer to <a href="#">SRC 300.310</a> for requirements for contacting the neighborhood association(s).			

When a land use application requires neighborhood association contact, the applicant must contact the City-recognized neighborhood association(s) whose **boundaries include**, and are **adjacent to**, the subject property via e-mail or letter.

In this case the subject property is located within one neighborhood association and is adjacent to another. Pursuant to SRC 300.310, neighborhood association contact is required for **both** neighborhood associations.

The e-mail or letter must be sent to **both** the Neighborhood Association Chair(s) and Land Use Chair(s) of the applicable neighborhood association and contain the following information:

- 1) The name, telephone number, and e-mail address of the applicant;
- 2) The address of the subject property;
- 3) A summary of the proposal;
- 4) A conceptual site plan, if applicable, that includes the proposed development; and
- 5) The date on which the e-mail or letter is being sent.

**Note:** Land use applications requiring neighborhood association contact will not be accepted unless they are accompanied by a copy of the e-mail or letter that was sent to the neighborhood.

### **Neighborhood Association Information**

For your convenience, contact information for the neighborhood association(s) is provided below. Please note that the identified neighborhood association chair(s) and land use chair(s), and their corresponding contact information, is current as of the date of the pre-application conference, but this information is subject to change if the chair(s) or their contact information has changed subsequent to the date of the pre-application conference.

Up-to-date contact information for neighborhood representatives may also be obtained by visiting the City's website at the following location:

<https://www.cityofsalem.net/community/neighborhoods/neighborhood-associations>

Applicable Neighborhood Association(s):	Meeting Date, Time, & Location	Neighborhood Association Chair(s) & Land Use Chair(s)
Northeast Salem Community Association (NESCA) <i>(Property is located <b>within</b> this neighborhood association)</i>	Meetings are held the third Tuesday of each month at 7 pm.  <i><b>*Note:</b> Please check the calendar <a href="#">here</a> for specific meeting information.</i>	<b>Chair(s)</b>
		Mike Beringer <a href="mailto:salempilot@aol.com">salempilot@aol.com</a>
		<b>Land Use Chair(s)</b>
		Ian Johnson <a href="mailto:NESCASalem@gmail.com">NESCASalem@gmail.com</a>
North Lancaster Neighborhood Association (NOLA) <i>(Property is located <b>adjacent</b> to this neighborhood association)</i>	Meetings are held the first Wednesday of each month at 6:30 pm.  <i><b>*Note:</b> Please check the calendar <a href="#">here</a> for specific meeting information.</i>	<b>Chair(s)</b>
		Deanna Garcia <a href="mailto:dg.boardstuff@gmail.com">dg.boardstuff@gmail.com</a>
		<b>Land Use Chair(s)</b>
		Dennis Will <a href="mailto:elephant2@comcast.net">elephant2@comcast.net</a>

**Salem Revised Code Available Online**

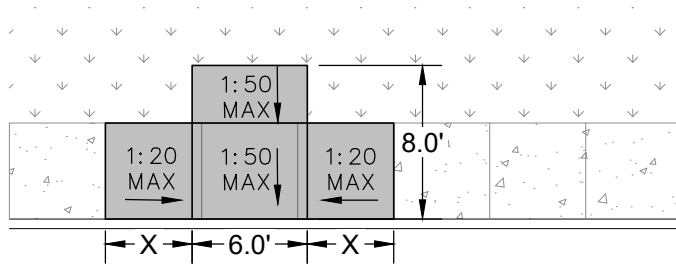
The entire Salem Revised Code can be accessed online through the City's website at:

<https://www.cityofsalem.net/government/laws-rules/salem-revised-code>









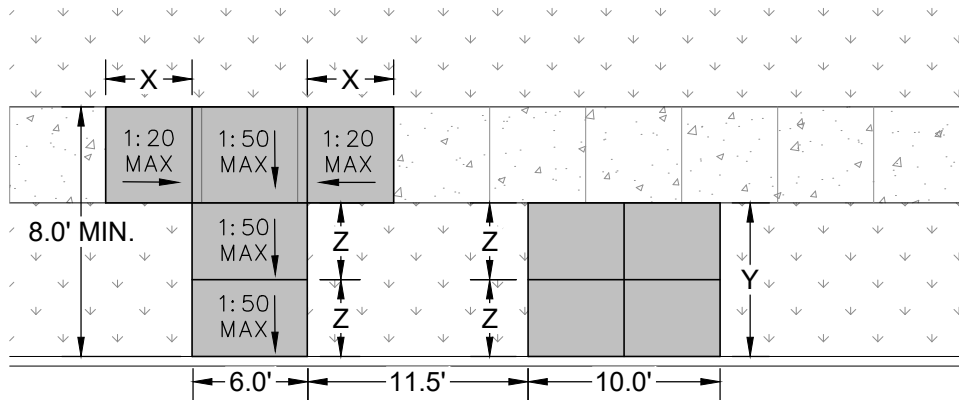
EXISTING ROADWAY

### BUS STOP PADS - CURB LINE SIDEWALK

NOT TO SCALE

#### NOTES:

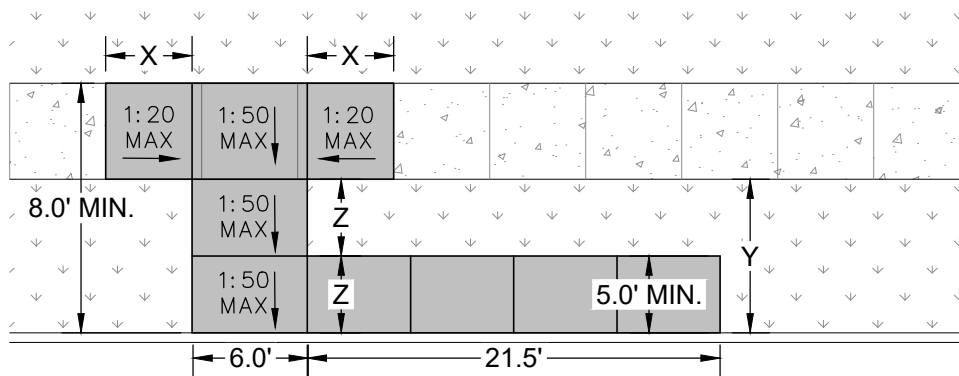
1. "X" WIDTH TO BE A MINIMUM OF 3.0' OR MATCH EXISTING SIDEWALK JOINT SPACING.
2. "Y" LENGTH TO BE EQUAL TO THE WIDTH OF THE PLANTER STRIP, FROM BACK OF CURB TO FRONT OF SIDEWALK.
3. JOINT SPACING, "Z" SHALL BE 3' MINIMUM, 6' MAXIMUM. PROVIDE SIDEWALK PANELS THAT ARE AS SQUARE AS POSSIBLE.
4. MATCH EXISTING WIDTH WHERE PROPOSED BUS STOP PANELS CONNECT TO THE EXISTING WALK.



EXISTING ROADWAY

### BUS STOP PADS - PLANTER STRIP (12' WIDE OR LESS)

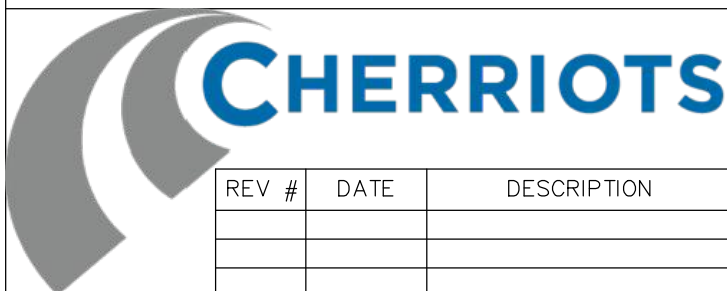
NOT TO SCALE



EXISTING ROADWAY

### BUS STOP PADS - PLANTER STRIP (WIDER THAN 12')

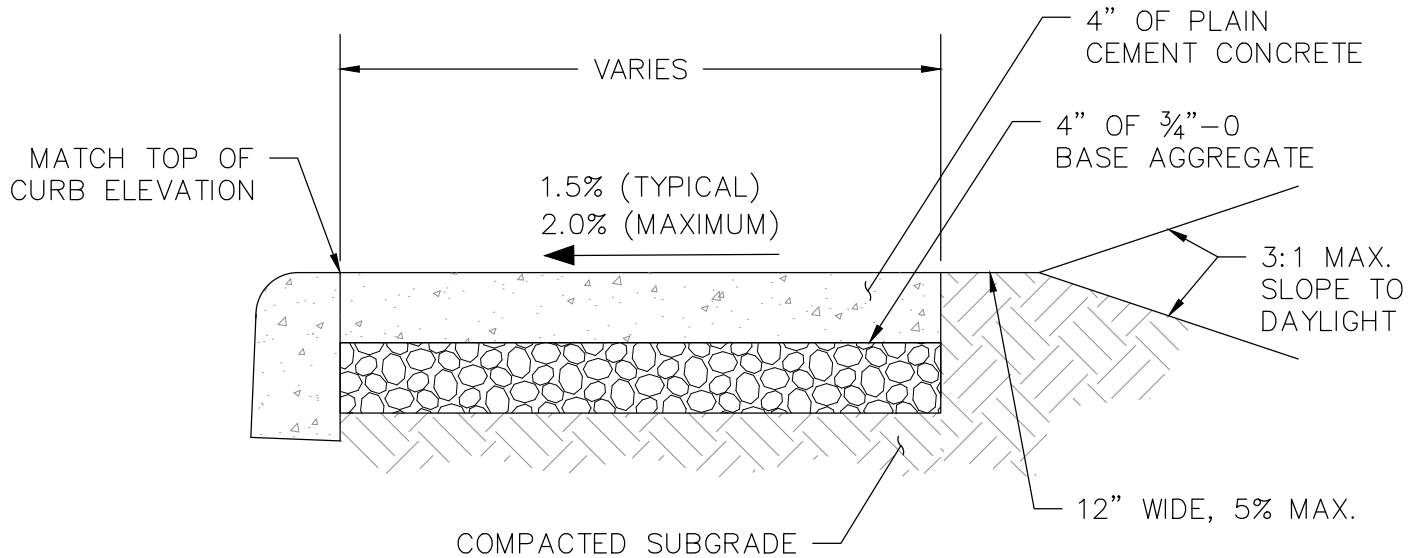
NOT TO SCALE



### BUS STOP PADS LAYOUT

C1

REV #	DATE	DESCRIPTION	BY EGW	CHECKED RDV
			DATE 03/03/22	DATE 03/03/22



**NOTES:**

1. CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 3000 P.S.I. AT 28 DAYS.
2. CONTRACTION JOINTS OF THE WEAKENED PLANE TYPE SHALL BE 1- $\frac{1}{4}$ " DEEP AND TOOL ROUNDED BEFORE BROOMING. MATCH EXISTING JOINT SPACING. 15' MAXIMUM.
3. EXPANSION JOINTS TO BE PLACED AT SIDES OF DRIVEWAY APPROACHES, UTILITY VAULTS, ADA CURB RAMPS, AND AT SPACING NOT TO EXCEED 45 FEET.
4. FOR SIDEWALKS ADJACENT TO THE CURB AND POURED AT THE SAME TIME AS THE CURB, THE JOINT BETWEEN THEM SHALL BE A TROWELED JOINT WITH A MIN.  $\frac{1}{2}$  INCH RADIUS.
5. FINISH WITH BROOM AND EDGE ALL JOINTS.
6. ALL EDGES SHALL BE TOOL ROUNDED AND SHINED PER JURISDICTIONAL REQUIREMENTS AFTER BROOMING. PROVIDE 3" SHINE IF NO OTHER REQUIREMENTS EXIST.
7. BASE AGGREGATE TO BE COMPACTED TO 95% OF AASHTO T-99.



**CHERRIOTS**

**STANDARD  
SIDEWALK**

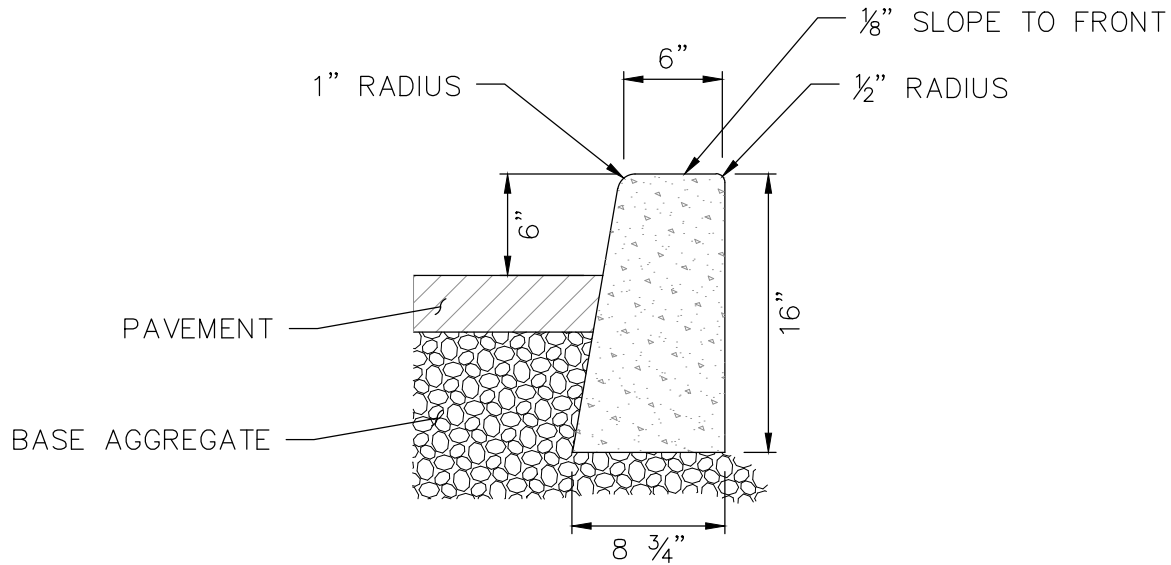
**C2**

REV #	DATE	DESCRIPTION

BY EGW  
DATE 03/03/22

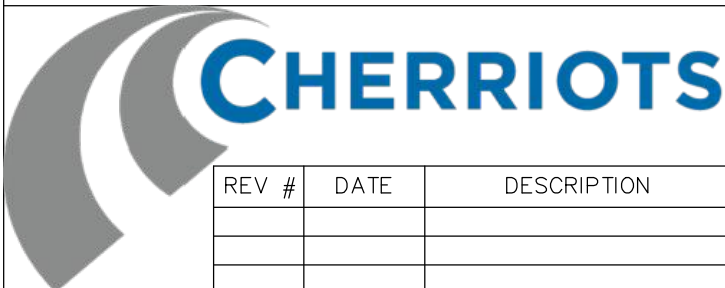
CHECKED RDV  
DATE 03/03/22





**NOTES:**

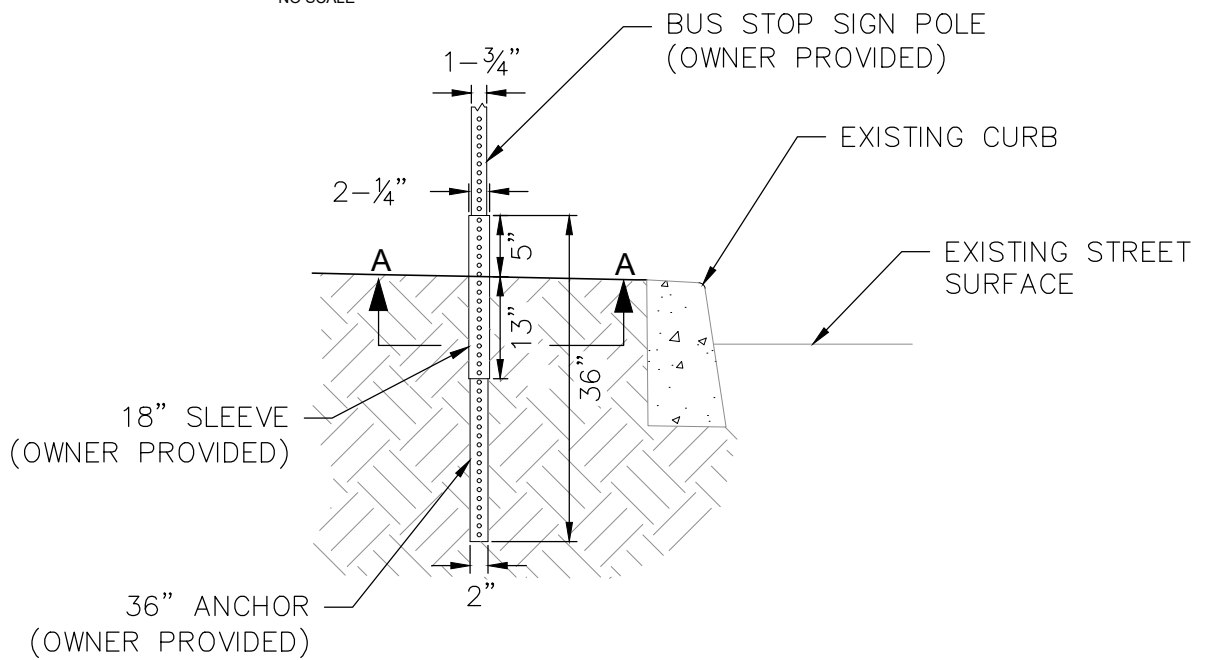
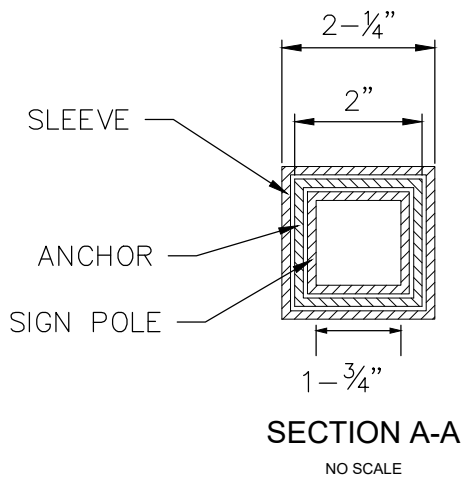
1. CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 3000 P.S.I. AT 28 DAYS.
2. EXPANSION JOINTS
  - 2.A. TO BE PROVIDED:
    - 2.A.1. AT EACH POINT OF TANGENCY OF THE CURB.
    - 2.A.2. AT EACH COLD JOINT.
    - 2.A.3. AT EACH SIDE OF THE INLET STRUCTURES.
    - 2.A.4. AT EACH END OF DRIVEWAYS.
    - 2.A.5. AT LOCATIONS NECESSARY TO LIMIT SPACING TO 45 FEET.
3. CONTRACTION JOINTS:
  - 3.A. SPACING TO BE NOT MORE THAN 15 FEET.
  - 3.B. THE DEPTH OF THE JOINT SHALL BE AT LEAST 1-1/2 INCHES.
4. BASE AGGREGATE TO BE 1 1/2"-0" OR 3/4"-0" COMPACTED TO 95% OF AASHTO T-99 AND SHALL BE TO SUBGRADE, STREET STRUCTURE, OR 4" IN DEPTH, WHICHEVER IS GREATER.



**STANDARD  
CURB**

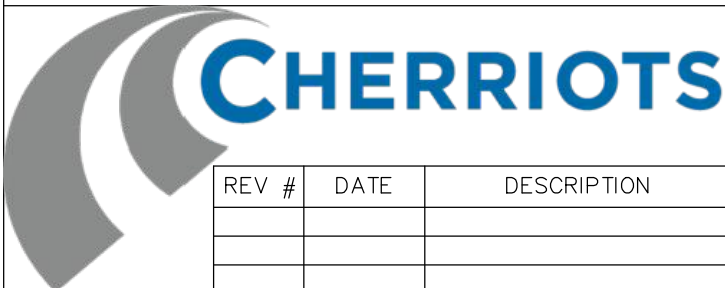
**C3**

REV #	DATE	DESCRIPTION	BY EGW	CHECKED RDV
			DATE 03/03/22	DATE 03/03/22



**NOTES:**

1. CONTACT CHERRIOTS PLANNING STAFF AT (503) 588-2424 TO OBTAIN SIGN MATERIALS.



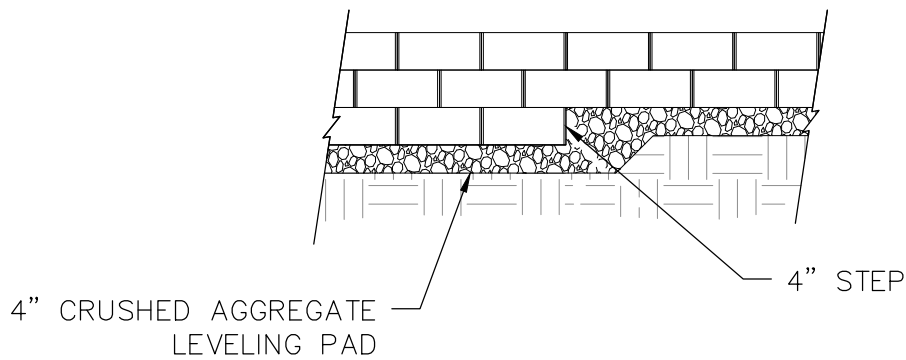
**BUS STOP SIGN POLE,  
ANCHOR & SLEEVE  
DETAIL**

REV #	DATE	DESCRIPTION

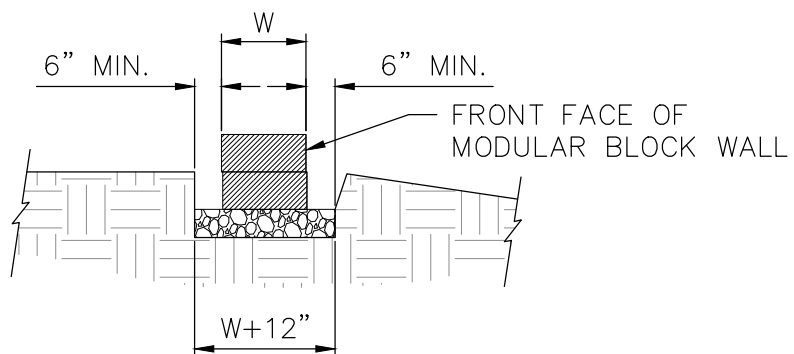
BY EGW  
DATE 03/03/22

CHECKED RDV  
DATE 03/03/22

**C4**



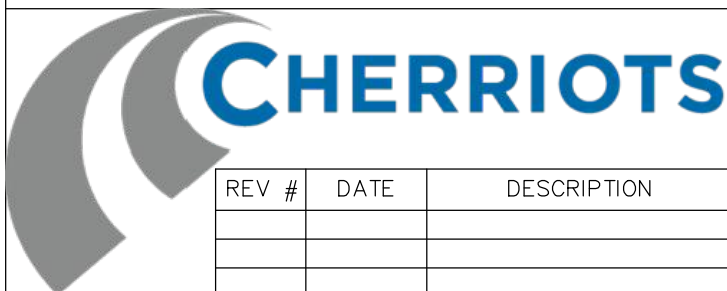
ELEVATION



SECTION

NOTE:

1. LEVELING PAD TO BE  $\frac{3}{4}$ "-0 CRUSHED AGGREGATE  
COMPACTED TO 95% OF AASHTO T-99



LEVELING PAD  
DETAIL

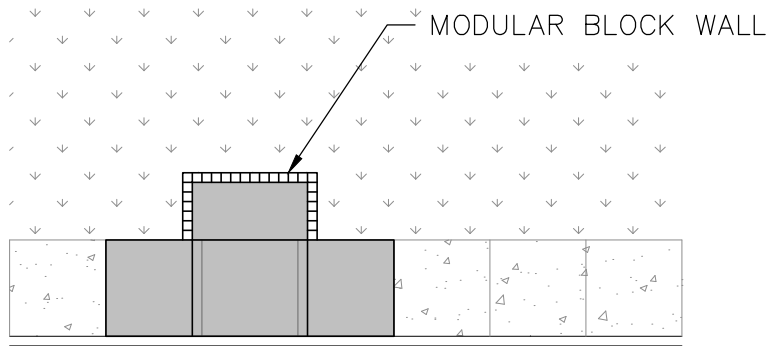
BY EGW

DATE 03/03/22

CHECKED RDV

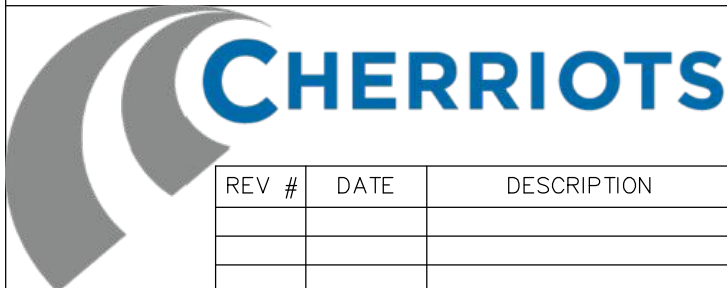
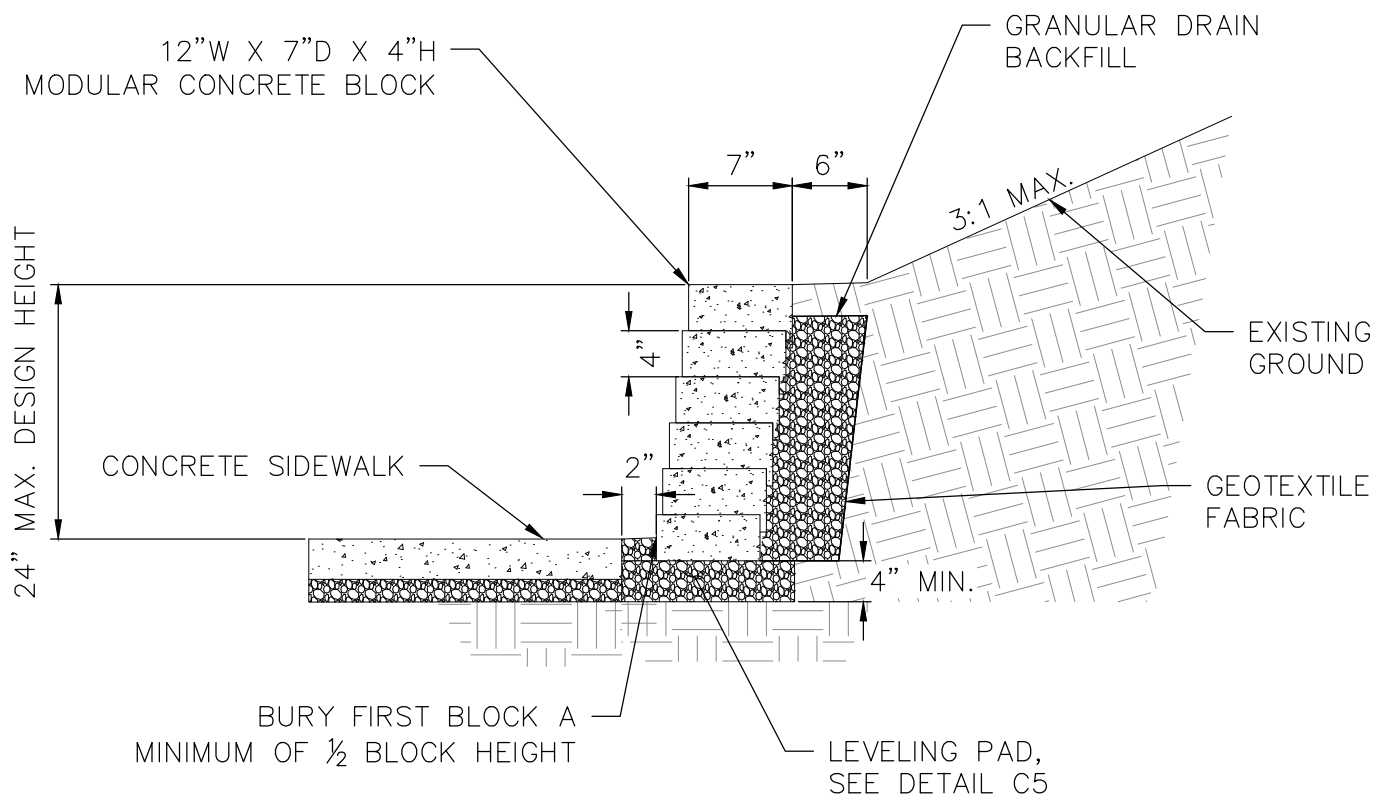
DATE 03/03/22

C5



**NOTES:**

1. MODULAR BLOCK WALL SHALL BE REQUIRED WHEN SLOPE GRADING TO DAYLIGHT AT 3:1 MAX. CANNOT BE ACHIEVED.
2. THE MODULAR BLOCK WALL SHALL BE CONSTRUCTED WHEN WALL EXPOSURE IS TO BE GREATER THAN 6".

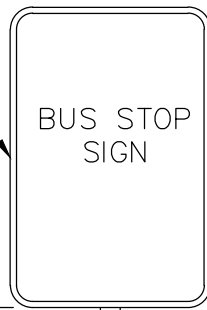


**MODULAR BLOCK  
WALL DETAIL**

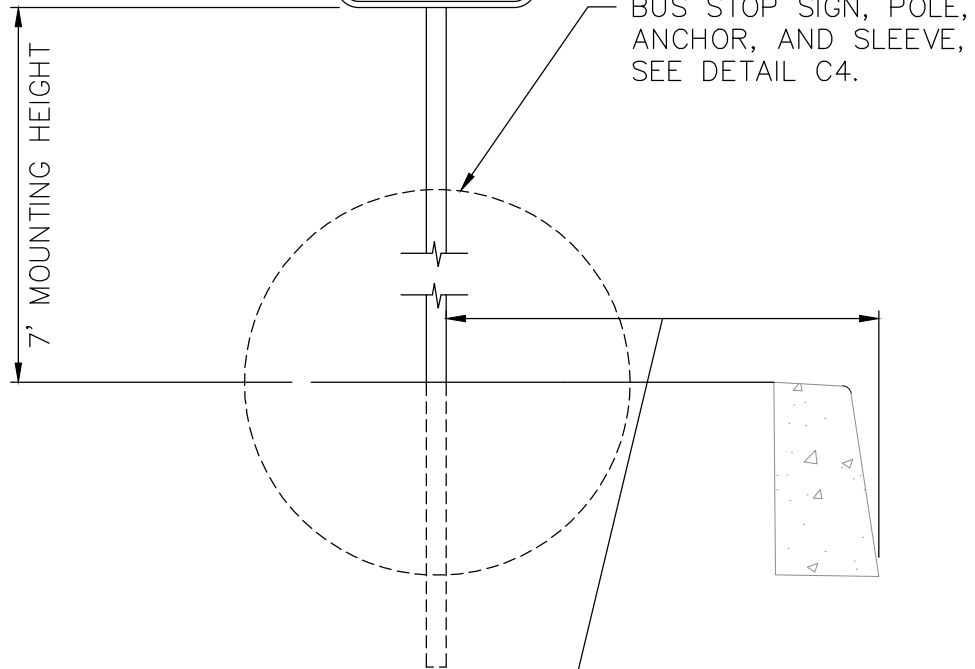
**C6**

REV #	DATE	DESCRIPTION	BY EGV	CHECKED RDV
			DATE 03/03/22	DATE 03/03/22

BUS STOP SIGN  
(OWNER PROVIDED)




BUS STOP  
SIGN



BUS STOP SIGN, POLE,  
ANCHOR, AND SLEEVE,  
SEE DETAIL C4.

2' FROM FACE OF CURB OR  
1' FROM BACK OF SIDEWALK



**CHERRIOTS**

REV #	DATE	DESCRIPTION

**TYPICAL BUS STOP  
SIGN PLACEMENT  
DETAIL**

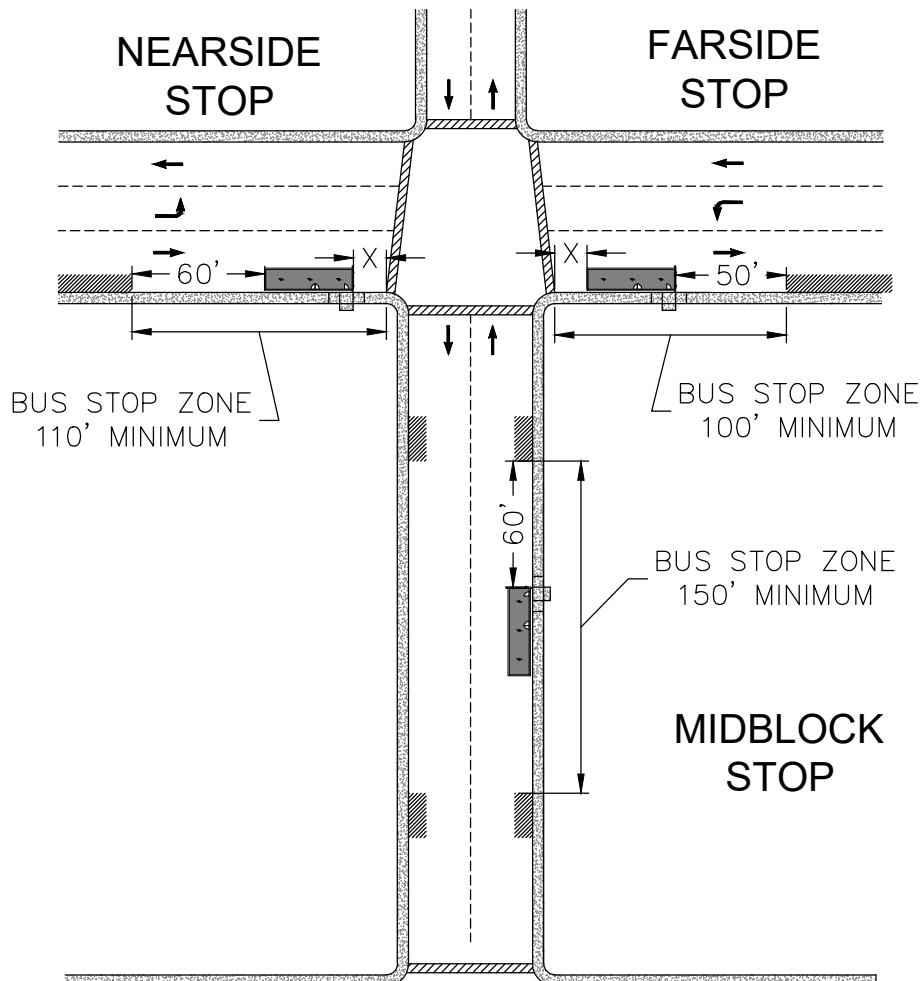
BY EGW

DATE 03/03/22

CHECKED RDV

DATE 03/03/22

**C7**

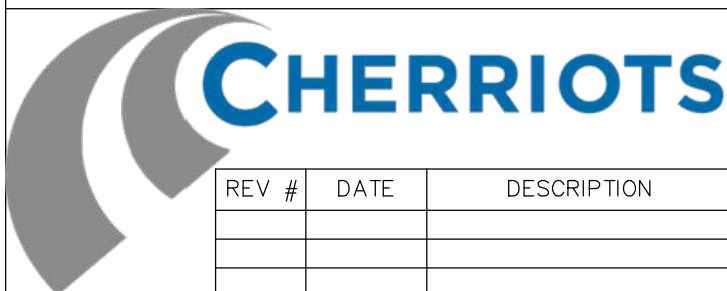


**NOTES:**

1. CHERRIOTS TO PROVIDE INFORMATION REGARDING BUS TYPE, LENGTH, AND QUANTITY OF BUSES TO BE SERVICED BY BUS STOP.
2. FOR MULTIPLE BUSES BEING SERVED AT ONE STOP:
  - 2.A. ADD 50 FEET FOR EACH ADDITIONAL STANDARD 40-FOOT BUS.
  - 2.B. ADD 70 FEET FOR EACH ADDITIONAL 60-FOOT ARTICULATED BUS.
3. BUS STOP ZONE SHALL BE SIGNED AS A NO PARKING ZONE PER STANDARDS OF LOCAL JURISDICTION.
4. X = 10' MINIMUM FROM EDGE OF CROSSWALK OR END OF RADIUS, WHICHEVER IS FURTHER FROM THE INTERSECTION.

**MINIMUM DISTANCE BETWEEN A BUS STOP AND LEFT TURN (FT)**

POSTED SPEED LIMIT	LANE CHANGES			
	1	2	3	4
30 MPH OR LESS	430	610	790	970
35 MPH	625	875	1125	1375
40 MPH	780	1080	1380	1680
45 MPH	1080	1430	1780	2130
50 MPH	1415	1865	2135	2765
55 MPH	1830	2380	2930	3480



**NO PARKING ZONES AT INTERSECTIONS  
DETAIL**

REV #	DATE	DESCRIPTION

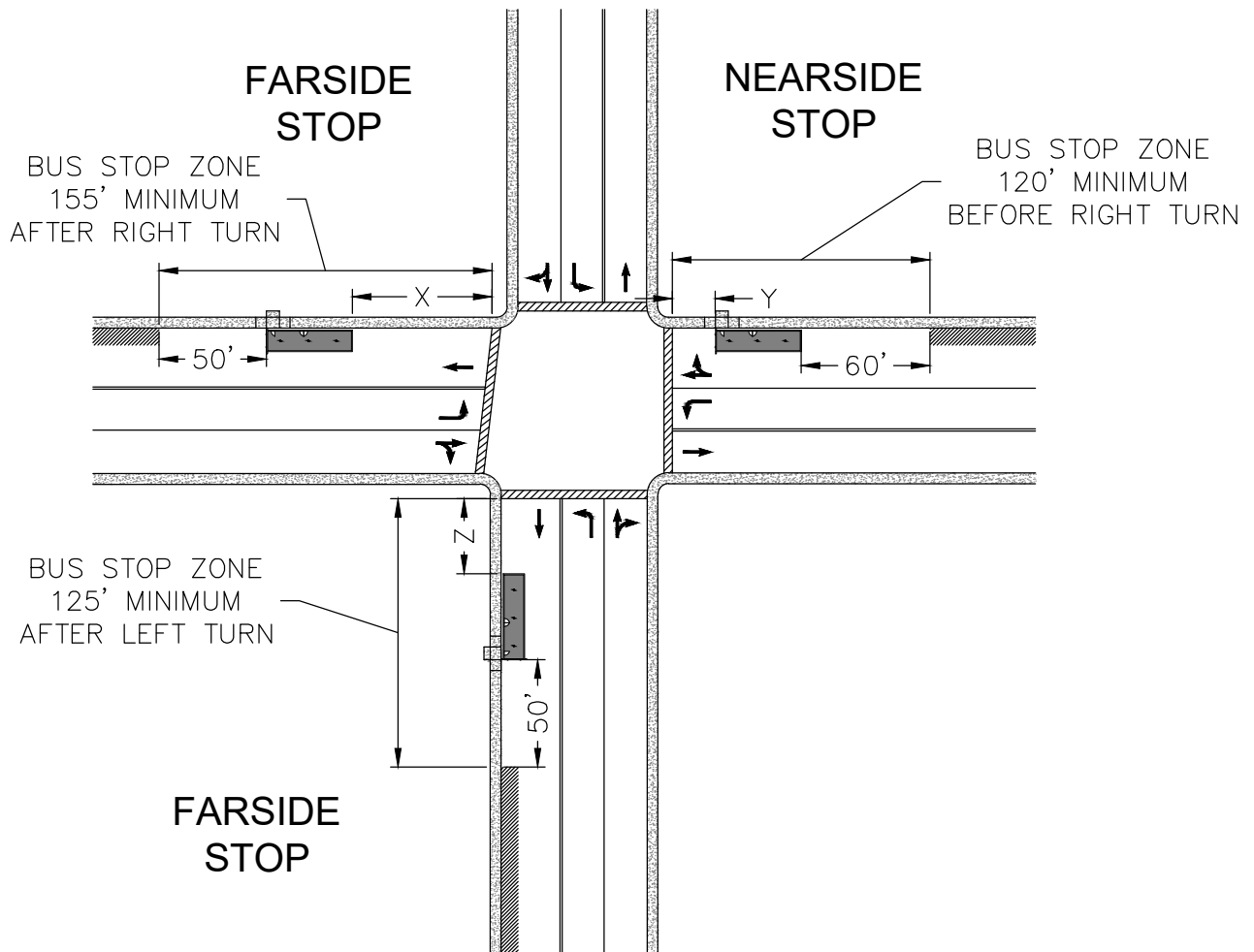
BY EGW

DATE 09/22/22

CHECKED RDV

DATE 09/22/22

**C8**

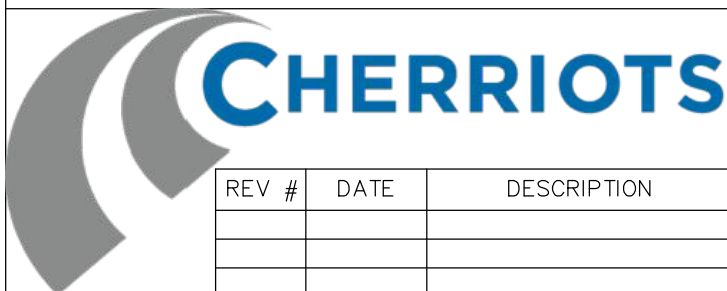


**NOTES:**

1. CHERRIOTS TO PROVIDE INFORMATION REGARDING BUS TYPE, LENGTH, AND QUANTITY OF BUSES TO BE SERVICED BY BUS STOP.
2. FOR MULTIPLE BUSES BEING SERVED AT ONE STOP:
  - 2.A. ADD 50 FEET FOR EACH ADDITIONAL STANDARD 40-FOOT BUS.
  - 2.B. ADD 70 FEET FOR EACH ADDITIONAL 60-FOOT ARTICULATED BUS.
3. BUS STOP ZONE SHALL BE SIGNED AS A NO PARKING ZONE PER STANDARDS OF LOCAL JURISDICTION.
4. X = 65' MIN. FROM EDGE OF CROSSWALK OR END OF RADIUS, WHICHEVER IS GREATER.
5. Y = 20' MIN. FROM EDGE OF CROSSWALK OR END OF RADIUS, WHICHEVER IS GREATER.
6. Z = 35' MIN. FROM EDGE OF CROSSWALK OR END OF RADIUS, WHICHEVER IS GREATER.

**MINIMUM DISTANCE BETWEEN A BUS STOP AND LEFT TURN (FT)**

POSTED SPEED LIMIT	LANE CHANGES			
	1	2	3	4
30 MPH OR LESS	430	610	790	970
35 MPH	625	875	1125	1375
40 MPH	780	1080	1380	1680
45 MPH	1080	1430	1780	2130
50 MPH	1415	1865	2135	2765
55 MPH	1830	2380	2930	3480



**NO PARKING ZONES  
WITH TURN LANES  
DETAIL**

**C9**

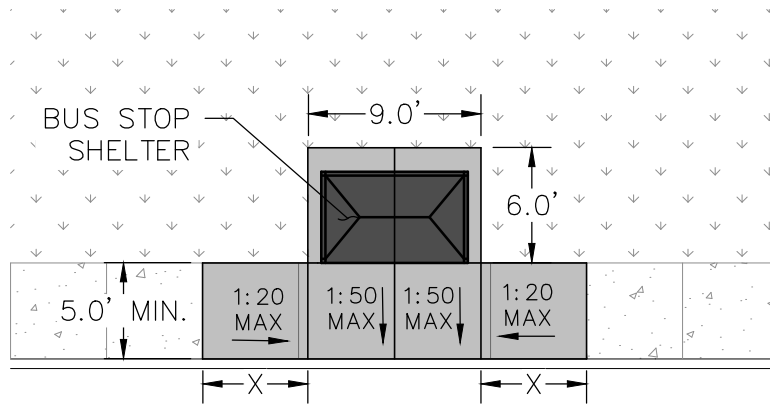
REV #	DATE	DESCRIPTION

BY EGW

DATE 09/27/22

CHECKED RDV

DATE 09/27/22



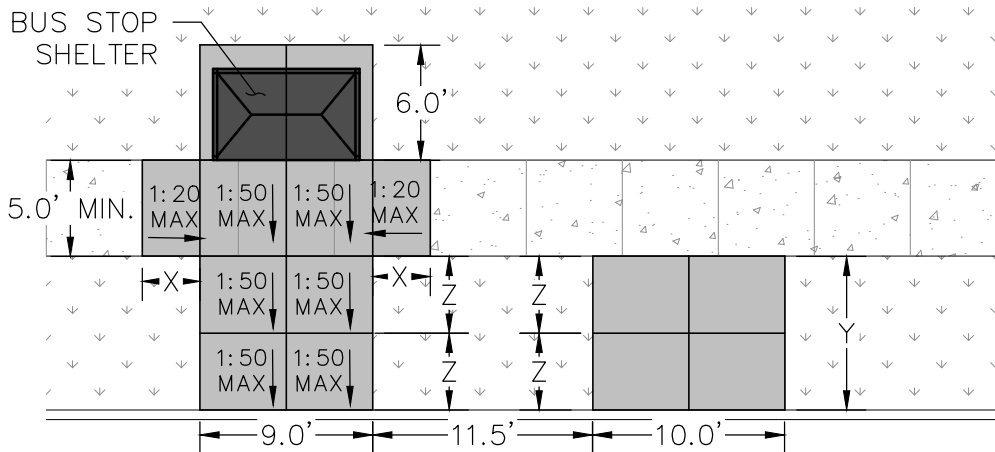
EXISTING ROADWAY

### BUS SHELTER ON CURB-TIGHT SIDEWALK

NOT TO SCALE

#### NOTES:

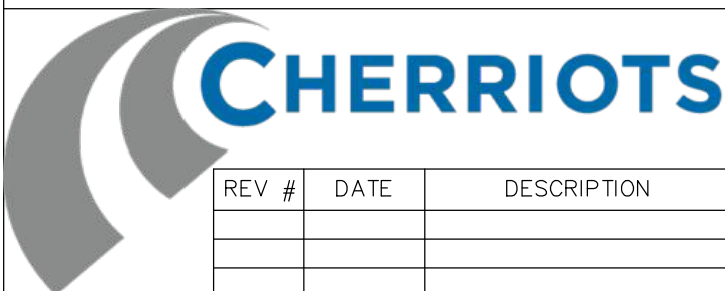
1. "X" WIDTH TO BE A MINIMUM OF 3.0' OR MATCH EXISTING SIDEWALK JOINT SPACING.
2. "Y" LENGTH TO BE EQUAL TO THE WIDTH OF THE PLANTER STRIP, FROM BACK OF CURB TO FRONT OF SIDEWALK.
3. JOINT SPACING, "Z" SHALL BE 3' MINIMUM, 6' MAXIMUM. PROVIDE SIDEWALK PANELS THAT ARE AS SQUARE AS POSSIBLE.
4. MATCH EXISTING WIDTH WHERE PROPOSED BUS STOP PANELS CONNECT TO THE EXISTING WALK.
5. BUS STOP SHELTER TO BE STANDARD BRASCO BUS STOP SHELTER, UNLESS OTHERWISE APPROVED BY CHERRIOTS.
6. BUS STOP SHELTER TO BE CONSTRUCTED AT BACK OF EXISTING WALK.



EXISTING ROADWAY

### BUS SHELTER ON SIDEWALK WITH PLANTER STRIP

NOT TO SCALE



### BUS STOP WITH SHELTER DETAIL

# C10

REV #	DATE	DESCRIPTION

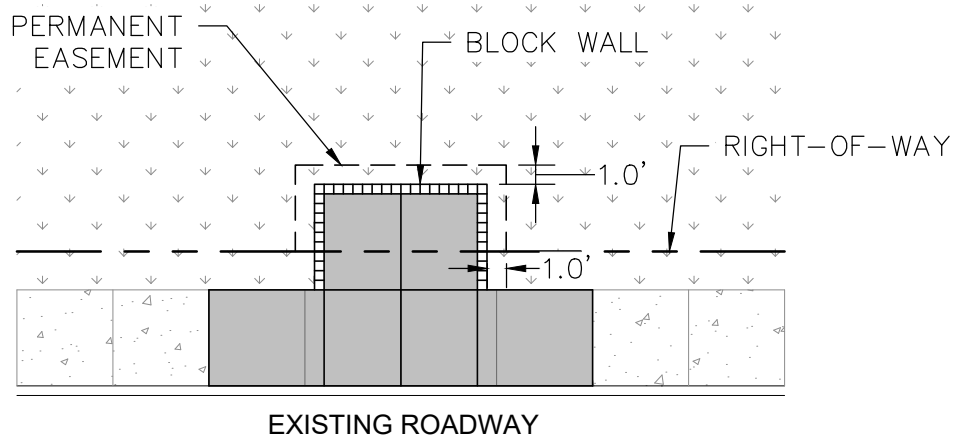
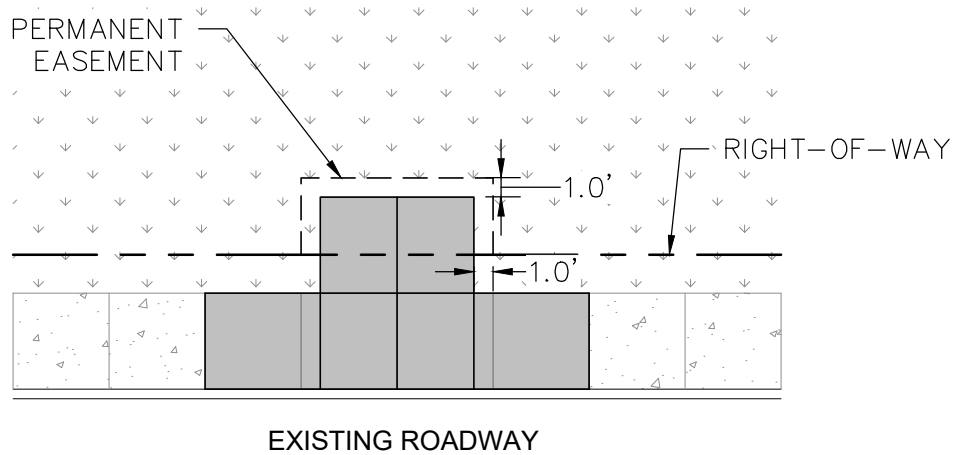
BY EGW

DATE 03/03/22

CHECKED RDV

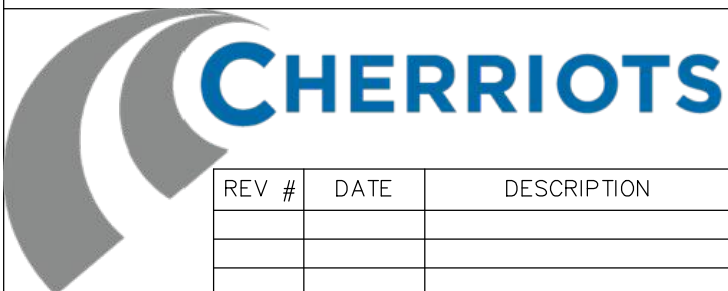
DATE 03/03/22





**NOTES:**

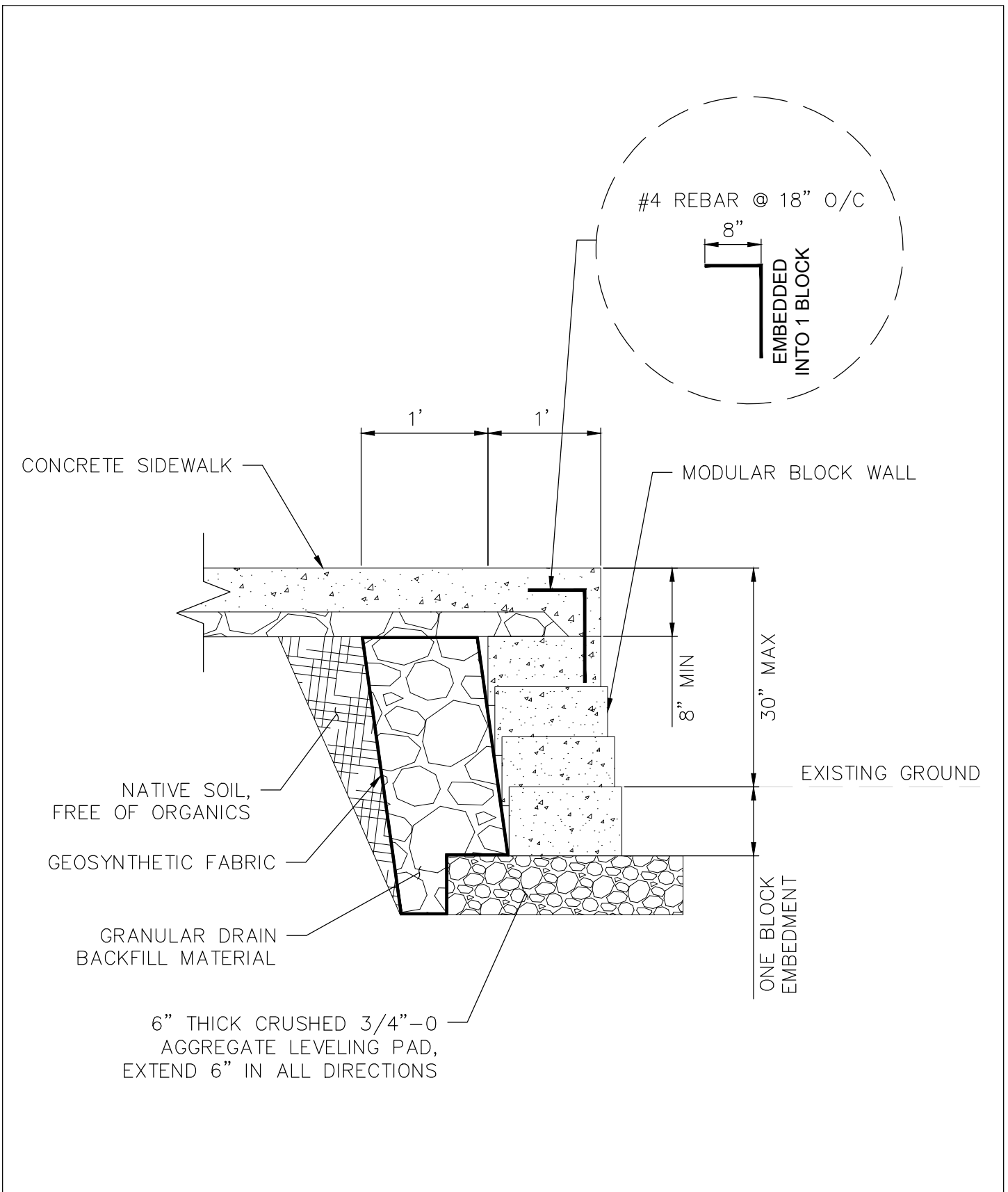
1. PERMANENT EASEMENT IS REQUIRED WHEN EXTENTS OF DESIGN ENCROACH UPON RIGHT-OF-WAY.
2. PERMANENT EASEMENTS ARE TO BE A MINIMUM OF 1' OFFSET FROM THE PROPOSED CONSTRUCTION EXTENTS THAT FALL OUTSIDE OF RIGHT-OF-WAY.



**PERMANENT  
EASEMENT DETAIL**

**C11**

REV #	DATE	DESCRIPTION	BY EGW	CHECKED RDV
			DATE 03/03/22	DATE 03/03/22

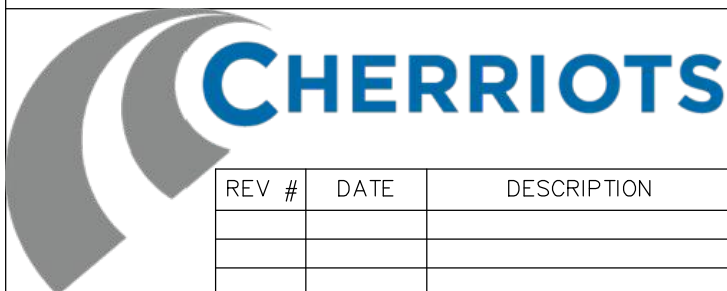
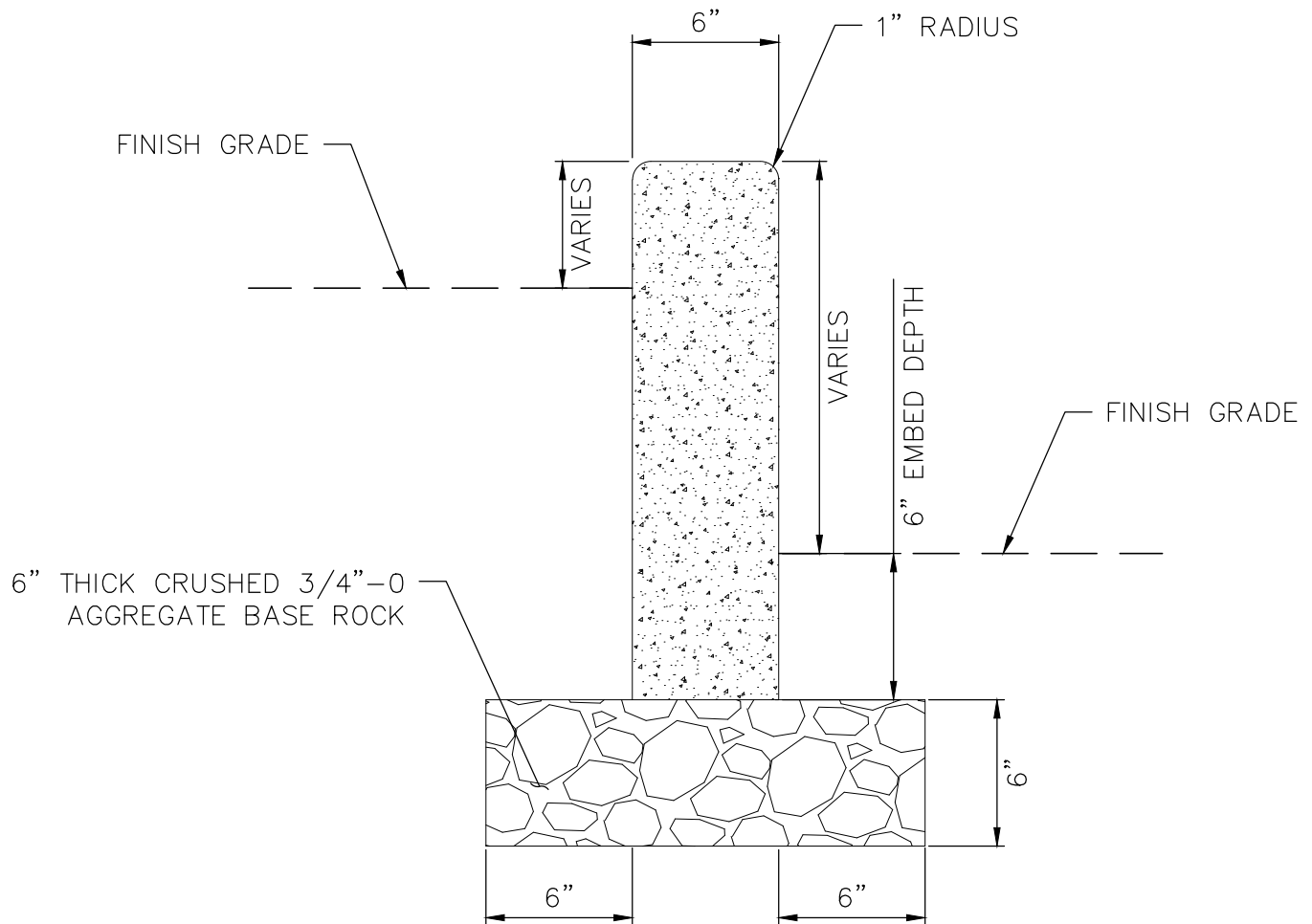


# CHERRIOTS

## BELOW-GRADE WALL DETAIL

C12

REV #	DATE	DESCRIPTION	BY EGW	CHECKED RDV
			DATE 03/03/22	DATE 03/03/22



## PEDESTRIAN CURB DETAIL

# C13

REV #	DATE	DESCRIPTION

BY EGW  
DATE 03/03/22

CHECKED RDV  
DATE 03/03/22