

# NOTICE OF DECISION

PLANNING DIVISION  
555 LIBERTY ST. SE, RM 305  
SALEM, OREGON 97301  
PHONE: 503-588-6173  
FAX: 503-588-6005



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## DECISION OF THE PLANNING ADMINISTRATOR

**CLASS 3 SITE PLAN REVIEW / CLASS 2 ADJUSTMENT**  
**CASE NO.: SPR-ADJ23-16**

**APPLICATION NO.: 23-106871-PLN**

**NOTICE OF DECISION DATE:** June 12, 2023

**SUMMARY:** Site and building upgrades for an new daycare facility

**REQUEST:** A Class 3 Site Plan Review application for a change of use, as well as site and building upgrades for a new daycare facility, together with two Class 2 Adjustments to eliminate required pedestrian connections between the site and adjacent streets (SRC 800.065(a)(1)). The subject property is 0.70 acres in size, zoned CO (Commercial Office), and located at 1205 Wallace Road NW (Polk County Assessors Map and Tax lot number: 073W22BB / 3403).

**APPLICANT:** Jocelyn Cambier, Mid-Willamette Valley Community Action Agency

**LOCATION:** 1205 Wallace Rd NW, Salem OR 97304

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

**FINDINGS:** The findings are in the attached Decision dated June 12, 2023.

**DECISION:** The **Planning Administrator** **DENIED** the Class 2 Adjustment to eliminate the required pedestrian connection to Wallace Road NW and **APPROVED** the Class 3 Site Plan Review and Class 2 Adjustment to eliminate the required pedestrian connection to Taybin Road NW subject to the following conditions of approval:

- Condition 1:** At the time of building permit review, the applicant shall demonstrate that all 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 2:** At the time of building permit review, the applicant shall show adequate lighting for all pedestrian connections, meeting the standards of SRC 800.065.
- Condition 3:** The striped area labeled as note eight on the site plan shall be removed, and all existing striping this this area shall be removed in order to ensure that a drive aisle meeting the standards of SRC 806.035(e).
- Condition 4:** At the time of building permit review, the applicant shall show detailed plans for bicycle racks to ensure compliance with the standards of SRC 800.060(c).

- Condition 5:** At the time of building permit review, the applicant shall provide a full landscape plan demonstrating how the development site meets Type A landscaping, including all new and existing landscaped areas, by providing a minimum of one plant unit per 20 square feet of landscaped area, with 40 percent of the plant units being trees.
- Condition 6:** At the time of building permit review, the applicant shall demonstrate that pedestrian connections do not encroach on the critical root zones of the two significant trees on the property; or if the pedestrian connections encroach into critical root zones, a report from an arborist shall be submitted documenting that such disturbance will not compromise the long-term health and stability of the tree and all recommendations included in the report to minimize any impacts to the tree are followed.
- Condition 7:** The applicant shall construct pedestrian connections meeting the standards of SRC 800.065 connecting buildings on the development site with Wallace Road NW. Proposed connections will be reviewed for conformance with the applicable standards at the time of building permit review.
- Condition 8:** The adjusted pedestrian connection standards, as approved in this zoning adjustment, shall only apply to the specific development proposal shown in the attached site plan and as conditioned herein. Any future development, beyond what is shown in the attached site plan and conditioned herein, 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 June 28, 2027, or this approval shall be null and void.

Application Deemed Complete:	<u>May 16, 2023</u>
Notice of Decision Mailing Date:	<u>June 12, 2023</u>
Decision Effective Date:	<u>June 28, 2023</u>
State Mandate Date:	<u>September 13, 2023</u>

Case Manager: Austin Ross, Planner II, [aross@cityofsalem.net](mailto:aross@cityofsalem.net), 503-540-2431

This decision is final unless written appeal and associated fee (if applicable) from an aggrieved party is filed with the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem OR 97301, or by email at [planning@cityofsalem.net](mailto:planning@cityofsalem.net), no later than 5:00 p.m., Tuesday, June 27, 2023. 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 and 250. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Hearings Officer will review the appeal at a public hearing. After the hearing, the Hearings Officer may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

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

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

# BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM

## DECISION

IN THE MATTER OF APPROVAL OF	) FINDINGS & ORDER
CLASS 3 SITE PLAN REVIEW AND	)
CLASS 2 ADJUSTMENT	)
CASE NO. SPR-ADJ23-16	)
1205 WALLACE ROAD NW	) JUNE 12, 2023

In the matter of the applications for Class 3 Site Plan Review and two Class 2 Adjustments, submitted by the applicant and property owner Mid-Willamette Valley Community Action Agency Inc. and represented by Jocelyn Cambier of Linea Lab Architecture, 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

A Class 3 Site Plan Review application for a change of use, as well as site and building upgrades for a new daycare facility, together with two Class 2 Adjustments to eliminate required pedestrian connections between the site and adjacent streets (SRC 800.065(a)(1)). The subject property is 0.70 acres in size, zoned CO (Commercial Office), and located at 1205 Wallace Road NW (Polk County Assessors Map and Tax lot number: 073W22BB / 3403).

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. Background

On March 24, 2023, an application for a Class 2 Site Plan Review was filed for the proposed development. After additional information was provided, including submission of two Class 2 Adjustments, the site plan review application was changed to a Class 3 Site Plan Review, and the applications were deemed complete for processing on May 16, 2023. The 120-day state mandated decision deadline for this consolidated application is September 13, 2023.

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**. All application materials can be found in the record, accessible online as indicated below.

## SUBSTANTIVE FINDINGS

### 2. Summary of Record

The following items are submitted to the record and are available: 1) all materials and testimony submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, stormwater reports, and; 2) materials,

testimony, and comments from public agencies, City Departments, neighborhood associations, and the public. All application materials are available on the City's online Permit Application Center at <https://permits.cityofsalem.net>. You may use the search function without registering and enter the permit number listed here: 23 106871.

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

The subject property is located within the boundaries of the West Salem Neighborhood Association.

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 June 6, 2023, the applicant provided notice to the West Salem Neighborhood Association informing them of the proposed project.

Neighborhood Association Comment: Notice of the application was provided to West Salem 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.

Staff received two public comments prior to the end of the comment period. One comment indicated no concerns with the proposal, and one comment expressed overall support for the proposal while indicating concerns about the safety of children near Wallace Road NW.

**Staff Response:** The proposed development provides a fenced play area for children on the northwestern portion of the development site, which is the furthest portion from Wallace Road NW. This will provide a safe area for children to play. Additionally, a pedestrian connection from the development site to Wallace Road NW, as conditioned in this decision, will ensure safe access to the site from the public sidewalk.

### **4. City Department Comments**

Public Works Department – Reviewed the proposal and provided a memo which is included as **Attachment D**.

Building and Safety Division – Reviewed the proposal and indicated that a pedestrian pathway connecting to Wallace Road NW will not be required to be ADA compliant as it is technically infeasible to comply per 2022 OSSC Section 3403.6.1.

Fire Department – Reviewed the proposal and indicated that fire department access and water supply are existing. Additional items may be required at the time of the building permit plan review.

## **5. Public Agency Comments**

Salem Electric – Reviewed the proposal and provided the following comment: Salem Electric will provide Electric Service according to the rates and policies at the time of construction.

## **DECISION CRITERIA FINDINGS**

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

Salem Revised Code (SRC) 220.005(f)(3) provides that an application for a Class 3 Site Plan Review shall be granted if the following criteria are met. The following subsections are organized with approval criteria, followed by findings of fact upon which the decision is based. Lack of compliance with the following criteria is grounds for denial or for the issuance of conditions of approval to satisfy the criteria.

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

**Finding:** The proposal includes a change of use to a daycare facility, as well as site and building upgrades. Two adjustments are requested to eliminate the requirement for pedestrian connections to Wallace Road NW and Taybin Road NW.

### **Use and Development Standards – CO (Commercial Office) Zone:**

***SRC 521.005 – Uses:***

The permitted (P), special (S), conditional (C), and prohibited (N) uses in the CO zone are set forth in Table 521-1.

**Finding:** The proposal includes a change of use and interior improvements for a new day care and development of new ADA compliant building access and reconfiguration of vehicle use areas. Day care uses are permitted in the CO zone per Table 521-1.

***SRC 521.010(a) – Lot Standards:***

Lots within the CO zone shall conform to the standards set forth in Table 521-2.

**Finding:** The subject development site is composed of two tax lots totaling 0.70 acres in size with has approximately 159 feet of frontage along Wallace Road NW and approximately 206 feet of frontage along Taybin Road NW. There are no changes proposed to the existing property lines, so this standard is not applicable.

***SRC 521.010(b) – Setbacks:***

Setbacks within the CO zone shall be provided as set forth in Tables 521-3 and 521-4.

### *Abutting Street*

**South:** Adjacent to the south is right-of-way for Taybin Road NW. Buildings and accessory structures abutting a street require a setback of 12 feet. Vehicle use areas require a minimum 12-foot setback adjacent to a street.

**East:** Adjacent to the east is right-of-way for Wallace Road NW. Buildings and accessory structures abutting a street require a setback of 12 feet. Vehicle use areas require a minimum 12-foot setback adjacent to a street.

**Finding:** No new buildings or vehicle use areas are proposed on the site. Therefore, setback standards are not applicable.

### *Interior Side and Rear*

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

**West:** Adjacent to the east is an interior lot line abutting an RM-II zoned property. There is a 15-foot minimum building or accessory structure setback required to an interior property line. Vehicle use areas also require a minimum fifteen-foot setback.

**Finding:** The existing building setback to the west property line is approximately nine feet, and no changes or additions to the building footprint are proposed. The applicant is proposing to convert an existing vehicle use area adjacent to the west property line to a children's play area, which will bring this area into conformance with current setback requirements. No new buildings or vehicle use areas are proposed on the site. Therefore, setback standards are not applicable.

### *SRC 521.010(c) – Lot Coverage, Height:*

Buildings and accessory structures within the CO zone shall conform to the lot coverage and height standards set forth in Table 521-5.

**Finding:** No new buildings are proposed on the site. Therefore, lot coverage and height standards are not applicable.

### *SRC 521.010(d) – Landscaping:*

- (1) **Setbacks.** Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC Chapter 807.
- (2) **Vehicle Use Areas.** Vehicle use areas shall be landscaped as provided under SRC Chapter 806 and SRC Chapter 807.
- (3) **Development Site.** A minimum of 15 percent of the development site shall be landscaped. Landscaping shall meet the Type A standard set forth in SRC Chapter 807. Other required landscaping under the UDC, such as landscaping required for setbacks or vehicular use areas, may count toward meeting this requirement.

**Finding:** The proposed site plan indicates adequate landscaped setbacks, and the proposed development does not alter the setbacks or vehicle use areas. The site plan shows that the existing 7,865 square feet of landscaping on the site will remain, which equates to approximately 26 percent of the development site. As conditioned in this

decision, pedestrian connections between buildings and from the development site to Wallace Road NW will need to be provided. However, this is not expected to reduce the percentage of landscaped area on the site below 15 percent. The percentage of landscaped areas will be verified at the time of building permit review to ensure that this standard continues to be met.

***SRC 521.015 – Design Review:***

Design review under SRC chapter 225 is required for development within the CO as follows:

- (a) Multiple family development shall be subject to design review according to the multiple family design review standards set forth in SRC chapter 702.
- (b) Residential care with five or more self-contained dwelling units shall be subject to the multiple family design review standards set forth in SRC chapter 702.

**Finding:** The proposal is not for multiple family or residential care development. Therefore, it is not subject to the Design Review standards of Chapter 702.

**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 site plan indicates no new solid waste enclosure or change to an existing solid waste enclosure with receptacles greater than one cubic yard in size are proposed. Therefore, this standard does not apply.

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

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

**Finding:** The proposal includes modification of an existing parking and vehicle use area. The following standards of SRC 800.065 apply.

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

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

**Finding:** The applicant has submitted two adjustments to eliminate the required pedestrian connections to each adjacent street, Wallace Road NW and Taybin Road NW. The adjustments are addressed below in Section 7 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 a transit route on Wallace Road NW, but there is not a planned transit stop abutting the development site; therefore, this standard is not applicable.

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

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

**Finding:** There are two buildings on the development site. The proposed site plan shows that the northwest portion of the existing parking area will be converted to a playground area for the proposed daycare facility. The site plan shows bollards will be installed to prevent automobiles from accessing this portion of the paved area. This will allow pedestrian circulation throughout this area. To ensure that this connection will be maintained, the following condition shall apply.

**Condition 1:** At the time of building permit review, the applicant shall demonstrate that all 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(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 development site does not include any existing or proposed parking areas greater than 25,000 square feet; therefore, this standard is not applicable.

- (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 greater than 25,000 square feet; 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 path or trail that passes through the development site; therefore, this standard is not applicable.

*SRC 800.065(a)(5) – Pedestrian Connection to Abutting Properties*

Whenever a vehicular connection is provided from a development site to an abutting property, a pedestrian connection shall also be provided.

**Finding:** The development site does not include any vehicular connections to an abutting property; therefore, this standard is not applicable.

*SRC 800.065(b) – Design and materials*

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

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

**Finding:** The application materials do not provide sufficient detail to determine compliance with this development standard. Per Condition 1 above, at the time of building permit review, the plans will be reviewed for conformance with applicable design and material development standards for pedestrian connections.

*SRC 800.065(c) – Lighting.*

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

**Finding:** The application materials do not provide sufficient detail to determine compliance with this development standard. Therefore, the following condition shall apply:

**Condition 2:** At the time of building permit review, the applicant shall show adequate lighting for all pedestrian connections, meeting the standards of SRC 800.065.

## **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; any change of use or activity, when such change of use or activity results in a parking ratio requiring a greater number of spaces than the previous use or activity; or any intensification, expansion, or enlargement of a 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 a change of use. However, the change of use does not require a greater number of spaces than the previous use. Therefore, no additional off-street parking is required. Existing parking and vehicle use areas are being restriped, and 14 of the existing 31 spaces are being eliminated. Therefore, the applicant must demonstrate that adequate parking remains for the uses on the site. Dimensional standards apply to reconfigured parking spaces.

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

- (a) *Minimum Required Off-Street Parking.* Unless otherwise provided under the UDC, off-street parking shall be provided in amounts not less than those set forth in Table 806-1.
- (b) *Compact Parking.* Up to 75 percent of the minimum off-street parking spaces required under this Chapter may be compact parking spaces.
- (c) *Carpool and Vanpool Parking.* New developments with 60 or more required off-street parking spaces and falling within the Public Services and Industrial use classifications, and the Business and Professional Services use category, shall designate a minimum of 5 percent of their total off-street parking spaces for carpool or vanpool parking.
- (d) *Maximum Off-Street Parking.* Unless otherwise provided in the SRC, off-street parking shall not exceed the amounts set forth in Tables 806-2A or 806-2B.

**Finding:** The proposal includes a change of use to a day care facility. Table 806-1 specifies that no parking is required for day care uses. Therefore, the change of use does not result in a parking ratio requiring a greater number of spaces than the previous use. The proposal will eliminate 14 parking spaces, bringing the site closer to conformance with the current maximum parking allowance. Therefore, the proposal complies with this standard.

### *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:** No new off-street parking and vehicle use areas are proposed. The off-street parking and vehicle use area development standards of SRC Chapter 806 are not applicable to this proposal.

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

**Finding:** No new off-street parking and vehicle use areas are proposed. Therefore, this standard is not applicable to the proposal.

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

**Finding:** The applicant has proposed to restripe the southwestern portion of the parking lot. In order to ensure conformance with the minimum drive aisle width of 24 feet, the following condition shall apply.

**Condition 3:** The striped area labeled as note eight on the site plan shall be removed, and all existing striping in this area shall be removed in order to ensure that a drive aisle meeting the standards of SRC 806.035(e).

- (f) *Off-street parking area access and maneuvering*. In order to ensure safe and convenient vehicular access and maneuvering, off-street parking areas shall:
  - (1) Be designed so that vehicles enter and exit the street in a forward motion with no backing or maneuvering within the street; and
  - (2) Where a drive aisle terminates at a dead-end, include a turnaround area as shown in Figure 806-9. The turnaround shall conform to the minimum dimensions set forth in Table 806-7.

**Finding:** As shown on the site plan, the proposed development includes one drive aisle that terminates in a dead-end. The turnaround for this dead end is existing and is not proposed to be reconfigured. This standard is not applicable to the proposed development.

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

**Finding:** The proposed off-street parking area is developed consistent with the additional development standards for grade, surfacing, and drainage. Bumper guards shall be provided as required by SRC Chapter 806. The parking area striping, marking, signage, and lighting shall comply with the standards of SRC Chapter 806.

## **Driveway Standards**

*SRC 806.040 – Driveway development standards for uses or activities other than single family, two family, three family, or four family.*

**Finding:** Pursuant to SRC 806.040(d), Table 806-8, one-way driveways are required to have a minimum width of 12 feet and two-way driveways are required to have a minimum width of 22 feet.

As shown on the site plan, vehicular access to the parking area within the development is served by an existing 22-foot-wide two-way driveway from Taybin Road NW in conformance with this standard.

## **Bicycle Parking**

*SRC 806.045 – General Applicability.*

- (a) Bicycle parking shall be provided as required under this chapter for each proposed new use or activity, any change of use or activity, or any intensification, expansion, or enlargement of a use or activity.
- (b) Applicability to change of use of existing building in Central Business District (CB) zone. Notwithstanding any other provision of this chapter, the bicycle parking requirements for a change of use of an existing building within the CB zone shall be met if there are a minimum of eight bicycle parking spaces located within the public right-of-way of the block face adjacent to the primary entrance of the building. If the minimum number of required bicycle parking spaces are not present within the block face, the applicant shall be required to obtain a permit to have the required number of spaces installed. For purposes of this subsection, "block face" means the area within the public street right-of-way located along one side of a block, from intersecting street to intersecting street.
- (c) Applicability to nonconforming bicycle parking area. When bicycle parking is required to be added to an existing bicycle parking area that has a nonconforming number of spaces, the number of spaces required under this chapter for any new use or activity, any change of use or activity, or any intensification, expansion, or enlargement of a use or activity shall be provided, in addition to the number of spaces required to remedy the existing deficiency.

*SRC 806.050 – Proximity of Bicycle Parking.*

Bicycle parking shall be located on the same development site as the use or activity it serves.

*SRC 806.055 – Amount of Bicycle Parking.*

Unless otherwise provided under the UDC, bicycle parking shall be provided in amounts not less than those set forth in Table 806-9.

**Finding:** Table 806-9 specifies that four bicycle parking spaces are required for a day care use. The proposed site plan shows four new bicycle parking spaces in addition to the four existing bicycle parking spaces on the site. This requirement is met.

*SRC 806.060 – Bicycle Parking Development Standards*

Unless otherwise provided under the UDC, bicycle parking areas shall be developed and maintained as set forth in this section.

(a) *Location*. Short-term 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.

(1) Bicycle parking located outside a building shall be located within a convenient distance of, and be clearly visible from, the primary building entrance. In no event shall bicycle parking be located more than 50 feet from the primary building entrance, as measured along a direct pedestrian access route.

(2) Where bicycle parking cannot be located outside a building, it may be located inside a building within a convenient distance of, and accessible from, the primary building entrance.

**Finding:** The site plan indicates the proposed bicycle parking is within 50 feet of a primary entrance and is clearly visible from that entrance; therefore, this standard is met.

(b) *Access*. Bicycle parking areas shall have direct and accessible access to the public right-of-way and the primary building entrance that is free of obstructions and any barriers, such as curbs or stairs, which would require users to lift their bikes in order to access the bicycle parking area.

**Finding:** As shown on the site plan, each bicycle parking area has direct access to the public right-of-way, free of obstruction or barriers, in conformance with the requirements of SRC 806.060(b). The proposal, as conditioned complies with this standard.

(c) *Dimensions*. Except as provided in subsection (f) of this section, bicycle parking areas shall meet the following dimension requirements:

(1) *Bicycle parking spaces*. Bicycle parking spaces shall be a minimum of six feet in length and one and half feet in width when the proposed bicycle racks are side-by-side. For horizontal spaces, the bike rack shall be centered along the long edge of the bicycle parking space.

(2) *Access aisles*. Bicycle parking spaces shall be served by a minimum four-foot-wide access aisle. Access aisles serving bicycle parking spaces may be located within the public right-of-way.

**Finding:** The proposed bicycle parking spaces are located on a paved walkway, with adequate dimensions to provide pedestrian passage; the length of each proposed stall is at least six feet, while the width is at least two feet wide. The new bicycle parking cluster is arranged in a manner that will be able to adequately provide access to each main entrance via a pedestrian walkway. The applicant is also providing a minimum four-foot-wide access aisle and minimum two-foot clearance between the proposed racks and the wall. While the proposed bicycle parking appears to be in conformance with these standards, bicycle rack details were not provided. Therefore, the following condition shall apply.

**Condition 4:** At the time of building permit review, the applicant shall show detailed plans for bicycle racks to ensure compliance with the standards of SRC 800.060(c).

- (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.

**Finding:** The proposed bicycle parking spaces are placed on a hard surface material. Therefore, the standard is met.

- (e) *Bicycle Racks*. Where bicycle parking is provided in racks, the racks may be floor, wall, or ceiling racks. Bicycle racks shall meet the following standards.

- (1) Racks must support the bicycle frame in a stable position, in two or more places a minimum of six inches horizontally apart, without damage to wheels, frame, or components.
- (2) Racks must allow the bicycle frame and at least one wheel to be locked to the rack with a high security, U-shaped shackle lock;
- (3) Racks shall be of a material that resists cutting, rusting, and bending or deformation; and
- (4) Racks shall be securely anchored.
- (5) Examples of types of bicycle racks that do, and do not, meet these standards are shown in Figure 806-10.

**Finding:** The site plan indicates inverted style bike racks will be provided. The proposed bike racks conform to material requirements of SRC 806.060(e).

## **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; any change of use or activity, when such change of use or activity results in a greater number of required off-street loading spaces than the previous use or activity; or any intensification, expansion, or enlargement of a use or activity.

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

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

### *SRC 806.075 – Amount of Off-Street Loading.*

Unless otherwise provided under the UDC, off-street loading shall be provided in amounts and dimensions not less than those set forth in Table 806-11.

**Finding:** The proposed day care use encompasses 5,401 square feet on the development site, which requires a minimum of one off-street loading space. Per SRC 806.075(a), an off-street parking area meeting the requirements of SRC Chapter 806 may be used in place of a required off-street loading space when the use or activity does not require a delivery vehicle which exceeds a maximum combined vehicle and load rating of 8,000 pounds and the off-street parking area is located within 25 feet of the building or the use or activity that it serves. The applicant has indicated on their site plan that an off-street parking area meeting these requirements will be used in place of an off-street loading space. Therefore, this standard is met.

## Landscaping

All required setbacks shall be landscaped with a minimum of 1 plant unit per 20 square feet of landscaped area. A minimum of 40 percent of the required number of plant units shall be a combination of mature trees, shade trees, evergreen/conifer trees, or ornamental trees. Plant materials and minimum plant unit values are defined in SRC Chapter 807, Table 807-2.

All building permit applications for development subject to landscaping requirements shall include landscape and irrigation plans meeting the requirements of SRC Chapter 807.

**Finding:** The site plan indicates 7,865 square feet of existing landscaped area is proposed to remain, requiring a minimum of 393 plant units ( $7,865 / 20 = 393.25$ ). Of the required plant units, a minimum of 157 plant units shall be trees ( $393 \times 0.4 = 157.3$ ). The applicant's site plan shows existing landscaping, some of which will need to be removed in order to accommodate pedestrian connections, as conditioned in this decision. As such, the following condition applies:

**Condition 5:** At the time of building permit review, the applicant shall provide a full landscape plan demonstrating how the development site meets Type A landscaping, including all new and existing landscaped areas, by providing a minimum of one plant unit per 20 square feet of landscaped area, with 40 percent of the plant units being trees.

## 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 the following trees unless 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.

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.”

**Finding:** There are two significant trees identified on the subject property: a 32-inch DBH Cedar and a 33-inch DBH Fir tree. The applicant’s site plan shows that the critical root zones for these trees will not be disturbed by the proposed development. However, as conditioned in this plan, pedestrian connections will be required between buildings on the site and connecting to Wallace Road NW. In order to ensure that critical root zones will be protected, the following condition applies:

**Condition 6:** At the time of building permit review, the applicant shall demonstrate that pedestrian connections do not encroach on the critical root zones of the two significant trees on the property; or if the pedestrian connections encroach into critical root zones, a report from an arborist shall be submitted documenting that such disturbance will not compromise the long-term health and stability of the tree and all recommendations included in the report to minimize any impacts to the tree are followed.

*SRC 809 – Wetlands:* Grading and construction activities within wetlands are regulated by the Oregon Department of State Lands (DSL) and US Army Corps of Engineers. State and Federal wetland laws are also administered by the DSL and Army Corps, and potential impacts to jurisdictional wetlands are addressed through application and enforcement of appropriate mitigation measures.

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

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

**Finding:** According to the City’s adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are no mapped landslide hazard areas on the subject property.

*SRC 802 – Public Improvements, SRC 803 – Streets and Right-of-Way Improvements, SRC 804 – Driveway Approaches, and SRC 805 – Vision Clearance:* With completion of the conditions of approval, the subject property meets all applicable standards of the following chapters of the UDC.

***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:** Wallace Road NW does not meet the right-of-way or improvement width required for a major arterial street and State Highway according to Appendix G of the Salem TSP. Taybin Road NW lacks right-of-way and improvement width according to the Salem TSP for a local street. The existing street system is adequate to serve the proposed development and the development is not proposing a building addition subject



to 803.040(a); therefore, no right-of-way dedication or street improvements are required. The existing driveways are adequate and do not warrant modification to serve the proposed development.

***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 site is served by one existing access onto Taybin Road NW. The driveway access onto Taybin Road NW provides for safe turning movements into and out of the property.

***SRC 220.005(f)(3)(D): The proposed development will be adequately served with City water, sewer, stormwater facilities, and other utilities appropriate to the nature of the development.***

**Finding:** The subject property is located inside the Urban Service Area and adequate facilities are available. No Urban Growth Area permit is required. 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 and are adequate to serve the proposed development.

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

## **7. 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, per SRC 800.065(a)(1), for a pedestrian connection to Wallace Road NW; and
- 2) Eliminate the requirement, per SRC 800.065(a)(1), for a pedestrian connection to Taybin Road NW.

*Eliminate the requirement for a pedestrian connection to Wallace Road NW.*

The purpose of SRC 800.065(a)(1) is to ensure that pedestrians have safe, convenient access to buildings on a development site from the street. The applicant's written statement (Attachment C) indicates that due to the topography of the site, providing an

ADA compliant pedestrian connection to Wallace Road NW is infeasible because it would necessitate construction of approximately 150 linear feet of ramp runs. Landings would also be needed for every 30 feet of vertical rise. Therefore, the applicant asserts, the purpose of this standard is clearly inapplicable to the proposed development.

However, there is still a need to provide safe, convenient access to the site. Wallace Road NW has sidewalks abutting the development site, and there are pedestrian connections between this sidewalk and nearby residential developments. Therefore, it is reasonable to expect that pedestrians would access the site for the proposed use. Additionally, aerial photos show that an informal path has already been worn into the sites, landscaping from the sidewalk on Wallace Road NW, which shows that the purpose of this standard does apply to the proposed development. As indicated in the comment provided by the Building and Safety Division, an ADA compliant pedestrian connection is not required as it is technically infeasible to comply per 2022 OSSC Section 3403.6.1. Therefore, staff finds that this development standard can be met, and the applicant has not demonstrated that removing the direct pedestrian access requirement is clearly inapplicable. Therefore, the request to eliminate this pedestrian connection is denied. As such, the following conditions apply:

**Condition 7:** The applicant shall construct pedestrian connections meeting the standards of SRC 800.065 connecting buildings on the development site with Wallace Road NW. Proposed connections will be reviewed for conformance with the applicable standards at the time of building permit review.

*Eliminate the requirement, per SRC 800.065(a)(1), for a pedestrian connection to Taybin Road NW.*

The applicant's written statement notes Taybin Road NW does not currently have sidewalks, and there is a drainage ditch running adjacent to the street. Additionally, Taybin Road NW lacks right-of-way and improvement width for a local street according to the Salem TSP. The existing street system is adequate to serve the proposed development and the development is not proposing a building addition subject to 803.040(a); therefore, no right-of-way dedication or street improvements are required. As a result, constructing a pedestrian connection to Taybin Road NW would not increase pedestrian access to the site, nor would it promote safe pedestrian circulation. Therefore, the purpose of this standard is equally or better met by the proposed development, as conditioned above.

***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 the CO (Commercial Office) 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:** Two separate Class 2 Adjustments have been requested in conjunction with this proposal. Each of the adjustments has been evaluated separately for conformance with the adjustment approval criteria. Staff is denying the request to eliminate a pedestrian connection to Wallace Road NW. As conditioned, the proposal results in a project which is consistent with the intent and purpose of the Commercial Office zone. 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 8:** The adjusted pedestrian connection standards, as approved in this zoning adjustment, shall only apply to the specific development proposal shown in the attached site plan and as conditioned herein. Any future development, beyond what is shown in the attached site plan and conditioned herein, shall conform to all applicable development requirements, unless adjusted through a future land use action.

## 8. Conclusion

Based upon review of SRC Chapters 220, 250, 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, except the requested adjustment to eliminate the required pedestrian connection to Wallace Road NW.

### **IT IS HEREBY ORDERED**

Based upon the facts and findings contained in this report, the Class 2 Adjustment to eliminate the required pedestrian connection to Wallace Road NW is hereby **DENIED**. Final approval of the Class 3 Site Plan Review and Class 2 Adjustment to eliminate the required pedestrian connection to Taybin Road NW are hereby **APPROVED** subject to SRC Chapters 220, 250, and the applicable standards of the Salem Revised Code, conformance with the approved site plan included as Attachment B, and the following conditions of approval:

**Condition 1:** At the time of building permit review, the applicant shall demonstrate that all 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 2:** At the time of building permit review, the applicant shall show adequate lighting for all pedestrian connections, meeting the standards of SRC 800.065.

**Condition 3:** The striped area labeled as note eight on the site plan shall be removed, and all existing striping this this area shall be removed in order to ensure that a drive aisle meeting the standards of SRC 806.035(e).

**Condition 4:** At the time of building permit review, the applicant shall show detailed plans for bicycle racks to ensure compliance with the standards of SRC 800.060(c).

**Condition 5:** At the time of building permit review, the applicant shall provide a full landscape plan demonstrating how the development site meets Type A landscaping, including all new and existing landscaped areas, by providing a minimum of one plant unit per 20 square feet of landscaped area, with 40 percent of the plant units being trees.

**Condition 6:** At the time of building permit review, the applicant shall demonstrate that pedestrian connections do not encroach on the critical root zones of the two significant trees on the property; or if the pedestrian connections encroach into critical root zones, a report from an arborist shall be submitted documenting that such disturbance will not compromise the long-term health and stability of the tree and all recommendations included in the report to minimize any impacts to the tree are followed.

**Condition 7:** The applicant shall construct pedestrian connections meeting the standards of SRC 800.065 connecting buildings on the development site with Wallace Road NW. Proposed connections will be reviewed for conformance with the applicable standards at the time of building permit review.

**Condition 8:** The adjusted pedestrian connection standards, as approved in this zoning adjustment, shall only apply to the specific development proposal shown in the attached site plan and as conditioned herein. Any future development, beyond what is shown in the attached site plan and conditioned herein, shall conform to all applicable development requirements, unless adjusted through a future land use action.



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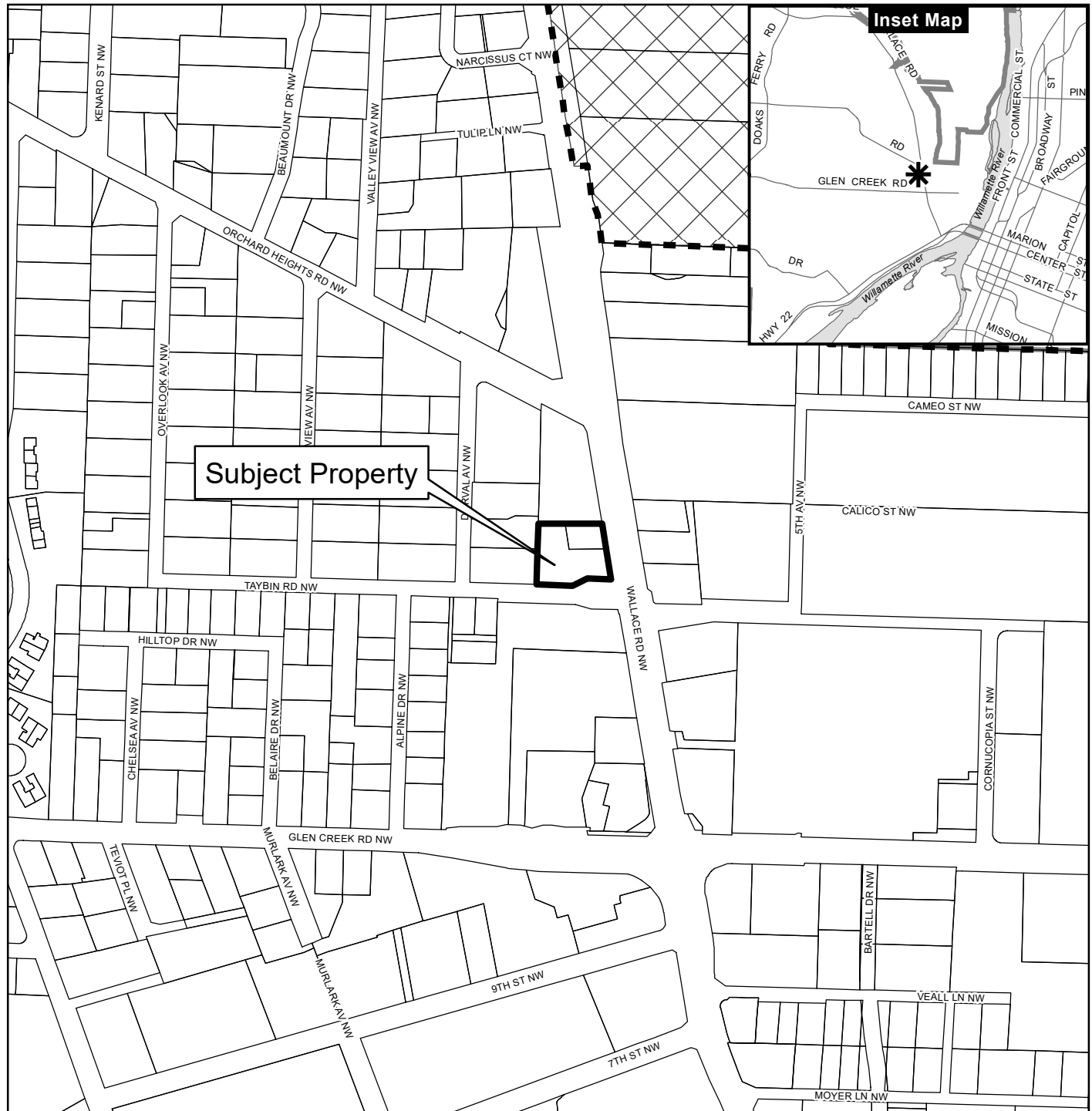
Austin Ross, Planner II, on behalf of  
Lisa Anderson-Ogilvie, AICP  
Planning Administrator

Attachments: A. Vicinity Map  
B. Proposed Development Plans  
C. Applicant's Written Statement  
D. Public Works Memo

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

# Vicinity Map

## 1205 Wallace Road NW



### Legend

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

Parks

**CITY OF Salem**  
AT YOUR SERVICE  
Community Development Dept.

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0 100 200 400 Feet



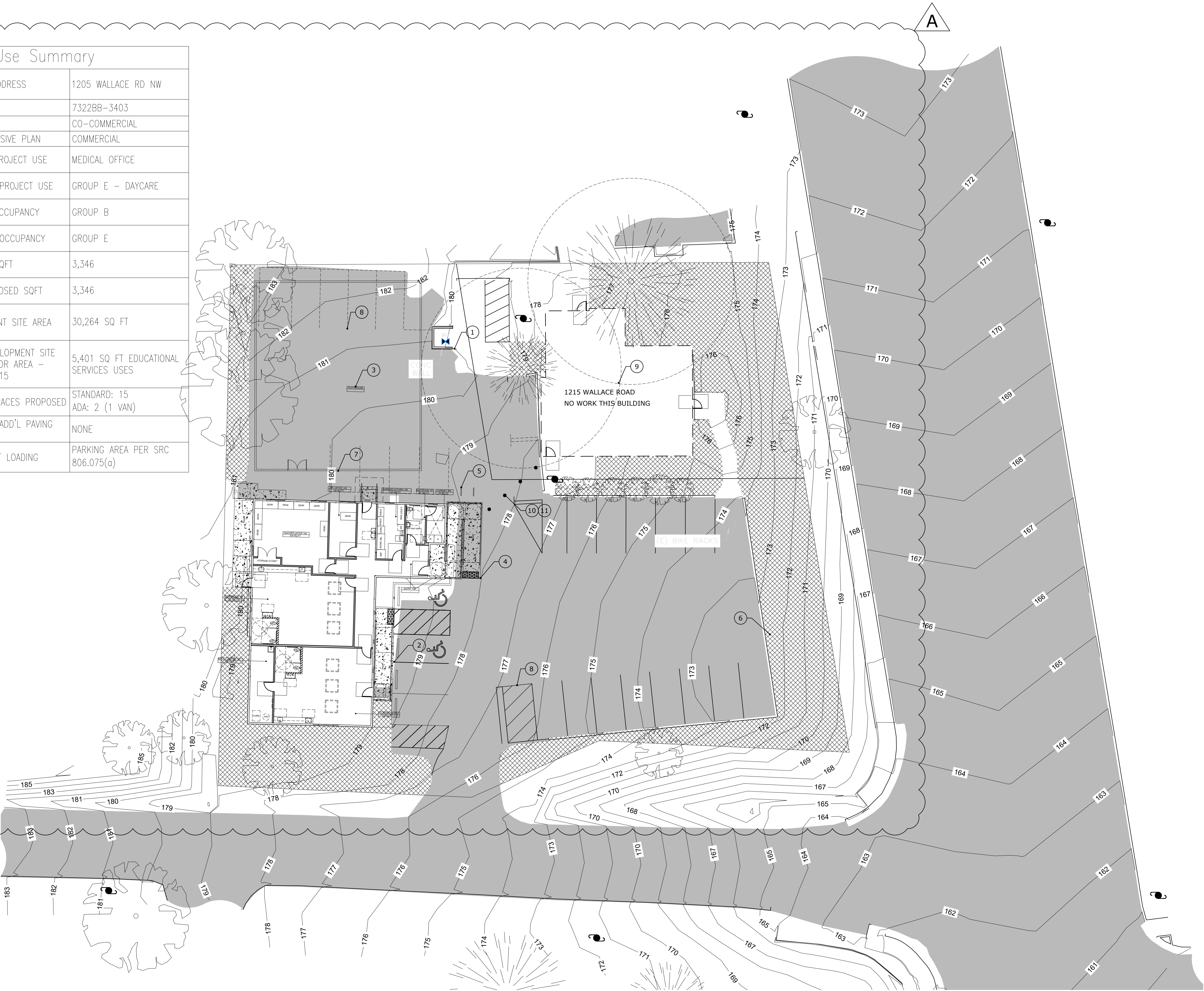




NOTES

1. (E) WELL TO BE DECOMMISSIONED & CAPPED.
2. SEE CIVIL SHEETS FOR (N) EXIT RAMPS, PARKING LAYOUT ETC.
3. (N) PLAYGROUND FENCING & EQUIPMENT PROVIDED BY OWNER - TO COMPLY W/ ORS 414-300-0150.
4. CORNER OF (N) RAMP OVERLAPS (E) PRIVATE ACCESS EASEMENT. EASEMENT ALLOWS ACCESS TO 1215 WALLACE RD. MWVCAA OWNS BOTH PROPERTIES AND TAKES NO EXCEPTION TO THE CREATIO OF (N) RAMP - ACCESS WILL NOT BE IMPINGED BY CONSTRUCTION OF RAMP.
5. PROVIDE 2 (N) STAPLE/INVERTED BIKE RACKS (4 BIKE PARKING SPACES) PER SRC TABLE 806-9.
6. (E) LANDSCAPED AREAS TO REMAIN. TOTAL DEVELOPMENT SITE: 30,264 SQ FT. TOTAL (E) LANDSCAPED AREA TO REMAIN: 7,865 SQ FT - 26% OF TOTAL SITE. EXCEEDS MIN. REQUIREMENT OF SRC 521.010(d)
7. PLAYGROUND FENCE MIN. 48" HIGH PER ORS 414-300-0150 - TO BE PROVIDED BY OWNER.
8. RESTRIPE (E) PARKING AREA TO REMOVE PARKING SPACES AS SHOWN.
9. CRITICAL ROOT ZONE OF SIGNIFICANT TREES - NO CONSTRUCTION PLANNED TO OCCUR WITHIN CRITICAL ROOT ZONE.
10. SEE CLASS 2 ADJUSTMENT APPLICATION RE: PEDESTRIAN ACCESS REQUIREMENTS.
11. (N) BOLLARDS TO BLOCK CARS FROM ENTERING PLAYGROUND & PEDESTRIAN ZONE.

Land Use Summary	
PROJECT ADDRESS	1205 WALLACE RD NW
TAX LOT	7322BB-3403
ZONING	CO-COMMERCIAL
COMPREHENSIVE PLAN	COMMERCIAL
CURRENT PROJECT USE	MEDICAL OFFICE
PROPOSED PROJECT USE	GROUP E - DAYCARE
CURRENT OCCUPANCY	GROUP B
PROPOSED OCCUPANCY	GROUP E
1205 (E) SQFT	3,346
1205 PROPOSED SQFT	3,346
DEVELOPMENT SITE AREA	30,264 SQ FT
TOTAL DEVELOPMENT SITE GROSS FLOOR AREA - 1205 & 1215	5,401 SQ FT EDUCATIONAL SERVICES USES
PARKING SPACES PROPOSED	STANDARD: 15 ADA: 2 (1 VAN)
PROPOSED ADD'L PAVING AREA	NONE
OFF-STREET LOADING	PARKING AREA PER SRC 806.075(a)



1 Site Plan - Proposed

SCALE: 1/16" = 1'-0"





linea lab architecture

April 17, 2023

## 1205 Wallace Rd Class 2 Adjustment Application

**Project Description:** Interior remodel of existing building. Demo of existing partition walls & finishes. New partition walls , finishes, MEP & ADA upgrades. Change of use from medical office to Head Start day care/preschool.

**SRC Requirement: 800.065 – Pedestrian Access**

*“(a) Pedestrian connections required. The on-site pedestrian circulation system shall provide pedestrian connectivity throughout the development site as follows:*

- 1. Connection between building entrances and streets...*
- 2. Connection between buildings on the same development site...”*

**SRC Class 2 Adjustment Criteria: 250.005**

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

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

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

### **SRC 800.065 (a) (1) Connection Between Building Entrances and Streets**

Adjustment criteria SRC 250.005 (d) (2) (A) (i) – Clearly inapplicable to the proposed development site.

**Interpretation:** The existing site conditions on the development site make providing pedestrian connections from Wallace Rd and/or Taybin Rd infeasible.

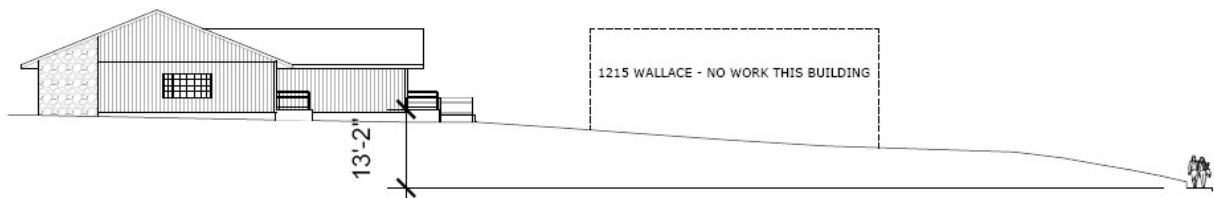
### Wallace Rd Pedestrian Connection

- The development site is sloped such that providing pedestrian access is not feasible.
- Existing Elevation at sidewalk (approx. site midpoint) is roughly 12.5' below the finished floor elevation of 1205 Wallace Rd; the area of work.
- Existing public sidewalk at Wallace Rd was recently replaced (c. 2022) and a curb/retaining wall were added.
- ADA requirements to provide equal access would not be met by solely providing stairs to create pedestrian access to the buildings on site.
- Constructing an accessible pedestrian path would therefore require approximately 150 linear feet of ramp runs, not including the required landings that must be provided every 30" of vertical rise per ICC A117.1 Sec 405.

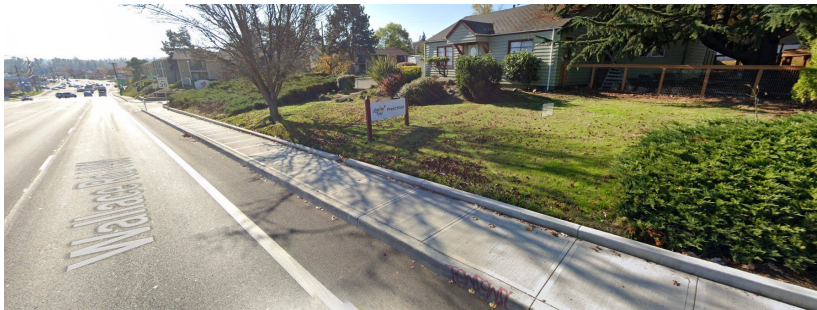


GOOGLE EARTH 3D IMAGE OF DEVELOPMENT SITE – CORNER OF WALLACE RD & TAYBIN RD FACING NW

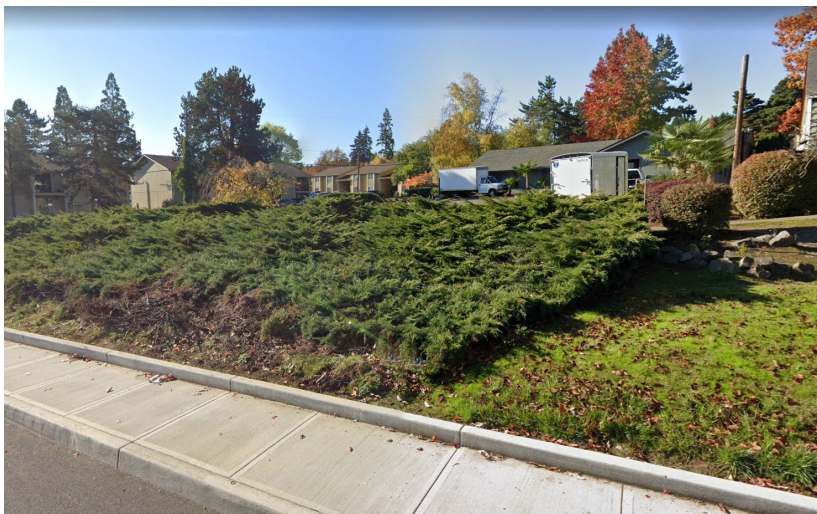




EAST-WEST SITE SECTION DIAGRAM — ELEVATION DIFFERENCE BETWEEN SIDEWALK & FINISHED FLOOR (N.T.S.)



WALLACE RD FACING SOUTH — NO EXISTING PEDESTRIAN PATHS<sup>1</sup>



WALLACE RD FACING SW — EXISTING SITE SLOPE<sup>1</sup>

### Taybin Rd Pedestrian Connection

- No sidewalk exists on either side of Taybin Rd.
- New sidewalk on Wallace Rd currently blocks pedestrians from turning corner up Taybin road with a retaining wall.
- Non-traversable drainage ditch occupies approximately 50% of the property line at Taybin Rd.
- Existing grated inlet and drain pipe at SW corner of property are installed very close to the surface and would need to be revised/reinstalled to allow for sidewalk / pedestrian walkway.



TAYBIN ROAD FACING EAST — NON-TRAVERSABLE DRAINAGE DITCH AND GRATED INLET <sup>1</sup>





TAYBIN RD FACING WEST — NO EXISTING SIDEWALKS, NOTE EXISTING DRAINAGE DITCH<sup>1</sup>



CORNER OF WALLACE RD & TAYBIN RD — RETAINING WALL BLOCKS PEDESTRIAN PATH UP TAYBIN RD<sup>1</sup>



linea lab architecture

## **SRC 800.065 (a) (2) Connection Between Buildings on the Same Development Site**

Adjustment criteria SRC 250.005 (d) (2) (A) (ii) – Equally or better met by the proposed development.

**Interpretation:** Pedestrian connection between buildings on site will be equally met by parking revisions and ramp additions.

- Project includes removal of existing parking spaces in NW quadrant of development site to create a fenced playground space and surrounding pedestrian zones.
- Pedestrians will be able to travel between the main entrance of 1205 Wallace Rd and two of the entrances at 1215 Wallace Rd without entering the shared parking area.
- The two entrances that will have pedestrian access at 1215 Wallace Rd from 1205 Wallace Rd are the shortest distance between the two buildings – therefore the most convenient.
- ADA upgrades to 1205 Wallace including exterior ramps will provide improved pedestrian access between buildings.


### Image Credits

1. Google Street View – Captured November 2022



# MEMO

**TO:** Austin Ross, Planner II  
Community Development Department

**FROM:** Laurel Christian, Planner II   
Public Works Department

**DATE:** June 2, 2023

**SUBJECT: PUBLIC WORKS RECOMMENDATIONS  
SPR-ADJ23-16 (23-106871)  
1205 WALLACE ROAD NW  
CHANGE OF USE FOR DAYCARE**

## **PROPOSAL**

A Class 3 Site Plan Review application for a change of use, as well as site and building upgrades for a new daycare facility, together with two Class 2 Adjustments to eliminate required pedestrian connections between the site and adjacent streets (SRC 800.065(a)(1)). The subject property is 0.70 acres in size, zoned CO (Commercial Office), and located at 1205 Wallace Road NW (Polk County Assessors Map and Tax lot number: 073W22BB / 3403).

## **SUMMARY OF FINDINGS**

The proposed development meets applicable criteria related to Public Works infrastructure.

## **FACTS**

### **Streets**

1. Wallace Road NW
  - a. Standard—This street is designated as a Major Arterial and a State Highway and is under the jurisdiction of the Oregon Department of Transportation (ODOT). According to the Salem TSP, Appendix G, the standard for this street classification is a 76-foot-wide improvement within a 108-foot-wide right-of-way.
  - b. Existing Conditions—This street has an approximate 68-foot improvement within a 92-foot-wide right-of-way abutting the subject property.

- c. Special Setback—The property is subject to a special setback equal to 54 feet from the centerline of Wallace Road NW.

2. Taybin Road NW

- a. Standard—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. Existing Conditions—This street has an approximate 20-foot improvement within a 50-foot-wide right-of-way abutting the subject property.
- c. Special Setback—The property is subject to a special setback equal to 30 feet from the centerline of Taybin Road NW.

**Storm Drainage**

1. Existing Conditions

- a. There are 12-inch and 21-inch storm mains located in Wallace Road NW.
- b. A 10-inch storm main is located in Taybin Road NW.

**Water**

1. Existing Conditions

- a. The subject property is located in the G-0 water service level.
- b. An 18-inch water main is located in Wallace Road NW. Mains of this size generally convey flows of 4,800 to 11,100 gallons per minute.
- c. An 8-inch water main is located in Taybin Road NW. Mains of this size generally convey flows of 900 to 2,200 gallons per minute.

**Sanitary Sewer**

1. Existing Conditions

- a. An 8-inch sewer main is located in Wallace Road NW and Taybin Road NW.

## **CRITERIA AND FINDINGS—SITE PLAN REVIEW**

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

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

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

According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are no mapped landslide hazard areas on the subject property.

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

**Finding—**Wallace Road NW does not meet the right-of-way or improvement width required for a major arterial street and State Highway according to Appendix G of the Salem TSP. Taybin Road NW lacks right-of-way and improvement width according to the Salem TSP for a local street. The existing street system is adequate to serve the proposed development and the development is not proposing a building addition subject to SRC 803.040(a); therefore, no right-of-way dedication or street improvements are required. The existing driveways are adequate and do not warrant modification to serve the proposed development.

### **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 site is served by one existing access onto Taybin Road NW. The driveway access onto Taybin Road NW provides for safe turning movements into and out of the property.

**Criteria: SRC 220.005(f)(3)(D) The proposed development will be adequately served with City water, sewer, storm drainage, and other utilities appropriate to the nature of the development**

**Finding—**The subject property is located inside the Urban Service Area and adequate facilities are available. No Urban Growth Area permit is required. 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 and are adequate to serve the proposed development.

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

Prepared by: Laurel Christian, Planner II  
cc: File