

NOTICE OF DECISION

PLANNING DIVISION
555 LIBERTY ST. SE, RM 305
SALEM, OREGON 97301
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*Si necesita ayuda para comprender esta información, por favor llame
503-588-6173*

DECISION OF THE PLANNING ADMINISTRATOR

CLASS 3 SITE PLAN REVIEW / CLASS 2 ADJUSTMENT CASE NO.: SPR-ADJ23-14

APPLICATION NO.: 22-125164-PLN

NOTICE OF DECISION DATE: June 21, 2023

SUMMARY: Development of a new education facility.

REQUEST: A consolidated application for a Class 3 Site Plan review for development of a new 10,640 square foot vocational trade school facility with associated site improvements and two Class 2 Adjustments to:

- (1) Eliminate required pedestrian connection to two adjacent streets, Mainline Drive NE and Brookes Avenue NE (SRC 800.065(a)(1)(A)); and
- (2) Review parking as a post-secondary education use (SRC 806.015(a)).

The subject property is approximately 3 acres in size, zoned IC (Industrial Commercial), and located at 3575 Del Webb Avenue NE - 97301 (Marion County Assessor Map and Tax lot number: 073W11DA / 1704).

APPLICANT: Chandler Arnsdorf

LOCATION: 3575 Del Webb Ave NE, Salem OR 97301

CRITERIA: Salem Revised Code (SRC) Chapters 220.050(f)(3) – Class 3 Site Plan Review; 250.005(d)(2) – Class 2 Adjustment

FINDINGS: The findings are in the attached Decision dated June 21, 2023.

DECISION: The **Planning Administrator APPROVED** Class 3 Site Plan Review / Class 2 Adjustment Case No. SPR-ADJ23-14 subject to the following conditions of approval:

- Condition 1:** Prior to issuance of any building permits, the final plat for Partition 22-06 shall be recorded.
- Condition 2:** At the time of building permit review, the applicant shall provide construction details for the trash enclosure indicating conformance with SRC 800.055.
- Condition 3:** 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 4:** At the time of building permit review, the applicant shall designate a minimum of four parking spaces as carpool/vanpool parking.

- Condition 5:** At the time of building permit review, the applicant shall dedicate one parking space adjacent to the southeast dead-end turnaround area by striping the parking space to provide safe and convenient vehicle maneuvering until the west portion of the property is developed, pursuant to SRC 806.035(f).
- Condition 6:** At the time of building permit review, the applicant shall provide an easement or shared access agreement allowing the internal driveway to take access from the adjacent southeast parcel under separate ownership, or redesign the driveway to align with the easements as approved with Partition Case PAR22-06.
- Condition 7:** The applicant shall provide an additional 12 trees on site to meet the tree replanting requirement, which shall be of either a shade or evergreen variety with a minimum 1.5-inch caliper.
- Condition 8:** Relocate the trash enclosure outside of the City easement or obtain a Revocable License to Encroach agreement for the trash enclosure to remain in the proposed location.
- Condition 9:** Design and construct a storm drainage system at the time of development in compliance with Salem Revised Code (SRC) Chapter 71 and Public Works Design Standards (PWDS) or receive a design exception from the City Engineer.
- Condition 10:** The adjusted development standards, as approved in this zoning adjustment, shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to all applicable development requirements, unless adjusted through a future land use action.

The rights granted by the attached decision must be exercised, or an extension granted, by July 7, 2027, or this approval shall be null and void.

Application Deemed Complete:	<u>May 3, 2023</u>
Notice of Decision Mailing Date:	<u>June 21, 2023</u>
Decision Effective Date:	<u>July 7, 2023</u>
State Mandate Date:	<u>August 31, 2023</u>

Case Manager: Jamie Donaldson, jdonaldson@cityofsalem.net, 503-540-2328

This decision is final unless written appeal and associated fee (if applicable) from an aggrieved party is filed with the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem OR 97301, or by email at planning@cityofsalem.net, no later than 5:00 p.m. Thursday, July 6, 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, 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-ADJ23-14)	
3575 DEL WEBB AVENUE NE - 97301)	JUNE 21, 2023

In the matter of the applications for Class 3 Site Plan Review and Class 2 Adjustment, submitted by the applicant, Chandler Arnsdorf, and the applicant's representative, Blake Bural, on behalf of the property owner, Joseph Fox for Tandem North LLC, the Planning Administrator, having received and reviewed evidence and the application materials, makes the following findings and adopts the following order as set forth herein.

REQUEST

Summary: Development of a new education facility.

Request: A consolidated application for a Class 3 Site Plan review for development of a new 10,640 square foot vocational trade school facility with associated site improvements and two Class 2 Adjustments to:

- (1) Eliminate required pedestrian connection to two adjacent streets, Mainline Drive NE and Brookes Avenue NE (SRC 800.065(a)(1)(A)); and
- (2) Review parking as a post-secondary education use (SRC 806.015(a)).

The subject property is approximately 3 acres in size, zoned IC (Industrial Commercial), and located at 3575 Del Webb Avenue NE - 97301 (Marion County Assessor Map and Tax lot number: 073W11DA / 1704).

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 January 10, 2023, an application for Class 3 Site Plan Review was filed for the proposed development. After additional information was provided, including a Class 2 Adjustment, the applications were deemed complete for processing on May 3, 2023. The 120-day state mandated decision deadline for this consolidated application is August 31, 2023.

The applicant's proposed site plan is included as **Attachment B** and the applicant's written statement addressing the approval criteria 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: 22 125164.

3. Neighborhood Association and Public Comments

The subject property is located within the boundaries of the Northgate Neighborhood Association, and adjacent to the Highland Neighborhood Association across Salem Parkway.

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 December 29, 2022, the applicant's representative contacted the neighborhood association to provide details about the proposal in accordance with the requirements of the SRC.

Neighborhood Association Comment: Notice of the application was provided to the 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. As of the date of completion of this staff report, no comments were received from the surrounding property owners and tenants.

4. City Department Comments

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

Building and Safety: Reviewed the proposal and indicated no site concerns.

Fire Department: Reviewed the proposal and indicated no site concerns; Fire Department access and water supply shall comply with Oregon Fire Code at time of building construction.

5. Public Agency Comments

Salem Electric: Review the proposal and indicated they will provide electric service according to the rates and policies at the time of construction.

Oregon Department of Transportation (ODOT): Reviewed the proposal and commented that it appears no vehicular access is proposed to either highway, Salem Parkway or Mainline Drive NE, under ODOT jurisdiction; however, any frontage improvements in ODOT right-of-way will require a permit from ODOT.

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 construction of a new 10,640 square foot building on site for the operation of a vocational school for electricians, with associated improvements to the off-street parking area, pedestrian access, and landscaping. The subject property is currently vacant, and is dual zoned between IC (Industrial Commercial) and IG (General Industrial). However, recent Partition Case No PAR22-06 approved a new property line between the separate zones, where all proposed development for this application takes place solely on the IC-zoned portion of the property. Therefore, the proposed development is evaluated for conformance with SRC Chapter 551 and all other applicable development standards of the UDC, except for the requested Class 2 Adjustments to parking and pedestrian connections. Findings for the requested adjustments can be found in Section 7 of this report.

Development Standards – IC (Industrial Commercial) Zone:

SRC 551.005(a) – Uses:

Per Table 551-1, Retail Sales are listed as a permitted use in the IC Zone.

Finding: The proposal includes construction of a new 10,640 square foot building on site for the operation of a vocational school for electricians, which is classified as a *post-secondary and adult education* use and is an outright permitted use in the IC zone.

SRC 551.010(a) – Lot Standards:

There is no minimum lot size, lot width or lot depth for all uses in the IC zone. The minimum street frontage requirement for retail use is 16 feet.

Finding: The subject property is 4.56 acres in total size. Approval of tentative partition plan Case No. PAR22-06 was issued on October 27, 2022, splitting the property in two parcels approximately one acre and 3.5 acres in size. Both properties meet the minimum lot area and dimension requirements of their respective zones, as described in the partition decision. However, this proposal has been reviewed for just the 3.5-acre eastern portion of the subject property, for conformance with the applicable standards once the property is recorded as two parcels. Therefore, to ensure that the development proposal is in conformance with the applicable standards as outlined in this decision, the following condition applies:

Condition 1: Prior to issuance of any building permits, the final plat for Partition 22-06 shall be recorded.

SRC 551.010(b) – Setbacks:

Setbacks within the IC zone shall be provided as set forth in Table 551-4 and Table 551-5.

Abutting Street/Alley

North: The subject property is adjacent to the dead end of Brooks Avenue NE to the north. There is a minimum five-foot setback for buildings, and a 6-10-foot setback for vehicle use areas abutting streets per SRC Chapter 806.

South: The subject property is adjacent to the Del Webb Avenue NE through a flag lot accessway to the south. There is a minimum five-foot setback for buildings, and a 6-10-foot setback for vehicle use areas abutting streets per SRC Chapter 806.

Finding: The proposed building is not located directly adjacent to a street, and thereby exceeds the minimum setback. The new vehicle use area abutting Brooks Avenue NE is setback at least 12 feet, exceeding the minimum setback as well. There is no new development located within the flag lot accessway to Del Webb Avenue that would subject to a setback. The proposal is in compliance with all applicable setback requirements of the IC zone and SRC Chapter 806.

Interior Property Lines

North: Adjacent to the north are properties zoned IG (General Industrial). In the IC zone, for property abutting IG zoned properties, there is a minimum ten-foot setback for buildings and vehicle use areas, with Type C landscaping.

West: Adjacent to the west will be property zoned IG with the recording of Partition Case PAR22-06. In the IC zone, for property abutting IG zoned properties, there is a minimum ten-foot setback for buildings and vehicle use areas, with Type C landscaping.

Finding: The proposed building is setback at least 15 feet to the future property line to the west, and thereby exceeds the minimum setback. The new vehicle use area to the north is setback at least 12 feet to the north property line, exceeding the minimum setback as well. The vehicle use area to the south extends to the property line where an easement is located to provide access to the future IG-zoned property to the west. Pursuant to SRC 806.040(b), driveways can be located within required setbacks when the driveway provides direct access to an abutting property. The compact parking spaces in the vehicle use area to the south are setback ten feet to the west property line, meeting the minimum setback. no new development located within the flag lot accessway to Del Webb Avenue that would subject to a setback. The proposal is in compliance with all applicable setback requirements of the IC zone and SRC Chapter 806.

South: Adjacent to the south is property zoned IC. In the IC zone, there is no minimum building setback abutting IC zoned properties, and there is a five-foot vehicle use area setback.

East: Adjacent to the east is railroad right-of-way. Pursuant to SRC 800.035(d), setbacks abutting a railroad right-of-way shall be considered an interior setback depending on the lot

configuration; and, when the required interior setback abutting a railroad right-of-way is a zone-to-zone setback, the minimum required setback shall be five feet in-lieu of the zone-to-zone setback. As such, buildings and vehicle use areas adjacent to the east property line shall be setback five feet.

Finding: The proposed building is not located near the south or west property lines. The proposed vehicle use area is setback at least eight feet from the south property lines, and at least 200 feet from the west property line, exceeding the minimum requirements.

SRC 551.010(c) – Lot Coverage:

There is no maximum lot coverage requirement for all uses in the IC zone and the maximum building height allowance is 70 feet.

Finding: The proposed development meets applicable lot coverage standards, as there is no maximum lot coverage standard in the IC zone. The applicant's plans indicate that the new building will be approximately 13 feet in height. The proposal meets the standards.

SRC 551.010(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 proposal includes construction of a new 10,640 square foot building with a new vehicle use and off-street parking area and landscaping to serve the development; therefore, the landscaping requirements for off-street parking and vehicle use area development standards of SRC 806.035 are applicable and addressed later in this section.

The subject property is approximately 151,029 square feet in size, requiring a minimum of 22,654 square feet of landscape area ($151,029 \times 0.15 = 22,654.5$). The applicant indicates that 70,074 square feet of landscaping will be provided for the subject property, exceeding the landscape requirement. The subject property is part of a larger development site that currently includes the IG-zoned portion to the west, with a total combined area of 198,633 square feet. The 15 percent requirement for the property as a whole would be 29,795 square feet ($198,633 \times 0.15 = 29,794.95$), which is still met by the current proposal.

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

General Development Standards SRC 800

SRC 800.055(a) – Applicability.

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

Finding: The proposed development includes a new solid waste service area. The standards of SRC 800.055 apply. Full adherence with these standards will be ensured at the time of building permit review.

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

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

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

Finding: The proposed trash enclosure is located within the fully paved vehicle use area and thereby meets the pad area requirements. This standard is met.

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

Finding: The applicant's construction details for the trash enclosure show adequate separation distance provided within the enclosure. Receptacles will not be placed within 5 feet of a building or structure. This standard is met.

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

Finding: No cover is proposed for this enclosure; therefore, this standard is not applicable.

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

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

Finding: The applicant's plans appear to show the proposed solid waste service area will be screened with a concrete wall for the portions visible to Brooks Avenue NE; however, the construction details submitted only reference a six-foot-tall chain link fence for the enclosure,

and it is not clear that the enclosure will be sight-obscuring from the street abutting the property. As such, the following condition applies:

Condition 2: At the time of building permit review, the applicant shall provide construction details for the trash enclosure indicating conformance with SRC 800.055.

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

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

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

Finding: The applicant's development plans show an enclosure with a front opening 12 feet in width. The proposal meets the standard.

(2) *Measures to Prevent Damage to Enclosure.*

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

(B) Enclosures constructed of concrete, brick, masonry block, or similar types of material shall contain a minimum four-inch nominal high bumper curb at ground level located 12 inches inside the perimeter of the outside walls of the enclosure, or a fixed bumper rail to prevent damage from receptacle impacts.

Finding: The trash enclosure plans indicate a steel rail is provided 12 inches inside the perimeter of the enclosure walls. As conditioned above, conformance with this standard will be verified at the time of building permit review.

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

Finding: The plans note the proposed gates can swing to 120 degrees in compliance with this provision.

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

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

Finding: The proposed vehicle operation area shows an area greater than 45 feet in length and 15 feet in width, perpendicular to the enclosure and extending into the adjacent alley, meeting the minimum dimensional requirements for service vehicle access.

SRC 800.065 – Pedestrian Access.

Except where pedestrian access standards are provided elsewhere under the UDC, all developments, other than single family, two family, 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. For purposes of this section development means the construction of, or addition to, a building or accessory structure or the construction of, or alteration or addition to, an off-street parking or vehicle use area. Development does not include construction of, or additions to, buildings or accessory structures that are less than 200 square feet in floor area.

When a development site is comprised of lots under separate ownership, the pedestrian access standards set forth in this section shall apply only to the lot, or lots, proposed for development, together with any additional contiguous lots within the development site that are under the same ownership as those proposed for development.

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

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

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

Finding: Direct pedestrian access is provided from the proposed building to Del Webb Avenue NE but not to Brooks Avenue NE or Mainline Drive NE. The subject property will not directly abut Mainline Drive NE after the recording of Partition Case PAR22-06; therefore, the applicant has provided a connection to the west property line allowing the connection to be completed by future development of the west portion of the property once the parcels have been divided. The applicant has requested a Class 2 Adjustment to eliminate the pedestrian connection to Brooks Avenue NE and to Mainline Drive NE. Findings for the adjustment are included 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 no transit route or 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

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: The proposed building is the only building proposed for the development; therefore, this standard is not applicable.

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

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

Finding: The proposed off-street parking area is greater than 25,000 square feet in size and includes four consecutive parallel drive aisles. The applicant has proposed a pedestrian connection from the primary entrance of the building and through the parking lot extending to the farthest parking spaces, and accessible for the majority of the parking lot. This standard is met.

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

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

SRC 800.065(a)(4) – Pedestrian Connection to Existing or Planned Paths and Trails.

Where an existing or planned path or trail identified in the Salem Transportation System Plan (TSP) or the Salem Comprehensive Parks System Master Plan passes through a development site, the path or trail shall:

(A) Be constructed, and a public access easement or dedication provided; or

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

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

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

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

Finding: The subject property will consist of two separate parcels after the recording of Partition Case PAR22-06, where a driveway access has been proposed and provided up to the shared future property line to the west. The applicant has provided a connection to the west property line allowing the connection to be completed by future development of the west portion of the property once the parcels have been divided. In addition, the pedestrian connection to Del Web Avenue provides adequate pedestrian access to the parcels to the south of the development. This standard is met.

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 proposed pedestrian connections are at least five feet in width in all locations. The type of materials proposed for the pedestrian connections are not listed in the application materials. At the time of building permit, the applicant shall demonstrate that all applicable standards of this section are met. To ensure that the proposed pedestrian walkway meets the design and material standards, the following condition applies:

Condition 3: 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(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. As conditioned above, the plans will be reviewed for conformance with applicable exterior lighting development standards at the time of building permit review.

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 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 development of a new off-street parking area located on the same development site as the proposed building.

SRC 806.015 – Amount of Off-Street Parking.

(a) *Minimum Required Off-Street Parking.* Unless otherwise provided under the UDC, off-street parking shall be provided in amounts not less than those set forth in Table 806-1.

Finding: The proposal includes construction of a new 10,640 square foot building with a new vehicle use and off-street parking area for the operation of a vocational school for electricians, which is classified as a *post-secondary and adult education* use. Most *post-secondary and adult education* uses would require minimum parking to be provided at one parking space for every four students; however, Table 806-1 indicates vocational and trade schools as a separate requirement of one parking space per 350 square feet of gross floor area. At this ratio, the minimum parking requirement would be 30 spaces ($10,640 / 350 = 30.4$), but the maximum allowed parking would only be 53 spaces ($30 \times 1.75 = 53.2$) which is significantly less than the number of students the school is designed to accommodate. Therefore, the applicant has requested a Class 2 Adjustment to calculate the minimum parking requirement under the *post-secondary and adult education* requirement of one space for every four students. Findings for the adjustment are included in Section 7 of this report. Based on the findings for the adjustment in Section 7 and for purposes of conformance review with Chapter 806, the following analysis is based on approval of the adjustment.

The applicant's written statement for the adjustment indicates the school is designed to accommodate 326 students. Under the *post-secondary and adult education* requirement of one space for every four students, the development site would require a minimum of 82 parking spaces ($326 / 4 = 81.5$). The applicant's proposal includes 143 parking spaces on site; this standard is

(b) *Compact Parking.* Up to 75 percent of the minimum off-street parking spaces required under this Chapter may be compact parking spaces.

Finding: The proposal includes only six compact parking spaces for the development site. This standard is met.

(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.

Finding: Education services falls within the Public Services use category, and the minimum required parking is 82 spaces; therefore, this standard applies. A minimum of four spaces ($82 \times .05 = 4.1$) shall be designated for carpool/vanpool parking. The applicant's plans do not indicate any carpool/vanpool spaces proposed for the development. As such, the following condition applies:

Condition 4: At the time of building permit review, the applicant shall designate a minimum of four parking spaces as carpool/vanpool parking.

(d) *Required electric vehicle charging spaces.* For any newly constructed building with five or more dwelling units on the same lot, including buildings with a mix of residential and nonresidential uses, a minimum of 40 percent of the off-street parking spaces provided on the site for the building shall be designated as spaces to serve electrical vehicle

charging. In order to comply with this subsection, such spaces shall include provisions for electrical service capacity, as defined in ORS 455.417.

Finding: The proposal does not include any dwelling units; therefore, this standard is not applicable.

(e) *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: Pursuant to SRC Table 806-2B, the maximum number of off-street parking spaces is 1.75 times the minimum number of spaces required when the minimum requirement results in more than 20 spaces. The development requires a minimum of 82 off-street parking spaces, which therefore allows a maximum of 144 spaces ($82 \times 1.75 = 143.5$). The proposed development includes a total of 143 spaces, which meets the maximum allowance.

SRC 806.035 – Off-Street Parking and Vehicle Use Area Development Standards.

- (a) *General Applicability.* The off-street parking and vehicle use area development standards set forth in this section apply to the development of new off-street parking and vehicle use areas.
- (b) *Location.* Off-street parking and vehicle use areas shall not be located within required setbacks.
- (c) *Perimeter Setbacks and Landscaping.* Perimeter setbacks shall be required for off-street parking and vehicle use areas abutting streets, abutting interior front, side, and rear property lines, and adjacent to buildings and structures.

Finding: The proposal includes a new off-street parking and vehicle use area. The new vehicle use area is five feet from both the north and south property lines and 15-feet from the western property line. The proposed reconfigured off-street parking area complies with all applicable location and perimeter setback requirements.

- (d) *Interior Landscaping.* Interior landscaping shall be provided in amounts not less than those set forth in Table 806-5. For off-street parking areas 50,000 square feet in size and greater, a minimum of 8 percent of the parking area interior shall be landscaped. A minimum of one deciduous shade tree shall be planted for every 12 parking spaces within an off-street parking area.

Finding: Vehicle use areas greater than 5,000 square feet in size require interior landscaping. The applicant's statement indicates that the proposed off-street parking area is approximately 50,747 square feet in size. A minimum of eight percent of interior landscaping is required, or 4,060 square feet ($50,747 \times 0.08 = 4,059.76$). The applicant's site plan indicates approximately 9,208 square feet of interior landscape is provided, thereby meeting the standard. A minimum of 12 deciduous trees are required for 143 parking spaces provided ($143 / 12 = 11.9$). The applicant's landscape plan indicates conformance with the standards.

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

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

Finding: The proposed off-street parking spaces comply with the minimum aisle width and dimensional requirements for compact and standard vehicle parking spaces established in Table 806-6.

- (f) *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: The applicant's plans indicate an adequate turnaround area for the dead-end drive aisle at the northwest corner of the development. A second dead-end area is proposed at the southwest corner of the development, until such time that development occurs on the west portion of the property which would provide safe vehicular access and maneuvering through the site. However, until the west portion of the property is development, the applicant shall stripe one parking space to meet the standard.

Condition 5: At the time of building permit review, the applicant shall dedicate one parking space adjacent to the southwest dead-end turnaround area by striping the parking space to provide safe and convenient vehicle maneuvering until the west portion of the property is developed, pursuant to SRC 806.035(f).

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

Finding: The proposed off-street parking area is developed consistent with the additional development standards for grade, surfacing, and drainage. Bumper guards and wheel barriers are proposed where required. 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.

- (a) *Access.* The off-street parking and vehicle use area shall have either separate driveways for ingress and egress, a single driveway for ingress and egress with an adequate turnaround that is always available, or a loop to the single point of access. The driveway approaches to the driveways shall conform to SRC Chapter 804.
- (b) *Location.* Driveways shall not be located within required setbacks, except where the driveway provides access to the street, alley, or abutting property; or where the driveway is a shared driveway located over the common lot line and providing access to two or more uses.
- (c) *Perimeter Setbacks and Landscaping.* Perimeter setbacks shall be required for driveways abutting streets, and abutting interior front, side, and rear property lines.
- (d) *Dimensions.* Driveways shall conform to the minimum width set forth in Table 806-8.

Finding: Two-way driveways are required to have a minimum width of 22 feet. The applicant's plans indicate two 24-foot-wide driveways for ingress and egress on the south side of the development, providing access to Del Webb Avenue NE via the flag lot accessway. However,

the internal driveway access serving the main off-street parking area for the development site takes access from an abutting property to the southeast under separate ownership, and does not appear to have an easement to the property in this location, pursuant to SRC 806.020(a). As such, the applicant shall either: obtain an easement or shared access agreement allowing the driveway to take access from a parcel under separate ownership; or redesign the driveway to align with the easements as approved with Partition Case PAR22-06.

Condition 6: At the time of building permit review, the applicant shall provide an easement or shared access agreement allowing the internal driveway to take access from the adjacent southeast parcel under separate ownership, or redesign the driveway to align with the easements as approved with Partition Case PAR22-06.

Bicycle Parking

SRC 806.045 – General Applicability.

Bicycle parking shall be provided and maintained for each proposed new use or activity; any change of use or activity; or any intensification, expansion, or enlargement of a use or activity.

SRC 806.050 – Proximity of Bicycle Parking to use or Activity Served.

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

SRC 806.055 – Amount of Bicycle Parking.

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

Finding: The minimum bicycle parking requirement for a *post-secondary and adult education* use, applicable to vocational and trade schools is the greater of 4 spaces, or 1 per 3,500 sq. ft. for first 50,000 square feet of gross floor area. Based on the gross floor area of the existing building, the bicycle parking requirement would be three spaces ($10,640 / 3,500 = 3.04$); therefore, the greater requirement of four bicycle parking spaces applies. The applicant's plans indicate six bicycle parking spots provided. This standard is met.

SRC 806.060 - Bicycle Parking Development Standards.

Bicycle parking areas shall be developed and maintained as set forth in this section.

(a) Location.

- (1) Short-term bicycle parking.* 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.

Finding: The proposal includes six bicycle parking spaces in an area located outside of building and within convenient distance of the building entrance, meeting the standard for short-term bicycle parking location.

- (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: The bicycle racks will have direct access to the public right-of-way through the proposed pedestrian paths and vehicle use areas. This standard is met.

- (c) *Dimensions.* All bicycle parking areas shall meet the following dimension requirements:
- (1) *Bicycle parking spaces.* Bicycle parking spaces shall conform to the minimum dimensions set forth in Table 806-10.
 - (2) *Access aisles.* Bicycle parking spaces shall be served by access aisles conforming to the minimum widths set forth in Table 806-10. Access aisles serving bicycle parking spaces may be located within the public right-of-way.

Finding: The applicant has submitted construction details for the bicycle racks indicating each rack with a six-foot length, and two-foot width on either side of the rack, meeting the required dimensions. The bicycle racks are located adjacent to a five-foot wide pedestrian path, meeting the access standards.

- (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 appear to be placed on a hard surface material. Further conformance with this standard will be verified at the time of building permit review.

- (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: Construction details of the bicycle racks were provided and indicate installation of inverted staple rack; this standard is met.

Off-Street Loading Areas

SRC 806.065 – General Applicability.

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

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

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

SRC 806.075 – Amount of Off-Street Loading.

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

Finding: A minimum of one off-street loading space is required for a use within the Education Services category, with a gross floor area between 5,000-60,000 square feet in size. Off-street loading spaces shall have a minimum width of 12 feet, minimum depth of 30 feet, and minimum 14 feet of unobstructed vertical clearance. The plans indicate the development has an area for one off-street loading space with dimensions that meet the minimum standards. 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: Approximately 70,074 square feet of landscape area is proposed for the subject property, with the minimum requirement between the 15 percent of the development site and the interior landscaping being 26,714 square feet ($22,654 + 4,060 = 26,714$); therefore, requiring a minimum of 1,336 plant units ($26,714 / 20 = 1,335.7$). Of the required plant units, a minimum of 534 plant units shall be trees ($1,336 \times 0.4 = 534.4$).

In addition to the landscaping required under this chapter, when existing trees, as defined under SRC Chapter 808, are proposed for removal from within required setbacks or from a development site in excess of 75 percent, replanting shall be required as provided in this subsection, pursuant to SRC 807.015(d). The applicant has submitted a tree inventory for the development site indicating 28 trees existing on site, as defined under SRC Chapter 808. The applicant has proposed removal of eight non-significant trees, which does not exceed 75 percent of trees on the development site ($28 \times .75 = 21$). However, six of the trees proposed for removal are located within the required setback and shall be replanted with two new trees shall be planted for each tree removed. To ensure that trees are planted to meet the replacement ratio and size requirements of this subsection, the following condition applies:

Condition 7: The applicant shall provide an additional 12 trees on site to meet the tree replanting requirement, which shall be of either a shade or evergreen variety with a minimum 1.5-inch caliper.

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

Natural Resources

SRC 601 – Floodplain: Development in the floodplain shall be regulated to preserve and maintain the capability to the floodplain to convey the flood water discharges and to minimize danger to life and property.

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

SRC 808 – Preservation of Trees and Vegetation: The City's tree preservation ordinance, under SRC Chapter 808, provides that no person shall remove a significant tree (Oregon White Oak greater than 20 inches in diameter at breast height) (SRC 808.015) or a tree or native vegetation in a riparian corridor (SRC 808.020), unless the removal is excepted under SRC 808.030(a)(2), undertaken pursuant to a permit issued under SRC 808.030(d), undertaken pursuant to a tree conservation plan approved under SRC 808.035, or permitted by a variance granted under SRC 808.045.

Finding: The applicant has submitted a tree inventory for the development site which indicates no heritage trees, significant trees, or riparian trees on site. The applicant has proposed removing eight non-significant trees on site, and will be replanting trees pursuant to SRC 807.015(d), as conditioned above. The proposal is in conformance with the preservation of trees under SRC Chapter 808.

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 mapped 2-to-3-point landslide hazard areas on the subject property. The proposed activity of a commercial building adds 3 activity points to the proposal, which results in a total of 5 to 6 points. Therefore, the proposed development is classified as a moderate landslide risk and requires a geological assessment. A Geological Assessment, prepared by Redmond Geotechnical Services, LLC, and dated January 25, 2016, was submitted to the City of Salem. The assessment demonstrates the proposed development is a low landslide hazard risk based on SRC Chapter 810.

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: Del Webb Avenue NE abuts the subject property and meet the improvement and right-of-way requirements for their respective street classifications according to the Salem TSP; therefore, no additional street improvements are required as a condition of the proposed development.

Brooks Avenue NE is an unimproved right-of-way that terminates at the northern property line of the subject property.

Mainline Drive NE abuts the subject property and does not meet the improvement width required for a local street. Mainline Drive NE lacks curbs, sidewalk, street trees, and streetlights, and is under the jurisdiction of the Oregon Department of Transportation. The subject property was granted Tentative Plan Approval for a 2-lot partition that would bifurcate the development portion of the lot (proposed Parcel 2) from the western portion of the lot (proposed Parcel 1) [PAR22-06 (22-116525)]. Once the partition plat is recorded, the development site will no longer have frontage on Mainline Drive NE, and therefore, no boundary street improvements would be required. Public Works recommends a condition of approval that requires the partition plat to be recorded prior to building permit issuance, which has been included above as Condition 1. If the partition plat is not recorded, boundary street improvements along Mainline Drive NE may be warranted.

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 development is served by one existing driveway on Del Webb Avenue NE. No changes to the existing driveway are proposed. The existing driveway access onto Del Webb Avenue NE 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; therefore, no Urban Growth Area permit is required. The Public Works Department has reviewed the applicant's preliminary plan for this site and determined that water, sewer, and storm infrastructure are available within surrounding streets/areas and are adequate to serve the proposed development.

The applicant's tentative plan shows a new trash enclosure proposed to be located in an easement for City utilities. Structures are not permitted within City utility easements without an approved Revocable License to Encroach agreement. The applicant shall either relocate the trash enclosure outside of the City easement or obtain a Revocable License to Encroach agreement for the trash enclosure.

Condition 8: Relocate the trash enclosure outside of the City easement or obtain a Revocable License to Encroach agreement for the trash enclosure to remain in the proposed location.

The applicant's engineer submitted a statement demonstrating compliance with Stormwater PWDS Appendix 004-E(4) and SRC Chapter 71. The preliminary stormwater design

demonstrates the use of green stormwater infrastructure to the maximum extent feasible by using a stormwater basin that was previously constructed to serve the development site (16-106419-CO). Staff review of the existing facility has indicated that the existing GSI facility that will serve this development is adequately sized but does not meet the current drawdown standard. Based on a letter included in the previously approved storm report (page 48), dated 10/19/2015, the future development in this area will be required to meet the City's current design standards. Staff finds that not meeting the drawdown requirement does not affect the functionality of the GSI facility, but we would recommend a Design Exception for this since it is not meeting the current standard.

Condition 9: Design and construct a storm drainage system at the time of development in compliance with Salem Revised Code (SRC) Chapter 71 and Public Works Design Standards (PWDS) or receive a design exception from the City Engineer.

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

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 required pedestrian connection to two adjacent streets, Mainline Drive NE and Brookes Avenue NE (SRC 800.065(a)(1)(A)); and
- (2) Review parking as a post-secondary education use (SRC 806.015(a)).

Eliminate required pedestrian connection to two adjacent streets, Mainline Drive NE and Brookes Avenue NE, per SRC 800.065(a)(1)(A):

Pursuant to SRC 800.065(a)(1)(A), a pedestrian connection shall be provided between the primary entrance of each building on the development site and each adjacent street. The subject property as it is currently configured is adjacent to three streets. Direct pedestrian access has been provided from the proposed building to Del Webb Avenue NE, but not to Brooks Avenue NE or Mainline Drive NE. Therefore, the applicant has requested a Class 2 Adjustment to the eliminate the pedestrian connection to Brooks Avenue NE and to Mainline Drive NE.

The subject property will consist of two separate parcels after the recording of Partition Case PAR22-06, where a driveway access has been proposed and provided up to the shared future property line to the west. The applicant has provided a pedestrian connection to the west property line allowing the connection to be completed by future development of the west portion of the property once the parcels have been divided. The subject property will not directly abut Mainline Drive NE after the recording of Partition Case PAR22-06; therefore, staff finds the provision of a pedestrian connection to the future property line to be extended with future development equally meets the intent to eventually provide connection to Mainline Drive NE.

As indicated above, Brooks Avenue NE is an unimproved right-of-way that terminates at the northern property line of the subject property. As such, there are no sidewalks to provide a pedestrian connection too, nor is Brooks Avenue ideal for street parking or pedestrian activities. In addition, the pedestrian connection to Del Webb Avenue provides adequate pedestrian access to the street providing the main access to the development, as well as to the parcels south of the development. Staff finds the required connection to Brooks Avenue NE is not warranted, and the proposed connection to Del Webb satisfies the intent to provide ample pedestrian amenities to the street that serves the development site.

Review parking as a post-secondary education use, per SRC 806.015(a):

The proposal includes construction of a new 10,640 square foot building with a new vehicle use and off-street parking area for the operation of a vocational school for electricians, which is classified as a *post-secondary and adult education* use. Most *post-secondary and adult education* uses would require minimum parking to be provided at one parking space for every four students; however, Table 806-1 indicates vocational and trades school as a separate requirement of one parking space per 350 square feet of gross floor area. At this ratio, the minimum parking requirement would be 30 spaces ($10,640 / 350 = 30.4$), but the maximum allowed parking would be 53 spaces ($30 \times 1.75 = 53.2$) which is significantly less spaces than the number of students the school is intended to accommodate. Therefore, the applicant has requested a Class 2 Adjustment to calculate the minimum parking requirement under the *post-secondary and adult education* requirement of one space for every four students.

The applicant provided a written statement that explains why this type of school should provide parking based on the number of students the school can accommodate, rather than the square footage of the building. They indicate that because the school is for electricians after their normal work day, all classes are primarily provided at night. This means all students are typically arriving around the same time of day instead of attending classes spread throughout the day which would create more consistent traffic of students coming and going throughout the day. Staff agrees that the nature of the type of school offering classes at a certain time of day qualifies for an adjustment to provide a parking calculation that offers more parking on site to accommodate an assembly of students arriving at the same time. The provision of more parking will help to alleviate overflow of parking onto adjacent properties or streets, and mitigate negative impacts to neighboring properties. This standard is met.

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

Finding: The subject property is located within an IC (Industrial Commercial) 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 with this development. Each of the adjustments has been evaluated separately for conformance with the Adjustment approval criteria. The cumulative impact of the adjustments results in an overall project which is consistent with the intent and purpose of the zoning code. Any future development, beyond what is shown in the proposed plans, shall conform to all applicable development standards of the UDC, unless adjusted through a future land use action.

Condition 10: The adjusted development standards, as approved in this zoning adjustment, shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to all applicable development requirements, unless adjusted through a future land use action.

8. Conclusion

Based upon review of SRC Chapters 220 and 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.

IT IS HEREBY ORDERED

Final approval of Class 3 Site Plan Review and Class 2 Adjustment, Case No. SPR-ADJ23-14 is hereby **APPROVED** subject to SRC Chapters 220 and 250, the applicable standards of the Salem Revised Code, conformance with the approved site plan included as Attachment B, and the following conditions of approval:

- Condition 1:** Prior to issuance of any building permits, the final plat for Partition 22-06 shall be recorded.
- Condition 2:** At the time of building permit review, the applicant shall provide construction details for the trash enclosure indicating conformance with SRC 800.055.
- Condition 3:** 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 4:** At the time of building permit review, the applicant shall designate a minimum of four parking spaces as carpool/vanpool parking.
- Condition 5:** At the time of building permit review, the applicant shall dedicate one parking space adjacent to the southeast dead-end turnaround area by striping the parking space to provide safe and convenient vehicle maneuvering until the west portion of the property is developed, pursuant to SRC 806.035(f).

- Condition 6:** At the time of building permit review, the applicant shall provide an easement or shared access agreement allowing the internal driveway to take access from the adjacent southeast parcel under separate ownership, or redesign the driveway to align with the easements as approved with Partition Case PAR22-06.
- Condition 7:** The applicant shall provide an additional 12 trees on site to meet the tree replanting requirement, which shall be of either a shade or evergreen variety with a minimum 1.5-inch caliper.
- Condition 8:** Relocate the trash enclosure outside of the City easement or obtain a Revocable License to Encroach agreement for the trash enclosure to remain in the proposed location.
- Condition 9:** Design and construct a storm drainage system at the time of development in compliance with Salem Revised Code (SRC) Chapter 71 and Public Works Design Standards (PWDS) or receive a design exception from the City Engineer.
- Condition 10:** The adjusted development standards, as approved in this zoning adjustment, shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to all applicable development requirements, unless adjusted through a future land use action.



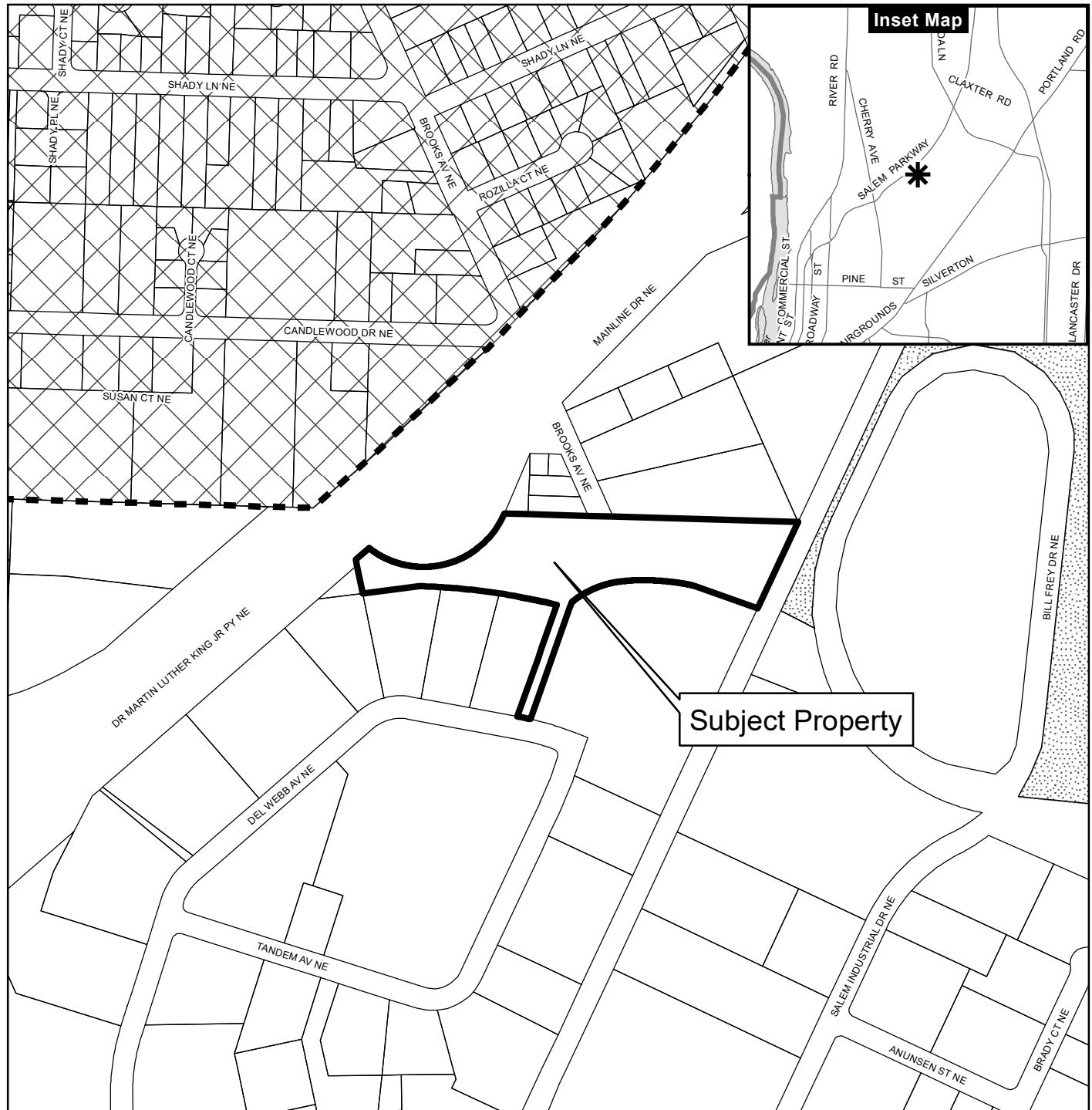
Jamie Donaldson, Planner II, on behalf of
Lisa Anderson-Ogilvie, AICP
Planning Administrator

Attachments: A. Vicinity Map
B. Proposed Development Plans
C. Public Works Memo

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

Vicinity Map

3575 Del Webb Avenue NE



Legend

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

- Parks

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Community Development Dept.

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






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GENERAL NOTES:

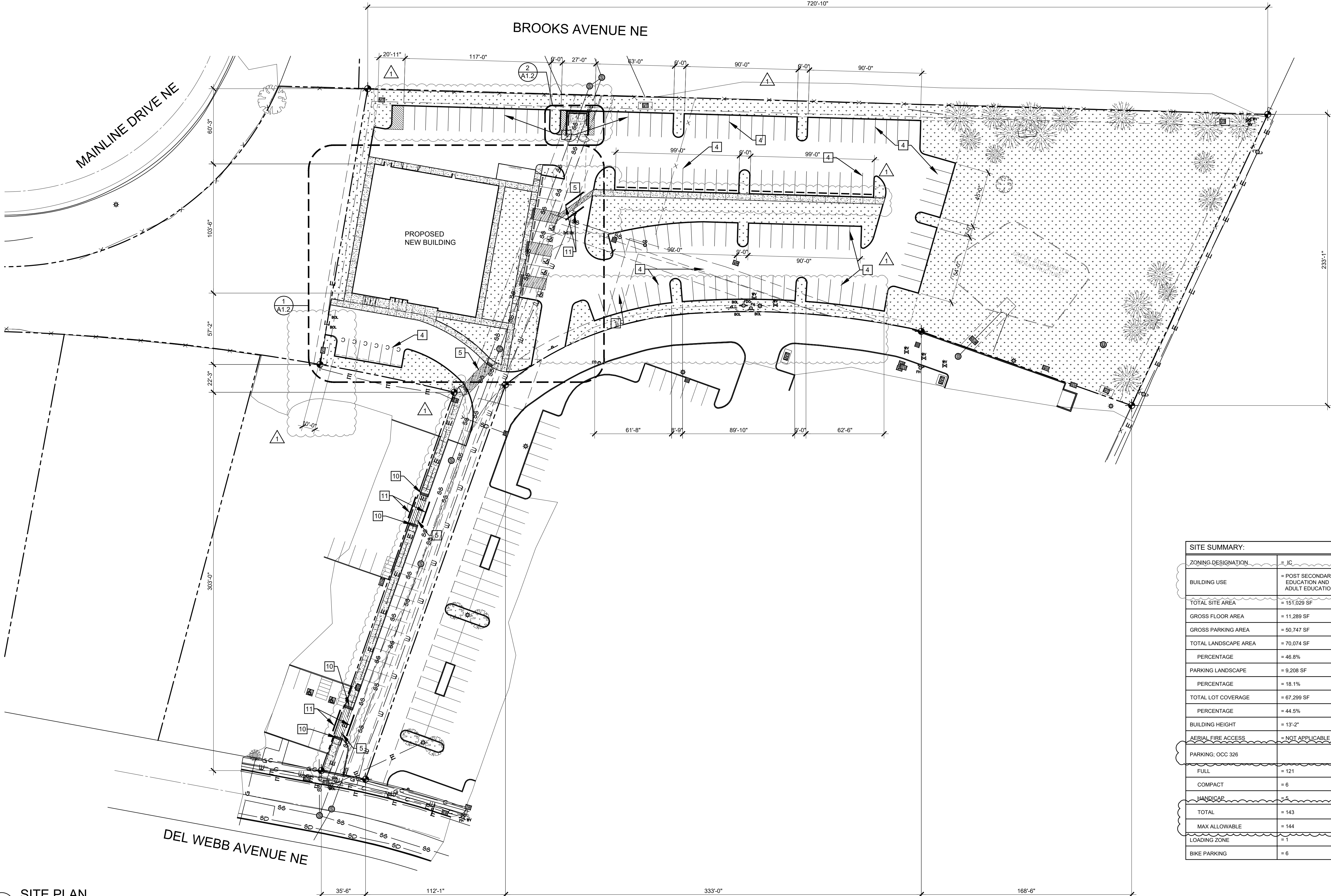
- SITE INFORMATION IS BASED ON THE EARLIER DRAWINGS AND FIELD VISITS. DRAWINGS SHOULD NOT BE SCALED. NOTIFY ARCHITECT OF ANY DISCREPANCIES OR QUESTIONABLE DIMENSIONS FOR CLARIFICATION PRIOR TO PROCEEDING WITH AREA OF REQUIRED WORK.
- PROTECT THE ADJACENT PROPERTY OUTSIDE OF THE DEMOLITION LIMIT FROM EROSION AND SEDIMENT DAMAGE THROUGHOUT THE WORK.
- CONTRACTOR TO FIELD VERIFY ALL ITEMS SHOWN. LOCATIONS, DIMENSION AND QUANTITIES ARE REPRESENTATIVE.

REFERENCE NOTES:

- BICYCLE RACK, REFER TO  A1.3
- CONCRETE WHEEL STOP, REFER TO  A1.3
- EQUIPMENT, REFER TO ELECTRICAL AND PLUMBING DESIGN BUILD DRAWINGS
- 4" PAINTED PARKING STRIPE
- 4" PAINTED SAFETY STRIPE AREA, DIAGONAL AT 24" o.c.
- PAINTED ARROW, REFER TO  A1.3
- PAINTED ACCESSIBLE PARKING SYMBOL, REFER TO  A1.3
- ACCESSIBLE PARKING SYMBOL SIGN, REFER TO  A1.3  A1.3
- CONCRETE CURB, REFER TO  A1.2
- NEW ADA RAMP, TACTILE DOMES AND CURBS AS REQUIRED, REFER TO CIVIL DRAWINGS
- NEW SPEED BUMP 

LEGEND:

- CONCRETE PAVEMENT, REFER TO CIVIL DRAWINGS
- LANDSCAPING, REFER TO LANDSCAPING DRAWINGS, U.O.N.
- CONCRETE CURB, REFER TO CIVIL DRAWINGS
- NEW CONCRETE PAVEMENT EXPANSION JOINT, REFER TO DETAIL
- NEW CLEAN OUT, (E) DESIGNATES EXISTING TO REMAIN, REFER TO CIVIL DRAWINGS
- NEW MAN HOLE, (E) DESIGNATES EXISTING TO REMAIN, REFER TO CIVIL DRAWINGS
- NEW DOWN SPOUT, REFER TO CIVIL DRAWINGS
- NEW REMOVABLE BOLLARD
- NEW CATCH BASIN, (E) DESIGNATES EXISTING TO REMAIN, (D) DENOTES TO BE REMOVED, REFER TO CIVIL DRAWINGS
- NEW WATER METER, (E) DESIGNATES EXISTING TO REMAIN, REFER TO CIVIL DRAWINGS
- NEW FIRE HYDRANT (E) DESIGNATES EXISTING TO REMAIN, REFER TO CIVIL DRAWINGS
- EXISTING FIRE DEPARTMENT CONNECTION STAND PIPE, REFER TO CIVIL DRAWINGS
- EXISTING OVERHEAD TELE-COMMUNICATION LINES TO REMAIN
- EXISTING UNDERGROUND STORM LINES TO REMAIN
- EXISTING UNDERGROUND SANITATION LINES TO REMAIN
- EXISTING UNDERGROUND WATER LINES TO REMAIN
- EXISTING UNDERGROUND POWER LINES TO REMAIN
- EXISTING UNDERGROUND TELE-COMMUNICATION LINES TO REMAIN
- NEW FENCE
- EXISTING POWER POLE TO REMAIN
- EXISTING ELECTRICAL BOX TO REMAIN
- NEW LIGHT POLE TO REMAIN, (E) DENOTES EXISTING TO REMAIN
- NEW SIGN, (E) DENOTES EXISTING TO REMAIN
- HOSE BIB, REFER TO PLUMBING DESIGN/BUILD DRAWINGS
- EXISTING TREE TO REMAIN, REFER TO LANDSCAPE PLANS



SITE SUMMARY:		NOTES:
ZONING DESIGNATION	= JC	
BUILDING USE	= POST SECONDARY EDUCATION AND ADULT EDUCATION	APPROVED USE
TOTAL SITE AREA	= 151,029 SF	
GROSS FLOOR AREA	= 11,289 SF	
GROSS PARKING AREA	= 50,747 SF	
TOTAL LANDSCAPE AREA	= 70,074 SF	
PERCENTAGE	= 46.8%	15% MIN. COMPLIES
PARKING LANDSCAPE	= 9,208 SF	
PERCENTAGE	= 18.1%	8% MIN. COMPLIES
TOTAL LOT COVERAGE	= 67,299 SF	
PERCENTAGE	= 44.5%	
BUILDING HEIGHT	= 13'-2"	
AERIAL FIRE ACCESS	= NOT APPLICABLE	
PARKING, OCC 326		REQUIRED 1 PS PER 4 OCC 326 OCC / 4 = 82
FULL	= 121	
COMPACT	= 6	
HANDICAP	= 5	
TOTAL	= 143	= INCLUDES 11 PS ALONG DRIVE
MAX ALLOWABLE	= 144	= 82 x 1.75
LOADING ZONE	= 1	30'-0" x 12'-6"
BIKE PARKING	= 6	4 REQUIRED, COMPLIES

1 SITE PLAN
SCALE: 40'-0" = 1"



In the event conflicts are discovered between the original signed and sealed documents prepared by the Architects and/or their Consultants, and any copy of the documents transmitted by mail, fax, electronically or otherwise, the original signed and sealed documents shall govern.

JOB NO. 2021.0028

DATE MARCH 1, 2023

DRAWN CJA

REVISIONS
1 REVS 3.21.2023
2 REVS 4.24.2023



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IEC

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SALEM, OREGON 97301


SHEET

A1.1



MEMO

TO: Jamie Donaldson, Planner II
Community Development Department

FROM: Laurel Christian, Planner II
Public Works Department 

DATE: June 5, 2023

**SUBJECT: PUBLIC WORKS RECOMMENDATIONS
SPR-ADJ-DAP 23-14 (22-125164)
3575 DEL WEBB AVE NE
DEVELOPMENT OF A NEW EDUCATION FACILITY**

PROPOSAL

A consolidated application for a Class 3 Site Plan Review for development of a new 10,640-square-foot vocational trade school facility with associated site improvements. The subject property is approximately 3 acres in size, zoned IC (Industrial Commercial), and located at 3575 Del Webb Avenue NE – 97301 (Marion County Assessor Map and Tax Lot Number; 073W11DA/1704).

RECOMMENDED CONDITIONS OF APPROVAL

1. Prior to issuance of any building permits, the final plat for Partition 22-06 shall be recorded.
2. Relocate the trash enclosure outside of the City easement or obtain a Revocable License to Encroach agreement for the trash enclosure to remain in the proposed location.
3. Design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS or receive a Design Exception approval from the City Engineer.

FACTS

Streets

1. Del Webb Avenue NE

- 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 37-foot improvement within a 60-foot-wide right-of-way abutting the subject property.

2. Mainline Drive NE

- a. Standard—This street is designated as a local street in the Salem TSP. This street is under Oregon Department of Transportation (ODOT) jurisdiction. 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 30-foot improvement within a variable right-of-way abutting the subject property.

3. Brooks Avenue NE

- 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 is unimproved within a 60-foot-wide right-of-way abutting the subject property.

Storm Drainage

1. Existing Conditions

- a. A 15-inch storm main is located in Del Webb Avenue NE.

Water

1. Existing Conditions

- a. The subject property is located in the G-0 water service level.

- b. A 12-inch water main is located in Del Webb Ave NE, in an easement on the property and running through Brooks Avenue NE. Mains of this size generally convey flows of 1,500 to 3,400 gallons per minute.

Sanitary Sewer

1. Existing Conditions

- a. There are 8-inch and 12-inch sewer mains located in an easement through the property.
- b. A 15-inch sewer main is located in Brooks Avenue NE.
- c. An 8-inch sewer main is located in Del Webb Avenue NE.

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—With completion of the conditions above, 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 mapped 2-to-3-point landslide hazard areas on the subject property. The proposed activity of a commercial building adds 3 activity points to the proposal, which results in a total of 5 to 6 points. Therefore, the proposed development is classified as a moderate landslide risk and requires a geological assessment. A Geological Assessment prepared by Redmond Geotechnical Services, LLC, and dated January 25, 2016, was submitted to the City of Salem. The assessment demonstrates the proposed development is a low landslide hazard risk based on SRC Chapter 810.

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

Finding—Del Webb Avenue NE abuts the subject property and meet the improvement and right-of-way requirements for their respective street classifications according to the Salem TSP; therefore, no additional street improvements are required as a condition of the proposed development.

Brooks Avenue NE is an unimproved right-of-way that terminates at the northern property line of the subject property.

Mainline Drive NE abuts the subject property and does not meet the improvement width required for a local street. Mainline Drive NE lacks curbs, sidewalk, street trees, and streetlights, and is under the jurisdiction of the Oregon Department of Transportation. The subject property was granted Tentative Plan Approval for a 2-lot partition that would bifurcate the development portion of the lot (proposed Parcel 2) from the western portion of the lot (proposed Parcel 1) [PAR22-06 (22-116525)]. Once the partition plat is recorded, the development site will no longer have frontage on Mainline Drive NE and, therefore, no boundary street improvements would be required. Staff recommends a condition of approval that requires the partition plat to be recorded prior to building permit issuance. If the partition plat is not recorded, boundary street improvements along Mainline Drive NE may be warranted.

Condition: Prior to issuance of any building permits, the final plat for Partition 22-06 shall be recorded.

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 development is served by one existing driveway on Del Webb Avenue NE. No changes to the existing driveway are proposed. The existing driveway accessing onto Del Webb Avenue NE 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/areas and are adequate to serve the proposed development.

The applicants tentative plan shows a new trash enclosure proposed to be located in an easement for City utilities. Structures are not permitted within City utility easements without an approved Revocable License to Encroach agreement. The applicant shall either relocate the trash enclosure outside of the City easement or obtain a Revocable License to Encroach agreement for the trash enclosure.

Condition: Relocate the trash enclosure outside of the City easement or obtain a Revocable License to Encroach agreement for the trash enclosure to remain in the proposed location.

The applicant's engineer submitted a statement demonstrating compliance with Stormwater PWDS Appendix 004-E(4) and SRC Chapter 71. The preliminary stormwater design demonstrates the use of green stormwater infrastructure to the maximum extent feasible by using a stormwater basin that was previously constructed to serve the development site (16-106419-CO). Staff review of the existing facility has indicated that the existing GSI facility that will serve this development is adequately sized but does not meet the current drawdown standard. Based on a letter included in the previously approved storm report (page 48), dated October 19, 2015, the future development in this area will be required to meet the City's current design standards. Staff finds that not meeting the drawdown requirement does not affect the functionality of the GSI facility, but we would recommend a Design Exception for this since it is not meeting the current standard.

Condition: Design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS or receive a Design Exception approval from the City Engineer.

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

Prepared by: Laurel Christian, Planner II
cc: File