


TO: Aaron Panko, Planner II
Community Development Department

FROM: Laurel Christian, Planner II 
Public Works Department

DATE: July 12, 2023

**SUBJECT: PUBLIC WORKS RECOMMENDATIONS
SPR-ADJ-DAP 23-20 (23-101981)
1035 COMMERCIAL STREET SE
NEW 45-UNIT MIXED-USE BUILDING**

PROPOSAL

Class 3 Site Plan Review for the development of 45 residential units, including four work/live units, mixed-use building with dedicated office, storage, trash enclosure, and off-street parking area. The subject property is approximately 0.58 acres in size, zoned MU-I (Mixed Use-I), partially within the Saginaw Street Overlay and located at 1035 Commercial Street SE and 160 Bush Street S 97302 (Marion County Assessor map and tax lot numbers: 073W27CA/9300 and 10400).

RECOMMENDED CONDITIONS OF APPROVAL

1. Convey land for dedication to equal a half-width right-of-way of 33 feet on the development side of Commercial Street SE, including sufficient right-of-way to accommodate public infrastructure at the property corners.
2. Along Bush Street S, replace nonconforming portions of existing sidewalk along the frontage of the property.
3. Along Commercial Street SE, replace and relocate sidewalks to the proposed property line.
4. Install street trees to the maximum extent feasible along Commercial Street SE and Bush Street S.
5. Obtain a street tree removal permit pursuant to SRC Chapter 86.

6. Widen the Unnamed Alley approach to Bush Street S to a minimum 22 feet and construct the approach to meet PWDS Standard Drawing 302 for commercial approaches.
7. Design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.

FACTS

Streets

1. Commercial Street SE

- a. Standard—This street is designated as a major arterial street in the Salem TSP. The standard for this street classification is a 40-foot-wide improvement within a 66-foot-wide right-of-way according to Appendix G of the Salem TSP.
- b. Existing Conditions—This street has an approximate 40-foot improvement within a 60-foot-wide right-of-way abutting the subject property.

2. Bush Street S

- 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 30-foot improvement within a 66-foot-wide right-of-way abutting the subject property.

3. Unnamed Alley

- a. Standard—This right-of-way is designated as an alley in the Salem TSP. The standard for this classification is a 10-to-20-foot-wide improvement within a 10-to-20-foot-wide right-of-way.
- b. Existing Conditions—This right-of-way has an approximate 10-foot improvement within a 12-foot-wide right-of-way abutting the subject property.

Storm Drainage

1. Existing Conditions

- a. An 8-inch storm main is located in Commercial Street SE.

Water

1. Existing Conditions

- a. The subject property is located in the G-0 water service level.
- b. A 10-inch water main is located in Commercial Street SE. Mains of this size generally convey flows of 1,500 to 3,400 gallons per minute.
- c. A 6-inch water main is located in Bush Street S. Mains of this size generally convey flows of 500 to 1,200 gallons per minute.

Sanitary Sewer

1. Existing Conditions

- a. An 8-inch sewer main is located in the alley south of Bush Street S and abutting the subject property.

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-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 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 and dated December 15, 2020, was submitted to the City of Salem. This assessment demonstrates the subject property could be developed without increasing the potential for slope hazard on the site or adjacent properties.

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

The existing right-of-way width of Commercial Street SE does not meet current standards for its classification of street per the Salem TSP *Appendix G*. The applicant shall convey for dedication a half-width right-of-way up to 33 feet to major arterial street standards (as amended by TSP Appendix G) as specified in the PWDS and based on a rational nexus calculation. Commercial Street SE is also classified within the TSP as part of the on-street bicycle network with potential for enhanced improvements for bicycles. Pursuant to SRC 800.065(a)(4), right-of-way or easement dedication and construction of improvements is required to provide connections to existing or planned paths or trails as identified in the TSP or *Salem Comprehensive Parks System Master Plan*. There are no existing bike improvements abutting the property and the bike improvements will be within the right-of-way of Commercial Street SE; no additional right-of-way dedication or easements are required as part of this application.

Condition: Convey land for dedication to equal a half-width right-of-way of 33 feet on the development side of Commercial Street SE, including sufficient right-of-way to accommodate public infrastructure at the property corners.

The existing sidewalk along Bush Street S and Commercial Street SE is nearing its useful life and requires replacement. In addition, sidewalks do not have adequate width according to PWDS. The applicant shall replace nonconforming portions of existing sidewalk along the frontage of the property pursuant to SRC 78.180(a). This shall include relocation of the existing sidewalk to the new property line after right-of-way dedication along Commercial Street SE has been conveyed.

Condition: Along Bush Street S, replace nonconforming portions of existing sidewalk along the frontage of the property.

Condition: Along Commercial Street SE, replace and relocate sidewalks to the proposed property line.

Movement of the sidewalk to the new property line location will also establish a planter strip with adequate width for street trees (minimum 4 feet per PWDS). Pursuant to SRC 86.015(e), anyone undertaking development along public streets shall plant new street trees to the maximum extent feasible. Street trees shall be provided along Commercial Street SE and Bush Street S.

Condition: Install street trees to the maximum extent feasible along Commercial Street SE and Bush Street S.

The applicant proposed removal of a City-owned tree along Bush Street S in order to widen the approach to the alley. Removal of trees located within the right-of-way requires a street tree removal permit pursuant to SRC Chapter 86.

Condition: Obtain a street tree removal permit pursuant to SRC Chapter 86.

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 applicant proposes primary access to the development be provided through the unnamed alley abutting the subject properties. To ensure the safe, orderly, and efficient circulation in and out of the development, as a condition of utilizing the alley for primary access, they applicant shall widen the alley approach to Bush Street S to a minimum 22 feet and shall construct the approach to meet PWDS Standard Plan 302 for commercial approaches. In addition, for the portion of the alley providing circulation for the parking areas, the applicant shall provide a minimum 22-foot drive aisle for compact spaces or a 24-foot drive aisle for standard spaces pursuant to *Table 804-2 and Table 806-6 in the Salem Revised Code* to provide adequate maneuvering space for vehicles. The applicant's site plan shows a 24-foot drive aisle, which is consistent with SRC Table 806-6.

Condition: Widen the unnamed alley approach to Bush Street S to a minimum 22 feet and construct the approach to meet PWDS Standard Drawing 302 for commercial approaches.

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 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. The applicant is advised that a sewer monitoring manhole may be required, and the trash area shall be designed in compliance with PWDS.

The proposed plan demonstrates compliance with PWDS Appendix 4E related to green stormwater infrastructure by setting aside at least ten percent of the total new impervious surface area for installation of green stormwater infrastructure. The applicant's engineer shall design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.

Condition: Design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.

CRITERIA AND FINDINGS—CLASS 2 ADJUSTMENT

Analysis of the proposed Class 2 adjustment based on relevant criteria in SRC 250.005(d)(2) is as follows:

Criteria—The purpose underlying the specific development standard proposed for adjustment is:

1. Clearly inapplicable to the proposed development; or
2. Equally or better met by the proposed development.

Finding—The applicant is requesting a Class 2 Adjustment to allow three staple racks with six required bicycle parking spaces to be placed within the public right-of-way. SRC 806.050 requires bicycle parking spaces to be on the same development site as the activity served; an adjustment is requested to allow required bicycle parking spaces to be in the public right-of-way. By providing the bike racks adjacent to the development site near the entrance of the building, the applicant is equally meeting the development standard. Bike racks may be placed in the right-of-way as long as there are no obstructions to the public sidewalk. Bike racks within the right-of-way shall conform to *City of Salem Public Works Procedure for Bike Rack Installation in the Right-of-way*, which provides a standard detail for a staple style rack. At time of Building Permit Review, Public Works shall verify the location of the bike racks in the right-of-way to ensure they are placed appropriately and do not obstruct public sidewalks.

RESPONSE TO COMMENTS

1. **Sanitary Sewer Service to Adjacent Property:** Comments received from the public indicate there is a private sewer lateral that runs across the subject property (Marion County Tax Lot No. 073W27CA10400) and provides service to 1030 Saginaw Street S (Marion County Tax Lot No. 073W27CA10200). The existing lateral would

be within the boundaries of the proposed stormwater raingarden. Comments expressed concerns for the ability to perform on-going maintenance of the sewer lateral if the raingarden is constructed over the lateral.

Staff Response: An as-built survey from Sanitary Sewer Permit 05-132359-SS shows the lateral to be 6 feet from the southern property line of Marion County Tax Lot No. 073W27CA10400. The Public Works Department does not have record of an easement for this lateral; the Public Works Department does not keep records of private utility easements. The existing sanitary sewer cleanout is identified on the current plans and will be preserved with development. The applicants engineer will also be required to show the existing lateral on the final design plans to confirm adequate coverage is provided pursuant to the Oregon Plumbing Specialty Code.

2. **Traffic and Circulation:** Comments received requested widening the unnamed alley between Bush Street S and Owens Street S to provide adequate maneuvering space for vehicles. In addition, it was requested that the City fund improvements in traffic management at the intersection of the alley and Owens Street S.

Staff Response: Staff has required the existing public alley to be widened at the entrance to Bush Street S, and along the property frontage where the development is utilizing the alley for access. The unnamed alley south of the property meets minimum improvement widths for alleys according to the Salem TSP and SRC Chapter 803. City staff notes the request for alley and intersection improvements; however, off-site intersection improvements are not warranted with the proposed development, nor is their adequate right-of-way width in the existing alley.

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