


**TO:** Bryce Bishop, Planner III  
Community Development Department

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

**DATE:** August 21, 2023

**SUBJECT: PUBLIC WORKS RECOMMENDATIONS  
SPR-ADJ-DAP23-24 (22-117603)  
835 COMMERCIAL STREET SE  
NEW MEDICAL/OFFICE BUILDING**

## **PROPOSAL**

A consolidated application for a proposed new 31,814 square-foot, three-story, medical/office building with associated site improvements and off-street parking. The application includes A Class 3 Site Plan Review for the proposed development; Class 2 Adjustments; and a Class 2 Driveway Approach Permit for the proposed driveway approaches serving the development onto Commercial Street SE and Kearney Street S.

The subject property totals approximately 1.42 acres in size, is zoned MU-I (Mixed-Use-I) and partially within the Saginaw Street Overlay Zone and located at 835 to 887 Commercial Street SE and 840 to 890 Saginaw Street S (Marion County Assessor Map and Tax Lot Numbers: 073W27CA08900, 073W27CA09000, 073W27CA11200, 073W27CA11300, 073W27CA11400, and 073W27CA11500).

## **RECOMMENDED CONDITIONS OF APPROVAL SITE PLAN REVIEW**

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 Kearney Street S and Saginaw 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. Along Commercial Street SE and Kearney Street S, remove existing concrete pavement within the planter strips and replace with landscape.

5. Install street trees to the maximum extent feasible along Commercial Street SE, Kearney Street S, and Saginaw Street S.
6. The existing unused driveway approaches along Kearney and Commercial Street SE shall be removed.
7. 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).

#### **RECOMMENDED CONDITIONS OF APPROVAL – CLASS 2 ADJUSTMENT**

1. The proposed driveway onto Commercial Street SE shall be limited to right-in only.

#### **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. Kearney 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 40-foot improvement within a 60-foot-wide right-of-way abutting the subject property.
3. Saginaw 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 49-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.
- b. A 15-inch storm main is located in Kearney Street S.

### **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.
- c. An 8-inch water main is located in Saginaw Street S.

### **Sanitary Sewer**

#### **1. Existing Conditions**

- a. A 14-inch sewer main is located in Kearney Street S.
- b. An 8-inch sewer main is located in Saginaw Street S.

### **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 and approval of the requested adjustments, 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.

City records show that the subject property may be located within a landslide hazard area. The applicant submitted findings demonstrating that 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—** Kearney Street S meets the minimum right-of-way width and improvement width standards for its classification according to the Salem Transportation System Plan (TSP). No additional improvements are required along this street frontage.

Saginaw Street S does not meet the minimum right-of-way width required for its classification according to the Salem TSP, however; does meet the minimum improvement width. Saginaw Street S has sidewalks and adequate pavement width and is considered a complete street. Development patterns in the area limit potential for additional right-of-way width along Saginaw Street S; therefore, this street is authorized to have a 49-foot-wide right-of-way pursuant to SRC 803.065(a)(1). No additional improvements are required along this street frontage.

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 necessary for bike improvements 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 sidewalks along Commercial Street SE, Kearney Street S, and Saginaw Street S are nearing their useful life and require replacement. In addition, the existing 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 Kearney Street S and Saginaw Street SE, 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.

Along Commercial Street SE and Kearney Street S, there is concrete pavement located within the planter strips. The applicant shall be required remove the concrete pavement and replace with landscaping pursuant to SRC 803.035(q). This will also allow the addition of street trees, which are required pursuant to SRC Chapter 803.035(K) and SRC 86.015(e). Pursuant to SRC 86.015(e), anyone undertaking development along public streets shall plant new street trees to the maximum extent feasible.

**Condition:** Along Commercial Street SE and Kearney Street S, remove existing concrete pavement within the planter strips and replace with landscape.

**Condition:** Install street trees to the maximum extent feasible along Commercial Street SE, Kearney Street S, and Saginaw Street S.

**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 is proposing one (1) driveway approach along Commercial Street SE and one (1) driveway approach along Kearney Street S to serve development site. There are two (2) existing driveways along Commercial Street SE and four (4) driveways along Kearney Street S. Pursuant to SRC 804.060(a) all existing approaches that will no longer be used for access shall be removed and replaced with the required landscaping and street trees, as described above.

**Condition:** The existing unused driveway approaches along Kearney and Commercial Street SE shall be removed.

The proposed approaches require Class 2 Driveway Approach Permits and adjustments, findings are provided below. The proposed driveway accesses onto

Commercial Street SE and Kearney Street S provide 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 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 Public Works Standards.

No information was submitted to demonstrate how the proposed plan complies with PWDS Appendix 4E related to 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 *Salem Revised Code* (SRC) Chapter 71 and *Public Works Design Standards* (PWDS).

#### **CRITERIA AND FINDINGS—CLASS 2 DRIVEWAY APPROACH PERMIT**

**Criteria—A Class 2 Driveway Approach Permit shall be granted if:**

- (1) The proposed driveway approach meets the standards of this Chapter and the Public Works Design Standards;**

**Finding—** With the approved adjustments, the proposed driveways meet the standards for SRC Chapter 804 and Public Works Design Standards (PWDS).

- (2) No site conditions prevent placing the driveway approach in the required location;**

**Finding—** There are no site conditions prohibiting the location of the proposed driveways.

- (3) The number of driveway approaches onto an arterial are minimized;**

**Finding—** The proposed development reduces the number of driveways accessing onto an arterial street from two (2) to one (1).

**(4) The proposed driveway approach, where possible:**

- i. **Is shared with an adjacent property; or**
- ii. **Takes access from the lowest classification of street abutting the property;**

**Finding—**The subject property abuts a major arterial street and local streets. The proposal will reduce the number of driveways onto the arterial street from two (2) to one (1). A shared driveway approach is not possible because of existing development.

**(5) Proposed driveway approach meets vision clearance standards;**

**Finding—**The proposed driveways meet the PWDS vision clearance standards set forth in SRC Chapter 805.

**(6) The proposed driveway approach does not create traffic hazards and provides for safe turning movements and access;**

**Finding—**No evidence has been submitted to indicate that the proposed driveways will create traffic hazards or unsafe turning movements.

The Assistant City Traffic Engineer reviewed reported crash data compiled by the Oregon Department of Transportation (ODOT) for the intersection of Commercial Street SE at Mission Street SE as well as the intersection of Commercial Street SE at Kearney Street SE and concludes that the proposed driveway approach onto to Commercial Street, located approximate mid-block between Mission Street and Kearny Street, would not cause a significant safety risk.

**(7) The proposed driveway approach does not result in significant adverse impacts to the vicinity;**

**Finding—**Staff analysis of the proposed driveways and the evidence that has been submitted indicate that the location of the proposed driveways will not have any adverse impacts to the adjacent properties or streets.

**(8) The proposed driveway approach minimizes impact to the functionality of adjacent streets and intersections; and**

**Finding**—The proposed primary driveway approach is located on a major arterial street and does not create a significant impact to adjacent streets and intersections. This portion of Commercial Street SE is one-way and as such, the approach onto Commercial Street SE will provide only right-in movements, which minimizes impacts and potential vehicle conflicts.

**(9) The proposed driveway approach balances the adverse impacts to residentially zoned property and the functionality of adjacent streets.**

**Finding**—The proposed development site is surrounded by a variety of zones, some of which are residential. The proposed development abuts a major arterial street and collector streets. The driveways balance the adverse impacts to residentially zoned property and will not have an adverse effect on the functionality of the adjacent streets.

**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 two (2) adjustment to Public Works related review criteria. Based on the following analysis, staff finds the development equally or better meets the intent of the development standards and recommends approval of the adjustment requests.

**Request:** *Allow the proposed development, which is located on a corner lot abutting a local street, to take access to Commercial Street SE (the street with the higher street classification) rather than solely to Kearney Street S (the street with the lower street classification) (SRC 804.035(c)(2)).*

**Staff Finding:** The site is currently served by two (2) driveway approaches onto Commercial Street SE (major arterial classification) and four (4) driveway approaches onto Kearney Street S (local street classification). The proposal will reduce the number of driveways onto Commercial Street S which will better meet the intent of the standard than the existing condition.



The Assistant City Traffic Engineer reviewed reported crash data compiled by the Oregon Department of Transportation (ODOT) for the intersection of Commercial Street SE at Mission Street SE as well as the intersection of Commercial Street SE at Kearney Street SE and concludes that the proposed driveway approach onto Commercial Street, located approximate mid-block between Mission Street and Kearny Street, would not cause a significant safety risk when limited to right-in or right-out movements. In order to minimize vehicle and pedestrian conflicts and potential vehicle-to-vehicle conflicts, staff recommends a condition of approval that will limit the driveway approach onto Commercial Street NE to right-in-only movements only. With recommended conditions, the proposed driveway configuration meets the adjustment criteria by allowing for turning movements and traffic safety equal to what would be accomplished by meeting the development standard.

**Condition:** The proposed driveway onto Commercial Street SE shall be limited to right-in only.

**Request:** *Allow the proposed driveway approach onto Commercial Street SE to be located less than the minimum required 370-foot spacing from the intersection of Kearney Street S and nearest driveway to the north of the subject property on Commercial Street SE (SRC 804.035(d)).*

**Staff Finding:** The applicant is requesting Class 2 adjustments to allow for reduced spacing between driveways and intersections less than the standard of 370-feet. An existing driveway is located approximately 75-feet north of the proposed driveway. In addition, the proposed driveway is approximately 200-feet from the intersection of Commercial Street SE and Kearney Street S. In order to maximize driveway spacing between multiple intersections, the proposed driveway is located at the north line of the subject property, mid-block between the two intersections. As stated above, this portion of Commercial Street SE is one-way and as such, the approach onto Commercial Street SE will provide only right-in and right-out movements, which minimizes impacts and potential vehicle conflicts. The proposed driveway configuration meets the adjustment criteria by allowing for turning movements and traffic safety equal to what would be accomplished by meeting the development standard.

## **RESPONSE TO COMMENTS**

- 1. Adjustments for Driveway Approach onto Commercial Street SE:** Comments received indicated concerns for approval of the proposed driveway approach onto Commercial Street NE. Specifically comments address safety concerns for additional vehicle-pedestrian conflicts and vehicle-to-vehicle conflicts from adjacent intersections.

**Staff Response:** The Assistant City Traffic Engineer reviewed reported crash data compiled by the Oregon Department of Transportation (ODOT) for the intersection of Commercial Street SE at Mission Street SE as well as the intersection of Commercial Street SE at Kearney Street SE and concludes that the proposed driveway approach onto to Commercial Street, located approximate mid-block between Mission Street and Kearny Street, would not cause a significant safety risk when limited to right-in or right-out movements.

Staff has included a condition of approval that requires the proposed driveway approach be limited to right-in-only, to minimize potential conflicts.

Prepared by: Laurel Christian, Planner II  
cc: File