

**TO:** Aaron Panko, Planner III  
Community Planning and Development Department

**FROM:** Laurel Christian, Infrastructure Planner II  
Community Planning and Development Department

**DATE:** January 23, 2024

**SUBJECT:** **Infrastructure Memo**  
**SPR-ADJ-DAP23-33 (23-113096-PLN)**  
**2710 Broadway Street NE**  
**Mixed Use Building**



## **PROPOSAL**

Class 3 Site Plan Review and Class 2 Driveway Approach Permit for the development of a new four-story mixed use building containing ground floor commercial retail space and 22 dwelling units in the upper floors with associated off-street parking area and site improvements, and the following Class 2 Adjustments:

1. To reduce the zone-to-zone setback required between the CR (Retail Commercial) zone and the abutting residential to the east from 15 feet, per SRC Chapter 522, Table 522-4, to 9 feet;
2. To reduce the vehicle operation area turnaround dimension requirements in SRC 800.055(f)(1)(E), for solid waste collection vehicles;
3. To modify the vision clearance requirements of SRC 805.005(b)(1)(B) where the proposed driveway access to Tryon Avenue NE conflicts with an existing solid wood fence at the eastern property line; and
4. To reduce the interior landscaping requirement for the proposed off-street parking area from a minimum of 5 percent (270 square feet) per SRC 806.035(d), to 3.7 percent (201 square feet).

The subject property is approximately 0.44 acres in size, zoned CR (Retail Commercial), and located at 2710 Broadway Street NE 97301 (Marion County Assessor map and tax lot number: 073W14BB / 04901).

## **RECOMMENDED CONDITIONS OF APPROVAL**

1. Replace nonconforming portions of existing sidewalk along the frontage of the property pursuant to SRC 78.180(a), including ADA ramps at the abutting corner of Broadway Street NE and Tryon Avenue NE.
2. Install street trees to the maximum extent feasible along Broadway Street NE, Tryon Avenue NE, and Bliler Avenue NE.
3. 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).

## **FACTS**

### **Streets**

1. Broadway Street NE
  - a. Standard—This street is designated as a minor arterial street in the Salem TSP. The standard for this street classification is a 46-foot-wide improvement within a 72-foot-wide right-of-way.
  - b. Existing Conditions—This street has an approximate 50-to-66-foot improvement within a 74-to-95-foot-wide right-of-way abutting the subject property.
2. Tryon 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 34-foot improvement within a 60-foot-wide right-of-way abutting the subject property.
3. Bliler 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 75-foot improvement within a 60-to-92-foot-wide right-of-way abutting the subject property.

## **Storm Drainage**

### **1. Existing Conditions**

- a. A 10-inch storm main is located in Bliler Avenue NE.
- b. A 12-inch storm main is located in Tryon Avenue NE.

## **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 Broadway Street NE. 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 Bliler Avenue NE. Mains of this size generally convey flows of 500 to 1,200 gallons per minute.
- d. A 6-inch water main is located in Tryon Avenue NE. Mains of this size generally convey flows of 500 to 1,200 gallons per minute.

## **Sanitary Sewer**

### **1. Existing Conditions**

- a. An 8-inch public sewer main is terminates at the eastern property line of 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 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.

The Floodplain Administrator has reviewed the Flood Insurance Study and Flood Insurance Rate Maps and has determined that no floodplain or floodway areas exist on the subject property.

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

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

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

**Finding—**The subject property is bordered by Broadway Street NE, a minor arterial street; Tryon Avenue NE, a local street; and Bliler Avenue NE, a local street. The streets abutting the development site are fully developed and meet the minimum right-of-way width and pavement width standards pursuant to the Salem Transportation System Plan (TSP); therefore, no additional street improvements are required as a condition of the proposed development.

Pursuant to SRC 78.180(a) and to ensure the transportation system provides for safe and efficient circulation for pedestrians into and out of the development site, the applicant shall replace nonconforming portions of existing sidewalk along the frontage of the property. This shall include ADA ramps at the abutting corner of Broadway Street NE and Tryon Avenue NE.

**Condition:** Replace nonconforming portions of existing sidewalk along the frontage of the property pursuant to SRC 78.180(a), including ADA ramps at the abutting corner of Broadway Street NE and Tryon Avenue NE.

Pursuant to SRC 86.015(e), anyone undertaking development along public streets shall plant new street trees to the maximum extent feasible. As a condition of approval, the applicant shall plant street trees along Broadway Street NE, Tryon Avenue NE, and Bliler Avenue NE. Street tree installation will be reviewed for conformance with the requirements of SRC Chapter 86 at the time of building permit review.

**Condition:** Install street trees to the maximum extent feasible along Broadway Street NE, Tryon Avenue NE, and Bliler Avenue NE.

**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 site is served by one (1) driveway approach onto Tryon Avenue NE. The driveway access onto Tryon 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 to serve the proposed development. No Urban Growth Area permit is required. The existing water, sewer, and storm infrastructure are available within surrounding streets/areas and are adequate to serve the proposed development.

There is an existing public sanitary sewer main that terminates on the subject property, at the eastern property line. This sanitary sewer main is located in a public utility easement that extends from the eastern property line to the western property line, through the development site. The public sanitary sewer main does not, however; extend the width of the property, it terminates at the eastern property line. At time of building permit review, the unused portion of this easement may be quitclaimed. No new encroachments are permitted in public utility easements.

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 Salem Revised Code (SRC) Chapter 71 and Public Works Design Standards (PWDS).

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.

## **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**—The applicant requests an alternative vision clearance standard; therefore, a Class 2 adjustment is required for vision clearance as described

below. Otherwise, the proposed driveway meets the standards for SRC 804, SRC 805, 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 driveway.

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

**Finding—**The proposed driveway is not accessing onto an arterial street. The proposed driveway will take access to Tryon Avenue NE, designated as a local street according to the Salem Transportation System Plan (TSP).

**(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 proposed driveway is currently located with access to the lowest classification of street abutting the subject property.

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

**Finding—**The applicant requests an alternative vision clearance standard; therefore, a Class 2 adjustment is required for vision clearance as described below. With approval of an alternative vision standard pursuant to SRC 805.105 and SRC 250.005(d)(2), this criterion is met.

**(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 driveway will create traffic hazards or unsafe turning movements. Additionally, staff analysis of the proposed driveway indicates that it will not create a traffic hazard and will provide for safe turning movements for access to the subject property.

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

**Finding—**Staff analysis of the proposed driveway and the evidence that has been submitted indicate that the location of the proposed driveway 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 property is located on the corner of a minor arterial street (Broadway Street NE) and two local streets (Tryon Avenue NE and Bliler Avenue NE). The applicant is proposing a driveway to the lower classification of street and it meets the spacing requirements of SRC Chapter 803. By complying with the requirements of this chapter the applicant has minimized impacts to the functionality of adjacent streets and intersections.

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

**Finding**—The proposed development is surrounded by multi-family residentially zoned property and single-family residentially zoned property. The proposed driveway is taken from the lowest classification street abutting the subject property. The driveway balances 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 requests an alternative vision clearance standard for the driveway approach onto Tryon Avenue NE pursuant to SRC 805.015. Pursuant to SRC 805.005(b)(1)(B) driveways serving uses other than single-family and two-family uses shall have a vision clearance area with a 10-foot leg along the driveway and a 50-foot leg along the intersecting street. There is an existing wooden fence located on neighboring property that is within the vision clearance area. Per SRC 805.005(b)(1)(B), the required vision clearance should be measured from the property line, behind the sidewalk. When the vision clearance for the proposed driveway is measured from the back of the curb, rather than the property line, there is adequate sight distance to view on-coming traffic. The Assistant City Traffic Engineer has reviewed the proposal and finds that the alternative allows for vision clearance that equally meets the development standards when the vision clearance is measured from the curb line rather than the property line.

## **RESPONSE TO CITIZEN COMMENTS**

- 1. Increased Traffic** – Comments received express concerns for increased traffic in the area and a lack of on-street parking to accommodate additional development in the area.

**Staff Response** - The proposed development does not trigger a Traffic Impact Analysis pursuant to SRC 803.015 and does not trigger any off-site traffic mitigation. As described in the written findings, the streets abutting the development site meet minimum standards for their street classifications according to the Salem Transportation System Plan (TSP). The Salem TSP provides guidance for how to address the impacts of growth citywide. Cumulative impacts of growth that affect overall traffic patterns are addressed through collection of System Development Charges (SDCs). The development will pay Transportation SDCs that are collected and used to pay for street improvements that add capacity to mitigate impacts of growth.

There are no minimum parking requirements for the proposed development. Broadway Street NE is classified as a minor arterial street; on-street parking along Broadway Street NE is not permitted. Tryon Street NE and Bliler Avenue NE are classified as local streets; on-street parking is allowed on both sides of Tryon Street NE and Bliler Avenue NE. On-street parking is not reserved and would be available for use by the proposed development.

Prepared by: Laurel Christian, Infrastructure Planner II  
cc: File