

*Si necesita ayuda para comprender esta informacion, por favor llame
503-588-6173*

DECISION OF THE PLANNING ADMINISTRATOR

URBAN GROWTH AREA PRELIMINARY DECLARATION / SITE PLAN REVIEW / DRIVEWAY APPROACH PERMIT CASE NO. UGA-SPR-DAP17-05

APPLICATION NO. : 17-120942-LD & 17-119350-RP

NOTICE OF DECISION DATE: April 3, 2018

SUMMARY: Urban Growth Area Preliminary Declaration to determine requirements for public facilities and a site plan review for phased development consisting of (Phase 1) mass grading and paved lot for auto display and sales, (Phase 2) drive-through coffee shop, and (Phase 3) future auto dealership.

REQUEST: A consolidated application for an Urban Growth Area Preliminary Declaration to determine requirements for public facilities, a Class 2 Driveway Approach Permit for new commercial driveways, and a Class 3 Site Plan Review for development of a proposed phased development consisting of (Phase 1) mass grading of the subject property and a paved lot for auto display and sales, (Phase 2) a drive-through coffee shop, and (Phase 3) a future auto dealership, all located on a property of 11.9 acres zoned IC (Industrial Commercial) and located at 700 Auto Group Avenue NE 97301 (Marion County Assessor Map and Tax Lot 073W14BA00100). The applicant is requesting deferral of Condition 2 of Comprehensive Plan Change/Zone Change Case No 16-12, which requires construction of dual left turn lanes on Cherry Street NE to westbound Salem Parkway NE and a westbound right turn lane on Pine Street NE to northbound Cherry Street NE, to Phase 3 of the proposed development. The applicant is requesting administrative relief of the landscaping requirements of Chapter 807 to defer the completion of the 15 percent development site landscaping requirement until Phase 3 of the proposed development.

APPLICANTS: Capitol Auto Group (Matthew Casebeer)

PROPERTY OWNERS: Rural Castle, LLC (Alex Casebeer, Matthew Casebeer)

AGENT: Steve Ward, Westech Engineering, Inc.

LOCATION: 700 Auto Group Avenue NE / 97301

CRITERIA: UGA Preliminary Declaration- SRC 200.025(d)(e)
Class 3 Site Plan Review- SRC 220.005(f)(3)
Class 2 Driveway Approach Permit- SRC 804.025(d)
Administrative Relief- SRC 807.055

FINDINGS: The findings are in the attached Order dated April 3, 2018.

DECISION: The Planning Administrator **APPROVED** Urban Growth Area Preliminary Declaration, Class 3 Site Plan Review, and Class 2 Driveway Approach Permit Case No. 17-05 subject to the following conditions of approval:

NOTICE OF DECISION

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

CITY OF Salem
AT YOUR SERVICE

Urban Growth Area Preliminary Declaration Conditions

Phase 1:

- Condition 1:** Install street trees along the entire frontage of Maple Avenue NE.
- Condition 2:** Construct a minimum 15-foot-wide half-street improvement along the entire frontage of Auto Group Avenue NE.
- Condition 3:** Convey land for dedication of right-of-way along Cherry Avenue NE frontage to equal 48 feet from centerline.
- Condition 4:** Convey land for dedication of right-of-way at the Maple Avenue NE and Auto Group Avenue NE intersection to provide a 20-foot-wide property line radius.

Phase 3:

- Condition 5:** Construct sidewalk and street light improvements along the frontage of Cherry Avenue NE. The sidewalk shall be located outside the critical tree zone of the existing street trees except as authorized pursuant to SRC 86.050.

Class 3 Site Plan Review, and Driveway Approach Permit Conditions

- Condition 6:** Prior to expiration of the Class 3 Site Plan Review decision, either complete the required perimeter landscaping and development site landscaping indicated on the site plan for Phase 2 and Phase 3 or apply for a zoning adjustment to postpone the landscaping.
- Condition 7:** With Phase 2, provide four bicycle parking spaces meeting the standards of SRC 806.060.
- Condition 8:** With Phase 1, construct a 10-foot-wide shared-use path along the frontage of Maple Avenue NE and Auto Group Avenue NE pursuant to Condition 1 of CPC/ZC 16-12. The path shall abut the south right-of-way line along Auto Group Avenue NE from Cherry Avenue NE to Maple Avenue NE and shall abut the east right-of-way line along Maple Avenue NE from Auto Group Avenue NE to the southerly terminus of the existing curb. The shared-use path shall be constructed a minimum of 4.5 feet from the face of curb. The southerly terminus of the shared-use path shall connect to the existing asphalt concrete path in Maple Avenue NE as shown in the Winter Street NE / Maple Avenue NE Bikeway Plan.
- Condition 9:** With Phase 1, modify the signal and intersection at Auto Group Avenue NE and Cherry Avenue NE to accommodate the shared-use path.
- Condition 10:** With Phase 1, provide street trees along Auto Group Avenue NE.

- Condition 11:** With Phase 1, enter into a deferral agreement pursuant to SRC 265.020(c) regarding new traffic lanes required in Condition 2 of CPC/ZC 16-12, deferring construction of traffic lanes until Phase 3.
- Condition 12:** With Phase 3, construct travel lanes deferred in Phase 1.
- Condition 13:** With each phase, define the 10-foot-wide shared-use path by visual contrast or tactile finish texture across each driveway on Maple Avenue NE and Auto Group Avenue NE.
- Condition 14:** With each phase, post signs on each exiting driveway lane alerting drivers to the presence of bicyclists and pedestrians.
- Condition 15:** With Phase 2, provide a paved sidewalk on the west side of the driveway from the public sidewalk to the private sidewalk shown on the site plan.

The rights granted by the attached decision must be exercised, or an extension granted, as follows or this approval shall be null and void:

| | |
|---|-----------------------|
| Urban Growth Area Preliminary Declaration | <u>April 19, 2020</u> |
| Class 3 Site Plan Review | <u>April 19, 2022</u> |
| Class 2 Driveway Approach Permit | <u>April 19, 2020</u> |

| | |
|----------------------------------|--------------------------|
| Application Deemed Complete: | <u>December 15, 2017</u> |
| Notice of Decision Mailing Date: | <u>April 3, 2018</u> |
| Decision Effective Date: | <u>April 19, 2018</u> |
| State Mandate Date: | <u>May 14, 2018</u> |

Case Manager: Pamela Cole, pcole@cityofsalem.net

This decision is final unless written appeal from an aggrieved party is filed with the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem OR 97301, **no later than 5:00 p.m., April 18, 2018.** 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) 200, 220, 804, and 807. The appeal must be filed in duplicate with the City of Salem Planning Division. 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 City Council will review the appeal at a public hearing. After the hearing, the City Council 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 at the Planning Division office, Room 305, City Hall, 555 Liberty Street SE, during regular business hours.

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

***Si necesita ayuda para comprender esta informacion, por favor llame
503-588-6173***

BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM

**URBAN GROWTH AREA PRELIMINARY DECLARATION / SITE PLAN REVIEW /
DRIVEWAY APPROACH PERMIT
CASE NO. UGA-SPR-DAP17-05
DECISION**

**IN THE MATTER OF APPROVAL OF) UGA-SPR-DAP
URBAN GROWTH AREA PRELIMINARY) CASE NO. 17-05
DECLARATION, CLASS 3)
SITE PLAN REVIEW, AND DRIVEWAY)
APPROACH PERMIT)
CASE NO. 17-05)
700 AUTO GROUP AVENUE NE) APRIL 3, 2018**

In the matter of the application for an Urban Growth Area Preliminary Declaration, Class 3 Site Plan Review, and Class 2 Driveway Approach Permit submitted by Capitol Auto Group, applicant and property owner, and represented by Steve Ward P.E., Westech Engineering, Inc., 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

Application Summary: Urban Growth Area Preliminary Declaration to determine requirements for public facilities and a site plan review for phased development consisting of (Phase 1) mass grading and paved lot for auto display and sales, (Phase 2) drive-through coffee shop, and (Phase 3) future auto dealership.

Request: A consolidated application for an Urban Growth Area Preliminary Declaration to determine requirements for public facilities, a Class 2 Driveway Approach Permit for new commercial driveways, and a Class 3 Site Plan Review for development of a proposed phased development consisting of (Phase 1) mass grading of the subject property and a paved lot for auto display and sales, (Phase 2) a drive-through coffee shop, and (Phase 3) a future auto dealership, all located on a property of 11.9 acres zoned IC (Industrial Commercial) and located at 700 Auto Group Avenue NE 97301 (Marion County Assessor Map and Tax Lot 073W14BA00100). The applicant is requesting deferral of Condition 2 of Comprehensive Plan Change/Zone Change Case No 16-12, which requires construction of dual left turn lanes on Cherry Street NE to westbound Salem Parkway NE and a westbound right turn lane on Pine Street NE to northbound Cherry Street NE, to Phase 3 of the proposed development. The applicant is requesting administrative relief of the landscaping requirements of Chapter 807 to defer the completion of the 15 percent development site landscaping requirement until Phase 3 of the proposed development.

A vicinity map is included as Attachment A.

DECISION

The Urban Growth Preliminary Declaration, Class 3 Site Plan Review, and Class 2 Adjustment application is **APPROVED** subject to the applicable standards of the Salem Revised Code, the findings contained herein, and the following conditions of approval:

Urban Growth Area Preliminary Declaration

Phase 1:

- Condition 1:** Install street trees along the entire frontage of Maple Avenue NE.
- Condition 2:** Construct a minimum 15-foot-wide half-street improvement along the entire frontage of Auto Group Avenue NE.
- Condition 3:** Convey land for dedication of right-of-way along Cherry Avenue NE frontage to equal 48 feet from centerline.
- Condition 4:** Convey land for dedication of right-of-way at the Maple Avenue NE and Auto Group Avenue NE intersection to provide a 20-foot-wide property line radius.

Phase 3:

- Condition 5:** Construct sidewalk and street light improvements along the frontage of Cherry Avenue NE. The sidewalk shall be located outside the critical tree zone of the existing street trees except as authorized pursuant to SRC 86.050.

Class 3 Site Plan Review, and Driveway Approach Permit Conditions

- Condition 6:** Prior to expiration of the Class 3 Site Plan Review decision, either complete the required perimeter landscaping and development site landscaping indicated on the site plan for Phase 2 and Phase 3 or apply for a zoning adjustment to postpone the landscaping.
- Condition 7:** With Phase 2, provide four bicycle parking spaces meeting the standards of SRC 806.060.
- Condition 8:** With Phase 1, construct a 10-foot-wide shared-use path along the frontage of Maple Avenue NE and Auto Group Avenue NE pursuant to Condition 1 of CPC/ZC 16-12. The path shall abut the south right-of-way line along Auto Group Avenue NE from Cherry Avenue NE to Maple Avenue NE and shall abut the east right-of-way line along Maple Avenue NE from Auto Group Avenue NE to the southerly terminus of the existing curb. The shared-use path shall be constructed a minimum of 4.5 feet from the face of curb. The southerly terminus of the shared-use path shall

connect to the existing asphalt concrete path in Maple Avenue NE as shown in the Winter Street NE / Maple Avenue NE Bikeway Plan.

- Condition 9:** With Phase 1, modify the signal and intersection at Auto Group Avenue NE and Cherry Avenue NE to accommodate the shared-use path.
- Condition 10:** With Phase 1, provide street trees along Auto Group Avenue NE.
- Condition 11:** With Phase 1, enter into a deferral agreement pursuant to SRC 265.020(c) regarding new traffic lanes required in Condition 2 of CPC/ZC 16-12, deferring construction of traffic lanes until Phase 3.
- Condition 12:** With Phase 3, construct travel lanes deferred in Phase 1.
- Condition 13:** With each phase, define the 10-foot-wide shared-use path by visual contrast or tactile finish texture across each driveway on Maple Avenue NE and Auto Group Avenue NE.
- Condition 14:** With each phase, post signs on each exiting driveway lane alerting drivers to the presence of bicyclists and pedestrians.
- Condition 15:** With Phase 2, provide a paved sidewalk on the west side of the driveway from the public sidewalk to the private sidewalk shown on the site plan.

FINDINGS

1. Class 3 Site Plan Review Applicability

Site plan review is intended to provide a unified, consistent, and efficient means to review proposed development that requires a building permit, other than single-family, duplex residential, and installation of signs, to ensure that such development meets all applicable requirements imposed by the Salem Revised Code (SRC). SRC 220.005(b)(3) requires Class 3 Site Plan Review for any development that requires a building permit, and that involves a land use decision or limited land use decision, as those terms are defined in ORS 197.015.

Class 3 Site Plan Review is required for this application pursuant to SRC 220.005(b)(3)(B) because a deferral agreement is requested for construction of certain transportation improvements, administrative relief is requested to defer landscaping, and a Class 2 Driveway Approach Permit is required.

2. Background

On September 29, 2017, Class 3 Site Plan Review and Class 2 Driveway Approach Permit applications were filed for the proposed development. On October 24, 2017, an Urban Growth Area Preliminary Declaration application was filed. Additional information was requested from the applicant. After receiving additional information, the applications were deemed complete for processing on December 15, 2017 and notice was mailed on

December 18, 2017. The applicant granted a 30-day extension to May 14, 2018 for the state-mandated decision date.

The applicant's site plan is included as Attachment B. The proposed surfacing plan is included as Attachment C. The proposed street improvement plan is included as Attachment D. The proposed striping and street tree plan is included as Attachment E. The applicant's statement addressing the Urban Growth Area Preliminary Declaration is included as Attachment F.

Neighborhood and Citizen Comments:

The property is located within the boundary of the Highland Neighborhood Association and adjacent to the boundary of Northgate Neighborhood Association. Notice of the application was sent to both associations and all property owners of record within 250 feet of the subject property. During the public comment period, no comments were received from Northgate or from property owners, and questions and comments were received from the Highland Land Use Chair. These questions and comments are summarized below.

1. The Maple Winter bikeway plan (draft) shows a 5' buffer strip between the street and the 10' path along much of the street frontage for this property. The plans seem to show a curb-tight sidewalk.

Staff Response: The conditions of approval require the shared use-path to be constructed a minimum of 4.5 feet from the face of the curb.

2. While there be a sidewalk along the entire frontage of the property?

Staff Response: The conditions of approval require a shared-use path along Auto Group Avenue NE and Maple Avenue NE frontage and a sidewalk along the Cherry Avenue NE frontage.

3. How will it be clear that this is a multi-use path and not just a wide sidewalk? How will people on bikes be directed to the path? How will the path/sidewalk be treated as it crosses the driveways? I would like for the path grade to be maintained across the driveways, not dip down to the level of the driveway. A raised crossing would be great. Any signs or pavement markings proposed?

There are a lot of details related to the path's crossing at Cherry Ave that are not shown in the plans. How will the signal be modified? How will pavement markings be applied? How will bicycles be accommodated? Will a bike signal be added? Bike detection? If none of those details have been worked out, how about considering something like a protected intersection in just the SW quadrant or maybe some other option? The protected intersection concept would require bicyclists to make a "Dutch left" but it would not be as nearly disruptive to the signal operation as a diagonal bike phase would be. Chicago has a nice example of the use of the protected intersection concept in just one corner at Washington and Franklin.

Staff Response: The conditions of approval specify the applicant's responsibilities for the shared-use path. The City will complete necessary modifications of the Cherry Avenue NE/Auto Group Avenue NE intersection and signal as part of the Winter-Maple Family-Friendly Bikeway project. The Final Draft of the plan is pending Council acceptance.

4. Does the developer want to delay all of the landscaping associated with Phase 1 (dealership parking lot) and Phase 2 (coffee drive-thru) until Phase 3 (future dealership), so there would be no landscaping between the sidewalk and the parking lot until the dealership is built?

Staff Response: With Phase 1, the applicant is proposing to landscape around the Phase 1 auto sales area and to seed the remainder of the property after it is graded. With Phase 2, additional landscaping would be provided north and east of the coffee drive-through. With Phase 3, the remaining landscaping would be provided around the perimeter of the auto dealership. Because the landscaped areas must be irrigated, and irrigation systems must be incorporated into parking lots and other paved areas, it would be difficult to provide full landscaping before Phases 2 and 3 are developed.

5. There would not be much in terms of safety or livability gained from widening the intersection of Cherry/Pine to accommodate a westbound right turn lane. Postponing that work until Phase 3 is better than installing it immediately. How would an individual or Neighborhood Association appeal to have that requirement dropped altogether?

Staff Response: The westbound right-turn lane on Pine Street NE to northbound Cherry Avenue NE was a Public Works condition for the zone change from PE (Public/Private Education) to IC (Industrial Commercial), based on the Traffic Impact Analysis submitted with the Comprehensive Plan Change / Zone Change application (C{C-ZC16-12). A variance would be required in order to eliminate this condition. The applicant has not requested a variance.

City Department Comments:

The Public Works Department reviewed the proposal and provided a memo which is included as Attachment I.

The Building and Safety Division reviewed the proposal and indicated no site issues.

The Fire Department reviewed the proposal and indicated that they have no issues with the applicant. When plans are submitted to the City for permitting, the Fire Department will have requirements such as fire hydrants and fire access.

Public Agency Comments:

No Public Agency comments were received.

3. Analysis of Urban Growth Preliminary Declaration Approval Criteria

SRC 200.025(d) states:

The Director shall review a completed application for an Urban Growth Preliminary Declaration in light of the applicable provisions of the Master Plans and the Area Facility Plans and determine:

- (1) The required facilities necessary to fully serve the development; and
- (2) The extent to which the required facilities are in place or fully committed.

Analysis of the development based on relevant criteria in SRC 200 is as follows:

SRC 200.055 – Standards for Street Improvements

Finding: An adequate linking street is defined as the nearest point on a street that has a minimum 60-foot-wide right-of-way with a minimum 30-foot improvement for Local streets or a minimum 34-foot improvement for Major streets (SRC 200.055(b)). All streets abutting the property boundaries shall be designed to the greater of the standards of SRC Chapter 803 and the standards of linking streets in SRC 200.055(b). All abutting streets do not meet the current standards of SRC Chapter 803.

Cherry Avenue NE has a variable-width improvement within a variable-width right-of-way abutting the subject property. The standard for this Major Arterial street is a 68-foot-wide improvement within a 96-foot-wide right-of-way.

Auto Group Avenue NE has an approximate 30-foot improvement within a 60-foot-wide right-of-way abutting the subject property. The standard for this Local street is a 30-foot-wide improvement within a 60-foot-wide right-of-way.

Maple Avenue NE has an approximate 30-foot improvement within a 60-foot-wide right-of-way abutting the subject property. The standard for this Local street is a 30-foot-wide improvement within a 60-foot-wide right-of-way.

Boundary street improvements along Maple Avenue NE and Auto Group Avenue NE are warranted in conjunction with Phase 1 of the proposed development as proposed by the applicant. To meet the standards of SRC Chapter 803 for boundary streets, the following conditions are required:

Phase 1

Condition 1: Install street trees along the entire frontage of Maple Avenue NE.

Condition 2: Construct a minimum 15-foot-wide half-street improvement along the entire frontage of Auto Group Avenue NE.

Condition 3: Convey land for dedication of right-of-way along Cherry Avenue NE frontage to equal 48 feet from centerline.

Condition 4: Convey land for dedication of right-of-way at the Maple Avenue NE and Auto Group Avenue NE intersection to provide a 20-foot-wide property line radius.

Phase 2 is exempt from Boundary street requirements pursuant to SRC 803.040(d). Boundary street improvements along Cherry Avenue NE are being constructed in conjunction with Phase 3 pursuant to the “complex rule” provisions in SRC 803.040(e)(3). Cherry Avenue NE is not proposed for additional widening west of the street centerline because doing so would require removal of existing mature street trees along the west right-of-way line. With Phase 3, the applicant shall be required to construct sidewalk and street light improvements along the frontage of Cherry Avenue NE. The sidewalk shall be located outside the critical tree zone of the existing street trees except as authorized pursuant to SRC 86.050. If the sidewalk is located outside the street right-of-way, then an access easement would be required.

To meet the standards of SRC Chapter 803 for boundary streets, the following conditions are required:

Phase 3

Condition 5: Construct sidewalk and street light improvements along the frontage of Cherry Avenue NE. The sidewalk shall be located outside the critical tree zone of the existing trees except as authorized pursuant to SRC 86.050.

SRC 200.060 – Standards for Sewer Improvements

Finding: The proposed development shall be linked to adequate facilities by the construction of sewer lines and pumping stations that are necessary to connect to such existing sewer facilities (SRC 200.060). Adequate sewer facilities are located within the existing streets abutting the property.

However, a Master Plan sewer main extension is located in Cherry Avenue NE south of Auto Group Avenue NE. In conjunction with Phase 3, the applicant’s engineer shall design the master plan sewer main in Cherry Avenue NE to serve all properties north of the railroad crossing. The applicant shall construct any sewer mains proposed to be located within the limit of street improvements along Cherry Avenue NE.

SRC 200.065 – Standards for Storm Drainage Improvements

Finding: The proposed development shall be linked to existing adequate facilities by the construction of storm drain lines, open channels, and detention facilities, that are necessary to connect to such existing drainage facilities. The applicant shall link the on-site system to existing facilities that are defined as adequate under SRC 200.005(a). The nearest available public storm system appears to be the existing pond located north of Auto Group Avenue NE, which is the applicant’s proposed point of disposal.

SRC 200.070 – Standards for Water Improvements

Finding: The proposed development shall be linked to adequate facilities by the construction of water distribution lines, reservoirs, and pumping stations that connect to such existing water service facilities (SRC 200.070). Adequate water mains are located along abutting streets.

SRC 200.075 – Standards for Park Improvements

Finding: The subject property is not residential; therefore, no parks requirements apply to the proposed development.

4. Analysis of Class 3 Site Plan Review Approval Criteria

SRC 220.005(f)(3) states:

An application for Class 3 Site Plan Review shall be granted if:

- (1) The application meets all applicable standards of the UDC;
- (2) 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;
- (3) Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians; and
- (4) The proposed development will be adequately served with City water, sewer, stormwater facilities, and other utilities appropriate to the nature of the development.

Criterion 1:

The application meets all applicable standards of the UDC.

Finding: The project includes a proposal for a phased development consisting of (1) mass grading of the entire subject property and a paved lot for auto display and sales in the western area, (2) a drive-through coffee shop in the northeastern corner of the property, and (3) a future auto dealership on the 11.9-acre property in the IC (Industrial Commercial) zone at 700 Auto Group Avenue NE. Parking and vehicle use areas and landscaping are also included. The application meets all applicable requirements of the UDC, with the exception of landscaping. The applicant has requested administrative relief to modify the timing of landscaping requirements due to the phasing of the property.

Development Standards – IC (Industrial Commercial) Zone:

SRC 551.005(a) - Uses:

Except as otherwise provided in Chapter 551, the permitted, special, conditional and prohibited uses in the IC zone are set forth in Table 551-1.

Finding: The proposed uses are classified as Motor Vehicle and Manufactured Dwelling and Trailer Sales and Eating and Drinking Establishments and are Permitted uses in the IC zone according to Table 551-1.

SRC 551.010(a) – Lot Standards:

There are no minimum lot area or dimension requirements in the IC zone. Uses other than single family residential are required to have a minimum of 16 feet of street frontage.

Finding: The development site has a total of approximately 1,900 feet of frontage on three streets, exceeding the minimum.

SRC 551.010(b) – IC Zone Setbacks:

North: Adjacent to the north is the right-of-way of Auto Group Avenue NE. The minimum building setback is 5 feet. The minimum vehicle use area setback is 6 to 10 feet per SRC 806.035(c)(2).

South: Adjacent to the south is a PE (Public and Private Educational Services) zone. The minimum zone-to-zone setback is 5 feet for buildings, accessory structures, and vehicle use areas.

East: Adjacent to the east is the right-of-way of Cherry Avenue NE. The minimum building setback is 5 feet. The minimum vehicle use area setback is 6 to 10 feet per SRC 806.035(c)(2).

West: Adjacent to the west is the right-of-way of Maple Avenue NE. The minimum building setback is 5 feet. The minimum vehicle use area setback is 6 to 10 feet per SRC 806.035(c)(2).

Finding: The proposed building and vehicle use areas comply with the minimum setback standards of the IC zone and SRC Chapter 806, measured from the current right-of-way and required right-of-way dedications.

SRC 551.010(c) - Lot Coverage, Height:

There is no maximum lot coverage standard. The maximum building height requirement in the IC zone is 70 feet.

Finding: The proposed building height in Phase 2 is less than 70 feet.

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 towards meeting this requirement.

Finding: Generally, all required setbacks and vehicle use area landscaping 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.

SRC 807.055 allows the Planning Administrator to authorize administrative relief allowing modification of landscaping requirements through Class 3 Site Plan Review when special

circumstances or exceptional site characteristics are applicable to a property and one of the following criteria is met:

- (a) The proposed landscaping meets the intent of providing a buffer between adjacent uses of differing character;
- (b) The proposed landscaping incorporates the increased retention of mature tree(s);
- (c) The proposed landscaping provides protection for wildlife habitat and existing native vegetation and plant materials maintained in a natural state; or
- (d) The proposed landscaping incorporates elements to maintain solar access or provides for wind protection.

The applicant has requested administrative relief to install the required landscaping and plant units in phases as shown on the site plan.

The special circumstance applicable to this property is that the subject property of more than 11.9 acres will be developed in phases. The proposed buildings and parking and vehicle use areas meet all of required setbacks; Phase 1 and Phase 2 meet the applicable parking and vehicle use area landscaping requirements; and the plans designate areas of approximately 17 percent of the site to be landscaped. However, the phasing of the development and the future construction of the dealership in the eastern area, which will be submitted as a separate site plan review application, make it impractical to provide the required number of plant units and irrigation systems throughout the entire site when Phase 1 is developed.

Under the proposal, at Phase 1, 23.3 percent of Phase 1 and 9.7 percent of the entire property will be fully landscaped; the remainder of the site will be seeded immediately after mass grading, providing temporary ground cover. At Phase 2, 11.2 percent of Phase 2 and a cumulative total of 10.5 percent of the entire property will be landscaped. At Phase 3, 12.3 percent of Phase 3 and a cumulative total of 16.8 percent of the entire property will be landscaped.

The proposed phases of landscaping would meet the intent of providing a buffer between the use and adjacent uses of differing character.

- Because the property has street frontage on three sides, the only abutting use of differing character is to the south on property zoned PE (Public and Private Educational Services) and occupied by the Jane Goodall Environmental Middle Charter School and the Oregon School for the Deaf. The nearest school buildings are more than 270 feet south of the property line, across an open field from the subject property. For the proposed development, the minimum setback from the property line is 5 feet for buildings, accessory structures, and vehicle use areas, with Type A landscaping consisting of one plant unit per 20 square feet. With development of Phase 1, the applicant will provide a landscaped area in the western half of the site varying in width from approximately 30 feet to 120 feet, as well as a vegetated swale across the entire length of the southern boundary in the area that will be developed as Phase 3.
- The adjacent uses west of Maple Avenue NE, north of Auto Group Avenue NE, and east of Cherry Avenue NE – an auto dealership and home improvement center --

are similar in character to the proposed use. Phase 1 landscaping will be provided along Maple and along the western portion of Auto Group Avenue and separate the proposed development from the shared-use path. Conditions of approval for Phase 1 require a half-street improvement along Auto Group Avenue NE.

- At Phase 1 and through Phase 3, existing street trees along Cherry Avenue NE will be retained to provide a buffer between the proposed use and the more industrial uses east of Cherry Avenue NE.
- Phase 2 will provide landscaping between the proposed coffee drive-through and the shared-use path on Auto Group Avenue NE and the sidewalk on Cherry Avenue NE.
- Phase 3 landscaping will complete the remaining landscaping along the central portion of the Auto Group Avenue frontage, the Cherry Avenue frontage, and the southern property line.

To ensure that the required landscaping is completed, the following condition is required:

Condition 6: Prior to expiration of the Class 3 Site Plan Review decision, either complete the required perimeter landscaping and development site landscaping indicated on the site plan for Phase 2 and Phase 3 or apply for a zoning adjustment to postpone the landscaping.

Off-Street Parking, Loading, and Driveways SRC 806

SRC 806.005 - Off-Street Parking; When Required.

Off-street parking shall be provided and maintained for each proposed new 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, or within the IC zone, off-street parking may be located within 500 feet of the development site containing the use or activity it serves.

Finding: Parking for the proposed individual buildings will be provided on the development site for each phase.

SRC 806.015 - Amount of Off-Street Parking.

- a) *Minimum Required Off-Street Parking.* The minimum off-street parking requirement for uses in the Eating and Drinking Establishment classification is one space per 250 square feet of gross floor area. The minimum off-street parking requirement for uses in the Motor Vehicle and Manufactured Dwelling and Trailer Sales classification is one space per 900 square feet of gross floor area.
- b) *Compact Parking.* Up to 75 percent of the minimum off-street parking spaces required under this Chapter may be compact parking spaces.
- c) *Carpool and Vanpool Parking.* New developments with 60 or more required off-street parking spaces, and falling within the Public Services and Industrial use

classifications, and Business and Professional Services use category, shall designate a minimum of 5 percent of their total off-street parking spaces for carpool or vanpool parking.

- d) *Maximum Off-Street Parking.* Unless otherwise provided in the SRC, off-street parking shall not exceed the amounts set forth in Table 806-2. If the minimum number of spaces equals 20 spaces or less, the maximum allowed is 2.5 times the minimum. If the minimum number of spaces equals more than 20 spaces, the maximum allowed is 1.75 times the minimum.

Finding: A summary table with the minimum off-street parking requirement for the development is included below.

| Phase | Area | Ratio | Min. | Max. | Provided |
|-------|------------------|----------|------------------|------------------|------------------|
| 1 | 0 SF | 1/900 SF | 0 | 0 | 0 |
| 2 | 420 SF | 1/250 SF | 2 | 5 | 2 |
| 3 | To be determined | 1/900 SF | To be determined | To be determined | To be determined |

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.

The following is a summary of the applicable vehicle use area development standards.

North: Adjacent to the north is the right-of-way of Auto Group Avenue NE. The minimum vehicle use area setback is 6 to 10 feet per SRC 806.035(c)(2).

South: Adjacent to the south is a PE (Public and Private Educational Services) zone. The minimum zone-to-zone setback is 5 feet for vehicle use areas.

East: Adjacent to the east is the right-of-way of Cherry Avenue NE. The minimum vehicle use area setback is 6 to 10 feet per SRC 806.035(c)(2).

West: Adjacent to the west is the right-of-way of Maple Avenue NE. The minimum vehicle use area setback is 6 to 10 feet per SRC 806.035(c)(2).

Finding: The proposed vehicle use areas comply with the minimum setback standards of the IC zone and SRC Chapter 806, measured from the current right-of-way and required right-of-way dedications.

Adjacent to Buildings and Structures: The off-street parking or vehicle use area shall be setback from the exterior wall of the building or structure by a minimum 5 foot wide landscape strip or by a minimum 5 foot wide paved pedestrian walkway. Drive-through lanes are exempt from this setback.

Finding: The proposed vehicle use areas for Phases 1, 2, and 3 comply with the minimum perimeter setback standards of SRC Chapter 806 and the setback requirements adjacent to a building or structure.

- d) *Interior Landscaping.* Interior landscaping shall be provided in amounts not less than those set forth in Table 806-5. For parking areas 5,000-50,000 square feet in size, a minimum of 5 percent of the interior parking area shall be landscaped. A minimum of one deciduous shade tree shall be planted for every 12 parking spaces. Landscape islands and planter bays shall have a minimum planting area of 25 square feet and minimum width of 5 feet.

Finding: The proposed site plan shows an auto sales area in Phase 1 and a parking area of approximately 1,350 square feet in Phase 2. Interior landscaping is not required for vehicle storage areas or vehicle display areas or for parking areas smaller than 5,000 square feet.

- 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 parking spaces, driveways, drive aisles, and drive-through aisles meet the minimum dimensional requirements of SRC Chapter 806. Off-street parking area dimensions do not apply to vehicle storage areas and vehicle display areas.

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

Finding: The proposed Phase 1 vehicle display area and Phase 2 off-street parking area are developed consistent with the additional development standards for grade, surfacing, and drainage. Bumper guards and wheel barriers are not required for the vehicle display area or parking area. Striping is not required for the vehicle display area. The parking area striping, marking, signage, and lighting shall be consistent with SRC Chapter 806. Off-street parking area screening is not required for the proposed parking area.

SRC 806.040 - Driveway Development Standards.

- a) *Access.* Off-street parking and vehicle use areas 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.
- b) *Location.* Driveways shall not be located within required setbacks.
- c) *Additional Development Standards 806.040(c)-(g).*

Finding: The interior driveway proposed for the off-street parking area conforms to the driveway location and dimensional requirements of SRC 806.040.

Bicycle Parking

SRC 806.045 - General Applicability.

Bicycle parking shall be provided and maintained for each proposed new use or activity.

SRC 806.055 - Amount of Bicycle Parking.

The minimum bicycle parking requirement for Eating and Drinking Establishment uses is 4 spaces. The minimum bicycle parking requirement for a Motor Vehicle and Manufactured Dwelling and Trailer Sales use is one space per 9,000 square feet.

Finding: Four bicycle parking spaces are required for the proposed Phase 2 coffee drive-through use. Requirements will be determined for the future Motor Vehicle and Manufactured Dwelling and Trailer Sales use in the Phase 3 area when a site plan review application is submitted for that development.

SRC 806.060 - Bicycle Parking Development Standards.

- a) *Location.* 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.
- b) *Access.* Bicycle parking areas shall have direct and accessible access to the public right-of-way and the primary building entrance.
- c) *Dimensions.* Bicycle parking spaces shall be a minimum of 6 feet by 2 feet, and shall be served by a minimum 4-foot-wide access aisle.
- d) *Bicycle Racks.* Where bicycle parking is provided in racks, the racks may be floor, wall, or ceiling racks. Bicycle racks shall accommodate the bicyclist's own locking device.

Finding: Bicycle parking is not clearly indicated on the site plan. The following condition is required to ensure compliance with these standards:

Condition 7: With Phase 2, provide four bicycle parking spaces meeting the standards of SRC 806.060.

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 806.075 - Amount of Off-Street Loading.

No loading space is required for a Motor Vehicle and Manufactured Dwelling and Trailer Sales use or an Eating and Drinking Establishment use of less than 5,000 square feet.

Finding: No loading space is required for Phase 1 or Phase 2. Requirements will be determined for the future Motor Vehicle and Manufactured Dwelling and Trailer Sales use in the Phase 3 area when a site plan review application is submitted for that development.

Landscaping

Landscape and irrigation plans will be reviewed for conformance with the following requirements of SRC 806 and SRC 807 and the conditions of approval of this decision at the time of building permit application review.

Finding: At the time of building permit application review, the landscape and irrigation plans must demonstrate compliance with the following standards.

Phase 1:

The minimum number of plant units is 2,481 (49,612 / 20), and at least 40 percent of the plant units, or 992 (2,481 x 0.4 = 992.4) shall be a combination of mature trees, shade trees, evergreen/conifer trees, or ornamental trees.

Phase 2:

The minimum number of plant units is 182 (3,637 / 20), and at least 40 percent of the plant units, or 73 (182 x 0.4 = 72.8) shall be a combination of mature trees, shade trees, evergreen/conifer trees, or ornamental trees.

Phase 3:

The minimum number of plant units is 1,623 (32,466 / 20), and at least 40 percent of the plant units, or 649 (1,623 x 0.4 = 649.2) shall be a combination of mature trees, shade trees, evergreen/conifer trees, or ornamental trees.

Additional tree replanting requirements.

In addition to the landscaping required under SRC Chapter 807, when existing trees, as defined under SRC Chapter 808, are proposed for removal from within required setbacks or from a development site, replanting shall be required as provided in this subsection.

(1) *Removal of trees within required setbacks.* When an existing tree or trees, as defined under SRC Chapter 808, within a required setback are proposed for removal, two new trees shall be planted for each tree removed. Replanted trees shall be of either a shade or evergreen variety with a minimum 1.5 inch caliper.

- Approximately seven trees are proposed for removal from required setbacks, according to the grading plan. A total of 14 trees must be replanted for the seven trees to be removed from required setbacks.

(2) *Removal of trees from development site.* When more than 75 percent of the existing trees, as defined under SRC chapter 808, on a development site are proposed for removal, two new trees shall be planted for each tree removed in excess of 75 percent. Replanted trees shall be of either a shade or evergreen variety with a minimum 1.5 inch caliper. For purposes of this section, existing trees within vision clearance areas, or within areas to be cleared for required roads, utilities, sidewalks,

trails, or stormwater facilities, shall not be counted in the total percentage of trees removed from the development site.

- Approximately 75 trees, all of the trees on the development site except for those within the proposed 18-foot right-of-way dedication on Cherry Avenue NE, are designated for removal on the grading plan. A total of 38 trees must be replanted for the 19 trees to be removed in excess of 75 percent of the 75 trees ($.75 \times 75 = 56.25$; $75 - 56.25 = 18.75$).

Natural Resources

SRC 601 – Floodplain: The subject property is not located within the 100-year floodplain.

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 24 inches in diameter at breast height) (SRC 808.015) or a tree or native vegetation in a riparian corridor (SRC 808.020) or a tree on a lot or parcel that is 20,000 square feet or greater (SRC 808.025), 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. On a lot or parcel 20,000 square feet or greater, under the exceptions of SRC 808.030(a)(2)(M), no permit is required to remove up to five trees or 15 percent of trees, whichever is greater, within a single calendar year or to remove up to 50 percent of tree within any five consecutive calendar years. On a lot or parcel 20,000 square feet or greater, SRC 808.025 does not require the retention of trees, other than heritage trees, significant trees, and trees and vegetation in riparian corridors, beyond the date of site plan review or building permit approval, if the proposed development is other than single family residential or two family residential.

No protected riparian trees or significant trees have been identified on the site plan for removal. Approximately 75 trees, all of the trees on the development site except for those within the proposed 18-foot right-of-way dedication on Cherry Avenue NE, are designated for removal on the grading plan. These trees may be removed after site plan review approval but are subject to the replanting requirements of SRC Chapter 808 as discussed above.

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.

According to the Salem-Keizer Local Wetland Inventory (LWI) there are no wetlands or wetland soils mapped on the subject property.

SRC 810 - Landslide Hazards: A geological assessment or report is required when regulated activity is proposed in a mapped landslide hazard area. The subject property contains no mapped landslide hazards. The proposed commercial development is

assigned 3 activity points. A total of 3 points indicates a low landslide hazard risk, and no geological assessment is required.

Criterion 2:

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 existing configurations of Cherry Avenue NE, Auto Group Avenue NE, and Maple Avenue NE do not appear to meet current standards for their classifications of street per the Salem Transportation System Plan. Required street improvements and right-of-way dedication are specified in the conditions of approval consistent with SRC Chapter 803.

Boundary street improvements along Maple Avenue NE and Auto Group Avenue NE are warranted in conjunction with Phase 1 of the proposed development as proposed by the applicant. Phase 2 is exempt from Boundary street requirements pursuant to SRC 803.040(d). Boundary street improvements along Cherry Avenue NE are being constructed in conjunction with Phase 3 pursuant to the “complex rule” provisions in SRC 803.040(e)(3).

In addition to the street improvements and right-of-way dedication required under SRC Chapter 803, CPC/ZC 16-12 included two conditions related to the transportation system:

1. A shared-use path is required along the frontages of Maple Avenue NE and Auto Group Avenue NE.

The application materials show a 10-foot-wide shared-use path to be constructed with Phase 1. It is required to connect to the existing concrete path in Maple Avenue NE as shown in the Winter-Maple Bikeway Bicycle and Pedestrian Plan, Segment 3A (Attachment H). To ensure completion of this path at the earliest opportunity, the following conditions are required:

Condition 8: With Phase 1, construct a 10-foot-wide shared-use path along the frontage of Maple Avenue NE and Auto Group Avenue NE pursuant to Condition 1 of CPC/ZC 16-12. The path shall abut the south right-of-way line along Auto Group Avenue NE from Cherry Avenue NE to Maple Avenue NE and shall abut the east right-of-way line along Maple Avenue NE from Auto Group Avenue NE to the southerly terminus of the existing curb. The shared-use path shall be constructed a minimum of 4.5 feet from the face of curb. The southerly terminus of the shared-use path shall connect to the existing asphalt concrete path in Maple Avenue NE as shown in the Winter Street NE / Maple Avenue NE Bikeway Plan.

Condition 9: With Phase 1, modify the signal and intersection at Auto Group Avenue NE and Cherry Avenue NE to accommodate the shared-use path.

Because the 10-foot-wide shared-use path is being required with Phase 1, the following condition is required to clarify that street trees are required at the same time:

Condition 10: With Phase 1, provide street trees along Auto Group Avenue NE.

2. Turn lanes are required at the Cherry Avenue NE and Salem Parkway NE intersection and at the Pine Street NE and Cherry Avenue NE intersection.

These improvements meet the criteria for deferral under SRC 265.020(c), and the applicant has requested deferral. The following conditions are required:

Condition 11: With Phase 1, enter into a deferral agreement pursuant to SRC 265.020(c) regarding new traffic lanes required in Condition 2 of CPC/ZC 16-12, deferring construction of traffic lanes until Phase 3.

Condition 12: With Phase 3, construct travel lanes deferred in Phase 1.

Criterion 3:

Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians.

Finding: The driveway access onto Auto Group Avenue NE provides for safe turning movements into and out of the property.

Because the shared-use path will cross the driveways, the following conditions are required:

Condition 13: With each phase, define the 10-foot-wide shared-use path by visual contrast or tactile finish texture across each driveway on Maple Avenue NE and Auto Group Avenue NE.

Condition 14: With each phase, post signs on each exiting driveway lane alerting drivers to the presence of bicyclists and pedestrians.

No pedestrian connection is indicated on the site plan from the public sidewalk to the proposed eating and drinking establishment in Phase 2. The following condition is required so that pedestrians are not forced to share the driveway with vehicles:

Condition 15: With Phase 2, provide a paved sidewalk on the west side of the driveway from the public sidewalk to the private sidewalk shown on the site plan.

Criterion 4:

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 Public Works Department has reviewed the applicant's preliminary utility plan for this site. The water, sewer, and storm infrastructures are available within surrounding streets / areas and appear to be adequate to serve the proposed

development. The applicant shall design and construct all utilities (sewer, water, and storm drainage) pursuant to Public Works Design Standards (PWDS.)

The applicant's engineer submitted a statement demonstrating compliance with Stormwater PWDS Appendix 004-E(4)(a)-or-(b) and SRC Chapter 71. The preliminary stormwater design demonstrates the use of green stormwater infrastructure to the maximum extent feasible. 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. The application materials show a private stormwater crossing of Auto Group Avenue NE. This system will not be accepted as a public facility, but will remain a privately owned and maintained portion of stormwater infrastructure.

5. Analysis of Class 2 Driveway Approach Permit Criteria

SRC 804.025(d) states:

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;
- 2) No site conditions prevent placing the driveway approach in the required location;
- 3) The number of driveway approaches onto an arterial are minimized;
- 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;
- 5) The proposed driveway approach meets vision clearance standards;
- 6) The proposed driveway approach does not create traffic hazards and provides for safe turning movements and access;
- 7) The proposed driveway approach does not result in significant adverse impacts to the vicinity;
- 8) The proposed driveway approach minimizes impact to the functionality of adjacent streets and intersections; and
- 9) The proposed driveway approach balances the adverse impacts to residentially zoned property and the functionality of adjacent streets.

Criterion 1:

The proposed driveway approach meets the standards of this Chapter and the Public Works Design Standards.

Finding: The proposed driveway meets the standards for SRC 804 and PWDS.

Criterion 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.

Criterion 3:

The number of driveway approaches onto an arterial are minimized.

Finding: The proposed driveway is not accessing onto an Arterial street.

Criterion 4:

The proposed driveway approach, where possible:

- a) Is shared with an adjacent property; or
- b) 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.

Criterion 5:

The proposed driveway approach meets vision clearance standards.

Finding: The proposed driveway meets the PWDS vision clearance standards set forth in SRC Chapter 805.

Criterion 6:

The proposed driveway approach does not create traffic hazards and provides for safe turning movements and access.

Finding: The proposed driveway will not create a known traffic hazard and will provide for safe turning movements for access to the subject property.

Criterion 7:

The proposed driveway approach does not result in significant adverse impacts to the vicinity.

Finding: The location of the proposed driveway does not appear to have any adverse impacts to the adjacent properties or streets.

Criterion 8:

The proposed driveway approach minimizes impact to the functionality of adjacent streets and intersections.

Finding: The proposed driveway approach is located on a Local street and does not create a significant impact to adjacent streets and intersections.

Criterion 9:

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

Finding: The proposed driveway approach is not located in the vicinity of a residentially zoned area. The driveway will not have an effect on the functionality of the adjacent streets.

6. Based upon review of SRC Chapters 200, 220, 807, and 804, 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.

ORDER

Final approval of Urban Growth Area Preliminary Declaration, Class 3 Site Plan Review, and Class 2 Driveway Approach Permit Case No. 17-05 is hereby GRANTED subject to SRC Chapter 200, 220, 807, and 804, the applicable standards of the Salem Revised Code, conformance with the approved site plan included as Attachments B, C, D, and E, and the following conditions of approval:

Urban Growth Area Preliminary Declaration Conditions

Phase 1:

- Condition 1:** Install street trees along the entire frontage of Maple Avenue NE.
- Condition 2:** Construct a minimum 15-foot-wide half-street improvement along the entire frontage of Auto Group Avenue NE.
- Condition 3:** Convey land for dedication of right-of-way along Cherry Avenue NE frontage to equal 48 feet from centerline.
- Condition 4:** Convey land for dedication of right-of-way at the Maple Avenue NE and Auto Group Avenue NE intersection to provide a 20-foot-wide property line radius.

Phase 3:

- Condition 5:** Construct sidewalk and street light improvements along the frontage of Cherry Avenue NE. The sidewalk shall be located outside the critical tree zone of the existing street trees except as authorized pursuant to SRC 86.050.

Class 3 Site Plan Review, and Driveway Approach Permit Conditions

- Condition 6:** Prior to expiration of the Class 3 Site Plan Review decision, either complete the required perimeter landscaping and development site landscaping indicated on the site plan for Phase 2 and Phase 3 or apply for a zoning adjustment to postpone the landscaping.
- Condition 7:** With Phase 2, provide four bicycle parking spaces meeting the standards of SRC 806.060.

- Condition 8:** With Phase 1, construct a 10-foot-wide shared-use path along the frontage of Maple Avenue NE and Auto Group Avenue NE pursuant to Condition 1 of CPC/ZC 16-12. The path shall abut the south right-of-way line along Auto Group Avenue NE from Cherry Avenue NE to Maple Avenue NE and shall abut the east right-of-way line along Maple Avenue NE from Auto Group Avenue NE to the southerly terminus of the existing curb. The shared-use path shall be constructed a minimum of 4.5 feet from the face of curb. The southerly terminus of the shared-use path shall connect to the existing asphalt concrete path in Maple Avenue NE as shown in the Winter Street NE / Maple Avenue NE Bikeway Plan.
- Condition 9:** With Phase 1, modify the signal and intersection at Auto Group Avenue NE and Cherry Avenue NE to accommodate the shared-use path.
- Condition 10:** With Phase 1, provide street trees along Auto Group Avenue NE.
- Condition 11:** With Phase 1, enter into a deferral agreement pursuant to SRC 265.020(c) regarding new traffic lanes required in Condition 2 of CPC/ZC 16-12, deferring construction of traffic lanes until Phase 3.
- Condition 12:** With Phase 3, construct travel lanes deferred in Phase 1.
- Condition 13:** With each phase, define the 10-foot-wide shared-use path by visual contrast or tactile finish texture across each driveway on Maple Avenue NE and Auto Group Avenue NE.
- Condition 14:** With each phase, post signs on each exiting driveway lane alerting drivers to the presence of bicyclists and pedestrians.
- Condition 15:** With Phase 2, provide a paved sidewalk on the west side of the driveway from the public sidewalk to the private sidewalk shown on the site plan.



Pamela Cole,
Planning Administrator Designee

Prepared by Pamela Cole, Planner II

- Attachments: A. Vicinity Map
B. Proposed Site Plan
C. Proposed Surfacing Plan
D. Proposed Street Improvement Plan
E. Proposed Striping and Street Tree Plan
F. Written Statement for Urban Growth Area Preliminary Declaration
G. Public Works Memorandum
H. Winter-Maple Bikeway Bicycle and Pedestrian Plan Segment 3A

Application Deemed Complete: December 15, 2017
Notice of Decision Mailing Date: April 3, 2018
Decision Effective Date: April 19, 2018
State Mandated Decision Date: May 14, 2018

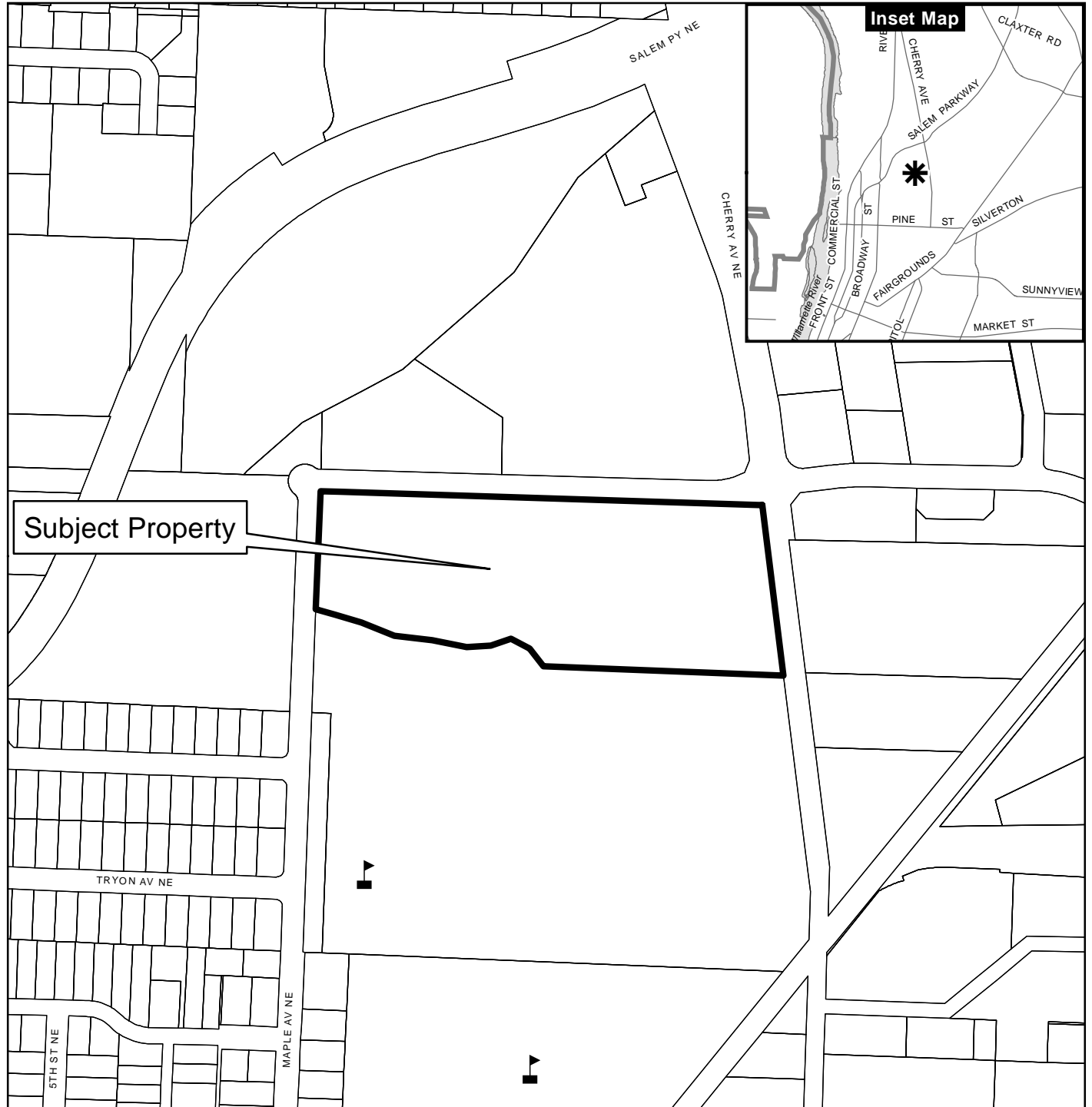
The rights granted by the attached decision for Urban Growth Area Preliminary Declaration No. UGA-SPR-DAP 17-05 must be exercised or an extension granted by April 19, 2020 or this approval shall be null and void. The rights granted by the attached decision for Class 3 Site Plan Review Case No. UGA-SPR-DAP 17-05 must be exercised by April 19, 2022 or this approval shall be null and void. The rights granted by the attached decision for Class 2 Driveway Approach Permit Case No. UGA-SPR-DAP 17-05 must be exercised or an extension granted by April 19, 2020 or this approval shall be null and void.

This decision is final unless written appeal from a party with standing to appeal, along with the appeal fee, is received by the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem, OR 97301, **not later than 5:00 pm, April 18, 2018**. The notice of appeal must contain the information required by SRC 300.1020. The appeal fee must be paid at the time of filing. If the notice of appeal is untimely and/or lacks the proper fee, the notice of appeal will be rejected. The Salem City Council will review the appeal at a public hearing. The City Council may amend, rescind, or affirm the action or refer the matter to staff for additional information.

Any person with standing may appeal the decision by filing an appeal with the applicable appeal fee with the City of Salem not later than fifteen (15) days after the date this decision is mailed to persons with standing to appeal.

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

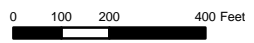
Vicinity Map 700 Auto Group Avenue



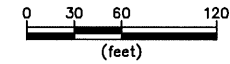
Subject Property

Legend

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



This product is provided as is, without warranty. In no event is the City of Salem liable for damages from the use of this product. This product is subject to license and copyright limitations and further distribution or resale is prohibited.



PROPERTY ZONE = IC
PROPERTY IS NOT IN THE 100 YEAR FLOOD PLAIN

PHASE III

- CHERRY AVE DOUBLE LEFT TURN ONTO PARKWAY
- RIGHT TURN LANE FROM PINE ST ONTO CHERRY AVE
- CHERRY AVE FRONTAGE S/W

PHASE I STORM DRAIN

PHASE I STREET IMPROVEMENTS

AUTO GROUP AVE

PHASE III LANDSCAPING

PHASE II COFFEE DRIVE THRU

PHASE I AUTO SALES AREA

GARBAGE/HC PARKING & BIKE PARKING LOCATED ON LOT WEST OF MAPLE AVE

FENCE REMOVED & AREA DEVELOPED W/ PHASE III

PHASE I GRADING

PHASE III FUTURE DEALERSHIP

18' ROW DEDICATION 8,351 SF

PHASE III LANDSCAPING

PHASE I SWALE

SUMMARY

| | | |
|------------------------|----------------|------------------|
| PHASE I - 212,806 SF | | |
| | DEVELOPED AREA | 163,194 SF 76.7% |
| | LANDSCAPING | 49,612 SF 23.3% |
| PHASE II - 32,364 SF | | |
| | DEVELOPED AREA | 28,727 SF 88.8% |
| | LANDSCAPING | 3,637 SF 11.2% |
| PHASE III - 263,895 SF | | |
| | DEVELOPED AREA | 231,429 SF 87.7% |
| | LANDSCAPING | 32,466 SF 12.3% |
| TOTAL - 509,065 | | |
| | DEVELOPED AREA | 418,705 SF 82.2% |
| | LANDSCAPING | 90,360 SF 17.8% |

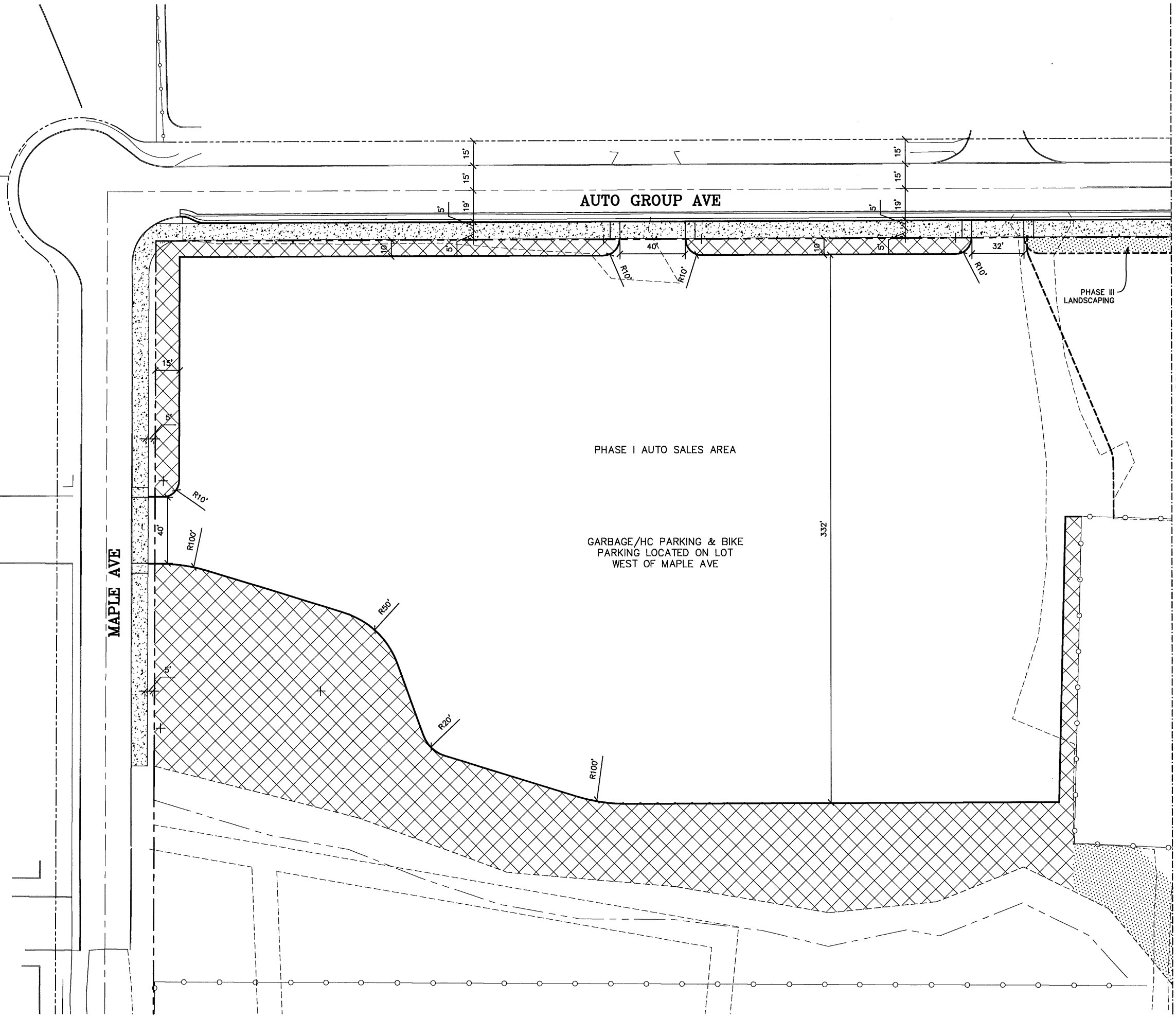


WE
WESTTECH ENGINEERING, INC.
CONSULTING ENGINEERS AND PLANNERS
3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302
Phone: (503) 585-2474, Fax: (503) 585-3986
E-mail: westtech@westtech-eng.com

CAPITOL AUTO GROUP
SALES LOT
OVERALL SITE PLAN

DRAWING
C3.0
JOB NUMBER
2921.0000.0

| NO. | DATE | DESCRIPTION | BY |
|-----|----------|-------------|----|
| 1 | APR 2017 | | |



VERIFY SCALE
 0 1" = 30'
 IF NOT ONE INCH ON
 SCALE, VERIFY ACCURACY

| NO. | DATE | DESCRIPTION | BY |
|-----|----------|-------------|----|
| 1 | APR 2017 | | |

WESTTECH ENGINEERING, INC.
 CONSULTING ENGINEERS AND PLANNERS
 3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302
 Phone: (503) 585-2474 Fax: (503) 585-3986
 E-mail: westtech@westtech-eng.com

REVIEW
 REGISTERED PROFESSIONAL ENGINEER
 STATE OF OREGON
 NO. 12574
 JEFFREY A. STEVENSON
 REVIEWER: 6/29/2018

CAPITOL AUTO GROUP
 SALES LOT

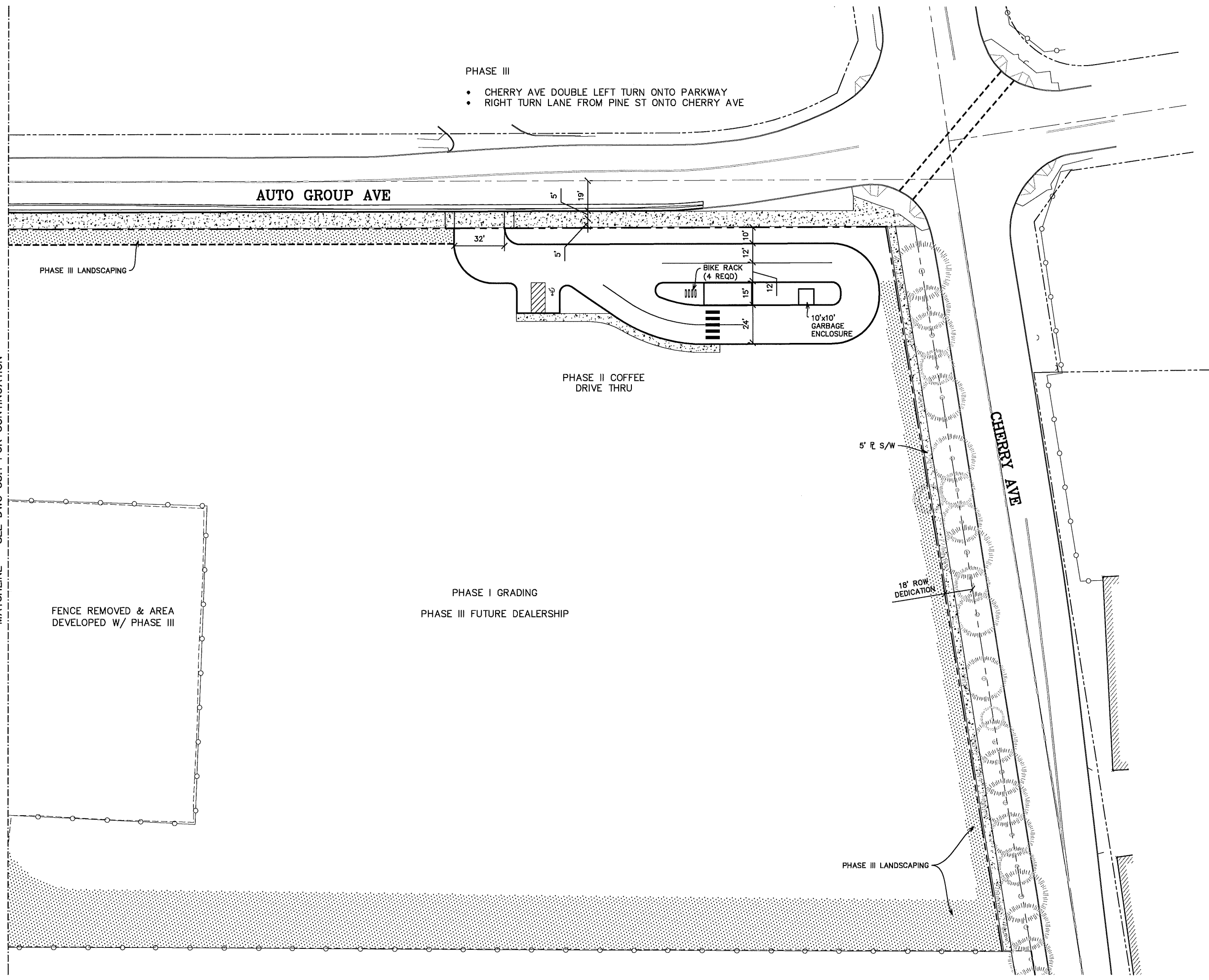
SITE PLAN WEST

DRAWING
C3.1

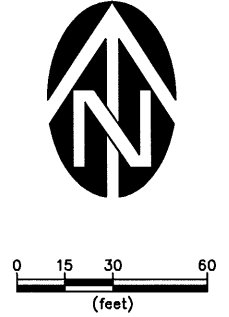
JOB NUMBER
2921.0000.0

11/10/2017 11:34:05 AM
 R:\DWG\CAPITOL AUTO-CHERRY AVE\Sales Lot 2017\Plots\C3.1-2 Site Plan.dwg (C3.2 tab)

MATCHLINE - SEE DWG C3.1 FOR CONTINUATION



- PHASE III
- CHERRY AVE DOUBLE LEFT TURN ONTO PARKWAY
 - RIGHT TURN LANE FROM PINE ST ONTO CHERRY AVE



| NO. | DATE | DESCRIPTION | BY |
|-----|------|-------------|----|
| 1 | | | |

VERIFY SCALE
 BASE IS ONE INCH ON ORIGINAL DRAWING
 1" = 30'
 MUST USE THIS SCALE ACCORDING TO THE SCALE INDICATED ON THIS SHEET

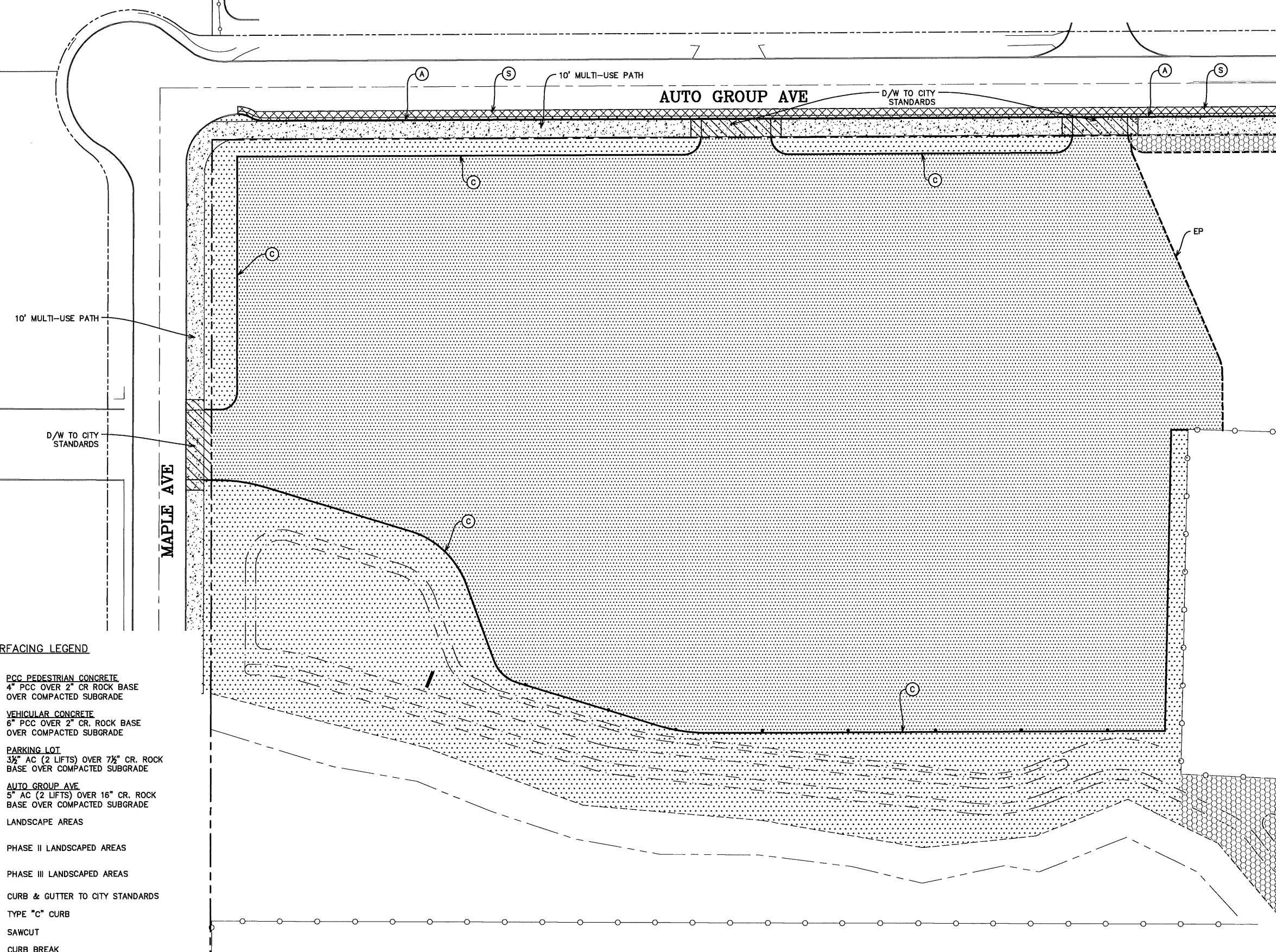
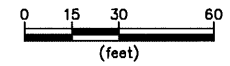
DATE: APR 2017

PROFESSIONAL ENGINEER
REVIEW
 J. STEVEN A. GAIN
 LICENSE NO. 15000
 EXPIRES 6/30/2018

WE
 WESTTECH ENGINEERING, INC.
 CONSULTING ENGINEERS AND PLANNERS
 3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302
 Phone: (503) 565-2474 Fax: (503) 565-3966
 E-mail: westtech@westtech-eng.com

CAPITOL AUTO GROUP
 SALES LOT
SITE PLAN EAST

DRAWING
C3.2
 JOB NUMBER
2921.0000.0



MATCHLINE - SEE DWG C4.4 FOR CONTINUATION

SURFACING LEGEND

- PCC PEDESTRIAN CONCRETE
4" PCC OVER 2" CR ROCK BASE
OVER COMPACTED SUBGRADE
- VEHICULAR CONCRETE
6" PCC OVER 2" CR, ROCK BASE
OVER COMPACTED SUBGRADE
- PARKING LOT
3 1/2" AC (2 LIFTS) OVER 7 1/2" CR, ROCK
BASE OVER COMPACTED SUBGRADE
- AUTO GROUP AVE
5" AC (2 LIFTS) OVER 16" CR, ROCK
BASE OVER COMPACTED SUBGRADE
- LANDSCAPE AREAS
- PHASE II LANDSCAPED AREAS
- PHASE III LANDSCAPED AREAS
- CURB & GUTTER TO CITY STANDARDS
- TYPE "C" CURB
- SAWCUT
- CURB BREAK

11/10/2017 11:34:35 AM R:\Dwg\CAPITOL AUTO-CHERRY AVE\Sales Lot 2017\Plots\C4.4-5 Surfacing Plan.dwg. (C4.4 tab)

| NO. | DATE | DESCRIPTION | BY |
|-----|------|-------------|----|
| 1 | | | |

VERIFY SCALE
BAR IS ONE INCH ON
ORIGINAL DRAWING
IF NOT ONE INCH ON
THIS SHEET, ADJUST
SCALES ACCORDINGLY

DATE: APR 2017

CKD: SAW NO. 1
DSN: SAW
DRN: AR

REVIEW

REGISTERED PROFESSIONAL ENGINEER
J. EVEN A. WIM
JULY 15, 2008
REASON: 4/20/2018

WE
WESTTECH ENGINEERING, INC.
CONSULTING ENGINEERS AND PLANNERS
3841 Fairview Industrial Dr., S.E., Suite 100, Salem, OR 97302
Phone: (503) 585-2474 Fax: (503) 585-3956
E-mail: westtech@westtech-eng.com

CAPITOL AUTO GROUP
SALES LOT

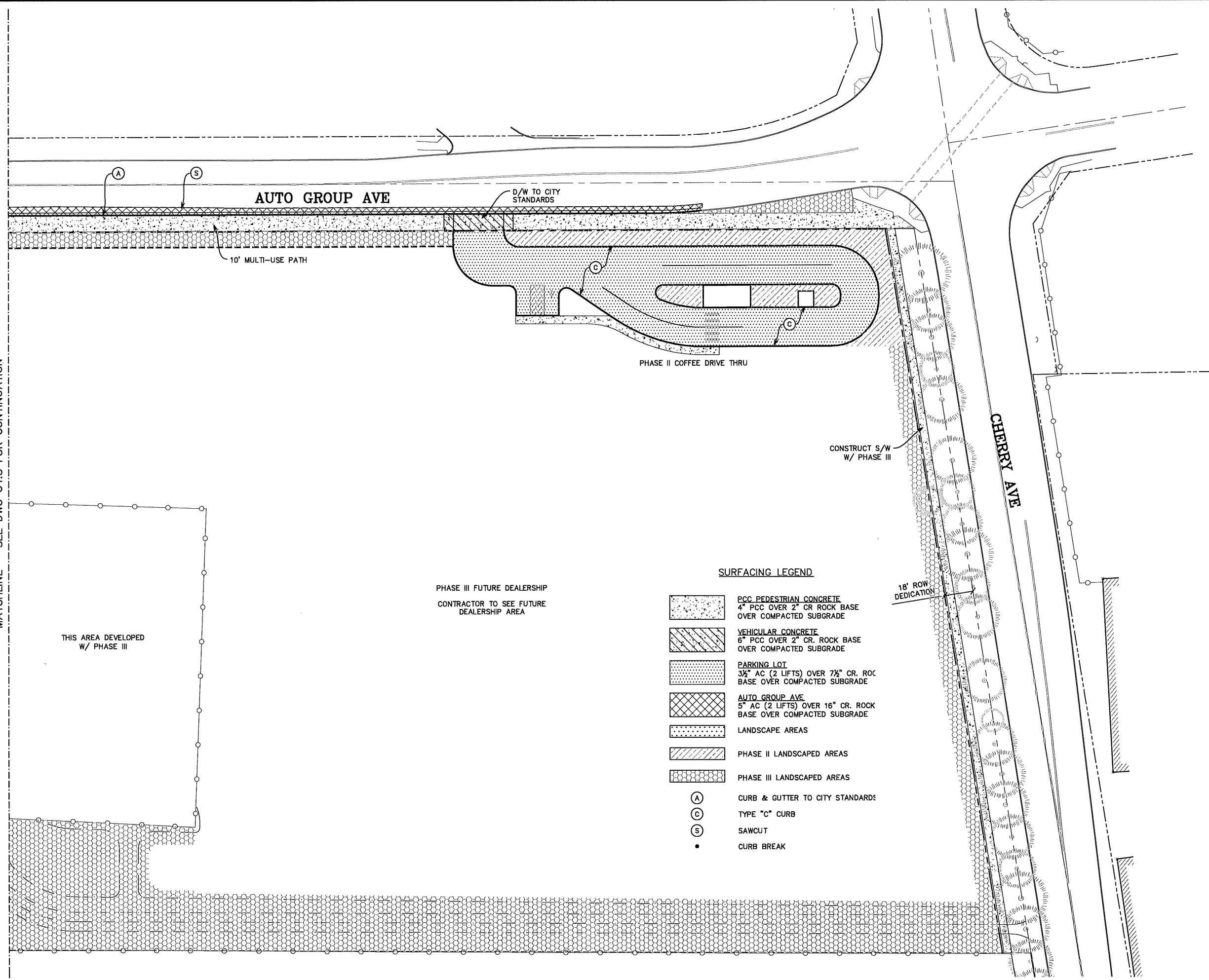
SURFACING PLAN WEST

DRAWING
C4.4

JOB NUMBER
2921.0000.0

11/10/2017 11:34:36 AM
 R:\Dwg\CAPITOL AUTO-CHERRY AVE\Sales Lot 2017\Plots\C4.4-5 Surfacing Plan.dwg, (C4.5 tab)

MATCHLINE — SEE DWG C4.3 FOR CONTINUATION

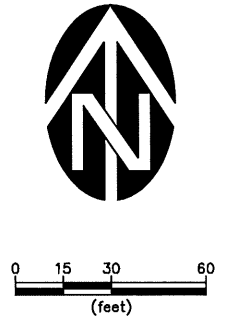


THIS AREA DEVELOPED
 W/ PHASE III

PHASE III FUTURE DEALERSHIP
 CONTRACTOR TO SEE FUTURE
 DEALERSHIP AREA

SURFACING LEGEND

- PCC PEDESTRIAN CONCRETE
 4" PCC OVER 2" CR. ROCK BASE
 OVER COMPACTED SUBGRADE
- VEHICULAR CONCRETE
 6" PCC OVER 2" CR. ROCK BASE
 OVER COMPACTED SUBGRADE
- PARKING LOT
 3 1/2" AC (2 LIFTS) OVER 7 1/2" CR. ROC
 BASE OVER COMPACTED SUBGRADE
- AUTO GROUP AVE
 5" AC (2 LIFTS) OVER 16" CR. ROCK
 BASE OVER COMPACTED SUBGRADE
- LANDSCAPE AREAS
- PHASE II LANDSCAPED AREAS
- PHASE III LANDSCAPED AREAS
- CURB & GUTTER TO CITY STANDARDS
- TYPE "C" CURB
- SAWCUT
- CURB BREAK



| NO. | DATE | DESCRIPTION | BY |
|-----|------|-------------|----|
| 1 | | | |

VERIFY SCALE
 DATE IS ONE INCH ON
 GRAPHIC SCALE
 IF NOT ONE INCH ON
 THIS SHEET, ADJUST
 SCALES ACCORDINGLY

DATE: APR 2017

DSN: SAW
 DIR: SAW
 CKD: SAW

REVIEW

PROFESSIONAL
 ENGINEER
 J. STEVEN A. WIMB
 LICENSE NO. 16
 EXPIRES 6/30/2018

WESTTECH ENGINEERING, INC.
 CONSULTING ENGINEERS AND PLANNERS

3841 Fairview Industrial Dr., S.E., Suite 100, Salem, OR 97302
 Phone: (503) 585-2474 Fax: (503) 585-3966
 E-mail: westtech@westtech-eng.com

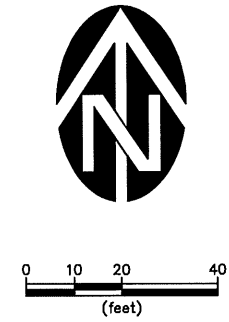
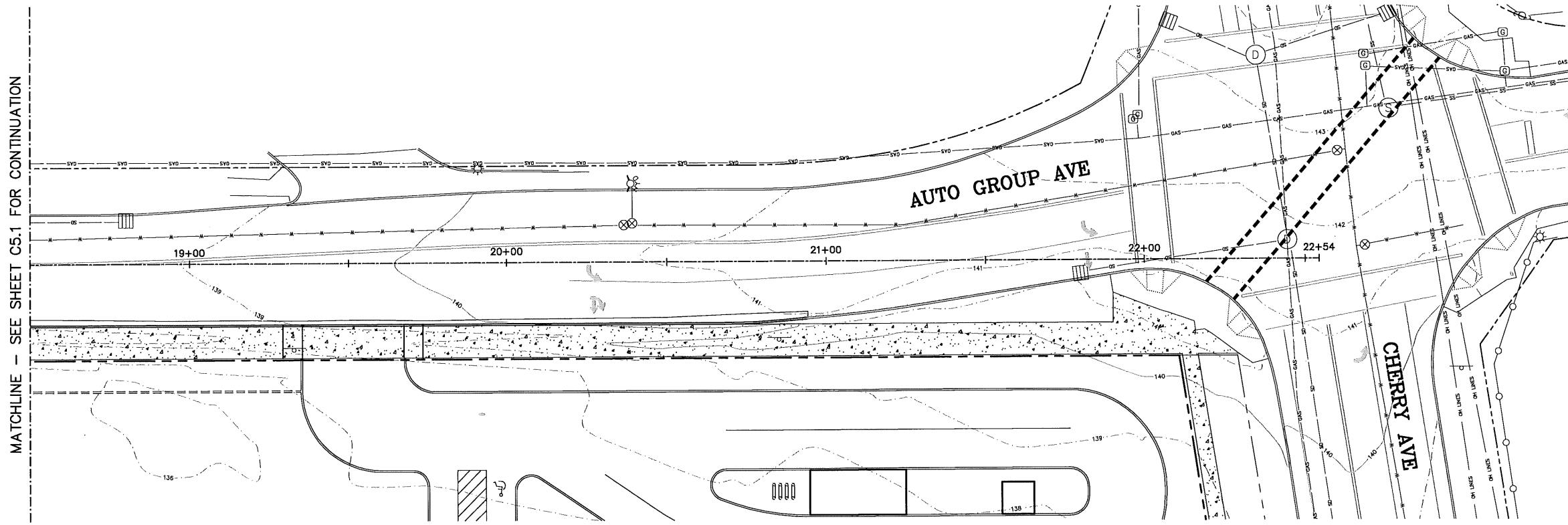
CAPITOL AUTO GROUP
 SALES LOT

SURFACING PLAN EAST

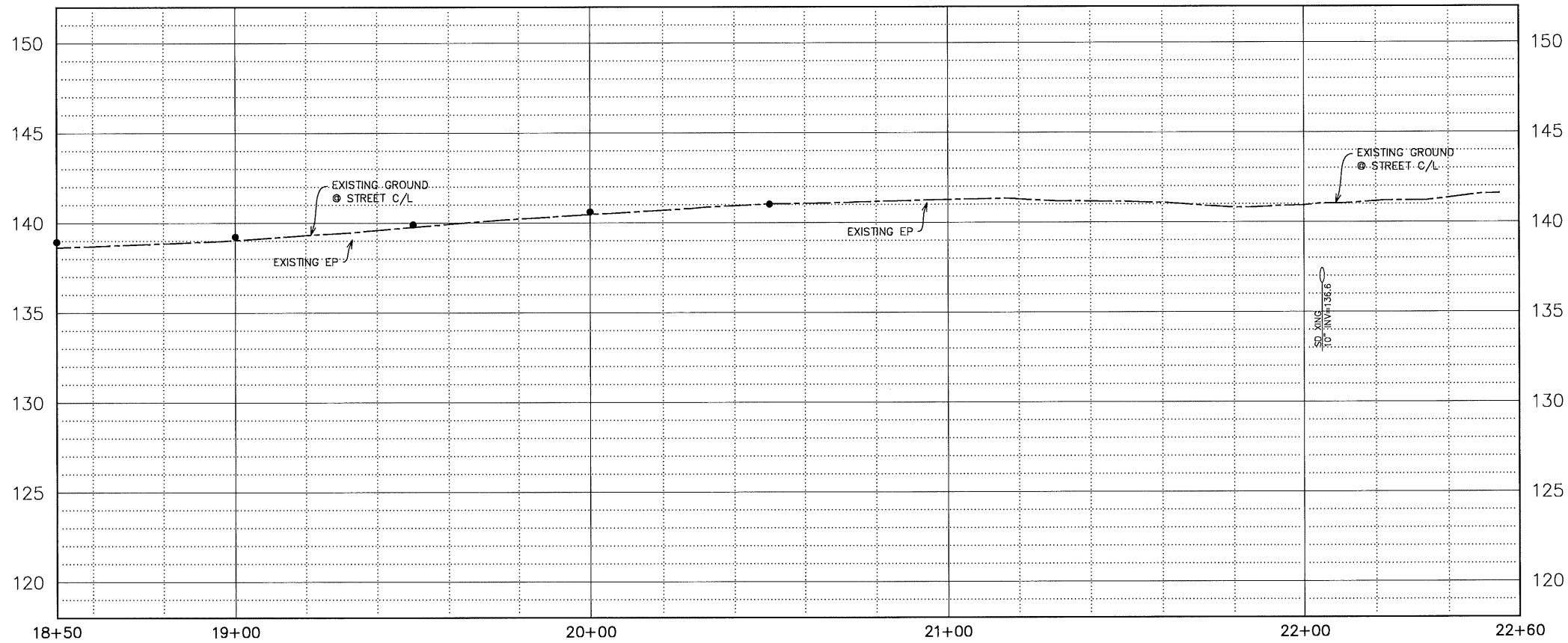
DRAWING
C4.5

JOB NUMBER
2921.0000.0

11/10/2017 11:34:46 AM
 R:\Dwg\CAPITOL_AUTO-CHERRY AVE\Sales Lot 2017\Plots\C5.0-4_Street Improvements.dwg (C5.2 tab)



STREET PLAN
 1"=20'



STREET PROFILE
 1" = 20' H, 1" = 4" V

| NO. | DATE | DESCRIPTION | BY |
|-----|----------|-------------|----|
| 1 | APR 2017 | | |

VERIFY SCALE
 1" = 20'
 0 10 20 40
 (feet)

DATE: APR 2017

DRN. SAW
 CKD. SAW

DESIGNER: J. STEVEN A. JENSEN, P.E.
 REGISTERED PROFESSIONAL ENGINEER
 STATE OF MISSOURI
 LICENSE NO. 000000000

WESTTECH ENGINEERING, INC.
 CONSULTING ENGINEERS AND PLANNERS

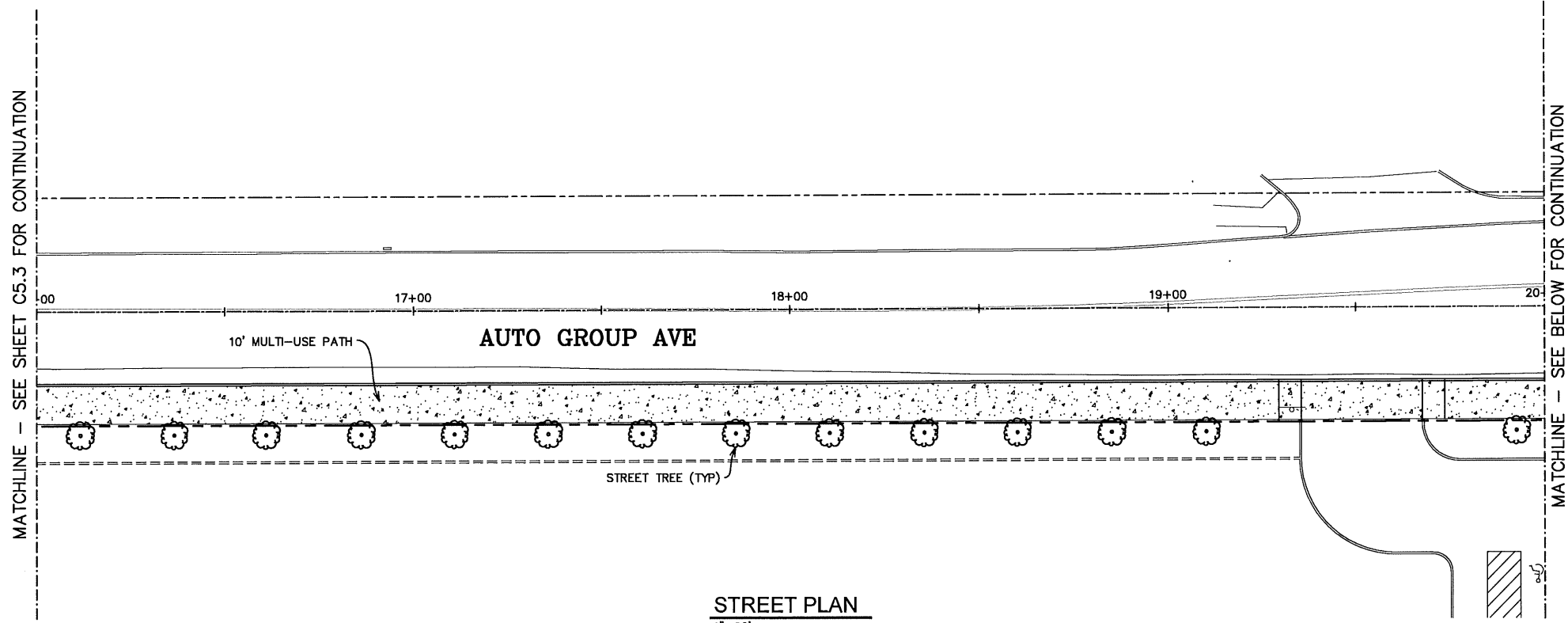
3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302
 Phone: (503) 585-2474 Fax: (503) 585-3986
 E-mail: westtech@westtech-eng.com

CAPITOL AUTO GROUP
 SALES LOT
AUTO GROUP AVE
STREET IMPROVEMENTS
PLAN-PROFILE
STA 18+50 to STA 22+60

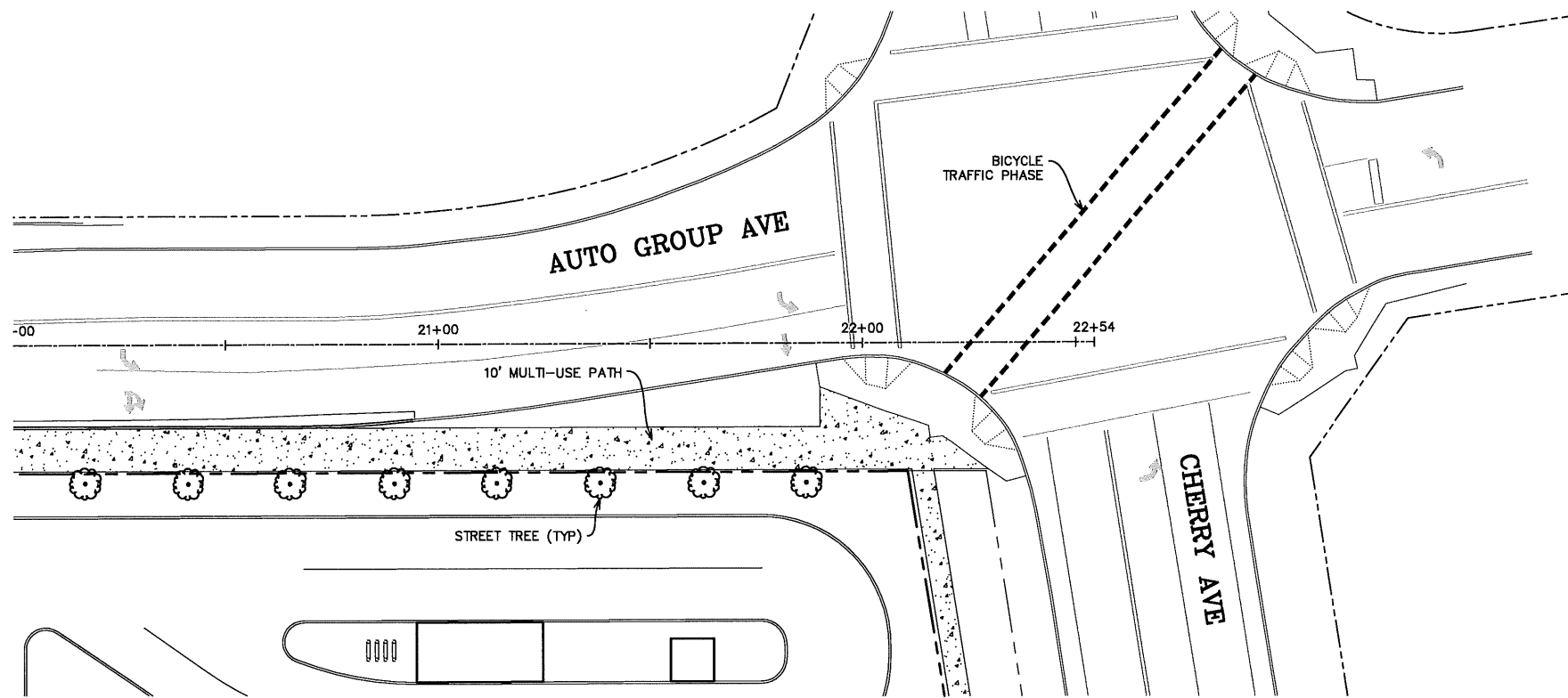
DRAWING
C5.2

JOB NUMBER
2921.0000.0

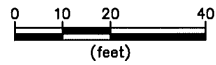
11/10/2017 11:34:49 AM
 R:\Dwg\CAPITOL AUTO-CHERRY AVE\Sales Lot 2017\Plots\C5.0-4_Street Improvements.dwg (C5.4 tab)



STREET PLAN
 1"=20'



STREET PLAN
 1"=20'



| NO. | DATE | DESCRIPTION | BY |
|-----|------|-------------|----|
| 1 | | | |

VERIFY SCALE
 BASE IS ONE INCH ON
 ORIGINAL DRAWING
 0 1" 2" 3" 4" 5" 6" 7" 8" 9" 10"
 MUST USE THIS SCALE TO
 CHECK ALL DIMENSIONS
 THIS SHEET, ADJUST
 SCALES ACCORDINGLY

DSN. SAW
 DRN. AR
 CKD. AR
 DATE: APR 2017

REVIEW
 REGISTERED PROFESSIONAL ENGINEER
 OREGON
 EXPIRES 12/31/2018
 STEVEN A. WINE
 LICENSE: 679072018

WE
 WESTTECH ENGINEERING, INC.
 CONSULTING ENGINEERS AND PLANNERS
 3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302
 Phone: (503) 585-2474 Fax: (503) 585-3986
 E-mail: westtech@westtech-eng.com

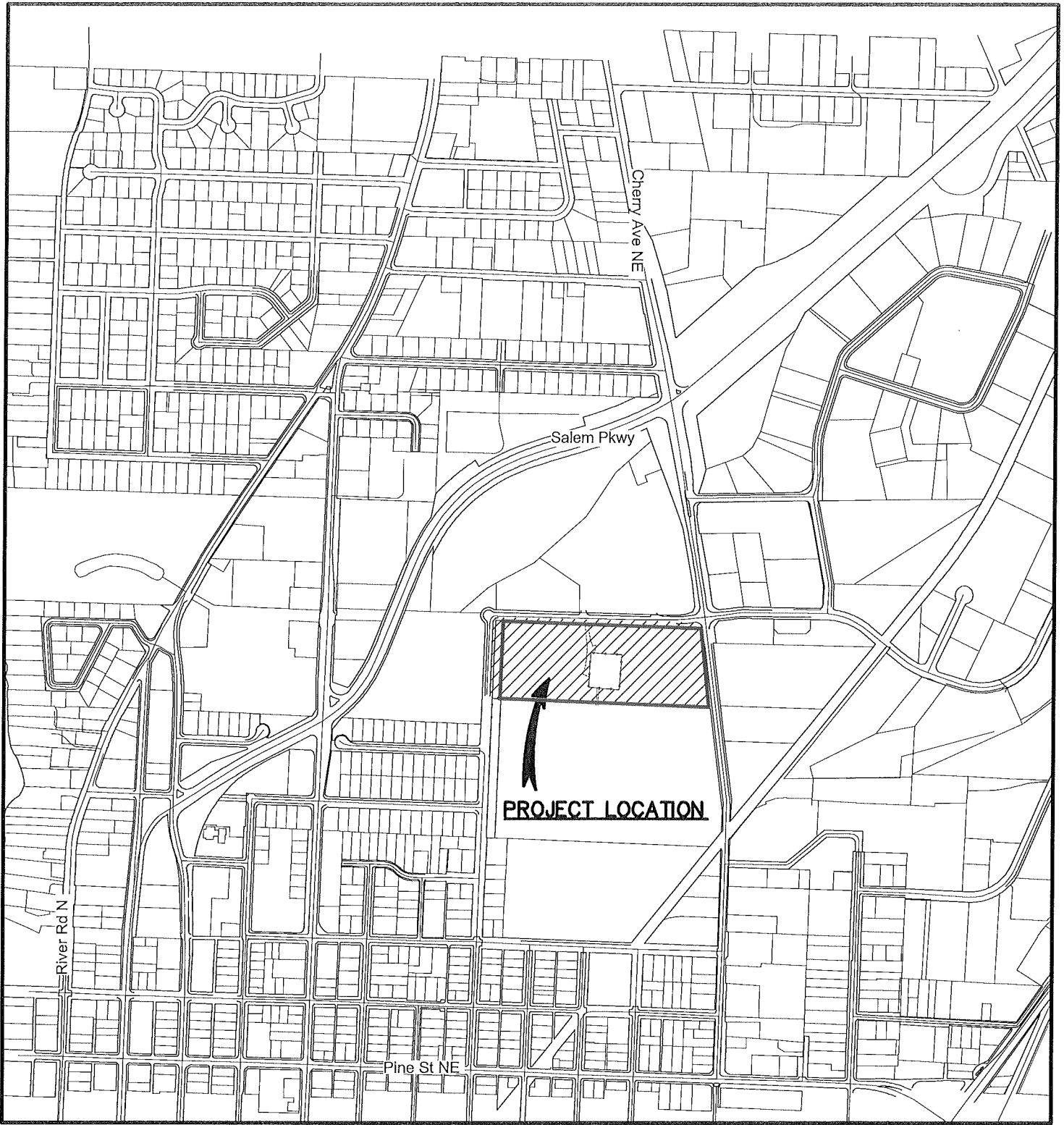
CAPITOL AUTO GROUP
 SALES LOT
**AUTO GROUP AVE
 STRIPING &
 STREET TREES PLAN**

DRAWING
C5.4

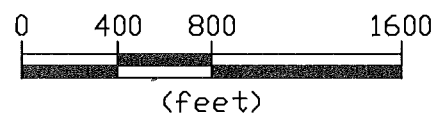
JOB NUMBER
2921.0000.0

Proposal Description & Written Statement

The proposed Capitol Auto – Sales Lot project develops approximately half the commercial lot for an auto display lot and mass grades the other half for a future auto dealership and drive-thru coffee. Public improvements along street frontage will include sidewalk and landscaping.




Vicinity Map - Capitol Auto Sales Lot





MEMO

TO: Pamela Cole, Planner II
Community Development Department

FROM: Glenn J. Davis, PE, CFM, Chief Development Engineer
Public Works Department 

DATE: February 26, 2018

SUBJECT: PUBLIC WORKS RECOMMENDATIONS
UGA-SPR-DAP17-05 (17-119350-RP/17-120942-LD)
700 AUTO GROUP AVENUE NE
PAVED LOT, DRIVE-THRU COFFEE, AND AUTO DEALERSHIP

PROPOSAL

A consolidated application for an Urban Growth Area Preliminary Declaration to determine requirements for public facilities, a Class 2 Driveway Approach Permit for new commercial driveways, and a Class 3 Site Plan Review for development of a proposed phased development consisting of (Phase 1) mass grading of the subject property and a paved lot for auto display and sales, (Phase 2) a drive-through coffee shop, and (Phase 3) a future auto dealership, all located on a property of 11.9 acres zoned IC (Industrial Commercial) and located at 700 Auto Group Avenue NE (Marion County Assessor Map and Tax Lot 073W14BA00100). The applicant is requesting deferral of Condition 2 of Comprehensive Plan Change/Zone Change Case No 16-12, that requires construction of dual left turn lanes on Cherry Street NE to westbound Salem Parkway NE and a westbound right turn lane on Pine Street NE to northbound Cherry Street NE, to Phase 3 of the proposed development. The applicant is requesting administrative relief of the landscaping requirements of Chapter 807 to defer the completion of the 15 percent development site landscaping requirement until Phase 3 of the proposed development.

RECOMMENDED CONDITIONS OF APPROVAL

As a condition of Phase 1:

- 1) Construct a 10-foot-wide shared-use path along the frontage of Maple Avenue NE and Auto Group Avenue NE pursuant to Condition 1 of CPC/ZC16-12. The path shall abut the south right-of-way line along Auto Group Avenue NE from Cherry Avenue NE to Maple Avenue NE and shall abut the east right-of-way line along Maple Avenue NE from Auto Group Avenue NE to the southerly terminus of the existing curb. The shared-use path shall be constructed a minimum of 4.5 feet from the face of curb. The southerly terminus of the

shared-use path shall connect to the existing asphalt concrete path in Maple Avenue NE as shown in the Winter Street NE / Maple Avenue NE Bikeway Plan.

- 2) Install street trees along the entire frontage of Maple Avenue NE.
- 3) Construct a minimum 15-foot-wide half-street improvement along the entire frontage of Auto Group Avenue NE.
- 4) Enter into a deferral agreement pursuant to SRC 265.020(c) regarding new traffic lanes required in Condition 2 of CPC/ZC 16-12, deferring construction of traffic lanes until Phase 3.
- 5) Convey land for dedication of right-of-way along Cherry Avenue NE frontage to equal 48 feet from centerline.
- 6) Convey land for dedication of right-of-way at the Maple Avenue NE and Auto Group Avenue NE intersection to provide a 20-foot-wide property line radius.

As a condition of Phase 3:

- 1) Construct sidewalk and street light improvements along the frontage of Cherry Avenue NE. The sidewalk shall be located outside the critical tree zone of the existing street trees except as authorized pursuant to SRC 86.050.
- 2) Construct travel lanes deferred in Phase 1.

FACTS

Streets

1. Cherry Avenue NE

- a. Existing Condition—This street has a variable-width improvement within a variable-width right-of-way abutting the subject property.
- b. Standard—This street is designated as a Major Arterial street in the Salem TSP. The standard for this street classification is a 68-foot-wide improvement within a 96-foot-wide right-of-way.

2. Auto Group Avenue NE

- a. Existing Condition—This street has an approximate 30-foot improvement within a 60-foot-wide right-of-way abutting the subject property.

- b. Standard—This street is designated as a Local street in the Salem Transportation System Plan. The standard for this street classification is a 30-foot-wide improvement within a 60-foot-wide right-of-way.

3. Maple Avenue NE

- a. Existing Condition—This street has an approximate 30-foot improvement within a 60-foot-wide right-of-way abutting the subject property.
- b. Standard—This street is designated as a Local street in the Salem Transportation System Plan. The standard for this street classification is a 30-foot-wide improvement within a 60-foot-wide right-of-way.

Storm Drainage

1. Existing Conditions

- a. A 10-inch storm main is located in Auto Group Avenue NE.
- b. A 12-inch storm main is located in Cherry Avenue NE.

Water

1. Existing Conditions

- a. The subject property is located in the G-0 water service level.
- b. A 14-inch water main is located in Cherry Avenue NE. Mains of this size generally convey flows of 2,900 to 6,700 gallons per minute.
- c. A 14-inch water main is located in Auto Group Avenue NE. Mains of this size generally convey flows of 2,900 to 6,700 gallons per minute.
- d. A 12-inch water main is located in Maple Avenue NE. Mains of this size generally convey flows of 2,100 to 4,900 gallons per minute.

Sanitary Sewer

1. Existing Condition

- a. A 10-inch sewer line is located in Maple Avenue NE.

CRITERIA AND FINDINGS

PRELIMINARY DECLARATION FOR URBAN GROWTH AREA PERMIT:

Analysis of the development based on relevant criteria in SRC 200.055 through 200.075 is as follows:

SRC 200.055 Standards for Street Improvements

Findings—An adequate linking street is defined as the nearest point on a street that has a minimum 60-foot-wide right-of-way with a minimum 30-foot improvement for Local streets or a minimum 34-foot improvement for Major streets (SRC 200.055(b)). All streets abutting the property boundaries shall be designed to the greater of the standards of SRC Chapter 803 and the standards of linking streets in SRC 200.055(b). All abutting streets do not meet the current standards of SRC Chapter 803.

Boundary street improvements along Maple Avenue NE and Auto Group Avenue NE are warranted in conjunction with Phase 1 of the proposed development as proposed by the applicant. Phase 2 is exempt from Boundary street requirements pursuant to SRC 803.040(d).

Boundary street improvements along Cherry Avenue NE are being constructed in conjunction with Phase 3 pursuant to the “complex rule” provisions in SRC 803.040(e)(3). Cherry Avenue NE is not proposed for additional widening west of the street centerline because doing so would require removal of existing mature street trees along the west right-of-way line. With Phase 3, the applicant shall be required to construct sidewalk and street light improvements along the frontage of Cherry Avenue NE. The sidewalk shall be located outside the critical tree zone of the existing street trees except as authorized pursuant to SRC 86.050. If the sidewalk is located outside the street right-of-way, then an access easement would be required.

SRC 200.060 Standards for Sewer Improvements

Findings—The proposed development shall be linked to adequate facilities by the construction of sewer lines and pumping stations that are necessary to connect to such existing sewer facilities (SRC 200.060). Adequate sewer facilities are located within the existing streets abutting the property.

However, a Master Plan sewer main extension is located in Cherry Avenue NE south of Auto Group Avenue NE. In conjunction with Phase 3, the applicant’s engineer shall design the master plan sewer main in Cherry Avenue NE to serve all properties north of the railroad crossing. The applicant shall construct any sewer mains proposed to be located within the limit of street improvements along Cherry Avenue NE.

SRC 200.065 Standards for Storm Drainage Improvements

Findings—The proposed development shall be linked to existing adequate facilities by the construction of storm drain lines, open channels, and detention facilities, that are necessary to connect to such existing drainage facilities. The applicant shall link the on-site system to existing facilities that are defined as adequate under SRC 200.005(a). The nearest available public storm system appears to be the existing pond located north of Auto Group Avenue NE, which is the applicant's proposed point of disposal.

SRC 200.070 Standards for Water Improvements

Findings—The proposed development shall be linked to adequate facilities by the construction of water distribution lines, reservoirs, and pumping stations that connect to such existing water service facilities (SRC 200.070). Adequate water mains are located along abutting streets.

SRC 200.075 Standards for Park Sites

Findings—The subject property is not residential; therefore, no parks requirements apply to the proposed development.

SITE PLAN REVIEW:

Analysis of the development based on relevant criteria in SRC 220.005(f)(3) is as follows:

Criteria: 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 existing configurations of Cherry Avenue NE, Auto Group Avenue NE, and Maple Avenue NE do not appear to meet current standards for their classifications of street per the Salem Transportation System Plan. Required street improvements and right-of-way dedication are specified in the conditions of approval consistent with SRC Chapter 803.

CPC/ZC 16-12 included two conditions related to the transportation system:

1. A shared-use path is required along the frontages of Maple Avenue NE and Auto Group Avenue NE. The application materials shown a 10-foot-wide shared-use path to be constructed with Phase 1.
2. Turn lanes are required at the Cherry Avenue NE and Salem Parkway NE intersection and at the Pine Street NE and Cherry Avenue NE intersection. These improvements meet the criteria for deferral under SRC 265.020(c). The applicant shall enter into an agreement deferring construction of traffic lanes until Phase 3.

Boundary street improvements along Maple Avenue NE and Auto Group Avenue NE are warranted in conjunction with Phase 1 of the proposed development as proposed by the applicant. Phase 2 is exempt from Boundary street requirements pursuant to SRC 803.040(d). Boundary street improvements along Cherry Avenue NE are being constructed in conjunction with Phase 3 pursuant to the “complex rule” provisions in SRC 803.040(e)(3).

Criteria: Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians.

Finding: The driveway access onto Auto Group Avenue NE provides for safe turning movements into and out of the property.

Criteria: 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 Public Works Department has reviewed the applicant’s preliminary utility plan for this site. The water, sewer, and storm infrastructures are available within surrounding streets / areas and appear to be adequate to serve the proposed development. The applicant shall design and construct all utilities (sewer, water, and storm drainage) pursuant to Public Works Design Standards (PWDS.)

The applicant’s engineer submitted a statement demonstrating compliance with Stormwater PWDS Appendix 004-E(4)(a)-or-(b) and SRC Chapter 71. The preliminary stormwater design demonstrates the use of green stormwater infrastructure to the maximum extent feasible. 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. The application materials show a private stormwater crossing of Auto Group Avenue NE. This system will not be accepted as a public facility, but will remain a privately owned and maintained portion of stormwater infrastructure.

DRIVEWAY APPROACH PERMIT:

Analysis of the development based on relevant criteria in SRC 804.025(d) is as follows:

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

- (1) The proposed driveway approach meets the standards of this Chapter and the PWDS;**

Finding—The proposed driveway meets the standards for SRC 804 and 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.

(4) The proposed driveway approach, where possible:

(a) Is shared with an adjacent property; or

(b) 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 proposed driveway meets 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—The proposed driveway will not create a known 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—The location of the proposed driveway does not appear to 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 driveway approach is located on a Local street and does not create a significant impact to adjacent streets and intersections.

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

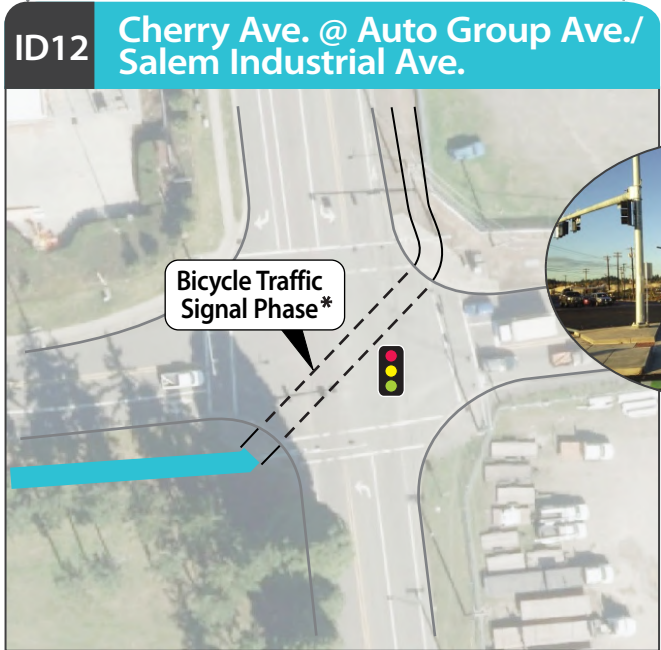
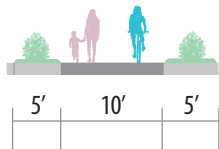
Finding—The proposed driveway approach is not located in the vicinity of a residentially zoned area. The driveway will not have an effect on the functionality of the adjacent streets.

Prepared by: Jennifer Scott, Project Coordinator
cc: File

Winter-Maple Bikeway CONCEPT



Multi-use Path



*Bicycle traffic signal phase will include camera detectors and push buttons for bicyclists.

Segment 3A - Maple Avenue to Cherry Avenue (Bliler Avenue to Auto Group Avenue)

Note: Aerial segments may contain various overlaps at match line locations.