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503-588-6173*

**REVISED**  
**DECISION OF THE PLANNING COMMISSION**

**COMPREHENSIVE PLAN MAP AMENDMENT / ZONE CHANGE / SUBDIVISION /  
CLASS 2 ADJUSTMENT CASE NO. CPC-ZC-SUB-ADJ19-02**

**APPLICATION NO. : 19-103348-ZO, 19-133352-ZO & 19-103563-LD**

**NOTICE OF DECISION DATE:** April 19 24, 2019

**SUMMARY:** A Minor Comprehensive Plan Map Amendment and Zone Change from Public and Private Health Services to Single Family and Multi-Family Residential designations to allow for a future mixed density residential development, a subdivision to further divide the subject property into four lots, and an Adjustment to lot depth, connectivity, and setback requirements.

**REQUEST:** A Minor Comprehensive Plan Map Amendment from CSH (Community Services Health) to "Single Family Residential" and "Multi-Family Residential", a Zone Change from PH (Public and Private Health Services) to RS (Single Family Residential) and RM-II (Multi-Family Residential), and a Tentative Subdivision to further divide the property into four lots, with a Class 2 Adjustment request to:

- 1) To the lot depth standards in SRC 511.010(a), 514.010(b), and contained in Tables 511-2 and 514-2;
- 2) To connectivity standards in SRC 803.035(a); and
- 3) To zone-to-zone setback standards in SRC 514.010(b), and contained in Table 514-5.

For property approximately 47.37 acres in size, zoned PH (Public and Private Health Services), and located at 2600 Center Street NE - 97301 (Marion County Assessor's Map and Tax Lot number: 073W24C / 00100).

**APPLICANT(S):** Mountain West Investment Corporation

**OWNER(S):** State of Oregon - DAS

**LOCATION:** 2600 Center Street NE / 97301

**CRITERIA:** Comprehensive Plan Change: SRC 64.025(e)(2)  
Zone Change: SRC 265.005(e)  
Subdivision: SRC 205.010(d)  
Class 2 Adjustment: SRC 250.005(d)(2)

**FINDINGS:** The facts and findings are in the attached document dated April 19 24, 2019.

**DECISION:** The Planning Commission **APPROVE** Comprehensive Plan Map Amendment from "Community Services - Health" to "Single Family Residential" and

**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**

“Multiple Family Residential”, a Zone Change from PH (Public and Private Health Services) to RS (Single Family Residential), RM-II (Multi-Family Residential), and a Tentative Subdivision to further divide the property into four lots, subject to the following conditions of approval:

APPROVE Minor Comprehensive Plan Map Amendment from “Community Services - Health” to “Single Family Residential” and “Multiple Family Residential”.

APPROVE Zone Change from PH (Public and Private Health Services) to RS (Single Family Residential) and RM-II (Multi-Family Residential), subject to the following conditions of approval:

- Condition 1:** The applicant shall provide a copy of the Historic Clearance Review approval letter from the Oregon State Historic Preservation Office authorizing the proposed ground disturbing activity on this site prior to issuance of grading and building permits for new construction.
- Condition 2:** Development applications submitted prior to adjustment of the historic district boundary shall be subject to Historic Design Review before the Historic Landmarks Commission to ensure development proposals are compatible with the remaining buildings in the Historic District.
- Condition 3:** That there shall be no more than 250 multi-family units permitted on Lot 2.
- Condition 4:** The alignment of the RM-II zoning will be adjusted to include the proposed alley as shown on the conceptual plan.
- Condition 35:** Single family dwellings with frontage along D Street NE and Park Avenue NE shall not have driveway access to D Street NE or Park Avenue NE. Driveway access shall be provided by an internal street, accessway, or alley. Rear lot lines shall not abut D Street NE or Park Avenue NE.

APPROVE Tentative Subdivision, subject to the following conditions of approval:

- Condition 46:** Prior to the recording of a final plat for the proposed subdivision, the final subdivision plat, approved by SUB-UGA17-05, shall be recorded.
- Condition 57:** At the time of final plat review, the applicant shall demonstrate that all proposed lots comply with applicable lot standards of the RS and RM-II zones.
- Condition 68:** Condition 22 from SUB-UGA17-05 (D Street improvements) – This condition shall be required as a condition of Site Plan Review or Subdivision approval for future development on proposed Lot 1.
- Condition 79:** Condition 23 from SUB-UGA17-05 (Park Avenue improvements) – Improvements along the frontage of Lot 1 shall be required as a condition of Site Plan Review or Subdivision approval for development on proposed Lot 1. Improvements along the frontage of Lots 2 and 4 shall be complete in their

entirety at the time of Site Plan Review for development on either proposed Lot 2 or 4.

**Condition ~~810~~:** ~~Condition 21 from SUB-UGA17-05 (Multi-modal access) — Interior transportation improvements shall be constructed to provide a street connection from 25<sup>th</sup> Street to Park Avenue as a condition of Site Plan Review or subdivision approval for the first development project on any lot. Additional connectivity may be required with subsequent development projects on other lots.~~

Condition 23 from SUB-UGA17-05 (Multimodal access) – Construct interior transportation systems that provide for multimodal access from Lot 5 from 25<sup>th</sup> Street to Park Ave.

**Condition ~~911~~:** ~~Provide a north-south pedestrian connection from Center Street NE to D Street NE.~~

Provide a north-south pedestrian connection from Center Street NE and D Street NE. The alignment of this connection will be determined through subsequent site plan review and subdivision applications. Each individual lot must construct their respective portion of the path and record a public access easement prior to any certificate of occupancy of any building on the individual lot. The public access easement shall be recorded to ensure public use of the path, but such an easement shall not require the property owner to permit access on the easement between sunset and sunrise.

**Condition ~~1012~~:** Per SUB-UGA17-05, Condition 24 (TIA mitigation):

- (i) Condition 3 (D Street/23<sup>rd</sup> Street Intersection) – This condition shall be required at the time cumulative transportation impacts exceed 2,380 average daily trips within the property approved under SUB-UGA 17-05.
- (ii) Condition 4 (Center Street/17<sup>th</sup> Street) – The proportional share for future improvements to the Center/17<sup>th</sup> intersection shall be \$133 per ADT, to be paid at the time of building permit issuance. This fee amount shall be adjusted annually based on the December to December Engineering News Record Averaged Rates for Los Angeles, Seattle, and San Francisco.

APPROVE Class 2 Adjustments to Lot Standards and Street Connectivity, subject to the following condition of approval:

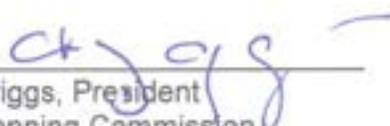
**Condition ~~1113~~:** ~~A minimum of one public street connection shall be provided through the subject property providing an east-west connection between 25<sup>th</sup> Street NE and Park Avenue NE.~~  
Prior to certificate of occupancy of any building on lot 1 or 2, an east-west pedestrian path shall be developed connecting 25<sup>th</sup> Street NE and Park Avenue NE. The alignment of this connection will be determined through subsequent site plan review and subdivision applications. A public access easement shall be recorded for public use of this path, but such an

~~easement shall not require the property owner to permit access on the easement between sunset and sunrise.~~

**DENY Class 2 Adjustment to Setback Requirements of SRC Chapter 514.**

**VOTE:**

**Yes 9      No 0      Absent 0      Abstain 0**

  
\_\_\_\_\_  
Chane Griggs, President  
Salem Planning Commission

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

Subdivision	<u>May 7 10, 2021</u>
Class 2 Adjustment	<u>May 710, 2021</u>
Application Deemed Complete:	<u>February 5, 2019</u>
Public Hearing Date:	<u>March 19, 2019 and April 16, 2019</u>
Notice of Decision Mailing Date:	<u>April 19 24, 2019</u>
Decision Effective Date:	<u>May 7 10, 2019</u>
State Mandate Date:	<u>July 5, 2019</u>

Case Manager: Aaron Panko, [APanko@cityofsalem.net](mailto:APanko@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., Monday, May 6, 2019 Thursday, May 9, 2019.** Any person who presented evidence or testimony at the hearing may appeal the decision. 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) 64, 205, 250 and 265. 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>

## **FACTS & FINDINGS**

### **COMPREHENSIVE PLAN MAP AMENDMENT FROM “COMMUNITY SERVICES HOSPITAL” TO “SINGLE FAMILY RESIDENTIAL” AND “MULTIPLE FAMILY RESIDENTIAL”, ZONE CHANGE FROM PH (PUBLIC AND PRIVATE HEALTH SERVICES) TO RS (SINGLE FAMILY RESIDENTIAL) AND RM-II (MULTI-FAMILY RESIDENTIAL), TENTATIVE SUBDIVISION, AND CLASS 2 ADJUSTMENT CASE NO. CPC-ZC-SUB-ADJ19-02**

**APRIL 19, 2019**

**APRIL 24, 2019**

### **PROCEDURAL FINDINGS**

On January 18, 2019, an application was filed for a Comprehensive Plan Map Amendment, Zone Change, and Subdivision Tentative Plan by Mark D. Shipman, Saalfeld Griggs PC on behalf of the applicant Mountain West Investment Corporation, represented by Brian Moore.

After receiving additional information, the consolidated application was deemed complete for processing on February 5, 2019. The public hearing on the application was scheduled for March 19, 2019. On March 19, 2019, the Planning Commission opened the public hearing, but did not receive testimony. The hearing was continued to April 16, 2019.

On March 20, 2019, the applicant applied for a Class 2 Adjustment and the application was deemed complete on May 27, 2019.

Notice of April 16, 2019 continued public hearing was sent by mail to surrounding property owners pursuant to Salem Revised Code (SRC) requirements on March 27, 2019. Public hearing notice was posted on the property by the applicant pursuant to SRC requirements.

On April 16, 2019, the Planning Commission held a public hearing on the consolidated applications, received testimony, and voted to approve the Comprehensive Plan Change, Zone Change, Tentative Subdivision, and Class 2 Adjustment, with additional conditions and modifications to recommend conditions from the staff report.

Amendments to an acknowledged Comprehensive Plan are not subject to the 120-day rule (Oregon Revised Statutes [ORS] 227.128). The request for Zone Change, Tentative Subdivision, and Class 2 Adjustment included in this consolidated application are subject to the 120-day rule. The state-mandated 120-day deadline to issue a final local decision for the Zone Change and Subdivision Tentative Plan was extended by the applicant to July 5, 2019. The state-mandated 120-day deadline to issue a final local decision for the Class 2 Adjustment is July 25, 2019.

### **FINDINGS APPLYING THE APPLICABLE SALEM REVISED CODE CRITERIA FOR A COMPREHENSIVE PLAN MAP AMENDMENT**

Salem Revised Code (SRC) 64.025(e)(2) establishes the approval criteria for Comprehensive Plan Map amendments. In order to approve a quasi-judicial Plan Map amendment request, the decision-making authority shall make findings of fact based on evidence provided by the applicant that demonstrates satisfaction of all of the applicable criteria. The applicable criteria are shown below in **bold** print. Following each criterion is a finding relative to the amendment requested.

**SRC 64.025(e)(2)(A): The Minor Plan Map Amendment is justified based on the existence of one of the following:**

- (i) ***Alteration in Circumstances.* Social, economic, or demographic patterns of the nearby vicinity have so altered that the current designations are no longer appropriate.**
- (ii) ***Equally or Better Suited Designation.* A demonstration that the proposed designation is equally or better suited for the property than the existing designation.**
- (iii) ***Conflict Between Comprehensive Plan Map Designation and Zone Designation.* A Minor Plan Map Amendment may be granted where there is conflict between the Comprehensive Plan Map designation and the zoning of the property, and the zoning designation is a more appropriate designation for the property than the Comprehensive Plan Map designation. In determining whether the zoning designation is the more appropriate designation, the following factors shall be considered:**
  - (aa) **Whether there was a mistake in the application of a land use designation to the property;**
  - (bb) **Whether the physical characteristics of the property are better suited to the uses in the zone as opposed to the uses permitted by the Comprehensive Plan Map designation;**
  - (cc) **Whether the property has been developed for uses that are incompatible with the Comprehensive Plan Map designation; and**
  - (dd) **Whether the Comprehensive Plan Map designation is compatible with the surrounding Comprehensive Plan Map designations.**

**Finding:** The applicant's findings address (ii) above, demonstrating that the proposed Single Family Residential and Multiple Family Residential designations are equally or better suited for the subject property than the current Community Services – Health designation.

The property was formally the North Campus of the Oregon State Psychiatric Hospital. The applicant states that in 2012, the hospital vacated the subject property and consolidated all their operations to a newly building facility across Center Street NE to

the south. In 2017, all former hospital buildings on the east side of 25<sup>th</sup> Street NE were demolished to prepare the property for future redevelopment. The State of Oregon currently owns the subject property and does not intend to develop or use the portion of the property subject to this comprehensive plan map amendment for future hospital or community service use.

The subject property is located within an existing residential neighborhood, with nearby shopping areas, transit service, parks and employment opportunities, which makes the property well suited for future residential use. The proposed designation will increase the City's supply of residential land, and contribute to meet the City's future housing needs. The proposed residential designations are equally or better suited than the existing community services – health designation.

**SRC 64.025(e)(2)(B): The property is currently served, or is capable of being served, with public facilities and services necessary to support the uses allowed by the proposed plan map designation;**

**Finding:** Water infrastructure is available along the perimeter of the site and appears to be adequate to serve the property as shown on the applicant's preliminary utility plan. Linking sewer and stormwater improvements are required as specified in SUB-UGA17-05. Site-specific infrastructure requirements are addressed in the Subdivision findings of this report.

The subject property is served by Englewood Park to the northwest, Hoover Park to the northeast, and Geer Park to the south. A new park is being proposed on Lot 4 of SUB-UGA17-05. The subject property is capable of being served with necessary public facilities.

**SRC 64.025(e)(2)(C): The proposed plan map designation provides for the logical urbanization of land;**

**Finding:** The subject property is located within the Urban Growth Boundary (UGB), in an area that is surrounded by existing residential neighborhoods and services. Public facilities required to serve future development of the property are in close proximity. The proposed comprehensive plan map amendment will allow the logical and efficient use of vacant land and contribute to the housing needs of the community.

**SRC 64.025(e)(2)(D): The proposed land use designation is consistent with the Salem Area Comprehensive Plan and applicable Statewide planning goals and administrative rules adopted by the Department of Land Conservation and Development; and**

**Finding:** The applicable Goals and Policies of the Comprehensive Plan are addressed as follows:

*The applicable Goals and Policies of the Comprehensive Plan are addressed as follows:*

Salem Urban Area Goals and Policies, General Development (Pages 23-26, Salem Comprehensive Policies Plan):

*To ensure that future decisions concerning the use of land within the Salem urban area are consistent with State Land Use Goals.*

*Optimal Use of the Land B.7*

*Structure and their siting in all residential, commercial, and industrial developments shall optimize the use of land. The cumulative effect of all new residential development in the Salem urban area should average 6.5 dwelling units per gross acre of residential development. Development should minimize adverse alteration of the natural terrain and watercourses, the potential for erosion and adverse effects upon the existing topography and soil conditions.*

**Finding:** The RS (Single Family Residential) and RM-II (Multi-Family Residential) split zone proposal will allow a variety of housing types in a manner that will accommodate the density requirements of the Salem Area Comprehensive Plan, and the allowable densities in the multi-family residential zone.

*Development Compatibility B.12*

*Land use regulations which govern the siting of any development shall encourage development to reduce its impact on adjacent properties by screening, landscaping, setback, height, and mass regulations.*

**Finding:** The Northeast Salem Community Association (NESCA) has commented on the applicant's proposal and indicated that the importance of maintaining the residential scale of the neighborhood along both D Street and Park Avenue. NESCA has requested that development along the entire length of Park Avenue be limited to single family zoning and use, and the applicant's development plans have been revised to provide single family zoning along the entire length of Park Avenue, leaving the interior of the development site zoned available for future multi-family development.

The applicant is requesting a Class 2 Adjustment to eliminate the required setback between the proposed multi-family residential and single family residential uses. The purpose of the required setbacks is to reduce the impact of incompatible uses through the use of screening, landscaping, and setbacks. The applicant's adjustment findings did not indicate how the removal of required setbacks is consistent with the goals and policies of the Salem Area Comprehensive Plan.

Salem Urban Area Goals and Policies, Residential Goal (Page 30-33, Salem Comprehensive Policies Plan):

*To promote a variety of housing opportunities for all income levels and an adequate supply of developable land to support such housing.*

*Infill Development E.3*

*City codes and ordinances shall encourage the development of passed-over or underutilized land to promote the efficient use of residential land and encourage the stability of neighborhoods.*

**Finding:** The property was formally the North Campus of the Oregon State Psychiatric Hospital. In 2012, the hospital vacated the subject property and consolidated all operations to a newly building facility across Center Street NE to the south. In 2017, all former hospital buildings on the east side of 25<sup>th</sup> Street NE were demolished to prepare the property for future redevelopment. The proposal will allow for future infill development of vacant underutilized land, consistent with this goal

#### *Circulation System and Through Traffic E.7*

*Residential neighborhoods shall be served by a transportation system that provides access for pedestrian, bicycle, and vehicles while recognizing the neighborhoods physical constrains and transportation service needs:*

- a. The transportation system shall promote all modes of transportation and dispersal rather than concentration of through traffic;*
- b. Through traffic shall be addressed by siting street improvements and road networks that serve new development so that short trips can be made without driving;*
- c. The transportation system shall provide for a network of streets fitted to the terrain with due consideration for safety, drainage, views, and vegetation.*

**Finding:** The subject property is adjacent to existing boundary streets including D Street, Park Avenue and Center Street. The street connectivity standards in SRC Chapter 803 warrant additional north-south and east-west connections through the subject property to promote all modes of transportation and dispersal, consistent with this provision. As proposed and conditioned, future multi-modal pathways, streets, and driveways through the subject property will provide for pedestrian, bicycle and vehicle access to surrounding boundary streets. Salem Keizer Transit provides a bus route along Center Street via Route 5 with stops at Center Street and 24<sup>th</sup> Avenue and at Center Street and 27<sup>th</sup> Avenue.

#### *Protection of Residential Areas E.8*

*Residential areas shall be protected from more intensive land use activity in abutting zones.*

**Finding:** The applicant's original development proposal called for lower density RM-I zoning designation to be placed along Park Avenue NE, however to address the compatibility concerns raised by NESCA the applicant has revised the request to propose single family residential zoning abutting D Street NE and Park Avenue NE. The dwellings would be oriented towards D Street and Park Avenue, respectively, and would be accessed by either a street or an alley running behind the row of houses. The land behind this area would be designated multi-family (RM-II). This tiered approach to the zoning addresses compatibility concerns raised between existing residential development and new proposed development.

The applicant is requesting a Class 2 Adjustment to eliminate the required setback between the proposed multi-family residential and single family residential uses. The applicant's adjustment findings did not indicate how the removal of required setbacks is

consistent with the goals and policies of the Salem Area Comprehensive Plan which encourage and promote the protection of residential areas from more intensive land use activities in abutting zones, such as a multi-family apartment complex.

*The applicable Statewide Planning Goals are addressed as follows:*

**Statewide Planning Goal 1 – Citizen Involvement:** *To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

**Finding:** Notice of the proposal was provided to Northeast Neighbors (NEN), North East Salem Community Association (NESCA), to surrounding property owners within the notice area, and posted on the property prior to the hearing. The Planning Commission will hold a public hearing to consider the request. Through the notice and public hearing process all interested parties are afforded the opportunity to review the application, comment on the proposal, and participate in the decision. These procedures meet the requirements of this Goal for citizen involvement in the land use planning process.

**Statewide Planning Goal 2 – Land Use Planning:** *To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

**Finding:** The City has complied with the Goal requirements for establishing and maintaining a land use planning process. The Oregon Land Conservation and Development Commission have acknowledged the Salem Area Comprehensive Plan to be in compliance with the Statewide Planning Goals.

**Statewide Planning Goal 3 – Agriculture Lands; Goal 4 – Forest Lands**

**Finding:** The subject property is not identified as agricultural land or forest land, these Statewide Planning Goals are not applicable to this application.

**Statewide Planning Goal 5 – Open Spaces, Scenic and Historic Areas, and Natural Resources:** *To protect natural resources and conserve scenic and historic areas and open spaces.*

**Finding:** The subject property is currently located within the Oregon State Hospital Historic District.

The Oregon State Historic Preservation Office (SHPO) has received a request to modify the existing boundary of the Oregon State Hospital National Register Historic District. While the State Advisory Committee on Historic Preservation has yet to review the proposed boundary modification and the ultimate decision to approve this boundary modification rests with the Keeper of the National Register, the City's Historic Preservation Officer believes that this boundary adjustment is justified as there are no longer any extant above ground resources within the area proposed for exclusion. Further, the Oregon SHPO negotiated a Memorandum of Understanding (MOU) with the Oregon Department of Administrative Services acknowledging the adverse effect to the Goal 5 resources that were previously demolished within the boundary proposed for

exclusion and agreeing to mitigation for this adverse effect. Therefore, the City's Historic Preservation Officer concurs that there will be no adverse effect to any known above ground Goal 5 resources as a result of any proposed change of use and subsequent redevelopment within the area located north of Center proposed for exclusion from the existing Oregon State Hospital National Register Historic District as no above ground Goal 5 resources are extant within this area.

Goal 5 Resources also include archaeological resources. As a result of the archaeological work that was completed as part of the amended MOU the tax lots comprising the North Campus site that is subject to the CPC/ZC has been designated as an archaeological site as defined under ORS 358.905-ORS 358.961 and subject to protection under SRC 230.100. The applicant has not adequately demonstrated that there will be no adverse effect to the remaining historic and pre-contact archaeological resources that remain due to the proposed change of use, especially in the northern areas, which has to date remained undeveloped. In order to better ensure that the proposed change of use and redevelopment complies with Goal 5 as well as other applicable federal, state and local laws related to archaeology, the City's Historic Preservation Officer recommends the following conditions of approval be placed on the zone change per SRC 265.005(e)(1)(D).

**Condition 1:** The applicant shall provide a copy of the Historic Clearance Review approval letter from the Oregon State Historic Preservation Office authorizing the proposed ground disturbing activity on this site prior to issuance of grading and building permits for new construction.

The site is currently within the boundary of the Oregon State Hospital Historic District. Development applications may be submitted to the City for approval prior to the adjustment of the historic district boundary. Development proposals submitted prior to the adjustment of the historic district must satisfy all applicable historic design review requirements of SRC Chapter 230.

**Condition 2:** Development applications submitted prior to adjustment of the historic district boundary shall be subject to Historic Design Review before the Historic Landmarks Commission to ensure development proposals are compatible with the remaining buildings in the Historic District.

**Statewide Planning Goal 6– Air, Water, and Land Resources Quality:** *To maintain and improve the quality of the air, water and land resources of the state.*

**Finding:** Land located within the Urban Growth Boundary is considered urbanizable and is intended to be developed to meet the needs of the City, and the effects of urban development on air, water and land resources are anticipated. There are no significant natural resources located on the subject property. Future development of the property is subject to tree preservation, stormwater and waste water requirements of the UDC which are intended to minimize the impact of development on natural resources. The proposal is consistent with Goal 7.

**Statewide Planning Goal 7 – Areas Subject to Natural Hazards:** *To protect people and property from natural hazards.*

**Finding:** There are no known natural hazards identified on the subject property. The subject property is not located within a floodplain or floodway. Mapped landslide hazards are not identified on subject property. The proposal is consistent with Goal 7.

**Statewide Planning Goal 8 – Recreational Needs:** *To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.*

**Finding:** The subject property is not within an identified open space, natural or recreation area, and no destination resort is planned for this property, therefore, Goal 8 is not applicable to this proposal.

**Statewide Planning Goal 9 – Economic Development:** *To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon’s citizens.*

**Finding:** In 2014, the City conducted a study called the Salem Economic Opportunities Analysis (EOA). The EOA examined Salem’s needs for industrial and commercial land through 2035, and concluded that Salem has a projected commercial land shortage of 271 acres and a surplus of approximately 907 acres of industrial land. The EOA provides strategies to meet the projected employment land needs in the Salem area. In 2015, the City Council voted to adopt the EOA; the City now uses the EOA and its findings to inform policy decision, including how to respond to request for rezoning land. The proposed change to from “Community Services – Health”, to “Single Family Residential” and “Multiple Family Residential” will not have an impact on the supply on the available commercial and industrial land to meet the city’s employment and economic development needs. The proposal is consistent with Goal 9.

**Statewide Planning Goal 10 – Housing:** *To provide for the housing needs of citizens of the state.*

**Finding:** In 2014, the City conducted a Housing Needs Analysis (HNA) to develop strategies for the community to meet housing needs through 2035 and to inform policy decision related to residential land. The HNA concluded that Salem has a projected 1,975-acre surplus of land for single-family detached housing, and that there is a deficit of approximately 207 acres of available multi-family zoned land.

The proposed comprehensive plan map amendment would convert a portion of the land to “Single Family Residential” and “Multiple Family Residential” designations, which would allow for mixed density residential development.

The current Community Services – Health designation does not allow residential uses. The proposal will contribute approximately 17.61 acres of additional land to the City’s supply of residential lands, which will help provide diverse housing options to meet the future needs of the City. The proposal is in compliance with Goal 10.

**Statewide Planning Goal 11 – Public Facilities and Services:** *To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

**Finding:** The southern portion of the subject property was annexed into the City of Salem in 1910, with the remaining northern portion of the property annexed into the City in 1946. The subject property is located outside the Urban Service Areas (USA). In 2017, an Urban Growth Area Preliminary Declaration was approved for the subject property (SUB-UGA17-05), which identified that adequate public services are available in nearby proximity to serve the subject property. The request allows for the efficient use and development of property requiring minimal extension of new public services.

**Statewide Planning Goal 12 – Transportation:** *To provide and encourage a safe, convenient and economic transportation system.*

**Finding:** Goal 12 is implemented by the Transportation Planning Rule (TPR). In summary, the TPR requires local governments to adopt Transportation System Plans (TSPs) and requires local governments to consider transportation impacts resulting from land use decisions and development. The key provision of the TPR related to local land use decisions is Oregon Administrative Rule (OAR) 660-012-0060. This provision is triggered by amendments to comprehensive plans and land use regulations that “significantly affect” a surrounding transportation facility (road, intersection, etc.). Where there is a “significant effect” on a facility, the local government must ensure that any new allowed land uses are consistent with the capacity of the facility. In the context of a site-specific comprehensive plan change request, such as this proposal, a “significant effect” is defined under Oregon Administrative Rule (OAR) 660-012-0060(1) as either an amendment that “allows types or levels of land uses which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility,” or an amendment that would “reduce the performance standards of an existing or planned facility below the minimum acceptable level identified in the TSP.”

The applicant for a comprehensive plan change is required to submit a Transportation Planning Rule (TPR) analysis to demonstrate that their request will not have a “significant effect” on the surrounding transportation system, as defined above.

The Assistant City Traffic Engineer has reviewed the applicant’s TPR analysis and concurs with the findings. The February 26, 2019 TPR analysis submitted indicates this portion of the site would generate an estimated 2,920 daily trips under the PH zoning. The proposed zoning (6.61 acres of RS and 11.0 acres of RM-2) would likely generate less than the daily trips allotted in the PH zone designation. Based on the reasonable worst-case trip generation evaluation, the proposed zone change would not result in a significant effect to the transportation system. The modification to the proposal to include only RS and RM-2 zoning does not change the recommendation that the proposed CPC/ZC has no significant effect because the modified application also reduces the daily trip potential from the reasonable worst case scenario of the existing zoning.

**Statewide Planning Goal 13 – Energy Conservation:** *To conserve energy.*

**Finding:** The applicant indicates that the proposed redevelopment plan will repurpose vacant land and that the resulting uses will be built to comply with current energy efficient standards resulting in a more energy efficient use of the property, consistent with Goal 13.

**Statewide Planning Goal 14 – Urbanization:** *To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.*

**Finding:** The subject property is located within the Urban Growth Boundary (UGB), and public facilities required to serve future development of the property are in close proximity. The proposed comprehensive plan map amendment will allow the efficient use of vacant land within the UGB, and contribute to the housing needs of the community in compliance with Goal 14.

**Statewide Planning Goal 15 – Willamette Greenway; Goal 16 – Estuarine Resources; Goal 17 – Coastal Shorelands; Goal 18 – Beaches and Dunes; and Goal 19 – Ocean Resources**

**Finding:** The subject property is not located within the Willamette River Greenway or in an estuary or coastal area, these Statewide Planning Goals are not applicable to this application.

**SRC 64.025(e)(2)(E): The amendment is in the public interest and would be of general benefit.**

**Finding:** The proposed comprehensive plan map amendment will benefit the community by allowing underutilized land surrounded by existing residential neighborhoods and community services, to be developed in a way that will help the City meet future housing needs. The proposal satisfies this criterion.

**SRC 64.025(e)(2)(E): The amendment is in the public interest and would be of general benefit.**

**Finding:** The proposed comprehensive plan map amendment will benefit the community by allowing underutilized land surrounded by existing residential neighborhoods and community services, to be developed in a way that will help the City meet future housing needs. The proposal satisfies this criterion.

## **NEIGHBORHOOD PLAN FINDINGS**

The subject property is not located within the boundary of a Salem neighborhood association, however, the property is adjacent to Northeast Neighbors (NEN) and the Northeast Salem Community Association (NESCA). NEN and the Southeast Salem Neighborhood Association (SESNA) share an approved neighborhood plan, the NEN-SESNA Neighborhood Plan, which was adopted in 2015. NESCA and the Lansing Neighborhood Association also share an approved neighborhood plan, the NESCA-Lansing Neighborhood Plan, which was adopted in 2017.

Both neighborhood plans have adopted goals relating to the redevelopment of the North Campus of the State Hospital. Because the subject property is not located within the boundaries of a Salem neighborhood association, a change to the neighborhood plan maps is not required for this application. However, the applicant has provided findings addressing neighborhood plan goals and policies for the North Campus of the Oregon

State Hospital. Due to the duplication of the policies and actions from each neighborhood plan, the applicant has provided findings addressing the applicable goals from the NESCA-Lansing Neighborhood Plan, which is included in Attachment B.

Comments were received from NESCA in support of the applicant's revised development plans.

## **FINDINGS APPLYING TO THE APPLICABLE SALEM REVISED CODE CRITERIA FOR THE ZONING MAP AMENDMENT**

The following analysis addresses the proposed zone change for the subject property PH (Public and Private Health Services) to RS (Single Family Residential) and RM-II (Multi-Family Residential).

SRC Chapter 265.005 provides the criteria for approval for Quasi-Judicial Zone Changes. In order to approve a quasi-judicial Zone Map amendment request, the review authority shall make findings based on evidence provided by the applicant demonstrating that all the following criteria and factors are satisfied. The extent of the consideration given to the various factors set forth below will depend on the degree of impact of the proposed change, and the greater the impact of a proposal on the area, the greater is the burden on the applicant to demonstrate that, in weighing all the factors, the zone change is appropriate.

The applicable criteria and factors are stated below in **bold** print. Following each criterion is a response and/or finding relative to the amendment requested.

**SRC 265.005(e)(1)(A). The zone change is justified based on one or more of the following:**

- (i) A mistake in the application of a land use designation to the property**
- (ii) A demonstration that there has been a change in the economic, demographic, or physical character of the vicinity such that the zone would be compatible with the vicinity's development pattern.**
- (iii) A demonstration that the proposed zone change is equally or better suited for the property than the existing zone. A proposed zone is equally or better suited than an existing zone if the physical characteristics of the property are appropriate for the proposed zone and the uses allowed by the proposed zone are logical with the surrounding land uses.**

**Finding:** The applicant's findings address (iii) above, demonstrating that the proposed RS (Single Family Residential) and RM-II (Multi-Family Residential) designations are equally or better suited for the subject property than the current PH (Public and Private Health Services) designation.

The property was formally the North Campus of the Oregon State Psychiatric Hospital. The applicant states that in 2012, the hospital vacated the subject property and consolidated all their operations to a newly building facility across Center Street NE to

the south. In 2017, all former hospital buildings on the east side of 25<sup>th</sup> Street NE were demolished to prepare the property for future redevelopment. The State of Oregon currently owns the subject property and does not intend to develop or use the portion of the property subject to this zone change request for future hospital or community service use.

The subject property is located within an existing residential neighborhood, with nearby shopping areas, transit service, parks and employment opportunities, which makes the property well suited for future residential use. The proposed designation will increase the City's supply of residential land, and contribute to meet the City's future housing needs. The proposed RS and RM-II designations are equally or better suited than the existing PH designation.

The Planning Commission adopts the following conditions of approval as recommended by the applicant in support of the zone change request.

**Condition 3:** That there shall be no more than 250 multi-family units permitted on Lot 2.

**Condition 4:** The alignment of the RM-II zoning will be adjusted to include the proposed alley as shown on the conceptual plan.

**(B) If the zone change is City-initiated, and the change is for other than City-owned property, the zone change is in the public interest and would be of general benefit.**

**Finding:** The proposal is not a City-initiated zone change. Therefore, this criterion does not apply.

**(C) The zone change conforms with the applicable provisions of the Salem Area Comprehensive Plan.**

**Finding:** Findings addressing the Comprehensive Plan Change criterion SRC 64.025(e)(2)(D), included earlier in this report, address the applicable provisions of the Salem Area Comprehensive Plan for this collective application. In addition, the Planning Commission finds that a condition of approval is warranted addressing the issue of compatibility as follows.

*Development Compatibility B.12*

*Land use regulations which govern the siting of any development shall encourage development to reduce its impact on adjacent properties by screening, landscaping, setback, height, and mass regulations.*

**Finding:** The Northeast Salem Community Association (NESCA) has commented on the applicant's proposal and indicated that the importance of maintaining the residential scale of the neighborhood along both D Street and Park Avenue. NESCA has requested that development along the entire length of Park Avenue be limited to single family zoning and use, and the applicant's development plans have been revised to provide

single family zoning along the entire length of Park Avenue, leaving the interior of the development site zoned available for future multi-family development.

The applicant is requesting a Class 2 Adjustment to eliminate the required setback between the proposed multi-family residential and single family residential uses. The purpose of the required setbacks is to reduce the impact of incompatible uses through the use of screening, landscaping, and setbacks. The applicant's adjustment findings did not indicate how the removal of required setbacks is consistent with the goals and policies of the Salem Area Comprehensive Plan.

In addition, NESCA has raised concerns about the direction the homes along D Street and Park Avenue will face. The applicant indicates that the homes will face outward towards D Street and Park Avenue, but will have internal driveway access. Staff is recommending a condition of approval restricting driveway access for single family dwellings along D Street and Park Avenue, requiring driveway access via an internal street, accessway, or alley.

The Planning Commission adopts additional language be added to Condition 3 to clarify that the rear lot lines for lots with frontage along D Street or Park Avenue, shall not be designated as the line that abuts D Street or Park Avenue NE.

**Condition 35:** Single family dwellings with frontage along D Street NE and Park Avenue NE shall not have driveway access to D Street NE or Park Avenue NE. Driveway access shall be provided by an internal street, accessway, or alley. Rear lot lines shall not abut D Street NE or Park Avenue NE.

The recommended condition of approval ensure future development of the property is compatible with the surrounding neighborhood.

**(D) The zone change complies with applicable Statewide Planning Goals and applicable administrative rules adopted by the Department of Land Conservation and Development.**

**Finding:** Findings addressing the Comprehensive Plan Change criterion SRC 64.025(e)(2)(D), included earlier in this report, address applicable Statewide Planning Goals and Oregon Administrative Rules for this collective application. The proposal satisfies this criterion.

**(E) If the zone change requires a comprehensive plan change from an industrial use designation to a non-industrial use designation, or from a commercial or employment designation to any other use designation, a demonstration that the proposed rezone is consistent with its most recent economic opportunities analysis and the parts of the Comprehensive Plan which address the provision of land for economic development and employment growth; or be accompanied by an amendment to the Comprehensive Plan to address the proposed rezone; or include both the demonstration and an amendment to the Comprehensive Plan.**

**Finding:** The property currently has a Community Services - Health comprehensive plan map designation, the request would change the map designation to Single Family Residential and Multi-Family Residential, which are not industrial designations. Because the zone change requires a comprehensive plan change from a non-industrial designation to another non-industrial designation, this criterion is not applicable.

**(F) The zone change does not significantly affect a transportation facility, or, if the zone change would significantly affect a transportation facility, the significant effects can be adequately addressed through the measures associated with, or conditions imposed on, the zone change.**

**Finding:** The applicant provided a Transportation Planning Rule (TPR) analysis recommending that the proposed CPC/ZC would not contribute to a significant effect on the transportation system and would be consistent with the TPR requirements. The Assistant City Traffic Engineer concurs with the applicant's TPR analysis based on the findings below.

The requirements of Oregon Administrative Rule (OAR) 660-012-0060, the Transportation Planning Rule (TPR), must be met for proposed changes in land use zoning. The intent of the TPR (OAR 660-12-0060) is to ensure that future land use and traffic growth is consistent with transportation system planning and does not create a significant effect on the surrounding transportation system beyond currently allowed uses. The February 26, 2019 TPR analysis submitted indicates this portion of the site would generate an estimated 2,920 daily trips under the PH zoning. The proposed zoning (6.61 acres of RS and 11.0 acres of RM-II) would likely generate less than the daily trips allotted in the PH zone designation. Based on the reasonable worst-case trip generation evaluation, the proposed zone change would not result in a significant effect to the transportation system. The modification to the proposal to include only RS and RM-2 zoning does not change the recommendation that the proposed CPC/ZC has no significant effect because the modified application also reduces the daily trip potential from the reasonable worst case scenario of the existing zoning.

**(G) The property is currently served, or is capable of being served, with public facilities and services necessary to support the uses allowed in the proposed zone.**

**Finding:** Water infrastructure is available along the perimeter of the site and appears to be adequate to serve the property as shown on the applicant's preliminary utility plan. Linking sewer and stormwater improvements are required as specified in SUB-UGA17-05. Site-specific infrastructure requirements for future development of the property are addressed in the Subdivision findings.

## **FINDINGS APPLYING TO THE APPLICABLE SALEM REVISED CODE CRITERIA FOR A SUBDIVISION TENTATIVE PLAN**

SRC 205.010(d) sets forth the criteria that must be met before approval can be granted to a subdivision tentative plan.

**A. SRC 205.010(d)(1): The tentative subdivision plan complies with the standards of this chapter and with all applicable provisions of the UDC,**

**including, but not limited to the following:**

**(A) Lot standards, including, but not limited to, standards for lot area, lot width and depth, lot frontage, and designation of front and rear lot lines;**

**Finding:** The Salem Revised Code (SRC), which includes the Unified Development Code (UDC), implements the Salem Area Comprehensive Plan land use goals, and governs development of property within the city limits. The subdivision process reviews development for compliance with City standards and requirements contained in the UDC, the Salem Transportation System Plan (TSP), and the Water, Sewer, and Storm Drain System Master Plans. A second review occurs for the created lots at the time of site plan review/building permit review to assure compliance with the UDC.

The applicant shall provide the required field survey and subdivision plat per Statute and Code requirements outlined in the *Oregon Revised Statutes* (ORS) and SRC. If said documents do not comply with the requirements outlined in ORS and SRC, and as per SRC Chapter 205, the approval of the subdivision plat by the City Surveyor may be delayed or denied. It is recommended the applicant request a pre-plat review meeting between the City Surveyor and the applicant's project surveyor to ensure compliance with ORS 672.005(2)(g)&(h), 672.007(2)(b), 672.045(2), 672.060(4), *Oregon Administrative Rules* 850-020-0015(4)&(10), 820-020-0020(2), and 820-020-0045(5).

The applicant is requesting to a further subdivision for a portion of property that has only received tentative subdivision approval at this time. Prior to the recording of a final plat for the proposed subdivision, the final subdivision plat, approved by SUB-UGA17-05 for the North Campus of the Oregon State Hospital shall be recorded.

**Condition 46:** Prior to the recording of a final plat for the proposed subdivision, the final subdivision plat, approved by SUB-UGA17-05, shall be recorded.

The proposed subdivision tentative plan meets all applicable provisions of the UDC as detailed below.

**Lot Standards:** The proposal will further subdivide proposed Lot 5, as approved by SUB-UGA17-05, into four additional lots. Lot 1 would encompass the area designated for future single-family residential development and would be zoned RS (Single Family Residential). Lot 2 would encompass the area designated for multi-family residential development and would be zoned RM-II (Multi-Family Residential) and is subject to the development standards of SRC Chapter 514.

Lot 3 is approximately 5.48 acres and Lot 4 is approximately 2.5 acres in size, a zone change is not requested for these proposed lots, the property will remain zoned PH (Public and Private Health Services) and is subject to the development standards of SRC Chapter 543.

The RS Zone establishes the following minimum lot area and dimension requirements:

<b>RS Zone – SRC Chapter 511</b>		
<b>Standard</b>		<b>Proposed Lot 1</b>
<b>Lot Area</b>		
Single Family Uses	Min. 4,000 sf	6.61 acres
<b>Lot Width</b>		
All uses	Min. 40 ft.	135 ft.
<b>Lot Depth</b>		
Single Family Uses	Min. 70 ft.	890 ft.
	Max. 300% of average lot width	660 percent (Exceeds)
<b>Street Frontage or Alley Frontage</b>		
Single Family	Min. 40 ft.	890 ft (D Street NE), 860 ft (Park Avenue NE), 348 ft (25 <sup>th</sup> Street NE)

The applicant has requested a Class 2 Adjustment to increase the maximum lot depth for proposed Lot 1.

The RM-II Zone establishes the following minimum lot area and dimension requirements:

<b>RM-II Zone – SRC Chapter 514</b>		
<b>Standard</b>		<b>Proposed Lot 2</b>
<b>Lot Area</b>		
All uses	20,000 SF	11.0 acres
<b>Lot Width</b>		
All uses	Min. 40 ft.	730 ft.
<b>Lot Depth</b>		
All uses	Min. 80 ft.	750 ft.
	Max. 300% of average lot width	103 percent
<b>Street Frontage or Alley Frontage</b>		
All uses	Min. 40 ft.	518 ft. (25 <sup>th</sup> Street NE)

The lot standard findings above address the revised tentative subdivision plan that was provided by the applicant, however, with the recommended conditions of approval requiring an east-west street connection for the subject property, the

lot boundaries will likely need to be adjusted. The final subdivision plat shall demonstrate conformance with all applicable lot standards.

**Condition 57:** At the time of final plat review, the applicant shall demonstrate that all proposed lots comply with applicable lot standards of the RS and RM-II zones.

The PH Zone establishes the following minimum lot area and dimension requirements:

<b>PH Zone – SRC Chapter 543</b>			
<b>Standard</b>		<b>Proposed Lot 3</b>	<b>Proposed Lot 4</b>
<b>Lot Area</b>			
All uses	10,000 SF	5.48 acres	2.5 acres
<b>Lot Width</b>			
All uses	Min. 50 ft.	390 ft.	278 ft.
<b>Lot Depth</b>			
All uses	Min. 80 ft.	612 ft.	400 ft.
<b>Street Frontage or Alley Frontage</b>			
All uses	Min. 40 ft.	610 ft. (Center Street NE), 380 ft (25 <sup>th</sup> Street NE)	260 ft. (Center Street NE), 405 ft. (Park Avenue NE)

As shown on the tentative subdivision plan and demonstrated above, the proposed lots within the PH zone of the subdivision comply minimum lot area, dimensions, and street frontage requirements.

**(B) City Infrastructure Standards.**

**Finding:** The Public Works Department reviewed the proposal for compliance with the City’s public facility plans pertaining to provision of water, sewer, and storm drainage facilities. While SRC Chapter 205 does not require submission of utility construction plans prior to tentative subdivision plan approval, it is the responsibility of the applicant to design and construct adequate City water, sewer, and storm drainage facilities to serve the proposed development prior to final plat approval without impeding service to the surrounding area.

Water infrastructure is available along the perimeter of the site and appears to be adequate to serve the property as shown on the applicant’s preliminary utility plan. Linking sewer and stormwater improvements are required as specified in SUB-UGA17-05.

All public and private City infrastructure proposed to be located in the public right-of-way shall be constructed or secured per SRC 205.035(c)(6)(B) prior to final plat approval. Any easements needed to serve the proposed lots with City infrastructure shall be shown on the final plat.

SRC Chapter 71 (Stormwater): The proposed subdivision is subject to SRC Chapter 71 and the revised PWDS as adopted in Administrative Rule 109, Division 004. To demonstrate the proposed lots can meet the PWDS, the applicant shall provide an engineered tentative stormwater design to accommodate future impervious surface on each of the proposed lots.

SRC Chapter 200 (Urban Growth Management): The Urban Growth Management Program, detailed in SRC Chapter 200, requires that an Urban Growth Area (UGA) Development Permit must be obtained prior to subdivision of property outside of the Salem Urban Service Area. The subject property is located outside the Urban Service Area. An Urban Growth Preliminary Declaration has been previously approved for the subject property (SUB-UGA17-05), development of the property is subject to the development requirements and conditions of approval specified in SUB-UGA17-05.

SRC Chapter 803 (Streets and Right-of-Way Improvements):

*SRC 803.015 (Traffic Impact Analysis)*: Based on the traffic impacts of the future development concept envisioned on the lots created by this subdivision, a traffic impact analysis (TIA) is required with this application. The applicant has submitted a TIA for the North Campus site. The TIA proposes mitigation for traffic impacts in the form of various improvements to intersections and streets surrounding the North Campus and in the larger vicinity. These mitigation items are listed within the findings addressing SRC 205.010(d)(7), below. The proposed mitigation measures are incorporated into the conditions of this decision and will be required at time of development of the site.

*SRC 803.020 (Public and Private Streets)*: As conditioned, a minimum of one new public street connection is required to be provided through the subject property providing an east-west connection between 25<sup>th</sup> Street NE and Park Avenue NE. Each of the proposed lots will have direct access and frontage on existing or proposed public streets.

*SRC 803.025 (Right-of-way and Pavement Widths)*: All proposed streets shall comply with the right-of-way and pavement width standards of SRC 803.025.

*SRC 803.030 (Street Spacing)*: Pursuant to SRC 803.030(a), streets shall have a maximum spacing of 600 feet from right-of-way line to right-of-way line. SUB-UGA17-05 provides for an east-west transportation connection across the property; however, a north-south connection is also warranted because the width of the subject property exceeds 600 feet. The applicant shall be required to provide a street connection or multi-modal access from Center Street NE to D Street NE. This connection shall be constructed in entirety as a condition of Site Plan Review or subdivision approval for development of proposed lot 1 or lot 2, whichever occurs first.

*SRC 803.035 (Street Standards)*: All public and private streets shall be improved as required per SRC 803.035. The applicant has requested a Class 2 Adjustment to eliminate the street connectivity standards of SRC 803.035(a), which requires connections to existing or planned streets and adjoining undeveloped properties

for eventual connection with the existing street system at intervals no greater than 600-feet. ~~Staff is recommending a minimum of one east-west public street be required for the proposed development. The public street shall conform to all applicable standards of SRC Chapter 803.035.~~

The Planning Commission finds that the proposed pedestrian and bicycle pathways provided in the conceptual plan provide adequate connectivity, and grants the adjustment to remove street connectivity requirements of SRC Chapter 803.

*SRC 803.040 (Boundary Streets):* Boundary street right-of-way dedication and improvements are required as a condition of the previously approved subdivision and urban growth area development permit.

**(C) Any special development standards, including, but not limited to, floodplain development, special setbacks, geological or geotechnical analysis, and vision clearance.**

**Finding:** The following additional provisions of the Salem Revised Code contain significant development requirements that apply to the subdivision proposal. Findings demonstrating conformance with these standards are included below.

SRC Chapter 230 (Historic Preservation): The site is currently within the boundary of the Oregon State Hospital Historic District. Development applications may be submitted to the City for approval prior to the adjustment of the historic district boundary. Development proposals submitted prior to the adjustment of the historic district must satisfy all applicable historic design review requirements of SRC Chapter 230.

SRC Chapter 806 (Off-Street Parking): Off-street parking is required for land uses, based on the requirements of SRC 806.015. Compliance with off-street parking requirements is verified at time of site plan review and building permit for any future development proposals on the subject property.

SRC Chapter 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), 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.

Trees proposed for removal prior to the removal of the National Register Historic District must go through Historic Design Review approval, pursuant to SRC Chapter 230.

A tree conservation plan will be required for a future single family residential subdivision, if the proposal requires the removal of trees. The proposed development plans do not indicate that any significant trees will be removed.

SRC Chapter 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 wetlands 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. SRC Chapter 809 establishes requirements for notification of DSL when an application for development is received in an area designated as a wetland on the official wetlands map.

The Salem-Keizer Local Wetland Inventory (LWI) does not identify any wetlands or waterways on the subject property.

SRC Chapter 810 (Landslide Hazards): According to the application materials and SRC Chapter 810 (Landslide Hazards), the proposed development is a low landslide hazard risk, a geological assessment is not required.

**B. SRC 205.010(d)(2): The tentative subdivision plan does not impede the future use or development of the property or adjacent land.**

**Finding:** The subject property is currently 47.37 acres in size. Tentative subdivision plan approval has been granted (SUB-UGA17-05) to divide the 47.34 acre property into five lots. The proposed subdivision will further divide proposed Lot 5 of SUB-UGA17-05 into four lots, ranging in size from 2.5 acres to 11.0 acres.

Lot 1 is proposed to be zoned RS (Single Family Residential), and has frontage along 25<sup>th</sup> Street NE, D Street NE and Park Avenue NE. It is anticipated that this lot will be further divided into smaller lots for a single family residential subdivision.

Lot 2 is proposed to be zoned RM-II (Multi-Family Residential), and has frontage along 25<sup>th</sup> Street NE. It is anticipated that this lot will be developed with a multi-family residential apartment complex.

Lots 3 and 4 will remain zoned PH (Public and Private Health Services), the lots are 2.5 acres and 5.48 acres in size and have frontage along 25<sup>th</sup> Street NE, Center Street NE and Park Avenue NE. These lots may be subject to a future comprehensive plan map amendment and zone change.

As proposed and conditioned the lots are of a size and configuration to allow them to be further developed consistent with the use and development standards of the existing PH zone and the proposed RS and RM-II zones. This criterion is met.

**C. SRC 205.010(d)(3): Development within the tentative subdivision plan can be adequately served by City infrastructure.**

**Finding:** Water infrastructure is available along the perimeter of the site and appears to be adequate to serve the property as shown on the applicant's

preliminary utility plan. Linking sewer and stormwater improvements are required as specified in SUB-UGA17-05.

The proposed development is subject to SRC Chapter 71 and the revised PWDS as adopted in Administrative Rule 109, Division 004. To demonstrate the proposed Lots can meet the PWDS, the applicant shall provide an engineered tentative stormwater design to accommodate future impervious surface on all proposed Lots.

All public and private City infrastructure proposed to be located in the public right-of-way shall be constructed or secured per SRC 205.035(c)(6)(B) prior to final plat approval. Any easements needed to serve the proposed Lots with City infrastructure shall be shown on the final plat.

**D. SRC 205.010(d)(4): The street system in and adjacent to the tentative subdivision plan conforms to the Salem Transportation System Plan; and,**

**Finding:** Streets abutting the subject property do not meet the improvement and right-of-way widths for their classification of street as shown in the Salem TSP. Boundary street improvements are required along all street frontages as required in SUB-UGA17-05.

Condition 22 from SUB-UGA17-05 requires half-street improvements along D Street NE from 25<sup>th</sup> Street to Park Avenue. Phasing of Condition 22 shall be provided as follows:

**Condition 68:** Condition 22 from SUB-UGA17-05 (D Street improvements) – This condition shall be required as a condition of Site Plan Review or Subdivision approval for future development on proposed Lot 1.

Condition 23 from SUB-UGA17-05 requires half-street improvements along Park Avenue NE from D Street to Center Street. Phasing of Condition 23 shall be provided as follows:

**Condition 79:** Condition 23 from SUB-UGA17-05 (Park Avenue improvements) – Improvements along the frontage of Lot 1 shall be required as a condition of Site Plan Review or Subdivision approval for development on proposed Lot 1. Improvements along the frontage of Lots 2 and 4 shall be complete in their entirety at the time of Site Plan Review for development on either proposed Lot 2 or 4.

Center Street NE is fully improved along the frontage of the subject property, except that the street width does not meet the ultimate standard half-width improvement of 34 feet. However, pursuant to SRC 803.065 further improvement to Center Street NE is not warranted because it is fully improved and meets the standards that were in effect at the time the street was originally constructed.

~~Pursuant to SRC 803.030(a), streets shall have a maximum spacing of 600 feet from right-of-way line to right-of-way line. SUB-UGA17-05 provides for a single east-west transportation connection across the property; however due to the spacing standards of SRC 803.030, a second east-west connection is also required. In addition, a north-south connection is also warranted because the width of the subject property exceeds 600 feet. See the findings below for the Class 2 Adjustment applied for by the applicant. Based on the findings of the Class 2 adjustment, the applicant shall provide a north-south pedestrian connection from Center Street NE to D Street NE.~~

The Planning Commission finds that an east-west street connection is not warranted with this development, and has modified this condition of approval with the applicant's requested condition language.

**Condition 810:** ~~Condition 21 from SUB-UGA17-05 (Multi-modal access) — Interior transportation improvements shall be constructed to provide a street connection from 25<sup>th</sup> Street to Park Avenue as a condition of Site Plan Review or subdivision approval for the first development project on any lot. Additional connectivity may be required with subsequent development projects on other lots.~~

Condition 23 from SUB-UGA17-05 (Multimodal access) — Construct interior transportation systems that provide for multimodal access from Lot 5 from 25<sup>th</sup> Street to Park Ave.

- E. SRC 205.010(d)(5): The street system in and adjacent to the tentative subdivision plan is designed so as to provide for the safe, orderly, and efficient circulation of traffic into, through, and out of the subdivision.**

**Finding:** As proposed and conditioned, the internal street and bicycle/pedestrian pathways provide for safe, orderly, and efficient circulation of traffic into, through, and out of the subdivision.

- F. SRC 205.010(d)(6): The tentative subdivision plan provides safe and convenient bicycle and pedestrian access from within the subdivision to adjacent residential areas and transit stops, and to neighborhood activity centers within one-half mile of the development. For purposes of this criterion, neighborhood activity centers include, but are not limited to, existing or planned schools, parks, shopping areas, transit stops, or employment centers.**

**Finding:** The Comprehensive Parks Master Plan Update shows that the subject property is served by developed parks. The subject property is served by Englewood Park to the northwest, Hoover Park to the northeast, and Geer Park to the south. In addition, a new City park is being proposed on Lot 4 of SUB-UGA17-05.

The requested comprehensive plan map amendment, zone change, and subdivision will allow for the subject property to be further developed. New connections and streets will be provided for future development. During the

approval process for SUB-UGA is was noted that Northeast Salem Community Association (NESCA) stated their desire to have east-west public access maintained through the entire North Campus, which aligns with the connectivity standards of SRC Chapter 803, and this approval criterion. As proposed and conditioned, future development of the subject property is required to construct an interior transportation system that provides for multi-modal access through the site. Proposed multi-modal connections provides safe and convenient bicycle and pedestrian access through the proposed subdivision connecting adjacent residential areas to nearby neighborhood activity centers.

The Planning Commission adopts the applicant's request for clarification on the timing of construction of the pathway, allowing for the pathway to be complete in segments. However, the Planning Commission does not approve the applicant's request to limit public use of the pathway between sunset and sunrise.

**Condition 911:** ~~Provide a north-south pedestrian connection from Center Street NE to D Street NE.~~

Provide a north-south pedestrian connection from Center Street NE and D Street NE. The alignment of this connection will be determined through subsequent site plan review and subdivision applications. Each individual lot must construct their respective portion of the path and record a public access easement prior to any certificate of occupancy of any building on the individual lot. The public access easement shall be recorded to ensure public use of the path, but such an easement shall not require the property owner to permit access on the easement between sunset and sunrise.

**G. SRC 205.010(d)(7): The tentative subdivision plan mitigates impacts to the transportation system consistent with the approved traffic impact analysis, where applicable.**

**Finding:** The applicant submitted a traffic impact analysis. The mitigation required by the TIA was included as conditions of approval in SUB-UGA17-05. Condition 4 of SUB-UGA17-05 requires that future development shall pay a proportionate share of future improvements at the Center/17<sup>th</sup> intersection. The following findings establish a proportional share of future improvements based on the applicant's TIA:

- The TIA estimates the Center Street NE/17<sup>th</sup> Street NE intersection improvements to equal \$2,732,000.
- The TIA establishes that the subject property's proportionate share of those improvements is identified to equal 39 percent of the growth-related impacts.
- The TIA provides a reasonable worst case of 7,982 average daily trips (ADT).
- The proportional share shall be \$133 per ADT based on a calculation of \$2,732,000 multiplied by 39 percent and divided by 7,982 ADT. This fee amount shall be adjusted annually based on the December to December Engineering News Record Averaged Rates for Los Angeles, Seattle and San Francisco.

**Condition 4012:** Per SUB-UGA17-05, Condition 24 (TIA mitigation):

- (i) Condition 3 (D Street/23<sup>rd</sup> Street Intersection) – This condition shall be required at the time cumulative transportation impacts exceed 2,380 average daily trips within the property approved under SUB-UGA 17-05.
- (ii) Condition 4 (Center Street/17<sup>th</sup> Street) – The proportional share for future improvements to the Center/17<sup>th</sup> intersection shall be \$133 per ADT, to be paid at the time of building permit issuance. This fee amount shall be adjusted annually based on the December to December Engineering News Record Averaged Rates for Los Angeles, Seattle, and San Francisco.

**H. SRC 205.010(d)(8): The tentative subdivision plan takes into account the topography and vegetation of the site so the need for variances is minimized to the greatest extent practicable.**

**Finding:** The subject property is relatively flat and does not contain any areas of mapped landslide hazards. There are several existing trees located on the subject property. The purpose of the proposed subdivision is to create lots that may be further divided or developed in the future, no trees are designated for removal with this subdivision request. No variances have been requested with this applicable.

**I. SRC 205.010(d)(9): The tentative subdivision plan takes into account the topography and vegetation of the site, such that the least disruption of the site, topography, and vegetation will result from the reasonable development of the lots.**

**Finding:** The subject property is relatively flat and does not contain any areas of mapped landslide hazards. There are several existing trees located on the subject property. The purpose of the proposed subdivision is to create lots that may be further divided or developed in the future, no trees are designated for removal with this subdivision request. Future development of the property is subject to the tree preservation requirements of SRC Chapter 808.

**J. SRC 205.010(d)(10): When the tentative subdivision plan requires an Urban Growth Preliminary Declaration under SRC Chapter 200, the tentative subdivision plan is designed in a manner that ensures that the conditions requiring the construction of on-site infrastructure in the Urban Growth Preliminary Declaration will occur, and, if off-site improvements are required in the Urban Growth Preliminary Declaration, construction of any off-site improvements is assured.**

**Finding:** An Urban Growth Preliminary Declaration has been approved for development of the subject property (SUB-UGA17-05). Linking sewer and stormwater improvements are required as specified in SUB-UGA17-05.

## **FINDINGS APPLYING TO THE APPLICABLE SALEM REVISED CODE CRITERIA FOR A CLASS 2 ADJUSTMENT**

SRC Chapter 250.005(d)(2) provides that an applicant for a Class 2 Adjustment shall be granted if all of the following criteria are met:

### Criterion 1:

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

- (i) Clearly inapplicable to the proposed development; or
- (ii) Equally or better met by the proposed development.

**Finding:** The applicant is requesting three Class 2 Adjustments to:

- 1) To the lot depth standards in SRC 511.010(a), 514.010(b), and contained in Tables 511-2 and 514-2;
- 2) To connectivity standards in SRC 803.035(a); and
- 3) To zone-to-zone setback standards in SRC 514.010(b), and contained in Table 514-5.

### *Adjustment to Lot Depth Standards for Proposed Lot 1:*

Lot width is the horizontal distance between the side lot lines and lot depth is the horizontal distance between the front and rear lot lines. Proposed lot 1 has a lot width of approximately 135 feet and a lot depth of approximately 890 feet, and is approximately 6.61 acres in size. Table 511-2 limits the maximum lot depth for all uses to not more than 300 percent of the average lot width. As proposed, Lot 1 has a lot depth that is approximately 660 percent of the lot width, exceeding this standard. The applicant is requesting an adjustment to increase this standard.

The purpose of this standard is to ensure that the developable area of the lot is maximized and that lots are not overly deep/long in relation to the width such that may be further developed. The applicant indicates that proposed Lot 1 will be further divided and has provided a conceptual plan showing the property divided into 47 single family residential lots. Because the applicant has provided a conceptual plan demonstrating how Lot 1 may be further developed, staff recommends that the Planning Commission grant the Adjustment finding that the proposal equally meets the intent and purpose of the provision sought to be adjusted.

The applicant indicates that an Adjustment is also requested to the lot depth standards of Lot 2, however the lot width is approximately 730 feet and the lot depth is approximately 750 feet. The lot depth is approximately 103 percent of the average lot width, in compliance with the standard. An adjustment to the lot depth standards is not required for proposed Lot 2.

### *Adjustment to Connectivity Standards in SRC Chapter 803:*

The applicant is requesting a Class 2 Adjustment to the connectivity standards of SRC 803.035(a), which states:

*Connectivity.* Local streets shall be oriented or connected to existing or planned streets, existing or planned schools, parks, shopping areas, transit stops, and employment centers located within one-half-mile of the development. Local streets shall be extended to adjoining undeveloped properties for eventual connection with the existing street system. Connections to existing or planned streets and adjoining undeveloped properties for eventual connection with the existing street system shall be provided at no greater than 600-foot intervals unless one or more of the following conditions exist:

- (1) Physical conditions or the topography, including, but not limited to, freeways, railroads, steep slopes, wetlands, or other bodies of water, make a street or public accessway connection impracticable.
- (2) Existing development on adjacent property precludes a current or future connection, considering the potential and likelihood for redevelopment of the adjacent property; or
- (3) The streets or public accessways would violate provisions of leases, easements, covenants, restrictions or other agreements existing as of May 1, 1995, that by their terms would preclude a current or future connection.

The pre-existing condition of the lot to be subdivided has dimensions of approximately 1,300 feet north to south and 900 feet east to west. SRC 803.030(a) for street spacing states that streets shall have a maximum spacing of 600 feet from right-of-way line to right-of-way line along one axis, and not less than 120 feet and not more than 400 feet from right-of-way line to right-of-way line along the other axis.

Based on the dimension of the subject property, a minimum of two east-west street connections and one north-south street connection are required to meet the 600-foot maximum spacing limitation. The applicant is proposing one north-south and one east-west pedestrian path connections to meet the multi-modal connectivity requirement of SUB-UGA17-05.

~~City staff recommend that a minimum of one east-west public street connection through the site in order to minimize the need for traffic to use the arterial street system. A second east-west street connection is not warranted because multi-modal accessibility will be available through the multi-family use and will minimize the need for out-of-direction travel.~~

~~Similarly, a north-south street connection through the subject property will not provide a measurable benefit to vehicular traffic because north-south access is available through Park Avenue NE, a collector street, and 25<sup>th</sup> Street NE, a local street. However, a north-south pedestrian connection through the site would limit out-of-direction travel for pedestrians traveling throughout the development.~~

~~Therefore, by providing one east-west local street connection through the site and one north-south pedestrian connection through the site, the multi-modal transportation needs are equally or better met by the proposed development.~~

The Planning Commission finds that street connections are not warranted with this development and that the proposed pathways equally or better meet the intent of the street connectivity requirement and has modified this condition of approval with the applicant's requested condition language. However, the Planning Commission does not approve the applicant's request to limit public use of the pathway between sunset and sunrise.

**Condition 1113:** ~~A minimum of one public street connection shall be provided through the subject property providing an east-west connection between 25<sup>th</sup> Street NE and Park Avenue NE. Prior to certificate of occupancy of any building on lot 1 or 2, an east-west pedestrian path shall be developed connecting 25<sup>th</sup> Street NE and Park Avenue NE. The alignment of this connection will be determined through subsequent site plan review and subdivision applications. A public access easement shall be recorded for public use of this path, but such an easement shall not require the property owner to permit access on the easement between sunset and sunrise.~~

*Adjustment to Zone-to-Zone Setback Standards of SRC 514.010(b), and Table 514-5:*

The applicant is requesting a Class 2 Adjustment to eliminate the required setback between the proposed multi-family residential and single family residential uses, explaining that the parking lot for the proposed multi-family residential use will use the same vehicle accessway as the single family dwellings, and that the accessway itself will provide the buffer between the two abutting uses.

The purpose of the required setbacks is to reduce the impact of incompatible uses through the use of screening, landscaping, and setbacks. Further, the goals and policies of the Salem Area Comprehensive Plan encourage the protection of residential area from more intensive land use activity in abutting zones, such as between the RS and RM-II zones.

The applicant's conceptual plan shows that the proposed private alley will be used as a drive aisle for the proposed multi-family residential parking lot, and will also be the primary route to the driveways and parking spaces for the abutting single family dwellings. No fence or landscaping will be used to separate the uses. The applicant's adjustment findings did not indicate how the removal of required setbacks is consistent with the goals and policies of the Salem Area Comprehensive Plan which encourage and promote the protection of residential areas from more intensive land use activities in abutting zones, such as a multi-family apartment complex.

The Planning Commission denies the applicant's request for a Class 2 Adjustment to the zone-to-zone setback standards of SRC Chapter 514.

Criterion 2:

If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.

**Finding:** The applicant indicates that the setback reduction is needed to preserve trees along Park Avenue and therefore will not detract from the livability or appearance of the surrounding residential area. However, it is not clear how the setback reduction for the off-street parking area for the proposed apartments is related to the preservation of the trees along Park Avenue. It appears that the apartment complex can be designed in a way that will comply with minimum zone-to-zone setback requirements, and for the single family subdivision to preserve existing trees along Park Avenue NE.

With recommended conditions, the Adjustments to lot standards for proposed lot 1, and to the street connectivity standards of SRC Chapter 803 will not detract from the livability or appearance of the residential area.

### Criterion 3:

If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone.

**Finding:** Three separate adjustments have been requested with this development. Each of the adjustments has been evaluated separately for conformance with the Adjustment approval criteria. The cumulative impact of the adjustments, as proposed and conditioned, results in an overall project which is consistent with the intent and purpose of the zoning code.

Any future development, beyond what is shown in the proposed plans, shall conform to the development standards of the UDC, unless adjusted through a future land use action.

## **CONCLUSION**

Based on the facts and findings presented herein, the proposed Comprehensive Plan Change, Zone Change, Tentative Subdivision, and Class 2 Adjustment, as conditioned, satisfy the applicable criteria contained under SRC 64.025(e)(2), SRC 265.005(e), SRC 205.010(d), and SRC 250.005(d).

APPROVE Minor Comprehensive Plan Map Amendment from “Community Services - Health” to “Single Family Residential” and “Multiple Family Residential”.

APPROVE Zone Change from PH (Public and Private Health Services) to RS (Single Family Residential) and RM-II (Multi-Family Residential), subject to the following conditions of approval:

**Condition 1:** The applicant shall provide a copy of the Historic Clearance Review approval letter from the Oregon State Historic Preservation Office authorizing the proposed ground disturbing activity on this site prior to issuance of grading and building permits for new construction.

**Condition 2:** Development applications submitted prior to adjustment of the historic district boundary shall be subject to Historic Design Review before the

Historic Landmarks Commission to ensure development proposals are compatible with the remaining buildings in the Historic District.

**Condition 3:** That there shall be no more than 250 multi-family units permitted on Lot 2.

**Condition 4:** The alignment of the RM-II zoning will be adjusted to include the proposed alley as shown on the conceptual plan.

**Condition 35:** Single family dwellings with frontage along D Street NE and Park Avenue NE shall not have driveway access to D Street NE or Park Avenue NE. Driveway access shall be provided by an internal street, accessway, or alley. Rear lot lines shall not abut D Street NE or Park Avenue NE.

APPROVE Tentative Subdivision, subject to the following conditions of approval:

**Condition 46:** Prior to the recording of a final plat for the proposed subdivision, the final subdivision plat, approved by SUB-UGA17-05, shall be recorded.

**Condition 57:** At the time of final plat review, the applicant shall demonstrate that all proposed lots comply with applicable lot standards of the RS and RM-II zones.

**Condition 68:** Condition 22 from SUB-UGA17-05 (D Street improvements) – This condition shall be required as a condition of Site Plan Review or Subdivision approval for future development on proposed Lot 1.

**Condition 79:** Condition 23 from SUB-UGA17-05 (Park Avenue improvements) – Improvements along the frontage of Lot 1 shall be required as a condition of Site Plan Review or Subdivision approval for development on proposed Lot 1. Improvements along the frontage of Lots 2 and 4 shall be complete in their entirety at the time of Site Plan Review for development on either proposed Lot 2 or 4.

**Condition 810:** ~~Condition 21 from SUB-UGA17-05 (Multi-modal access) – Interior transportation improvements shall be constructed to provide a street connection from 25<sup>th</sup> Street to Park Avenue as a condition of Site Plan Review or subdivision approval for the first development project on any lot. Additional connectivity may be required with subsequent development projects on other lots.~~

Condition 23 from SUB-UGA17-05 (Multimodal access) – Construct interior transportation systems that provide for multimodal access from Lot 5 from 25<sup>th</sup> Street to Park Ave.

**Condition 911:** ~~Provide a north-south pedestrian connection from Center Street NE to D Street NE.~~

Provide a north-south pedestrian connection from Center Street NE and D Street NE. The alignment of this connection will be determined through subsequent site plan review and subdivision applications. Each individual lot must construct their respective portion of the path and record a public access easement prior to any certificate of occupancy of any building on the individual lot. The public access easement shall be recorded to ensure public use of the path., but such an easement shall not require the property owner to permit access on the easement between sunset and sunrise.

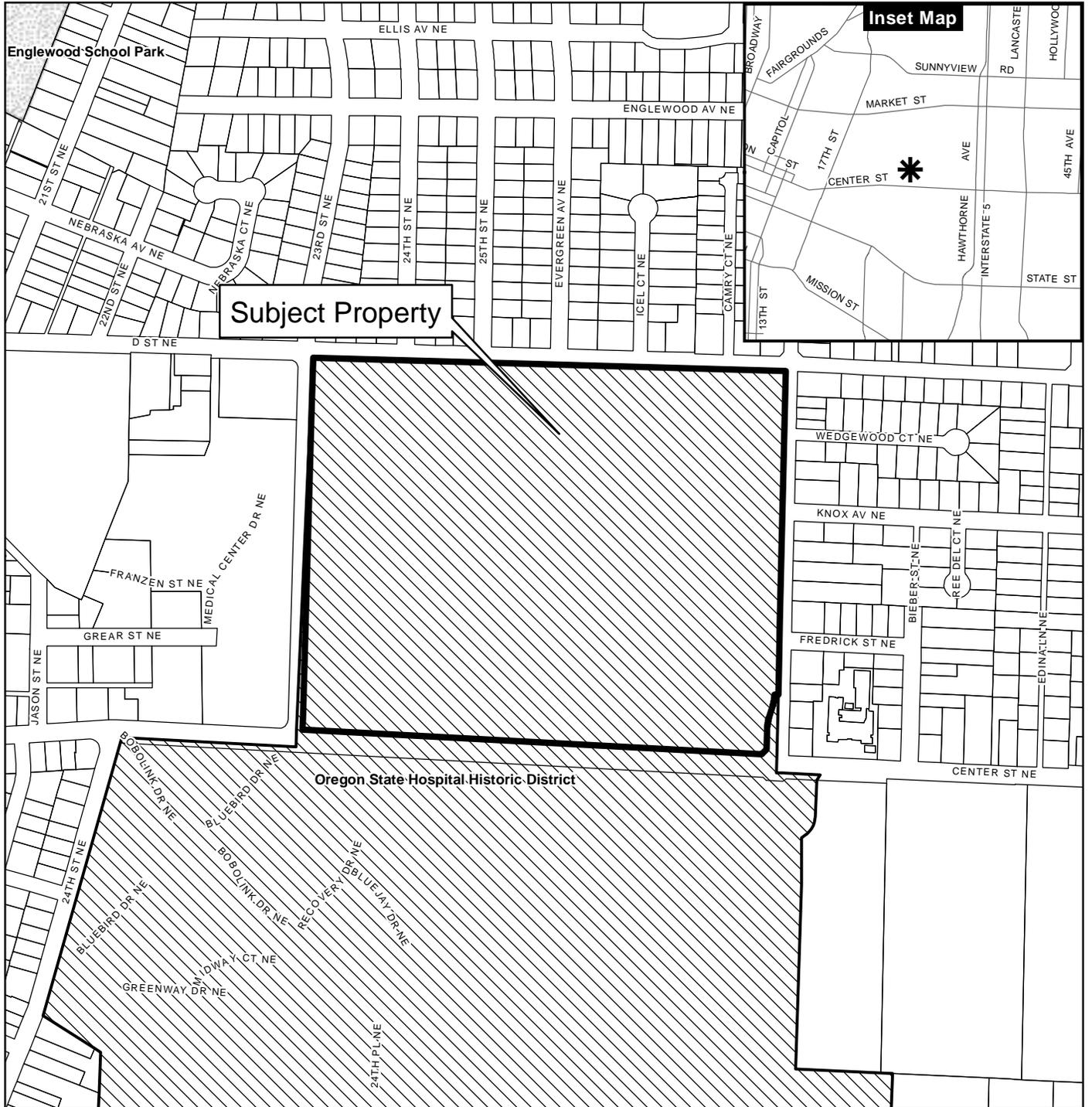
- Condition 4012:** Per SUB-UGA17-05, Condition 24 (TIA mitigation):
- (i) Condition 3 (D Street/23<sup>rd</sup> Street Intersection) – This condition shall be required at the time cumulative transportation impacts exceed 2,380 average daily trips within the property approved under SUB-UGA 17-05.
  - (ii) Condition 4 (Center Street/17<sup>th</sup> Street) – The proportional share for future improvements to the Center/17<sup>th</sup> intersection shall be \$133 per ADT, to be paid at the time of building permit issuance. This fee amount shall be adjusted annually based on the December to December Engineering News Record Averaged Rates for Los Angeles, Seattle, and San Francisco.

APPROVE Class 2 Adjustments to Lot Standards and Street Connectivity, subject to the following condition of approval:

- Condition 4113:** ~~A minimum of one public street connection shall be provided through the subject property providing an east-west connection between 25<sup>th</sup> Street NE and Park Avenue NE.~~  
Prior to certificate of occupancy of any building on lot 1 or 2, an east-west pedestrian path shall be developed connecting 25<sup>th</sup> Street NE and Park Avenue NE. The alignment of this connection will be determined through subsequent site plan review and subdivision applications. A public access easement shall be recorded for public use of this path., but such an easement shall not require the property owner to permit access on the easement between sunset and sunrise.

**DENY Class 2 Adjustment to Setback Requirements of SRC Chapter 514.**

# Vicinity Map 2600 Center Street NE



### Legend

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

  
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 Community Development Dept.

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**MOUNTAIN WEST INVESTMENT CORPORATION  
COMPREHENSIVE PLAN CHANGE/ZONE CHANGE  
CONSOLIDATED WRITTEN STATEMENT**

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**OWNER:**

State of Oregon, by and through  
the Department of Administrative  
Services  
1225 Ferry Street SE  
Salem, OR 97301

**APPLICANT:**

Mountain West Investment  
Corporation  
201 Ferry Street SE, Suite 400  
Salem, OR 97301

**APPLICANT'S REPRESENTATIVE:**

Mark Shipman, Attorney  
Saalfeld Griggs PC  
Park Place, Suite 200  
250 Church Street SE  
Salem, OR 97301  
Phone: 503-399-1070  
Email: mshipman@sglaw.com



**SUBJECT PROPERTY INFORMATION:**

The subject property is in the northeast portion of Tax Lot 100 of Marion County Assessor's Map No. 07-3W-24C, which tax lot is located near the intersection of "D" Street and Park Avenue NE in Salem, Oregon (herein the "**Subject Property**"). Marion County Assessor's Map No. 07-3W-24C is attached hereto as **Exhibit 1**. The total acreage of the Subject Property is approximately 17.3 acres.

The City of Salem (herein the "**City**") designates the Subject Property as "CSH – Community Service Hospital" on its Comprehensive Plan Map and it is zoned "PH – Public Health with Historic Overlay." (See Current Zoning Map, **Exhibit 2**).

The Subject Property is located within the City but is currently outside the City's Urban Service Area ("**USA**"). However, Owner requested an urban growth area preliminary declaration as part of its 2017 subdivision application to the City. Access to the Subject Property is provided via "D" Street NE and Park Avenue NE.

The properties surrounding the Subject Property have the following zoning designations:

Location	Comp Plan Designation	Zoning	Use
North (across “D” Street NE)	Single Family Residential (SF)	RS (Single Family Residential)	Single Family Dwellings
South (across Bittern Street NE)	Community Service Hospital (CSH)	PH – Public Health with Historic Overlay	Vacant
East (across Park Avenue NE)	Multi-Family Residential (MF)	RD (Duplex Residential) and RM-II (Multiple Family Residential)	Single Family Dwellings and an Auto Repair Shop
West (across 25 <sup>th</sup> Street NE)	Community Service Hospital (CSH)	PH – Public Health with Historic Overlay	Rugby field / future public park site; parking lot; state owned administrative offices; former nurse’s dormitory

On January 7, 2019, Applicant and its representatives met with City Staff to discuss the development of the Subject Property. (See Pre-Application Summary Report, *Exhibit 3*).

The Subject Property is located within the State Hospital and Penitentiary area, which is not a neighborhood in the City of Salem; however, it is adjacent to the North East Salem Community Association (NESCA) and near Northeast Neighbors (NEN) (herein collectively the “*Associations*”). Richard Berger, Project Manager for Applicant, attended multiple meetings for the Associations in 2018 to share information about this proposal. Both Associations and adjacent property owners have had an opportunity to provide input and comments on the project and will have further opportunities to do so as the application process moves forward.

**PREVIOUS LAND USE ACTIONS:**

In 2008, the Oregon State Hospital was listed on the National Register of Historic Places with the creation of the Oregon State Hospital Historic District. This historic district includes the former North Campus of the Oregon State Hospital (the “*North Campus Property*”). Therefore, the previous land use planning actions on the North Campus Property have primarily been related to the historic design review of modifications to the buildings and grounds since the North Campus Property was listed on the National Register. Notable past land use planning actions on the site include:

- **Legislative Approval for Demolition of Five Buildings (HCR16-01):** In 2016, the Oregon State Historic Preservation Office (SHPO) approved the demolition of four main buildings and one minor building on the eastern half of the North Campus Property (Buildings #34, 35, 40, 50, and 77). This type of state level approval is an alternative historic review process allowed for historic resources located on state-owned land, such as the North Campus Property. A memorandum of

understanding between the state and City was created outlining the mitigation requirements for this demolition.

- **Historic Design Review Case No. HIS16-21:** A 2016 approval to remove 46 existing trees due to their poor health or their proximity to buildings that were approved for demolition.
- **Subdivision / Urban Growth Area Preliminary Declaration Case No. SUB-UGA 17-05:** On August 14, 2017, the City issued a decision to allow Owner to subdivide the North Campus Property into 5 lots, one of which was designated as Lot 5 and consisted of 25.18 acres of property located on the east half of the North Campus Property ("**Lot 5**"). At the time of the subdivision/UGA approval, the buildings that had been located on the Lot 5 were either in the process of being demolished or already demolished and removed. A copy of the decision for SUB-UGA 17-05 is attached hereto as **Exhibit 4**.



**BACKGROUND INFORMATION:**

The North Campus Property consists of a single large state-owned unit of land, approximately 47 acres in size, and rectangular in shape with dimensions of approximately 1,600 feet east-west and 1,250 feet north-south. The Oregon State Hospital campus is adjacent to the south, across Center Street NE. The site is bound by Park Avenue NE on the east, "D" Street NE on the north, and 23rd Street NE on the West. There are several narrow private streets within the site, such as 25th Street NE, "B" Street NE, and

Bittern Street NE, which provide access to the various buildings and parking areas on the property. 25th Street NE runs through the entire site in a north-south direction.

The North Campus Property is relatively flat throughout, varying in elevation from a high point of approximately 206 feet above sea level near the eastern property line to a low point of approximately 190 feet in elevation at the southwest corner of the site. There are no mapped wetlands or floodplains on the Subject Property and the site is considered a low landslide risk according to the City's Landslide Hazards Ordinance, SRC Chapter 810.

The Subject Property was formerly a part of the North Campus of the Oregon State Psychiatric Hospital. In 2012, the hospital vacated the North Campus Property and consolidated all their operations to a newly rebuilt facility across Center Street NE to the south. Several former hospital buildings on Lot 5 were demolished in early 2017, leaving it clear of structures and ready for future redevelopment. There are two former hospital buildings remaining on the North Campus Property located southwest of the Subject Property, (1) the Dome Building near the southwest corner of the North Campus Property and, (2) the Yaquina Hall near the middle of the western half of the North Campus Property. The Dome Building is currently being used as administrative offices for a state agency. The Salem Housing Authority is in the process of acquiring the Yaquina Hall for a planned conversion of the former nurse's dormitory into 50 affordable housing units.

The North Campus Property has been state-owned land used for institutional purposes for over one hundred years. The southern half of the North Campus Property was annexed into the City in 1909 and the northern half was annexed in 1946, but the site is not within the City's USA. The surrounding land to the north and east is developed primarily with single family dwellings on individual lots mostly built in the mid twentieth century.

As stated above, the North Campus Property has tentative plat approval to be split into 5 separate lots. The Subject Property consists of approximately 17.3 acres of land located in the northern part of Lot 5, as it is shown on the tentative plat. The southern approximate 7.9 acres of Lot 5 will be retained by Owner for future office and commercial development.

#### **SUMMARY OF PROPOSAL:**

Applicant is proposing to rezone the Subject Property from Public Health with Historic Overlay ("**PH**") to Single Family Residential ("**RS**"), Multiple Family Residential ("**RM-I**"), and Multiple Family Residential ("**RM-II**") and to change the comprehensive plan designation from Community Service Hospital ("**CSH**") to Single Family Residential ("**SF**") and Multi-Family Residential ("**MF**") respectively as shown on the Proposed Zoning Map, **Exhibit 5**. The purpose of this combined request is to allow the Subject Property to be developed into approximately 50 single-family residences and 211 multi-family units.

Applicant is requesting that the comprehensive plan and zone change application requests go through the Collective (a.k.a. Consolidated) Process before the Planning Commission.

#### **EXISTING SITE CONDITIONS:**

The Subject Property has street frontage on "D" Street NE and Park Avenue NE, in addition to two private streets, 25<sup>th</sup> Street NE and Bittern Street NE. The site is currently undeveloped but has existing

trees on the perimeter and scattered trees throughout the Subject Property as shown on the Existing Conditions Plan attached hereto as **Exhibit 6**.

**SITE PLAN:**

A proposed (conceptual) site plan for the development of the Subject Property has been provided (See **Exhibit 7**).

**SALEM TRANSPORTATION SYSTEM PLAN:**

The Salem Transportation System Plan (“**STSP**”) uses a Street Classification System to determine the functional classification of each street within the City’s street system. “D” Street NE abuts the Subject Property to the north and Park Avenue NE abuts the Subject Property to the east. The functional classification for “D” Street NE is Minor Arterial, and the functional classification for Park Avenue NE is Collector. The intersection of “D” Street NE and Park Avenue NE is an all-way stop intersection controlled by stop signs.

**RELATIONSHIP TO URBAN SERVICE AREA (USA):**

The Subject Property is outside of the City’s USA. The Property Owner has applied for and received approval of an urban growth area preliminary declaration in SUB-UGA 17-05 (See Exhibit 4).

**INFRASTRUCTURE:**

While the Subject Property is outside of the City’s USA, as identified in SUB-UGA 17-05, there are adequate public services in the area that will provide public services to the Subject Property as identified below:

*Water:*

The Subject Property is located within the G-0 water service level.

A 24-inch steel water line is located in D Street NE. Mains of this size generally convey flows of 8,500 to 19,700 gallons per minute.

A 10-inch water line is located in Park Avenue NE. Mains of this size generally convey flows of 1,500 to 3,400 gallons per minute.

*Sewer:*

The North Campus Property site is currently served by a private sewer system that is combined with the discharge for the South Campus site, as referenced in the SUB-UGA 17-05 Decision.

A 4-inch sewer line is located in Park Avenue NE.

A 10-inch sewer line is located in D Street NE.

*Storm Drainage:*

A 6-inch storm line is located in Park Avenue NE.

A 12-inch storm line is located in D Street NE.

An abandoned 6-inch storm line bisects the property. The pipe remains in place but is no longer in service.

*Streets:*

D Street NE

*Existing Conditions* - This street has an approximate 40-foot improvement within 50-foot-wide right-of-way abutting the Subject Property.

*Standard* - This street is designated as a minor arterial street in the STSP. The standard for this street classification is a 46-foot-wide improvement within a 72-foot-wide right-of-way.

Park Avenue NE

*Existing Conditions* - This street has an approximate 30-foot improvement within a 40-foot-wide right-of-way abutting the Subject Property, with the exception of the improved intersection at Park Avenue NE and Center Street NE.

*Standard* - This street is designated as a collector street in the STSP. The standard for this street classification is a 34-foot-wide improvement within a 60-foot-wide right-of-way.

**FINDINGS APPLYING TO THE APPLICABLE SALEM REVISED CODE CRITERIA FOR A COMPREHENSIVE PLAN MAP (MINOR) AMENDMENT**

**CHAPTER 64**

**COMPREHENSIVE PLANNING**

**Sec. 64.025. - Plan map amendments.**

**(e) Criteria.**

**(2) Minor plan map amendment. The greater the impact of the proposed minor plan map amendment, the greater the burden on an applicant to demonstrate that the criteria are satisfied. A minor plan map amendment may be made if it complies with the following:**

**(A) The minor plan map amendment is justified based on the existence of one of the following:**

**(ii) Equally or better suited designation. A demonstration that the proposed designation is equally or better suited for the property than the existing designation.**

Proposed Finding: The Single Family Residential and Multi-Family comprehensive plan designation are equally or better suited for the Subject Property than the Community Service Hospital designation. The Community Service Hospital designation is intended to provide for a hospital facility, site/services which place higher demands on public facilities, the environment, and vehicular traffic. The Subject Property was formerly the North Campus of the Oregon State Psychiatric Hospital. In 2012, the hospital vacated the Subject Property and consolidated all their operations to a newly rebuilt facility across Center Street NE to the south. Several former hospital buildings on the east side of the Subject Property were demolished in early 2017, leaving the Subject Property, clear of structures and ready for future redevelopment.

The location of the Subject Property, as well as the surrounding uses, makes it well-suited for Single Family Residential and Multi-Family designation as proposed due to the surrounding uses, and the proposed mixed use development that the Owner intends to develop to the south of the Subject Property, the Applicant's proposed designation is equally or better suited for the Subject Property.

***(B) The property is currently served, or is capable of being served, with public facilities and services necessary to support the uses allowed by the proposed plan map designation;***

Proposed Finding: The Subject Property is located outside of the City's USA. However, as noted in SUB-UGA 17-05, public facilities are available to serve the Subject Property. The proposed change will allow for the Applicant to develop the Subject Property in accordance with the applicable development standards of the Unified Development Code, which will include either extending public facilities to the Subject Property, or upgrading existing public facilities abutting the Subject Property to current City standards as required in SUB-UGA 17-05. Therefore, the Subject Property will be served by existing public facilities necessary to support the uses allowed by the proposed Single Family Residential and Multi-Family Residential designations. This criterion is satisfied.

***(C) The proposed plan map designation provides for the logical urbanization of land;***

Proposed Finding: The proposed plan map designation will provide for the logical urbanization of the Subject Property. The plan change to the Single Family Residential and Multi-Family designations will enable the redevelopment of the Subject Property, and will allow the Applicant to develop needed housing in the form of single family and multi-family housing. This criterion is satisfied.

***(D) The proposed land use designation is consistent with the Salem Area Comprehensive Plan and applicable statewide planning goals and administrative rules adopted by the Department of Land Conservation and Development; and***

Proposed Finding: The Applicant's compliance with the applicable goals and policies of the comprehensive plan (map) amendment are addressed as follows:

Salem Urban Area Goals and Policies, Residential Development Goal (Page 30, Salem Comprehensive Policies Plan):

*Policy E.3. The City shall encourage the (In-fill) development of passed-over or underutilized land.*

Proposed Finding: In 2012 the State of Oregon vacated the Subject Property and consolidated all of the State Hospital operations to a newly rebuilt facility across Center Street NE to the south. Several buildings on the Subject Property were demolished and the site was cleared of all structures in anticipation for redevelopment. The Subject Property is considered an in-fill property. While it has not been passed over or underutilized, the redevelopment of the Subject Property will enhance and further stabilize the northeast neighborhood surrounding it.

*Policy E.7. Residential neighborhoods shall be served by a multi-modal transportation system.*

Proposed Finding: The current and proposed (Subject Property) residential neighborhoods will be served by a transportation system that provides access for pedestrian, bicycles, and vehicles. The local streets (Park Avenue NE, 25<sup>th</sup> Street NE, B St. NE) will all collect pedestrians, bicyclists, and automobiles and distribute them out to Center and D Street NE, where sidewalks, bicycle lanes, and bus stops will help dispersal of traffic from the neighborhood.

Cherriots Bus Route 5 services Center St. NE and has 4 stops (inbound and outbound) located relatively close to the Subject Property: (1) Center Street NE at 27th Place NE, (2) Center Street NE at Park Avenue NE, (3) Center Street NE at Edina Lane NE, and (4) Center Street NE at Vineyard Avenue NE.

*Policy E.8. Residential areas shall be protected from more intensive land use activity in abutting zones.*

Proposed Finding: Existing residential neighborhoods will be protected by the retention of the existing street trees on the Subject Property, particularly along Park Avenue NE where the proposed multi-family residential project will be located. In addition, as a part of the multi-family residential project, additional landscaping will be required pursuant to the Salem Revised Code (SRC) that will further buffer and protect the single family residential neighborhood to the east from the proposed multi-family development to the west across Park Avenue NE, and the Applicant is proposing to limit the height of the multi-family residential dwelling units within 50' of Park Avenue NE to only two (2) stories in height.

Proposed Finding: The Applicant's compliance with the applicable goals and policies of the Statewide Planning Goals are addressed as follows:

**Goal 1. Citizen Involvement.**

Proposed Finding: A public hearing notice will be mailed to the affected property owners - all property owners within 250 feet of the Subject Property, and to the

Northeast Salem Community Association (NESCA). The Applicant's Project Manager also met with the Associations multiple times to gather input and feedback in 2018. This satisfies Citizen Involvement described in Goal 1.

***Goal 2. Land Use Planning***

Proposed Finding: The City has complied with the Goal requirements for establishing and maintaining a land use planning process. The Oregon Land Conservation and Development Commission has acknowledged the Salem Area Comprehensive Plan ("**SACP**") to be in compliance with the Statewide Planning Goals. Goal 2 is satisfied as to this proposal.

***Goal 3. Agricultural Lands***

Proposed Finding: The proposed plan amendment does not affect the inventory of agricultural lands. Thus, Goal 3 is not applicable to this proposal.

***Goal 4. Forest Lands***

Proposed Finding: The proposed plan amendment does not affect the inventory of forest lands. Thus, Goal 4 is not applicable to this proposal.

***Goal 5. Open Space, Scenic and Historic Areas and Natural Resources***

Proposed Finding: There are no known scenic, natural, or cultural resources on the Subject Property. The Subject Property is currently listed on the National Register of Historic Places with the creation of the Oregon State Hospital Historic District. The property owner is in the process of removing the Subject Property from the National Register of Historic Places. Until that time, any development applications will be reviewed for compliance with the City's tree preservation ordinance, and historic preservation ordinance. As proposed, this application is consistent with Goal 5.

***Goal 6. Air, Water and Resources Quality.***

Proposed Finding: The proposed comprehensive plan amendment will not exceed the carrying capacity of the air and water resources available to serve the Subject Property. The Subject Property lies within the City, where development at an urban scale and density is intended to occur. There are adequate water, stormwater, and sewer services in place to serve the Subject Property. Therefore, the City can adequately serve the proposed development's waste and discharge needs, and future development will not exceed the current resources' carrying capacity.

The effects of using the Subject Property for residential activities on air, water, and land resources will be similar to those of other similar residential activities in the City. The effects of urban development are anticipated on lands that are within the City.

There are no significant natural resources on the Subject Property. Development of vacant urban land is expected, and the proposed change will have no significant negative impacts on the quality of the land. This goal is satisfied.

**Goal 7. Areas Subject to Natural Hazards.**

Proposed Finding: There are no known natural hazards existing on the Subject Property. The City's tree protection, and other development standards will be applied during review of consolidated applications through the future detailed subdivision for the single family dwellings, design and site plan review process for the multi-family units. As proposed, this application is consistent with Goal 7.

**Goal 8. Recreational Needs.**

Proposed Finding: The Subject Property is not within a designated or identified open space area and does not contain any structures subject to historic review. Furthermore, the Subject Property does not contain any wildlife habitat, groundwater resources, or natural areas. Therefore, Goal 8 is not applicable to this proposal.

**Goal 9. Economic Development**

Proposed Finding: The Subject Property is not within a designated or identified commercial area and is not identified as employment lands. Therefore, Goal 9 is not applicable to this proposal.

**Goal 10. Housing**

Proposed Finding: The City has accepted a Housing Needs Analysis (HNA) prepared in 2015 which includes a Buildable Land Inventory identifying a surplus of approximately 1,975 acres for single family residential development and a deficit of land available for multifamily residential development. In order to address the deficit in land for multifamily development, the proposal would convert 7 of the 17 acres to a single family designation to allow the development of a 50 lot subdivision. The proposal would also convert 8.27 acres to high density multi-family designation, and 2 acres to medium density multifamily designation, that will allow a 211 unit multi-family development that will help reduce the City's deficit for multifamily designated, zoned, and developed land. This proposal will improve the City's ability to provide for its housing needs and is therefore consistent with Goal 10.

**Goal 11. Public Facilities and Services**

Proposed Finding: The City utilizes an Urban Growth Management Program to ensure necessary public facilities and services are available to serve new development. As part of the program, the City has designated an USA boundary delineating the area in the City where all necessary public facilities have either been installed or are fully committed in the adopted Capital Improvement Plan. While the Subject Property is located outside of the current USA boundary, Applicant applied for inclusion into the

USA in its 2017 Subdivision and Urban Growth Area Preliminary Declaration Application (City's Case No. SUB-UGA 17-05), and has identified that adequate public services are available to serve the Subject Property for the proposed development. Goal 11 is satisfied.

**Goal 12. Transportation**

Proposed Finding: The SACP contains transportation policies pertaining to the provision of a balanced, multimodal transportation system for the City's USA that supports the safe and efficient movement of goods and people. The City has also adopted the STSP as a supplement to the SACP, which considers all transportation modes, is based on an inventory of transportation needs, encourages sustainability, facilitates the economic flow of goods and services, and conforms to the SACP and the Regional Transportation System Plan. The Applicant hired DKS Engineering to perform a Transportation Planning Rule Evaluation (the "**TPR Evaluation**") which is attached hereto and incorporated herein by this reference as **Exhibit 9**. The TPR Evaluation is based on a traffic impact analysis (the "**TIA**") which was performed by DKS Engineering for the Property Owner in November of 2016, which is attached hereto and incorporated herein by this reference as **Exhibit 10**. The results of the TPR Evaluation indicate that the proposed residential zoning (RS, RM-I, RM-II) would generate approximately 6,143 fewer daily trips than the existing PH zone. The requirements of Oregon Administrative Rule (OAR) 660-012-0060, the Transportation Planning Rule (TPR), must be met for proposed changes in land use zoning. The intent of the TPR (OAR 660-12-0060) is to ensure that future land use and traffic growth is consistent with transportation system planning and does not create a significant effect on the surrounding transportation system beyond currently allowed uses. Based on the reasonable worst-case trip generation evaluation, the proposed zone change would reduce the daily trip potential. Therefore, the zone change would not contribute to a significant effect on the transportation system and would be consistent with the TPR requirements. Therefore, this application is consistent with Goal 12.

**Goal 13. Energy Conservation**

Proposed Finding: This application will, to the maximum extent possible, seek to recycle and re-use vacant land and replace former uses which were not energy efficient. The new residential uses will be built to current energy efficiency standards. This conversion will result in a more energy efficient use of the Subject Property. Therefore, this Application is consistent with Goal 13.

**Goal 14. Urbanization**

Proposed Finding: This proposal does not include land located outside of the Urban Growth Boundary ("**UGB**") or include the extension of services to properties outside the UGB, thus, Goal 14 is not applicable to this application.

**Goals 15. Willamette River Greenway; 16. Estuarine Resources; 17. Coastal Shorelands; 18. Beaches and Dunes; and 19. Ocean Resources.**

Proposed Finding: The Subject Property is not within the Willamette River Greenway or in an estuary or coastal area, thus, Goals 15, 16, 17, 18 and 19 are not applicable to this request.

Based on the findings contained above, this proposal to amend the comprehensive plan map designation from Community Service Hospital to Single Family Residential, and Multi-Family Residential is consistent with the applicable Statewide Planning Goals.

***(E) The amendment is in the public interest and would be of general benefit.***

Proposed Finding: The amendment is in the public interest and will be of general benefit because it will allow for the redevelopment of the Subject Property to provide needed single and multi-family housing. The proposed single family and multi-family development will result in a net benefit to the community as a whole. This criterion is satisfied.

**FINDINGS APPLYING TO THE NEIGHBORHOOD PLANS**

Proposed Finding: The Subject Property is located outside, but near two Salem neighborhoods, the Northeast Neighbors (NEN) and the Northeast Salem Community Association (NESCA). NEN and the Southeast Salem Neighborhood Association (SESNA) have an approved neighborhood plan, which was adopted by the City Council in February of 2015, the boundary of which lies west of Center Street NE. Also, NESCA, and the Lansing Neighborhood Associations have an approved neighborhood plan - the NESCA-Lansing Neighborhood Plan, which was adopted by the City Council in December of 2017. The NESCA-Lansing plan area lies adjacent to the Subject Property with D Street NE abutting on the north, and Park Ave NE abutting to the east. Both plans have similar Policies and Recommended Actions pertaining to the North Campus property. While none of the Policies or Recommended Actions in either plan act as mandatory approval criteria to the Applicant's proposed request, the Applicant's proposal nevertheless conforms to the aspirational Policies and Recommended Actions found in the NEN-SESNA and NESCA-Lansing Neighborhood Plans. Due to the duplication of the Policies and Actions found in each plan, the Applicant has addressed the NESCA-Lansing Policies and Recommended Actions below.

**NESCA-Lansing Policies and Recommended Actions**

***P14.1 Pedestrian and bicycle access to, through, and along the North Campus site should be provided with the redevelopment of the property to facilitate safe travel by those on foot and bike.***

***P14.2 Traffic generated from the redevelopment of the North Campus site should be mitigated to minimize negative impacts on surrounding streets and neighborhoods.***

Pedestrian and bicycle access to, through and along the North Campus site will be provided as a part of the Applicant's redevelopment of the Subject Property. One key bike/ped accessway will be a new path that will run from D Street NE on the north, southerly through the single family residential subdivision, the multi-family residential development, and is intended to follow through to Center Street NE. This proposed path through the Applicant's property can be best seen in the conceptual site plan, Exhibit 6. Traffic generated from the redevelopment of the Subject property will flow westerly to 25<sup>th</sup> Street NE, and easterly to Park Avenue NE from both 25<sup>th</sup> Street NE and Park Avenue NE traffic will be able to venture north to D Street NE and then continue east or west, or the traffic will be able to flow south to Center Street NE. The traffic movements from the Subject Property to Park Avenue NE, will have the same ability to move north or south on Park Avenue NE, and then east/west along D Street NE, or Center Street NE. The proposed ingress and egress out of the single family residential and multi-family residential are designed in a manner in order to minimize negative impacts to surrounding streets and neighborhoods from the anticipated traffic.

***A14.1 The North Campus site should be redeveloped into a mix of compatible uses that complement the surrounding neighborhoods in scale and provide useful services. Uses should include small-scale neighborhood serving retail businesses and services as well as a variety of housing types such as single-family and two-family homes, townhouses, and small apartment buildings.***

***A14.2 The layout and design of development on the North Campus site should be sensitive to the scale of surrounding neighborhoods. Lower-density housing, for example, should be located closer to D and Park Streets NE, and taller, higher-intensity housing, mixed- use development, and commercial uses should be located closer to Center Street NE.***

***A14.3 Primary vehicular access to the North Campus site should be located on Center and 23rd streets NE, as opposed to Park and D streets NE, to minimize negative traffic impacts on adjacent residential neighborhoods.***

***A14.4 Ample open space should be preserved and established on the North Campus site to serve future residents or employees on the property and surrounding neighborhoods. Open spaces should include a City park at the northwest corner of the property at D and 23rd streets NE and opportunities for passive recreation.***

The North Campus site will be redeveloped into a mix of compatible uses. Current plans call for Lot 1 (Dome property) to be retained by the State of Oregon for redevelopment. Lot 2 is under contract with the City of Salem's Housing Authority to be redeveloped for an affordable housing project. Lot 3 will be used for parking for Lots 2 and 4. The City is looking to develop Lot 4 into a park. Lot 5 will be developed for single family on the north, and multi-family in the center; and on the south end, the State of Oregon is looking to redevelop for compatible commercial uses. Thus, there will be a variety of housing types, recreational uses, future office and commercial uses all of which will complement and be sensitive to the surrounding neighborhood in scale and density. Primary vehicle access will be

off of B Street, 23<sup>rd</sup> Street, 25<sup>th</sup> Street NE, and Park Avenue NE, all of which will be developed to minimize traffic on adjacent neighborhoods.

***A14.5 Existing mature trees on the North Campus site, including those along the perimeter, should be preserved to the extent possible. If trees cannot be preserved, new trees should be planted to replace them. Replacement trees at the site's perimeter should be replanted in the same location near the street curbs, where possible.***

***A14.7 New development on the North Campus site should be designed to encourage alternative modes of transportation and associated amenities to support those modes such as benches and bike racks. Buildings with ground-floor commercial businesses, for example, should be located adjacent to sidewalks, and expanses of parking lots should be avoided.***

The Applicant intends to retain the existing mature trees along the perimeter of the Subject Property. Some of the trees, particularly along the northwesterly portion of 25<sup>th</sup> Street NE (adjacent to the Subject Property) may need to be removed due to disease and being in poor health. To the extent these trees may need to be removed in the future, they will be replaced with new street trees, by the Applicant, as a part of the detailed subdivision application. As noted elsewhere in this written statement the new development on the Subject Property will be designed to accommodate and encourage alternative forms of transportation.

## **FINDINGS APPLYING TO THE APPLICABLE SALEM REVISED CODE CRITERIA FOR A ZONING MAP AMENDMENT**

### **CHAPTER 265 ZONE CHANGES**

***Sec. 265.005. - Quasi-judicial zone changes.***

***(e) Criteria.***

***(1) A quasi-judicial zone change shall be granted if all of the following criteria are met:***

***(A) The zone change is justified based on the existence of one or more of the following:***

***(i) A mistake in the application of a land use designation to the property;***

***(ii) A demonstration that there has been a change in the economic, demographic, or physical character of the vicinity such that the proposed zone would be compatible with the vicinity's development pattern; or***

***(iii) A demonstration that the proposed zone is equally or better suited for the property than the existing zone. A proposed zone is equally or better suited for the property than an existing zone if the physical characteristics of the property are appropriate for the proposed zone and the uses allowed by the proposed zone are logical with the surrounding land uses.***

Proposed Finding: The proposed zone change is justified based on SRC

265.005(e)(1)(A)(iii). The Single-Family Residential and Multiple Family Residential zones are equally or better suited for the Subject Property than the Public Health zone. The Public Health zone is intended to provide for a hospital facility, site/services which place higher demands on public facilities, the environment, and vehicular traffic. The Subject Property was formerly the North Campus of the Oregon State Psychiatric Hospital. In 2012, the hospital vacated the Subject Property and consolidated all their operations to a newly rebuilt facility across Center Street NE to the south. The State clearly manifested its intent to no longer utilize the North Campus for hospital uses. Several former hospital buildings on the east side of the subject property were demolished in early 2017, leaving the Subject Property, clear of structures and ready for future redevelopment.

The location of the Subject Property, as well as the surrounding uses, makes it ideally suited for Single-Family Residential, and Multiple Family Residential as proposed. The physical characteristics of the Property, and the proposed mixed use development that the Property Owner intends to develop to the south of the Subject Property also contribute to its overall suitability. The Applicant's proposed zone change is equally or better suited for the Subject Property.

***(B) If the zone change is City-initiated, and the change is for other than City-owned property, the zone change is in the public interest and would be of general benefit.***

Proposed Finding: This proposal is not a City-initiated zone change. Therefore, this criterion does not apply.

***(C) The zone change complies with the applicable provisions of the Salem Area Comprehensive Plan.***

Proposed Finding: Findings addressing the Comprehensive Plan Change criterion SRC 64.025(e)(2)(D), included earlier in this report, address the applicable provisions of the SACP for this consolidated P change and zone change request. The proposal satisfies this criterion.

***(D) The zone change complies with applicable statewide planning goals and applicable administrative rules adopted by the Department of Land Conservation and Development.***

Proposed Finding: Findings addressing the applicable Statewide Planning Goals and Oregon Administrative Rules for this comprehensive plan change and zone change request were included earlier in this report. The proposal satisfies this criterion.

***(E) If the zone change requires a comprehensive plan change from an industrial designation to a non-industrial designation, or a comprehensive plan change from a commercial or employment designation to any other designation, a demonstration that the proposed zone change is consistent with the most recent economic opportunities analysis and the parts of the comprehensive plan which address the provision of land for economic development and employment growth; or be accompanied by an amendment to the comprehensive plan to***

***address the proposed zone change; or include both the demonstration and an amendment to the comprehensive plan.***

Proposed Finding: The proposed zone change is from PH (Public Health with Historic Overlay) to RS (Single Family Residential), RM-I (Multiple Family Residential), and RM-II (Multiple Family Residential). No industrial Comprehensive Plan designations or zoning districts are involved in the proposal. The existing designation is not a commercial or employment designation. Therefore, this criterion does not apply.

***(F) The zone change does not significantly affect a transportation facility, or, if the zone change would significantly affect a transportation facility, the significant effects can be adequately addressed through the measures associated with, or conditions imposed on, the zone change.***

Proposed Finding: The Applicant has submitted a TPR Evaluation (Exhibit 9) in consideration of the requirements of the Transportation Planning Rule (OAR 660-012-0060). The TPR Evaluation is required to demonstrate that the proposed Comprehensive Plan Change and Zone Change will not have a significant effect on the transportation system as defined by OAR 660-012-0060. In this case, the TPR Evaluation shows that the proposed residential zoning (RS, RM-I, RM-II) would generate approximately 6,143 fewer daily trips than the existing PH zone. Therefore, the proposed zone change will not significantly affect the transportation system.

***(G) The property is currently served, or is capable of being served, with public facilities and services necessary to support the uses allowed by the proposed zone.***

Proposed Finding: Findings addressing the Comprehensive Plan Change criterion (SRC 64.025(e)(2)(B)), included earlier in this report, address the public facilities and services available to support residential uses allowed on the Subject Property. The proposal satisfies this criterion.

Based on the findings contained above, this proposal to change the zoning from PH to RS, RM-I, and RM-II is consistent with the applicable approval criteria for a zone change.

## **CONCLUSION**

Based on the findings contained in this consolidated written statement, Applicant has satisfactorily addressed the applicable criteria for granting an approval of this consolidated land use application to change the comprehensive plan designation from Community Service Hospital (CSH) to Single Family Residential (SF) and Multi-Family Residential (MF), and to change the zoning from Public Health with Historic Overlay (PH) to Single Family Residential (RS), Multiple Family Residential I (RM-I), and Multiple Family Residential II (RM-II), as described in this application.

## EXHIBIT LIST

- Exhibit 1 – Assessor’s Map
- Exhibit 2 – Current Zoning Map
- Exhibit 3 – Pre-Application Summary Letter
- Exhibit 4 – Decision for SUB-UGA 17-05
- Exhibit 5 – Proposed Zoning Map
- Exhibit 6 – Existing Conditions Plan
- Exhibit 7 – Proposed (Conceptual) Site Plan
- Exhibit 8 – Vesting Deed to State of Oregon
- Exhibit 9 – DKS TPR Letter
- Exhibit 10 – DKS TIA

March 6, 2019

VIA ELECTRONIC MAIL: APanko@cityofsalem.net  
Original to follow via first class mail



Aaron Panko, Planner III  
City of Salem | Community Development Department  
555 Liberty St. SE, Room 305  
Salem, OR 97301

RE: 2600 Center Street NE (073W24C/Tax Lot 100)  
CPC-ZC-SUB 19-02  
Our File No: 28997

Dear Aaron:

As you know, this office represents Mountain West Investment Corporation (the "**Applicant**") in its application for a Comprehensive Plan Change/Zone Change Application (the "**Application**") for the property located in the northeast portion of Tax Lot 100 of Marion County Assessor's Map No. 07-3W-24C, located near the intersection of "D" Street and Park Avenue NE in Salem, Oregon (the "**Subject Property**"). The City of Salem (the "**City**") designates the Subject Property as "CSH – Community Service Hospital" on its Comprehensive Plan Map and it is zoned "PH – Public Health with Historic Overlay."

The Subject Property is currently listed on the National Register of Historic Places as a portion of the Oregon State Hospital Historic District associated with the Oregon State Insane Asylum which is roughly bound by D Street, Park Avenue, 24<sup>th</sup> Street, and Bates Drive (the "**Historic District**"). Although the current owner of the Subject Property and Applicant are in the process of removing the Subject Property from the National Register of Historic Places, it is unlikely that the designation, and thus the corresponding Historic Overlay will be removed prior to the City's final decision on the Application. Therefore, Applicant is submitting this supplemental statement to address how the Application and proposed use are compatible with the existing historic designation.

The Oregon State Hospital was originally located outside the City limits and as development filled in around the site a buffer was kept in place to keep the patients removed from the intrusion of members of the general public. Over time, the surrounding area has developed with residential and commercial uses and the use of the Oregon State Hospital buildings themselves have shifted from providing patient care and residential facilities for staff members across the entire campus to using the historic buildings neighboring the Subject Property for primarily administrative purposes. This shift in use of the buildings overtime has made the maintenance of green space initially reserved as a buffer between the facilities and the larger community superfluous.

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The focus of Goal 5 is to provide statewide procedures for protecting natural resources and conserving scenic, historic, and open space resources for present and future generations to maintain Oregon's livability. Applicant addresses each of these resource groups in turn.

### **Natural Resources**

Goal 5 defines "natural areas" as places listed on the Oregon State Register of Natural Heritage Resources. OAR 660-023-0160(1). The Subject Property is currently green space with several stands of mature trees particularly located along Park Ave. NE and 25<sup>th</sup> Street NE. The mature trees located on the Subject Property do not meet the definition of "**Significant Tree**" under the Salem Revised Code 808.005. This green space was initially reserved as a buffer to maintain patient privacy as development began to fill in around the Oregon State Hospital. The City and State of Oregon have not identified any natural resources on the Subject Property. However, any development on the Subject Property will be subject to the City's Tree Ordinance. The proposed use is in conformance with the requirements of Goal 5.

### **Scenic Resources**

Goal 5 defines "scenic views and sites" as lands valued for their aesthetic appearance. OAR 660-023-0230(1). As stated above, the Subject Property is largely grass lawn with a few stands of mature trees. There is no indication of any added aesthetic value from this particular use, indicating that the Subject Property is not a scenic resource, and therefore the proposed use is in conformance with this aspect of Goal 5.

### **Historic Resources**

Goal 5 defines "Historic resources" as buildings, structures, objects, sites, or districts that potentially have a significant relationship to events or conditions of the human past. OAR 660-023-0200(1)(e). The Historic District was determined to be eligible due to the historical "concentration of distinctive architectural styles and excellent examples of institutional buildings designed by various prominent architects in Oregon" as well as the insight the structures provide into the development and shifts in mental health policies and procedures over time.<sup>1</sup> The Salem Historic Preservation Plan identifies the Historic District as providing architectural and institutional examples from 1883-1957.<sup>2</sup> Both the National Historic Registry and the Salem Historic Preservation Plan focus on the historic nature of the buildings and structures, which will not be impacted by the proposed development of the Subject Property. While there is a passing reference to the "campus feeling" associated with the Historic District, a substantial portion of the green space associated with the historic buildings is being retained by the State of Oregon, maintaining the "campus feeling" while reducing the overall footprint of the Historic District. Further, the proposed development of the area is for residential use, which is compatible with the

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<sup>1</sup> Oregon State Hospital Historic District, Oregon State Insane Asylum, National Park Service  
<https://www.nps.gov/places/oregon-state-hospital-historic-district.htm>

<sup>2</sup> Salem Historic Preservation Plan p. 13.

historic pattern of change in the neighborhood, which has become increasingly residential since the early 1950s.

Early on in Applicant's due diligence investigative period there was a question raised regarding whether there had been historical use of the Subject Property by Native American Indian Tribes that had utilized the area prior to the arrival of European American Settlers. Attached to this letter is a copy of the Memorandum of Agreement (MOA) between the Oregon Department of Administrative Services (DAS) and the Oregon State Historic Preservation Office regarding the demolition of the improvements on the North Campus property, which was acknowledged by the City of Salem. As a result of this inquiry, Applicant performed archeological testing on the site in accordance with state and federal laws and did not find any indication of archeological remains or references to historic use of the Subject Property for culturally significant purposes. Further, after all of the archeological testing, DAS removed all of the improvements on the Subject Property in compliance with the MOA. Therefore, the pattern of change, retention of historic buildings, and the lack of historic significance associated with the Subject Property itself indicates that the proposed use is compatible with this aspect of Goal 5.

#### Open Space Resources

Goal 5 defines "open space" as sites that include "parks, forests, wildlife preserves, nature reservations or sanctuaries, and public or private golf courses." OAR 660-023-0220(1). While the Subject Property has a significant amount of park like space, the Subject Property has not historically been used or designated as open space. As outlined above, the Subject Property has been maintained as a buffer to maintain patient privacy, which is not a category defined as an open space use within the text of the Goal. Furthermore, the proposed development of the Subject Property will be for residential use and will be subject to the open space requirements under the Salem Revised Code (the "Code"). This movement from reserved space providing a privacy buffer to designated open space as required under the Code will provide for improved access of the general public to dedicated space in conformance with Goal 5.

As outlined above, Applicant respectfully requests that the City approve the Application as submitted.

Sincerely,



MARK D. SHIPMAN  
mshipman@sglaw.com  
Voice Message #310

MDS/MYG:hst  
Enclosures  
cc: Client

**MEMORANDUM OF AGREEMENT  
BETWEEN THE  
OREGON DEPARTMENT OF ADMINISTRATIVE SERVICES,  
AND THE  
OREGON STATE HISTORIC PRESERVATION OFFICER  
REGARDING THE  
DEMOLITION OF PROPERTY ON THE  
NORTH CAMPUS OF THE OREGON STATE HOSPITAL  
SALEM, MARION COUNTY, OREGON**

**WHEREAS**, Oregon Department of Administrative Services (DAS) proposes to demolish a portion of the Oregon State Hospital mental health facility, comprising five buildings (Breitenbush Hall, McKenzie Hall, Eola Hall, Recreation Center, and Santiam Hall), associated subterranean tunnels, and infrastructure, embracing an area bounded by Center Street NE on the south, D Street NE on the north, Park Ave. NE on the east, and 25<sup>th</sup> Street NE on the west (project), and transfer the cleared land into private ownership; and

**WHEREAS**, the project area is entirely within the Oregon State Hospital Historic District, which is listed in the National Register of Historic Places, and that the five buildings, subterranean tunnels and infrastructure all contribute to the Oregon State Hospital Historic District; and

**WHEREAS**, the City of Salem adopted SRC 230.018 in order to provide public agencies responsible for historic property a streamlined and alternative historic review process with the Oregon SHPO; and

**WHEREAS**, the proposed demolition constitutes a Level Three, Major Adverse Effect on the historic resources as set forth in SRC 230.018;

**WHEREAS**, DAS consulted with the Oregon State Historic Preservation Office (SHPO) in accordance with Oregon Revised Statute (ORS) 358.653 to address effects of the undertaking on historic properties; and

**WHEREAS**, DAS determined, and the SHPO concurred, that the proposed project will result in an adverse effect to the historic Oregon State Hospital Historic District;

**NOW, THEREFORE**, DAS and the SHPO agree that the undertaking shall be implemented in accordance with the following stipulations in order to resolve the adverse effect of the project on historic properties.

**STIPULATIONS**

DAS shall ensure that the following measures are carried out:

- I.** Historic American Building Survey Documentation
  - A.** The North Campus of the Oregon State Hospital, including all extant buildings as of May 1, 2016, will be documented for donation to the Historic American Building Survey (HABS) by a qualified professional meeting NPS Standards (36 CFR Part 61). Qualified professional will work directly with National Park Service HABS staff to determine the level of documentation and other process details. Documentation will include a detailed narrative on the historic development and physical design of the resources (subject to the limitations of access and

availability related to hazardous conditions), a mixture of high-resolution digital and film-based photographs, including digital color images of the entire Oregon State Hospital North Campus in sufficient quantity to accurately document its character and between thirty (30) and sixty (60), four inch by five inch black and white negatives and an equal number of eight inch by ten inch black and white prints of the Oregon State Hospital North Campus buildings, tunnels, and infrastructure, all prepared in compliance with HABS standards. Associated buildings on the North Campus, but outside of the project area (comprising the Dome Building and Yaquina Hall), will be documented and photographed only to the extent that they are placed within the context of the overall North Campus, and do not require interior documentation. Additional materials, including available historic images, as-built and historic plans, and other materials as appropriate, will be included to support the documentation. No new blueprints or plans will be created as part of this project.

- B. DAS will submit draft documentation to Oregon SHPO for review and approval. DAS will ensure that any required modifications or revisions requested are accomplished in a timely manner, and the revised draft documentation submitted to SHPO for review and approval. Once SHPO has reviewed and accepted the final documentation, it will be duplicated in either digital or hardcopy as preferred and supplied to National Park Service, SHPO, University of Oregon Architecture and Allied Arts Library, Salem Public Library, Willamette Heritage Center, Oregon State Hospital Museum of Mental Health, and the Oregon Historical Society. Proof of submittal of the NPS-approved HABS documentation to each of the above repositories will be provided to SHPO and complete this stipulation.

## II. North Campus Website

- A. DAS will add information about the North Campus to the Oregon State Hospital Museum of Mental Health's existing website ([oshmuseum.org](http://oshmuseum.org)) or create a new website to do the same in consultation with that Museum; the best configuration will be jointly identified by DAS and the Oregon State Hospital Museum of Mental Health, either within the Museum's existing website, or as a separate, linked website. DAS will fund the website development to accomplish this to a maximum cost of \$5,000, and will contribute written content about the buildings. The Museum's photo and video collection of the North Campus will be incorporated.
- B. DAS and the Oregon State Hospital Museum of Mental Health will jointly establish protocols for website maintenance, including how and by which party the website will be maintained.
- C. DAS will install live webcams (up to five) in key locations around the demolition zones that will be available to access online in real-time. In addition, the demolition process will be recorded, and a time-lapse film created of the demolition process. Both the live webcams, and ultimately, the time-lapse film, will be made available on the Oregon State Hospital Museum of Mental Health website.

**III. Mobile Museum Display**

- A. DAS will fund the design and creation of a mobile display that can be featured in public places throughout the state, the schedule, delivery and locations managed by the Museum. DAS will contribute a maximum of \$2,500 toward the mobile display's design and construction. Design and content of the mobile display will be determined jointly by DAS, Oregon State Hospital Museum of Mental Health, and SHPO.

**IV. Museum Display and Funding**

- A. A number of artifacts identified by Museum staff have been removed from the buildings, and are in the possession of the Oregon State Hospital Museum of Mental Health. These items are now owned by the museum and shall be rotated and displayed along with the museum's existing collection, as the museum sees fit over time. To facilitate conservation of the above items, and provide support for the Museum, DAS will contribute \$7,500 to The Oregon State Hospital Museum of Mental Health general fund.

**V. Oral History Collection**

- A. DAS will fund the collection of oral histories and experience stories from current or former employees, patients, administrators, lawmakers, and neighborhood residents relating to the Oregon State Hospital. These oral histories will be recorded and transcribed, and copies made available to the Oregon State Hospital Museum of Mental Health, Oregon Historical Society, and Willamette Heritage Center.
- B. Existing, previously collected oral histories will be obtained from the Museum of Mental Health, and incorporated into the collection at the Museum of Mental Health. Where only audio or video recordings exist, these will be transcribed as well.

**VI. Interpretive Display**

- A. DAS will fund the design and construction of an interpretive display through an allocation of \$15,000 to the developer of the North Campus property (outlined in the purchase and sale agreement), to be owned and maintained by the City of Salem and sited in a publicly-accessible and appropriate location on the grounds of the North Campus within the Oregon State Hospital Historic District. Location, design and content of this interpretive display will be approved by the City of Salem, in consultation with DAS and SHPO.

**VII. Salvage**

- A. Existing historic street lamps, currently remaining within the project area, will be recovered and stored by DAS for future restoration/rehabilitation and relocation by the developer in a historically appropriate location within high-integrity areas of the Oregon State Hospital Historic District and outlined in the purchase and sale agreement. Previously recovered, matching historic street lamps will be restored/rehabilitated for similar use. If no historically appropriate location can be identified within high-integrity areas of the historic district, the lamps may be installed in a yet-to-be identified or designed public park within the Historic District, where they will be interpreted for the public. Costs of restoration and/or rehabilitation will be borne by DAS.

- B. DAS will recover and store a total of four pallets of bricks (comprising approximately 500 cleaned bricks, each) from the buildings to be demolished. These shall include two pallets of bricks from Breitenbush Hall, and one pallet each from Santiam Hall and McKenzie Hall. These bricks shall be reserved for use in an exterior interpretive display or commemoration on the North Campus of the Oregon State Hospital Historic District to be installed and constructed by the developer as outlined in the purchase and sale agreement (see Stipulation VI, above).

#### **VIII. REVIEW/REPORTING AND DEADLINES FOR COMPLETION**

Prior to application to the City of Salem for demolition permits for the North Campus buildings described in this document, DAS shall demonstrate to the Oregon SHPO that the mitigation has been completed OR that funding has been secured to complete the mitigation work. If DAS cannot complete the work, or distribute the funding to the appropriate parties responsible for completion of the mitigation work prior to application for the demolition permits, DAS must demonstrate that this funding has been secured.

For any mitigation work not completed prior to application for the demolition permits, DAS shall provide the Oregon SHPO semi-annual reports on the status of the proposed mitigation work as well as an opportunity to comment on the completeness of the mitigation specified in the Stipulations described in this document prior to final submission. Should DAS require any mitigation be completed by a third party (e.g. the Oregon Hospital Museum and/or the future developer of the North Campus), DAS shall ensure that the third party provides semi-annual reports and an opportunity to comment on the completeness of the mitigation prior to final submission to the Oregon SHPO. After final submission of the final report summarizing all work undertaken to satisfy the stipulations, the Oregon SHPO shall have 30 days to notify DAS and any associated third parties that the project mitigation is complete and the Stipulations of this document have been satisfied.

#### **IX. DURATION**

This MOA will expire if its terms are not carried out within five (5) years from the date of its execution. Prior to such time, DAS may consult with the other signatories to reconsider the terms of the MOA and amend it in accordance with Stipulation IX, below.

#### **X. AMENDMENTS**

This MOA may be amended when such an amendment is agreed to in writing by all signatories. The amendment will be effective on the date of the final signature on the amended MOA.

#### **XI. TERMINATION**

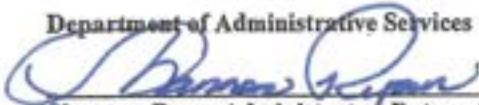
If any signatory to this MOA determines that its terms will not or cannot be carried out, that party shall immediately consult with the other parties in writing to attempt to develop an amendment pursuant to Section X, above. If within thirty (30) days (or another time period agreed to by all signatories) an amendment cannot be reached, any signatory may terminate the MOA upon written notification of the other signatories. If the MOA is terminated without amendment, the adverse effects will be considered unresolved until a new MOA is executed.

#### **XII. EXECUTION**

Execution of this MOA by DAS and SHPO and implementation of its terms are evidence that DAS has taken into account the effects of this undertaking on historic properties in accordance with ORS 358.653.

SIGNATORIES:

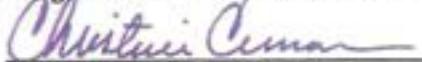
Department of Administrative Services



Shannon Ryan, Administrator, Enterprise Asset Management

Date: 8.25.16

Oregon State Historic Preservation Office



Christine Curran, Deputy State Historic Preservation Officer

Date: 8.24.16

ACKNOWLEDGED BY:

City of Salem



Steve Powers, City Manager  
City of Salem

Date: 08/29/2016

**AMENDMENT TO  
MEMORANDUM OF AGREEMENT  
BETWEEN THE  
OREGON DEPARTMENT OF ADMINISTRATIVE SERVICES,  
AND THE  
OREGON STATE HISTORIC PRESERVATION OFFICE  
REGARDING THE DEMOLITION OF THE PROPERTY ON THE  
NORTH CAMPUS OF THE OREGON STATE HOSPITAL  
SALEM, MARION COUNTY, OREGON (AGREEMENT)**

WHEREAS, the Agreement was executed August 2016;

WHEREAS, since the Agreement was signed an additional Historic Property was identified in the APE, Oregon State Hospital North Campus Archaeological Site (35MA397);

WHEREAS, the project will adversely affect archaeological site 35MA397;

NOW, THEREFORE, in accordance with Stipulation X of the Agreement, the Department of Administrative Services (DAS) and the Oregon State Historic Preservation Office (SHPO) agree to the following amendment to the Agreement:

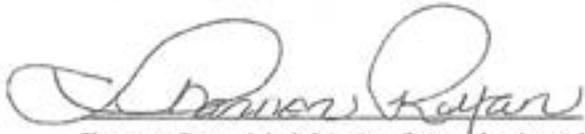
Add the following Stipulations:

1. Stipulation XIII:
  - A. Consultation will take place between The Confederated Tribes of Grand Ronde, The Confederated Tribes of Siletz, The Confederated Tribes of Warm Springs (Tribes) and DAS. During consultation the Tribes will be invited to be concurring parties on the Agreement.
2. Stipulation XIV:
  - A. One 1x1 meter test unit shall be excavated to a minimum depth of 50 centimeters at three locations decided upon by the SHPO and DAS. All units shall not cease before encountering two sterile 10 centimeter levels or an impasse. All work will need to be carried out under a State of Oregon Archaeological Permit.
  - B. The excavations shall be reported to SHPO, the Tribes, the Legislative Commission on Indian Services (LCIS), the University of Oregon Museum of Natural and Cultural History (UOMNCH) and the City of Salem following SHPO Guidelines. SHPO will have 30 days to ensure the completion and accuracy of the report.
  - C. Information obtained during the archaeological investigations will be incorporated into products produced under the Agreements' Stipulations II A, III, IV, and VI. If artifacts recovered from the archaeological testing are suitable for incorporation within the product of Stipulation IV, an agreement between the Oregon State Hospital Museum of Mental Health and the UOMNCH will be required.
3. Stipulation XV:

- A. Due to the knowledge of a historic cemetery within the project area, where the location is unverified, an Inadvertent Discovery Plan (IDP) specifically dealing with human remains (Appendix A) will be attached to the deed for the parcel.

SIGNATORIES:

Department of Administrative Services



Shannon Ryan, Administrator, Enterprise Asset Management

Date: 01.24.18

Oregon State Historic Preservation Office



Christine Curran, Deputy State Historic Preservation Officer

Date: 1.25.18

ACKNOWLEDGED BY:

City of Salem



Steve Powers, City Manager, City of Salem

Date: 01/26/2018

## APPENDIX A

### INADVERTENT DISCOVERY PLAN FOR CULTURAL RESOURCES FOR THE DEMOLITION AND SALE OF PROPERTY ON THE NORTH CAMPUS OF THE OREGON STATE HOSPITAL

This Inadvertent Discovery Plan (IDP) will be followed if human remains are encountered during any future construction of the parcel bounded by Center Street NE to the South, D Street NE to the north, Park Ave NE to the east, and 25<sup>th</sup> Street NE to the west, Salem, Marion County, Oregon.

#### Protocol for coordination in the event of an inadvertent discovery:

- o In the event of an inadvertent discovery of possible human remains, all work will stop immediately in the vicinity of the find. A 30-meter buffer will be placed around the discovery with work to proceed outside of this buffered area, unless additional human remains are encountered.
- o Neither 911 nor the media will be contacted. The location will be secured, no photos will be taken, and no items will be additionally disturbed or removed.
- o The project manager/land manager will be notified. The project manager will notify the Oregon State Police (OSP), the State Historic Preservation Office (SHPO), Legislative Commission on Indian Services (LCIS) and appropriate Tribes.
  - o OSP: Chris Allori – 503.731.4717
  - o CIS: Karen Quigley – 503.986.1067
  - o SHPO: Dennis Griffin – 503.986.0674
    - Or John Pouley – 503.986.0675
  - o Tribes: as designated by LCIS
- o Work will not resume in the area of the discovery until all concurring parties agree upon a course of action.

**FINDINGS APPLYING TO THE APPLICABLE SALEM REVISED CODE CRITERIA FOR  
A CLASS 2 ADJUSTMENT FOR LOT DEPTH IN THE RS AND RM-II ZONES**

As noted in the Applicant's large lot subdivision application, the Applicant is requesting that Lot 5 of the proposed Kirkbride Subdivision (Sub UGA 17-05) *Exhibit "A,"* be further subdivided into 4 (large) lots as identified on *Exhibit "B."* Proposed Lot 1 and Lot 2 of the proposed large lot subdivision will exceed the maximum lot depth standards in the Single Family (RS) zone, Lot 1; and in the Multiple Family Residential (RM-II) zone, Lot 2. Proposed large Lots 3 and 4 are not subject to this Class 2 Adjustment request as the Public Health zone does not have a maximum depth standard.

Both proposed Lots 1 and 2 will be better suited with the approval of the Class 2 Adjustment.

The development standards for the lot depth requirements in the RS zone are found at SRC 511.010(a) under Table 511-2; and at SRC 514.010(a) under Table 514-2 for lot standards in the RM-II zone.

Table 511-2 and Table 514-2 are identical with respect to the maximum lot depth requirement.

The lot depth requirements state as follows:

**Lot Depth**

**Single family and two family – Max. 300% of average lot width**

Under the unique facts in this case, the literal application of the code creates a practical difficulty.

The lot standards under SRC 511.010(a), 514.010(b), and contained in Tables 511-2 and 514-2, require that the maximum depth for single and two family lots is no greater than 300% of the average lot width. In this case the overall lot width of the RS and RM-II zoned parcels for the large lots will exceed the 300% maximum of an average lot width.

The purpose of this provision is to ensure that the Property Owner does not have lots that are overly deep/long in relation to the width so that they can be efficiently divided in the future. Under the unique facts of this case, the large lot subdivision sought in the underlying Comprehensive Plan Map Amendment/Zone Change/Subdivision Case No. CPC-ZC-SUB 19-02 is an intermediate subdivision, intended to lawfully create the RS and RM-II zoned lots so that the Oregon State Department of Administrative Services (Property Owner) can sell the lots to the Applicant. In order to meet the underlying intent of the development standards noted above, the Applicant is seeking an additional (detailed) subdivision approval to subdivide proposed Lot 1 into 47 typical single family lots. While proposed Lot 2 will remain as a single unit of land with the Applicant developing 211 units for multi-family housing.

SRC 250.005(d)(2) sets forth the approval criteria for a Class 2 Adjustment. The applicable criteria have been excerpted below in bold and italics, followed by Applicant's proposed findings.

**(2) An application for a Class 2 Adjustment shall be granted if all of the following criteria are met:**

**(A) The purpose underlying the specific development standard proposed for adjustment is:**

***(1) Clearly inapplicable to the proposed development; or***

Proposed Finding: The purpose of the underlying specific development standard proposed for adjustment is applicable to the proposed development.

***(ii) Equally or better met by the proposed development.***

Proposed Finding: The purpose of the underlying specific development standard proposed for adjustment is equally met by the proposed development. The goal of the underlying development standard is to ensure that you don't have lots that are overly deep/long in relation with the width such that they can be redeveloped. In this case, proposed lot one will be redeveloped with 47 single family residential lots, meeting the intent of this development standard. With respect to Lot 2, the Applicant will be developing a unified apartment development that will remain on one (1) lot and not need to be divided.

**(B) If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.**

Proposed Finding: Lot 1 and Lot 2 will both be located within a residential zone (RS, and RM-II). The Applicant seeks approval for this adjustment in order to lawfully create the units of land needed for the Applicant to purchase from the Owner, and in order to further its intended development goals. With respect to Lot 1, the NESCA Neighborhood Association specifically requested of the Applicant to not have any multi-family zoned property along either Park Ave. NE, or D Street NE. In order to accomplish this, the Applicant was forced to come up with an irregularly shaped property, which is partly to blame for the necessary adjustment to the design standards for Lot 1. The proposed layout of Lots 1 and 2, will not detract from the livability or appearance of the surrounding residential area.

**(C) If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone.**

Proposed Finding: The Applicant is requesting two other adjustments as a part of this project. The second adjustment is to the requirements of SRC 803.035 regarding local street connectivity and ensuring that connections to existing or planned streets and adjoining undeveloped properties shall be no greater than 600' intervals; and the third adjustment is to the setback requirements of SRC

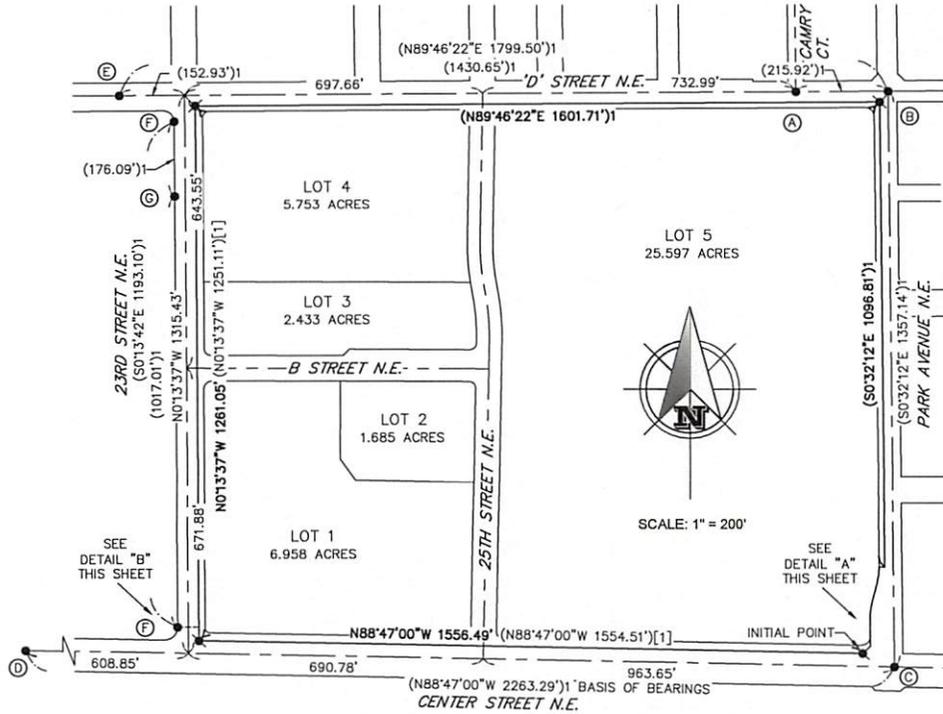
**SRC 514.010(b), Table 514-5, regarding setbacks between the RS and RM-II zoned portions for parking and alleyways to serve the single family and multi-family developments. The cumulative effect of which will result in a project that is very consistent with the overall purpose of the RS and RM II zones.**

**The Applicant satisfies the mandatory approval criteria for the Class 2 Adjustment for both the proposed RS (Lot 1) and RM-II (Lot 2) zoned properties and respectfully requests that it be approved as submitted.**

# KIRKBRIDE

LOCATED IN THE S.W. 1/4 OF SECTION 24 & N.W. 1/4 OF SECTION 25,  
T. 7 S., R. 3 W. OF THE WILLAMETTE MERIDIAN,  
CITY OF SALEM, MARION COUNTY, OREGON  
FEBRUARY 20, 2019

EXHIBIT A



**NARRATIVE:**

The purpose of this survey is to subdivide into lots that portion of that property described in Volume 182, Page 553, Marion County Deed Records, lying within the bounds of Center Street NE, "D" Street NE, 23rd Street NE and Park Avenue NE, per City of Salem Planning File No. SUB-UGA17-05. The basis of bearings used is between monuments C and D per M.C.S.R. 38279. Monuments set in said survey, along with record data, was held for the boundary of this plat, with the exception of the west and south lines (it has been discovered that there were drafting errors in the filed survey M.C.S.R. 38279 - this survey is also intended to correct those computed distances along the north right of way of Center Street NE and the east right of way of 23rd Street NE per said survey, matching the existing monuments found in this survey).

**LEGEND:**

- Found Monument. (See Monuments List)
  - ✕ 5/8" iron rod with yellow plastic cap stamped "WILSON PLS 2687". Set in [1].
  - 1" brass cap stamped "WILSON PLS 2687". Set in [1].
- ( ) = DATA OF RECORD  
( ) 1 = DATA OF RECORD PER [1] AND MEASURED  
[#] = SURVEY REFERENCE NUMBER  
V. = VOLUME  
P. = PAGE  
R. = REEL
- B.O.T.P. = BOOK OF TOWN PLATS  
M.C.S.R. = MARION COUNTY SURVEY RECORD  
M.C.D.R. = MARION COUNTY DEED RECORDS

**SURVEY REFERENCES:**

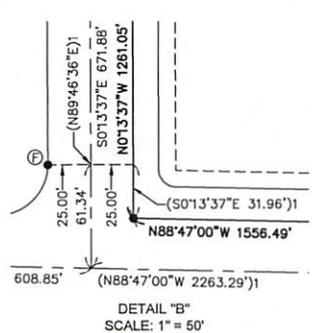
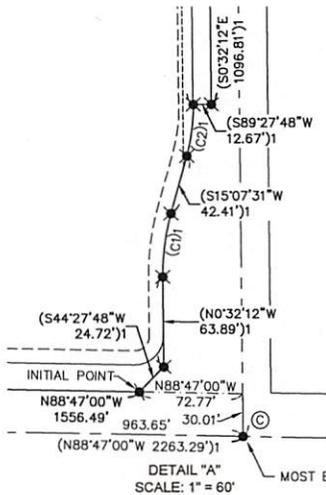
- [1] - M.C.S.R. 38279
- [2] - M.C.S.R. 19002
- [3] - M.C.S.R. 37941
- [4] - M.C.S.R. 7766
- [5] - CAMRY COURT (V.42, P.2, B.O.T.P.)
- [6] - EAST ENGLEWOOD ADDITION (V.14, P.53, B.O.T.P.)
- [7] - PARTITION PLAT 2009-3
- [8] - M.C.S.R. 4474
- [9] - M.C.S.R. 33726 S408
- [10] - M.C.S.R. 16606

**DEED REFERENCES**

- R1 V. 182, P. 553, M.C.D.R.
- R2 R. 3170, P. 389, M.C.D.R.

**MONUMENTS LIST:**

- (A) - 5/8" iron rod with 2" aluminum cap stamped "BARKER PLS 636. Set in [5].
- (B) - 1/4" iron rod, down 0.4'. Shown in [10].
- (C) - 2-1/2" brass disk stamped "MARION COUNTY SURVEYOR, down 0.7' in monument box. Set in [3]. Most Easterly S.E. Corner D.L.C. No. 61.
- (D) - 2-1/2" brass disk stamped "MARION COUNTY SURVEYOR, down 0.5' in monument box. Set in [3].
- (E) - 1" iron pipe, southeast corner of EAST ENGLEWOOD ADDITION, DOWN 1.0', down 1.0'. Set in [6].
- (F) - 5/8" iron rod with yellow plastic cap stamped "BARKER PLS 636". Set in [7].
- (G) - 1" brass cap stamped "BARKER PLS 636". Set in [7].



Curve Table				
Curve #	Radius	Length	Delta	Chord Bearing & Distance
(C1)1	165.50'	45.24'	15°39'39"	S07°17'43"W 45.10'
(C2)1	134.50'	36.76'	15°39'41"	N07°17'40"E 36.65'

REGISTERED PROFESSIONAL LAND SURVEYOR  
**PRELIMINARY**

OREGON  
JULY 19, 1994  
GREGORY L. WILSON  
2687

EXPIRATION DATE: 6/30/2020

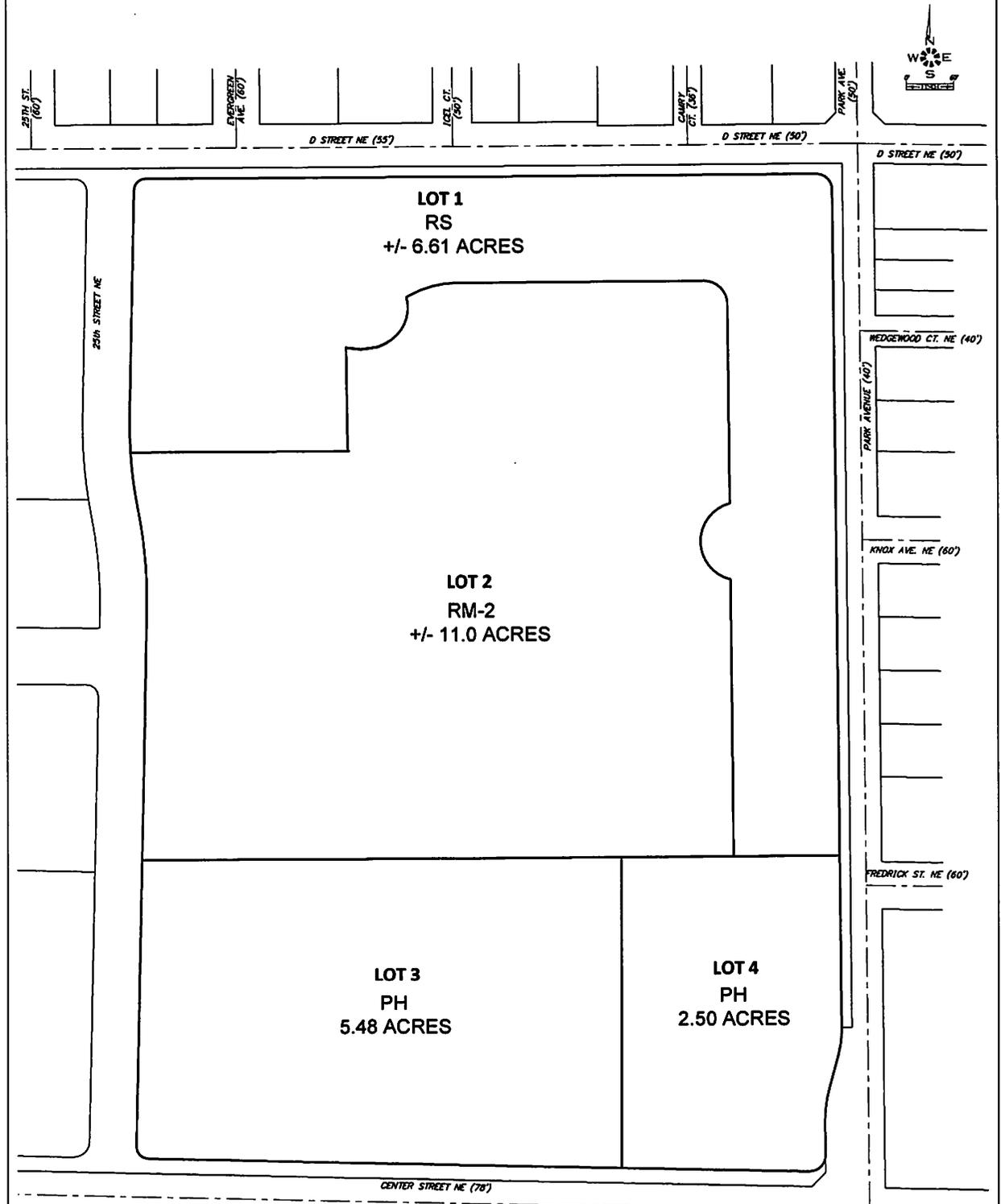


3657 KASHMIR WAY SE  
SALEM, OREGON 97317  
PHONE (503) 588-8800  
FAX (503) 363-2469  
EMAIL: INFO@BARKERWILSON.COM

# EXHIBIT B NORTH CAMPUS

SW 1/4, SEC. 24, T. 7 S., R. 3 W., W.M.  
CITY OF SALEM, MARION COUNTY, OREGON  
Site Address: 2600 Center Street, Salem, OR., Tax Lot # 100

Proposed (Revised) Zoning & Large Lot Subdivision Map\*



\*Acreages and line location are approximate and need to be confirmed by survey/surveyor. This revised Large Lot Subdivision & Zoning Map is being submitted to conform to proposed Condition of Approval #1 in CPC-ZC-SUB 19-02 Staff Report.

ZONE

**FINDINGS APPLYING TO THE APPLICABLE SALEM REVISED CODE CRITERIA FOR  
A CLASS 2 ADJUSTMENT FOR CONNECTIVITY IN THE RM II ZONE**

As noted in the Applicant's large lot subdivision application, the Applicant is requesting that RM II of the proposed North Campus ("**Subject Property**") (**Exhibit "A"**), be granted an adjustment to the connectivity requirements at SRC 803.035(a), as identified on **Exhibit "B."** The proposed local streets and multi-modal paths in Exhibit B will generate full principle directional access to vehicles, pedestrians, and bicycles through the proposed multi-family living area.

Applicant requires an adjustment because the interval requiring connection between local streets will be greater than 600 feet. East to West the block length is about 850 feet. Any attempt to connect the surrounding streets will exceed the connectivity standards in the Code and, therefore, the Applicant is requesting an adjustment to the connectivity standards. Applicant does not qualify for the other conditions in the subsections of SRC 803.035(a)(1)-(3).

The development standard is found at SRC 803.035(a). The criteria for the adjustment to connectivity requirements are found at SRC 250.005(d)(2) and are satisfied as follows:

**(2) An application for a Class 2 Adjustment shall be granted if all of the following criteria are met:**

**(A) The purpose underlying the specific development standard proposed for adjustment is:**

***(i) Clearly inapplicable to the proposed development; or***

**Proposed Finding:** The purpose of the underlying specific development standard proposed for adjustment is applicable to the proposed development.

***(ii) Equally or better met by the proposed development.***

**Proposed Finding:** The purpose of the underlying specific development standard proposed for adjustment is equally or better met by the proposed development. The goal of the underlying development standard is to ensure that local streets remain "connected to existing or planned streets." SRC 803.035(a). Applicant's adjustment will do more than simply provide a singular route of connectivity between a local street and existing streets but will in fact increase and improve connectivity by providing multiple points of accessibility between the surrounding streets by the North/South and East/West multi-modal paths. In addition, the cul-de-sacs with connecting alleys provided continuous multidirectional access through Lots 1 and 2.

- (B) If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.**

Proposed Finding: Conditioned up on approval of this adjustment, the Subject Property will be developed into a multi-family residential area. Presently, the Subject Property is surrounded by residences along the North (D St NE) and West (Park Ave NE). To the South is land owned by Oregon State Department of Administrative Services. It is vacant and intended for commercial uses. Further South is the Oregon State Hospital. To the East (25<sup>th</sup> St NE) is a pastoral area with a pre-existing parking area. This application will not detract from the livability of the area, rather it will enhance its residential allocation by bringing more and newer residences into the area. This adjustment will make the area more livable because it will generate more residences and diversified ingress and egress options, connecting D St NE, Park Ave NE, and Center St NE. The proposed adjustment will not detract from the appearance of the surrounding residential area. After the recent demolition of the pre-existing buildings on the Subject Property, the land appears desolate. But with Applicant's carefully curated building designs and facades, the now-barren area will once again project residential vibrancy and aesthetic appeal.

- (C) If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone.**

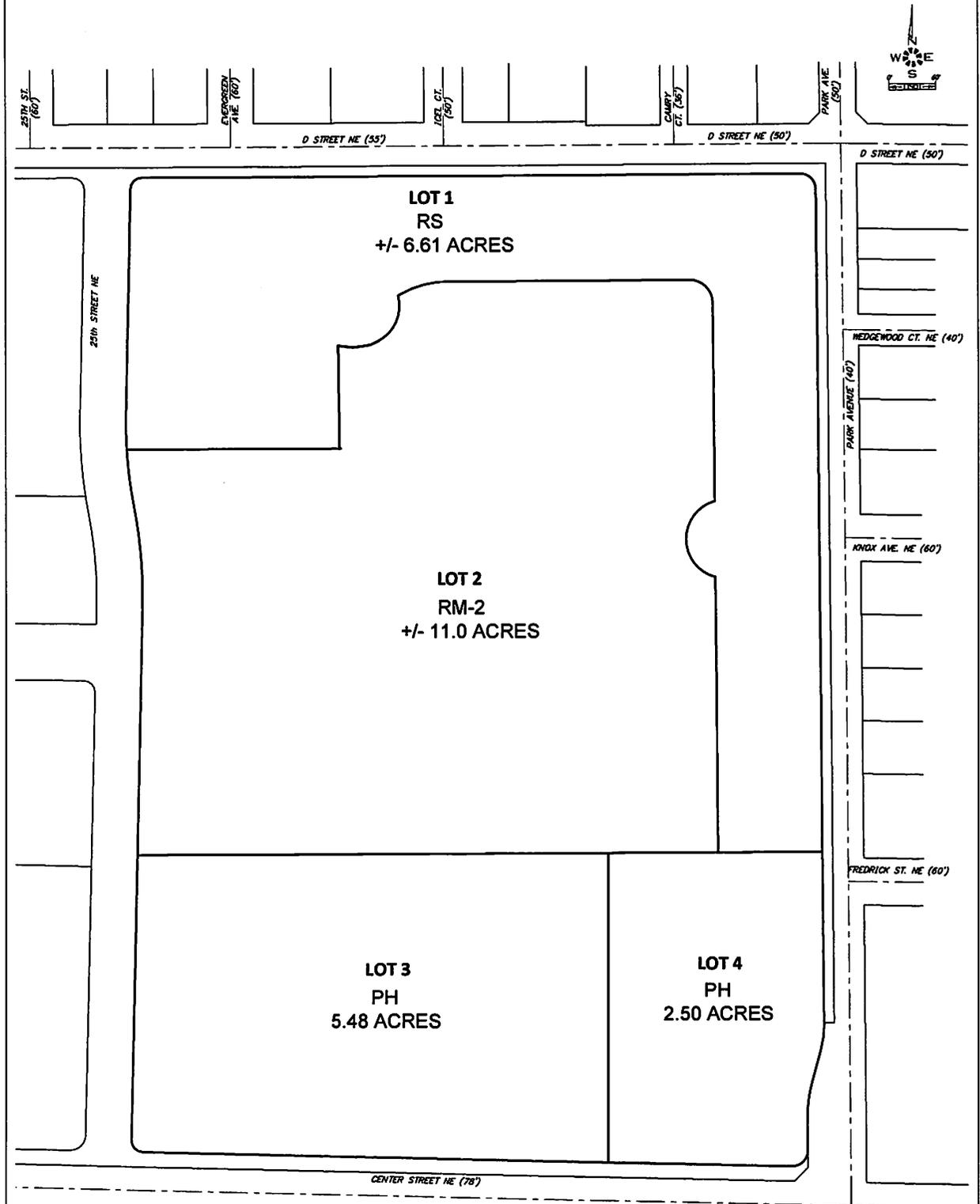
Proposed Finding: The Applicant is requesting three (3) adjustments, as noted in the Applicant's lot depth adjustment. Together, the adjustments' cumulative effect is consistent with the overall purpose of the RM II zone.

The Applicant satisfies the mandatory approval criteria for the Class 2 Adjustment and respectfully requests that it be approved as submitted.

# EXHIBIT A NORTH CAMPUS

SW 1/4, SEC. 24, T. 7 S., R. 3 W., W.M.  
CITY OF SALEM, MARION COUNTY, OREGON  
Site Address: 2600 Center Street, Salem, OR., Tax Lot # 100

Proposed (Revised) Zoning & Large Lot Subdivision Map\*



\*Acreages and line location are approximate and need to be confirmed by survey/surveyor. This revised Large Lot Subdivision & Zoning Map is being submitted to conform to proposed Condition of Approval #1 in CPC-ZC-SUB 19-02 Staff Report.

ZONE

# EXHIBIT B



*PROXY SOUTH*  
*MULTI-UNITED PARK*

*WEST/WEST*  
*MULTI-UNITED PARK*

**FINDINGS APPLYING TO THE APPLICABLE SALEM REVISED CODE CRITERIA FOR  
A CLASS 2 ADJUSTMENT FOR SETBACK IN THE RS and RM II ZONE**

As noted in the Applicant's large lot subdivision application, the Applicant is requesting that RS and RM II's lot boundaries on the proposed North Campus ("**Subject Property**") (**Exhibit "A"**), be granted an adjustment to the setback requirement at SRC 514.010(b), Table 514-5.

Applicant requires an adjustment because the Code's requirement for a 10-foot setback between two different zones is impractical in this case. The 25-foot common alleyway already provides a sufficient setback area between the RS and RM II zones, which will fulfill the spirit of the setback requirement.

The development standard is found at SRC 514.010(b), Table 514-5. The criteria for the adjustment to the setback requirements are found at SRC 250.005(d)(2) and are satisfied as follows:

**(2) An application for a Class 2 Adjustment shall be granted if all of the following criteria are met:**

**(A) The purpose underlying the specific development standard proposed for adjustment is:**

***(i) Clearly inapplicable to the proposed development; or***

Proposed Finding: The purpose of the underlying specific development standard proposed for adjustment is applicable to the proposed development.

***(ii) Equally or better met by the proposed development.***

Proposed Finding: The purpose of the underlying specific development standard proposed for adjustment is equally or better met by the proposed development. The intended goal of the underlying development standard is to ensure that there is an appropriate setback or buffer area between different types of adjoining zone uses. Here, the RS zone and the RM II zone are both residential and can comfortably and logically share the adjoining 25-foot alleyway for ingress and egress from their respective driveways. Granting Applicant's adjustment will fulfil the spirit of the setback requirement because there will be a buffer area between the two zones—in fact, the standard is better met by the Applicant's adjustment because the 25-foot alleyway is more than double the amount of setback space that is required under the Code.

**(B) If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.**

Proposed Finding: The development will not detract from the livability of the area, rather it will enhance its residential allocation by bringing more and newer residences into the area. There are attractive, long-standing trees and

hedging on the West side of Park Avenue. The neighborhood to the East of Park Avenue strongly advocates preserving the visual appeal of the tree line along Park Avenue. To accommodate this, the driveways in the RS zone must exit into the common alleyway instead of onto Park Avenue. Granting Applicant's adjustment will ensure there is no detracting in the appearance of the surrounding residential area and will preserve the tree line.

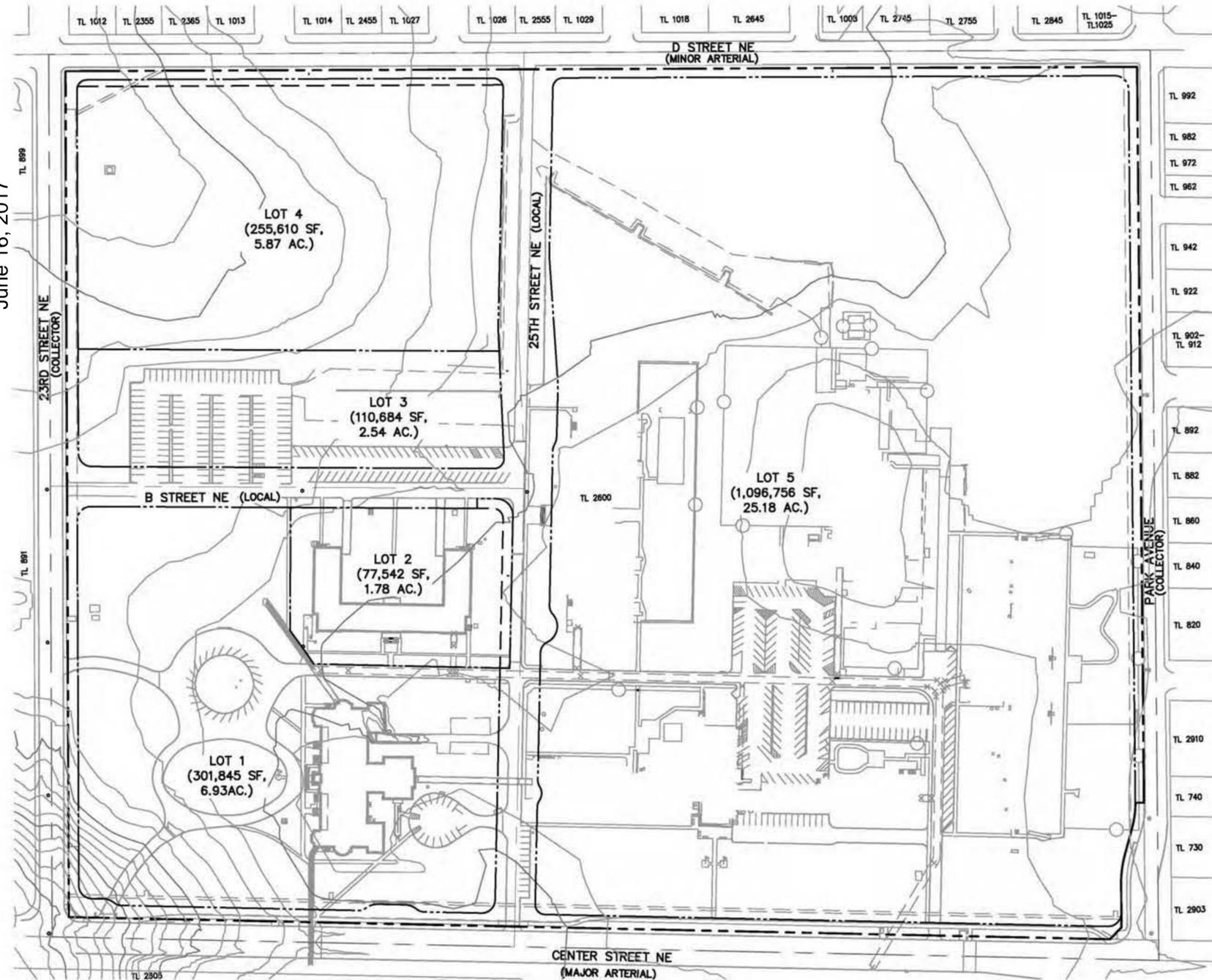
**(C) If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone.**

Proposed Finding: The Applicant is requesting three (3) adjustments, as noted in the Applicant's lot depth adjustment written statement. Together, the adjustments' cumulative effect are consistent with the overall purpose of the RS and RM II zone.

The Applicant satisfies the mandatory approval criteria for the Class 2 Adjustment and respectfully requests that it be approved as submitted.

# TENTATIVE SUBDIVISION PLAN OREGON STATE HOSPITAL - NORTH CAMPUS SALEM, OREGON

Attachment B  
 (Exhibit E - Applicant's Tentative Subdivision Plan and  
 Proposed Public Improvement Plans)  
 June 16, 2017



**1 OVERALL SITE PLAN**  
 1"=100'



**2 VICINITY MAP**  
 1"=1/4 MILE

**AREAS**

**EXISTING SITE AREA**  
 2,050,723 SF 47.08 AC

**DEDICATED ROW**  
 212,572 SF 4.88 AC

**NET PARCEL AREAS**  
 1,838,314 SF 42.20 AC

**OWNER/APPLICANT**

**OREGON DEPARTMENT OF ADMINISTRATIVE SERVICES (DAS)**  
 1225 FERRY STREET SE U100  
 SALEM, OR 97301  
 CONTACT: DARRIN BRIGHTMAN

PHONE: (503) 373-0975  
 EMAIL: DARRIN.BRIGHTMAN@OREGON.GOV

**SURVEYOR**

**BARKER SURVEYING**  
 3657 KASHMIR WAY SE  
 SALEM, OREGON 97317  
 CONTACT: GREGORY WILSON

PHONE: (503) 558-8800  
 FAX: (503) 363-2469  
 EMAIL: INFO@BARKERWILSON.COM

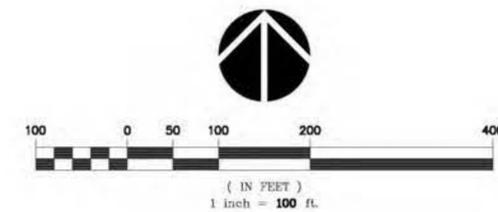
**CIVIL PLANNER/ENGINEER**

**MACKENZIE**  
 1515 SE WATER AVENUE, SUITE 100  
 PORTLAND, OREGON 97214  
 CONTACT: LEE LEIGHTON, AICP (PLANNER)  
 CONTACT: TIM MCGUIRE (CIVIL ENGINEER)

PHONE: (503) 224-9560  
 FAX: (503) 228-1285  
 EMAIL: TWM@mcknze.com  
 EMAIL: LDL@mcknze.com

**SHEET INDEX**

1. OVERALL SITE PLAN
2. EXISTING CONDITIONS PLAN
3. NORTHWEST - ENLARGED SITE PLAN
4. NORTHEAST - ENLARGED SITE PLAN
5. SOUTHEAST - ENLARGED SITE PLAN
6. SOUTHWEST - ENLARGED SITE PLAN
7. STREET CROSS SECTIONS
8. PHASING PLAN - PHASE 1
9. PHASING PLAN - PHASE 2
10. PHASING PLAN - PHASE 3
11. PHASING PLAN - PHASE 4



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REVISION SHEET	DELTA	REVISIONS THIS SHEET	REVISION CLOSING DATE

SHEET TITLE:  
**OVERALL PLAN**

DRAWN BY: KRC  
 CHECKED BY: TWM  
 SHEET:

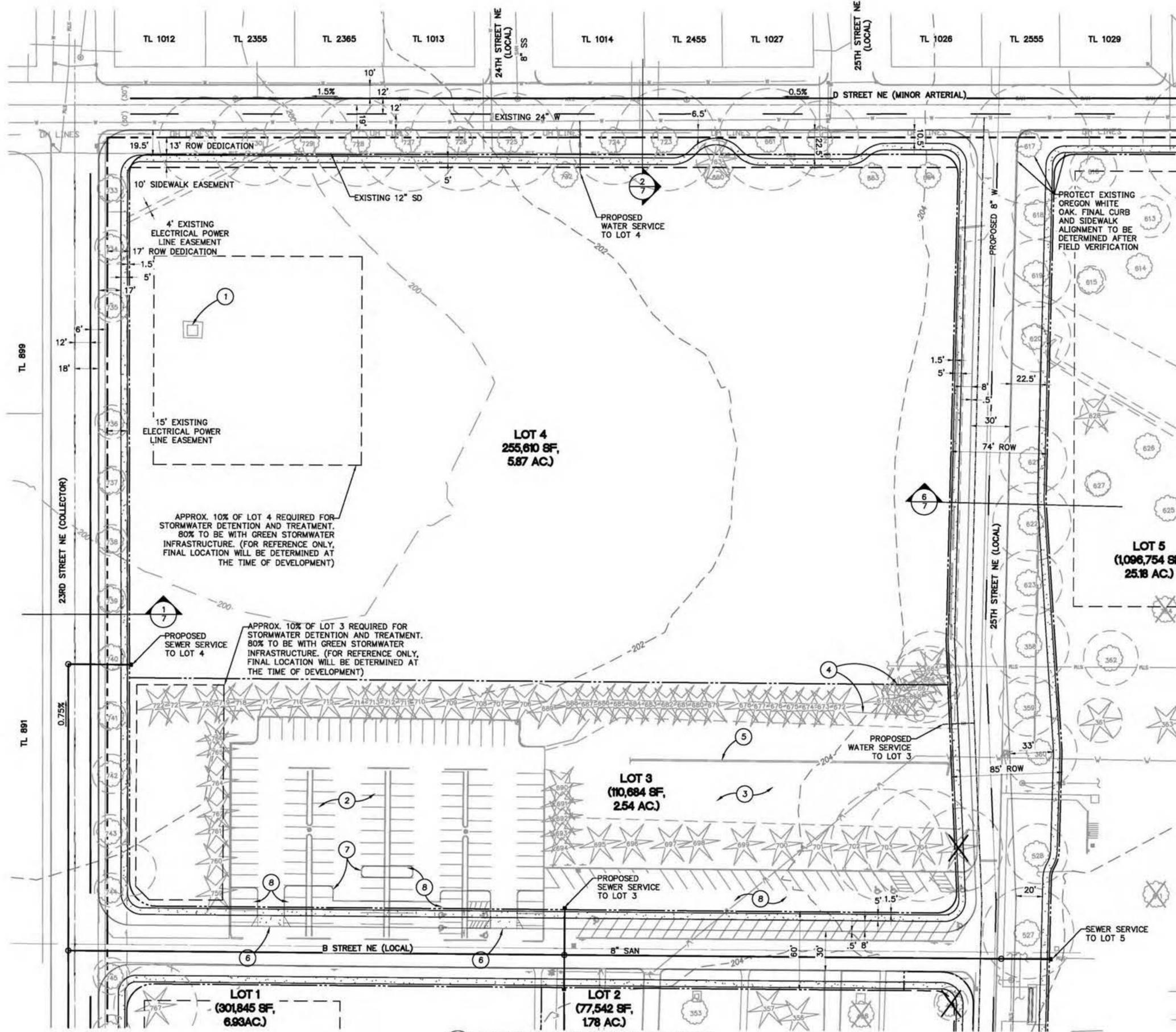
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JOB NO. **2160535.00**

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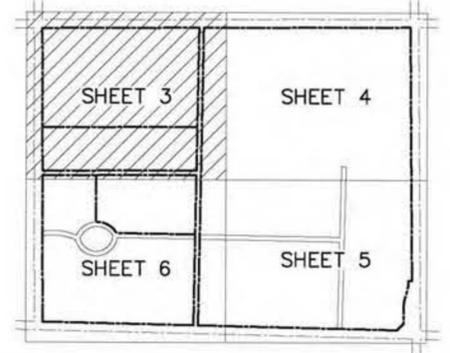
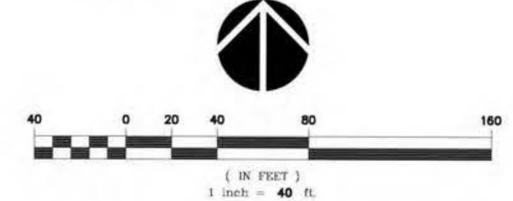
EXHIBIT 4



KEY NOTES

- EXISTING IMPROVEMENTS TO BE REMOVED BY DAS. (PERMITTED AND IN PROCESS AS OF JANUARY 2017)
- EXISTING ASPHALT PARKING LOT TO REMAIN
- EXISTING GRAVEL PARKING LOT TO REMAIN
- EXISTING FENCE TO REMAIN
- EXISTING WOODEN CURB STOP TO REMAIN
- PROPOSED DRIVEWAY
- PROPOSED CURB
- REMOVE EXISTING AC AND REPLACE WITH LANDSCAPE AREA

	EXISTING	PROPOSED
RIGHT-OF-WAY	---	---
ROAD CENTERLINE	---	---
CURB	---	---
SIDEWALK	---	---
SANITARY SEWER	---	---
WATER LINE	---	---
STORM LINE	---	---
GAS LINE	---	---
FENCE	---	---
OVERHEAD WIRE	---	---
MAJOR CONTOUR	---	---
MINOR CONTOUR	---	---
SANITARY SEWER MANHOLE	⊙	⊙
STORM MAN HOLE	⊙	⊙
STORM CATCH BASIN	⊙	⊙
FIRE HYDRANT	⊙	⊙
WATER VALVE	⊙	⊙
GAS VALVE	⊙	⊙
TREE	⊙	⊙
TREE PREVIOUSLY APPROVED TO BE REMOVED	⊙	⊙
TREE TO BE REMOVED	⊙	⊙
LIGHT POLE	⊙	⊙
GUY WIRE	---	---



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NO.	REVISIONS	REVISION DATE	CLOSING DATE

SHEET TITLE:  
**NORTHWEST - ENLARGED SITE PLAN**

DRAWN BY: KRC  
 CHECKED BY: TWM  
 SHEET:

**3**

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2 KEY MAP  
 3 NTS

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SHEET TITLE:  
**NORTHEAST -  
ENLARGED  
SITE PLAN**

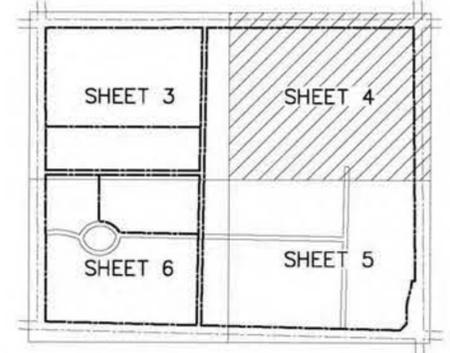
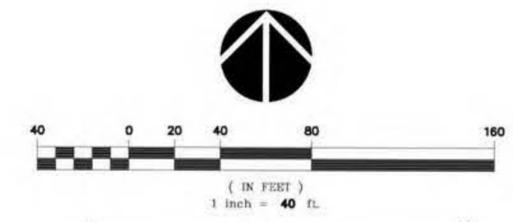
DRAWN BY: KRC  
CHECKED BY: TWM  
SHEET:

JOB NO.  
**2160535.00**

**KEY NOTES**

- EXISTING IMPROVEMENTS TO BE REMOVED BY DAS. (PERMITTED AND IN PROCESS AS OF JANUARY 2017)
- MOVE EXISTING AREA DRAIN. RECONNECT TO EXISTING PIPE.

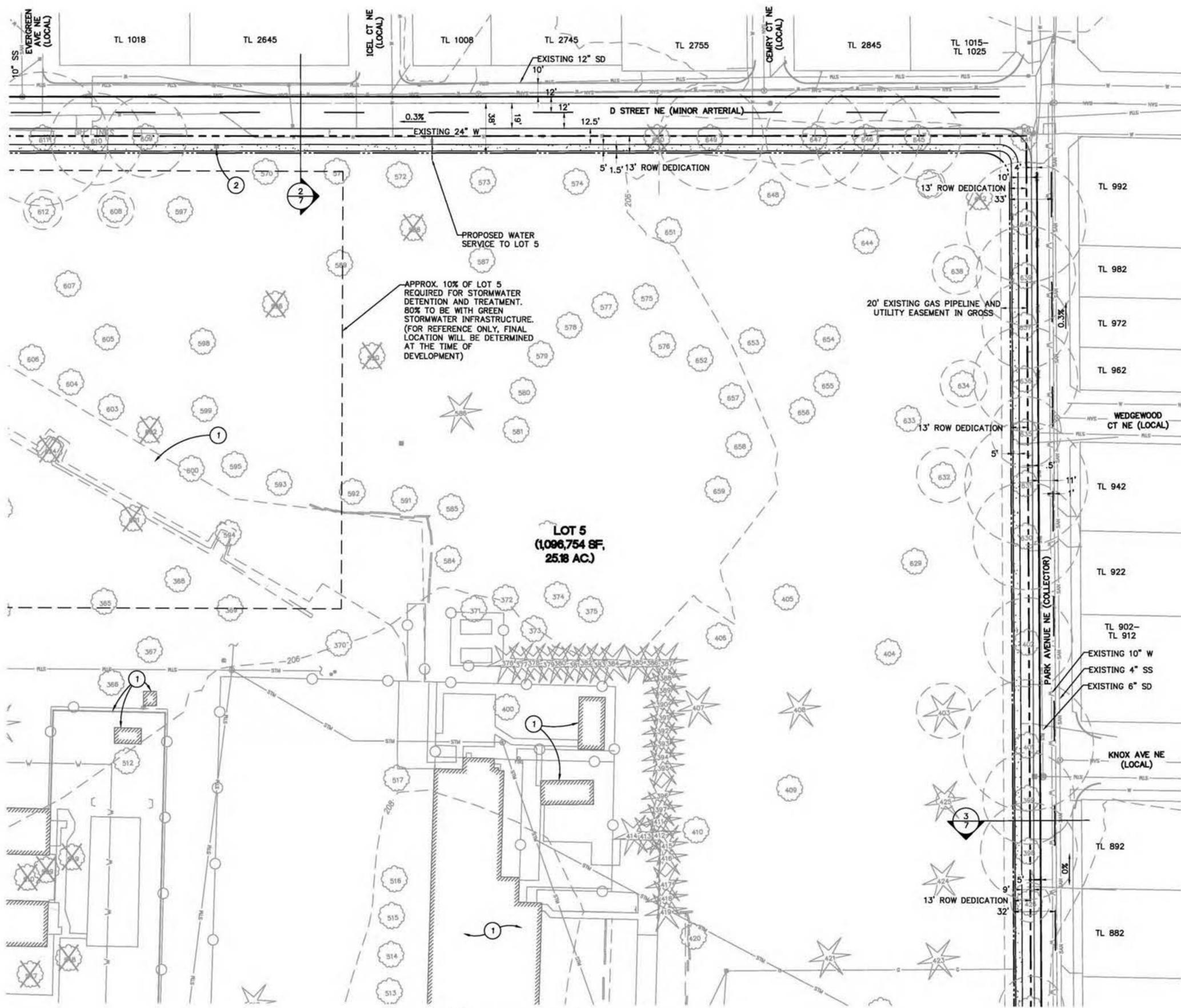
	EXISTING	PROPOSED
RIGHT-OF-WAY	---	---
ROAD CENTERLINE	---	---
CURB	---	---
SIDEWALK	---	---
SANITARY SEWER	---	---
WATER LINE	---	---
STORM LINE	---	---
GAS LINE	---	---
FENCE	---	---
OVERHEAD WIRE	---	---
MAJOR CONTOUR	---	---
MINOR CONTOUR	---	---
SANITARY SEWER MANHOLE	⊙	⊙
STORM MAN HOLE	•	•
STORM CATCH BASIN	■	■
FIRE HYDRANT	⊕	⊕
WATER VALVE	•	•
GAS VALVE	•	•
TREE	★	★
TREE PREVIOUSLY APPROVED TO BE REMOVED	★	✕
LIGHT POLE	⊙	⊙
GUY WIRE	---	---



2 KEY MAP  
4 NTS

4

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1 NORTHEAST - ENLARGED SITE PLAN  
4 1"=40'

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SHEET TITLE:  
**SOUTHEAST -  
ENLARGED  
SITE PLAN**

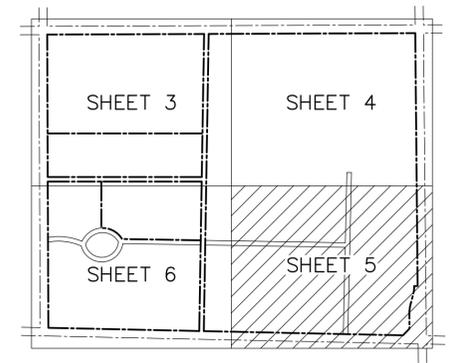
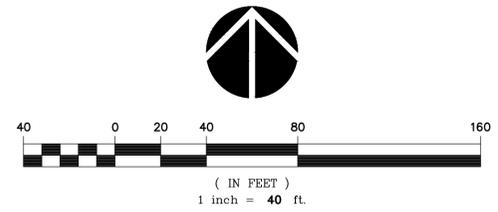
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CHECKED BY: TWM  
SHEET:

JOB NO. **2160535.00**

**KEY NOTES**

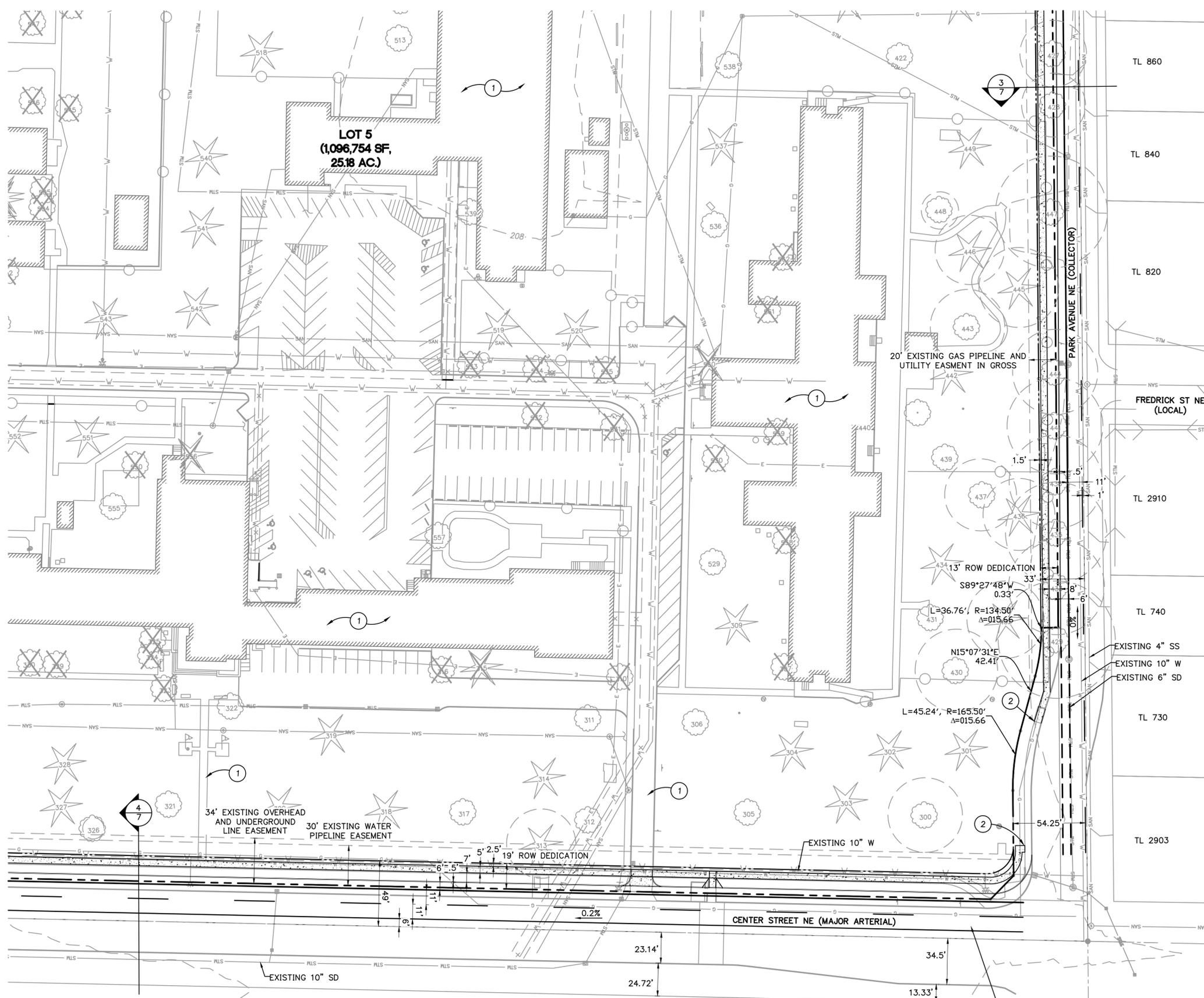
- EXISTING IMPROVEMENTS TO BE REMOVED BY DAS. (PERMITTED AND IN PROCESS AS OF JANUARY 2017)
- CONNECT TO EXISTING CURB AND SIDEWALK

	EXISTING	PROPOSED
RIGHT-OF-WAY	---	---
ROAD CENTERLINE	---	---
CURB	---	---
SIDEWALK	---	---
SANITARY SEWER	SAN	SAN
WATER LINE	W	W
STORM LINE	STM	STM
GAS LINE	G	G
FENCE	○	○
OVERHEAD WIRE	OH LINES	OH LINES
MAJOR CONTOUR	-200-	-200-
MINOR CONTOUR	-202-	-202-
SANITARY SEWER MANHOLE	⊙	⊙
STORM MAN HOLE	●	●
STORM CATCH BASIN	■	■
FIRE HYDRANT	⊕	⊕
WATER VALVE	•	•
GAS VALVE	•	•
TREE	★	★
TREE PREVIOUSLY APPROVED TO BE REMOVED	★	★
LIGHT POLE	⊙	⊙
GUY WIRE	—	—



**2** KEY MAP  
**5** NTS

**5**



**1** SOUTHEAST - ENLARGED SITE PLAN  
**5** 1"=40'

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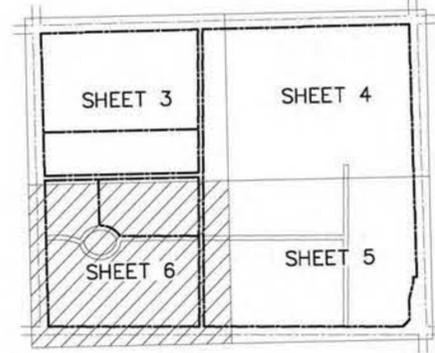
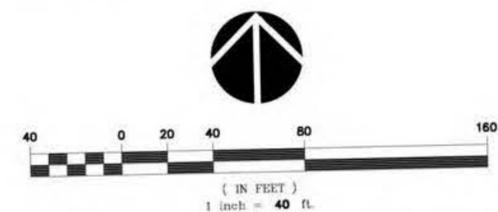
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**SOUTHWEST -  
ENLARGED  
SITE PLAN**

DRAWN BY: KRC  
CHECKED BY: TWM  
SHEET:

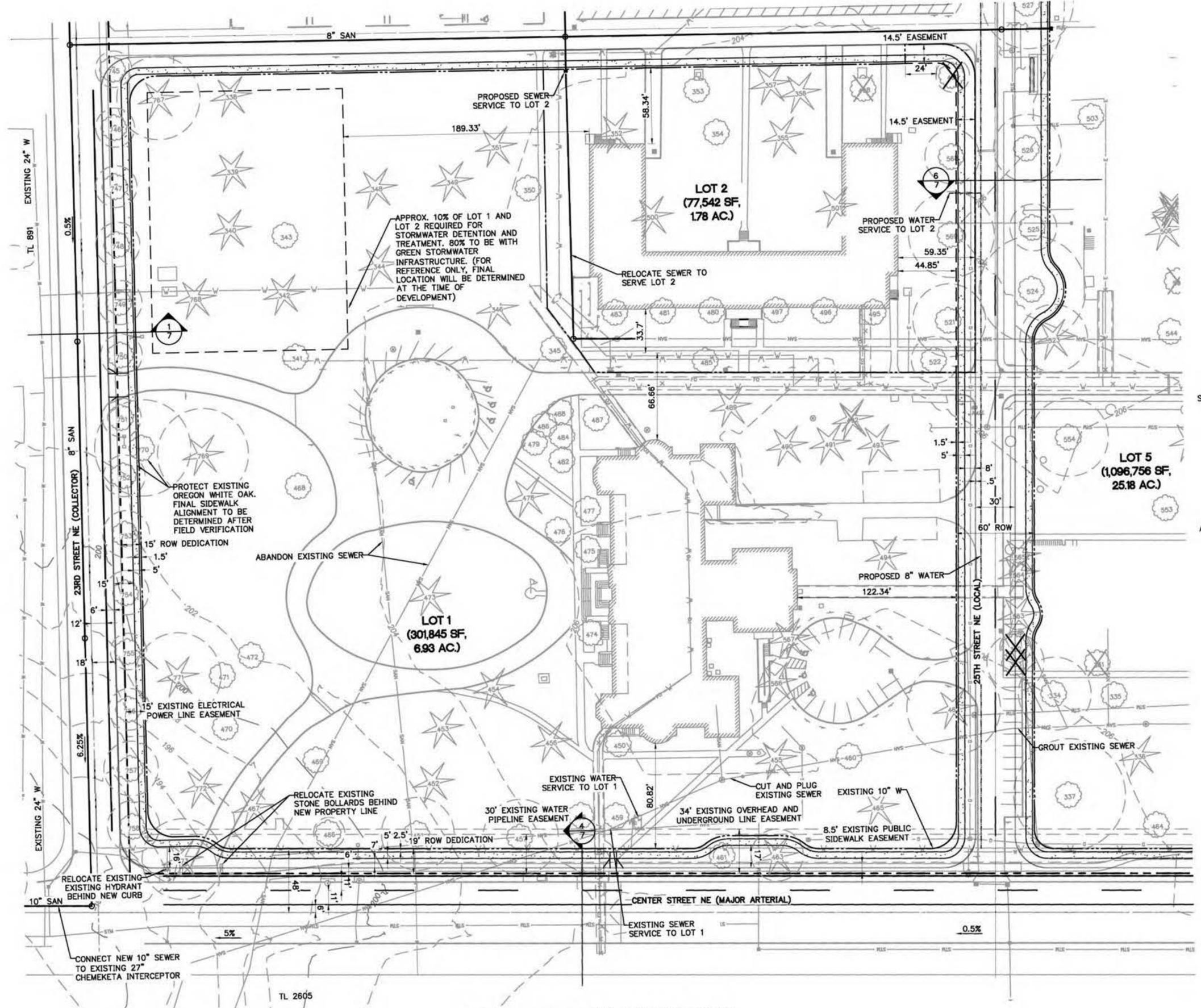
6

JOB NO.  
**2160535.00**

	EXISTING	PROPOSED
RIGHT-OF-WAY	---	---
ROAD CENTERLINE	---	---
CURB	---	---
SIDEWALK	---	---
SANITARY SEWER	---	---
WATER LINE	---	---
STORM LINE	---	---
GAS LINE	---	---
FENCE	---	---
OVERHEAD WIRE	---	---
MAJOR CONTOUR	-200-	-200-
MINOR CONTOUR	-202-	-202-
SANITARY SEWER MANHOLE	⊙	⊙
STORM MAN HOLE	⊙	⊙
STORM CATCH BASIN	⊙	⊙
FIRE HYDRANT	⊙	⊙
WATER VALVE	⊙	⊙
GAS VALVE	⊙	⊙
TREE	★	★
TREE TO PREVIOUSLY APPROVED TO BE REMOVED	★	★
TREE TO BE REMOVED	★	★
LIGHT POLE	⊙	⊙
GUY WIRE	---	---



2 KEY MAP  
6 NTS



1 SOUTHWEST - ENLARGED SITE PLAN  
6 1"=40'

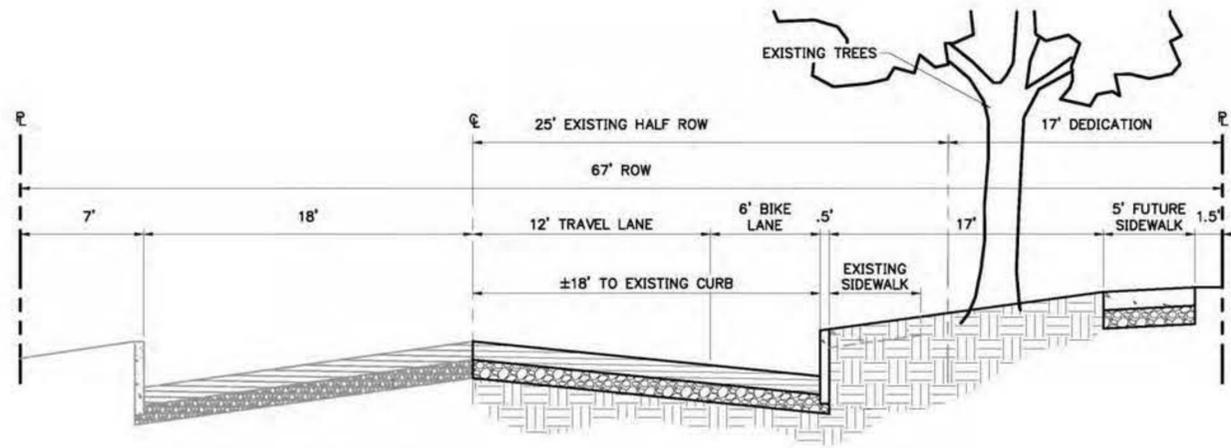
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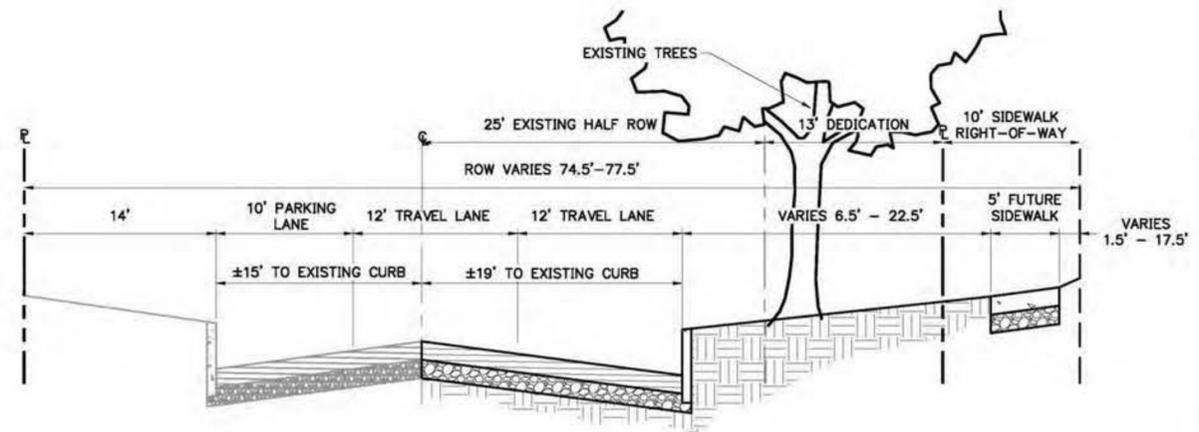
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NO.	DESCRIPTION	NO.	DESCRIPTION	DATE

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SECTIONS**

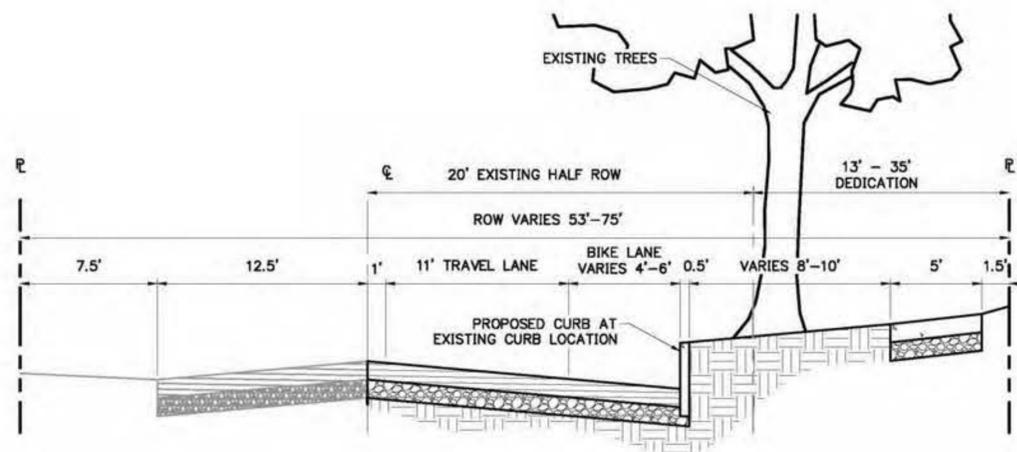
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CHECKED BY: TWM  
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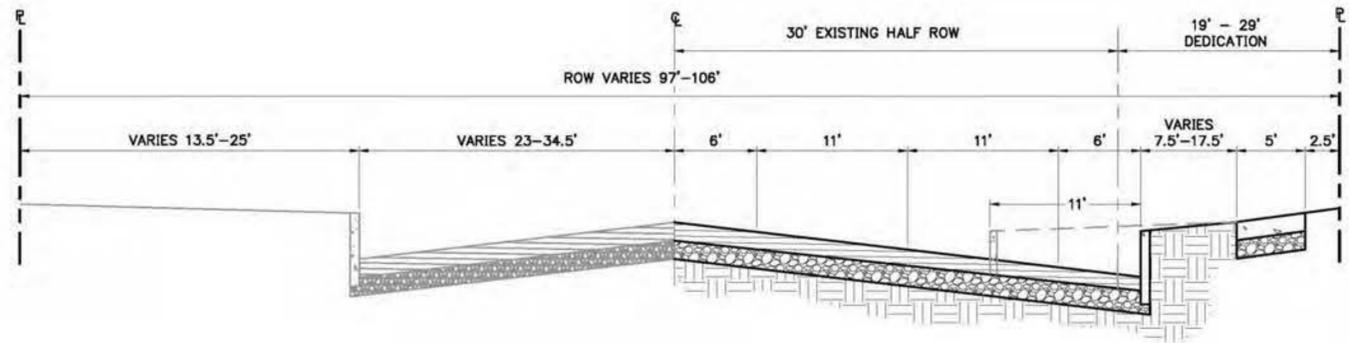
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**23RD STREET NE**  
NTS



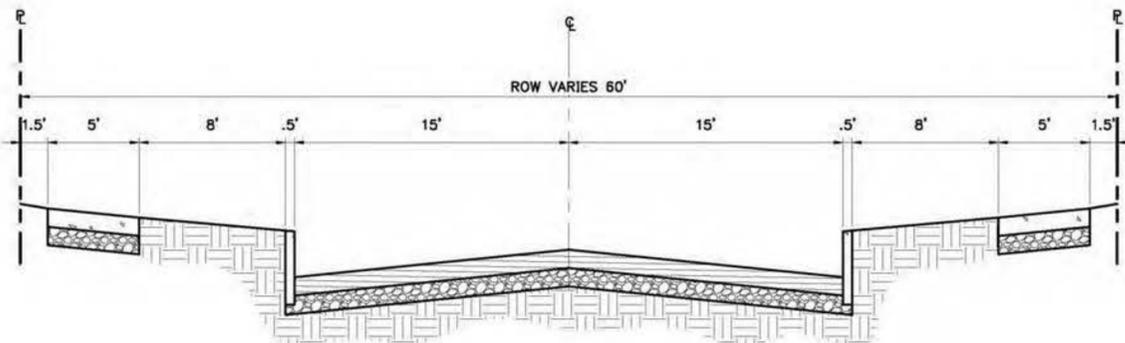
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**D STREET NE**  
NTS



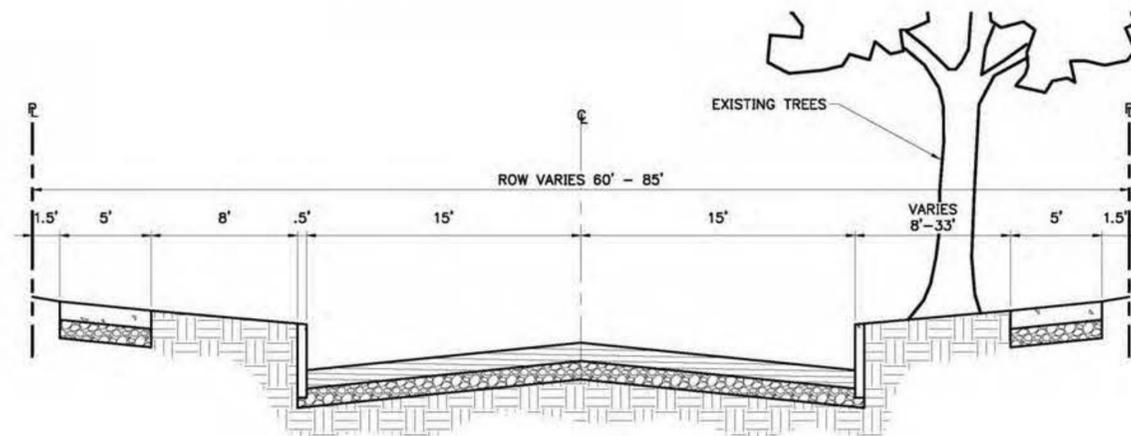
**3**  
**PARK AVENUE NE**  
NTS



**4**  
**CENTER STREET NE**  
NTS



**5**  
**B STREET NE**  
NTS



**6**  
**25TH STREET NE**  
NTS

# PHASING PLAN PHASE 1



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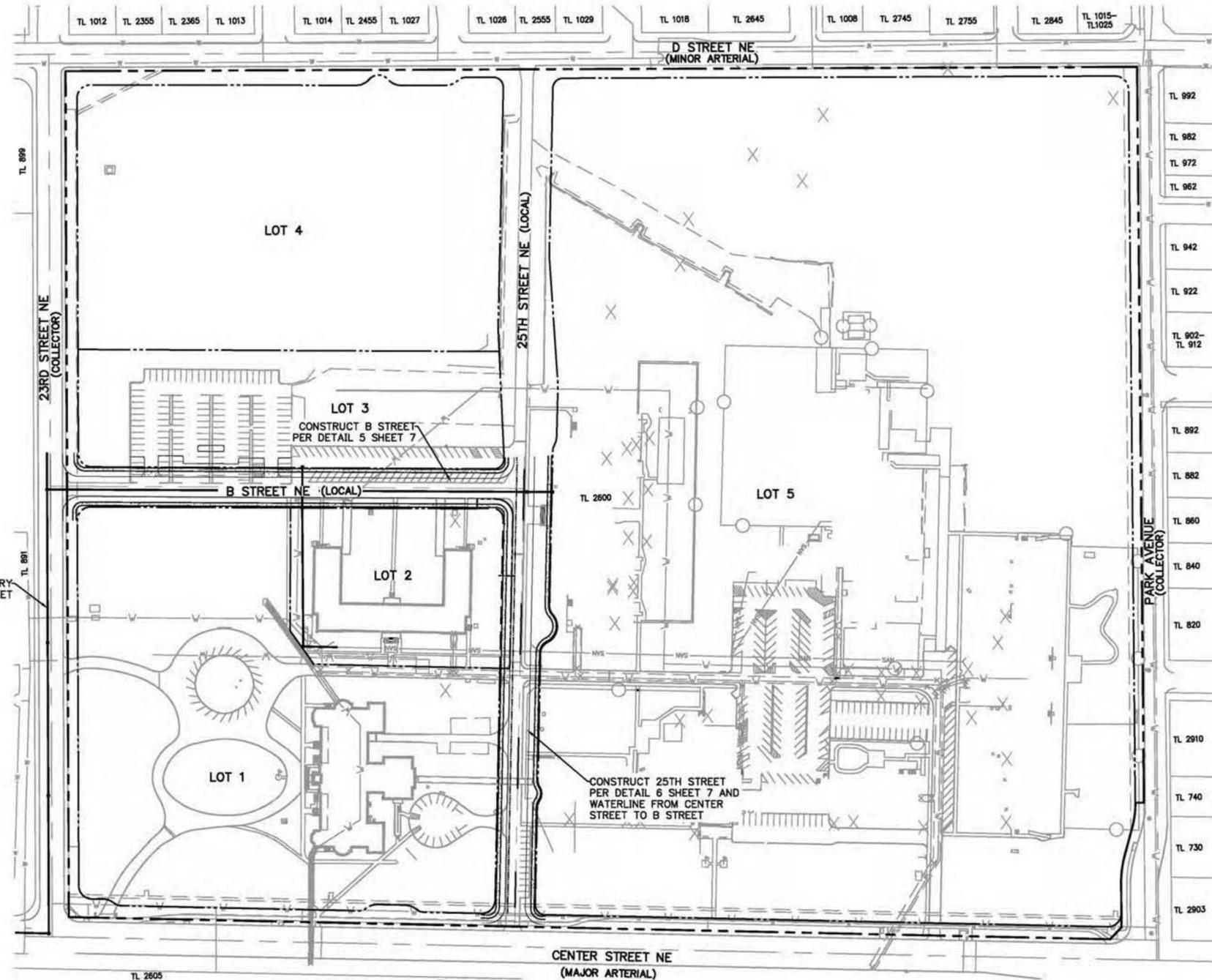
SHEET TITLE:  
**PHASING PLAN  
PHASE 1**

DRAWN BY: KRC  
CHECKED BY: TWM  
SHEET:

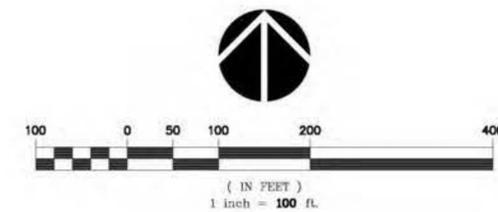
**8**

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**1** PHASE 1 PLAN  
**8** 1"=100'



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# PHASING PLAN PHASE 2



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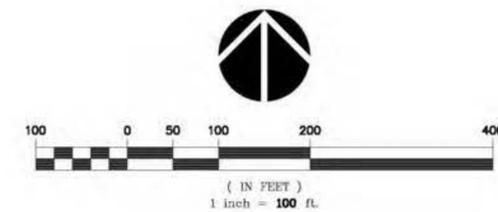
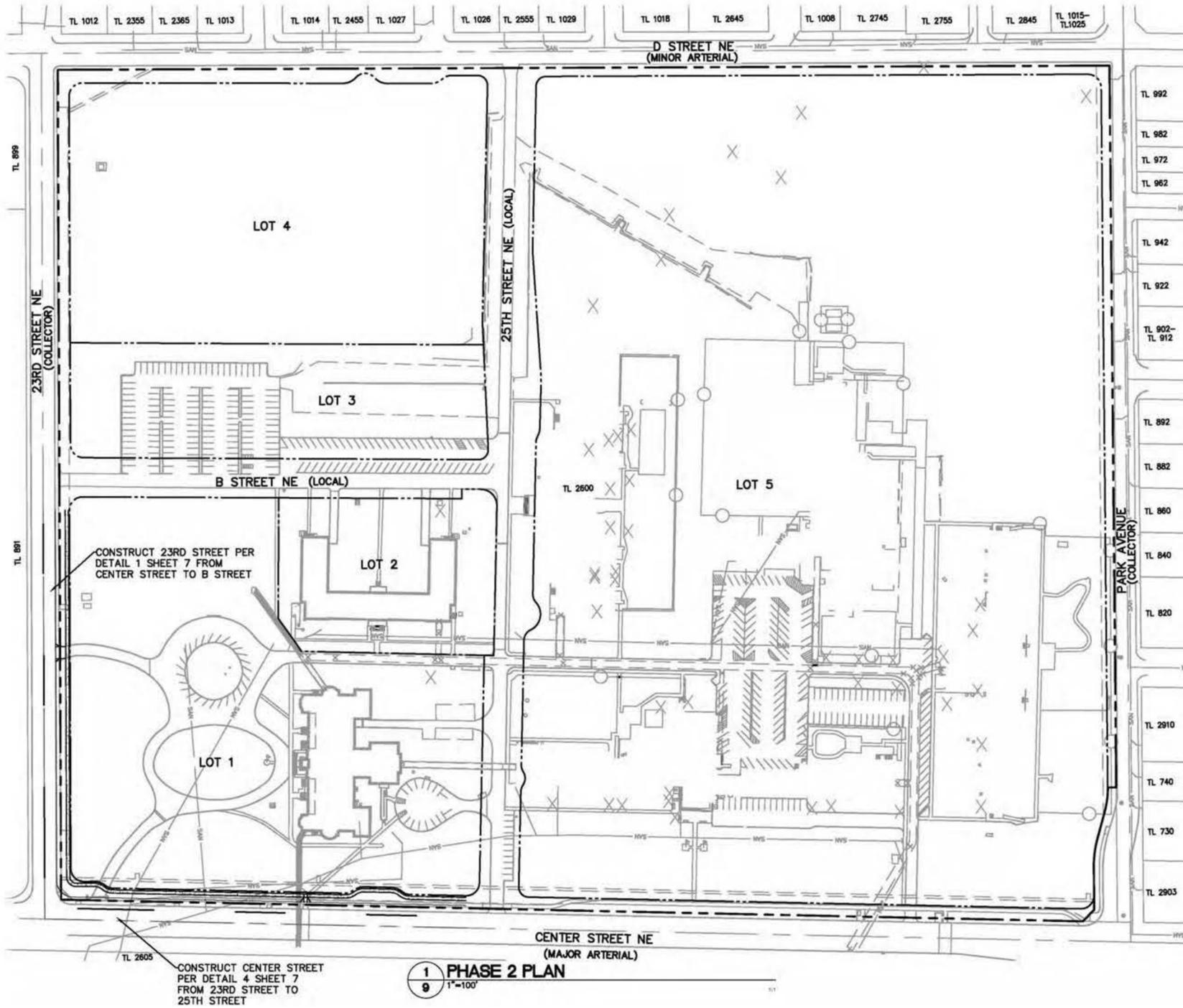
REVISION DELTA SHEET	REVISIONS THIS SHEET	REVISION DELTA CLOSING DATE

SHEET TITLE:  
**PHASING PLAN  
PHASE 2**

DRAWN BY: KRC  
CHECKED BY: TWM  
SHEET:

**9**

JOB NO. **2160535.00**



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# PHASING PLAN PHASE 3



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REVISION	REVISIONS	REVISION	DELTA	THIS	CLOSING
DELTA	DELTA	DELTA	DELTA	DELTA	DELTA
THIS	THIS	THIS	THIS	THIS	THIS
SHEET	SHEET	SHEET	SHEET	SHEET	SHEET

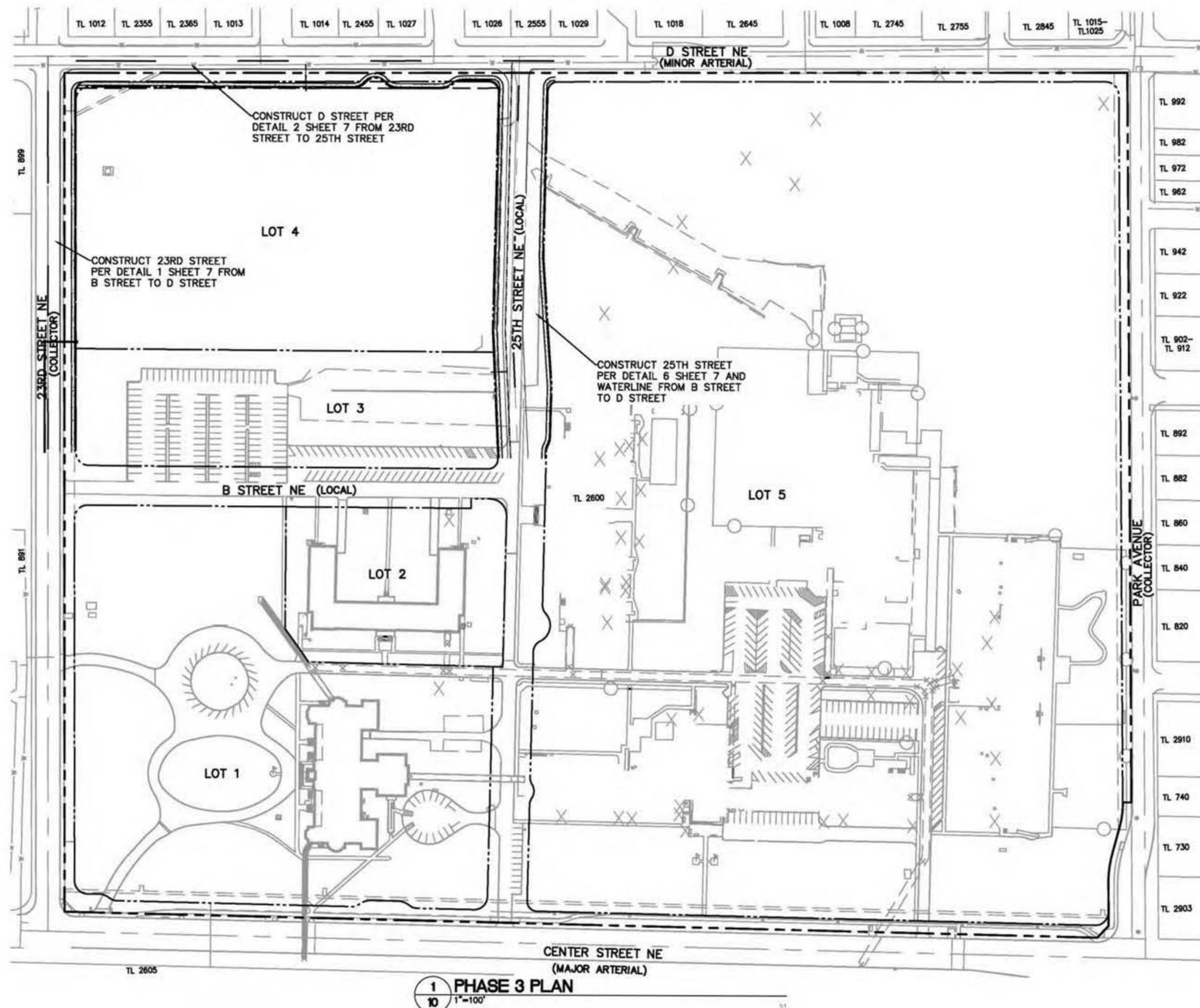
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**PHASING PLAN  
PHASE 3**

DRAWN BY: KRC  
CHECKED BY: TWM  
SHEET:

**10**

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# PHASING PLAN PHASE 4



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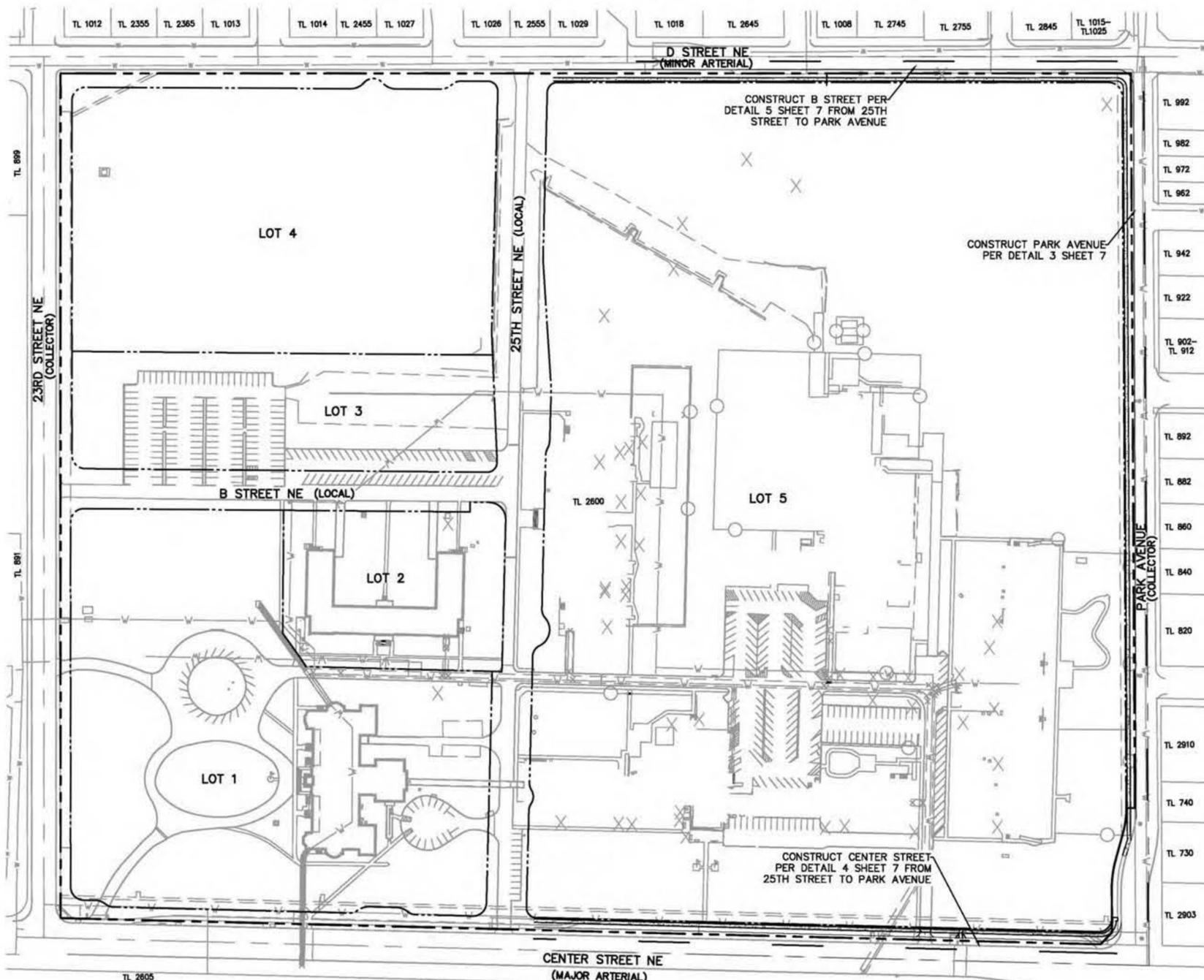
REVISION DELTA	REVISIONS THIS SHEET	REVISION DELTA CLOSING DATE

SHEET TITLE:  
**PHASING PLAN  
PHASE 4**

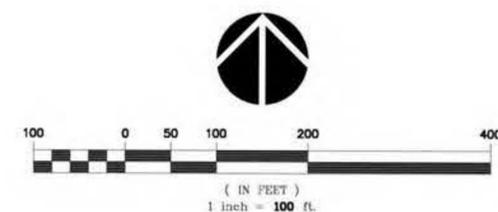
DRAWN BY: KRC  
CHECKED BY: TWM  
SHEET:

**11**

JOB NO. **2160535.00**



**1** PHASE 4 PLAN  
11  
1"=100'

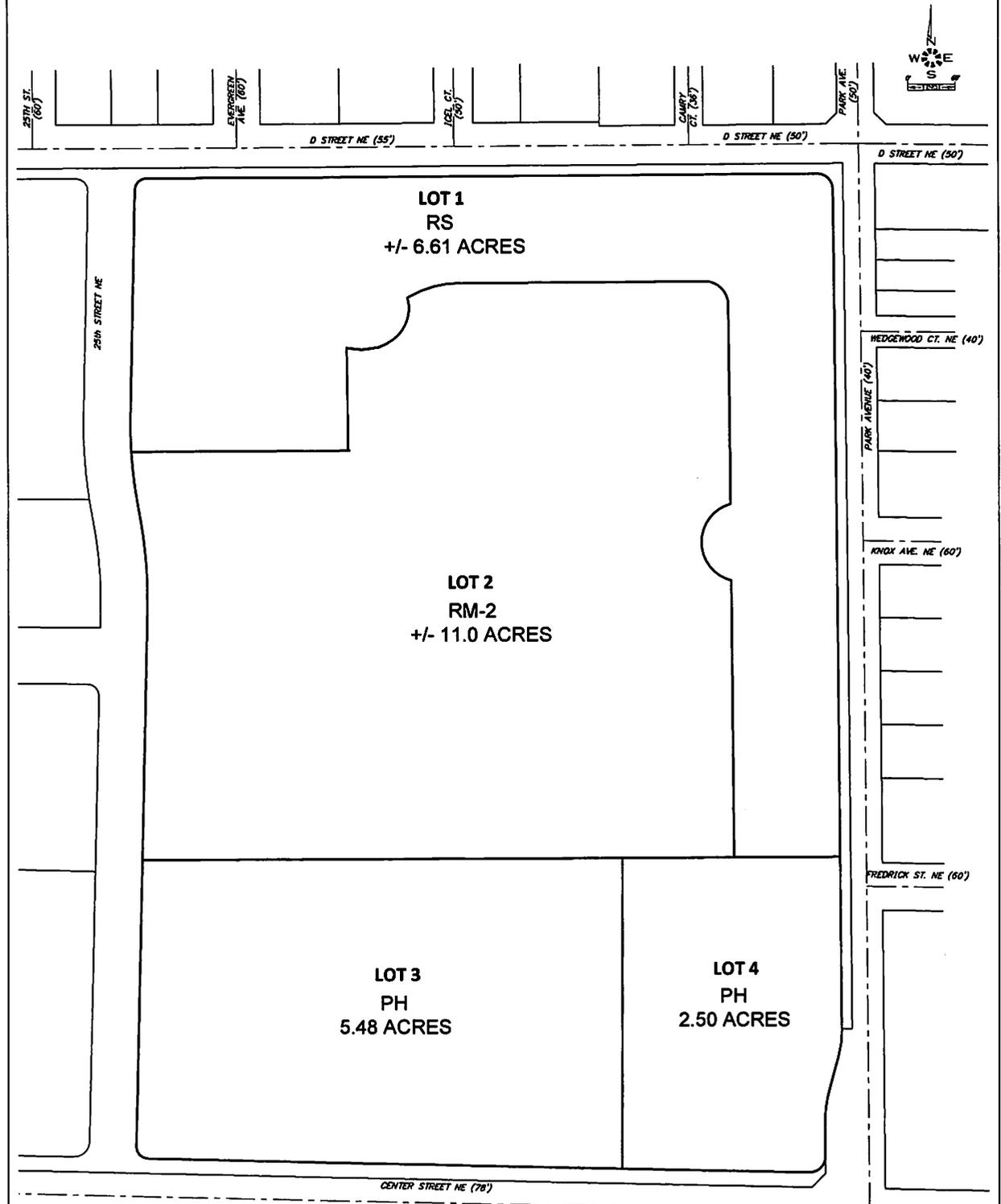


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# EXHIBIT A NORTH CAMPUS

SW 1/4, SEC. 24, T. 7 S., R. 3 W., W.M.  
CITY OF SALEM, MARION COUNTY, OREGON  
Site Address: 2600 Center Street, Salem, OR., Tax Lot # 100

Proposed (Revised) Zoning & Large Lot Subdivision Map\*



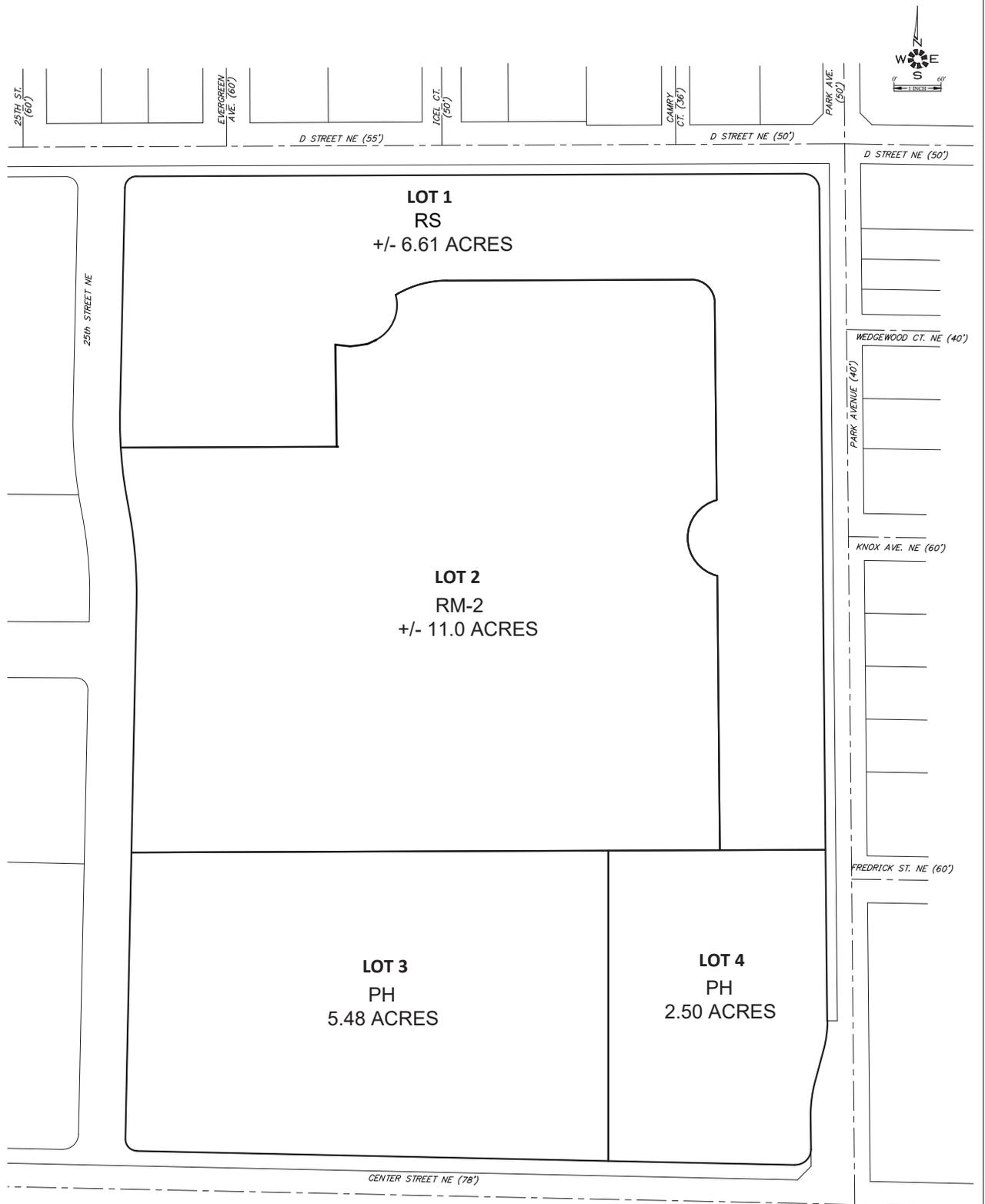
\*Acreages and line location are approximate and need to be confirmed by survey/surveyor. This revised Large Lot Subdivision & Zoning Map is being submitted to conform to proposed Condition of Approval #1 in CPC-ZC-SUB 19-02 Staff Report.

ZONE

# **NORTH CAMPUS**

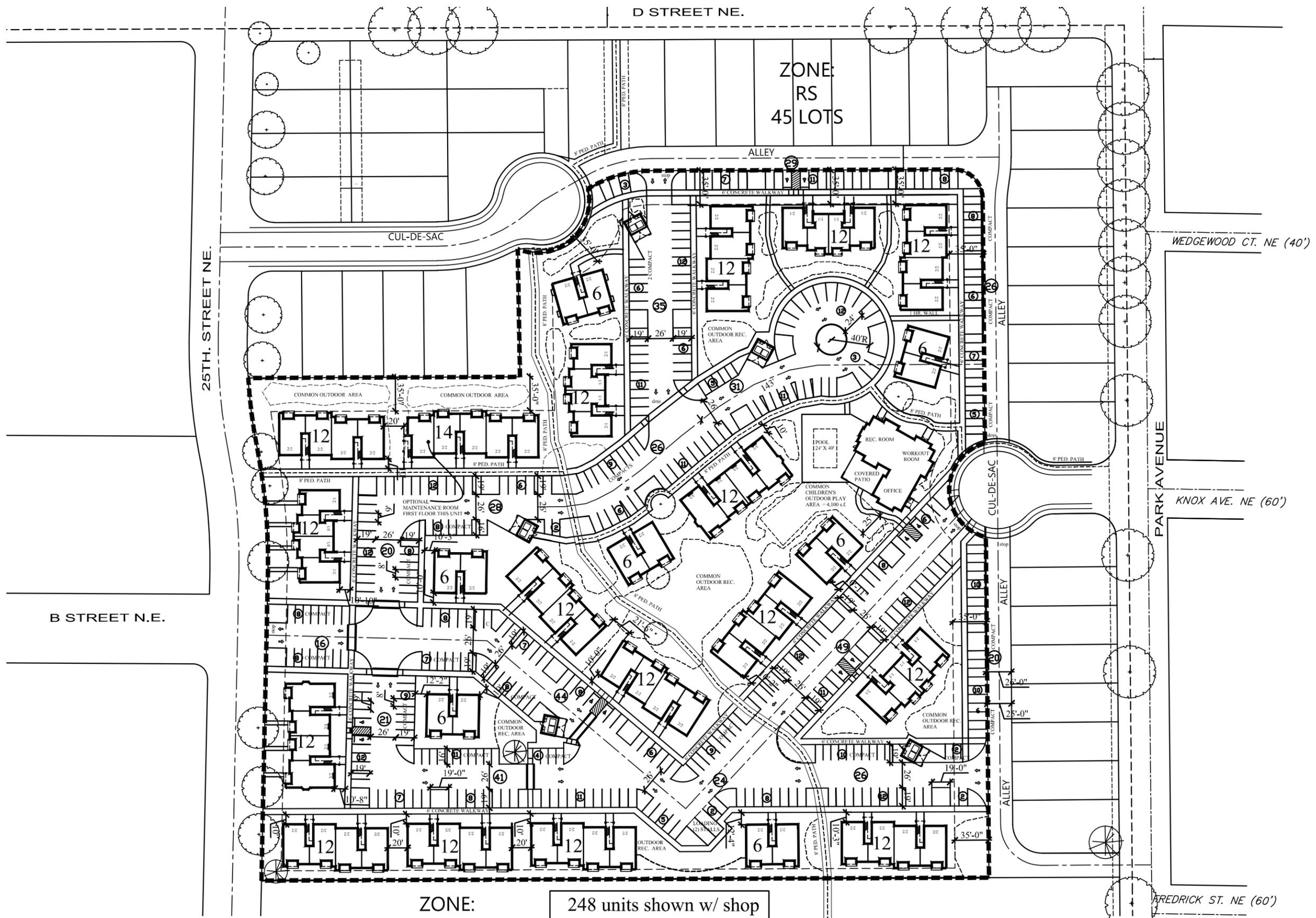
SW 1/4, SEC. 24, T. 7 S., R. 3 W., W.M.  
CITY OF SALEM, MARION COUNTY, OREGON  
Site Address: 2600 Center Street, Salem, OR., Tax Lot # 100

Proposed (Revised) Zoning & Large Lot Subdivision Map\*



\*Acreages and line location are approximate and need to be confirmed by survey/surveyor. This revised Large Lot Subdivision & Zoning Map is being submitted to conform to proposed Condition of Approval #1 in CPC-ZC-SUB 19-02 Staff Report.

**ZONE**



ZONE:  
RS  
45 LOTS

ZONE:  
RM2  
11.0 Ac.

248 units shown w/ shop  
436 parking stalls shown  
= 1.76 stalls / unit.

# SITE PLAN

scale: 1"=100' 3-26-2019



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MULTI-FAMILY HOUSING  
NORTH CAMPUS RE-DEVELOPMENT  
CENTER STREET NE., PARK AVE. NE. & 25TH ST. NE.  
SALEM, OREGON  
DEVELOPER:  
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