

**BEFORE THE CITY COUNCIL OF THE CITY OF SALEM**

**IN THE MATTER OF APPROVAL OF )  
SITE PLAN REVIEW CASE NO. SPR20-19 )  
725 MARKET STREET NE )**

**ORDER NO. 2020-3 SPR20-19  
SITE PLAN REVIEW  
CASE NO. SPR20-19**

This matter coming regularly for hearing before the City Council, at its August 10, 2020 meeting, and the City Council, having received evidence and heard testimony, makes the following findings, and adopts the following order affirming the decision of the Planning Administrator in Class 3 Site Plan Review Case No. SPR20-19, and approving the application.

**PROCEDURAL FINDINGS:**

- (a)** On February 27, 2020, Joel Smallwood, on behalf of Salem-Keizer Public Schools, and represented by Mark Shipman, Saalfeld Griggs Lawyers, filed an application for a Class 3 Site Plan Review application to restripe an existing off-street parking area and to construct an on-street bus and ADA parking area on Cottage Street NE using alternative street standards for the Grant Community School on a 2.59-acre property located in the PE (Public and Private Educational Services) zone at 725 Market Street NE - 97301.
- (b)** On June 26, 2020, the Planning Administrator issued a decision approving the Class 3 Site Plan Review subject to conditions of approval.
- (c)** On July 13, 2020, the Grant Neighborhood Association filed an appeal.
- (d)** On July 13, 2020, at a regularly scheduled meeting, the City Council voted to assume jurisdiction of the appeal. A public hearing before the City Council was scheduled for August 10, 2020.
- (e)** On August 10, 2020, City Council held a public hearing and received public testimony. A motion was passed to close the public hearing and the City Council conducted deliberations and voted to affirm the Planning Administrator's decision and approve the application. The City Council hereby adopts the findings of fact and conclusions of law in the Decision in their entirety and the supplemental findings of fact found in Exhibit 1.
- (f)** The 120-day State-mandated deadline for final decision is August 27, 2020.

**SUBSTANTIVE FINDINGS:**

The City Council adopts the following as findings for this decision:

- (a)** The Class 3 Site Plan Review application to restripe an off-street parking area and construct an on-street bus and ADA parking area using alternative street standards, as proposed and conditioned, meets the approval criteria set forth in SRC 220.005(f)(3).

(b) The findings, attached hereto as exhibit 1, are incorporated to this decision as set forth herein.

(c) The City Council therefore APPROVES the application.

NOW, THEREFORE, IT IS HEREBY ORDERED BY THE CITY COUNCIL OF THE CITY OF SALEM, OREGON:

Section 1. The Planning Administrator's decision for Class 3 Site Plan Review Case No. SPR20-19 is hereby affirmed to include the findings and facts in exhibit 1, and the following conditions of approval:

**Condition 1:** Replace all of the trees proposed for removal at a ratio of at least 1:1 with street trees within the right-of-way abutting Cottage Street NE and/or private property trees within the setback between the building and the property line abutting Cottage Street NE and adjacent to the proposed bus pullout. The replacement trees shall be at least 2 inches in diameter and of a species approved by the City for placement within planter strips along streets.

**Condition 2:** Submit a landscape and irrigation plan at the time of building permit review that demonstrates compliance with the requirements of SRC Chapter 807 for any trees to be planted on the school property to replace the removed street trees.

Section 2. This order constitutes the final land use decision and any appeal must be filed with the Oregon Land Use Board of Appeals within 21 days of the date that notice of this decision is mailed to persons with standing to appeal.

Exhibit 1: Findings for Class 3 Site Plan Review Case No. SPR20-19

ADOPTED by the City Council this 24<sup>th</sup> day of August 2020.

ATTEST:

City Recorder

Checked by: Pamela Cole