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BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM

**SITE PLAN REVIEW CASE NO. SPR20-19
DECISION**

**IN THE MATTER OF APPROVAL OF) CLASS 3 SITE PLAN REVIEW
SITE PLAN REVIEW CASE NO. 20-19)
)
725 MARKET STREET NE - 97301) JUNE 26, 2020**

In the matter of the application for a Class 3 Site Plan Review submitted by Joel Smallwood on behalf of Salem-Keizer Public Schools, represented by Mark Shipman, Saalfeld Griggs Lawyers, the Planning Administrator, having received and reviewed evidence and the application materials, makes the following findings and adopts the following order as set forth herein.

REQUEST

Summary: An application to reconfigure an existing off-street parking lot and construct an on-street bus and ADA parking area.

Description: A Class 3 Site Plan Review application for restriping of an off-street parking area and construction of an on-street bus and ADA parking area on Cottage Street NE using alternative street standards at 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 (Marion County Assessor Map and Tax Lot 073W23BC05400).

A vicinity map illustrating the location of the property is attached hereto and made a part of this staff report (**Attachment A**).

DECISION

APPROVED subject to the applicable standards of the Salem Revised Code, the findings contained herein, conformance with the approved site plans, 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.

FINDINGS

1. Class 3 Site Plan Review Applicability

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

Class 3 Site Plan Review is required for this application pursuant to SRC 220.005(b)(3)(C) because the proposal requires deviation from clear and objective development standards of the UDC relating to streets, driveways or vision clearance areas for the use of alternative street standards to construct an on-street bus and ADA parking area.

2. Background

On February 7, 2020, a Class 3 Site Plan Review application was filed for the proposed development. On March 9, 2020, upon submittal of the required documentation of Neighborhood Contact, the application was accepted for processing. After additional information was provided, the applicant requested that staff deem the application complete for processing on April 29, 2020. The applicant's proposed site plan is included as **Attachment B** and the applicant's written statement addressing the approval criteria is included as **Attachment C**.

Summary of Record:

The following items are submitted to the record and are available upon request: All materials submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, and stormwater reports; any materials and comments from public agencies, City departments, neighborhood associations, and the public; and all documents referenced in this report.

Neighborhood and Citizen Comments:

Notice of the application was sent to the Grant Neighborhood Association (Grant), and all property owners of record and tenants within 250 feet of the subject property. Grant submitted comments in opposition to the proposal (**Attachment D**), included in the summary below. Surrounding property owners and residents submitted one comment in support and five comments in opposition, with the comments and concerns summarized

below. The applicant provided a response to comments (**Attachment E**) and a timeline of communications with the neighborhood association and citizens (**Attachment F**).

Proposed Location of Bus Parking:

Testimony was received opposing the proposed location and design of the bus pullout on Cottage Street and proposing alternatives such as using the existing Market Street NE bus cut-out for at least a year, using the Winter Street NE parking lot, installing smaller concrete pads within the existing parking strip, using Winter Street as-is or with new curb cutouts facing Gaines Street, restricting car traffic with traffic cones on Cottage Street during drop-off and pick-up, using smaller district-owned vehicles such as mini-vans or SUVs.

Staff response: The City is responsible for reviewing the proposal submitted by the applicant. Staff evaluated the applicant's proposal for improvements on Cottage Street NE and found that, with conditions, it meets the criteria for approval of alternative street standards. If the District determines that alternatives to the Cottage Street NE proposal are viable, they may submit a modification of this site plan review application, a new site plan review application, or other applications as required by the City.

Concerned citizens have submitted copies of emails to the District regarding alternatives and the District's responses to those alternatives, and those documents are part of the record for this case. Staff's emails responding to questions by concerned citizens are also part of the record. The applicant's formal response to comments indicates that the District committed to the Neighborhood Association that they would internally review alternative options on Winter Street and Market Street and that they would continue to assess the feasibility of a Winter Street option, but it is in the District's best interest to continue the current site plan review process for the Cottage Street NE proposal at this time. The applicant's response indicates that the Market Street drop off is a very busy area before and after school, and the buses used for the Medically Developmental Learning Center (MDLC) may be parked for five to 10 minutes as they unload students in wheelchairs or walkers, and this would likely back up westbound traffic on Market Street. The applicant's response indicates that a curb side sidewalk is necessary for bus unloading as students will be exiting from the front of the bus and by wheelchair near the back of the bus, and smaller concrete pads would not provide this ability, and in some cases make drop off more dangerous.

Street Trees:

Testimony was received objecting to the removal of street trees and tree canopy in the area of the proposed modifications because students, staff, parents, Neighborhood Association, and neighbors have helped to establish the tree canopy that enhances the neighborhood charm, the tree canopy provides beauty, habitat, and benefits for relief of the climate crisis, and the trees provide shade to un-airconditioned classrooms

Staff Response: The applicant's response to comments indicates that the proposal includes replacing four of the trees in the green space between the proposed sidewalk and the building and that the District is committed to replacing the trees with larger caliper trees. As conditioned below, the applicant will be required to replace all of the removed trees at a minimum ratio of 1:1, the replacement trees must be planted in

either the street right-of-way or on the School property, and the replacement trees must be at least 2 inches caliper.

Traffic:

Testimony was received objecting to potential traffic impacts related to the location of the proposed bus pullout, worsening existing congestion at the Cottage and Market intersection and on other adjacent streets at the beginning and end of school days

Staff Response: No traffic study is required for the proposed scope of work or the addition of buses to serve the Medically Developmental Learning Center (MDLC) at the existing school. The applicant's response indicates that the Market Street drop off is a very busy area before and after school, and if the buses used for the Medically Developmental Learning Center (MDLC) were parked there for five to 10 minutes as they unload students in wheelchairs or walkers, this would likely back up westbound traffic on Market Street.

Parking:

Testimony was received objecting to loss of on-street public parking spaces to provide bus parking for the School's use and citing existing on-street parking availability issues such as public parking occupied by teachers and State employees, parents parking in no-parking zones, no available street parking in front of residences during school hours, and staff refusing to use parking lots offered by Salem Alliance Church

Staff Response: The existing off-street parking at the school is nonconforming with respect to the current minimum parking requirement of two spaces per classroom. Because the proposal does not increase the number of classrooms, the applicant is not required to provide additional off-street parking to remedy the deficiency. Staff could find no record that a parking arrangement between the school and Salem Alliance Church has previously been required by the City to meet off-street parking requirements, and the current proposal requires no such agreement. On-street parking is available to all members of the public, including residents, school staff, State employees, and parents. While the proposal would reduce on-street vehicle parking, it would provide bus parking to serve students, who are also members of the public. Signage may be installed to indicate that the bus parking area is available to the public during hours when it is not required for bus parking.

Pedestrian Safety:

Testimony was received regarding potential impacts on pedestrian safety including loss of buffer space between vehicles and the sidewalk and faster traffic on a widened Cottage Street increasing danger for students who cross the street

Staff Response: Staff found that the proposed improvements meet standards for pedestrian connections on private property and, with conditions, meet alternative street standards for public sidewalks.

Bus Maneuvering on Streets:

Testimony was received stating that buses on would have difficulty turning from westbound Market Street to northbound Cottage Street and from Cottage to westbound Gaines Street due to existing street improvements and on-street parking

Staff Response: No study of bus maneuvering is required for the proposed application. Public Works staff found that the proposed modifications for the bus pullout and ADA parking spaces meet applicable criteria for approval. The District is responsible for determining safe routes for their buses.

Location of Medically Developmental Learning Center (MDLC) Program:

Testimony was received objecting to the School District's choice to locate the proposed Medically Developmental Learning Center (MDLC) at Grant Community School and requesting comparative reports to show that Grant Community School would be the best location

Staff Response: The applicant's response indicates that the District chose Grant Community School as the location in order for children in the program to remain at one location for kindergarten through Grade 5, and that the district determined that the proposed transportation improvements would be part of the project to ensure students in all special programs have the same schedule and similar access to the site as a general education student might experience. An elementary school is a permitted use in the zone, and the proposed program is allowed within an elementary school. The City must review the proposal submitted by the applicant and has no jurisdiction to direct the District to locate the proposed program at another school.

Cost of Improvements:

Testimony was received objecting to the cost of the proposed curb modifications on Cottage Street NE and suggesting no- or low-cost options such as modifications to scheduling

Staff Response: The City must review the proposal submitted by the applicant and has no jurisdiction to direct the District to explore less costly alternatives.

Communication from School District:

Testimony was received stating that the School District had inadequately communicated the proposed changes to impacted parties including neighbors, families at the school, and the Grant Neighborhood Association and should have consulted these groups to determine the best solution

Staff Response: The applicant provided a summary of their communications with members of the Grant Neighborhood Association beginning in October 28, 2019 and ending in May 2020 (**Attachment F**). The District's representative attended the December 5, 2019 Grant Neighborhood Association meeting. The applicant submitted required documentation of Neighborhood Association Contact pursuant to SRC 300.310 on March 9, 2020.

Support and Suggestions for the Proposal:

Testimony was received in support of investment in local schools and acceptance of increased noise and traffic during construction. Suggestions were offered to consider pervious pavement to promote infiltration and reduce neighborhood flooding and runoff pollution during high rain and, where practical, to consider purchasing carbon credits for the work completed, and to ensure the workers on the job are paid fairly and adequately protected from hazards.

Staff response: The applicable standards for this land use decision do not require pervious pavement or address purchase of carbon credits, worker pay, or worker safety. Proposed improvements within right-of-way would be in compliance with the requirements of the Salem Revised Code and Public Works Design Standards.

City Department Comments:

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

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

The Fire Department has reviewed the proposal and indicated that the proposed changes do not appear to affect the existing fire department access.

Public Agency Comments:

No public agency comments were received.

3. Analysis of Class 3 Site Plan Review Approval Criteria

SRC 220.005(f)(3) states:

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

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

Criterion 1:

The application meets all applicable standards of the UDC.

Finding: The proposed development includes a reconfiguration of an existing off-street parking lot and construction of an on-street bus and ADA parking area on Cottage Street NE using alternative street standards.

Development Standards – PE (Public and Private Education Services) Zone:

SRC 542.005(a) – Uses:

Finding: The proposal includes reconfiguration of an existing off-street parking lot for Grant Community School, which is classified as a basic education use. Basic education is allowed as a permitted use in the PE zone per SRC Chapter 542, Table 542-1.

SRC 542.010(a) – Lot Standards:

There is a minimum lot area requirement of 10,000 square feet for all uses. The minimum lot width is 50 feet, minimum lot depth is 80 feet. All uses are required to have a minimum of 16 feet of street frontage.

Finding: The subject property is approximately 113,000 square feet, has a width of approximately 265 feet and depth of approximately 415 feet. The lot has frontage of approximately 415 feet on Cottage Street NE, 265 on Market Street NE, and 445 feet on Winter Street NE. The subject property is in compliance with the minimum lot standards of the PE zone.

SRC 542.010(b) – Setbacks:

North: Adjacent to the north are a PE (Public and Private Educational Services) and PA (Public Amusement) zone. Buildings and accessory structures require no minimum setback adjacent to the property line, and vehicle use areas require a minimum 5-foot vehicle use area setback adjacent to the property line.

South: Adjacent to the south is right-of-way for Market Street NE. Buildings and accessory structures less than 35 feet in height require a minimum 20-foot setback adjacent to a street or special setback line, and vehicle use areas require a minimum 6-to10-foot vehicle use area setback adjacent to a street.

East: Adjacent to the east is right-of-way for Winter Street NE. Buildings and accessory structures less than 35 feet in height require a minimum 20-foot setback adjacent to a street or special setback line, and vehicle use areas require a minimum 6- to10-foot vehicle use area setback adjacent to a street.

West: Adjacent to the east is right-of-way for Cottage Street NE. Buildings and accessory structures less than 35 feet in height require a minimum 20-foot setback adjacent to a street or special setback line, and vehicle use areas require a minimum 6- to 10-foot vehicle use area setback adjacent to a street.

Finding: The applicant has applied for an alternative street standard for Cottage Street NE, which is addressed below. The alternative street configuration can be accommodated within the existing right-of-way. No changes to the property lines are proposed or required.

The existing building and parking area are nonconforming with respect to the setbacks. The building is approximately 6.5 feet from Cottage Street NE, 17.6 feet from Market Street NE, and 10 feet from Winter Street NE. The existing parking area is 0 feet from Winter Street NE. No expansion of the building footprint or expansion of the parking and vehicle use area is proposed. The proposal does not increase the nonconformity.

SRC 542.010(c) – Lot Coverage, Height:

The maximum lot coverage requirement for buildings and structures in the PE zone is 50 percent and the maximum height allowance for all buildings and structures is 70 feet.

Finding: The applicant's summary table indicates that the existing building coverage is approximately 51,450 square feet, covering approximately 46 percent of the total site, less than the maximum lot coverage requirement. No new buildings, building additions, or increases in height for existing buildings are proposed.

SRC 542.010(d) – Landscaping:

- (1) **Setbacks.** Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC Chapter 807.
- (2) **Vehicle Use Areas.** Vehicle use areas shall be landscaped as provided under SRC Chapter 806 and SRC Chapter 807.

Finding: The proposal includes no changes to existing perimeter setbacks and landscaping. Conditions of approval for the alternative street standards, below, will require trees either within the street right-of-way or on the school property to replace the street trees that will be removed. At the time of building permit review, landscape and irrigation plans shall be provided that demonstrate compliance with the requirements of SRC Chapter 807 for any trees to be planted on the school property.

SRC 542.010(e) – Outdoor Storage:

Within the PE zone, outdoor storage shall be screened from streets and adjacent properties by a minimum six-foot-high sight-obscuring fence, wall, or hedge.

Finding: No outdoor storage areas are proposed, and this standard is not applicable to the proposed development.

Pedestrian access SRC. 800.065

Compliance with the pedestrian access standards in SRC 800.065 is required for development.

Finding: The proposal includes two reconfigured pedestrian connections to Cottage Street NE that meet the standards. Existing pedestrian connections to Market Street NE and Winter Street NE meet the standards. There is not a transit route or stop abutting the property.

The proposal includes restriping within an existing parking and vehicle use area that has one drive aisle and is less than 124 feet deep. No pedestrian connection is required through the parking area.

The proposal meets applicable standards.

Off-Street Parking, Loading, and Driveways SRC 806

SRC 806.005 - Off-Street Parking; When Required.

Off-street parking shall be provided and maintained for each proposed new use or activity; any change of use or activity, when such change of use or activity results in a parking ratio requiring a greater number of spaces than the previous use or activity; or any intensification, expansion, or enlargement of a use or activity.

SRC 806.010 - Proximity of Off-Street Parking to Use or Activity Served.

Required off-street parking shall be located on the same development site as the use or activity it serves, or per 806.010(b), within public zones, required off-street parking may be located within 500 feet of the development site containing the use or activity it serves.

Finding: All off-street parking provided for the use will be located on the same development site as the schools.

SRC 806.015 - Amount of Off-Street Parking.

- a) *Minimum Required Off-Street Parking.* Basic education uses, elementary schools, require a minimum parking requirement of 2 spaces per classroom.
- b) *Compact Parking.* Up to 75 percent of the minimum off-street parking spaces required under this Chapter may be compact parking spaces.
- c) *Carpool and Vanpool Parking.* New developments with 60 or more required off-street parking spaces, and falling within the Public Services and Industrial use classifications, and the Business and Professional Services use category, shall designate a minimum of 5 percent of their total off-street parking spaces for carpool or vanpool parking.
- d) *Maximum Off-Street Parking.* Unless otherwise provided in the SRC, off-street parking shall not exceed the amounts set forth in Table 806-2.

Finding: The proposed development involves remodeling within an existing elementary school building with 19 classrooms. A minimum of 38 off-street parking spaces are required for the existing use ($19 \times 2 = 38$) under current standards. The number of existing off-street parking spaces is nonconforming with respect to the current standards. The proposal is not a new use or activity; a change of use or activity resulting in a parking ratio requiring a greater number of spaces than the previous use or activity, or an intensification, expansion, or enlargement of a use or activity. No additional off-street parking is required for this proposal.

SRC 806.035 - Off-Street Parking and Vehicle Use Area Development Standards. General Applicability. The off-street parking and vehicle use area development standards set forth in this section apply to the development of new off-street parking and vehicle use areas; expansion of existing off-street parking and vehicle use areas, where additional paved surface is added; alteration of existing off-street parking and vehicle use areas, where the existing paved surface is replaced with a new paved surface; and paving of an unpaved area.

- a) *Location.* Off-street parking and vehicle use areas shall not be located within required setbacks.
- b) *Perimeter Setbacks and Landscaping.* Perimeter setbacks shall be required for off-street parking and vehicle use areas abutting streets, abutting interior front, side, and rear property lines, and adjacent to buildings and structures.

Adjacent to Streets. Vehicle use areas require a minimum 6- to 10-foot setback from streets.

Adjacent to Side and Rear Property Lines. Vehicle use areas require a minimum 5-foot vehicle use area setback adjacent to the property line.

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

Finding: The proposal involves restriping of an existing paved surface. The existing paved parking and vehicle use area is nonconforming with respect to the minimum 6- to 10-foot setback from Winter Street NE and conforming with the setback abutting the rear property line. Parking spaces within the existing paved parking and vehicle use area will be restriped and relocated slightly to provide a minimum 5-foot-wide paved pedestrian walkway. The proposal meets applicable standards.

- c) *Interior Landscaping.* Interior landscaping shall be provided in amounts not less than those set forth in Table 806-5. No interior landscaping is required for off-street parking areas less than 5,000 square feet in size.

Finding: The existing parking and vehicle use area is nonconforming with respect to the interior landscaping requirement. Additional interior landscaping is not required.

- d) *Off-Street Parking Area Dimensions.* Off-street parking areas shall conform to the minimum dimensions set forth in Table 806-6.

Finding: The proposed changes to parking spaces conform to the minimum dimensions in Table 806-6.

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

Finding: The existing off-street parking area is developed consistent with the standards for grade, surfacing, and drainage. Bumper guards or wheel barriers are

proposed for the restriped parking spaces to provide an unobstructed 5-foot-wide pedestrian walkway adjacent to the building. Striping, marking, and signage are required for the restriped area. Lighting shall comply with SRC 806.035(l). The parking area is nonconforming with the requirement for screening from a residential zone, and no additional screening is required.

Bicycle Parking

SRC 806.045 - General Applicability.

Bicycle parking shall be provided and maintained for each proposed new use or activity; any change of use or activity, when such change of use or activity results in a bicycle parking ratio requiring a greater number of spaces than the previous use or activity; or any intensification, expansion, or enlargement of a use or activity

SRC 806.050 – Proximity of Bicycle Parking to use or Activity Served.

Bicycle parking shall be located on the same development site as the use or activity it serves.

SRC 806.055 - Amount of Bicycle Parking.

Per SRC Chapter 806, Table 806-8, basic education uses require a minimum of two bicycle parking spaces per classroom.

Finding: The proposed development involves remodeling within an existing elementary school building with 19 classrooms. A minimum of 38 bicycle parking spaces are required for the existing use ($19 \times 2 = 38$) under current standards. Forty bike spaces are provided, but the racks are nonconforming with respect to the current standards. The proposal is not a new use or activity; a change of use or activity resulting in a bicycle parking ratio requiring a greater number of spaces than the previous use or activity, or an intensification, expansion, or enlargement of a use or activity. No additional bicycle parking spaces or changes to existing bicycle spaces are required for this proposal.

Off-Street Loading Areas

SRC 806.065 - General Applicability.

Off-street loading areas shall be provided and maintained for each proposed new use or activity; any change of use or activity, when such change of use or activity results in a greater number of required off-street loading spaces than the previous use or activity; and any intensification, expansion, or enlargement of a use or activity

SRC 806.070 – Proximity of Off-Street Loading Areas to use or Activity Served.

Off-street loading shall be located on the same development site as the use or activity it serves.

SRC 806.075 - Amount of Off-Street Loading.

A minimum of one off-street loading space 12 feet x 30 feet x 14 feet is required for education services uses with a gross floor area between 5,000 and 60,000 square feet in size.

Finding: No loading space is indicated on the site plan. The existing development is nonconforming with respect to the loading space requirements. The gross floor area of the building is not increasing. The proposal is not a new use or activity; a change of use or activity resulting in a greater number of required loading spaces requiring a greater number of spaces than the previous use or activity; or an intensification, expansion, or enlargement of a use or activity. No additional off-street loading spaces are required for the proposed development.

Landscaping

All required setbacks shall be landscaped with a minimum of 1 plant unit per 20 square feet of landscaped area. A minimum of 40 percent of the required number of plant units shall be a combination of mature trees, shade trees, evergreen/conifer trees, or ornamental trees. Plant materials and minimum plant unit values are defined in SRC Chapter 807, Table 807-2.

All building permit applications for development subject to landscaping requirements shall include landscape and irrigation plans meeting the requirements of SRC Chapter 807.

Finding: Conditions of approval for the alternative street standards, below, will require trees either within the street right-of-way or on the school property to replace the street trees that will be removed. At the time of building permit review, landscape and irrigation plans shall be provided that demonstrate compliance with the requirements of SRC Chapter 807 for any trees to be planted on the school property. Within the setback area between the building and property line, a minimum of 1 plant unit is required per 20 square feet of landscape area. A minimum of 40 percent of the required plant units shall be a combination of mature trees, shade trees, evergreen/conifer trees, or ornamental trees.

Natural Resources

SRC 808 - Preservation of Trees and Vegetation: The City's tree preservation ordinance, under SRC Chapter 808, provides that no person shall remove a significant tree (Oregon White Oak greater than 24 inches in diameter at breast height) (SRC 808.015) or a tree or native vegetation in a riparian corridor (SRC 808.020), 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.

Finding: No protected riparian trees or significant trees have been identified on the site plan for removal.

SRC 601- Floodplain:

Finding: Public Works staff has reviewed the Flood Insurance Study and Flood Insurance Rate Maps and has determined that no floodplain or floodway areas exist on the subject property.

SRC 809 - Wetlands: Grading and construction activities within wetlands are regulated by the Oregon Department of State Lands (DSL) and US Army Corps of Engineers. State and Federal wetland laws are also administered by the DSL and Army Corps, and potential impacts to jurisdictional wetlands are addressed through application and enforcement of appropriate mitigation measures.

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

SRC 810 - Landslide Hazards: A geological assessment or report is required when regulated activity is proposed in a mapped landslide hazard area.

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

Other Standards

The subject property meets all applicable standards of the following chapters of the UDC: *601 – Floodplain; 802 – Public Improvements; 804 – Driveway Approaches; 805 – Vision Clearance; 809 – Wetlands; and 810 - Landslides.*

The subject property meets all applicable standards of *Chapter 803 – Streets and Right-of-Way Improvements*, except as approved through alternative standards as addressed in Criterion 2.

Criterion 2:

The transportation system provides for the safe, orderly, and efficient circulation of traffic into and out of the proposed development, and negative impacts to the transportation system are mitigated adequately.

Finding: The existing street system is adequate to serve the proposed development and the development is not proposing a building addition subject to 803.040(a); therefore, no right-of-way dedication or street improvements are required.

Market Street NE is designated as a Minor Arterial street in the Salem TSP. The standard for this street classification is a 46-foot-wide improvement within a 72-foot-wide right-of-way. This street has an approximate 30- to 41-foot variable-width improvement within a 66-foot-wide right-of-way abutting the subject property.

Market Street NE is a fully developed Minor Arterial street that lacks adequate right-of-way and improvement width for its classification of street pursuant to the Salem TSP. The development is not proposing a building addition subject to SRC 803.040(a); therefore, no right-of-way or street improvements are required. The property is subject to a special setback equal to 36 feet from the centerline of Market Street NE on the development side.

Cottage Street NE is designated as a Local street in the Salem TSP. The standard for this street classification is a 30-foot-wide improvement within a 60-foot-wide right-of-way. This street has an approximate 30- to 42-foot variable-width improvement within a 66-foot-wide right-of-way abutting the subject property.

Winter Street NE is designated as a Local street in the Salem TSP. The standard for this street classification is a 30-foot-wide improvement within a 60-foot-wide right-of-way. This street has an approximate 30-foot improvement within a 75-foot-wide right-of-way abutting the subject property.

Cottage Street NE and Winter Street NE are fully developed Local streets that meet or exceed the right-of-way width and pavement width standards pursuant to the Salem TSP. The applicant has requested to widen Cottage Street NE by removing the planter strip and replacing the existing sidewalk in order to accommodate a larger bus pullout and student drop-off and pick-up area. The proposal is authorized as an Alternative Street Standard pursuant to SRC 803.065(a)(3) because "...other conditions make the construction that conforms to the standards impossible or undesirable." The applicant has stated that leaving the street as it is currently configured is undesirable because the area is needed to accommodate buses conducting drop-offs and pick-ups for additional students attending the school.

The application materials show the removal of five street trees. Street tree removal permits are required pursuant to SRC 86.050. At the time of development, street trees are required to be provided at the maximum extent feasible pursuant to SRC 86.015(e).

The proposed reconfiguration under the alternative street standards relocates a property-line sidewalk to the west so that it becomes a curblin sidewalk and will require removal of five street trees. The proposed reconfiguration will result in a narrow planting strip approximately five feet wide between the property line and relocated sidewalk. The building is set back approximately 10 feet in this area. The following condition is required to ensure successful replacement of the street trees that are to be removed:

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.

Criterion 3:

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

Finding: The existing driveway access onto Winter Street NE provides for safe turning movements into and out of the property. No changes to the driveway are proposed are required. The proposed changes are limited to reconfiguration and restriping of the existing parking spaces to provide a 5-foot-wide paved pedestrian walkway between the parking spaces and building.

Criterion 4:

The proposed development will be adequately served with City water, sewer, stormwater facilities, and other utilities appropriate to the nature of the development.

Finding: The Public Works Department has reviewed the applicant's preliminary plan for this site. The water, sewer, and storm infrastructure are available within surrounding streets/areas and are adequate to serve the proposed development. The applicant does not show any new connections to public infrastructure.

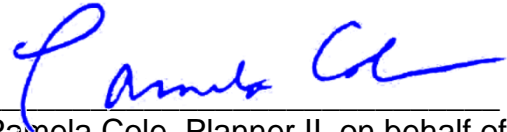
4. Based upon review of SRC Chapter 220, the applicable standards of the Salem Revised Code, the findings contained herein, and due consideration of comments received, the application complies with the requirements for an affirmative decision.

ORDER

Final approval of Class 3 Site Plan Review Case No. 20-19 is hereby **APPROVED** subject to SRC Chapters 220, the applicable standards of the Salem Revised Code, conformance with the approved site plan included as Attachment B, 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.



Pamela Cole, Planner II, on behalf of
Lisa Anderson-Ogilvie, AICP
Planning Administrator

- Attachments:
- A. Vicinity Map
 - B. Proposed Site Plan
 - C. Applicant's Written Statement
 - D. Grant Neighborhood Association Comments
 - E. Applicant's Response to Comments
 - F. Applicant's Timeline of Communications with Neighborhood Association and Citizens
 - G. Public Works Memo

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