

NOTICE OF DECISION

PLANNING DIVISION
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DECISION OF THE PLANNING COMMISSION

**Comprehensive Plan Change / Neighborhood Plan Change / Zone Change /
Class 3 Site Plan Review Case No. CPC-NPC-ZC-SPR18-03**

APPLICATION NO. : 18-103430-ZO, 18-103431-ZO & 18-103760-RP

NOTICE OF DECISION DATE: April 18, 2018

Summary: A consolidated application containing the following requests:

- 1) A Comprehensive Plan Map change from “Industrial” to “Industrial Commercial”; and
- 2) A change to the Morningside Neighborhood Plan designation from “Industrial” to “Industrial Commercial”; and
- 3) A Quasi-Judicial Zone Change from IBC (Industrial Business Campus) to IC (Industrial Commercial); and
- 4) A Class 3 Site Plan Review for development of a new storage facility for buses.

The subject property is approximately 4.92 acres in size, zoned IBC (Industrial Business Campus), and located at 3625 Fairview Industrial Drive SE - 97302 (Marion County Assessor’s Map and Tax Lot number: 083W02 / 00900).

APPLICANT: Michael Wolfe for Salem-Keizer School District 24J

LOCATION: 3625 Fairview Industrial Drive SE / 97302

CRITERIA: Comprehensive Plan Change SRC Chapter 64.025(e)(2)
Neighborhood Plan Change SRC Chapter 64
Quasi-Judicial Zone Change SRC Chapter 265.005(e)
Class 3 Site Plan Review: SRC Chapter 220.005(f)(3)

FINDINGS: The Facts and Findings are in the attached document dated April 18, 2018.

DECISION: The Planning Commission **APPROVED** Comprehensive Plan Map change from “Industrial” to “Industrial Commercial”, Neighborhood Plan Change from “Industrial” to “Commercial”, Zone Change from IBC (Industrial Business Campus) to IC (Industrial Commercial), and Class 3 Site Plan Review for development of a new storage facility for buses, subject to the following conditions of approval:

Condition 1: Future use and development on the subject property shall be required to adhere to the development standards identified in Exhibit A.

Condition 2: Traffic impacts from development on the subject property shall be limited to a maximum of 3,407 average daily trips.

VOTE:

Yes 7 No 0 Absent 2 (Griggs, Pollock) Abstained 0



Rich Fry, President
Salem Planning Commission

The rights of the Class 3 Site Plan Review granted by the attached decision must be exercised, or an extension granted, by May 4, 2020 or this approval shall be null and void.

Application Deemed Complete: March 8, 2018
Public Hearing Date: April 17, 2018
Notice of Decision Mailing Date: April 18, 2018
Decision Effective Date: May 4, 2018
State Mandate Date: July 6, 2018

Case Manager: Aaron Panko, 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., May 3, 2018.** 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, 220, 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>

Criteria and Findings for proposed Comprehensive Plan Map Amendment from “Industrial” to “Industrial Commercial”, Neighborhood Plan Change from “Industrial” to “Industrial Commercial”, Zone Change from IBC (Industrial Business Campus) to IC (Industrial Commercial) and Class 3 Site Plan Review for development of a new storage facility for buses for an approximately 4.92-acre site located at 3625 Fairview Industrial Drive SE

Procedural Findings

On February 1, 2018, Mark D. Shipman, Saalfeld Griggs PC, on behalf of the applicant and property owner, Salem Keizer School District 24J, filed an application for a Comprehensive Plan Change, Neighborhood Plan Change, Zone Change and Class 3 Site Plan Review.

The application was deemed complete for processing on March 8, 2018. Notice of the consolidated application was distributed to City departments and public and private service providers on March 19, 2018 and was mailed to the owners of all property within 250 feet of the subject property on March 28, 2018. The property was posted in accordance with the posting provision outlined in SRC 300.620.

State law (ORS 197.610) and SRC 300.602(b)(1) require the City to provide the Oregon Department of Land Conservation and Development (DLCD) a minimum 35-day notice when an applicant or the City proposes an amendment to an acknowledged Comprehensive Plan or land use regulation or to adopt a new land use regulation. The City sent notice of this proposed Comprehensive Plan and Zone Change to DLCD on March 7, 2018.

On April 17, 2018, the Planning Commission held a public hearing on the consolidated applications, received testimony, and voted to approve the Comprehensive Plan Change, Neighborhood Plan Change, Zone Change and Site Plan Review application subject to the recommended conditions of approval requiring future use and development on the subject property to adhere to the development standards identified in Exhibit A of the staff report and limiting the traffic impacts from development on the subject property to a maximum of 3,407 average daily trips.

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 Industrial Commercial designation is equally or better suited for the subject property.

The proposal is consistent with the uses and land use pattern of the area. Recent site-specific plan map amendments have been approved along Fairview Industrial Drive SE in the immediate vicinity of the subject property which have contributed to the changing character of the Fairview Industrial Drive area from an industrial manufacturing park to an area that supports a wider variety of industrial and commercial uses. Currently, uses found along Fairview Industrial drive include a wide range of industrial services, manufacturing, food production, office, government office, services and recreation/entertainment uses.

The intent of the Industrial Commercial comprehensive plan designation is to provide areas for a mixture of heavy commercial and light manufacturing and warehouse activities. The proposed change in designation is equally or better suited for the property by helping to promote a wider range of uses for an existing industrial property.

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: The water, sewer, and storm infrastructure are available within surrounding streets/areas and appear to be adequate to serve the proposed development. Site specific infrastructure requirements are addressed below as part of the Site Plan Review approval criteria findings.

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

Finding: The land use pattern for property in the surrounding area is comprised mostly of Industrial and Industrial Commercial designations and is located within the City's urban service area, consistent with this approval criterion.

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:

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.

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 setback, landscaping and screening requirements of the zoning code help to buffer incompatible land uses. In this case, the Planning Commission has adopted a condition of approval with the zone change application to require future development of the property to comply with the IBC zone development standards, which requires greater setbacks adjacent to a street and a greater percentage of landscaping to be provided on a development site.

The proposed site plan shows the bus storage area will be setback approximately 20 feet from abutting streets. Setbacks will be landscaped with a combination of shrubs and trees and the entire storage area will be screened with a six foot tall sight obscuring security fence, providing a visual buffer from public view in compliance with this goal.

Screening of Storage B.14

Outdoor storage areas should be screened from the public streets and from adjacent uses.

Finding: An outdoor storage area for buses is proposed with this application. The heavy vehicle storage area will have a setback adjacent to Fairview Industrial Drive SE and Linburg Road SE of approximately 20 feet, which is a greater setback than is required by the proposed IC (Industrial Commercial) zone. The setback area will be landscaped with a variety of trees and shrubs and will include installation of a perimeter site obscuring security fence. The proposed setback, landscaping and screening of the heavy vehicle storage area is consistent with this goal.

Salem Urban Area Goals and Policies, Urban Growth Goal (Page 26, Salem Comprehensive Policies Plan):

To ensure that the rate, amount, type, location and cost of development will preserve or enhance the City's quality of life and promote the City's efficient delivery of services.

Infill C.4

Development of land with existing urban services shall be encouraged before the conversion of urbanizable lands to urban uses.

Finding: The subject property is located within the Urban Service Area. Development of the proposed site does not require the extension or development of new public services. City services, including water, sewer, and storm infrastructure are available within surrounding streets and appear to be adequate to serve the proposed development. The proposal is consistent with this policy.

Salem Urban Area Goals and Policies, Industrial Development Goal (Pages 37-40, Salem Comprehensive Policies Plan):

Goal: To encourage and promote industrial development which strengthens the economic base of the community by increasing traded-sector employment, especially in sectors that pay higher-than-average wages, and minimizes air and water pollution.

Industrial Land Inventory I.1

Maintain a long-term (20 year) industrial land inventory which provides a full range of small, medium, and large parcel sizes and locations to sustain a competitive market for industrial sites. Maintaining a long-term supply of industrial land will require identifying and preserving key high value industrial land, especially areas where the City has made substantial investments in

infrastructure. High value industrial land has the following characteristics: it is designated for industrial uses, in flat parcels, most frequently in large parcels at least 10 acres in size, located within an industrial district, has direct access to a state highway or I-5, and is serviced or planned to be serviced with water and wastewater infrastructure.

Finding: Amending the Comprehensive Plan Map to designate the subject property as Industrial Commercial would maintain the overall acreage available within the Urban Growth Boundary for industrial uses, while allowing a relatively small parcel to be developed with a wider range of uses consistent with the industrial development pattern in the vicinity.

Industrial Land Inventory I.2

Identify areas that may be appropriate for converting from industrial to commercial or other non-industrial uses over the long-term. The characteristics of industrial land that may be appropriate for conversion to commercial or other non-industrial uses include some or all of the following: (1) located outside of industrial areas or isolated from other industrial uses, (2) surrounded by incompatible uses (such as housing), (3) located adjacent to properties that have converted to commercial uses, (4) have limited or no access to major roads (such as arterial streets, collector streets, or highways), or (5) lacks rail access.

Finding: In 2015, the City completed an Economic Opportunities Analysis (EOA) for areas within the Salem Urban Growth Boundary for the years 2015 to 2035. The study found a surplus of 907 acres of industrial land within the Salem UGB and a shortage of 271 acres for commercial uses. In response to these findings, the EOA included a recommendation to identify industrial land most suitable for conversion to commercial designations. This recommendation was implemented through Industrial Policy I.2.

Although the IC (Industrial Commercial) zoning proposed by the applicant allows many of the same wholesaling and manufacturing activities as the properties current IBC (Industrial Business Campus) zoning, the proposal would replace the properties current “Industrial” designation with an “Industrial Commercial” designation. Accordingly, this proposal could be interpreted as converting industrial land to partially commercial or other non-industrial land. Under this interpretation, the subject property is still an appropriate area for limited commercial use because of the future land needs projected in the EOA and the industrial commercial zoning designation placed on adjacent properties within the Fairview Industrial area.

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 the Morningside Neighborhood Association, 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 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 developed industrial land, there are no known scenic, historic, natural, or cultural resources on the subject property. The Planning Commission finds that the proposal is consistent with Goal 5.

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

Finding: The subject property is not located within a floodplain or floodway. Mapped landslide hazards are not identified on the subject property. The Planning Commission finds that the proposal is consistent with Goal 7.

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. 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 Industrial Commercial will maintain the industrial designation for the property and will increase the number of permitted uses on the subject property,

thereby opening up additional opportunities for economic development, consistent with the intent of 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 properties current industrial designation does not allow residential uses. The proposed comprehensive plan change and zone change will not reduce the City’s supply of land for housing.

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 applicant submitted a Transportation Planning Rule (TPR) Analysis in consideration of the requirements of the Transportation Planning Rule (OAR 660-012-0060). The Assistant City Traffic Engineer concurs with the applicant’s TPR analysis findings and recommends a condition to limit the development on the 4.92 acre property to 3,407 vehicles per day.

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 was annexed into the City of Salem in 1960, and is located within the Urban Service Areas (USA). Existing transportation and utility infrastructure is available in the vicinity. The request allows for the efficient use and development of property without requiring extension of new public services.

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

Finding: The proposed change will help to encourage and promote the wider use of an existing property in one of the city's major industrial-business centers. The wider range of uses allowed by the IC zone will allow for additional flexibility for future use and development of the property benefiting the public. The request will allow the current property owner, Salem-Keizer School District, to expand the use of an existing facility. The property is located in a key area to where school buses travel and operate, the proposed storage facility will result in shorter travel distances for buses, resulting in a benefit to the transportation system and the community. The proposal satisfies this criterion.

WEST SALEM NEIGHBORHOOD PLAN

Finding: The property is located within the boundaries of the Morningside Neighborhood Association. The Morningside Neighborhood Plan was adopted in 2014 and is in effect pursuant to SRC Chapter 64. The criteria for approval of a Neighborhood Plan Change are the same as the Minor Comprehensive Plan Map amendment, the findings above adequately address the proposed Neighborhood Plan change.

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 from IBC (Industrial Business Campus) to IC (Industrial Commercial).

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 does not identify a mistake in the application of a land use designation to the property and does not identify a change in the economic, demographic, or physical character of the vicinity. The proposal is justified based on (iii), that the proposed zone change is equally or better suited for the property than the existing zone.

The proposal is consistent with the uses and land use pattern of the area. Recent site-specific zone changes have been approved along Fairview Industrial Drive SE in the immediate vicinity of the subject property which have contributed to the changing character of the Fairview Industrial Drive area from an industrial manufacturing park to an area that supports a wider variety of industrial and commercial uses.

The IC zone generally allows a wide variety of retail, office, heavy commercial, light manufacture, and warehouse activities. Currently, uses found along Fairview Industrial drive include a wide range of industrial services, manufacturing, food production, office, government office, services and recreation/entertainment uses. The proposed IC zoning designation will allow a greater variety of uses for the subject property.

To maintain a greater degree of development compatibility with the surrounding land uses, the Planning Commission has adopted a condition of approval requiring the development standards of the IBC zone, which requires a greater percentage of landscaping and greater required setbacks than the proposed IC zone, apply to future development of the subject property.

Condition 1: Future use and development on the subject property shall be required to adhere to the development standards identified in Exhibit A.

The proposal meets this criterion.

(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. 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.

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 an industrial comprehensive plan map designation, the request would change the map designation to industrial commercial, which is also an industrial designation. The proposal does not include a change from an industrial designation to a non-industrial designation, therefore 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 has submitted a Transportation Planning Rule (TPR) Analysis that is required to address the Transportation Planning Rule (OAR 660-012-0060). The applicant's TPR analysis demonstrates that the proposal will not have a significant impact on the transportation system as defined by OAR 660-012-0060. The Assistant City Traffic Engineer concurs with the TPR analysis findings and recommended a condition, which the Planning Commission has adopted, to limit the development on the 4.92 acre property to 3,407 vehicles per day, the number of trips identified in the applicant's TPR analysis as the reasonable worst case trip generation under the properties current IBC zoning.

Condition 2: Traffic impacts from development on the subject property shall be limited to a maximum of 3,407 average daily trips.

As conditioned, the proposal meets this criterion.

(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: The water, sewer, and storm infrastructure are available within surrounding streets/areas and appear to be adequate to serve the proposed development. Site-specific infrastructure requirements are addressed in the Site Plan Review findings below. The proposal satisfies this criterion.

FINDINGS APPLYING TO THE APPLICABLE SALEM REVISED CODE CRITERIA FOR CLASS 3 SITE PLAN REVIEW

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 applicant is requesting approval for development of a screened bus storage facility on a new paved parking area approximately 64,682 square feet in size which will provide 31 full size bus spaces and 4 food service vehicle spaces. The proposed bus storage facility is classified as a heavy vehicle and trailer service and storage use.

Development Standards – IC (Industrial Commercial) Zone:

SRC 551.005(a) – Uses:

Finding: Permitted, special and conditional uses for the IC zone are found in SRC Chapter 551, Table 551-1. Heavy vehicle and trailer service and storage uses are allowed as a permitted use in the IC zone.

Lot Standards – Exhibit A:

There are no minimum lot area or dimension requirements in the IC zone. All uses are required to have a minimum of 16 feet of street frontage.

Finding: The subject property is approximately 4.92 acres in size. The subject property has approximately 510 feet of frontage on Fairview Industrial Drive SE, 385 feet of frontage on Strong Road SE and approximately 500 feet of frontage along Linburg Road SE.

Setbacks – Exhibit A:

Northeast: Adjacent to the northeast is right-of-way for Fairview Industrial Drive SE. There is a minimum 40 foot building setback and a minimum 20 foot vehicle use area setback required adjacent to a street.

Northwest: Adjacent to the northwest is the right-of-way for Strong Road SE. There is a minimum 40 foot building setback and a minimum 20 foot vehicle use area setback required adjacent to a street.

Southeast: Adjacent to the southeast is property zoned IC (Industrial Commercial) within the district. There is no minimum building setback required when abutting another property within the District. A minimum 10 foot vehicle use area setback is required.

Southwest: Adjacent to the southwest is the right-of-way for Linburg Road SE. There is a minimum 40 foot building setback and a minimum 20 foot vehicle use area setback required adjacent to a street.

Finding: The proposed heavy vehicle storage facility complies with the minimum setbacks requirements established by Exhibit A.

Lot Coverage, Height – Exhibit A:

There is no maximum lot coverage standard in the district, the maximum height allowance for all buildings and structures is 70 feet.

Finding: The proposed bus storage facility does not include development of any new buildings. New structures include a perimeter fence at approximately 6 feet in height.

Landscaping – Exhibit A:

- (1) **Setbacks.** Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC Chapter 807.
- (2) **Vehicle Use Areas.** Vehicle use areas shall be landscaped as provided under SRC Chapter 806 and SRC Chapter 807.
- (3) **Development Site.** A minimum of 20 percent of the development site shall be landscaped. Landscaping shall meet the Type A standard set forth in SRC Chapter 807. Other required landscaping under the UDC, such as landscaping required for setbacks or vehicle use areas, may count towards meeting this requirement.

Finding: The landscaping development standard requires a minimum of 20 percent of the development site to be landscaped. The subject property is approximately 4.92

acres (214,315 square feet) in size, requiring a minimum of 42,863 square feet of landscaping (214,315 x 0.2 = 42,863). The applicant's proposed site plan indicates approximately 28 percent of the development site, or approximately 60,000 square feet, will be landscaped exceeding the minimum standard.

Landscape and irrigation plans will be reviewed for conformance with the requirements of SRC 807 at the time of building permit application review.

Outdoor Storage – Exhibit A:

Within the District, outdoor storage shall conform to the following standards:

- (1) Storage areas shall not be located within required setbacks;
- (2) Storage areas shall be enclosed by a minimum six-foot-high sight-obscuring fence, wall, or hedge; or a berm at least four feet in height;
- (3) Materials and equipment stored shall not exceed a maximum height of fourteen feet above grade, provided however, that materials and equipment more than six feet in height above grade shall be screened by sight-obscuring landscaping located within a minimum five-foot-wide landscape strip planted at one plant unit per 20 square feet of landscaped area.

Finding: The proposed bus storage facility includes a sight obscuring perimeter fence at approximately 6 feet in height, landscaped setback areas will be planted with a minimum of one plant unit per 20 square feet of landscape area.

Off-Street Parking, Loading, and Driveways SRC 806

SRC 806.005 - Off-Street Parking; When Required.

Off-street parking shall be provided and maintained for each proposed new use or activity.

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

Required off-street parking shall be located on the same development site as the use or activity it serves.

SRC 806.015 - Amount of Off-Street Parking.

- a) *Minimum Required Off-Street Parking.* A minimum of 1 space per 900 square feet of floor area is required for the proposed heavy vehicle and trailer service and storage use.
- 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 existing off-street parking area includes approximately 148 parking spaces.

The proposed heavy vehicle and trailer service and storage use does not include development of any new buildings associated with the use, therefore no additional off-street parking spaces are required for the proposed development.

SRC 806.035 - Off-Street Parking and Vehicle Use Area Development Standards.

- a) *General Applicability.* The off-street parking and vehicle use area development standards set forth in this section apply to the development of new off-street parking and vehicle use areas.
- b) *Location.* Off-street parking and vehicle use areas shall not be located within required setbacks.
- c) *Perimeter Setbacks and Landscaping.* Perimeter setbacks shall be required for off-street parking and vehicle use areas abutting streets, abutting interior front, side, and rear property lines, and adjacent to buildings and structures.

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 proposed heavy vehicle storage area complies with the minimum perimeter setback standards of SRC Chapter 806 and setback requirements adjacent to a building or structure.

- d) *Interior Landscaping.* SRC 806.035(d)(1)(2) provides that interior landscaping is not required for vehicle storage areas.

Finding: Interior landscaping is not required for the proposed heavy vehicle storage area.

- e) *Off-Street Parking Area Dimensions.* SRC 806.035(e)(1) provides that off-street parking area dimensions do not apply to vehicle storage areas.

Finding: The proposed heavy vehicle storage area is not subject to the parking area dimensions in Table 806-6.

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

Finding: The proposed heavy vehicle storage area is developed consistent with the applicable development standards for grade, surfacing, and drainage. Bumper guards

and wheel barriers are not required for the vehicle storage area. The parking area striping, marking, signage and lighting shall be consistent with SRC Chapter 806.

Bicycle Parking

SRC 806.045 - General Applicability.

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

The bicycle parking requirement for a heavy vehicle and trailer service and storage use is a minimum of one space per 9,000 square feet of floor area.

Finding: The proposed development does not include construction of a new building associated with the heavy vehicle and trailer service and storage use, therefore no bicycle parking spaces are required for the proposed development.

Off-Street Loading Areas

SRC 806.065 - General Applicability.

Off-street loading areas shall be provided and maintained for each proposed new use or activity.

SRC 806.075 - Amount of Off-Street Loading.

Heavy vehicle and trailer service and storage uses do not require off-street loading spaces for buildings that are between 0-5,000 square feet in size.

Finding: The proposed development does not include construction of a new building associated with the heavy vehicle and trailer service and storage use, therefore no 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: Landscape and irrigation plans will be reviewed for conformance with the requirements of SRC 807 at the time of building permit application review.

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.

The West Middle Fork of Pringle Creek flows along the southeast boundary of the property. The proposed development is outside of the riparian area for the West Middle Fork of Pringle Cree, no protected riparian trees or significant trees have been identified on the site plan for removal.

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

According to the Salem-Keizer Local Wetland Inventory (LWI) there are no mapped wetlands or hydric soils found on the subject property. The applicant should contact the Department of State Lands to verify if permits are required for the proposed development.

SRC 810 - Landslide Hazards: A geological assessment or report is required when regulated activity is proposed in a mapped landslide hazard area. The subject property does not contain mapped landslide hazards in the area of development. The proposed commercial development is assigned 3 activity points. A total of 3 points indicates a low landslide hazard risk, therefore a geological assessment is not required for the proposed development.

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: Fairview Industrial Drive SE meets the right-of-way width and pavement width standards per the Salem TSP; therefore no additional street improvements are required as a condition of the proposed development.

Criterion 3:

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

Finding: The existing driveway accesses onto Fairview Industrial Drive SE provide for safe turning movements into and out of the property.

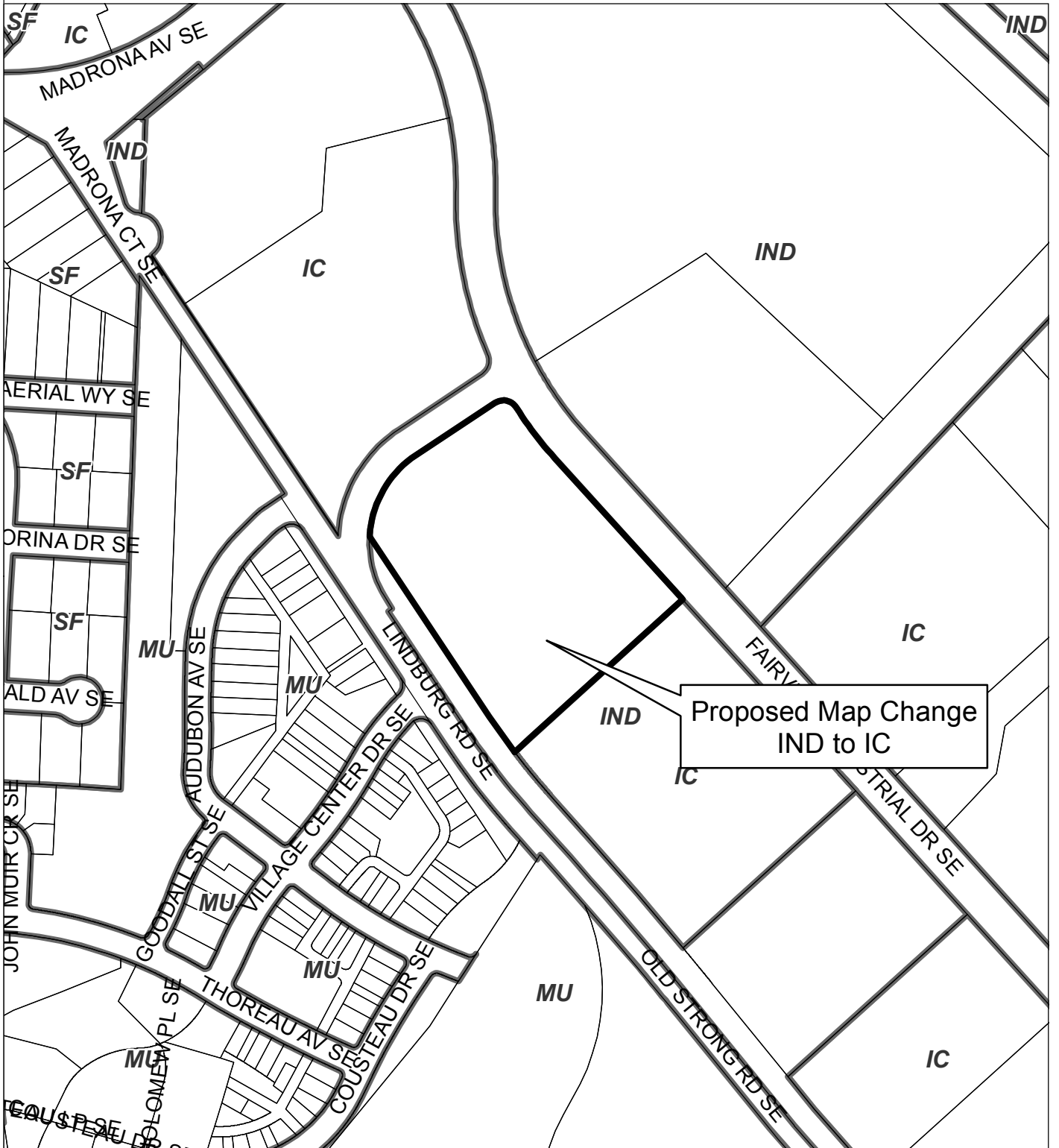
Criterion 4:

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

Finding: The Public Works Department has reviewed the applicant's preliminary utility plan for this site. The water, sewer, and storm infrastructure are available within surrounding streets / areas and appear to be adequate to serve the proposed development. The applicant shall design and construct all utilities water, sewer and storm drainage according to the PWDS and to the satisfaction of the Public Works Director. The applicant is advised that a sewer monitoring manhole may be required and the trash area shall be designed in compliance with Public Works Standards.

The applicant's engineer submitted a statement demonstrating compliance with Stormwater PWDS Appendix 004-E(4)(a)-or(b) and SRC Chapter 71. The preliminary stormwater design demonstrates the use of green stormwater infrastructure to the maximum extent feasible.

Comprehensive Plan Map - 3625 Fairview Industrial Drive SE



Proposed Map Change
IND to IC

Legend

- Comprehensive Plan
- Urban Growth Boundary
- Outside Salem City Limits
- Taxlots
- Parks
- Schools

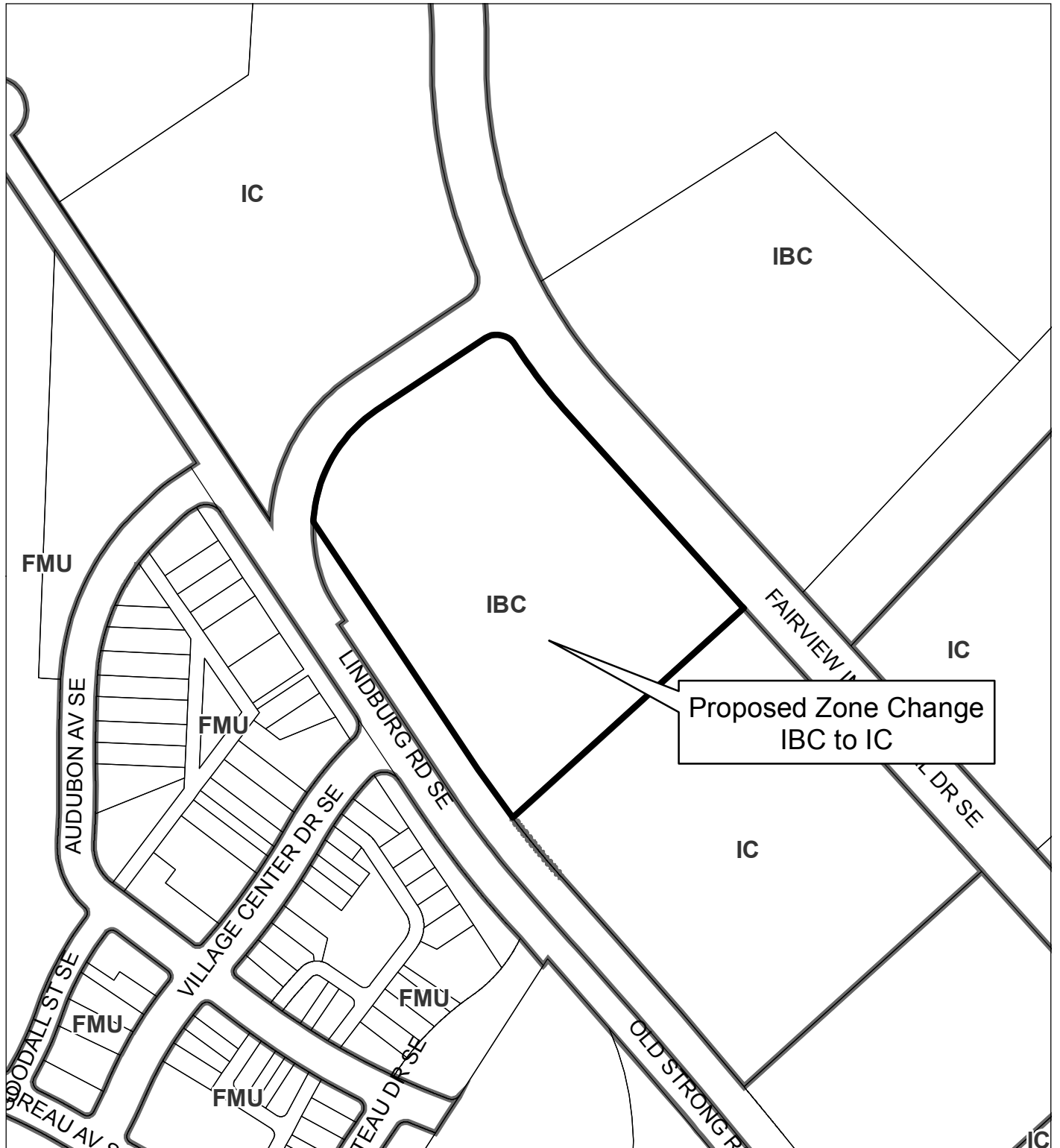
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CITY OF *Salem*
AT YOUR SERVICE
Community Development Dept.

Vicinity Zoning - 3625 Fairview Industrial Drive SE



Legend

- | | |
|---------------------------|---------|
| RS Base Zoning | Taxlots |
| Urban Growth Boundary | Parks |
| Outside Salem City Limits | Schools |

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CITY OF *Salem*
AT YOUR SERVICE
Community Development Dept.

Exhibit A – IC (Industrial Commercial) Development Standards

Where used in this exhibit, The “District” means the property re-zoned to IC as part of Case No. CPC-NPC-ZC-SPR18-03. “Internal Street” means a street which is not an arterial or collector street, which has no or only one actual or proposed connection to an existing or proposed street at the boundaries of the District, or which is a loop street entirely within the District.

(a) **Lot Standards.** Lots shall conform to the standards set forth in Table 1.

Table 1: Lot Standards		
Requirement	Standard	Limitations & Qualifications
Lot Area		
All Uses	None	
Lot Width		
All Uses	None	
Lot Depth		
All Uses	None	
Street Frontage		
All Uses	Min. 16 ft.	

(b) **Land Division.** In addition to any other applicable subdivision approval criteria set forth in the Salem Revised Code, the District shall not be divided unless the following criteria are met:

- (1) The configuration of the lots does not require the creation of other smaller lots as the only way to develop the remainder of the District;
- (2) The lot is complementary and compatible to other uses within the District; and
- (3) The lot does not preclude expansion of existing industries.

(c) **Setbacks.** Setbacks within the District shall be provided as set forth in Tables 2 and 3.

Table 2: Setbacks		
Requirement	Standard	Limitations & Qualifications
ABUTTING STREET		
<i>Buildings</i>		
All Uses	Min. 20 ft.	Applicable where abutting an Internal Street.
	Min. 40 ft.	Applicable where abutting a street, other than an Internal Street.
<i>Accessory Structures</i>		
Accessory to All Uses	Min. 20 ft.	Applicable where abutting an Internal Street.
	Min. 40 ft.	Applicable where abutting a street, other than an Internal Street.
	None	Applicable to transit stop shelters.
<i>Vehicle Use Areas</i>		
All Uses	Min. 20 ft.	
INTERIOR FRONT		
<i>Buildings and Accessory Structures</i>		
All Uses	None	Applicable where a property within the District abuts another property within the District or zoned IBC.
	Zone-to-Zone Setback (Table 3)	Applicable where a property within the District abuts a property other than a property within the District or zoned IBC.

Table 2: Setbacks		
Requirement	Standard	Limitations & Qualifications
Vehicle Use Areas		
All Uses	Min. 10 ft.	Applicable where a property within the District abuts another property within the District or zoned IBC.
	Zone-to-Zone Setback (Table 3)	Applicable where a property within the District abuts a property other than a property within the District or zoned IBC.
INTERIOR SIDE		
Buildings and Accessory Structures		
All Uses	None	Applicable where a property within the District abuts another property within the District or zoned IBC.
	Zone-to-Zone Setback (Table 3)	Applicable where a property within the District abuts a property other than a property within the District or zoned IBC.
Vehicle Use Areas		
All Uses	Min. 10 ft.	Applicable where a property within the District abuts another property within the District or zoned IBC.
	Zone-to-Zone Setback (Table 3)	Applicable where a property within the District abuts a property other than a property within the District or zoned IBC.
INTERIOR REAR		
Buildings and Accessory Structures		
All Uses	None	Applicable where a property within the District abuts another property within the District or zoned IBC.
	Zone-to-Zone Setback (Table 3)	Applicable where a property within the District abuts a property other than a property within the District or zoned IBC.
Vehicle Use Areas		
All Uses	Min. 10 ft.	Applicable where a property within the District abuts another property within the District or zoned IBC.
	Zone-to-Zone Setback (Table 3)	Applicable where a property within the District abuts a property other than a property within the District or zoned IBC.

Table 3: Zone-to-Zone Setbacks				
Abutting Zone	Type of Improvement	Setback	Landscaping & Screening	Limitations & Qualifications
EFU	Buildings and Accessory Structures	Min. 40 ft.	Type C	
	Vehicle Use Areas	Min. 20 ft.	Type C	
Residential Zone	Buildings and Accessory Structures	Min. 40 ft.	Type C	
	Vehicle Use Areas	Min. 20 ft.	Type C	

Table 3: Zone-to-Zone Setbacks				
Abutting Zone	Type of Improvement	Setback	Landscaping & Screening	Limitations & Qualifications
Mixed-Use Zone	Buildings and Accessory Structures	Min. 40 ft.	Type C	
	Vehicle Use Areas	Min. 20 ft.	Type C	
Commercial Zone	Buildings and Accessory Structures	Min. 40 ft.	Type C	
	Vehicle Use Areas	Min. 20 ft.	Type C	
Public Zone	Buildings and Accessory Structures	Min. 40 ft.	Type C	
	Vehicle Use Areas	Min. 20 ft.	Type C	
Industrial and Employment Zone: EC, IC, IG, IP and II	Buildings and Accessory Structures	Min. 20 ft.	Type C	
	Vehicle Use Areas	Min. 20 ft.	Type C	

(d) Lot Coverage; Height. Buildings and accessory structures within the District shall conform to the lot coverage and height standards set forth in Table 4.

Table 4: Lot Coverage; Height		
Requirement	Standard	Limitations & Qualifications
LOT COVERAGE		
Buildings and Accessory Structures		
All Uses	No Max.	
HEIGHT		
Buildings		
All Uses	Max. 70 ft.	
Accessory Structures		
Accessory to All Uses	Max. 70 ft.	

(e) Off-Street Parking and Loading. Within the District off-street parking and loading shall meet the Off-Street Parking standards of the Salem Revised Code, together with the additional requirements of this section:

(1) Off-Street Parking. Not more than 10 percent of the required off-street parking spaces may be located in a required setback abutting a street. For purposes of this subsection, required setback means the setback required for a building abutting a street.

(2) Loading.

(A) All loading spaces shall be screened from adjacent property by a minimum 6-foot-tall sight-obscuring fence, wall, or hedge; or a berm at least 4 feet in height.

(B) Loading docks and loading doors shall be screened from the street by landscaping and shall be offset from driveway openings.

(g) Landscaping. Landscaping within the District shall be provided as set forth in this subsection.

(1) Setbacks. Unless otherwise provided in the Salem Revised Code, required setbacks shall be landscaped. Landscaping shall meet the Type A standard.

(2) Vehicle Use Areas. Vehicle use areas shall be landscaped as provided in the Salem Landscaping Code.

(3) Development Site. A minimum of 20 percent of the development site shall be landscaped. Landscaping shall meet the Type A standard. Other required landscaping, such as required landscaping for setbacks or vehicle use areas, may count towards meeting this requirement.

(4) Landscaping Types. Required landscaping shall be provided according to one of the landscaping types set forth in Table 5. Where landscaping is required without a reference to a specific landscaping type, the required landscaping shall meet the Type A standard.

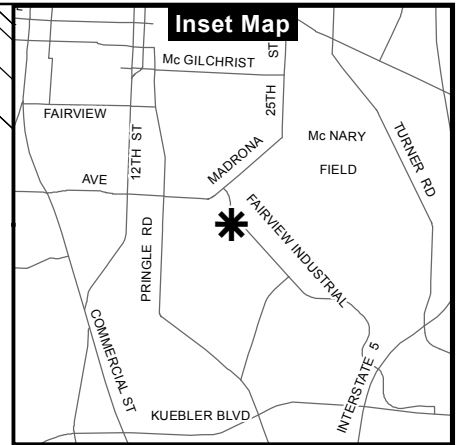
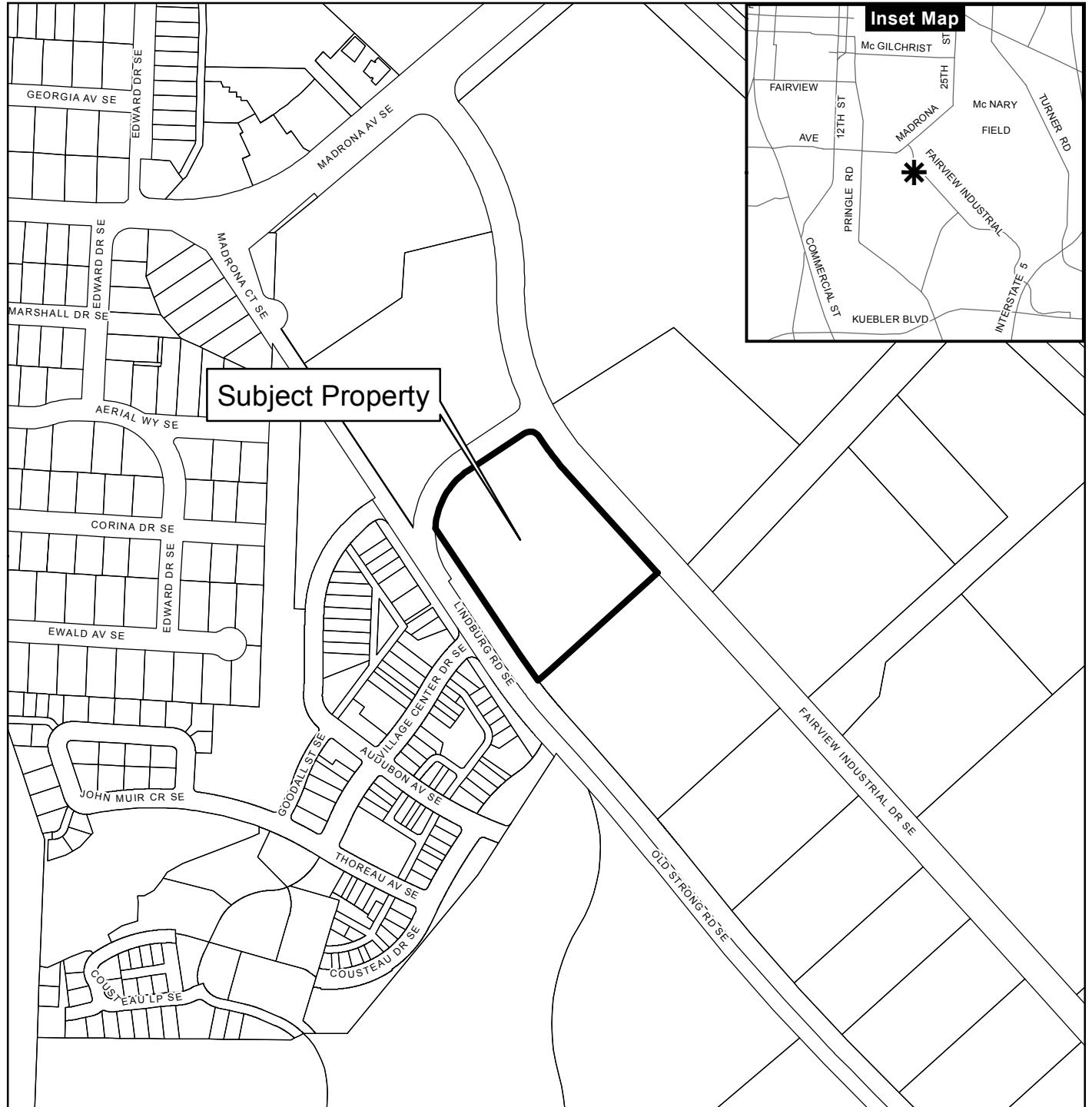
Table 5: Landscaping and Screening		
Landscaping Type	Required Plant Units (PU)	Required Screening
A	Min. 1 PU per 20 sq. ft. of landscaped area	None
C	Min. 1 PU per 20 sq. ft. of landscaped area	Min. 6-foot-tall fence or wall

(h) Outdoor Storage. Within the District, outdoor storage shall conform to the following standards:

- (1)** Storage areas shall not be located within required setbacks;
- (2)** Storage areas shall be enclosed by a minimum six-foot-high sight-obscuring fence, wall, or hedge; or a berm at least four feet in height;
- (3)** Materials and equipment stored shall not exceed a maximum height of fourteen feet above grade, provided however, that materials and equipment more than six feet in height above grade shall be screened by sight-obscuring landscaping located within a minimum five-foot-wide landscape strip planted at one plant unit per 20 square feet of landscaped area.

Vicinity Map

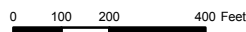
3625 Fairview Industrial Drive SE



Subject Property

Legend

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



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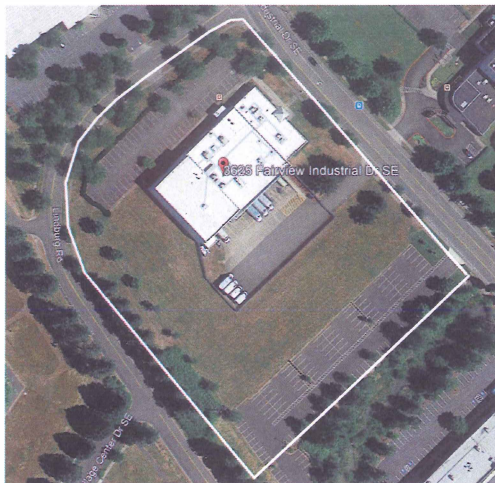
**SALEM-KEIZER SCHOOL DISTRICT 24J
COMPREHENSIVE PLAN CHANGE/ZONE CHANGE/
NEIGHBORHOOD PLAN CHANGE
CONSOLIDATED WRITTEN STATEMENT**

OWNER/APPLICANT:

Salem-Keizer School District 24J
3630 State Street
Salem, Oregon 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 located at the southwest corner of the intersection of Fairview Industrial Drive SE and Lindburg Road, in Salem, Oregon, Marion County Assessor’s Map Number 8-3W-02, Tax Lot 900 (herein the **“Subject Property”**). The total acreage of the Subject Property is approximately 4.92 acres.

The City of Salem (herein the **“City”**) designates the Subject Property as “Industrial” on its Comprehensive Plan Map and it is zoned “Industrial Business Campus.” (See Current Zoning Map, **Exhibit 1**).

The Subject Property is located within the City limits and the City’s Urban Service Area (**“USA”**). Access to the Subject Property is provided via Fairview Industrial Drive SE.

As shown in Exhibit 1, the surrounding properties have the following zoning designations:

Northwest (across Lindburg Road)	Industrial Commercial (IC)
Northeast (across Fairview Industrial Dr)	Industrial Business Campus (IBC)
Southwest (across Lindburg Road)	Central Business District (CB)
Southeast	Industrial Commercial (IC)

On October 30, 2017, Applicant’s representative met with City Staff to discuss the development of the Subject Property. (See Pre-Application Report, **Exhibit 2**).

The Subject Property is located within the Morningside Neighborhood Association (the “MNA”). Applicant initially contacted MNA’s Chair on November 1, 2017, and later attended the MNA’s monthly meeting in December. The MNA indicated at the meeting that they had no intent to oppose this consolidated filing.

Applicant’s representative provided Cherriots staff with a copy of the proposed site plan along with the summary of the proposal on or around October 9th, 2017.

PREVIOUS LAND USE ACTIONS:

- SPR14-03 – Site Plan Review for development of a 110-space parking lot

BACKGROUND INFORMATION:

The Subject Property currently houses one industrial building that is approximately 214, 315 square feet; and is currently used to produce meals for Applicant's schools throughout the district. Applicant is requesting a zone change, a comprehensive plan amendment change, and neighborhood plan change to allow for the storage of its school buses on the Subject Property. This type of use is designated by the Salem Revised Code (“SRC”) as heavy vehicle storage which is not a permissible use in the Industrial Business Campus zone but is a permissible use within the Industrial Commercial zone. The Property is bounded to the north and south by Industrial Commercial properties, meaning that the change is unlikely to adversely affect the neighboring properties

SUMMARY OF PROPOSAL:

Applicant is proposing to rezone the Subject Property from Industrial Business Campus (“IBC”) to Industrial Commercial (“IC”) and to change the comprehensive plan designation from Industrial to Industrial Commercial. The purpose of this consolidated request is to allow the Subject Property to be used for the storage of school buses.

Applicant is requesting that the applications to go through the Collective (a.k.a. Consolidated) Process before the Planning Commission.

EXISTING SITE CONDITIONS:

The Subject Property has street frontage on Fairview Industrial Drive SE and Lindburg Road SE and is currently the location of Applicant’s food manufacturing facility. The existing general manufacturing use (general food manufacturing) and the proposed addition of heavy vehicle, trailer service and storage use (storage facility for buses) are both permitted uses in the proposed IC zone.

SITE PLAN:

A proposed site plan has been provided (See *Exhibit 3*).

APPLICABLE DETAIL PLANS:

Detailed plans are prepared as policy guides to the Salem Area Comprehensive Plan (“SACP”) and are

specific plans for a particular geographic area of the city, or for the provision or performance of some particular service or function. The MNA has a neighborhood plan with identified goals and policies (adopted by the City) that act as the guiding principle for the MNA's recommendations regarding development within the boundaries of the MNA. As the generalized land use map for the neighborhood plan is the SACP, Applicant is also requesting a Neighborhood Plan Change as part of this consolidated application.

SALEM TRANSPORTATION SYSTEM PLAN (STSP):

The STSP uses a Street Classification System to determine the functional classification of each street within the City's street system. Fairview Industrial Drive SE abuts the Subject Property to the Northeast and Lindburg Road wraps around the Subject Property along its north and west borders. The functional classification for Fairview Industrial Drive SE is Minor Arterial, and the functional classification for Lindburg Road is Collector. The intersection of Fairview Industrial Drive and Lindburg Road is currently a ninety degree turn with a stop sign located on Lindburg Road and a designated left hand turn lane on Fairview Industrial Drive SE. The Subject Property has one access driveway onto Lindburg Road and two access driveways onto Fairview Industrial Drive SE.

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

COMPREHENSIVE PLANNING

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:

(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 a 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 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.

(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;

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

(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

(E) The amendment is in the public interest and would be of general benefit. (Ord No. 6-13)

APPLICANT'S REASONS ADDRESSING THE COMPREHENSIVE PLAN CHANGE CRITERIA

Salem Revised Code (SRC) 64.025 (e) sets forth the Criteria of Approval for a minor comprehensive plan amendment. The applicable criteria have been excerpted below in bold and italics, followed by Applicant's proposed findings.

(2) A minor comprehensive plan amendment 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) Alteration in circumstances. Social, economic, or demographic patterns of the nearby vicinity have so altered that the current designations are no longer appropriate;

Proposed Finding: The social, economic, and demographic patterns within the vicinity of the Subject Property have not been altered to make the current designation no longer appropriate.

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

Proposed Finding: The Industrial Commercial comprehensive plan designation is equally or better suited for the Subject Property than the Industrial designation. The Industrial designation is intended to provide for a variety of industrial sites which place higher demands on public facilities, the environment, and vehicular traffic; whereas, the primary goal of the Industrial Commercial designation is to provide for a mixture of heavy commercial and light manufacturing and warehousing activities.

The location of the Subject Property, as well as the surrounding uses, makes it well-suited for Industrial Commercial designation. The Subject Property abuts and has access onto Fairview Industrial Drive SE. Fairview Industrial Drive SE is lined with a variety of commercial and industrial uses, ranging from fitness and service centers to large scale industrial manufacturers. The area's variety is demonstrated by the four points of the Lindburg/Fairview Industrial Intersection with the Subject Property in the southwest quadrant, the Hoop in the northwest quadrant, Yamasa Corporation in the northeast quadrant, and Imex Amercia Corporation in the southeast quadrant. This mix of heavy industrial production and commercial service providers show that there is already a mix of industrial and commercial use in the area that already exists. The addition of vehicle storage to the Subject Property's

existing industrial use will not change the existing environment and thus Applicant's proposed designation is equally or better suited for the Subject Property.

(iii) Conflict Between Comprehensive Plan Map Designation and Zone Designation. A Minor Plan Map Amendment may be granted where there is a 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 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.

Proposed Finding: There is no conflict with the SACP designation and the zoning of the Subject Property. Applicant is applying for a zone change from IBC to IC as part of this consolidated application request.

(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 within the City's USA and is currently served by public facilities. The proposed change will allow for an additional parking area on the Subject Property which Applicant will develop in accordance with the applicable development standards, including storm and waste water management standards.

Thus, the Subject Property will be served by the existing facilities necessary to support the uses allowed by the proposed Industrial Commercial designation. 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 Industrial Commercial designation will promote the USA as a commercial center. This criterion is satisfied.

(D) The proposed plan map designation is consistent with the Salem Comprehensive Plan and applicable Statewide planning goals and administrative rules adopted by the Department of Land Conservation and Development;

Proposed Finding: As provided for below, the proposed Industrial Commercial designation complies with the applicable provisions of the SACP, applicable Statewide Planning Goals and administrative rules adopted by the Department of Land Conservation and Development ("LCDC").

3. Plan Map Designations:

The Comprehensive Plan Map is a representation of the Plan's goals and policies. The Plan map designations indicate various types of land use.

Descriptions of the Plan Map designations follow.

e. Industrial/Commercial

The intent of this designation is to provide areas for a mixture of heavy commercial and light manufacturing and warehousing activities.

Proposed Finding: This proposal is in conformance with the goals of the Industrial Commercial designation. The current use is a food preparation facility which will continue to operate in conjunction with the development of the proposed bus storage on the Subject Property.

IV. Salem Urban Area Goals and Policies

G. Commercial Development

GOAL: To maintain and promote the Salem urban area as a commercial center for the Marion-Polk.

GOAL: To maintain and promote the Salem urban area as a commercial center for Marion and Polk counties.

GOAL: To promote development of commercial office buildings for a range of employment uses, especially in downtown, mixed use districts, and commercially-oriented urban renewal areas.

GOAL: To promote commercial development that supports growth of traded-sector commercial employment.

I. Industrial Development

GOAL: To encourage and promote industrial development which strengthens the economic base of the community by increasing traded-sector employment, especially in sectors that pay higher than-average wages, and minimizes air and water pollution.

Proposed Finding: The SACP does not provide specific goals for the Industrial Commercial designation. However, when evaluating the above excerpted Commercial Development Goals and Industrial Development Goals together, the addition of the proposed parking area to the existing food manufacturing facility is in accordance with the established goals. The proposed additional use will maintain the commercial orientation of the Subject Property which currently provides stable, higher-than-average wages while allowing a more efficient use of space by allowing a mixture of uses on the Subject Property.

J. TRANSPORTATION

GOAL: To provide a balanced, multimodal transportation system for the Salem Urban Area that supports the safe and efficient movement of goods and people.

Salem Transportation System Plan

1. The Salem Transportation System Plan shall contain goals, objectives, policies, plan maps, and project lists that will guide the provision of transportation facilities and services for the Salem Urban Area...

2. The Salem Transportation System Plan shall be updated, as necessary, to remain consistent with other City of Salem, regional, and statewide plans.

Proposed Finding: The City adopted a STSP, applicable policies of which have been excerpted below, followed by proposed findings demonstrating compliance therewith.

STSP STREET SYSTEM ELEMENT

GOAL: Provide a comprehensive system of streets and highways that serves the mobility and multimodal travel needs of the Salem Urban Area.

OBJECTIVE NO. 1

Develop a comprehensive, hierarchical system of streets and highways that provides for optimal mobility for all travel modes throughout the Salem Urban Area.

Policy 1.6 Local Access and Circulation

The City's street system shall contain an interconnected network of local streets that provide property access and neighborhood circulation.

Proposed Finding: The Subject Property provides for the safe and efficient movement of goods and people. The Subject Property is bordered to the north and west by Lindburg Road SE and Fairview Industrial Drive SE to the east. Fairview Industrial Drive SE is classified as a Minor Arterial by the STSP street classification system. Lindburg Road is designated as a Collector. The Subject Property is well connected to the existing public street system, thereby providing connectivity with the surrounding neighborhood.

Multimodal Transportation System

4. The transportation system for the Salem Urban Area shall consist of an integrated network of facilities and services for a variety of motorized and nonmotorized travel modes.

Proposed Finding: The Subject Property is currently served by transit, pedestrian sidewalks and bike lanes, all of which encourage the use of alternative modes of transportation.

Supportive of Land Use Plan Designations & Development Patterns

7. Local governments shall encourage the expansion of transit services throughout and beyond the Salem Urban Area, especially to areas of increased residential densities, major commercial concentrations, and large institutional and employment centers.

Proposed Finding: The Subject Property is currently served by transit service at the corner adjacent to the Subject Property via *Route 6, Mission/Fairview Industrial*, which will provide multimodal transportation options to the Subject Property.

(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: The minor comprehensive plan (map) amendment and neighborhood map amendment from Industrial to Industrial Commercial and corresponding zone change from IBC to IC is consistent with the applicable Statewide Planning Goals as follows:

Goal 1. Citizen Involvement.

Proposed Finding: A minor comprehensive plan amendment is processed as a quasi-judicial land use action. Public notice is required and a public hearing will be held giving interested citizens an opportunity to be involved in the process. In addition to the City's required citizen involvement tasks, the Applicant has reached out to the MNA to keep them apprised of what is happening with the Subject Property and attended MNA's meeting this past December. These outreach efforts, and the City's public hearing process ensures there is adequate citizen involvement in the land use process.

Goal 2. Land Use Planning.

Proposed Finding: The zoning code is a part of the Unified Development Code ("*UDC*") and was adopted by the City and acknowledged by the DLCDC as being in compliance with Oregon Statewide Planning Goals, statutes and administrative rules.

Additionally, there are a number of Detail Plans the City has adopted as policy guides to the Comprehensive Plan. The following is a list of Detail Plans relevant to this proposal:

Salem Transportation System Plan. Adopted June 28, 1998, and amended February 14, 2000, May 14, 2001, January 24, 2005, March 28, 2005, July 9, 2007, and February 2, 2016.

Salem Urban Area Public Facilities Plan. Adopted October 12, 1992.

Morningside Neighborhood Plan. Adopted May 28, 2014.

The zoning code has been adopted by the City and acknowledged by the State in accordance with the planning process established under Goal 2. Following this process, it became a part of the body of acknowledged planning documents that can be used as a basis for future land use decisions. The subject proposal will be processed in accordance with the land use procedures established by SRC Chapter 300 and any other applicable Oregon statutes or administrative rules. This procedure will ensure compliance with Statewide Planning Goal 2.

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 application 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.

The following italicized section has been excerpted from Oregon's Statewide Planning Goals & Guidelines for Goal 5: *Natural Resources, Scenic and Historic Areas, and Open Spaces* (OAR 660-015-0000(5)):

To protect natural resources and conserve scenic and historic areas and open spaces.
Local governments shall adopt programs that will protect natural resources and conserve scenic, historic, and open space resources for present and future generations. These resources promote a healthy environment and natural landscape that contributes to Oregon's livability.

The following resources shall be inventoried:

- a. Riparian corridors, including water and riparian areas and fish habitat;*
- b. Wetlands;*
- c. Wildlife Habitat;*
- f. Groundwater Resources;*
- h. Natural Areas;*

Proposed Finding: The proposed plan amendment application does not affect natural resource use, scenic or historic area, or open spaces. Thus, Goal 5 is not applicable to this proposal.

Goal 6. Air, Water and Resources Quality.

The following italicized section has been excerpted from Oregon's Statewide Planning Goals & Guidelines for Goal 6: *Air, Water, and Land Resource Quality* (OAR 660-015-0000(6)):

To maintain and improve the quality of the air, water and land resources of the state.
All waste and process discharges from future development, when combined with such discharges from existing developments shall not threaten to violate, or violate applicable state or federal environmental quality statutes, rules and standards. With respect to the air, water and land resources of the applicable airsheds and river basins described or included in state environmental quality statutes, rules, standards and implementation plans, such discharges shall not (1) exceed the carrying capacity of such resources, considering long range needs; (2) degrade such resources; or (3) threaten the availability of such resources.

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 commercial retail activities on air, water, and land resources will be similar to those of other similar commercial 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.

The following italicized section has been excerpted from Oregon's Statewide Planning Goals & Guidelines for Goal 7: *Areas Subject to Natural Hazards* (OAR 660-015-0000(7)):

A. NATURAL HAZARD PLANNING

- 1. Local governments shall adopt comprehensive plans (inventories, policies and implementing measures) to reduce risk to people and property from natural hazards.*
- 2. Natural hazards for purposes of this goal are: floods (coastal and riverine), landslides, earthquakes and related hazards, tsunamis, coastal erosion, and wildfires. Local governments may identify and plan for other natural hazards.*

Proposed Finding: The City has adopted specific policies for protection against flood hazards, potential landslides and other natural hazards. Policies pertaining to flood hazards are contained in both the Natural Hazard Mitigation Plan and the Stormwater Master Plan. Implementing measures can be found in the SRC under Chapters 809 and 601. These policies and implementation measures recognize the complimentary benefits of natural hazard and natural resource management. According to the City's Natural Hazard Mitigation Plan ("**NHMP**") and the corresponding maps, the Subject Property is not at an elevated risk for a natural disaster of the type identified in the NHMP. This goal is satisfied.

Goal 8. Recreational Needs.

The following italicized section has been excerpted from Oregon's Statewide Planning Goals & Guidelines for Goal 8: *Recreational Needs* (OAR 660-015-0000(8)):

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.

Local governments shall adopt programs that will protect natural resources and conserve scenic, historic, and open space resources for present and future generations. These resources promote a healthy environment and natural landscape that contributes to Oregon's livability.

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 other than the wetlands and riparian zones addressed above. Therefore, Goal 8 is not applicable to this proposal.

Goal 9. Economic Development.

The following italicized section has been excerpted from Oregon's Statewide Planning Goals & Guidelines for Goal 9: Economic Development (OAR 660-015-0000(9)):

Comprehensive plans for urban areas shall:

- 1. Include an analysis of the community's economic patterns, potentialities, strengths, and deficiencies as they relate to state and national trends;*
- 2. Contain policies concerning the economic development opportunities in the community;*
- 3. Provide for at least an adequate supply of sites of suitable sizes, types, locations, and service levels for a variety of industrial and commercial uses consistent with plan policies;*

Proposed Finding: The SACP contains commercial and economic development policies pertaining to the identification and protection of employment lands. This proposal to amend the comprehensive plan map from Industrial to Industrial Commercial will not impact the City's employment lands, as the change will allow for the continuation of commercial uses on the Subject Property.

The proposal will provide for the expansion of the existing industrial-commercial activity on the Subject Property through its additional use as bus storage. The current commercial activity will continue, meaning there will be no impact to the Subject Property's current use as employment land. Furthermore, the proposed amendment will allow for a greater variety of employment opportunities on the Subject Property. As such, the proposal is consistent with Goal 9's requirement to provide a variety of economic opportunities for Salem area citizens, including commercial and industrial opportunities. OAR 660-009-0000.

Goal 10. Housing.

The following italicized section has been excerpted from Oregon's Statewide Planning Goals & Guidelines for Goal 10: *Housing* (OAR 660-015-0000(10)):

To provide for the housing needs of citizens of the state.

Buildable lands for residential use shall be inventoried and plans shall encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density.

GUIDELINES

A. PLANNING

- 1. In addition to inventories of buildable lands, housing elements of a comprehensive plan should, at a minimum, include: (1) a comparison of the distribution of the existing population by income with the distribution of available housing units by cost; (2) a*

determination of vacancy rates, both overall and at varying rent ranges and cost levels; (3) a determination of expected housing demand at varying rent ranges and cost levels; (4) allowance for a variety of densities and types of residences in each community; and (5) an inventory of sound housing in urban areas including units capable of being rehabilitated.

2. Plans should be developed in a manner that insures the provision of appropriate types and amounts of land within urban growth boundaries. Such land should be necessary and suitable for housing that meets the housing needs of households of all income levels.

3. Plans should provide for the appropriate type, location and phasing of public facilities and services sufficient to support housing development in areas presently developed or undergoing development or redevelopment.

Proposed Finding: The Subject Property is currently designated Industrial with a proposed shift to Industrial Commercial. Accordingly, the proposed change does not impact the amount of land available for housing. Goal 10 is not applicable to this proposal.

Goal 11. Public Facilities and Services.

The following italicized section has been excerpted from Oregon's Statewide Planning Goals & Guidelines for Goal 11: *Public Facilities and Services* (OAR 660-015-0000(11)):

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.

Urban and rural development shall be guided and supported by types and levels of urban and rural public facilities and services appropriate for, but limited to, the needs and requirements of the urban, urbanizable, and rural areas to be served. A provision for key facilities shall be included in each plan. Cities or counties shall develop and adopt a public facility plan for areas within an urban growth boundary containing a population greater than 2,500 persons.

GUIDELINES

A. PLANNING

3. *Public facilities and services in urban areas should be provided at levels necessary and suitable for urban uses.*

4. *Public facilities and services in urbanizable areas should be provided at levels necessary and suitable for existing uses. The provision for future public facilities and services in these areas should be based upon: (1) the time required to provide the service; (2)*

reliability of service; (3) financial cost; and (4) levels of service needed and desired.

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. The Subject Property is located within the USA boundary. Goal 11 is satisfied.

Goal 12. Transportation.

The following italicized section has been excerpted from Oregon's Statewide Planning Goals & Guidelines for Goal 12: Transportation (OAR 660-015-0000(12)):

A transportation plan shall (1) consider all modes of transportation including mass transit, air, water, pipeline, rail, highway, bicycle and pedestrian; (2) be based upon an inventory of local, regional and state transportation needs; (3) consider the differences in social consequences that would result from utilizing differing combinations of transportation modes; (4) avoid principal reliance upon any one mode of transportation; (5) minimize adverse social, economic and environmental impacts and costs; (6) conserve energy; (7) meet the needs of the transportation disadvantaged by improving transportation services; (8) facilitate the flow of goods and services so as to strengthen the local and regional economy; and (9) conform with local and regional comprehensive land use plans.

OAR Section 660-012-0060(1) further states that to determine if a proposed use significantly affects a transportation facility the following must be found:

(a) Changes the functional classification of an existing or planned transportation facility;

(b) Changes standards implementing a functional classification system; or

(c) As measured at the end of the planning period identified in the adopted transportation system plan:

(A) Allow land uses or levels of development which would result in levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable level performance standard identified in the TSP or comprehensive plan;

(C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.

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”) which is attached hereto and incorporated herein by this reference as **Exhibit “4.”** The TPR is based on a traffic impact analysis (the “TIA”) which was performed in February of 2017. The results of the TIA indicate that the proposed change in the comprehensive plan designation for the Subject Property is unlikely to create a significant impact on the surrounding transportation network. The TPR indicates that the proposed use of the Subject Property is likely to only add four hundred and fifty (450) additional trips to the surrounding network; this number is well below the number of trips that would require a trip cap or some other type of mitigation. Even the worst case scenario for long term development on the Subject Property under the IC zone it’s expected to add only roughly one hundred and twenty seven (127) additional trips, a six percent (6%) increase in daily trip levels. This does not represent a significant impact on the surrounding transportation system. Therefore, this application is consistent with Goal 12.

Goal 13. Energy Conservation.

The following italicized section has been excerpted from Oregon’s Statewide Planning Goals & Guidelines for Goal 13: *Energy Conservation* (OAR 660-015-0000(13)):

GUIDELINES

A. PLANNING

3. Land use planning should, to the maximum extent possible, seek to recycle and re-use vacant land and those uses which are not energy efficient.

Proposed Finding: This application will, to the maximum extent possible, seek to recycle and re-use vacant land and those uses which are not energy efficient. The current food services facility uses only a portion of the Subject Property. The proposed use will convert vacant land to usable storage space, making a more efficient use of the Subject Property. Therefore, the Application is consistent with Goal 13.

Goal 14. Urbanization.

Proposed Finding: This proposal does not include land located outside of the 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.

Based on the findings contained above, this proposal to amend the comprehensive plan map designation from Industrial to Industrial Commercial 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 a more complete use of the Subject Property. The proposed parking is an expansion of the existing facilities. The Subject Property is located along a minor arterial and the proposed use will not over burden the adjacent traffic facilities. Allowing the movement of the bus storage area to this location will allow for shorter travel distances for the buses throughout the Salem-Keizer School District, resulting in a net benefit to the overall transportation system and thus provide a general benefit to the community as a whole. This criterion is satisfied.

CONCLUSION:

Based on the findings contained in this written statement, the Applicant has satisfactorily addressed the applicable criteria for granting a minor comprehensive plan map amendment designation for the Subject Property from Industrial to Industrial Commercial.

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

Proposed Finding: The Morningside Neighborhood Plan has been adopted by the Salem City Council and is mandatory approval criteria for this Application. The SRC Criteria for a Neighborhood Plan Map Amendment is identical to the criteria for the Comprehensive Plan Map (Minor) Amendment. Therefore, based on the findings contained above, the Applicant has satisfactorily addressed the applicable criteria for granting a minor comprehensive plan map amendment designation for the Subject Property from Industrial to Industrial Commercial.

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

CHAPTER 265

ZONE CHANGES

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.

(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.

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

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

(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.

(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. (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.

(2) The greater the impact of the proposed zone change on the area, the greater the burden on the applicant to demonstrate that the criteria are satisfied. (Ord No. 12-12; Ord No. 31-13)

SRC 265.005 (e) sets forth the Criteria of Approval for a quasi-judicial zone. The applicable criteria have been excerpted below in bold and italics, followed by Applicant's proposed findings.

(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;

Proposed Finding: There has not been a mistake in the application of a land use designation to the Subject 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

Proposed Finding: There has not been a change in the economic, demographic, or physical character in the general vicinity of the subject property.

(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 IC zoning designation is equally or better suited for the Subject Property than the IBC zoning designation. There has been and continues to be a mixture of both commercial and industrial uses in the vicinity of the Subject Property. The proposed use will allow for a more efficient use of the Subject Property by allowing a mix of uses on the same parcel. The proposed expansion of the parking area will not impact the current use on the Subject Property or impact the uses of the adjacent parcels. The proposed use will allow for the expansion and diversification of the range of commercial and industrial uses on the subject property which will have a beneficial impact on the surrounding area.

(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: The zone change is not City-initiated. This criterion does not apply.

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

Proposed Finding: This zone change proposal is in conjunction with a corresponding minor comprehensive plan map amendment from Industrial to Industrial Commercial, which, if approved, will comply with the applicable provisions of the SACP. The Applicant previously addressed the identical provisions of the SACP in the comprehensive plan map amendment section above. The Applicant's conformance with all of those criteria was adequately addressed above and will not be repeated here.

(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: The proposed zone change from IBC to IC is consistent with the applicable Statewide Planning Goals. The Applicant previously addressed its conformance with the zone change criteria above in the Comprehensive Plan Map Amendment Section and will not repeat those findings here.

(2) The greater the impact of the proposed zone change on the area, the greater the burden on the applicant to demonstrate that the criteria are satisfied.

Proposed Finding: This request is in conformance with the Goals and Policies of the SACP and all applicable land use standards imposed by Oregon statute or administrative rule.

Based on the findings contained in this written statement, the Applicant has satisfactorily addressed the applicable criteria for granting approval of an application to change the zoning of the Subject Property from IBC to IC.

WRITTEN STATEMENT—CONCLUSION

Based on the findings contained in this written statement, the Applicant has satisfactorily addressed the applicable criteria for granting an approval of this consolidated request to change the Comprehensive Plan Designation from Industrial to Industrial Commercial, Neighborhood Plan Change and the change the zone change from IBC to IC.

EXHIBIT LIST

Exhibit 1 – Current Zoning Map

Exhibit 2 – Pre-Application Conference Summary Letter

Exhibit 3 – Site Plan

Exhibit 4 – TPR Analysis

8302N

Zoning

City of Salem, Oregon
Community Development
Planning Division

Zoning Designations

- CB - Central Business District
- CG - General Commercial
- CN - Neighborhood Commercial
- CO - Commercial Office
- CR - Retail Commercial
- EC - Employment Center
- EFU - Exclusive Farm Use
- FMU - Fairview Mixed-Use
- NCMU - Neighborhood Center Mixed-Use
- SWMU - South Waterfront Mixed-Use
- IBC - Industrial Business Campus
- IC - Industrial Commercial
- IG - General Industrial
- IP - Industrial Park
- II - Intensive Industrial
- PA - Public Amusement
- PC - Public-Private Cemetary
- PE - Public-Private Education
- PH - Public Health
- PM - Capitol Mall
- PS - Public Service
- RA - Residential Agriculture
- RD - Duplex Residential
- RH - Multiple Family High-Rise Residential
- RM1 - Multiple Family Residential 1
- RM2 - Multiple Family Residential 2
- RS - Single Family Residential
- Edgewater/Wallace Road Overlay Zone
- Willamette Greenway Overlay
- Compact Development Overlay Zone*
- Historic District*
- Mixed-Use Overlay Zone*
- Overlay Zone*
- Greenway Boundary
- Flood Plain
- Flood Way
- City Limits
- Urban Growth Boundary
- Taxlots
- Water
- School

* For the number/letter descriptions shown on the map, see "Overlay Zones/Districts Locator" document:
<http://www.salem.or.gov/Planning/Zoning/Overlays.pdf>



8302S



Community Development Dept.

Created on: 1/3/2018

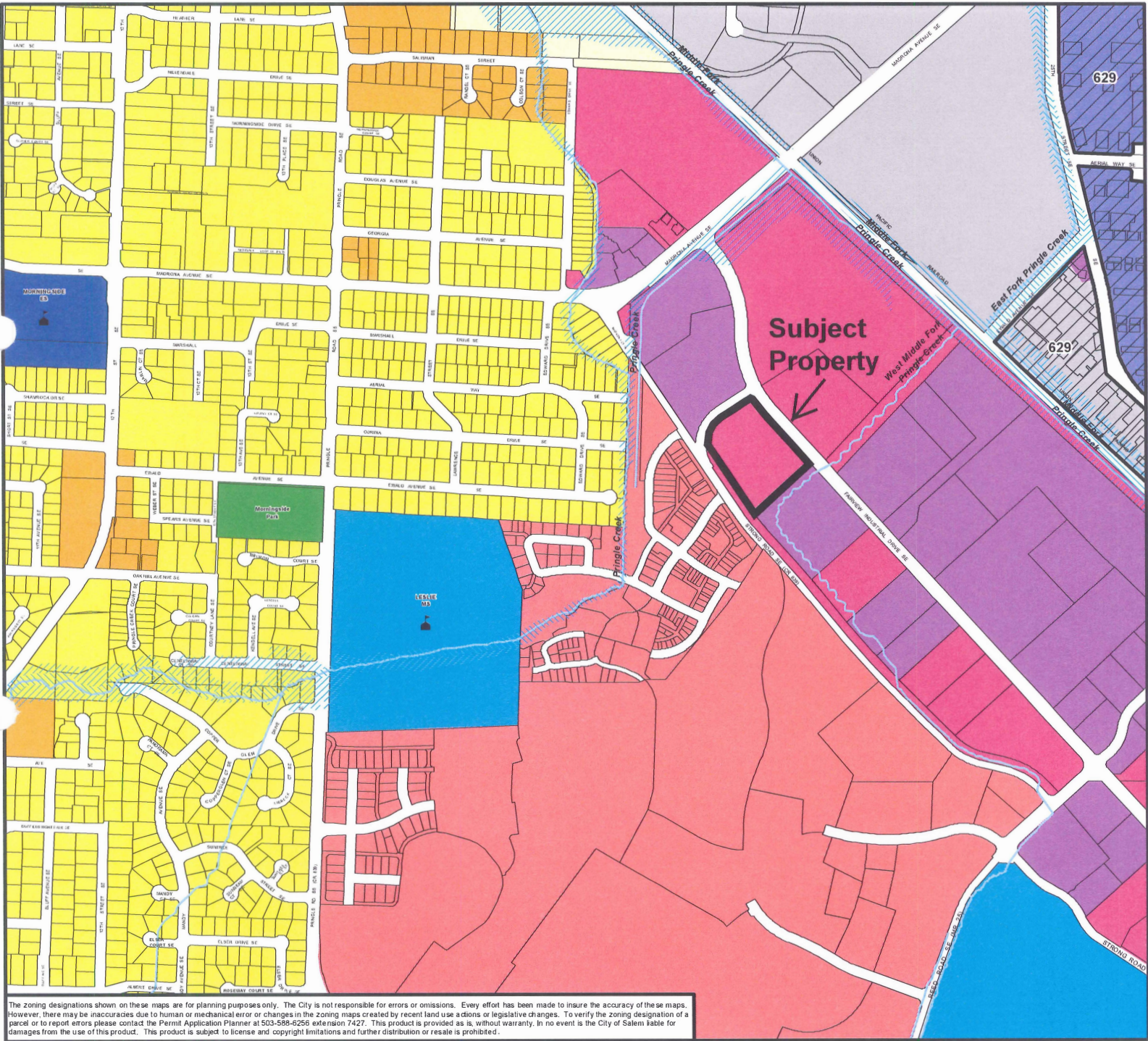
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EXHIBIT 1

8303S

8301S

8311N



The zoning designations shown on these maps are for planning purposes only. The City is not responsible for errors or omissions. Every effort has been made to insure the accuracy of these maps. However, there may be inaccuracies due to human or mechanical error or changes in the zoning maps created by recent land use actions or legislative changes. To verify the zoning designation of a parcel or to report errors please contact the Permit Application Planner at 503-588-6256 extension 7427. This product is provided as is, without warranty. In no event is the City of Salem liable for damages from the use of this product. This product is subject to license and copyright limitations and further distribution or resale is prohibited.

EXHIBIT 2



Pre-Application Report

Community Development Department
Planning Division

555 Liberty Street SE/Room 305
Phone: 503-588-6173
www.cityofsalem.net/planning

Case Number / AMANDA No. PRE-AP17-87 / 17-120385-PA
Conference Date October 30, 2017
Applicant Salem-Keizer School District 24J
3630 State Street
Salem, OR 97301
Agent Mark D. Shipman
Saalfeld Griggs Lawyers
PO Box 470
Salem, OR 97308-0470
Case Manager Aaron Panko

Pre-Application Conference Required: Yes No

Project Description & Property Information	
Project Description	A pre-application conference to discuss a proposed zone change to IC (Industrial Commercial) to allow for storage of school buses on the subject property and a variance to the off-street parking requirements for neighboring property at 3723 Fairview Industrial Drive SE, for property approximately 4.92 acres in size.
Property Address	3625 Fairview Industrial Drive SE
Assessor's Map and Tax Lot Number	083W02 / 00900
Existing Use	General Manufacturing (SKSD Food Preparation), parking
Neighborhood Association	Morningside Neighborhood Association (Morningside)
Adjacent Neighborhood Association	N/A
Comprehensive Plan Map Designation	Industrial
Zoning	IBC (Industrial Business Campus)
Overlay Zone	None
Urban Service Area	The subject property is located within the City's Urban Service Area.
Urban Renewal Area	Fairview
Past Land Use Actions	SPR14-03 – Site Plan review for development of a 110-space parking lot.

Planning Division Comments

Proposal

A pre-application conference to discuss a proposed zone change to IC (Industrial Commercial) to allow for storage of school buses on the subject property and a variance to the off-street parking requirements for neighboring property at 3723 Fairview Industrial Drive SE, for property approximately 4.92 acres in

EXHIBIT 2

Pre-Application Conference Case No. PRE-AP17-87

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size, zoned IBC (Industrial Business Campus), and located at 3625 Fairview Industrial Drive SE - 97302 (Marion County Assessor's Map and Tax lot number: 083W02 / 00900).

Required Land Use Applications

The land use applications checked in the table below have been preliminary identified as being required for the proposed development based upon the information provided by the applicant at the time of the pre-application conference. Additional land use applications may be required depending on the specific proposal at the time of future development.

The application submittal packets, which include a summary of the review procedure, submittal requirements, and approval criteria, can be found on the Planning website at the following location:

<http://www.cityofsalem.net/Departments/CommunityDevelopment/Planning/Pages/LandUseApplicationInformation.aspx>

The applicable land use application fees for these applications can be found at the following location:

http://www.cityofsalem.net/Departments/CommunityDevelopment/Planning/Documents/Planning_Fees.pdf

Required Land Use Applications			
Zoning		Site Plan Review	
	Conditional Use		Class 1 Site Plan Review
X	Comprehensive Plan Change		Class 2 Site Plan Review
X	Zone Change	X	Class 3 Site Plan Review
	Temporary use Permit – Class 1	Design Review	
	Temporary Use Permit – Class 2		Class 1 Design Review
	Non-Conforming Use Extension, Alteration, Expansion, or Substitution		Class 2 Design Review
	Manufactured Dwelling Park Permit		Class 3 Design Review
Land Divisions		Historic Design Review	
	Property Line Adjustment		Major Minor Commercial
	Property Boundary Verification		Major Minor Public
	Replat		Major Minor Residential
	Partition	Wireless Communication Facilities	
	Subdivision		Class 1 Permit
	Phased Subdivision		Class 2 Permit
	Planned Unit Development Tentative Plan		Class 3 Permit
	Manufactured Dwelling Park Subdivision		Temporary
Relief			Adjustment
	Adjustment – Class 1	Other	
	Adjustment – Class 2		Annexation (voter approval)
	Variance		Annexation (voter-exempt)
Natural Resources			Sign Adjustment
	Tree Conservation Plan		Sign Conditional Use
	Tree Conservation Plan Adjustment		Sign Variance
	Tree Removal Permit		SWMU Zone Development Phasing Plan
	Tree Variance		Urban Growth Preliminary Declaration

EXHIBIT 2

Pre-Application Conference Case No. PRE-AP17-87

Page 3

Required Land Use Applications			
	Willamette Greenway Permit – Class 1		
	Willamette Greenway Permit – Class 2		

Consolidated Land Use Application Procedures

When multiple land use applications are required or proposed for a development, the City's land use procedures ordinance (SRC Chapter 300) provides alternatives methods for how such applications may be processed.

The applications may be processed individually in sequence, concurrently, or consolidated into a single application. Where multiple applications proposed to be consolidated include an application subject to review by the Historic Landmarks Commission, the application subject to Historic Landmarks Commission review shall be processed individually in sequence or concurrently.

Multiple land use applications consolidated into a single application shall be accompanied by the information and supporting documentation required for each individual land use action. Review of the application shall be according to the highest numbered procedure type and the highest Review Authority required for any of the land use applications proposed to be consolidated.

Multiple applications processed concurrently require the filing of separate applications for each land use action. Each application shall be reviewed separately according to the applicable procedure type and Review Authority, and processed simultaneously.

Zoning of Surrounding Properties

Northwest: Right-of-way for Lindburg Road SE
Northeast: Right-of-way for Fairview Industrial Drive SE
Southwest: Right-of-way for Lindburg Road SE
Southeast: IC (Industrial Commercial)

Development Standards

Development of the property will primarily be subject to the provisions of the following chapters of the SRC:

Zoning & Development Standards Chapters

- SRC Chapter 64 - Zone Change
- SRC Chapter 220 - Site Plan Review
- SRC Chapter 265 - Zone Changes
- SRC Chapter 551 - IC (Industrial Commercial) Zone
- SRC Chapter 552 - IBC (Industrial Business Campus) Zone
- SRC Chapter 800 - General Development Standards
- SRC Chapter 802 - Public Improvements
- SRC Chapter 803 - Streets and Right-of-Way Improvements
- SRC Chapter 804 - Driveway Approaches
- SRC Chapter 805 - Vision Clearance
- SRC Chapter 806 - Off-Street Parking, Loading, and Driveways
- SRC Chapter 807 - Landscaping and Screening
- SRC Chapter 808 - Preservation of Trees and Vegetation
- All other applicable provisions of the Salem Revised Code

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Proposed Use

A pre-application conference to discuss a proposed zone change to IC (Industrial Commercial) to allow for storage of school buses on the subject property.

IC (Industrial Commercial) Development Standards SRC 551

Uses: The existing general manufacturing use (general food manufacturing) and the proposed heavy vehicle and trailer service and storage use (storage facility for buses) are both permitted uses in the proposed IC zone.

Lot Standards: Per Table 551-2, there are no minimum lot size or lot dimensions standards. A minimum of 16 feet of street frontage is required for all non-residential uses.

Setbacks: Setbacks within the IC zone shall be provided as set forth in Tables 551-3 and 551-4.

Abutting Street

Northwest and Southwest: The subject property is adjacent to Lindburg Road SE to the northwest and southwest. The IC zone requires buildings and accessory structures to have a minimum 5 foot setback adjacent to a street. Vehicle use areas require a minimum 6-10 foot setback per SRC Chapter 806.

Northeast: The subject property is adjacent to Fairview Industrial Drive SE to the northeast. The IC zone requires buildings and accessory structures to have a minimum 5 foot setback adjacent to a street. Vehicle use areas require a minimum 6-10 foot setback per SRC Chapter 806.

- ❖ **Staff Response:** *The current IBC zone requires a minimum 40 foot building and accessory structure setback and a minimum 20 foot vehicle use area setback. A possible condition of approval for a zone change to IC (Industrial Commercial) will be to maintain the greater setback requirement found in the IBC zone for the development site.*

Interior Front, Side and Rear

Southeast: The subject property is adjacent to an IC (Industrial Commercial) zoned property to the southeast. No building setback is required adjacent to an IC zone, vehicle use areas require a minimum 5 foot setback.

Lot Coverage: Pursuant to Table 551-5, there is no maximum lot coverage standard for development in the IC zone.

Height: The maximum height allowance for buildings and accessory structures in the IC zone is 70 feet.

Landscaping: A minimum of 15 percent of the development site shall be landscaped. Landscaping shall meet the Type A standard set forth in SRC Chapter 807. Other required landscaping under the UDC, such as landscaping required for setbacks or vehicle use areas, may count towards meeting this requirement.

- ❖ **Staff Response:** *The current IBC zone requires a minimum of 20 percent of the development site to be landscaped meeting the Type A landscaping standards of SRC Chapter 807. A possible condition of approval for a zone change to IC (Industrial Commercial) will be to maintain the greater landscaping requirement found in the IBC zone for the development site.*

Off-Street Parking, Loading, and Driveways SRC 806

SRC 806.035 – Off-Street Parking and Vehicle Use Area Development Standards.

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(g) *Surfacing.* Off-street parking and vehicle use areas shall be paved with a hard surface material meeting the Public Works Design Standards. Paving is not required for:

- (1) Vehicle storage areas within the IG zone.
- (2) Temporary and seasonal gravel off-street parking areas, approved pursuant to SRC Chapter 701.
- (3) Gravel off-street parking areas, approved through a conditional use permit.

❖ **Staff Response:** *The proposed vehicle storage area shall be paved with a hard surface material meeting the requirements of SRC Chapter 806.*

Landscaping and Screening SRC Chapter 807

All building permit applications for development on lots subject to landscaping requirements shall include landscape and irrigation plans. All required landscape areas shall be planted with a minimum of 1 plant unit per 20 square feet of landscape 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 shall provide for a minimum 75 percent coverage of required landscaped areas within 5 years.

The owner and tenant shall be jointly and severally responsible for maintaining all landscaping material in good condition so as to present a healthy, neat and orderly appearance.

Unhealthy or dead plant materials shall be replaced in conformance with the approved landscape plan.

Comprehensive Plan Change

A minor Comprehensive Plan Map amendment is an amendment to the Salem Comprehensive Plan Map that affects only a small number of properties or a closely circumscribed set of factual circumstances. A minor Comprehensive Plan Map amendment changes a property's Comprehensive Plan designation from one comprehensive plan designation to another comprehensive plan designation.

Requirements for a minor Comprehensive Plan Map amendment are contained in Salem Revised Code (SRC) Chapter 64.

<http://www.cityofsalem.net/Pages/change-the-comprehensive-plan-map.aspx>

A Comprehensive Plan Change application is required in this case to change the designation of the property from "Industrial" to "Industrial Commercial."

Zone Change

Because of normal and anticipated growth of the City, changing development patterns, governmental policy decision affecting land use, community needs, and other factors whose specific future application cannot be anticipated, the zoning pattern established by the Uniform Development Code cannot remain fixed in perpetuity, and the purpose of this Chapter is to establish procedures and criteria to, when appropriate, change zoning designations.

<http://www.cityofsalem.net/Pages/change-the-zoning-of-your-property.aspx>

A Zone Change application is required in this case to change the designation of the property from IBC (Industrial Business Campus) to IC (Industrial Commercial).

Site Plan Review

Site Plan Review provides a consistent and efficient means to review proposed development that requires a building permit, other than single-family, duplex residential, and installation of signs, to

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ensure that the development meets all applicable requirements of the SRC. Examples of issues reviewed as part of site plan review include: property zoning, parking lot layout and landscaping, pedestrian connectivity, landscaped buffer yards, and transportation and utility infrastructure.

Certain decisions made by City staff while reviewing site plans are discretionary in nature, thereby meeting the definition of a limited land use decision under ORS 197.015(12). These types of discretionary decisions require an opportunity for public comment and appeal under state law. The Class 3 site plan review process satisfies these requirements, thereby eliminating the threat of further appeals after building permit issuance.

A full list of potential triggers for a Class 3 Site Plan Review may be found in SRC Chapter 220.005(b)(3).

Natural Resources

Trees: The City's tree preservation ordinance (SRC Chapter 808) protects Heritage Trees, Significant Trees (*including Oregon White Oaks with diameter-at-breast-height of 24 inches or greater*), trees and native vegetation in riparian corridors, and trees on lots and parcels greater than 20,000 square feet. The tree preservation ordinance defines "tree" as, "any living woody plant that grows to 15 feet or more in height, typically with one main stem called a trunk, which is 10 inches or more dbh, and possesses an upright arrangement of branches and leaves."

No protected trees are identified for removal on the subject property.

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

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

Landslide Hazard Susceptibility: The City's landslide hazard ordinance (SRC Chapter 810) establishes standards and requirements for the development of land within areas of identified landslide hazard susceptibility. According to the City's adopted landslide hazard susceptibility maps, the subject property does not contain mapped landslide hazards. There are 3 activity point associated with the proposed commercial development. Pursuant to the requirements of SRC Chapter 810, the cumulative total of 3 points indicates a low landslide risk, a geological assessment is not required for the proposed development.

Neighborhood Association Contact Information

Staff recommends that applicants/property owners contact the neighborhood association regarding their proposals as soon as possible. This allows for the neighborhood association to be involved early in the process and helps to identify any potential issues that might arise.

Applicable Neighborhood Association(s):	Morningside Neighborhood Association (Morningside)
Meeting Date, Time, & Location:	2 nd Wednesday at 6:30 PM Pringle Creek Community Painters Hall 3911 Village Center Drive SE
Neighborhood Association Chair	Pamela Schmidling sidrakdragon@live.com

Specific contact information for neighborhood representatives may also be obtained by contacting the City's Neighborhood Enhancement Division at 503-588-6207.

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Morningside Neighborhood Association Website:

<http://www.morningsidena.org/>

- ❖ **Staff Response:** *The Morningside Neighborhood Plan designation for the subject property is Industrial. The proposed Comprehensive Plan Change from Industrial to Industrial Commercial will also require a change to the Neighborhood Plan Designation for the property from Industrial to Industrial Commercial.*

Salem Revised Code Available On-Line

For specific reference to the requirements of the Salem Revised Code (SRC) discussed in this report, the code can be accessed on-line through the City's website at:

<http://www.cityofsalem.net/Departments/Legal/Pages/SalemRevisedCodes.aspx>

EXHIBIT 4



117 Commercial St. NE, Suite 310
Salem, OR 97301
503.391.8773
www.dksassociates.com

MEMORANDUM

DATE: January 22, 2018

TO: Mark Shipman, Saalfeld Griggs Law
Margaret Gander-Vo, Saalfeld Griggs Law

FROM: Scott Mansur, P.E., PTOE *Sm*

SUBJECT: SKSD Food Preparation Trip Generation and Transportation Planning Rule
Evaluation (Tax lot number:083W02/00900)

This memorandum presents the findings of an evaluation of the land use and zoning considerations for the Salem-Keizer School District property in Salem, Oregon. The subject property is 4.92 acres that currently houses the Salem Keizer School District Food Preparation buildings located at 3625 Fairview Industrial Drive SE. The property is currently zoned Industrial Business Campus (IBC) ¹. The School District desires to change the zoning to allow the storage of school buses on the site, which would require the Industrial Commercial (IC) zoning. However, in order to avoid triggering TPR requirements, any proposed development would need to generate the same or less traffic than what is typical under the existing IBC zoning. This memorandum summarizes the typical land use types and scenarios allowed under the existing IBC zoning and an assessment of the reasonable worst case trip generation. This reasonable worst case trip level can be used to identify land use and development scenarios that could potentially be implemented under the desired IC zoning without triggering TPR requirements.

Allowed IBC Zoning Uses and Trip Generation

Under the current IBC zoning, a variety of permitted land uses could be developed on the property. For the purposes of identifying the reasonable worst case trip generation for the subject property only the highest trip generating uses are shown:

- Gas Stations (not more than 10,000 sq. ft. of building space)
- Eating and Drinking Establishment (sit-down restaurants, breweries, etc.)
- Day Care Center
- Health Club or Gym (not more than 50,000 sq. ft. of building space)
- Hotel
- General Office
- General Industrial Services (industrial park or general light industrial)

¹ City of Salem Community Development Planning Department. Zoning Map. Updated November 30, 2016.

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A summary of the trip generation rates² for different land uses permitted under the existing IBC zoning is presented in Table 1.

Table 1. Trip Generation Rates for Selected Allowed Land Uses under IBC Zoning

Land Use (ITE Code)	Units	Weekday Trip Generation Rates		
		Daily	AM Peak Hour	PM Peak Hour
Individual Land Uses Allowed				
Gas Station (945)	Fueling Positions	162.78	12.16	13.87
High Turnover Sit-Down Restaurant (932)	KSF	127.15	10.81	9.85
Day Care (565)	KSF	74.06	12.18	12.34
Health/Fitness Club	KSF	32.93	1.41	3.53
Hotel (310)	Rooms	8.17	0.53	0.60
General Office (710)	KSF	11.03	1.56	1.49
Industrial Park (130)	Acres	61.17	8.20	8.53
General Light Industrial (110)	Acres	51.80	7.51	7.26

The ITE Trip Generation Handbook³ provides pass-by percentage estimates for each of the land uses that are assumed for the project site. Table 2 on the following page presents trip generation estimates for one potential combination of allowed land uses that could reasonably be developed on the 4.92-acre subject property under the existing IBC zoning.⁴

² Trip generation estimates calculated using average rates from the ITE Trip Generation Handbook, 9th Edition.

³ *Trip Generation Handbook, 9th Edition*, Institute of Transportation Engineers, 2012.

⁴ The existing breakdown of the three uses includes Hotel= 2.32 acres, Gas Station= 1.1 acre, and Restaurant= 1.5 acres.

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Table 2. Reasonable Worst Case Land Use and Trip Generation for Existing IBC Zoning

Land Use (ITE Code)	Size	Weekday Trip Generation		
		Daily	AM Peak Hour	PM Peak Hour
Gas Station with Convenience Store (945) <i>Pass-by Trips (56%)</i>	12 Fueling Positions	1,954 (1,094)	122 (68)	162 (91)
High Turnover Sit-Down Restaurant (932) <i>Pass-by Trips (43%)</i>	5 KSF	636 (273)	54 (23)	49 (21)
Hotel (310)	100 Rooms	818	53	60
Total Trips Generated		3,407	229	271
<i>Pass-by Trips</i>		<i>(1,367)</i>	<i>(91)</i>	<i>(112)</i>
Net New Trips		2,040	138	159

As shown, full-build out of the property under existing zoning could generate up to 3,406 daily trips and 271 p.m. peak hour trips. After pass-by reductions, the proposed zoning would generate 2,040 net new daily trips and 159 net new p.m. peak hour trips. These values represent the reasonable worst-case trip generation produced by land uses allowed under the existing IBC zoning.

Proposed IC Zoning Uses and Trip Generation

Under the proposed IC zoning, a variety of permitted land uses could be developed on the property. For the purposes of identifying the reasonable worst case trip generation for the proposed zoning, only the highest trip generating uses are shown:

- Eating and Drinking Establishment (fast food, coffee shop, sit-down restaurants, etc.)
- General Retail Sales
- General Commercial
- Day Care Center
- Hotel
- General Office
- General Industrial Services (industrial park or general light industrial)

It should be noted that a gas station, which was one of the higher generating uses under IBC zoning, is not allowed in the IC zone; however, a fast food restaurant with drive through and coffee shop with drive through are both allowed uses. A summary of the trip generation rates⁵ for different land uses permitted under the existing IC zoning is presented in Table 3 on the following page.

⁵ Trip generation estimates calculated using average rates from the ITE Trip Generation Handbook, 9th Edition.

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Table 3. Trip Generation Rates for Selected Allowed Land Uses under IC Zoning

Land Use (ITE Code)	Units	Weekday Trip Generation Rates		
		Daily	AM Peak Hour	PM Peak Hour
<i>Individual Land Uses Allowed</i>				
Fast Food with Drive Thru (934)	KSF	496.12	45.42	32.65
High Turnover Sit-Down Restaurant (932)	KSF	127.15	10.81	9.85
Coffee Kiosk with Drive Through (938)	KSF	1800	303.3	75.0
Shopping Center (820)	KSF	42.94	0.91	3.71
Day Care (565)	KSF	74.06	12.18	12.34
Hotel (310)	Rooms	8.17	0.53	0.60
General Office (710)	KSF	11.03	1.56	1.49
Industrial Park (130)	Acres	61.17	8.20	8.53
General Light Industrial (110)	Acres	51.80	7.51	7.26

As shown in Table 4, full-build out of the property under the proposed zoning could generate up to 4,090 daily trips and 297 p.m. peak hour trips. After pass-by reductions, the proposed zoning would generate 2,167 net new daily trips and 167 p.m. peak hour trips. These values represent the reasonable worst-case trip generation produced by land uses allowed under the existing IBC zoning.

Table 4. Reasonable Worst Case Land Use and Trip Generation for Existing IC Zoning

Land Use (ITE Code)	Size	Weekday Trip Generation		
		Daily	AM Peak Hour	PM Peak Hour
Fast Food with Drive Thru (934)	3.5 KSF	1,736	159	150
<i>Pass-by Trips (50%)</i>		(868)	(80)	(75)
High Turnover Sit-Down Restaurant (932)	5 KSF	636	54	49
<i>Pass-by Trips (43%)</i>		(254)	(23)	(21)
Coffee Kiosk with Drive Thru (938)	0.5 KSF	900	152	38
<i>Pass-by Trips (89%)</i>		(801)	(135)	(34)
Hotel (310)	100 Rooms	818	53	60
Total Trips Generated		4,090	418	297
<i>Pass-by Trips</i>		(1,923)	(238)	(130)
Net New Trips		2,167	180	167

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Desired Use Under IC Zoning

The Salem Keizer School District plans to continue food preparation manufacturing in their existing 26,570 square foot building and add bus storage for up to 31 school buses. The trip generation associated with the desired uses is summarized in Table 5. As shown, the existing and desired bus parking area will generate significantly less that trip levels allowed under the existing IBC or proposed IC zoning.

Table 5. Trip Generation Summary for Desired Uses Under IC Zoning

Land Use (ITE Code)	Size	Weekday Trip Generation		
		Daily	AM Peak Hour	PM Peak Hour
Manufacturing (934)	26.57 KSF	102	19	19
Bus Storage (*)	31 Spaces	348	62	62
Total Trips		450	81	81

*Based on Estimated provided by the Salem-Keizer School District for Bus Employee and Bus Route Trips. There are 31 bus spaces that will run routes twice per day plus employee trips= (31 buses x 4 trips per day) + (31 employee's x 4 trips per day) plus 100 miscellaneous trips) = 348.

Summary and Recommendation

The land uses allowed under the existing IBC and proposed IC zones produce similar levels of worst-case trip generation. The proposed IC zone would generate approximately 127 more daily trips (roughly 6% higher daily trip levels) than the existing IBC 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 impact on the surrounding transportation system beyond currently allowed uses.

The TPR refers to Action 1F.5 from the Oregon Highway Plan⁶ which states that if there is a small increase in daily traffic (less than 400 trips) between the existing and proposed amendment, it can be determined that the proposed zone change will cause “no further degradation” to the surrounding roadway network. As previously discussed in this memorandum, the proposed IC zoning will generate is 167 more daily trips than the IBC zoning.

Furthermore, the applicant’s planned use of the IC zone is to continue use of the food preparation manufacturing in their 26,570-square foot building and add bus storage for up to 31 school buses. The daily trip generation for the actual use provided by the application is approximately 450 daily trips.

⁶ Oregon Highway Plan, OHP Policy 1F Mobility Standards Amendments, December 21, 2011.

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Based on a review of a recent transportation study in the area⁷, the City of Salem transportation facilities near the subject property currently meet operating standards. The City of Salem also recently reconstructed 25th Street and Madrona Avenue to add additional capacity for land uses near Fairview Industrial Drive⁸ through the year 2035. Therefore, it can be concluded that the proposed zone change will not significantly impact and would cause “no further degradation” to the City of Salem roadway network. The limited number of additional daily trips due to the proposed rezone would not significantly impact congestion on those facilities. Therefore, the proposed rezone complies with TPR requirements and no mitigation is required.

Let me know if you have any questions or comment.

⁷ NorPac Expansion Transportation Impact Study, DKS Associates, March 2013.

⁸ Salem 25th Street/Madrona Avenue Improvements Transportation Study, DKS Associates, May 2014.

**SALEM-KEIZER SCHOOL DISTRICT 24J
SITE PLAN REVIEW--- CLASS 3
WRITTEN STATEMENT**

OWNER/APPLICANT:

Salem-Keizer School District 24J
3630 State Street
Salem, Oregon 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 located at the southwest corner of the intersection of Fairview Industrial Drive SE and Lindburg Road, in Salem, Oregon, Marion County Assessor's Map Number 8-3W-02, Tax Lot 900 (herein the "**Subject Property**"). The total acreage of the Subject Property is approximately 4.92 acres.

The City of Salem (herein the "**City**") designates the Subject Property as "Industrial" on its Comprehensive Plan Map and it is zoned "Industrial Business Campus." (See Current Zoning Map, **Exhibit 1**).

The Subject Property is located within the City limits and the City's Urban Service Area ("**USA**"). Access to the Subject Property is provided via Fairview Industrial Drive SE.

The surrounding properties have the following zoning designations:

Northwest (across Lindburg Road)	Industrial Commercial (IC)
Northeast (across Fairview Industrial Dr)	Industrial Business Campus (IBC)
Southwest (across Lindburg Road)	Central Business District (CB)
Southeast	Industrial Commercial (IC)

On October 30, 2017, Applicant's representative met with City Staff to discuss the development of the Subject Property.

The Subject Property is located within the Morningside Neighborhood Association (the "**MNA**").

Applicant initially contacted MNA's Chair on November 1, 2017, and later attended the MNA's monthly meeting on December 13, 2017. The MNA indicated at the meeting that they had no intent to oppose this consolidated filing.

Applicant's representative provided Cherriots staff with a copy of the proposed site plan along with the summary of the proposal on or around October 9th, 2017.

PREVIOUS LAND USE ACTIONS:

- SPR14-03 – Site Plan Review for development of a 111-space parking lot

BACKGROUND INFORMATION:

The Subject Property currently houses one industrial building that is approximately 25,698 square feet; and is currently used to produce meals for Applicant's schools throughout the district. Applicant has applied to request a zone change, a comprehensive plan amendment change, and neighborhood plan change to allow for the storage of its school buses on the Subject Property. This type of use is designated by the Salem Revised Code ("**SRC**") as heavy vehicle storage which is not a permissible use in the Industrial Business Campus zone but is a permissible use within the Industrial Commercial zone. The Property is bounded to the north and south by Industrial Commercial properties, meaning that the change is unlikely to adversely affect the neighboring properties. In addition to the previously submitted consolidated land use application, Applicant is submitting this application for a Class III Site Plan Review of the proposed parking area.

SUMMARY OF PROPOSAL:

Applicant has applied to rezone the Subject Property from Industrial Business Campus ("**IBC**") to Industrial Commercial ("**IC**") and to change the comprehensive plan designation from Industrial to Industrial Commercial. The purpose of this consolidated request is to allow the Subject Property to be used for the storage of school buses. The proposed use requires Applicant to expand the existing parking area on the Subject Property. This proposed expansion requires a Class III Site Plan Review.

EXISTING SITE CONDITIONS:

The Subject Property has street frontage on Fairview Industrial Drive SE and Lindburg Road SE and is currently the location of Applicant's food manufacturing facility. The existing general manufacturing use (general food manufacturing) and the proposed addition of heavy vehicle, trailer service and storage use (storage facility for buses) are both permitted uses within the proposed IC zone.

SITE PLAN:

A proposed site plan has been provided.

APPLICABLE DETAIL PLANS:

Detailed plans are prepared as policy guides to the Salem Area Comprehensive Plan ("**SACP**") and are specific plans for a particular geographic area of the city, or for the provision or performance of some

particular service or function. The MNA has a neighborhood plan with identified goals and policies (adopted by the City) that act as the guiding principle for the MNA's recommendations regarding development within the boundaries of the MNA. As the generalized land use map for the neighborhood plan is the SACP, Applicant is also requesting a Neighborhood Plan Change as part of the previously submitted consolidated application.

SALEM TRANSPORTATION SYSTEM PLAN (STSP):

The STSP uses a Street Classification System to determine the functional classification of each street within the City's street system. Fairview Industrial Drive SE abuts the Subject Property to the Northeast and Lindburg Road wraps around the Subject Property along its north and west borders. The functional classification for Fairview Industrial Drive SE is Minor Arterial, and the functional classification for Lindburg Road is Collector. The intersection of Fairview Industrial Drive and Lindburg Road is currently a ninety degree turn with a stop sign located on Lindburg Road and a designated left hand turn lane on Fairview Industrial Drive SE. The Subject Property has one access driveway onto Lindburg Road and two access driveways onto Fairview Industrial Drive SE.

FINDINGS APPLYING TO THE APPLICABLE SALEM REVISED CODE CRITERIA FOR A CLASS 3 SITE PLAN REVIEW

The proposed development at the Subject Property will require the Applicant to obtain a building permit. Therefore, Applicant is requesting a Class 3 Site Plan Review. SRC 220.005(b)(3)

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

(A) The Application meets all applicable standards of the UDC;

Proposed Finding: The Subject Property is currently zoned Industrial Business Complex and designated Commercial. The Applicant has applied for a Comprehensive Plan Map Amendment/Neighborhood Plan Map Amendment from Industrial to Industrial Commercial (CI) and Zone Change from Industrial Business Campus to Industrial Commercial (IC). The Site Plan Review is contingent on the approval of the Comprehensive Plan Change and Zone Change. The following is a summary of the applicable use and development standards in the IC zone.

Development Standards - Industrial Commercial (IC) Zone:

SRC 551.005 - Uses:

The permitted, special, conditional and prohibited uses in the IC zone are set forth in Table 551-1.

Proposed Finding: The proposed development consists of creating an additional parking area for the storage of school busses on the Subject Property. Heavy vehicle and trailer service and storage is listed as a permitted use in the IC zone pursuant to Table 551-1.

SRC 551.005(a)- Lot Standards:

There is no minimum lot size, minimum lot width, or minimum lot depth in the IC zone. The proposed use requires a minimum of sixteen (16) feet of street frontage.

Proposed Finding: The Subject Property is approximately 4.92 acres in size, and has approximately five 535.56 feet of frontage along Fairview Industrial Drive SE and 958.06 feet of frontage along Lindburg Road SE, which exceeds the minimum street frontage requirements.

SRC 551.005(b)- IC Zone Setbacks:

The following subsections address the applicable setback requirements:

North and West: Adjacent to the north and west is the right of way for Lindburg Road SE and a CR zone. Parking lots adjacent to a road right of way require a minimum ten (10') foot setback.

Proposed Finding: The proposed parking area does not directly abut the northern property line and is located approximately twenty (20') feet from the western property line, in compliance with the setback requirements.

South: Adjacent to the South is an existing parking lot that extends onto the neighboring parcel via a parking agreement. In accordance with the parking agreement, there is no existing setback.

Proposed Finding: The proposed parking area will abut the existing parking lot but will not modify the existing parking lot. Typically, the Industrial Zone requires a minimum of five (5) feet for off street parking. However, as the parking agreement was developed under a variance application required by the City of Salem, compliance with this setback is not applicable in this case.

East: Adjacent to the East is the right of way for Fairview Industrial Drive SE, and across the street is a IBC zone. Parking lots adjacent to a road right of way require a minimum ten (10) foot setback.

Proposed Finding: The proposed parking area will be setback a minimum of forty one (41) feet, in compliance with the setback requirements.

SRC 551.005(c) - Lot Coverage, Height:

There is no maximum lot coverage requirement, but there is a seventy (70) foot maximum building height allowance for development in the IC zone.

Proposed Finding: The proposed parking area development will be below the 70' maximum height allowance.

SRC 551.005 (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.

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

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 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 for any intensification, expansion, or enlargement of a use or activity.”

Proposed Finding: The heavy vehicle and trailer service and storage use requires a minimum of 1 off-street parking space per 900 square feet, and a maximum of 1.75 off-street parking spaces. The proposed parking area is for vehicle storage. As demonstrated on the proposed site plan, adequate parking spaces have been provided for the additional employees that the proposed bus storage site will necessitate.

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.”

Proposed Finding: The proposed site plan indicates that the off-street parking spaces will be provided on the same development site as the proposed use.

SRC 806.015 - Amount of Off-Street Parking.

a) *Minimum Required Off-Street Parking.* The minimum off-street parking requirement for the proposed use is one off-street space per 900 square feet.

b) *Compact Parking.* Up to 75% of the minimum off-street parking spaces required under this Chapter may be compact parking spaces.

c) *Carpool and Vanpool Parking.* New developments with sixty (60) or more required off-street parking spaces, and falling within the Public Services and Industrial use classifications, and Business and Professional Services use category, shall designate a minimum of five (5) percent of their total off-street parking spaces for carpool or van pool 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.

Proposed Finding: The proposed development is a parking lot for vehicle storage. Adequate parking has been provided for the additional employees that the proposed development will necessitate.

SRC 806.035 - Off-Street Parking and Vehicle Use Area Development Standards.

a) *General Applicability.* The off-street parking and vehicle use area development standards set forth in this section apply to:

1. The development of new off-street parking and vehicle use areas;
2. The expansion of existing off-street parking and vehicle use areas; where additional paved surface is added;

3. The alteration of existing off-street parking and vehicle use areas, where the existing paved surface is replaced with a new paved surface; and,
4. The paving of an un-paved area.

Proposed Finding: The proposed development will include an alteration to the existing off-street parking area. There proposed development will add an additional sixty-five (65) parking stalls.

Bicycle Parking

SRC 806.045 - General Applicability.

Bicycle parking shall be provided for 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.

Proposed Finding: The proposed use requires a bicycle parking stall for every 9,000 square feet Applicant will provide the necessary bicycle parking spaces.

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.

Bicycle parking shall be provided in amounts not less than those set forth in Table 806-8.

Proposed Finding: The proposed use requires a bicycle parking stall for every 9,000 square feet Applicant will provide the necessary bicycle parking spaces.

SRC 806.060- Bicycle Parking Development Standards.

a) *Location.* Bicycle parking areas shall be located within a convenient distance of, and shall be clearly visible from, the primary building entrance. In no event shall bicycle parking areas be located more than 50 feet from the primary building entrance.

b) *Access.* Bicycle parking areas shall have direct and accessible access to the public right of way and the primary building entrance.

c) *Dimensions.* Bicycle parking spaces shall be a minimum of 6 feet by two feet, and shall be served by a minimum four foot wide access aisle.

d) *Bicycle Racks.* Where bicycle parking is provided in racks, the racks may be floor, wall, or ceiling racks. Bicycle racks shall accommodate the bicyclist's own locking device.

Proposed Finding: New bicycle parking spaces will be required to meet the development standards of SRC Chapter 806.060.

Off-Street Loading Areas

SRC 806.065 - General Applicability.

Off-street loading areas shall be provided for 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, or any intensification, expansion, or enlargement of a use or activity.

Proposed Finding: The proposed development adds parking spaces as required for the intensification of the use under the new proposed use.

Landscaping

All required setbacks shall be landscaped with a minimum of one plant unit per twenty square feet of landscaped area. A minimum of forty 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.

Proposed Finding: All building permit applications for development subject to landscaping requirements shall include landscape and irrigation plans meeting the requirements of SRC Chapter 807. Landscape and irrigation plans will be reviewed for conformance with the requirements of SRC 801 at the time of building permit application review.

Natural Resources

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 twenty-four (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.

Proposed Finding: No protected trees have been identified on the site plan for removal.

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 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.

Proposed Finding: According to the Salem-Keizer Local Wetland Inventory (LWI) there are no wetlands on the Subject Property.

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

Proposed Finding: The Subject Property does not contain mapped landslide hazards. The proposed Restaurant development is assigned three activity points. A total of three activity points indicates a low landslide hazard risk, and a geological assessment is not required for the proposed development.

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

Proposed Finding: The Subject Property provides for the safe and efficient movement of goods and people. The Subject Property is bordered to the north and west by Lindburg Road SE and Fairview Industrial Drive SE to the east. Fairview Industrial Drive SE is classified as a Minor Arterial by the STSP street classification system. Lindburg Road is designated as a Collector. The Subject Property is well connected to the existing public street system, thereby providing connectivity with the surrounding neighborhood. The Subject Property is currently served by transit, pedestrian sidewalks and bike lanes, all of which encourage the use of alternative modes of transportation.

(C) Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians; and

Proposed Finding: The proposed parking area provides for the safe and efficient movement of vehicles, bicycles, and pedestrians. The proposed site plan uses existing access points and provides for additional space to allow for the protracted turning radius of school buses in the proposed bus storage area.

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

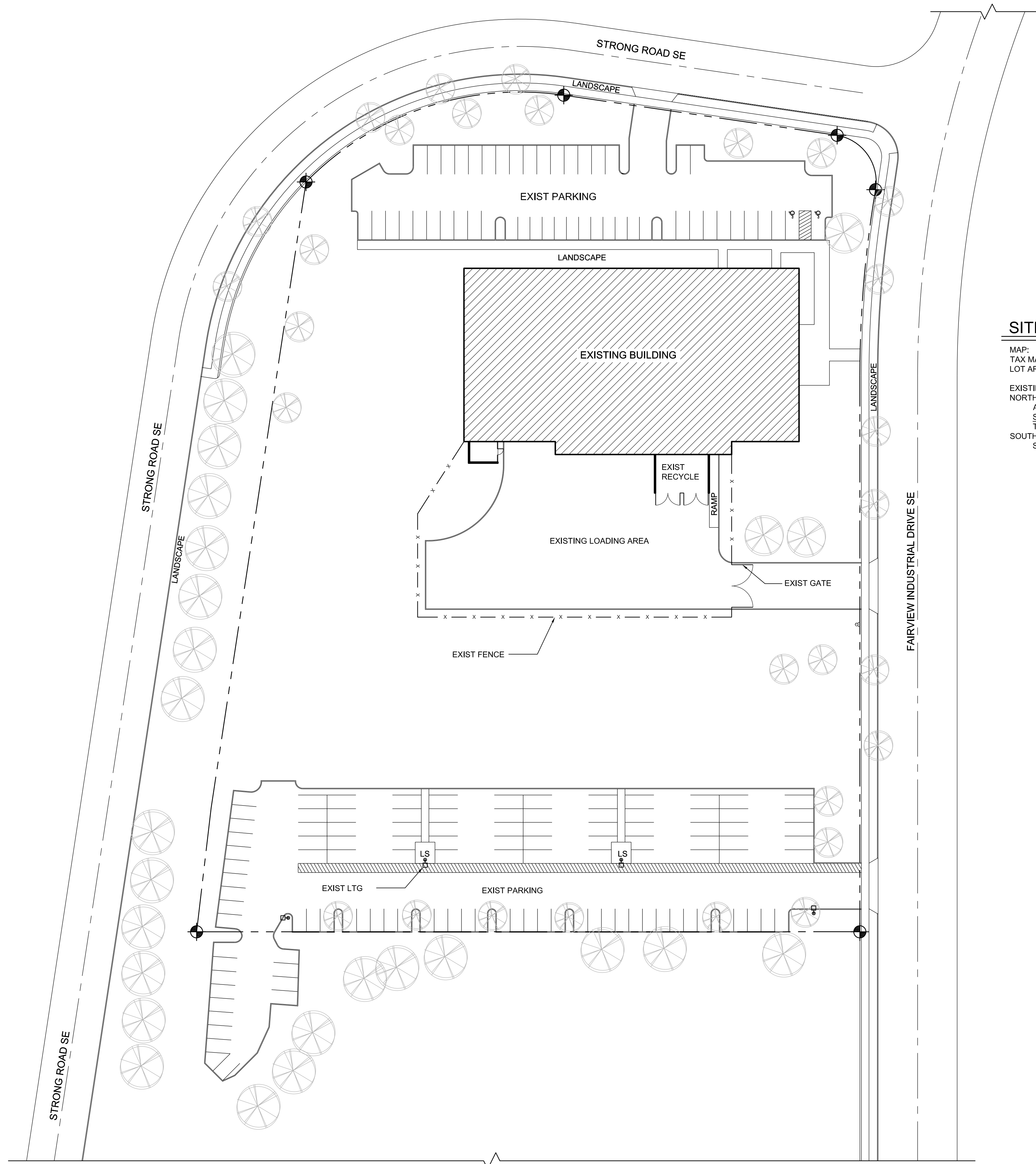
Proposed Finding: The Subject Property is located inside the City's USA and is currently served, or capable of being served, by public facilities and services necessary to support the uses allowed by the proposed development. The Applicant will be required to provide an evaluation of the connection to the approved point of discharge for new areas of impervious surface per SRC 73.075. The Applicant will be assessed storm system development charges at the time of building plan approval based on the increase in impervious surface at the Subject Property.

Conclusion: Based on the findings contained in this written statement, the Applicant has satisfactorily addressed the applicable criteria for granting a Class 3 Site Plan Review and a respectful request that it be approved.

SITE PLAN REVIEW

SUMMARY TABLE

Current Zoning Designation:	Industrial Business Campus
Total Site Area:	214,315 ft ²
Gross Floor Area:	25,698 ft ²
Use of Floor Area:	Manufacturing/Bus Storage
Building Height:	33' 6"
Itemized Number of Parking Stalls:	
<i>Current Onsite:</i>	111
<i>Current Onstreet:</i>	0
<i>Current Handicapped:</i>	Unknown
<i>Proposed Additional for Bus Storage</i>	31
<i>Proposed Additional for Food Services</i>	4
<i>Proposed Additional for Personal Vehicles</i>	30
TOTAL Parking Current & Proposed:	176
Proposed Total Landscaped Area:	60,008 ft ²
Proposed Total Lot Coverage:	154,307 ft ²

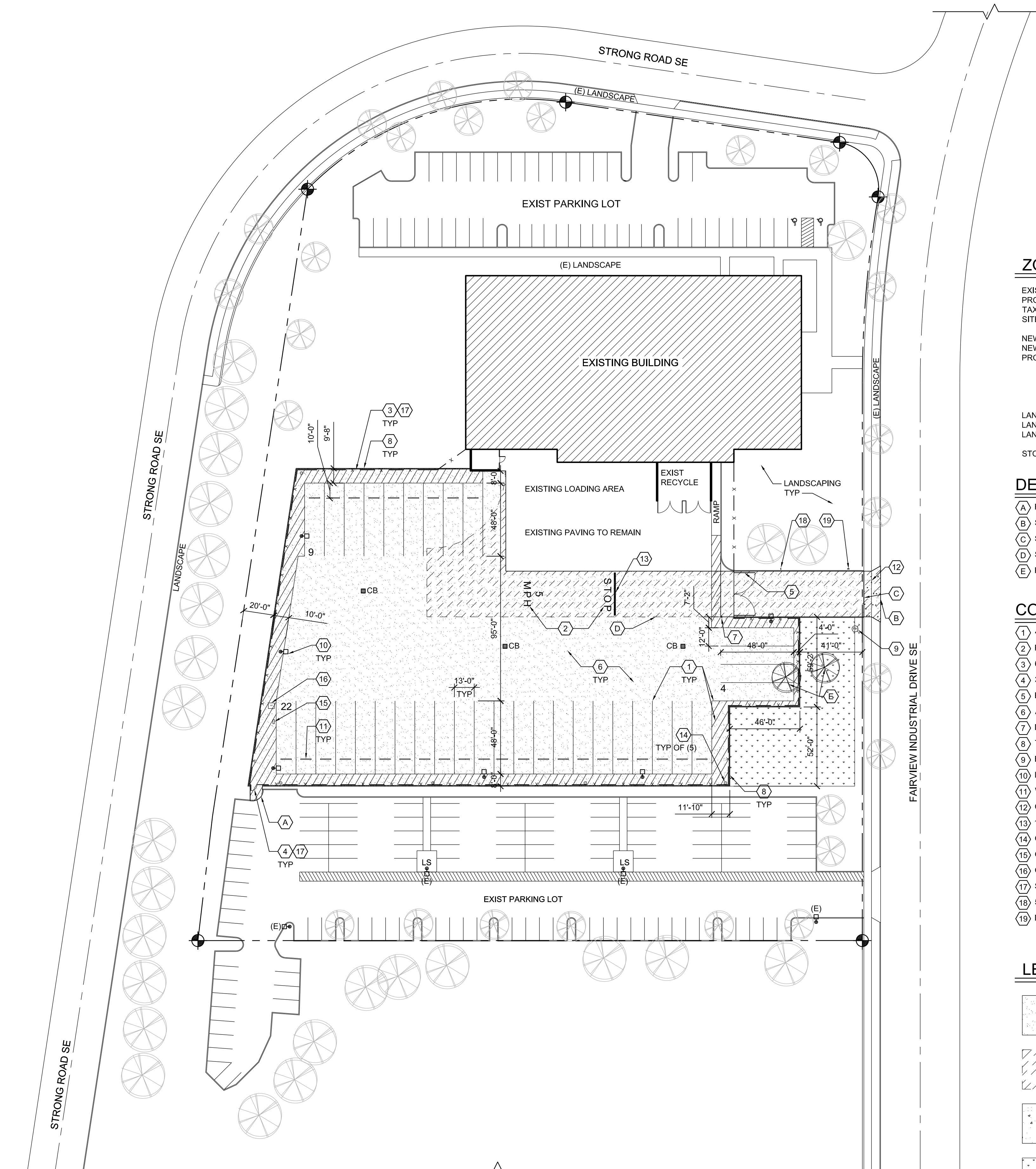


SITE SUMMARY

MAP: 8 3W 02, LOT 900
 TAX MAP LOT: 083W02 00900
 LOT AREA: 4.92 AC, 214,315 SF

EXISTING PARKING:
 NORTH LOT:
 ACCESSIBLE SPACES = 2
 STANDARD SPACES = 48
 TOTAL = 50
 SOUTH LOT:
 STANDARD SPACES = 111

 **EXISTING SITE PLAN**
 1" = 40'-0"



ZONING CODE

EXIST PLANNING ZONE: IBC - INDUSTRIAL BUSINESS CAMPUS
 PROPOSED PLANNING ZONE: IC - INDUSTRIAL COMMERCIAL
 TAX MAP LOT: 083W02 00900
 SITE AREA: 4.92 AC, 214,315 SF

NEW PARKING AREA OVERALL: 64,682 SF
 NEW ASPHALT PAVING AREA: 58,600 SF
 PROPOSED PARKING:
 31 FULL SIZE BUS SPACES IN NEW PARKING LOT
 4 FOOD SERVICE SPACES IN NEW PARKING LOT
 30 PERSONAL VEHICLE SPACES IN EXISTING PARKING LOT
 (111 PARKING SPACES AVAILABLE)

LANDSCAPE SUMMARY
 LANDSCAPING REQUIRED: 20%
 LANDSCAPING PROVIDED: 28%

STORMWATER RETENTION AREA: > 10% OF NEW PAVING

DEMOLITION NOTES

- (A) REMOVE EXIST CONC CURB
- (B) SAW-CUT & REMOVE EXIST CONC RAMP & BASE ROCK
- (C) SAW-CUT & REMOVE EXIST CONC SIDEWALK & BASE ROCK
- (D) SAW-CUT & REMOVE EXIST ASPH PAVMT & CONC CURB
- (E) REMOVE TREE

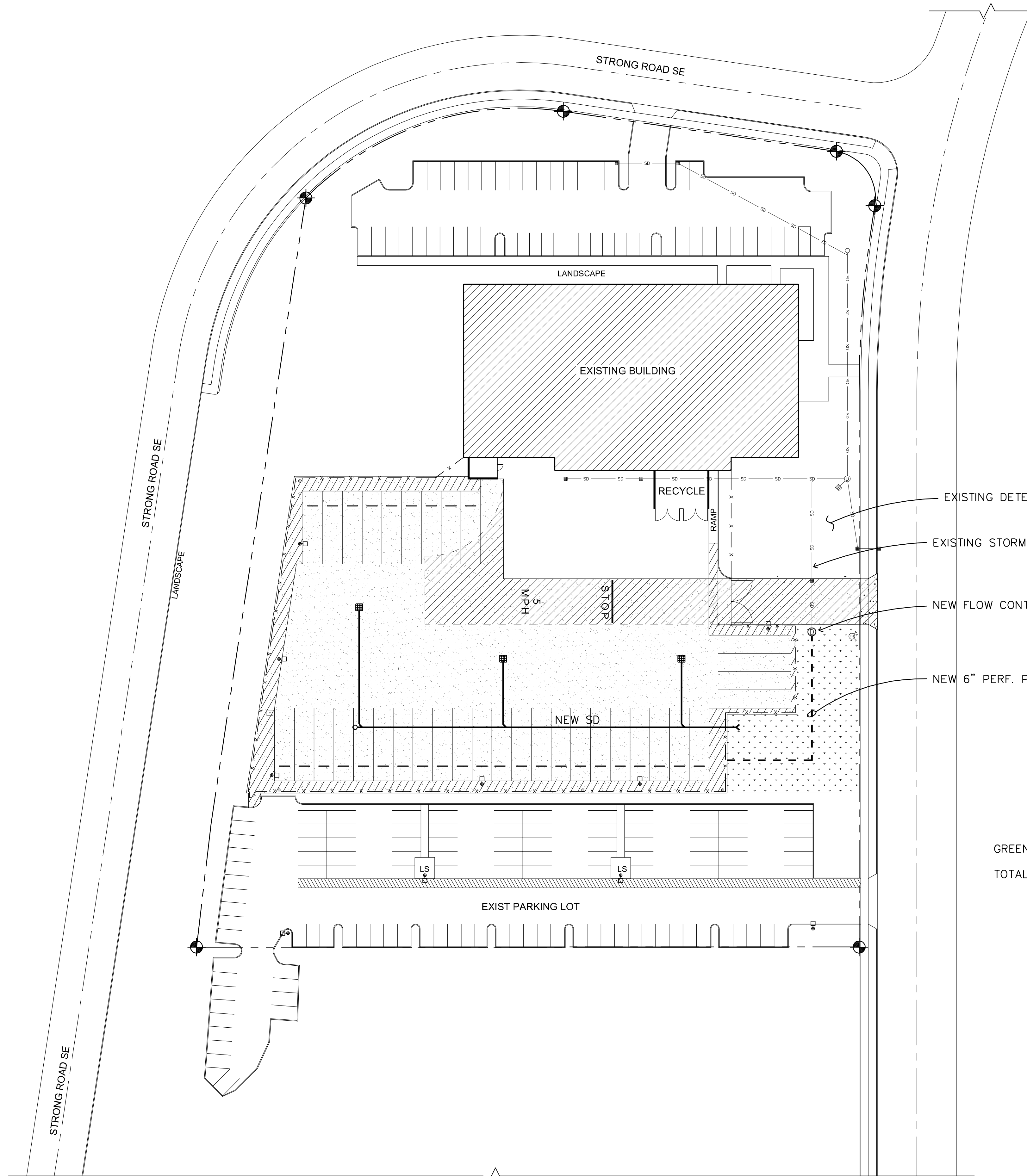
CONSTRUCTION NOTES

- 1 4" WIDE PAINT STRIPE
- 2 PAINTED SYMBOL OR LETTERING
- 3 6 FT HT CHAIN LINK FENCE W/ BARBED WIRE TOP
- 4 3'-0" WIDE CHAIN LINK GATE W/ BARBED WIRE TOP
- 5 EXIST CHAIN LINK GATE W/ BARBED WIRE TOP TO REMAIN
- 6 ASPH PAVMT ON CRUSHED ROCK BASE
- 7 DOUBLE SIDED PEDESTRIAN CROSSING SYMBOL SIGN
- 8 TYPE "C" CONC CURB
- 9 EXISTING FIRE HYDRANT TO REMAIN
- 10 LIGHT POLE
- 11 WHEEL STOP
- 12 CONC SIDEWALK AND CURB RAMP ON CRUSHED ROCK BASE
- 13 12" WIDE PAINT STRIPE
- 14 OFOI GARBAGE BINS
- 15 GROUND MOUNTED POWER STATION
- 16 OFOI PORTA-POTTY
- 17 SEE BID ALTERNATE #1 FOR SIGHT-OBSCURING SLATS
- 18 5 MPH SIGN
- 19 DOUBLE SIDED ENTRY SIGN

LEGEND

- NEW ASPHALT PAVING ON CRUSHED ROCK BASE
- ASPHALT PAVING TO BE REMOVED
- NEW CONC CURB/CURB RAMP/SIDEWALK ON CRUSHED ROCK BASE
- NEW STORM WATER RETENTION

SITE PLAN
 1" = 40'-0"



GREEN STORMWATER INFRASTRUCTURE AREA= 5,860 S.F. (10%)
 TOTAL NEW OR REPLACED IMPERVIOUS SURFACE AREA= 58,600 S.F.

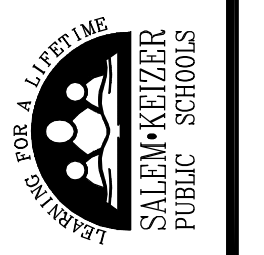
OVERALL STORM DRAIN PLAN
 1" = 40'-0"

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

CARLSON VEIT ARCHITECTS P.C.
 ARCHITECTURE • INTERIOR DESIGN
 500-394-0281 • FAX 503-350-2459 • WWW.CARLSONVEIT.COM
 3055 RIVER ROAD NORTH, SALEM, OREGON 97303
 MEMBER AMERICAN INSTITUTE OF ARCHITECTS

PRELIMINARY
 NOT FOR CONSTRUCTION
 PRELIMINARY DATE:
01-04-18

Project: **SALEM-KEIZER SCHOOL DISTRICT 24J
 BUS PARKING LOT**
 3625 FAIRVIEW INDUSTRIAL DRIVE SE
 SALEM, OREGON
 consultants:



revisions:

▲	
▲	
▲	
▲	

date: 01-30-18
 project: 10717
 dwg file: A-SP-10717
 drawn by: PK
 checked by: AF
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 Carlson Veit Architects P.C.

OVERALL STORM DRAIN PLAN


sheet: **C200**
 of:

SITE PLAN REVIEW



MEMO

TO: Aaron Panko, Planner III
Community Development Department

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

DATE: April 9, 2018

SUBJECT: PUBLIC WORKS RECOMMENDATIONS
CPC-NPC-ZC-SPR18-03 (18-103430, 18-103431, and 18-103750)
3625 FAIRVIEW INDUSTRIAL DRIVE SE
ADDITIONAL BUS STORAGE FACILITY

PROPOSAL

A consolidated application containing the following requests:

1. A Comprehensive Plan (CPC) Map change from "Industrial" to "Industrial Commercial"; and
2. A change to the Morningside Neighborhood Plan designation from "Industrial" to "Industrial Commercial"; and
3. A Quasi-Judicial Zone Change from Industrial Business Campus (IBC) to Industrial Commercial (IC); and
4. A Class 3 Site Plan Review (SPR) for development of a new storage facility for buses.

The subject property is approximately 4.92 acres in size, zoned IBC, and located at 3625 Fairview Industrial Drive SE (Marion County Assessor's Map and Tax Lot Number: 083W02 / 00900).

RECOMMENDED CONDITIONS OF APPROVAL – CPC

1. The Assistant City Traffic Engineer concurs with the Transportation Planning Rule (TPR) analysis findings and recommends a condition to limit the development on the 4.92 acre site to 3,407 vehicles per day.

SUMMARY OF FINDINGS - SPR

The proposed development meets applicable criteria related to Public Works infrastructure.

FACTS

Public Infrastructure Plan—The *Water System Master Plan*, *Wastewater Management Master Plan*, and *Stormwater Master Plan* provide the outline for facilities adequate to serve the proposed zone.

Transportation Planning Rule—The applicant submitted a TPR Analysis in consideration of the requirements of the TPR (OAR 660-012-0060). The TPR analysis is required to demonstrate that the proposed CPC/ZC will not have a significant effect on the transportation system as defined by OAR 660-012-0060.

Streets

1. Fairview Industrial Drive SE

- a. **Existing Condition**—This street has an approximate 52-foot improvement within a 76-foot-wide right-of-way abutting the subject property.
- b. **Standard**—This street is designated as a Minor Arterial street in the *Salem Transportation System Plan Salem (TSP)*. The standard for this street classification is a 46-foot-wide improvement within a 72-foot-wide right-of-way.

2. Lindburg Road SE

- a. **Existing Condition**—This street has an approximate 34-foot improvement within a 60-foot-wide right-of-way abutting the subject property.
- b. **Standard**—This street is designated as a Collector street in the Salem TSP. The standard for this street classification is a 34-foot-wide improvement within a 60-foot-wide right-of-way.

Storm Drainage

1. Existing Condition

- a. A 10-inch storm line is located in Fairview Industrial Drive SE.

Water

1. Existing Conditions

- a. The subject property is located in the G-0 water service level.

- b. A 12-inch water line is located in Fairview Industrial Drive SE. Mains of this size generally convey flows of 2,100 to 4,900 gallons per minute.

Sanitary Sewer

1. Existing Condition

- a. A 12-inch sewer line is located in Fairview Industrial Drive SE.

CRITERIA AND FINDINGS

Criteria: SRC 220.005(f)(3)(A) The application meets all applicable standards of the *Unified Development Code* (UDC).

Finding: The subject property meets all applicable standards of the following chapters of the UDC: 601 – Floodplain, 802 – Public Improvements, 803 – Streets and Right-of-Way Improvements, 804 – Driveway Approaches, 805 – Vision Clearance, 809 – Wetlands, and 810 - Landslides.

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

Finding: Fairview Industrial Drive SE meets the right-of-way width and pavement width standards per the Salem TSP; therefore no additional street improvements are required as a condition of the proposed development.

Criteria: SRC 220.005(f)(3)(C) Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians.

Finding: The existing driveway accesses onto Fairview Industrial Drive SE provide for safe turning movements into and out of the property.

Criteria: SRC 220.005(f)(3)(D) The proposed development will be adequately served with City water, sewer, storm drainage, and other utilities appropriate to the nature of the development.

Finding: The Public Works Department has reviewed the applicant's preliminary utility plan for this site. The water, sewer, and storm infrastructures are available within surrounding streets / areas and appear to be adequate to serve the proposed development. The applicant shall design and construct all utilities water, sewer, and storm drainage according to the Public Works Design Standards (PWDS) and to the satisfaction of the Public Works Director. The applicant is advised that a sewer

monitoring manhole may be required, and the trash area shall be designed in compliance with Public Works Design Standards.

The applicant's engineer submitted a statement demonstrating compliance with Stormwater PWDS Appendix 004-E(4)(a)-or-(b) and SRC Chapter 71. The preliminary stormwater design demonstrates the use of green stormwater infrastructure to the maximum extent feasible.

Criteria: SRC 265.005(e)(1)(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 has submitted a TPR analysis that is required to address the Transportation Planning Rule (OAR 660-012-0060). The TPR analysis demonstrates that the proposed CPC/ZC will not have a significant impact on the transportation system as defined by OAR 660-012-0060. The Assistant City Traffic Engineer concurs with the TPR analysis findings and recommends a condition to limit the development on the 4.92 acre site to 3,407 vehicles per day.

Criteria: SRC 265.005(e)(1)(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.

Finding: The water, sewer, and storm infrastructures are available within surrounding streets/areas and appear to be adequate to serve the proposed development. Site-specific infrastructure requirements are addressed above as part of the Site Plan Review process in SRC Chapter 220.

Prepared by: Jennifer Scott, Project Coordinator
cc: File



April 2, 2018

Aaron Panko
Case Manager
City of Salem Planning Division
555 Liberty St SE / Room 305
Salem, OR 97301

RE: Sustainable Development, Inc.'s Comments to Staff Regarding the Consolidated Application of the Salem-Keizer School District; Case No: CPC-NPC-ZC-SPR18-03.

Dear Mr. Panko.

I am filing these comments on behalf of Sustainable Development, Inc. (SDI) as their Vice President, Director of Development. These comments are provided per the planning staff's Request for Comments and for the staff's consideration in finalizing a report and recommendation to the Salem Planning Commission on this matter.

Sustainable Development is the developer of Pringle Creek Community (PCC), a 32-acre sustainable residential community of 140 home sites. PCC is directly southwest, across Lindberg Road SE, of the Subject Property. Our community's development is guided by the Fairview Master Plan covering the former 275-acre Fairview Training Center, and the Pringle Creek Community Refinement Plan, both on file with the City. The Fairview Mixed-Use Zone is codified at SRC Chapter 530.

The changes proposed by the Applicant are inconsistent with the residential redevelopment underway on the adjoining Fairview Training Center Property. The City created and applied the FMU zone to the former Fairview Training Center to promote sustainable, residential, mixed-use development. Once fully developed, PCC and the other FMU zoned parcels of Fairview will be thriving residential neighborhoods that will be a major center of urban residential growth for the City of Salem.

Some key land-use principles of the Fairview Plan include:

- Build in economic and social diversity.
- Create a shopping and commercial center.
- Create local employment.
- Build innovative green buildings.
- Respect the landscape.
- Create zero impact to the regional watershed.
- Include green corridors for the movement of people and other living things.
- Assure that public transit is nearby.

If the Applicant's request for land-use and zoning changes are permitted, the current use of the Subject Parcel will be downgraded to a fenced school bus compound in the direct line of site of the Fairview properties. The bus park would become a prominent and unwelcoming feature at a gateway to the Fairview neighborhoods, shops, and the new Salem community park. The City's intent and Pringle Creek's mission to create environmentally sensitive residential growth in the FMU Zone will be undermined. The Subject Parcel's use and zoning should remain as is to keep this area of the City pedestrian friendly, attractive to existing and prospective homeowners and businesses, and to maintain and encourage the development of strong employment opportunities along the Fairview Industrial Drive corridor.

The Notice for Comment is missing any information regarding what the Applicant intends to do to mitigate any impact a bus park would have on the developing mixed residential character of this portion of the Morningside Neighborhood. For instance, are there measures proposed that have taken into consideration the character of the area and will improve upon and be consistent with the vision set out in the Master plan, the refinement plans, and the adjacent Fairview Mixed-Use Zoning?

Finally, and in light of the above comments, the proposed changes do not meet the necessary criteria to warrant these changes:

1. Any significant changes to the area by the redevelopment of the Fairview property have, if anything, warranted a higher use of the Subject Property not a use that downgrades the property into a bus park.
2. The changes proposed are not a logical progression in the urbanization of the area.
3. The changes are not in the public interest, as the installation of a busy and bus park at this location will undermine the City's intent to create a sustainable mixed-use growth center in SE Salem.
4. A change in zoning to industrial commercial from industrial so as to allow a bus park is not compatible with the vicinity's development pattern
5. The zone change to allow a fenced bus park at this site will bring many large buses to an area that is destined to find increasing pedestrian and residential traffic. The Fairview communities will continue to develop along with the City's 28-acre Fairview Community Park on Lindberg Rd SE/Old Strong Rd SE. The proposed bus park will create an insurmountable barrier to the safe and efficient movement of vehicles and pedestrians.

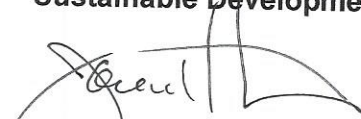
For the reasons stated above, it is clear that the impact of the proposed changes on the area will be great and that the necessary criteria are not met.

Thanks you for considering my comments on behalf of Sustainable Development, Inc.

Please call me with any questions at (503) 315-1055.

Sincerely,

Sustainable Development, Inc.

A handwritten signature in black ink, appearing to read "Jonathan Schachter". The signature is written in a cursive style with a large, stylized initial "J".

Jonathan Schachter
VP, Director of Development