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503-588-6173*

DECISION OF THE SALEM PLANNING COMMISSION

CLASS 3 DESIGN REVIEW / CLASS 3 SITE PLAN REVIEW / SOUTH WATERFRONT MIXED-USE ZONE DEVELOPMENT PHASING PLAN MODIFICATION / CLASS 2 ADJUSTMENT / CLASS 2 DRIVEWAY APPROACH PERMIT CASE NO.: DR-SPR-SWMUDPP-ADJ-DAP21-01

APPLICATION NO.: 20-113053-DR, 20-113054-RP, 20-114117-ZO, 20-113056-ZO, 20-113057-ZO

NOTICE OF DECISION DATE: April 9, 2021

SUMMARY: An application for a proposed new four-story mixed-use building consisting of a 72-bed post-acute rehabilitation facility and approximately 3,940 square feet of ground floor commercial space at the corner of Commercial Street SE and Front Street SE.

REQUEST: A consolidated application for a proposed new four-story mixed-use building consisting of a 72-bed post-acute rehabilitation facility and approximately 3,940 square feet of ground floor commercial space. The application includes the following:

- 1) A Class 3 Design Review and Class 3 Site Plan Review for the proposed development;
- 2) A modification to the South Waterfront Mixed-Use (SWMU) Zone Development Phasing Plan approved for the property allowing the mix of Household Living and Non-Household Living uses required for the development site under the SWMU zone to be met in phases;
- 3) A Class 2 Driveway Approach Permit for the proposed replacement of the existing driveway onto Commercial Street SE; and
- 4) A Class 2 Adjustment to:
 - a) Eliminate the minimum 5-foot parking and vehicle use area setback required between the proposed parking spaces and loading area located on the northern portion of the site and the adjacent north property line (SRC 806.035(c)(3) & SRC 806.080(b)(2)); and
 - b) Reduce the minimum 370-foot spacing required between both the proposed driveway onto Commercial Street SE and Front Street SE and between the proposed driveway onto Commercial Street SE and the nearest driveway to the south (SRC 804.035(d)).

The subject property is approximately 1.14 acres in size, zoned SWMU (South Waterfront Mixed-Use) and located at 295 Commercial Street SE (Marion County Assessor Map and Tax Lot Number: 073W27BA03100).

APPLICANT: Gretchen Stone, CB Two Architects, on behalf of Scott Miller, Marquis Companies

LOCATION: 295 Commercial Street SE, Salem OR 97301

CRITERIA: Salem Revised Code (SRC) Chapters 225.005(e)(2) – Class 3 Design Review; 220.005(f)(3) – Class 3 Site Plan Review; 531.020(d) – South Waterfront Mixed-Use Zone Development Phasing Plan Modification 250.005(d)(2) – Class 2 Adjustment; 804.025(d) – Driveway Approach Permit

NOTICE OF DECISION

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

CITY OF Salem
AT YOUR SERVICE

FINDINGS: The findings are in the attached Decision dated April 9, 2021

DECISION: The **Planning Commission APPROVED** Class 3 Design Review / Class 3 Site Plan Review / South Waterfront Mixed-Use Zone Development Phasing Plan Modification / Class 2 Adjustment / Class 2 Driveway Approach Permit Case No. DR-SPR-SWMUDPP-ADJ-DAP21-01 subject to the following conditions of approval:

CLASS 3 DESIGN REVIEW

~~**Condition 1:** The landscaping plan shall be revised to replace the Greenleaf Manzanita proposed along the southern property line with an alternative sight-obscuring evergreen shrub, or variety of evergreen shrubs, that will grow to a height of 3 feet to 6 feet and not produce fruits/berries.~~

~~**Condition 2:** The design of the building adjacent to the corner of Commercial Street SE and Front Street SE shall be revised to incorporate additional architectural detailing, such as a projecting roof, increased building height or massing, or special window treatments, to visually emphasize the corner of the building.~~

CLASS 3 SITE PLAN REVIEW

Condition 1: The bicycle parking spaces provided for the ground floor commercial tenant space shall be located to conform to the bicycle parking space dimension requirements of SRC 806.060(c), including:

- a) Ensuring that a minimum 4-foot-wide access aisle is provided to serve the spaces without projecting into the required entrance area into the building; and
- b) Maintaining a minimum required 2-foot bike parking space width between racks and an abutting building wall.

Condition 2: The trash/recycling area shall conform to the solid waste service area standards of SRC 800.055.

Condition 3: Provide street trees to the maximum extent feasible along the frontage of Commercial Street SE.

Condition 4: Design and construct a storm drainage system at the time of development in compliance with Salem Revised Code (SRC) Chapter 71 and the Public Works Design Standards (PWDS) in effect at the time of application submittal or obtain approval from the Public Works Director for a fee-in-lieu of improvements pursuant to SRC 71.025.

VOTE:

Yes 7

No 1 (Heller)

Absent 1 (McKinley)



Chane Griggs, President
Salem Planning Commission

The rights granted by the attached decision must be exercised, or an extension granted, by the dates listed below, or this approval shall be null and void.

Class 3 Site Plan Review:	<u>April 27, 2025</u>
All other case types:	<u>April 27, 2023</u>
Application Deemed Complete:	<u>March 3, 2021</u>
Public Hearing Date:	<u>April 6, 2021</u>
Notice of Decision Mailing Date:	<u>April 9, 2021</u>
Decision Effective Date:	<u>April 27, 2021</u>
State Mandate Date:	<u>July 1, 2021</u>

Case Manager: Bryce Bishop, bbishop@cityofsalem.net, 503-540-2399

This decision is final unless written appeal and associated fee (if applicable) from an aggrieved party is filed with the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem OR 97301, or by email at planning@cityofsalem.net, no later than 5:00 p.m. Monday, April 26, 2021. 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) 225, 220, 531, 250, and 804. 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 Salem City Council will review the appeal at a public hearing. After the hearing, the Salem 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 by contacting the case manager, or at the Planning Desk in the Permit Application Center, Room 305, City Hall, 555 Liberty Street SE, during regular business hours.

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

FACTS & FINDINGS

CLASS 3 DESIGN REVIEW / CLASS 3 SITE PLAN REVIEW / SOUTH WATERFRONT MIXED-USE ZONE DEVELOPMENT PHASING PLAN MODIFICATION / CLASS 2 ADJUSTMENT / CLASS 2 DRIVEWAY APPROACH PERMIT CASE NO. DR-SPR-SWMUDPP-ADJ-DAP21-01

APRIL 9, 2021

PROCEDURAL FINDINGS

1. On August 5, 2020, CB Two Architects, on behalf of the applicant and property owner Salem LTC Properties, LLC / Marquis Companies, filed an application for a consolidated Class 3 Design Review, Class 3 Site Plan Review, South Waterfront Mixed-Use (SWMU) Zone Development Phasing Plan Modification, Class 2 Adjustment, and Class 2 Driveway Approach Permit for a proposed new 72-bed post-acute rehabilitation facility and approximately 3,940 square feet of ground floor commercial tenant space on a portion of the north block of the former Boise Cascade site located at 295 Commercial Street SE.
2. After additional requested information was provided by the applicant, the application was deemed complete for processing on March 3, 2021.
3. Because multiple land use applications are required in connection with the proposed development, the applicant, pursuant to SRC 300.120(c), chose to consolidate the applications and process them together as one. When multiple applications are consolidated, the review process for the application shall follow the highest numbered procedure type required for the land use applications involved, and the Review Authority for the application shall be the highest applicable Review Authority under the highest numbered procedure type.

Based upon these requirements, the proposed consolidated application is required to be processed as a Type III procedure and reviewed by the Planning Commission.

4. Notice of the application was provided, pursuant to Salem Revised Code (SRC) requirements, on March 16, 2021. Public notice was posted on the property by the City's Case Manager for the application on March 26, 2021.
5. On April 6, 2021, a public hearing was held before the Planning Commission to receive evidence and testimony on the proposal. Subsequent to the Commission's questions of the applicant and staff, the Commission closed the hearing, conducted deliberations on the proposal, and voted to approve the application subject to conditions of approval, as further modified by the Commission.
6. 120-Day Rule. The state-mandated 120-day local decision deadline for the application is July 1, 2021.

BACKGROUND / PROPOSAL

The application under review by the Planning Commission is a consolidated Class 3 Design Review, Class 3 Site Plan Review, SWMU Zone Development Phasing Plan Modification, Class 2 Adjustment, and Class 2 Driveway Approach Permit for development of the southern portion of the north block of the former Boise Cascade site located at 295 Commercial Street SE (**Attachment A**).

As shown on the development phasing plan included with this application (**Attachment B**), the north block of the former Boise Cascade site will include two separate developments, the proposed post-acute rehabilitation facility and retail space included with this application, located on the southern half of the Boise north block, and the existing four-story Park Front office building, located on the northern half of the Boise north block at 235 Front Street SE. Both developments will share on-site vehicular circulation and access to Front Street, as well as a common stormwater management system.

The proposed new building will be four-stories in height and total approximately 59,229 square feet in size. The proposed post-acute rehabilitation facility portion of the building will occupy approximately 55,293 square feet of the building's total square footage and accommodate 72 patient/resident beds. The remaining 3,936 square feet of the building will be dedicated to ground floor commercial tenant space at the corner of Commercial Street SE and Front Street SE.

Vehicular access to the proposed development will be provided by a one-way entrance only driveway off Commercial Street SE located at the southeastern corner of the subject property and a shared two-way driveway off Front Street SE located on the abutting property to the north at 235 Front Street SE.

APPLICANT'S PLANS AND STATEMENT

Land use applications must include a statement addressing the applicable approval criteria and be supported by proof they conform to all applicable standards and criteria of the Salem Revised Code. The written statement provided by the applicant summarizing the request and addressing the applicable approval criteria, as well as the site/development plans for the project, are attached to this report as follows:

- SWMU Development Phasing Plan: **Attachment B**
- Site Plan & Landscape Plan: **Attachment C**
- Utility Plans: **Attachment D**
- Building Elevations & Architectural Renderings: **Attachment E**
- Applicant's Written Statement: **Attachment F**

Staff utilized the information provided by the applicant to evaluate the proposal and to establish the facts and findings within this decision.

SUMMARY OF RECORD

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

FACTS AND FINDINGS

1. Salem Area Comprehensive Plan (SACP)

Comprehensive Plan Map: The subject property is designated “River Oriented Mixed Use” on the Salem Area Comprehensive Plan map.

The Comprehensive Plan designations of surrounding properties include:

Comprehensive Plan Designation of Surrounding Properties	
North	River-Oriented Mixed-Use
	Across Front Street SE, Central Business District
South	River-Oriented Mixed-Use
East	Across Commercial Street SE, Community Service Government
West	Across the railroad line, River-Oriented Mixed-Use

Relationship to Urban Service Area: The subject property lies within the City's Urban Service Area. The Urban Service Area is that territory within City where all required public facilities (streets, water, sewer, storm water, and parks) necessary to serve development are already in place or fully committed to be extended. Property located outside the City's Urban Service Area is required to obtain an Urban Growth Preliminary Declaration prior to development to identify those public facilities identified in the City's public facility plans that are needed to serve the property.

Because the subject property is located inside the Urban Service Area an Urban Growth Preliminary Declaration is not required for development of the subject property.

2. Zoning

The subject property is zoned SWMU (South Waterfront Mixed-Use). The zoning of surrounding properties is as follows:

Zoning of Surrounding Properties	
North	SWMU (South Waterfront Mixed-Use)
	Across Front Street SE, CB (Central Business District) with General Retail/Office Overlay
South	SWMU (South Waterfront Mixed-Use)
East	Across Commercial Street SE, PS (Public Service)
West	Across railroad line, CB (Central Business District)

3. Existing Conditions

The subject property consists of one lot (Parcel 2 of partition plat 2015-33) that is approximately 1.14 acres in size and located at 295 Commercial Street SE (**Attachment A**).

In regard to the natural features of the site, the topography of the property is flat, but it is located on the north side of an existing retaining wall which results in the site being elevated above the adjacent bed and banks of Pringle Creek to the south.

The subject property has frontage on two streets, Front Street SE and Commercial Street SE. Front Street is designated as a Parkway under the City's Transportation System Plan (TSP) and Commercial Street is designated as a Major Arterial.

Vehicular access to the property is currently provided by an existing driveway onto Commercial Street SE.

4. City Department Comments

- A. The Building and Safety Division reviewed the proposal and identified no apparent issues with the proposed development.
- B. The Salem Fire Department reviewed the proposal and indicated that items including fire department access and water supply will be reviewed at the time of building permit plan review.
- C. The Public Works Department reviewed the proposal and provided comments regarding street and City utility improvements required to serve the development and recommended conditions of approval to ensure conformance with the applicable requirements of the SRC. Comments from the Public Works Department are included as **Attachment G**.

5. Public Agency & Private Service Provider Comments

Notice of the proposal was provided to public agencies and to public & private service providers. The following comment was received:

- A. The Oregon Department of Transportation (ODOT) reviewed the proposal and provided comments that are included as **Attachment H**. In summary, it is indicated that the site is located on Front Street, which is a part of Salem Highway, No. 072 (OR-99EB/OR-22), and is subject to state laws administered by ODOT. There is currently one highway approach at MP 5.36 which was permitted in 2018 (Permit #56790). This proposal was included in the permit application from 2018 and the permit is still valid. ODOT has no further requirements for the development.

ODOT indicates that if the applicant will need to occupy the highway during construction, they will need to contact the ODOT District 3 Permits Office at 503-986-2900 for a miscellaneous permit.

6. Neighborhood Association and Public Comments

The subject property is located within the boundaries of the Central Area Neighborhood Development Organization (CAN-DO) neighborhood association.

Neighborhood Association Contact. SRC 300.310 requires an applicant to contact the neighborhood association(s) whose boundaries include, and are adjacent to, property

subject to specific land use application requests. Pursuant to SRC 300.310(b)(1), land use applications included in this proposed consolidated land use application request require neighborhood association contact. On August 13, 2020, the applicant's representative contacted the CAN-DO Neighborhood Association to provide details about the proposal.

Subsequent to application submittal notice of the application was provided to the CAN-DO Neighborhood Association pursuant to SRC 300.620(b)(2)(B)(v), which requires notice to be sent to any City-recognized neighborhood association whose boundaries include, or are adjacent to, the subject property. No comments were received from the neighborhood association.

In addition to providing notice to the neighborhood association, notice was also provided, pursuant to SRC 300.620(b)(2)(B)(iii), (vi), & (vii), to all property owners and tenants within 250 feet of the subject property.

Comments from three individuals were received that are included as **Attachment I**. The comments, in summary, generally express support for the proposal and the appearance of the development.

In addition, one of the comments received indicates, in summary, that landscaping, plantings, trees, appropriate lighting, and materials will be important factors to integrate the project to nearby Riverfront Park and the Pringle Path. It is essential that these aspects of the project be done well.

Staff Response: As indicated in the findings included within this report, the proposed development will comply with the applicable standards of the Salem Revised Code (SRC) which include, but are not limited to, requirements for landscaping throughout the development site and specific design review requirements included within the SWMU zone that are intended to ensure that development of the property occurs in a manner that promotes an active and inviting pedestrian environment, and that takes advantage of close proximity to Pringle Creek, Riverfront Park, the Willamette River, and the downtown.

Another one of the comments received indicated concerns regarding the following:

- A. **Building Height.** The comment received indicates, in summary, that they were assured by the management company at the time of rental of their apartment that the land on the north side of Pringle Creek had been sold on the condition that any structure would not exceed two stories in height. The comment received questions that if such an agreement existed how can it be ignored today?

Staff Response: Staff is unaware of any private agreements that may have been entered into between the seller and purchasers of the property on the north side of Pringle Creek. Notwithstanding the existence of any such agreement, the standards of the City's development code, per SRC 110.060, apply independently of any private easement, covenant, condition, or restriction on the use of development of land. As such, any private agreement limiting the height of the buildings on the subject property would not be enforceable by the City and the only standards that the City can apply are those standards included within the Salem Revised.

The subject property is zoned SWMU (South Waterfront Mixed-Use). The purpose of the SWMU zone is to identify allowed uses and establish development standards to further economic development and support the creation of a vibrant downtown. The SWMU is intended to provide for a mixture of uses developed in a manner that promotes an active and inviting pedestrian environment, and that takes advantage of close proximity to Pringle Creek, Riverfront Park, the Willamette River, and the downtown.

In order to promote a vibrant urban development pattern in this area that is consistent with the rest of the downtown to the north, there is no maximum height limit placed on buildings within this portion of the SWMU zone. This is consistent with the development standards of the CB (Central Business District) zone, which also has no maximum height limit, and allows for development of taller buildings which is representative of the desired development pattern in this area.

- B. **Pedestrian Safety.** The comment received expresses concern, in summary, regarding safety for pedestrians along Front Street due to all of the traffic from both the existing office development and the proposed new development exiting the site from a single driveway on Front Street. Concern is also expressed about pedestrian safety crossing the intersection of Front Street and Commercial Street. It is suggested that caution signs with lights be installed at these various crossing areas.

Staff Response: The driveway approach onto the subject property from Commercial Street is existing and proposed to be a right-in entrance-only driveway in order to promote improved safety due to the proximity of the driveway to the intersection of Commercial Street and Front Street. Because the driveway approach onto Commercial Street will be entrance only, egress from the site is required to be provided from the existing driveway onto Front Street located on the abutting property to the north.

A trip generation estimate was provided for the proposed development to identify the estimated number of average daily vehicle trips that will be generated by the proposed development; however, the number of vehicle trips estimated to be generated is not sufficient to require a Transportation Impact Analysis (TIA).

The proposed development includes sidewalks along both Commercial Street and Front Street and the intersection of Commercial Street and Front Street is a signalized intersection with crosswalks and pedestrian walk/don't walk pedestrian crossing signals.

- C. **Minimum Off-Street Parking.** The comment received expresses surprise that the project only requires a minimum of 40 additional parking spaces and that only 55 additional spaces are being provided. It is indicated that if the proposed building has 72 beds and a relatively large retail space, it seems that parking will be a problem.

Staff Response: The proposed development has been reviewed for conformance with the minimum off-street parking requirements of SRC Chapter 806. As identified in this

report, the minimum off-street parking requirement for the proposed post-acute care facility is one space per 3 beds and the minimum off-street parking requirement for the proposed ground floor commercial tenant space is one space per 250 square feet of building area. The off-street parking spaces provided for the development exceed the minimum required 40 spaces.

FINDINGS ADDRESSING APPLICABLE SALEM REVISED CODE APPROVAL CRITERIA FOR CLASS 3 DESIGN REVIEW

7. CLASS 3 DESIGN REVIEW APPROVAL CRITERIA

Salem Revised Code (SRC) 225.005(e)(2) sets forth the criteria that must be met before approval can be granted to an application for Class 3 Design Review. Pursuant to SRC 225.005(e)(2) an application for a Class 3 Design Review shall be approved if all of the applicable design review guidelines are met.

The design review guidelines applicable to development within the SWMU zone are established under SRC 531.035(a)-(e). The following subsections are organized with the SWMU zone design review guideline shown in ***bold italic***, followed by findings evaluating the proposal for conformance with the design review guideline. Lack of compliance with the following design review guidelines is grounds for denial of the Class 3 Design Review application, or for the issuance of certain conditions to ensure the design review guidelines are met.

A. SRC 531.035(a) Pedestrian-Oriented Building Design: General

▪ Building Facades (SRC 531.035(a)(1)(A)):

- (i) ***Architectural detailing shall be incorporated that visually divides and breaks up the building's vertical mass in a manner that is complimentary to Downtown Salem's existing building stock.***

The written statement provided by the applicant (**Attachment F**) indicates that the proposed building's contemporary urban design incorporates a mix of color and finish materials: brick, fiber cement siding, fiber cement panels, horizontal and vertical corrugated metal that are used to identify building elements, break up building mass, enhance façade articulation, and add visual interest. The ground floor anticipates brick in two shades, the second and third floor are primarily horizontal fiber cement siding, and the fourth floor will use both vertical and horizontal metal siding for the majority of this top floor. Tower elements clad in fiber cement panels help to break up the building's horizontal planes. A heavy fascia caps the building.

Finding: Staff concurs with the findings included in the applicant's written statement, the changes in building materials and the use of a varied color palette, the distribution of windows throughout the ground floor and upper floor facades, the inclusion of a cornice of contrasting color at the top of the building, and the incorporation of horizontal banding and vertical tower elements

collectivity work together to visually break up the building's vertical mass and distinguish the base of the building from its middle and top in a manner that is consistent with this design guideline and that is complementary to existing downtown buildings. The proposed development conforms to this design guideline.

▪ **Ground Floor Height (SRC 531.035(a)(2)(A)):**

- (i) ***The ground floors of buildings along streets, or facing open space, shall be of sufficient height to be easily converted to commercial use. If a raised foundation or one-half story of visible below grade parking is provided, this level shall enhance the pedestrian environment along the sidewalk through landscaping or other techniques to ensure a pedestrian-friendly environment.***

The written statement provided by the applicant (**Attachment F**) indicates that the proposed development will be a mix of uses, commercial retail and skilled nursing. The commercial retail component is limited to a portion of the ground floor and has been located near the street front and public sidewalk. The skilled nursing administrative and service areas are located away from the street which is more appropriate. The ground floor height is 15 feet 2 inches.

Finding: Staff concurs with the findings included within the applicant's written statement. The height of the ground floor of the building adjacent to Commercial Street and Front Street is just over 15 feet which accommodates the commercial uses which are proposed on the ground floor of the building adjacent to these streets. The proposed ground floor height also conforms to the corresponding design standard to this design guideline which requires the ground floor heights of buildings to be between 12 feet and 16 feet. The proposed development conforms to this design guideline.

▪ **Building Transparency (SRC 531.035(a)(3)(A)):**

- (i) ***Ground floor building facades facing streets and open space shall include large transparent windows to ensure that the ground floor promotes a sense of interaction between activities in the building and activities in the public realm.***

The written statement provided by the applicant (**Attachment F**) indicates that the proposed ground floor glazing is storefront which will provide large expanses of glass, especially for the commercial retail space which are oriented towards the street.

Finding: Staff concurs with the findings included in the applicant's written statement. The ground floor facades of the building facing Commercial Street and Front Street include large transparent storefront windows that allow pedestrians to see the activities within the building thereby promoting a sense of interaction between activities in the building and activities in the public realm.

The proposed development conforms to this design guideline.

- (ii) *Windows on ground floor and upper floor building facades shall be provided to ensure that public and private open spaces are safe and secure at all times by providing sufficient “eyes” on streets, courtyards, forecourts, plazas, and parks.***

The written statement provided by the applicant (**Attachment F**) indicates that generous amounts of glazing are provided on all floors. Sidewalks, plaza areas, and parking areas will be visible from all levels of the building providing “eyes” on these areas where pedestrian traffic is common.

Finding: Staff concurs with the findings included in the applicant’s written statement. Windows are provided throughout the ground floor and upper floor facades of the building that promote visibility from the uses within the building to the surrounding area. The proposed development conforms to this design guideline.

▪ **Primary Building Entries(SRC 531.035(a)(4)(A)):**

- (i) *Primary building entries shall be inviting to pedestrians and promote a sense of interaction between the public and private realms. Opaque doors shall be avoided.***

The written statement provided by the applicant (**Attachment F**) indicates that the building’s primary building entries will have storefront entry doors which will be transparent glass.

Finding: Staff concurs with the findings included in the applicant’s written statement. The primary building entries included within the development incorporate glass doors to provide transparency between the public and private realms. The proposed development conforms to this design guideline.

- (ii) *Building entries shall create a “transition zone” between the public realm on the sidewalk and the private realm within the building.***

The written statement provided by the applicant (**Attachment F**) indicates that primary building entries are covered and transparent glass doors provide visual access, which serve to provide the “transition zone.” Covered entries provide weather protection which is inherent to the building interior. Transparent doors and adjacent windows allow interaction between the exterior and interior spaces.

Finding: Staff concurs with the findings included in the applicant’s written statement. In addition to providing awnings which help to enhance the ground floor facades of the building and further delineate the entry areas, the proposed design also includes a plaza area at the corner of Commercial Street and Front Street which helps to serve as a transition zone between the public realm along the sidewalks within the public right-of-way and the private realm within the

building. The proposed development conforms to this design guideline.

▪ **Mechanical and Service Equipment (SRC 531.035(a)(5)(A)):**

- (i) ***Ground level and rooftop mechanical and service equipment shall be visually screened and, whenever possible, located so it is not visible from public sidewalks and open spaces.***

The written statement provided by the applicant (**Attachment F**) indicates that ground level mechanical equipment and service areas are limited to the emergency generator and solid waste areas, each of which will be located within enclosures. Rooftop mechanical system, if visible from the public sidewalk will be screened.

Finding: Staff concurs with the findings included in the applicant's written statement. As shown on the proposed site plan, the development includes both a trash/recycling area and an emergency generator located at ground level. The proposed trash/recycling area is located at the far west end of the site so as to minimize its visibility from public sidewalks and open spaces. In order to completely obscure the trash containers from view, the containers are located within an 8-foot tall enclosure.

The proposed emergency generator is also located at the far west end of the site, but in a location that is more behind the building and therefore more obscured from view from public sidewalks and open spaces. As with the proposed trash area, the emergency generator is also located within an enclosure to screen it from view. The proposed development conforms to this design guideline.

- (ii) ***Maximize opportunities to incorporate sustainable energy measures, such as solar panels and wind generators, into buildings.***

Finding: Energy efficient building design, building materials, and equipment will be used. The proposed development conforms to this design guideline.

B. SRC 531.035(b) Pedestrian-Oriented Building Design: Specific

▪ **Building Setbacks and Frontages (SRC 531.035(b)(1)(A)):**

- (i) ***Buildings shall create well-defined "edges" to the public realm by minimizing setbacks from the street right-of-way. Zero lot line buildings are encouraged. Buildings may be sited so as to create opportunities for well-designed public or civic spaces between buildings and the sidewalk.***

The written statement provided by the applicant (**Attachment F**) indicates that the development site is located at the corner of Commercial Street and Front Street. The proposed building is sited near the street property lines, existing utilities, and their easements. These preclude the building from being sited abutting these property lines. However, the building design and site design

includes building corners and awning components adjacent to the existing easement with landscaping and a plaza at the corner of Commercial and Front Streets. By incorporating these into the development's design, connections are promoted between the public sidewalk, the site and the commercial uses within the street facing spaces.

Finding: Staff concurs with the findings included in the applicant's written statement. The proposed development creates a well-defined edge to the public realm by locating buildings adjacent to a majority of the property's frontage along Commercial Street and Front Street. In this area building setbacks are minimized and the public realm is enhanced by the provision of a plaza that provides visual interest and a place for people to gather. The proposed development conforms to this design guideline.

- (ii) ***A comfortable, inviting, and well-framed open space environment shall be created along Pringle Creek by establishing a well-defined building wall "edge" along the north bank of the creek.***

The written statement provided by the applicant (**Attachment F**) indicates that Pringle Creek is not located on the development site, but it runs through the neighboring property to the south with the north bank of the creek lying approximately 30 feet from the existing retaining wall which is on the shared property line. The elevation of the anticipated future pedestrian path on the neighboring property will sit anywhere from 15 to 20 feet below the top of the existing retaining wall and the applicant's development site. A landscape bed planted primarily with shrubs and a few trees (where spacing allows), is proposed along the south property line. The landscape design indicates that the shrub planting will use *Arctostaphylos patula* / Green-leaf manzanita, a shrub that averages between 3 to 6 feet in height, which will screen the vehicle use areas from the future pedestrian path. The existing conditions, topography and proposed landscaping will provide the "well-defined building wall edge along the north bank of the creek" that the guideline is seeking.

Finding: As indicated by the applicant, Pringle Creek is located to the south of the subject property. Due to existing topography and the presence of the existing retaining wall, the subject property is elevated and setback from the north bank of the creek. Recent stream restoration efforts completed by the City along Pringle Creek have resulted in the removal of the remaining portions of the former buildings which covered the creek, a restored stream channel, a better defined north bank of the creek, and the location for the future pedestrian path.

In order to buffer the proposed driveway and parking area located on the south side of the property from the creek corridor and to create a well-framed open space environment along the creek, a combination of landscaping and trees, where space allows, is provided. As shown on the landscape plan and indicated in the applicant's written statement, the proposed shrubs provided along the southern property line include Greenleaf Manzanita that grow three feet to six

feet in height. Because Greenleaf Manzanita produce fruits/berries that can pose a potential long-term maintenance issue for the future adjacent pedestrian path to the south, staff originally recommended the following condition of approval requiring an alternative species of evergreen shrub to be planted that would provide the same degree of buffering/screening between the driveway and parking area and south property line, but which would not have the same potential long-term maintenance issue.

Condition 1: *The landscaping plan shall be revised to replace the Greenleaf Manzanita proposed along the southern property line with an alternative sight-obscuring evergreen shrub, or variety of evergreen shrubs, that will grow to a height of 3 feet to 6 feet and not produce fruits/berries.*

Upon consideration of the above recommended condition, the Planning Commission found the concerns for future potential maintenance issues associated with the future pedestrian path unnecessary due to the limited height of the hedge, the small size of the berry, and the horizontal separation that will exist between the proposed planting area and the future path; thereby minimizing any potential maintenance issue. In addition, the Planning Commission found that the Greenleaf Manzanita is a native species that provides bird and caterpillar/butterfly habitat which is of benefit to the City. For these reasons the Planning Commission voted to remove Condition 1 of the design review approval and found that the proposal conforms to this design guideline without the condition of approval.

(iii) Pringle Creek, the site's principal natural asset, shall be preserved by setting buildings back a sufficient distance from the north bank of the creek.

The written statement provided by the applicant (**Attachment F**) indicates that Pringle Creek is not located on the development site. A generous building setback to the development site's southern property line which is closest to the creek is provided to help preserve the South Waterfront Mixed-Use zone's principle asset. The proposed building's irregular footprint allows for a varied building setback of more than 39 feet at its closest point and up to 60 or more feet for the majority of the building's south façade to the property line.

Finding: Staff concurs with the findings included in the applicant's written statement. The varied setbacks provided between the proposed building and the south property line ensure that an open appearance is preserved and maintained along the north bank of Pringle Creek while at the same time the four-story height of the building acts to frame the area with a well-defined building wall edge. The proposed development conforms to this design guideline.

(iv) Buildings and primary building entries shall be oriented to and easily accessible from sidewalks and public open space.

The written statement provided by the applicant (**Attachment F**) indicates that the commercial retail spaces are oriented to the street with primary entries being accessed from the public sidewalk on Commercial and Front Streets. The Marquis post-acute care entry will be oriented towards the parking located adjacent to the south side of the building where access is provided from the driveway located on Commercial Street. A paved pedestrian path from this post-acute entry provides access to the public sidewalk along Commercial Street.

Finding: Staff concurs with the findings included in the applicant's written statement. The proposed building and the primary entries to the commercial tenant space within the building are oriented to the street and easily accessible from the sidewalks on Commercial Street and Front Street. The entry to the post-acute rehabilitation facility space within the building is also easily accessible from Commercial Street via the proposed sidewalk on the south side of the building. The proposed development conforms to this design guideline.

▪ **Parking (SRC 531.035(b)(2)(A)):**

- (i) ***Surface parking lots along buildings facing public streets shall be buffered from view by pedestrians on the sidewalk. Whenever possible, surface parking lots shall be placed behind buildings.***

The written statement provided by the applicant (**Attachment F**) indicates that more than 75 percent of the parking is located away from Commercial Street and behind the building, with a limited number of spaces being located adjacent to an existing parking lot on the north side of the building. These proposed spaces will be more than 30 feet from the edge of the sidewalk on Front Street and will be screened by an existing wall and landscape plantings providing the buffering desired.

Finding: Staff concurs with the findings included in the applicant's written statement. Parking for the proposed development is designed so that the majority of the spaces are located to the side of or behind the proposed building. Where parking is located adjacent to a street, as is the case for the proposed parking spaces on the north side of the building adjacent to Front Street and the parking spaces on the south side of the building adjacent to Commercial Street, the spaces are setback from the street and buffered with landscaping to obscure their view by pedestrians on the sidewalk. The proposed development conforms to this design guideline.

- (ii) ***Parking structures fronting on public streets shall include space for ground floor commercial and/or Household Living uses along their public street facing facades in order to create an active and engaging pedestrian environment.***

The written statement provided by the applicant (**Attachment F**) indicates that the proposal does not include a parking structure; therefore, this guideline does not apply.

Finding: Staff concurs with the findings included in the applicant's written statement. The proposed development includes surface parking areas, but no parking within a parking garage or structure. Because no parking structures are included within the proposed development this design guideline is not applicable to the proposal.

▪ **Weather Protection (SRC 531.035(b)(3)(A)):**

- (i) ***Weather protection, in the form of awnings, canopies, arcades, or galleries appropriate to the design of the building, shall be provided along ground floor building facades facing streets and public space in order to create a comfortable and inviting pedestrian environment.***

The written statement provided by the applicant (**Attachment F**) indicates that awnings are provided above storefront glazing systems that are oriented to the public right-of-way and in close proximity to the public sidewalk. Awnings will provide weather protection for primary entries along Commercial and Front Streets or parking areas.

Finding: Staff concurs with the findings included in the applicant's written statement. The proposed development includes awnings for weather protection along those portions of the building's ground floor facades facing Commercial Street and Front Street. Awnings for weather protection are also provided on building's southern ground floor façade over the sidewalk between the building entrance into the post-acute care portion of the building and the public sidewalk on Commercial Street. The proposed development conforms to this design guideline.

C. **SRC 531.035(c) Relationship to Riverfront Park**

▪ **Park-Facing Ground Floors (SRC 531.035(c)(1)(A)):**

- (i) ***The park-facing ground floors of buildings located along Riverfront Park shall be highly integrated and responsive to the park and shall enhance the public environment. If structured parking is provided, the park facing ground floor of the parking structure shall include space for commercial and/or Household Living uses to the extent practicable in order to activate the ground floor and provide "eyes" on the park.***

Finding: The subject property is not located immediately adjacent to Riverfront Park. Therefore, pursuant to SRC 531.035(c), this design guideline is not applicable to the proposed development.

▪ **Building Shadows (SRC 531.035(c)(2)(A)):**

- (i) ***Buildings shall be sited adjacent to Riverfront Park in a manner that minimizes shadows on the playground.***

Finding: The subject property is not located immediately adjacent to Riverfront Park. Therefore, pursuant to SRC 531.035(c), this design guideline is not applicable to the proposed development.

D. SRC 531.035(d) Gateways

▪ **Corner Treatments (SRC 531.035(d)(1)(A)):**

- (i) ***Buildings located at corners and gateways shall incorporate architectural or site planning design elements that visually emphasize the corner of the building. One or more of the following techniques may be used to meet this guideline:***
 - (aa) ***Prominent architectural elements that emphasize the corner of the building, such as increased building height or massing, cupolas or turrets, pitched roofs at the corner of the building, special window treatments, etc. (see Figure 531-22).***
 - (bb) ***Special “signature” signage located at the corner of the building (see Figure 531-24).***
 - (cc) ***Public gathering spaces, such as plazas, located at the corner that incorporate special paving materials, site furnishings, and/or landscaping treatments (see Figure 531-25).***

The written statement provided by the applicant (**Attachment F**) indicates that the development site contains a gateway at the site’s northeast corner where Commercial street and Front Street intersect. The building design incorporates “tower” block elements to break up mass and horizontal planes. These tower blocks highlight the site’s gateway corner and street presence through the use of contrasting color, façade materials and architectural details especially for those portions of the building that contain retail commercial uses on the ground floor. A plaza and landscaping is located at this corner promoting interaction between the public right-of-way and the development highlighting the ground floor tenant spaces, therefore meeting guidelines (aa) and (cc) as needed.

Finding: The SWMU zone requires buildings located at identified corner/gateway areas to include architectural detailing which visually emphasize the corner of the building and distinguishes the area as a prominent location on the site.

In order to satisfy the corner/gateway design review requirements of the zone, staff had recommended the following condition of approval requiring additional architectural articulation at the corner of the building adjacent to the intersection of Commercial Street and Front Street due to that area of the site representing the most prominent corner/gateway area within the SWMU zone due its location at the intersection of two major streets and its visibility from the downtown.

Condition 2: *The design of the building adjacent to the corner of Commercial Street SE and Front Street SE shall be revised to incorporate additional architectural detailing, such as a projecting roof, increased building height or massing, or special window treatments, to visually emphasize the corner of the building.*

Upon consideration of the above recommended condition and the arguments in support of the condition raised by staff and the objections to the condition raised by the applicant, the Planning Commission found that the condition was unnecessary due to the applicable design review guideline requiring that only one of the architectural/site planning techniques identified need be employed to visually emphasize the corner of the building at this location. As such, the Planning Commission voted to remove Condition 2 of the design review approval and found that, as indicated in the applicant's written statement and testified at the public hearing, the proposal includes a plaza and landscaping in conformance with SRC 531.035(d)(1)(A)(i)(cc), which requires public gathering spaces, such as plazas, located at the corner that incorporate special paving materials, site furnishings, and/or landscaping treatments.

Because the proposal incorporates one of the architectural/site planning techniques identified under 531.035(d)(1)(A)(i), the proposed development conforms to this design guideline.

E. SRC 531.035(e) Pedestrian Connections

▪ **Required Pedestrian Connections (SRC 531.035(e)(1)(A)):**

- (i) ***An easement or public dedication shall be provided promoting connectivity for non-vehicular traffic along the north bank of Pringle Creek. The connection shall be accessible from the sidewalk along Commercial Street, and shall connect to Riverfront Park.***

The written statement provided by the applicant (**Attachment F**) indicates that Pringle Creek, the creek bank and the future path along the north bank of the creek are located on the adjacent property (305 Commercial) to the south of the development site. Therefore, this section does not apply. However, a connection to the Commercial Street public sidewalk on the north side of the Commercial Street bridge, adjacent to the development site, is available within the public right-of-way which should accommodate a stair to enable a secondary connection, if desired, to the future extension of the accessible path along the north bank of Pringle Creek currently terminating under the Commercial Street bridge.

Finding: A 20-foot-wide access easement currently exists along the northern boundary of the property located immediately to the south of the subject property (Parcel 3 of Partition Plat No. 2015-33) for the purpose of providing

pedestrian connectivity along the north bank of Pringle Creek. As indicated in the applicant's written statement an area to accommodate a pedestrian connection between the future extension of the path along the north bank of Pringle Creek and the sidewalk on Commercial Street at street level exists within the public right-of-way on the north side of the Commercial Street bridge adjacent to the southeast corner of the subject property. The presence of an established access easement on the abutting property to the south, together with an area within the Commercial Street right-of-way for a connection to be made at street level to the path along the north bank of the creek, ensures the ability for the future path to be provided and a connection to be made to Commercial Street. This design review guideline is met.

- (ii) ***Convenient pedestrian access and connectivity shall be provided from the northwestern portion of the site to pedestrian facilities in Riverfront Park.***

Finding: The subject property is not located immediately adjacent to Riverfront Park. Therefore, pursuant to SRC 531.035(e), this design guideline is not applicable to the proposed development.

FINDINGS ADDRESSING APPLICABLE SALEM REVISED CODE APPROVAL CRITERIA FOR CLASS 3 SITE PLAN REVIEW

8. CLASS 3 SITE PLAN REVIEW APPROVAL CRITERIA

Site plan review is required for any development that requires a building permit, unless the development is identified as being exempt from site plan review under SRC 220.005(a)(2). Class 3 Site Plan Review is required for development proposals that involve a land use decision or limited land use decision as defined under ORS 197.015. Because the proposed development involves a Class 3 Design Review, a SWMU Zone Development Phasing Plan Modification, a Class 2 Adjustment, and a Class 2 Driveway Approach Permit the proposed site plan review must be processed as a Class 3 Site Plan Review.

Salem Revised Code (SRC) 220.005(f)(3) sets forth the following criteria that must be met before approval can be granted to an application for Class 3 Site Plan Review. The following subsections are organized with approval criteria shown in ***bold italic***, followed by findings evaluating the proposed development's conformance with the criteria. Lack of compliance with the following criteria is grounds for denial of the Class 3 Site Plan Review application, or for the issuance of certain conditions to ensure the criteria are met.

SRC 220.005(f)(3)(A): The application meets all applicable standards of the UDC.

Finding: The proposed development includes an approximate 55,293 square-foot, 72-bed, post-acute rehabilitation facility, approximately 3,936 square feet of ground floor commercial tenant space, and associated parking and vehicle circulation areas.

The subject property is designated "River Oriented Mixed-Use" on the Salem Area Comprehensive Plan Map and zoned SWMU (South Waterfront Mixed-Use). The allowed

uses and applicable development standards of the SWMU zone are set forth under SRC Chapter 531.

The proposed development conforms to SRC Chapter 531 and all other applicable development standards of the Salem Revised Code as follows:

SRC CHAPTER 531 (SWMU ZONE)

SRC 531.010(a) - Allowed Uses:

Allowed uses within the SWMU zone are identified under SRC 531.010(a), Table 531-1. The subject property is proposed to be developed as a 72-bed post-acute rehabilitation facility, together with approximately 3,936 square feet of ground floor commercial tenant space.

The City's Use Classification Chapter (SRC Chapter 400) classifies post-acute rehabilitation as falling under the Nursing Care use category (SRC 400.035(c)). Pursuant to SRC 531.010, Table 531-1, in-patient rehabilitation and recuperative care is specifically identified as a Nursing Care use that is permitted within the SWMU zone.

The SWMU zone also permits a variety of commercial uses such as Retail Sales, subject to the additional building size limitations set forth under SRC 531.010(c)(3), and Eating and Drinking Establishments, subject to the additional building size limitations set for under SRC 531.010(c)(4). The proposed 3,936 square-foot commercial tenant space included on the ground floor of the building does not exceed the maximum ground floor size limitations of either SRC 531.010(c)(3) or SRC 531.010(c)(4).

SRC 531.010(d) - Mix of Uses Required:

Within the SWMU zone a minimum of 15 percent of each development site must be developed with uses falling under Household Living and a minimum of 15 percent of each development site must be developed with uses falling under a use category other than Household Living.

Pursuant to 531.015(a), when the required mix of uses will be met in phases, a development phasing plan is required. Pursuant to SRC Chapter 400 (Use Classifications), both the proposed post-acute rehabilitation facility and the ground floor commercial tenant space are classified as uses other than Household Living. In order to fulfill the Household Living portion of the mix of uses required for development within the SWMU zone, a modification to the previously approved development phasing plan has been submitted in conjunction with the proposed development that includes the post-acute rehabilitation facility and the commercial tenant space proposed for the portion of the former Boise Cascade site located at 295 Commercial Street SE as well as the remaining portions of the Boise site that have been developed and those to be developed in the future.

Analysis of the proposed modified development phasing for conformance with the applicable approval criteria contained under SRC 531.020(d) is included in Section 9 of this report. As identified by the findings included in that section, the proposed modified development phasing plan provides a mix of Household Living and non-Household Living Uses that exceeds the minimum mix of uses required under SRC 531.010(d).

SRC 531.015 & SRC 531.020 - Development Phasing Plan & Development Phasing Plan Modifications:

The SWMU zone requires the approval of a development phasing plan when the required mix of uses for a development site will be met in phases. As previously discussed, a development phasing plan was previously approved for the subject property and the abutting property to the north. The proposed development includes a modification to the previously approved phasing plan that demonstrates how the required mix of uses within the zone will continue to be met through inclusion of the Household Living uses that were developed in the initial phases of the development of the former Boise site on the south block. Analysis of the modified development phasing plan and findings establishing its conformance with the applicable approval criteria contained under SRC 531.020(d) are included in Section 9 of this report.

SRC 531.025(a) - Lot Standards:

Lot standards within the SWMU zone are established under SRC 531.025(a), Table 531-2. Within the SWMU zone there are no minimum lot area, width, depth, or street frontage requirements.

SRC 531.025(b) - Setbacks:

Pursuant to SRC 531.025(b), Table 531-3, setbacks for buildings and accessory structures within the SMWU zone are based on the SWMU zone design review standards and design review guidelines set forth in SRC 531.035. Setback requirements for parking and vehicle use areas are based on the requirements of SRC Chapter 806 (Off-Street Parking, Loading, and Driveways). SRC 806.035(c) establishes perimeter setback requirements for parking and vehicle uses areas adjacent to streets, interior property lines, and buildings.

Findings establishing how the proposed building conforms to the applicable design review guidelines of the SWMU zone regarding setbacks are established under Section 7 of this report.

Based on the requirements of SRC Chapter 806.035(c), the off-street parking and vehicle use areas included within the development are required to have the following setbacks:

Parking & Vehicle Use Area Setbacks	
Abutting Street	
Min. 6 ft. to 10 ft. <i>(Per alternative setback methods under SRC 806.035(c)(2))</i>	Applicable abutting Commercial Street & Front Street.
Interior Side	
Min. 5 ft. with Type A Landscaping	Applicable abutting: <ul style="list-style-type: none"> ▪ North property line between 295 Commercial Street and 235 Front Street; ▪ South property line abutting creek

Parking & Vehicle Use Area Setbacks	
	parcel.
Interior Rear	
Min. 5 ft. with Type A Landscaping	Applicable abutting west property line abutting railroad right-of-way.
Adjacent to Building and Structures	
Min. 5 ft. (<i>Developed as either a landscape strip with Type A Landscaping or a paved pedestrian walkway</i>)	Applicable where a parking and vehicle use area is located adjacent to the perimeter of a building or structure.

As illustrated on the site plan for the development, the proposed parking and vehicular uses areas on the site meet or exceed the minimum 6-foot to 10-foot perimeter setback required abutting Commercial Street and Front Street, the minimum 5-foot interior side setback required abutting the south property line adjacent to the creek parcel, the minimum 5-foot interior rear setback required abutting the railroad right-of-way, and the minimum 5-foot-wide landscape strip or paved pedestrian walkway required between the proposed parking and vehicle use areas and the building.

The proposed parking and vehicle use areas do not, however, meet the minimum required 5-foot interior side setback abutting the north property line adjacent to the property at 235 Front Street SE. A Class 2 Adjustment has been requested by the applicant to eliminate the required parking and vehicle use area setback abutting the north property line. Analysis of the Class 2 Adjustment request and findings demonstrating conformance with the Class 2 Adjustment approval criteria are included in Section 10 of this report.

SRC 531.025(c) - Lot Coverage:

Lot coverage requirements within the SWMU zone are established under SRC 531.025(c), Table 531-4. Within the SWMU zone there is no maximum lot coverage for buildings and accessory structures.

SRC 531.025(c) - Height:

Height requirements for buildings and accessory structures within the SWMU zone are established under SRC 531.025(c), Table 531-4. Within the SWMU zone there are no minimum or maximum height restrictions for buildings or accessory structures.

SRC CHAPTER 806 (OFF-STREET PARKING, LOADING, & DRIVEWAYS)

SRC Chapter 806 establishes requirements for off-street parking, loading, and driveways. Included in the chapter are standards for minimum and maximum off-street vehicle parking; minimum bicycle parking; minimum loading; and parking, bicycle parking, loading, and driveway development standards.

Off-Street Parking:

Minimum Off-Street Vehicle Parking. Minimum off-street vehicle parking requirements are established under SRC Chapter 806, Table 806-1. The minimum off-street parking requirement for the proposed development is as follows:

Minimum Off-Street Parking		
Nursing Care	1 space per 3 beds	Applicable to post-acute care facility
Eating and Drinking Establishments	1 space per 250 ft. ²	Applicable to commercial tenant space of building
Retail Sales	1 space per 250 ft. ²	

Maximum Off-Street Vehicle Parking. Maximum off-street vehicle parking requirements are established under SRC Chapter 806, Table 806-2. The maximum number of allowed parking spaces is based upon the minimum number of spaces required for the proposed development. If the minimum number spaces required equals 20 spaces or less, the maximum allowed parking is 2.5 times the minimum number of spaces required. If the minimum number of spaces required equals more than 20 spaces, the maximum allowed parking is 1.75 times the minimum number of spaces required.

Based on the above identified minimum and maximum off-street parking requirements, the proposed 72-bed post-acute rehabilitation facility and the 3,936 square-foot ground floor commercial tenant space result in the following off-street parking requirement:

Off-Street Parking Summary			
Use	Minimum Spaces Req.	Maximum Spaces	Spaces Provided
Post-Acute Care	24		
Commercial Tenant Space	16		
Total:	40	70	54

As shown on the site plan for the proposed development, a total of 54 parking spaces are provided for the proposed post-acute rehabilitation facility and commercial tenant space. The 54 parking spaces provided exceed the minimum 40 spaces required for the development but also do not exceed the maximum 70 spaces allowed. The proposed development therefore conforms to off-street parking requirements.

Compact Parking. SRC 806.015(b) allows for the utilization of compact parking stalls to satisfy up to 75 percent of the required off-street parking spaces.

The proposed development includes a total of 33 compact parking spaces. The 33 compact parking spaces proposed equal approximately 61 percent of the overall 54 spaces provided; therefore, not exceeding the maximum 75 percent limit.

The proposed compact spaces within the development do not exceed the maximum number of spaces allowed and therefore conform to this standard.

Parking Area Interior Landscaping. SRC 806.035(d) establishes interior landscaping requirements for parking areas greater than 5,000 square feet in size. As indicated on the

site area calculations plan (**Attachment C**), the proposed off-street parking area totals approximately 18,578 square feet in size. Pursuant to SRC 806.035(d)(2), Table 806-5, parking areas less than 50,000 square feet in size are required to provide a minimum of 5 percent interior landscaping.

A summary of the parking area interior landscaping required and provided for the proposed development is provided in the table below.

Summary of Parking Area Interior Landscaping		
Parking Area Size	Interior Landscaping Required	Interior Landscaping Provided ⁽¹⁾
18,578 ft. ²	929 ft. ²	1,613 ft. ²
(1) Pursuant to SRC 806.035(d)(2), the interior landscaping total identified above includes only landscaping provided within the interior landscape islands of the parking area. It does not include perimeter landscaped setbacks or landscape strips separating the off-street parking area from the proposed building.		

As evidenced by the table above, the parking area for the proposed development includes interior landscaping which exceeds the minimum landscaping requirements of SRC 806.035(d)(2).

In addition to requiring a specific percentage of the area of an off-street parking area to be landscaped, SRC 806.035(d)(3) requires a minimum of 1 deciduous shade tree to be planted within the off-street parking area for every 12 parking spaces provided. As indicated on the site plan for the development, the proposed post-acute rehabilitation facility and commercial tenant space include a total of 54 parking spaces. Based on the minimum tree planting requirement of 1 tree for every 12 parking spaces, the proposed parking area is required to include a minimum of 5 deciduous shade trees. As shown on the landscaping plan for the development, a total of 7 deciduous shade trees are provided within the proposed parking area which exceeds the parking area tree planting requirements of SRC 806.035(d)(3).

Bicycle Parking:

Minimum Bicycle Parking. Minimum bicycle parking requirements are established under SRC Chapter 806, Table 806-8. The minimum bicycle parking requirement for the proposed development is as follows:

Minimum Bicycle Parking		
Nursing Care	1 space per 30 beds	Applicable to post-acute care facility
Eating and Drinking Establishments	The greater of 4 spaces or 1 space per 1,000 ft. ²	Applicable to commercial tenant space of building
Retail Sales	The greater of 4 spaces or 1 space per 10,000 ft. ²	

Based on the above identified minimum bicycle parking requirements, the proposed 72-bed post-acute rehabilitation facility and the 3,936 square-foot ground floor commercial tenant space result in the following bicycle parking requirement:

Bicycle Parking Summary		
Portion of Development Site	Minimum Spaces Req.	Spaces Provided
Post-Acute Care	2	
Commercial Space	4	
Total:	6	8

As shown on the site plan for the proposed development and summarized in the table above, a total of 8 bicycle parking spaces are provided for the development; therefore, satisfying minimum bicycle parking requirements. Four of the eight spaces provided are for the proposed post-acute care facility and are located outside the building adjacent to the primary entrance into that portion of the building. The remaining four spaces are for the proposed commercial tenant space and are located between the building and the public sidewalk on Commercial Street.

Bicycle Parking Location. SRC 806.060(a)(1) requires bicycle parking areas to be located outside the building and located within a convenient distance of, and clearly visible from, the primary entrance of a building, but in no event shall the bicycle parking area be located more than 50 feet from the primary building entrance.

As shown on the site plan, the eight proposed bicycle parking spaces provided within the development are distributed on the site so there are four spaces located within 50 feet of the primary entrance into the post-acute care facility and four spaces within 50 feet of the primary entrances into the proposed ground floor commercial tenant space. All of the proposed spaces will be clearly visible from the building entrances as required by SRC 806.060(a)(1).

Bicycle Parking Access. SRC 806.060(b) requires bicycle parking areas to have direct and accessible access to the public right-of-way and the primary building entrance that is free of barriers which would require users to lift their bikes in order to access the bicycle parking area. As shown on the proposed site plan, the four bike spaces proposed outside the entrance into the post-acute care portion of the building can be accessed via a barrier free route that includes the sidewalk on the south side of the building which connects between the bicycle spaces near the building entry and the public sidewalk on Commercial Street. The four bike spaces proposed for the ground floor commercial tenant space can also be accessed via a barrier route that includes direct access from the public sidewalk on Commercial Street.

Bicycle Parking Dimensions. SRC 806.060(c) requires bicycle parking spaces to be a minimum of 2 feet in width by 6 feet in length and served by a minimum 4-foot-wide access aisle. Per SRC 806.060(c)(2) access aisles may be located within the public right-of-way.

As shown on the proposed site plan, the four proposed bike spaces serving the post-acute care facility are each a minimum of two feet in width, six feet in length, and served by an access aisle which exceeds four feet in conformance with the requirements of SRC 806.060(c).

The four proposed bike spaces serving the ground floor commercial tenant space each meet the minimum 6-foot length requirement, but the minimum required 4-foot access aisle serving the bike spaces located adjacent to the southeast entrance into the building appears to project into the entry area into the building; and it is currently unclear from the site plan whether the minimum required 2-foot space width will be maintained for those spaces located between the racks and the abutting wall of the building. In order to ensure the bike parking spaces for the ground floor commercial tenant space will conform to the bike parking dimension requirements of SRC 806.060(c), the following condition of approval shall apply:

- Condition 1:** The bicycle parking spaces provided for the ground floor commercial tenant space shall be located to conform to the bicycle parking space dimension requirements of SRC 806.060(c), including:
- a) Ensuring that a minimum 4-foot-wide access aisle is provided to serve the spaces without projecting into the required entrance area into the building; and
 - b) Maintaining a minimum required 2-foot bike parking space width between racks and an abutting building wall.

The proposed bike parking spaces, as recommended to be conditioned, will conform to the space size and access aisle width requirements of SRC 806.060(c).

Bicycle Parking Area Surfacing. SRC 806.060(d) requires bicycle parking spaces located outside a building to consist of a hard surface material meeting the Public Works Design Standards. As shown on the site plan, the proposed bike parking spaces will be located on concrete paved areas in conformance with this standard.

Bicycle Racks. SRC 806.060(e) establishes requirements for bicycle racks. Based upon these standards, bicycle racks are required to:

- Support the bicycle frame in a stable position in at least two or more places a minimum of six inches horizontally apart;
- Allow the bicycle frame and at least one wheel to be located to the rack with a high security U-shaped shackle lock;
- Be of a material that resists, cutting, rusting, and bending or deformation; and
- Be securely anchored.

As shown on the plans and indicated in the applicant's written statement, staple/inverted style bike racks will be provided. The proposed bike racks conform to the design/style and material requirements of SRC 806.060(e) and will be securely anchored.

Loading:

Minimum loading requirements are established under SRC Chapter 806, Table 806-9.

The minimum loading requirement for the proposed development is as follows:

Minimum Loading		
Nursing Care	Buildings 5,000 ft. ² to 60,000 ft. ²	Min. 1 space (12 ft. W x 30 ft. L x 14 ft. H)
Eating and Drinking Establishments	Buildings Less than 5,000 ft. ²	None
Retail Sales	Buildings Less than 5,000 ft. ²	

Based on the above identified minimum off-street loading requirements, the proposed 72-bed (55,293 square-foot) post-acute rehabilitation facility and the 3,936 square-foot ground floor commercial tenant space result in a minimum of one off-street loading space being required. As shown on the site plan for the proposed development, an off-street loading space is provided adjacent to the northwest corner of the building in proximity to the proposed trash enclosure area.

The loading space conforms to the minimum required width of 12 feet, the minimum required depth of 30 feet, and the minimum required clearance height of 14 feet.

SRC 800.055 (SOLID WASTE SERVICE AREAS)

SRC 800.055 establishes standards that apply to all new solid waste, recycling, and compostable service areas, where use of a solid waste, recycling, and compostable receptacle of 1 cubic yard or larger is proposed.

As shown on the site plan, an uncovered trash/recycling area to serve the proposed development is located on the western half of the site to the rear of the proposed building. The trash/recycling area is enclosed by a minimum 8-foot-tall wall, has an interior dimension within the enclosure of approximately 16 feet in width by 14.5 feet in depth, is free of vertical obstructions above the receptacles, and includes an unobstructed vehicle operation area that is approximately 16 feet in width by 45 feet in length.

The proposed trash/recycling area appears to meet the applicable standards of SRC Chapter 800.055. At the time of building permit review, the location and features of the proposed trash/recycling area will be reviewed for conformance with applicable development standards of SRC 800.055. In order to ensure the proposed trash/recycling area conforms to the applicable standards of SRC 800.055, the following condition of approval shall apply:

Condition 2: The trash/recycling area shall conform to the solid waste service area standards of SRC 800.055.

SRC 800.065 (PEDESTRIAN ACCESS)

SRC 800.065 establishes standards for pedestrian access to buildings and through development sites. Under this section, pedestrian connections are required:

- (1) Between building entrances and streets;

- (2) Between buildings on the same development site;
- (3) Through off-street surface parking areas greater than 25,000 square feet in size or including four or more consecutive parallel drive aisles;
- (4) Through parking structures/parking garages where an individual floor of the parking structure or garage exceeds 25,000 square feet in size;
- (5) To existing or planned paths and trails; and
- (6) To abutting properties when shared vehicular access is provided between them.

As provided under SRC 800.065, the above pedestrian access standards apply to all developments, other than residential developments, except in those circumstances where pedestrian access standards are provided elsewhere in the UDC.

The SWMU zone includes its own set of pedestrian access standards. As such, the pedestrian access standards of SRC 800.065 are not applicable to the proposed development. The proposed development still, however, provides pedestrian connectivity between proposed primary building entrances and the street, to the adjacent development to the north, and around a majority of the proposed building.

SRC CHAPTER 808 (PRESERVATION OF TREES & VEGETATION)

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."

There are no trees located on the subject property, but there are, however, street trees located adjacent to the subject property within the right-of-way of Front Street SE. Because there are no trees located on the subject property, the tree preservation requirements of SRC Chapter 808 are not applicable to the proposed development.

SRC CHAPTER 809 (WETLANDS):

According to the Salem-Keizer Local Wetlands Inventory (LWI), the subject property does not contain any mapped wetlands or waterways.

SRC CHAPTER 810 (LANDSLIDE HAZARDS)

According to the City's adopted landslide hazard susceptibility maps, the subject property does not contain any mapped landslide hazard susceptibility points. Pursuant to the City's landslide hazard ordinance (SRC Chapter 810), a geologic assessment is therefore not required in conjunction with the proposed development.

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: The subject property abuts Commercial Street SE and Front Street SE. Commercial Street is designated as a Major Arterial street within the City's Transportation

System Plan (TSP) requiring a 68-foot-wide improvement within a 96-foot-wide right-of-way. Commercial Street is currently improved to an approximate width of 59 feet within a 96-foot-wide right-of-way abutting the subject property.

Front Street is designated as a Parkway street within the TSP and is under the jurisdiction of the Oregon Department of Transportation. Front Street SE is fully developed.

As indicated in the comments from the Public Works Department (**Attachment G**), Commercial Street SE is fully developed and exceeds the right-of-way width pursuant to the Salem TSP. It is approved as an alternative street standard for pavement width pursuant to SRC 803.065(a) because it is fully developed; therefore, no additional street improvements are required as a condition of the proposed development.

Commercial Street does not, however, currently include street trees as required under SRC Chapter 86. In order to ensure that street trees are provided as required under SRC Chapter 806 along the Commercial Street frontage of the property, the following condition of approval shall apply:

Condition 3: Provide street trees to the maximum extent feasible along the frontage of Commercial Street SE.

The proposed development, as recommended to be conditioned, conforms to this approval criterion.

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

Finding: Vehicular access to the proposed development is provided via an entrance only driveway off Commercial Street SE and a shared two-way driveway off Front Street SE. Pedestrian access to and throughout the interior of the development is provided by a network of pedestrian pathways/sidewalks distributed throughout the site.

The driveway approach onto Front Street represents a consolidation of two prior existing driveway approaches into a single approach. As indicated in the comments from the Public Works Department (**Attachment G**), the shared driveway access onto Front Street SE provides for safe turning movements into and out of the subject property.

The existing driveway approach onto Commercial Street SE also provides for safe turning movements into the property. However, because this driveway is also needed for fire department access to the proposed building and the site, the width of the driveway is proposed to be widened to 20 feet in order to accommodate minimum fire department access width.

The proposed development provides for the safe and efficient movement of vehicles, bicycles, and pedestrians into and out of the proposed development. This approval criterion is met.

SRC 220.005(f)(3)(D): 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 the proposed development. Water, sewer, and stormwater infrastructure are available within surrounding streets / areas and are adequate to serve the proposed development. The applicant shall design and construct all utilities (sewer, water, and storm drainage) according to the Public Works Design Standards (PWDS) and to the satisfaction of the Public Works Director.

In regard to stormwater facilities, the preliminary stormwater design demonstrates the use of green stormwater infrastructure. However, initial City review of the preliminary design demonstrates that additional changes may be needed to provide sufficient capacity for flow control and treatment. Given the proximity of the subject property to the Willamette River, the applicant may be able to obtain approval from the Public Works Director for a fee-in-lieu of improvements pursuant to SRC 71.025. In order to ensure that the proposed development will be adequately served with stormwater facilities, the following condition of approval shall apply:

Condition 4: Design and construct a storm drainage system at the time of development in compliance with Salem Revised Code (SRC) Chapter 71 and the Public Works Design Standards (PWDS) in effect at the time of application submittal or obtain approval from the Public Works Director for a fee-in-lieu of improvements pursuant to SRC 71.025.

The proposed development, as recommended to be conditioned, satisfies this approval criterion.

FINDINGS ADDRESSING APPLICABLE SALEM REVISED CODE APPROVAL CRITERIA FOR SWMU ZONE DEVELOPMENT PHASING PLAN MODIFICATION

9. SWMU ZONE DEVELOPMENT PHASING PLAN MODIFICATION APPROVAL CRITERIA

Salem Revised Code (SRC) 531.020(d) sets forth the following criteria that must be met before approval can be granted to a modification of a SWMU Zone Development Phasing Plan. The following subsections are organized with approval criteria shown in ***bold italic***, followed by findings evaluating the proposed development's conformance with the criteria. Lack of compliance with the following criteria is grounds for denial of the SWMU Zone Development Phasing Plan modification, or for the issuance of certain conditions to ensure the criteria are met.

SRC 531.020(d)(1): The proposed modification maintains a mix of uses, as required under SRC 531.010(d).

Finding: Within the SWMU zone, pursuant to SRC 531.015(d), a minimum of 15 percent of each development site must be developed with uses falling under Household Living and a minimum of 15 percent of each development site must be developed with uses falling under a use category other than Household Living.

As provided under 531.015(a), when the required mix of uses will be met in phases, a development phasing plan is required. Pursuant to SRC Chapter 400 (Use Classifications), both the post-acute rehabilitation facility and the commercial tenant space

included within the proposed development are classified as uses other than Household Living. In order to fulfill the Household Living portion of the mix of uses required for development within the SWMU zone, a development phasing plan was previously approved for the subject property and the abutting property to the north.

The proposed development includes a modification (**Attachment B**) to the previously approved phasing plan that demonstrates how the required mix of uses within the zone will continue to be met through inclusion of the Household Living uses that were developed in the initial phases of the development of the former Boise site on the south block.

As indicated on the modified development phasing plan, the proposed mix of uses provided on the former Boise Cascade site when both the south block and north block developments are considered is summarized in the table below.

Proposed Mix of Uses					
		Household Living Uses		Non-Household Living Uses	
	<i>Total Square Footage</i>	<i>Household Living Square Footage</i>	<i>Percentage</i>	<i>Non-Household Living Square Footage</i>	<i>Percentage</i>
South Block Apartments Phase 1	152,226	139,461		12,765	
South Block Apartments Phase 2	72,386	72,386		0	
Park Front North Block	24,000	0		24,000	
Marquis North Block	59,226	0		59,226	
Totals:	307,838	211,847	68.8%	95,991	31.2%

As identified by the above table, the resulting mix of Household Living and Non-Household Living uses that will be developed under the proposed modified phasing plan equals approximately 69 percent Household Living and approximately 31 percent Non-Household living. The proposed modified development phasing plan maintains a household living/non-household living mix in excess of the minimum 15 percent/15 percent mix required under SRC 531.010(d). The proposed modified development phasing plan therefore conforms to this approval criterion.

SRC 531.020(d)(2): The proposed modification will not result in parking, landscaping, on-site circulation, and other on-site improvements being provided in a manner that prevents them from functioning both independently for each phase and cohesively as a whole following complete build out of the development site.

Finding: The south block of the former Boise Cascade site is developed and functions independently from the development proposed on the north block due to the separation of

the sites by Pringle Creek. The northern portion of the north block is currently developed with a four-story office building and the southern portion of the north block is proposed to be developed with a post-acute rehabilitation facility and ground floor commercial tenant space.

Due to the smaller size and configuration of the two parcels which comprise the north block and access limitations to Front Street, the two developments on the north block will share access and on-site circulation as well as stormwater management facilities. As shown on the modified development phasing plan, the parking, landscaping, on-site circulation, and other on-site improvements for both developments are provided in a manner that will allow them to function both independently for each phase and cohesively as a whole following complete buildout of the site. The proposed modified development phasing plan conforms to this approval criterion.

SRC 531.020(d)(3): The plan appears to be consistent with the applicable provisions of this chapter.

Finding: The south block and the northern portion of the north block of the former Boise Cascade site are developed and were reviewed for conformance with the provisions of the SWMU zone as part of the design review and site plan review approvals required for development of those portions of the site. Development of the southern portion of the north block is currently in review for conformance with the applicable requirements of the SWMU zone.

As identified by the findings included in this report, the proposed post-acute rehabilitation facility and commercial tenant space, as recommended to be conditioned, conform to the applicable design review requirements and development standards of the SWMU zone. The proposed modified development phasing plan conforms to this approval criterion.

SRC 531.020(d)(4): The proposed modification does not affect the provision of adequate city infrastructure and public utilities to serve the project.

Finding: The proposed modification to the development phasing plan does not affect the adequacy or availability of city infrastructure and public utilities necessary to serve the project. As indicated in the comments from the Public Works Department (**Attachment G**), water, sewer, and storm infrastructure are available within surrounding streets/areas and are adequate to serve the development. The proposed modified development phasing plan conforms to this approval criterion.

FINDINGS ADDRESSING APPLICABLE SALEM REVISED CODE APPROVAL CRITERIA FOR CLASS 2 ADJUSTMENT

10. CLASS 2 ADJUSTMENT APPROVAL CRITERIA

Salem Revised Code (SRC) 250.005(d)(2) sets forth the following criteria that must be met before approval can be granted to an application for a Class 2 Adjustment. The following subsections are organized with approval criteria shown in ***bold italic***, followed by findings evaluating the proposed development's conformance with the criteria. Lack of

compliance with the following criteria is grounds for denial of the Class 2 Adjustment application, or for the issuance of certain conditions to ensure the criteria are met.

SRC 250.005(d)(2)(A): The purpose underlying the specific development standard proposed for adjustment is:

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

Finding: The applicant has requested two Class 2 Adjustments in conjunction with the proposed development. The adjustments include:

- a) A proposed elimination of the minimum 5-foot parking and vehicle use area setback required, pursuant to SRC 806.035(c)(3) and SRC 806.080(b)(2), between the proposed parking spaces and loading area and the north property line; and
- b) A proposed reduction to the minimum 370-foot spacing required, pursuant to SRC 804.035(d), between both the proposed driveway onto Commercial Street SE and Front Street SE and between the proposed driveway onto Commercial Street SE and the nearest driveway to the south.

Elimination of Parking & Loading Area Setback Abutting Interior Side Property Line (SRC 806.035(c)(3) & SRC 806.080(b)(2)):

The written statement provided by the applicant (**Attachment F**) indicates that off-street parking and vehicle use area setbacks found in SRC 806.045(c)(3) requires a minimum 5-foot landscape perimeter setback at interior front, side and rear property lines. The proposed development shares vehicular access with the adjacent property to the north. This reciprocal agreement allows joint use of the right-in only driveway on Commercial Street located on the development site and the right-in/right-out driveway on Front Street located on the 235 Front Street site as well as vehicle circulation into, through, and out of their development sites. The subject development was previously granted this same adjustment type in 2016 when a previous development proposal for the same use but different building design was proposed and approved. As was argued with that approval, the purpose of interior side yard setbacks is to provide visual buffering designed to separate and protect incompatible uses, the proposed Marquis development and the existing Park Front commercial office are not incompatible, they are both commercial in nature and complement one another. By approving the request the City will maintain the previous approval which was also afforded to the Park Front development and will allow the Marquis proposal to provide some parking in closer proximity to the commercial retail use which allowing greater landscaped setbacks to Front Street and the public sidewalk which is equal or better than strictly adhering to the standard.

Staff concurs with the findings included in the applicant's written statement. Because the proposed development and the existing development to the north will share on-site access and circulation, providing a landscaped setback between the parking and loading area and the north property line would act to encumber the shared access between them. While the requested adjustment eliminates the landscaping required between the vehicle use area and the north property line, what is lost in landscaping

between the two properties is made up for with additional landscaping along Front Street; thereby equally meeting one of the purposes underlying this standard by providing sufficient landscaping within the off-street parking area. This approval criterion is met.

Reduction to Driveway Spacing (SRC 804.035(d)):

The written statement provided by the applicant (**Attachment F**) indicates that the driveway approach standards found in SRC 804 provide recommended design standards for new, modified and reconstructed driveway approaches accessing public streets. The development site contains a single driveway taking access from Commercial Street a major arterial. The development site is located on a corner with street frontage on Commercial street as noted and Front Street (designated as parkway), so the driveway approach location takes access from the lower classification as preferred. The existing driveway approach is relatively new and was constructed as part of a City of Salem public improvement project a few years ago; however, the approach was not constructed to City Standards for commercial driveway approaches providing one-way travel for all vehicle types, including emergency services triggering the need for replacement to allow widening from 15.4 feet to 20 feet to accommodate first responders. The reason for the adjustment is that SRC 804.035(d) requires "driveway approaches providing direct access to a major or minor arterial shall be no less than 370 feet from the nearest driveway or street intersection measured from center line to center line", the existing driveway approach provides approximately 137 feet to the nearest intersection (center line to center line) which is Front Street on the north side of the site. The existing and proposed driveway approach is/will be located as far from the intersection as possible adjacent to the south property line as the site width is just over 103 feet. The change is minimal and will not create additional hazards.

Staff concurs with the findings included in the applicant's written statement. The width of the existing driveway approach onto Commercial does not currently meet the minimum required width in order to accommodate required fire department access to the site. As such, the applicant is proposing to widen the existing driveway approach to 20 feet which in-turn requires the driveway to be reviewed for conformance with the driveway approach standards, including spacing, included under SRC Chapter 804. Due to the configuration of the property and its adjacency to Front Street, which has limited access due to its classification as a Parkway street under the City's Transportation System Plan (TSP), the only feasible driveway access to the property is from the existing driveway approach onto Commercial Street SE. The site's limited frontage on Commercial street frontage further limits where the driveway approach can be located. As shown on the site plan, the proposed driveway approach is located as far south on the property's Commercial Street frontage as possible while still maintaining the minimum required 5-foot landscaped setback abutting the south property line. This results in the maximum possible spacing from Front Street to the north and the maximum possible spacing from the nearest driveway onto Commercial Street to the south. Comments from the Public Works Department (**Attachment G**) indicate that the driveway is for one-way ingress to the site and that the proposed configuration meets the adjustment criteria by allowing for turning movements and traffic safety equal to what would be accomplished by otherwise meeting the development standard. This approval criterion is met.

SRC 250.005(d)(2)(B): If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.

The written statement provided by the applicant (**Attachment F**) indicates, in summary, that the development site is part of a mixed-use zone that allows both residential and commercial uses, but the areas of the site where the requested adjustments apply is not adjacent to any residential developments. As a result, approving the requested adjustments will not detract from the livability or appearance of the residential area.

Finding: Staff concurs with the findings included in the applicant's written statement. The subject property is zoned SWMU (South Waterfront Mixed-Use) and located in the downtown adjacent to Riverfront Park and the CB (Central Business District) zone.

Though the SWMU zone allows residential use and there is existing residential development located across Pringle Creek to the south of the subject property, the SWMU zone is classified as a mixed-use zone rather than a residential zone. Because the subject property is not located within a residential zone, and because it's located in an area characterized predominantly by non-residential rather than residential use, this approval criterion is not applicable to the proposed adjustments.

SRC 250.005(d)(2)(C): If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone.

The written statement provided by the applicant (**Attachment F**) indicates that there are two adjustments requested and they are the minimum needed. If approved there are no known impacts as both deviations will provide a development that remains consistent with the existing area and neighboring developments, and maintain current conditions on Commercial street. The requested adjustments will not affect developments within the zone nor any future development plans in the SWMU zone.

Finding: Staff concurs with the findings included in the applicant's written statement. As identified under SRC 531.001, the purpose of the SMMU zone is to implement the River-Oriented Mixed-Use designation of the Salem Area Comprehensive Plan through identification of allowed uses and the establishment of development standards to further economic development and support the creation of a vibrant downtown. It is further explained that the SWMU zone is intended to provide for a mixture of uses developed in a manner that promotes an active and inviting pedestrian environment, and that takes advantage of the close proximity to Pringle Creek, Riverfront Park, the Willamette River, and the downtown.

Though two adjustments have been requested in conjunction with the proposed development the adjustments will not cumulatively result in a project that is inconsistent with the overall purpose of the SWMU zone.

The requested adjustments are the minimum necessary and will provide a consistent and cohesive development that will benefit other existing developments within the SWMU zone, area streets and roadways, and the community as a whole. This approval criterion is met.

FINDINGS ADDRESSING APPLICABLE SALEM REVISED CODE APPROVAL CRITERIA FOR CLASS 2 DRIVEWAY APPROACH PERMIT

11. CLASS 2 DRIVEWAY APPROACH PERMIT APPROVAL CRITERIA

Salem Revised Code (SRC) 804.025(d) sets forth the following criteria that must be met before approval can be granted to an application for a Class 2 Driveway Approach Permit. The following subsections are organized with approval criteria shown in ***bold italic***, followed by findings evaluating the proposed development's conformance with the criteria. Lack of compliance with the following criteria is grounds for denial of the Class 2 Driveway Approach Permit, or for the issuance of certain conditions to ensure the criteria are met.

SRC 804.025(d)(1): The proposed driveway approach meets the standards of this chapter and the Public Works Design Standards;

Finding: The Public Works Department reviewed the proposed driveway approach for conformance with the requirements of SRC Chapter 804 and provided comments indicating that, with the approved adjustment for driveway spacing, the proposed driveway approach meets the standards of SRC Chapter 804 and the Public Works Design Standards. This approval criterion is met.

SRC 804.025(d)(2): No site conditions prevent placing the driveway approach in the required location;

The written statement provided by the applicant (**Attachment F**) indicates that the proposed driveway will replace an existing driveway; there are no site conditions or design constraints that preclude it remaining in the same location.

Finding: The Public Works Department reviewed the proposal and provided comments indicating that other than the existing bridge and creek located to the south of the existing driveway, there are no site conditions prohibiting the location of the proposed driveway. This approval criterion is met.

SRC 804.025(d)(3): The number of driveway approaches onto an arterial are minimized;

The written statement provided by the applicant (**Attachment F**) indicates that there is a single driveway providing right-in access only, the other roadway that fronts the development site is designated as a parkway.

Finding: Staff concurs with the findings included in the applicant's written statement. Commercial Street is designated as a Major Arterial street under the TSP. There is one existing driveway approach from the property onto Commercial Street. No additional driveway approaches are proposed. This approval criterion is met.

SRC 804.025(d)(4): The proposed driveway approach, where possible:

(A) Is shared with an adjacent property; or

(B) Takes access from the lowest classification of street abutting the property;

The written statement provided by the applicant (**Attachment F**) indicates that the existing driveway takes access from the lowest classification of street that abuts the development site.

Finding: Staff concurs with the findings included in the applicant's written statement. The existing driveway takes access from the lowest classification of street that abuts the property. This approval criterion is met.

SRC 804.025(d)(5): The proposed driveway approach meets vision clearance standards;

The written statement provided by the applicant (**Attachment F**) indicates that there is no vision clearance for the replacement driveway as it will be right-in only from a one-way street.

Finding: Staff concurs with the findings included in the applicant's written statement. The driveway onto Commercial Street is a right-in only driveway. The proposed driveway approach meets the vision clearance standards of SRC Chapter 805. This approval criterion is met.

SRC 804.025(d)(6): The proposed driveway approach does not create traffic hazards and provides for safe turning movements and access;

The written statement provided by the applicant (**Attachment F**) indicates that no traffic hazards are anticipated with the driveway location; the right-in only access further reduces the number of turning movements. The proposed 20-foot width provides adequate right-in maneuvering.

Finding: Staff concurs with the findings included in the applicant's written statement. The Public Works Department reviewed the proposed driveway approach for conformance with the requirements of SRC Chapter 804 and indicated that no evidence has been submitted to indicate that the proposed driveway will create traffic hazards or unsafe turning movements. Additionally, staff analysis of the proposed driveway indicates that it will not create a traffic hazard and will provide for safe turning movements for access to the subject property. This approval criterion is met.

SRC 804.025(d)(7): The proposed driveway approach does not result in significant adverse impacts to the vicinity;

The written statement provided by the applicant (**Attachment F**) indicates that the proposal is to replace the existing driveway with no location change. It is not anticipated to result in significant adverse impacts within the vicinity of the site.

Finding: Staff concurs with the findings included in the applicant's written statement. The Public Works Department reviewed the proposed driveway approach and indicated that staff analysis of the proposed driveway and the evidence that has been submitted indicate that the location of the proposed driveway will not have any adverse impacts to the adjacent properties or streets. This approval criterion is met.

SRC 804.025(d)(8): The proposed driveway approach minimizes impact to the functionality of adjacent streets and intersections; and

The written statement provided by the applicant (**Attachment F**) indicates that the driveway approach will have limited access and utilizes the existing location to minimize impacts to the functionality of adjacent streets and the intersection at the northeastern corner of the site.

Finding: Staff concurs with the findings included in the applicant's written statement. The Public Works Department reviewed the proposed driveway approach and provided comments indicating that the proposed driveway approach minimizes the impact to adjacent streets and intersections by providing one-way only ingress to the site. This approval criterion is met.

SRC 804.025(d)(9): The proposed driveway approach balances the adverse impacts to residentially zoned property and the functionality of adjacent streets.

The written statement provided by the applicant (**Attachment F**) indicates that the underlying zoning in the area of the development site is mixed-use, commercial or public service. The driveway approach provides right-in only access to the development from a one-way street. The design of the development utilizes an existing driveway on a neighboring property for egress as well as allowing for a secondary access point in order to reduce adverse impacts.

Finding: Staff concurs with the findings included in the applicant's written statement. The proposed development is located on property that is zoned SWMU (South Waterfront Mixed-Use). The zoning of properties in the surrounding area is non-residential. The proposed driveway approach is therefore not located in the vicinity of a residentially zoned area. The proposed driveway approach will not have an adverse effect on the functionality of the adjacent streets. This approval criterion is met.

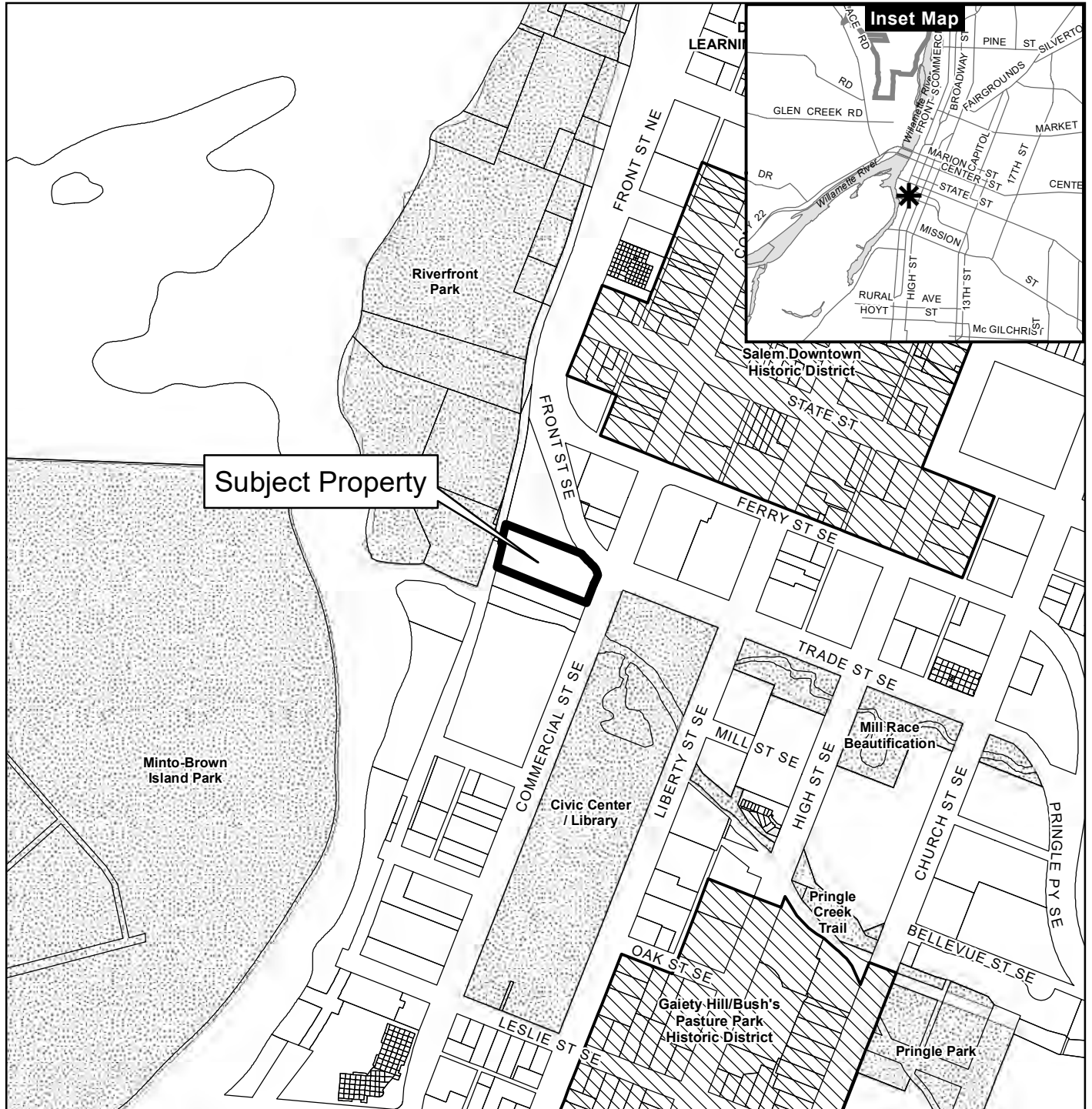
CONCLUSION

Based on the facts and findings presented herein, the proposed Class 3 Design Review, Class 3 Site Plan Review, SWMU Zone Development Phasing Plan Modification, Class 2 Adjustment, and Class 2 Driveway Approach Permit as conditioned, satisfy the applicable criteria contained under SRC 225.005(e)(2), SRC 220.005(f)(3), SRC 531.020(d), SRC 250.005(d)(2), and SRC 804.025(d) for approval.

- Attachments:
- A. Vicinity Map
 - B. Proposed Modified SWMU Zone Development Phasing Plan
 - C. Proposed Site Plans and Landscape Plans
 - D. Proposed Utility Plans
 - E. Proposed Building Elevations & Architectural Renderings
 - F. Applicant's Written Statement
 - G. Public Works Department Comments
 - H. Oregon Department of Transportation (ODOT) Comments
 - I. Public Comments






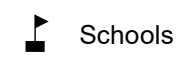

Prepared by Bryce Bishop, Planner III

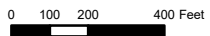
Vicinity Map 295 Commercial Street SE



Subject Property

Legend

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



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LAND USE DRAWING INDEX	
SHEET #	SHEET NAME
ARCHITECTURAL	
SD-00	SWMU ZONE DEVELOPMENT PHASING
SD-01	OVERALL SITE PLAN
SD-02	ENLARGED SITE PLAN
SD-03	SITE AREA CALCULATIONS
SD-04	EXTERIOR ELEVATIONS & MATERIALS
SD-05	EXTERIOR ELEVATIONS
SD-06	SITE ELEMENTS
SD-07	FLOOR PLANS
SD-08	FLOOR PLANS
SD-09	RENDERING
SD-10	RENDERING
CIVIL	
C1.0	COVER SHEET
C2.0	EXISTING CONDITIONS & DEMOLITION PLAN
C3.0	TENTATIVE SITE PLAN
C4.0	TENTATIVE COMPOSITE UTILITY PLAN
C5.0	TENTATIVE GRADING AND DRAINAGE PLAN
C6.0	LIMITS OF WILLAMETTE GREENWAY
LANDSCAPE	
L1.00	TREE PLAN
L1.01	MATERIALS PLAN
L2.01	SOILS PLAN
L3.01	PLANTING PLAN
L4.01	IRRIGATION PLAN
L5.01	CONSTRUCTION DETAILS
L5.02	PLANTING DETAILS
L5.03	IRRIGATION DETAILS

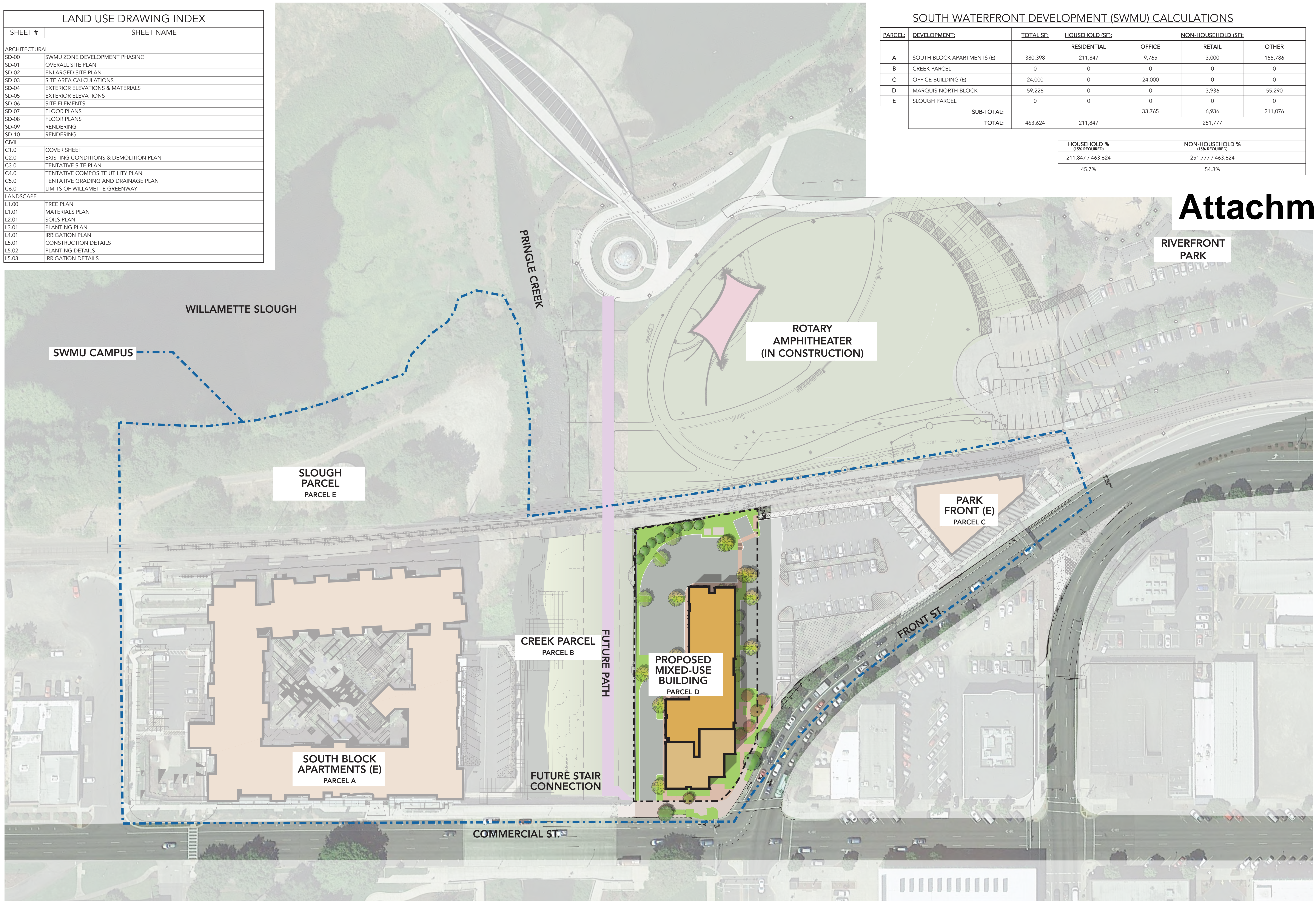
SOUTH WATERFRONT DEVELOPMENT (SWMU) CALCULATIONS

PARCEL:	DEVELOPMENT:	TOTAL SF:	HOUSEHOLD (SF):			
			RESIDENTIAL	OFFICE	RETAIL	OTHER
A	SOUTH BLOCK APARTMENTS (E)	380,398	211,847	9,765	3,000	155,786
B	CREEK PARCEL	0	0	0	0	0
C	OFFICE BUILDING (E)	24,000	0	24,000	0	0
D	MARQUIS NORTH BLOCK	59,226	0	0	3,936	55,290
E	SLOUGH PARCEL	0	0	0	0	0
SUB-TOTAL:				33,765	6,936	211,076
TOTAL:		463,624	211,847		251,777	
			HOUSEHOLD % (15% REQUIRED)		NON-HOUSEHOLD % (15% REQUIRED)	
			211,847 / 463,624		251,777 / 463,624	
			45.7%		54.3%	

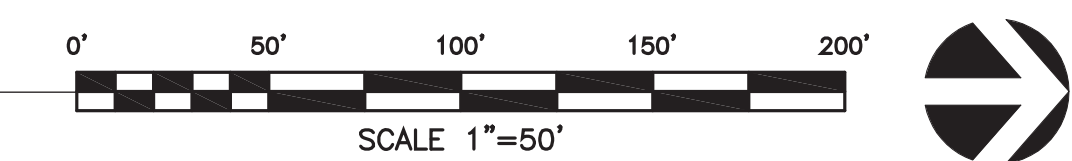
SDR
SITE DESIGN REVIEW

TWO TECTS
ILLUSTRATION COMPANY
00 / Salem, Oregon 97302
500 Libby / PH: 503-480-8700 / FX: 503-480-8701

Attachment B



SITE PLAN: SWMU ZONE
SCALE: 1" = 50'-0"



MARQUIS NORTH BLOCK
315 COMMERCIAL STREET, SALEM OR 97301

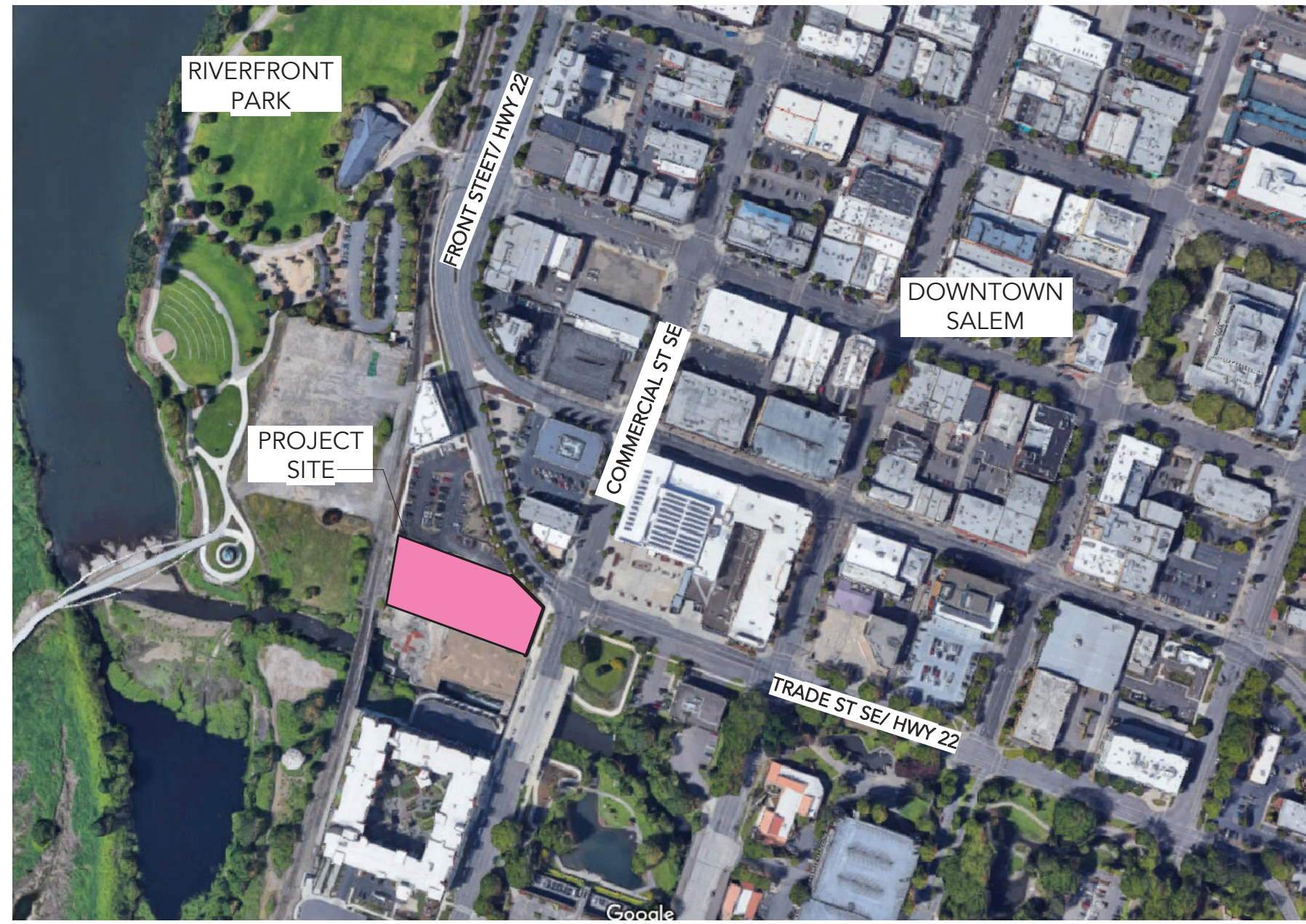


Issue:	LAND USE
Date:	2020.07.24
Rev:	Description: Date:
1	LAND USE RESUBMITTAL #1 2021.02.15

SWMU ZONE DEVELOPMENT PHASING

SD-00

2/16/2021 2:40:08 PM



Attachment C

SITE DESIGN REVIEW

CB TWO ARCHITECTS
A LIMITED LIABILITY COMPANY
500 Liberty Street SE, Suite 100 / Salem, Oregon 97302
PH: 503.480.8700 / FX: 503.480.8701

JURISDICTION
CITY OF SALEM
PH: (503) 588-6256

MARQUIS NORTH BLOCK
315 COMMERCIAL STREET, SALEM OR 97301



Issue:	LAND USE
Date:	2020.07.24
Rev:	Description: Dates:
1	LAND USE RESUBMITTAL #1 2021.02.15

OVERALL SITE PLAN

SD-01



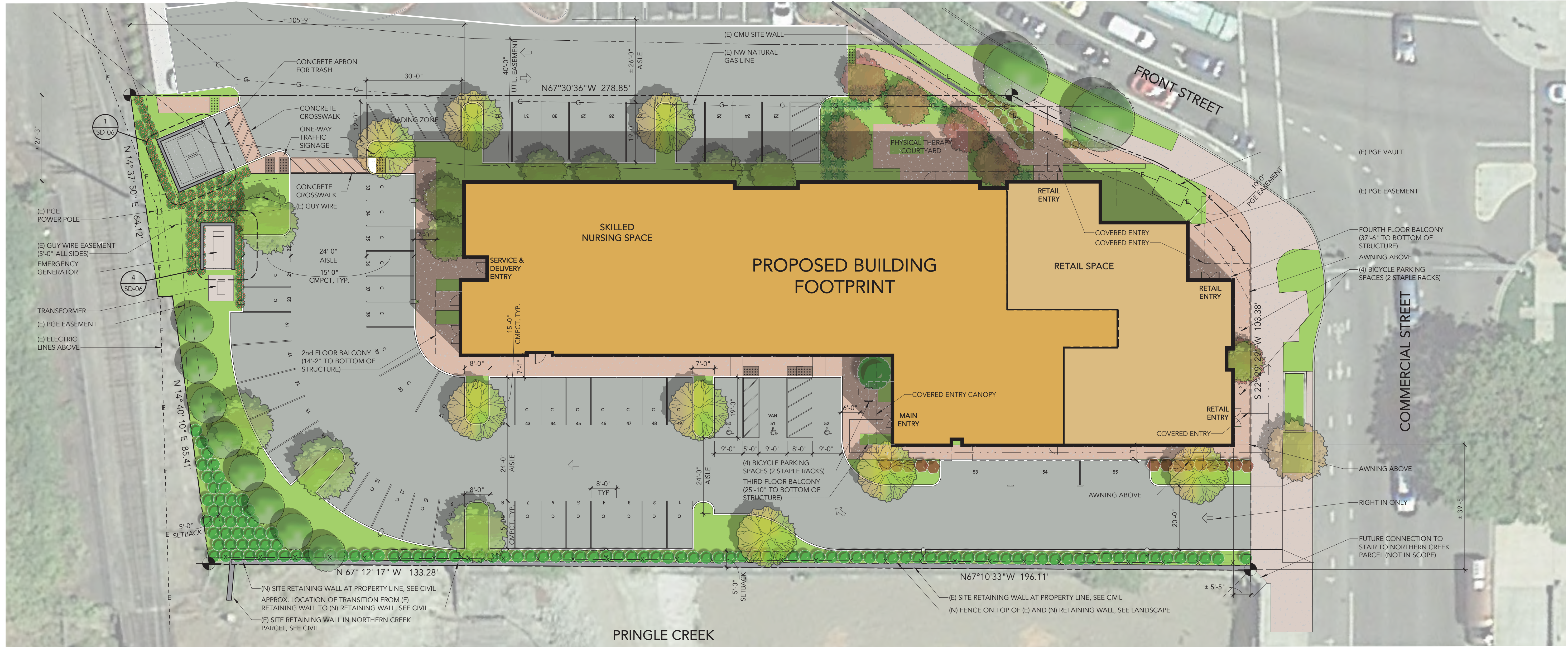
- (E) RAILROAD TRACKS
- ONE-WAY TRAFFIC SIGNAGE
- PROPERTY LINE
- (E) PGE POWER POLE & GUY WIRE
- EMERGENCY GENERATOR
- SERVICE & DELIVERY ENTRANCE
- PROPOSED RECIPROCAL ACCESS EASEMENT
- ENTRANCE

- RIGHT-IN, RIGHT-OUT ONLY
- (E) PARKING LOT AND STRIPING ON ADJACENT PROPERTY
- RECIPROCAL ACCESS EASEMENT IN PLACE
- (E) SITE WALL
- RETAIL ENTRY
- PGE EASEMENT
- RETAIL ENTRY

- RIGHT-IN ONLY
- FUTURE CONNECTION TO STAIR TO NORTHERN CREEK PARCEL BY OTHERS (NOT IN SCOPE)
- FUTURE PRINGLE CREEK PATH BY OTHERS (NOT IN SCOPE)

OVERALL SITE PLAN
SCALE: 1" = 30'-0"





ENLARGED SITE PLAN
SCALE: 1/16" = 1'-0"



PROJECT INFORMATION

PROJECT DESCRIPTION
72-BED SKILLED NURSING FACILITY WITH STREET FRONT TENANT SPACE. THE BUILDING IS 59,226 SF.

ADDRESS
315 COMMERCIAL ST,
SALEM, OR 97301

CONTACT INFORMATION

APPLICANT:
MARQUIS COMPANIES
4560 SE INTERNATIONAL WAY, #100
MILWAUKIE, OR 97222

ARCHITECT:
CB TWO ARCHITECTS, LLC
500 LIBERTY ST SE, SUITE 100
SALEM, OR 97301

CIVIL:
EMERIO DESIGN
8285 SW NIMBUS AVE, SUITE 180
BEAVERTON, OR 97008

LANDSCAPE ARCHITECT:
SHAPIRO DIDWAY
1204 SE WATER AVE
PORTLAND, OR 97214

SITE INFORMATION

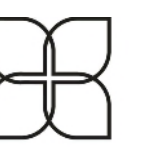
ZONING:			
SWMU (SOUTH WATERFRONT MIXED USE)			
PARCEL SIZE:			
± 49,414 SF ~ 1.13 ACRES			
BUILDING SIZE:			
	RETAIL (SF)	SKILLED NURSING (SF)	TOTAL (SF)
FIRST FLOOR	± 3,936	± 10,791	± 14,727
SECOND FLOOR	0	± 14,834	± 14,834
THIRD FLOOR	0	± 14,834	± 14,834
FOURTH FLOOR	0	± 14,834	± 14,834
SUB-TOTAL	± 3,936	± 55,293	
TOTAL BUILDING	± 59,229		
MAXIMUM HEIGHT (PER TABLE 531-4):			
MAX ALLOWABLE HEIGHT = NO MAX			
PROPOSED BUILDING MAX HEIGHT = 58'-2"			
MAXIMUM LOT COVERAGE (PER TABLE 531-4):			
MAX ALLOWABLE COVERAGE = NO MAX			
BUILDING FOOTPRINT AT GROUND LEVEL:			
± 14,727 SF	29.8% OF SITE AREA		
LANDSCAPED AREA AT GROUND LEVEL:			
± 9,739 SF	19.7% OF SITE AREA		
IMPERVIOUS AREA AT GROUND LEVEL:			
± 24,948 SF	50.5% OF SITE AREA		

PARKING SUMMARY

OFF STREET PARKING (PER TABLE 806-1):		
USE	RATIO	STALLS REQUIRED
SKILLED CARE	1:3 BEDS	24 STALLS
TENANT SPACE	1:250 SF	16 STALLS
TOTAL MINIMUM STALLS REQUIRED		40 STALLS
TOTAL STALLS PROVIDED		55 STALLS
BREAKDOWN		
FULL SIZE STALLS		17
COMPACT STALLS		35
ACCESSIBLE STALLS		3
BICYCLE PARKING (PER TABLE 806-8)		
USE	RATIO	STALLS REQUIRED
SKILLED CARE	1:30 BEDS	2
TENANT SPACE	GREATER OF 4 SPACES OR 1:1,000 SF	4
TOTAL SPACES REQUIRED		6
TOTAL SPACES PROVIDED		8

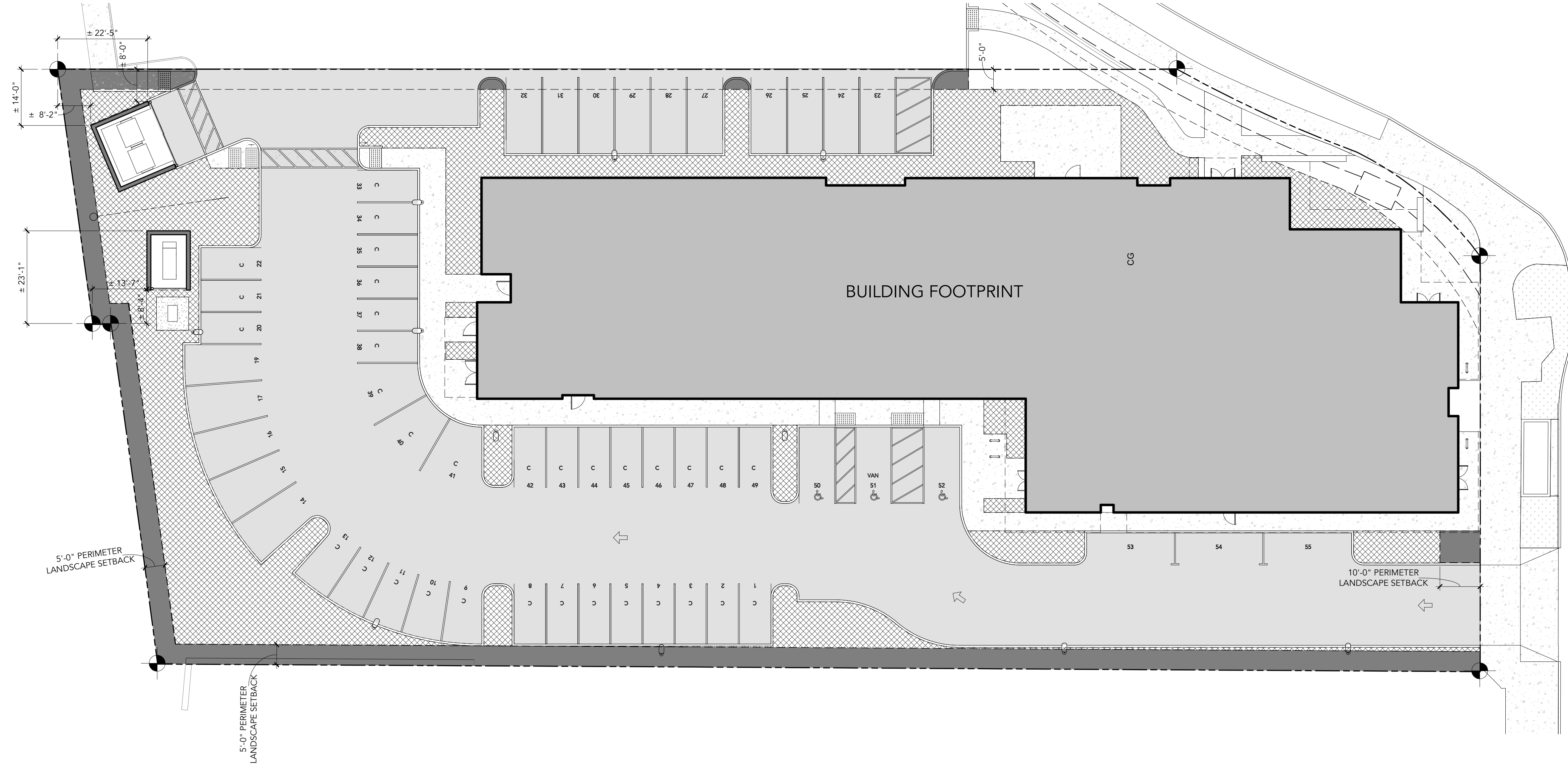
SITE PLAN LEGEND

OBJECT/PATTERN	DESCRIPTION(S)
---	PROPERTY LINE
---	SETBACK LINES
---	ROOF OUTLINE
---	ACCESSIBLE PATH FROM BUILDING TO PUBLIC WAY
---	NATURAL GAS LINE
---	ELECTRIC LINE
---	FENCE
█	BUILDING FOOTPRINT
●	PROPERTY DATUM POINT
○	POLE LIGHT



Issue:	LAND USE
Date:	2020.07.24
Rev#	Description:
1	LAND USE RESUBMITTAL #1
	Date:
	2021.02.15

SITE AREA CALCULATIONS



1 LANDSCAPE AREA CALCULATIONS

SCALE: 1/16" = 1'-0"

VEHICLE USE AREA SETBACKS

PER SRC 531.025 TABLE 531-3

SETBACK ABUTTING STREET (PER SRC CHAPTER 806.035(c)(2)(A))
PER METHOD A - MINIMUM SETBACK 10'-0" FROM PROPERTY LINE
SETBACK INTERIOR FRONT, SIDE AND REAR (PER SRC CHAPTER 806.035(c)(3))
MINIMUM SETBACK = 5'-0" FROM PROPERTY LINE
SETBACK ADJACENT BUILDING & STRUCTURES (PER SRC CHAPTER 806.035(c)(4))
MINIMUM SETBACK = 5'-0" FROM EXTERIOR WALL

VEHICLE USE AREA INTERIOR LANDSCAPING

PER SRC 806.035(d)

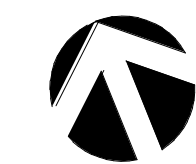
PERCENTAGE OF INTERIOR LANDSCAPING REQUIRED (PER SRC CHAPTER 806.035(c)(2)(A))	
TOTAL INTERIOR AREA OF OFF-STREET PARKING AREA LESS THAN 50,000 SQ. FT. PERCENTAGE OF OFF-STREET PARKING AREA REQUIRED MINIMUM 5% PER TABLE 806-5	
OFF-STREET PARKING AREA	± 18,578 SF
AREA OF INTERIOR LANDSCAPING REQUIRED (PER SRC 806.035(d)(2))	± 18,578 SF x 0.05 = 929 SF
AREA OF INTERIOR LANDSCAPING PROVIDED	± 6,618 SF

SITE AREA CALCULATIONS TABLE

OFF-STREET PARKING AREA: (PER 806.035(d)(2))	TOTAL AREA = +/- 18,578 S.F.
INTERIOR LANDSCAPING: (PER 806.035(d)(2))	TOTAL AREA = +/- 6,618 S.F.

LANDSCAPE AREA LEGEND

	PERIMETER LANDSCAPING: (PER 806.035(c))
	OFF-STREET PARKING AREA: (PER 806.035(d)(2))
	INTERIOR LANDSCAPING: (PER 806.035(d)(2))
	CONCRETE FLATWORK:



SITE AREA CODE REQUIREMENTS

PROPERTY ZONE = SWMU

REQUIRED PARKING LOT LANDSCAPING
 PARKING LOT SIZE = 18,750 SF
 537 SF MINIMUM LANDSCAPE AREA (5% PARKING LOT AREA)
1,755 SF PROVIDED

PARKING AREA TREE REQUIREMENT
 PARKING STALLS ON SITE: 55 STALLS
 5 PARKING AREA TREES REQUIRED (55 STALL/12)
11 PARKING AREA TREES PROVIDED

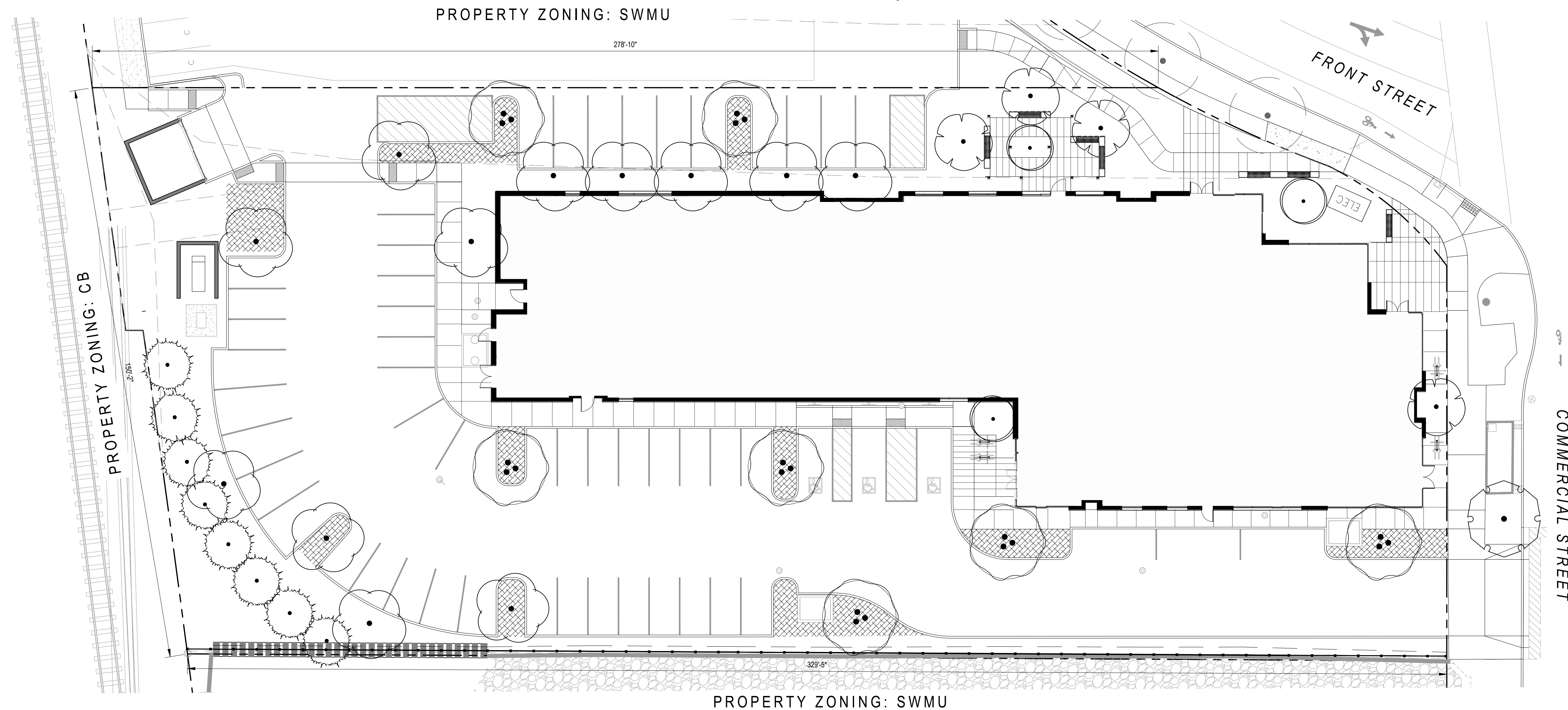
808.030.2(N) TREE MITIGATION REQUIREMENT
 LESS THAN 5 EXISTING TREES REMOVED ON 20,000+ SF LOT
0 MITIGATION TREES REQUIRED

LANDSCAPE CALCULATIONS SCHEDULE

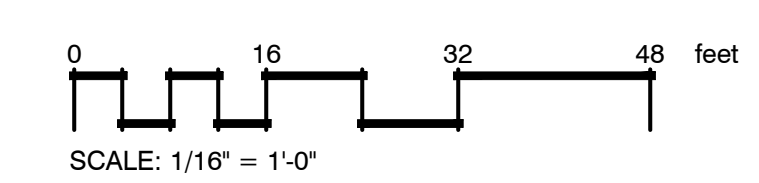
SYMBOL	DESCRIPTION	QTY
	PARKING LOT LANDSCAPING	1,755.0 SF

PLANT SCHEDULE

TREES	CODE	BOTANICAL / COMMON NAME	CONT	CAL	SIZE	QTY
	AC	ACER CIRCINATUM / VINE MAPLE	25 GAL		6'-8" H	3
	CJ	CERCIDIPHYLLUM JAPONICUM / KATSURA TREE	B & B	2" CAL		7
	LN	LAGERSTROEMIA INDICA X FAURIEI 'NATCHEZ' / NATCHEZ GRAPE MYRTLE MULTI-TRUNKED	B & B	1.5"-2.0" CAL		4
STORMWATER FACILITY						
	CODE	BOTANICAL / COMMON NAME	CONT	CAL	SIZE	QTY
	CN	CORNUS NUTTALLII 'EDDIES WHITE WONDER' / EDDIES WHITE FLOWERING DOGWOOD	B & B	1.5" CAL		12
	TE	THUJA PLICATA 'EXCELSA' / WESTERN RED CEDAR	B & B		8'-10" H	8
STREET TREE						
	CODE	BOTANICAL / COMMON NAME	CONT	CAL	SIZE	QTY
	ST	EXISTING STREET TREE	EXISTING			7
	GA	GINKGO BILOBA 'AUTUMN GOLD' TM / AUTUMN GOLD MAIDENHAIR TREE	B & B	1.5" CAL		1



1 TREE PLAN



PLANT SCHEDULE

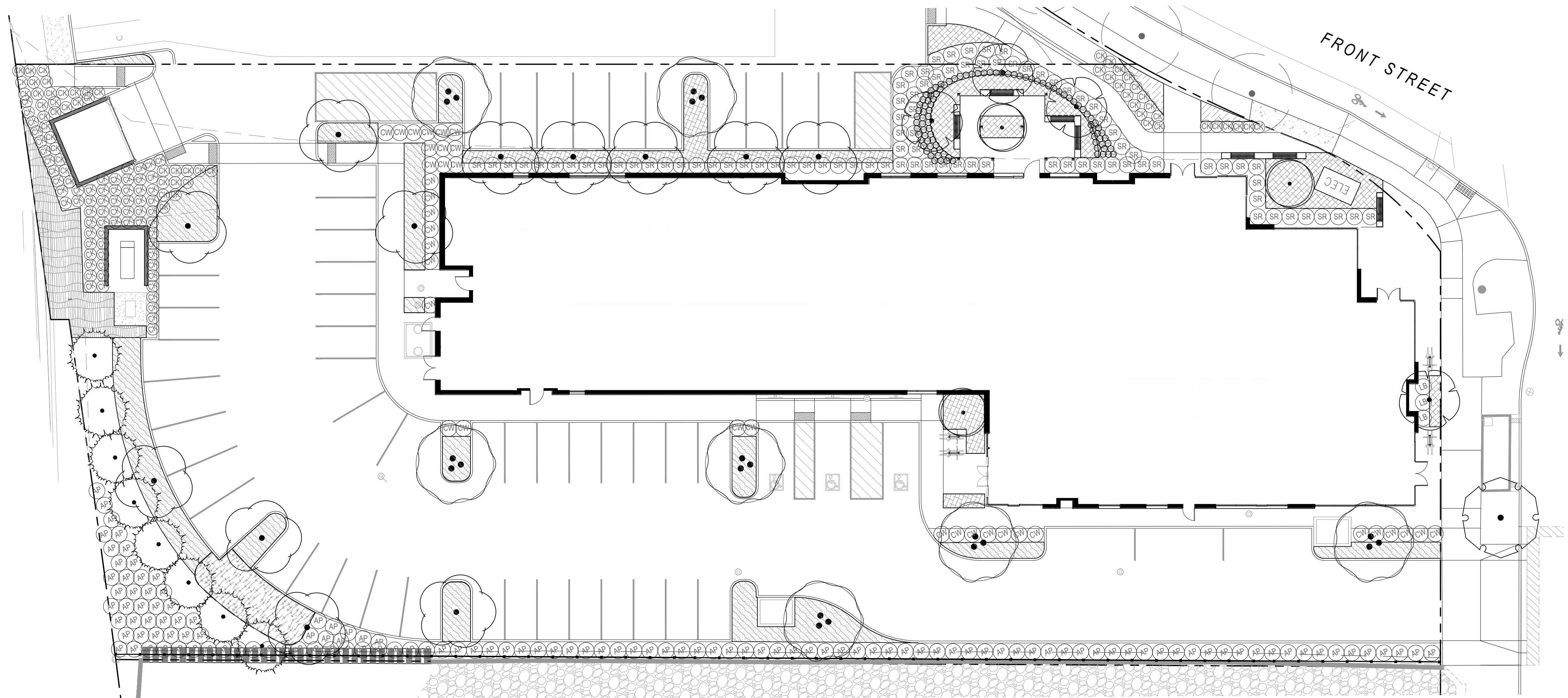
TREES	CODE	BOTANICAL / COMMON NAME	CONT	CAL	SIZE
	AC	ACER CIRCINATUM / VINE MAPLE	25 GAL		6-8' H
	CJ	CERCIDIPHYLLUM JAPONICUM / KATSURA TREE	B & B	2" CAL	
	LN	LAGERSTROEMIA INDICA X FAURIEI 'NATCHEZ' / NATCHEZ CRAPE MYRTLE MULTI-TRUNKED	B & B	1.5"-2.0" CAL	
STORMWATER FACILITY	CODE	BOTANICAL / COMMON NAME	CONT	CAL	SIZE
	CN	CORNUS NUTTALLII 'EDDIES WHITE WONDER' / EDDIES WHITE FLOWERING DOGWOOD	B & B	1.5" CAL	
	TE	THUJA PLICATA 'EXCELSA' / WESTERN RED CEDAR	B & B		8-10' H
STREET TREE	CODE	BOTANICAL / COMMON NAME	CONT	CAL	SIZE
	ST	EXISTING STREET TREE	EXISTING		
	GA	GINKGO BILOBA 'AUTUMN GOLD' TM / AUTUMN GOLD MAIDENHAIR TREE	B & B	1.5" CAL	

SHRUBS	CODE	BOTANICAL / COMMON NAME	SIZE	HT.
	AP	ARCTOSTAPHYLOS PATULA / GREEN-LEAF MANZANITA	5 GAL	
	CK	CALAMAGROSTIS X ACUTIFLORA 'KARL FOERSTER' / FEATHER REED GRASS	2 GAL	
	CW	CISTUS X HYBRIDUS / WHITE ROCKROSE	5 GAL	
	HA	HAKONECHLOA MACRA 'AUREOLA' / GOLDEN VARIEGATED HAKONECHLOA	1 GAL	
	LB	LONICERA NITIDA 'BAGGESEN'S GOLD' / BOXLEAF HONEYSUCKLE	5 GAL	
	SR	SARCOCOCCA RUSCIFOLIA / FRAGRANT SARCOCOCCA	5 GAL	

GROUND COVERS	CODE	BOTANICAL / COMMON NAME	CONT	SPACING
	LG	LIRIOPE GIGANTEA / GIANT LIRIOPE	1 GAL	18" o.c.
	MN	MAHONIA NERVOSA / OREGON GRAPE	1 GAL	24" o.c.
	MR	MAHONIA REPENS / CREEPING MAHONIA	1 GAL	18" o.c.
	MH	MULCH HEMLOCK DARK COLOR / HEMLOCK MULCH		
	PH	PENNISETUM ALOPECUROIDES 'HAMELN' / HAMELN FOUNTAIN GRASS	1 GAL	18" o.c.
STORMWATER FACILITY	CODE	BOTANICAL / COMMON NAME	CONT	SPACING
	DT	DESCHAMPISIA CESPITOSA / TUFTED HAIR GRASS	1 GAL	12" o.c.

PLANT SCHEDULE STORMWATER FACILITY

STORMWATER FACILITY	CODE	BOTANICAL / COMMON NAME	CONT	CAL	SIZE	QTY
	CN	CORNUS NUTTALLII 'EDDIES WHITE WONDER' / EDDIES WHITE FLOWERING DOGWOOD	B & B	1.5" CAL		1
	TE	THUJA PLICATA 'EXCELSA' / WESTERN RED CEDAR	B & B		8-10' H	3
STORMWATER FACILITY	CODE	BOTANICAL / COMMON NAME	CONT	SPACING	QTY	
	DT	DESCHAMPISIA CESPITOSA / TUFTED HAIR GRASS	1 GAL	12" o.c.	387	



SDR
SITE DESIGN REVIEW
NOT FOR CONSTRUCTION

CB TWO ARCHITECTS
A LIMITED LIABILITY COMPANY
500 Liberty Street SE, Suite 100 / Salem, Oregon 97302
Ph: 503.460.8700 / Fax: 503.460.8701

CIVIL ENGINEER
EMERIO DESIGN
PH: (541) 521-9797

LANDSCAPE ARCHITECT
SHAPIO DIDWAY, LLC
PH: (503) 232-0520

JURISDICTION
CITY OF SALEM
PH: (503) 588-6256

REGISTERED
1008
BLAIR L. DIDWAY
OREGON
4 APR. 2019
LANDSCAPE ARCHITECT

MARQUIS NORTH BLOCK
315 COMMERCIAL STREET, SALEM OR 97301

MARQUIS COMPANIES

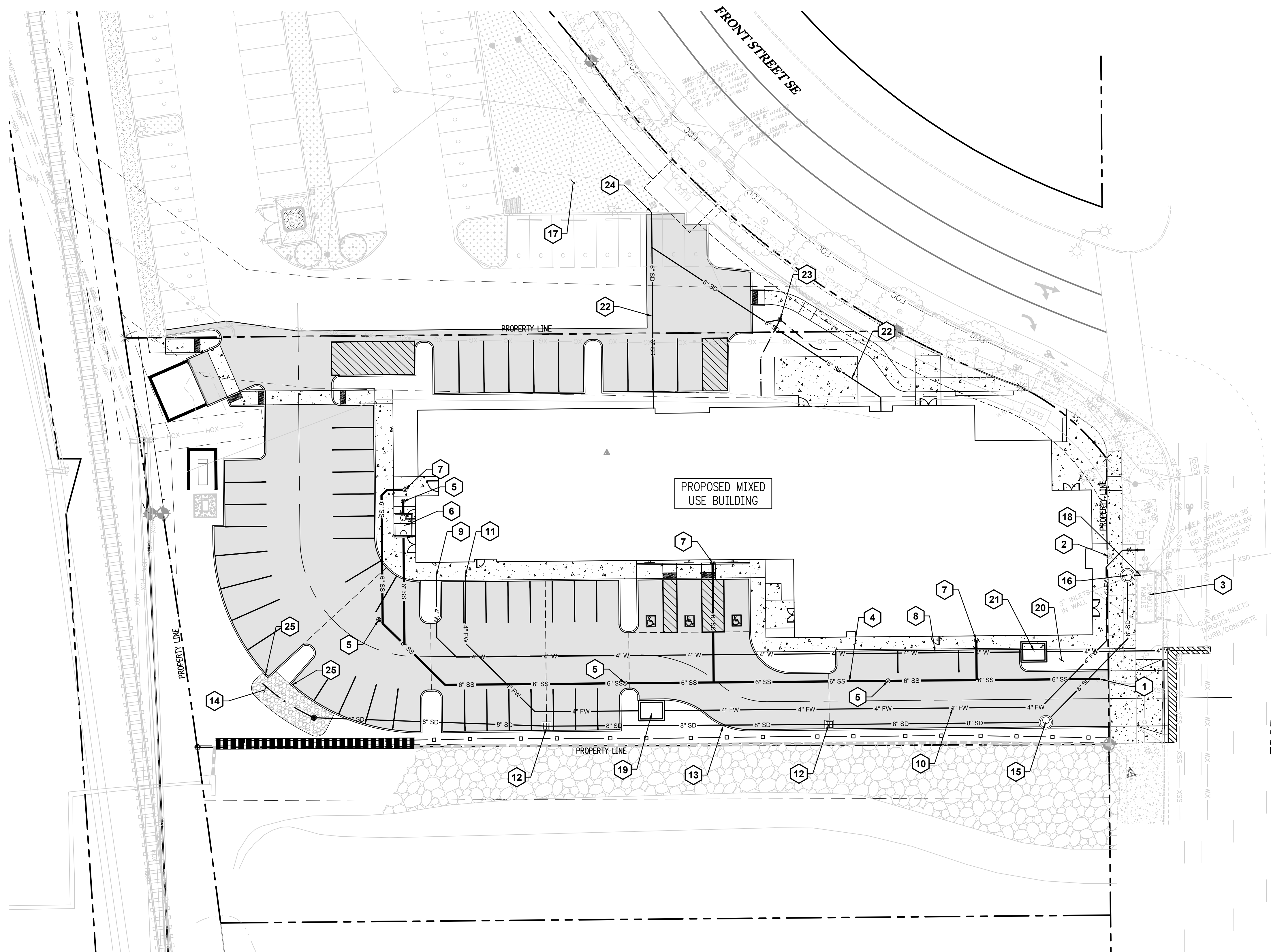
Issue:	LAND USE	
Date:	2020.07.24	
Rev:	Description: Date:	
1	Land Use	2021.02.15
	Resubmittal 1	

PLANTING PLAN

L3.01

7/13/2020 10:25:19 AM

Attachment D



TENTATIVE COMPOSITE UTILITY NOTES:

- 1 EXISTING SANITARY SEWER MANHOLE TO REMAIN.
- 2 EXISTING BLOWOFF TO BE REMOVED FOR CONNECTION TO PROPOSED 4" FIRE SERVICE.
- 3 EXISTING STORMWATER PLANTER AND AREA DRAIN TO REMAIN.
- 4 PROPOSED 6" SANITARY SEWER SERVICE PER CITY OF SALEM STANDARDS.
- 5 PROPOSED SANITARY SEWER CLEANOUT. (TYP. OF 4)
- 6 PROPOSED GREASE INTERCEPTOR.
- 7 PROPOSED CLEANOUT AND 6" SANITARY SEWER CONNECTION TO BUILDING. (TY

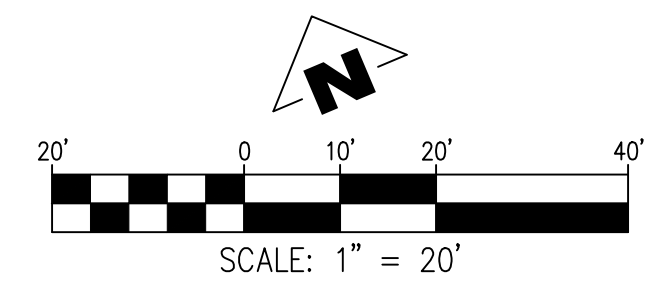
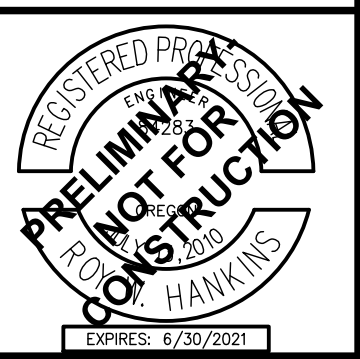
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- 25

**MARQUIS NORTH BLC
MARQUIS COMPANIES,
TAX MAP 073W27B1
TAXLOT 3100
SALEM, OREGON**

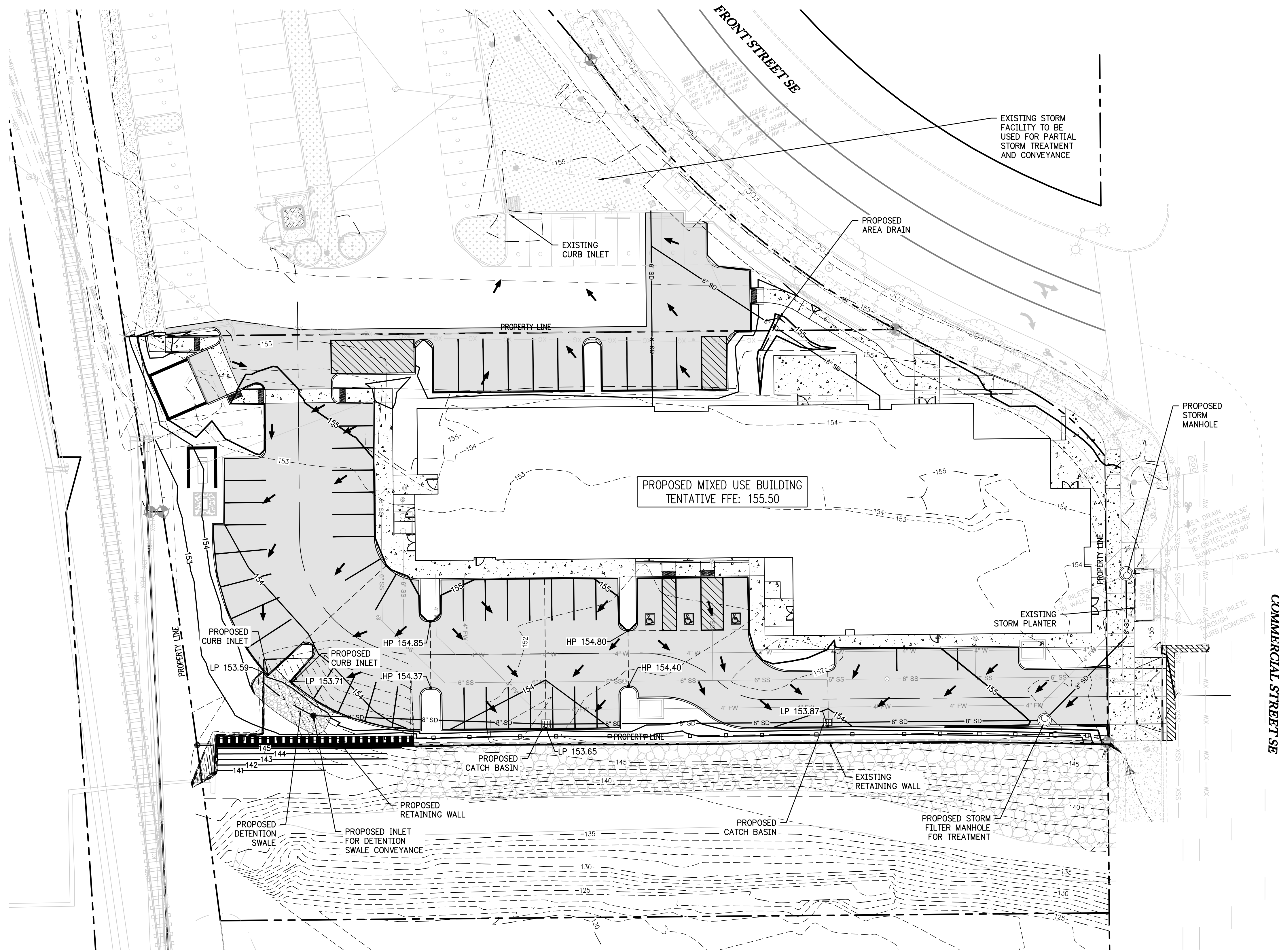
**TENTATIVE COMPOSITE
UTILITY PLAN**

REVISIONS	
NO.	DESCRIPTION
1	LAND USE SUBMITTAL
2	REVISED LAND USE SUBMITTAL

EMERIO
2867 WILLAMETTE ROAD, SUITE 1A
EUGENE, OREGON 97401
TEL: (503) 746-8812
FAX: (503) 639-9592
www.emeriodesign.com



SHEET
C4.0

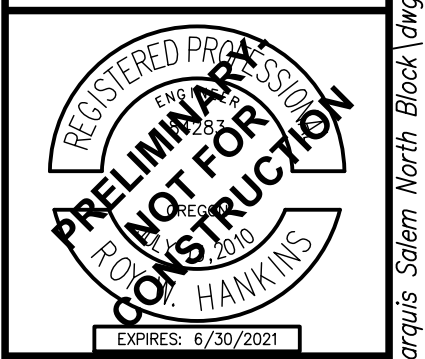


MARQUIS NORTH BLOCK
 MARQUIS COMPANIES, INC.
 TAX MAP 073W27BA
 TAXLOT 3100
 SALEM, OREGON

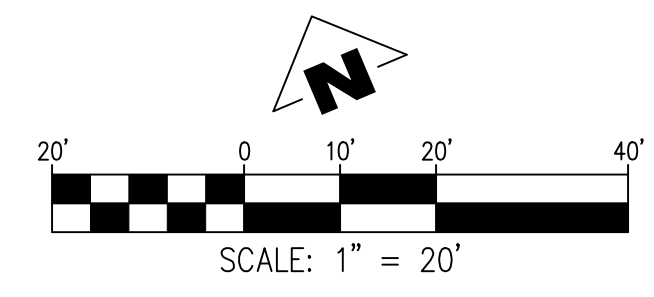
**TENTATIVE GRADING AND
 DRAINAGE PLAN**

REVISIONS	
NO.	DESCRIPTION
1	7/2020 LAND USE SUBMITTAL
2	2/2021 REVISED LAND USE SUBMITTAL

EMERIO
 2867 WILLAMETTE ROAD, SUITE 1A
 EUGENE, OREGON 97401
 TEL: (503) 746-8812
 FAX: (503) 639-9592
 www.emeriodesign.com



SHEET
C5.0

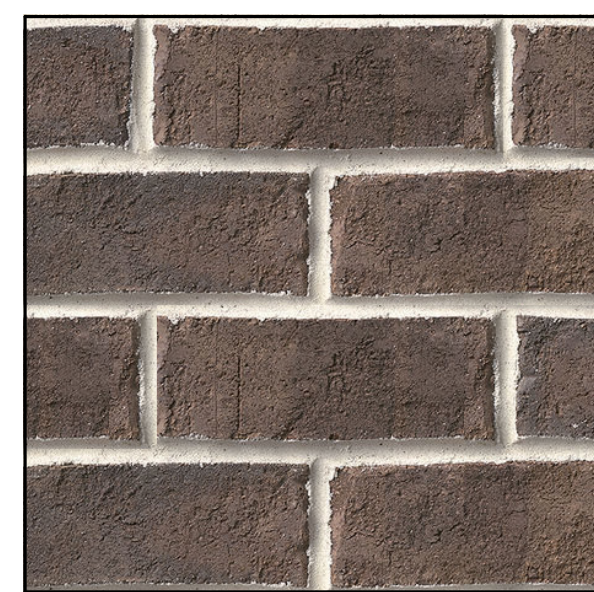


FILE: P:\0086-024 Marquis Salem North Block (Plan)\0086-024_Dsgrad_Layout_05_GRAD_Plot Date: 2/7/2021 7:42 AM, by: an Felts
 EMERIO DESIGN PROJECT NO. 0086-024

Attachment E

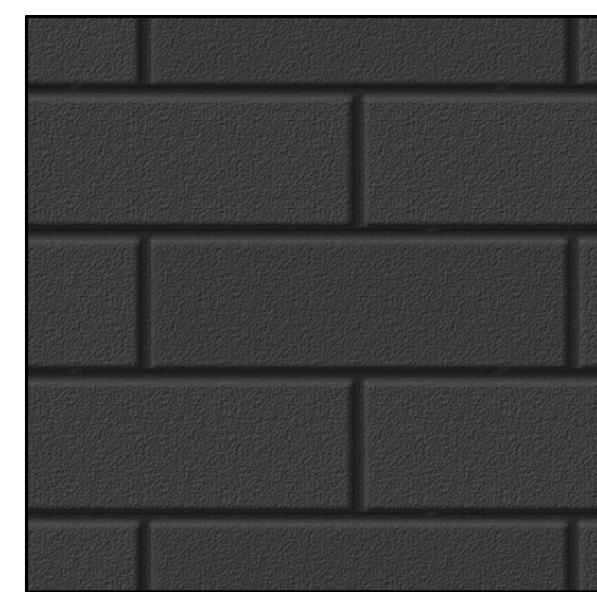


1 NORTH ELEVATION
SCALE: 3/32" = 1'-0"



MATERIAL A:

MATERIAL: BRICK
COLOR: BROWN/RED
SIZE: ECON.



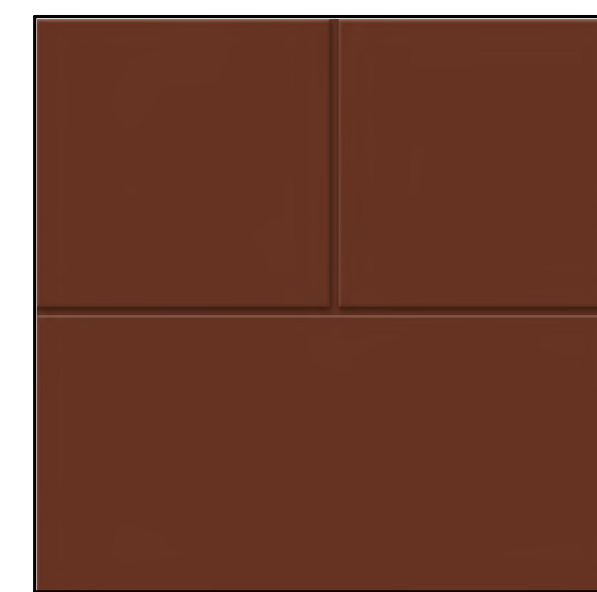
MATERIAL B:

MATERIAL: BRICK
COLOR: DARK GRAY
SIZE: ECON.



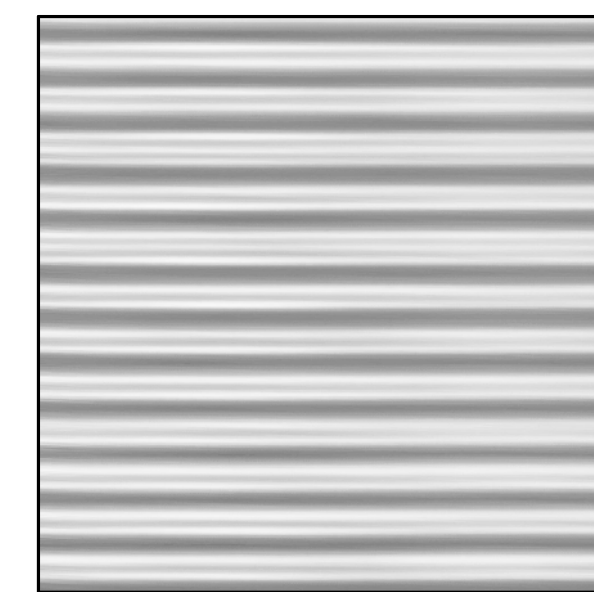
MATERIAL C:

MATERIAL: FIBER CEMENT SIDING
COLOR: GRAY
FINISH: SMOOTH



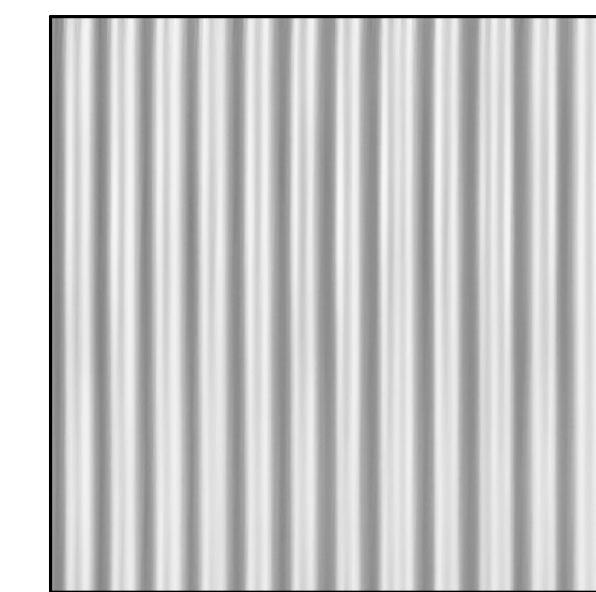
MATERIAL D:

MATERIAL: FIBER CEMENT PANEL
COLOR: DARK RED (TBD)
FINISH: SMOOTH



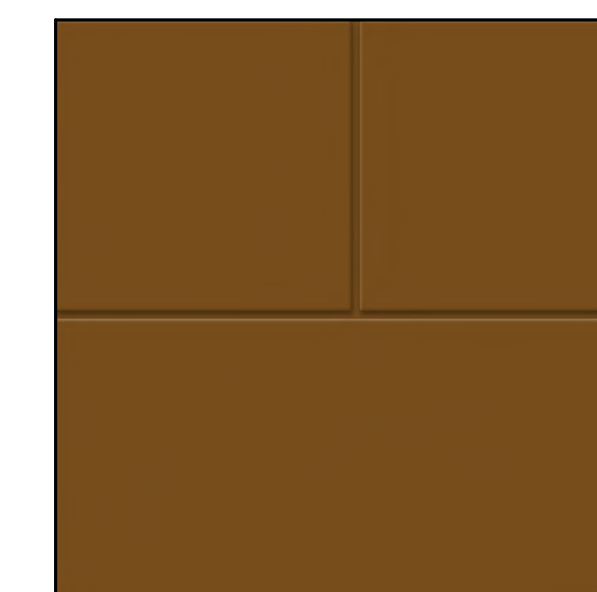
MATERIAL E:

MATERIAL: HORIZONTAL CORRUGATED METAL
COLOR: LIGHT GRAY (TBD)
FINISH: WAVE CORRUGATED



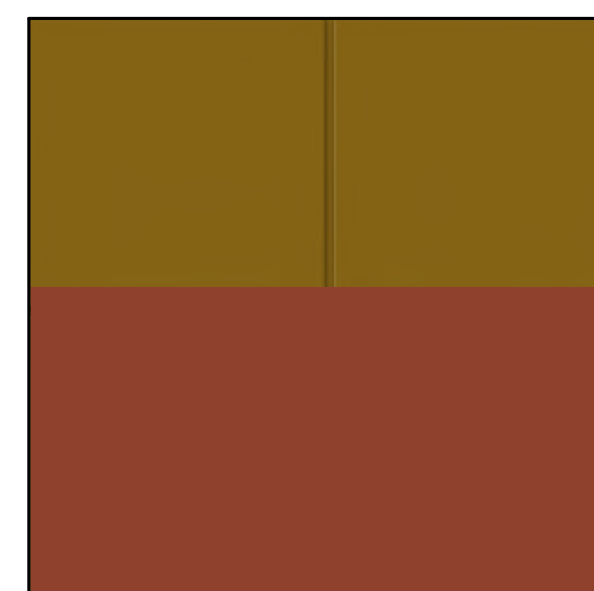
MATERIAL F:

MATERIAL: VERTICAL CORRUGATED METAL
COLOR: LIGHT GRAY (TBD)
FINISH: WAVE CORRUGATED



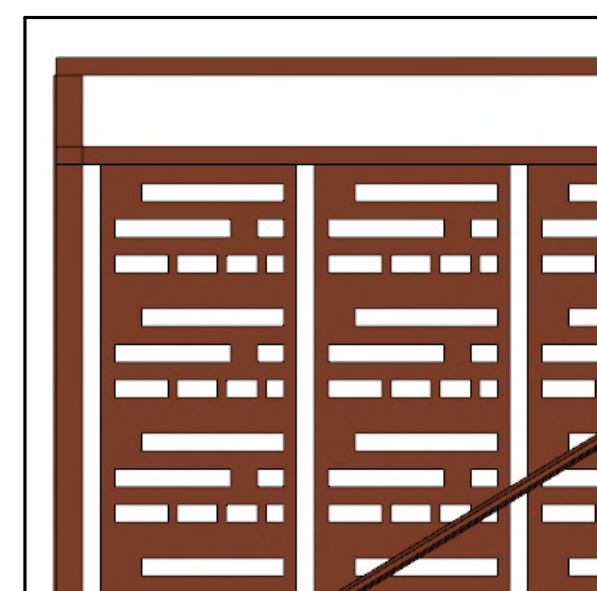
MATERIAL G:

MATERIAL: FIBER CEMENT PANEL
COLOR: DARK ORANGE (TBD)
FINISH: SMOOTH



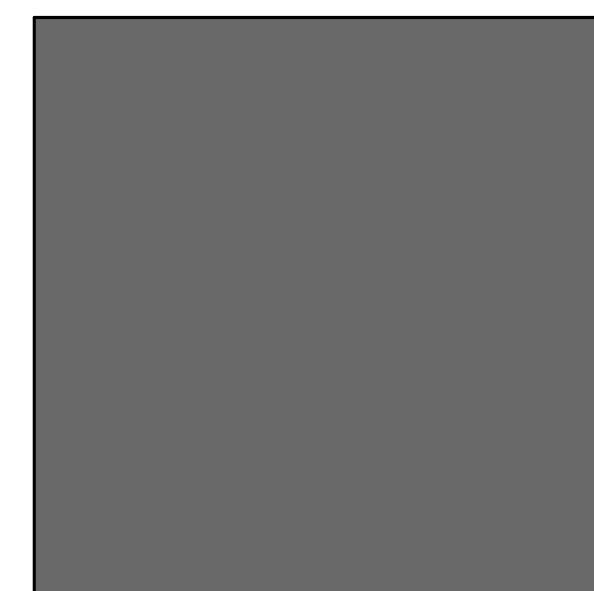
MATERIAL H/J:

MATERIAL: FIBER CEMENT TRIM
COLOR: H- ORANGE (TBD); J - DARK RED (TBD)
FINISH: SMOOTH



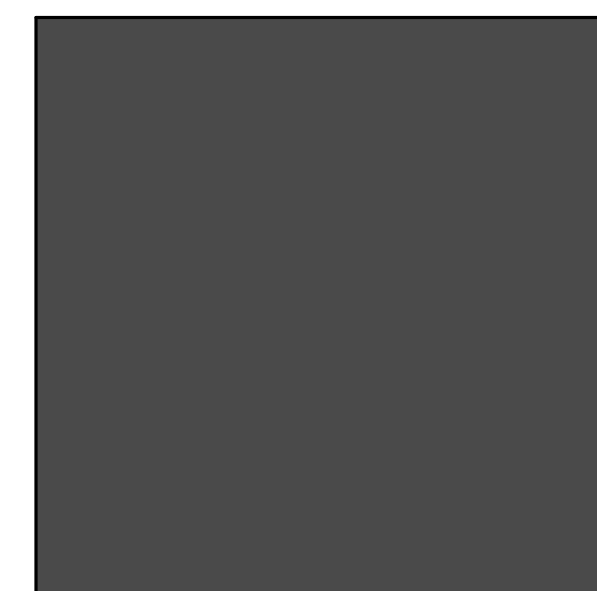
MATERIAL K:

MATERIAL: STEEL BALCONY & RAILING
COLOR: RED (TBD)
FINISH: FIELD PAINTED



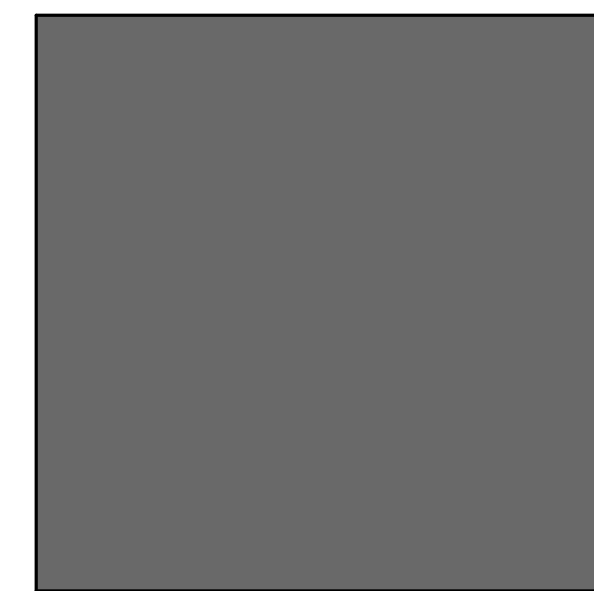
MATERIAL L:

MATERIAL: FIBER CEMENT TRIM
COLOR: GRAY
FINISH: SMOOTH



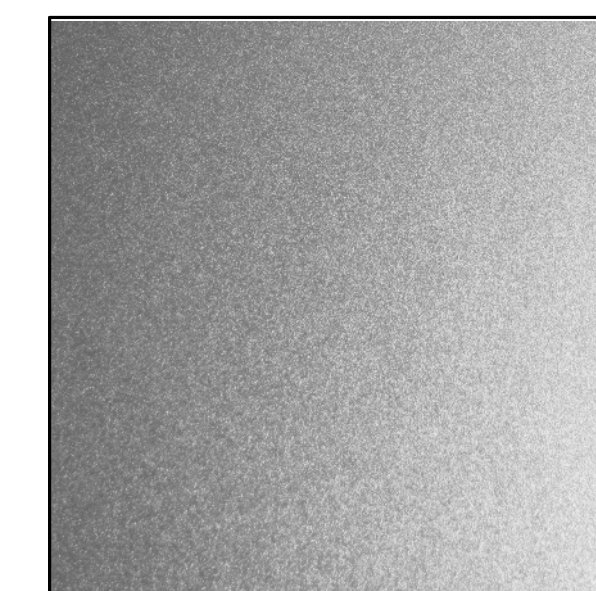
MATERIAL M:

MATERIAL: METAL - AWNINGS/FASCIAS/TRIMS
COLOR: DARK GRAY
FINISH: SMOOTH



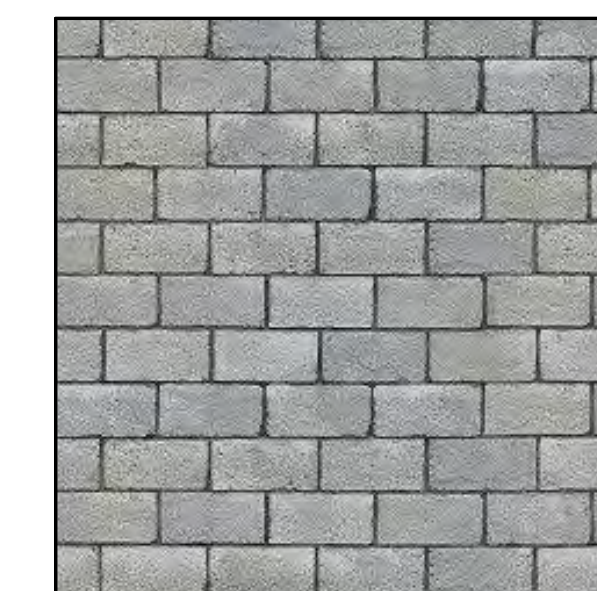
MATERIAL N:

MATERIAL: METAL - AWNING/FASCIAS/TRIM
COLOR: GRAY
FINISH: SMOOTH



MATERIAL O:

MATERIAL: STOREFRONT SYSTEM
COLOR: CLEAR ANODIZED



MATERIAL P:

MATERIAL: CONCRETE MASONRY UNITS
COLOR: NATURAL GRAY

SITE DESIGN REVIEW

CB TWO ARCHITECTS
A LIMITED LIABILITY COMPANY
500 Liberty Street SE, Suite 100 / Salem, Oregon 97302
PH: 503.480.8700 / FX: 503.480.8701

JURISDICTION: CITY OF SALEM
PH: (503) 588-6256

MARQUIS NORTH BLOCK
315 COMMERCIAL STREET, SALEM OR 97301



Issue: LAND USE

Date: 2020.07.24

Rev: Description: Date:

1 LAND USE: RESUBMITTAL #1 2021.02.15

EXTERIOR ELEVATIONS & MATERIALS

SD-04

2/17/2021 11:33:36 AM

Issue:	LAND USE
Date:	2020.07.24
Rev#	Description
1	LAND USE RESUBMITTAL #1
Date:	2021.02.15



WEST ELEVATION
SCALE: 3/32" = 1'-0"



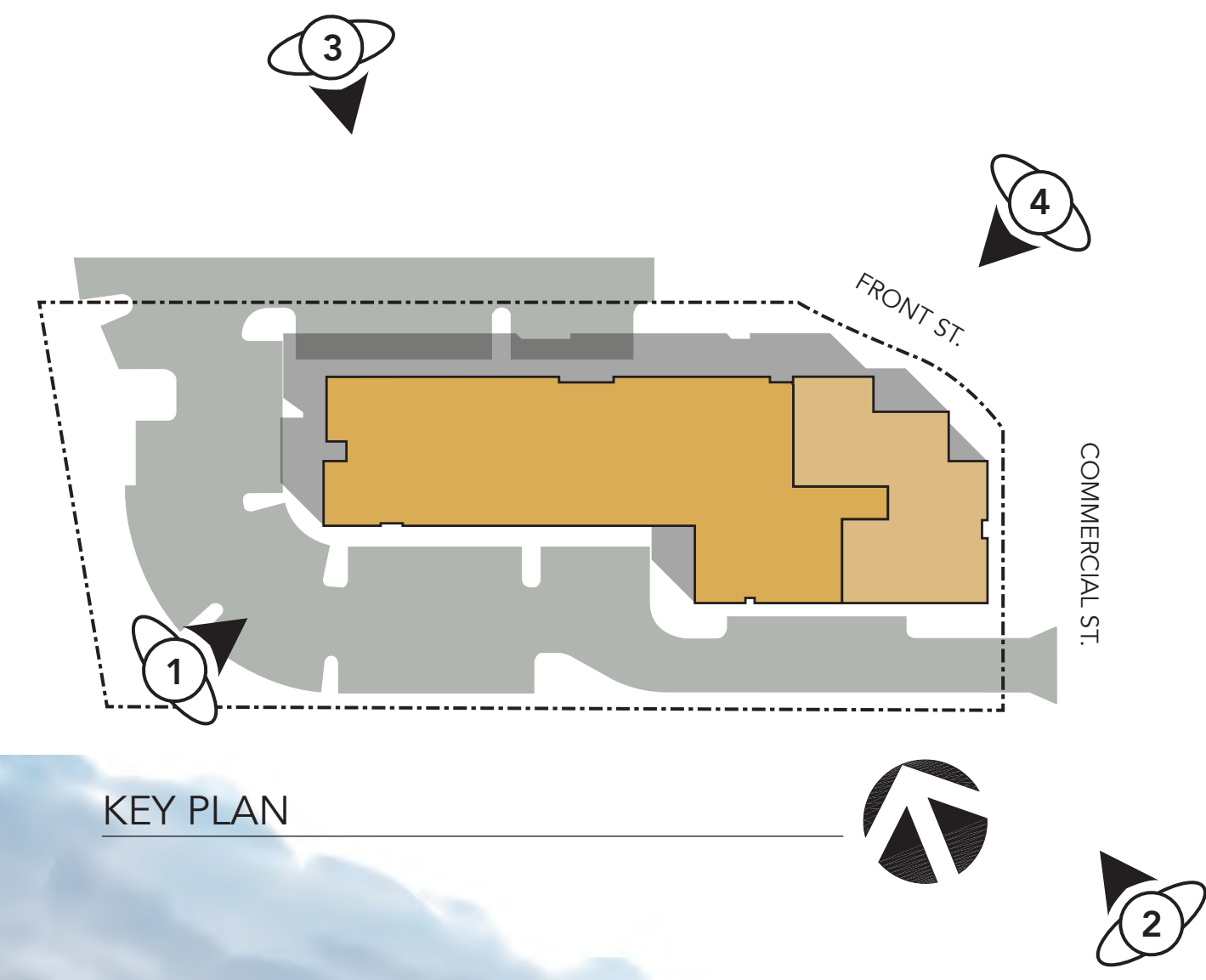
EAST ELEVATION
SCALE: 3/32" = 1'-0"



SOUTH ELEVATION
SCALE: 3/32" = 1'-0"



1 CONCEPTUAL RENDERING: SOUTH-WEST CORNER



KEY PLAN



2 CONCEPTUAL RENDERING: VIEW TO NORTH FROM COMMERCIAL ST.

SDR
SITE DESIGN
REVIEW

CB TWO
ARCHITECTS
A LIMITED LIABILITY COMPANY
500 Liberty Street SE, Suite 100 / Salem, Oregon 97302
PH: 503.480.8700 / FX: 503.480.8701

JURISDICTION
CITY OF SALEM
PH: (503) 588-6256

MARQUIS
NORTH BLOCK
315 COMMERCIAL STREET, SALEM OR 97301



Issue:	LAND USE
Date:	2020.07.24
Rev#	Description: Dates
1	LAND USE RESUBMITTAL #1 2021.02.15

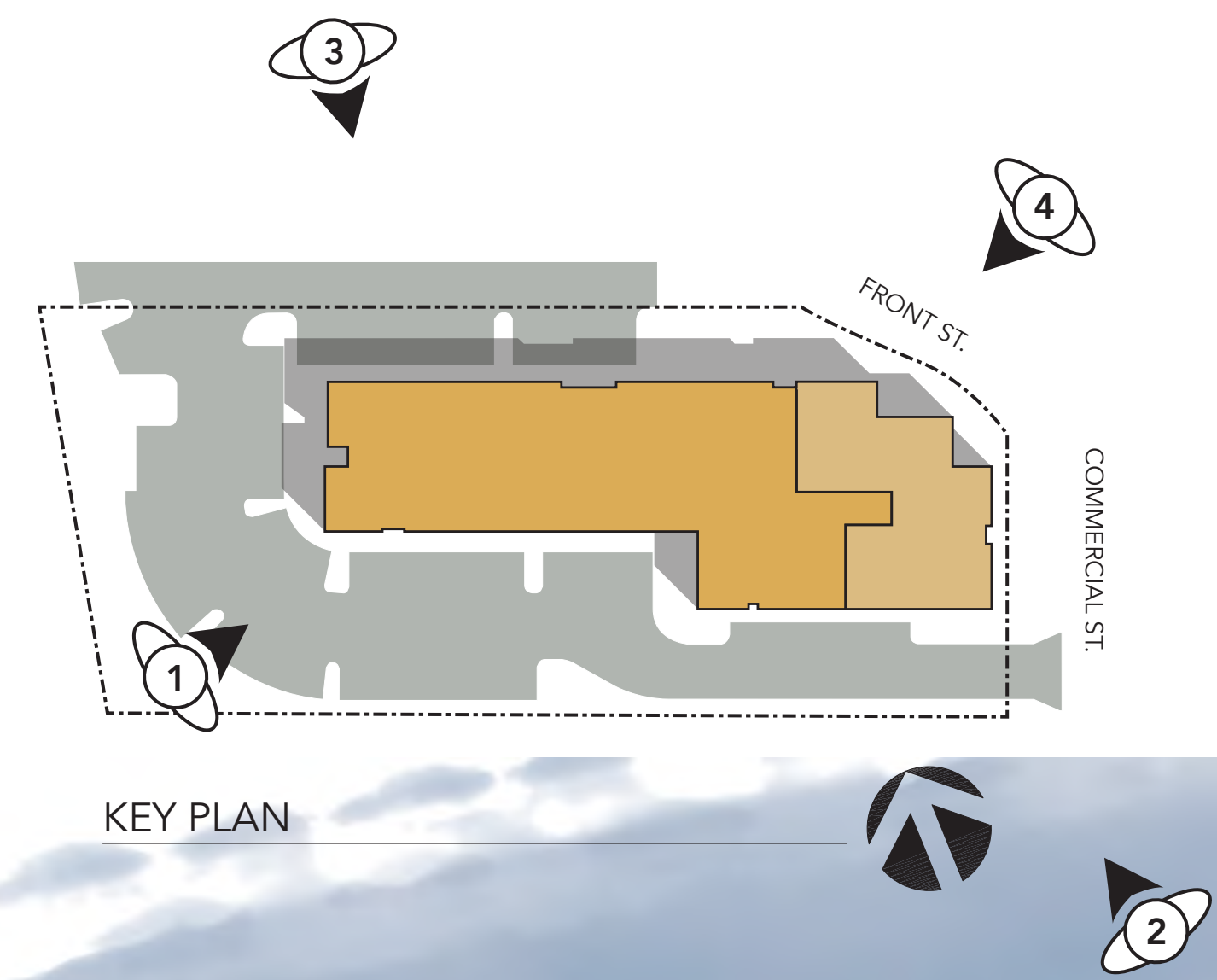
RENDERING

SD-09

2/16/2021 2:40:32 PM



3 CONCEPTUAL RENDERING: NORTH FACADE



4 CONCEPTUAL RENDERING: VIEW TO SOUTH FROM COMMERCIAL ST.

Issue:	LAND USE
Date:	2020.07.24
Rev#	Description: Dates
1	LAND USE RESUBMITTAL #1 2021.02.15



February 16, 2021

Bryce Bishop
Community Development Department
City of Salem
555 Liberty Street SE, Suite 305
Salem, OR 97301

Re: Consolidated Land Use Application
Marquis Post-Acute Rehabilitation Development Proposal
295 Commercial Street SE

CBTWO Architects representing Marquis Companies, Inc., the Applicant, are submitting a Consolidated Land Use Application package for approval of the following:

- **Class 3 Design Review**
- **Class 3 Site Plan Review**
- **Class 2 Adjustments**
- **Class 2 Driveway Approach**

The proposed development plan meets the intent of the Salem Revised Code (SRC) for development within the South Waterfront Mixed-Use District (SWMU). Information provided through this narrative statement and other related submittal documents, including drawings, provides the Review Authority evidence that the proposed development meets the applicable criteria required for approval of the requested design review, site plan review, adjustments and driveway approach.

SECTION I. - REQUEST

This is a consolidated land use application for a Class 3 design review under SRC Chapter 531.035 Guidelines; Class 3 site plan review under SRC Chapters 531.025, 86, 703, 800, 802, 803, 804, 805, 806, and 807; a Class 2 adjustment to interior side yard parking setbacks standards found in SRC Chapter 806 and driveway spacing standards found in SRC Chapter 804; and Class 2 driveway approach permit under SRC Chapter 804.

SECTION II. - PROJECT DESCRIPTION

The applicant is proposing to develop a 1.13 acre site located at the southwest corner of Commercial Street SE and Front Street SE. The site formerly part of the Boise Cascade campus is vacant of structures with the exception of an existing retaining wall that runs along the southern property line. The site is zoned South Waterfront Mixed-Use (SWMU) as are the properties to the north and south. The site is surrounded by Commercial Street SE to the east (a public park and the City of Salem Fire Department are located across Commercial Street from the development site), on the south a .47 acre property that is vacant (adjacent to the north side of Pringle Creek), to the west railroad tracks with Riverfront Park across said tracks, and on the north Park Front a commercial office development.

The development proposal consists of a four story mixed-use structure that will contain Marquis Companies 72-bed post-acute rehabilitation and approximately 3,940 square feet of commercial retail space, 55 off-street parking spaces, a plaza and other landscape areas. The proposed uses are permitted outright within the SWMU zone.

The post-acute rehabilitation component (also known as skilled nursing or nursing home) will include accommodations for 72 post-acute beds providing residents who need continual care on short or long term bases. This type of facility provides 24-hour medical care by Registered Nurses (RNs), Licensed Practical Nurses (LPNs or LVNs), and Certified Nurses' Aides under physician supervision. Two levels of care will be offered: Rehabilitation and Long Term.

- **Post-Acute Rehab** – Is for people who are otherwise healthy, who have an acute episode or illness (fracture stroke, surgical recovery, etc.) that causes them to require more help.
- **Long Term** – this level of care offers services required to maintain a resident's Daily Living Activities (bathing, dressing, grooming, eating, etc.). Other services typically include laundry, housekeeping, scheduled activities, meals and snacks.



Administrative office space, commercial kitchen and dining areas, as well as other ancillary use spaces are provided within the 55,293 square foot facility.

The commercial retail space is anticipated to be a café or coffee shop. This space is located on the ground level of the proposed building along the Commercial Street and Front Street frontage, adjacent to the plaza.

The architectural style of the building is Northwest Contemporary. Due to the mix of uses within the structure, the design incorporates features that bridge the commercial and residential function of the development. This is achieved by highlighting entries and common areas using masonry, vertical glazing elements, and providing façade articulation. The ground floor elevations will utilize brick, storefront glazing, awnings, with minimal amounts of fiber cement panels at building recesses. Upper floor exterior materials include Fiber cement siding, fiber cement panels, horizontal corrugated metal and vertical corrugated metal, large window systems and a cornice detail caps the building’s parapet. The use of varied finish materials, colors, as well as architectural details and building articulation break up building planes reducing mass and provides a more human scale in this prominent location.

Access to the site is provided by a right-in driveway located on Commercial Street and a shared access/egress driveway on Front Street that is part of the Park Front development site. The site is located just south of Salem’s downtown core. Multi-modal transportation options will be readily available to employees and visitors. The proposed development will complement the surrounding area developments and provide a cohesive connection between the more suburban development to the south and the urban downtown.

SECTION III. - CLASS 3 SITE PLAN REVIEW

The proposed development is subject to the applicable development standards found SRC Chapters 531, 800, 802, 803, 804, 805, 806, 807, and 808. The following provides applicable standards in *Italics* for ease of reference, the project information confirming how the development meets applicable standards is provided in the appropriate column or following the applicable code section or standard. Where an adjustment is required, it is noted and is further addressed in Section VI of this narrative statement.

(a) Lot Standards

Requirement	Standard	Limitations & Qualifications	Project Information
<i>Lot Area</i>			
All uses	None		The development site is .66 acres or 28,655 square feet.
<i>Lot Width</i>			
All uses	None		The development site has an average width of over 135 feet.
<i>Lot Depth</i>			
All uses	None		The development site has an average depth of more than 300 feet.
<i>Street Frontage</i>			
All uses	None		The development site has street frontage on Commercial Street SE of approximately 103 feet and on Front Street NE of approximately 89 feet.

(b) Setbacks

Requirement	Standard	Limitations & Qualifications	Project Information
<i>Abutting Street</i>			
<i>Buildings and Accessory Structures</i>			
All Uses	Per SRC 531.035		Guidelines found in SRC 531.035 looks for minimal setbacks. The proposed building is oriented towards the corner of Commercial and Front Streets. Existing franchise utility easements, vaults and transformers along

			these streets preclude the siting of the building abutting the property line but the building is located safely outside the easement and related facilities meeting the intent. A plaza and landscaping are proposed at the corner of Commercial and Front Streets. The setback to Commercial Street is approximately 5 feet 5 inches with covered entry and awnings extending to the property line providing covered outdoor space. These amenities support the design review guidelines.
Vehicle Use Areas			
<i>All uses</i>	<i>Per SRC chapter 806</i>		SRC 806 requires vehicle use areas be setback from streets by a minimum of 10 feet with landscaping or 6 feet with a 3 foot tall wall and landscaping. Parking is setback more than 100 feet from Commercial Street SE and approximately 30 feet or from Front Street NE.

Interior Side			
Buildings and Accessory Structures			
<i>All uses</i>	<i>Per SRC 531.035</i>		No specific dimension is provided for side yards in SRC 531.035. The building is setback from the south property line by approximately 40 feet and from the north property line by approximately 25 feet
Vehicle Use Areas			
<i>All Uses</i>	<i>Per SRC chapter 806</i>		No specific dimension is provided in SRC 531.035 however zone to zone setback requires a minimum 5 foot setback to property lines. The setback for parking to the south property line is 5 feet and will include landscaping that consists of shrubs and trees. There is no setback for parking to the north property line where a shared access with the adjacent property is located, therefore an adjustment to the standard is required and included in this consolidated land use application compliance with applicable criteria is found in Section IV of this narrative statement.
Interior Rear			
Buildings and Accessory Structures			
<i>All Uses</i>	<i>Per SRC 531.035</i>		Accessory structures are limited to the trash enclosure which is setback from the rear property line at its closest point by 5 feet and the emergency generator by approximately 10 feet.
Vehicle Use Areas			
<i>All uses</i>	<i>Per SRC chapter 806</i>		Parking areas are required to be setback from interior rear property lines by 5 feet, parking is setback from the rear property line by more than 15 feet.

(c) Lot Coverage; Height

Requirement	Standard	Limitations & Qualifications	Project Information
<i>Lot coverage</i>			
<i>Buildings and Accessory Structures</i>			
<i>All uses</i>	<i>No Max.</i>		The proposed building coverage is 14,727 square feet.
<i>Height</i>			
<i>Buildings</i>			
<i>All uses</i>	<i>No Max</i>		The proposed building will be 4 stories with a height of 58 feet 2 inches.
<i>Accessory Structures</i>			
<i>Accessory to all uses</i>	<i>No Max.</i>		There are 2 accessory structures proposed, a trash enclosure and an enclosure for the emergency generator. These structures will be less than 15 feet tall.

SRC 531.035 Design Review -

PROJECT INFORMATION: A Class 3 design review is requested as part of this consolidated land review. Guidelines are provided with SECTION III of this narrative statement.

SRC 86 - Trees on City Owned Property

PROJECT INFORMATION: The development site has frontage on Commercial and Front Streets. Currently there are mature street trees planted along the Front Street right of way which will not be impacted by this development. There are no street trees planted along the Commercial Street right-of-way at this time, the developer will provide street trees as required for the Commercial Street frontage.

SRC 600 - Willamette Greenway

PROJECT INFORMATION: The Willamette Greenway Boundary is “that edge of the area adjacent to the Willamette River mapped as the Willamette Greenway...” which is generally the area within 150 feet of the low water line of the Willamette River. The development site, while in close proximity to the river and this boundary, is more than 400 feet from the eastern bank of the river putting it outside of the Willamette Greenway Boundary. A plan indicating where the boundary line is in relation to the development site is provided as part of the application submittal materials, Limits of Greenway, Sheet 6.

SRC 703 - Wireless Communications Facilities

PROJECT INFORMATION: There are no wireless communications facilities proposed with this development, therefore this chapter does not apply.

SRC 800 General Development Standards

Applicable development standards found in this chapter are limited to 800.055 solid waste service areas, 800.060 pedestrian access, and 800.065 exterior lighting.

PROJECT INFORMATION: The development proposal includes a solid waste service area or trash enclosure which is sited near the western property line adjacent to off-street parking. It is located so that it can be serviced by the solid waste hauling company. It is sized to accommodate the needs of the development. Details are provided on the Site Elements Plan, Sheet SD-06, of the submitted plan set.

Pedestrian access (SRC 800.060) is provided from the public sidewalk to the building. Pedestrian access is also provided through vehicle use areas as required. Please refer to the Enlarged Site Plan, Sheet SD-03, of the submitted plan set for confirmation of compliance.

Exterior lighting is provided for pedestrian paths and parking areas that meets the standards found in SRC 800.065. Light fixtures will not shine or reflect onto adjacent properties, or cast glare onto the public right-of-way. Pole mounted fixtures will be downward directed and shielded from direct view. Illumination will not exceed five foot candles.



SRC 802 – Public Improvements

PROJECT INFORMATION: The development site is served by fully improved streets, public sidewalks the front the development site are in good repair and meet the Public Works Design Standards. Adequate utilities are available in the area of the site and all connections to these public utilities are designed to meet Public Works Design Standards as required. Please refer to the civil plans specifically the Tentative Composite Utility Plan, Sheet C4.0, and the Tentative Grading and Drainage Plan, Sheet C5.0 for information related to design compliance.

SRC 803 – Streets and Right-of-Ways

PROJECT INFORMATION: As noted previously, the development site has street frontage on Commercial and Front Streets. These public streets are fully improved and improvements include curb, gutter, and public sidewalks with streetscape. The sidewalks fronting the property are in good repair and meet Public Works Design Standards however there are portions of the sidewalk along the Commercial Street frontage which will be replaced as a result of construction, the replacement will meet standards as required.

The streetscape along Commercial does not include street trees where it fronts the development site as a result a street tree will be added to the existing planter during the construction. The tree will be selected from the City's current approved street tree list and will be planted per code.

SRC 804 - Driveway Approaches

PROJECT INFORMATION: A Class 2 driveway approach is required for the replacement of the existing driveway on Commercial Street which is a major arterial. Information related to the requests and compliance with applicable criteria is provided in SECTION V of this narrative statement.

SRC 806 – Off-Street Parking, Loading and Driveways

PROJECT INFORMATION: The development proposal meets the applicable standards found in SRC 806 as required.

Vehicle parking is determined based on use as set forth in Table 806-1: the skilled nursing use (considered nursing care under group living) is 1 space per 3 beds, the facility anticipates 72 beds for a minimum of 24 spaces; the commercial retail portions of the building require 1 space per 250 square feet, with 3,936 square feet of this use type a minimum of 16 spaces is require; for a minimum development total of 40 required spaces. The Code does restrict the amount of parking that may be provided as well, for off-street parking areas exceeding 20 spaces developments are allowed to provide up to 1.75 times the minimum, which for this development would be a maximum of 62 spaces. The proposed development provides 55 spaces exceeding the minimum while remaining below the allowed maximum. All of the required parking is located within the development site. As noted previously, setbacks as required are met as with the exception of those spaces adjacent to the north property line where the development site shares a drive aisle, an adjustment to this setback is included as part of this consolidated land use request. Minimum interior landscaping for this development is 5 percent of the total parking area which is 19,637 square feet requiring 982 square feet of landscaping in the parking area, the proposal provides 6,584 exceeding the minimum.

The driveway providing access only from Commercial Street will be 20 feet wide exceeding the 12 foot minimum required. The driveway approach will be concrete to the back of sidewalk where it changes to asphalt as allowed by the Code. Drive aisle widths range from a minimum of 20 feet for one-way traffic up to 26 feet to accommodate two-way traffic flows.

Bicycle parking has been located near primary building entries on Commercial Street and also in close proximity to the skilled nursing tenant's primary entry as desired. The 4 spaces required for the commercial retail have been sited in the plaza at the northeastern corner of the development site. There are 4 additional spaces (only 3 are required) near the skilled nursing entry on the south side of the building. All of these spaces are accessed from the public sidewalk on Commercial Street to walkways on site so that cyclist do not need to lift their bikes over any curb or up steps. The bike racks will be the staple type allowed by code.

The proposed building has an overall building square footage of 59,229 which requires 1 off-street loading space which is provided adjacent to the northwest corner of the proposed building.

SRC 807 – Landscaping

PROJECT INFORMATION: The development proposal includes information about proposed landscaping. The Code requires that new developments provide a minimum of 15 percent landscaped area the proposal provides more than 19 percent. Interior landscape is required for parking areas at a minimum of 5 percent of the parking area, we provide details regarding landscape quantities can be found on Sheet SD-03 and on the landscape plans, Sheets L1.00, L1.01, L2.01 and L3.01

SECTION IV. - DESIGN REVIEW

A Class 3 design review, which is a Type III procedure under SRC 300, is applicable to this development proposal as the proposed design meets the design review guidelines found in SRC 531.035. The table that follows coupled with the submitted drawings illustrates how the Applicants proposed post-acute rehabilitation and commercial retail development proposal meets the applicable Design Review Guidelines for the South Waterfront Mixed-Use Zone:

Pedestrian – Oriented Building Design: General		
Applicability		
(a) Pedestrian-oriented building design: general. The design review guidelines and design review standards set forth in this subsection apply to building throughout the south waterfront mixed-use zone; provided, however, the design review guidelines and design review standards do not apply to building facades that are both facing and located within 80 feet of the railroad right-of-way		
A. Pedestrian – Oriented Building Design: General		
(1) Building Facades		
GUIDELINES	PROJECT DESCRIPTION	MEETS
(i) Architectural detailing shall be incorporated that visually divides and breaks up the buildings vertical mass in a manner that is complimentary to Downtown Salem’s existing building stock.	The proposed building’s contemporary urban design incorporates a mix of color and finish materials: brick, fiber cement siding, fiber cement panels, horizontal and vertical corrugated metal that are used to identify building elements, break up building mass, enhance façade articulation and add visual interest. The ground floor anticipates brick in two shades, the second and third floor are primarily horizontal fiber cement siding, and the fourth floor will use both vertical and horizontal metal siding for the majority of this top floor. Tower elements clad in fiber cement panels help to break up the buildings horizontal planes. A heavy fascia caps the building.	Meets
(2) Ground Floor Height		
GUIDELINES	PROJECT DESCRIPTION	MEETS
(i) The ground floors of buildings along streets, or facing open space, shall be of sufficient height to be easily converted to commercial use. If a raised foundation or one-half story of visible below grade parking is provided, this level shall enhance the pedestrian environment along the sidewalk through landscaping or other techniques to ensure a pedestrian-friendly environment.	The proposed development will be a mix of uses, commercial retail and skilled nursing. The commercial retail component is limited to a portion of the ground floor and has been located in along or near the street front and public sidewalk with skilled nursing administrative and services areas located away from the street which is more appropriate. The ground floor height is 15 feet 2 inches.	Meets

(3) Building Transparency		
GUIDELINES	PROJECT DESCRIPTION	MEETS
(i) Ground floor building facades facing streets and open space shall include large transparent windows to ensure that the ground floor promotes a sense of interaction between activities in the building and activities in the public realm.	The proposed ground floor glazing is storefront which will provide large expanses of glass especially at the commercial retail spaces which are oriented towards the street.	Meets
(ii) Windows on ground floor and upper floor building facades shall be provided to ensure the public and private shall be provided to ensure that the public and private opens spaces are safe and secure at all times by providing sufficient "eyes" on streets, courtyards, forecourts, plazas, and parks.	Generous amounts of glazing are provided on all floors. Sidewalks, plaza areas, and parking areas will be visible from all levels of the building providing "eyes" on these areas where pedestrian traffic is common.	Meets
(4) Primary Building Entries		
GUIDELINES	PROJECT INFORMATION	MEETS
(A) Design review guidelines. (i) Primary building entries shall be inviting to pedestrians and promote a sense of interaction between the public and private realms. Opaque doors shall be avoided.	The building's primary building entries will have storefront entry doors which will be transparent glass.	Meets
(ii) Building entries shall create a "transition zone" between the public realm on the sidewalk and the private realm within the building.	Primary building entries are covered and transparent glass doors provide visual access, these aspects provide the "transition zone". Covered entries provide weather protection which is inherent to the building interior. Transparent doors and adjacent windows allow interaction between the exterior and interior spaces.	Meets
(5) Mechanical and Service Equipment		
GUIDELINES	PROJECT INFORMATION	MEETS
(i) Ground level and rooftop mechanical and service equipment shall be visually screened and, whenever possible, located so it is not visible from public sidewalks and open spaces.	Ground level mechanical equipment and services areas are limited to the emergency generator and solid waste areas each of these will be located within enclosures. Rooftop mechanical systems, if visible from the public sidewalk will be screened.	Meets
b. Pedestrian - Oriented Building Design: Specific Applicability		
The design review guidelines and design review standards set forth in this subsection apply to buildings located along the north side of Pringle Creek, along Commercial Street and Front Street. The design review guidelines and design review standards applicable to parking included under subsection (b)(2) of this section apply to all of the above frontages, and to the frontage along Front Street, AS SHOWN IN Figure 531-10.		
(1) Building Setbacks and Frontages		
GUIDELINES	PROJECT INFORMATION	MEETS
(i) Buildings shall create well-defined "edges" to the public realm by minimizing setbacks from the street right-of-way. Zero lot line buildings are encouraged. Buildings may be sited so as to create opportunities for well-designed public or civic spaces between buildings and the sidewalk.	The development site is located at the corner of Commercial Street and Front Street, the proposed building is sited near the street property lines, existing utilities and their easements. These preclude the building from being sited abutting these property lines. However, the building design and site design includes building corners and awning components adjacent to the existing easement with landscaping and a plaza at the	Meets

	corner of Commercial and Front Streets. By incorporating these into the development's design, connections are promoted between the public sidewalk, the site and the commercial uses within the street facing spaces.	
(ii) A comfortable, inviting, and well-framed open space environment shall be created along Pringle Creek by establishing a well-defined building wall "edge" along the north bank of the creek.	Pringle Creek is not located on the development site it runs through the neighboring property to the south with the north bank of the creek lying approximately 30 feet from the existing retaining wall which is on the shared property line. The elevation of the anticipated future pedestrian path on the neighboring property will sit anywhere from 15 to 20 feet below the top of the existing retaining wall and the applicant's development site. A landscape bed planted primarily with shrubs and a few trees (where space allows), is proposed along this property line. The landscape design indicates that the shrub planting will use <i>Arctostaphylos patula</i> /Greenleaf manzanita, a shrub that averages between 3 to 6 feet in height, which will screen the vehicle use areas from the future pedestrian path. The existing conditions, topography and proposed landscaping will provide the "well-defined building wall "edge" along the north bank of the creek" that the guideline is seeking.	Meets
(iii) Pringle Creek, the site's principal natural asset, shall be preserved by setting buildings back sufficient distance from the north bank of the creek.	As previously noted Pringle Creek is not located on the development site. A generous building setback to the development site's southern property line which is closest to the creek is provided to help preserve the South Waterfront Mixed-Use zone's principle asset. The proposed building's irregular footprint allows for a varied building setback of more than 39 feet at its closest point and up to 60 or more feet for the majority of the building's south façade to the property line.	Meets
(iv) Building and primary building entries shall be oriented to and easily accessible from the sidewalks and public open space.	The commercial retail spaces are oriented to the street with primary entries being accessed from the public sidewalk on Commercial and Front Streets. The Marquis post-acute care entry will be oriented towards the parking located adjacent to the south side of the building where access is provided from the driveway located on Commercial Street. A paved pedestrian path from this post-acute entry provides access to public sidewalk along Commercial Street.	Meets
(2) Parking		
GUIDELINES	PROJECT INFORMATION	MEETS
(i) Surface parking lots along buildings facing public streets shall be buffered from view by pedestrians on the sidewalk. Whenever possible, surface parking lots shall be placed behind buildings.	More than 75 percent of the parking is located away from Commercial Street and behind the building, with a limited number of spaces being located adjacent to an existing parking lot on the north side of the building. These proposed spaces will be more than 30 feet from the edge of sidewalk on Front Street and will be screened by an existing wall and landscape plantings providing the buffering desired.	Meets

(ii) Parking structures fronting on public streets shall include space for ground floor commercial and/or household living uses along their public street facing facades in order to create an active and engaging pedestrian environment.	The proposal does not include a parking structure therefore this guideline does not apply.	N/A
(3) Weather Protection		
(i) Weather protection, in the form of awnings, canopies, arcades, or galleries appropriate to the design of the building, shall be provided along ground floor building facades facing streets and public space in order to create a comfortable and inviting pedestrian environment.	Awnings are provided above storefront glazing systems that are oriented to the public right of way and in close proximity to the public sidewalk. Awnings will provide weather protection for primary entries along Commercial and Front Streets or parking areas.	Meets
(c) Relationship to Riverfront Park		
Applicability		
The design review guidelines and design review standards set forth in this subsection apply to buildings located on lots immediately adjacent to Riverfront Park.		
GUIDELINES	PROJECT INFORMATION	MEETS
	The development site is not located immediately adjacent to Riverfront Park therefore Section (c) is not applicable.	N/A
(d) Gateways		
Applicability		
The design review guidelines and design review standards set forth in this subsection apply only to corner or "Gateway" locations identified in Figure 531-21.		
(1) Corner Treatments		
GUIDELINES	PROJECT INFORMATION	MEETS
(i) Buildings located at corners and gateways shall incorporate architectural or site planning design elements that visually emphasize the corner of the building. One or more of the following techniques may be used to meet this guideline: (aa) Prominent architectural elements that emphasize the corner of the building, such as increased building height or massing, cupolas or turrets, pitched roofs at the corner of the building, special window treatments, etc. (bb) Special "signature" signage located at the corner of the building. (cc) Public gathering spaces, such as plazas, located at the corner that incorporate special paving materials, site furnishings, and/or landscaping treatments.	PROJECT INFORMATION: The development site contains a gateway at the site's northeast corner where Commercial Street and Front Street intersect. The building design incorporates "tower" block elements to break up massing and horizontal planes. These tower blocks highlight the sites gateway corner and street presence through the use of contrasting color, façade materials and architectural details especially for those portions of the building that contain retail commercial uses on the ground floor. A plaza and landscaping is located at this corner promoting interaction between the public right-of-way and the development highlighting the ground floor tenant spaces. Meeting guidelines (aa) and (cc) as needed.	Meets



(e) Pedestrian Connections		
Applicability		
The design review guidelines and design review standards set forth in this subsection apply to developments along the north bank of Pringle Creek and to developments at the western and northern edges of the site abutting Riverfront Park, as identified in Figure 531-26.		
GUIDELINES	PROJECT INFORMATION	MEETS
	Pringle Creek, the creek bank and the future path along the north bank of the creek are located on the adjacent property (305 Commercial) to the south of the development site therefore this section does not apply. However, a connection to the Commercial Street public sidewalk on the north side of the Commercial Street bridge, adjacent to the development site, is available within the public right-of-way which should accommodate a stair to enable a secondary connection, if desired, to the future extension of the accessible path along the north bank of the Pringle Creek currently terminating under the Commercial Street bridge.	N/A

SECTION V. - CLASS 2 ADJUSTMENTS

When development proposals are not able to meet all of the development standards adjustments provide a process for deviation. This development proposal meets most of the applicable development standards found in the UDC with the exception of SRC 806.035(c)(3) for parking setback standards and also SRC 804.035(d) for driveway approach spacing standards. As a result a request for two Class 2 adjustments is included in this consolidated land use application.

SRC 806

Off-street parking and vehicle use area setbacks found in SRC 806.035(c)(3) requires a minimum 5 foot landscaped perimeter setback at interior front, side and rear property lines. The development proposal is unable to practicably provide any setback to the side yard at the north property line, as it shares vehicle a drive aisle with the neighboring Park Front development which was established at the time the Park Front development was approved and constructed. In addition to the shared drive aisle at this property line, the two developments have shared vehicle access with all exiting taking place from the 30 foot wide driveway on Front Street which reduces impacts to the street system in this area. The shared vehicle use area will serve an existing commercial office building and the mixed use post-acute care and commercial retail development proposed which remain consistent with previously approved plans.

SRC 804

Driveway approach standards found in SRC 804 provide recommended design standards for new, modified and reconstructed driveway approaches accessing public streets. The development site contains a single driveway taking access from Commercial Street a major arterial. The development site is located on a corner with street frontage on Commercial Street as noted and Front Street (designated as a parkway), so the driveway approach location takes access from the lower classification as preferred. The existing driveway approach is relatively new and was constructed as part of a City of Salem public improvement project a few years ago; however, the approach was not constructed to City Standards for commercial driveway approaches providing one-way travel for all vehicle types, including emergency services triggering the need for replacement to allow widening from 15.4 feet to 20 feet to accommodate first responders. The reason for the adjustment is that SRC 804.035(d) requires "driveway approaches providing direct access to a major or minor arterial shall be no less than 370 feet from the nearest driveway or street intersection measured from center line to center line", the existing driveway approach provides approximately 137 feet to the nearest intersection (center line to center line) which is Front Street on the north side of the site. The existing and proposed driveway approach is/will be located as far from the intersection as possible adjacent to the south property line as the site width is just over 103 feet. The change is minimal and will not create additional hazards.



A Class 2 adjustment shall be granted if all of the applicable criteria found in SRC 250.005(d)(2) are met. Each criterion is provided and then followed by a response supporting compliance below:

- (A) The purposed underlying the specific development standard proposed for adjustment is:
- (i) Clearly inapplicable to the proposed development;
 - (ii) Equally or better met by the proposed development.

SRC 806 – PARKING SETBACK RESPONSE: The proposed development shares vehicular access with the adjacent property to the north. This reciprocal agreement allows joint use of the right in only driveway on Commercial Street located on the development site and the right in / right out driveway on Front Street located on the 235 Front Street site as well as vehicle circulation drive aisles. This shared access permits both developments to provide safe and efficient vehicle circulation into, through and out of their development sites. The subject development was previously granted this same adjustment type in 2016 when a previous development proposal for the same uses but a different building design was proposed and approved. As was argued with that approval, the purpose of interior yard setbacks is to provide visual buffering designed to separate and protect incompatible uses, the proposed Marquis development and the existing Park Front commercial office are not incompatible, they are both commercial in nature and complement one another. By approving the request the City will maintain the previous approval which was also afforded to the Park Front development and will allow the Marquis proposal to provide some parking in closer proximity to the commercial retail uses while allowing for greater landscaped setbacks to Front Street and the public sidewalk which is equal or better than strictly adhering to the standard.

SRC 804 – DRIVEWAY SPACING RESPONSE: The standard does not apply as the site simply does not have the width to accommodate greater spacing and is only needed because the existing City constructed driveway approach does not meet City standards for commercial driveways providing only “forward in/forward out access” that accommodates emergency response vehicles required. As indicated earlier, the existing driveway approach takes access from the lowest street classification as allowed, is and will continue to be been located as far as practicable from the closest street intersection, and will be limited to access only.

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

SRC 806 – PARKING SETBACK RESPONSE: The development site is part of a mixed-use zone that allows both residential and commercial uses but the property line where that pertains to the requested adjustment is not adjacent to any residential developments; as a result, approving the request will not detract from the livability or appearance of the residential area.

SRC 804 – DRIVEWAY SPACING RESPONSE: The development site is located within a mixed use zone allowing residential development. The proposed driveway approach replacement will not impact the surrounding area either from a livability or appearance perspective. It will maintain an existing condition.

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

SRC 806 and SRC 804 - RESPONSE: There are 2 adjustments requested and they are the minimum needed. If approved there are no known impacts as both deviations will provide a development that remains consistent with the existing area and neighboring developments, and maintain current conditions on Commercial Street. The requested adjustments will not affect developments within the zone nor any future development plans in the SWMU zone.

SECTION VI. - CLASS 2 DRIVEWAY APPROACH PERMIT

The existing driveway approach located near the south property line on Commercial Street is proposed to be replaced as part of the improvements. The location will remain the same and access will be limited to right-in only. SRC Chapter 804 applies to “the design, construction, relocation, reconstruction, or alteration of any driveway approach.” A Class 2 driveway approach permit is required to reconstruct the existing driveway on Commercial Street which is classified as a major arterial. A Class 2 driveway approach permit shall be granted if:

- (1) *The proposed driveway approach meets the following Public Works Design Standards are met;*
- (2) *No site conditions prevent placing the driveway approach in the required location;*



RESPONSE: The proposed driveway will replace an existing driveway, there are no site conditions or design constraints that preclude it remaining in the same location.

(3) The number of driveway approaches onto an arterial are minimized;

RESPONSE: There is a single driveway providing right-in access only, the other roadway that fronts the development site is designated as a parkway.

(4) The proposed driveway approach, where possible:

(A) Is shared with an adjacent property; or

(B) Takes access from the lowest classification of street abutting the property;

RESPONSE: As previously noted, the existing driveway takes access from the lowest classification of street that abuts the development site.

(5) The proposed driveway approach meets vision clearance standards;

RESPONSE: There is no vision clearance for the replacement driveway as it will be right-in only from a one-way street.

(6) The proposed driveway approach does not create traffic hazards and provides for safe turning movements and access;

RESPONSE: No traffic hazards anticipated with the driveway location, the right-in only access further reduces the number of turning movements. The 20 foot width adequate provides right-in maneuvering.

(7) The proposed driveway approach does not result in significant adverse impacts to the vicinity;

RESPONSE: The proposal is to replace the existing driveway with no location change and is not anticipated to result in significant adverse impacts within the vicinity of the site.

(8) The proposed driveway approach minimizes impact to the functionality of adjacent streets and intersections; and

RESPONSE: The driveway approach will be limited access and utilizes existing location to minimize impacts to the functionality of adjacent streets and the intersection at the northeastern corner of the site.

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

RESPONSE: The underlying zoning in the area of the development site is mixed-use, commercial or public service. The driveway approach provides right-in only access to the development from a one-way street. The design of the development utilizes an existing driveway on a neighboring property for egress as well as allowing for a secondary access point in order to reduce adverse impacts.


VII. - Conclusion

The applicant is looking forward to the redevelopment of this site which is part of the former Boise Cascade campus and a gateway location. The proposal will help to complete the revitalization of land within the SWMU zone with a development that will promote business activity, create jobs, and provide an additional revenue source for the Salem community.



MEMO

TO: Bryce Bishop, Planner III
Community Development Department

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

DATE: March 30, 2021

**SUBJECT: PUBLIC WORKS RECOMMENDATIONS
DR-SPR-SWMUDPP-ADJ-DAP21-01 (20-113054-RP)
295 COMMERCIAL STREET SE
NEW MIXED-USE DEVELOPMENT**

PROPOSAL

A consolidated application for a proposed new four-story mixed-use building consisting of a 72-bed post-acute rehabilitation facility and approximately 3,940 square feet of ground floor commercial space. The application includes a Class 3 Site Plan Review, a Class 2 Driveway Approach Permit, and a Class 2 Adjustment to reduce the minimum 370-foot spacing required between both the proposed driveway onto Commercial Street SE and Front Street SE and between the proposed driveway onto Commercial Street SE and the nearest driveway to the south (SRC 804.035(d)). The subject property is approximately 1.14 acres in size, zoned SWMU (South Waterfront Mixed-Use) and located at 295 Commercial Street SE (Marion County Assessor Map and Tax Lot Number: 073W27BA 03100).

RECOMMENDED CONDITIONS OF APPROVAL

1. Design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS in effect at the time of application submittal or obtain approval from the Public Works Director for a fee-in-lieu of improvements pursuant to SRC 71.025.
2. Provide street trees to the maximum extent feasible along the frontage of Commercial Street SE.

FACTS

Streets

1. Commercial Street SE

- a. Standard—This street is designated as a Major Arterial street in the Salem TSP. The standard for this street classification is a 68-foot-wide improvement within a 96-foot-wide right-of-way.
- b. Existing Conditions—This street has an approximate 59-foot improvement within a 99-foot-wide right-of-way abutting the subject property.

2. Front Street SE

- a. Standard—This street is designated as a Parkway street in the Salem TSP and is under the jurisdiction of the Oregon Department of Transportation.

Storm Drainage

1. Existing Conditions

- a. 12-inch storm mains are located in Commercial Street SE and Front Street SE.

Water

1. Existing Conditions

- a. The subject property is located in the G-0 water service level.
- b. A 24-inch water main is located in Commercial Street SE. Mains of this size generally convey flows of 8,500 to 19,700 gallons per minute.

Sanitary Sewer

1. Existing Conditions

- a. A 12-inch sewer main is located in Commercial Street SE.

CRITERIA AND FINDINGS

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

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

Finding—With completion of the conditions above and approval of the adjustment for driveway spacing, 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.

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

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

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

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—Commercial Street SE is fully developed and exceeds the right-of-way width pursuant to the Salem TSP. It is approved as an alternative street standard for pavement width pursuant to SRC 803.065(a) because it is fully developed; therefore, no additional street improvements are required as a condition of the proposed development. Front Street SE is fully developed Parkway street in the Salem TSP and is under the jurisdiction of the Oregon Department of Transportation.

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 driveway access onto Front Street SE provides for safe turning movements into and out of the property. No changes are proposed to this driveway.

The driveway access onto Commercial Street SE lacks adequate width for fire access. The applicant proposes to widen the existing driveway to meet the needs of fire access. See driveway approach and adjustment findings below.

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 plan for this site. The water, sewer, and storm infrastructure are available within surrounding streets/areas and are adequate to serve the proposed development. The applicant shall design and construct all utilities (sewer, water, and storm drainage) according to the PWDS and to the satisfaction of the Public Works Director.

PWDS Appendix 004-E(4)(b) and SRC Chapter 71. The preliminary stormwater design demonstrates the use of green stormwater infrastructure. However, initial City review of the preliminary stormwater design demonstrates that additional changes may be needed to provide sufficient capacity for flow control and treatment. Given the proximity of the subject property to the Willamette River, the applicant may be able to obtain approval from the Public Works Director for a fee-in-lieu of improvements pursuant to SRC 71.025. At the time of development, the applicant shall design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.

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

(1) The proposed driveway approach meets the standards of this Chapter and the Public Works Design Standards;

Finding—With the approved adjustment for driveway spacing, the proposed driveway meets the standards for SRC Chapter 804 and PWDS.

(2) No site conditions prevent placing the driveway approach in the required location;

Finding—There is an existing bridge and creek located south of the existing driveway. For this reason, the driveway shall be widened to the north. Otherwise, there are no site conditions prohibiting the location of the proposed driveway.

(3) The number of driveway approaches onto an arterial are minimized;

Finding—One access is proposed to the arterial street.

(4) The proposed driveway approach, where possible:

- i. Is shared with an adjacent property; or**
- ii. Takes access from the lowest classification of street abutting the property;**

Finding—The proposed driveway takes access to the lowest classification of street abutting the subject property.

(5) Proposed driveway approach meets vision clearance standards;

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

(6) The proposed driveway approach does not create traffic hazards and provides for safe turning movements and access;

Finding—No evidence has been submitted to indicate that the proposed driveway will create traffic hazards or unsafe turning movements. Additionally, staff analysis of the proposed driveway indicates that it will not create a traffic hazard and will provide for safe turning movements for access to the subject property.

(7) The proposed driveway approach does not result in significant adverse impacts to the vicinity;

Finding—Staff analysis of the proposed driveway and the evidence that has been submitted indicate that the location of the proposed driveway will not have any adverse impacts to the adjacent properties or streets.

(8) The proposed driveway approach minimizes impact to the functionality of adjacent streets and intersections; and

Finding—The proposed driveway approach minimizes the impact to adjacent streets and intersections by providing a one-way ingress only to the site.

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

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

CRITERIA AND FINDINGS—Class 2 Adjustments

Analysis of the proposed Class 2 adjustment based on relevant criteria in SRC 250.005(d)(2) is as follows:

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

- 1. Clearly inapplicable to the proposed development; or**
- 2. Equally or better met by the proposed development.**

Finding—The applicant is requesting a Class 2 adjustment to allow for reduced spacing between driveways and intersections less than the standard of 370 feet. The proposal is to widen an existing driveway to allow for greater turning radius off a Major Arterial street. The proposed driveway is for one-way ingress to the site. The proposed driveway configuration meets the adjustment criteria by allowing for turning movements and traffic safety equal to what would be accomplished by meeting the development standard.

Prepared by: Jennifer Scott, Program Manager
cc: File

Bryce Bishop

From: KNECHT Casey <Casey.KNECHT@odot.state.or.us>
Sent: Friday, March 12, 2021 10:26 AM
To: Bryce Bishop
Subject: ODOT Comments for City of Salem Case DR-SPR-SWMUDPP-ADJ-DAP21-01 - Marquis

Bryce,

Thank you for notifying the Oregon Department of Transportation (ODOT) of the proposal at 295 Commercial Street SE in Salem. Please include these comments in the public hearing record and notify ODOT of the decision by sending a copy to odotr2planmgr@odot.state.or.us when available.

The site is on Front Street, which is a part of Salem Highway, No. 072 (OR-99EB/OR-22), and is subject to state laws administered by ODOT. There is currently one highway approach at MP 5.36 which was permitted in 2018 (Permit #56790). This proposal was included in the permit application from 2018 and the permit is still valid. ODOT has no further requirements for the development.

If the applicant needs to occupy the highway during construction, please have them contact the ODOT District 3 Permits Office at 503-986-2900 for a miscellaneous permit.

Casey Knecht, P.E.

Development Review Coordinator | ODOT Region 2

503-986-5170 | casey.knecht@odot.state.or.us

Bryce Bishop

From: Howard Hall <friendsofhistoricsalem@gmail.com>
Sent: Tuesday, March 16, 2021 11:26 AM
To: Shelby Guizar
Cc: Bryce Bishop
Subject: Re: Hearing Notice - Case No. DR-SPR-SWMUDPP-ADJ-DAP21-01 for 295 Commercial St SE

COMMENT

Landscaping, plantings, trees, appropriate lighting, materials will be important factors to integration of the project to nearby park (Riverfront) and the Pringle Path. It is essential that these aspects of the project be done well.

I say that from my experience as a nearby neighborhood parks chair and president of the Pringle Creek Watershed Council. The location near the Pringle Path and Riverfront Park gives this project considerable visibility and notice to the pedestrian. I encourage excellence.

Thank you for the opportunity to comment.

Jon Christenson MURP

On Tue, Mar 16, 2021 at 11:08 AM Shelby Guizar <SGuizar@cityofsalem.net> wrote:

Hello,

The Hearing Notice for Design Review, Site Plan Review, South Waterfront Mixed-Use Zone Development Phasing Plan Modification, Adjustment, and Driveway Approach Permit Case No. DR-SPR-SWMUDPP-ADJ-DAP21-01 for 295 Commercial St SE is linked below for your information (document size from previous email attachment was too large for some to receive). Hard copies go out in the mail today to those of you who are to receive one. This case will be heard digitally before the Planning Commission on Tuesday, April 6, 2021.

- [DR-SPR-SWMUDPP-ADJ-DAP21-01 Hearing Notice](#)

Application Summary: An application for a proposed new four-story mixed-use building consisting of a 72-bed post-acute rehabilitation facility and approximately 3,940 square feet of ground floor commercial space at the corner of Commercial Street SE and Front Street SE.

Bryce Bishop

From: Jim Eastridge <magoos@juno.com>
Sent: Friday, March 19, 2021 10:23 AM
To: Bryce Bishop
Subject: Magoo's

Good morning

Just checking my mail after St Patrick's day and found the land use request for the corner of S Commercial and Trade.

I think this is a wonderful project.

My question is the address listed.. to me 295 Commercial se would be on the North side of Trade in Magoo's Patio area. And the proposed project would be in the 300 block of South Commercial.

This is a minor thought , but as property owner at Magoo's and Liquor store, It my confuse some people.

Thanks
Jim Eastridge
Magoo's
275 Commercial Se
503-931-2489

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CDC Revises COVID Guidance for Schools

<http://thirdpartyoffers.juno.com/TGL3141/6054ddeb1a33b5dea48e2st01duc1>

Cops: 2 Rodriguezes on Ballot Was Part of Confusion Plot

<http://thirdpartyoffers.juno.com/TGL3141/6054ddeb3d5f65dea48e2st01duc2>

His Parents Kicked Him Out Monday. On Tuesday, Shootings

<http://thirdpartyoffers.juno.com/TGL3141/6054ddeb609bc5dea48e2st01duc3>

Bryce Bishop

From: Jim Brown <jimbrown@sou.edu>
Sent: Saturday, March 20, 2021 2:54 PM
To: Bryce Bishop
Subject: Permit 20 113053 (295 Commercial St. SE)

Hello Bryce,

I received the hearing notice for the above permit and I had a couple of questions regarding this project:

1. When I first rented my apartment at 315 Commercial St. SE, I was assured by management that Norris and Stevens had sold the land to the north of Pringle Creek on the condition that any structure would not exceed two stories in height. I'm curious if any such agreement existed and, if so, how it can be ignored today. To be clear, this was at least five years ago and management has changed three times at South Block along with the name (Helios and currently Neighborly Ventures).

2. I think the plan, as submitted, is quite attractive and the retail space will be welcome. I do, however, have a concern regarding the driveways and pedestrian safety. I'm probably wrong, but I only see one additional driveway for this project. It is located on the southeast corner of the proposed building and is only designed for entry only to the parking area. If that is the case, then the only egress would be through the current driveway, located near the existing building to the north. That driveway is right in and right out only on Front Street.

I walk past this existing driveway everyday and there isn't much traffic in and out but I have already had a few close calls with cars turning into the parking area from Front Street. When the proposed building is completed, I can imagine that the traffic coming out of the parking area will increase dramatically and I think this will pose a problem for pedestrians who are walking north because drivers will be looking north at oncoming traffic and they will not necessarily be paying attention to pedestrians coming from the south.

I might mention that this is already a problem for pedestrians heading north along Commercial when traversing Front Street at the light. At that location, there are two right-turn lanes and drivers are almost always looking left, fixated on the traffic coming from the north. I've had numerous close calls when crossing there in spite of the green pedestrian light in my favor.

My only suggestion is to put up caution signs with lights at these various crossing areas. I'm surprised that a project of this size only requires 40 additional parking spots with 55 actually being provided. If the proposed building has 72 beds and a relatively large retail space, it seems that parking will be a problem. But my main concern is pedestrian safety. Any light you might be able to throw on this would be appreciated.

Sincerely,

Jim Brown

Email: jimbrown@sou.edu

Phone: 503-623-8657

PS: I tried to send this message to Shelby Guizar at squizar@cityofsalem.net but it was rejected. Is there a typo in the address that is listed in the Hearing Notice?