

Si necesita ayuda para comprender esta información, por favor llame

503-588-6173

DECISION OF THE PLANNING ADMINISTRATOR

**MODIFICATION OF CONDITIONAL USE PERMIT / CLASS 3 SITE PLAN
REVIEW / CLASS 2 ADJUSTMENT CASE NO.: CU88-10MOD1-SPR-ADJ25-04**

APPLICATION NO.: 25-107669-PLN

NOTICE OF DECISION DATE: July 3, 2025

REQUEST: A consolidated application for a Conditional Use Permit modification and Class 3 Site Plan Review to reconfigure an existing vehicle use area to add vacuum detailing stalls for a Motor Vehicle Services use. In addition, a Class 2 adjustment to allow a vehicle use area between a building and a street (Commercial Street SE), per SRC 535.015(g)(1). The subject property is .86 acres in size, are zoned MU-III (Mixed Use-III), and located at 4096 Commercial Street SE (Marion County Assessor's Map and Tax Lot: 083W10AB /0200).

APPLICANT: Pacific Car Wash Development LLC (Washman LLC (Mark V Hanna, Kirk D Hanna)), represented by BRAND Land Use

LOCATION: 4096 Commercial St SE, Salem OR 97302

CRITERIA: Salem Revised Code (SRC) Chapters 240.010(d) – Conditional Use Permit Modification; 220.005(f)(3) – Class 3 Site Plan Review; 250.005(d)(2) – Class 2 Adjustment

FINDINGS: The findings are in the attached Decision dated July 3, 2025.

DECISION: The **Planning Administrator APPROVED** Modification of Conditional Use Permit, Class 3 Site Plan Review and Class 2 Adjustment Case No. CU88-10-SPR-ADJ25-04 subject to the following conditions of approval:

Condition 1: At the time of building permit, the applicant shall provide details demonstrating the lighting required for the on-site pedestrian circulation system is met per SRC 800.065(c).

The rights granted by the attached decision must be exercised, or an extension granted, by July 19, 2027, or this approval shall be null and void.

Application Deemed Complete:	<u>May 22, 2025</u>
Notice of Decision Mailing Date:	<u>July 3, 2025</u>
Decision Effective Date:	<u>July 19, 2025</u>
State Mandate Date:	<u>September 19, 2025</u>

Case Manager: Jacob Brown, jbrown@cityofsalem.net, (503) 540-2347

NOTICE OF DECISION

PLANNING DIVISION
planning@cityofsalem.net

CITY OF Salem
AT YOUR SERVICE

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, in person at 440 Church St SE, Salem OR 97312, by mail P.O. Box 14300 Salem, OR 97309, or by email at planning@cityofsalem.net, no later than 5:00 p.m., Friday, July 18, 2025. 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 Chapters 220, 240 and 250. 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 Hearings Officer will review the appeal at a public hearing. After the hearing, the Hearings Officer 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, 440 Church St SE, Salem, during regular business hours.

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

BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM

DECISION

IN THE MATTER OF APPROVAL OF)	
CONDITIONAL USE PERMIT MODIFICATION))	FINDINGS AND ORDER
CLASS 3 SITE PLAN REVIEW,)	
CLASS 2 ADJUSTMENT)	
CASE NO. CU88-10MOD1-SPR-ADJ25-04)	
4096 COMMERCIAL STREET SE)	JULY 3, 2025

In the matter of the application for a Conditional Use Permit Modification, Class 3 Site Plan Review, and Class 2 Adjustment, submitted by the applicant's representative Britany Randall with Brand Land Use, on behalf of the applicant and property owner, Pacific Car Wash Development LLC, the Planning Administrator, having received and reviewed evidence and the application materials, makes the following findings and adopts the following order as set forth herein.

REQUEST

Summary: Conditional Use Permit Modification for a vehicle use area reconfiguration for existing *Motor Vehicle Services* use.

Request: A consolidated application for a Conditional Use Permit modification and Class 3 Site Plan Review to reconfigure an existing vehicle use area to add vacuum detailing stalls for a Motor Vehicle Services use. In addition, a Class 2 Adjustment to allow a vehicle use area between a building and a street (Commercial Street SE), per SRC 535.015(g)(1). The subject property is .86 acres in size, are zoned MU-III (Mixed Use-III), and located at 4096 Commercial Street SE (Marion County Assessor Map and Tax Lot: 083W10AB /0200).

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

PROCEDURAL FINDINGS

1. Background

On April 8, 2025, a consolidated application for a Conditional Use Permit Modification, Class 3 Site Plan Review, Class 2 Adjustment was filed for the proposed development. After additional information was provided, the applications were deemed complete for processing on May 22, 2025. The 120-day State mandated decision deadline for this consolidated application is September 19, 2025.

The applicant's proposed site plan is included as **Attachment B** and the applicant's written statement addressing the approval criteria applications can be found in the record, accessible online as indicated below.

SUBSTANTIVE FINDINGS

2. Summary of Record

The following items are submitted to the record and are available: 1) all materials and testimony submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, stormwater reports, and; 2) materials, testimony, and comments from public agencies, City Departments, neighborhood associations, and the public. All application materials are available on the City's online Permit Application Center at 25 107669. You may use the search function without registering and enter the permit number listed here:

3. Neighborhood and Public Comments

The subject property is located within the boundaries of the Morningside Neighborhood Association (MNA) and adjacent to the boundaries of Faye Wright Neighborhood Association (FWNA).

Applicant 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. The applicant's representative contacted the neighborhood association to provide details about the proposal on March 26, 2025.

Neighborhood Association Comment: Notice of the application was provided to the 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. As of the date of completion of this decision, no comments have been received from the neighborhood association.

Homeowners Association: The subject property is not located within a Homeowners Association.

Public Comment: 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. As of the date of completion of this decision, no comments have been received from the neighborhood association.

4. City Department Comments

Development Services Division: Reviewed the proposal and provided a memo with findings that have been incorporated herein by reference. The memo in full can be found in the record, accessible online as indicated above.

Building and Safety Division: Review the proposal and indicated no objections.

Fire Department: Reviewed the proposal and indicated *Fire Department access and water*

supply are required per the Oregon Fire Code and will be reviewed at the time of building permit plan review.

5. Public and Private Agency Comments

At the time of this staff report, no comments were provided by public or private agency.

DECISION CRITERIA FINDINGS

6. Analysis of a Modification of Conditional Use Permit

Salem Revised Code (SRC) 240.010(d) provides that an application for modification of a Conditional Use Permit shall be granted if the following criteria are met. The following subsections are organized with approval criteria, followed by findings of fact upon which the decision is based. Lack of compliance with the following criteria is grounds for denial or for the issuance of conditions of approval to satisfy the criteria.

SRC 240.010(d)(1) The proposed modification does not substantially change the original approval; and

Finding: The subject property is located within the MU-III (Mixed Use-III) zone and the existing use of the property is *Motor Vehicle Services*. Within the MU-III Zone, *Motor Vehicle Services* require a conditional use permit per SRC 535.010 (a) Table 535-1. The site has received a prior Conditional Use Permit approval under CU88-10. As part of Our Salem project in 2022, the site was zoned changed from Commercial Retail (CR) to MU-III. At the time of approval for CU86-2, the site was zoned CR which similarly required a Conditional Use Permit for *Motor Vehicle Services*. The proposed development includes the reconfiguration and expansion of an existing vehicle use area to add vacuum detailing parking stalls. The following includes an analysis of the prior approval:

CU88-2

Under the Conditional Use Permit CU86-10, the site was originally approved for a new car wash and other related automobile services contained within a 7,100-square-foot building. The findings of the Hearing Officer's decision stated that the use was compatible with the surrounding zones which included vacuum stalls proposed within the drive aisles leading into the carwash and detail shop. The Hearing Officer's decision required the following conditions to be met:

Condition 1: The property shall be developed in substantial conformance with the site plan submitted with the application, including sight obscuring screening to be provided along the east property line.

Condition 2: Ingress and egress to the car wash facility shall be solely from Commercial Street SE and no access into the car wash facility shall be permitted from any abutting properties.

Condition 3: The off-street parking and loading requirements specified by SRC 133 shall be provided.

Condition 4: The services to be provided by the detail shop shall be conducted wholly within the building.

Condition 5: The applicants shall execute and file a removal agreement as required by SRC 130.190.

Condition 6: The curbing adjacent to the Commercial Street SE driveway entrance shall be yellow striped and clearly marked "no parking" to meet the vision clearance angle specified in SRC 130.280(b).

Condition 7: Any parking stalls used for polishing shall be clearly marked "for polishing only" and shall not be counted towards the permanent parking requirement of SRC 133.

Condition 8: No permanent parking stalls or polishing stalls shall block the 22-foot-wide two-way drive into the detail shop.

As discussed above, the development involves the reconfiguration and expansion of an existing vehicle use area to add vacuum detailing parking stalls. At the time of initial development of the property in 1988 under Building Permit 88-112136-BP, the development of the property was reviewed to be in conformance with the conditions of approval. The proposal will not impact the original removal agreement and no driveway access onto an adjoining property. The site currently contains yellow striping along curbing adjacent to Commercial Street SE. The proposal does not include any polishing stalls with all onsite parking indicated to be used for vacuum stalls. Lastly, the applicant's plans demonstrate that the proposed new parking spaces will not reduce the driveway width below 22 feet. Although not a two-way driveway, at the time of building permit, the driveway was proposed with 22-foot-wide one-way drive that runs through and around the building, which was found to be consistent with the development. Therefore, the proposed modification does not substantially change the original approval of CU88-10.

SRC 240.010(d)(2) When compared with the original approval, the proposed modification will not result in significant changes to the physical appearance of the development, the use of the site, and the impacts on surrounding properties.

As described above, the original conditional use permit approval was centered around the circulation and parking of the site to prevent traffic impacts upon Commercial Street SE and adjoining properties. The applicant's proposal is not seeking to impact the existing circulation of the site and will not add or alter existing approaches to the site.

The proposed expansion and alteration of the vehicle use area and off-street parking area will not result in significant changes to the existing use or the physical appearance of the development. The location of the existing structures will not change, and the existing driveway access, setbacks and perimeter landscaping will not change. For these reasons, staff finds that there are no significant impacts of the proposed development on surrounding properties, when compared with the previously approved conditional use permits.

7. Analysis of Class 3 Site Plan Review Approval Criteria

Salem Revised Code (SRC) 220.005(f)(3) provides that an application for a Class 3 Site Plan Review shall be granted if the following criteria are met. The following subsections are

organized with approval criteria, followed by findings of fact upon which the decision is based. Lack of compliance with the following criteria is grounds for denial or for the issuance of conditions of approval to satisfy the criteria.

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

Finding: The proposal includes expansion of an existing of *Motor Vehicle Services*. The proposed development includes the development involves the reconfiguration and expansion of an existing vehicle use area to add vacuum detailing parking stalls. Therefore, the development has been reviewed for conformance with the MU-III zone under SRC Chapter 535. The proposed development conforms to SRC Chapter 535 and all other applicable development standards of the Salem Revised Code as follows.

ZONING AND DEVELOPMENT STANDARDS

Use and Development Standards – MU-III (Mixed Use-III) Zone:

SRC 535.010 – Uses:

Table 535-1 lists permitted uses in the MU-III Zone.

Finding: As discussed in the findings of Section 6 of this report, the existing use of the site is *Motor Vehicle Services*. Within the MU-III Zone, *Motor Vehicle Services* require a conditional use permit per SRC 535.010(a) Table 535-1. The site has received one prior Conditional Use Permit approvals CU88-10, The above Conditional Use Permit modification findings determined that the proposed vehicle use area and off-street parking area modification to add additional parking spaces and vacuum stations.

SRC 535.015(a) – Lot Standards:

The minimum lot area for all uses is 10,000 square feet with a minimum lot width of 50 feet, a minimum street frontage of 16 feet, and a minimum depth of 80 feet.

Finding: The development is located on one unit of land which is not proposed to be modified as part of this application.

SRC 535.015(b) – Dwelling Unit Density:

Development within the MU-III that is exclusively residential shall have a minimum density of 15 dwelling units per acre.

Finding: The proposal is not for residential uses; therefore, this standard is not applicable.

SRC 535.015(c) – Setbacks:

Setbacks within the MU-III zone shall be provided as set forth in Table 535-3 and Table 535-4. *Abutting Street*

West: Adjacent to the west is right-of-way for Commercial Street SE. Buildings abutting a street require a minimum setback of five feet and maximum setback of 30 feet, provided the maximum setback area is used for a combination of landscaping and pedestrian amenities and up to the first 10 feet of the setback area can be used exclusively for pedestrian amenities and

at least 50 percent of the remaining setback area is landscaped. Accessory structures require a minimum five-foot setback. Vehicle use areas require a minimum six-to-ten-foot setback per Chapter 806.

Finding: The proposal includes an off-street parking area expansion where the existing 10-foot street abutting setback will not be altered. As such, this standard is met

Interior Side and Rear

North, South, East: Adjacent to the north, south, and west are interior lot lines abutting MU-III zoned properties. There is no minimum building or accessory structure setback required to an interior property line abutting an MU-III zone. Vehicle use areas require a minimum five-foot setback with Type A landscaping.

Finding: As shown on the applicants plans, the proposed surfacing to expand the off-street parking area will not impact the existing setbacks along the interior property lines. Therefore, this standard is met.

SRC 535.010(c) – Lot Coverage, Height:

Per Table 535-5, the maximum lot coverage for buildings and accessory structures for all uses is 60 percent. The maximum height for buildings and accessory structures for all uses other than medical centers/hospitals is 70 feet.

Finding: As proposed, the development will not add any new structures or alter existing structures to the site. As such, lot coverage and building height are not applicable to the development.

SRC 535.015(e) – Landscaping:

- (1) *Setbacks.* Except setback areas abutting a street that provide pedestrian amenities, setbacks shall be landscaped. For all developments other than those for exclusively residential uses, landscaping shall conform to the standards set forth in SRC Chapter 807.
- (2) *Vehicle Use Areas.* Vehicle use areas shall be landscaped as provided under SRC Chapter 806 and SRC Chapter 807.
- (3) *Development Site.* A minimum of 15 percent of the development site shall be landscaped. Landscaping shall meet the Type A standard set forth in SRC Chapter 807. Other required landscaping under the UDC, such as landscaping required for setbacks or vehicular use areas, may count toward meeting this requirement.
- (4) *Gasoline stations.* In addition to the landscaping requirements set forth in this section, gasoline stations shall be required to provide a minimum of one plant unit per 16 square feet of landscaped area.

Finding: The development site is 30,574 square feet in size, requiring a minimum 4,586 square feet of landscaping ($30,574 \times 0.15 = 4,586$), or 229 plant units ($4,586 / 20 = 229.3$), 40 percent of which must be trees, or 92 plant units ($229 \times 0.4 = 91.7$). The development site includes existing and proposed landscaped setback areas for the vehicle use areas and around the building perimeter totaling 6,694 square feet, or 22 percent. The applicant's

preliminary landscaping plans indicate existing and proposed landscaping exceeding the minimum plant units required. No changes are proposed to the existing setbacks.

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

SRC 535.015(g) – Pedestrian-oriented design

Development within the MU-III zone, excluding development requiring historic design review and multiple family development, shall conform to the pedestrian-oriented design standards set forth in this section. Any development requiring historic design review shall only be subject to design review according to the historic design review standards or the historic design review guidelines set forth in SRC chapter 230.

- (1) *Off-street parking location.* New off-street surface parking areas and vehicle maneuvering areas shall be located behind or beside buildings and structures. New off-street surface parking areas and vehicle maneuvering areas shall not be located between a building or structure and a street.
- (2) *Drive through location.* New drive throughs shall be located behind or beside buildings and structures.
- (3) *Outdoor storage.* Outdoor storage of merchandise located within 50 feet of the right-of-way shall be screened with landscaping or a site-obscuring fence or wall.
- (4) *Building entrances.* For buildings within the maximum setback abutting a street, a primary building entrance for each building facade facing a street shall be facing the street. If a building has frontage on more than one street, a single primary building entrance on the ground floor may be provided at the corner of the building where the streets intersect.
- (5) *Ground-floor windows.* For buildings within the maximum setback abutting a street, ground floor building facades facing that street shall include transparent windows on a minimum of 50 percent of the ground floor facade. The windows shall not be mirrored or treated in such a way as to block visibility into the building. The windows shall have a minimum visible transmittance (VT) of 37 percent.

Finding: The proposed expansion of the surfacing will add 10 new parking spaces within the area between the building and the street. As such, the applicant is seeking a Class 2 Adjustment to allow the new spaces within the area between a building and a street. The findings for the Class 2 Adjustment are discussed in Section 8 of this report. The proposed development does not include any modification to the existing building of the site or will add a new drive-through location; therefore, not impacting any other pedestrian-oriented design standards.

SRC Chapter 800 – General Development Standards

▪ ***Solid Waste Service Areas***

SRC 800.055(a) – Applicability.

Solid waste service area design standards shall apply to:

- (1) All new solid waste, recycling, and compostable service areas, where use of a solid waste, recycling, and compostable receptacle of one cubic yard or larger is proposed; and

- (2) Any change to an existing solid waste service area for receptacles of one cubic yard or larger that requires a building permit.

Finding: The applicant is not proposing a new receptacle enclosure containing one cubic yard or larger, thus this standard is not applicable.

▪ ***Pedestrian Access***

SRC 800.065 – Applicability.

Except where pedestrian access standards are provided elsewhere under the UDC, all developments, other than single family, two family, three family, four family, and multiple family developments, shall include an on-site pedestrian circulation system developed in conformance with the standards in this section.

Finding: The proposal includes development of a new off-street parking area; therefore, the pedestrian access standards of SRC Chapter 800 apply.

SRC 800.065(a) – Pedestrian Connections Required.

The on-site pedestrian circulation system shall provide pedestrian connectivity throughout the development site as follows:

(1) Connection Between Entrances and Streets.

- (A) A pedestrian connection shall be provided between the primary entrance of each building on the development site and each adjacent street. Where a building has more than one primary building entrance, a single pedestrian connection from one of the building's primary entrances to each adjacent street is allowed; provided each of the building's primary entrances are connected, via a pedestrian connection, to the required connection to the street.

Finding: The existing building is located within the eastern portion of the site with the site abutting Commercial Street SE to the west. The applicant's plans show a pedestrian connection being provided from the building's entrance out to Commercial Street SE. Therefore, this standard is met.

- (B) Where an adjacent street is a transit route and there is an existing or planned transit stop along street frontage of the development site, at least one of the required pedestrian connections shall connect to the street within 20 feet of the transit stop.

Finding: There are no existing transit stops along property's street frontage; therefore, this standard is not applicable.

(2) Connection Between Buildings on the same Development Site.

- (A) Where there is more than one building on a development site, a pedestrian connection, or pedestrian connections, shall be provided to connect the primary building entrances of all of the buildings.

Finding: The development site only includes one structure; therefore, this standard is not applicable.

(3) *Connection Through Off-Street Parking Areas.*

(A) *Surface parking areas.* Except as provided under subsection (a)(3)(A)(iii) of this section, off-street surface parking areas greater than 25,000 square feet in size, or including four or more consecutive parallel drive aisles shall include pedestrian connections through the parking area to the primary building entrance as provided in this subsection.

Finding: The proposed off-street parking area is less than 25,000 square feet; therefore, this standard is not applicable.

(B) *Parking structures and parking garages.* Where an individual floor of a parking structure or parking garage exceeds 25,000 square feet in size, a pedestrian connection shall be provided through the parking area on that floor to an entrance/exit.

Finding: The development site does not include any existing or proposed parking structures or garages; therefore, this standard is not applicable.

(4) *Connection to Existing or Planned Paths and Trails.* Where an existing or planned path or trail identified in the Salem Transportation System Plan (TSP) or the Salem Comprehensive Parks System Master Plan passes through a development site, the path or trail shall:

(A) Be constructed, and a public access easement or dedication provided; or

(B) When no abutting section of the trail or path has been constructed on adjacent property, a public access easement or dedication shall be provided for future construction of the path or trail.

Finding: There are no planned paths or trails passing through the development site; therefore, this standard is not applicable.

(5) *Connection to Abutting Properties.* Whenever a vehicular connection is provided from a development site to an abutting property, a pedestrian connection shall also be provided. A pedestrian connection is not required, however:

(A) To abutting properties used for activities falling within the use classifications, use categories, and uses under SRC chapter 400 listed in (i) through (vi).

Finding: The development site does not include any vehicular connections to an abutting property; therefore, this standard is not applicable.

SRC 800.065(b) – Design and materials.

Required pedestrian connections shall be in the form of a walkway, or may be in the form of a plaza.

(1) Walkways shall conform to the following:

(A) Walkways shall be paved with a hard-surface material meeting the Public Works Design Standards and shall be a minimum of five feet in width.

(B) Where a walkway crosses driveways, parking areas, parking lot drive aisles, and loading areas, the walkway shall be visually differentiated from such areas through the use of elevation changes, a physical separation, speed bumps, a different paving

material, or other similar method. Striping does not meet this requirement, except when used in a parking structure or parking garage.

(C) Where a walkway is located adjacent to an auto travel lane, the walkway shall be raised above the auto travel lane or separated from it by a raised curb, bollards, landscaping, or other physical separation. If the walkway is raised above the auto travel lane it must be raised a minimum of four inches in height and the ends of the raised portions must be equipped with curb ramps. If the walkway is separated from the auto travel lane with bollards, bollard spacing must be no further than five feet on center.

(2) Wheel stops or extended curbs shall be provided along required pedestrian connections to prevent the encroachment of vehicles onto pedestrian connections.

Finding: The applicant's plans indicate all proposed pedestrian connections are at least five feet in width and appear as sidewalks around the building. Additionally, the applicant's plans indicates the walkway crossing the drive aisle differentiated with a change of material; therefore, this standard is met.

SRC 800.065(c) – Lighting.

The on-site pedestrian circulation system shall be lighted to a level where the system can be used at night by employees, customers, and residents.

Finding: The application materials do not provide sufficient detail to determine compliance with this development standard. As conditioned below, the plans will be reviewed for conformance with applicable exterior lighting development standards at the time of building permit review.

Condition 1: At the time of building permit, the applicant shall provide details demonstrating the lighting required for the on-site pedestrian circulation system is met per SRC 800.065(c).

SRC Chapter 806 – Off-Street Parking, Loading, and Driveways

▪ ***Off-Street Parking***

SRC 806.015 – Amount Off-Street Parking.

(a) *Maximum Off-Street Parking.* Except as otherwise provided in this section, and unless otherwise provided under the UDC, off-street parking shall not exceed the amounts set forth in Table 806-1. For the purposes of calculating the maximum amount of off-street parking allowed, driveways shall not be considered off-street parking spaces.

Finding: There are no minimum parking standards for any development within the City. The proposal includes development of a new off-street parking area for an existing *Motor Vehicle Services* use, which allows a maximum of one space per 600 square feet of floor area. The applicant's plans and written statement indicate that the floor area of the existing structure is 5,700 square feet allowing a maximum of 10 off-street parking spaces; however, the applicant's site plan shows covered area of approximately 6,550 square feet and building records indicate a second floor office area measuring approximately 400 square feet in size totaling a floor area of 6,950 ($6,950 / 600 = 11.58$), thus allow a maximum of 12 spaces.

The proposed development includes reconfiguration of the existing vehicle use area to accommodate the off-street parking spaces that will be used as vacuum stalls, which the applicant plans indicate will result in total of 12 off-street parking spaces. The proposed parking meets the maximum allowed parking on site.

(b) *Compact Parking.* Up to 75 percent of the minimum off-street parking spaces provided on a development site may be compact parking spaces.

Finding: For the 12 off-street parking spaces provided, a maximum of 9 of the spaces may be compact ($12 \times 0.75 = 9$); the remaining spaces must be standard size spaces. The proposal indicates none of the proposed spaces will be compact parking. This standard is met.

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

Finding: No carpool/vanpool spaces are required since the use does not include 60 or more spaces. This standard does not apply.

(d) *Required electric vehicle charging spaces.* For any newly constructed building with five or more dwelling units on the same lot, including buildings with a mix of residential and nonresidential uses, a minimum of 40 percent of the off-street parking spaces provided on the site for the building shall be designated as spaces to serve electrical vehicle charging. In order to comply with this subsection, such spaces shall include provisions for electrical service capacity, as defined in ORS 455.417.

Finding: The existing or proposed use does not include five or more dwelling units and thus this standard is not applicable.

▪ ***Off-Street Parking and Vehicle Use Area Development Standards***

SRC 806.035 – For uses or activities other than single-family, two-, three-, and four-family.

Unless otherwise provided under the UDC, off-street parking and vehicle use areas, other than driveways and loading areas, for uses or activities other than single family, two family, three family, and four family shall be developed and maintained as provided in this section.

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

(1) The development of new off-street parking and vehicle use areas;

(2) The expansion of existing off-street parking and vehicle use areas, where additional paved surface is added;

(3) The alteration of existing off-street parking and vehicle use areas, where the existing paved surface is replaced with a new paved surface; and

(4) The paving of an unpaved area.

Finding: The proposal includes the reconfiguration of an existing vehicle use resulting in a new off-street parking area and appropriate drive-aisles and vehicle circulation; therefore, this section applies.

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

Finding: The proposed off-street parking area is in compliance with the minimum setback requirements of SRC Chapters 535 and 806. Perimeter landscaping will be evaluated for compliance with the applicable standards at the time of building permit review.

- (d) *Interior Landscaping.* Interior landscaping shall be provided in amounts not less than those set forth in Table 806-4 for off-street parking areas 5,000 square feet or greater in size. A minimum of one deciduous shade tree shall be planted for every 12 parking spaces within an off-street parking area.

Finding: Based on the applicant's existing conditions plan and site plan, the new surfacing added for the off-street parking measures 1,005 square feet in area. As the modified surfacing area is less than 5,000 square feet in area, the interior landscaping standard is not applicable.

- (e) *Off-Street Parking Area Dimensions.* Off-street parking areas shall conform to the minimum dimensions set forth in Table 806-5.

Finding: The proposed modified parking spaces, driveway and drive aisle for the off-street parking area meet the minimum dimensional requirements of SRC Chapter 806. The 60-degree spaces meet the minimum dimensions for a standard space with the aisle proposed to be a minimum of 22 feet. Thus, the parking area dimensions are met.

- (f) *Off-street parking area access and maneuvering.* In order to ensure safe and convenient vehicular access and maneuvering, off-street parking areas shall:
 - (1) Be designed so that vehicles enter and exit the street in a forward motion with no backing or maneuvering within the street; and
 - (2) Where a drive aisle terminates at a dead-end, include a turnaround area as shown in Figure 806-8. The turnaround shall conform to the minimum dimensions set forth in Table 806-6.

Finding: The applicant's plans do not propose a new parking or vehicle display area resulting in a dead-end. As there are no proposed dead-ends, the standard is not applicable.

- (g) *Grading.* Off-street parking and vehicle use areas shall not exceed a maximum grade of ten percent. Ramps shall not exceed a maximum grade of 15 percent.
- (h) *Surfacing.* Off-street parking and vehicle use areas shall be paved with a hard surface material meeting the Public Works Design Standards; provided, however, up to two feet of the front of a parking space may be landscaped with ground cover plants (see Figure 806-10). Such two-foot landscaped area may count towards meeting interior off-street parking area landscaping requirements when provided abutting a landscape island or

planter bay with a minimum width of five feet, but shall not count towards meeting perimeter setbacks and landscaping requirements.

- (i) *Drainage.* Off-street parking and vehicle use areas shall be adequately designed, graded, and drained according to the Public Works Design Standards, or to the approval of the Director.

Finding: The proposed off-street parking area is developed consistent with the additional development standards for grade, surfacing, and drainage.

- (j) *Bumper guards or wheel barriers.* Off-street parking and vehicle use areas shall include bumper guards or wheel barriers so that no portion of a vehicle will overhang or project into required setbacks and landscaped areas, pedestrian accessways, streets or alleys, or abutting property.

Finding: The site plan indicates that the new spaces shall have parking space dimensions to prevent parked vehicles from projecting into required landscape areas or pedestrian accessways; therefore, this standard is met.

- (k) *Off-street parking area striping.* Off-street parking areas shall be striped in conformance with the off-street parking area dimension standards set forth in Table 806-6.
- (l) *Marking and signage.*
 - (1) *Off-street parking and vehicle use area circulation.* Where directional signs and pavement markings are included within an off-street parking or vehicle use area to control vehicle movement, such signs and marking shall conform to the Manual of Uniform Traffic Control Devices.
 - (2) *Compact parking.* Compact parking spaces shall be clearly marked indicating the spaces are reserved for compact parking only.
 - (3) *Carpool and vanpool parking.* Carpool and vanpool parking spaces shall be posted with signs indicating the spaces are reserved for carpool or vanpool use only before 9:00 a.m. on weekdays.
- (m) *Lighting.* Lighting for off-street parking and vehicle use areas shall not shine or reflect onto adjacent residentially zoned property, or property used for uses or activities falling under household living, or cast glare onto the street.

Finding: The proposed reconfigured off-street parking area is consistent with the off-street parking area dimension standards set forth in Table 806-6. The parking area striping, marking, signage, and lighting shall comply with the standards of SRC Chapter 806, and will be verified for conformance at the time of building permit review.

▪ ***Climate Friendly and Equitable Communities (CFEC) Standards***

SRC 806.035(n) – Additional standards for new off-street surface parking areas more than one-half acre in size.

When a total of more than one-half acre of new off-street surface parking is proposed on one or more lots within a development site, the lot(s) proposed for development shall comply with the additional standards in this subsection. For purposes of these standards, the area of an off-street surface parking area is the sum of all areas within the perimeter of the off-street parking

area, including parking spaces, aisles, planting islands, corner areas, and curbed areas, but not including interior driveways and off-street loading areas.

Finding: The applicant's site plan indicates the total proposed new surfacing to accommodate the off-street parking area is 1,005 square feet in size; therefore, the additional standards in this subsection area do not apply to the proposed development.

▪ ***Driveway Development Standards***

SRC 806.040 – For uses or activities other than single family, two family, three family, or four family.

- (a) *Access.* The off-street parking and vehicle use area shall have either separate driveways for ingress and egress, a single driveway for ingress and egress with an adequate turnaround that is always available, or a loop to the single point of access. The driveway approaches to the driveways shall conform to SRC Chapter 804.
- (b) *Location.* Driveways shall not be located within required setbacks, except where the driveway provides access to the street, alley, or abutting property; or where the driveway is a shared driveway located over the common lot line and providing access to two or more uses.
- (c) *Perimeter Setbacks and Landscaping.* Perimeter setbacks shall be required for driveways abutting streets, and abutting interior front, side, and rear property lines.
- (d) *Dimensions.* Driveways shall conform to the minimum width set forth in Table 806-8.

Finding: Two-way driveways are required to have a minimum width of 22 feet. The applicant's plans indicate the existing and modified driveways will have a minimum width of 22 feet be provided throughout the site.

▪ ***Bicycle Parking***

SRC 806.045 – Bicycle Parking; When Required.

- (a) *General Applicability.* Bicycle parking shall be provided as required under this chapter for each proposed new use or activity, any change of use or activity, or any intensification, expansion, or enlargement of a use or activity.
- (b) *Applicability to change of use of existing building in Central Business District (CB) zone.* Notwithstanding any other provision of this chapter, the bicycle parking requirements for a change of use of an existing building within the CB zone shall be met if there are a minimum of eight bicycle parking spaces located within the public right-of-way of the block face adjacent to the primary entrance of the building. If the minimum number of required bicycle parking spaces are not present within the block face, the applicant shall be required to obtain a permit to have the required number of spaces installed. For purposes of this subsection, "block face" means the area within the public street right-of-way located along one side of a block, from intersecting street to intersecting street.
- (c) *Applicability to nonconforming bicycle parking area.* When bicycle parking is required to be added to an existing bicycle parking area that has a nonconforming number of spaces, the number of spaces required under this chapter for any new use or activity, any change of use or activity, or any intensification, expansion, or enlargement of a use or activity shall be provided, in addition to the number of spaces required to remedy the existing deficiency.

Finding: The proposal does not include development that would expand the existing floor area or intensify the use; therefore, this standard is not applicable.

Off-Street Loading Areas

SRC 806.065 – Off-Street Loading Areas; When Required.

- (a) ***General Applicability.*** Off-street loading areas shall be provided and maintained for each proposed new use or activity; any change of use or activity, when such change of use or activity results in a greater number of required off-street loading spaces than the previous use or activity; or any intensification, expansion, or enlargement of a use or activity.
- (b) ***Applicability to nonconforming off-street loading area.*** When off-street loading is required to be added to an existing off-street loading area that has a nonconforming number of spaces, the number of spaces required under this chapter for any new use or activity, any change of use or activity, or any intensification, expansion, or enlargement of a use or activity shall be provided, in addition to the number of spaces required to remedy the existing deficiency.

Finding: The proposal is for development of a new expansion to an existing use; therefore, the loading area requirements of this section apply.

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

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

SRC 806.075 - Amount of Off-Street Loading.

Unless otherwise provided under the UDC, off-street loading shall be provided in amounts and dimensions not less than those set forth in Table 806-11.

Finding: A *Motor Vehicle Services* use requires one loading area space when the total floor area measures between 5,000 and 100,000 square feet in area. The proposal will not impact the floor area of the site. This standard is not applicable.

SRC Chapter 807 – Landscaping

All required setbacks shall be landscaped with a minimum of 1 plant unit per 20 square feet of landscaped area. A minimum of 40 percent of the required number of plant units shall be a combination of mature trees, shade trees, evergreen/conifer trees, or ornamental trees. Plant materials and minimum plant unit values are defined in SRC Chapter 807, Table 807-2. All building permit applications for development subject to landscaping requirements shall include landscape and irrigation plans meeting the requirements of SRC Chapter 807.

Finding: The applicant's landscape plan indicates 30,574 square feet of landscaped area is provided for the development site. However, the preliminary landscape plans do not indicate the specific landscaping type or required plant units proposed for each of the landscape requirements, such as setbacks or interior parking lot landscaping.

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

CITY INFRASTRUCTURE STANDARDS

SRC Chapter 200 – Urban Growth Management

SRC Chapter 200 (Urban Growth Management) requires issuance of an Urban Growth Preliminary Declaration (UGA) prior to development of property located outside the City's Urban Service Area.

Finding: The subject property is located inside the Urban Service Area and adequate facilities are available. No Urban Growth Area permit is required.

SRC Chapter 71 – Stormwater

The proposed development is subject to SRC Chapter 71 and the revised Public Works Design Standards (PWDS) as adopted in Administrative Rule 109, Division 004.

Finding: The application shall provide an evaluation of the connection to the approved point of discharge for new areas of impervious surface per SRC 71.075. The applicant's engineer submitted a statement demonstrating compliance with SRC Chapter 71 because the project involves less than 5,000 square feet of new or replaced impervious surface.

SRC Chapter 802 – Public Improvements

▪ *Development to be served by City utilities*

SRC 802.015 requires development to be served by City utilities designed and constructed according to all applicable provisions of the Salem Revised Code and Public Works Design Standards (PWDS).

Finding: Public water, sanitary sewer, and stormwater infrastructure is available along the perimeter of the site and appears to be adequate to serve the property as shown on the applicant's preliminary utility plan. 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.

SRC Chapter 803 – Street and Right-of-way Improvements

The existing conditions of streets abutting the subject property are described in the following table:

Streets			
Street Name		Right-of-way Width	Improvement Width
Commercial Street SE (Major Arterial)	Standard:	96-feet	68-feet
	Existing Condition:	99-feet	76-feet
	Special Setback:	N/A	

▪ ***Boundary Street Improvements***

Pursuant to SRC 803.025, except as otherwise provided in this chapter, right-of-way width and pavement width for streets and alleys shall conform to the standards set forth in Table 803-1 (Right-of-way Width) and Table 803-2 (Pavement Width). In addition, SRC 803.040 requires dedication of right-of-way for, and construction or improvement of, boundary streets up to one-half of the right-of-way and improvement width specified in SRC 803.025 as a condition of approval for certain development.

Finding: Commercial Street SE abuts the subject property and is classified as a major arterial street according to the Salem Transportation System Plan (TSP). Commercial Street SE meets the minimum right-of-way width and pavement width standards established in SRC 803.025; therefore, additional improvements along Commercial Street NE are not required.

SRC Chapter 804 – Driveway Approaches

SRC 804 establishes development standards for driveway approaches providing access from the public right-of-way to private property in order to provide safe and efficient vehicular access to development sites.

Finding: The development site is served by an existing driveway approach onto Commercial Street SE. The existing driveway approach serving the site meets applicable sections of SRC Chapter 804 and does not warrant modification.

SRC Chapter 805 – Vision Clearance

SRC Chapter 805 establishes vision clearance standards in order to ensure visibility for vehicular, bicycle, and pedestrian traffic at the intersections of streets, alleys, flag lot accessways, and driveways.

Finding: The proposal does not cause a vision clearance obstruction per SRC Chapter 805.

NATURAL RESOURCES

SRC Chapter 601 – Floodplain

Development in the floodplain shall be regulated to preserve and maintain the capability to the floodplain to convey the flood water discharges and to minimize danger to life and property.

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

SRC Chapter 808 – Preservation of Trees and Vegetation

The City's tree preservation ordinance, under SRC Chapter 808, provides that no person shall remove the following trees unless undertaken pursuant to a permit issued under SRC

808.030(d), undertaken pursuant to a tree conservation plan approved under SRC 808.035, or permitted by a variance granted under SRC 808.045:

1. Heritage Trees;
2. Significant Trees (including Oregon White Oaks with diameter-at-breast-height (*dbh*) of 20 inches or greater and any other tree with a *dbh* of 30 inches or greater, with the exception of tree of heaven, empress tree, black cottonwood, and black locust);
3. Trees and native vegetation in riparian corridors; and
4. Trees on lots or parcels 20,000 square feet or greater.

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.”

Finding: The applicant’s plans do not identify any trees to be removed as part of the proposed development.

SRC Chapter 809 – Wetlands

Grading and construction activities within wetlands are regulated by the Oregon Department of State Lands (DSL) and US Army Corps of Engineers. State and Federal wetlands laws are also administered by the DSL and Army Corps, and potential impacts to jurisdictional wetlands are addressed through application and enforcement of appropriate mitigation measures. SRC Chapter 809 establishes requirements for notification of DSL when an application for development is received in an area designated as a wetland on the official wetlands map.

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

SRC Chapter 810 – Landslide Hazards

The City’s landslide hazard ordinance (SRC Chapter 810) establishes standards and requirements for the development of land within areas of identified landslide hazard susceptibility.

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

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: Access to the proposed development will be provided by the network of existing public streets that surround the property. Commercial Street SE along the frontage of the subject property is fully improved according to the standards established in SRC Chapter 804. The street system in and adjacent to the development will provide for the safe, orderly, and efficient circulation of traffic to and from the development. This criterion is met.

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 proposal involves modifications to an existing parking area and does not include new structures or a change in use of the property. The proposal does not trigger the requirement to submit a traffic impact analysis (TIA) according to SRC 803.015(b)(1). This criterion is not applicable.

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 Development Services division reviewed the proposal and determined that water, sewer, and storm infrastructure are available and appear to be adequate to serve the lots within the proposed development. This criterion is met.

Analysis of Class 2 Adjustment Criteria

Salem Revised Code (SRC) 250.005(d)(2) provides that an application for a Class 2 Adjustment shall be granted if the following criteria are met. The following subsections are organized with approval criteria, followed by findings of fact upon which the decision is based. Lack of compliance with the following criteria is grounds for denial or for the issuance of conditions of approval to satisfy the criteria.

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 is requesting one Class 2 Adjustments to allow a vehicle use area between a building and a street (Commercial Street SE), per SRC 535.015(g)(1). The following provides a detailed analysis upon which the decision is based for the adjustment request:

The applicant is requesting an adjustment to SRC 535.015(g)(1), which prohibits new off-street surface parking and vehicle maneuvering areas from being located between a building or structure and a street. The purpose of this standard is to promote an active, pedestrian oriented street frontage by ensuring that buildings, rather than parking lots, define the public realm. The current development of the site has the existing building of the site separated from the street abutting property line by approximately 80 feet with the use of the property being *Motor Vehicle Services*. The applicant's plans show that only 1,005 square of new surfacing is being proposed to accommodate the 12 new spaces on the site.

The applicant has proposed a new pedestrian connection from Commercial Street SE to primary entrance of the building enhancing pedestrian environment. The applicant's written statement states that although the vehicle use area remains between the building and the street, the addition of the pedestrian path significantly improves the site's pedestrian orientation, thereby equally or better meeting the intent of the standard to create a pedestrian-friendly development pattern. Staff agrees with the applicant's findings.

Furthermore, the visual relationship between the parking area and the street is enhanced through architectural detailing, landscape buffering, and direct pedestrian connection. The existing open canopy area in front of the building invites public interaction and encourages walking for customers of the site in ways that other *Motor Vehicle Services* do not typically provide. As such, the proposed development equally or better meets the intent of the standard.

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.

Finding: The subject property is located within the MU-III (MU-III) zone; therefore, this criterion is not applicable.

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.

Finding: One Class 2 Adjustments has been requested with this development; therefore this criterion is not applicable.

8. Conclusion

Based upon review of SRC Chapters 220, 240, and 250, the applicable standards of the Salem Revised Code, the findings contained herein, and due consideration of comments received, the application complies with the requirements for an affirmative decision.

Building permits are required for the proposed development.

Next steps:

Please submit building permits or other development permits for this project with the Building and Safety Division. Please submit a copy of this decision or this application file number with your building permit application for the work proposed.

IT IS HEREBY ORDERED

Final approval of Conditional Use Permit Modification, Class 3 Site Plan Review, and Class 2 Adjustment, Case No. CU88-10-SPR-ADJ25-04 is hereby **APPROVED** subject to SRC Chapters 220, 240, and 250, the applicable standards of the Salem Revised Code, conformance with the approved site plan included as **Attachment B**, and the following conditions of approval:

Condition 1: At the time of building permit, the applicant shall provide details demonstrating the lighting required for the on-site pedestrian circulation system is met per SRC 800.065(c).



Jacob Brown, Planner II



Laurel Christian, Infrastructure Planner III

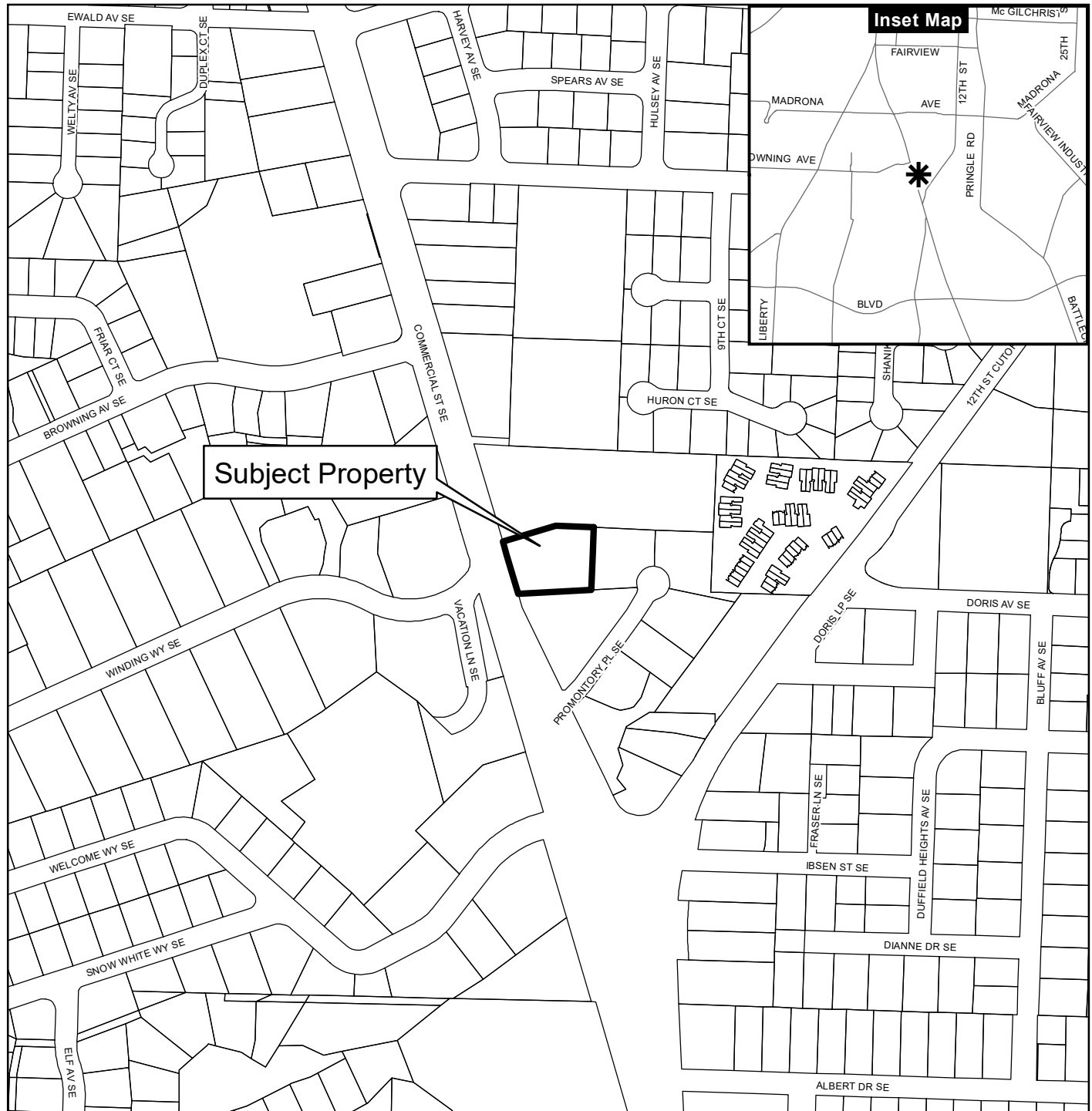
On behalf of Lisa Anderson-Ogilvie, AICP
Planning Administrator

Attachments: A. Vicinity Map
B. Proposed Development Plans

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

Vicinity Map

4096 Commercial Street SE



Legend

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

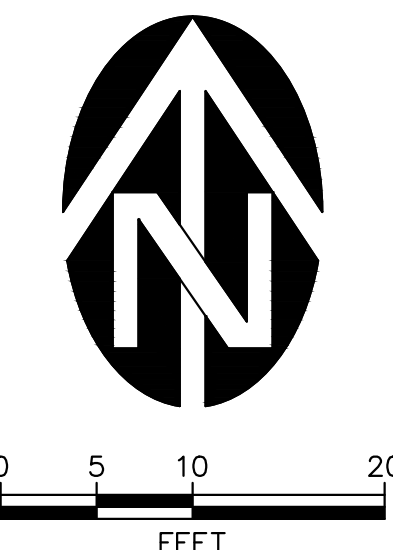
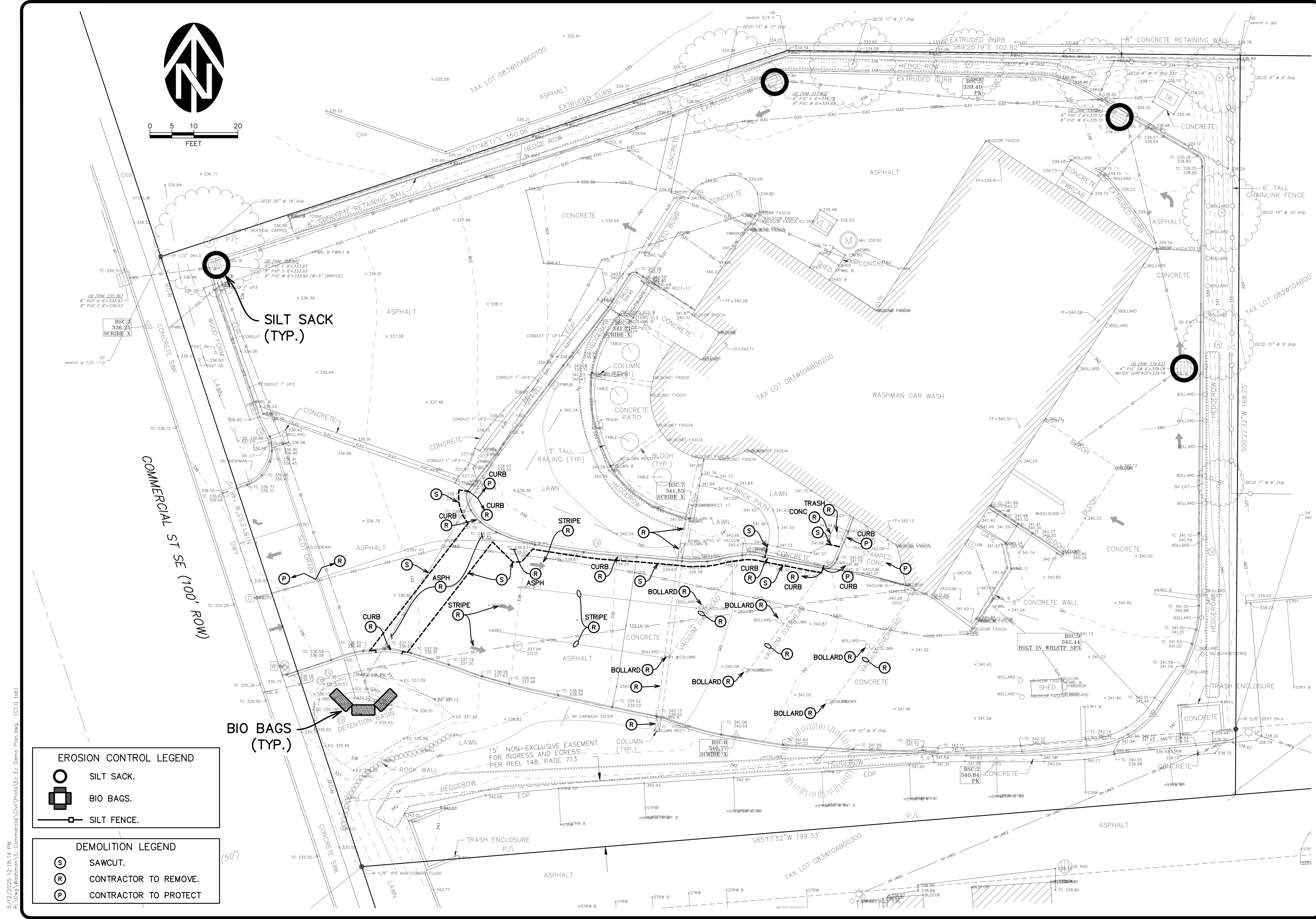
Parks

CITY OF Salem
AT YOUR SERVICE
Community Planning and Development

This product is provided as is, without warranty. In no event is the City of Salem liable for damages from the use of this product. This product is subject to license and copyright limitations and further distribution or resale is prohibited.

0 100 200 400 Feet





EROSION CONTROL LEGEND

- SILT SACK.
- BIO BAGS.
- SILT FENCE.

DEMOLITION LEGEND

- SAWCUT.
- CONTRACTOR TO REMOVE.
- CONTRACTOR TO PROTECT

VERIFY SCALE
BAR IS ONE INCH ON
ORIGINAL DRAWING
IF NOT ONE INCH ON
SCALE, SCALE
ACCORDINGLY

1"

DSN. JW
DRN. JH
CKD. JW

NO. 1
DATE
REVISIONS

DATE: FEB. 2025

REGISTERED PROFESSIONAL
ENGINEER
NOV. 12, 2008
WILLIAM J. WELLS

RENEW: 6/30/2026

WESTTECH ENGINEERING, INC.
CONSULTING ENGINEERS AND PLANNERS

WE

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

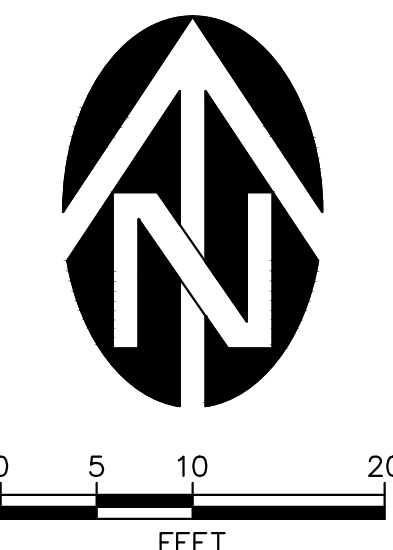
PACIFIC CAR WASH DEVELOPMENT LLC

WASHMAN CAR WASH

**EXISTING CONDITIONS, EROSION
CONTROL, AND DEMOLITION
PLAN**

**DRAWING
C1.0**

**JOB NUMBER
3495.1000.0**



PACIFIC CAR WASH DEVELOPMENT LLC	
WASHMAN CAR WASH	
OVERALL SITE PLAN	
DRAWING C2.0	
JOB NUMBER 3495.1000.0	