



CITY OF SALEM

555 Liberty St SE
Salem, OR 97301

Revisions to the Agenda City Council

Monday, December 11, 2017

6:00 PM

Council Chambers

6.e. [17-616](#)

Appeal of Planning Administrator's Decision approving the request for a Class 3 Site Plan Review and Class 2 Driveway Approach Permit for redevelopment of three new retail/office buildings with a Class 2 Adjustment to eliminate the off-street loading space requirement and reduce the vehicle use area setback adjacent to 9th Street NW for property approximately 3.03 acres in size, zoned CG (General Commercial) and located at the 500 Block of Glen Creek Road NW and the 500-600 Block of 9th Street NW.

Ward(s): Ward 1

Councilor(s): Kaser

Neighborhood(s): West Salem

Add - Added Report



Staff Report

File #: 17-616

Version: 1

Date: 12/11/2017

Item #: 6.e.

TO: Mayor and City Council

THROUGH: Steve Powers, City Manager

FROM: Norman Wright, Community Development Director

SUBJECT:

Appeal of Planning Administrator's Decision approving the request for a Class 3 Site Plan Review and Class 2 Driveway Approach Permit for redevelopment of three new retail/office buildings with a Class 2 Adjustment to eliminate the off-street loading space requirement and reduce the vehicle use area setback adjacent to 9th Street NW for property approximately 3.03 acres in size, zoned CG (General Commercial) and located at the 500 Block of Glen Creek Road NW and the 500-600 Block of 9th Street NW.

Ward(s): Ward 1

Councilor(s): Kaser

Neighborhood(s): West Salem

ISSUE:

Information only. City Council may assume jurisdiction of an appeal and schedule a public hearing for a future City Council meeting.

RECOMMENDATION:

Information only.

SUMMARY AND BACKGROUND:

The consolidated Class 3 Site Plan Review, Class 2 Adjustment and Class 2 Driveway Approach Permit is appealable to the Hearings Officer. Upon receipt of an appeal of a Class 3 Site Plan Review, Class 2 Adjustment, and Class 2 Driveway Approach Permit, notice of the appeal shall be provided to City Council. City Council may assume jurisdiction for review. **If the City Council does not assume jurisdiction, the Hearings Officer shall hear the appeal, and the Hearings Officer's decision will be the final decision of the City.**

FACTS AND FINDINGS:

On November 22, 2017, the Planning Administrator issued a decision approving Class 3 Site Plan Review, Class 2 Adjustment and Class 2 Driveway Approach Permit Case No. SPR-ADJ-DAP17-26, proposing redevelopment of existing property, including removing existing buildings and development of three new retail/office buildings with an associated parking area (Attachment 1). On December 7, 2017, an appeal was filed by the West Salem Neighborhood Association (Attachment 2).

Aaron Panko
Planner III

Attachments:

1. SPR-ADJ-DAP17-26 Decision
2. Appeal Request

NOTICE OF DECISION

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



*Si necesita ayuda para comprender esta informacion, por favor llame
503-588-6173*

DECISION OF THE PLANNING ADMINISTRATOR

CLASS 3 SITE PLAN REVIEW / CLASS 2 ADJUSTMENT / CLASS 2 DRIVEWAY APPROACH PERMIT CASE NO. SPR-ADJ-DAP17-26

APPLICATION NO. : 17-111985-RP & 17-117330-ZO

NOTICE OF DECISION DATE: November 22, 2017

SUMMARY: Proposed redevelopment of existing property, including removing existing buildings and development of three new retail/office buildings and parking area.

REQUEST: A Class 3 Site Plan Review and Class 2 Driveway Approach Permit for development of three new retail/office buildings approximately 16,807 square feet, 5,054 square feet and 6,156 square feet in size, with a Class 2 Adjustment request to:

- a) To eliminate the off-street loading space requirement for the development and allow use of one on-street loading space on 9th Street NW,
- b) To reduce the vehicle use area setback adjacent to 9th Street NW from 10 feet to 6 feet, with 3 foot tall shrubs instead of a 3 foot tall fence.

For property approximately 3.03 acres in size, zoned CG (General Commercial), and located at the 500 Block of Glen Creek Road NW and the 500-600 Block of 9th Street NW - 97304 (Polk County Assessor's Map and Tax Lot numbers: 073W21AD / 06300, 06302, 06303, 06304, 06400, 06500, 06603, 06701, 07100, 07200, 07201, and 07300).

APPLICANT: DD West Salem One, LLC (Ian Lewallen, Ryan Schera)

LOCATION: 500 Block of Glen Creek Road NW & 500-600 Block of 9th Street NW / 97304

CRITERIA: Class 3 Site Plan Review: SRC Chapter 220.005(f)(3)
Class 2 Adjustment: SRC Chapter 250.005
Class 2 Driveway Approach Permit: SRC Chapter 804.025(d)

FINDINGS: The findings are in the attached Staff Report dated November 22, 2017.

DECISION: The Planning Administrator **APPROVED** Class 3 Site Plan Review, Class 2 Adjustment, and Class 2 Driveway Approach Permit Case No. SPR-ADJ-DAP17-26 subject to the following conditions of approval:

Condition 1: Bicycle parking spaces for Building B shall be relocated so it is clearly visible from the primary building entrance. In no event shall the bicycle parking spaces be located more than 50 feet from the primary building entrance.

- Condition 2:** Along the development frontage of 9th Street NW, construct a half-street improvement to Local street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803. Sidewalks can be constructed along the property line or curblin per SRC 803.035(l)(2)(B).
- Condition 3:** Extend the raised median and modify the striping on Glen Creek Road NW to comply with the recommendations specified in the Traffic Impact Analysis.
- Condition 4:** Dedicate a 25-foot public storm easement along the full length of the proposed 48-inch storm main extension pursuant to PWDS. Acquisition of an easement from the neighboring property owner may be required to meet the minimum easement width of 25 feet unless modified under a design exception by the City engineer.
- Condition 5:** A minimum 3-foot-tall continuous screen of shrubs shall be provided in the vehicle use area setback adjacent to 9th Street NW in addition to the Type A landscaping requirements of SRC Chapter 807.
- Condition 6:** The adjusted off-street loading space and vehicle use area setbacks adjacent to a street, as approved by this zoning adjustment, shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to applicable off-street loading and vehicle use area setback requirements, unless adjusted through a future land use action.

The rights granted by the attached decision for Class 3 Site Plan Review Case No. SPR-ADJ-DAP 17-26 must be exercised by **December 8, 2021** or this approval shall be null and void. The rights granted by the attached decision for Class 2 Adjustment Case No. SPR-ADJ-DAP 17-26 must be exercised or an extension granted by **December 28, 2019** or this approval shall be null and void. The rights granted by the attached decision for Class 2 Driveway Approach Permit Case No. SPR-ADJ-DAP 17-26 must be exercised or an extension granted by **December 8, 2019** or this approval shall be null and void.

Application Deemed Complete:	<u>September 20, 2017</u>
Notice of Decision Mailing Date:	<u>November 22, 2017</u>
Decision Effective Date:	<u>December 8, 2017</u>
State Mandate Date:	<u>January 18, 2018</u>

Case Manager: Aaron Panko, APanko@cityofsalem.net

This decision is final unless written appeal from an aggrieved party is filed with the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem OR 97301, **no later than 5:00 p.m. December 7, 2017**. 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) 220, 250 & 804. The appeal must be filed in duplicate with the City of Salem Planning Division. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Salem Hearings Officer will review the appeal at a public hearing. After the hearing, the Salem 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 at the Planning Division office, Room 305, City Hall, 555 Liberty Street SE, during regular business hours.

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

***Si necesita ayuda para comprender esta información, por favor llame
503-588-6173.***

BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM

**SITE PLAN REVIEW, ADJUSTMENT, AND DRIVEWAY APPROACH PERMIT
CASE NO. SPR-ADJ-DAP17-26
DECISION**

IN THE MATTER OF APPROVAL OF)	CLASS 3 SITE PLAN REVIEW,
SITE PLAN REVIEW, ADJUSTMENT,)	CLASS 2 ADJUSTMENT, AND
AND DRIVEWAY APPROACH PERMIT)	CLASS 2 DRIVEWAY APPROACH
CASE NO. 17-26 500 BLOCK OF GLEN)	PERMIT
CREEK ROAD AND 500-600 BLOCK OF)	
9TH STREET NW - 97304)	NOVEMBER 22, 2017

In the matter of the application for a Class 3 Site Plan Review, Class 2 Adjustment, and Class 2 Driveway Approach Permit submitted by Gretchen Stone, CB Two Architects, on behalf of the applicant DD West Salem One, LLC, represented by Ryan Schera, 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: Proposed redevelopment of existing property, including removing existing buildings and development of three new retail/office buildings and parking area.

Request: A Class 3 Site Plan Review and Class 2 Driveway Approach Permit for development of three new retail/office buildings approximately 16,807 square feet, 5,054 square feet and 6,156 square feet in size, with a Class 2 Adjustment request to:

- a) To eliminate the off-street loading space requirement for the development and allow use of one on-street loading space on 9th Street NW,
- b) To reduce the vehicle use area setback adjacent to 9th Street NW from 10 feet to 6 feet, with 3-foot-tall shrubs instead of a 3-foot-tall brick, stone, or finished concrete wall.

For property approximately 3.03 acres in size, zoned CG (General Commercial), and located at the 500 Block of Glen Creek Road NW and the 500-600 Block of 9th Street NW - 97304 (Polk County Assessor's Map and Tax Lot numbers: 073W21AD / 06300, 06302, 06303, 06304, 06400, 06500, 06603, 06701, 07100, 07200, 07201, and 07300).

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

DECISION

APPROVED subject to the applicable standards of the Salem Revised Code, the findings contained herein, conformance with the approved site plans, and the following conditions of approval:

- Condition 1:** Bicycle parking spaces for Building B shall be relocated so it is clearly visible from the primary building entrance. In no event shall the bicycle parking spaces be located more than 50 feet from the primary building entrance.
- Condition 2:** Along the development frontage of 9th Street NW, construct a half-street improvement to Local street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803. Sidewalks can be constructed along the property line or curblane per SRC 803.035(l)(2)(B).
- Condition 3:** Extend the raised median and modify the striping on Glen Creek Road NW to comply with the recommendations specified in the Traffic Impact Analysis.
- Condition 4:** Dedicate a 25-foot public storm easement along the full length of the proposed 48-inch storm main extension pursuant to PWDS. Acquisition of an easement from the neighboring property owner may be required to meet the minimum easement width of 25 feet unless modified under a design exception by the City engineer.
- Condition 5:** A minimum 3-foot-tall continuous screen of shrubs shall be provided in the vehicle use area setback adjacent to 9th Street NW in addition to the Type A landscaping requirements of SRC Chapter 807.
- Condition 6:** The adjusted off-street loading space and vehicle use area setbacks adjacent to a street, as approved by this zoning adjustment, shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to applicable off-street loading and vehicle use area setback requirements, unless adjusted through a future land use action.

FINDINGS

1. Class 3 Site Plan Review Applicability

Site plan review is intended to provide a unified, consistent, and efficient means to review proposed development that requires a building permit, other than single-family, duplex residential, and installation of signs, to ensure that such development meets all applicable requirements imposed by the Salem Revised Code (SRC). SRC 220.005(b)(3) requires Class 3 Site Plan Review for any development that requires a

building permit, and that involves a land use decision or limited land use decision, as those terms are defined in ORS 197.015.

Class 3 Site Plan Review is required for this application pursuant to SRC 220.005(b)(3)(C) because a Class 2 Driveway Approach Permit is required for the proposed driveway alteration on Glen Creek Road NW and the driveway access on 9th Street NW, and pursuant to SRC 220.005(b)(3)(F) because a Class 2 Adjustment has been requested to eliminate the off-street loading space requirement for the development and allow use of one on-street loading space on 9th Street NW, and to reduce the vehicle use area setback adjacent to 9th Street NW from 10 feet to 6 feet, with 3 foot tall shrubs instead of a 3 foot tall fence.

2. Background

A portion of the subject property was part of a Comprehensive Plan Change, Neighborhood Plan Change and Zone Change (CPC/NPC/ZC16-08) which received approval to change the designation for the western portion of the property from IP (Industrial Park) to CG (General Commercial) with a condition of approval restricting residential uses.

On June 12, 2017 a Class 3 Site Plan Review and Class 2 Driveway Approach Permit applications were submitted for the proposed development. Additional information was requested and a Class 2 Adjustment application was filed on August 30, 2017. The applications were deemed complete for processing on September 20, 2017. The applicant's proposed development plans are included as Attachment B and a written summary from the applicant addressing the applicable approval criteria is included as Attachment C.

Neighborhood and Citizen Comments:

Notice of the application was sent to the West Salem Neighborhood Association (WSNA) and all property owners of record within 250 feet of the subject property.

WSNA submitted comments included as Attachment D. In summary WSNA indicates support for the applicant's Adjustment requests to eliminate the off-street loading space and the use of 3-foot-tall shrubs instead of a 3-foot-tall wall for the vehicle use area, and requests the following:

- 1) WSNA requests that the existing buildings be removed prior to construction of replacement buildings.

Staff Response: Demolition permits are required to remove the existing building prior to redevelopment of the property.

- 2) WSNA recommends that traffic engineers further study the level of service of Glen Creek and Wallace Road and safety issues related to this intersection and the area of the proposed driveway. WSNA recommends the developer work with the West Salem Urban Renewal Agency to improve access to their property from local streets.

Staff Response: The applicant has submitted a Traffic Impact Analysis (TIA) for the proposed development, prepared by Kittelson & Associates dated May 31, 2017. The TIA concludes that the proposed development can be built and occupied while maintaining acceptable traffic safety and minimizing the operational impacts to the adjacent street system, provided the recommended measures are implemented.

The Assistant City Traffic Engineer has reviewed the findings in the applicant's TIA and concurs with the findings and recommendations of the study. For the driveway reconfiguration on Glen Creek Road NW, the applicant's TIA recommends striping modifications and extension of the existing raised median. As a condition of approval, the applicant is required to comply with the recommendations specified in the TIA.

Findings for the Class 2 Driveway Approach Permit for the driveway on Glen Creek Road NW are included in Section 5 of this report.

City Department Comments:

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

The Building and Safety Division reviewed the proposal and indicated that there are no site issues.

The Fire Department has reviewed the proposal and indicated that because the proposed driveway approach on Glen Creek Road NW does not comply with Fire Department access requirements due to grade and turn radius, the addresses for the proposed buildings cannot be from Glen Creek Road NW and must be from 9th Street NW.

Public Agency Comments:

No public agency comments were received.

3. Analysis of Class 3 Site Plan Review Approval Criteria

SRC 220.005(f)(3) states:

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

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

Criterion 1:

The application meets all applicable standards of the UDC.

Finding: The proposal includes development of a three new retail/office buildings approximately 16,807 square feet, 5,054 square feet and 6,156 square feet in size. The subject property is zoned CG (General Commercial), the following is a summary of the applicable development standards for the proposed development.

Development Standards – CG (General Commercial) Zone:

SRC 523.005(a) - Uses:

The permitted, special, conditional and prohibited uses in the CG zone are set forth in Table 523-1.

Finding: The anticipated uses for the proposed development are medical office and retail. Per SRC Chapter 523, Table 523-1, the anticipated uses are permitted in the CG zone. Class 1 Site Plan Review will be required for any change of use.

SRC 523.010(a) – Lot Standards:

Per Table 523-2, there are no minimum lot area or dimension requirements in the CG zone. All uses are required to have a minimum of 16 feet of street frontage.

Finding: The subject property consists of multiple lots with a combined size of approximately 3.03 acres. The subject properties exceed minimum lot area and dimensional requirements for the CG zone.

SRC 523.010(b) – CG Zone Setbacks:

Setbacks within the CG zone shall be provided as set forth in Tables 523-3 and 523-4.

North: Adjacent to the north is the right-of-way for Glen Creek Road NW. There is a minimum 5 foot building setback required adjacent to a street, vehicle use areas are required to be setback 6-10 feet per SRC Chapter 806.

Finding: Proposed Building B is setback from Glen Creek Road NW by approximately 20 feet, and the proposed vehicle use area is setback approximately 7.5 feet from Glen Creek Road NW.

South: Adjacent to the south is the right-of-way for 9th Street NW. There is a minimum 5 foot building setback required adjacent to a street, vehicle use areas are required to be setback 6-10 feet per SRC Chapter 806.

Finding: Proposed Building A and Building B are setback approximately 10 feet from 9th Street NW, and the proposed vehicle use area is setback approximately 6.5 feet from 9th Street NW.

East: Adjacent to the east is the right-of-way for Wallace Road NW. There is a minimum 5 foot building setback required adjacent to a street, vehicle use areas are required to be setback 6-10 feet per SRC Chapter 806.

Finding: Proposed Building C is setback approximately 5 feet from Wallace Road NW, there is not a vehicle use area proposed adjacent to Wallace Road NW.

West: Adjacent to the west is an IP (Industrial Park) zone. Buildings, accessory structures and vehicle use areas require a minimum 5 foot setback adjacent to an IP zone. Setbacks shall meet the Type A landscaping and screening requirement of SRC Chapter 807, which includes a minimum landscaping requirement of 1 plant unit per 20 square feet.

Finding: Proposed Building A is setback approximately 10 feet from the western property line and the proposed vehicle use area setback is approximately 10 feet from the western property line.

SRC 523.010(c) - Lot Coverage, Height:

Buildings and accessory structures within the CG zone shall conform to the lot coverage and height standards set forth in Table 523-5. There is no maximum lot coverage standard in the CG zone, buildings and accessory structures shall not exceed 70 feet in height.

Finding: The maximum building height proposed is approximately 31 feet in height, less than the maximum height allowance in the CG zone.

SRC 523.010(d) - Landscaping:

- (A) **Setbacks.** Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC Chapter 807.
- (B) **Vehicle Use Areas.** Vehicle use areas shall be landscaped as provided under SRC Chapter 806 and SRC Chapter 807.
- (C) **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 vehicle use areas, may count towards meeting this requirement.

Finding: The subject property is approximately 131,785 square feet in size (3.03 acres), requiring a minimum of 19,768 square feet of landscape area ($131,785 \times 0.15 = 19,767.8$). The proposed site plan indicates that 31,684 square feet (approximately 24 percent) of landscape area will be provided for the proposed development, exceeding the minimum requirement.

Solid Waste Service Areas SRC 800

SRC 800.055(a) – Applicability.

Solid waste service area design standards shall apply to all new solid waste, recycling, and compostable services areas, where use of a solid waste, recycling, and compostable receptacle of 1 cubic yard or larger is proposed.

Finding: Three new solid waste service areas are shown on the proposed site plan. The receptacles will be larger than 1 cubic yard in size, so the solid waste service area development standards of SRC Chapter 800 are applicable.

SRC 800.055(b) – Solid Waste Receptacle Placement Standards.

All solid waste receptacles shall be placed at grade on a concrete pad that is a minimum of 4 inches thick, or on an asphalt pad that is a minimum of 6 inches thick. The pad shall have a slope of no more than 3 percent and shall be designed to discharge stormwater runoff consistent with the overall stormwater management plan for the site approved by the Public Works Director.

Finding: The material and design of the proposed pad area for the solid waste service area is not indicated on the site plan. At the time of building permit review, the design will be reviewed for conformance with this provision.

- 1) Pad area. In determining the total concrete pad area for any solid waste service area:
 - a. The pad area shall extend a minimum of 1-foot beyond the sides and rear of the receptacle; and
 - b. The pad area shall extend a minimum 3 feet beyond the front of the receptacle.
 - c. In situations where receptacles face each other, a minimum 4 feet of pad area shall be required between the fronts of the facing receptacles.

Finding: The material and design of the proposed pad area is not indicated on the site plan. At the time of building permit review, the design will be reviewed for conformance with this provision.

- 2) Minimum Separation.
 - a. A minimum separation of 1.5 feet shall be provided between the receptacle and the side wall of the enclosure.
 - b. A minimum separation of 5 feet shall be provided between the receptacle and any combustible walls, combustible roof eave lines, or building or structure openings.

Finding: The proposed receptacles will have a minimum separation of 1.5 feet from the sidewall within the enclosure. The proposed receptacles are located more than 5 feet from any combustible walls, combustible roof eave lines, or building or structure openings, in compliance with this provision.

- 3) Vertical Clearance.
 - a. Receptacles 2 cubic yards or less in size shall be provided with a minimum of 8 feet of unobstructed overhead or vertical clearance for servicing.
 - b. Receptacles greater than 2 cubic yards in size shall be provided with a minimum of 14 feet of unobstructed overhead or vertical clearance for servicing.

Finding: The proposed enclosure does not include a roof which would obstruct vertical clearance for servicing, this standard is not applicable.

SRC 800.055(d) – Solid Waste Service Area Screening Standards.

- 1) Solid waste, recycling, and compostable service areas shall be screened from all streets abutting the property and from all abutting residentially zoned property by a minimum 6-foot-tall sight-obscuring fence or wall; provided, however, where receptacles are located within an enclosure, screening is not required.

Finding: The proposed solid waste receptacles are located within an enclosure, additional screening of the solid waste service area is not required.

SRC 800.055(e) – Solid Waste Service Area Enclosure Standards.

- 1) Front Opening of Enclosure. The front opening of the enclosure shall be unobstructed and shall be a minimum of 12 feet in width.

Finding: The front opening width of the enclosure is approximately 15 feet, in compliance with the minimum standard.

- 2) Measures to Prevent Damage to Enclosure.
 - a. Enclosures constructed of wood or chain link fencing material shall contain a minimum 4-inch nominal high bumper curb at ground level located 12 inches inside the perimeter of the outside walls of the enclosure to prevent damage from receptacle impacts.
 - b. Enclosures constructed of concrete, brick, masonry block, or similar types of material shall contain a minimum 4-inch nominal high bumper curb at ground level located 12 inches inside the perimeter of the outside walls of the enclosure, or a fixed bumper rail to prevent damage from receptacle impacts.

Finding: The proposed development plans indicate that the enclosure will be a CMU wall, a 12" curb will be provided on the inside perimeter to protect the enclosure in compliance with this section.

- 3) Enclosure Gates. Any gate across the front opening of an enclosure shall swing freely without obstructions. For any opening that is less than 15 feet in width, the gate shall open a minimum of 120 degrees. For any opening that is 15 feet or greater in width, the gates shall open a minimum of 90 degrees. All gates shall have restrainers in the open and closed positions.

Finding: The proposed enclosure gate is greater than 15 feet in width, the enclosure gate will open a minimum of 90 degrees for servicing.

SRC 800.055(f) – Solid Waste Service Area Vehicle Access.

- 1) Vehicle Operation Area. A vehicle operation area shall be provided for solid waste collection service vehicles that is free of obstructions and no less than 45 feet in length and 12 feet in width. Vehicle operation areas shall be made available in front of every receptacle.

Finding: The proposed development plans indicate that the solid waste service areas will have receptacles that are 2 cubic yards in size. At this size, the receptacles may be

maneuvered manually for servicing and the vehicle service area may be parallel to the opening of the enclosure. The proposed solid waste enclosures comply with this development standard.

Off-Street Parking, Loading, and Driveways SRC 806

SRC 806.005 - Off-Street Parking; When Required.

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

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

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

SRC 806.015 - Amount of Off-Street Parking.

- a) *Minimum Required Off-Street Parking.* The minimum off-street parking requirement for retail sales and eating and drinking uses is one space per 250 square feet of floor area and the minimum off-street parking requirement for office uses is one space per 350 square feet.
- b) *Compact Parking.* Up to 75 percent of the minimum off-street parking spaces required under this Chapter may be compact parking spaces.
- c) *Carpool and Vanpool Parking.* New developments with 60 or more required off-street parking spaces, and falling within the Public Services and Industrial use classifications, and Business and Professional Services use category, shall designate a minimum of 5 percent of their total off-street parking spaces for carpool or vanpool parking.
- d) *Maximum Off-Street Parking.* Unless otherwise provided in the SRC, off-street parking shall not exceed the amounts set forth in Table 806-2.

Finding: The proposed development includes construction of three new buildings are provided. The following is a summary table of the proposed uses and off-street parking requirement for each building:

Use	Floor Area	Parking Ratio	Minimum Parking Requirement
Building A Retail 1	4,786	1/250	19
Building A Retail 2	5,038	1/250	20
Building A Medical Clinic	6,983	1/350	20
Building B – Retail	5,054	1/250	20
Building C – Retail	6,156	1/250	25
Total	28017		104

A minimum of 104 off-street parking spaces are required for the proposed development. A minimum of 25 percent of the required spaces, or 26 spaces, must be standard size,

the remaining spaces may be compact size. The maximum parking allowance is 182 spaces ($104 \times 1.75 = 182$). Carpool/vanpool parking spaces are required for medical office uses where the minimum requirement is 60 or more off-street parking spaces, carpool/vanpool parking is not required for retail uses. Carpool/vanpool parking is not required for the proposed development.

The summary table indicates that 143 off-street parking spaces are provided, including 114 standard size spaces, 21 compact spaces and 8 ADA compliant parking spaces, meeting the requirements of this section.

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

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

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

Finding: The proposed vehicle use area complies with the minimum perimeter setback standards of SRC Chapter 806 and setback requirements adjacent to a building or structure.

- d) *Interior Landscaping.* Interior landscaping shall be provided in amounts not less than those set forth in Table 806-5. For parking areas greater than 50,000 square feet in size, a minimum of 8 percent of the interior parking area shall be landscaped.

Finding: The proposed parking area for is approximately 58,063 square feet in size, requiring a minimum of 4,645 square feet of interior parking lot landscape area ($58,063 \times 0.08 = 4,645$). Approximately 6,478 square feet (11.1 percent) of interior parking lot landscaping is proposed, which exceeds the minimum interior parking lot landscaping requirement.

A minimum of one deciduous shade trees shall be planted for every 12 parking spaces within the off-street parking area, in this case a minimum of 12 shade trees are required ($143 / 12 = 11.9$). Landscape islands and planter bays shall have a minimum planting area of 25 square feet, and shall have a minimum width of 5 feet.

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

Finding: The proposed parking spaces, driveway and drive aisle for the off-street parking area meet the minimum dimensional requirements of SRC Chapter 806.

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

Finding: The proposed off-street parking area is developed consistent with the additional development standards for grade, surfacing, and drainage. Bumper guards and wheel barriers are not required for the parking area. The parking area striping, marking, signage and lighting shall be consistent with SRC Chapter 806, compact spaces shall be marked per SRC 806.035(k)(2).

The subject property does not abut a residentially zoned property, therefore screening of the off-street parking area per SRC 806.035(m) is not required for the proposed development.

SRC 806.040 - Driveway Development Standards.

- a) *Access.* Off-street parking and vehicle use areas 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.
- b) *Location.* Driveways shall not be located within required setbacks.
- c) *Additional Development Standards 806.040(c)-(g).*

Finding: The interior driveways proposed for the off-street parking area conform to the driveway location and dimensional requirements of SRC 806.040.

Bicycle Parking

SRC 806.045 - General Applicability.

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

SRC 806.055 - Amount of Bicycle Parking.

The minimum bicycle parking requirement for a retail sales use is the greater of 4 spaces or one space per 10,000 square feet for buildings less than 50,000 square feet in size. The minimum bicycle parking requirement for a medical office use is the greater of 4 spaces or one space per 3,500 square feet of floor area.

Finding: The gross floor area for the proposed retail space is approximately 21,034 square feet, requiring a minimum of 4 bicycle parking spaces. The gross floor area for the proposed medical office space is approximately 6,983 square feet, requiring a minimum of 4 bicycle parking spaces.

A total of 8 bicycle parking spaces are required, the site plan indicates that 8 bicycle parking spaces are provided for the development.

SRC 806.060 - Bicycle Parking Development Standards.

- a) *Location.* Bicycle parking areas shall be located within a convenient distance of, and shall be clearly visible from, the primary building entrance. In no event shall bicycle parking areas be located more than 50 feet from the primary building entrance.
- b) *Access.* Bicycle parking areas shall have direct and accessible access to the public right-of-way and the primary building entrance.
- c) *Dimensions.* Bicycle parking spaces shall be a minimum of 6 feet by 2 feet, and shall be served by a minimum 4-foot-wide access aisle.
- d) *Bicycle Racks.* Where bicycle parking is provided in racks, the racks may be floor, wall, or ceiling racks. Bicycle racks shall accommodate the bicyclist's own locking device.

Finding: The proposed site plan indicates that bicycle parking spaces will be provided near the entrance for proposed buildings A and C, however the proposed bicycle parking location for Building B is not visible from a primary building entrance and will need to be relocated.

Condition 1: Bicycle parking spaces for Building B shall be relocated so it is clearly visible from the primary building entrance. In no event shall the bicycle parking spaces be located more than 50 feet from the primary building entrance.

Off-Street Loading Areas

SRC 806.065 - General Applicability.

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

SRC 806.075 - Amount of Off-Street Loading.

Retail sales uses and medical office uses between 5,000-60,000 square feet in size require a minimum of one off-street loading space. The minimum dimensions for the off-street loading space is 12 feet in width, 30 feet in length and 14 feet in height.

Finding: A minimum of one off-street loading space is required for the proposed development. The applicant has requested an adjustment to eliminate the off-street loading requirement and proposes instead to use available on-street space on 9th Street NW for off-street loading. Findings for the Class 2 Adjustment request are found in Section 4 of this report.

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 proposed site plan indicates that approximately 31,684 square feet of landscaping will be provided for the proposed development, requiring a minimum of 1,584 plant units ($31,684 / 20 = 1,584.2$). Of the required plant units, a minimum of 40 percent, or 634 plant units ($1,584 \times 0.4 = 633.6$) are required to be trees.

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

Natural Resources

808 - Preservation of Trees and Vegetation: The City's tree preservation ordinance, under SRC Chapter 808, provides that no person shall remove a significant tree (Oregon White Oak greater than 24 inches in diameter at breast height) (SRC 808.015) or a tree or native vegetation in a riparian corridor (SRC 808.020), unless the removal is excepted under SRC 808.030(a)(2), undertaken pursuant to a permit issued under SRC 808.030(d), undertaken pursuant to a tree conservation plan approved under SRC 808.035, or permitted by a variance granted under SRC 808.045.

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

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

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

SRC 810 - Landslide Hazards: A geological assessment or report is required when regulated activity is proposed in a mapped landslide hazard area. The subject property contains areas of mapped landslide hazards equal to 5 points. The proposed commercial development is assigned 3 activity points. A total of 8 points indicates a moderate landslide hazard risk; a geological assessment is required for the proposed development.

The applicant provided a geotechnical report prepared for the subject property by Geo Design Inc.

Criterion 2:

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

Finding: The existing configuration of 9th Street NW does not meet current standards for the classification of street per the Salem TSP. Required street improvements are specified in the conditions of approval consistent with SRC Chapter 803.

The applicant's site plan proposes a portion of curblin sidewalk along the development frontage of 9th Street SE. SRC 803.035(l) requires sidewalks be located one foot from the adjacent right-of-way property line unless topography or other conditions make the construction of sidewalk impossible or undesirable. At the time of construction of 9th Street NW, curblin sidewalk was anticipated due to the existing right-of-way alignment and location of utility power poles. Based on existing development constraints, staff has determined a curblin sidewalk is appropriate along 9th Street NW per SRC 803.035(l)(2)(B) and SRC 803.065.

Condition 2: Along the development frontage of 9th Street NW, construct a half-street improvement to Local street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803. Sidewalks can be constructed along the property line or curblin per SRC 803.035(l)(2)(B).

Wallace Road NW and Glen Creek Road NW meet the right-of-way width and pavement width standards per the Salem TSP; therefore no additional street improvements are required as a condition of the proposed development. As specified in the conditions of approval, striping modifications and extension of the existing raised median in Glen Creek Road NW shall be designed and constructed pursuant to PWDS and the recommendations in the Traffic Impact Analysis.

Condition 3: Extend the raised median and modify the striping on Glen Creek Road NW to comply with the recommendations specified in the Traffic Impact Analysis.

Criterion 3:

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

Finding: The driveway accesses onto 9th Street NW and Glen Creek Road NW provide for safe turning movements into and out of the property.

Criterion 4:

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

Finding: The Public Works Department has reviewed the applicant's preliminary utility plan for this site. The water, sewer, and storm infrastructure are available within surrounding streets / areas and appear to be adequate to serve the proposed development. The applicant shall design and construct all utilities (sewer, water, and storm drainage) according to the PWDS and to the satisfaction of the Public Works Director. As specified in the conditions of approval, the applicant shall dedicate a 25-foot public storm easement along the full length of the proposed 48-inch storm main extension at the northwest corner of the subject property. Acquisition of an easement from the neighboring property owner may be required to meet the minimum easement width of 25 feet unless modified under a design exception by the City Engineer.

Condition 4: Dedicate a 25-foot public storm easement along the full length of the proposed 48-inch storm main extension pursuant to PWDS. Acquisition of an easement from the neighboring property owner may be required to meet the minimum easement width of 25 feet unless modified under a design exception by the City engineer.

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

4. Analysis of Class 2 Adjustment Criteria

SRC Chapter 250.005(d)(2) provides that an applicant for a Class 2 Adjustment shall be granted if all of the following criteria are met:

Criterion 1:

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 two Class 2 Adjustments for the proposed development for the following:

- a) To eliminate the off-street loading space requirement for the development and allow use of one on-street loading space on 9th Street NW,
- b) To reduce the vehicle use area setback adjacent to 9th Street NW from 10 feet to 6 feet, with 3-foot-tall shrubs instead of a 3-foot-tall brick, stone, or finished concrete wall.

Eliminate the off-street loading space. The building area for the proposed retail and medical office development is approximately 28,017 square feet, a minimum of one off-street loading space is required per SRC Chapter 806. The applicant proposes to eliminate the off-street loading space required by Chapter 806 and instead use an on-street loading space along 9th Street NW adjacent to proposed Building A.

The applicant indicates that the property has approximately 457 linear feet of frontage along 9th Street NW. As part of the development, 9th Street NW will be improved to local street standards, including curb and sidewalk. In addition the number of existing driveways on 9th Street NW will be reduced to one. The proposed on-street loading space will be approximately 70 feet in length to accommodate larger sized delivery trucks.

The Public Works Department has reviewed this request and indicated no objections, but noted that appropriate dimensions and signage for the loading space on 9th Street NW will be determined at the time of building permit plans review. The request equally or better meets the purpose of the loading space requirement by providing a loading space within a convenient distance of proposed Building A while reducing on-site disruptions by keeping large delivery trucks out of travel lanes for loading.

Reduce the off-street parking area setback requirements. SRC Chapter 806 requires a minimum vehicle use area setback of 10 feet adjacent to a street. The required setback may be reduced to 6 feet in width adjacent to a street when there is a 3 foot grade drop between the right-of-way line and the off-street parking area, or with the development of a 3-foot-tall berm, a 3-foot-tall brick, stone, or finished concrete wall, or development of a green stormwater infrastructure area.

The applicant indicates that the 3-foot-tall continuous screen of shrubs will provide an equal level of screening which will meet the intent and purpose of the 3-foot-tall wall. In addition to the row of shrubs, landscaping will be provided in the setback area meeting the Type A landscaping requirements of SRC Chapter 807.

Condition 5: A minimum 3-foot-tall continuous screen of shrubs shall be provided in the vehicle use area setback adjacent to 9th Street NW in addition to the Type A landscaping requirements of SRC Chapter 807.

Staff finds that as proposed and conditioned with enhanced landscaping, the vehicle use area setback and screening adjacent to a street is equally or better met for the proposed development.

Criterion 2:

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 not located within or abutting a residential zone, therefore this criterion is not applicable.

Criterion 3:

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: Two separate adjustments have been requested with this development. Each of the adjustments has been evaluated separately for conformance with the Adjustment approval criteria. The cumulative impact of the adjustments results in an overall project which is consistent with the intent and purpose of the zoning code.

Any future development, beyond what is shown in the proposed plans, shall conform to the off-street parking area requirements of SRC Chapter 806, unless adjusted through a future land use action.

Condition 6: The adjusted off-street loading space and vehicle use area setbacks adjacent to a street, as approved by this zoning adjustment, shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to applicable off-street loading and vehicle use area setback requirements, unless adjusted through a future land use action.

5. Analysis of Class 2 Driveway Approach Permit Approval Criteria

The approval criteria for a Class 2 Driveway Approach Permit are found in SRC 804.025(d), findings for each proposed driveway are included below.

Driveway Approach Permit – Glen Creek Road NW

Criterion 1:

The proposed driveway approach meets the standards of this Chapter and the Public Works Design Standards.

Finding: The proposed driveway meets the standards of SRC Chapter 804 and PWDS.

Criterion 2:

No site conditions prevent placing the driveway approach in the required location.

Finding: There are no site conditions prohibiting the location of the proposed driveway.

Criterion 3:

The number of driveway approaches onto an arterial are minimized.

Finding: The existing driveway access to Glen Creek Road NW was constructed as part of the Glen Creek and Wallace Road NW intersection improvements in 2014. The development proposal is to relocate the existing driveway access to better align with an existing driveway approach on the opposite side of Glen Creek Road NW. No additional driveways are being proposed.

Criterion 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.

Finding: The proposed access to the site is in a preferred alignment for traffic circulation. A shared access with the adjacent property to the west is not possible due to topographic constraints and zoning incompatibilities. Additional access is proposed to 9th Street NW, the lowest classification of street abutting the property.

Criterion 5:

The proposed driveway approach meets vision clearance standards.

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

Criterion 6:

The proposed driveway approach does not create traffic hazards and provides for safe turning movements and access.

Finding: The proposed driveway will not create a known traffic hazard and will provide for safe turning movements for access to the subject property in accordance with the proposed conditions of approval.

Criterion 7:

The proposed driveway approach does not result in significant adverse impacts to the vicinity.

Finding: The location of the proposed driveway does not appear to have any adverse impacts to the adjacent properties or streets.

Criterion 8:

The proposed driveway approach minimizes impact to the functionality of adjacent streets and intersections.

Finding: The proposed driveway approach relocation minimizes the impact to the functionality of the adjacent Wallace Road NW and Glen Creek Road NW intersection by increasing the distance from the intersection to 400-feet.

Criterion 9:

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

Finding: The subject property is zoned CG (General Commercial) and is adjacent to a residentially zoned area, however, it is located on an Arterial street and is surrounded by nonresidential uses. The proposed relocation of the existing driveway approach will not increase the number of approaches in this area and provides more than the minimum spacing requirement in SRC Chapter 804.

Driveway Approach Permit – 9th Street NW

Criterion 1:

The proposed driveway approach meets the standards of this Chapter and the Public Works Design Standards.

Finding: The proposed driveway meets the standards for SRC Chapter 804 and PWDS.

Criterion 2:

No site conditions prevent placing the driveway approach in the required location.

Finding: There are no site conditions prohibiting the location of the proposed driveway.

Criterion 3:

The number of driveway approaches onto an arterial are minimized.

Finding: The proposed driveway approach is located on a local street.

Criterion 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.

Finding: The proposed access to 9th Street NW is to the lowest classification of street abutting the property.

Criterion 5:

The proposed driveway approach meets vision clearance standards.

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

Criterion 6:

The proposed driveway approach does not create traffic hazards and provides for safe turning movements and access.

Finding: The proposed driveway will not create a known traffic hazard and will provide for safe turning movements for access to the subject property.

Criterion 7:

The proposed driveway approach does not result in significant adverse impacts to the vicinity.

Finding: The location of the proposed driveway does not appear to have any adverse impacts to the adjacent properties or streets. The proposed street improvements to 9th Street NW consolidate existing driveways into a single access along the development frontage.

Criterion 8:

The proposed driveway approach minimizes impact to the functionality of adjacent streets and intersections.

Finding: The proposed driveway approach minimizes the impact to the functionality of the adjacent Wallace Road NW and 9th Street NW intersection by consolidating existing driveways and locating the proposed access a safe distance from the intersection.

Criterion 9:

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

Finding: The proposed driveway approach to 9th Street NW 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.

ORDER

Final approval of Class 3 Site Plan Review, Class 2 Adjustment and Class 2 Driveway Approach Permit Case No. 17-26 is hereby **APPROVED** subject to SRC Chapter 220, 250, and 804, 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:** Bicycle parking spaces for Building B shall be relocated so it is clearly visible from the primary building entrance. In no event shall the bicycle parking spaces be located more than 50 feet from the primary building entrance.
- Condition 2:** Along the development frontage of 9th Street NW, construct a half-street improvement to Local street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803. Sidewalks can be constructed along the property line or curblin per SRC 803.035(l)(2)(B).
- Condition 3:** Extend the raised median and modify the striping on Glen Creek Road NW to comply with the recommendations specified in the Traffic Impact Analysis.
- Condition 4:** Dedicate a 25-foot public storm easement along the full length of the proposed 48-inch storm main extension pursuant to PWDS. Acquisition of an easement from the neighboring property owner may be required to meet the minimum easement width of 25 feet unless modified under a design exception by the City engineer.
- Condition 5:** A minimum 3-foot-tall continuous screen of shrubs shall be provided in the vehicle use area setback adjacent to 9th Street NW in addition to the Type A landscaping requirements of SRC Chapter 807.
- Condition 6:** The adjusted off-street loading space and vehicle use area setbacks adjacent to a street, as approved by this zoning adjustment, shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to applicable off-street loading and vehicle use area setback requirements, unless adjusted through a future land use action.



Aaron Panko,
Planning Administrator Designee

Prepared by Aaron Panko, Planner III

Attachments: A. Vicinity Map
B. Proposed Development Plans
C. Applicant's Written Summary

D. West Salem Neighborhood Association Testimony
E. Public Works Memo

Application Deemed Complete:	<u>September 20, 2017</u>
Notice of Decision Mailing Date:	<u>November 22, 2017</u>
Decision Effective Date:	<u>December 8, 2017</u>
State Mandated Decision Date:	<u>January 18, 2018</u>

The rights granted by the attached decision for Class 3 Site Plan Review Case No. SPR-ADJ-DAP 17-26 must be exercised by December 8, 2021 or this approval shall be null and void. The rights granted by the attached decision for Class 2 Adjustment Case No. SPR-ADJ-DAP 17-26 must be exercised or an extension granted by December 28, 2019 or this approval shall be null and void. The rights granted by the attached decision for Class 2 Driveway Approach Permit Case No. SPR-ADJ-DAP 17-26 must be exercised or an extension granted by December 8, 2019 or this approval shall be null and void.

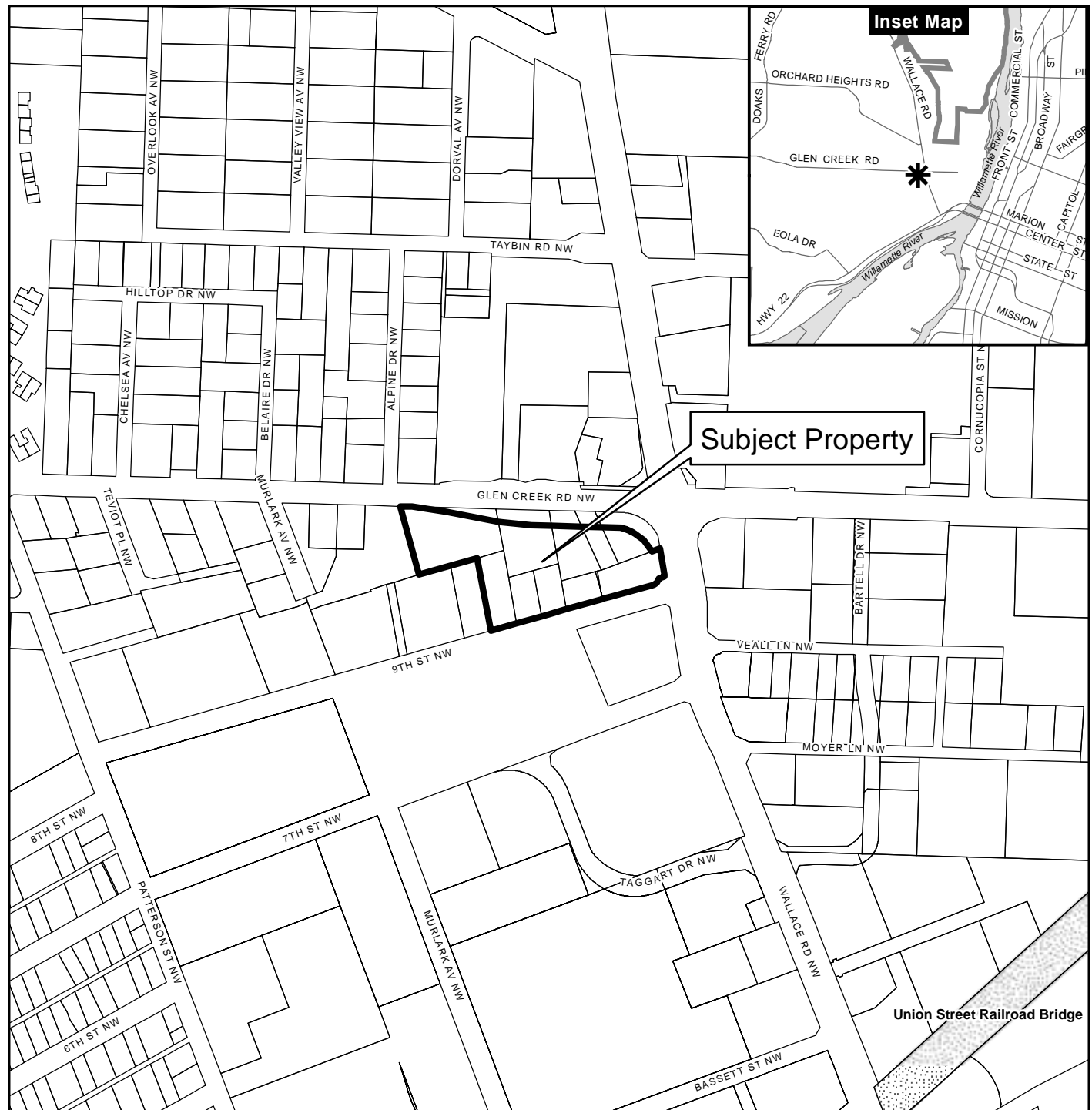
This decision is final unless written appeal from an aggrieved party is filed with the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem OR 97301, no later than **5:00 p.m., Thursday, December 7, 2017.** The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapter(s) 220, 250 & 804. The appeal must be filed in duplicate with the City of Salem Planning Division. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Salem 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.

Any person with standing may appeal the decision by filing an appeal with the applicable appeal fee with the City of Salem not later than fifteen (15) days after the date this decision is mailed to persons with standing to appeal.

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

Vicinity Map

500 Block of Glen Creek Road NW, and 500-600 Block of 9th Street NW



Legend

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

- Parks

CITY OF Salem
AT YOUR SERVICE
Community Development Dept.

0 100 200 400 Feet



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.

SITE PLAN GENERAL NOTES:

1. REFER TO LANDSCAPE PLANS FOR ADDITIONAL PEDESTRIAN WALKS AND PLANTING INFORMATION.
2. REFER TO CIVIL DRAWINGS FOR GRADING PLANS, FINISH GRADES, SITE DRAWINGS & UTILITY INFORMATION.
3. SITE PAVEMENT MATERIAL AND DESIGN PER CIVIL. MAX. SPACE BETWEEN JOINTS TO BE 10'-0".
4. DECORATIVE LIGHTING AT ENTRY (APPROVED) - REFER TO ELECTRICAL DRAWINGS.
5. LIGHTING TO BE INSTALLED AT PATHS ALONG THE REQUIRED EXIT WAYS - REFER TO ELECTRICAL SITE PLAN.
6. SITE MECH. TO BE LOCATED AS SHOWN OR APPROVED.
7. ANY WALL PACK LIGHTING PROVIDED TO BE SHIELDED.
8. THE RUNNING SLOPE OF WALKING SURFACES SHALL NOT BE STEEPER THAN 1:20. THE CROSS SLOPE OF A WALKING SURFACE SHALL NOT BE STEEPER THAN 1:48.
9. ANY RETAINING WALLS, BERMS, SWALES, ETC. SHOWN FOR REFERENCE ONLY - SEE CIVIL DRAWINGS.
10. ALL WALL MOUNTED UTILITIES AND ASSOCIATED EQUIPMENT SHALL BE PAINTED TO MATCH ADJACENT BUILDING COLOR.
11. COORDINATE TRASH ENCLOSURE CONCRETE APRON WITH TRASH COLLECTION COMPANY

SITE PLAN LEGEND

- NEW SIDEWALK
- NEW LANDSCAPE
- BUILDING FOOTPRINT
- NEW SEAT WALL
- PROPERTY LINE
- CONC. CONTROL JOINT
- ROOF LINE & CANOPY LINE
- ACCESSIBLE SITE EXITING ROUTE

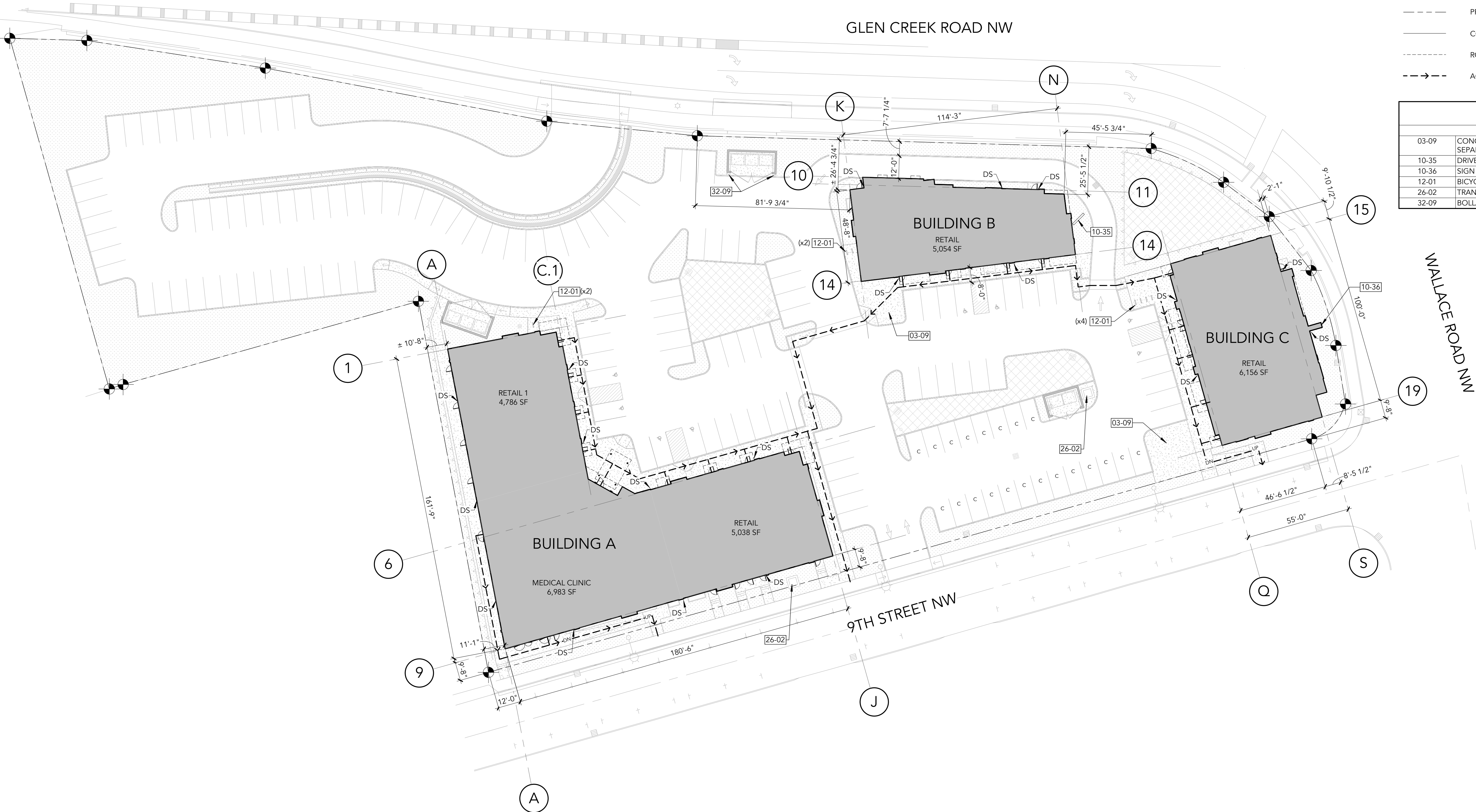
KEYNOTE

03-09	CONCRETE PATIO, FOR REFERENCE ONLY. SEE CIVIL UNDER SEPARATE COVER.
10-35	DRIVE-THRU MENU & ORDER DISPLAY
10-36	SIGN TOWER
12-01	BICYCLE RACK
26-02	TRANSFORMER, SEE ELECTRICAL
32-09	BOLLARD

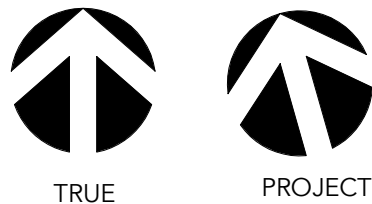
PARKING SUMMARY			
USE	SF (GROSS)	PARKING REQ.	STALLS
BUILDING A - RETAIL 1	4,786	1/250 SF	19
BUILDING A - RETAIL 2	5,038	1/250 SF	20
BUILDING A - MEDICAL CLINIC	6,983	1/350 SF	20
BUILDING B - RETAIL	5,054	1/250 SF	20
BUILDING C - RETAIL	6,156	1/250 SF	25
TOTAL: 28,017		PARKING REQUIRED:	104
		ON-SITE (STANDARD) PARKING SHOWN:	114
		ON-SITE (COMPACT) PARKING SHOWN:	21
		ON-SITE (DISABLED) PARKING SHOWN:	8
		TOTAL ON-SITE PARKING:	143
		TOTAL STREET PARKING:	24
		TOTAL PARKING:	167
		ON SITE PARKING STALL PER 1,000 SF:	5.96

SITE INFORMATION	
ZONING - CG (GENERAL COMMERCIAL)	
OVERALL	
TOTAL SITE AREA	131,785 SF
LANDSCAPE AREA	31,684 SF
15% MIN. REQ'D	24% PROVIDED
INTERNAL	
PARKING AREA	58,063
INTERNAL LANDSCAPE AREA	6,478
8% MIN. REQ'D	11% PROVIDED

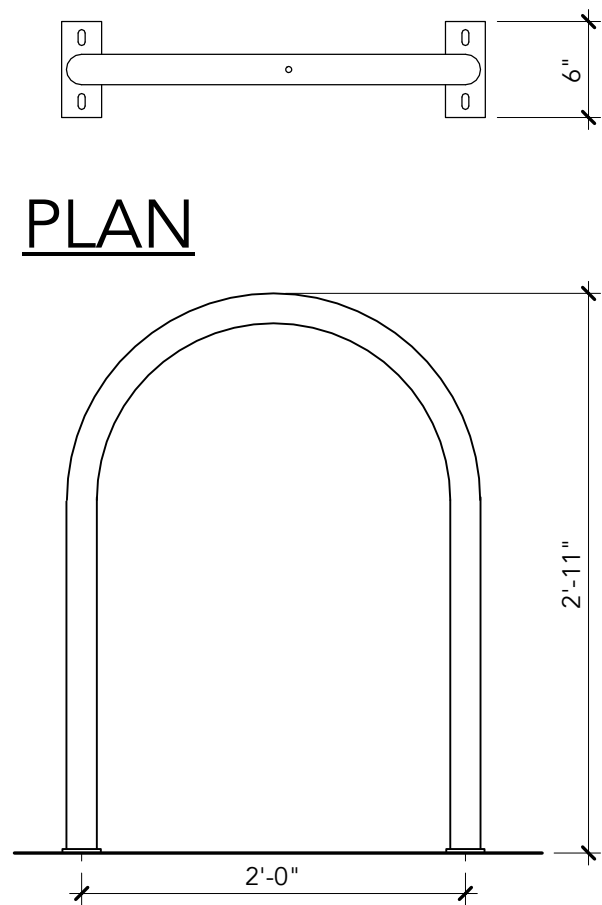
BUILDING INFORMATION	
GROSS FLOOR AREA	28,017 SF
BUILDING A	16,807 SF
BUILDING B	5,054 SF
BUILDING C	6,156 SF
RETAIL	21,034 SF
MEDICAL CLINIC	6,983 SF
MAX. BUILDING HEIGHT	31'-4"



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



Issue:	100% DD SET - REV. 1
Date:	08.16.2017
Rev:	Description : Date :

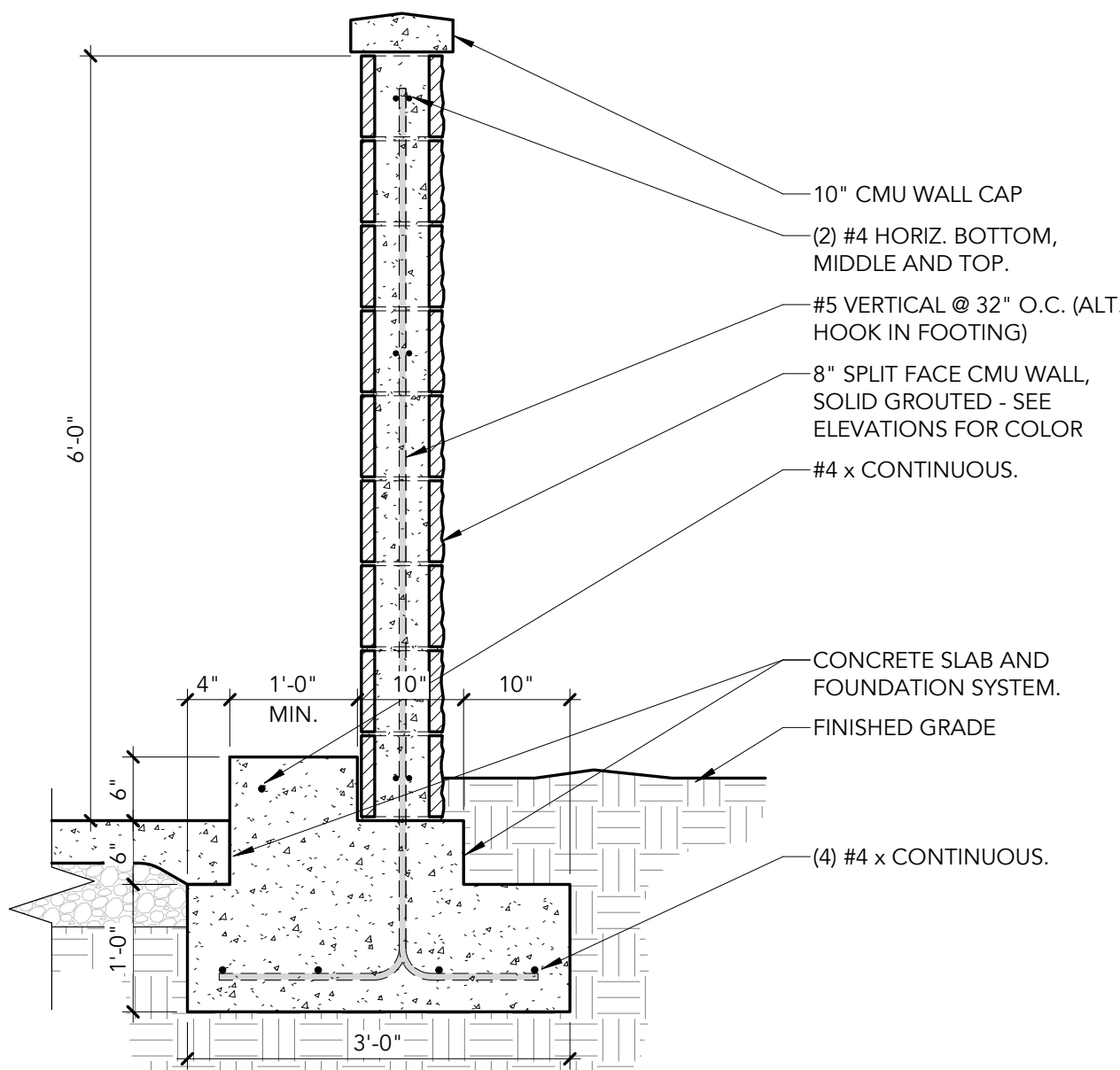


ELEVATION

BASIS OF DESIGN : DERO HOOP RACK

7 EXTERIOR BIKE RACK DETAIL

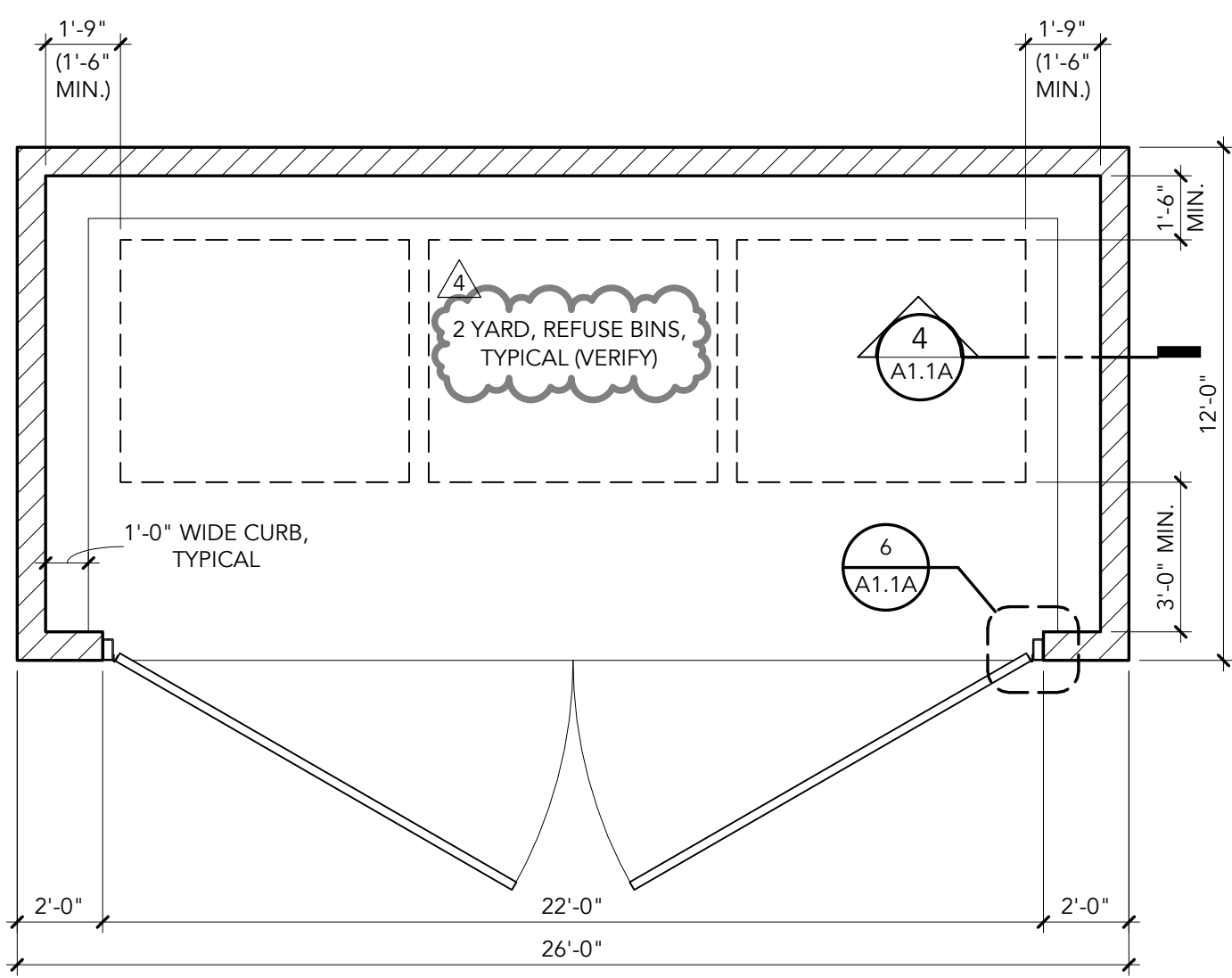
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4 TRASH ENCLOSURE SECTION

SCALE: 3/4" = 1'-0"

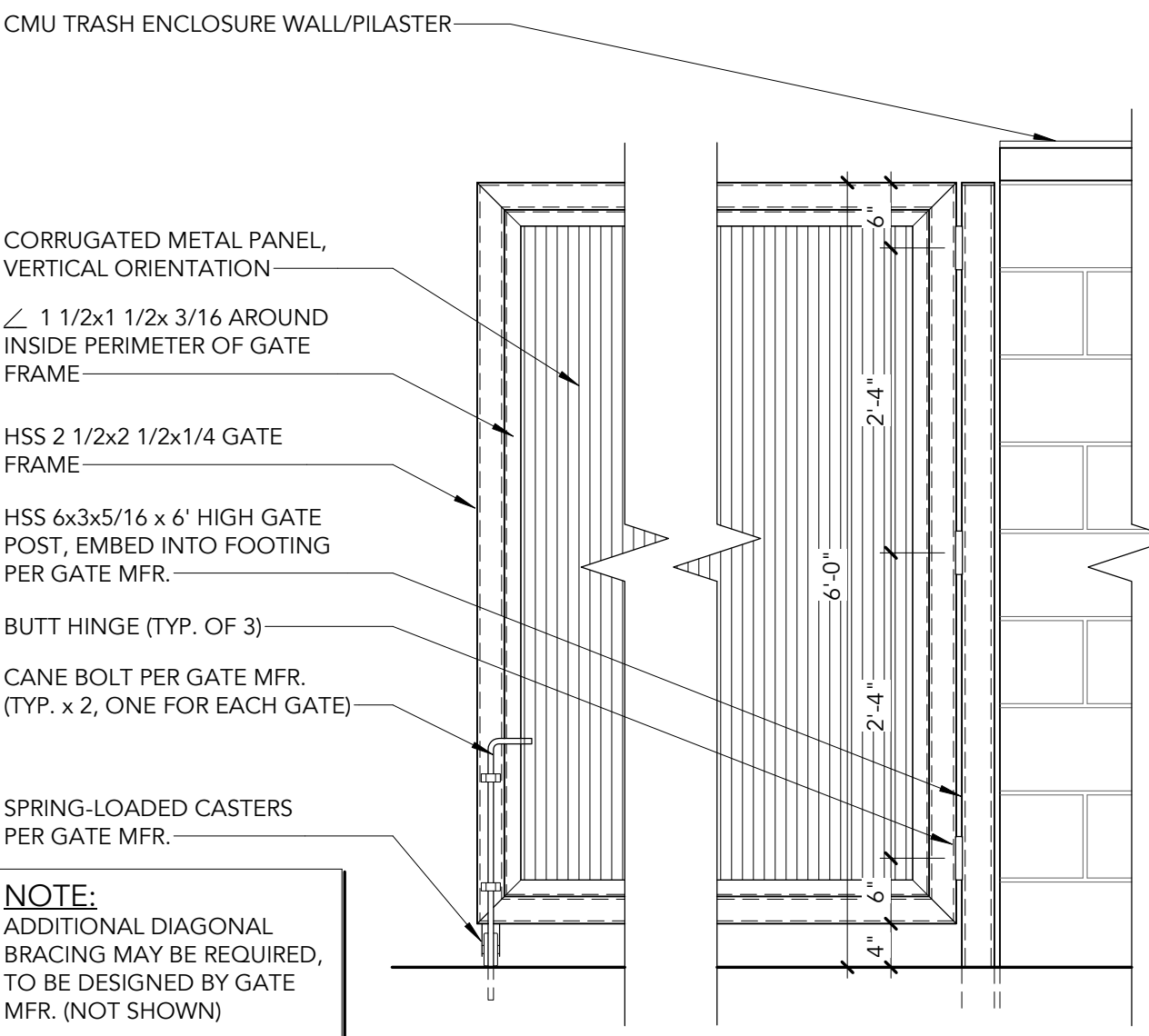
(SALEM, OR: SRC CHAPTER 800 (800.055))



1 TRASH ENCLOSURE PLAN (3 BIN)

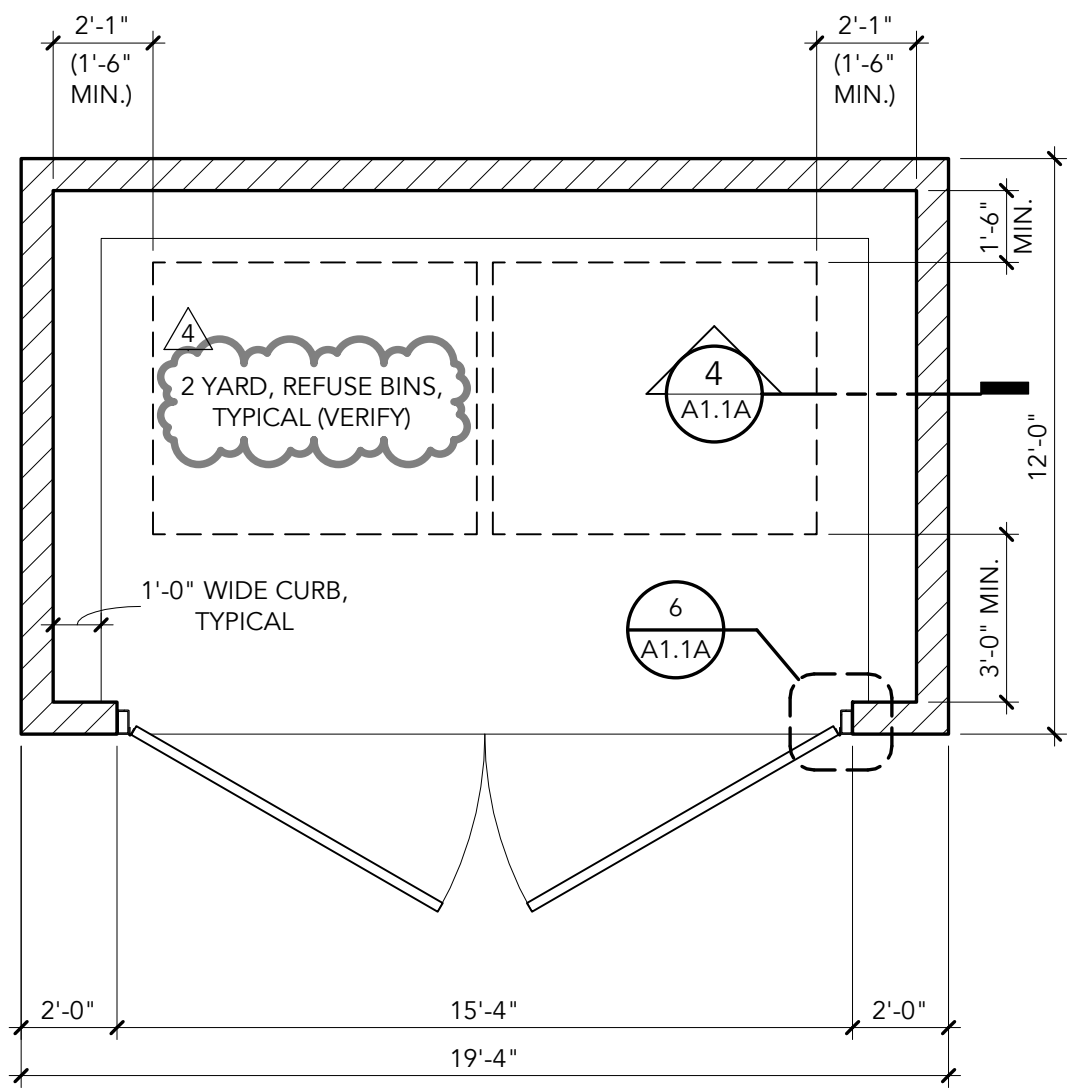
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(SALEM, OR: SRC CHAPTER 800 (800.055))



5 TRASH ENCLOSURE GATE ELEVATION

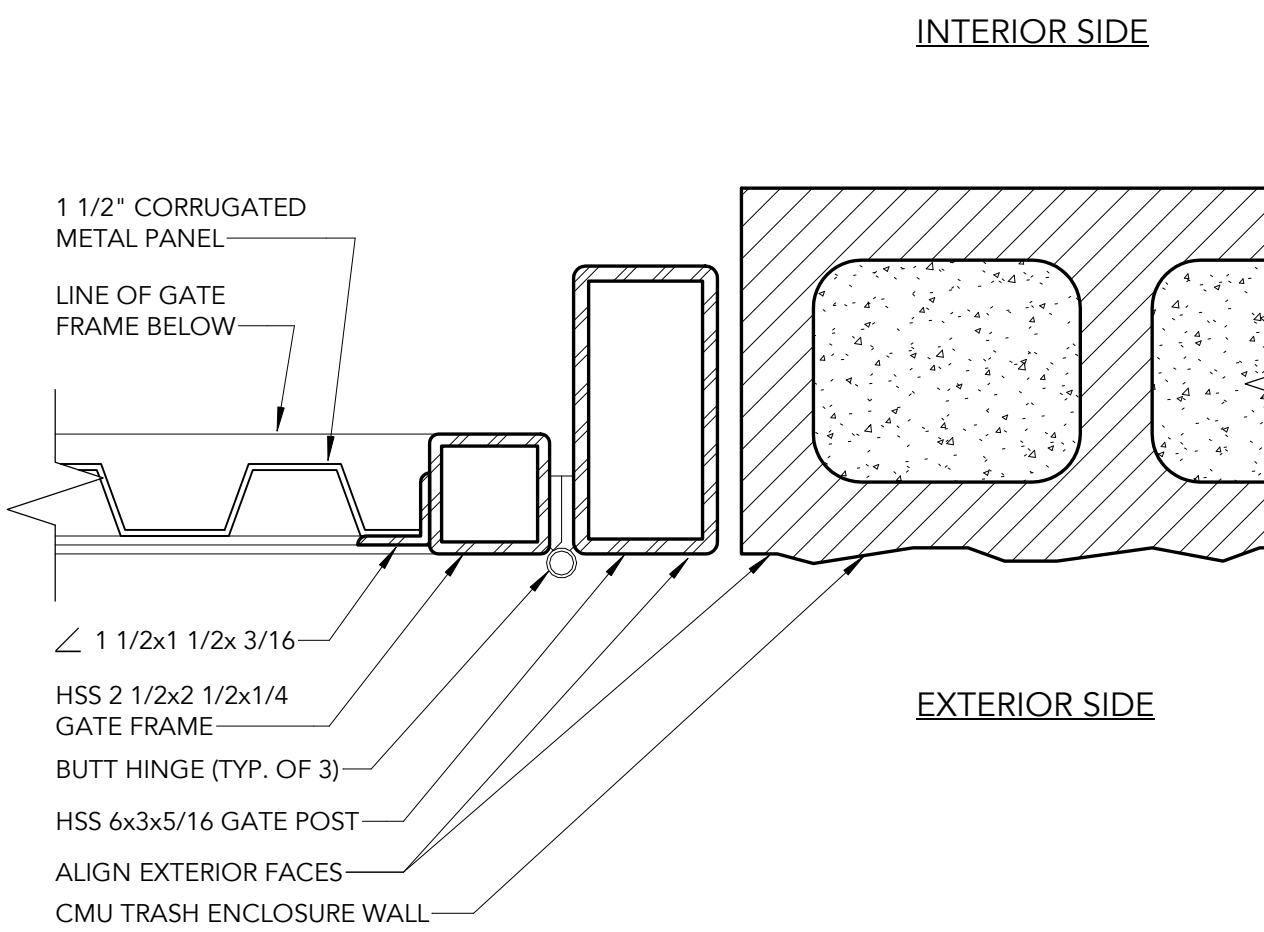
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2 TRASH ENCLOSURE PLAN (2 BIN)

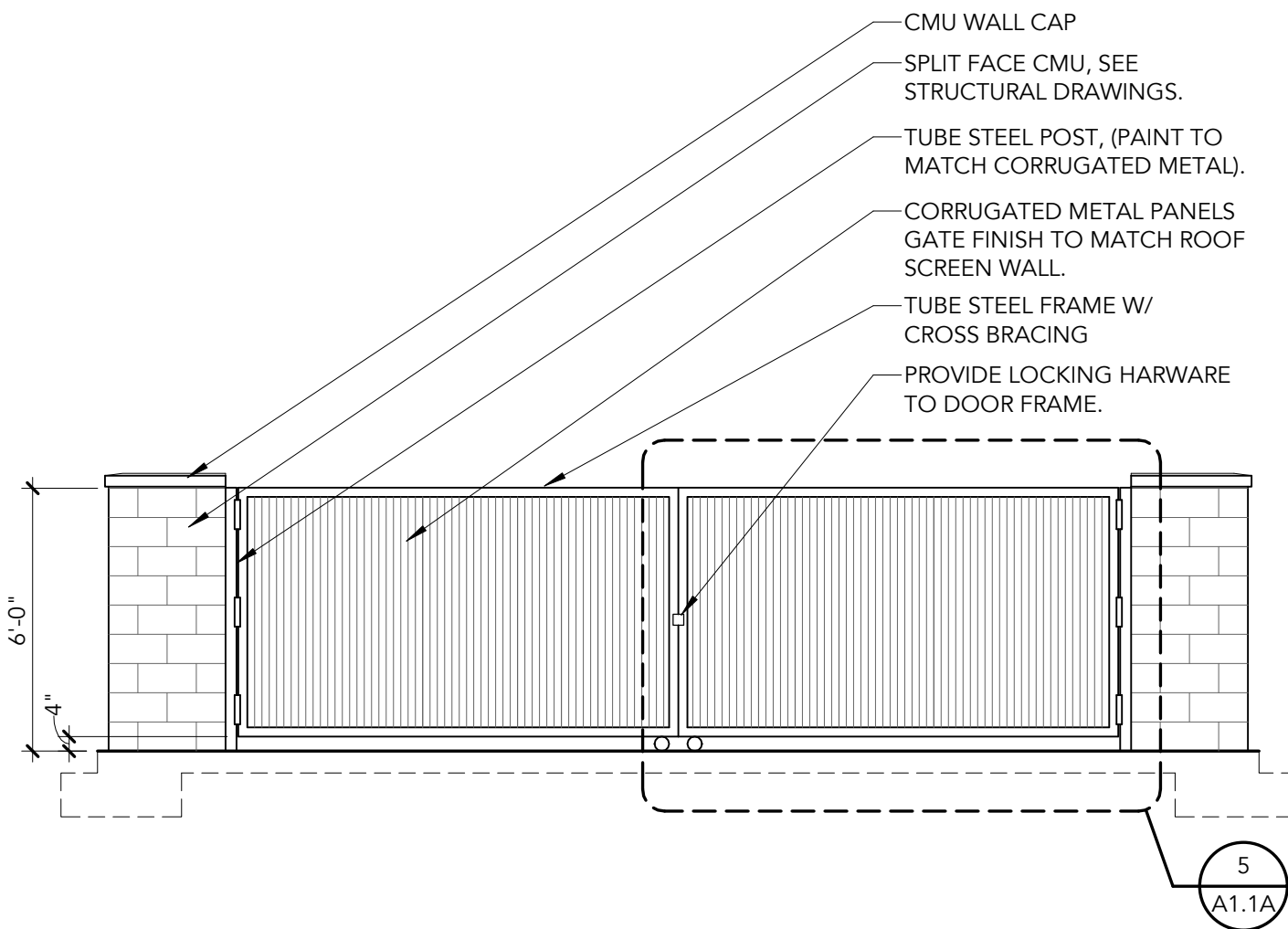
SCALE: 1/4" = 1'-0"

(SALEM, OR: SRC CHAPTER 800 (800.055))



6 TRASH ENCLOSURE - GATE JAMB

SCALE: 3" = 1'-0"



3 TRASH ENCLOSURE - ELEVATION

SCALE: 1/4" = 1'-0"

DD

100% DESIGN DEVELOPMENT

CB Two

ARCHITECTS

A LIMITED LIABILITY COMPANY

500 Liberty Street SE, Suite 100 / Salem, Oregon 97302

Ph: 503.480.8700 / Fx: 503.480.8701

CIVIL

WESTECH ENGINEERING, INC.

PH: 503.585.2474

LANDSCAPE

AKS ENGINEERING

PH: 360.882.0419

STRUCTURAL

MSC ENGINEERS INC.

PH: 503.399.1399

MECH., ELEC. & PLUMBING

SAZAN GROUP, IN.

PH: 503.416.2400

JURISDICTION

City of Salem

PH: 503.588.6256

THE POINTE

AT GLEN CREEK

xxxx ADDRESS

SALEM, OR 97304

DEACON

Issue: 100% DD SET - REV. 1

Date: 08.16.2017

Rev: 4

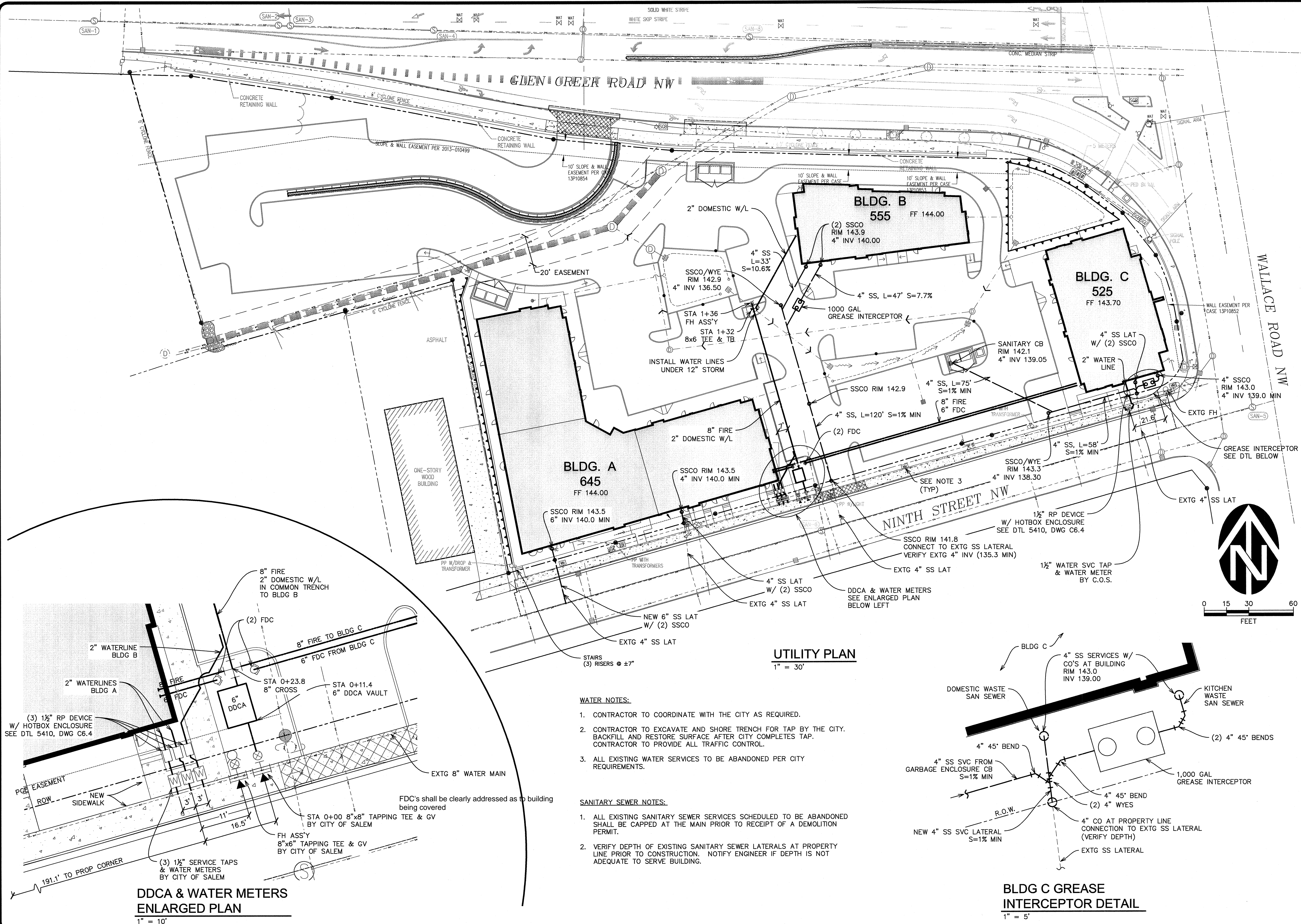
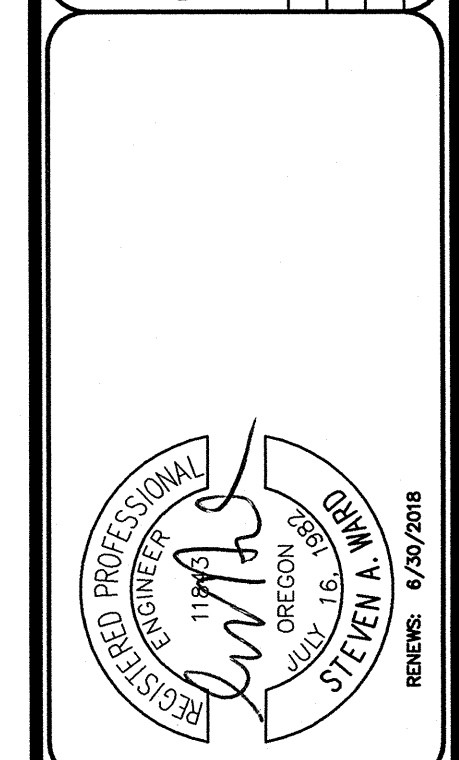
Description: Revision 4

Date: 11.13.17

SITE DETAILS

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WESTTECH ENGINEERING, INC.
CONSULTING ENGINEERS AND PLANNERS

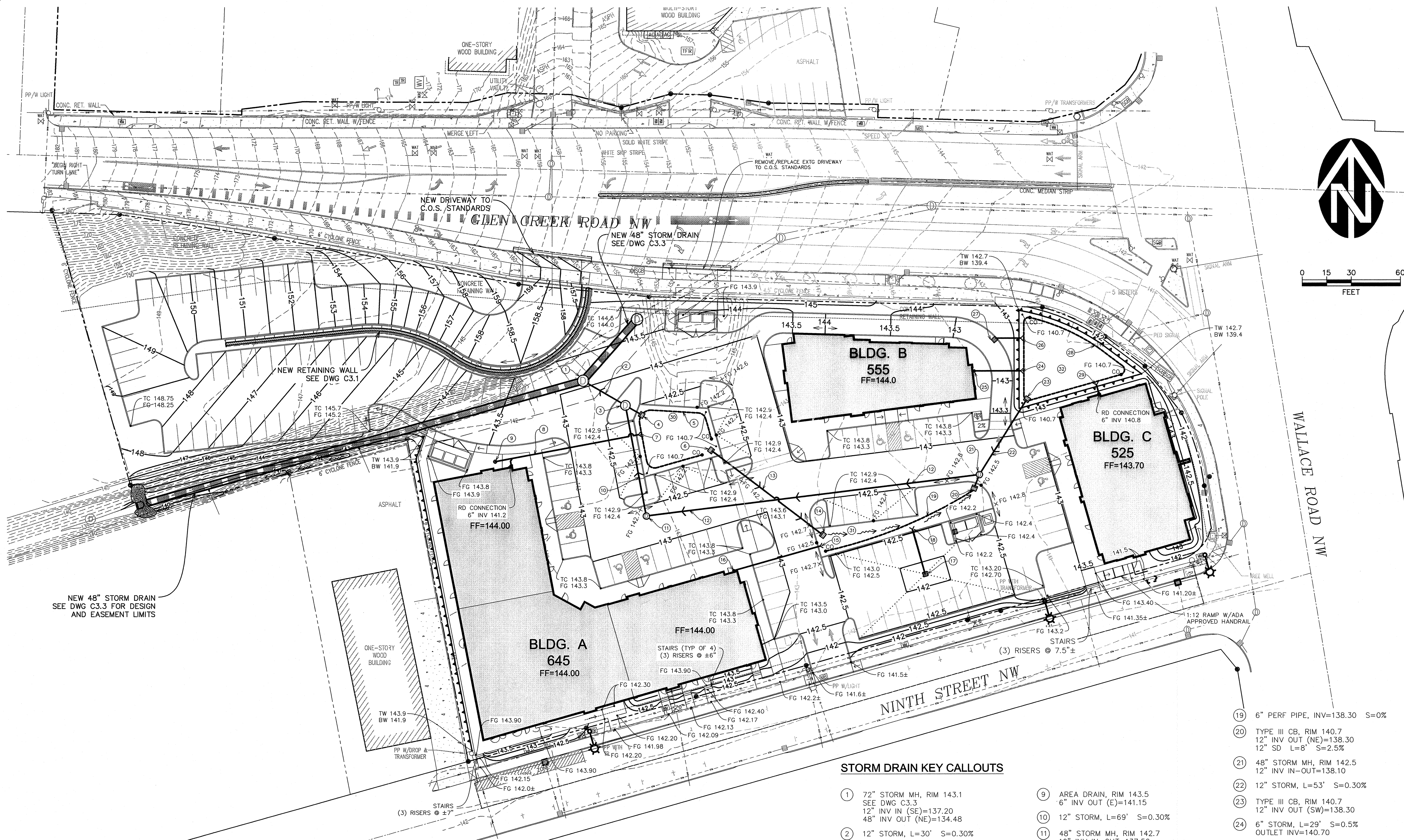
3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302
Phone: (503) 585-2474 Fax: (503) 585-3986
E-mail: westech@westech-eng.com

DEACON DEVELOPMENT
THE POINTE AT GLEN CREEK
UTILITY PLAN

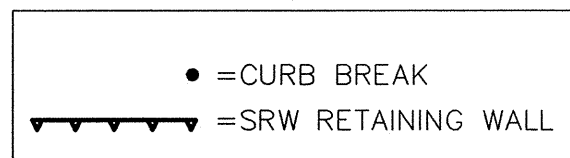
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C2.0

JOB NUMBER
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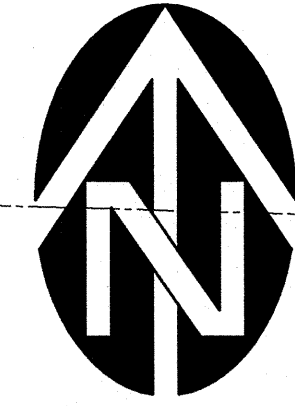


NEW 48" STORM DRAIN
SEE DWG C3.3 FOR DESIGN
AND EASEMENT LIMITS



STORM DRAIN KEY CALLOUTS

- | | | |
|---|---|---|
| ① 72" STORM MH, RIM 143.1
SEE DWG C3.3
12" INV IN (SE)=137.20
48" INV OUT (NE)=134.48 | ⑨ AREA DRAIN, RIM 143.5
6" INV OUT (E)=141.15 | ⑲ 6" PERF PIPE, INV=138.30 S=0% |
| ② 12" STORM, L=30' S=0.30% | ⑩ 12" STORM, L=69' S=0.30% | ⑳ TYPE III CB, RIM 140.7
12" INV OUT (NE)=138.30
12" SD L=8' S=2.5% |
| ③ POLLUTION CONTROL MH, RIM 144.4
12" INV IN-OUT=137.30
SEE DTL 3200, DWG C6.1
ORIFICE #1=1.7", INV=137.30
ORIFICE #2=3.2", INV=139.00
OVERFLOW RISER=12", EL=141.30 | ⑪ 48" STORM MH, RIM 142.7
12" INV IN-OUT=137.50 | ㉑ 48" STORM MH, RIM 142.5
12" INV IN-OUT=138.10 |
| ④ TYPE III CB, RIM 140.7
12" INV OUT (NW)=137.40
12" SD L=8' S=1.2% | ⑫ 12" STORM, L=205' S=0.30% | ㉒ 12" STORM, L=53' S=0.30% |
| ⑤ 6" PERF PIPE, INV=137.40 S=0% | ⑬ 12" STORM, L=84' S=0.50% | ㉓ TYPE III CB, RIM 140.7
12" INV OUT (SW)=138.30 |
| ⑥ TYPE III CB, RIM 140.7
12" INV OUT (SE)=140.00 | ⑭ TYPE III CB, RIM 140.7
12" INV OUT (NW)=139.50 | ㉔ 6" STORM, L=29' S=0.5%
OUTLET INV=140.70 |
| ⑦ STORM OUTLET, 6" INV=140.70 | ⑮ 6" STORM, L=55' S=0.5%
OUTLET INV=140.70 | ㉕ 6" STORM CLEANOUT, RIM 143.9
INV=140.85 |
| ⑧ 6" STORM, L=89' S=0.50% | ⑯ 6" STORM CLEANOUT, RIM 143.9
INV=141.0 | ㉖ 6" STORM, L=16' S=0.6%
OUTLET INV=140.70 |
| | ⑰ CATCH BASIN, RIM 141.8
INV=140.80 | ㉗ CATCH BASIN, RIM 142.4
INV=140.80 |
| | ⑱ 8" D.I. STORM, L=28' S=0.4%
OUTLET INV=140.70 | ㉘ 6" PERF PIPE, INV=138.30 S=0% |
| | | ㉙ 6" STORM, L=5' S=2%
OUTLET INV=140.70 |
| | | ㉚ 24" OF DRAIN ROCK
SEE DTL U3750, DWG C6.1 |
| | | ㉛ 15" OF DRAIN ROCK
SEE DTL U3750, DWG C6.1 |
| | | ㉜ 15" OF DRAIN ROCK
SEE DTL U3750, DWG C6.1 |



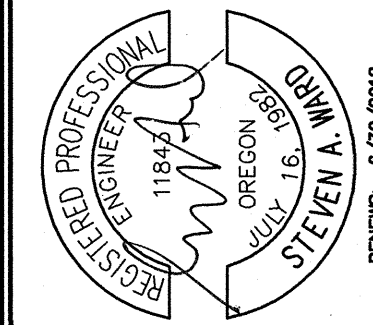
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DEACON DEVELOPMENT
THE POINTE AT GLEN CREEK

GRADING & DRAINAGE PLAN

DRAWING
C3.0

JOB NUMBER
2927.0000.0



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

REVISIONS		NO.	DATE	DESCRIPTION	BY
1	7/25/17	1	7/25/17	CITY COMMENTS & ARCH SITE	TMT
2	8/15/17	2	8/15/17	CITY COMMENTS & COS REVISIONS	AR
3	8/28/17	3	8/28/17	ARCH SITE PLAN & COS REVISIONS	AR

VERIFY SCALE
BAR IS ONE INCH ON
ORIGINAL DRAWING
IF NOT ONE INCH ON
THIS SHEET, ADJUST
SCALES ACCORDINGLY

DSN: SAW
DRN: TMT
CKD: SAW
DATE: MAY 2017



August 30, 2017

Aaron Panko
City of Salem
Community Development Department, Planning Division
555 Liberty Street SE, Room 305
Salem, OR 97301

Re: Class 3 Site Plan Review, Class 2 Adjustments
Address: 530-560 Glen Creek Road NW
965-1085 Wallace Road NW
535-635 9th Street NW

West Salem One, LLC with assistance from CB Two Architects respectfully submits an application for a Class 3 Site Plan Review and two Class 2 Adjustments for the proposed on- street loading space along the development's 9th Street frontage and the type of screening in the 6 foot setback for vehicle use and off-street areas at 9th Street. The site, located at the southwest corner of Wallace Road NW and Glen Creek Road NW, consists of approximately 3.55 acres and is zoned CG (General Commercial). The proposal as planned is to redevelop the properties with a multi building, multi-tenant commercial retail development.

The site is comprised of 11 lots that are currently developed or partially developed with multiple structures in varying degrees of repair. The developer intends to raze the existing structures to allow for their redevelopment plan. The proposal includes three separate multi-tenant structures with an approximate total building square footage of 28,017; associated parking anticipates a total of 165 parking spaces (143 on-site and 24 on-street); as well as three trash enclosures to serve the three buildings; and required landscaping. The development will be accessed from Glen Creek Road on the north side, and from 9th Street at the south side. Buildings, while located along street frontages are setback from property lines as needed and landscaping percentages are met as required.

The architectural style of the buildings is Northwest Contemporary. Exterior building finishes include masonry, horizontal siding, and storefront glazing systems. Multiple paint colors to provide further definition and to visually break up horizontal masses will also be utilized. The buildings will complement the surrounding area and bring needed improvements to this active corner.

SITE PLAN REVIEW

The following information along with submitted drawings confirms that the proposed project meets the Site Plan Review Criteria as required by the City of Salem's Community Development department.

(A) The applicant meets all applicable standards of the UDC.

Development Standards for the Chapter 523 CG – GENERAL COMMERCIAL zoning district are noted and met as illustrated in the following tables and criteria statements:

(a) LOT STANDARDS

Requirement	Standard	Project Information
LOT AREA All Uses	None	Approximately 3.55 acres
LOT WIDTH All Uses	None	Site is irregular in shape, the average width is 265'.
LOT DEPTH All Uses	None	Site is irregular in shape, The average depth is 660'.
STREET FRONTAGE All uses other than Single Family	Minimum 16 ft.	Project has frontage on three streets, the shortest of which is along Wallace Rd. with an approximate length of 100'.

(b) SETBACKS

Requirement	Standard	Project Information
ABUTTING STREET		
Buildings		
All Uses	Min. 5 ft.	Building setbacks vary, the least or minimum provided is for Building C which is adjacent to Wallace Road, with a building setback of 5 feet.
Accessory Structures	Min. 5 ft.	All trash enclosure are set back more than 5' from property line.

(b) SETBACKS CONT.

Requirement	Standard	Project Information
INTERIOR FRONT		
Buildings All uses other than Single and Multiple Family	Zone to Zone. Table 523-4 indicates none for Commercial and a min. 5 ft. for IP. With Landscaping & Screening for IP.	N/A
Accessory Structures	Zone to Zone. Table 523-4 indicates none for Commercial and a min. 5 ft. for IP. With Type A Landscaping & Screening for IP.	N/A
Vehicle Use	Zone to Zone. Table 523-4 indicates a min. 5 ft.	N/A
INTERIOR SIDE		
Buildings – All uses other than Single and Multiple Family	Zone to Zone. Table 523-4 indicates none for Commercial and a min. 5 ft. for IP. With Type A Landscaping & Screening for IP.	Building A will be set back from the property line and varies from 10 feet 8 inches to 11 feet 10 with a combination of Type A landscaping & screening and pedestrian walkway; a fence is also anticipated.
Accessory Structures	Zone to Zone. Table 523-4 indicates none for Commercial and a min. 5 ft. for IP. With Type A Landscaping & Screening for IP.	Building A trash enclosure is proposed approximately 10 feet 8 inches from the property line. A combination Type A landscaping & screening and pedestrian walkway is included.

(b) SETBACKS CONT.

Requirement	Standard	Project Information
Vehicle Use	Zone to Zone. Table 523-4 indicates a min. 5 ft.	A minimum 9' + setback is proposed.
INTERIOR REAR		
Buildings All uses other than Single and Multiple Family	Zone to Zone. Table 523-4 indicates none for Commercial and a min. 5 ft. for IP. With Type A Landscaping & Screening for IP.	Building A will be set back from the property line and varies 10 feet 8 inches to 11 feet 1 inch with a combination of Type A landscaping & screening and pedestrian walkway; a fence is also anticipated.
Accessory Structures	Zone to Zone. Table 523-4 indicates none for Commercial and a min. 5 ft. for IP. With Type A Landscaping & Screening for IP.	Building A trash enclosure is proposed at 9 feet from the property line. A combination Type A landscaping & screening and pedestrian walkway is included.
Vehicle Use	Zone to Zone. Table 523-4 indicates a min. 5 ft.	A minimum 9' + setback is proposed.

(c) LOT COVERAGE; HEIGHT

Requirement	Standard	Project Information
LOT COVERAGE		
Buildings and Accessory Structures	No Max.	28,017 or 18% is proposed.
REAR YARD COVERAGE		
Buildings	N/A	
Accessory Structures	No. Max.	N/A
HEIGHT		
Buildings	Max. 70 ft.	The tallest proposed building (Building A) has a maximum building height of 29 feet 4 inches; Buildings B and C are approximately 18 feet to top of the parapet.
Accessory Structures for all uses other than Single and Multiple Family	Max. 70 ft.	Trash enclosures anticipated height is less than 8 feet.

(d) LANDSCAPING

- 1) Setbacks. Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC Chapter 807.

Project Information - Required setbacks are provided and will be landscaped with Type A (1 PU per 20 sq. ft. of landscaped area) landscaping as required.

- 2) Vehicle Use Areas shall be landscaped as provided under SRC Chapter 806 and SRC 807.

Project Information – As noted above, required setbacks are provided and will be landscaped with Type A (1 PU per 20 sq. ft. of landscaped area) landscaping as required. Screening through the use of 3 foot tall shrubs in lieu of a wall is proposed along 9th Street. An adjustment for the proposed screening is being requested.

- 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.

Project Information – Proposal includes approximately 31,684 square feet of landscaping, which is approximately 24% of the site, exceeding the 15% minimum. Off street parking areas require a minimum of 8% landscaped area; this proposal provides approximately 11%, also exceeding the standard. Landscaping will meet or exceed the Type A standard where applicable.

OTHER PROVISIONS –

CHAPTER 803 STREETS AND RIGHT-OF-WAY IMPROVEMENTS – Alternative Street Standards:

Section 803.065 Alternative Street Standards applies for the future sidewalk along 9th Street, as it is proposed as a curblin sidewalk which is an alternate design to locating it one foot from the adjacent right-of-way. The Director has the ability to authorize alternatives to the standards, in certain cases if applicable. In this particular case there are two situations that would permit the Director to approve the plan as proposed: “(1) Where existing development or physical constraints make compliance with the standards set forth in this Chapter impracticable” and “(3) Where topography or other conditions make the construction that conforms to the standards impossible or undesirable.”

The project has numerous site constraints and conditions that make the need for alternatives crucial. Firstly, the site configuration is irregular, with significant topographic changes across the property, and there is frontage on three public streets. These circumstances provide design challenges that required the design team to look at the best

and most viable site layout to achieve a site plan that meets most of the standards and the programming needs of the development without compromising safety, access and parking within the site.

Secondly, the existing conditions, such as three power poles that also host other dry utilities and a street light along the 9th Street frontage are planned to remain. Additionally, there is no consistent sidewalk condition along our 9th Street frontage or further west. Therefore, this proposal is consistent with the property to the west which has a curblin sidewalk and to the new sidewalk on Wallace Road.

Lastly, the ability to have a curblin sidewalk will allow the necessary distance from the back doors at Building A to the sidewalk to accommodate an ADA ramp (with the appropriate width and grade) as well as stairs (with the appropriate tread width and height).

Additionally, the curblin sidewalk will also provide for greater landscaping from the new sidewalk to the buildings and parking lot which will foster an improved pedestrian experience at this location. It also allows for ambulance parking and access of an accessible path to the medical clinic tenant space that will accommodate a gurney in the event that medical transport is required. The curbside sidewalk will also make it easier for loading and unloading as the proposed loading space is on 9th Street as well.

CHAPTER 806 OFF-STREET PARKING, LOADING, AND DRIVEWAYS - Applicable requirements are met as indicated below:

Section 806.015(a) Minimum Required Off-Street Parking requirements are found on Table 806-1. The proposed development anticipates both retail uses and some medical office. Parking for retail is required at a ratio of 1 space for every 250 square feet of retail use; parking for the medical office is required at a ratio of 1 space for every 350 square feet of medical office.

Project Information – With 21,034 square feet of retail use there is a minimum requirement of 84 spaces; the medical clinic at 6,983 square feet requires a minimum of 20; total minimum of 104 parking spaces required. The project proposal provides 143 off street parking spaces exceeding the minimum requirement.

806.045(a)(1) Bicycle Parking shall be provided for each proposed new use or activity.

Project Information – Bicycle parking will be provided as required, please see Sheet A1.0A Site Plan for location of bicycle racks.

806.065(a)(1) Off-Street Loading is required for new developments that will have vehicles that exceed a maximum combined vehicle and load rating of 8,000 pounds and the parking area is located within 25 feet of the building or the use or activity that it serves.

Project Information – The loading space will be provided on 9th Street in a delineated street loading zone, as previously discussed with Public Works. It is not practical for the development to provide an off-street loading zone within the proposed parking areas due to site configuration, topography, green infrastructure requirements, the number of driveways and their locations, and siting of buildings adjacent to the street. Currently, only one tenant, the medical clinic located in Building A, may have a need for deliveries in vehicles exceeding the 8,000 pound weight limit triggering this requirement. However, other Tenants in the project may also use the loading zone as necessary. The City of Salem Public Works has indicated support to establish a loading zone on 9th Street adjacent to Building A (medical clinic tenant) in a location conducive to effectively serve the required need. This approach allows for the redevelopment of existing properties that are underutilized in an area where revitalization is desired and supports the goals for the comprehensive plan for redevelopment. Locating the loading space on 9th Street will improve safety along 9th in this area, as there are currently no loading spaces on 9th adjacent to the proposed development area and the existing businesses on the development site do not have off-street loading spaces now, this means that trucks are using the travel lanes for their loading purposes. Further, as noted earlier, the balance of the development standards are met or exceeded by this proposal giving greater benefit to the neighborhood and community than current conditions offer.

A Class 2 Adjustment to allow for an on-street loading space is being sought as part of this land use approval request. Information regarding the requested adjustment is found under the Adjustments section of this document.

ADDITIONAL SITE PLAN REVIEW CRITERIA

(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

Yes, the site will be accessed by public streets in a safe, orderly and efficient manner. Project consultants have worked diligently to provide a proposal that incorporates safe design practices so that the existing transportation system serving the site will not be negatively impacted. Vehicular queuing expectations have been adequately addressed by the traffic engineer; please reference the traffic study prepared by Kittelson & Associates for details.

Along 9th Street, a half street improvement is proposed. These improvements include providing half street improvements consisting of sidewalks, landscaping, on-street parking and a loading zone. Currently most of the existing development along 9th is unimproved and does not conform to current standards. The proposed improvements along the 9th Street frontage are consistent with the intent of the code, meet the needs of the development, and improve the transportation system.

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

The parking areas and driveways have been designed to provide safe and efficient movement for users. Access management plans are provided in the traffic study prepared by Kittelson & Associates. Vehicular access to the site will be provided in two locations, one from a full access driveway on Glen Creek and another on 9th Street. Pedestrians are able to safely access the development via Wallace, Glen Creek or 9th, or using sidewalks that are provided adjacent to all buildings and parking areas. Bicycles will have access through provided driveways or sidewalk connections at the street frontages. Bicycle parking is conveniently located near building entrances.

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

The site is currently served with City water, sewer, and stormwater facilities; as well as other franchise utilities. The future redevelopment proposal will also be adequately served by the same providers. Sanitary sewer and water serve the site via existing facilities in 9th Street. Storm drainage will be served by an existing public drainage system that runs east to west through the site. Please reference the Stormwater Report provided by Westech Engineers. The development team is currently working with the franchise utility companies to coordinate and facilitate those service connections.

CLASS 2 ADJUSTMENTS

Adjustment to SRC806.035:

A Class 2 adjustment to SRC 806.035(c)(2)(D) Perimeter Setbacks and Landscaping Abutting Streets – Method D, is requested. The project proposes to utilize plant material to provide the three foot tall screen in lieu of a three foot tall masonry wall. Chapter 250.001 of the SRC notes the purpose of an adjustment is to “provide for an alternative way to meet the purposes of the code and provide for flexibility to allow reasonable development of property where special conditions or unusual circumstances exist.” The development certainly fits this description and will meet criteria SRC250.005(d)(2)(A)(ii):

A Class 2 Adjustment shall be granted if all of the following criteria are met:

(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.*

This is a redevelopment project, using existing developed properties long in need of revitalization. Current conditions along 9th Street have no setback or screening of parking or vehicle use areas nor is there any separation from street or areas where non-

compliant sidewalks are located. The proposal provides a 6 foot setback from the property line at 9th; with a 12 foot landscaped setback to the new 6 foot wide sidewalk, and 18 feet between the vehicle use areas and the street. Standards for setbacks and landscaping vary in SRC 806.035(c)(2); from Method A, which asks to “setback a minimum of 10 feet. The setback shall be landscaped according to the Type A standard set forth in SRC Chapter 807.” Type A landscaping has no screening requirements. Alternatively, Method D requires a 6 foot setback with a 3 foot tall wall and Type A landscaping. The proposed 3 foot tall continuous screen of shrubs will provide an equal level of screening which meets the intent of the wall as the landscaped area between the vehicle use areas and the sidewalk is also more than 10 feet. Enhanced landscaping with proposed screening through the use of plant material exceeds the Method A standard and is a more environmental design approach than the installation of a wall as directed in Method D.

Using a continuous row/hedge of shrubs and other plant material for screening in lieu of installing a wall is more aesthetically pleasing and pedestrian friendly and reduces the risk for vandalism and graffiti to the wall. This proposal substantially exceeds the existing conditions along 9th Street and in other newer or redeveloped sites in the area.

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

The development site is zoned General Commercial (CG), with adjacent property to the west being zoned Industrial Park. Across 9th Street properties are zoned either General Commercial or General Industrial.

(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.

This and one other adjustment are the only requests and are all the relief needed for the development proposal. No negative impacts are anticipated with either and as proposed are still consistent with the overall purpose of the zone.

Adjustment to SRC806.065:

As indicated previously the location of the site, its configuration and the existing conditions provide many challenges for redevelopment and a Class 2 Adjustment to development standards found in Salem Revised Code (SRC) 806.065 is being requested for approval of an on-street loading space along our 9th Street frontage, in lieu of an off-street loading space. The following explains why the adjustment is being requested and how the criterion to approve is met.

The request is necessitated as a result of "SRC.065. Off-Street Loading Areas; When required. (a) General Applicability. Off-street loading shall be provided and maintained as required under this Chapter for: (1) Each proposed new use or activity." The redevelopment of the site and the new uses that will be taking place once the development is complete triggers the off-street loading requirement. However; topography, site configuration and access precludes the proposal from viably providing an off-street loading space for semi-trucks that may be making deliveries to future tenants.

Proposed frontage improvements on 9th include removing at least seven driveways/curb cuts and installing an off-street loading space approximately 70 feet in length which will better be able to accommodate larger sized delivery trucks than the standard loading stall.

A Class 2 Adjustment shall be granted if all of the following criteria are met:

(A) The purpose underlying the specific development standard proposed for adjustment is:

(iii) Clearly inapplicable to the proposed development: or

(iv) Equally or better met by the proposed development.

The request is the minimum needed and will have no negative impacts to the surrounding developments or the larger community. To the contrary; proposed frontage improvements along 9th will provide ample space to allow for an on-street loading space which currently does not exist in the area. Today, the existing developments are unable to accommodate a loading space on-site or on-street, forcing large trucks to block either travel lanes or driveways servicing existing businesses. The site has approximately 457 linear feet of frontage with 5 separate businesses each accessing 9th, in its current condition over half (approximately 250 feet) of this frontage consists of driveways or curb cuts. As proposed, improvements for 9th will include 433 linear feet of curb and sidewalk and only a single 24 foot wide driveway, which will provide ample room for a loading space and increase the amount of on-street parking available in the area. The proposed off-street loading space approximately 70 feet in length which will better be able to accommodate larger sized delivery trucks than the standard loading stall.

The City of Salem has allowed other developments to meet the loading requirement with on-street loading spaces, and based on correspondence with City Staff, the City has confirmed that they will support an on-street loading space for this development. The proposed frontage improvements provide far greater benefit; with the addition of a sidewalk the length of our 9th Street frontage, reducing the number of driveways from 7 to 1, and increased on-street parking. Additionally, this proposal provides a loading space which will reduce traffic disruptions and improve safety by getting trucks out of the travel lanes for loading/unloading. We believe that we meet the criteria of equal or better to the standard as required.

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

The development site is zoned General Commercial (CG), with adjacent property to the west being zoned Industrial Park. Across 9th Street properties are zoned either General Commercial or General Industrial.

(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 two adjustments are the only requests and are all the relief needed for the development proposal. No negative impacts are anticipated with either and as proposed are still consistent with the overall purpose of the zone.

As stated above; the requested adjustments will not have a negative impact, and will provide increased safety, more landscaping and improved pedestrian environments by providing screening through plant material and an on-street loading space where none currently exists. These types of adjustments have been granted for other developments and businesses in Salem. There is adequate evidence in our proposal to allow the Planning Administrator to approve these requests.

CLOSING

In closing, as described throughout this narrative, we believe the proposed project meets or exceeds the applicable standards of the UDC and additional Site Plan Review Criteria; and meets the applicable criteria for approval of the Class 2 Adjustments. The information provided in this narrative and in the accompanying plans supports our request and allows staff to approve the proposal. We look forward to working with the City of Salem on this exciting redevelopment plan.



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

October 4, 2017

APanko@CityofSalem.net

**Land Use Case No. SPR-ADJ-DAP17-26 500 Block of Glen Creek Road NW &
 500-600 Block of 9th Street NW**

The **Site Plan Review** is for a proposed redevelopment including removal of six buildings and developing three new retail/office buildings and parking area. Criteria for the Site Plan Review includes, among other things, 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.

Action Proposed: The WSNA requests demolition permits be issued for existing buildings and all buildings be removed prior to construction of replacement buildings.

The WSNA requests traffic engineers further study the Level of Service of Glen Creek and Wallace Road and the safety issues related to congestion, pedestrian activity, bicycle and vehicular lane crossings at this intersection and in the area of the proposed driveway. The WSNA restates their recommendation that the developers work with the West Salem Urban Renewal Agency to improve access to their property from local streets rather from Glen Creek.

The **Adjustments** to the development standards are:

- 1) To eliminate the off-street loading space requirement for the development and allow use of one on-street loading space on 9th Street NW,
- 2) To reduce the vehicle-use area setback adjacent to 9th Street NW from 10 feet to 6 feet with 3 foot tall shrubs instead of a 3 foot tall fence.

Action Proposed: The WSNA supports the request for: 1) providing on-street loading space on the north side of 9th Street, eliminating the requirement for off-street loading in the site's parking configuration;



West Salem Neighborhood Association

555 Liberty Street SE Room 305 Salem, Oregon 97301 ♦ 503-588-6207

and 2) to reduce the vehicle use setback area adjacent to 9th Street NW from 10 feet to 6 feet with 3 foot tall shrubs instead of a 3 foot tall fence.

A Class 2 Driveway Approach Permit is for a new driveway from the development onto Glen Creek Road.

The proposed 36 feet wide driveway moves the existing driveway west to align with apartment buildings on the north side of Glen Creek Road. Glen Creek Road is an Arterial, more specifically Minor Arterial, in the City of Salem's Transportation Systems Plan.

The proposed driveway onto Glen Creek Road, appears not to meet the criteria for granting a Class 2 Driveway Permit.

- Site conditions challenging the proposed location include: 1) an existing access for residential dwellings on the north side of Glen Creek potentiating collisions in high density traffic conditions typical of the intersection of Glen Creek and Wallace Road; 2) possible insufficient linear distance to the intersection of Wallace Road to facilitate legally safe weaving across pedestrian, bicycle and vehicle lanes for northbound movement on Wallace Road; 3) the perception that the current traffic flow characteristics at the intersection of Glen Creek and Wallace Road are already or approaching Level of Service Criteria F. (Forced flow with an average delay in excess of 60 seconds per vehicle....groups of vehicles waiting through 2 or more green signal cycles) and 4) potential conflict with pedestrian and bicycle activity; and 5) steep slope.
- The proposal changes the current driveway, which purpose is seemingly emergency only, into a major 36 feet wide driveway onto an arterial. While 1 driveway permit is a minimum number, the property is served by 9th, a local street and 7th, a nearby collector street. The proposed driveway is not taking advantage of the lowest classification of street abutting the property.
- The proposed driveway, primarily because of congestion, conflicts with pedestrian ways, bike ways, and vehicles from residential development on the north side of Glen Creek appears to create traffic hazards as well as unsafe turning movements and access. West bound traffic on Glen Creek is both accelerating from the intersection and merging 2 lanes into 1. East bound traffic is queuing for north and south bound movement on Wallace Road. Residential traffic is entering from the north. Bicycle traffic is weaving for continuing on Glen Creek to cross Wallace Road.
- The proposed driveway may result in significant adverse impacts in the vicinity. It is likely to further exacerbate congestion for east and west bound flow on Glen Creek.



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- The proposed driveway approach may significantly impact the functionality of access to Glen Creek road by the residential development to the north as well as the functionality of the vehicle queuing lanes on Glen Creek.
- The proposed driveway appears to adversely impact residentially zoned property and the functionality of Glen Creek, Wallace road and other adjacent streets.

The WSNA in its previous review of the proposed development recommended the developers work with the West Salem Urban Renewal Agency on projects to improve access to Wallace Road from 9th Street through neighboring collectors on 7th Street to other signaled intersections on Wallace Road, and limit access to Glen Creek for emergency purposes.

Action Proposed: The WSNA requests traffic engineers further study the Level of Service of Glen Creek and Wallace Road and the safety issues related to congestion, pedestrian activity, bicycle and vehicular lane crossings at this intersection and in the area of the proposed driveway. The WSNA restates their recommendation that the developers work with the West Salem Urban Renewal Agency to improve access to their property from local streets.

The WSNA will invite the developers to their meeting to further discuss the needs and concerns about the proposed driveway approach permit.

The recommendations above were approved by the West Salem Neighborhood Association at its October 2, 2017, meeting.

Respectfully Submitted

Kathleen Dewoina
West Salem Neighborhood Association
Land Use Chair



MEMO

TO: Aaron Panko, Planner III
Community Development Department

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

DATE: November 7, 2017

SUBJECT: **PUBLIC WORKS RECOMMENDATIONS**
SPR-ADJ-DAP17-26 (17-111985)
560 GLEN CREEK ROAD NW
NEW RETAIL/OFFICE BUILDINGS

PROPOSAL

A Class 3 Site Plan Review and Class 2 Driveway Approach Permit for development of three new retail/office buildings approximately 16,807-square-feet, 5,054-square-feet and 6,156-square-feet in size, with a Class 2 Adjustment request to:

1. Eliminate the off-street loading space requirement for the development and allow use of one on-street loading space on 9th Street NW;
2. Reduce the vehicle use area setback adjacent to 9th Street NW from 10 feet to 6 feet, with 3-foot-tall shrubs versus a 3-foot-tall fence.

For property approximately 3.03 acres in size, zoned CG (General Commercial), and located at the 500 Block of Glen Creek Road NW and the 500-600 Block of 9th Street NW, 97304 (Polk County Assessor's Map and Tax Lot Numbers: 073W21AD / 06300, 06302, 06303, 06304, 06400, 06500, 06603, 06701, 07100, 07200, 07201, and 07300).

RECOMMENDED CONDITIONS OF APPROVAL

1. Along the development frontage of 9th Street NW, construct a half-street improvement to Local street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803. Sidewalks can be constructed along the property line or curbline per SRC 803.035(l)(2)(B).
2. Dedicate a 25-foot public storm easement along the full length of the proposed 48-inch storm main extension pursuant to PWDS. Acquisition of an easement from the neighboring property owner may be required to meet the minimum easement width of 25 feet unless modified under a design exception by the City Engineer.

3. Extend the raised median and modify the striping on Glen Creek Road NW to comply with the recommendations specified in the Traffic Impact Analysis.

FACTS

Streets

1. Glen Creek Road NW

- a. Existing Condition—This street has a variable-width improvement within a varying-width right-of-way abutting the subject property.
- b. Standard—This street is designated as a Minor Arterial street in the Salem TSP. The standard for this street classification is a 46-foot-wide improvement within a 72-foot-wide right-of-way.

2. Wallace Road NW

- a. Existing Condition—This street has a variable-width improvement within a varying-width right-of-way abutting the subject property.
- b. Standard—This street is designated as a Major Arterial street in the Salem TSP. The standard for this street classification is a 76-foot-wide improvement within a 108-foot-wide right-of-way per the Salem TSP Special Street Right-of-Way and Improvements Table G-1.

3. 9th Street NW

- a. Existing Condition—This street has an approximate 38-foot improvement within a 60-foot-wide right-of-way abutting the subject property.
- b. Standard—This street is designated as a Local street in the Salem TSP. The standard for this street classification is a 30-foot-wide improvement within a 60-foot-wide right-of-way.

Storm Drainage

1. Existing Conditions

- a. A 10- to 48-inch storm main is located in Glen Creek Road NW.
- b. Two 18-inch storm mains are located in Wallace Road NW.
- c. A 12-inch storm main is located in 9th Street NW.

- d. An open ditch and a 48-inch storm main are located across the northwest corner of the subject property.

Water

1. Existing Conditions

- a. The subject property is located in the G-0 water service level.
- b. An 8-inch water main is located in 9th Street NW. Mains of this size generally convey flows of 900 to 2,200 gallons per minute.
- c. An 8-inch water main is located in Glen Creek Road NW. Mains of this size generally convey flows of 900 to 2,200 gallons per minute.
- d. An 18-inch water main is located in Wallace Road NW. Mains of this size generally convey flows of 4,800 to 11,100 gallons per minute.

Sanitary Sewer

1. Existing Conditions

- a. A 15-inch sewer main is located in 9th Street NW.
- b. An 18-inch sewer main is located in Wallace Road NW.
- c. A 10-inch sewer main is located in Glen Creek Road NW.

CRITERIA AND FINDINGS

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

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

Finding: The existing configuration of 9th Street NW does not meet current standards for the classification of street per the Salem TSP. Required street improvements are specified in the conditions of approval consistent with SRC Chapter 803.

The applicant's site plan proposes a portion of curblin sidewalk along the development frontage of 9th Street NW. SRC 803.035(l) requires sidewalks be located 1-foot from the adjacent right-of-way property line unless topography or other conditions make the construction of sidewalk impossible or undesirable. At the time of construction of 9th Street NW, curblin sidewalk was anticipated due to the existing right-of-way alignment and location of utility power poles. Based on existing development

constraints, staff has determined a curblin sidewalk is appropriate along 9th Street NW per SRC 803.035(l)(2)(B) and SRC 803.065.

Wallace Road NW and Glen Creek Road NW meet the right-of-way width and pavement width standards per the Salem TSP; therefore no additional street improvements are required as a condition of the proposed development. As specified in the conditions of approval, striping modifications and extension of the existing raised median in Glen Creek Road NW shall be designed and constructed pursuant to PWDS and the recommendations in the Traffic Impact Analysis.

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

Finding: The driveway accesses onto 9th Street NW and Glen Creek Road NW provide for safe turning movements into and out of the property.

Criteria: The proposed development will be adequately served with City water, sewer, storm drainage, and other utilities appropriate to the nature of the development

Finding: The Public Works Department has reviewed the applicant's preliminary utility plan for this site. The water, sewer, and storm infrastructure are available within surrounding streets / areas and appear to be adequate to serve the proposed development. The applicant shall design and construct all utilities water, sewer and storm drainage according to the PWDS and to the satisfaction of the Public Works Director. As specified in the conditions of approval, the applicant shall dedicate a 25-foot public storm easement along the full length of the proposed 48-inch storm main extension at the northwest corner of the subject property. Acquisition of an easement from the neighboring property owner may be required to meet the minimum easement width of 25 feet unless modified under a design exception by the City Engineer.

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

Driveway Approach Permit—Glen Creek Road NW

Analysis of the development based on relevant criteria in SRC 804.025(d) is as follows:

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

Finding—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 are no site conditions prohibiting the location of the proposed driveway.

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

Finding—The existing driveway access to Glen Creek Road NW was constructed as part of the Glen Creek Road NW and Wallace Road NW intersection improvements in 2014. The development proposal is to relocate the existing driveway access to better align with an existing driveway approach on the opposite side of Glen Creek Road NW. No additional driveways are being proposed.

(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;

Finding—The proposed access to the site is in a preferred alignment for traffic circulation. A shared access with the adjacent property to the west is not possible due to topographic constraints and zoning incompatibilities. Additional access is proposed to 9th Street NW, the lowest classification of street abutting the 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—The proposed driveway will not create a known traffic hazard and will provide for safe turning movements for access to the subject property in accordance with the proposed conditions of approval.

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

Finding—The location of the proposed driveway does not appear to 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;

Finding—The proposed driveway approach relocation minimizes the impact to the functionality of the adjacent Wallace Road NW and Glen Creek Road NW intersection by increasing the distance from the intersection to 400 feet.

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

Finding—The subject property is zoned CG (Commercial General) and is adjacent to a residentially zoned area, however, it is located on an Arterial street and is surrounded by nonresidential uses. The proposed relocation of the existing driveway approach will not increase the number of approaches in this area and provides more than the minimum spacing requirement in SRC Chapter 804.

Driveway Approach Permit—9th Street NW

Analysis of the development based on relevant criteria in SRC 804.025(d) is as follows:

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

Finding—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 are no site conditions prohibiting the location of the proposed driveway.

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

Finding—The proposed driveway approach is located on a Local street.

(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;

Finding—The proposed access to 9th Street NW is to the lowest classification of street abutting the 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—The proposed driveway will not create a known 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—The location of the proposed driveway does not appear to have any adverse impacts to the adjacent properties or streets. The proposed street improvements to 9th Street NW consolidate existing driveways into a single access along the development frontage.

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

Finding—The proposed driveway approach minimizes the impact to the functionality of the adjacent Wallace Road NW and 9th Street NW intersection by consolidating existing driveways and locating the proposed access a safe distance from the intersection.

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

Finding—The proposed driveway approach to 9th Street NW 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.

Prepared by: Robin Dalke, CFM, Administrative Analyst III
cc: File



RECEIVED

DEC 07 2017

LAND USE APPEAL APPLICATION
COMMUNITY DEVELOPMENT

1. GENERAL DATA REQUIRED [to be completed by the appellant]

SPR-ADJ-DAP17-26

November 22, 2017

Case # Being Appealed

Decision Date

500 Block of Glen Creek Rd NW & 500-600 Block of 9th Street NW

Address of Subject Property

3240 Gehlar Rd NW, Salem, OR 97304

Appellants Mailing Address with zip code

andersonriskanalysis@comcast.net

503-378-7428

Appellant's E-mail Address

Day-time Phone / Cell Phone

Appellant's Representative or Professional to be contacted regarding matters on this application, if other than appellant listed above:

Name

Mailing Address with ZIP Code

E-Mail Address

Day-time Phone / Cell Phone

2. SIGNATURES OF ALL APPELLANTS

Signature:

Date:

12/7/17

Printed Name:

Steven A. Anderson

Signature:

Date:

12/7/17

Printed Name:

Jim Alheiser - Alheiser WSNA Chair (West Salem Neighborhood Assoc.)
Tyson Pruett - WSNA Land Use Chair 12/7/17

3. **REASON FOR APPEAL** Attach a letter, briefly summarizing the reason for the Appeal. Describe how the proposal does not meet the applicable criteria as well as verification establishing the appellants standing to appeal the decision as provided under SRC 300.1010

FOR STAFF USE ONLY

Received By:

SK

Date:

12-7-17

Receipt No:

17-111985-RP

Appeal Deadline:

12-11-17

Case Manager:

Aimee Parker

Notice of Appeal**December 6, 2017****Decision Sought to be Appealed:**

Case No. SPR-ADJ-DAP 17-226Adjustment/Class 2 Driveway Approach Permit

Application No: 17-111985RP & 17-117330ZO

Notice Date of Decision: November 22, 2017

Standing:

Appellant: Steven A. Anderson, Past Chair of West Salem Neighborhood Association, et al. 3240 Gehlar Road NW, Salem, OR 97304

The West Salem Neighborhood Association at its October 2, 2017, meeting voted to report its findings for the record on this case; that the proposed driveway onto Glen Creek Road appeared not to meet the criteria for granting a Class 2 Driveway Permit, and re-stated its recommendation from its previous review of the land use action at this location, that the developers work with the West Salem Urban Renewal Advisory Board on projects to improve access to Wallace Road from 9th Street through the 7th Street collector to other signaled intersections on Wallace Road, and limit access to Glen Creek for emergency purposes. Staff's decision in the previous review found that the 9th Street through the 7th Street site access was sufficient for the site and the preferred site access route, and the applicant had stated that driveway access to Glen Creek Road NW was to be for emergency use. The approval of the Site Plan Review and the granting of the Class 2 Driveway Approach Permit in this case are hereby appealed based on the record of the West Salem Neighborhood Association, and its submitted comments, some of which were not addressed in the Staff report of findings.

The Decision failed to conform to the provisions of:

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.

The proposed system imposes unmitigated access limitation for property at 525 Glen Creek Road NW, does not mitigate negative impacts to the transportation system, and increases risks of hazards for access from 601 Glen Creek Road NW.

The Decision failed to conform the provisions of:

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

The proposed driveway onto Glen Creek road does not meet the standards required by SRC 804.025(d), among which are safety, impact on the community, and functionality of adjacent streets and intersections.

The Decision fails to conform to the provisions of:

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

SRC 804.035 (d) requires driveway approaches providing direct access to a major or minor arterial be no less than 370 feet from the nearest driveway or street intersection, measured from centerline to centerline.

Using the Polk County ERSI web map measuring tool, the distance from the centerline of the proposed new driveway to the centerlines of Wallace Road and Alpine Drive NW were measured. The distance to Wallace Road is approximately 429 feet; well over the 370-foot stipulated under SRC 804.035 (d). However, the same rule applies to the distance between the driveway and Alpine Drive NW. That measurement is 325 feet which does not meet the 370-foot provision of SRC 804.035 (d).

The Decision fails to conform to the provisions of:

SRC 804.025 (d)(4)(B). The proposed driveway approach where possible takes access from the lowest classification of street abutting the property;

The street abutting the property with the lowest classification is 9th Street, a local street, not Glen Creek Road, a Minor Arterial.

The Decision fails to comply with the provisions of:

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

The proposed driveway approach creates traffic hazards for bicyclists, pedestrians, and vehicles entering from the Spring Mountain apartments to the north.

Residents of the Spring Mountain apartments turning east onto Glen Creek need to cross three lanes of traffic and a bicycle lane to enter a short vehicle left turn lane pocket.

The Decision fails to comply with the provisions of:

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

The mitigation elements of the proposed driveway approach limit access to the 21 Oaks Shopping Center to a right in right out access only forcing mitigation for this proposed action onto another property owner, not the applicant. East bound traffic leaving the 21 Oaks Shopping Center will likely migrate through residential streets such as Alpine or Karen Way, or take a dangerous U turn on Glen Creek Road for which no location is designated.

The Decision fails to comply with the provisions of:

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

The proposed driveway creates an un-signalized intersection with conflicts.

The proposed driveway approach significantly impairs the functionality of the east bound egress from the Spring Mountain apartments and the 21 Oaks Shopping Center.

The proposed driveway approach impairs eastbound traffic queuing from Glen Creek to Wallace Road. Long traffic queuing may impair the function of other un-signalized intersections.

The proposed driveway approach fails to mitigate negative impacts to the transportation system and adjacent intersections.

The Decision fails to comply with the provisions of:

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

The proposed driveway approach impairs the functionality of the east bound egress from Spring Mountain apartment and the 21 Oaks Shopping Center forcing traffic into residential streets without mitigation.

The Decision fails to address the applicability of:

SRC 804.035(a)(2). No driveway approach is allowed onto a major or minor arterial for development that is not a complex, unless:

- (A) The driveway approach provides shared access;
- (B) The development does not abut a local or collector street; or
- (C) The development cannot be feasibly served by access onto a local or collector street.

The term “complex” is not defined. Without a clear definition, it is impossible to determine the applicability of relevant options.

Page 18 of the staff report states findings: “A shared access with the adjacent property to the west is not possible due to topographic constraints and zoning incompatibilities.” This suggests multiple properties may be an element of “complex”, but remains vague.

The Decision presents a solution in Condition 3 that lacks clarity and specificity, page 14 of the staff report:

Condition 3: Extend the raised median and modify the striping on Glen Creek Road NW to comply with the recommendations specified in the Traffic Impact Analysis.

“As stated in the conditions of approval, striping modifications and extension of the existing raised median in Glen Creek Road NW shall be designed and constructed pursuant to PWDS and the recommendations in the Traffic Impact Analysis.”

Drawings in the Traffic Impact Analysis do not depict the turn lanes or bicycle lanes, which drawings are necessary for evaluation of conflicts, queuing, and risks of hazard.

Conclusions in the staff report are stated without supportive evidence:

Testimony known to have been submitted has not been included in the record.

The graphic below depicts the distances between intersections, facts upon which at least one decision in this case should have turned (see SRC 804.025(d)(1) above).



Respectfully submitted,

Steven A. Anderson, Appellant