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503-588-6173*

DECISION OF THE HEARINGS OFFICER

CONDITIONAL USE / CLASS 3 SITE PLAN REVIEW CASE NO.: CU-SPR24-07

APPLICATION NO.: 24-108919-PLN

NOTICE OF DECISION DATE: August 16, 2024

SUMMARY: Proposed Conditional Use Permit and Class 3 Site Plan Review to allow a room and board facility serving up to 16 persons.

REQUEST: A consolidated Conditional Use Permit and Class 3 Site Plan Review application for a room and board facility to allow the existing facility to serve up to 16 people on property approximately 0.36 acres in size, zoned CO (Commercial Office), and located at 1243-1245 Peace Street SE (Marion County Assessor Map and Tax Lot Number: 073W35CC03400).

APPLICANT: Women at the Well Grace House (Anne Naccarato, Brent Baker, Sarah McBride)

LOCATION: 1243-1245 Peace St SE, Salem OR 97302

CRITERIA: Salem Revised Code (SRC) Chapters 240.005(d) – Conditional Use Permit; 220.005(f)(3) – Class 3 Site Plan Review

FINDINGS: The findings are in the attached Decision dated August 16, 2024.

DECISION: The **Hearings Officer APPROVED** Conditional Use / Class 3 Site Plan Review Case No. CU-SPR24-07 subject to the following conditions of approval:

Condition 1. Prior to building permit approval, the applicant's site plan shall be revised to provide a minimum of four bicycle parking spaces to be installed on the development site in conformance with the bicycle parking development standards of SRC 806.060.

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

Conditional Use:	<u>September 4, 2026</u>
Class 3 Site Plan Review:	<u>September 4, 2028</u>
Application Deemed Complete:	<u>July 23, 2024</u>
Public Hearing Date:	<u>August 14, 2024</u>
Notice of Decision Mailing Date:	<u>August 16, 2024</u>
Decision Effective Date:	<u>September 4, 2024</u>
State Mandate Date:	<u>November 20, 2024</u>

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

NOTICE OF DECISION

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



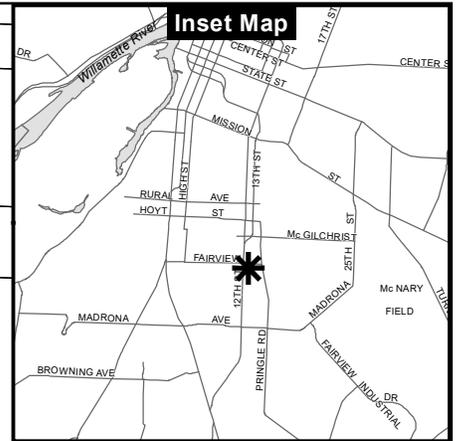
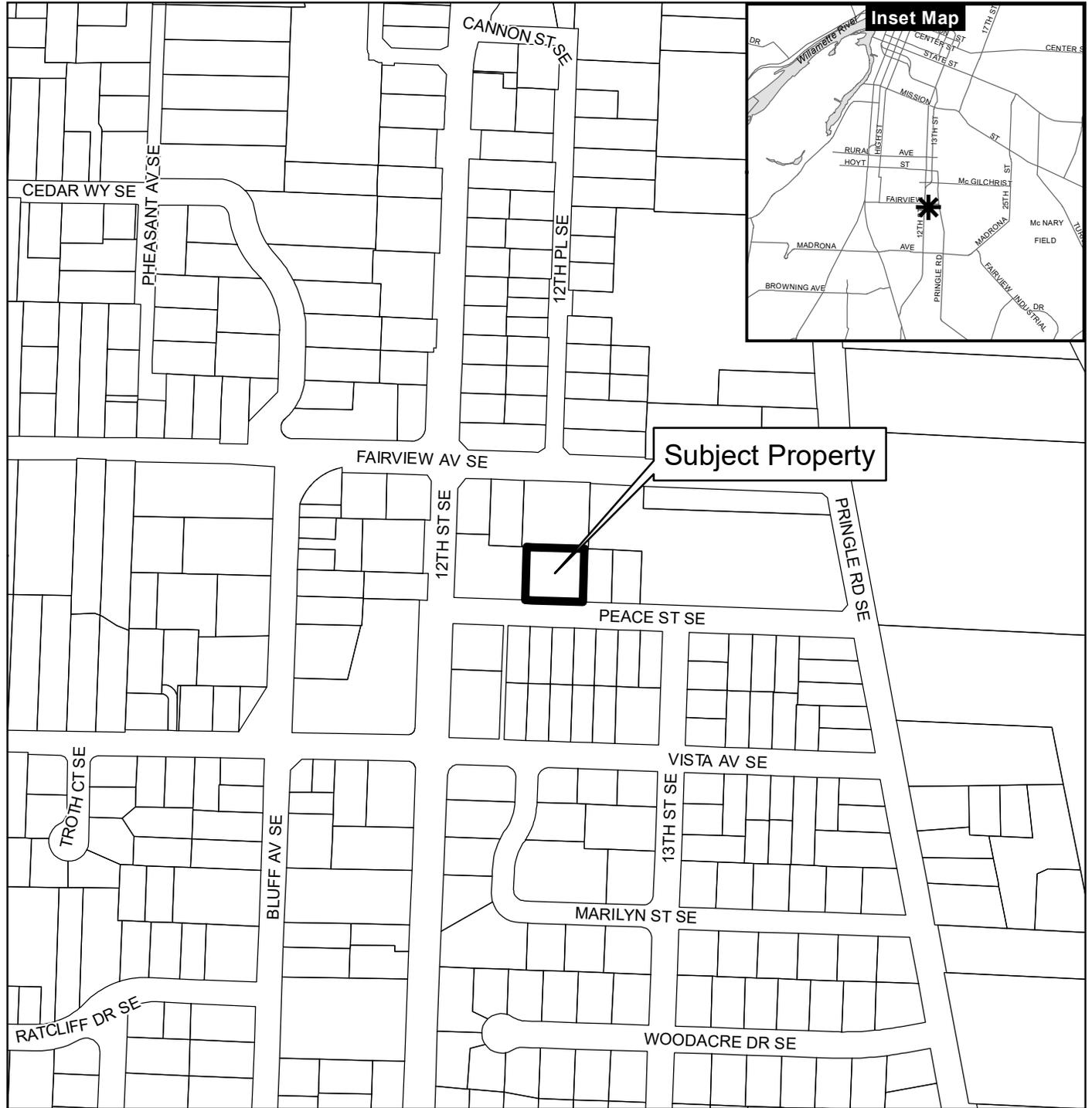
This decision is final unless written appeal and associated fee (if applicable) from an aggrieved party is filed with the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem OR 97301, or by email at planning@cityofsalem.net, no later than 5:00 p.m. Tuesday, September 3, 2024. Any person who presented evidence or testimony at the hearing may appeal the decision. The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapter(s) 240, 220. 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 Planning Commission will review the appeal at a public hearing. After the hearing, the Planning Commission may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

The complete case file, including findings, conclusions and conditions of approval, if any, is available for review by contacting the case manager, or at the Planning Desk in the Permit Application Center, Room 305, City Hall, 555 Liberty Street SE, during regular business hours.

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

Vicinity Map

1243-1245 Peace Street SE



Legend

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



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0' 10' 20'
SCALE: 1 INCH = 10 FEET

LEGEND

- FOUND MONUMENT
- ⊠ WATER METER
- ⊠ POWER METER
- ⊠ UTILITY POLE
- ⊠ AIR CONDITIONING UNIT
- ⊠ COMMUNICATION RISER
- ⊠ MAILBOX
- ▨ CONCRETE
- ▨ GRAVEL
- ▨ ASPHALT
- # ○ DECIDUOUS TREE & TRUNK SIZE
- # ○ CONIFEROUS TREE & TRUNK SIZE

- SS --- SEWER LINE UNDERGROUND
- W --- WATERLINE UNDERGROUND
- G --- GAS LINE UNDERGROUND
- T --- COMMUNICATION LINE UNDERGROUND
- OH --- OVERHEAD POWER LINE
- X --- FENCE LINE
- ⊠ SHRUB ROW

- B.D.O. BUILDING OVERHANG
- FF FINISH FLOOR
- SF SQUARE FEET
- DWY DRIVEWAY
- IR IRON ROD
- IP IRON PIPE

ASEFA/GOSHU
REEL 3180, PAGE 424

SOLAR GOLD II, LLC
REEL 3680, PAGE 357

DEVINE/CASAREZ
REEL 4719, PAGE 581

WOMEN AT THE WELL GRACE HOUSE
REEL 3483, PAGE 250
15,538 SF

PEACE STREET SE

NOTES

1. BASIS OF BEARINGS AND COORDINATE SYSTEM IS BASED ON OREGON STATE PLANE NORTH ZONE 3601, NAD83(2011), EPOCH 2010.00. ALL DISTANCES SHOWN HEREON ARE GROUND DISTANCES.
2. ELEVATIONS WERE ESTABLISHED BY GPS RTK OBSERVATIONS TO CITY OF SALEM BENCHMARK "SALC". MARK IS A COPPER PLUG IN THE CURB AT THE SOUTHWEST CORNER OF SALISHAN STREET SE AND COLSON COURT SE. ELEVATION = 195.43' (CITY OF SALEM DATUM, NGVD29)
3. THE LOCATION OF UTILITIES SHOWN HEREON ARE FROM OBSERVED VISIBLE EVIDENCE OF ABOVE GROUND APPURTENANCES ALONG WITH SURFACE UTILITY MARKINGS BY OTHERS. ALL UNDERGROUND UTILITIES SHOWN WERE MARKED ON THE SURFACE BY AN "OREGON ONE-CALL NOTIFICATION CENTER" REQUEST. SURVEYOR MAKES NO GUARANTEE AS TO THE ACCURACY OF SAID MARKINGS, HOWEVER, THEY ARE LOCATED AS ACCURATELY AS THEY ARE MARKED ON THE GROUND.
4. PER ORS 209.150, ANY SURVEY MONUMENT REMOVED, DISTURBED OR DESTROYED SHALL BE REPLACED BY A PROFESSIONAL LAND SURVEYOR WITHIN 90 DAYS AT THE EXPENSE OF THE PERSON OR PUBLIC AGENCY RESPONSIBLE FOR SAID REMOVAL, DISTURBANCE OR DESTRUCTION.
5. FIELD SURVEYED AUGUST, 2023.



7230 3rd Street SE #145, Turner, OR 97392
P: (503) 558-3330 E: info@ffnsurveying.com

**TOPOGRAPHIC SURVEY
FOR: 1245 PEACE STREET SE**

IN THE SW 1/4 OF SECTION 35, T.7S., R.3W., W.M.
CITY OF SALEM, MARION COUNTY, OREGON

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON 2017
SEPTEMBER 12
STEVEN J. HOWELL
91569

RENEWS: 6-30-2025

REVISIONS

NO.	DATE	DESCRIPTION
0	24AUG23	INITIAL RELEASE

JOB NO. 23-447

SHEET 1/1

**CITY OF SALEM
BEFORE THE HEARINGS OFFICER**

A CONSOLIDATED APPLICATION FOR A) CONDITIONAL USE PERMIT AND CLASS) 3 SITE PLAN REVIEW FOR A ROOM AND) BOARD FACILITY TO SERVE UP TO 16) PEOPLE ON PROPERTY ZONED CO) COMMERCIAL OFFICE LOCATED AT) 1243-1245 PEACE STREET SE, SALEM,) OREGON (MARION COUNTY) ASSESSOR'S MAP AND TAX LOT) NUMBER 073W35CC0 /3400))	CU-SPR24-07 FINDINGS OF FACT, CONCLUSIONS, AND DECISION
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DATE AND PLACE OF HEARING:

On August 14th, 2024, at 5:30 p.m., a properly noticed hearing was held before the City of Salem Hearings Officer at Salem City Council Chambers, Room 240, Civic Center, 555 Liberty Street SE, Salem, Oregon.

APPEARANCES:

<u>Staff:</u>	Bryce Bishop, Planner III
<u>Neighborhood Association:</u>	Morningside Neighborhood Association
<u>Proponents:</u>	Women at the Well Grace House (Anne Naccarato, Brent Baker, Sarah McBride); represented by Shelby Guizar, Brand Lane Use
<u>Opponents:</u>	None.

SUMMARY OF THE APPLICATION AND HEARING

BACKGROUND

The City of Salem held a duly authorized and noticed public hearing on August 14th, 2024, regarding the Applicant's request. During the hearing, Bryce Bishop requested that the Staff Report be entered into the Record, and the Hearings Officer granted the request.

On April 22, 2024, an application for a Conditional Use Permit and Class 3 Site Plan Review was submitted by Britany Randall, of Brand Land Use, on behalf of the applicant and property owner, Women at the Well Grace House. The application was deemed complete on July 23, 2024. The 120-day state mandated local decision deadline for the application is November 20, 2024.

The Hearing Notice was provided on July 25, 2024, to surrounding property owners and tenants pursuant to Salem Revised Code (SRC) and stated that the date for the hearing was August 14th, 2024. The property was posted on July 31, 2024 consistent with the requirements of SRC 300.620(b)(3) for a Type III application.

The public hearing was held on August 14th, 2024.

FINDINGS OF FACT AND CONCLUSIONS

1. Salem Area Comprehensive Plan (SACP) designation

The Salem Area Comprehensive Plan (SACP) map designation for the subject property is “Commercial.” The subject property is within the Urban Growth Boundary and the Urban Service Area.

2. Zoning and Surrounding Land Uses

The subject property is zoned CO (Commercial Office). The zoning and uses of the surrounding properties include:

North: CO (Commercial Office)

South: Across Peace Street SE, RM–II (Multiple Family Residential) and CR (Retail Commercial)

East: CO (Commercial Office)

West: CR (Retail Commercial)

2. Site Analysis

The subject property is 0.36 acres and abuts Peace Street SE on the south and is located approximately 161 feet east of 12th Street SE, a major arterial street. Vehicular, bicycle, and pedestrian access to the property is provided by the existing public street network which serves the subject property and the surrounding area.

3. Neighborhood and Citizen Comments

The subject property is located within the Morningside Neighborhood Association. Pursuant to SRC 300.620(b)(2)(B)(vii), the applicant is required to contact the Neighborhood Association prior to submittal of this consolidated application. On April 18, 2024, the applicant contacted the Association, meeting the requirements of SRC 300.310(c). The Morningside Neighborhood Association did not submit comments. Notice was provided to surrounding addresses, property owners, and tenants within 250 feet of the subject property. The subject property is not located within a homeowners association (HOA).

At the time of the hearing on this matter, no public comments had been received.

4. City Department and Public Agency Comments

The Salem Building and Safety Division reviewed the proposal and indicated that comments would be provided for the associated building permit as part of their review of the proposed change of occupancy.

The Salem Fire Department reviewed the proposal and commented that during the building permit review the applicant will be required to identify if or how the proposed facility will be licensed by the State in order to determine any specific requirements that may need to be met based upon the license.

The Salem Development Services Division reviewed the proposal and provided comments pertaining to City infrastructure required to serve the property.

No comments from public agencies were received as of the date of completion of the staff report.

5. Analysis of Conditional Use Criteria

SRC Chapter 240.005(a)(1) provides that no building, structure, or land shall be used or developed for any use which is designated as a conditional use in the UDC unless a conditional use permit has been granted pursuant to this Chapter.

SRC Chapter 240.005(d) establishes the following approval criteria for a conditional use permit:

Criterion 1 (SRC 240.005(d)(1): *The proposed use is allowed as a conditional use in the zone.*

Finding 1: The requested conditional use permit is for a room and board facility to allow the existing facility (Grace House) to serve up to 16 people at one time. The facility provides transitional housing to single women without children and currently serves five individuals. In the past, the facility has served about 20 women each year. It is estimated that the proposal will allow the applicant to serve three times that number of women annually.

Room and Board is a specific type of Group Living use. Pursuant to SRC 400.035(a), Room and Board is characterized by, "...group living facilities where no personal care, training, and/or treatment requiring a license from the State is provided." Group Living uses consist of the residential occupancy of a structure on a wholly or primarily long-term basis typically 30 days or more by a group of people not meeting the characteristics of Household Living either because the structure does not provide self-contained dwelling units or because the structure is

occupied by a group of people who do not meet the definition of family, or both. Group living facilities generally include common facilities that are shared by residents, including, but not limited to, facilities for dining, social and recreational activities, and laundry. Because the existing facility provides shared living accommodations to individuals in a group setting where no personal care, training, and/or treatment requiring a license from the State is provided, the facility is classified as a Room and Board use under SRC 400.035(a).

SRC Chapter 521, Table 521–1, provides that a room and board facility that provides for more than five (5) persons is allowed in the CO (Commercial Office) zone with a conditional use permit. The Applicant's proposal calls for a maximum of sixteen (16) persons.

Conclusion: The Hearings Officer concludes that the proposal meets this criterion.

Criterion 2 (SRC 240.005(d)(2): *The reasonably likely adverse impacts of the use on the immediate neighborhood can be minimized through the imposition of conditions.*

Finding 2: The existing use has successfully operated within the neighborhood for over a decade without any documented impacts or issues. It currently serves up to five people. The women who utilize Grace House participate in gardening and group activities, and are managed individually based upon their specific needs. Most of the individuals being served by Grace House do not own a vehicle, minimizing the likelihood of vehicular congestion. Thick, mature landscaping exists on the site along the perimeter near property lines; therefore, screening the use from adjacent developments. No exterior alterations are proposed or needed in order to increase the capacity of services at this location.

The proposed increase in the number of individuals served can also be accommodated within the existing building without requiring any expansions or additions; further lessening the potential for adverse impacts and allowing the applicant to more efficiently utilize their existing space and expand their reach to serve a greater number of women in need.

The only foreseeable impact from the increase of boarders relates to transportation needs. Few of the women own cars and most use the city bus system or ride bicycles. In regard to the latter mode of transportation, and consistent with SRC 806.060 (below), the applicant will be required to provide four bicycle spaces.

Conclusion: The Hearings Officer concludes that the proposal meets this criterion.

Criterion 3 (SRC 240.005(d)(3): *The proposed use will be reasonably compatible with and have minimal impact on the livability or appropriate development of surrounding property.*

Finding 3: The term "livability" is derived from the word "livable," which means the

quality of being suitable for living in.¹ The livability of a neighborhood (i.e. surrounding property) varies with the neighborhood being considered.

The properties to the west of the subject parcel are developed with commercial uses that run along 12th Street, which is a major arterial street. Located on the east side of 12th Street (*directly west of subject site*) at its intersection with Peace Street is a U.S. Market convenience store, a 76 Gas Station, and a Mexican restaurant. Moving north towards Fairview Ave SE there is a drive-through coffee shop (Java Crew) and a beauty salon. To the east of the subject site on Peace Street SE there are the Pineview Terrace Apartments and Lazsal Construction offices which are both commercial uses. There are also single-family dwellings scattered throughout the immediate vicinity. Grace House looks and operates like a residential facility with low traffic to and from the site and it will continue to function as a residential use. Due to the significant commercial influence in the immediate area and the existing dwellings adjacent to the site, the proposal will be minimally impactful to surrounding properties. The proposal will not change the appearance of the exterior of the structure or the property.

Both the CO zone, which applies to the subject property, and the CR zone, which applies to abutting property to the west, are commercial zones which implement the City's Commercial Comprehensive Plan Map designation. As identified in the Comprehensive Policies Plan of the Salem Area Comprehensive Plan (SACP), the Commercial comprehensive plan designation is intended to provide for a variety of office, retail, services, recreation, and entertainment uses. As provided under SRC 521.001, the CO zone implements the Commercial comprehensive plan designation by generally allowing office and professional service uses, along with a mix of housing and limited retail and personal services.

The subject property is not located within a primarily residential area but instead an area characterized by a variety of non-residential and residential uses in close proximity to two busy arterial streets (12th Street SE to the west and Pringle Road SE to the east). Due to the variety of uses in the surrounding area including commercial uses to the west, single family uses to the south, and multiple family residential uses to the east, the proposed room and board facility with an increased capacity to serve up to 16 residents falls below the maximum 75 persons otherwise allowed within the CO zone with a conditional use permit and will be reasonably compatible with, and have minimal impact on, the livability or appropriate development of surrounding property.

Conclusion: The Hearings Officer finds that the proposal meets this criterion and, accordingly, will grant the Conditional Use Permit.

6. Analysis of Class 3 Site Plan Review Approval Criteria

SRC 220.005(f)(3) establishes the following approval criteria for a Class 3 Site Plan Review:

¹ Random House Webster's College Dictionary, 1991, Pg. 794.

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

Finding 4: The proposal includes a Conditional Use Permit for a room and board facility to increase the number of residents allowed to be served by the existing facility to 16. The subject property is designated “Commercial” on the Salem Area Comprehensive Plan (SACP) Map and zoned CO (Commercial Office). The proposed development conforms to SRC Chapter 521 and all other applicable development standards of the Salem Revised Code as follows:

SR Chapter 521 (CO Zone)

SRC 521.005(a) – Uses

Finding 5: Table 521–1 of the SRC lists room and board facilities as being allowed subject to conditional use approval. The application is for a room and board facility. (See Finding 1, above.)

SRC 521.010(a) – Lot Standards

Finding 6: The subject property is approximately 0.36 acres (15,682 square feet) in size and has approximately 129 feet of frontage on Peace Street SE. Pursuant to SRC 521.010(a) – Table 521–2, Room and Board uses within the CO zone are required to be located on lots that have a minimum size of 6,000 square feet and a minimum street frontage of 16 feet. No minimum lot width or depth requirements are applicable to Room and Board uses within the CO zone.

SRC 521.010(b) – Setbacks

Finding 8: Required setbacks are set forth in SRC 521.010(b) – Tables 521–3 & 4. Setbacks for local streets, i.e. non–collector or non–arterial streets, is 12 feet. Interior front yard setbacks are 12 feet and there are no interior side or rear yard setbacks. The existing structure on the subject property meets these setback standards.

SRC 521.010(c) – Lot Coverage, Height

Finding 9: Within the CO zone, pursuant to SRC 521.010(c) – Table 521-5, the maximum lot coverage requirement for buildings and accessory structures is 60 percent; and the maximum height requirement applicable to buildings and accessory structures for the proposed use is 70 feet. As illustrated on the site plan, the existing building and accessory structures on the site do not exceed the maximum allowed 60 percent lot coverage standard of the CO zone. Similarly, all of the existing structures on the property are one–story in height and do not exceed the maximum 70–foot building and accessory height of the CO zone.

SRC 521.010(d) – Landscaping

Finding 10: Pursuant to SRC 521.010(d), within the CO zone, landscaping conforming to SRC Chapter 806 is required within required setbacks and vehicle use areas. Further, a minimum of 15 percent of a development site must be landscaped. However, because no additions to the existing building or alterations of the site are proposed, the landscaping requirements of this criterion are not applicable.

SRC 521.010(e) – Outdoor Storage

Finding 11: Outdoor storage within the CO zone is prohibited, except in conjunction with residential uses where storage is screened from adjacent streets and properties by sight-obscuring fence, wall or hedge. The proposed use does not include any areas for the outdoor storage of materials and equipment.

General Development Standards – SRC 800

SRC 800.055(a) – Applicability

Finding 12: Solid waste service area design standards apply to all new solid waste, recycling, and compostable service areas. This standard is not applicable as the proposal does not include the development of a new trash enclosure.

SRC 800.065 – Pedestrian Access.

Finding 13: All development, except for residential developments, shall include an on-site circulation system. This requirement does not apply as the proposal does not include any building additions or site alterations and therefore does not trigger compliance with the pedestrian access standards of SRC 800.065.

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

SRC 806.015(a) - Maximum Off-Street Parking.

Finding 14: Except as otherwise provided, off-street parking shall not exceed the amounts set forth in SRC 806.015(a)(1) – Table 806-1. For the purposes of calculating the maximum amount of off-street parking allowed, driveways shall not be considered off-street parking spaces. The proposed group living facility is allowed one parking space per guest room or suite. The existing building has five guest rooms and may have five off-street parking spaces. The facility has two off-street parking spaces and therefore does not exceed the maximum off-street parking requirements.

SRC 806.015(b) - Compact Parking.

Finding 15: Up to 75 percent of the off-street parking spaces provided on a development site may be compact parking spaces. The proposal includes two existing parking spaces in the vehicle use area, meeting the standard.

SRC 806.015(c) - Carpool and Vanpool Parking.

Finding 16: New developments with 60 or more off-street parking spaces, and falling within the Public Services and Industrial use classifications, and the Business and Professional Services use category, shall designate a minimum of five percent of their total off-street parking spaces for carpool or vanpool parking. The proposal is not for development of a new Public Services or Industrial use with 60 or more parking spaces; therefore, this standard is not applicable.

SRC 806.015(d) - Required electric vehicle charging spaces.

Finding 17: For any newly constructed building with five or more dwelling units on the same lot, including buildings with a mix of residential and nonresidential uses, a minimum of 40 percent of the off-street parking spaces provided on the site for the building shall be designated as spaces to serve electrical vehicle charging. In order to comply with this subsection, such spaces shall include provisions for electrical service capacity, as defined in ORS 455.417. The proposed development does not include any dwelling units and therefore this standard is not applicable.

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

Finding 18: These standards apply to new, expanded, and altered off-street parking and vehicle use areas and the paving of an unpaved area. The development does not change off-street parking and vehicle use area nor does it include paving unpaved areas.

Bicycle Parking

SRC 806.045 – General Applicability

Finding 19: Pursuant to SRC 806.055(a)(3), bicycle parking shall be provided for any intensification, expansion or enlargement of a use or activity. The application qualifies as an intensification of an existing use by increasing the number of boarders by 11.

SRC 806.050 – Proximity to Bicycle Parking to Use or Activity Served

Finding 20: . SRC 806.050 requires that the parking shall be located on the same development site that serves the use or activity. This requirement is included within the condition of approval.

SRC 806.055 – Amount of Bicycle Parking

Finding 21: SRC 806.055(a) – Table 806–9, states that bicycle parking must be provided and maintained for four spaces for a room and board facility. The required number of bicycle parking spaces shall be a condition of approval.

SRC 806.060 – Bicycle Parking Development Standards.

Finding 22: The bicycle parking standards of SRC 806.060 – Table 806–9 provide that the minimum parking requirement for a room and board facility is the greater of four (4) spaces or 1 space per 50 rooms. The existing facility has no bicycle parking spaces.

Condition #1: Prior to building permit approval, the applicant's site plan shall be revised to provide a minimum of four bicycle parking spaces to be installed on the development site in conformance with the bicycle parking development standards of SRC 806.060.

Off-Street Loading Areas

SRC 806.075 – Amount of Off-Street Loading

Finding 23: Unless otherwise provided under the UDC, off-street loading shall be provided in amounts not less than those set forth in Table 806–11. Table 806–11 provides that structures with a floor area less than 5,000 square feet require no loading space. The existing room and board facility is less than 5,000 square feet in size and therefore requires no off-street loading area.

Natural Resources

SRC 601 – Floodplain Overlay Zone.

Finding 24: The subject property is not located within a floodplain overlay zone.

SRC 808 - Preservation of Trees and Vegetation.

Finding 25: The City's tree preservation ordinance, under SRC Chapter 808, provides requirements regarding the removal of significant trees. The current proposal does not require the expansion of the existing building or the removal of trees and therefore this standard is not applicable.

SRC 809 - Wetlands:

Finding 26: Grading and construction activities within wetlands are regulated by the Oregon Department of State Lands (DSL) and US Army Corps of Engineers. According to the Salem-Keizer Local Wetland Inventory (LWI), the subject property does not contain any wetland areas or hydric soils.

SRC 810 - Landslide Hazards:

Finding 27: A geological assessment or report is required when regulated activity is proposed in a mapped landslide hazard area. According to the City’s adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are no mapped landslide hazard areas on the subject property. The development proposal includes an expansion of an existing use within an existing building, and no activity points are assigned to the proposed development. Therefore, the proposed development is a low landslide hazard risk and does not require a geological assessment or geotechnical report.

Conclusion: The application meets all applicable standards of the UDC.

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

Finding 28: The subject property has frontage on Peace Street SE, which is designated as a local street under the City’s Transportation System Plan (TSP). Peace Street SE does not currently meet the improvement width standards for a local street although it does have adequate right-of-way width. The ultimate improvement width for a local street is 30 feet according to SRC 803.025 Table 803-2 (*Pavement Width*) and the existing condition is approximately 22-feet in width. However, because the proposal does not involve a new building or building addition subject to boundary street improvements established in SRC 803.040(a), no right-of-way dedication or street improvements are required as a condition of development.

Vehicular access to the room and board facility is provided by an existing driveway off Peace Street and the network of existing public streets that surround the property. The street system adjacent to the facility provides for the safe, orderly, and efficient circulation of traffic to and from the development.

Conclusion: The application meets SRC 220.005(f)(3)(B).

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

Finding 29: The subject property is currently served by one driveway off Peace Street SE. The existing driveway access provides for safe turning movements into and out of the property and modifications are not warranted per SRC Chapter 804 (Driveway Approaches). The existing parking area and driveway on the site provides for the safe and efficient movement of vehicles, bicycles, and pedestrians.

Conclusion: The application meets SRC 220.005(f)(3)(C).

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

Finding 30: The water, sewer, and storm infrastructure are available within surrounding streets/areas and are adequate to serve the proposed development. The existing structure on the subject property is connected to City utilities and additional services are not proposed or necessary to serve the proposed expansion of use.

Conclusion: The application meets SRC 220.005(f)(3)(D).

DECISION

Based upon the Facts and Findings herein, the Hearings Officer **APPROVES** the collective applications for a conditional use and site plan review for the proposed expansion of the existing room and board facility within an existing building located at 1243–1245 Peace Street SE (Marion County Assessor Map and Tax Lot Number: 073W35CC03400), subject to the following condition of approval:

Condition #1: Prior to building permit approval, the applicant's site plan shall be revised to provide a minimum of four bicycle parking spaces to be installed on the development site in conformance with the bicycle parking development standards of SRC 806.060.

DATED: August 16, 2024



Gary Darnielle, Hearings Officer