

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

SITE PLAN REVIEW / ADJUSTMENT CASE NO. SPR-ADJ16-06

APPLICATION NO. : 15-122545-RP & 15-122543-ZO

NOTICE OF DECISION DATE: APRIL 21, 2016

SUMMARY: A proposal to construct a 1,175 square foot addition to an existing office building. The existing development does not conform to the minimum landscape area requirement; however, 10 additional trees will be added to the existing landscaped areas.

REQUEST: A Class 3 Site Plan Review and Class 2 Adjustment to construct a 1,117 square foot addition to an existing office building with a request for an adjustment to reduce the required 15 percent site landscaping to the existing 4.3 percent site landscaping for property approximately 2.93 acres in size, zoned CR (Retail Commercial), and located at 1177 Center St NE - 97301 (Marion County Assessors Map and Tax Lot number: 073W23CC / 1600).

APPLICANT: State of Oregon, DAS General Services Building

LOCATION: 1177 Center St NE / 97301

CRITERIA: Class 3 Site Plan Review: SRC 220.005(f)(3)
Class 2 Adjustment: SRC 250.005(d)(2)

DECISION: The Planning Administrator **APPROVED** Class 3 Site Plan Review / Class 2 Adjustment Case No. SPR-ADJ16-06 subject to the applicable standards of the Salem Revised Code, the findings contained herein, conformance with the approved site plan, and the following conditions of approval:

Condition 1: A bicycle rack to accommodate 2 bicycle spaces shall be provided.

Condition 2: A minimum of 192 square feet of landscaping area meeting the Type A landscaping standards shall be provided along the 12th St NE frontage.

Condition 3: Landscaping shall be provided as indicated in the Landscaping Plan.

Condition 4: New trees indicated in the Landscaping Plan shall be deciduous shade trees.

Condition 5: The reduced landscape requirements, as approved in 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 the minimum landscaping requirements for the site, unless reduced through a future land use action.

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

Class 3 Site Plan Review May 7, 2020
Class 2 Adjustment May 7, 2018

Application Deemed Complete: February 24, 2016
Notice of Decision Mailing Date: April 21, 2016
Decision Effective Date: May 7, 2016
State Mandate Date: June 23, 2016

ASD
Case Manager: Amy Dixon, adixon@cityofsalem.net, 503.540.2304

This decision is final unless written appeal from an aggrieved party is filed with the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem OR 97301, **no later than 5:00 p.m., May 6, 2016**. 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 in SRC Chapters 220 and 250. 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 Hearings Officer will review the appeal at a public hearing. After the hearing, the Hearings Officer may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

The complete case file, including findings, conclusions and conditions of approval, if any, is available for review 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 informacion, por favor llame
503-588-6173*

BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM

**SITE PLAN REVIEW / ADJUSTMENT CASE NO. SPR-ADJ 16-06
DECISION**

**IN THE MATTER OF APPROVAL OF) CLASS 3 SITE PLAN REVIEW AND
SITE PLAN REVIEW / ADJUSTMENT) CLASS 2 ADJUSTMENT
CASE NO. SPR-ADJ 16-06)
1177 CENTER STREET NE) April 21, 2016**

In the matter of the application for a Class 3 Site Plan Review and Class 2 Adjustment submitted by Chris Veit, Carlson Veit Architects, on behalf of the applicant and property owner State of Oregon, 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: A proposal to construct a 1,175 square foot addition to an existing building. The existing development does not conform to the minimum landscape area requirement; however, 10 additional trees will be added to the existing landscaped areas.

Request: A Class 3 Site Plan Review and Class 2 Adjustment to construct a 1,117 square foot addition to an existing building with a request for an adjustment to reduce the required 15 percent site landscaping to the existing 4.3 percent site landscaping for property approximately 2.93 acres in size, zoned CR (Retail Commercial), and located at 1177 Center St NE - 97301 (Marion County Assessor's Map and Tax Lot number: 073W23CC / 1600).

A vicinity map illustrating the location of the property is attached hereto, and made a part of this staff report (Attachment 1).

DECISION

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

Condition 1: A bicycle rack to accommodate 2 bicycle spaces shall be provided.

Condition 2: A minimum of 192 square feet of landscaping area meeting the Type A landscaping standards shall be provided along the 12th St NE frontage.

Condition 3: Landscaping shall be provided as indicated in the Landscaping Plan.

Condition 4: New trees indicated in the Landscaping Plan shall be deciduous shade trees.

Condition 5: The reduced landscape requirements, as approved in 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 the minimum landscaping requirements for the site, unless reduced 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)(F) because a Class 2 Adjustment application is required to reduce the minimum 15 percent landscape requirement for the property.

2. Background

On December 31, 2015, Class 3 Site Plan Review and Class 2 Adjustment applications were submitted for a proposed addition to an existing building and site improvements for a Governmental Services use. Additional information was requested from the applicant. The applications were deemed complete for processing on February 24, 2016. The applicant's proposed site plan is included as Attachment 2 and a written statement addressing the site plan review and adjustment approval criteria is included as Attachment 3.

Neighborhood and Citizen Comments:

Notice of the application was sent to the Northeast Neighbors Association (NEN) and all property owners of record within 250 feet of the subject property.

Comments were received from NEN indicating objections to the request because the highly visible site does not come close to the 15% landscape area requirement. The western third of the property has large expansion of pavement with no landscaping and no street buffer along 12th St NE.

Staff Response: As part of the zoning adjustment analysis, staff has determined that the increase in the number of trees on the site is proportional to the development proposal. Findings for the Adjustment can be found in section 4 of this decision.

Two surrounding property owners submitted comments; one indicated no objections to the proposed development. The other property owner indicated the proposal will impact the ability of drivers on 12th St NE to use the property as a means of alternative route when traffic issues occur on 12th St NE.

Staff Response: Using private property as a public access way would not be allowed unless an access easement exists or is established. Currently, there are no easements for the public to use the property and no indication that the property owner is proposing to grant an easement for the general public to use. Therefore, the use of the property by drivers would be classified as trespassing and a violation of Salem Revised Code Chapter 95.

City Department Comments:

The Public Works Department reviewed the proposal and provided a memo which is included as Attachment 4.

The Building and Safety Division, Police Department, and Fire Department reviewed the proposal and indicated no concerns.

3. Analysis of Class 3 Site Plan Review Approval Criteria

Criterion 1:

The application meets all applicable standards of the UDC.

Finding: The proposed development includes construction of a 1,175 square foot addition to an existing building. Currently, the subject property does not comply with the minimum landscaping standard, which requires a minimum of 15 percent of the site to be landscaped. The applicant has requested an adjustment to reduce the landscaping standard that applies to property which is triggered by the proposed building addition. The proposed development otherwise complies with all applicable development standards of the Salem Revised Code.

Development Standards – CR Zones:

SRC 522.005(a) - Uses:

Except as otherwise provided in SRC Chapters 522, the permitted, special, conditional and prohibited uses in the CR zones are set forth in Table 522-1.

Staff Response: The proposal is to construct a 1,175 square foot addition to an existing building. Governmental Services use is allowed in the CR zones per SRC 522, Table 522-1 as a permitted use.

SRC 522.010(a) – Lot Standards:

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

Staff Response: The subject property has frontage along four streets, Center St NE, 12th St NE, Marion St NE, and Capitol St NE which exceeds the minimum frontage requirement.

SRC 522.010(b) – Zone Setbacks:

North: Adjacent to the north is the right-of-way for Marion St NE. A five-foot building setback and 10-foot parking area setback are required abutting the street right-of-way. The 10 foot wide landscape strip may be reduced to 6 feet as provided in SRC 806.035(c).

South: Adjacent to the south is the right-of-way for Center St NE. A five-foot building setback and 10-foot parking area setback are required abutting the street right-of-way. The 10 foot wide landscape strip may be reduced to 6 feet as provided in SRC 806.035(c).

East: Adjacent to the east is the right-of-way for 12th St NE. A five-foot building setback and 10-foot parking area setback are required abutting the street right-of-way. The 10 foot wide landscape strip may be reduced to 6 feet as provided in SRC 806.035(c).

West: Adjacent to the west is the right-of-way for Capitol St NE. A five-foot building setback and 10-foot parking area setback are required abutting the street right-of-way. The 10 foot wide landscape strip may be reduced to 6 feet as provided in SRC 806.035(c).

Staff Response: The proposed site plan complies with all applicable setback requirements.

SRC 522.010(c) - Lot Coverage, Height:

There is no maximum lot coverage standard. The maximum building height in the CR zone is 50 feet.

Staff Response: The proposed development complies with the lot coverage and maximum height standards.

SRC 522.010(d) – CR Zone Landscaping:

- (1) **Setbacks.** Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC Chapter 807.
- (2) **Vehicle Use Areas.** Vehicle use areas shall be landscaped as provided under SRC Chapter 806 and SRC Chapter 807.
- (3) **Development Site.** A minimum of 15 percent of the development site shall be landscaped. Landscaping shall meet the Type A standard set forth in SRC Chapter 807. Other required landscaping under the UDC, such as landscaping required for setbacks or vehicular use areas, may count toward meeting this requirement.

Staff Response: The proposed development does not comply with the minimum 15 percent landscape standard for the development site within the CR zone. The applicant has requested a Class 2 Adjustment with this application to reduce the standard below the 15 percent minimum. Findings for the Adjustment can be found in section 4 of this decision.

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.

Staff Response: No new solid waste area is being developed.

Off-Street Parking, Loading, and Driveways SRC 806

SRC 806.005 - Off-Street Parking; When Required.

Off-street parking shall be provided and maintained for any change of use or activity, when such change of use or activity results in a parking ratio requiring a greater number of spaces than the previous use or activity.

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.

Staff Response: Oregon Revised Statute 291.407(6) states that in exchange for payments to transit districts, the State of Oregon and its agencies shall be exempt from any parking code requirements for existing state-owned buildings, construction of new state buildings or the renovation of existing state buildings, which have been or may be established by any political subdivision within the boundaries of a transit district receiving such payments. Salem Area Transit received funds from the State of Oregon. Therefore, this site is exempt from off-street parking requirements.

SRC 806.015 - Amount of Off-Street Parking.

- a) *Minimum Required Off-Street Parking.* The existing/proposed buildings are occupied by a government services use. Uses in this category require a minimum of 1 parking space per 500 square feet of building area.
- 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 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.

Staff Response:

Oregon Revised Statute 291.407(6) states that in exchange for payments to transit districts, the State of Oregon and its agencies shall be exempt from any parking code requirements for existing state-owned buildings, construction of new state buildings or the renovation of existing state buildings, which have been or may be established by any political subdivision within the boundaries of a transit district receiving such payments. Salem Area Transit received funds from the State of Oregon. Therefore, this site is exempt from off-street parking requirements.

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.

Staff Response: No new parking spaces or vehicle use areas are being developed; therefore, these development standards are not applicable

Bicycle Parking

SRC 806.045 - General Applicability.

Bicycle parking shall be provided and maintained for any intensification, expansion, or enlargement of a use or activity.

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

Bicycle parking shall be located on the same development site as the use or activity it serves.

SRC 806.055 - Amount of Bicycle Parking.

A governmental services use is required to have a minimum of 1 space per 5,000 square feet of gross floor area.

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.

Staff Response: The applicant's site plan does not indicate bicycle parking. To ensure compliance with this standard, the following condition is necessary:

Condition 1: A bicycle rack to accommodate 2 bicycle spaces shall be provided.

Off-Street Loading Areas

SRC 806.065 - General Applicability.

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

SRC 806.075 - Amount of Off-Street Loading.

A governmental services use with a building between 5,000 square feet in area and 60,000 square feet in area requires 1 off-street loading space with dimension of 12 feet wide, 19 feet long and 12 foot height clearance.

Staff Response: Oregon Revised Statute 291.407(6) state in exchange for payments to transit districts, the State of Oregon and its agencies shall be exempt from any parking code requirements for existing state-owned buildings, construction of new state buildings or the renovation of existing state buildings, which have been or may be established by any political subdivision within the boundaries of a transit district receiving such payments. Salem Area Transit received funds from the State of Oregon. Therefore, this site is exempt from parking requirements.

Landscaping

SRC 807 – Landscaping and Screening.

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.

Staff Response: As proposed and conditioned in section 4 of this decision, the existing landscaping area that will be enhanced by adding 10 shade trees, along with meeting the Type A planting requirements.

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

Natural Resources

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

tree conservation plan approved under SRC 808.035, or permitted by a variance granted under SRC 808.045.

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

SRC 809 - Wetlands The Salem-Keizer Local Wetland Inventory (LWI) shows no areas of mapped wetlands on the subject property. Hydric soil inclusions are mapped on the subject property.

SRC 810 - Landslide Hazards: A geological assessment or report is required when regulated activity is proposed in a mapped landslide hazard area. There are no mapped landslide hazards on the property in the area of the addition. Construction of a building greater than 500 square feet in size is assigned 3 activity points. A total of 3 points indicates a low landslide hazard risk; a geological assessment of the property is not required for development.

Criterion 2:

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

Finding: The existing street system is adequate to serve the proposed development and the development is not proposing a building addition pursuant to 803.040(a); therefore, no right-of-way dedication or street improvements are required.

No special setback is required along the adjacent boundary streets, Center Street NE and 12th Street NE, because the existing right-of-way exceeds the standard for a minor arterial street.

Criterion 3:

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

Finding: The driveway access onto 12th Street NE provides for safe turning movements into and out of the property.

The proposal does provide a new pedestrian sidewalk and ramp to the building which provides a safe means of ingress and egress.

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 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 be required to design and construct a storm drainage system at the time of development. The application shall provide an evaluation of the connection to the approved point of discharge for new areas of impervious surface per SRC 73.075.

4. Analysis of Class 2 Adjustment Approval Criteria

SRC 250.005(d)(2) establishes the following approval criteria for a Class 2 Adjustment:

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 an adjustment to reduce the minimum landscaping lot coverage requirement. The subject property was first developed in 1987, prior to adoption of the minimum 15 percent landscaping requirement. The existing site does not comply with the current landscape coverage standard for the CR zone (SRC 522.010(d)(3)), which requires a minimum of 15 percent of the development site be landscaped. The existing conditions plan indicates that there are trees and shrubs along Center St NE, Capitol St NE, and Marion St NE.

Nonconforming development may be altered or enlarged provided such new development complies with all applicable development standards. New development in the CR zone, including expansion or intensification of an existing use, is required to meet the minimum landscape coverage standard.

In this case, the existing landscaping consists of approximately 5,500 square foot of landscaping distributed across the site. The required 15% site landscaping would be approximately 19,169 square feet (site is 127,789 sq feet x 15% = 19168.35 sq feet). The proposal only affects approximately 1% of the site.

The purpose of landscaping is to improve the appearance and visual character of the community. The applicant is not proposing any additional landscaped area on site. Based on the affected site area, 192 square feet ($19,169 \times 1\% = 191.69$) of landscaped area would be proportional to the affected area. When reviewing the current location of landscaped area, it would appear that there is no landscaped area along 12th St NE to provide an attractive appearance. Therefore, to meet the intent of landscaping requirements and be proportional to the proposed development, 192 square feet should be added to the property along 12th street.

Condition 2: A minimum of 192 square feet of landscaping area meeting the Type A landscaping standards shall be provided along the 12th St NE frontage.

As proposed, the amount of landscaping provided within the landscaped area on site will be increased to a minimum of 10 trees. While the proposed site plan does not comply with the minimum standard, the development, as proposed and conditioned, will bring the nonconforming property into greater conformance with the landscaping requirements by providing trees where no trees exists.

Condition 3: Landscaping shall be provided as indicated in the Landscaping Plan.

The intent of interior landscaping is to create a canopy effect and to break up expanses of paving and long rows of parking spaces. Trees for interior landscaping are to be deciduous shade trees. The proposed landscaping plan does not indicate the type of trees.

Condition 4: New trees indicated on the Landscaping Plan shall be deciduous shade trees.

Any future development, beyond what is shown in the proposed plans, shall conform to the minimum landscape requirements for the site, unless reduced through a future land use action.

Condition 5: The reduced landscape requirements, as approved in 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 the minimum landscaping requirements for the site, unless reduced through a future land use action.

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 a residential zone.

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: Only one adjustment has been requested to reduce the required landscape area for the development site below 15 percent.

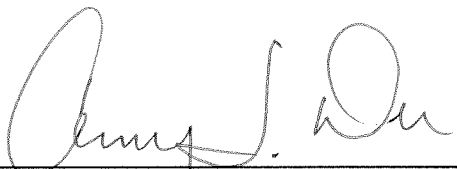
5. Based upon review of SRC Chapter 220 and 250, the applicable standards of the Salem Revised Code, the findings contained herein, and due consideration of

comments received, the site plan review application complies with the requirements for an affirmative decision.

ORDER

Final approval of Class 3 Site Plan Review and Class 2 Adjustment Case No. SPR-ADJ16-06 is hereby GRANTED subject to SRC Chapter 220 and 250, the applicable standards of the Salem Revised Code and conformance with the approved site plan included as Attachment 2, and the following conditions of approval:

- Condition 1:** A bicycle rack to accommodate 2 bicycle spaces shall be provided.
- Condition 2:** A minimum of 192 square feet of landscaping area meeting the Type A landscaping standards shall be provided along the 12th St NE frontage.
- Condition 3:** Landscaping shall be provided as indicated in the Landscaping Plan.
- Condition 4:** New trees indicated in the Landscaping Plan shall be deciduous shade trees.
- Condition 5:** The reduced landscape requirements, as approved in 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 the minimum landscaping requirements for the site, unless reduced through a future land use action.



Amy Dixon,
Planning Administrator Designee

Prepared by Amy Dixon, Planner II

- Attachments: 1. Vicinity Map
2. Applicant's Site Plan
3. Applicant's Statement
4. Public Works Memo

Application Deemed Complete:	<u>February 24, 2016</u>
Notice of Decision Mailing Date:	<u>April 21, 2016</u>
Decision Effective Date:	<u>May 7, 2016</u>
State Mandated Decision Date:	<u>June 23, 2016</u>

The rights granted by the attached decision for Class 3 Site Plan Review Case No. SPR-ADJ16-06 must be exercised by May 7, 2020 or this approval shall be null and void. The rights granted by the attached decision for Class 2 Adjustment Case No.

SPR-ADJ 16-06 must be exercised or an extension granted by May 7, 2018 or this approval shall be null and void.

To the extent appeal of this final order is permitted by Oregon law, any such appeal must be to the Hearings Officer for the City of Salem following procedures set forth in SRC 300 for appeals to the Hearing Officer, unless the Salem City Council elects to hear the appeal pursuant to SRC 300.520(f)(3)(A).

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.

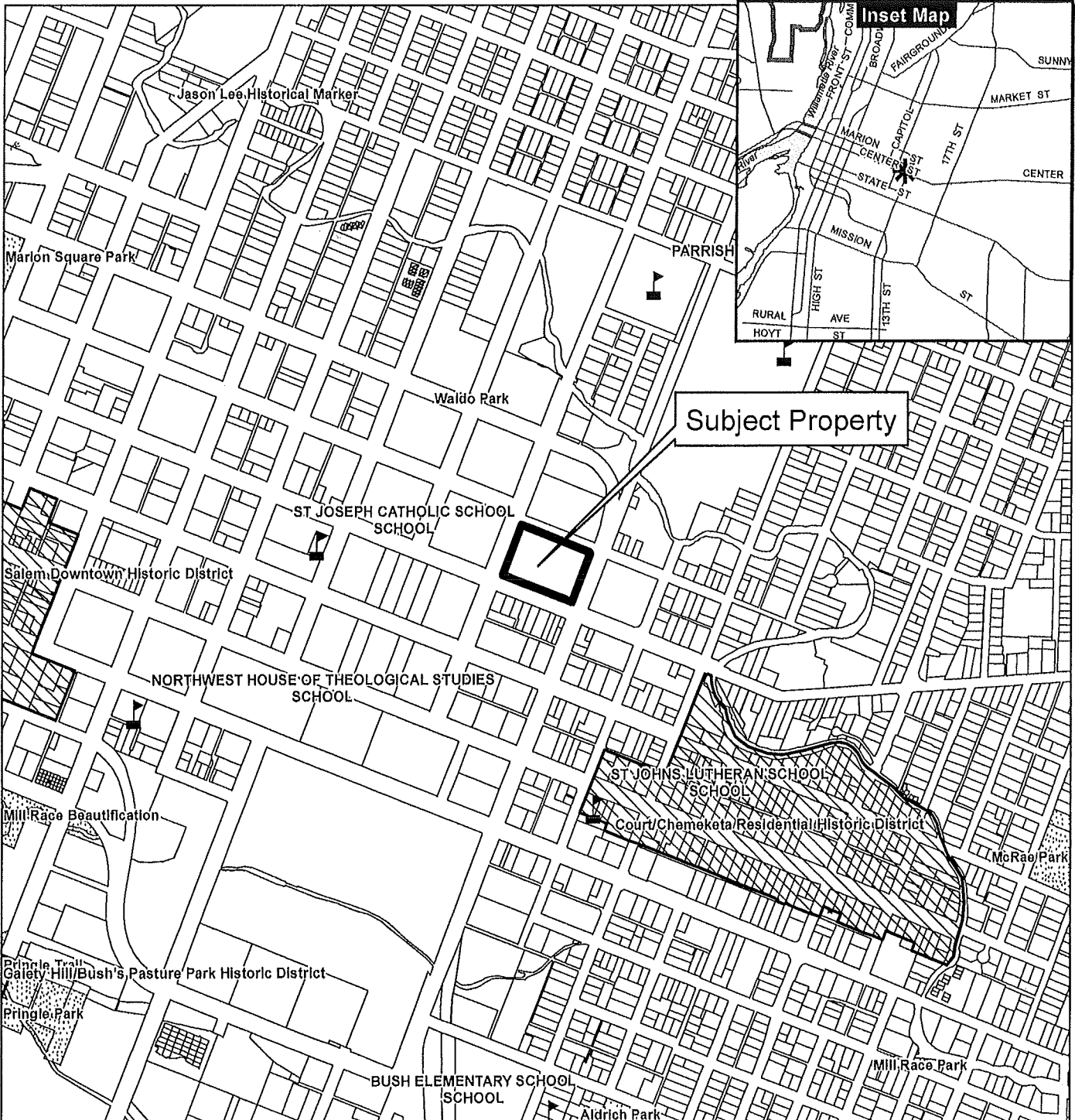
This decision is final unless written appeal from a person with standing to appeal is received by the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem, OR 97301, **not later than May 6, 2016, 5:00 PM**. The appeal must state where the decision failed to conform to the applicable criteria for approval. The appeal is to be filed in duplicate with the City of Salem Planning Division. The appeal fee is to be paid at the time of filing. The Hearings Officer for the City of Salem will review the appeal at a public hearing pursuant to SRC 300.1040. After the hearing, the Hearings Officer may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

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

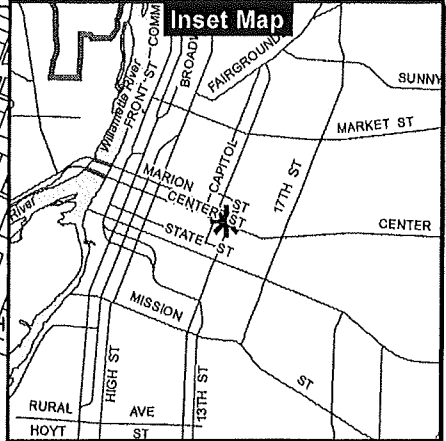
Vicinity Map

1177 Center St NE

Tax Lot # 073W23CC / 1600



Subject Property



Legend

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



0 100 200 400 Feet

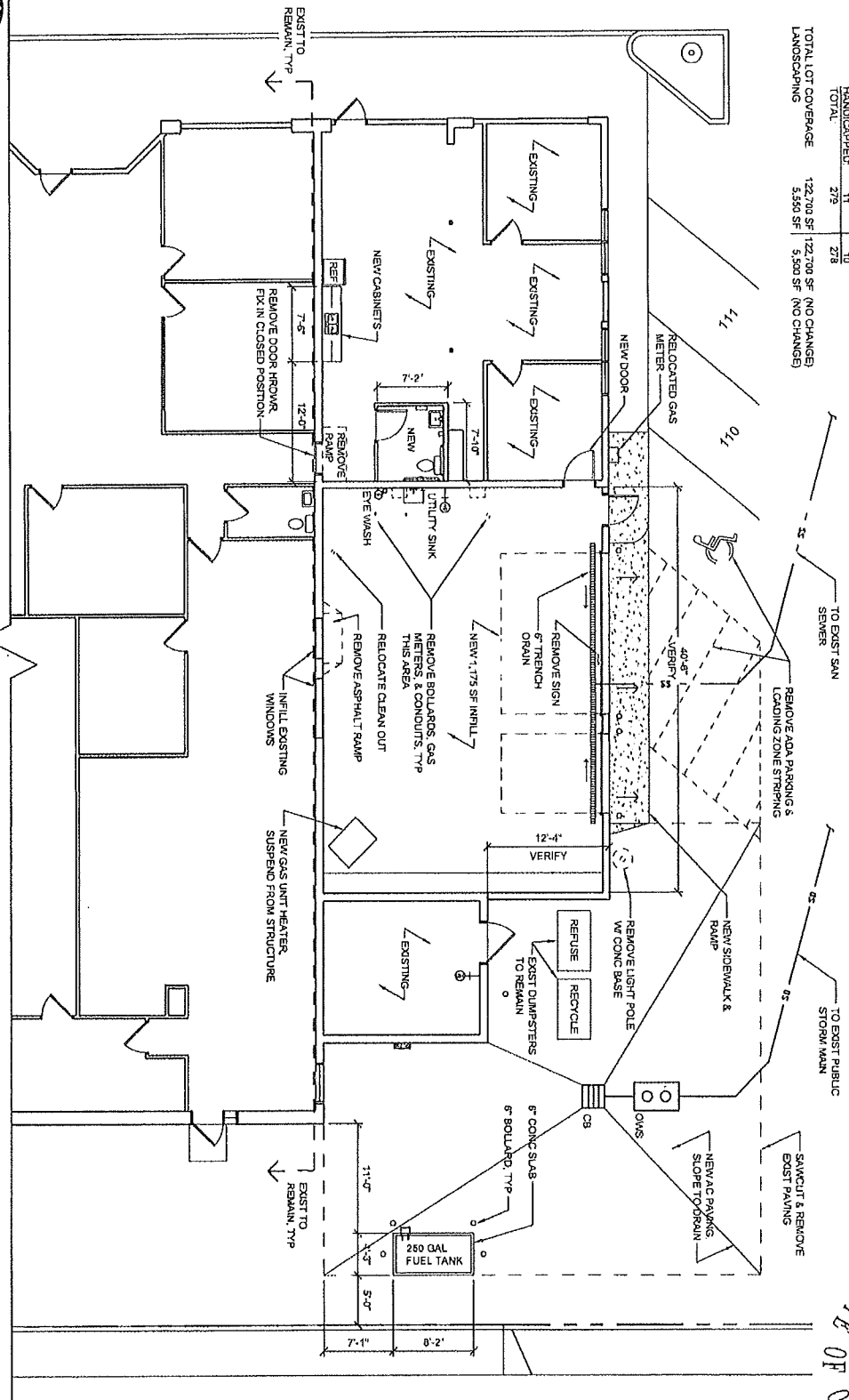


This product is provided as is, without warranty. In no event is the City of Salem liable for damages from the use of this product. This product is subject to license and copyright limitations and further distribution or resale is prohibited.

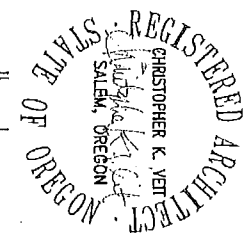
SUMMARY TABLE

ZONING:	CR
TOTAL SITE AREA:	129,250 SF (2.95 AC)
GROSS FLOOR AREA BY USE:	2,249 SF
BUILDING HEIGHT:	24 FT
EXISTING PROPOSED	
PARKING - FULL SIZE	286
HANDICAPPED	10
TOTAL	273
TOTAL LOT COVERAGE	122,700 SF (NO CHANGE)
LANDSCAPING	5,550 SF (5,500 SF (NO CHANGE))

PARKING NOTES:
 1. EMPLOYEE PARKING TO BE PROVIDED OFF-SITE
 2. BICYCLE PARKING TO BE ACCOMMODATED INSIDE THE BUILDING



DEMOLITION & FLOOR PLAN



<p>CARLSON VEIT ARCHITECTS PC ARCHITECTURE • INTERIOR DESIGN 503-390-0281 • FAX 503-390-2459 • WWW.CARLSONVEIT.COM 3095 RIVER ROAD NORTH, SALEM, OREGON 97303 MEMBER AMERICAN INSTITUTE OF ARCHITECTS</p>	<p>project: DAS LANDSCAPE BUILDING 1177 CENTER STREET NE SALEM, OR 97301</p>
	<p>date: _____ project: 06515 drawn by: NW checked by: CV copyright © 2015 Carlson Veit Architects PC DEMOLITION & FLOOR PLAN</p>

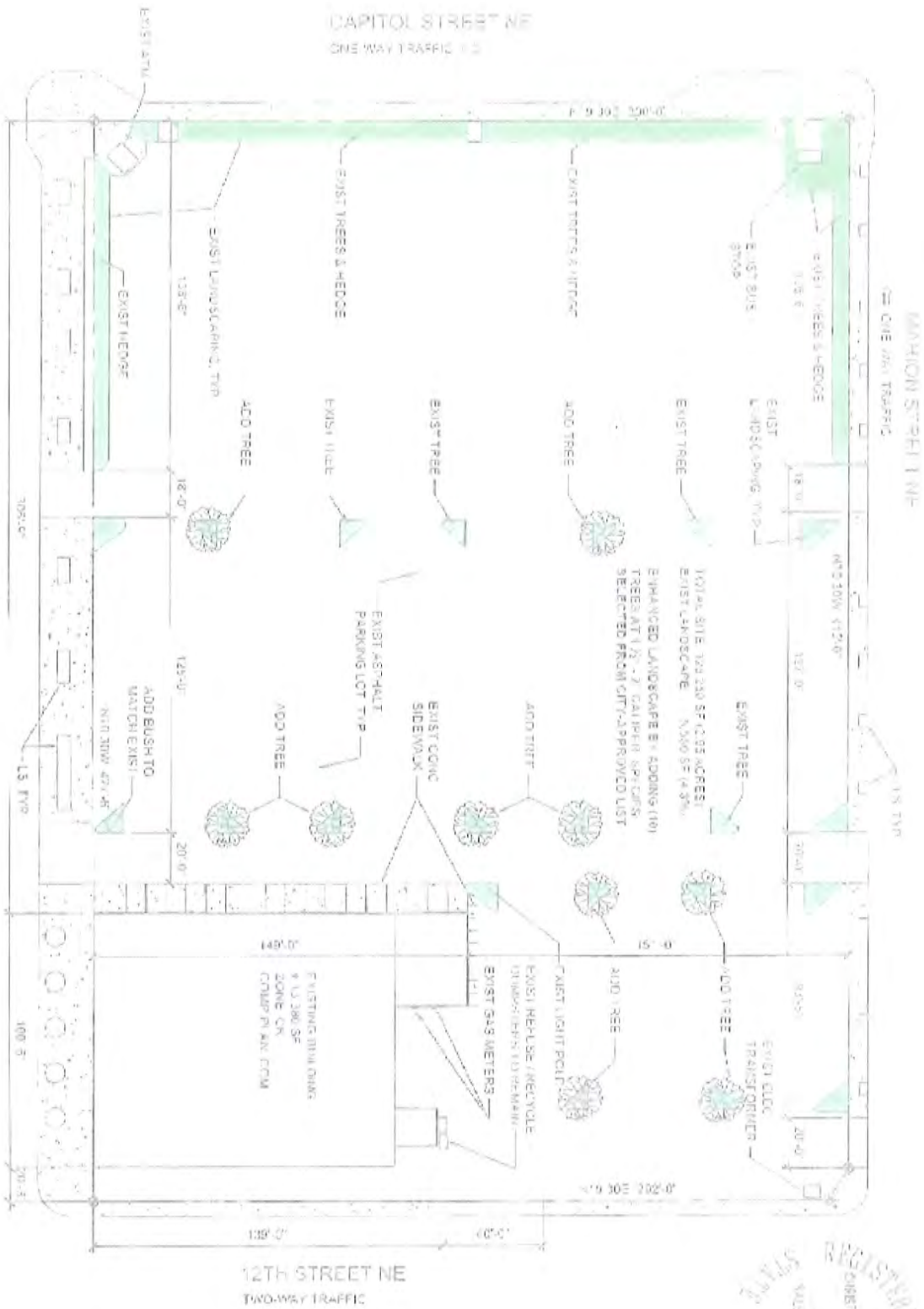
Sheet **A-101** of _____



1" = 10'

PROPOSED LANDSCAPE PLAN

CENTER STREET NE
ONE WAY TRAFFIC



<p>CARLSON VEIT ARCHITECTS</p> <p>1177 CENTER STREET NE SALEM, OR 97301</p> <p>503.595.1177</p> <p>www.carlsonveit.com</p>	<p>DAS LANDSCAPE BUILDING</p> <p>1177 CENTER STREET NE SALEM, OR 97301</p>
	<p>date: 2.18.2016</p> <p>project: 08515</p> <p>drawn by: NMW</p> <p>checked by: CV</p> <p>copyright: 2016 Carlson Veit Architects PC</p>

PROPOSED LANDSCAPE PLAN

97551 of **A-100**

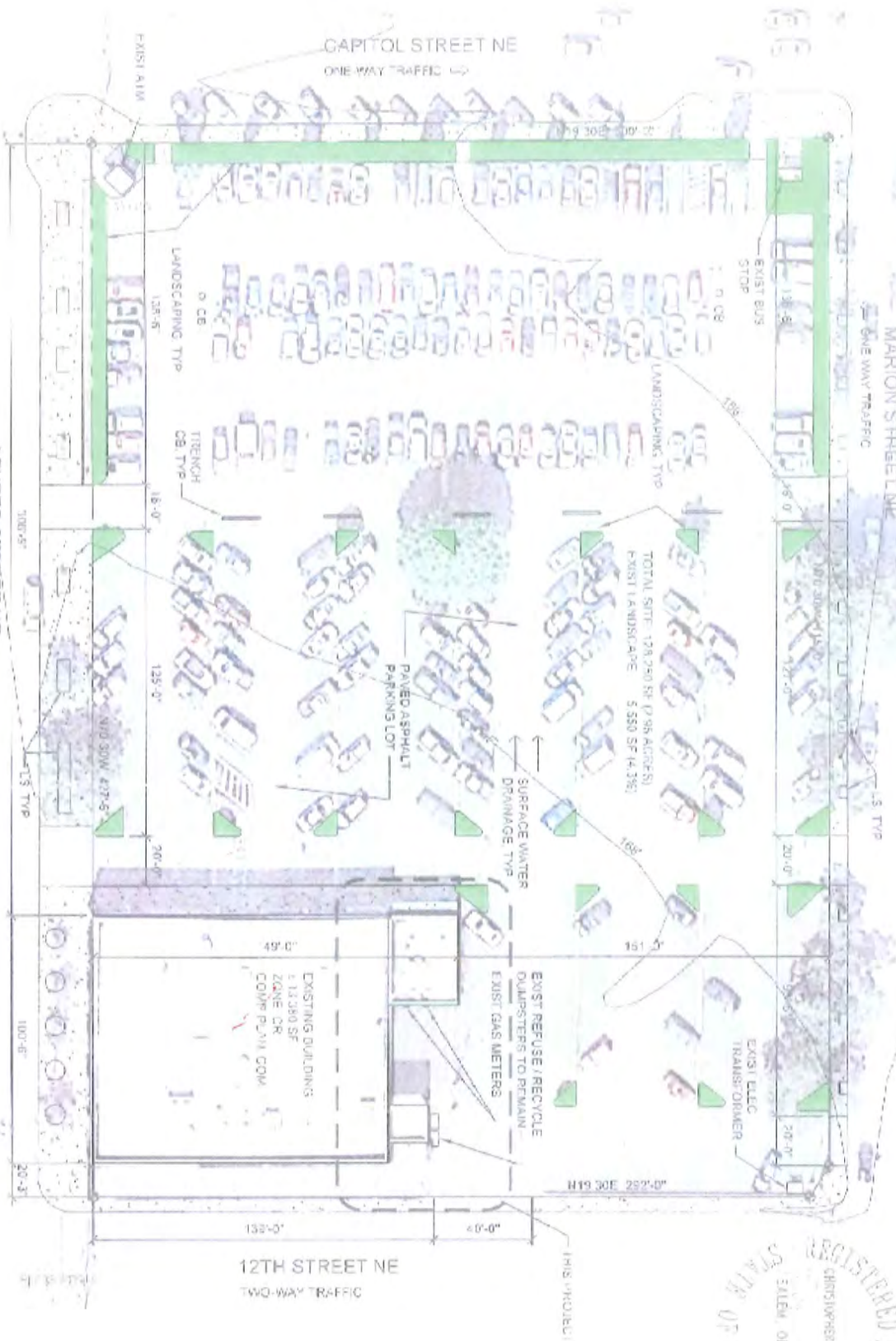


11-1-10

EXISTING CONDITIONS PLAN

CENTER STREET NE

ONE-WAY TRAFFIC



copyright © 2015 Carlson Veit Architects PC 1177 CENTER STREET NE SALEM, OR 97301 503.595.1111 www.carlsonveit.com	project DAS LANDSCAPE BUILDING	CARLSON VEIT REGISTERED ARCHITECT SALEM, OREGON
	date 08/15	
sheet A-100	title EXISTING CONDITIONS PLAN	author CV
	checked by CV	
	drawn by NW	
	reviewed by CV	



February 18, 2016

Amy Dixon, Planner II
City of Salem, Planning Division
555 Liberty St. SE, Room 305
Salem, OR 97301-3503

RECEIVED

JAN 22 2016

COMMUNITY DEVELOPMENT

Re: Plan Review, 1177 Center St. NE
15-122543-RP & 15-122545-ZO

Dear MS Dixon:

The following is a response to your recent, 1-25-16 completeness checklist review of the subject property for a Class 3 Site Plan and Class 2 Zoning Adjustment.

Item 1: See the attached application form with the authorized signatures.

Item 2: See the enclosed recorded deed for the property.

Item 3: This property has an exemption for on-site parking; however, ample parking is available for the low number of employees.

Item 4: The submitted written statement states that the new underlying standard of 15% landscaping over a 2.95 acre site is clearly inapplicable to the proposed project because there is no room or available land for more landscaping. The site was developed in 1987 for its maximum use and landscaped to the standards of that time. The use of parking for state employees is just as important as if buildings covered the site. Therefore, to have a standard that requires 15% landscaping to a site that has no room seems inapplicable.

However, in an effort to improve the existing landscaping, this resubmittal shows existing landscape islands to be enhanced with the addition of trees. At ten existing islands that now contain a bush or a missing bush, a new 1-1/2 to 2 inch caliper tree is proposed for that island. The species of tree has not been determined but will be selected from the City approved list in consultation with the DAS Landscape Department, which is the new tenant. With this revision we feel that the site is getting better within the existing allowable area.

I hope all this meets with your approval and if you have any questions don't hesitate to contact me.

Sincerely,

Christopher K. Veit, AIA CSI CCS

(2) An application for a Class 2 adjustment (SRC 250.005(d) (2)) 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 under 807.055.

Administrative Relief.

Unless otherwise provided under the UDC, when special circumstances or exceptional site characteristics are applicable to a property, the landscaping requirements of this Chapter may be modified through a Class 3 Site Plan Review, pursuant to SRC Chapter 220, upon finding that one of the following criteria is met:

(a) The proposed landscaping meets the intent of providing a buffer between adjacent uses of differing character;

When the entire block property was first developed, landscaping and buffering was installed and exists today. The current Development Code eliminated the former landscape buffering matrix criteria in favor of a flat 15% requirement over the entire site. This would seem more appropriate for newly developed sites or sites that were undergoing a total transformation. In this case the existing site will only be affected by less than 1% of new work and all of the existing landscaping will remain. There is no additional land area available for additional landscaping and the loss of 13,723 SF of parking would be severe.

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

The existing 4.3% landscaping composed of trees and bushes is distributed rather uniformly across the site and is effective as a visual and environmental improvement. The Development Code does not make an allowance for minor expansion or the effect on existing developments. For this project we believe allowing the 4.3% landscaping to remain and be considered compliant, when taken in context with its diversity and uniform placement as well as the possibility of a drastic reduction in parking, would qualify as equal or better.

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

This is a CR zone and not residential.

(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.

Only one adjustment is being requested.

DAS-EAM Landscape Program written statement for Class 3 site plan review

WRITTEN STATEMENT. A written statement shall be submitted describing the proposal and how it conforms to the following approval criteria for Class 3 Design Review (SRC 225.005(e)(2)):

(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 construction infill to the existing building exterior alcove allows the DAS- EAM Landscape Program tenant to enclose maintenance equipment and to make repairs to equipment and tools. This small increase in building footprint does not alter any existing traffic patterns to or from the site nor does it alter any existing parking or on-site traffic flow. This facility is not for public use and will not increase traffic trips or have any negative impact.

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

All parking areas and driveways are existing. Additional parking is not anticipated. All existing parking, driveways and efficient movement of vehicles and pedestrians shall remain as is.

(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 fully developed and adequately served. All City services to the site are existing to remain with only minor modification (if any) that may occur on site.

RECEIVED

MAR 31 2016



COMMUNITY DEVELOPMENT

MEMO

TO: Amy Dixon, Planner II
Community Development Department

FROM: *XOJ* Glenn J. Davis, PE, CFM, Chief Development Engineer
Public Works Department *[Signature]*

DATE: March 31, 2016

SUBJECT: PUBLIC WORKS RECOMMENDATIONS
SPR-ADJ16-06 (15-122545)
1177 CENTER STREET NE

PROPOSAL

A Class 3 Site Plan Review and Class 2 Adjustment to construct a 1,117-square-foot addition to an existing office building with a request for an adjustment to reduce the required 15 percent site landscaping to the existing 4.3 percent site landscaping for property approximately 2.93 acres in size, zoned CR (Retail Commercial), and located at 1177 Center St NE (Marion County Assessor's Map and Tax Lot number: 073W23CC/1600).

SUMMARY OF FINDINGS

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

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 street system is adequate to serve the proposed development and the development is not proposing a building addition pursuant to 803.040(a); therefore, no right-of-way dedication or street improvements are required.

No special setback is required along the adjacent boundary streets, Center Street NE and 12th Street NE, because the existing right-of-way exceeds the standard for a minor arterial street.

Code authority references are abbreviated in this document as follows: *Salem Revised Code* (SRC); *Public Works Design Standards* (PWDS); *Salem Transportation System Plan* (Salem TSP); and *Stormwater Management Plan* (SMP).

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

Finding—The driveway access onto 12th Street NE provides 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 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 be required to design and construct a storm drainage system at the time of development. The application shall provide an evaluation of the connection to the approved point of discharge for new areas of impervious surface per SRC 73.075.

Prepared by: Robin Dalke, Administrative Analyst III

cc: File