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 información, por favor llame 503-588-6173.

#### DECISION OF THE PLANNING COMMISSION

CLASS 3 DESIGN REVIEW / CLASS 3 SITE PLAN REVIEW / SOUTH WATERFRONT MIXED USE ZONE DEVELOPMENT PHASING PLAN / CLASS 2 ADJUSTMENT CASE NO. DR-SPR-SWMUDPP-ADJ16-04

APPLICATION NOS.: 16-107724-DR, 16-107725-RP, 16-117226-ZO & 16-107726-ZO

#### NOTICE OF DECISION DATE: OCTOBER 5, 2016

**REQUEST:** A consolidated application for a proposed approximate 42,242 squarefoot, 52-bed, post-acute rehabilitation facility and a proposed approximate 1,512 square-foot commercial retail space on property approximately 1.14 acres in size and located at 295 Commercial Street SE; together with necessary improvements on the abutting property to the north located at 235 Front Street SE to facilitate shared vehicular access between the two properties and a shared stormwater management system.

The application includes the following:

- 1) A Class 3 Design Review and Class 3 Site Plan review for the proposed development;
- A Development Phasing Plan, pursuant to SRC 531.015, to allow the mix of Household Living and Non-Household Living uses required for a development site under the South Waterfront Mixed-Use (SWMU) zone to be met in phases; and
- 3) A Class 2 Adjustment to:
  - a) Increase the maximum number of off-street parking spaces allowed for the proposed development from 40 spaces, as required under SRC 806.015(d), to a maximum of 77 spaces;
  - b) Eliminate the minimum 5-foot parking and vehicle use area setback required, pursuant to SRC 806.035(c)(3), on both sides of the property line between the two properties located 295 Commercial Street SE and 235 Front Street SE; and
  - c) Eliminate the minimum 5-foot-wide landscape strip or 5-foot-wide paved pedestrian walkway required, pursuant to SRC 806.035(c)(4), between the proposed southern driveway off Commercial Street SE and a portion of the ground floor exterior wall on the south side of the proposed building.

The subject property is zoned SWMU (South Waterfront Mixed-Use) and located at 295 Commercial Street SE and 235 Front Street SE (Marion County Assessor's Map and Tax Lot Numbers: 073W27BA03100 & 073W27BA03102).

**APPLICANT: MARQUIS COMPANIES** 

LOCATION: 295 COMMERCIAL ST SE & 235 FRONT ST SE / 97301

CRITERIA: Class 3 Design Review - SRC 225.005(e)(2) Class 3 Site Plan Review - SRC 220.005(f)(3) South Waterfront Mixed-Use Zone Development Phasing PlanOctober 21, 2018Class 2 AdjustmentOctober 21, 2018

Application Deemed Complete:	September 12, 2016
Public Hearing Date:	<u>October 4, 2016</u>
Notice of Decision Mailing Date:	<u>October 5, 2016</u>
Decision Effective Date:	<u>October 21, 2016</u>
State Mandate Date:	<u>January 10, 2017</u>

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

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, OCTOBER 20, 2016**. 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 in SRC Chapters 220, 225, 250 and 531. 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 City Council will review the appeal at a public hearing. After the hearing, the City Council may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

The complete case file, including findings, conclusions and conditions of approval, if any, is available for review at the Planning Division office, Room 305, City Hall, 555 Liberty Street SE, during regular business hours.

#### http://www.cityofsalem.net/planning

G:\CD\PLANNING\CASE APPLICATION FILES 2011-On\DESIGN REVIEW\2016\1 - Case Processing Documents\DR-SPR-SWMUDPP-ADJ16-04 - 295 Commercial St SE & 275 Front St SE (Bryce)\DR-SPR-SWMUDPP-ADJ16-04 Notice of Decision.docx South Waterfront Mixed-Use Zone Development Phasing Plan -SRC 531.015(d) Class 2 Adjustment - SRC 250.005(d)(2)

- FINDINGS: The findings are in the attached staff report dated October 4, 2016.
- **DECISION:** The Planning Commission **GRANTED** Class 3 Design Review / Class 3 Site Plan Review / South Waterfront Mixed Use Zone Development Phasing Plan / Class 2 Adjustment Case No. DR-SPR-SWMUDPP-ADJ16-04, subject to the following conditions of approval:

#### **CLASS 3 SITE PLAN REVIEW**

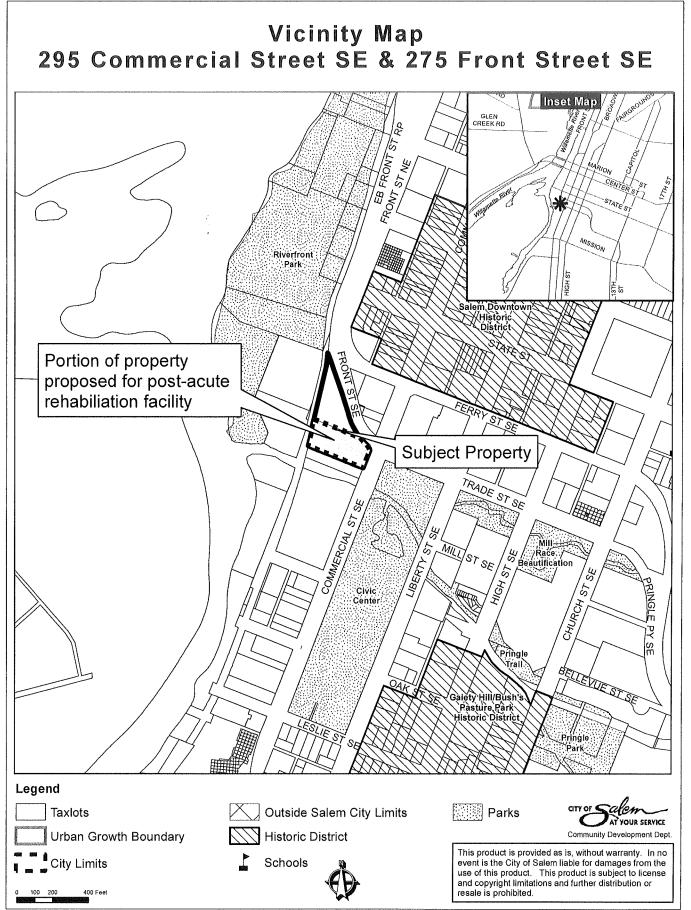
- **Condition 1:** The bicycle parking spaces required to meet the minimum bicycle parking requirement for the commercial tenant space shall be relocated to be in proximity to and visible from the primary entrance of the commercial tenant space in conformance with the requirements of SRC 806.060(a).
- **Condition 2:** The bicycle parking spaces required to meet the minimum bicycle parking requirement for the post-acute rehabilitation facility shall be relocated to be in proximity to and visible from the primary building entrance of post-acute rehabilitation facility in conformance with the requirements of SRC 806.060(a).
- **Condition 3:** All relocated bicycle parking spaces shall maintain conformance with the bicycle parking access requirements of SRC 806.060(b).
- **Condition 4:** All bicycle parking spaces shall conform to the bicycle parking dimension requirements of SRC 806.060(c).
- **Condition 5:** The trash/recycling area shall conform to the solid waste service area standards of SRC 800.055.
- **Condition 6:** Provide a Trash Area Management Plan pursuant to Administrative Rule 109-012 Appendix D.
- **Condition 7:** Replace existing sidewalks along the frontage of Commercial Street SE and Front Street SE where they do not conform to the Public Works Design Standards and close all unused driveways.
- VOTE:

Yes 8 No 0 Absent 1 (Fox) Rich Fry, President

Planning Commission

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

Class 3 Design Review	<u>October 21, 2018</u>
Class 3 Site Plan Review	<u>October 21, 2020</u>



G:\CD\PLANNING\Bryce\Current Planning\Boise\North Block\2016\Marquis (North Block South Half)\Vicinity Map.mxd - 9/13/2016 @ 11:14:38 AM

 FOR THE MEETING OF:
 October 4, 2016

 AGENDA ITEM:
 6.3

TO:	Planning Commission			
FROM:	Lisa Anderson-Ogilvie, Planning Administrator BB For LAD			
STAFF:	Bryce Bishop, Planner II			
HEARING DATE:	October 4, 2016			
APPLICATION:	Consolidated Class 3 Design Review, Class 3 Site Plan Review, South Waterfront Mixed-Use Zone Development Phasing Plan, & Class 2 Adjustment			
CASE NO.:	DR-SPR-SWMUDPP-ADJ16-04			
LOCATION:	295 Commercial Street SE & 235 Front Street SE (Marion County Assessor's Map and Tax Lot number: 073W27BA03100 & 073W27BA03102) (Attachment A)			
SIZE:	Approximately 2.2 acres			
REQUEST	A consolidated application for a proposed approximate 42,242 square- foot, 52-bed, post-acute rehabilitation facility and a proposed approximate 1,512 square-foot commercial retail space on property approximately 1.14 acres in size and located at 295 Commercial Street SE; together with necessary improvements on the abutting property to the north located at 235 Front Street SE to facilitate shared vehicular access between the two properties and a shared stormwater management system.			
	The application includes the following:			
	<ol> <li>A Class 3 Design Review and Class 3 Site Plan review for the proposed development;</li> </ol>			
	2) A Development Phasing Plan, pursuant to SRC 531.015, to allow the mix of Household Living and Non-Household Living uses required for a development site under the South Waterfront Mixed- Use (SWMU) zone to be met in phases; and			
	3) A Class 2 Adjustment to:			
	a) Increase the maximum number of off-street parking spaces allowed for the proposed development from 40 spaces, as required under SRC 806.015(d), to a maximum of 77 spaces;			
	<ul> <li>b) Eliminate the minimum 5-foot parking and vehicle use area setback required, pursuant to SRC 806.035(c)(3), on both sides of the property line between the two properties located 295 Commercial Street SE and 235 Front Street SE; and</li> </ul>			
	c) Eliminate the minimum 5-foot-wide landscape strip or 5-foot- wide paved pedestrian walkway required, pursuant to SRC 806.035(c)(4), between the proposed southern driveway off Commercial Street SE and a portion of the ground floor exterior wall on the south side of the proposed building.			
	The subject property is zoned SWMU (South Waterfront Mixed-Use) and located at 295 Commercial Street SE and 235 Front Street SE (Marion County Assessor Map and Tax Lot Numbers: 073W27BA03100 & 073W27BA03102).			
APPLICANT:	Salem LTC Properties LLC - Marquis Companies			
APPROVAL CRITERIA:	<ul> <li>Class 3 Design Review: SRC 225.005(e)(2)</li> </ul>			
	Class 3 Site Plan Review: SRC 220.005(f)(3)			

- SWMU Development Phasing Plan: SRC 531.015(d)
- Class 2 Adjustment: SRC250.005(d)(2)

RECOMMENDATION: APPROVE Class 3 Design Review, Class 3 Site Plan Review, SWMU Zone Development Phasing Plan, and Class 2 Adjustment Case No. DR-SPR-SWMUDPP-ADJ16-04 subject to the following conditions:

#### **CLASS 3 SITE PLAN REVIEW**

- **Condition 1:** The bicycle parking spaces required to meet the minimum bicycle parking requirement for the commercial tenant space shall be relocated to be in proximity to and visible from the primary entrance of the commercial tenant space in conformance with the requirements of SRC 806.060(a).
- **Condition 2:** The bicycle parking spaces required to meet the minimum bicycle parking requirement for the post-acute rehabilitation facility shall be relocated to be in proximity to and visible from the primary building entrance of post-acute rehabilitation facility in conformance with the requirements of SRC 806.060(a).
- **Condition 3:** All relocated bicycle parking spaces shall maintain conformance with the bicycle parking access requirements of SRC 806.060(b).
- **Condition 4:** All bicycle parking spaces shall conform to the bicycle parking dimension requirements of SRC 806.060(c).
- **Condition 5:** The trash/recycling area shall conform to the solid waste service area standards of SRC 800.055.
- **Condition 6:** Provide a Trash Area Management Plan pursuant to Administrative Rule 109-012 Appendix D.
- **Condition 7:** Replace existing sidewalks along the frontage of Commercial Street SE and Front Street SE where they do not conform to the Public Works Design Standards and close all unused driveways.

#### **PROCEDURAL FINDINGS**

On April 14, 2016, CB Two Architects, on behalf of the applicant and property owner Salem LTC Properties, LLC / Marquis Companies, filed an application for a consolidated Class 3 Design Review, Class 3 Site Plan Review, South Water Front Mixed-Use (SWMU) Zone Development Phasing Plan, and Class 2 Adjustment for a proposed approximate 42,242 square-foot, 52-bed, post-acute rehabilitation facility and an approximate 1,512 square-foot commercial tenant space on portion of the north block of the former Boise Cascade site located at 295 Commercial Street SE. The application also includes necessary improvements on the abutting other portion of the Boise north block located at 235 Front Street SE to facilitate shared vehicular access between the two properties and a shared stormwater management system.

Because multiple land use applications are required in connection with the proposed development, the applicant, pursuant to SRC 300.120(c), chose to consolidate the applications and process them together as one. When multiple applications are consolidated, the review process for the application shall follow the highest numbered procedure type required for the land use applications involved, and the Review Authority for the application shall be the highest applicable Review Authority under the highest numbered procedure type.

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

After additional requested information was provided by the applicant, the application was deemed complete for processing on September 12, 2016. Notice of the public hearing on the proposed development was subsequently sent to surrounding property owners pursuant to SRC requirements on September 14, 2016. Notice was also posted on the subject property by the applicant's representative pursuant to SRC requirements on September 21, 2016.

The public hearing on the proposed Class 3 Design Review, Class 3 Site Plan Review, SWMU Development Phasing Plan, and Class 2 Adjustment application is scheduled for October 4, 2016. The state-mandated 120-day local decision deadline for the application is January 10, 2017.

#### BACKGROUND/PROPOSAL

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

As shown on the development phasing plan included with this application (Attachment B), the north block of the former Boise Cascade site will include two separate developments, the proposed post-acute rehabilitation facility and retail space included with this application, located on the southern half of the Boise north block, and a proposed 4-story office building, located on the northern half of the Boise north block. Both developments will share on-site vehicular circulation and access to Front Street, as well as a common stormwater management system.

Because both developments will be sharing some of their required on-site facilities, the application for the proposed post-acute rehabilitation facility and retail space also includes necessary improvements on the abutting to the north at 235 Front Street SE in order to facilitate the shared access and stormwater management system proposed between the two properties.

The proposed post-acute rehabilitation facility is approximately 42,242 square-foot in size and will accommodate 52-bed patient/resident beds. The proposed building is an overall three stories in height with parking provided under the building on its ground floor. In addition to the post-acute rehabilitation facility, the proposed development also includes approximately 1,512 square feet of commercial tenant space located in a single-story portion of the building located in proximity to the corner of the intersection of Commercial Street and Front Street.

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

The proposed site/development plans for the project are included in **Attachment C**. The written statement provided by the applicant addressing the proposed development's conformance with the applicable approval criteria is included in **Attachment D**.

#### SUBSTANTIVE FINDINGS

#### 1. Salem Area Comprehensive Plan (SACP)

The subject property is designated "River Oriented Mixed Use" on the Salem Area Comprehensive Plan map.

#### 2. Zoning

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

- North: Across Front Street SE, CB (Central Business District) with General Retail/Office Overlay and CB (Central Business District with Front Street Overlay)
- South: SWMU (South Waterfront Mixed-Use)
- East: Across Front Street SE, CB (Central Business District) with General Retail/Office Overlay
- West: Across railroad tracks, SWMU (South Waterfront Mixed-Use)

#### 3. Natural Features

*Trees:* The City's tree preservation ordinance (SRC Chapter 808) protects Heritage Trees, Significant Trees (including Oregon White Oaks with diameter-at-breast-height of 24 inches or greater), trees and native vegetation in riparian corridors, and trees on lots and parcels greater than 20,000 square feet. The tree preservation ordinance defines "tree" as, "any living woody plant that grows to 15 feet or more in height, typically with one main stem called a trunk, which is 10 inches or more dbh, and possesses an upright arrangement of branches and leaves."

There are no trees located on the subject property, but there are, however, street trees located adjacent to the subject property within the rights-of-way of Front Street SE and Commercial Street SE. Because there are no trees located on the subject property, the tree preservation requirements of SRC Chapter 808 are not applicable to the proposed development. Removal of any trees from within the right-of-way of public streets is subject to the requirements of SRC Chapter 86.

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

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

#### 4. Neighborhood Association Comments

The subject property is located within the boundaries of the Central Area Neighborhood Development Organization (CANDO) neighborhood association. As of the date of completion of this staff report, no comments have been received from the neighborhood association.

#### 5. Public Comments

All property owners within 250 feet of the subject property were mailed notification of the proposal. Notice of public hearing was also posted on the subject property. As of the date of completion of this staff report, no comments have been received from surrounding property owners.

#### 6. City Department Comments

- A. The Building and Safety Division reviewed the proposal and indicated they have no comments.
- B. The Public Works Department reviewed the proposal and provided comments regarding street and City utility improvements required to serve the development and recommended conditions of approval to ensure conformance with the applicable requirements of the SRC. Comments from the Public Works Department are included as **Attachment E**.

#### 7. Public Agency & Private Service Provider Comments

Notice of the proposal was provided to public agencies and to public & private service providers. As of the date of completing this staff report, the following comments were received:

- A. Portland General Electric reviewed the proposal and indicated that development cost will be determined per current tariff and service requirements and that a 10-foot-wide public utility easement (PUE) is required on all front street lots.
- B. The Oregon Department of Transportation (ODOT) reviewed the proposal and provided comments that are included as Attachment F. In summary, it is indicated that because the property abuts Front Street, which is also a State highway, the proposed development requires an approved State Highway approach permit. ODOT indicates they concur with the applicant's proposal to consolidate the two existing connections to Highway 22 into a single connection.

ODOT explains that the applicant has met with ODOT staff for a pre-application conference and has subsequently submitted an access permit application for review and approval that is currently being processed. ODOT indicates they have requested civil construction plans for improvements that will need to be constructed within the State highway right-of-way and that these plans will need to be approved by ODOT prior to the issuance of a permit for construction activities within the State highway right-of-way.

In addition, ODOT indicates that if the applicant or their contractor is required to occupy State highway right-of-way to provide utility improvements resulting from conditions of the City, a permit to occupy or perform operations upon a State highway will also be required. The permit must be obtained 30 calendar days prior to commencing any construction or utility improvements within the State highway right-of-way.

C. The ODOT Rail & Public Transit Division reviewed the proposal and provided comments that are included as **Attachment G**. In summary, it is indicated that that the work does not affect any public crossing and it is explained that any work next to railroad property cannot foul the tracks and that the contractor should coordinate with the Portland & Western railroad.

#### 8. Applicant Submittal Information

Land use applications must include a written statement addressing the applicable approval criteria and be supported by proof they conform to all applicable standards and criteria of the Salem Revised Code. The written statement provided by the applicant addressing the applicable application approval criteria is include as **Attachment D** to this staff report. Staff

utilized the information from the applicant's written statement to help evaluate the proposal and formulate the facts and findings within the staff report.

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

#### 9. CLASS 3 DESIGN REVIEW APPROVAL CRITERIA

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

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

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

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

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

**Finding:** The written statement provided by the applicant **(Attachment D)** indicates that the building, while three stories, is a more horizontal design due to the site configuration. It is explained that vertical massing is broken up utilizing a mix of materials, paint colors, glazing, and building articulation. It is indicated that the building is a podium design; the first floor is broken into three structural building blocks with the skilled nursing uses on the second and third floors above. The first floor will include masonry, glass and horizontal siding for its finish materials. Finish materials used on upper levels will include horizontal siding, glass and metal details. It is explained that tower elements at the building ends and center above first floor building blocks provide additional massing relief. These elements incorporate deeper roof overhangs, larger glazing masses and a mix of paint colors which provides structural blocks will be further articulated with box type projections that will utilize a different paint color to enhance their presence, provide separation between floors and add visual interest to the building's facade.

Staff concurs with the findings included in the applicant's written statement, the changes in building materials and the use of a varied color palette, the distribution of windows throughout the ground floor and upper floor facades, and the pronounced roof overhangs at the ends, and within the middle, of the building provide architectural detailing that breaks up the building's vertical mass and distinguishes the base of the building from its middle and top in a manner that is consistent with this design guideline and that is complementary to existing downtown buildings. The proposed development conforms to this design guideline.

#### Ground Floor Height (SRC 531.035(a)(2)(A)):

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

**Finding:** The written statement provided by the applicant **(Attachment D)** indicates that the proposed development is primarily located along Commercial Street SE. The first floor has a floor to floor height of 16' and includes large floor to ceiling glazing walls at the commercial spaces fronting Commercial Street. A plaza that includes landscaping is adjacent to the north side of the commercial tenant space. The plaza extends to the corner of the site where the development has a small amount of frontage along Front Street. Parking is tucked under and behind the building or the plaza and will be screened from the public sidewalk to provide the pedestrian-friendly environment that the guidelines seek.

Staff concurs with the findings included within the applicant's written statement. The height of the ground floor of the building adjacent to Commercial Street and the corner of Commercial Street and Front Street is 16 feet which accommodates the ground floor uses proposed. This height also conforms to the corresponding design standard to this design guideline which requires the ground floor heights of buildings to be between 12 feet and 16 feet.

The proposed development also includes parking located under the building on the ground floor. This parking is setback from the street and mostly located behind ground floor active uses other than parking that are proposed along Commercial Street and the corner of Commercial Street and Front Street. Where the ground floor parking under the building is not obscured by the building, it is setback from the street and buffered by landscaping to enhance the pedestrian environment along the street and promote a pedestrian-friendly environment. The proposed development conforms to this design guideline.

#### Building Transparency (SRC 531.035(a)(3)(A)):

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

**Finding:** The written statement provided by the applicant **(Attachment D)** indicates that the ground floor areas of the building that face both Commercial and Front Streets include generous amounts of glazing providing opportunity for interaction between the active spaces within the building and those in the public realm.

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

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

**Finding:** The written statement provided by the applicant **(Attachment D)** indicates that Windows both along the ground level and throughout the second and third floors provide the "eyes" on streets, plaza and other areas as required.

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

#### Primary Building Entries(SRC 531.035(a)(4)(A)):

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

**Finding:** The written statement provided by the applicant **(Attachment D)** indicates that primary building entries are located along the Commercial and Front Street facades and include generous glazing. The entry doors will be transparent glass so that interaction between the private and public realms is provided.

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

#### (ii) Building entries shall create a "transition zone" between the public realm on the sidewalk and the private realm within the building.

**Finding:** The written statement provided by the applicant **(Attachment D)** indicates that an awning is proposed along the building's street façade that provides the transition between the sidewalk and the interior spaces.

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

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

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

**Finding:** The written statement provided by the applicant **(Attachment D)** indicates that mechanical service equipment will not be visible from the public sidewalk, or it will be screened so as not to be visible from public sidewalks and opens spaces and required by the development code.

Staff concurs with the findings included in the applicant's written statement. As shown on the proposed site plan, the development includes both a trash/recycling area and an emergency generator located at ground level. The proposed trash/recycling area is located behind the building, so as to not be visible from public sidewalks and open space, and screened by a 6-foot tall enclosure.

The proposed emergency generator, while not located behind the building, is located at the far west side of the property adjacent to the railroad right-of-way so as to minimize its visibility from public sidewalks and open space. The generator is also located within an 8-foot tall enclosure to screen it from view. The proposed development conforms to this design guideline.

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

**Finding:** The written statement provided by the applicant **(Attachment D)** indicates that energy efficient building design, building materials, and equipment will be used.

Staff concurs with the findings included in the applicant's written statement. The proposed development conforms to this design guideline.

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

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

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

**Finding:** The written statement provided by the applicant **(Attachment D)** indicates that the proposed building is located along the Commercial Street frontage with a plaza at the corner of Commercial and Front Streets to provide the strong development edge that the guidelines seek. Active interior spaces face the right of way, public sidewalk and plaza.

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

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

**Finding:** The written statement provided by the applicant **(Attachment D)** indicates that the development is not located along the north bank of Pringle Creek. However, the building's southern façade will include a mix of finish materials, colors and building articulation as well as landscaping along the property line to provide a "well-defined" building wall edge to the creek parcel.

Staff concurs with the findings included in the applicant's written statement.

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

**Finding:** The written statement provided by the applicant **(Attachment D)** indicates that this guideline is not applicable as the development is located on a parcel that is adjacent to the north of the creek parcel; therefore, not located along the creek bank.

Staff concurs with the findings included in the applicant's written statement.

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

**Finding:** The written statement provided by the applicant **(Attachment D)** indicates that the building's primary entries are oriented to the public sidewalks and plaza as required.

Staff concurs with the findings included in the applicant's written statement. The proposed building and the primary entries to both the post-acute rehabilitation facility space and the commercial tenant space are oriented to the street and easily accessible via the public plaza in front of the building adjacent to Commercial Street and Front Street. The proposed development conforms to this design guideline.

#### Parking (SRC 531.035(b)(2)(A)):

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

**Finding:** The written statement provided by the applicant **(Attachment D)** indicates that parking for the development has been predominantly located under and behind the buildings leading corner. The plaza and larger landscaping buffer provide further separation both physically and visually from the pedestrian sidewalk along both street frontages.

Staff concurs with the findings included in the applicant's written statement. Parking for the proposed development is a combination of surface parking spaces and spaces located under the proposed building on the ground floor. The proposed parking under the building is buffered from view from Commercial Street and the corner of Commercial Street and Front Street by the building and plaza area. The proposed surface parking areas are buffered from view from Front Street by a landscape buffer and proposed screening wall. The proposed development conforms to this design guideline.

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

**Finding:** The written statement provided by the applicant **(Attachment D)** indicates that this guideline is not applicable; however the street fronting structure does include commercial space along the street facing facades.

Staff concurs with the findings included in the applicant's written statement. SRC 111.080(c) defines "parking structure" as, "a structure, or portion thereof, that provides two or more levels of parking."

Though the proposed building includes parking located under the building on the ground floor it is not considered a parking structure because it does not include two or more levels of parking.

Though this design guideline is not applicable, the proposed development still provides ground floor commercial uses adjacent to Commercial Street and Front Street in order to create an active and engaging pedestrian environment and obscure the ground floor parking from the street.

#### Weather Protection (SRC 531.035(b)(3)(A)):

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

**Finding:** The written statement provided by the applicant **(Attachment D)** indicates that an awning is provided along the majority of the building's frontage on Commercial Street. The awning wraps around to the north façade of the commercial tenant space adjacent to the plaza. Awnings are also proposed along the western façade of the tenant space.

Staff concurs with the findings included in the applicant's written statement. The proposed development includes awnings for weather protection along the building's Commercial Street façade, adjacent to the proposed plaza, and along the northern and western facades of the proposed commercial tenant space. The proposed development conforms to this design guideline.

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

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

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

**Finding:** The subject property is not located along Riverfront Park. This design review guideline is therefore not applicable to the proposed development.

#### Building Shadows (SRC 531.035(c)(2)(A)):

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

**Finding:** The subject property is not located adjacent to Riverfront Park. This design review guideline is therefore not applicable to the proposed development.

#### D. SRC 531.035(d) Gateways

#### Corner Treatments (SRC 531.035(d)(1)(A)):

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

**Finding:** The written statement provided by the applicant **(Attachment D)** indicates that the building's northeastern corner has a prominent and defined mass that communicates it as the development's leading corner and gateway. The building's primary entries, commercial tenant space, and the plaza are included in the corner design. Larger glazing walls at each of the three stories and a prominent roof overhang provide an aesthetically strong visual identity to this gateway location. It is also indicated that a plaza with enhanced landscaping is proposed at the corner of Commercial and Front Streets to provide a gathering space as desired and that signage for the development will also be incorporated in this location.

Staff concurs with the findings included in the applicant's written statement. As identified by the applicant and illustrated by the site plan and building renderings, the proposed development includes prominent architectural elements that emphasize the corner of Commercial Street and Front Street. The proposal will include signage for the development at this location. The proposed development also includes a plaza in front of the building that incorporates special paving materials and landscape treatments. The proposed development conforms to this design guideline.

#### E. SRC 531.035(e) Pedestrian Connections

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

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

**Finding:** A 20-foot-wide access easement currently exists along the northern boundary of the property located immediately to the south of the subject property (Parcel 3 of Partition Plat No. 2015-33) for the purpose of promoting pedestrian connectivity along the north bank of Pringle Creek. This design review guideline is met.

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

**Finding:** The subject property is not located within the northwest portion of the site next to Riverfront Park. This design review guideline is therefore not applicable to the proposed development.

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

#### 10. CLASS 3 SITE PLAN REVIEW APPROVAL CRITERIA

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

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

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

**Finding:** The proposed development includes an approximate 42,242 square-foot, 52bed, post-acute rehabilitation facility, an approximate 1,512 square-foot commercial tenant space, and associated parking and vehicle circulation areas.

The subject property is designated "River Oriented Mixed-Use" on the Salem Area Comprehensive Plan Map and zoned SWMU (South Waterfront Mixed-Use). The allowed uses and applicable development standards of the SWMU zone are set forth under SRC Chapter 531.

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

#### SRC CHAPTER 531 (SWMU ZONE)

SRC 531.010(a) - Allowed Uses:

Allowed uses within the SWMU zone are identified under SRC 531.010(a), Table 531-1. The subject property is proposed to be developed as a 52-bed post-acute rehabilitation facility, together with a 1,512 square-foot commercial tenant space.

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

#### SRC 531.010(d) - Mix of Uses Required:

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

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

Analysis of the proposed development phasing for conformance with the applicable development phasing plan approval criteria contained under SRC 531.015(d) is included in Section 11 of this report. As identified by the findings included in that section, the proposed development phasing plan provides a mix of Household Living and non-Household Living Uses that exceeds the minimum mix of uses required under SRC 531.010(d).

#### SRC 531.015 - Development Phasing Plan:

The SWMU zone requires the approval of a development phasing plan when the required mix of uses for a development site will be met in phases. As previously discussed, the proposed development will meet the required mix of uses through a phasing plan that includes the Household Living uses that were developed in the initial phases of the development of the former Boise site on the south block. Analysis of the development phasing plan and findings establishing its conformance with the applicable development phasing plan approval criteria contained under SRC 531.015(d) are included in Section 11 of this report.

#### SRC 531.025(a) - Lot Standards:

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

#### SRC 531.025(b) - Setbacks:

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

Findings establishing how the proposed building conforms to the applicable design review guidelines of the SWMU zone regarding setbacks are established under Section 9 of this report.

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

Parking & Vehicle Use Area Setbacks			
Abutting Street			
Min. 6 ft. to 10 ft. ( <i>Per alternative setback</i> methods under SRC 806.035(c)(2))	Applicable Abutting Commercial Street & Front Street.		
Interior Side			
Min. 5 ft. with Type A Landscaping	<ul> <li>Applicable abutting:</li> <li>North property line between 295 Commercial Street and 235 Front Street;</li> <li>South property line abutting creek parcel.</li> </ul>		
Interior Rear	-		
Min. 5 ft. with Type A Landscaping	Applicable abutting west property line abutting railroad right-of-way.		
Adjacent to Building and Structures			
Min. 5 ft. (Developed as either a landscape strip with Type A Landscaping or a paved pedestrian walkway)	Applicable where a parking and vehicle use area is located adjacent to the perimeter of a building or structure.		

Because the proposed development includes not only the parking and vehicle use area for the post-acute rehabilitation facility and commercial tenant space at 295 Commercial Street SE, but also necessary improvements on the abutting property to the north at 235 Front Street SE to facilitate shared vehicular access between the two properties, the parking and vehicle use areas for both developments on the north block are being reviewed for conformance with setback requirements.

As illustrated on the site plan for the proposed post-acute rehabilitation facility and commercial space, and the development phasing plan for the associated site improvements on the abutting property to the north, the parking and vehicular uses areas on both properties meet or exceed the minimum 6-foot to 10-foot perimeter setback required abutting Commercial Street and Front Street, the minimum 5-foot interior side setback required abutting the south property line adjacent to the creek parcel, and the minimum 5-foot interior rear setback required abutting the railroad right-of-way.

The proposed parking and vehicle use areas do not, however, meet the minimum 5-foot interior side setback required on both sides of the property line between the two properties, or the minimum required 5-foot landscape strip/paved pedestrian pathway

required between the proposed southern driveway off Commercial Street SE and a portion of the ground floor exterior wall on the south side of the proposed post-acute rehabilitation facility building. A Class 2 Adjustment has been requested by the applicants to eliminate the required parking and vehicle use area setbacks for these areas of the proposed development. Analysis of the Class 2 Adjustment approval criteria are included in Section 12 of this report.

#### SRC 531.025(c) - Lot Coverage:

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

#### SRC 531.025(c) - Height:

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

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

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

#### **Off-Street Parking:**

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

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

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

Based on the above identified minimum and maximum off-street parking requirements, the proposed 52-bed post-acute rehabilitation facility and the 1,512 square-foot commercial space result in the following off-street parking requirement:

Off-S	Street Parking S	Summary	
Use	Minimum Spaces Req.	Maximum	Spaces Provided
Post-Acute Care	17	Spaces	Provided
Commercial Space	6		
Total:	23	40	77

As shown on the site plan for the proposed development, a total of 77 parking spaces are provided for the proposed post-acute rehabilitation facility and commercial space. The 77 parking spaces provided exceed the minimum 23 spaces required for the development but also exceed the maximum 40 spaces allowed.

Because the parking provided for the development exceeds maximum parking requirements, the applicant has requested a Class 2 Adjustment to allow the proposed development to exceed maximum parking requirements. Analysis of the Class 2 Adjustment request and findings demonstrating conformance with the Class 2 Adjustment approval criteria are included in Section 12 of this report.

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

The proposed development includes a total of 10 compact parking spaces. The 10 compact parking spaces proposed equal approximately 13 percent of the overall 77 spaces provided; therefore not exceeding the maximum 75 percent limit.

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

Parking Area Interior Landscaping. SRC 806.035(d) establishes interior landscaping requirements for parking areas greater than 5,000 square feet in size. Because the proposed development includes not only the parking area for the proposed post-acute care facility and commercial tenant space at 295 Commercial Street SE, but also necessary site improvements on the abutting property to the north at 235 Front Street SE to allow for joint access between the two properties, the parking areas and vehicle use areas on both properties are being reviewed for conformance with the parking area interior landscaping requirements of SRC Chapter 806.

As indicated on the site plan for the post-acute care facility and retail space, the proposed surface parking area located outside of the proposed garage for this portion of the development totals approximately 14,585 square feet; the proposed future parking area for the abutting property to the north totals approximately 29,335 square feet. Pursuant to SRC 806.035(d)(2), Table 806-5, parking areas less than 50,000 square feet in size are required to provide a minimum of 5 percent interior landscaping.

Summary of Parking Area Interior Landscaping			
Property Location	Parking Area Size	Interior Landscaping Required	Interior Landscaping Provided
295 Commercial Street	14,585 ft. <sup>2</sup>	729 ft. <sup>2</sup>	3,576 ft. <sup>2</sup>
235 Front Street	29,335 ft. <sup>2</sup>	1,467 ft. <sup>2</sup>	2,730 ft. <sup>2</sup>

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

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

In addition to requiring a specific percentage of the area of an off-street parking area to be landscaped, SRC 806.035(d)(3) requires a minimum of 1 deciduous shade tree to be planted within the off-street parking area for every 12 parking spaces provided. As indicated on the site plan for the development, the proposed post-acute rehabilitation facility and commercial space includes a total of 58 surface parking spaces located outside of the garage area. Based on the minimum tree planting requirement of 1 tree for every 12 parking spaces, the proposed parking area is required to include a minimum of 5 trees. As shown on the landscaping plan for the proposed development, 14 trees are provided which exceeds the parking area tree planting requirements of SRC 806.035(d)(3).

#### Bicycle Parking:

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

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

Based on the above identified minimum bicycle parking requirements, the proposed 52bed post-acute rehabilitation facility and the 1,512 square-foot commercial space result in the following bicycle parking requirement:

Bicycl	e Parking Summ	ary
Portion of Development Site	Minimum Spaces Req.	Spaces Provided
Post-Acute Care	2	Spaces Fronded
Commercial Space	4	
Total:	6	6

As shown on the site plan for the proposed development and summarized in the table above, a total of 6 bicycle parking spaces are provided for the development; therefore, satisfying minimum bicycle parking requirements.

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

The 6 proposed bicycle parking spaces provided within the development are located to the west of ground floor portion of the post-acute rehabilitation facility. These spaces are located within approximately 35 feet of the main primary entrance of the post-acute care facility, but are located beyond 50 feet from the primary entrance to the proposed

> commercial tenant space and are not clearly visible from either primary building entrances. In order to ensure that the bicycle parking spaces provided for the proposed development comply with the bicycle parking location requirements of SRC 806.060(a), the following conditions of approval are recommended:

- **Condition 1:** The bicycle parking spaces required to meet the minimum bicycle parking requirement for the commercial tenant space shall be relocated to be in proximity to and visible from the primary entrance of the commercial tenant space in conformance with the requirements of SRC 806.060(a).
- **Condition 2:** The bicycle parking spaces required to meet the minimum bicycle parking requirement for the post-acute rehabilitation facility shall be relocated to be in proximity to and visible from the primary building entrance of post-acute rehabilitation facility in conformance with the requirements of SRC 806.060(a).

<u>Bicycle Parking Access.</u> SRC 806.060(b) requires bicycle parking areas to have direct and accessible access to the public right-of-way and the primary building entrance. The bicycle parking spaces, as currently proposed, are located in an area with direct access to Front Street and the primary entrances of the building via a paved walk along the western perimeter of the ground floor portions of the building adjacent to Commercial and Front Streets. However, based on recommended Conditions 1 and 2 above, the bicycle parking spaces will need to be relocated. In order to ensure that the relocated bicycle parking spaces will continue to conform to the bicycle parking access requirements of SRC 806.060(b), the following condition of approval is recommended:

**Condition 3:** All relocated bicycle parking spaces shall maintain conformance with the bicycle parking access requirements of SRC 806.060(b).

<u>Bicycle Parking Dimensions.</u> SRC 806.060(c) requires bicycle parking spaces to be a minimum of 2 feet in width by 6 feet in depth, and served by a minimum 4-foot-wide access aisle. The bicycle parking spaces shown on the proposed site plan conform to the minimum depth requirement of 6 feet and the minimum aisle width requirement of 4 feet, but they do not, however, conform to the minimum width requirement of 2 feet. In order to ensure that the proposed spaces conform to the bicycle parking dimension requirements of SRC 806.060(c), the following condition of approval is recommended:

**Condition 4:** All bicycle parking spaces shall conform to the bicycle parking dimension requirements of SRC 806.060(c).

#### Loading:

Minimum loading requirements are established under SRC Chapter 806, Table 806-9. The minimum loading requirement for the proposed development is as follows:

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

Based on the above identified minimum off-street loading requirements, the proposed development requires a minimum of 1 off-street loading space. As shown on the site plan for the proposed development, an off-street loading space is provided under the

building that is located to the west of the of the ground floor portions of the building adjacent to Commercial and Front Streets.

The loading space conforms to the minimum required width of 12 feet and the minimum required depth of 30 feet. As shown on the elevations drawings for the proposed building, vertical clearance under the building exceeds 14 feet in height; therefore the proposed loading space also conforms to the minimum required height of 14 feet.

#### SRC 800.055 (SOLID WASTE SERICE AREAS)

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

As shown on the site plan for the proposed development, an uncovered trash recycling area to serve the proposed development is located on the western half of the site behind the proposed building. The trash/recycling area is enclosed by a minimum 6-foot-tall wall, has an interior dimension within the enclosure of approximately 17 feet in width by 14 feet in depth, is free of vertical obstructions above the receptacles, and includes an unobstructed vehicle operation area that is 16 feet in width by 45 feet in length.

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

**Condition 5:** The trash/recycling area shall conform to the solid waste service area standards of SRC 800.055.

Comments from the Public Works Department (Attachment E) indicate that because the trash/recycling area is uncovered it is also subject to Administrative Rule 109-012 Appendix D which requires a Trash Area Management Plan. In order to ensure the proposed trash/recycling area conforms to this requirement, the following condition of approval is recommended:

**Condition 6:** Provide a Trash Area Management Plan pursuant to Administrative Rule 109-012 Appendix D.

#### SRC CHAPTER 808 (PRESERVATION OF TREES & VEGETATION)

The City's tree preservation ordinance (SRC Chapter 808) protects Heritage Trees, Significant Trees (including Oregon White Oaks with diameter-at-breast-height of 24 inches or greater), trees and native vegetation in riparian corridors, and trees on lots and parcels greater than 20,000 square feet. The tree preservation ordinance defines "tree" as, "any living woody plant that grows to 15 feet or more in height, typically with one main stem called a trunk, which is 10 inches or more dbh, and possesses an upright arrangement of branches and leaves."

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

development. Removal of any trees from within the right-of-way of public streets is subject to the requirements of SRC Chapter 86.

#### SRC CHAPTER 809 (WETLANDS):

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

#### SRC CHAPTER 810 (LANDSLIDE HAZARDS)

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

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

**Finding:** The subject property abuts Commercial Street SE and Front Street SE. Commercial Street is designated as a major arterial street within the City's Transportation System Plan (TSP) requiring a 68-foot-wide improvement within a 96foot-wide right-of-way. Commercial Street is currently improved to an approximate width of 59 feet within a 96-foot-wide right-of-way adjacent to the subject property.

Front Street is designated as a parkway street within the TSP requiring a 44-foot-wide improvement within a 70-foot-wide right of way. Front Street is currently improved to an approximate width of 44 feet within a 70-foot wide right-of-way adjacent to the subject property. Because Front Street is also a State Highway, it is under the jurisdiction of the Oregon Department of Transportation.

As indicated in the comments from the Public Works Department (Attachment E), Front Street meets the right-of-way width and pavement width standards per the Salem TSP; Commercial Street SE was recently improved to meet an alternative adequate width street standard per SRC 803.065. This criterion is met.

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

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

The existing driveway access onto Commercial Street SE provides for safe turning movements into and the property. The proposed drive approach onto Front Street represents a consolidation of two existing approaches into a single approach and will provide for safe turning movements into and out of the property. The access onto Front Street SE is within the jurisdiction of the Oregon Department of Transportation and access will be granted through a separate permit from the Oregon Department of Transportation.

In order to ensure safe pedestrian and vehicle access along Commercial Street and Front Street, the following condition of approval is recommended:

**Condition 7:** Replace existing sidewalks along the frontage of Commercial Street SE and Front Street SE where they do not conform to the Public Works Design Standards and close all unused driveways.

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

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

**Finding:** The Public Works Department has reviewed the applicant's preliminary utility plan for the proposed development. Water, sewer, and stormwater infrastructure are available within surrounding streets / areas and 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 Public Works Design Standards (PWDS) and to the satisfaction of the Public Works Director. The applicant is advised that a sewer monitoring manhole may be required, and the trash area shall be designed in compliance with Public Works Standards.

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. The applicant's engineer shall design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and the PWDS.

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

#### 11. SMWU ZONE DEVELOPMENT PHASING PLAN APPROVAL CRITERIA

Salem Revised Code (SRC) 531.015(d) sets forth the following criteria that must be met before approval can be granted to a SWMU Zone Development Phasing Plan. The following subsections are organized with approval criteria shown in **bold italic**, followed by findings evaluating the proposed development's conformance with the criteria. Lack of compliance with the following criteria is grounds for denial of the SWMU Zone Development Phasing Plan, or for the issuance of certain conditions to ensure the criteria are met.

# (1) The plan provides for a mix of uses, as required under SRC 531.010(d). If a size range for uses was provided, the plan demonstrates that the square footages of uses prescribed by the range meet the minimum mix of uses required under SRC 531.010(d).

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

As provided under 531.015(a), when the required mix of uses will be met in phases, a development phasing plan is required. Pursuant to SRC Chapter 400 (Use

Classifications), both the post-acute rehabilitation facility and the commercial tenant space included within the proposed development are classified as uses other than Household Living. In order to fulfill the Household Living portion of the mix of uses required for development within the SWMU zone, a development phasing plan (Attachment B) has been submitted in conjunction with the proposed development that includes the post-acute rehabilitation facility and commercial tenant space proposed for the portion of the former Boise Cascade site located at 295 Commercial Street SE, as well as the remaining portions of the Boise site that have been developed and those to be developed in the future.

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

		Proposed Mix o	of Uses		
		Household Living Uses		Non-Household Living Uses	
	Total Square Footage	Household Living Square Footage	Percentage	Non- Household Living Square Footage	Percentage
South Block Apartments Phase 1	152,226	139,461		12,765	
South Block Apartments Phase 2	72,386	72,386		0	
Marquis	43,754	0		43,754	
Park Front	23,070	0		23,070	
Totals:	291,436	211,847	72.7%	79,589	27.3%

As identified by the above table, the resulting mix of Household Living and Non-Household Living uses that will be developed under the proposed phasing plan equals approximately 73 percent Household Living and approximately 27 percent Non-Household living. The proposed development phasing plan achieves the minimum required 15 percent/15 percent mix required under SRC 531.010(d) and therefore conforms to this approval criterion.

#### (2) The plan demonstrates that parking, landscaping, on-site circulation, and other onsite improvements can be provided in manner allowing them to function both independently for each phase and cohesively as a whole following complete build out of the development site.

**Finding:** The south block of the former Boise Cascade site is developed and functions independently from the development proposed on the north block due to the separation of the sites by Pringle Creek. The southern portion of north block of the former Boise site will be developed with a post-acute rehabilitation facility and commercial tenant space and the northern portion of the north block will be developed with a 4-story office building. Due to the smaller size and configuration of the two parcels which comprise the north block and access limitations to Front Street, the two developments on the north block will share access and on-site circulation as well as stormwater management facilities. The proposed post-acute rehabilitation facility and commercial tenant space, along with the necessary improvements on the abutting property to the north to facilitate shared access and stormwater management, are the subject of this consolidated land use application review. A consolidated design review, site plan review, and development phasing plan

have also been submitted for the proposed office building on the north end of the north block. That application is scheduled for a public hearing before the Planning Commission on October 18, 2016.

As shown on the development phasing plan, the parking, landscaping, on-site circulation, and other on-site improvements for both developments are being provided in a manner that will allow them to function both independently for each phase and cohesively as a whole following complete buildout of the site. The proposed development phasing plan conforms to this approval criterion.

#### (3) The plan appears to be consistent with the applicable provisions of this Chapter.

**Finding:** The south block of the former Boise Cascade site is developed and was reviewed for conformance with the provisions of the SWMU zone as part of the design review and site plan approvals required for development of that portion of the site. The two developments proposed for the north block are currently in review for conformance with the applicable requirements of the SWMU zone.

As identified by the findings included in this report, the proposed post-acute rehabilitation facility and commercial tenant space, as recommended to be conditioned, conform to the applicable design review requirements and development standards of the SWMU zone. The proposed office building at the north end of north block is also currently under review and appears to be consistent with the applicable provisions of the SWMU zone. The proposed development phasing plan conforms to this approval criterion.

## (4) The plan demonstrates that adequate City infrastructure and public utilities can be provided to serve the project for each phase and following complete build out of the development site.

**Finding:** As indicated in the comments provided by the Public Works Department **(Attachment E)**, water, sewer, and storm infrastructure are available within surrounding streets/areas and appear to be adequate to serve the development. The proposed development phasing plan conforms to this approval criterion.

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

#### 12. CLASS 2 ADJUSTMENT APPROVAL CRITERIA

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

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

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

- a) A proposed increase to the maximum number of off-street parking spaces allowed for the development from 40 spaces, as required under SRC 806.015(d), to a maximum of 77 spaces;
- b) A proposed elimination of the minimum 5-foot parking and vehicle use area setback required, pursuant to SRC 806.035(c)(3), on both sides of the property line between the two properties located 295 Commercial Street SE and 235 Front Street SE; and
- c) A proposed elimination of the minimum 5-foot-wide landscape strip or 5-foot-wide paved pedestrian walkway required, pursuant to SRC 806.035(c)(4), between the proposed southern driveway off Commercial Street SE and a portion of the ground floor exterior wall on the south side of the proposed building.

<u>Maximum Off-Street Parking.</u> The written statement provided by the applicant (Attachment D) indicates that the proposed adjustment to increase the maximum number off-street parking spaces allowed for the proposed development is necessary because the parking ratio for nursing care under SRC Chapter 806 is inadequate and not appropriate for post-acute rehabilitation facilities because it does not properly take into consideration adequate parking for staff and visitors.

It is explained that the developer, Marquis Companies, operates a number of post-acute rehabilitation and senior care related properties throughout the northwest and that their experience as an owner and operator provides an accurate picture of parking demands for these types of facilities.

In addition, it is indicated that the State licensing agency, DHS, provides regulatory staffing requirements based on facility type and number of patient or resident beds. It is explained that based on the size of the proposed facility the number of staff for the peak shift is 65. Due to the required staffing and the increase demand on parking during shift changes we have determined that this development could potentially fill 87 parking spaces between the coffee shop, visitors and staff during a shift change; however the likelihood that there would be a true need for 87 spaces for that transition period is extremely remote given the timing of the shift change. As a result Marquis is confident that the proposed 77 spaces will adequately serve their parking needs.

Staff concurs with the findings included within the applicant's written statement. The purpose of establishing a requirement limiting the maximum number of off-street parking spaces allowed within a development is to ensure the efficient utilization of land and the minimization of the amount of unnecessary and/or underutilized impervious surfaces. The proposed adjustment requested by the applicant seeks to increase the maximum number of spaces allowed for the proposed development by 37 spaces from 40 to 77. As indicated in the applicant's written statement and demonstrated in the applicant's supporting staffing documentation and the traffic and parking analysis provided by DKS Associates, the proposed increase to the maximum parking is warranted and is the minimum necessary to accommodate the development.

Because, as demonstrated by the applicant, the 77 parking spaces proposed for the development are the minimum needed to adequately serve the proposed development, the number of spaces proposed under the adjustment do not represent an excess of unnecessary parking that maximum parking limitations are established to address. As such, the 77 parking spaces proposed under the adjustment equally meet the underlying purpose of the maximum parking limitation by limiting parking to only the number of spaces that are reasonably necessary to accommodate the function of the use. The proposed adjustment conforms to this criterion.

Parking Setbacks Abutting Interior Side Property Line. The written statement provided by the applicant (Attachment D) indicates that the parking areas for the Marguis and Park Front developments will be accessed from an entrance drive on Commercial Street SE and from a driveway that allows right-in and right-out only maneuvering off of Front Street SE. The applicant explains that the off-street parking for the Marquis development and the Park Front office building share access/egress as well as drive aisle circulation. The applicant indicates that due to site constraints on both properties, providing a 5-foot landscape strip on either or both sides of the property lines is problematic and reduces the ability for either development to provide effective and safe parking areas for their respective projects. It is explained that the intent of interior yard setbacks is to provide a visual buffer designed to separate and protect incompatible uses. Marguis' proposal and the Park Front office building are not incompatible uses, they are both commercial in nature and complement one another. They will share access and egress through a joint access agreement. It is explained that allowing flexibility with the setback between the abutting properties at this location allows for larger landscape setbacks to the public rightof-way and the elimination of dead end drive aisles is achieved. This provides a more pedestrian oriented development and safer parking lot design, which are goals set forth in the SWMU Design Review Guidelines.

Staff concurs with the findings included in the applicant's written statement. Because the two developments will share on-site access and circulation, providing a landscape strip between the parking areas of the two developments would act to encumber the shared access between them. While the requested adjustment eliminates the landscaping required between the parking areas, what is lost in landscaping between the two properties is made up for with additional landscaping along Front Street; thereby equally meeting one of the purposes underlying this standard by providing sufficient landscaping within the off-street parking area. The proposed adjustment conforms to this criterion.

Landscape Strip/Pedestrian Pathway between Vehicle Use Area and Building. The written statement provided by the applicant (Attachment D) indicates that relief to the 5-foot landscape building setback where parking and vehicle use areas are adjacent to the building is requested where the Commercial Street SE driveway is proposed. It is explained that due to programing requirements within the building and site constraints a minimal portion of the building, approximately 19.5 feet, will be adjacent to the entrance driveway. This façade of the building has neither entrances, nor are there pedestrian paths crossing this specific vehicle use area. It is indicated that this driveway is for access only, with one way traffic flow onto the site. It is explained that building setbacks are provided as needed for the balance of the structure and there is the 5 foot landscape setback to the south of the drive aisle as required.

Staff concurs with the findings included in the applicant's written statement. The requested adjustment affects only a small portion of the proposed building. Landscape strips and pedestrian paths provided around the remaining portions of the proposed building provide sufficient landscaping and pedestrian connectivity to fulfill the purpose underlying the standard proposed for adjustment. The proposed adjustment conforms to this criterion.

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

**Finding:** The subject property is zoned SWMU (South Waterfront Mixed-Use) and located in the downtown adjacent to Riverfront Park and the CB (Central Business District) zone.

Because the subject property is not located within a residential zone, and because it's located in an area characterized predominantly as commercial rather than residential, this approval criterion is not applicable to the proposed development.

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

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

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

The proposed adjustment to eliminate the 5-foot parking area setback required on both sides of the property line between the two properties allows both the Marquis development and the Park Front development to more effectively function with shared access and on-site circulation in an area where street access is limited due to the size and configuration of the properties and their proximity to a State highway. The proposed development also compensates for the loss of landscaping between the two properties by providing additional landscape areas along the right-of-way of Front Street to buffer the proposed parking area from the street and help to promote a more attractive and inviting pedestrian environment along the street as intended by the SWMU Zone.

The proposed adjustment to eliminate the 5-foot-wide landscape strip/pedestrian path required between the driveway off Commercial Street and a portion of southern perimeter wall of the post-acute care facility allows for a slight increase in the amount of building frontage occupying the area of the site adjacent to Commercial Street which is consistent with the design guidelines of the SWMU zone which require buildings to create well defined "edges" to the public realm by minimizing setbacks from the street right-of-way. By allowing for an increase in the amount of building frontage adjacent to Commercial Street, the adjustment also helps to further obscure the view of the ground floor parking spaces under the building from Commercial Street.

The proposed adjustment to increase the maximum number of spaces allowed for the proposed development from 40 to 77 is the minimum amount necessary to adequately meet the parking needs of the proposed development on a constrained site. In order to minimize the visual effect of the proposed parking, many of the spaces have been placed under the building and behind ground floor uses other than parking which front Commercial Street and the corner of Commercial Street/Front Street.

The requested adjustments are the minimum necessary and will provide a consistent and cohesive development that will benefit the Pringle Square campus, area streets and roadways, and the community as a whole. The proposed development conforms to this approval criterion.

#### CONCLUSION

Based on the facts and findings presented herein, staff concludes that the proposed Class 3 Design Review, Class 3 Site Plan Review, SWMU Zone Development Phasing Plan, and Class 2 Adjustment, as conditioned, satisfy the applicable criteria contained under SRC 225.005(e)(2), SRC 220.005(f)(3), SRC 531.015(d), and SRC 250.005(d)(2) for approval.

#### RECOMMENDATION

Staff recommends that the Planning Commission adopt the facts and findings of the staff report and take the following action for the subject property located at 295 Commercial Street SE and 235 Front Street SE (Marion County Assessor Map and Tax Lot Numbers: 073W27BA03100 & 073W27BA03102):

- A. APPROVE the Class 3 Design Review for the proposed development.
- B. **APPROVE** the Class 3 Site Plan Review for the proposed development, subject to the following conditions of approval:
  - **Condition 1:** The bicycle parking spaces required to meet the minimum bicycle parking requirement for the commercial tenant space shall be relocated to be in proximity to and visible from the primary entrance of the commercial tenant space in conformance with the requirements of SRC 806.060(a).
  - **Condition 2:** The bicycle parking spaces required to meet the minimum bicycle parking requirement for the post-acute rehabilitation facility shall be relocated to be in proximity to and visible from the primary building entrance of post-acute rehabilitation facility in conformance with the requirements of SRC 806.060(a).
  - **Condition 3:** All relocated bicycle parking spaces shall maintain conformance with the bicycle parking access requirements of SRC 806.060(b).
  - **Condition 4:** All bicycle parking spaces shall conform to the bicycle parking dimension requirements of SRC 806.060(c).
  - **Condition 5:** The trash/recycling area shall conform to the solid waste service area standards of SRC 800.055.
  - **Condition 6:** Provide a Trash Area Management Plan pursuant to Administrative Rule 109-012 Appendix D.
  - **Condition 7:** Replace existing sidewalks along the frontage of Commercial Street SE and Front Street SE where they do not conform to the Public Works Design Standards and close all unused driveways.
- C. **APPROVE** the South Waterfront Mixed Use Zone Development Phasing Plan to allow the mix of Household Living and Non-Household Living uses required for a development site under the South Waterfront Mixed-Use (SWMU) zone to be met in phases.
- D. APPROVE the Class 2 Adjustment to:
  - a) Increase the maximum number of off-street parking spaces allowed for the proposed development from 40 spaces, as required under SRC 806.015(d), to a maximum of 77 spaces;

- b) Eliminate the minimum 5-foot parking and vehicle use area setback required, pursuant to SRC 806.035(c)(3), on both sides of the property line between the two properties located 295 Commercial Street SE and 235 Front Street SE; and
- c) Eliminate the minimum 5-foot-wide landscape strip or 5-foot-wide paved pedestrian walkway required, pursuant to SRC 806.035(c)(4), between the proposed southern driveway off Commercial Street SE and a portion of the ground floor exterior wall on the south side of the proposed building.

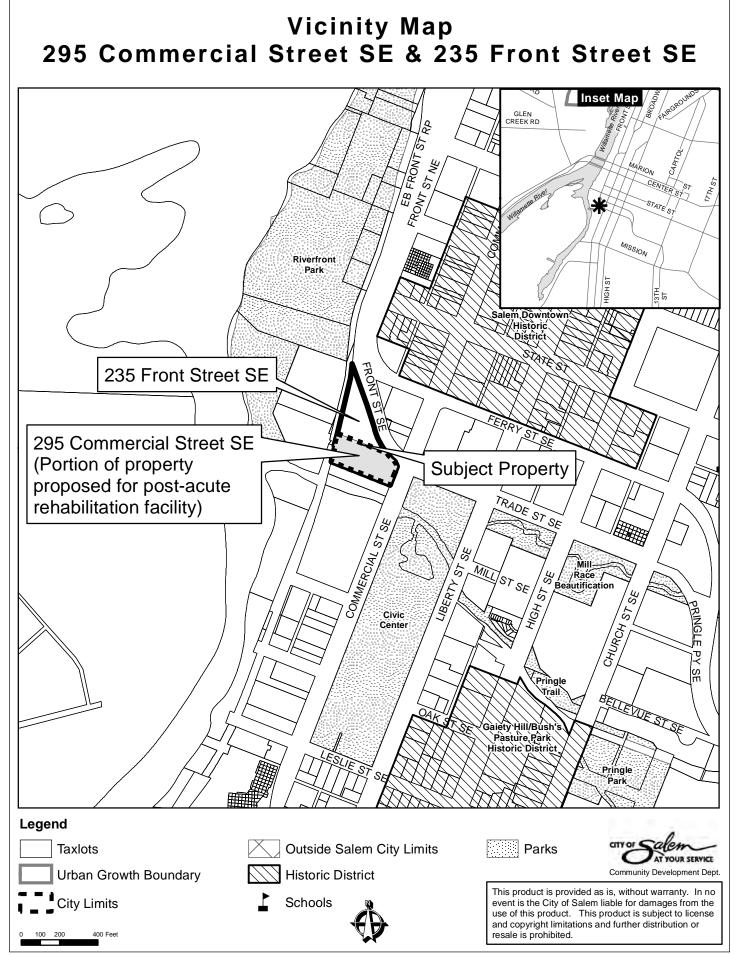
#### Attachments: A. Vicinity Map

- B. Applicant's Development Phasing Plan
- C. Applicant's Plans (site plans, building elevations, and renderings)
- D. Applicant's Written Statement
- E. Public Works Department Comments
- F. Comments from Oregon Department of Transportation (ODOT)
- G. Comments from ODOT Rail & Public Transit Division

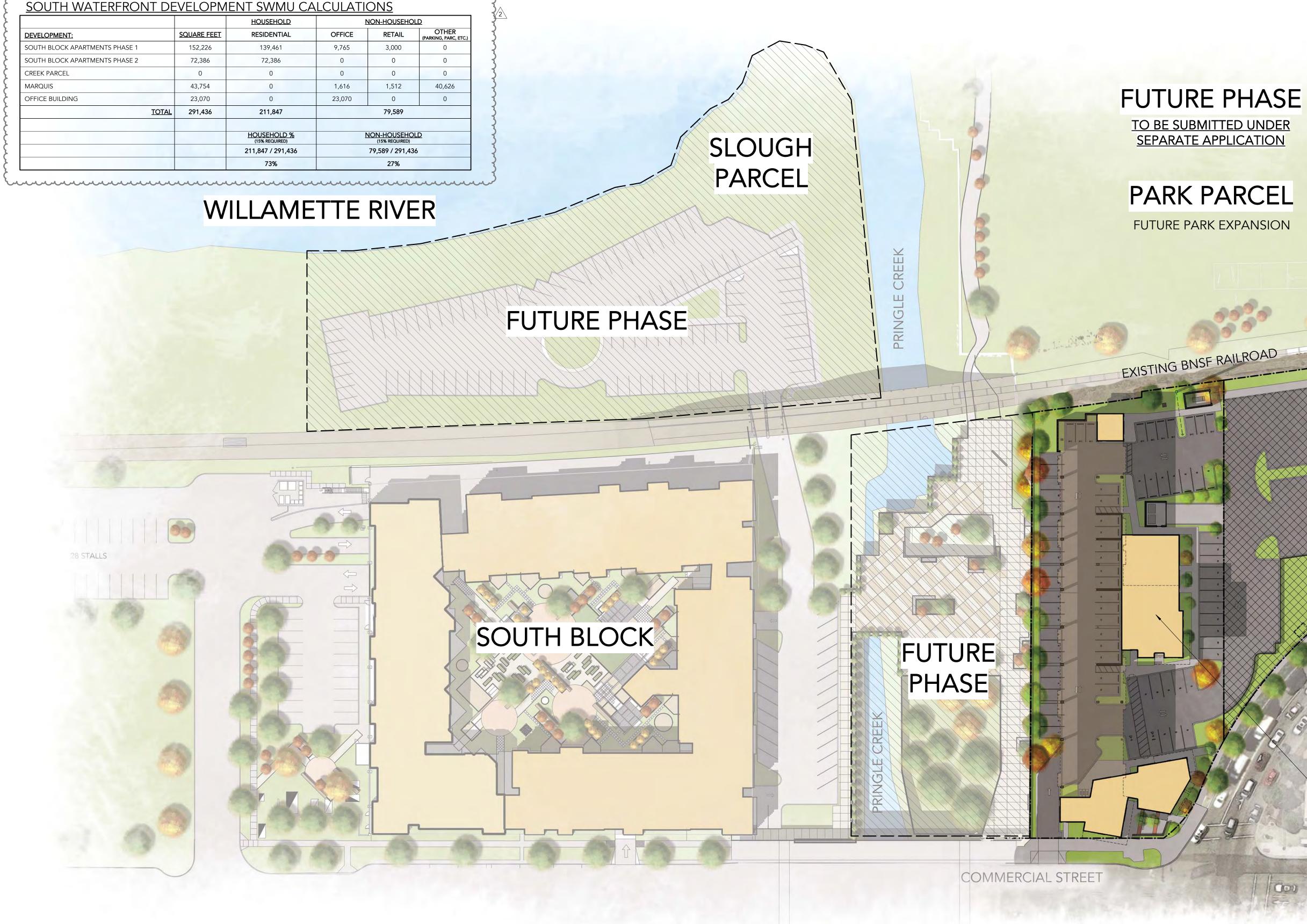
Prepared by Bryce Bishop, Planner II

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### **Attachment A**



G:\CD\PLANNING\Bryce\Current Planning\Boise\North Block\2016\Marquis (North Block South Half)\Updated Vicinity Map.mxd - 9/23/2016 @ 2:29:11 PM



SWMU DEVELOPMENT PHASING



MARQUIS - NORTH BLOCK SALEM, OREGON 2016/04/08

A-8 SWMU ZONE DEVELOPMENT PHASING

**REVISIONS** :

DELTA	
1	PLANNI
2	PLANNI

# Attachment B

## AREA OF WORK ASSOCIATED WITH POST ACUTE REHABILITATION FACILITY

WORK LIMITED TO: STORM WATER SYSTEM, DRIVE ENTRY, PAVING ASSOCIATED WITH SITE ACCESS.

AREA OF WORK POST ACUTE REHABILITATION FACILITY





DESCRIPTION	REVISION DATE
REVISIONS	2016/06/27
REVISIONS 2	2016/09/12

### FUTURE OFFICE BUILDING NOT IN SCOPE; UNDER SEPARATE PERMIT

## RIGHT IN / RIGHT OUT DRIVEWAY

## RECIPROCAL ACCESS EASEMENT IN PLACE FOR BOTH PARTIES

AREA OF WORK ASSOCIATED WITH POST ACUTE REHABILITATION FACILITY

<sup>-</sup>PARKING LOT & SPACE STRIPING ON ADJACENT PROPERTY NOT IN SCOPE. UNDER SEPARATE PERMIT

PRELIMINARY OVERALL SITE PLAN

EXISTING TRAIN TRACKS

PROPERTY LINE







2016/04/08

A-1 OVERALL NORTH BLOCK SITE PLAN

**REVISIONS** :

DELTA	
	PLANNING
2	PLANNING

# Attachment C

## MARQUIS NORTH BLOCK

SHEET INDEX # NAME

### ARCHITECTURAL & LANDSCAPE

/ 11 \(O			
A-1	OVERALL NORTH BLOCK SITE PLAN		
A-2 ENLARGED SITE PLAN			
A-3 EXTERIOR ELEVATIONS & MATERIALS			
A-4 EXTERIOR ELEVATIONS			
A-5 RENDERING			
A-5b	RENDERING		
A-6	LANDSCAPE PLAN		
A-7	LANDSCAPE MATERIAL		
A-8	SWMU ZONE DEVELOPMENT PHASING		
A-9	GROUND FLOOR PLAN		
A-10	SECOND FLOOR PLAN		
A-11	THIRD FLOOR PLAN		
A-12	SITE ELEMENTS		
A-13	SITE PLAN AREA CALCULATIONS		
	A-1 A-2 A-3 A-4 A-5 A-5b A-5b A-5b A-6 A-7 A-8 A-9 A-10 A-11 A-12		

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COMMERCIAL

A-2

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1	COVER SHEET
2	EXISTING CONDITIONS PLAN AND DEMOLITION PLAN
3	SITE PLAN
4	COMPOSITE UTILITY PLAN
5	GRADING PLAN
6	LIMITS OF GREENWAY

- PUBLIC PLAZA

## MAIN STREET ENTRY

RIGHT IN ONLY DRIVEWAY



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DESCRIPTION	REVISION DATE		
REVISIONS	2016/06/27		
REVISIONS 2	2016/09/12		



### PROJECT INFORMATION

PROJECT DESCRIPTION: 52 BED POST ACUTE REHABILITATION FACILITY WITH STREET FRONT TENANT SPACE. BUILDING IS APPROXIMATELY 43,754 SQ.FT.

### CONTACT INFORMATION

APPLICANT: SALEM LTC PROPERTIES, LLC / MARQUIS COMPANIES INC. 4560 SE INTERNATIONAL WAY SUITE 100 MILWAUKIE, OR 97222

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

	ZONING:		
	SWMU (SOUTH WATERFRONT MIXED USE)		
	PARCEL SIZE:		
	+/- 49,416 S.F. = (1.13 ACRES)		
	BUILDING SIZE:		
Ś	COMMERICAL RETAIL	+/- 1,512 S.F.	$\frac{1}{1}$
g	POST ACUTE REHAB	+/- 42,242 S.F.	<u>/2</u>
ß	TOTAL GROSS BUILDING	+/- 43,754 S.F.	ß
	MAXIMUM HEIGHT (PER TABLE 531-4):		
	MAX ALLOWABLE HEIGHT = NO MAX		
	PROPOSED BUILDING MAX HEIGHT = 49'-0"		
	MAXIMUM LOT COVERAGE (PER TABLE 531-4):		
	MAX ALLOWABLE COVERAGE = NO MAX		
Ś	BUILDING FOOTPRINT AT GROUND LEVEL:		
R	+/- 7,697 S.F.	15.6% OF SITE AREA	2
ğ	LANDSCAPED AREA AT GROUND LEVEL:		B
8	+/- 9,301 S.F.	18.8% OF SITE AREA	B
Ś	IMPERVIOUS AREA AT GROUND LEVEL:		ß
J	+/- 32,418 S.F.	65.6% OF SITE AREA	ß



2016/04/08

OFF-STREET PARKING AREA: (PER 806.035(d)(2))	+/- 14,585 S.F.
AREA OF INTERIOR LANDSCAPING REQUIRED : (PER 806.035(d)(2))	+/- 14,585 S.F. x 0.05 = 729.25 S.F.
<i>(</i>	
AREA OF INTERIOR LANDSCAPING PROVIDED : (PER 806.035(d)(2))	+/- 3,576 S.F.
	+/- 3,576 S.F. > 729.25 S.F. = <u>OK</u>

OFF STREET PARKING (PER TABLE 806-1)			
<u>USE:</u>	RATIO:	<u>S</u>	TALLS R
SKILLED CARE	1:3 BEDS	52	BEDS =
TENANT SPACE	1: 250 S.F.	1,51	2 S.F. =
TOTAL MINIMUM STALLS I	REQUIRED:		
TOTAL STALLS PROVIDED:	:		
BREAKDOWN:			
FULL SIZE STALLS:			(
COMPACT STALLS:			
ADA STALLS:			
BICYCLE PARKING (PER TA	ABLE 806-8)		
<u>USE:</u>	<u>RATIO:</u>		<u>ST</u>
SKILLED CARE	1:30 BEDS		52 BE
TENANT SPACE	GREATER C 4 SPACES C 1 :1,000 S.F	OR	4 SPA
TOTAL SPACES REQUIRED	:		6 SPA
TOTAL SPACES PROVIDED	):		6 SPA

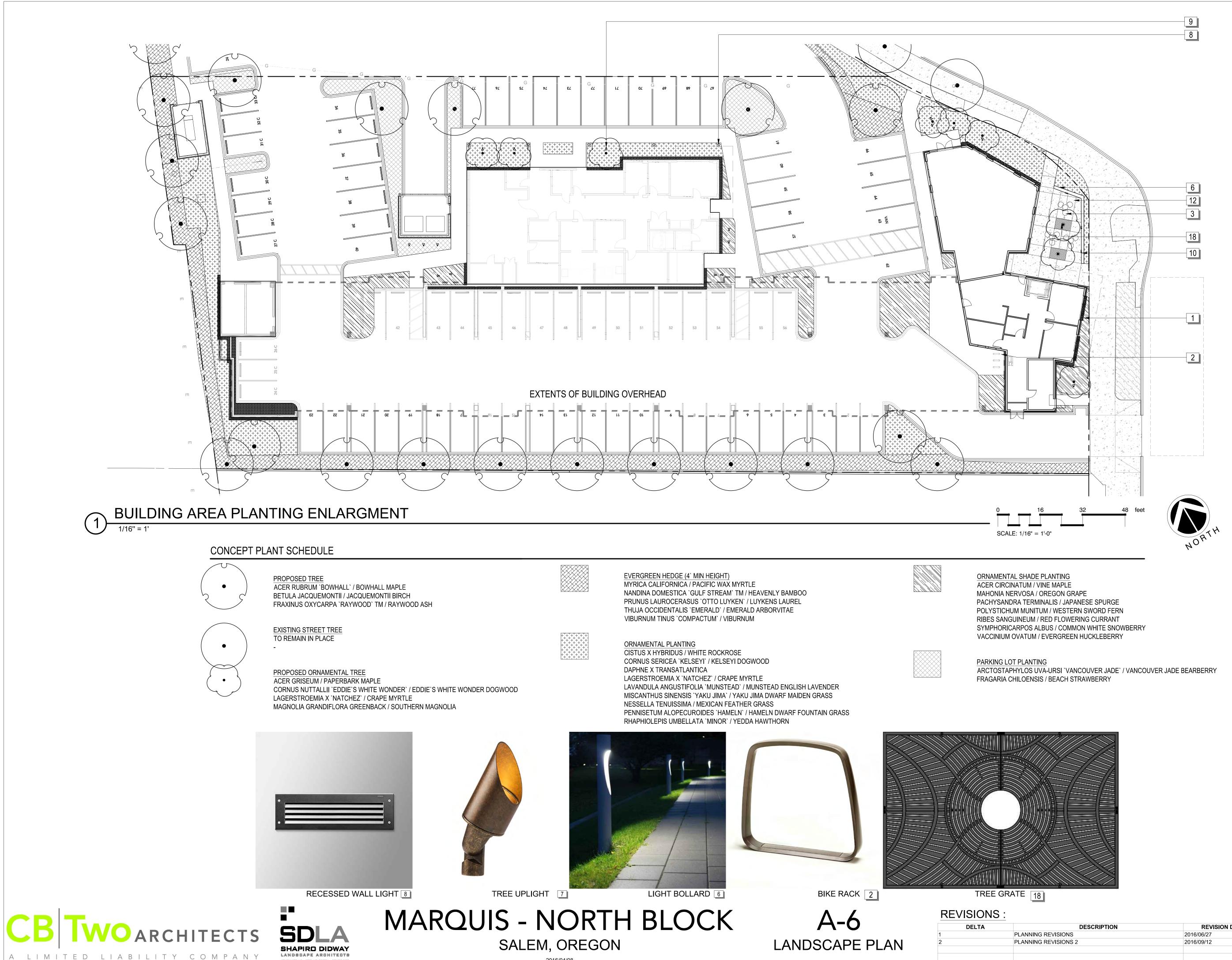


A-2 ENLARGED SITE PLAN

DELTA	DESCRIPTION	REVISION DATE
1	PLANNING REVISIONS	2016/06/27
2	PLANNING REVISIONS 2	2016/09/12

MARQUIS

COMPANIES



2016/04/08



### REFERENCE NOTES SCHEDULE

SYMBOL DESCRIPTION

- GRAVEL MAINTENANCE STRIP. SEE DETAIL 1/L200
- 2 BIKE RACK. PER ARCHITECT.
- 3 SITE FURNISHINGS, PER OWNER. SHOWN FOR REFERENCE ONLY
- 6 MASONRY SCREENING WALL WITH BRICK VENEER. SEE DETAIL 6/L200
- 8 BOLLARD LIGHTING. SEE DETAIL 3/L200
- 9 LED UPLIGHTING. SEE DETAIL 9/L200
- 10 RECESSED LED WALL LIGHT. SEE DETAIL 10/L200
- 12 PLAZA CONCRETE PAVING - MEDIUM WASH FINISH. SEE DETAIL 2/L200
- 18 4`X4` TREE GRATE, FLUSH WITH PAVEMENT, ADA ACCESIBLE. SEE DETIAL 8/L200

### GENERAL SITE NOTES:

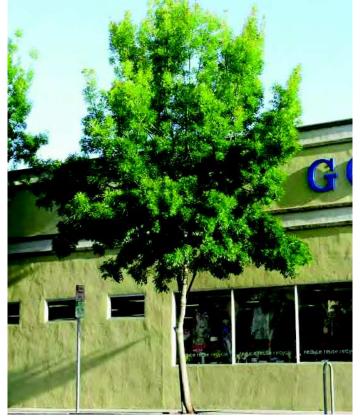
- A. ALL WORK WITHIN THE PUBLIC RIGHT OF WAY UNDER SEPARATE PERMIT. SHOWN FOR REFERENCE ONLY. REFER TO APPROVED PBOT RIGHT OF WAY DRAWINGS PRIOR TO CONSTRUCTION.
- B. REFERENCE CIVIL AND ARCHITECTURAL DRAWINGS FOR ADDITIONAL SITEWORK INFORMATION.
- C. ALL LANDSCAPE BEDS TO BE IRRIGATED WITH AN AUTOMATIC IRRIGATION SYSTEM.

DESCRIPTION	REVISION DATE
G REVISIONS	2016/06/27
G REVISIONS 2	2016/09/12





CRAPE MYRTLE



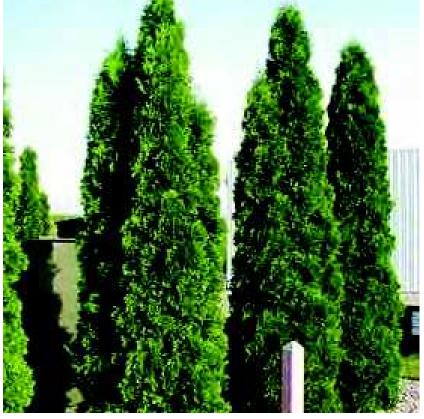
RAYWOOD ASH



**KELSI DOGWOOD** 



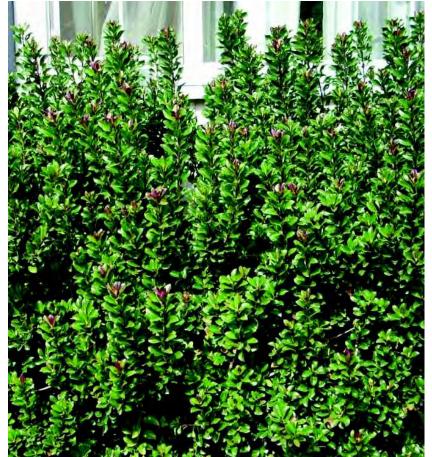
EDDIES WHITE WONDER DOGWOOD



EMERALD GREEN ARBORVITAE



CALIFORNIA WAX MYRTLE



DWARF YEDDO HAWTHORN



BOXLEAF HONEYSUCKLE







2016/04/08

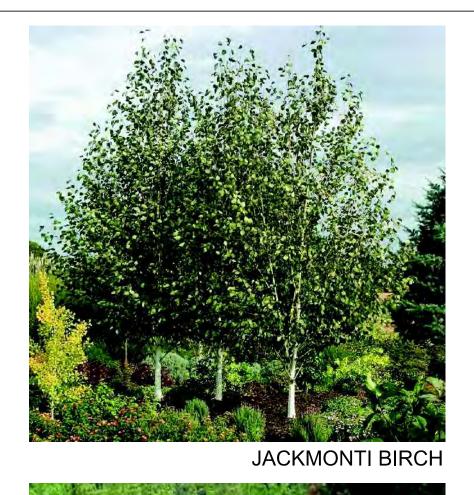














OTTO LUYKEN LAUREL



MUSTEAD LAVANDAR



KARLEY ROSE FOUNTAIN GRASS



GREEN BACK MAGNOLIA



LAURUSTINUS



EVERGREEN HUCKLEBERRY



COASTAL STRAWBERRY

LANDSCAPE MATERIAL

**A-7** 

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REVISIONS.			
DELTA	DESCRIPTION	REVISION DATE	

RED MAPLE

**BLUE GIRL HOLLY** 

CREEPING OREGON GRAPE

DWARF MAIDEN GRASS



JAPANESE MAPLE



ETERNAL FRAGRANCE DAPHNE

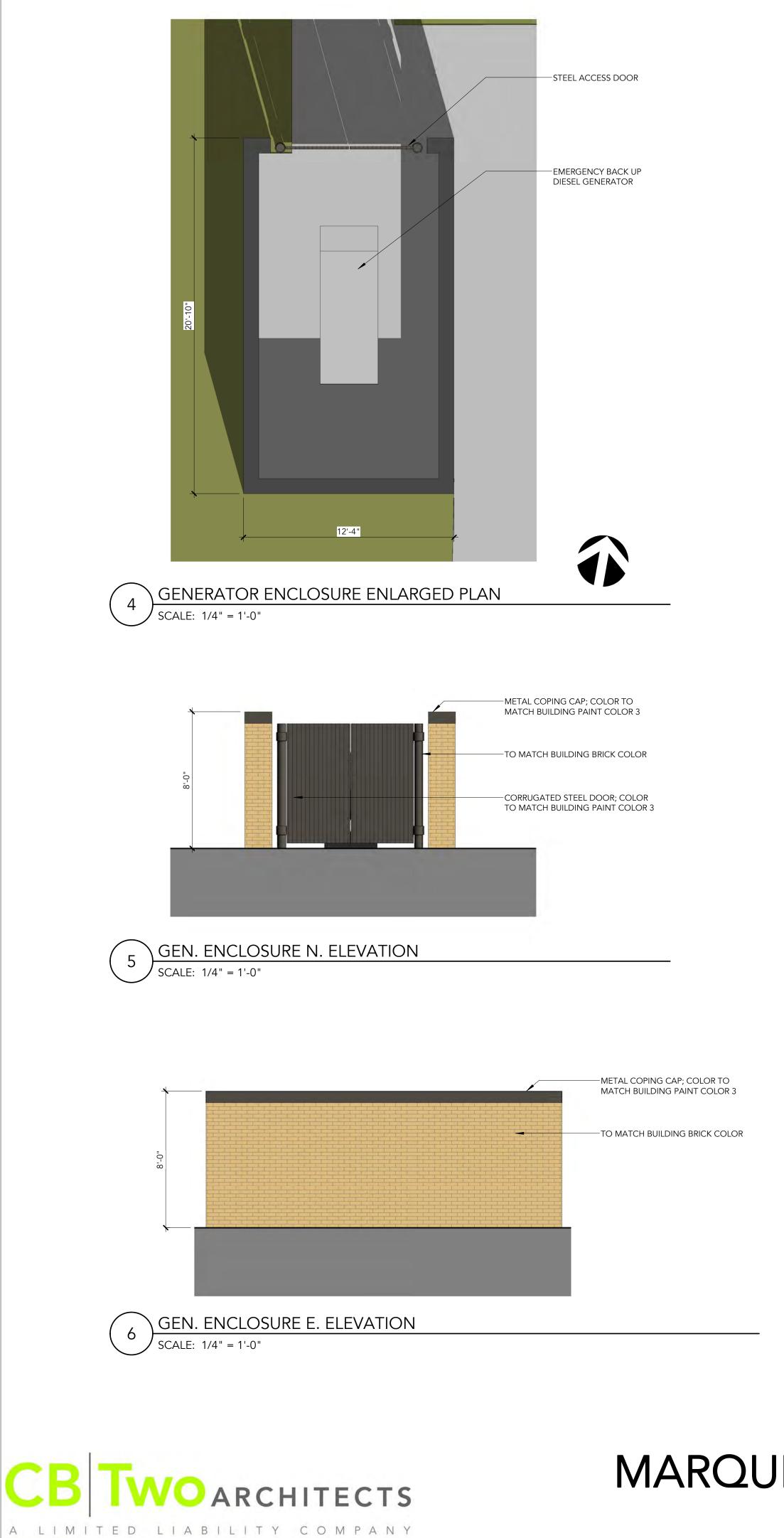


ROCKROSE

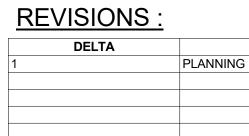


DWARF FOUNTAIN GRASS



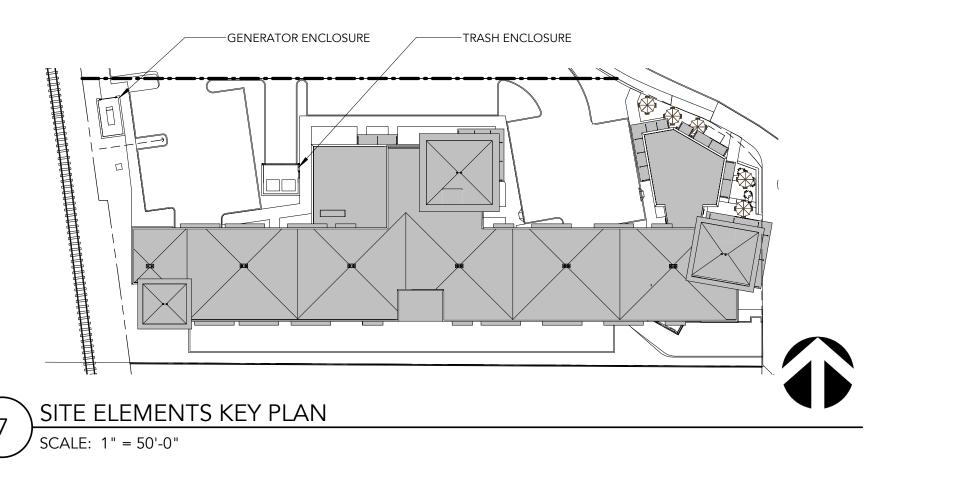






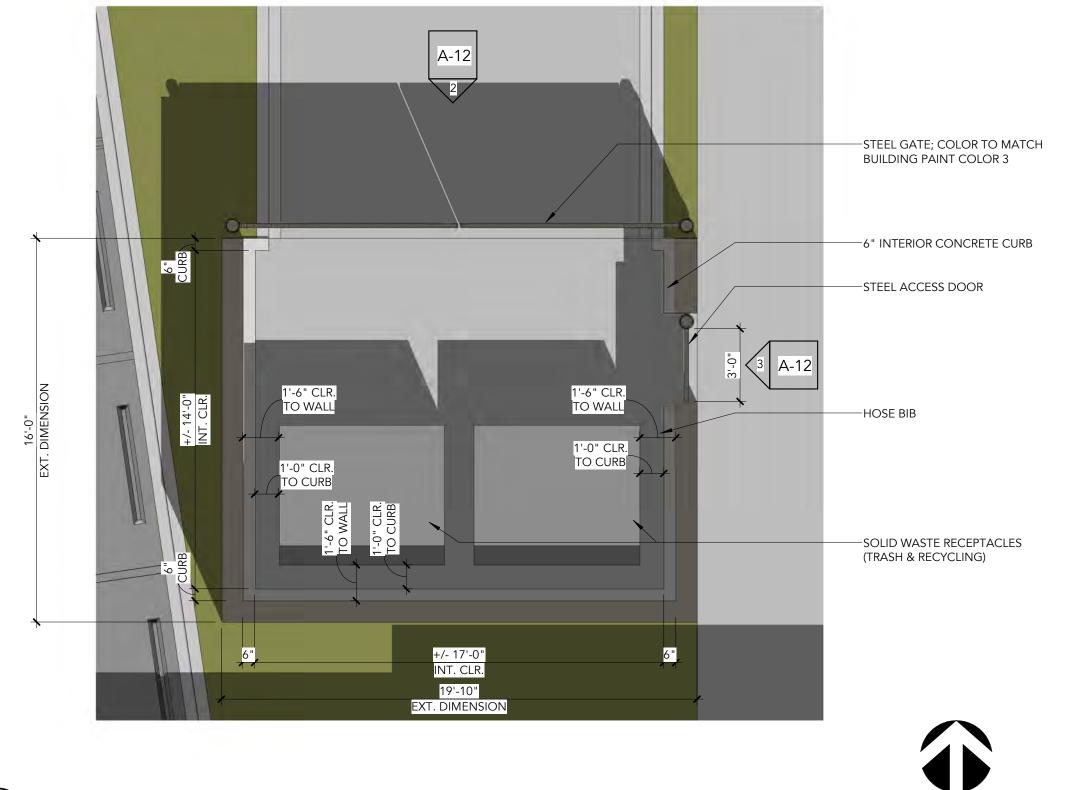
SCALE: 1/4" = 1'-0"

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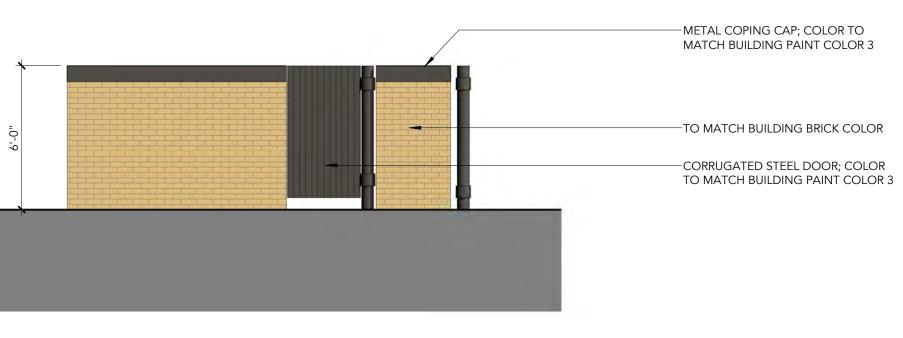








## TRASH ENCLOSURE ENLARGED PLAN



### TRASH ENCLOSURE EAST ELEVATION

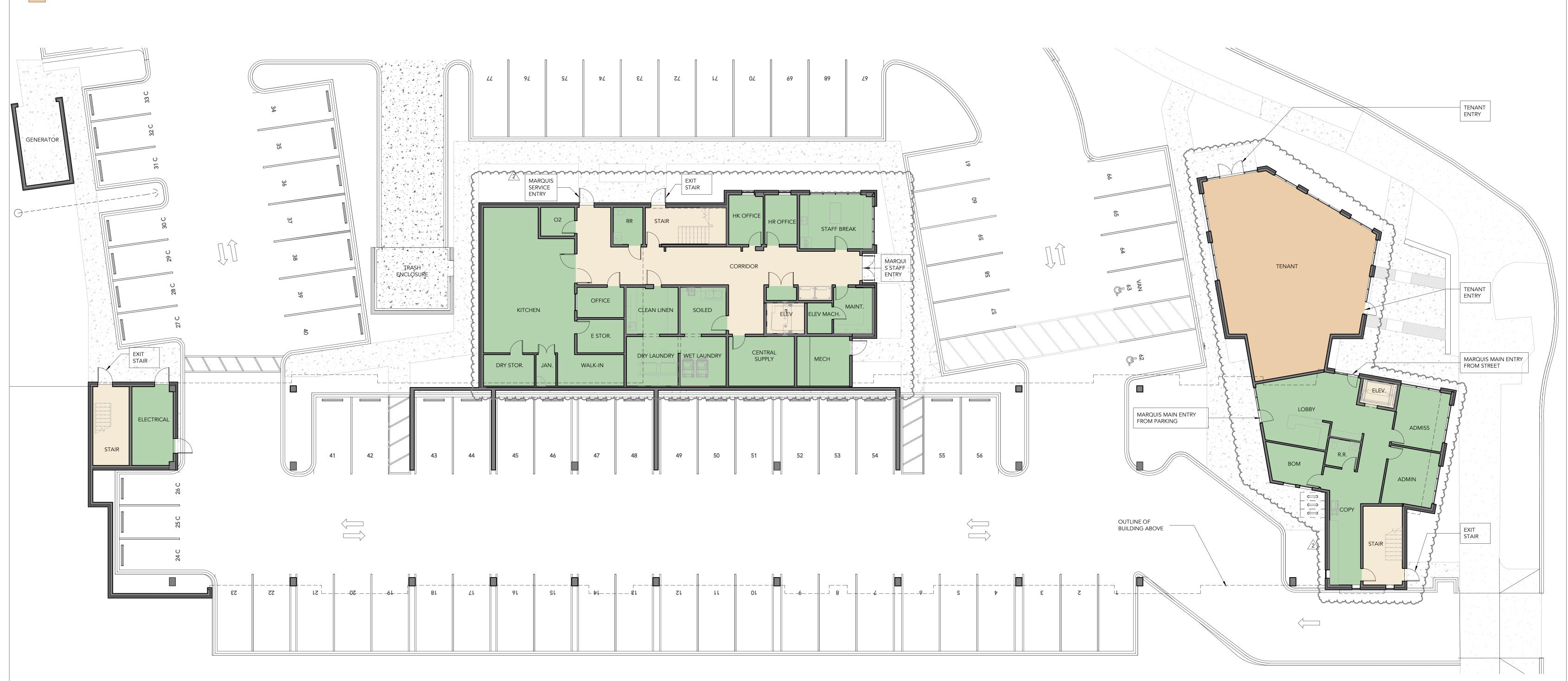
DESCRIPTION	REVISION DATE
REVISIONS	2016/06/27



# SPACE USE LEGEND

CIRCULATION STAFF / SUPPORT

TENANT SPACE



OVERALL FIRST FLOOR PLAN SCALE: 3/32" = 1'-0"







**REVISIONS** : DELTA

PLANNING

PLANNING



DESCRIPTION	REVISION DATE
S REVISIONS	2016/06/27
REVISIONS 2	2016/09/12

## SPACE USE LEGEND

ACTIVITY / DINING CIRCULATION RESIDENT UNIT

STAFF / SUPPORT



SECOND FLOOR REFERENCE PLAN PLANNING SCALE: 3/32" = 1'-0"





## **REVISIONS** : DELTA

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PLANNING PLANNING



DESCRIPTION	REVISION DATE
G REVISIONS	2016/06/27
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	/

## SPACE USE LEGEND

ACTIVITY / DINING CIRCULATION RESIDENT UNIT

STAFF / SUPPORT



OVERALL THIRD FLOOR PLAN SCALE: 3/32" = 1'-0"



MARQUIS - NORTH BLOCK SALEM, OREGON A-11 THIRD FLOOR PLAN

 REVISIONS :

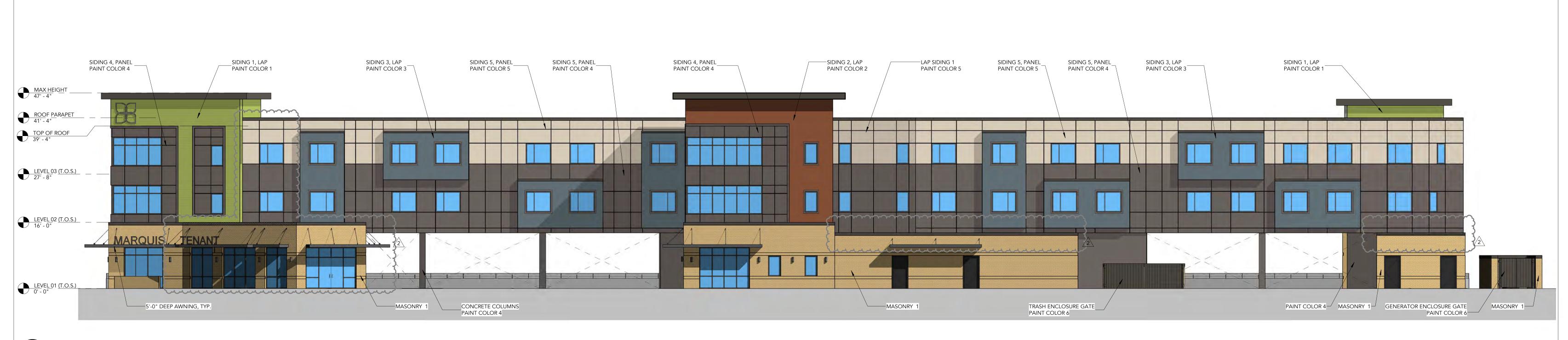
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DESCRIPTION	REVISION DATE
G REVISIONS	2016/06/27
G REVISIONS 2	2016/09/12







## SIDING 1, LAP:

MFR: STYLE: COLOR:

JAMES HARDIE LAP SIDING 6" EXPOSURE PAINT COLOR 1



PAINT COLOR 1: MFR: SHERWIN WILLIAMS COLOR: SW 6402 ANTIQUITY



SIDING 2, LAP: MFR: STYLE:

JAMES HARDIE LAP SIDING 6" EXPOSURE COLOR: PAINT COLOR 2

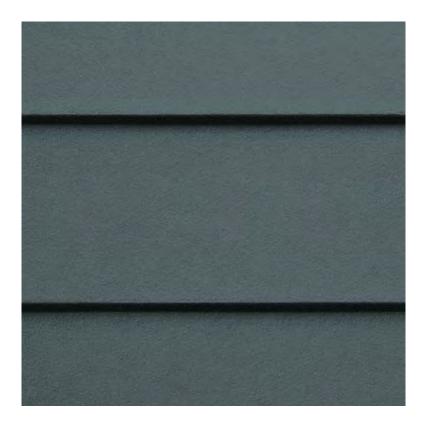


PAINT COLOR 2: MFR: COLOR:

SHERWIN WILLIAMS SW 2803 ROOKWOOD TERRA COTTA







## SIDING 3, LAP:

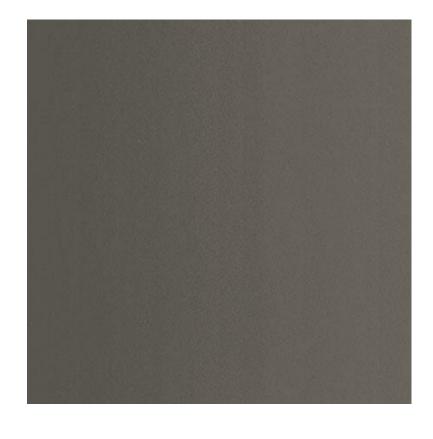
MFR: STYLE: COLOR:

JAMES HARDIE LAP SIDING 6" EXPOSURE PAINT COLOR 2



PAINT COLOR 3: MFR: SHERWIN WILLIAMS COLOR: SW 7624 SLATE TILE

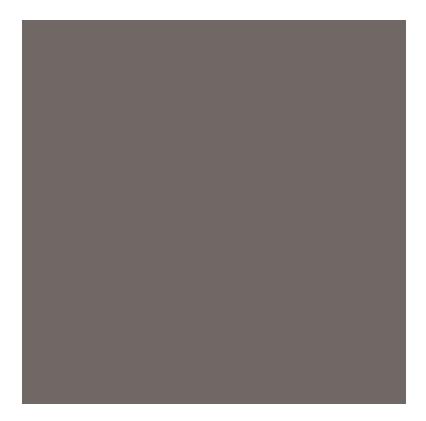




### SIDING 4, PANEL: MFR:

STYLE: COLOR:

JAMES HARDIE HARDIE PANEL PAINT COLOR 3



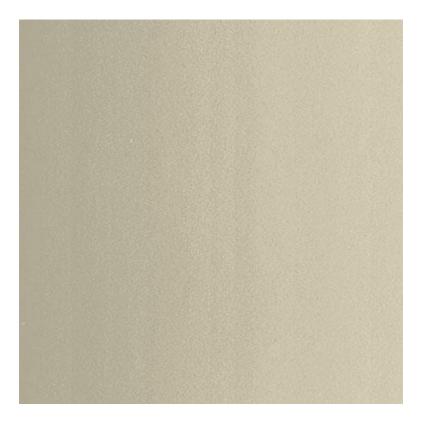
PAINT COLOR 4: MFR: SHERWIN WILLIAMS COLOR: SW 6005 FOLKSTONE

# MARQUIS - NORTH BLOCK SALEM, OREGON 2016/04/08

A-3 **EXTERIOR ELEVATIONS** & MATERIALS

### **REVISIONS** :

DELTA	
1	PLANNING
2	PLANNING



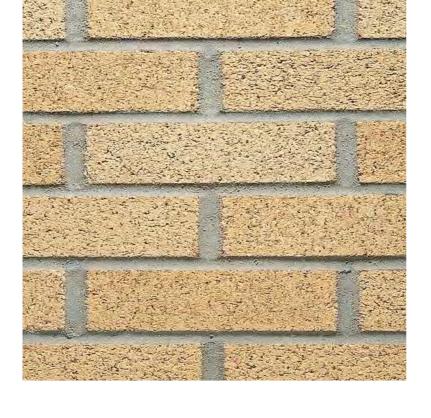
## SIDING 5, PANEL:

MFR: STYLE: COLOR: HARDIE PANEL

PAINT COLOR 5:

MFR: SHERWIN WILLIAMS COLOR: SW 7565 OYSTER BAR

JAMES HARDIE PAINT COLOR 3



MFR: COLOR: FINISH: SMOOTH

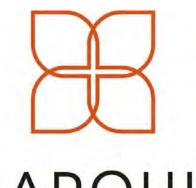
MASONRY 1: MUTUAL MATERIALS WHEAT



PAINT COLOR 6:

MFR: COLOR:

SHERWIN WILLIAMS SW 7048 URBANE BRONZE



DESCRIPTION **REVISION DATE** G REVISIONS 2016/06/27 G REVISIONS 2 2016/09/12

MARQUIS COMPANIES





2016/04/08



DESCRIPTION	REVISION DATE
PLANNING REVISIONS	2016/06/27
PLANNING REVISIONS 2	2016/09/12

**REVISIONS** :

DELTA

A-4

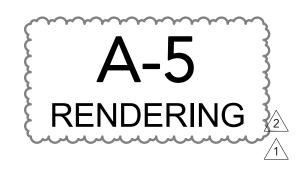
EXTERIOR ELEVATIONS











REVISIONS : DELTA

LANNIN

PLANNING

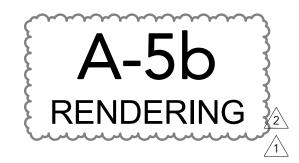


DESCRIPTION	REVISION DATE
REVISIONS	2016/06/27
REVISIONS 2	2016/09/12









REVISIONS : Delta

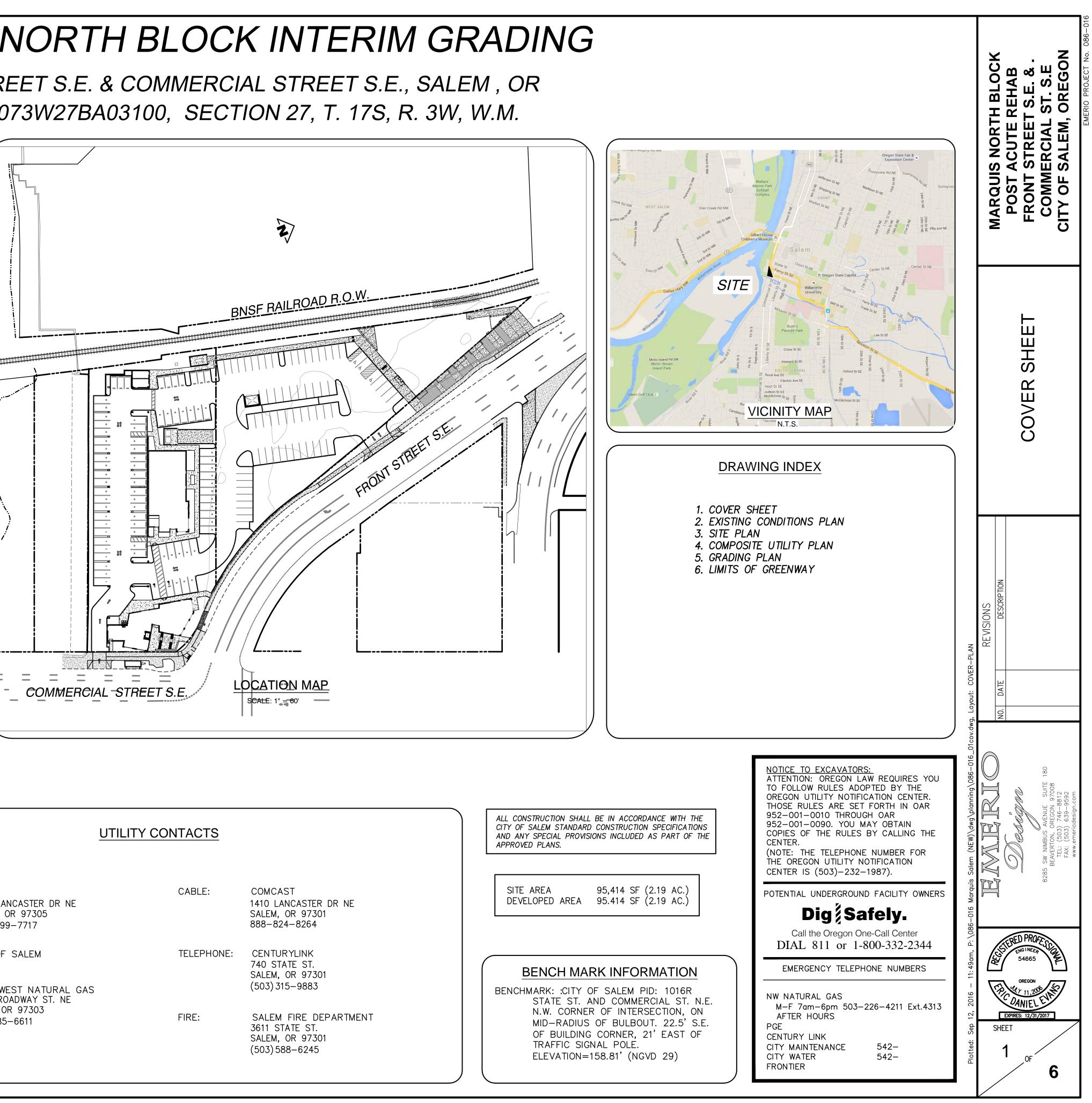
DELTA	DESCRIPTION	REVISION DATE
1	PLANNING REVISIONS	2016/06/27
2	PLANNING REVISIONS 2	2016/09/12



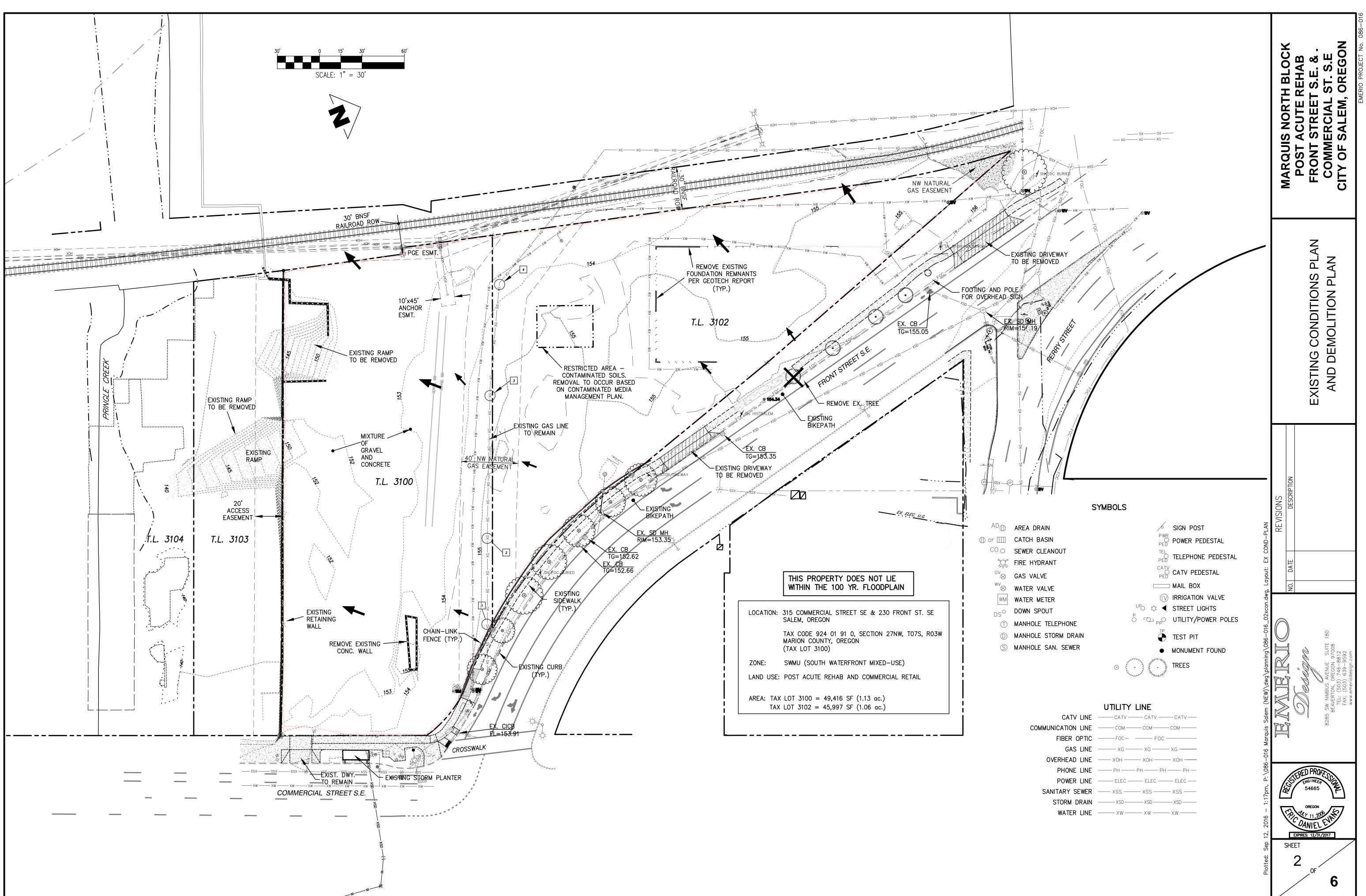
	MARQUI	S N
	FRONT S TAX LC	_
AD       AREA DRAIN         Image: Construction of the state of the s	LEGEND         EXPRIENCE         CATV_LINE       CATV_CATV_CATV_CATV_CATV_CATV_CATV_CATV_	
<ul> <li>IRRIGATION VALVE</li> <li>□ ↔ ← STREET LIGHTS</li> <li>○ ↔ → PP</li> <li>UTILITY/POWER POLES</li> <li>ITEST PIT</li> <li>MONUMENT FOUND</li> <li>TREES</li> </ul>	PROPOSED UTILITY LINES/STRUCTURES         Image: SD	

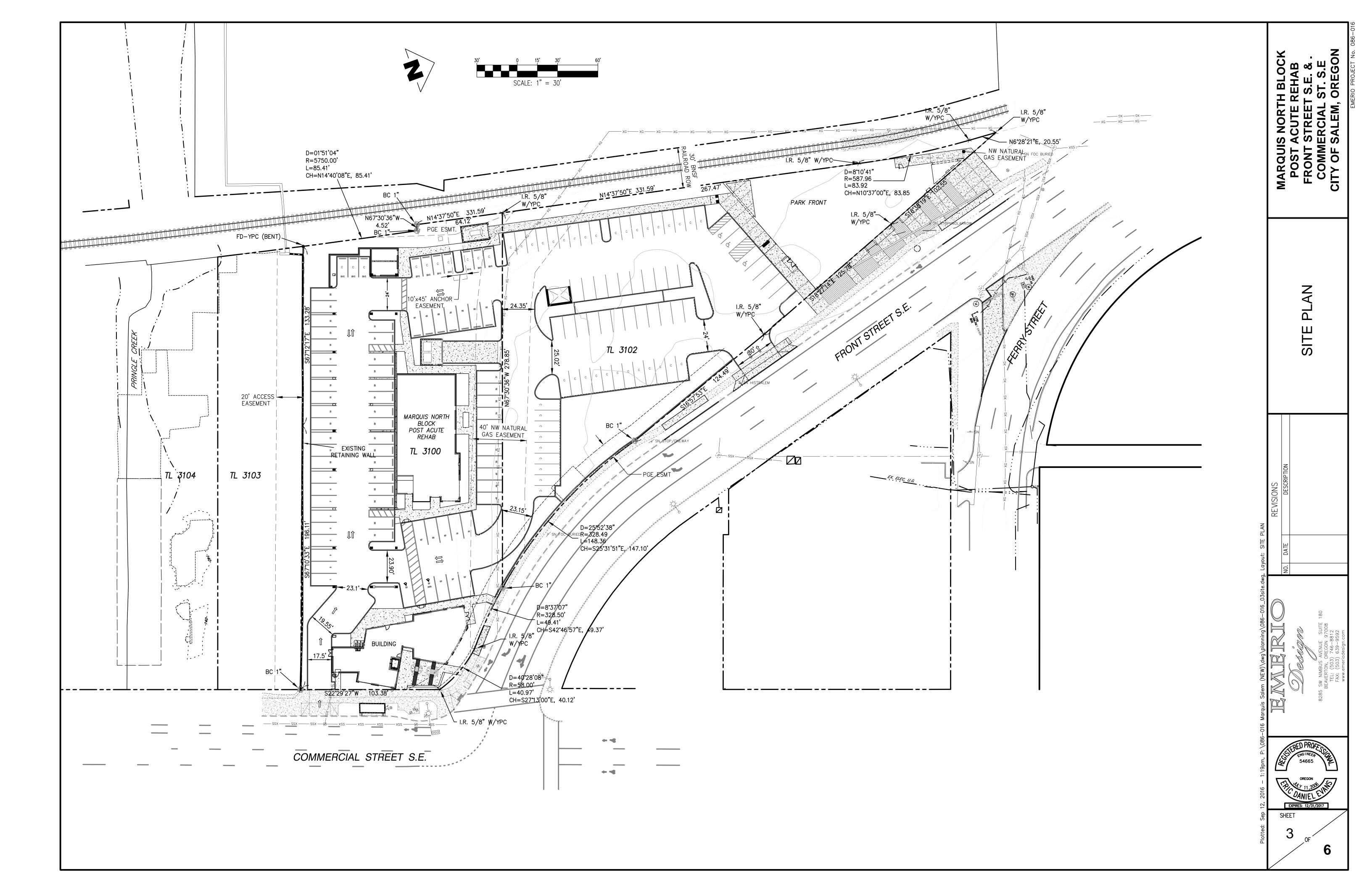
P	ROJECT CONTACTS	$\backslash$		
OWNER:	SALEM LTC PROPERTIES LLC 4560 SE INTERNATIONAL WAY SUITE 100 MILWAUKIE, OREGON 97222			
APPLICANT:	MARQUIS COMPANIES, INC. 4560 SE INTERNATIONAL WAY SUITE 100 MILWAUKIE, OREGON 97222 ATTN: SCOTT MILLER		POWER:	PGE 3304 LAN( SALEM, OF (503)399-
ENGINEER:	EMERIO DESIGN 6107 SW MURRAY BLVD., SUITE 147		WATER:	CITY OF S
	BEAVERTON, OREGON 97008 ATTN: ERIC EVANS (503) 853—1910 (P)		GAS:	NORTHWES 3123 BROA SALEM, OR (503)585–
SURVEYOR:	EMERIO DESIGN 6107 SW MURRAY BLVD., SUITE 147 BEAVERTON, OREGON 97008			

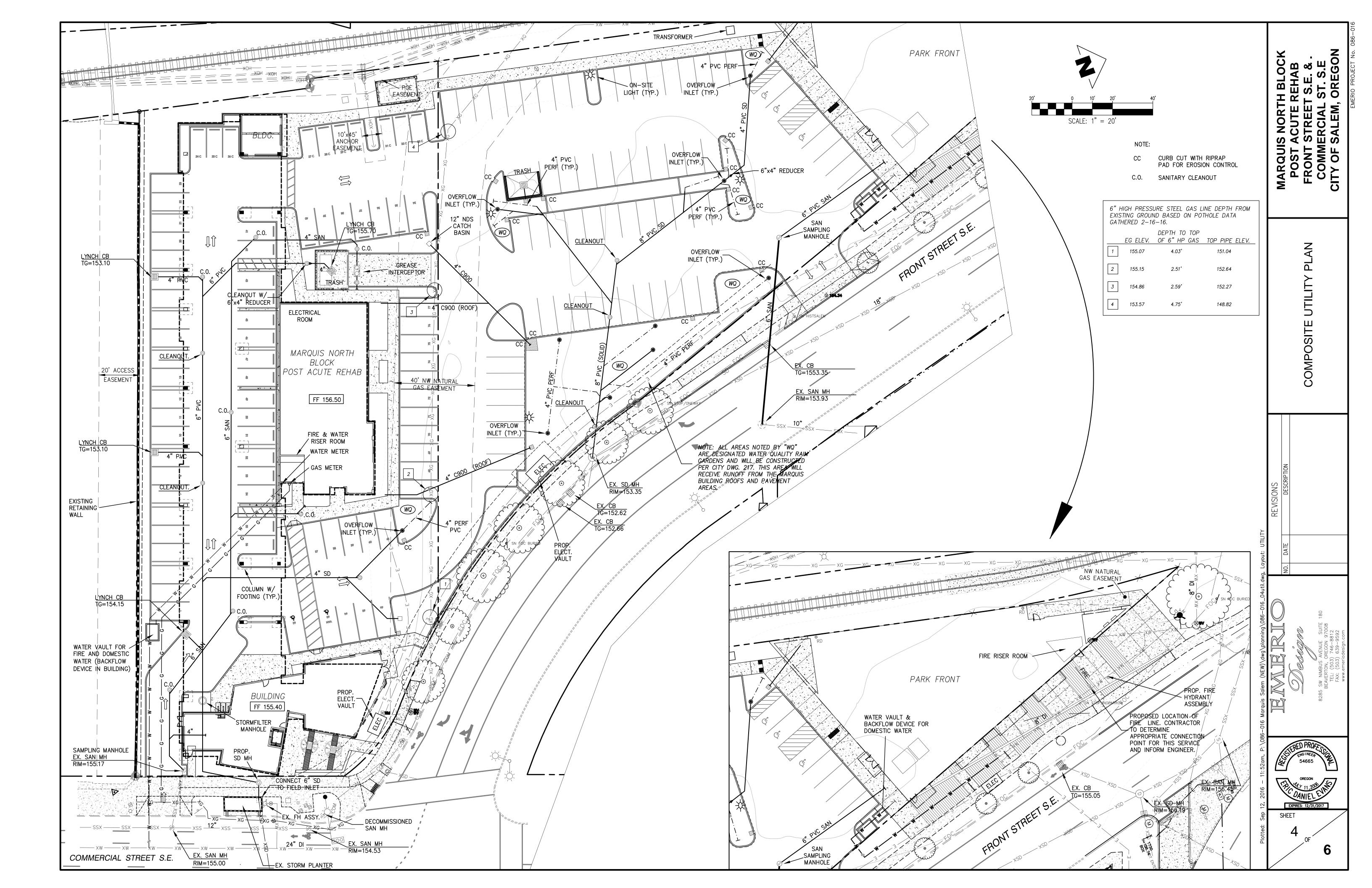
073W27BA03100, SECTION 27, T. 17S, R. 3W, W.M.

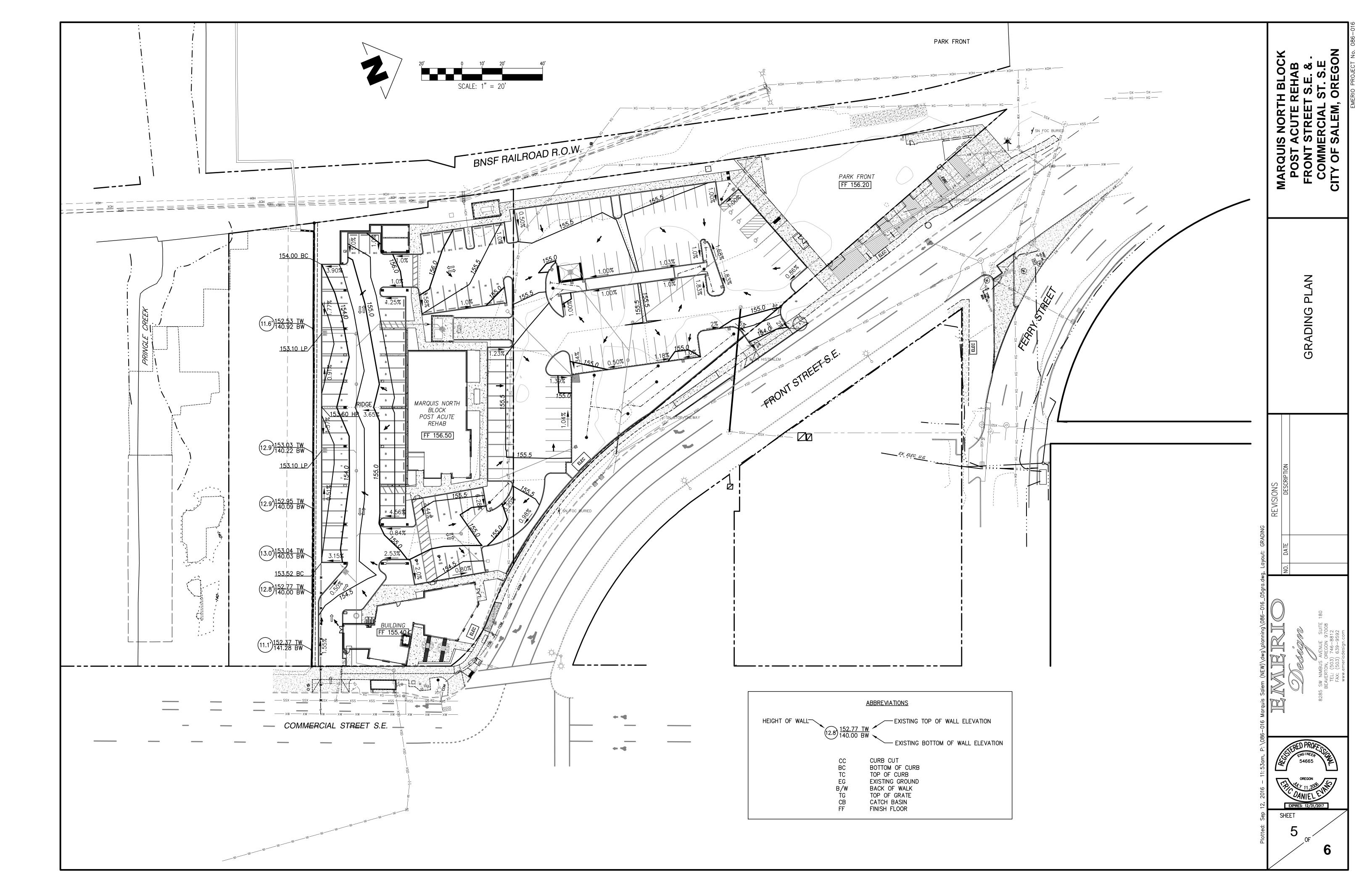


UTILII	Y CONTACTS		ALL CONSTRUCTION SHALL BE IN ACCORL CITY OF SALEM STANDARD CONSTRUCTION AND ANY SPECIAL PROVISIONS INCLUDED APPROVED PLANS.
NCASTER DR NE OR 97305 9–7717	CABLE:	COMCAST 1410 LANCASTER DR NE SALEM, OR 97301 888–824–8264	SITE AREA 95,414 SF DEVELOPED AREA 95.414 SF
SALEM EST NATURAL GAS DADWAY ST. NE	TELEPHONE:	CENTURYLINK 740 STATE ST. SALEM, OR 97301 (503)315–9883	BENCH MARK INFOR BENCHMARK: :CITY OF SALEM F STATE ST. AND COMME
DR 97303 5-6611	FIRE:	SALEM FIRE DEPARTMENT 3611 STATE ST. SALEM, OR 97301 (503)588–6245	N.W. CORNER OF INTER MID-RADIUS OF BULBOU OF BUILDING CORNER, 2 TRAFFIC SIGNAL POLE. ELEVATION=158.81' (NG









### **Attachment D**



September 12, 2016

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

Re: Consolidated Land Use Application Marquis Post-Acute Rehabilitation Development Proposal Commercial and Front Streets

Request: Site Plan Review, Design Review and Adjustments

#### Bryce,

CB Two Architects together with Marquis Companies, Inc., are submitting a Consolidated Land Use Application package for approval of the following:

- Class 3 Site Plan Review
- Class 3 Design Review
- Class 2 Adjustments

The proposed development plan meets the intent of the Salem Revise Code for development in the South Waterfront Mixed-Use (SWMU) District. Information provided through this narrative statement and other related submittal documents, including drawings, provides the Review Authority evidence that the proposed development meets the applicable criteria required for approval of the requested Site Plan Review, Design Review and Adjustment Requests.

### PROJECT DESCRIPTION

The Marquis development is proposed on a 1.13 acre site at the southwest corner of Commercial Street and Front Street. The site is located within the South Waterfront Mixed-Use (SWMU) zoning district, as such; the development is designed to meet the applicable development standards found in the Salem Revised Code. The proposal includes new construction of a three story, approximately 42,242 square foot post-acute rehabilitation facility and an approximately 1,512 square foot commercial retail space which are allowed uses within the SWMU zone. Besides the building, the site plan depicts the location of the plaza, landscaping and off- street parking that will accommodate 77 spaces in an open garage and surface parking lot.

The post-acute rehabilitation facility (also known as nursing home) will include 52 patient/resident beds. This facility will provide residents who need continual care on a short or long term basis. These facilities provide 24-hour medical care by Registered Nurses (RNs), Licensed Practical Nurses (LPNs or LVNs), and Certified Nurses' Aides under physician supervision. Two levels of care will be offered: Rehabilitation and Long Term.

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

Administrative office space, commercial kitchen and dining areas, as well as other ancillary use spaces are provided within the 42,242 square feet facility.

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

The architectural style of the building is best described as Northwest Contemporary. Due to the mix of uses within the structure, the design incorporates features that bridge the commercial and residential functions of the development. This is achieved by highlighting entries and common areas using masonry and vertical glazing elements, and providing popouts and horizontal siding at the resident areas. These design techniques are also used to break up the horizontal planes and add texture to the more linear building sections. The building mass is divided vertically as well; the ground level is predominantly brick and glass, the midsection uses siding in two colors, and the top is defined with a cornice feature.

The site is ideally located just south of Salem's downtown core. Multi-modal transportation options will be readily available to employees and visitors. The proposed development will complement the surrounding area developments and provides a cohesive connection between the more suburban development to the south and the urban downtown core.

### CLASS 3 SITE PLAN REVIEW

Г

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.

#### • The applicant meets all applicable standards of the UDC.

Development Standards for the SWMU are noted and met as illustrated in the following table:

Requirement	Standard	Project Information
LOT AREA		
All Uses	None	1.13 acres
LOT WIDTH		
All Uses	None	Approx. 148'
LOT DEPTH		
All Uses	None	Approximately 354'
STREET FRONTAGE		
All Uses	None	The building is oriented towards the corner of Commercial Street and Front Street, with an articulated façade. Building setback at Commercial varies from 0' to more than 25' at the plaza. Along Front Street the minimum building setback is 10'.

### LOT STANDARDS

Requirement	Standard	Project Information
ABUTTING STREET	•	
Buildings and Accessory Struct	ures	
All Uses	Per SRC 531.035 Design Review Standards. (i) Except along Pringle Creek, buildings shall be oriented to the right-of-way, and shall be built to the front lot line contiguous with the right-of- way. This standard applies to the first 25 feet or two stories of building height only. Above 25 feet or two stories in height, a building may be setback from the right-of-way. (ii) Along Front Street, or at identified "Gateway" corners, buildings may be setback up to 50 feet, provided the area within the setback is developed as a public plaza.	The commercial space is oriented towards the corner of Commercial and Front Streets. The building's minimum setback of 0' is contiguous to Commercial Street. The façade is articulated and provides for a "Gateway" corner feature with greater setbacks to accommodate the plaza.
Vehicle Use Areas		
All uses	Per SRC Chapter 806.035(c) (2) - <b>Method A.</b> The off-street parking and vehicle use area shall be setback a minimum of 10 feet. <b>Methods B, C or D</b> require 6' setback and screening determined by the selected method option.	Parking and vehicle use areas for the Marquis proposal are at least 10' from streets and will meet the requirements prescribed in SRC 806.035(c)(2)(A) Method A. Park Front will provide a landscaped set back from the street of 6' or more and will utilizing one of the approved landscape methods found in SRC 806.035 as needed.

### SETBACKS Continued:

INTERIOR FRONT, SIDE AND F	REAR		
Requirement:	Stan	dard:	Project Information:
Building & Accessory Structures	6		
All uses	Per SRC 531.03 No standards a interior front, s yards	re provided for	Building setbacks are approximately: 22'9" from the southern property line; 6' from rear or west property line and 31'4" to the north property.
Vehicle Use Areas			
All uses	Front, Side, and Lines. Unless a setback is requ within the UDC parking and ve abutting an inte side, or rear pro-	acks and butting Interior d Rear Property greater ired elsewhere , off-street hicle use areas erior front,	A minimum 5' landscaped setback is provided for our southern and western property lines. We will share access with the development to the north of our site. As a result no setback is provided at the shared drive aisle. An adjustment is being sought as part of the consolidated land use application.

### LOT COVERAGE; HEIGHT

Requirement:	Standard:	Project Information:
LOT COVERAGE		
Buildings & Accessory Structure	es	
All uses	No Max.	At ground level building footprint is 7,697 square feet.
HEIGHT		
Buildings		
All uses	No Max.	Proposed building height is 49'.
Accessory Structures		
Accessory to all uses	No Max.	

 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.

This project will be served safely via the existing transportation system. Access for the development site will be from both Commercial and Front Streets. A reciprocal access agreement between the Marquis property and the development adjacent to the north is provided to the City of Salem as verification that access to and from the Marquis project is in place and runs with the land. There are no negative impacts anticipated from this proposal.

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

Yes, the parking has been designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians. This project will include a right in only driveway off of Commercial Street. With a right in, right out driveway off of Front Street that will serve as the single means of egress for both this development and the proposed office building planned for the parcel adjacent to the north of the Marquis site. Cyclist will be able to use Commercial or Front Streets to access the development with bicycle parking be conveniently located near building entrances. Pedestrians will be able to safely access the building via Commercial Street, or using sidewalks that are provided adjacent to the building and parking areas.

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

The City of Salem Public Works has indicated that adequate water and sanitary sewer infrastructure is available to serve this development proposal. The project's civil engineer will design a storm drainage system to meet the City of Salem's development standards. Other utilities are available in the area and we are working with the providers to establish appropriate service connection locations as needed.

### **DESIGN REVIEW**

The table that follows coupled with the submitted drawings illustrates how the Marquis Companies, Inc. proposed post-acute rehabilitation development proposal meets the applicable Design Review Guidelines found in SRC Chapter 531.035 for the South Waterfront Mixed-Use Zone:

design review guidelines and g	Applicability design review standards set forth in this subse	
design review guidelines and a	design review standards set forth in this subse	
	-	1 1 2
	uth Waterfront Mixed-Use zone; provided, ho	
	gn review standards do not apply to building t	facades that
	80 feet of the rail road right-of-way.	
A. Pedestrian	- Oriented Building Design: General	
	(1) Building Facades	
GUIDELINES	PROJECT DESCRIPTION	MEETS
hitectural detailing shall be	The building, while three stories, is a more	Meets
prporated that visually divides	horizontal design due to the site	
breaks up the building's	configuration. Further vertical massing is	
ical mass in a manner that is	broken up utilizing a mix of materials,	
nplimentary to Downtown	paint colors, glazing and building	
em's existing building stock.	articulation. The building is a podium	
	design; the first floor is broken into three	
	structural building blocks with the skilled	
	nursing uses on the second and third	
	floors above. The first floor will include	
	masonry, glass and horizontal siding for its	
	finish materials. Finish materials used on	
	upper levels will include horizontal siding,	
	glass and metal details. Tower elements at	
	the building ends and center above first	
	floor building blocks provide additional	
	massing relief. These elements	
	incorporate deeper roof overhangs, larger	
	glazing masses and a mix of paint colors	
	which provides strong definition of these components. The sections of the building	
	that bridge these structural blocks will be	
	further articulated with box type	
	projections that will utilize a different paint	
	color to enhance their presence, provide	
	separation between floors and add visual	
	interest to the building's facade.	

	(2) Ground Floor Height	
GUIDELINES	PROJECT DESCRIPTION	MEETS
The ground floors of buildings along streets, or facing open space, shall be of sufficient height to be easily converted to commercial use. If a raised foundation or one-half story of visible below grade parking is provided, this level shall enhance the pedestrian environment along the sidewalk through landscaping or other techniques to ensure a pedestrian-friendly environment.	The proposed development is primarily located along Commercial Street SE. The first floor has a floor to floor height of 16' and includes large floor to ceiling glazing walls at the commercial spaces fronting Commercial Street. A plaza that includes landscaping is adjacent to the north side of the commercial tenant space. The plaza extends to the corner of the site where the development has a small amount of frontage along Front Street. Parking is tucked under and behind the building or the plaza and will be screened from the public sidewalk to provide the pedestrian-friendly environment that the	Meets
	guidelines seek.	
GUIDELINES	3) Building Transparency PROJECT DESCRIPTION	MEETS
(i) Ground floor building facades	As noted previously, the ground floor	Meets
facing streets and open space shall include large transparent windows to ensure that the ground floor promotes a sense of interaction between activities in the building and activities in the public realm.	areas that face both Commercial and Front Streets include generous amounts of glazing providing opportunity for interaction between the active spaces within the building and those in the public realm.	
(ii) Windows on ground floor and upper floor building facades shall be provided to ensure that the public and private open spaces are safe and secure at all times by providing sufficient "eyes" on streets, courtyards, forecourts, plazas, and parks.	Windows both along the ground level and throughout the second and third floors provide the "eyes" on streets, plaza and other areas as required.	Meets
	) Primary Building Entries	
GUIDELINES	PROJECT DESCRIPTION	MEETS
(i) Primary building entries shall be inviting to pedestrians and promote a sense of interaction between the public and private realms. Opaque doors shall be avoided.	The primary building entries are located along the Commercial and Front Street facades, and as indicated earlier, include generous glazing. The entry doors will be transparent glass so that interaction between the private and public realms is provided.	Meets

### (4) Primary Building Entries Continued:

GUIDELINES	PROJECT DESCRIPTION	MEETS				
(ii) Building entries shall create a	An awning is proposed along the	Meets				
"transition zone" between the	building's street façade that provides the					
public realm on the sidewalk and	transition between the sidewalk and the					
the private realm within the	interior spaces.					
building.						
	chanical and Service Equipment					
GUIDELINES	PROJECT DESCRIPTION	MEETS				
(i) Ground level and rooftop	Mechanical service equipment will not be	Meets				
mechanical and service	visible from the public sidewalk, or it will					
equipment shall be visually	be screened so as not to be visible from					
screened and, whenever	public sidewalks and opens spaces and					
possible, located so it is not	required by the development code.					
visible from public sidewalks and						
open spaces.						
(ii) Maximize opportunities to		Meets				
incorporate sustainable energy	Energy efficient building design, building					
measures, such as solar panels	materials and equipment will be used.					
and wind generators, into						
buildings.						
	<ul> <li>Oriented Building Design: Specific</li> <li>design review standards set forth in this subs</li> </ul>					
buildings located along the north side of Pringle Creek, along Commercial Street, and at the corner of Commercial Street and Front Street. The design review guidelines and design review standards applicable to parking included under paragraph (2) of this subsection apply to all of the above frontages, and to the frontage along Front Street.						
(1) Bu	(1) Building Setbacks and Frontages					
GUIDELINES	PROJECT DESCRIPTION	MEETS				
(i) Buildings shall create well-	PROJECT DESCRIPTION The proposed structure is located along	MEETS				
(i) Buildings shall create well- defined "edges" to the public	PROJECT DESCRIPTION The proposed structure is located along the Commercial Street frontage with a	MEETS Meets				
(i) Buildings shall create well- defined "edges" to the public realm by minimizing setbacks	PROJECT DESCRIPTION The proposed structure is located along					
(i) Buildings shall create well- defined "edges" to the public realm by minimizing setbacks from the street right-of-way.	PROJECT DESCRIPTION The proposed structure is located along the Commercial Street frontage with a plaza at the corner of Commercial and Front Streets to provide the strong					
(i) Buildings shall create well- defined "edges" to the public realm by minimizing setbacks	PROJECT DESCRIPTION The proposed structure is located along the Commercial Street frontage with a plaza at the corner of Commercial and					
(i) Buildings shall create well- defined "edges" to the public realm by minimizing setbacks from the street right-of-way. Zero lot line buildings are encouraged. Buildings may be	PROJECT DESCRIPTION The proposed structure is located along the Commercial Street frontage with a plaza at the corner of Commercial and Front Streets to provide the strong development edge that the guidelines seek. Active interior spaces face the right					
<ul> <li>(i) Buildings shall create well- defined "edges" to the public realm by minimizing setbacks from the street right-of-way.</li> <li>Zero lot line buildings are encouraged. Buildings may be sited so as to create</li> </ul>	PROJECT DESCRIPTION The proposed structure is located along the Commercial Street frontage with a plaza at the corner of Commercial and Front Streets to provide the strong development edge that the guidelines					
<ul> <li>(i) Buildings shall create well- defined "edges" to the public realm by minimizing setbacks from the street right-of-way.</li> <li>Zero lot line buildings are encouraged. Buildings may be sited so as to create opportunities for well-designed</li> </ul>	PROJECT DESCRIPTION The proposed structure is located along the Commercial Street frontage with a plaza at the corner of Commercial and Front Streets to provide the strong development edge that the guidelines seek. Active interior spaces face the right					
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<ul> <li>(i) Buildings shall create well- defined "edges" to the public realm by minimizing setbacks from the street right-of-way.</li> <li>Zero lot line buildings are encouraged. Buildings may be sited so as to create opportunities for well-designed public or civic spaces between buildings and the sidewalk.</li> <li>(ii) A comfortable, inviting, and well-framed open space</li> </ul>	PROJECT DESCRIPTION The proposed structure is located along the Commercial Street frontage with a plaza at the corner of Commercial and Front Streets to provide the strong development edge that the guidelines seek. Active interior spaces face the right of way, public sidewalk and plaza. This development is not located along the north bank of Pringle Creek. However,	Meets				
<ul> <li>(i) Buildings shall create well- defined "edges" to the public realm by minimizing setbacks from the street right-of-way.</li> <li>Zero lot line buildings are encouraged. Buildings may be sited so as to create opportunities for well-designed public or civic spaces between buildings and the sidewalk.</li> <li>(ii) A comfortable, inviting, and</li> </ul>	PROJECT DESCRIPTION The proposed structure is located along the Commercial Street frontage with a plaza at the corner of Commercial and Front Streets to provide the strong development edge that the guidelines seek. Active interior spaces face the right of way, public sidewalk and plaza.	Meets				
<ul> <li>(i) Buildings shall create well- defined "edges" to the public realm by minimizing setbacks from the street right-of-way.</li> <li>Zero lot line buildings are encouraged. Buildings may be sited so as to create opportunities for well-designed public or civic spaces between buildings and the sidewalk.</li> <li>(ii) A comfortable, inviting, and well-framed open space</li> </ul>	PROJECT DESCRIPTION The proposed structure is located along the Commercial Street frontage with a plaza at the corner of Commercial and Front Streets to provide the strong development edge that the guidelines seek. Active interior spaces face the right of way, public sidewalk and plaza. This development is not located along the north bank of Pringle Creek. However,	Meets				
<ul> <li>(i) Buildings shall create well- defined "edges" to the public realm by minimizing setbacks from the street right-of-way.</li> <li>Zero lot line buildings are encouraged. Buildings may be sited so as to create opportunities for well-designed public or civic spaces between buildings and the sidewalk.</li> <li>(ii) A comfortable, inviting, and well-framed open space environment shall be created along Pringle Creek by establishing a well-defined</li> </ul>	PROJECT DESCRIPTION The proposed structure is located along the Commercial Street frontage with a plaza at the corner of Commercial and Front Streets to provide the strong development edge that the guidelines seek. Active interior spaces face the right of way, public sidewalk and plaza. This development is not located along the north bank of Pringle Creek. However, the building's southern façade will include	Meets				
<ul> <li>(i) Buildings shall create well- defined "edges" to the public realm by minimizing setbacks from the street right-of-way.</li> <li>Zero lot line buildings are encouraged. Buildings may be sited so as to create opportunities for well-designed public or civic spaces between buildings and the sidewalk.</li> <li>(ii) A comfortable, inviting, and well-framed open space environment shall be created along Pringle Creek by</li> </ul>	PROJECT DESCRIPTION The proposed structure is located along the Commercial Street frontage with a plaza at the corner of Commercial and Front Streets to provide the strong development edge that the guidelines seek. Active interior spaces face the right of way, public sidewalk and plaza. This development is not located along the north bank of Pringle Creek. However, the building's southern façade will include a mix of finish materials, colors and	Meets				

	parcel.	
(1) Building Setbacks and Front		
GUIDELINES	PROJECT DESCRIPTION	MEETS
(iii) Pringle Creek, the site's	This guideline is not applicable as our	N/A
principal natural asset, shall be	development is located on a parcel that is	
preserved by setting buildings	adjacent to the north of the creek parcel;	
back a sufficient distance from	therefore, not located along the creek	
the north bank of the creek.	bank.	
(iv) Buildings and primary	The building's primary entries are oriented	Meets
building entries shall be oriented	to the public sidewalks and plaza as	1110010
to and easily accessible from	required. Please see drawings that are	
sidewalks and public open space.	provided as part of the application	
	package for verification and exact	
	locations.	
	(2) Parking	
GUIDELINES	PROJECT DESCRIPTION	MEETS
(i) Surface parking lots along	Parking for this development has been	Meets
buildings streets shall be	predominantly located under and behind	
buffered from view by	the buildings leading corner. The plaza	
pedestrians on the sidewalk.	and larger landscaping buffer will provide	
Whenever possible, surface	further separation both physically and	
parking lots shall be placed	visually from the pedestrian sidewalk	
behind buildings.	along both street frontages.	
(ii) Parking structures fronting on	This guideline is not applicable; however	N/A
public streets shall include space	our street fronting structure does include	
for ground floor commercial	commercial space along the street facing	
and/or Household Living uses	facades.	
along their public street facing		
facades in order to create an		
active and engaging pedestrian		
environment.		
	(3) Weather Protection	
GUIDELINES	PROJECT DESCRIPTION	MEETS
(i) Weather protection, in the	An awning along the majority of our	Meets
form of awnings, canopies,	building's frontage is proposed along	
arcades, or galleries appropriate	Commercial Street. This awning wraps	
to the design of the building,	around to the north façade of the	
shall be provided along ground	commercial retail space adjacent to the	
floor building facades facing	plaza. Awnings are also proposed along	
streets and public space in order	the western façade of the tenant space.	
to create a comfortable and		
inviting pedestrian environment.		
C. R	elationship to Riverfront Park	
	(1) Applicability	
•	section (Section C, "Relationship to Riverfront I	
<b>e</b> 1	diately adjacent to Riverfront Park, as illustrate	d by Figure
16.		

This section is not applicable				
	D. Gateways			
(1) Applicability				
The design review guidelines and design review standards set forth in this subsection apply				
only to corner or "Gateway" locations.				
(2) Corner Treatments				
GUIDELINES	PROJECT DESCRIPTION	MEETS		
(i) Buildings located at corners and gateways shall incorporate architectural or site planning design elements that visually emphasize the corner of the building. One or more of the following techniques may be used to meet this guideline:				
(aa) Prominent architectural elements that emphasize the corner of the building, such as increased building height or massing, cupolas or turrets, pitched roofs at the corner of the building, special window treatments, etc.	The buildings northeastern corner has a prominent and defined mass that communicates it as the development's leading corner and gateway. The building's primary entries, commercial retail space as well as the plaza are included in the corner design. Larger glazing walls at each of the three stories and a prominent roof overhang provide an aesthetically strong visual identity to this gateway location.	Meets		
(bb) Special "signature" signage located at the corner of the building.	Signage for the development will be incorporated in this location.	Meets		
(cc) Public gathering spaces such as plazas, located at the corner that incorporate special paving materials, site furnishings, and/or landscaping treatments.	A plaza with enhanced landscaping is proposed at the corner of Commercial and Front Streets to provide a gathering space as desired.	Meets		

E. Pedestrian Connections				
1. Applicability				
The design review guidelines and design review standards set forth in this subsection apply to developments along the north bank of Pringle Creek and to the developments at the western and northern edges of the site abutting Riverfront Park.				
GUIDELINES PROJECT DESCRIPTION MEI				
(i) An easement or public dedication shall be provided promoting connectivity for non- vehicular traffic along the north bank of Pringle Creek. The connection shall be accessible from the sidewalk along Commercial Street, and shall connect to Riverfront Park.	This proposal does not include development along the north bank of Pringle Creek. A pedestrian path is envisioned as part of the overall South Water Front Mixed Use development and is planned as a future phase by others. Therefore, this guideline is not applicable to the current proposal as this development is not located on the north bank of Pringle Creek. Access to the public sidewalk on the west side of Commercial Street, is possible within the right of way adjacent the bridge and the eastern property line. Therefore, an easement at the south east corner of the development parcel does not appear to be needed.	Meets		
(ii) Convenient pedestrian access and connectivity shall be provided from the northwestern portion of the site to pedestrian facilities in Riverfront Park.	The development site is not located at the northwestern corner of the "North Block" site; therefore, this guideline is not applicable.	N/A		

### ADJUSTMENT REQUESTS

As part of the Consolidated Land Use Application we are also seeking adjustments to certain landscaping development and parking standards, found in SRC 806 which due to site size, configuration, access and overall zoning classification makes it impracticable for the proposed development to fully adhere. Specifically, landscape setbacks found in SRC 806.035(c)(3); and to the maximum number of off-street parking spaces provided on site, found in SRC 806.015(d) Table 806-2.

The subject property is 1.13 acres, located on Commercial Street SE, at the southwest corner of Front Street. Marquis Companies plans to construct a three story 52-bed post-acute rehabilitation facility with approximately 1,512 square feet of coffee shop, fronting Commercial. Provisions for utilities, trash enclosure, parking, and the shared access drive are included in the design.

#### **BUFFERYARD REDUCTION:**

The parking areas for both the Marquis project and the Park Front development are shown on the Site Plan. As illustrated Marguis' parking is located primarily within an open garage behind the primary building entrances away from Commercial Street, with the Park Front parking planned adjacent to the north of the Marguis site. These parking areas will be accessed from an entrance drive on Commercial Street SE or from a driveway that allows right-in and right-out only maneuvering off of Front Street SE. The off-street parking for the Marquis development and the Park Front commercial building share access/egress as well as drive aisle circulation. A reciprocal access agreement between the two property owners is provided to the City of Salem confirming shared access for both developments. Due to site constraints on both properties providing a 5 foot landscape strip on either or both sides of the property lines is problematic and reduces the ability for either development to provide effective and safe parking areas for their respective projects. The intent of interior yard setbacks is to provide a visual buffer designed to separate and protect incompatible uses. Marquis' proposal and the Park Front office building are not incompatible uses, they are both commercial in nature and complement one another. They will share access and egress through a joint access agreement. By allowing flexibility with the setback between the abutting properties at this location allows for larger landscape setbacks to the public right of way and the elimination of dead end drive aisles is achieved. This provides a more pedestrian oriented development and safer parking lot design, which are goals set forth in the SWMU Design Review Guidelines.

Relief to the 5 foot landscape building setback where parking and vehicle use areas are adjacent to the building is also requested where the Commercial Street SE driveway is proposed. Due to programing requirements within the building and site constraints a minimal portion of the building, approximately 19 and a half feet, will be adjacent to the entrance drive aisle. This façade of the building has neither entrances, nor are there pedestrian paths crossing this specific vehicle use area. This driveway is for access only, with one way traffic flow on to the site. Building setbacks are provided as needed for the balance of the structure and there is the 5 foot landscape setback to the south of the drive aisle as required.

#### INCREASE IN MAXIMUM NUMBER OF OFF-STREET PARKING SPACES

As stated previously, we are seeking relaxation to the maximum number of off-street parking spaces allowed for this development. The current proposal shows 77 off-street parking spaces to serve both the post-acute rehabilitation center and the coffee shop. The City of Salem requires a minimum number of spaces based on use. Using the City of Salem's formula (1 space per 3 beds for Nursing Care; and 1 space per 250 square feet for Eating and Drinking Establishments or Retail Sales) we are required to have a minimum of 23 spaces, and may only increase it by 1.75 for a maximum of 40 spaces. This number is completely inadequate and not suitable to our development. We have found that the City of Salem's parking ratio calculation for nursing care is not appropriate for post-acute rehabilitation facilities, as it does not properly take in to consideration adequate parking for staff and visitors alike.

The developer, Marquis Companies, operates a number of post-acute rehabilitation and senior care related properties throughout the northwest; their experience as an owner and operator provides an accurate picture of parking demands for these types of facilities. Additionally, the State licensing agency, DHS, provides regulatory staffing requirements based on facility type and number of patient or resident beds. Based on the size of the facility the number of staff for the peak shift is 65. Due to the required staffing and the increase demand on parking during shift changes we have determined that this development could potentially fill 87 parking spaces between the coffee shop, visitors and staff during a shift change; however the likelihood that there would be a true need for 87 spaces for that transition period is extremely remote given the timing of the shift change. As a result Marquis is confident that the proposed 77 spaces will adequately serve their parking needs. We have prepared a matrix, Exhibit A, and included it with this request as a reference. Additionally, DKS Associates has provided an updated traffic impact analysis letter that includes supporting information regarding the parking needs of the proposed development. This letter is included with our Consolidated Land Use Application package as required.

In conclusion, the requested adjustments are the minimum necessary for the proposed development. No negative impacts are anticipated if adjustments are allowed. The approval of these requests is generally in conformance with the standards and/or guidelines of the SWMU zoning district, thus meeting their intent. The approval of the adjustments will provide a consistent and cohesive development that will benefit the Pringle Square campus, area streets and roadways, and the community as a whole.

Marquis Companies is looking forward to working with the City of Salem on this development proposal.

		the second s	PARKING SUMMARY		
DEPARTMENT	REQUIRED BY OAR	NEEDED FOR OPERATION	NOTES &/OR MODIFICATIONS	ACTUAL	OAR REFERENCE
Director of Nursing Services				- margaret	
	Required as necessitated by		Each resident requires a RN Care Manager responsible for their	1.	411-086-0020 (1)
RN Care Manager	facility operation	4	care. 4 RN Care Managers are needed for a facility with 52 residents	4	411-066-0030
Registered Nurse (RN)	Required as necessitated by	5	Gaps in coverage not allowed. 8 RN's at shift change	8	411-086-0100 (4)
Hellisteren intese frich	facility operation	2	1:7 nume to resident ratio required as minimum (52/7 = 8).	8	611-086-0100 (4)
Certified Norsing Assistant (CAN)	8	ů	127 nume to resident ratio required as minimum (527 = 8). Howaver, gaps in coverage not allowed. 16 CNA's at shift change	16	411-C66-411 (5) (c) (C) (i)
			SUBTOTAL	28	
RISIOENT CORE					
Medical Director	4			1	411-086-0200 (1)
Attending Physician	1	1	QAR's state that frequency shall be according to resident's		411-086-0200 (2)
			needs		
Rehabilitative Services Director	Required as necessitated by facility operation	*	OAR's state that relabilitative services shall provided or supervised by personnel qualified under state law to provide that service. General nurring staff are NOT qualified to provide this service. I Behabilitative Director is needed for this facility	1	a11-086-0220 (3)
Physical Therapist (PT)	Required as necessitated by facility operation		OAR's state that rehabilitative services shall provided or supervised by personnel qualified under state law to provide that service. General nursing staff are NOT qualified to provide this service. 4 PT's are needed for this facility.	4	411-086-0220 [3]
Activity Director	1	1			411-086-0230 (2)
Contraction of the Contraction o	Required as necessitated by		OAR's state that the facility shall have adequate staffing to carry		Survey through the
Activity Staffing	facility operation	3	out the activity program. 2 Activity assistants are needed for this facility (1 for post acute, 1 for long-term)	3	411-086-0230 (3)
			SUBTOTAL:	10	
NEDA DTMENT	REQUIRED BY OAR	LITTLE FOR THE PARTY OF			
DEPARTMENT COMINISTRATION	REQUIRED BY OAR	NEEDED FOR OPERATION	NOTES &/OR MODIFICATIONS	ACTUAL	OAR REFERENCE
dministrator	1	1		1	411-086-0010 (1)
iocial Services Director	1	2	1 for post acute, 1 for long-term	2	411-086-0240 (2)
ocial Services Staffing	Required as necessitated by facility operation	2	OAR's state that the facility shall have adequate staffing to carry out the social services program in accordance with facility policy. 2 Social Service assistants are needed for this facility	2	411-086-024O (3)
harmaceutical Services Director	1	1	policy, a social service administrate indicated for this recitly.		411-086-0260 (1)
linical Records Director	1	1		1	411-086-0300 (2)
lecords Staffing	Required as necessitated by facility operation	2	OAR's state that the facility shall have adequate staffing and equipment to provide efficient, systematic processing of clinical records. 2 Records assistants are needed for this facility.	2	411-086-0300 (3)
			SUBTOTAL	9	
G					
INING					
A share a first and a first second			the second s		And and a state of the state of
lietary Services Director	1	1	OAP's state that the facility shall enclave promotion encoursed	1	411-086-0250
Dietary Services Director Chef	1 Required as necessitated by fadility operation	1	OAR's state that the facility shall employ supportive personnel to carry out the functions of the dietary service. 2 Chefs are needed for this facility (zhef, sous chel)	1	411-086-0250 411-086-0250 (3)
and the second se	Required as necessitated by		to carry out the functions of the dietary service. 2 Chefs are		1.000 C 875 L 4
hef ood Preparation Staff	Required as necessitated by facility operation Required as necessitated by facility operation	2	to carry out the functions of the dietary service. 2 Chefs are needed for this facility (chef, sous cheft) OAR's state that the facility shall employ supportive personnel to carry out the functions of the dietary service. General nursing staff are NOT quelified to provide this service. 2 Food Prep assistants are needed for this facility. However, gaps in coverage not allowed. 4 Food Prep assistants at ehit change OAR's stat that the facility may use Dining Assistants to assist.	2	411-086-0250 (3) 411-086-0250 (3)
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thef and Preparation Staff lining Assistant PEPARTMENT	Required as necessitated by facility operation Required as necessitated by facility operation	2	to carry out the functions of the dietary service. 2 Chefs are needed for this facility (chef, sous cheft) OAR's state that the facility shall employ supportive personnel to carry out the functions of the dietary service. General nursing staff are NOT qualified to provide this service. 2 Food Prep analisants are needed for this facility. However, gaps in coverage not allowed. 4 Food Prep availants at whit change OAR's stat that the facility may use Dining Assistants to assist reaidens with feeding and hydration. 2 Dining Assistants needed for this facility.	2 4 2	411-086-0250 (3) 411-086-0250 (3)
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thef and Preparation Staff Vining Assistant DEPARTMENT Fowner Asintenance Director taintenance Staff	Required as necessitated by facility operation Required as necessitated by facility operation Required as necessitated by facility speration REQUIRED BY OAR Required as necessitated by facility operation	2 2 2 NEEDED FOR OPERATION	to carry out the functions of the distary service. 2 Chefs are needed for this facility (chef, sous chef) OAR's stare that the facility (sheff, sous chef) OAR's stare that the facility shall employ supportive personnel to carry out the functions of the distary service. General nursing staff are NOT quelified to provide this arrice, a Food Prep assistants are needed for this facility. However, gaps in coverage not allowed. A Food Prep assistants at shift change OAR's stat that the facility may use Dining Assistants readed for this facility. SUBTOTAL SUBTOTAL SUBTOTAL SUBTOTAL SUBTOTAL Processing and classes scenarios which includes a propreduces plan for all building systems. 1 Maintenance Director is needed for this facility.	2 4 2 9 ACTUAL 1	411-086-0250 (3) 411-086-0250 (3) 411-086-0250 (7) OAR REFERENCE 411-086-0320
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TOTAL PARKING REQUIRED FOR FACILITY: 87 TOTAL PARKING REQUESTED IN ADJUSTMENT: 27

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- TO: Bryce Bishop, Planner II Community Development Department
- **FROM:** Glenn J. Davis, PE, CFM, Chief Development Engineer Public Works Department
- DATE: September 28, 2016

SUBJECT: PUBLIC WORKS RECOMMENDATIONS DR-SPR-SWMUDPP-ADJ16-04 (16-107725) 295 COMMERCIAL STREET SE POST-ACUTE REHABILITATION FACILITY

#### PROPOSAL

A consolidated application for a proposed approximate 42,242-square-foot, 52-bed, post-acute rehabilitation facility, and a proposed approximate 1,512-square-foot commercial retail space on property approximately 1.14 acres in size and located at 295 Commercial Street SE; together with necessary improvements on the abutting property to the north located at 275 Front Street SE to facilitate shared vehicular access between the two properties and a shared stormwater management system.

The application includes the following:

- 1. A Class 3 Design Review and Class 3 Site Plan review for the proposed development;
- 2. A Development Phasing Plan; and
- 3. A Class 2 Adjustment.

The subject property is zoned South Waterfront Mixed-Use and located at 295 Commercial Street SE and 275 Front Street SE (Marion County Assessor Map and Tax Lot Numbers: 073W27BA03100 & 073W27BA03102).

#### **RECOMMENDED CONDITIONS OF APPROVAL**

- 1. Replace existing sidewalks along the frontage of Commercial Street SE and Front Street SE where not conforming to PWDS and close all unused driveways.
- 2. Provide a Trash Area Management Plan pursuant to Administrative Rule 109-012 Appendix D.

#### FACTS

#### Streets

- 1. Commercial Street SE
  - a. <u>Existing Conditions</u>—This street has an approximate 59-foot improvement within a 96-foot-wide right-of-way abutting the subject property.
  - b. <u>Standard</u>—This street is designated as a Major Arterial street in the Salem TSP. The subject property is located in an area that is identified as a Special Street Right-of-Way and Improvement requirement in the Salem TSP (Table G-1). The standard for this street classification is a 68-foot-wide improvement within a 96-foot-wide right-of-way.
- 2. Front Street SE—Under the Jurisdiction of Oregon Department of Transportation
  - a. <u>Existing Conditions</u>—This street has an approximate 44-foot improvement within a 70-foot-wide right-of-way abutting the subject property.
  - b. <u>Standard</u>—This street is designated as a Parkway street in the Salem TSP. The subject property is located in an area that is identified as a Special Street Right-of-Way and Improvement requirement in the Salem TSP (Table G-1).The standard for this street classification is a 44-foot-wide improvement within a 70-foot-wide right-of-way.

#### **Storm Drainage**

- 1. Existing Conditions
  - a. A 12-inch storm main is located in Commercial Street SE.
  - b. A 15-inch storm main is located in Front Street SE.

#### Water

- 1. Existing Conditions
  - a. The subject property is located in the G-0 water service level.
  - b. A 24-inch water main is located in Commercial Street SE. Mains of this size generally convey flows of 8500 to 19700 gallons per minute.

#### **Sanitary Sewer**

- 1. Existing Conditions
  - a. A 12-inch sewer line is located in Commercial Street SE.

#### CRITERIA AND FINDINGS

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

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

**Finding**—Commercial Street SE and Front Street SE meet the right-of-way width and pavement width standards per the Salem TSP; required street improvements are specified in the conditions of approval consistent with SRC Chapter 803.

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

**Finding**—The existing driveway access onto Commercial Street SE provides for safe turning movements. The proposed drive approach onto Front Street SE will be consolidating two existing approaches into a single approach and will provide for safe turning movements into and out of the property. The access onto Front Street SE is within the jurisdiction of the Oregon Department of Transportation and access will be granted through a separate permit from Oregon Department of Transportation.

# 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 (sewer, water, and storm drainage) according to the PWDS and to the satisfaction of the Public Works Director. The applicant is advised that a sewer monitoring manhole may be required, and the trash area shall be designed in compliance with Public Works Standards.

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. The applicant's engineer shall design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.

The uncovered trash enclosure is subject to a Trash Area Management Plan pursuant to Administrative Rule 109-012 Appendix D.

Prepared by: Nathan Coapstick, Project Coordinator cc: File

#### Bryce Bishop - ODOT comments for City of Salem Case Number DR-SPR-SWMUDPP-ADJ16-04 Marquis Post-Acute Rehabilitation

From:	JUSTER Gerard P *Gerry <gerard.p.juster@odot.state.or.us></gerard.p.juster@odot.state.or.us>
To:	"Bryce Bishop (bbishop@cityofsalem.net)" bbishop@cityofsalem.net>
Date:	9/20/2016 3:21 PM
Subject:	ODOT comments for City of Salem Case Number DR-SPR-SWMUDPP-ADJ16-04 Marquis
-	Post-Acute Rehabilitation
CC:	EARL Robert <robert.earl@odot.state.or.us>, DRAKE Ray F <ray.f.drake@odo< th=""></ray.f.drake@odo<></robert.earl@odot.state.or.us>

#### Dear Bryce,

Thank you for notifying the Oregon Department of Transportation (ODOT) of the consolidated land use application for the Marquis Post-Acute Rehabilitation development proposal. This e-mail message is submitted for inclusion in the public hearing record and ODOT should be considered a party to the land use action. Please provide a copy of the land use decision, notice of any time extensions or continuances, to ODOT at the address provided below, or you may provide notice to ODOT via e-mail. Electronic format is preferred.

Planning and Development Manager Oregon Department of Transportation Region 2 Headquarters 455 Airport Road SE, Building B Salem, OR 97301-5395

Electronic documents can be directed to: <u>ODOTR2PLANMGR@ODOT.STATE.OR.US</u>

ODOT staff has completed a review of the submitted application and has the following comments.

The property abuts Front Street, also known as Salem Highway, No. 72, State Route OR-22, and is subject to state laws administered by the Oregon Department of Transportation. These laws may require the applicant to obtain one or more state permits to carry out the intended use of the property, or to otherwise comply with state law without need for a permit. ODOT has reviewed its access permit records and determined there are no existing permits for the connections.

The site associated with the applicant's proposal has two existing connections to OR-22. As such, an existing connection to a state highway permit can be evaluated under OAR <u>734-051-3020</u>, Change of Use of a Private Connection. The purpose of the Change of Use evaluation is to determine if thresholds are met based on a change in the traffic volume or, a demonstrated safety or operational concern exists. If either can be documented by ODOT, the applicant would need to obtain an access permit. Based on ODOT's evaluation of the applicant's proposal per OAR <u>734-051-3020</u>, the applicant would need to submit <u>An Application for State</u> <u>Highway Approach</u> (access permit application). The application would be subject to review and approval criteria in OAR 734-051. Approval of the application will require construction improvements within state highway right-of-way.

The applicant's site plan indicates there will be a consolidation of the two existing OR-22 connections to a single connection. ODOT concurs with the applicant's access proposal. The applicant has met with ODOT staff for a preapplication conference and subsequently has submitted an access permit application for review and approval. The application is currently being processed. Additionally, ODOT has request civil construction plans

for improvements that will need to be constructed within state highway right-of-way. The construction plans will need to be approved by ODOT prior to the issuance of a permit for construction activities within state highway right-of-way.

Please note, in addition to the access permit, if the applicant or their contractor is required to occupy state highway right-of-way to provide utility improvements resulting from conditions of approval by the City of Salem, <u>A Permit To Occupy Or Perform Operations Upon A State Highway</u> will be necessary. The permit can be obtained by contacting Robert Earl, District 3 Senior Permit Specialist at 503.986.2902. The applicant or their contractor shall obtain the permit 30 calendar days prior to commencing any construction or utility improvements with state highway right-of-way.

If you have any questions please feel free to contact me at 503.986.2732.

Thank you,

#### **Gerry Juster**

Development Review Coordinator Oregon Department of Transportation 855 Airport Rd SE, Bldg. Y | Salem, Oregon 97301 Office: 503.986.2732 | FAX: 503.986.2748 e-mail: gerard.p.juster@odot.state.or.us

Attachment G

#### **REQUEST FOR COMMENTS**

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

ZIPCODE: 97301

CASE NO: DR-SPR-SWMUDPP16-05

AMANDA APPLICATION NOS.: 16-117617-DR, 16-114301-RP & 16-117811-ZO

ADDRESS: 235 FRONT ST SE

HEARD BY: PLANNING COMMISSION CASE MANAGER: Bryce Bishop

**REQUEST:** A consolidated application for a proposed approximate 23,500 square-foot, 4-story, office building on property approximately 1.06 acres in size and located at 235 Front Street SE.

The application includes the following:

1) A Class 3 Design Review and Class 3 Site Plan review for the proposed development; and

2) A Development Phasing Plan, pursuant to SRC 531.015, to allow the mix of Household Living and Non-Household Living uses required for a development site under the South Waterfront Mixed-Use (SWMU) zone to be met in phases.

The subject property is zoned SWMU (South Waterfront Mixed-Use) and located at 235 Front Street SE (Marion County Assessor's Map and Tax Lot Number: 073W27BA03102).

Attached is a copy of the proposal and related plans for the upcoming case. A report with a recommendation relating to this property will be prepared by the planning staff from information available to the staff. You are invited to respond with information relating to this property and this request. We are interested in receiving pertinent, factual information such as neighborhood association recommendations and comments of affected property owners, residents, and jurisdictional agencies.

COMMENTS NEED TO BE RECEIVED BY <u>5:00 P.M., OCTOBER 7, 2016</u> to be included in the development of the Staff Report and its recommendations. <u>Mailed comments can take up to 7 calendar days to arrive at our office.</u> To ensure that your comments are received by the deadline, we recommend that you e-mail or hand deliver your comments to the case manager listed below.

Send comments and any questions to:	Bryce Bishop, Case Manager, City of	of Salem Planning Division B.B.
	555 Liberty St SE, Room 305, Saler	
	Phone: 503-540-2399; Fax: 503-4	
	E-Mail: bbishop@cityofsalem.net;	http://www.cityofsalem.net/planning
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PLEASE CHECK THE FOLLOWING ITEMS THAT APPLY:

1. We have reviewed the proposal and have no comments.

2. We have reviewed the proposal and have the following comments:

X 3. Other: nvc na tra ac 5 Portland Western 0 Name: Z Address Rai Agency: Phone No .: Date: