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503-588-6173*

DECISION OF THE PLANNING ADMINISTRATOR

CLASS 3 SITE PLAN REVIEW / TREE REGULATION VARIANCE
CASE NO: SPR-TRV17-13

APPLICATION NO. : 17-102101-RP & 17-102104-NR

NOTICE OF DECISION DATE: APRIL 28, 2017

SUMMARY: Development of a building, parking, and landscaping for the emergency services facility of the Joint Force Headquarters of the Oregon Military Department.

REQUEST: A Class 3 Site Plan Review and Tree Regulation Variance for development of a building, parking, and landscaping for the Joint Force Headquarters of the Oregon Military Department, an Emergency Services use, on a PH (Public and Private Health Services)-zoned lease area of 8.15 acres located north of 3225 State Street 97301 in a 53-acre area of a 294-acre tax lot (Marion County Assessor Map and Tax Lot 073W2500700) owned by the State of Oregon Department of Administrative Services. The Tree Regulation Variance is required because the proposal includes bridge construction that would result in removal of ~~four~~ three trees and native vegetation within a riparian corridor.

APPLICANT: Joe Gill for Oregon Military Department

LOCATION: 3225 State Street / 97301

CRITERIA: Class 3 Site Plan Review: SRC 220.005(f)(3)
Tree Regulation Variance: SRC 808.045(d)(1)

FINDINGS: The findings are in the attached Order dated April 28, 2017.

DECISION: The Planning Administrator **APPROVED** Class 3 Site Plan Review / Tree Regulation Variance Case No. SPR-TRV17-13 subject to the applicable standards of the Salem Revised Code, the findings contained herein, conformance with the approved site plans, and the following conditions of approval:

Condition 1: At building permit, demonstrate compliance with the solid waste receptacle placement standards of SRC 800.055(b), the solid waste service area screening standards of SRC 800.055(d), and solid waste service area enclosure standards of SRC 800.055(e).

Condition 2: Prior to and during any grubbing, grading, or construction activities, all trees and native vegetation designated for protection shall be protected from removal or critical damage. Trees designated for protection shall be clearly marked onsite.

Condition 3: During all grubbing, grading and construction activities, sturdy, high-visibility protective fencing shall be installed and maintained around all trees and

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NOTICE OF DECISION

native vegetation marked for preservation. No grubbing, grading, construction, vehicle parking, or storage or disposal of materials or fill shall be allowed inside the protective fencing.

Condition 4: At the time of application to the Salem Public Works Department for a construction permit, and prior to any grading and/or construction onsite, a copy of the approved Tree Variance shall be provided to the Salem Public Works Department with the construction and grading plans.

Condition 5: Prior to final occupancy for the proposed building, the applicant shall either (a) replant 14 trees a minimum 1.5 inch caliper and of sizes and species authorized in the Tree and Vegetation Technical Manual within the riparian corridor on the subject property or (b) remit an amount equal to the value of 14 trees a minimum 1.5 inch caliper and of sizes and species authorized in the Tree and Vegetation Technical Manual to the city's Tree Canopy Preservation Fund to be used for planting trees in Geer Park, with the amount to be determined by the Urban Forester.

Condition 6: Altered riparian corridor areas that can be reasonably restored, shall be restored.

Condition 7: In no case shall alterations to the riparian corridor:

- (i) Occupy more than 50 percent of the width of the riparian corridor measured from the upland edge of the corridor; or
- (ii) Result in less than 15 feet of vegetated corridor on each side of the waterway.

The rights granted by the attached decision for Class 3 Site Plan Review Case No. SPR-TRV 17-13 must be exercised by **May 16, 2021** or this approval shall be null and void. The rights granted by the attached decision for Tree Variance No. SPR-TRV 17-13 must be exercised or an extension granted by **May 16, 2019** or this approval shall be null and void.

Application Deemed Complete: March 24, 2017
Notice of Decision Mailing Date: April 28, 2017
Decision Effective Date: May 16, 2017
State Mandate Date: July 22, 2017

Case Manager: Pamela Cole, pcole@cityofsalem.net

This decision is final unless written appeal from an aggrieved party is filed with the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem OR 97301, no later than **5:00 p.m., May 15, 2017**. The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapter(s) 220 and 808. The appeal must be filed in duplicate with the City of Salem Planning Division. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Salem Hearings Officer will review the appeal at a public hearing. After the hearing, the Hearings Officer may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

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.

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BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM

**SITE PLAN REVIEW / TREE VARIANCE CASE NO. SPR-TRV17-13
DECISION**

IN THE MATTER OF APPROVAL OF)	CLASS 3 SITE PLAN REVIEW AND
SITE PLAN REVIEW AND TREE)	TREE VARIANCE
VARIANCE CASE NO. SPR-TRV17-13)	
3225 STATE ST)	April 28. 2017

In the matter of the application for a Class 3 Site Plan Review and Tree Variance submitted by Kevin Apperson, WHPacific, Inc., on behalf of the applicant Oregon Military Department (Joe Gill), the Planning Administrator, having received and reviewed evidence and the application materials, makes the following findings and adopts the following order as set forth herein.

REQUEST

Summary: Development of a building, parking, and landscaping for the emergency services facility of the Joint Force Headquarters of the Oregon Military Department.

Request: A Class 3 Site Plan Review and Tree Regulation Variance for development of a building, parking, and landscaping for the Joint Force Headquarters of the Oregon Military Department, an Emergency Services use, on a PH (Public and Private Health Services)-zoned lease area of 8.15 acres located north of 3225 State Street 97301 in a 53-acre area of a 294-acre tax lot (Marion County Assessor Map and Tax Lot 073W2500700) owned by the State of Oregon Department of Administrative Services. The Tree Regulation Variance is required because the proposal includes bridge construction that would result in removal of four three trees and native vegetation within a riparian corridor.

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

DECISION

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

Condition 1: At building permit, demonstrate compliance with the solid waste receptacle placement standards of SRC 800.055(b), the solid waste

service area screening standards of SRC 800.055(d), and solid waste service area enclosure standards of SRC 800.055(e).

Condition 2: Prior to and during any grubbing, grading, or construction activities, all trees and native vegetation designated for protection shall be protected from removal or critical damage. Trees designated for protection shall be clearly marked onsite.

Condition 3: During all grubbing, grading and construction activities, sturdy, high-visibility protective fencing shall be installed and maintained around all trees and native vegetation marked for preservation. No grubbing, grading, construction, vehicle parking, or storage or disposal of materials or fill shall be allowed inside the protective fencing.

Condition 4: At the time of application to the Salem Public Works Department for a construction permit, and prior to any grading and/or construction onsite, a copy of the approved Tree Variance shall be provided to the Salem Public Works Department with the construction and grading plans.

Condition 5: Prior to final occupancy for the proposed building, the applicant shall either (a) replant 14 trees a minimum 1.5 inch caliper and of sizes and species authorized in the Tree and Vegetation Technical Manual within the riparian corridor on the subject property or (b) remit an amount equal to the value of 14 trees a minimum 1.5 inch caliper and of sizes and species authorized in the Tree and Vegetation Technical Manual to the city's Tree Canopy Preservation Fund to be used for planting trees in Geer Park, with the amount to be determined by the Urban Forester.

Condition 6: Altered riparian corridor areas that can be reasonably restored, shall be restored.

Condition 7: In no case shall alterations to the riparian corridor:

- (i) Occupy more than 50 percent of the width of the riparian corridor measured from the upland edge of the corridor; or
- (ii) Result in less than 15 feet of vegetated corridor on each side of the waterway.

FINDINGS

1. Class 3 Site Plan Review Applicability

Site plan review is intended to provide a unified, consistent, and efficient means to review proposed development that requires a building permit, other than single-family, duplex residential, and installation of signs, to ensure that such development meets all applicable requirements imposed by the Salem Revised Code (SRC). SRC 220.005(b)(3) requires Class 3 Site Plan Review for any development that requires a building permit, and that involves a land use decision or limited land use decision, as those terms are defined in ORS 197.015.

Class 3 Site Plan Review is required for this application pursuant to SRC 220.005(b)(3)(F) because a Tree Variance has been requested pursuant to SRC 808.045 for the proposed development to remove three trees and other native vegetation within a riparian corridor to construct a bridge.

2. Background

On January 17, 2017, Class 3 Site Plan Review and Tree Variance applications were filed for the proposed development. The applications were deemed complete for processing on March 24, 2017. The applicant's proposed site plan is included as Attachment B.

Neighborhood and Citizen Comments:

Notice of the application was sent to the Northeast Salem Community Association (NESCA), Southeast Salem Neighborhood Association (SESNA), and all property owners of record within 250 feet of the subject property. No comments were received during the public comment period.

City Department Comments:

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

The Building and Safety Division reviewed the proposal and had no comments.

The Fire Department reviewed the proposal and commented, "The Fire Department has no issue with the landscape and removal of the trees. The bridge is required to gain emergency access to the entire campus."

Public Agency Comments:

PGE reviewed the proposal and commented, "Development cost per current tariff and service requirements. Ten-foot public utility easement required on all front street lots."

3. Analysis of Class 3 Site Plan Review Approval Criteria

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

Criterion 1:

The application meets all applicable standards of the UDC.

Finding: The proposal includes construction of a building and parking lot for the emergency services facility of the Joint Force Headquarters of the Oregon Military Department.

The development, as proposed and conditioned, meets all standards of the UDC, except for requirements to preserve trees and native vegetation in a riparian corridor, for which the applicant has requested a Tree Variance.

Development Standards – PH (Public and Private Health Services) Zone

SRC 543.005(a) - Uses:

Except as otherwise provided in Chapters 543, the permitted, special, conditional and prohibited uses in the PH zone are set forth in Table 543-1.

Finding: The proposed emergency services use is a permitted use in the PH zone pursuant to Table 543-1.

SRC 543.010(a) – Lot Standards:

In the PH zone, the minimum lot area is 10,000 square feet; minimum lot width is 50 feet; minimum lot depth is 80 feet; and minimum street frontage is 16 feet.

Finding: The proposed facility is located on a leased area of approximately 8.15 acres, including an area east of the proposed development that is designated for future development, which is located within a 53-acre area bounded by Geer Drive NE, Hawthorne Avenue NE, and State Street. The 53-acre area is part of a 294-acre tax lot. The leased area is more than 1,000 feet wide and 360 feet deep. The leased area has frontage of approximately 1,400 feet on Geer Drive NE, a private street. The proposal exceeds the standards.

SRC 543.010(b) – Setbacks:

Setbacks within the PH zone shall be provided as set forth in Table 543-3 and 543-4. The following is a summary of the applicable setback requirements for the subject property.

North and West: Adjacent to the north and west is the right-of-way for Geer Drive NE. For a building or accessory structure not more than 35 feet in height, the minimum setback adjacent to a street is 20 feet. For a building or accessory structure greater than 35 feet in height, the minimum setback adjacent to a street is 20 feet plus one foot for each one foot of height over 35 feet, but need not exceed 50 feet. Vehicle use areas are required to be setback a minimum 6-10 feet from a street per SRC 806.035(c)(2).

South: Adjacent to the south is the right-of-way for State Street. For a building or accessory structure not more than 35 feet in height, the minimum setback adjacent to a street is 20 feet. For a building or accessory structure greater than 35 feet in height, the minimum setback adjacent to a street is 20 feet plus one foot for each one foot of height over 35 feet, but need not exceed 50 feet. Vehicle use areas are required to be setback a minimum 6-10 feet from a street per SRC 806.035(c)(2).

East: Adjacent to the east is the right-of-way for Hawthorne Avenue NE. For a building or accessory structure not more than 35 feet in height, the minimum setback adjacent to a street is 20 feet. For a building or accessory structure greater than 35 feet in height, the minimum setback adjacent to a street is 20 feet plus one foot for each one foot of

height over 35 feet, but need not exceed 50 feet. Vehicle use areas are required to be setback a minimum 6-10 feet from a street per SRC 806.035(c)(2).

Finding: The proposed 34.5-foot-tall building is set back more than 200 feet from Geer Drive NE, 750 feet from State Street, and 800 feet from Hawthorne Drive NE. The parking and vehicle use areas are set back more than 20 feet from Geer Drive NE and are not adjacent to the other streets. The proposed development exceeds the minimum setbacks.

SRC 543.010(c) - Lot Coverage, Height:

The maximum lot coverage is 60% and the maximum height is 70 feet for buildings and accessory structures in the PH zone.

Finding: The proposed building footprint is approximately 30,000 square feet and will occupy approximately 8% of the leased area or 1% of the subject property. The two-story building would be 34.5 feet in height. The proposed development will comply with the lot coverage and height standards.

SRC 543.010(d) - Landscaping:

- (1) **Setbacks.** Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC Chapter 807.
- (2) **Vehicle Use Areas.** Vehicle use areas shall be landscaped as provided under SRC Chapter 806 and SRC Chapter 807.

Finding: All required setbacks shall be landscaped with a minimum of 1 plant unit per 20 square feet of landscaped area. A minimum of 40 percent of the required number of plant units shall be a combination of mature trees, shade trees, evergreen/conifer trees, or ornamental trees. Plant materials and minimum plant unit values are defined in SRC Chapter 807, Table 807-2.

All building permit applications for development subject to landscaping requirements shall include landscape and irrigation plans meeting the requirements of SRC Chapter 807.

The applicant is proposing interior parking lot landscaping that meets or exceeds the requirements of SRC Chapter 806 and 807.

Off-Street Parking, Loading, and Driveways SRC 806

SRC 806.005 - Off-Street Parking; When Required.

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

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

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

Finding: Off-street parking spaces are located on the same development site as the proposed use.

SRC 806.015 - Amount of Off-Street Parking.

- a) *Minimum Required Off-Street Parking.* The minimum off-street parking requirements are as specified in Table 806-1.
- b) *Compact Parking.* Up to 75 percent of the minimum off-street parking spaces required under this Chapter may be compact parking spaces.
- c) *Carpool and Vanpool Parking.* New developments with 60 or more required off-street parking spaces, and falling within the Public Services and Industrial use classifications, and Business and Professional Services use category, shall designate a minimum of 5 percent of their total off-street parking spaces for carpool or vanpool parking.
- d) *Maximum Off-Street Parking.* Unless otherwise provided in the SRC, off-street parking shall not exceed the amounts set forth in Table 806-2.

Finding: For an emergency services use, the minimum parking requirement is one space per 500 square feet. For the proposed building of 55,078 square feet, the minimum parking requirement is 110 spaces ($55,078 / 500 = 110.16$), the maximum number of compact spaces is 83 spaces ($110 \times 0.75 = 82.5$), and the maximum number of spaces is 193 ($110 \times 1.75 = 192.5$). The applicant proposes 133 standard-sized spaces, meeting the standards.

A minimum of seven carpool/vanpool parking spaces are required for the proposed Public Safety / emergency services use ($133 \text{ spaces} \times .05 = 6.65 \text{ spaces}$). The applicant's site plan indicates seven carpool spaces.

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

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

The following is a summary of the applicable vehicle use area development standards.

North and West: Adjacent to the north and west is the right-of-way for Geer Drive NE. Vehicle use areas are required to be setback a minimum 6-10 feet from a street per SRC 806.035(c)(2).

South: Adjacent to the south is the right-of-way for State Street. Vehicle use areas are required to be setback a minimum 6-10 feet from a street per SRC 806.035(c)(2).

East: Adjacent to the east is the right-of-way for Hawthorne Avenue NE. Vehicle use areas are required to be setback a minimum 6-10 feet from a street per SRC 806.035(c)(2).

Adjacent to Buildings and Structures: Except for drive-through lanes, off-street parking or vehicle use areas shall be set back from the exterior wall of the building or structure by a minimum 5 foot wide landscape strip or by a minimum 5 foot wide paved pedestrian walkway.

Finding: The proposed parking and vehicle use areas are more than 20 feet from Geer Drive NE, State Street, and Hawthorne Avenue NE, exceeding the minimum setback abutting a street. All of the proposed parking and vehicle use areas meet or exceed the 5-foot setback from buildings.

- d) *Interior Landscaping.* Interior landscaping shall be provided in amounts not less than those set forth in Table 806-5. For parking areas 50,000 square feet or greater, a minimum of 8 percent of the interior parking area shall be landscaped. A minimum of one deciduous shade tree shall be planted for every 12 parking spaces within an off-street parking area. Trees may be clustered within landscape islands or planter bays, and shall be distributed throughout the off-street parking area to create a canopy effect and to break up expanses of paving and long rows of parking spaces. Landscape islands and planter bays shall have a minimum planting area of 25 square feet, and shall have a minimum width of 5 feet.

Finding: The site plan indicates parking areas of 75,592 square feet and interior parking lot landscaping of 15%, exceeding the standard.

Adequate landscape islands and planter bays are proposed for the required landscaping. Landscape plans will be reviewed for compliance with tree planting requirements at building permit.

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

Finding: The proposed parking spaces, driveway, and drive aisles meet the minimum dimensional requirements of SRC Chapter 806.

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

Finding: The off-street parking area will be developed consistent with the additional development standards for grade, surfacing, and drainage. The off-street parking and vehicle use areas shall include bumper guards or wheel barriers so that no portion of a vehicle will overhang or project into required setbacks, landscaped areas, and pedestrian accessways. The parking area striping, marking, signage and lighting shall

be consistent with SRC Chapter 806. Off-street parking area screening is not required for the proposed parking area.

SRC 806.040 - Driveway Development Standards.

- a) *Access.* Off-street parking and vehicle use areas shall have either separate driveways for ingress and egress, a single driveway for ingress and egress with an adequate turnaround that is always available or a loop to the single point of access.
- b) *Location.* Driveways shall not be located within required setbacks, except where the driveway provides direct access to the street, alley, or abutting property, or the driveway is a shared driveway located over the common lot line and providing access to two or more uses.
- c) *Additional Development Standards 806.040(c)-(g).*

Finding: The proposal includes a gated emergency driveway access to Geer Drive NE and an interior driveway that connects to an existing parking and vehicle use area serving the existing emergency services facilities to the south. The interior driveway and parking lot drive aisles form a loop back to the single point of access. The proposed emergency driveway access and interior driveway meet applicable standards.

Bicycle Parking

SRC 806.045 - General Applicability.

Bicycle parking shall be provided and maintained for each proposed new use or activity; any change of use or activity, when such change of use or activity results in a bicycle parking ratio requiring a greater number of spaces than the previous use or activity; or any intensification, expansion, or enlargement of a use or activity.

SRC 806.055 - Amount of Bicycle Parking.

The minimum bicycle parking requirement for an emergency services use is one space per 5,000 square feet.

Finding: For the proposed building of 55,078 square feet, the minimum bicycle parking requirement is 11 spaces ($55,078 / 5,000 = 11.02$). The applicant is proposing 12 bicycle parking spaces.

SRC 806.060 - Bicycle Parking Development Standards.

- a) *Location.* Bicycle parking areas shall be located within a convenient distance of, and shall be clearly visible from, the primary building entrance. In no event shall bicycle parking areas be located more than 50 feet from the primary building entrance.
- b) *Access.* Bicycle parking areas shall have direct and accessible access to the public right-of-way and the primary building entrance.

- c) *Dimensions.* Bicycle parking spaces shall be a minimum of 6 feet by 2 feet, and shall be served by a minimum 4-foot-wide access aisle.
- d) *Bicycle Racks.* Where bicycle parking is provided in racks, the racks may be floor, wall, or ceiling racks. Bicycle racks shall accommodate the bicyclist's own locking device.

Finding: The proposed bicycle parking appears to meet the standards. Compliance will be verified at building permit.

Off-Street Loading Areas

SRC 806.065 - General Applicability.

Off-street loading areas shall be provided and maintained for each new use or activity; any change of use or activity, when such change of use or activity results in a greater number of required off-street loading spaces than the previous use or activity; or any intensification, expansion, or enlargement of a use or activity.

SRC 806.075 - Amount of Off-Street Loading.

Unless otherwise provided under the UDC, off-street loading shall be provided in amounts not less than those set forth in Table 806-9.

Finding: The minimum loading space requirement for an emergency services use of 55,078 square feet is one space 12 feet wide by 30 feet long by 14 feet high. The applicant is proposing a loading zone exceeding these standards.

Landscaping

All required setbacks and other required landscaping shall be landscaped with a minimum of 1 plant unit per 20 square feet of landscaped area. A minimum of 40 percent of the required number of plant units shall be a combination of mature trees, shade trees, evergreen/conifer trees, or ornamental trees. Plant materials and minimum plant unit values are defined in SRC Chapter 807, Table 807-2.

All building permit applications for development subject to landscaping requirements shall include landscape and irrigation plans meeting the requirements of SRC Chapter 807.

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

Natural Resources

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

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

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

Three protected riparian trees and native vegetation have been identified on the site plan for removal. The applicant has requested a Tree Variance.

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

According to the Salem-Keizer Local Wetland Inventory (LWI), there are wetlands on the subject property. The Public Works Department notified the Oregon Department of State Lands of the proposed development and received a response (Attachment D) indicating that a state permit may be required.

SRC 810 - Landslide Hazards: A geological assessment or report is required when regulated activity is proposed in a mapped landslide hazard area. The subject property contains no mapped landslide hazard points. A geological assessment was not required under SRC 810 for the proposed development. The applicant provided a geotechnical investigation.

Solid Waste Service Areas

SRC 800.055(a) – Applicability

Solid waste service area design standards shall apply to:

- (1) All new solid waste, recycling, and compostable service areas, where use of a solid waste, recycling, and compostable receptacle of 1 cubic yard or larger is proposed; and
- (2) Any change to an existing solid waste service area for receptacles of 1 cubic yard or larger that requires a building permit.

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

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

Staff Response: The proposal includes a solid waste service area at the east end of the drive aisle that is parallel to and nearest the proposed building. The proposed vehicle operation area meets the standards, with an unobstructed area approximately

20 feet wide and more than 45 feet long in front of the compactors. Compliance will be verified at building permit.

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

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

- 1) Pad Area. In determining the total concrete pad area for any solid waste service area:
 - (A) The pad area shall extend a minimum of 1-foot beyond the sides and rear of the receptacle; and
 - (B) The pad area shall extend a minimum 3 feet beyond the front of the receptacle.
 - (C) In situations where receptacles face each other, a minimum 4 feet of pad area shall be required between the fronts of the facing receptacles.
- 2) Minimum Separation.
 - (A) A minimum separation of 1.5 feet shall be provided between the receptacle and the side wall of the enclosure.
 - (B) A minimum separation of 5 feet shall be provided between the receptacle and any combustible walls, combustible roof eave lines, or building or structure openings.
- 3) Vertical Clearance.
 - (A) Receptacles 2 cubic yards or less in size shall be provided with a minimum of 8 feet of unobstructed overhead or vertical clearance for servicing.
 - (B) Receptacles greater than 2 cubic yards in size shall be provided with a minimum of 14 feet of unobstructed overhead or vertical clearance for servicing.

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

- 1) Solid waste, recycling, and compostable service areas shall be screened from all streets abutting the property and from all abutting residentially zoned property by a minimum 6-foot-tall sight-obscuring fence or wall; provided, however, where receptacles, drop boxes, and compactors are located within an enclosure, screening is not required. For the purpose of this standard, abutting property shall also include any residentially zoned property located across an alley from the property.
- 2) Existing screening at the property line shall satisfy screening requirements if it includes a 6-foot-tall sight-obscuring fence or wall.

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

When enclosures are used for required screening or aesthetics, such enclosures shall conform to the following standards:

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

2) Measures to Prevent Damage to Enclosure.

(A) Enclosures constructed of wood or chain link fencing material shall contain a minimum 4-inch nominal high bumper curb at ground level located 12 inches inside the perimeter of the outside walls of the enclosure to prevent damage from receptacle impacts.

(B) Enclosures constructed of concrete, brick, masonry block, or similar types of material shall contain a minimum 4-inch nominal high bumper curb at ground level located 12 inches inside the perimeter of the outside walls of the enclosure, or a fixed bumper rail to prevent damage from receptacle impacts.

(C) The requirements under subparagraphs (A) and (B) of this paragraph shall not apply if the enclosure is designed to be separated:

(i) A minimum distance of 2 feet from the sides of the container or receptacles; and

(ii) A minimum of 3 feet from the rear of the container or receptacles.

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

5) Prohibited Enclosures. Receptacles shall not be stored in buildings or entirely enclosed structures unless the receptacles are:

(A) Stored in areas protected by an automatic sprinkler system approved by the City Fire Marshal; or

(B) Stored in a building or structure of a fire resistive Type I or Type IIA construction that is located not less than 10 feet from other buildings and used exclusively for solid waste receptacle storage.

The applicant did not provide full plans of the solid waste service area but acknowledged that the solid waste service area shall conform to the applicable standards. To ensure compliance with the requirements, the following condition is required:

Condition 1: At building permit, demonstrate compliance with the solid waste service area development standards of SRC 800.055.

Criterion 2:

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

Finding: The existing street system is adequate to serve the proposed development. Geer Drive NE is designated as a private street and is fully improved along the development frontage of the subject property. Existing sidewalk is located on the west side of Geer Drive NE and provides access to Geer Park and properties north of the subject property.

Pedestrian access to the Oregon Military Department is provided along the development frontage of State Street. Salem TSP identifies Geer Drive NE as Geer Park Access Street and recommends improvements to extend Geer Drive NE eastward to Hawthorne Avenue NE, creating a second access point to the park. These improvements are listed as a Medium Priority project and are not required as a condition of the proposed development.

State Street meets the right-of-way width and pavement width standards per the Salem TSP; therefore no additional street improvements are required as a condition of the proposed development.

Criterion 3:

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

Finding: The driveway access onto Geer Drive NE provides for safe turning movements into and out of the property.

Criterion 4:

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

Finding: The Public Works Department has reviewed the applicant's preliminary utility plan for this site. The water, sewer, and storm infrastructure are available within surrounding streets and are adequate to serve the proposed development. The applicant shall design and construct all utilities including sewer, water, and storm drainage according to the PWDS and to the satisfaction of the Public Works Director.

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

4. Analysis of Tree Variance Criteria

The purpose of Tree Variances is to provide a process to allow deviations from the requirements of Salem Revised Code Chapter 808 where the deviation is reasonably necessary to permit the otherwise lawful development of a property. SRC 808.045(d) provides for two different types of variance requests; a hardship variance or an economical use variance. The applicant has provided a statement with the application addressing the hardship criteria. SRC 808.045(d)(1) states that a hardship variance shall be granted if the following criteria are met:

(A) There are special conditions that apply to the property which create unreasonable hardships or practical difficulties which can most effectively be relieved by a variance; and

(B) The proposed variance is the minimum necessary to allow the otherwise lawful proposed development or activity.

Applicant's Statement: The overall site plan identifies an internal roadway crossing the south end of the proposed development. This is proposed in order to connect the Joint Force Headquarters building with the remainder of the OMD campus. This enables OMD to maintain a single controlled and secured access point to both facilities. In order to construct the roadway, four small trees would be removed in order to span the man-made stormwater conveyance facility. This location was selected since it required the least amount of tree removal. Although there are other options for crossing the conveyance feature, this location resulted in the fewest number of trees being removed.

Finding: The special conditions applicable to the property are that, due to the nature of the facility, an internal connection is required between the proposed building and the previously constructed campus, and a single controlled and secured access is necessary.

The man-made stormwater conveyance facility is classified on the city's maps as an intermittent creek. A riparian corridor is present on both sides of the creek, measuring 50 feet from top of bank. Because the roadway must cross the creek via a bridge, three willows 10 inches or larger in diameter and four smaller willows are proposed to be removed. The willows 10 inches or larger are considered trees, and the smaller willows are considered native vegetation.

The proposed location of the bridge appears to minimize the removal of trees and other riparian vegetation as much as is feasible while allowing otherwise lawful development of the subject property. The site plan indicates that the proposed bridge is approximately 26 feet wide and a sidewalk on the east side is approximately 6 feet wide. This width provides safe maneuvering for two-way traffic and safe pedestrian connectivity between the two areas. Shifting the bridge to the west would move it too close to existing security fences and make maneuvering difficult for vehicles. Shifting the bridge to the east would require removal of a greater number of trees.

SRC 808.045(e)(1) states that conditions may be imposed on the approval of a Tree Variance to ensure compliance with the approval criteria and to limit any adverse impacts that may result from granting the Tree Variance. In order to ensure that only the minimum number of riparian trees and minimum amount of native vegetation are removed from the riparian corridor, that the trees that are proposed for preservation are in fact preserved, and that the tree removal is mitigated, the following conditions of approval shall apply:

Condition 2: Prior to and during any grubbing, grading, or construction activities, all trees and native vegetation designated for protection shall be protected from removal or critical damage. Trees designated for protection shall be clearly marked onsite.

Condition 3: During all grubbing, grading and construction activities, sturdy, high-visibility protective fencing shall be installed and maintained around all trees and native vegetation marked for preservation. No grubbing, grading, construction, vehicle parking, or storage or disposal of materials or fill shall be allowed inside the protective fencing.

Condition 4: At the time of application to the Salem Public Works Department for a construction permit, and prior to any grading and/or construction onsite, a copy of the approved Tree Variance shall be provided to the Salem Public Works Department with the construction and grading plans.

Condition 5: Prior to final occupancy for the proposed building, the applicant shall either (a) replant 14 trees a minimum 1.5 inch caliper and of sizes and species authorized in the Tree and Vegetation Technical Manual within the riparian corridor on the subject property or (b) remit an amount equal to the value of 14 trees a minimum 1.5 inch caliper and of sizes and species authorized in the Tree and Vegetation Technical Manual to the city's Tree Canopy Preservation Fund to be used for planting trees in Geer Park, with the amount to be determined by the Urban Forester.

In addition to the conditions imposed under SRC 808.045(e)(1) of this subsection, where a variance is proposed to the requirements for the preservation of trees and native vegetation in riparian corridors, SRC 808.045(e)(2) states that the approval shall include the following conditions:

Condition 6: Altered riparian corridor areas that can be reasonably restored, shall be restored.

Condition 7: In no case shall alterations to the riparian corridor:

- (i) Occupy more than 50 percent of the width of the riparian corridor measured from the upland edge of the corridor; or
- (ii) Result in less than 15 feet of vegetated corridor on each side of the waterway.

In the area of riparian corridor where existing trees and native vegetation will be removed, restoration would include removal of invasive plants and replacement of the trees with low-growing shrubs and groundcover of sizes and species authorized in the Tree and Vegetation Technical Manual.

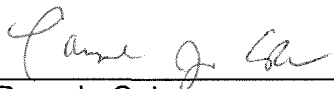
The area to be altered for the bridge, roadway, and fire department access roadway occupies approximately 26 percent of the north side of the riparian corridor and 19 percent of the south side of the riparian corridor in the vicinity of the proposed development. Except in the area where the bridge and roadway must be located, and the area previously developed south of the waterway, there will be more than 15 feet of vegetated corridor on each side of the waterway.

Staff finds that the proposal, as conditioned, meets the approval criteria for a Hardship Variance pursuant to SRC 808.045(d)(2).

ORDER

Final approval of Class 3 Site Plan Review and Tree Removal Variance Case No. 17-13 is hereby APPROVED subject to SRC Chapter 220 and 808, the applicable standards of the Salem Revised Code, conformance with the approved site plan included as Attachment B, and the following conditions of approval:

- Condition 1:** At building permit, demonstrate compliance with the solid waste receptacle placement standards of SRC 800.055(b), the solid waste service area screening standards of SRC 800.055(d), and solid waste service area enclosure standards of SRC 800.055(e).
- Condition 2:** Prior to and during any grubbing, grading, or construction activities, all trees and native vegetation designated for protection shall be protected from removal or critical damage. Trees designated for protection shall be clearly marked onsite.
- Condition 3:** During all grubbing, grading and construction activities, sturdy, high-visibility protective fencing shall be installed and maintained around all trees and native vegetation marked for preservation. No grubbing, grading, construction, vehicle parking, or storage or disposal of materials or fill shall be allowed inside the protective fencing.
- Condition 4:** At the time of application to the Salem Public Works Department for a construction permit, and prior to any grading and/or construction onsite, a copy of the approved Tree Variance shall be provided to the Salem Public Works Department with the construction and grading plans.
- Condition 5:** Prior to final occupancy for the proposed building, the applicant shall either (a) replant 14 trees a minimum 1.5 inch caliper and of sizes and species authorized in the Tree and Vegetation Technical Manual within the riparian corridor on the subject property or (b) remit an amount equal to the value of 14 trees a minimum 1.5 inch caliper and of sizes and species authorized in the Tree and Vegetation Technical Manual to the city's Tree Canopy Preservation Fund to be used for planting trees in Geer Park, with the amount to be determined by the Urban Forester.
- Condition 6:** Altered riparian corridor areas that can be reasonably restored, shall be restored.
- Condition 7:** In no case shall alterations to the riparian corridor:
- (i) Occupy more than 50 percent of the width of the riparian corridor measured from the upland edge of the corridor; or
 - (ii) Result in less than 15 feet of vegetated corridor on each side of the waterway.



Pamela Cole,
Planning Administrator Designee

Prepared by Pamela J. Cole, Planner II

Attachments: A. Vicinity Map
B. Proposed Site Plan
C. Public Works Memo
D. Wetland Land Use Notification Response

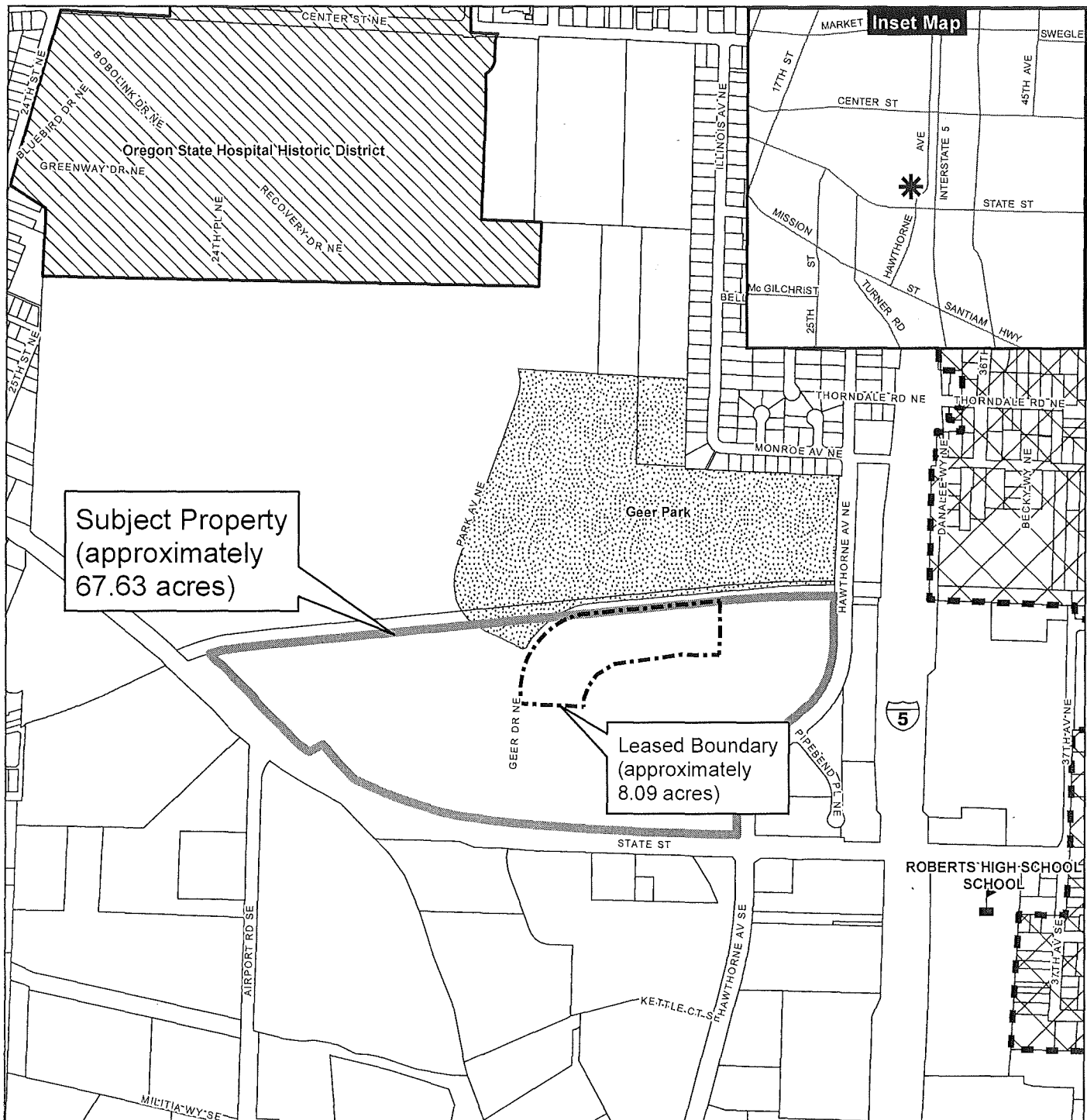
Application Deemed Complete:	<u>March 23, 2017</u>
Notice of Decision Mailing Date:	<u>April 28, 2017</u>
Decision Effective Date:	<u>May 16, 2017</u>
State Mandated Decision Date:	<u>July 22, 2017</u>

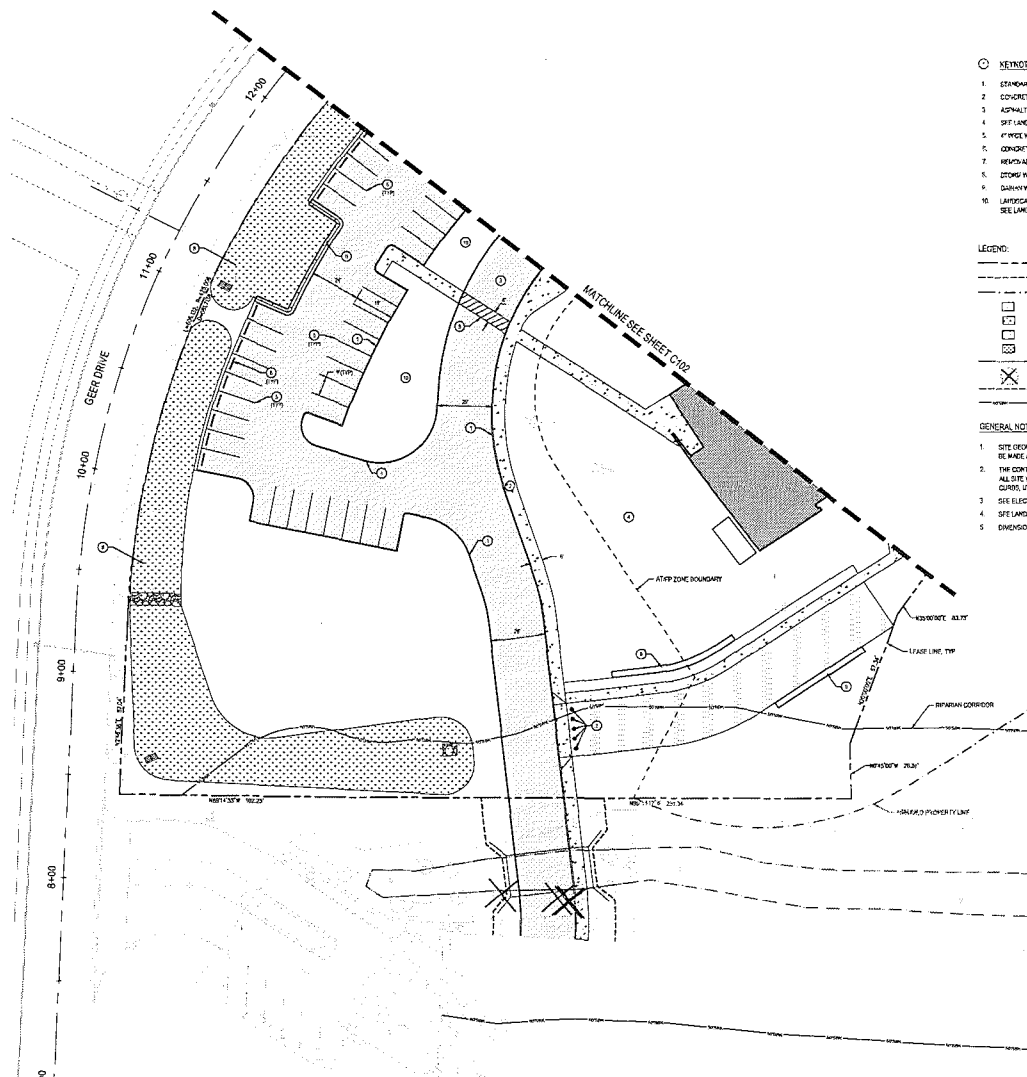
The rights granted by the attached decision for Class 3 Site Plan Review Case No. SPR-TRV 17-13 must be exercised by **May 16, 2021** or this approval shall be null and void. The rights granted by the attached decision for Tree Variance No. SPR-TRV 17-13 must be exercised or an extension granted by **May 16, 2019** or this approval shall be null and void.

This decision is final unless written appeal from an aggrieved party is filed with the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem OR 97301, no later than **5:00 p.m., May 15, 2017**. The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapter(s) 220 and 808. The appeal must be filed in duplicate with the City of Salem Planning Division. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Salem Hearings Officer will review the appeal at a public hearing. After the hearing, the Hearings Officer may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

www.cityofsalem.net/planning

Vicinity Map North of 3225 State Street





NOTES

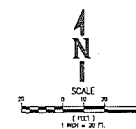
1. STANDARD CURBS PER USAS
2. CONCRETE SIDEWALK PER USAS
3. ASPHALT PAVEMENT PER USAS
4. SITE LANDSCAPE PLANS FOR LAYOUT
5. 4" O.D. WHITE TRAFFIC RATED PAVEMENT
6. CONCRETE WALKWAYS PER USAS
7. REMOVABLE ROLLABLE PER USAS
8. STORM WATER DRAIN, SEE CDD
9. DRAINAGE WALL
10. LANDSCAPED LA AND FOR DETAIL FOR PLANTING SEE LANDSCAPE PLANS

LEGEND

- LEAD LINE
- AT PER ZONE BOUNDARY
- MATCHLINE SEE SHEET C102
- ASPHALT
- CONCRETE
- GRASS PAVED
- STORM WATER DRAIN
- WETLAND
- LANDSCAPE PLANTING
- LANDSCAPE PLANTING
- REINFORCED CONCRETE

GENERAL NOTES

1. SITE GEOMETRY IS NOT FULLY DETAILED. ELEVATION FILES WILL BE MADE AVAILABLE FOR CONSTRUCTION LAYOUT.
2. THE CONTRACTOR SHALL PROVIDE CONSTRUCTION STAKING FOR ALL SITE WORK, INCLUDING BUT NOT LIMITED TO GRADING, PAVING, CURBS, UTILITIES, SITE ELECTRICAL, ETC.
3. SITE ELECTRICAL PLANS FOR SITE LIGHTING.
4. SITE LANDSCAPE PLANS FOR PLANTING.
5. DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.



FORTIS

SERA

ARCHITECTURE
URBAN DESIGN & PLANNING
INTERIOR DESIGN

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WHPacific

JOINT FORCES HEADQUARTERS

OREGON TULLERY DEPARTMENT
SALMON, OREGON

DATE: 01/11/11
PROJECT NO: 1011011

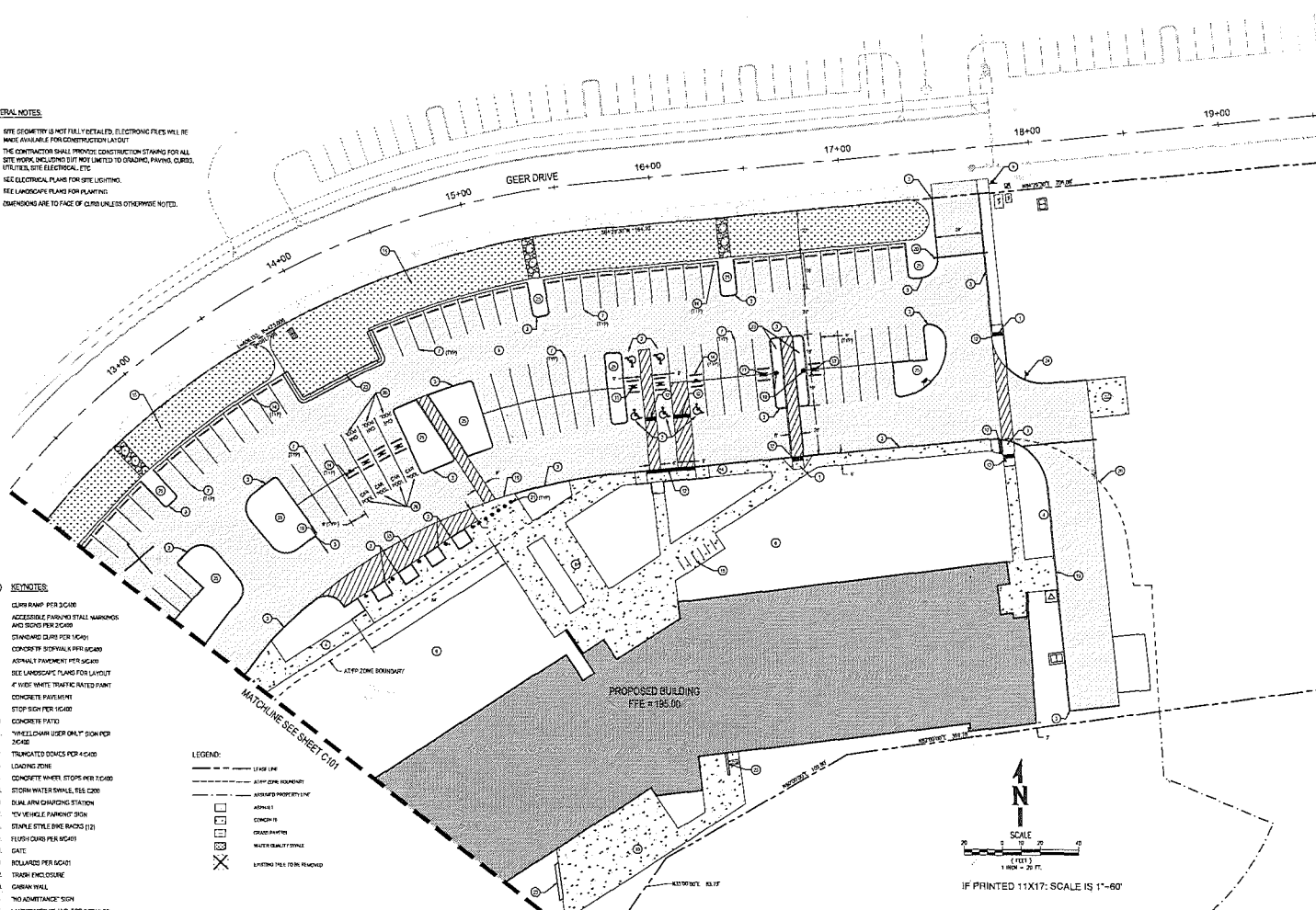
Detailed Site Plan

C101

1. **CLERK** PER 20.00
2. ADDRESS PLANS AND STALL MARKINGS AND SIGN PER 25.00
3. SIGNAGE DASH PER 15.00
4. CONCRETE SIGNPOST PER 15.00
5. AERIAL PHOTOGRAPHY PER 50.00
6. SET LANDSCAPE PLANS FOR LAYOUT IF HIGH IMPACT TRAFFIC RATED PAINT
7. CONCRETE PAVEMENT
8. STOP SIGN PER 15.00
9. CONCRETE PAVEMENT
10. "WALKEDOWN USER ONLY" SIGN PER 15.00
11. TRUCKED-DOWN SIGN PER 4.00
12. LANDING ZONE
13. CONCRETE IMPERFECT STOPS PER 7.00
14. STORM WATER DRAINAGE, 155.00
15. DUAL AIR CONDITIONING STATION
16. "NO VEHICLE PARKING" SIGN
17. STAINLESS STEEL BINE BARS 12.00
18. FISHING DASH PER 15.00
19. DATE
20. ROLLS PER 15.00
21. TRASH ENCLOSURE
22. GEAR RAIL
23. "NO ADMITTANCE" SIGN
24. LANDSCAPING PLANS FOR DETAILS INCLUDING LANDSCAPE PLANS
25. "NO PARKING" SIGN AND STRIPING

LEGEND:


- STAGE LINE
- - - - - ADJACENT ZONE BOUNDARY
- . - . - . ADJACENT PROPERTY LINE
- [] ASPHALT
- [] CONCRETE
- [] GRAVEL PAVEMENT
- [] WATER QUALITY ZONE
- [X] EXISTING TO BE REMOVED





MEMO

TO: Pamela Cole, Planner II
Community Development Department

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

DATE: April 19, 2017

SUBJECT: PUBLIC WORKS RECOMMENDATIONS
SITE PLAN REVIEW-TRV17-13 (17-102101-RP)
3225 STATE STREET
OREGON MILITARY DEPARTMENT HEADQUARTERS BUILDING

PROPOSAL

A Class 3 Site Plan Review and Tree Regulation Variance for development of a building, parking lot, and landscaping for the Joint Force Headquarters of the Oregon Military Department, an Emergency Services use, on a PH (Public and Private Health Services) zoned lease area of 8.15 acres located north of 3225 State Street 97301 in a 53-acre area of a 294-acre tax lot (Marion County Assessor Map and Tax Lot 073W2500700) owned by the State of Oregon Department of Administrative Services. The Tree Regulation Variance is required because the proposal includes bridge construction that would result in removal of four trees and native vegetation within a riparian corridor.

SUMMARY OF FINDINGS

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

FACTS

RECEIVED

APR 20 2017

Streets

COMMUNITY DEVELOPMENT

1. State Street

- a. Existing Conditions—This street has an approximate 68-foot improvement within a 120-foot-wide right-of-way abutting the subject property.
- b. Standard—This street is designated as a major arterial street in the Salem TSP. The standard for this street classification is a 68-foot-wide improvement within a 96-foot-wide right-of-way.

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

2. Geer Drive NE

- a. Existing Conditions—This street has an approximate 30-foot improvement with sidewalks along the west side of the street.
- b. Standard—This street is designated as a private street. The Salem TSP identifies this street as Geer Park Access Street.

Storm Drainage

1. Existing Conditions

- a. A 10-inch storm main is located in Geer Drive NE.

Water

1. Existing Conditions

- a. The subject property is located in the G-0 water service level.
- b. A 12-inch water main is located in Geer Drive NE. Mains of this size generally convey flows of 1,100 to 2,500 gallons per minute.

Sanitary Sewer

1. Existing Conditions

- a. An 8-inch sewer line is located in Geer Drive NE.

CRITERIA AND FINDINGS

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

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

Finding: The existing street system is adequate to serve the proposed development. Geer Drive NE is designated as a private street and is fully improved along the development frontage of the subject property. Existing sidewalk is located on the west side of Geer Drive NE and provides access to Geer Park and properties north of the subject property.

Pedestrian access to the Oregon Military Department is provided along the development frontage of State Street. Salem TSP identifies Geer Drive NE as Geer Park Access Street and recommends improvements to extend Geer Drive NE eastward to Hawthorne Avenue NE, creating a second access point to the park. These improvements are listed as a Medium Priority project and are not required as a condition of the proposed development.

State Street meets the right-of-way width and pavement width standards per the Salem TSP; therefore no additional street improvements are required as a condition of the proposed development.

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

Finding: The driveway access onto Geer Drive NE provides for safe turning movements into and out of the property.

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

Finding: The Public Works Department has reviewed the applicant's preliminary utility plan for this site. The water, sewer, and storm infrastructure are available within surrounding streets and are adequate to serve the proposed development. The applicant shall design and construct all utilities including sewer, water, and storm drainage according to the PWDS and to the satisfaction of the Public Works Director.

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.

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

ATTACHMENT D



WETLAND LAND USE NOTIFICATION RESPONSE
OREGON DEPARTMENT OF STATE LANDS
 775 Summer Street NE, Suite 100, Salem, OR 97301-1279
 Phone (503) 986-5200
www.oregonstatelands.us

DSL File Number: WN2017-0050

Cities and counties have a responsibility to notify the Department of State Lands (DSL) of certain activities proposed within wetlands mapped on the Statewide Wetlands Inventory. Robin Dalke from city of Salem submitted a WLUN pertaining to local case file #: 17-102101 RP.

Activity location:

township: 07S	range: 03W	section: 25	quarter-quarter section:
tax lot(s): 700			
street address: 3225 State St			
city: Salem		county: Marion	
latitude: 44.930713		longitude: -122.99721	

Mapped wetland/waterway features:

- ☒ The national wetlands inventory shows a wetland on the property.
- ☒ The local wetlands inventory shows a wetland on the property.
- ☒ The county soil survey shows hydric (wet) soils on the property. Hydric soils indicate that there may be wetlands.

Oregon Removal-Fill requirement (s):

- ☒ A state permit is required for 50 cubic yards or more of removal and/or fill in wetlands, below ordinary high water of streams, within other waters of the state, or below highest measured tide where applicable.

Your activity:

- ☒ A state permit will be required for the proposed project if any amount of disturbance occurs within the wetland that is a mitigation site or if more than 50 cubic yards of ground disturbance is proposed within other mapped wetlands.

Contacts:

- ☒ For permit information and requirements contact DSL Resource Coordinator (see website for current list) http://www.oregonstatelands.us/DSL/contact_us_directory.shtml#Wetlands Waterways
- ☒ For removal-fill permit and/or wetland delineation report fees go to http://www.oregon.gov/DSL/PERMITS/docs/rf_fees.pdf
- ☒ A permit may be required by the U.S. Army Corps of Engineers (503-808-4373).

Related wetland delineations/determinations:

WD #	Status
WD2014-0259	Approved

☒ This is a preliminary jurisdictional determination and is advisory only.

Comments: The wetland delineation (WD2014-0259) is the most recent and approved delineation. Refer to the cover letter which describes the jurisdiction of each wetland. Please call Lauren Brown if you have any questions at 503-986-5218.

Response by: _____

Lauren Brown

date: 02/16/2017