

## NOTICE OF DECISION

PLANNING DIVISION  
555 LIBERTY ST. SE, RM 305  
SALEM, OREGON 97301  
PHONE: 503-588-6173  
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*Si necesita ayuda para comprender esta informacion, por favor llame  
503-588-6173*

## DECISION OF THE PLANNING ADMINISTRATOR

**URBAN GROWTH AREA PRELIMINARY DECLARATION / CLASS 3 SITE PLAN REVIEW / CLASS 2 DRIVEWAY APPROACH PERMIT CASE NO. UGA-SPR-DAP17-02**

**APPLICATION NO. : 17-106030-LD & 17-106031-RP**

**NOTICE OF DECISION DATE: June 9, 2017**

**SUMMARY:** An Urban Growth Area Preliminary Declaration to determine the public facilities required for development of 1.13 acres and a Site Plan Review and Driveway Approach Permit, for a 20,000 square foot commercial building.

**REQUEST:** Consolidated application including an Urban Growth Area Preliminary Declaration for 1.13 acres in the IG (General Industrial) zone (Marion County Assessor Map and Tax Lot 073W35DA01500) and a Class 3 Site Plan Review and Class 2 Driveway Approach Permit, for a 20,000 square foot commercial building in the IG (General Industrial) zone located on the 2300 Block of McGilchrist Street SE (Marion County Assessor Map and Tax Lot 073W35DA01500).

**APPLICANT:** McGilchrist Business Park LLC (Roger Evans)

**OWNER(S):** Lulay's Properties LLC (Don Lulay)

**AGENT(S):** Richard Walker for AKS Engineering & Forestry

**LOCATION:** 2300 Block of McGilchrist Street SE / 97302

**CRITERIA:** UGA Preliminary Declaration - SRC 200.025(d)(e)  
Class 3 Site Plan Review - SRC 220.005(f)(3)  
Class 2 Driveway Approach Permit - SRC 804.025(d)

**FINDINGS:** The findings are in the attached Order dated June 9, 2017.

**DECISION:** The Planning Administrator **APPROVED** Urban Growth Area Preliminary Declaration, a Class 3 Site Plan Review, and a Class 2 Driveway Approach Permit Case No. UGA-SPR-DAP17-02 subject to the following conditions of approval:

**Condition 1.** The shared driveway approach accessing McGilchrist Street NE shall be consistent with the revised site plan in Attachment D, centered on the subject property's western property line.

**Condition 2.** Along the extent of abutting improvements of 23<sup>rd</sup> St SE as defined in SRC 200.035(a)(4), the applicant shall construct the incomplete portion of the half-street improvement between the curb line and the right-of-way line, including construction of sidewalk, street trees, and street lights as specified in PWDS. The sidewalk along 23<sup>rd</sup> may be constructed along the curb line or property line and the required street lights may be located on existing power poles.

**Condition 3:** Provide an unobstructed front opening of at least 12 feet in width for each enclosure.

**Condition 4:** Provide 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.

**Condition 5:** Provide gates that swing a minimum of 120 degrees and provide restrainers in the open and closed positions.


**Condition 6:** Convey land for dedication to equal a half-width right-of-way of 42 feet on the development side of McGilchrist Street SE.

**Condition 7:** Provide a maximum 40-foot-wide driveway to McGilchrist Street SE centered on the west line of the subject property, pursuant to SRC 804.045. The applicant shall provide a reciprocal access agreement or easement agreement to ensure permanent shared access.

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

Urban Growth Area Preliminary Declaration	<u>June 27, 2019</u>
Class 3 Site Plan Review	<u>June 27, 2021</u>
Class 2 Driveway Approach Permit	<u>June 27, 2021</u>

Application Deemed Complete:	<u>April 11, 2017</u>
Notice of Decision Mailing Date:	<u>June 9, 2017</u>
Decision Effective Date:	<u>June 27, 2017</u>
State Mandate Date:	<u>September 6, 2017</u>

Case Manager: Olivia Glantz, [OGlantz@cityofsalem.net](mailto:OGlantz@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., June 26, 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) 200, 220, and 804. The appeal must be filed in duplicate with the City of Salem Planning Division. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The 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>**

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**BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM**

**URBAN GROWTH AREA PRELIMINARY DECLARATION / SITE PLAN REVIEW /  
ADJUSTMENT  
CASE NO. UGA-SPR-ADJ17 -02  
DECISION**

IN THE MATTER OF APPROVAL OF	)	UGA-SPR-DAP-
URBAN GROWTH AREA PRELIMINARY	)	CASE NO. 17-02
DECLARATION, CLASS 3	)	
SITE PLAN REVIEW, AND CLASS 2	)	
DRIVEWAY APPROACH PERMIT	)	
CASE NO. 17-02	)	
2300 BLOCK OF MCGILCHRIST ST SE	)	June 9, 2017

In the matter of the application for an Urban Growth Area Preliminary Declaration, Class 3 Site Plan Review and Class 2 Driveway Approach Permit submitted by McGilchrist Business Park, LLC, applicant, and represented by Janelle Shanahan, AKS Engineering and Forestry, 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: An Urban Growth Area Preliminary Declaration to determine the public facilities required for development of 1.13 acres and a Site Plan Review and Driveway Approach Permit, for a 20,000 square foot commercial building.

Request: Consolidated application including an Urban Growth Area Preliminary Declaration for 1.13 acres in the IG (General Industrial) zone (Marion County Assessor Map and Tax Lot 073W35DA01500) and a Class 3 Site Plan Review and Class 2 Driveway Approach Permit, for a 20,000 square foot commercial building in the IG (General Industrial) zone located on the 2300 Block of McGilchrist Street SE (Marion County Assessor Map and Tax Lot 073W35DA01500).

A vicinity map is included as Attachment A.

**DECISION**

The Urban Growth Preliminary Declaration, Class 3 Site Plan Review, and Class 2 Adjustment application is **APPROVED** subject to the applicable standards of the Salem Revised Code, the findings contained herein, and the following conditions of approval:

- Condition 1:** The shared driveway approach accessing McGilchrist Street NE shall be consistent with the revised site plan in Attachment D, centered on the subject property's western property line.
- Condition 2:** Along the extent of abutting improvements of 23<sup>rd</sup> St SE as defined in SRC 200.035(a)(4), the applicant shall construct the incomplete portion of the half-street improvement between the curb line and the right-of-way line, including construction of sidewalk, street trees, and street lights as specified in PWDS. The sidewalk along 23<sup>rd</sup> may be constructed along the curb line or property line and the required street lights may be located on existing power poles.
- Condition 3:** Provide an unobstructed front opening of at least 12 feet in width for each enclosure.
- Condition 4:** Provide 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.
- Condition 5:** Provide gates that swing a minimum of 120 degrees and provide restrainers in the open and closed positions.
- Condition 6:** Convey land for dedication to equal a half-width right-of-way of 42 feet on the development side of McGilchrist Street SE.
- Condition 7:** Provide a maximum 40-foot-wide driveway to McGilchrist Street SE centered on the west line of the subject property, pursuant to SRC 804.045. The applicant shall provide a reciprocal access agreement or easement agreement to ensure permanent shared access.

## 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)(B) because a Class 2 Driveway Approach Permit is requested.

### 2. Background

On March 13, 2017, Class 3 Site Plan Review, Urban Growth Area Preliminary Declaration and Class 2 Driveway Approach applications were filed. Additional information was requested from the applicant. After receiving additional information, the applications were deemed complete for processing and notice was mailed on April 7, 2017. The applicant requested to place the application on hold until May 26, 2017 and extended the State Mandated Decision Date by 15 days.

The applicant's proposed site plan is included as Attachment B. The applicant's proposed utility plan is included as Attachment C. The applicant's revised site plan is included as Attachment D.

### **Neighborhood and Citizen Comments:**

Notice of the application was sent to the Southeast Salem Neighborhood Association (SESNA) and all property owners of record within 250 feet of the subject property. No comments were received from SESNA. Comments were received from one surrounding property owner during the public comment period. These comments and concerns are summarized below.

*The relocation and proposed shared driveway is not what was agreed upon by the property located at 2305 McGilchrist Street SE. The current proposal would make our property dependent on an easement to access our property, lose existing space used for the business and would create a unsafe traffic situation.*

**Staff Response:** The neighboring property owner and the applicant have modified the approach and shared driveway location. The applicant and the neighboring property owner have come to an agreement on the location of the driveway. The neighboring property owner submitted a letter in support of the new location (Attachment E). A revised site plan was submitted by AKS Engineering & Forestry and is attached to this report (Attachment D). The Public Works Department has reviewed the location and has no objections to the new location.

**Condition 1:** The shared driveway approach accessing McGilchrist Street NE shall be consistent with the revised site plan in Attachment D, centered on the subject property's western property line.

### **City Department Comments:**

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

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

The Fire Department reviewed the proposal and indicated that they will have requirements for water supply, fire lanes and access. Other Fire code requirements may be required at time of permitting based on the type of construction and occupancy.

### **Public Agency Comments:**

Portland General Electric reviewed the proposal and commented, "Development cost per current tariff and service requirements. 10' Public Utility Easement required on all front street lots."

### 3. Analysis of Urban Growth Preliminary Declaration Approval Criteria

SRC 200.025(d) states:

The Director shall review a completed application for an Urban Growth Preliminary Declaration in light of the applicable provisions of the Master Plans and the Area Facility Plans and determine:

- (1) The required facilities necessary to fully serve the development; and
- (2) The extent to which the required facilities are in place or fully committed.

Analysis of the development based on relevant criteria in SRC 200 is as follows:

#### SRC 200.055 – Standards for Street Improvements

**Finding:** The nearest adequate linking street is 23rd Street SE. Pursuant to SRC 200.055(b), the existing configuration of 23rd Street SE and McGilchrist Street SE meets adequate linking street standards with an existing 37-foot improvement within a 60-foot right of way abutting the subject property. Therefore, no additional linking street improvements are required.

Boundary street improvements are required along the extent of abutting improvements of 23rd St SE, as defined in SRC 200.035(a)(4). The abutting improvements are from the north property line of the subject property to the intersection of 23<sup>rd</sup> Street SE and McGilchrist Street SE, approximately 335-feet. The applicant shall construct the incomplete portion of the half street improvement between the curb line and the right-of-way line, including construction of sidewalk, street trees, and street lights as specified in PWDS.

The applicant's site plan proposes curblin sidewalk along the development frontage of 23rd Street SE. Pursuant to SRC 803.035(l), sidewalks are to be located one foot from the adjacent right-of-way property line unless topography or other conditions make the construction of sidewalk impossible or undesirable. At the time of construction of 23rd Street SE, curblin sidewalk was anticipated and power poles were installed in a location that would not conflict with construction of a curblin sidewalk. Based on existing development constraints, staff has determined a curblin sidewalk is appropriate along 23rd Street SE per SRC 803.035(l)(2)(B) and SRC 803.065. As a condition of approval, up to two additional street lights will be required along 23rd Street SE under the prescriptive spacing standards described in PWDS. The required streets lights can be located on existing power poles.

#### SRC 200.060 – Standards for Sewer Improvements

**Finding:** The proposed development shall be linked to adequate facilities by the construction of sewer lines and pumping stations, which are necessary to connect to such existing sewer facilities (SRC 200.060). The applicant shall link the site to existing facilities

that are defined as adequate under 200.005(a). The existing 8-inch sewer main in 23rd Street SE is adequate to serve the proposed development.

#### SRC 200.065 – Standards for Storm Drainage Improvements

**Finding:** The applicant shall link the on-site system to existing facilities that are defined as adequate under SRC 200.005(a). Existing stormwater facilities adjacent to the property are adequate to serve the subject property. The proposed development will limit its stormwater discharge through implementation of green stormwater infrastructure pursuant to SRC Chapter 71.

#### SRC 200.070 – Standards for Water Improvements

**Finding:** The proposed development shall be linked to adequate facilities by the construction of water distribution lines, reservoirs, and pumping stations that connect to such existing water service facilities (SRC 200.070). The applicant shall provide linking water mains consistent with the *Water System Master Plan* adequate to convey fire flows to serve the proposed development as specified in the Water Distribution Design Standards. The existing 12-inch water main in McGilchrist Street SE is adequate to serve the proposed development.

#### SRC 200.075 – Standards for Park Improvements

**Finding:** The proposed development is non-residential and is not subject to parks improvement requirements.

Based on the findings addressing the applicable criteria of SRC Chapter 200, the following condition of approval shall apply to the requested UGA:

**Condition 2:** Along the extent of abutting improvements of 23rd St SE as defined in SRC 200.035(a)(4), the applicant shall construct the incomplete portion of the half street improvement between the curb line and the right-of-way line, including construction of sidewalk, street trees, and street lights as specified in PWDS. The sidewalk along 23rd may be constructed along the curb line or property line and the required street lights may be located on existing power poles.

#### 4. Analysis of Class 3 Site Plan Review Approval Criteria

SRC 220.005(f)(3) states:

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

- (1) The application meets all applicable standards of the UDC;
- (2) The transportation system provides for the safe, orderly, and efficient circulation of traffic into and out of the proposed development, and negative impacts to the transportation system are mitigated adequately;
- (3) Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians; and

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

Criterion 1:

The application meets all applicable standards of the UDC.

**Finding:** The applicant is requesting approval for construction of a new shell building, approximately 20,000 square feet, with an off-street parking area. No tenants for the buildings are proposed at this time; however, the applicant indicates that the anticipated uses for the buildings will likely be general warehousing uses.

**Development Standards – IG (General Industrial) Zone:**

*SRC 554.005(a) - Uses:*

Except as otherwise provided in Chapter 554, the permitted, special, conditional and prohibited uses in the IG zone are set forth in Table 554-1.

**Finding:** The proposed use is classified as General Wholesaling and is a Permitted use in the IG zone according to Table 554-1. The proposed development includes a 20,000 square foot building on the subject property, owned by Lulay Properties, LLC, which is zoned IG (General Industrial).

*SRC 554.010(a) – Lot Standards:*

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

**Finding:** The property has frontage on 23<sup>rd</sup> Street SE to the west and McGilchrist Street SE to the south, both which exceed the minimum.

*SRC 554.010(b) – IG Zone Setbacks:*

**North:** Abutting property is zoned IG (General Industrial). There is no minimum building setback, and vehicle use areas are required to be set back a minimum of 5 feet from the IG zone with Type A landscaping.

**South:** Adjacent to the west is the right-of-way of McGilchrist Street SE. There is a minimum building setback of 5 feet required adjacent to a street; vehicle use areas are required to be set back a minimum of 6 to 10 feet from a street per SRC 806.035(c)(2).

**East:** Abutting property is zoned IG (General Industrial). There is no minimum building setback, and vehicle use areas are required to be set back a minimum of 5 feet from the IG zone with Type A landscaping.

**West:** Adjacent to the west are the right-of-way of 23<sup>rd</sup> Street SE and an abutting property zoned IG (General Industrial). There is a minimum building setback of 5 feet required adjacent to a street and no minimum building setback adjacent to the IG zone; vehicle use



areas are required to be set back a minimum of 6 to 10 feet from a street per SRC 806.035(c)(2) and set back a minimum of 5 feet from the IG zone with Type A landscaping.

**Finding:** The proposed building is located 5 feet from the east and north property lines, and the vehicle use areas comply with the minimum setback standards of the IG zone and SRC Chapter 806 to the south and west.

*SRC 554.010(c) - Lot Coverage, Height:*

There is no maximum lot coverage standard. The maximum building height requirement in the IG zone is 70 feet.

**Finding:** The proposed building heights are less than 70 feet.

*SRC 554.010(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:** The setbacks for the vehicle use area shall be landscaped with a minimum of 1 plant unit per 20 square feet of landscaped area. The development standards of the IG zone for buildings do not require landscaping abutting the IG zone. 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.

## **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, or within the IG zone, off-street parking may be located within 500 feet of the development site containing the use or activity it serves.

*SRC 806.015 - Amount of Off-Street Parking.*

- a) *Minimum Required Off-Street Parking.* The minimum off-street parking requirement for uses in the Wholesale Sales, Storage and Distribution, General Wholesaling category is 1 space per 1,500 square feet of floor area.
- b) *Compact Parking.* Up to 75 percent of the minimum off-street parking spaces required under this Chapter may be compact parking spaces.
- c) *Carpool and Vanpool Parking.* New developments with 60 or more required off-street parking spaces, 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. If the minimum number of spaces equals 20 spaces or less, the maximum allowed is 2.5 times the minimum. If the minimum number of spaces equals more than 20 spaces, the maximum allowed is 1.75 times the minimum.

**Finding:** The proposed building has a floor area of approximately 20,000 square feet in size, requiring a minimum of 13 off-street parking spaces ( $20,000 / 1,500 = 13.3$ ). The maximum off-street parking is 33 parking spaces ( $13 \times 2.5 = 32.5$ ). The site plan indicates there are 22 parking spaces within the vehicle use area.

- 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.

**Finding:** Perimeter setbacks for the off-street parking area are identified in the building and vehicle use area setback findings above. The proposed development is consistent with the setback requirements of the IG zone (SRC Chapter 554) and SRC Chapter 806 and setback requirements adjacent to a building or structure.

- d) *Interior Landscaping.* Interior landscaping shall be provided in amounts not less than those set forth in Table 806-5. For parking areas 5,000-50,000 square feet in size, a minimum of 5 percent of the interior parking area shall be landscaped. A minimum of one deciduous shade tree shall be planted for every 12 parking spaces. Landscape islands and planter bays shall have a minimum planting area of 25 square feet and minimum width of 5 feet.

**Finding:** The proposed site plan indicates that the off-street parking area is approximately 20,336 square feet in size, requiring a minimum of 1,017 square feet of interior parking lot landscaping. Approximately 2,600 square feet of parking lot landscape area is proposed, exceeding the minimum requirement.

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

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

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

**Finding:** The proposed off-street parking area is developed consistent with the additional development standards for grade, surfacing, and drainage. Bumper guards and wheel barriers are not required for the parking area. The parking area striping, marking, signage and lighting shall be consistent with SRC Chapter 806. 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.
- c) *Additional Development Standards 806.040(c)-(g).*

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

**Bicycle Parking**

*SRC 806.045 - General Applicability.*

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

*SRC 806.055 - Amount of Bicycle Parking.*

The minimum bicycle parking requirement for uses in the Wholesale Sales, Storage, and Distribution, General Wholesaling is 1 space per 15,000 square feet.

**Finding:** The site plan indicates 4 bicycle parking spaces, which exceeds the standard.

*SRC 806.060 - Bicycle Parking Development Standards.*

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

**Finding:** The proposed site plan indicates that bicycle parking spaces will be provided within 50 feet of the primary building entrance. At the time of building permit review, the

plans will be verified for conformance with the bicycle development standards of SRC Chapter 806 and minimum number of required spaces.

### **Off-Street Loading Areas**

*SRC 806.065 - General Applicability.*

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

*SRC 806.075 - Amount of Off-Street Loading.*

A minimum of one off-street loading space 12 feet in width, 40 feet in length, and 14 feet high (vertical clearance) is required for each building between 5,000 and 100,000 square feet.

**Finding:** The proposed site plan has an off-street loading area consistent with the requirements of SRC Chapter 806.

### **Landscaping**

Landscape and irrigation plans will be reviewed for conformance with the following requirements of SRC 806 and SRC 807 at the time of building permit application review.

The minimum landscaped area between the building and McGilchrist right-of-way is approximately 300 square feet on the south side of the building (60-foot building length x 5-foot-wide setback) and 300 square feet on the south of the vehicle use area (30 X 10-foot-wide setback). The minimum landscaped area between the vehicle use area and the abutting IG zoned property to the north is 275 square feet (5 feet x 55 feet= 275). The minimum landscaped area between the vehicle use area and abutting IG zone is 925 square feet on the west side (185-foot x 5-foot-wide setback), between the building and abutting right of way is 150 square feet on the west side of the building (30-feet x 5-foot-wide setback) and abutting 23<sup>rd</sup> Street SE is 240 (24-feet x 10 feet=240). The minimum number of plant units is 110 ( $2,190/20 = 109.5$ ), and at least 40 percent of the plant units, or 44 ( $110 \times 0.4 = 43.8$ ) shall be a combination of mature trees, shade trees, evergreen/conifer trees, or ornamental trees.

The minimum parking lot interior landscaped area is approximately 1,017 square feet. The minimum number of plant units is 51 ( $1,017/20 = 50.85$ ), and at least 40 percent of the plant units, or 20 ( $51 \times 0.4 = 20.4$ ), shall be a combination of mature trees, shade trees, evergreen/conifer trees, or ornamental trees. For 17 proposed parking spaces, at least 1 deciduous shade tree is required (17 parking spaces \* 1 tree / 12 spaces = 1.4).

### **Natural Resources**

*SRC 601 – Floodplain:* A portion of the property is within the 100-year floodplain. This portion of the property will be dedicated as part of right of way for McGilchrist Street.

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

under SRC 808.030(a)(2), undertaken pursuant to a permit issued under SRC 808.030(d), undertaken pursuant to a tree conservation plan approved under SRC 808.035, or permitted by a variance granted under SRC 808.045.

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

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

According to the Salem-Keizer Local Wetland Inventory (LWI) there are non-significant wetlands and wetland soils mapped in the western area on the subject property. The applicant should contact the Department of State Lands to verify if permits are required for the proposed development.

*SRC 810 - Landslide Hazards:* A geological assessment or report is required when regulated activity is proposed in a mapped landslide hazard area. The subject property contains mapped landslide hazards equal to 0 landslide susceptibility points. The proposed commercial development is assigned 3 activity points. A total of 3 points indicates a low landslide hazard risk.

## **Solid Waste Service Areas**

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

All solid waste receptacles shall be placed at grade on a concrete pad that is a minimum of 4 inches thick, or on an asphalt pad that is a minimum of 6 inches thick. The pad shall have a slope of no more than 3 percent and shall be designed to discharge stormwater runoff.

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.
- b. The pad area shall extend a minimum 3 feet beyond the front of the receptacle.

**Staff Response:** The proposal appears to meet the standard. Compliance will be verified at building permit.

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.

**Staff Response:** The proposal appears to meet the standard. Compliance will be verified at building permit.

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.

**Staff Response:** The proposal appears to meet the standard. Compliance will be verified at building permit.

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

When enclosure area used for required screening or aesthetics, such enclosure 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.

**Staff Response:** The width of the front opening of the proposed enclosure is approximately 6 feet wide.

**Condition 3:** Provide an unobstructed front opening of at least 12 feet in width for each enclosure.

- 2) Measures to Prevent Damage to Enclosure. 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 receptacles impacts.

**Staff Response:** The proposal includes 12 inches from the inside of the enclosure wall to the receptacles. Compliance will be verified at building permit. The following condition is required to meet the standard:

**Condition 4:** Provide 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.

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

**Staff Response:** The following condition is required to meet the standard:

**Condition 5:** Provide gates that swing a minimum of 120 degrees and provide restrainers in the open and closed positions.

*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 proposed vehicle operation areas appear to meet the standard. Compliance will be verified at building permit.

Criterion 2:

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

**Finding:** The existing configuration of 23rd Street SE and McGilchrist Street SE do not meet the current street standards per the Salem TSP. Right-of-way dedication of half-width right of way (42 feet) are required pursuant to SRC 803.040.

McGilchrist Street SE Corridor improvements are included in the City of Salem Capital Improvement Plan; therefore, boundary streets improvements to McGilchrist Street SE are not required as a condition of approval per SRC 803.040(d)(1).

Boundary street improvements are required along the extent of abutting improvements of 23rd St SE, as defined in SRC 200.035(a)(4) and described in the conditions of approval above.

**Condition 6:** Convey land for dedication to equal a half-width right-of-way of 42 feet on the development side of McGilchrist Street SE.

Criterion 3:

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

**Finding:** The driveways access onto McGilchrist and 23<sup>rd</sup> provide for safe turning movements into and out of the property as specified in the driveway access permit.

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. Water and sewer infrastructure is available and appears to be adequate to serve the proposed development in accordance with PWDS.

The applicant's proposed utility plan indicates sanitary sewer service will be provided by a new 8-inch service to 23rd Street SE. The applicant is advised that PWDS require installation of a manhole at the point of connection to the existing 8-inch public sewer main in 23rd Street SE.

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.

#### 5. Analysis of Class 2 Driveway Approach Permit Criteria

SRC 804.025(d) states:

A Class 2 Driveway Approach Permit shall be granted if:

- 1) The proposed driveway approach meets the standards of this Chapter and the Public Works Design Standards;
- 2) No site conditions prevent placing the driveway approach in the required location;
- 3) The number of driveway approaches onto an arterial are minimized;
- 4) The proposed driveway approach, where possible:
  - i. Is shared with an adjacent property; or
  - ii. Takes access from the lowest classification of street abutting the property;
- 5) The proposed driveway approach meets vision clearance standards;
- 6) The proposed driveway approach does not create traffic hazards and provides for safe turning movements and access;
- 7) The proposed driveway approach does not result in significant adverse impacts to the vicinity;
- 8) The proposed driveway approach minimizes impact to the functionality of adjacent streets and intersections; and
- 9) The proposed driveway approach balances the adverse impacts to residentially zoned property and the functionality of adjacent streets.

#### Criterion 1:

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

**Finding:** The proposed driveway meets the standards for SRC 804 and PWDS. The existing driveway immediately west of the subject property shall be relocated through the proposed development. As a condition of approval, the consolidation of driveways by relocating the existing driveway centered on the west property line of the subject property and relocating the neighboring property's access through the proposed development. The applicant shall provide a reciprocal access agreement or easement agreement to ensure permanent shared access.



**Condition 7:** Provide a maximum 40-foot-wide driveway to McGilchrist Street SE centered on the west line of the subject property, pursuant to SRC 804.045. The applicant shall provide a reciprocal access agreement or easement agreement to ensure permanent shared access.

Criterion 2:

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

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

Criterion 3:

The number of driveway approaches onto an arterial are minimized.

**Finding:** The subject property only has frontage onto McGilchrist, a major arterial street. The proposed driveways are spaced greater than 370 feet apart, which allows for safe turning movements into and out of the proposed development. An existing driveway west of the subject property is being relocated in conjunction with the proposed development in order to minimum the total number of driveway approaches onto McGilchrist. The proposed shared access will be provided through a modification to a previously approved driveway access on the neighboring property to the west, therefore, the spacing standards in SRC 804.035 do not apply.

Criterion 4:

The proposed driveway approach, where possible:

- a) Is shared with an adjacent property; or
- b) Takes access from the lowest classification of street abutting the property.

**Finding:** The applicant's revised site plan proposes a shared 40-foot-wide driveway with the existing development to the west on McGilchrist Street SE. A shared driveway access to 23<sup>rd</sup> Street SE is not feasible based on the alignment of the proposed building.

Criterion 5:

The proposed driveway approach meets vision clearance standards.

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

Criterion 6:

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

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

Criterion 7:

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

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

Criterion 8:

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

**Finding:** The driveway to McGilchrist Street SE will be shared with the existing development to the west, limiting the impact of additional driveway approaches to McGilchrist Street SE and 23rd Street SE intersection. The proposed driveway approach to 23rd Street SE is located a safe distance from the intersection of McGilchrist Street SE and 23rd Street SE.

Criterion 9:

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

**Finding:** The proposed driveway approaches are not located in the vicinity of a residentially zoned area. The driveways will not have an effect on the functionality of the adjacent streets.

6. Based upon review of SRC Chapters 200, 220, and 804, the applicable standards of the Salem Revised Code, the findings contained herein, and due consideration of comments received, the application complies with the requirements for an affirmative decision.

## **ORDER**

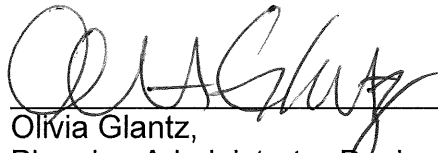
Final approval of Urban Growth Area Preliminary Declaration, Class 3 Site Plan Review, and Class 2 Driveway Approach Permit Case No. 17-02 is hereby GRANTED subject to SRC Chapter 200, 220, and 804, the applicable standards of the Salem Revised Code, conformance with the approved site plan included as Attachments B, and D, and the following conditions of approval:

**Condition 1:** The shared driveway approach accessing McGilchrist Street NE shall be consistent with the revised site plan in Attachment D, centered on the subject property's western property line.

**Condition 2:** Along the extent of abutting improvements of 23<sup>rd</sup> St SE as defined in SRC 200.035(a)(4), the applicant shall construct the incomplete portion of the half-street improvement between the curb line and the right-of-way line, including construction of sidewalk, street trees, and street lights as specified in PWDS. The sidewalk along 23rd may be constructed along

the curb line or property line and the required street lights may be located on existing power poles.

- Condition 3:** Provide an unobstructed front opening of at least 12 feet in width for each enclosure.
- Condition 4:** Provide 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.
- Condition 5:** Provide gates that swing a minimum of 120 degrees and provide restrainers in the open and closed positions.
- Condition 6:** Convey land for dedication to equal a half-width right-of-way of 42 feet on the development side of McGilchrist Street SE.
- Condition 7:** Provide a maximum 40-foot-wide driveway to McGilchrist Street SE centered on the west line of the subject property, pursuant to SRC 804.045. The applicant shall provide a reciprocal access agreement or easement agreement to ensure permanent shared access.

  
\_\_\_\_\_  
Olivia Glantz,  
Planning Administrator Designee

Prepared by Olivia Glantz, Planner II

Attachments: A. Vicinity Map  
B. Proposed Site Plan  
C. Utility Plan  
D. Revised Site Plan  
E. Letter of Support of Driveway Location  
F. Public Works Memorandum

Application Deemed Complete:	<u>April 11, 2017</u>
Notice of Decision Mailing Date:	<u>June 9, 2017</u>
Decision Effective Date:	<u>June 27, 2017</u>
State Mandated Decision Date:	<u>September 6, 2017</u>

The rights granted by the attached decision for Urban Growth Area Preliminary Declaration No. UGA-SPR-DAP 17-02 must be exercised or an extension granted by June 26, 2019 or this approval shall be null and void. The rights granted by the attached decision for Class 3 Site Plan Review Case No. UGA-SPR-DAP 17-02 must be exercised by June 26, 2021 or this approval shall be null and void. The rights granted by the attached decision for

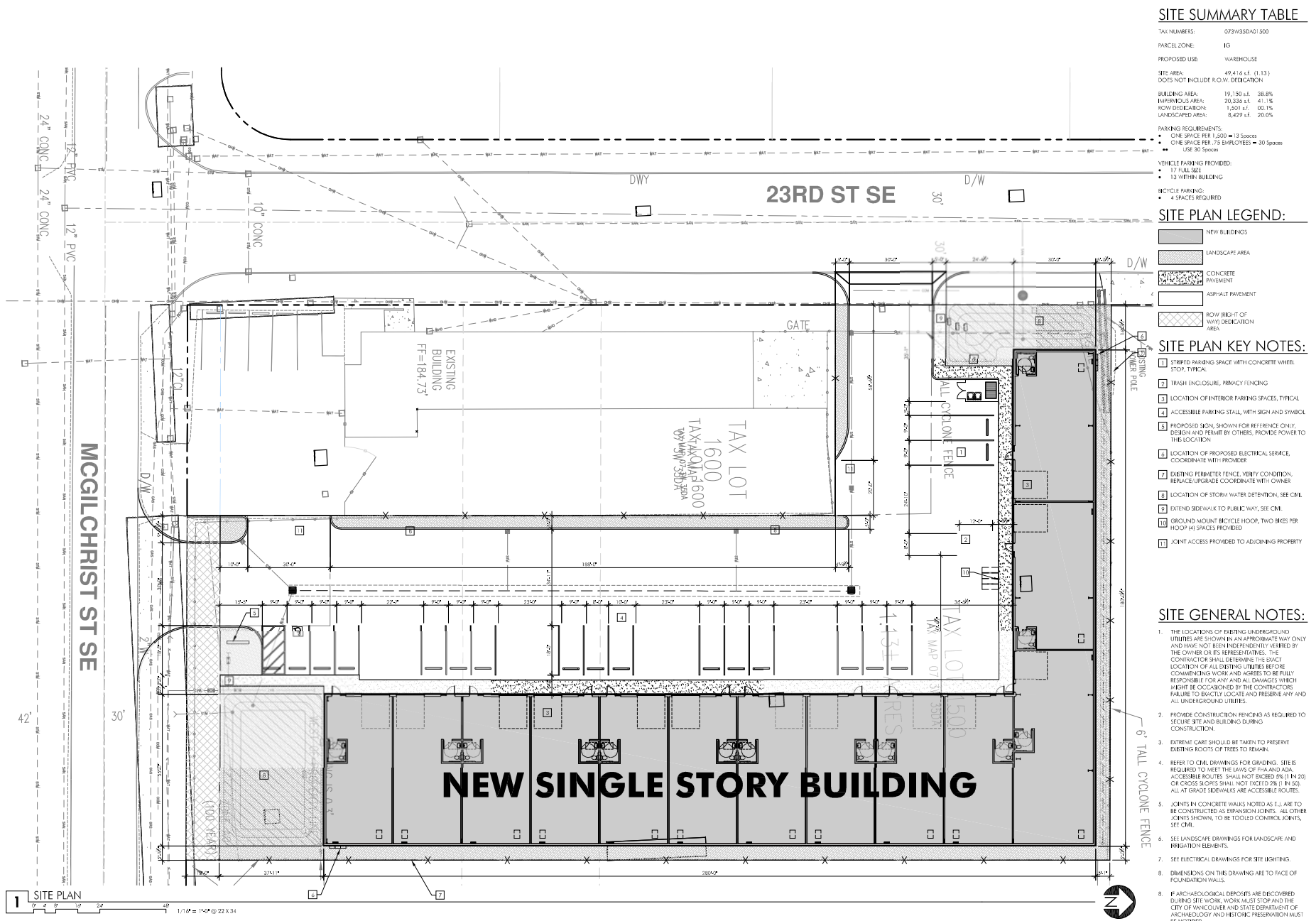
Class 2 Driveway Approach Permit Case No. UGA-SPR-DAP 17-02 must be exercised or an extension granted by June 26, 2019 or this approval shall be null and void.

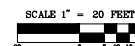
This decision is final unless written appeal from a party with standing to appeal, along with the appeal fee, is received by the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem, OR 97301, **not later than 5:00 pm, June 23, 2017**. The notice of appeal must contain the information required by SRC 300.1020. The appeal fee must be paid at the time of filing. If the notice of appeal is untimely and/or lacks the proper fee, the notice of appeal will be rejected. The Salem City Council will review the appeal at a public hearing. The City council may amend, rescind, or affirm the action or refer the matter to staff for additional information.

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

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







FACILITY



**AKS**  
AKS ENGINEERING & FORESTRY, ILLC  
3300 CHERRY AVE NE  
SEASIDE, OR 97133  
TEL: 503.400.6028  
FAX: 503.400.7722  
aks@eng.com

**MC GILCHRIST  
BUSINESS PARK**

**SALEM**  
TAX MAP 07 3W 760A  
TAX LOT 1500

# PRELIMINARY UTILITY PLAN

DESIGNED BY: JDP  
DRAWN BY: JDS  
CHECKED BY: JDP  
SCALE: AS NOTED  
DATE: 03/10/2017

REGISTERED PROFESSIONAL  
ENGINEER  
**PRELIMINARY**  
NOT FOR  
CONSTRUCTION  
RICHARD C. WALKER  
EXPIRES: JUNE 30, 2018  
REVISIONS:

JOB NUMBER  
5539

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SHEET  
**P1.1**





222 COMMERCIAL ST. NE  
SALEM, OR 97301-3410  
P: 503.390.6500  
www.studio3architecture.com

PROJECT # 2017-008  
DATE: 06/08/2017

REVISIONS

NEW CONSTRUCTION:  
**MC GILCHRIST BUSINESS PARK**  
2345 MCGILCHRIST ST SE, SALEM, OREGON 97302

SHEET:

A1.01

SITE SUMMARY TABLE:

TAX NUMBERS:	073W3SDA01500	
PARCEL ZONE:	IG	
PROPOSED USE:	WAREHOUSE	
SITE AREA:	49,416 s.f. (1.13)	
DOES NOT INCLUDE R.O.W. DEDICATION		
BUILDING AREA:	19,150 s.f.	38.8%
IMPERVIOUS AREA:	21,865 s.f.	44.2%
ROW DEDICATION:	1,501 s.f.	03.0%
LANDSCAPED AREA:	6,900 s.f.	14.0%

- PARKING REQUIREMENTS:
- ONE SPACE PER 1,500 = 13 Spaces
  - ONE SPACE PER .75 EMPLOYEES = 30 Spaces
  - USE 30 Spaces

VEHICLE PARKING PROVIDED:

- 22 FULL SIZE
- 13 WITHIN BUILDING

BICYCLE PARKING:

- 4 SPACES REQUIRED

SITE PLAN LEGEND:

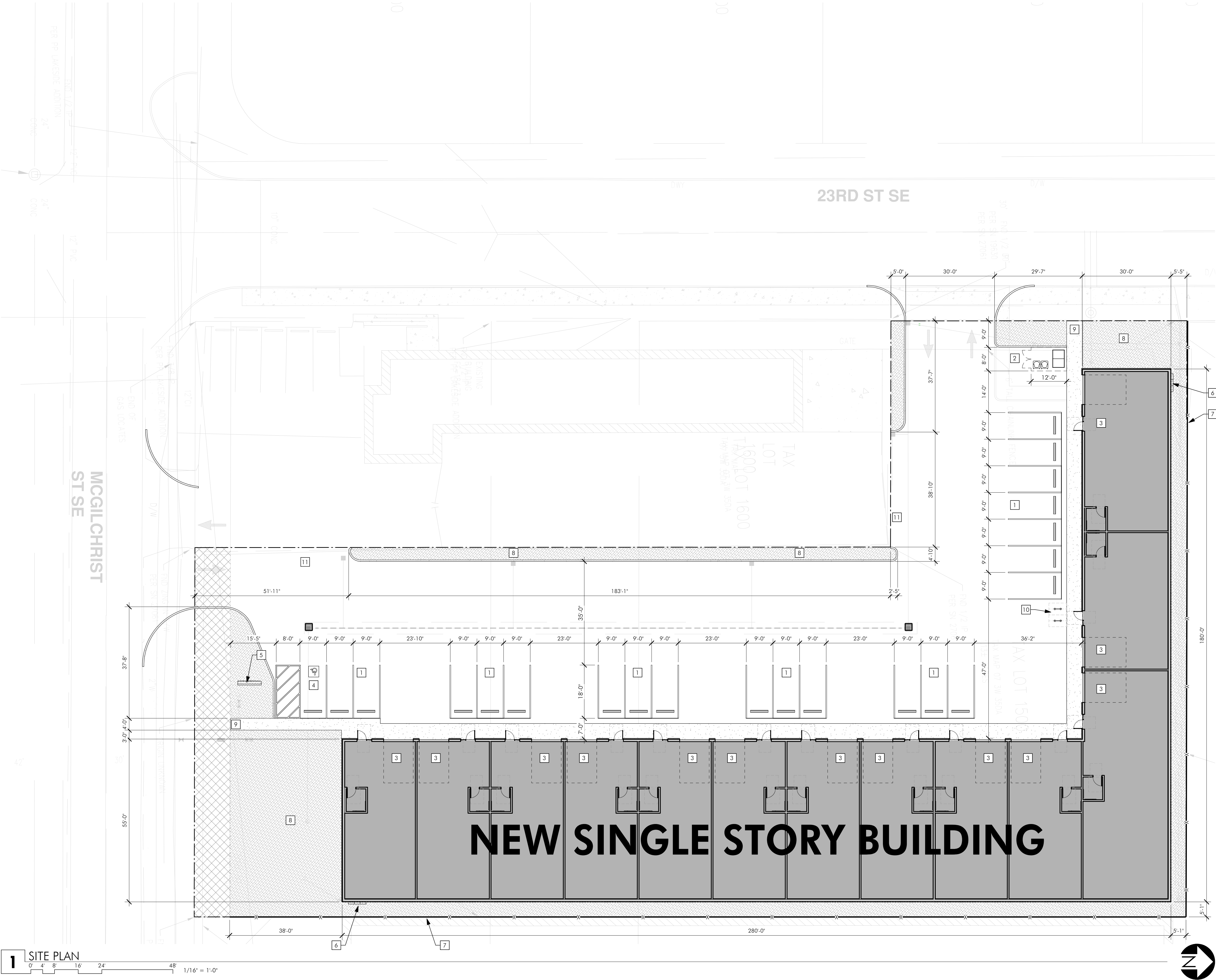
- NEW BUILDINGS
- LANDSCAPE AREA
- CONCRETE PAVEMENT
- ASPHALT PAVEMENT
- ROW (RIGHT OF WAY) DEDICATION AREA

SITE PLAN KEY NOTES:

- STRIPED PARKING SPACE WITH CONCRETE WHEEL STOP, TYPICAL
- TRASH ENCLOSURE, PRIVACY FENCING
- LOCATION OF INTERIOR PARKING SPACES, TYPICAL
- ACCESSIBLE PARKING STALL, WITH SIGN AND SYMBOL
- PROPOSED SIGN, SHOWN FOR REFERENCE ONLY, DESIGN AND PERMIT BY OTHERS, PROVIDE POWER TO THIS LOCATION
- LOCATION OF PROPOSED ELECTRICAL SERVICE, COORDINATE WITH PROVIDER
- EXISTING PERIMETER FENCE. VERIFY CONDITION, REPLACE/UPGRADE COORDINATE WITH OWNER
- LOCATION OF STORM WATER DETENTION, SEE CIVIL
- EXTEND SIDEWALK TO PUBLIC WAY, SEE CIVIL
- GROUND MOUNT BICYCLE HOOP, TWO BIKES PER HOOP (4) SPACES PROVIDED
- JOINT ACCESS PROVIDED TO ADJOINING PROPERTY

SITE GENERAL NOTES:

- THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVES. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTORS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.
- PROVIDE CONSTRUCTION FENCING AS REQUIRED TO SECURE SITE AND BUILDING DURING CONSTRUCTION.
- EXTREME CARE SHOULD BE TAKEN TO PRESERVE EXISTING ROOTS OF TREES TO REMAIN.
- REFER TO CIVIL DRAWINGS FOR GRADING. SITE IS REQUIRED TO MEET THE LAWS OF FHA AND ADA. ACCESSIBLE ROUTES SHALL NOT EXCEED 5% (1 IN 20) OR CROSS SLOPES SHALL NOT EXCEED 2% (1 IN 50). ALL AT GRADE SIDEWALKS ARE ACCESSIBLE ROUTES.
- JOINTS IN CONCRETE WALKS NOTED AS E.J. ARE TO BE CONSTRUCTED AS EXPANSION JOINTS. ALL OTHER JOINTS SHOWN, TO BE TOOLED CONTROL JOINTS, SEE CIVIL
- SEE LANDSCAPE DRAWINGS FOR LANDSCAPE AND IRRIGATION ELEMENTS.
- SEE ELECTRICAL DRAWINGS FOR SITE LIGHTING.
- DIMENSIONS ON THIS DRAWING ARE TO FACE OF FOUNDATION WALLS.



1 SITE PLAN  
0' 4' 8' 16' 24' 48' 1/16" = 1'-0"



# HOMEWOOD HOLDINGS, INC.

*BUILDING FOR THE FUTURE*

May 25, 2017

Ms. Olivia Glantz  
Planner II, City of Salem  
Planning Division  
555 Liberty ST SE  
Room 305  
Salem, Oregon 97301


**RE: Case number UGA-SPR-DAP17-02** (2300 BLOCK McGilchrist ST – Lulay Construction)

Dear Ms. Glantz,

This letter is to inform you that we have reached an agreement with Don Lulay Homes concerning the driveway sharing issue. Attached is a drawing showing how the driveway should be equally split.

If you have any questions or concerns, please do not hesitate to call or email me.

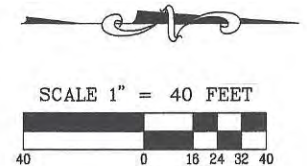
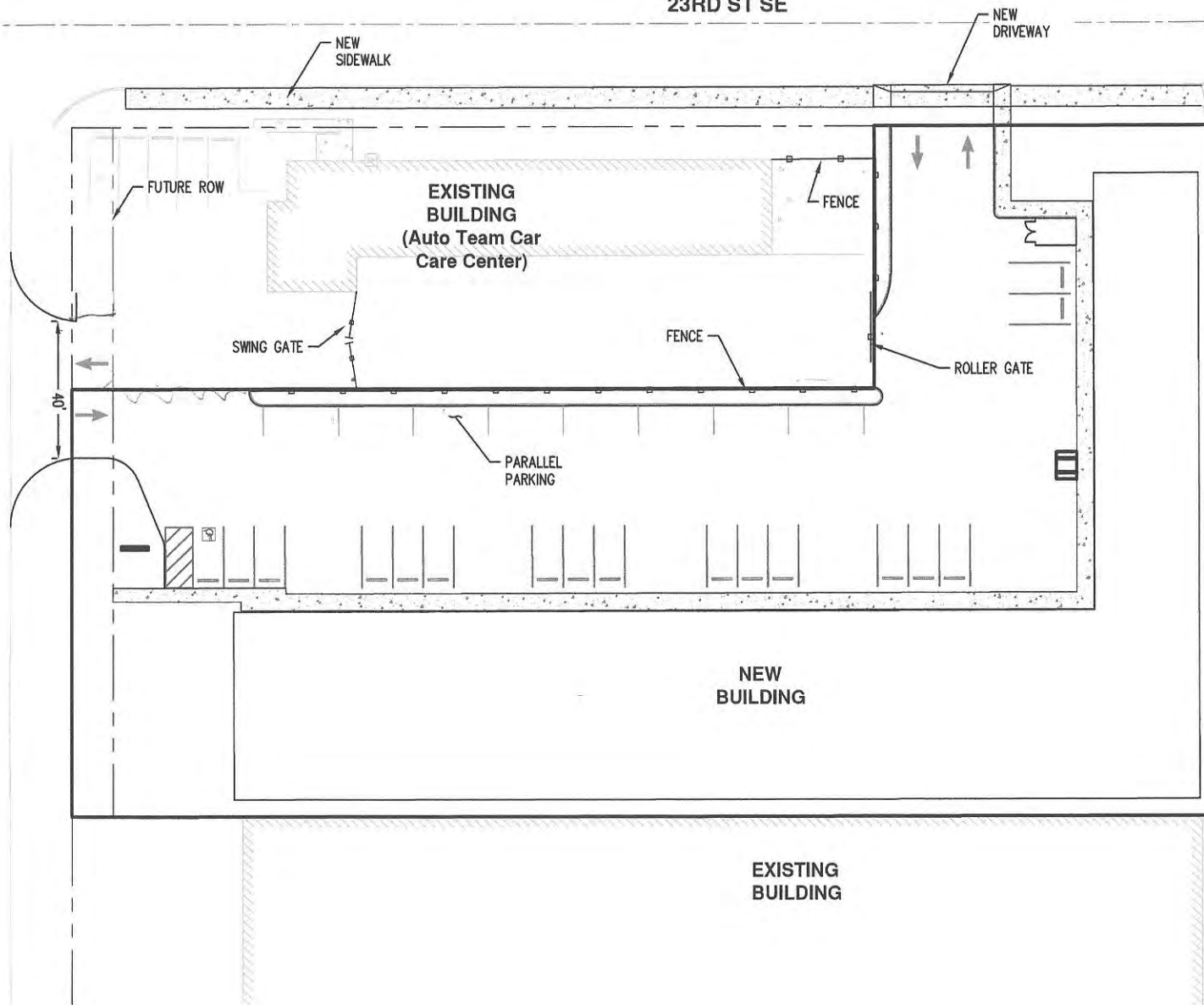
Best regards,

A handwritten signature in black ink, appearing to read "Paul B. Homewood", followed by a long horizontal line and a large loop at the end.

Paul B. Homewood, esq.  
President  
Homewood Holding, Inc.,

MC GILCHRIST ST SE

23RD ST SE





# MEMO

**TO:** Olivia Glantz, Planner II  
Community Development Department

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

**DATE:** June 8, 2017

**SUBJECT: PUBLIC WORKS RECOMMENDATIONS (REVISED)  
UGA-SPR- DAP17-02 (17-106030-LD)  
2300 BLOCK MCGILCHRIST STREET SE  
COMMERCIAL BUILDING**

## **PROPOSAL**

Consolidated application including an Urban Growth Area Preliminary Declaration, Class 3 Site Plan Review, and Class 2 Driveway Approach Permit for a 20,000 sf commercial building development on property approximately 1.13 acres, zoned IG (General Industrial), and located on the 2300 block of McGilchrist Street SE (Marion County Map and Tax Lot Number: 073W35DA01500).

## **RECOMMENDED CONDITIONS OF PRELIMINARY DECLARATION**

Along the extent of abutting improvements of 23<sup>rd</sup> Street SE as defined in SRC 200.035(a)(4), the applicant shall construct the incomplete portion of the half-street improvement between the curb line and the right-of-way line, including construction of sidewalk, street trees, and street lights as specified in PWDS. The sidewalk along 23<sup>rd</sup> Street SE may be constructed along the curb line or property line and the required street lights may be located on existing power poles.

## **RECOMMENDED CONDITIONS OF SITE PLAN REVIEW**

Convey land for dedication to equal a half-width right-of-way of 42 feet on the development side of McGilchrist Street SE.

## **RECOMMENDED CONDITIONS OF DRIVEWAY APPROACH PERMIT**

Provide a maximum 40-foot-wide shared driveway to McGilchrist Street SE along the west line of the subject property pursuant to SRC 804.045. The applicant shall provide a permanent irrevocable shared access easement.

## **FACTS**

### **Streets**

#### **1. McGilchrist Street SE**

- a. 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 an 84-foot-wide right-of-way based on Table G-1 in the Salem TSP.
- b. Existing Condition—This street has an approximate 24-foot improvement within a 72-foot-wide right-of-way abutting the subject property.

#### **2. 23<sup>rd</sup> Street SE**

- a. Standard—This street is designated as a Collector street in the Salem TSP. The standard for this street classification is a 34-foot-wide improvement within a 60-foot-wide right-of-way.
- b. Existing Condition—This street has an approximate 37-foot improvement within a 60-foot-wide right-of-way abutting the subject property.

### **Storm Drainage**

1. Existing Condition—A public ditch is located along McGilchrist Street SE.

### **Water**

#### **1. Existing Conditions**

- a. The subject property is located within the G-0 water service level.
- b. A 12-inch water line is located in McGilchrist Street SE. Mains of this size generally convey flows of 2,100 to 4,900 gallons per minute.
- c. An 8-inch water line is located in 23<sup>rd</sup> Street SE. Mains of this size generally convey flows of 900 to 2,200 gallons per minute.

### **Sanitary Sewer**

#### **1. Existing Conditions**

- a. A 12-inch sewer line is located in McGilchrist Street SE.
- b. An 8-inch sewer line is located in 23<sup>rd</sup> Street SE.

## **CRITERIA AND FINDINGS- PRELIMINARY DECLARATION**

**Standards for Street Improvements (SRC 200.055)**—All streets abutting the property boundaries shall be designed to the greater of the standards of SRC Chapter 803 and the standards of linking streets in SRC 200.055(b). An adequate linking street is defined as the nearest point on a street that has a minimum 60-foot-wide right-of-way with a minimum 30-foot improvement for Local streets or a minimum 34-foot improvement for Arterial streets (SRC 200.055(b)).

**Findings**—Pursuant to SRC 200.055(b), the existing configuration of 23<sup>rd</sup> Street SE meets adequate linking street standards with an existing 37-foot improvement within a 60-foot-wide right-of-way abutting the subject property. Therefore, no additional linking street improvements are required.

Boundary street improvements are required along the extent of abutting improvements of 23<sup>rd</sup> Street SE, as defined in SRC 200.035(a)(4). The extent of abutting improvements are from the north property line of the subject property to the intersection of 23<sup>rd</sup> Street SE and McGilchrist Street SE, approximately 335-feet. The applicant shall construct the incomplete portion of the half-street improvement between the curb line and the right-of-way line, including construction of sidewalk, street trees, and street lights as specified in PWDS.

The applicant's site plan proposes curblin sidewalk along the development frontage of 23<sup>rd</sup> Street SE. SRC 803.035(l) requires sidewalks be located one foot from the adjacent right-of-way property line unless topography or other conditions make the construction of sidewalk impossible or undesirable. At the time of construction of 23<sup>rd</sup> Street SE, curblin sidewalk was anticipated and power poles were installed in a location that would not conflict with construction of a curblin sidewalk. Based on existing development constraints, staff has determined a curblin sidewalk is appropriate along 23<sup>rd</sup> Street SE per SRC 803.035(l)(2)(B) and SRC 803.065. Up to two additional street lights will be required along 23<sup>rd</sup> Street SE under the prescriptive spacing standards described in PWDS. The required streets lights can be located on existing power poles.

**Standards for Sewer Improvements (SRC 200.060)**—The proposed development shall be linked to adequate facilities by the construction of sewer lines and pumping stations, which are necessary to connect to such existing sewer facilities (SRC 200.060). The applicant shall link the site to existing facilities that are defined as adequate under 200.005(a).

**Findings**—The existing 8-inch sewer main in 23<sup>rd</sup> Street SE is adequate to serve the proposed development.

**Standards for Storm Drainage Improvements (SRC 200.065)**—The proposed development shall link the on-site system to existing facilities that are defined as adequate under SRC 200.005(a).

**Findings**—Existing stormwater facilities adjacent to the property are adequate to serve the subject property. The proposed development will limit its stormwater discharge through implementation of green stormwater infrastructure pursuant to SRC Chapter 71.

**Standards for Water Improvements (SRC 200.070)**—The proposed development shall be linked to adequate facilities by the construction of water distribution lines, reservoirs, and pumping stations that connect to such existing water service facilities (SRC 200.070). The applicant shall provide linking water mains consistent with the *Water System Master Plan* adequate to convey fire flows to serve the proposed development as specified in the Water Distribution Design Standards.

**Findings**—The existing 12-inch water main in McGilchrist Street SE is adequate to serve the proposed development.

**Standards for Park Sites (SRC 200.075)**—The applicant shall reserve for dedication prior to development approval, property within the development site that is necessary for an adequate neighborhood park, access to such park, and recreation routes, or similar uninterrupted linkages, based upon the Salem Comprehensive Parks System Master Plan.

**Findings**—The Master Plan proposed park system does not identify that any park systems are to be constructed within or adjacent to the subject property. Because the proposed development is not residential, no park facilities are required in conjunction with the proposed development.

#### **CRITERIA AND FINDINGS—SITE PLAN REVIEW**

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

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

**Finding**—The existing configuration of 23<sup>rd</sup> Street SE and McGilchrist Street SE do not meet the current street standards per the Salem TSP. Pursuant to SRC 803.040, the applicant is required to dedicate right-of-way to equal a half-width of 42 feet along the development frontage of McGilchrist Street SE

McGilchrist Street SE corridor improvements are included in the City of Salem Capital Improvement Plan; therefore, boundary streets improvements to McGilchrist Street SE are not required as a condition of approval per SRC 803.040(d)(1).

Boundary street improvements are required along the extent of abutting improvements of 23<sup>rd</sup> Street SE, as defined in SRC 200.035(a)(4) and described in the conditions of approval.

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

**Finding**—The driveway accesses onto 23<sup>rd</sup> Street SE and McGilchrist Street SE provide for safe turning movements into and out of the property as specified in the driveway access permit.

**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. Water and sewer infrastructure is available and appears to be adequate to serve the proposed development in accordance with PWDS.

The applicant's proposed utility plan indicates sanitary sewer service will be provided by a new 8-inch service to 23<sup>rd</sup> Street SE. The applicant is advised that PWDS require installation of a manhole at the point of connection to the existing 8-inch public sewer main in 23<sup>rd</sup> Street SE.

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.

**CRITERIA AND FINDINGS—Class 2 Driveway Approach Permit**

A Class 2 Driveway Approach Permit shall be granted if the following criteria are met pursuant to SRC 804.025;

**(1) The proposed driveway approach meets the standards of SRC Chapter 804 and the Public Works Design Standards;**

**Finding**—The proposed driveways meet the standards of SRC Chapter 804.

**(2) No site conditions prevent placing the driveway approach in the required location;**

**Finding**—There are no obstructions, conflicts, or other site conditions prohibiting the location of the proposed driveways.

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

**Finding**—The driveway approach onto McGilchrist Street SE meets the standards in SRC 804.035 because the access is shared with the neighboring property to the west. The proposed shared access will be provided through a modification to a previously approved driveway access on the neighboring property to the west, therefore, the spacing standards in SRC 804.035 do not apply.

**(4) The proposed driveway approach, where possible:**

**(A) Is shared with an adjacent property; or**

**(B) Takes access from the lowest classification of street abutting the property;**

**Finding**—The applicant's revised site plan proposes a shared 40-foot-wide driveway with the existing development to the west on McGilchrist Street SE. A shared driveway access to 23<sup>rd</sup> Street SE is not feasible based on the alignment of the proposed building.

**(5) The proposed driveway approach meets vision clearance standards;**

**Finding**—The proposed driveways meets the PWDS vision clearance standards set forth in SRC Chapter 805.

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

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

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

**Finding**—The location of the proposed driveways do not appear to have any adverse impacts to the vicinity. The adjacent property to the west provided a statement in support of the shared driveway approach to McGilchrist Street SE.

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

**Finding**—The driveway to McGilchrist Street SE will be shared with the existing development to the west, limiting the impact of additional driveway approaches to McGilchrist Street SE and 23<sup>rd</sup> Street SE intersection. The proposed driveway approach to 23<sup>rd</sup> Street SE is located a safe distance from the intersection of McGilchrist Street SE and 23<sup>rd</sup> Street SE.

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

**Finding**—The proposed driveway approaches are not located in the vicinity of a residentially zoned area. The driveways will not have an effect on the functionality of the adjacent streets.

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