

NOTICE OF DECISION

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



*Si necesita ayuda para comprender esta informacion, por favor llame
503-588-6173*

DECISION OF THE HEARINGS OFFICER

**CONDITIONAL USE / CLASS 3 SITE PLAN REVIEW / CLASS 2 DRIVEWAY
APPROACH PERMIT CASE NO.: CU-SPR-DAP18-05**

APPLICATION NOS. : 18-106940-ZO & 18-106941-RP

NOTICE OF DECISION DATE: July 20, 2018

SUMMARY: A conditional use and site plan review and driveway approach permit application for building additions, removal of a driveway, modification of a driveway, and reconfiguration of parking areas for a religious assembly.

REQUEST: Conditional Use and Class 3 Site Plan Review and Class 2 Driveway Approach Permit application for construction of additions to the north and south elevations of a church structure, removal of a driveway, modification of a driveway, addition of parking areas, and reconfiguration of existing parking areas serving an existing religious assembly, on an 8.5-acre property in the RM2 (Multiple Family Residential) zone, at 4227 Lone Oak Road SE 97302 (Marion County Assessor Map and Tax Lot 083W10BB06200). The Conditional Use is requested because the modified driveway on Friendship Avenue SE would exceed the maximum distance of 125 feet from Lone Oak Road SE that is allowed by the special use standards for a religious assembly in the RM2 zone.

APPLICANT: Queen of Peace Catholic Church

LOCATION: 4227 Lone Oak Road SE / 97302

CRITERIA: Conditional Use: SRC Chapter 240.005(d)
Class 3 Site Plan Review: SRC Chapter 220.005(f)(3)
Class 2 Driveway Approach Permit: SRC Chapter 804.025(d)

FINDINGS: The findings are in the attached Order dated July 20, 2018.

DECISION: The Hearings Officer **APPROVED** Conditional Use / Class 3 Site Plan Review / Class 2 Driveway Approach Permit Case No.CU-SPR-DAP18-05 subject to the following conditions of approval:

Condition 1: The development shall be in substantial conformance with the site plan included as Attachment C of the staff report, as modified by conditions of approval.

Condition 2: Provide a landscaped setback of at least 15 feet between the new parking lot pavement and the north property line, landscaped with a minimum of one plant unit per 20 square feet and screened with a minimum 6-foot-tall sight-obscuring fence, wall, or hedge.

Condition 3: Remove the proposed triangular planting areas in the reconfigured south parking lot.

Condition 4: The eight new parking spaces in the northern row of the expanded north parking lot shall be designated as compact spaces.

Condition 5: The 20-foot-wide "Fire Lane" depicted on the site plan between the north and south parking areas shall either be widened to a minimum of 22 feet to accommodate two-way traffic or designated and marked for one-way traffic.

Condition 6: Bumper guards or wheel barriers shall be installed in the eight new parking spaces in the northern row of the expanded parking lot and all of the parking spaces abutting the proposed sidewalk that is oriented east to west through the reconfigured area of the southern parking lot.

Condition 7: Construct street lights, street trees, sidewalks, and curb ramps along the entire frontages of Lone Oak Road SE and Friendship Avenue SE where not compliant with Public Works Design Standards.

Condition 8: Design and construct a storm drainage system for the new and replaced impervious surfaces in compliance with SRC Chapter 71.

The rights granted by the attached decision for Conditional Use Case No. CU-SPR-DAP -18-05 must be exercised, or an extension granted, by **August 7, 2020** or this approval shall be null and void.

The rights granted by the attached decision for Class 3 Site Plan Review Case No. CU-SPR-DAP -18-05 must be exercised, or an extension granted, by **August 7, 2022** or this approval shall be null and void.

The rights granted by the attached decision for Class 2 Driveway Approach Permit Case No. CU-SPR-DAP -18-05 must be exercised, or an extension granted, by **August 7, 2020** or this approval shall be null and void.

Application Deemed Complete: June 19, 2018
Public Hearing Date: July 11, 2018
Notice of Decision Mailing Date: July 20, 2018
Decision Effective Date: August 7, 2018
State Mandate Date: October 17, 2018

Case Manager: Pamela Cole, pcole@cityofsalem.net; 503.540.2309

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., Monday, August 6, 2018.**

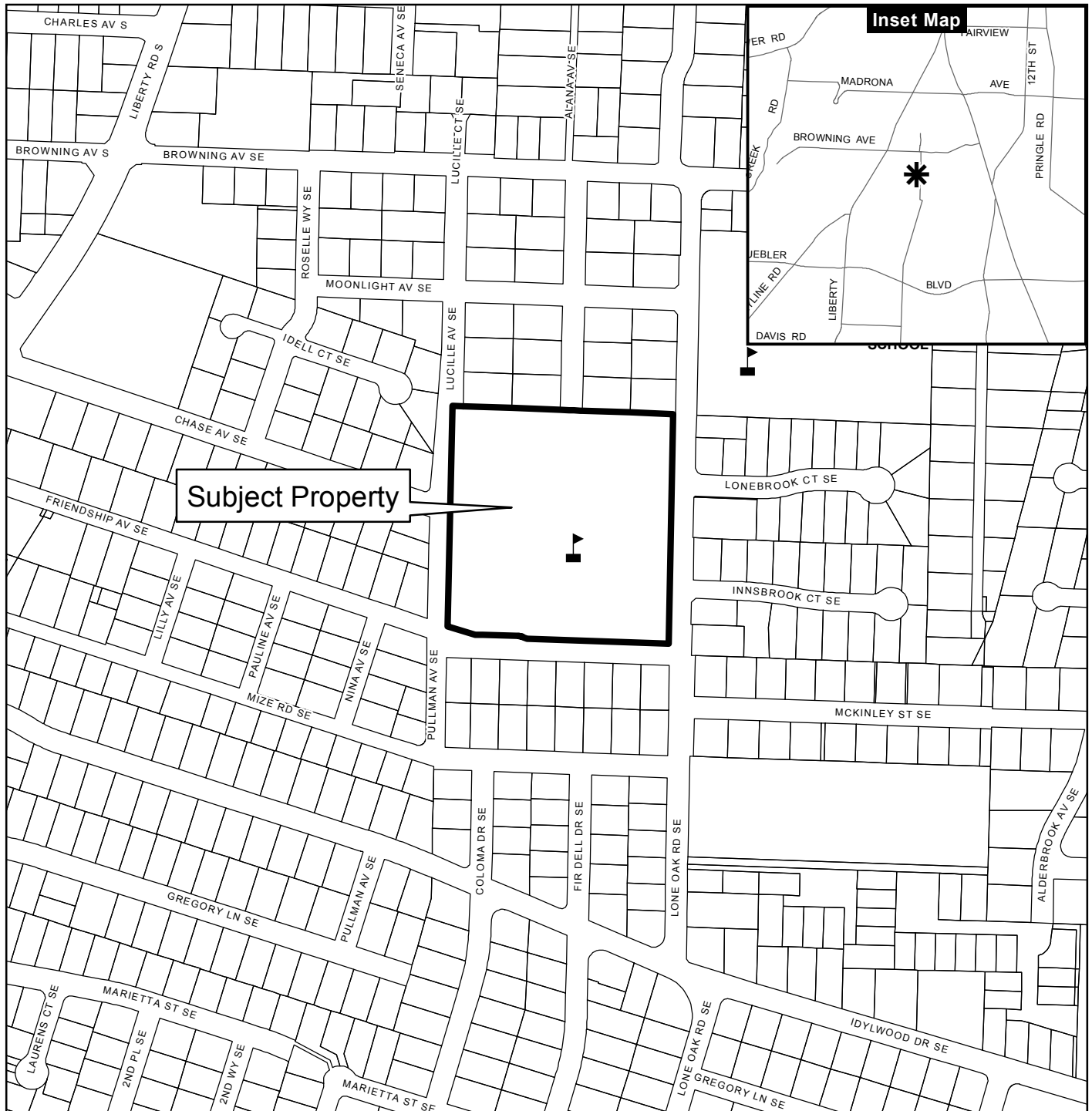
Any person who presented evidence or testimony at the hearing may appeal the decision. The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapters 220,240, and 804. The appeal 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 Planning Commission will review the appeal at a public hearing. After the hearing, the Planning Commission may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

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

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

Vicinity Map

4227 Lone Oak Road SE



Legend

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

- Parks

CITY OF Salem
AT YOUR SERVICE
Community Development Dept.

0 100 200 400 Feet



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PROJECT INFORMATION	
DESCRIPTION	
ZONING DESIGNATION	RM-II (MULTIPLE FAMILY RESIDENTIAL)
ALLOWABLE LOT COVERAGE	MAX 40%
BUILDING SETBACKS	ABUTTING STREET: MIN 20'-0" ZONE-TO-ZONE: MIN 10'-0"
PARKING SETBACKS	ABUTTING PUBLIC R.O.W.: MIN 12'-0" ABUTTING LOT: MIN 15'-0" ABUTTING BUILDING: MIN 5'-0"
HEIGHT LIMITATION	MAX 70'-0"
OCCUPANCY TYPE	GROSS FLOOR AREA
ACCESSORY STORAGE	1,634 SF
ASSEMBLY	12,005 SF
BUSINESS	1,691 SF
DAY CARE	341 SF
KITCHENS, COMMERCIAL	612 SF
LIBRARY, READING ROOM	245 SF
TOTAL	16,528 SF

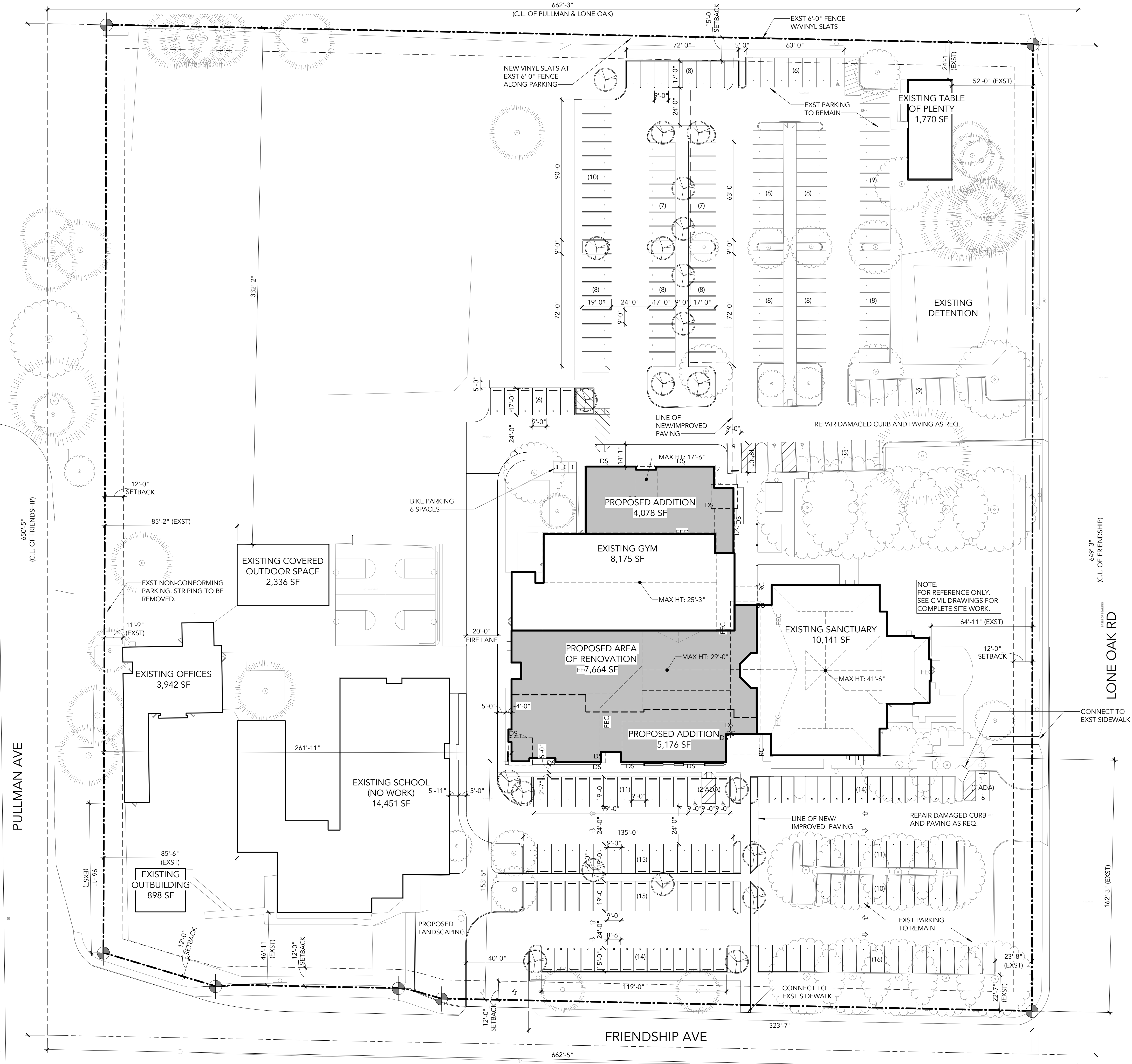
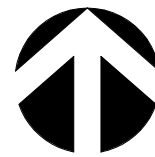
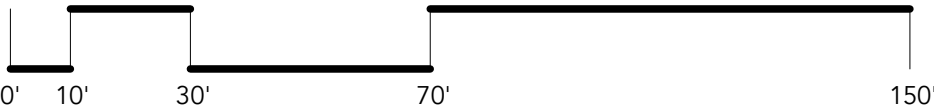
SITE STATISTICS		
DESCRIPTION	AREA (SF)	% OF SITE
EXST CHURCH (FOOTPRINT)	10,141	3%
EXST SCHOOL (FOOTPRINT)	14,451	4%
EXST OFFICES (FOOTPRINT)	3,942	1%
EXST OUTBUILDING (FOOTPRINT)	898	.25%
EXST TABLE OF PLENTY (FOOTPRINT)	1,770	.5%
EXST COVERED PLAY AREA (FOOTPRINT)	2,336	.75%
AREA OF RENOVATION (FOOTPRINT)	7,664	2%
PROPOSED ADDITION (FOOTPRINT)	9,270	1.5%
TOTAL LOT COVERAGE (ALL STRUCTURES)	50,472	13.5%
PAVING (EXST TO REMAIN)	50,151	13.5%
PAVING (NEW/IMPROVED)	56,701	15.5%
PAVING (TOTAL)	106,852	29%
SIDEWALKS (EXST TO REMAIN)	14,494	4%
SIDEWALKS (NEW/IMPROVED)	13,242	3.5%
SIDEWALKS TOTAL	27,736	7.5%
GENERAL LANDSCAPE AREA	156,818	43%
PARKING LANDSCAPE AREA	26,935	7%
LANDSCAPE AREA TOTAL	183,753	50%
TOTAL SITE AREA	368,813 (8.5 ACRES)	100%

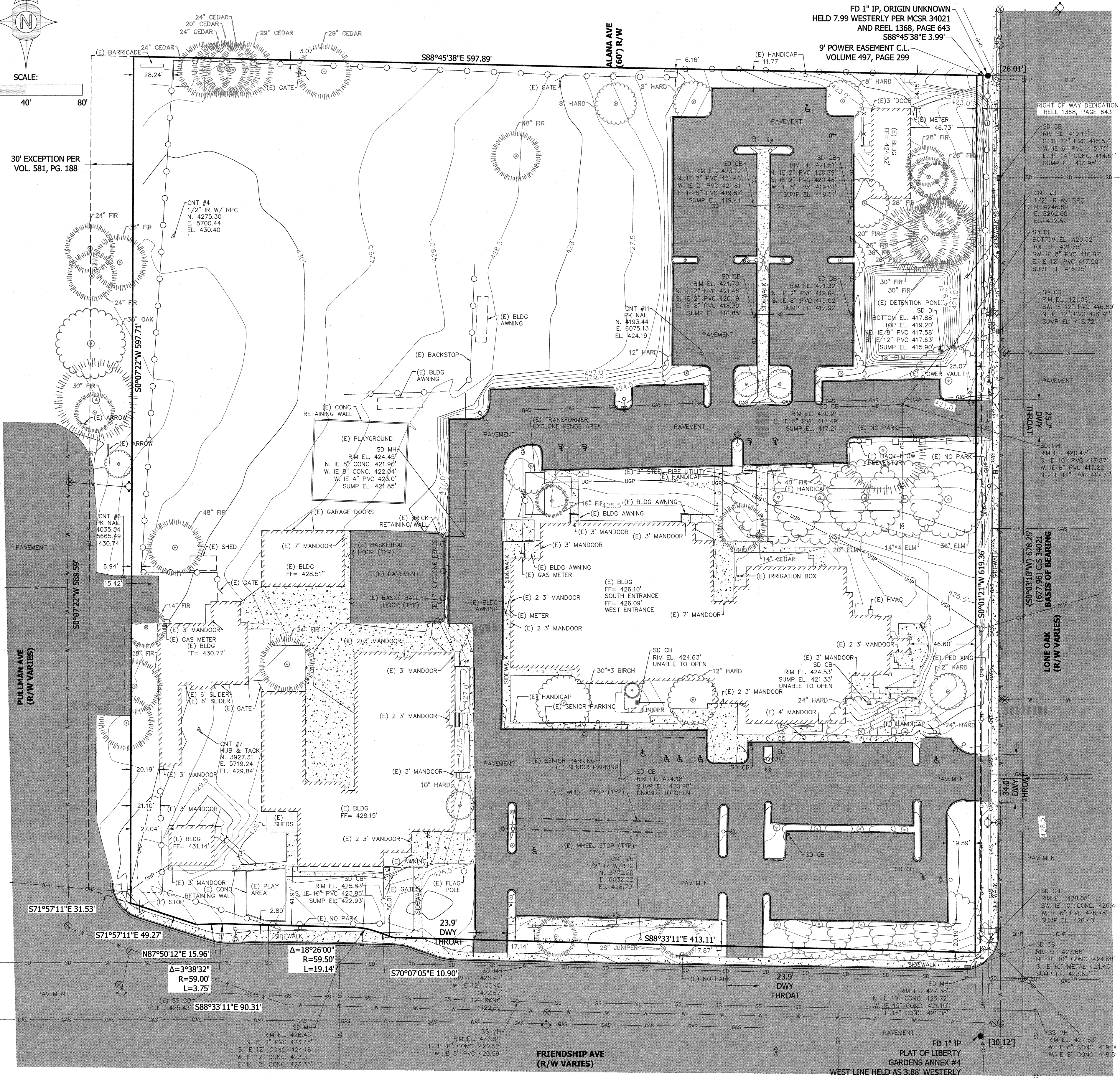
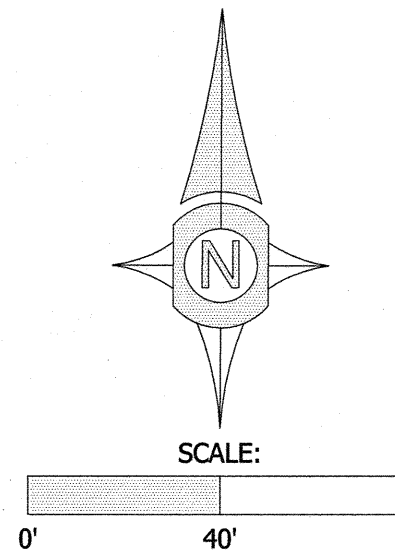
PARKING STATISTICS		
DESCRIPTION	# REQUIRED	# PROVIDED
TOTAL EXISTING PARKING	143 MIN, 250 MAX	246
FULL-SIZE PARKING STALLS	143 MIN, 250 MAX	200
COMPACT PARKING STALLS	MAX 75%	42 (17%)
ACCESSIBLE PARKING STALLS	7	8
CLEAN-AIR/VANPOOL/EV STALLS	N/A	N/A
TOTAL PROPOSED (ALL) PARKING	143*	250

*RATIO OF 1 / 5 SEATS WITHIN THE PRINCIPLE WORSHIP AREA (637 SEATS) = 637 / 5 = 127
*RATIO OF 2 / CLASSROOM (8 CLASSROOMS) = 2 x 8 = 16

1 SITE PLAN

SCALE: 1/32" = 1'-0"





PROJECT VERTICAL DATUM - NGVD29

ALL ELEVATIONS ARE SHOWN ON THE VERTICAL DATUM OF NGVD 29. THE VERTICAL BENCHMARK USED FOR ESTABLISHING ELEVATIONS IS A POST-PROCESSED GPS OBSERVATION.

ATTENTION: OREGON LAW REQUIRES YOU TO FOLLOW RULES ADOPTED BY THE OREGON UTILITY NOTIFICATION CENTER. THOSE RULES ARE SET FORTH IN OAR 952-001-0010 THROUGH OAR 952-001-0090. YOU MAY OBTAIN COPIES OF THE RULES BY CALLING THE CENTER. (NOTE: THE TELEPHONE NUMBER FOR THE OREGON UTILITY NOTIFICATION CENTER IS (503) 232-1987).

THE LOCATION AND DESCRIPTIONS OF EXISTING UTILITIES SHOWN ON THE DRAWINGS ARE COMPILED FROM AVAILABLE RECORDS AND/OR FIELD SURVEYS. THE ENGINEER OR UTILITY COMPANIES DO NOT GUARANTEE THE ACCURACY OR THE COMPLETENESS OF SUCH RECORDS. CONTRACTOR SHALL FIELD VERIFY LOCATIONS OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION.

PROPERTY SUMMARY:

APPLICATION TYPE: CLASS 3, SITE PLAN REVIEW, CONDITIONAL USE PERMIT

OVERALL AREA: 368,506 SQUARE FEET (8.46 ACRES)

TAX LOT: 6200

TAX MAP: 083W10BB

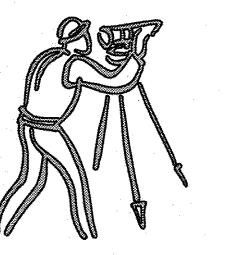
TITLE REPORT UTILIZED: AMERITITLE TITLE NO. 176039AM, DATED JUNE 17, 2017

EXISTING SYMBOL LEGEND

- EXISTING CONTROL
- EXISTING GAS VALVE
- EXISTING WATER VALVE
- EXISTING WATER METER
- EXISTING FIRE HYDRANT
- EXISTING MAILBOX
- EXISTING SIGN
- EXISTING POWER POLE W/ CONDUIT
- EXISTING LIGHT POLE
- SEWER MANHOLE
- PHONE PEDESTAL
- POWER PEDESTAL
- EXISTING CONCRETE SURFACE
- FOUND MONUMENT AS NOTED
- EXISTING 6\"/>

ABBREVIATIONS LEGEND

- (E) - EXISTING
- (P) - PROPOSED
- SS - SANITARY SEWER
- SD - STORM DRAIN
- MH - MANHOLE
- CB - CATCH BASIN
- B.O. - BLOWOFF
- BW - BARB WIRE
- BLDG - BUILDING
- CI - CURB INLET
- DI - DITCH INLET
- CO - CLEAN OUT
- C.S. - COUNTY SURVEY
- FD - FOUND
- IR - IRON ROD
- FF - FINISH FLOOR
- FH - FIRE HYDRANT
- FL - FLOW LINE
- LP/PP - POWER POLE WITH STREET LAMP
- PP - UTILITY POLE
- PUE - PUBLIC UTILITY EASEMENT
- IE - INVERT ELEVATION (FLOW LINE)
- IR - IRON ROD
- R - RADIUS
- R.O.W. - RIGHT-OF-WAY
- S.L. - STREET LIGHT
- TC - TOP FACE OF CURB
- TOP - TOP OF PIPE
- P.P. - PARTITION PLAT
- W/ - WITH
- OPC - ORANGE PLASTIC CAP
- YPC - YELLOW PLASTIC CAP
- RPC - RED PLASTIC CAP



CLIENT:
DAVID MASTROIANNI
DDM CONSULTING, INC.
2820 SE CLEVELAND DRIVE
GRESHAM, OR 97080
DDMCONSULTING@MSN.COM

UDELL ENGINEERING
AND
LAND SURVEYING, LLC
63 EAST ASH ST.
LEBANON, OREGON 97355
(541) 451-5125 PH.
(541) 451-1366 FAX

EXISTING CONDITIONS
QUEEN OF PEACE CATHOLIC
CHURCH
4227 LONE OAK RD SE
SALEM, OREGON

DATE: 05/25/2017 rev. 6/6/2018
PROJECT: 17-092 QUEEN OF PEACE CH.
DRAWN BY: GSR
CHECKED BY: KWL

REGISTERED
PROFESSIONAL
LAND SURVEYOR
OREGON
JUNE 12, 2013
KYLE W. LATIMER
#80442
EXPIRES 12-31-2018

Sheet 1
1
SCALE: SEE BARSCALE

**CITY OF SALEM
BEFORE THE HEARINGS OFFICER**

A REQUEST FOR A CONDITIONAL USE,	}	CU-SPR-DAP18-05
CLASS 3 SITE PLAN REVIEW, AND CLASS 2		
DRIVEWAY APPROACH PERMIT		
APPLICATION FOR CONSTRUCTION OF	}	FINDINGS OF FACT, CONCLUSIONS, AND DECISION
ADDITIONS TO THE NORTH AND SOUTH		
ELEVATIONS OF A CHURCH STRUCTURE,		
REMOVAL OF A DRIVEWAY,		
MODIFICATION OF A DRIVEWAY,		
ADDITION OF PARKING AREAS, AND		
RECONFIGURATION OF EXISTING PARKING		
AREAS SERVING AN EXISTING RELIGIOUS		
ASSEMBLY, ON AN 8.5-ACRE PROPERTY IN		
THE RM2 (MULTIPLE FAMILY		
RESIDENTIAL) ZONE, AT 4227 LONE OAK	}	
ROAD SE 97302 (MARION COUNTY		
ASSESSOR MAP AND TAX LOT		
083W10BB06200)	}	

DATE AND PLACE OF HEARING:

July 11, 2018, Salem City Council Chambers, Room 240, Civic Center, 555
Liberty Street SE, Salem, Oregon.

APPEARANCES:

<u>Staff:</u>	Pamela Cole, Planner II
<u>Neighborhood Association:</u>	None
<u>Proponents:</u>	Gretchen Stone, CB Two Architects, Applicant
<u>Opponents:</u>	None

SUMMARY OF THE APPLICATION AND HEARING

BACKGROUND

The City of Salem held a duly authorized and noticed public hearing on July 11, 2018, regarding a Conditional Use, Site Plan Review, and Driveway Approach permit application for building additions, removal of a driveway, modification of a

driveway, and reconfiguration of a parking areas for a religious assembly. Prior to the close of the public hearing, the applicant waived the additional 7-day period for additional testimony.

FINDINGS OF FACT AND CONCLUSIONS

1. Salem Area Comprehensive Plan (SACP) designation

The Salem Area Comprehensive Plan (SACP) map designation for the subject property is "Multi-Family Residential." The subject property is within the Urban Growth Boundary and the Urban Service Area.

2. Zoning and Surrounding Land Uses

The subject property is zoned RM2 (Multiple Family Residential 2). Religious Assembly uses are Special Uses in the RS zone. SRC Chapter 700.005(d) provides that modifications to special use standards shall be made pursuant to Conditional Use approval, as provided in SRC Chapter 240, and in no case shall Conditional Use approval allow a standard that is less restrictive than the development standards established in the zone or overlay zone. The requested Conditional Use permit is required for a driveway on Friendship Avenue SE within 125 feet of a Collector street.

The zoning of surrounding properties is as follows:

North: RS (Single Family Residential);

East: Across Lone Oak Road SE, RS (Single Family Residential);

South: Across Friendship Avenue SE, RS (Single Family Residential);

West: Across Pullman Avenue SE, RS (Single Family Residential).

3. Site Analysis

The subject property consists of a lot approximately 600 feet wide from east to west and 620 feet from north to south. The lot is bounded on the east by Lone Oak Road SE, designated as a Collector in the Transportation System Plan. The subject property has street frontage on Friendship Avenue SE to the south and Pullman Avenue SE to the west, and Alana Avenue SE terminates on the north side of the property. The property has two driveways on Lone Oak Road SE and two driveways on Friendship Avenue SE, as well as a nonconforming parking area on Pullman Avenue SE.

The footprint of the existing church is near the center of the site, and the school and administrative buildings are in the southwestern area. Accessory buildings are located in the southwestern and northeastern areas. Open space and

playground facilities are located in the northwestern area. Parking lots are located north, west, and south of the church building. The parking lots contain trees and other landscaping.

4. Neighborhood and Citizen Comments

The subject property is located within the Faye Wright Neighborhood Association (Faye Wright). Notice was provided to Faye Wright and surrounding property owners within 250 feet of the subject property and adjoining lot under common ownership.

As of the date of the staff report, no comments were received from Faye Wright or surrounding property owners. No members of the public testified at the public hearing.

5. City Department and Public Agency Comments

The Salem Building and Safety Division reviewed the proposal and identified no issues.

The Salem Fire Department reviewed the proposal and commented:

It appears fire department access is being addressed, but Fire was not able to verify turn radii. Fire department access and water supply will be required. Items including these will be addressed at time of building permit plan review.

Fire department access is required to be provided to within 150 feet of all portions of the structure. Fire department access is required to be a minimum of 20 feet wide and 13-6 feet clearance in height. Turn radius are 28 feet inside and 48 feet outside. Fire will need verification of these dimensions (turn radii on the north and south ends of the fire lane shown on the west side of the project).

The Public Works Department reviewed the proposal and provided a memo which is included as Attachment E in the staff report.

Portland General Electric (PGE) reviewed the proposal and indicated that development costs are determined by current tariff and service requirements, and PGE facilities will need to be relocated for the project. The applicant may contact Mark Young at PGE, 4245 Kale Street NE, Salem OR 97305, 503-463-4365.

6. Analysis of Conditional Use Criteria

Religious Assembly uses and Basic Education uses are subject to special use standards in the RM2 (Multiple Family Residential 2) zone. SRC Chapter 700.005(d) provides:

Modifications to special use standards shall be made pursuant to Conditional Use approval, as provided in SRC Chapter 240, and in no case shall Conditional Use approval allow a standard that is less restrictive than the development standards established in the zone or overlay zone.

The proposed development requires Conditional Use approval because it does not meet the Special Use standard for a religious assembly for maximum distance from a driveway to a Collector street.

SRC Chapter 240.005(a)(1) provides that:

No building, structure, or land shall be used or developed for any use which is designated as a conditional use in the UDC unless a conditional use permit has been granted pursuant to this Chapter.

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

Criterion 1:

The proposed use is allowed as a conditional use in the zone.

The Hearings Officer finds that the Conditional Use permit is required in order for the remaining driveway on Friendship Avenue SE to deviate from the Special Use standard requiring a maximum distance of 125 feet from the collector street, Lone Oak Road SE.

The previous Comprehensive Plan Change / Zone Change Case No CPC/ZC93-14 contained conditions of approval limiting the property to two driveways onto Lone Oak Road SE, two driveways onto Friendship Avenue SE, and one driveway onto Pullman Road SE south of Chase Avenue SE; prohibiting vehicle access from Alana Avenue SE and from Pullman Road SE north of Chase Avenue SE; and limiting use of the property to elementary and secondary schools and religious organizations. While the conditions of the decision on CPC/ZC93-14 limited the number of driveways, the decision did not constitute a previous Conditional Use approval for the driveways on Friendship Avenue SE to deviate from current Special Use standards. Therefore, a new Conditional Use approval is required for the proposed location of the remaining driveway on Friendship Avenue SE.

The Hearings Officer finds that the proposed use is allowed as a conditional use, so the proposal meets this criterion.

Criterion 2:

The reasonably likely adverse impacts of the use on the immediate neighborhood can be minimized through the imposition of conditions.

The Hearings Officer finds that as explained in the Finding for Criterion 1, the driveway is one of two allowed onto Friendship Avenue SE under the conditions of Comprehensive Plan Change / Zone Change Case No CPC/ZC93-14, but no previous Conditional Use permit was approved for the driveway to exceed the Special Use standard of 125 feet from the Collector street.

The Hearings Officer notes that the staff concurs that the proposed redevelopment with a single driveway onto Friendship Avenue SE minimizes adverse impacts, which are primarily related to traffic and safety.

Both existing driveways are nonconforming with the maximum 125-foot distance from Lone Oak Road SE. The existing driveway is 23.9 feet wide and located near the center of the block, approximately 345 feet from Lone Oak Road SE. The driveway that will be removed is 23.9 feet wide and located approximately 155 feet from Lone Oak Road SE.

The modified driveway will be 40 feet wide and 323'7" from Lone Oak Road SE. Reducing the number of driveways onto the local street, Friendship Avenue SE, reduces the potential points of conflict and improves safety for pedestrians and bicyclists.

In order to ensure that the impacts are mitigated as proposed, the Hearings Officer imposes the following condition:

Condition 1: The development shall be in substantial conformance with the site plan included as Attachment C of the staff report, as modified by conditions of approval.

The Hearings Officer finds that with this condition, the proposal meets this criterion.

Criterion 3:

The proposed use will be reasonably compatible with and have minimal impact on the livability or appropriate development of surrounding property.

The Hearings Officer finds that the subject property has been developed as a religious assembly and elementary school for many years. The

current church building, parking lots, and driveways were developed prior to 1995. The elimination of one driveway and reconfiguration of another will be compatible with and have minimal impacts on the surrounding properties.

The Hearings Officer finds that the proposal meets this criterion.

7. 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.

The Hearings Officer finds that the proposed development includes building additions and parking lots for a religious assembly use. The proposed development, with conditions of approval, complies with all applicable development standards of the Salem Revised Code.

Development Standards – RM2 Zone:

SRC 514.005(a) - Uses:

The permitted, special, conditional and prohibited uses in the RM2 zone are set forth in Table 514-1.

The Hearings Officer finds that the proposed development includes building additions, parking lot expansions, and parking lot reconfigurations for an existing religious assembly use. A religious assembly use is classified is allowed in the RM2 zone per SRC 514.005, Table 514-1 as a Special Use, subject to the standards of SRC 700.050. Findings for the Special Use are included later in this section.

The subject property also includes an elementary school, which is a Special Use, subject to the standards of SRC 700.010. No changes are proposed to the elementary school.

SRC 514.010(b) – Lot Standards:

In the RM2 zone, for a religious assembly use, the minimum lot area is 6,000 square feet; the minimum lot width is 40 feet; the minimum lot depth is 120 feet for double frontage lots; the maximum lot depth is 300 percent of average lot width; and the minimum street frontage is 40 feet.

The Hearings Officer notes that the subject property complies with the applicable lot standards of the RM2 zone, with lot area exceeding 368,800

square feet and approximate lot width of 620 feet, lot depth of 600 feet, and street frontage of 1,900 feet of.

SRC 514.010(d) – Setbacks:

South (abutting street): Adjacent to the south is Friendship Avenue SE. A minimum setback of 12 feet, plus one foot for each one foot of height over 12 feet, but not exceeding 20 feet is required for buildings and accessory structures. A minimum 12-foot setback is required for vehicle use areas.

West (abutting street): Adjacent to the west is Pullman Avenue SE. A minimum setback of 12 feet, plus one foot for each one foot of height over 12 feet, but not exceeding 20 feet is required for buildings and accessory structures. A minimum 12-foot setback is required for vehicle use areas.

East (abutting street): Adjacent to the east is Lone Oak Road SE. A minimum setback of 12 feet, plus one foot for each one foot of height over 12 feet, but not exceeding 20 feet is required for buildings and accessory structures. A minimum 12-foot setback is required for vehicle use areas.

North (abutting street): Adjacent to the north is Alana Avenue SE. A minimum setback of 12 feet, plus one foot for each one foot of height over 12 feet, but not exceeding 20 feet is required for buildings and accessory structures. A minimum 12-foot setback is required for vehicle use areas.

North (side abutting RS zone): The property is adjacent to RS-zoned properties. The minimum setback for buildings, accessory structures, and vehicle use areas is 10 feet with Type C landscaping and screening.

The Hearings Officer finds the proposed addition to the south side of the building is more than 150 feet from Friendship Avenue SE, 175 feet from Lone Oak Road SE, and 260 feet from Pullman Avenue NE. The proposed addition to the north side of the building is more than 190 feet from Lone Oak Road SE, 300 feet from Pullman Avenue NE, and 270 feet from Alana Avenue SE and the north property line. The reconfigured vehicle use area south of the building is more than 19 feet from Friendship Avenue SE. The proposed expansion of the parking lot north of the building is approximately 15 feet or more from the north property line and Alana Avenue SE. To ensure compliance with this setback and screening requirement, the Hearings Officer imposes the following condition recommended by staff:

Condition 2: Provide a landscaped setback of at least 15 feet between the new parking lot pavement and the north property line, landscaped with a minimum of one plant unit per 20 square feet and screened with a minimum 6-foot-tall sight-obscuring fence, wall, or hedge.

With this condition, the proposal complies with all applicable setback requirements of the RM2 zone.

SRC 514.010(e) - Lot Coverage, Height:

Maximum lot coverage is 50 percent. The maximum building height is 70 feet.

The Hearings Officer finds the proposed south addition is 29 feet in height and the proposed north addition is 17 feet 6 inches in height. The proposed development complies with the maximum height standard.

SRC 514.010(g) - 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.

The Hearings Officer finds that the existing setbacks are landscaped. Where landscaping is removed as a result of the construction, the proposal is to replace it. The reconfigured parking lots and expanded parking lots will meet the required setbacks as well as the landscaping standards of SRC Chapter 806 and 807. At the conclusion of the project, more than 50 percent of the site will be landscaped. The Hearings Officer finds that the proposed development complies with the standards.

SRC 514.010(h) - Outdoor storage:

Outdoor storage shall be screened from streets and adjacent properties by a minimum six-foot-high sight-obscuring fence, wall, or hedge.

The Hearings Officer finds that no outdoor storage is proposed.

Special Use Standards SRC 700.005 (Generally)

The special use standards set forth in Chapter 700 apply where a use is designated as a special use and are in addition to the standards that apply to uses generally within a zone or overlay zone. The special use standards set forth in Chapter 700 may be modified, unless otherwise specially provided in this Chapter. Modification to a special use standard shall be made pursuant to Conditional Use approval, as provided in SRC Chapter 240. In no case shall Conditional Use approval allow a standard that is less restrictive than the development standards established in the zone or overlay zone.

Special Use Standards SRC 700.010 (Basic Education)

Where designated as a special use, basic education shall comply with the additional standards set forth in this section.

SRC 700.010(a) – Lot Area:

Minimum lot area is three acres.

The Hearings Officer notes that an elementary school is located on a property of 8.5 acres.

SRC 700.010(b) – Setbacks:

Buildings shall be set back from every lot line a minimum of one foot for each one foot of building height; provided, however, the setback need not exceed 35 feet in depth. Off-street parking and loading areas shall be setback a minimum of ten feet from any abutting residentially zoned property or property used for a residential use.

The Hearings Officer finds that the existing school building meets setbacks and is not being modified. The parking and loading areas on the property serve the school and the religious assembly use and are set back more than 10 feet from abutting residentially zoned property north of the subject property.

SRC 700.010(a) – Lot Coverage:

No main building or combination of classroom buildings shall occupy more than 30 percent of the lot area.

The Hearings Officer finds that the school building footprint occupies four percent of the site.

Special Use Standards SRC 700.050 (Religious Assembly)

SRC 700.050(c) - Seating Capacity:

The seating capacity of the largest space within a religious assembly shall not exceed the standards set forth in Table 700-3. Maximum seating capacity cannot be modified through Conditional Use approval. In the RM2 zone, no maximum seating capacity is applicable to lots abutting a collector or arterial street with more than 250 feet of frontage on such street.

The Hearings Officer finds that the development has more than 600 feet of frontage on Lone Oak Road SE, a collector. There are 637 seats in the principal worship area, and seating capacity is not anticipated to be changed with this proposal. The proposal meets the standard.

SRC 700.050(d) - Locational Standards:

Religious assemblies shall be located on streets as set forth in Table 700-4. In the RM2 zone, location on a local street is allowed for seating capacity of 500 seats or less. Location on a collector or arterial street is allowed, regardless of seating capacity, for a lot with 250 feet or more of frontage on a collector or arterial.

The Hearings Officer finds that there are 637 seats in the principal worship area, and the facility has more than 600 feet of frontage on a collector street. The proposal meets the standard.

SRC 700.050(e) - Access:

Access to religious assemblies may be provided from local, collector, or arterial streets. Access provided from a local street shall conform to the standards set forth in Table 700-5. In the RM2 zone, access points on a local street shall be located not more than 125 feet from a collector or arterial street.

The Hearings Officer finds that the existing development has two accesses on Friendship Avenue SE, both of which are located more than 125 feet from Lone Oak Road SE, a collector street. The applicant has proposed to remove the access driveway closest to Lone Oak Road SE and modify the access driveway that is farther from Lone Oak Road SE. The applicant has requested Conditional Use approval for the modified access driveway that will be retained. Findings addressing the Conditional Use are included in Section 6 of this decision.

SRC 700.050(f) - Lot Standards:

Maximum lot area and minimum street frontage requirements for religious assemblies are set forth in Table 700-6. In the RM2 zone, no maximum area applies to lots abutting a collector or arterial street that have 250 feet or more of frontage on such street; minimum street frontage is 150 feet per street.

The Hearings Officer finds that the subject property is 8.5 acres. Street frontages exceed 150 feet on Lone Oak Road SE, Friendship Drive SE, and Pullman Avenue SE. The proposal meets applicable standards.

SRC 700.050(g) - Setbacks:

Setbacks for religious assemblies in the RM2 zone shall be provided as set forth in Table 700-7. The minimum setback abutting a street is 12 feet for vehicle use areas or buildings not more than 25 feet in height, and 12 feet plus two feet for each 5 feet in height over 25 feet for buildings over 25 feet in height; the minimum setback abutting an interior side or interior rear lot line is 15 feet for vehicle use areas abutting a residential zone, 5 feet for vehicle uses areas abutting non-residential zones, 12 feet for buildings not more than 25 feet in height, and 12 feet plus two feet for each 5 feet in height over 25 feet for buildings over 25 feet in height.

The Hearings Officer finds that the proposal meets the applicable special use standards as follows:

South (abutting street): Adjacent to the south is Friendship Avenue SE. The proposed addition to the south side of the building is 29 feet in height and

more than 150 feet from the street. The reconfigured vehicle use area south of the building is more than 19 feet from the street.

West (abutting street): Adjacent to the west is Pullman Avenue SE. The proposed addition to the south side of the building is more than 260 feet from the street. The proposed addition to the north side of the building is 17 feet 6 inches tall and more than 300 feet from the street. The south parking area is more than 290 feet from the street. The expansion of the north parking area is more than 200 feet from the street.

East (abutting street): Adjacent to the east is Lone Oak Road SE. The proposed addition to the south side of the building is more than 175 feet from the street. The proposed addition to the north side of the building is more than 190 feet from the street. The existing south parking area is more than 23 feet from the street. The existing north parking area is more than 30 feet from the street.

North (abutting street): Adjacent to the north is Alana Avenue SE. The proposed addition to the north side of the building is more than 270 feet from the street. The proposed expansion of the parking lot is more than 15 feet from the street.

North (side abutting RS zone): The proposed addition to the north side of the building is more than 270 feet from the north property line. The proposed expansion of the parking lot north of the building is approximately 15 feet or more from the north property line. Condition 3 requires a minimum 15-foot setback with Type C landscaping and screening for the proposed expansion of the parking lot. The existing parking area is less than 15 feet from the north property line and is legally nonconforming.

SRC 700.050(h) - Lot Coverage; Height:

Buildings and accessory structures for religious assemblies shall conform to the lot coverage and height standards set forth in Table 700-8. In the RM2 zone, the maximum lot coverage by buildings and accessory structures is 40%. In the RM2 zone, there are no special use standards for building height or height of spires, steeples, and towers without usable floor space.

The Hearings Officer finds that with the proposed construction, the lot coverage will be 13.4 percent. The heights of the proposed building additions are 29 feet and 17 feet 6 inches, well below the maximum of 70 feet allowed under the standards of the underlying zone.

SRC 700.050(i) - Off-Street Parking:

(1) Location.

(A) Off-street parking may be located on-site or off-site. When parking is provided offsite, it shall be located:

- (i) On a lot or lots that are contiguous to the lot containing the main building or use; or
- (ii) Within 600 feet of the lot containing the main building or use, on a lot or lots within a non-residential zone.
- (B) For the purposes of this paragraph, contiguous shall include a lot or lots that are separated from the lot containing the main building or use by an alley.
- (2) Screening. Off-street parking areas shall be screened from abutting residential zoned property.

The Hearings Officer finds that all of the required parking spaces are on the lot with the main building. The existing northern off-street parking lot is screened from abutting RS-zoned property, and the conditions of approval require screening for the expanded area of that parking lot.

SRC 700.050(j) – Landscaping:

All lot area not developed for buildings, structures, parking, loading, or driveways shall be landscaped as provided in SRC Chapter 807.

The Hearings Officer notes that the existing campus is landscaped. The proposal includes removal of existing landscaping and replacement with new landscaping. The replacement and new plantings must include at least one plant unit per 20 square feet of required landscape area and comply with other applicable standards of SRC chapter 807.

SRC 700.050(k) – Related Uses:

Schools, day care facilities, kindergartens, meeting facilities for clubs and organizations, and other similar activities operated primarily for the purpose of religious instruction, worship, government of the church, or the fellowship of its congregation shall be permitted. When such activities are not operated primarily for the purpose of religious instruction, worship, government of the church, or the fellowship of its congregation, the activities shall be allowed only if they are an allowed use in the zone.

The Hearings Officer notes that the proposal does not include a change of activities.

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; any change of use or activity, when such change of use or activity results in a parking ratio requiring a greater number of spaces than the previous use or activity; and for any intensification, expansion, or enlargement of a 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 residential zones, required off-street parking may be located within 200 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 number of off-street parking spaces required for a Religious Assembly use is 1 space per 5 seats or 10 feet of bench length within the principal worship area. The minimum number of parking spaces required for an elementary school, an activity within the Basic Education use, is 2 per classroom.
- b) Compact Parking. Up to 75 percent of the minimum off-street parking spaces required under this Chapter may be compact parking spaces.
- c) Carpool and Vanpool Parking. New developments with 60 or more required off-street parking spaces shall designate a minimum of 5 percent of their total off-street parking spaces for carpool or vanpool parking.
- d) Maximum Off-Street Parking. Unless otherwise provided in the SRC, off-street parking shall not exceed the amounts set forth in Table 806-2.

The Hearings Officer finds that the principal worship area has 637 seats, requiring a minimum of 127 off-street parking spaces ($637 / 5 = 127$). The elementary school has 8 classrooms, requirement a minimum of 4 spaces ($8 \times 2 = 16$). The total minimum requirement is 143 spaces. The maximum off-street parking allowance for the use is 250 spaces ($143 \times 1.75 = 250$). There are 246 existing spaces; after the proposed construction, the applicant's statement indicates that there would be 250 spaces, but the site plan depicts only 246 spaces. The proposal meets the standards.

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

- a) General Applicability. The off-street parking and vehicle use area development standards set forth in this section apply to the development of new off-street parking and vehicle use areas; the expansion of existing off-street parking and vehicle use areas, where additional paved surface is added; the alteration of existing off-street parking and vehicle use areas, where the existing paved surface is replaced with a new paved surface; and the paving of an un-paved area.
- 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 Hearings Officer finds that the proposed development involves alteration of existing parking and vehicle use areas, where the existing paved surface is replaced with a new paved surface, and expansion of parking areas. The off-street parking and vehicle use area development standards of SRC 806.035 apply to the proposed development.

SRC Chapter 806.035 would require setbacks of 6 to 10 feet from property lines abutting streets and 5 feet from property lines abutting the RS zone unless the underlying zone or Special Use standards require greater setbacks. Under the RM2 zone standards, the minimum setback abutting a street is 12 feet, and the minimum setback from an interior side or interior rear lot line is 10 feet abutting a residential zone. Under the Special Use standards for a religious assembly, the minimum setback abutting a street is 12 feet, and the minimum setback abutting an interior side or interior rear lot line is 15 feet abutting a residential zone. Under the Special Use standards for a school, the minimum setback is ten feet from any abutting residentially zoned property or property used for a residential use.

South (abutting street): Adjacent to the south is Friendship Avenue SE. The minimum setback is 12 feet, and the reconfigured vehicle use area south of the building is more than 19 feet from the street.

West (abutting street): Adjacent to the west is Pullman Avenue SE. The minimum setback is 12 feet, and the expansion of the north parking area is more than 200 feet from the street.

East (abutting street): Adjacent to the east is Lone Oak Road SE. The minimum setback is 12 feet. The existing south parking area is more than 23 feet from the street. The existing north parking area is more than 30 feet from the street.

North (abutting street): Adjacent to the north is Alana Avenue SE. The minimum setback is 12 feet, and the proposed expansion of the parking lot is more than 15 feet from the street.

North (side abutting RS zone): Adjacent to the north are properties zoned RS (Single Family Residential) The minimum setback is 15 feet. The proposed expansion of the parking lot north of the building is approximately 15 feet or more from the north property line. Condition 3 requires a minimum 15-foot setback with Type C landscaping and screening for the proposed expansion of

the parking lot. The existing parking area is less than 15 feet from the north property line and is legally nonconforming.

Adjacent to Buildings and Structures: The off-street parking or vehicle use area shall be setback 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. All of the parking and vehicle use areas are separated from the existing and proposed buildings by paved pedestrian paths at least 5 feet in width.

The Hearings Officer finds that the proposed vehicle use areas comply with the minimum perimeter setback standards of SRC Chapter 806. The proposal meets the 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 between 5,000 and 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 is required for every 12 parking spaces. The minimum planting area for a landscape island or planter bay is 25 square feet, with a minimum width of 5 feet.

The Hearings Officer notes that the proposed site plan shows the north parking area, including existing and reconfigured areas, to be approximately 49,900 square feet with 136 spaces and the reconfigured south parking area to be approximately 40,000 square feet with 110 spaces. The minimum interior landscaping required in the reconfigured and expanded north parking lot is 2,495 square feet, including 11 trees. The minimum interior landscaping required in the reconfigured south parking lot is 2,000 square feet, including 9 trees. The proposed landscaping exceeds the minimum requirements. However, two of the proposed triangular tree wells in the reconfigured south parking lot are smaller than 25 square feet and also would prevent the adjacent parking spaces from meeting dimensional standards. These triangular planting areas are not required to meet the minimum interior landscaping standards. The Hearing Officer imposes the following condition to ensure that the parking spaces meet dimensional standards:

Condition 3: Remove the proposed triangular planting areas in the reconfigured south parking lot.

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

The Hearings Officer finds that the proposed parking spaces, driveway and drive aisle for the off-street parking area meet most of the minimum dimensional requirements of SRC Chapter 806. However, the eight northern

spaces in the expanded north parking area are 9 feet wide and 17 feet long, where the standards would require a standard space to be 9 feet wide and 19 feet long. No overhang is allowed into the required 15-foot setback. Therefore, these spaces must be designated as compact spaces. Also, the drive aisle designated as a 20-foot wide fire lane must be at least 22 feet wide for two-way traffic. At the narrowest point, the distance between proposed buildings is 37 feet. Adequate area exists on both sides of this lane to widen the drive aisle to 22 feet and maintain a 5-foot paved pedestrian path and/or landscaped area for separation from existing and proposed buildings.

The proposal will meet dimensional standards with the following conditions:

Condition 4: The eight new parking spaces in the northern row of the expanded north parking lot shall be designated as compact spaces.

Condition 5: The 20-foot-wide "Fire Lane" depicted on the site plan between the north and south parking areas shall either be widened to a minimum of 22 feet to accommodate two-way traffic or designated and marked for one-way traffic.

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

The Hearings Officer finds that the reconfigured section of the southern parking area with new/improved paving and the expanded area of the northern parking area are subject to these standards for grade, surfacing, drainage, bumper guards or wheel barriers, parking area striping, marking and signage for one-way traffic and compact parking spaces, and lighting. The northern parking area is subject to screening from the abutting residentially zoned property. Bumper guards or wheel barriers are required so that vehicles do not overhang into required setbacks or pedestrian walkways. The site plan does not depict bumper guards or wheel barriers in all areas where they should be located. Accordingly, the Hearings Officer imposes the following condition:

Condition 6: Bumper guards or wheel barriers shall be installed in the eight new parking spaces in the northern row of the expanded parking lot and all of the parking spaces abutting the proposed sidewalk that is oriented east to west through the reconfigured area of the southern parking lot.

With the imposed condition of approval for screening abutting the residentially zoned area and the condition for bumper guards or wheel barriers, the Hearings Officer finds the proposal meets the standards.

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).

The Hearings Officer finds that the two driveways on Lone Oak Road SE and the driveway on Friendship Avenue SE conform to the driveway location and dimensional requirements of SRC 806.040. The driveways shall be paved with a hard surface, designed, graded, and drained according to the Public Works Design Standards (PWDS), or to the approval of the Public Works Director. The PWDS standards incorporate ADA accessibility.

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 parking ratio requiring a greater number of spaces than the previous use or activity; and for any intensification, expansion, or enlargement of a use or activity.

SRC 806.055 - Amount of Bicycle Parking.

A Religious Assembly use is required to have a minimum of 1 bicycle parking space per 30 vehicle parking spaces. An elementary school is required to have 2 bicycle parking spaces per classroom.

The Hearings Officer finds that the elementary school is not being intensified, expanded, or enlarged; therefore, no additional bicycle parking is required for the elementary school. The religious assembly use is being enlarged. The minimum vehicle parking requirement for the religious assembly use is 127 spaces, and the minimum bicycle parking requirement is 4 spaces. The site plan indicates bicycle racks for 6 bicycles, meeting the standard.

Off-Street Loading Areas

SRC 806.065 - General Applicability.

Off-street loading 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 parking ratio requiring a greater number of spaces than

the previous use or activity; and for any intensification, expansion, or enlargement of a use or activity.

SRC 806.075 - Amount of Off-Street Loading.

A Religious Assembly use between 5,000 and 60,000 square feet is required to have a minimum of one 12 foot by 30 foot by 14 foot loading space. An elementary school of 5,000 to 60,000 square feet is required to have a minimum of one 12 foot by 30 foot by 14 foot loading space. An off-street parking space may be used in place of a required off-street loading space when the use or activity does not require a delivery vehicle which exceeds a maximum combined vehicle and load rating of 8,000 pounds and the off-street parking area is located within 25 feet of the building.

The Hearings Officer find that the elementary school is not being intensified, expanded, or enlarged; therefore, no additional bicycle parking is required for the elementary school. The religious assembly use is being enlarged but is still under 60,000 square feet. The proposed development does not result in any additional off-street loading spaces required for the development site.

Landscaping

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 Hearings Officer find that the applicant's site plan indicates that approximately 186,000 square feet of landscaping will be provided on the property, including 26,935 square feet within the parking areas. Within the reconfigured south parking area, approximately 3,000 square feet of landscaping is proposed outside of the required setbacks and 1,800 square feet of landscaping is proposed in the required setback adjacent to the street, requiring a minimum of 240 plant units ($4,800 / 20 = 240$). At least 40 percent of the plant units, or 96 ($240 \times 0.4 = 96$) shall be a combination of mature trees, shade trees, evergreen/conifer trees, or ornamental trees. Within the newly paved north parking area, approximately 4,300 square feet of landscaping is proposed outside of the required setbacks and 1,600 square feet is proposed in the required setback adjacent to the north property line, requiring a minimum of 295 plant units ($5,900 / 20 = 295$). At least 40

percent of the plant units, or 118 ($295 \times 0.4 = 118$) shall be a combination of mature trees, shade trees, evergreen/conifer trees, or ornamental trees.

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 protected trees are identified for removal.

SRC 809 - Wetlands: The Salem-Keizer Local Wetland Inventory (LWI) does not show any wetlands on the subject property but does indicate hydric soil inclusions.

SRC 810 - Landslide Hazards: A geological assessment or report is required when regulated activity is proposed in a mapped landslide hazard area. The applicant's proposal does not disturb any portion of a mapped landslide hazard area; therefore, a geological assessment is not required.

The Hearings Officer finds that the proposed development would not cause removal of protected trees or vegetation and would not occur in wetlands or landslide hazard areas.

Other Requirements

SRC 601 – Floodplain

SRC 802 – Public Improvements

SRC 803 – Streets and Right-of-Way Improvements

SRC 804 – Driveway Approaches

SRC 805 – Vision Clearance

The Hearings Officer finds that the upon completion of the conditions of approval, the subject property meets all applicable standards of the UDC, including 601 – Floodplain, 802 – Public Improvements, 803 – Streets and Right-of-Way Improvements, 804 – Driveway Approaches, and 805 – Vision Clearance.

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.

The Hearings Officer notes that the Lone Oak Road SE is designated as a Collector street in the Salem TSP (Transportation Systems Plan). The standard for this classification is a 34-foot-wide improvement within a 60-foot-wide right-of-way. The street has an approximate 34-foot improvement within a 60-foot-wide right-of-way abutting the subject property.

Friendship Avenue SE is designated as a Local street in the Salem TSP. The standard for this classification is a 30-foot-wide improvement within a 60-foot-wide right-of-way. The street has an approximate 36-foot improvement within a 60-foot-wide right-of-way abutting the subject property.

Pullman Avenue SE is designated as a Local street in the Salem TSP. The standard for this classification is a 30-foot-wide improvement within a 60-foot-wide right-of-way. The street has an approximate 18-foot improvement within a 60-foot-wide right-of-way abutting the subject property.

The existing configurations of Lone Oak Road SE, Friendship Avenue SE, and Pullman Avenue SE do not meet current standards for their classification of street per the Salem TSP. The applicant is required to mitigate transportation impacts by providing a proportional component of the required boundary street and right-of-way dedication as specified in SRC 803.040. Based on proportionality limitations in SRC 803.040(e)(3), the applicant shall construct street lights, street trees, sidewalk, and curb ramps as stated in the condition below as proportional mitigation for the proposed development. No street improvements are warranted along Pullman Avenue SE at this time because the project is only a portion of a development site or complex and the phase being developed does not abut Pullman Avenue SE.

No special setback is required along the development because the existing rights-of-way meets the standard for their respective classifications of street. To ensure the proposal meets the criterion, the Hearings Officer imposes the following condition:

Condition 7: Construct street lights, street trees, sidewalks, and curb ramps along the entire frontages of Lone Oak Road SE and Friendship Avenue SE where not compliant with Public Works Design Standards.

Criterion 3:

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

The Hearings Officer finds that no changes are proposed to the existing driveway approaches onto Lone Oak Road SE. The proposed driveway modification along Friendship Avenue SE 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.

The Hearings Officers notes that the Public Works Department has reviewed the applicant's preliminary utility plan for this site. The water, sewer, and storm infrastructure are available within surrounding streets/areas and appear to be adequate to serve the proposed development. The applicant shall design and construct all utilities (sewer, water, and storm drainage) according to the PWDS and to the satisfaction of the Public Works Director. The applicant's engineer submitted a statement demonstrating compliance with the Stormwater PWDS Appendix 004-E(4)(a)-or-(b) and SRC Chapter 71. The preliminary stormwater design demonstrates the use of green stormwater infrastructure to the maximum extent feasible. To meet the criterion, the Hearings Officer imposes the following condition:

Condition 8: Design and construct a storm drainage system for the new and replaced impervious surfaces in compliance with SRC Chapter 71.

8. Analysis of Class 2 Driveway Approach Permit Criteria

Salem Revised Code (SRC) 804.025(d) sets forth the following criteria that must be met before approval can be granted to an application for a Driveway Approach Permit.

Criterion 1:

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

The Hearings Officer finds that the proposed driveway meets the standards for SRC 804 and PWDS.

Criterion 2:

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

The Hearings Officer finds that there are no site conditions prohibiting the location of the proposed driveway.

Criterion 3:

The number of driveways onto an arterial is minimized.

The Hearings Officer finds that the proposed driveway is not accessing onto an arterial street.

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.

The Hearings Officer finds that the proposed driveway is modification is located on a local street, which is the lowest classification of street abutting the subject property.

Criterion 5:

The proposed driveway approach meets vision clearance standards.

The Hearings Officer notes that 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.

The Hearings Officer finds the proposed driveway 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 in the vicinity.

The Hearings Officer finds that 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.

The Hearings Officer notes that the proposed driveway approach is located on a local street and does not create a significant impact to adjacent streets and intersections.

Criterion 9:

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

The Hearings Officer finds that the proposed development is surrounded by residentially zoned property. The development proposes to close one of the existing two driveway approaches currently located across from a residentially zoned area. The remaining driveway approach is located across from a residentially zoned area. The Hearings Officer finds that the driveway will not have an effect on the functionality of the adjacent streets.

DECISION

The Hearings Officer APPROVES the request for a conditional use, site plan review, and driveway approach permit for construction of additions to the north and south elevations of a church structure, removal of a driveway, modification of a driveway, addition of parking areas, and reconfiguration of existing parking areas serving an existing religious assembly on property located at 4227 Lone Oak Road SE subject to the following conditions of approval:

Condition 1: The development shall be in substantial conformance with the site plan included as Attachment C of the staff report, as modified by conditions of approval.

- Condition 2:** Provide a landscaped setback of at least 15 feet between the new parking lot pavement and the north property line, landscaped with a minimum of one plant unit per 20 square feet and screened with a minimum 6-foot-tall sight-obscuring fence, wall, or hedge.
- Condition 3:** Remove the proposed triangular planting areas in the reconfigured south parking lot.
- Condition 4:** The eight new parking spaces in the northern row of the expanded north parking lot shall be designated as compact spaces.
- Condition 5:** The 20-foot-wide "Fire Lane" depicted on the site plan between the north and south parking areas shall either be widened to a minimum of 22 feet to accommodate two-way traffic or designated and marked for one-way traffic.
- Condition 6:** Bumper guards or wheel barriers shall be installed in the eight new parking spaces in the northern row of the expanded parking lot and all of the parking spaces abutting the proposed sidewalk that is oriented east to west through the reconfigured area of the southern parking lot.
- Condition 7:** Construct street lights, street trees, sidewalks, and curb ramps along the entire frontages of Lone Oak Road SE and Friendship Avenue SE where not compliant with Public Works Design Standards.
- Condition 8:** Design and construct a storm drainage system for the new and replaced impervious surfaces in compliance with SRC Chapter 71.

DATED: July 20, 2018

A handwritten signature in black ink, appearing to read 'James K. Brewer', written over a horizontal line.

James K. Brewer, Hearings Officer