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503-588-6173*

DECISION OF THE PLANNING COMMISSION

**CLASS 3 DESIGN REVIEW / CLASS 3 SITE PLAN REVIEW / CLASS 2
ADJUSTMENT / CLASS 2 DRIVEWAY APPROACH PERMIT CASE NO.: DR-
SPR-ADJ-DAP18-03**

APPLICATION NO. : 18-108414-DR, 18-108431-RP & 18-108437-ZO

NOTICE OF DECISION DATE: August 16, 2018

SUMMARY: A consolidated application for the City's proposed new Police Facility.

REQUEST: A consolidated application for the City of Salem's proposed new Police Facility consisting of the proposed approximate 103,780 square-foot three-story facility, secured parking, and a public plaza along Division Street.

The application includes the following:

- 1) A Class 3 Design Review and Class 3 Site Plan review for the proposed facility;
- 2) A Class 2 Driveway Approach Permit for the proposed driveway onto Liberty Street NE; and
- 3) A Class 2 Adjustment to:
 - a) Allow portions of the proposed building adjacent to Commercial Street NE, Division Street NE, and Liberty Street NE to be setback greater than 0 ft. or 10 ft. as required under SRC 524.010(b);
 - b) Reduce the minimum 6-foot to 10-foot parking and vehicle use area setback required, pursuant to SRC 806.035(c)(2) and SRC 806.035(c)(5), between the proposed surface parking area and parking garage and Commercial Street NE and Liberty Street NE;
 - c) Eliminate the minimum 5-foot-wide landscape strip required, pursuant to SRC 806.035(c)(4), between the proposed surface parking area and the parking garage;
 - d) Allow the opacity of those portions of the fences and walls screening the proposed surface parking area which are located within 10 feet of Commercial Street NE and Liberty Street NE to be increased from not more than 25 percent opaque, as required under SRC 800.050(a)(1)(B)(i), to fully opaque;
 - e) Allow the proposed surface parking area and parking garage to be developed without turnarounds as required under SRC 806.040(a);
 - f) Allow a portion of the required bicycle parking spaces serving the facility to be located more than 50 feet from the primary building entrance as required under SRC 806.060(a);
 - g) Allow one of the required loading spaces serving the facility to be located within the public street right-of-way of Liberty Street NE, rather than off-street on the subject property as required under SRC 806.070; and
 - h) Allow the proposed driveway onto Liberty Street NE to be located less than 370 feet from the nearest street and driveway intersections as required under SRC 804.035(d).

NOTICE OF DECISION

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

CITY OF Salem
AT YOUR SERVICE

The subject property is approximately 3.49 acres in size, zoned CB (Central Business District) within the General Retail/Office Overlay Zone, and located at 750 Commercial Street NE (Marion County Assessor Map and Tax Lot Numbers: 073W22DB00100, 200, 800, 1300, & 1400).

APPLICANT(S): City of Salem – Police Department

OWNER(S): City of Salem

REPRESENTATIVE(S): Gretchen Stone for CB Two Architects

LOCATION: 750 Commercial Street NE / 97301

CRITERIA: Class 3 Design Review: SRC 225.005(e)(2)
Class 3 Site Plan Review: SRC 220.005(f)(3)
Class 2 Adjustment: SRC 250.005(d)(2)
Class 2 Driveway Approach Permit: 804.025(d)

FINDINGS: The facts and findings are in the attached Exhibit dated August 15, 2018.

DECISION: The Planning Commission **APPROVED** Class 3 Design Review / Class 3 Site Plan Review / Class 2 Adjustment / Class 2 Driveway Approach Permit Case No.: DR-SPR-ADJ-DAP18-03 subject to the following conditions of approval:

CLASS 3 DESIGN REVIEW

Condition 1: ~~Weather protection in the form of awnings or canopies appropriate to the design of the building shall be provided over the exit doorway on the western facade of the building and the two doorways on the eastern facade of the building.~~

CLASS 3 SITE PLAN REVIEW

Condition 1: The section of the 8-foot-tall security/screening fence adjacent to northern driveway onto Commercial Street NE shall be redesigned to be located outside of the required vision clearance area adjacent to Commercial Street NE.

Condition 2: The section of the parking garage adjacent to the southern driveway onto Commercial Street NE shall be redesigned to meet vision clearance requirements under SRC Chapter 805 or approval of an alternative vision clearance standard, pursuant to SRC 805.015, shall be obtained.

Condition 3: The trash/recycling area shall conform to the solid waste service area standards of SRC 800.055.

Condition 4: Construct sidewalk and install street trees along the frontage of Commercial Street NE. The sidewalk shall be no closer than 8 feet from face of curb with transitions to the curb line at the driveways as shown on the application materials.

- Condition 5:** Construct sidewalk and install street trees along the frontage of Division Street NE. The landscape strip may be paved pursuant to SRC Chapter 79 to allow for the extension of the proposed public plaza in front of the building.
- Condition 6:** Construct sidewalk and install street trees along the frontage of Liberty Street. The sidewalk may be constructed as a multi-use path along the curb line as shown on the application materials.
- Condition 7:** The proposed loading area within the right-of-way of Liberty Street shall be designed to be visually distinct from the sidewalk in order to clearly delineate for pedestrians which portion of the paved area is for pedestrians and which portion of the paved area is for loading.
- Condition 8:** Design and construct a storm drainage system for the new and replaced impervious surfaces in compliance with SRC Chapter 71. The flow control facilities required pursuant to SRC 71.090 may be located on the subject property or off-site within 1,000 feet of Mill Creek pursuant to SRC 71.095(b)(4).

CLASS 2 ADJUSTMENT

- Condition 1:** Off-street parking spaces serving the facility shall be assigned.

CLASS 2 DRIVEWAY APPROACH PERMIT

- Condition 1:** Approval of an alternative vision clearance standard, pursuant to SRC 805.015, shall be required for the proposed driveway approach onto Liberty Street.

VOTE:

Yes 9 No 0 Absent 0 Abstain 0



Rich Fry, President
Salem Planning Commission

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

Class 3 Design Review	<u>September 1, 2020</u>
Class 3 Site Plan Review	<u>September 1, 2022</u>
Class 2 Adjustment	<u>September 1, 2020</u>
Class 2 Driveway Approach Permit	<u>September 1, 2020</u>

Application Deemed Complete:	<u>July 20, 2018</u>
Public Hearing Date:	<u>August 14, 2018</u>
Notice of Decision Mailing Date:	<u>August 16, 2018</u>
Decision Effective Date:	<u>September 1, 2018</u>
State Mandate Date:	<u>November 17, 2018</u>

Case Manager: Bryce Bishop, bbishop@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., August 31, 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 Chapter(s) 220, 225, 250 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>

FACTS & FINDINGS

CLASS 3 DESIGN REVIEW/CLASS 3 SITE PLAN REVIEW/CLASS 2 ADJUSTMENT/CLASS 2 DRIVEWAY APPROACH PERMIT CASE NO. DR-SPR-ADJ-DAP18-03

AUGUST 15, 2018

PROCEDURAL FINDINGS

CB Two Architects, on behalf of the applicant, the City of Salem Police Department, and property owner, the City of Salem, filed an application for a consolidated Class 3 Design Review, Class 3 Site Plan Review, Class 2 Adjustment, and Class 2 Driveway Approach Permit for the City of Salem's proposed new Police Facility on March 26, 2018.

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

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

After additional requested information was provided by the applicant, the application was deemed complete for processing on July 20, 2018. Notice of the public hearing on the proposed development was subsequently provided pursuant to SRC requirements on July 25, 2018. Notice was also posted on the subject property pursuant to SRC requirements by the applicant's representative.

The public hearing on the proposed Class 3 Design Review, Class 3 Site Plan Review, Class 2 Adjustment, and Class 2 Driveway Approach Permit application is scheduled for August 14, 2018. The state-mandated 120-day local decision deadline for the application is November 17, 2018.

BACKGROUND/PROPOSAL

The application under review by the Planning Commission is a consolidated Class 3 Design Review, Class 3 Site Plan Review, Class 2 Adjustment, and Class 2 Driveway Approach Permit for the City of Salem's proposed new Police Facility located at 750 Commercial Street NE.

The proposed Police Facility is approximately 103,780 square feet in size and three stories in height. In addition to the Police Facility itself, the proposal includes a public plaza along Division Street NE; a community room for public gatherings and events in the southwest portion of the building on the ground floor next to the public entry; secure off-street parking for employees and Police vehicles in the form of a two-story parking garage and a surface lot, located behind the building to the north; and public parking along Division Street.

Vehicular access to the facility is proposed to be provided from a reconfigured driveway approach onto Liberty Street NE, as well as two separate driveway approaches onto Commercial Street NE.

The proposed site/development plans for the facility are included in **Attachment B**. The proposed building elevations for the facility, as well as renderings showing various perspective views of the proposed facility and site, are included as **Attachment C**. The written statement provided by the applicant addressing the proposal's conformance with the applicable approval criteria is included in **Attachment D**.

SUBSTANTIVE FINDINGS

1. Salem Area Comprehensive Plan (SACP)

The subject property is designated "Central Business District" on the Salem Area Comprehensive Plan map.

2. Zoning

The subject property is zoned CB (Central Business District) and is located within the General Retail/Office Overlay Zone. The zoning of surrounding properties is as follows:

North: CB (Central Business District) with General Retail/Office Overlay;
Across Mill Creek, RH (Multiple Family High-Rise Residential) with
Commercial/High Density Residential Overlay
South: Across Division Street NE, CB (Central Business District) with General
Retail/Office Overlay
East: Across Liberty Street NE, CB (Central Business District) with General
Retail/Office Overlay
West: Across Commercial Street NE, CB (Central Business District), with
Riverfront Overlay

3. Natural Features

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

Because the subject property is adjacent to Mill Creek, there are trees and native vegetation present in the riparian corridor of the creek. Any removal of trees or native vegetation will be required to comply with the requirements of SRC Chapter 808. In addition to the trees and native vegetation present within the riparian corridor, there are also existing trees present in the rights-of-way of both Division Street and Liberty Street. Because these trees are located within the public street right-of-way, they are classified as City trees. Removal of any trees from the public street right-of-way is subject to the requirements of SRC Chapter 86 (Trees on City Owned Property).

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 wetlands 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 Wetlands Inventory (LWI), the subject property does not contain any mapped wetlands or hydric (*wetland-type*) soils. The property is, however, adjacent to Mill Creek which is a mapped wetland area. Because of the proximity of the property to the creek, notice of the proposal was provided to the Oregon Department of State Lands (DSL) as required under the City's wetlands ordinance, SRC Chapter 809 (Wetlands). Compliance with the requirements of the DSL, if necessary, will be coordinated between the applicant and DSL staff.

Landslide Hazards: According to the City's adopted landslide hazard susceptibility maps, the northern portion of the subject property adjacent to Mill Creek is mapped with areas of 2 landslide hazard susceptibility points. There are 3 activity points associated with building permits for public buildings. The cumulative total of 5 points indicates a moderate landslide hazard risk. Pursuant to SRC Chapter 810, a geologic assessment, and potentially a geotechnical report, is therefore required for development of the property.

A geotechnical engineering report has been submitted for the proposed facility as required under SRC Chapter 810.

4. Neighborhood Association Comments

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

5. Public Comments

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

6. City Department Comments

- A. The Building and Safety Division reviewed the proposal and indicated that the facility will require applications for separate building permits.
- B. The Fire Department reviewed the proposal and provided comments indicating that Fire Department access and water supply are required. The Fire Department indicates that they will review for these items, and other requirements, at the time of building permit plan review.

- C. The Public Works Department reviewed the proposal and provided comments regarding street and City utility improvements required to serve the development and recommended conditions of approval to ensure conformance with the applicable requirements of the SRC. Comments from the Public Works Department are included as **Attachment E**.

7. Public Agency & Private Service Provider Comments

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

- A. Portland General Electric (PGE) reviewed the proposal and provided comments indicating that Salem Electric is the electric utility that will provide service to the project. PGE indicates they will coordinate the relocation of facilities in the right-of-way with the City's Public Works Department.
- B. The Oregon Department of Transportation (ODOT) reviewed the proposal and provided comments that are included as **Attachment F**. ODOT indicates that the site abuts Commercial Street, which is the Salem Highway, No. 072 (OR-99EB) and subject to state laws administered by ODOT. ODOT indicates they have no objection to the proposal, which calls for the closure of all four existing driveway approaches onto Commercial Street and the construction of two new approaches to better align with the proposed site layout. ODOT recommends the following conditions of approval related to highway access:
1. The applicant (either the City or designated consultant) shall submit an Application for State Highway Approach for both proposed approaches onto Commercial Street and receive valid use permits prior to taking occupancy of the building.
 2. Gates or barricades at the proposed approaches shall be setback far enough from the street so that the largest design vehicle can wait for the gate/barricade to open without obstructing pedestrian traffic on the sidewalk.
 3. Modifications to the existing median traffic separator (specifically, installation of a mountable curb section) will require ODOT Region 2 Traffic approval separate from the approach applications/permits. Until such time that ODOT can make a decision on proposed modifications to the separator, the proposed approaches will be processed as de-facto right-in/right-out.

ODOT additionally explains that in previous conversations with the City of Salem, transportation improvements to surrounding City streets were being proposed in conjunction with the proposed facility, most notably two-way traffic on Division Street which will require modifications to the signalized intersection at Commercial and Division. ODOT indicates that the comments provided only address the application for the police facility and not the related transportation improvements to surrounding streets. ODOT indicates that modifications to an ODOT signalized intersection requires approval from the State Traffic-Roadway Engineer after

sufficient analysis of queuing and operations at surrounding intersections. ODOT explains that when the City is ready to move forward with the signal modifications at the intersection of Commercial and Division Street additional analysis will be required and that ADA accessibility at the intersection will also be addressed at that point.

Staff Response: The proposed project will comply with all state requirements concerning access, driveway approaches, and traffic circulation in connection with the proposed new facility and state-controlled facilities.

In order to ensure that vehicles entering the secured parking area to the north of the building have sufficient space in front of the entrance gates to wait while the gates are opening without obstructing the public sidewalk, the southernmost of the two driveways onto Commercial Street has a depth of 32 ft.-3 in. between the inside edge of the sidewalk and the entrance gate, and the northernmost of the two driveways has a depth of 36 ft.-4 in. between the inside edge of the sidewalk and the entrance gate. The depths of these driveways between the public the sidewalk and gates have been designed to be sufficient to accommodate the Police Department's largest vehicles and are also of sufficient depth to accommodate a fire engine, which has a typical overall length of 29 feet.

8. Applicant Submittal Information

Land use applications must include a written statement addressing the applicable approval criteria and be supported by proof they conform to all applicable standards and criteria of the Salem Revised Code. The written statement provided by the applicant addressing the applicable application approval criteria is include as **Attachment D** to this staff report. Staff utilized the information from the applicant's written statement to help evaluate the proposal and formulate the facts and findings within the report.

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

9. CLASS 3 DESIGN REVIEW APPROVAL CRITERIA

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

The design review guidelines applicable to development within the General Retail/Office Overlay Zone are established under SRC 632.025(a). The following subsections are organized with the General Retail/Office Overlay Zone design review guidelines shown in ***bold italic***, followed by findings evaluating the proposal for conformance with the design review guidelines. Lack of compliance with the design review guidelines is grounds for denial of the Class 3 Design Review application, or for the issuance of conditions to ensure the design review guidelines are met.

A. SRC 633.025(a) Building Location, Orientation and Design

▪ **Building Setbacks (SRC 632.025(a)(1)(A)):**

- (i) *Building setbacks from the street shall be minimized (see Figure 632-1). Buildings constructed contiguous with the street right-of-way are preferred.***

Finding: The written statement provided by the applicant (**Attachment D**) indicates that the 3.5 acre site has frontage on three public streets, ranging in length from 336 feet along Liberty, 338 along Division, and more than 490 feet along Commercial. The building's front façade is oriented towards Division Street which is adjacent to the south property line, facing the downtown core. A large public plaza along Division acts as a "front porch" for the community and provides landscaped open space that will be used by the Police Department as well as other agencies and for local events. A large community room is located at the corner of Division and Commercial Streets, this space looks out onto the plaza as well as all of the streets that border the site. The building's street facades are articulated to break up its mass and provide visual relief; with the exception of the plaza, building setbacks vary from 0 to 24 feet 6 inches.

The applicant explains that the building has been sited to maximize its street presence while maintaining a desired level of security and minimizing setbacks where possible and appropriate. Due to the length of the facades, building articulation is crucial to reduce perceived mass and maintain a human scale. The applicant indicates that while it is preferred to construct buildings contiguous to the street right-of-way the code allows for flexibility through the design guidelines to allow suitable and desired redevelopment. The applicant explains that the proposal meets the intent of the guideline by orienting the building towards downtown and Division Street, and promoting the pedestrian experience by providing a public plaza between the public right-of-way and the structure. Additionally, all setbacks will be landscaped which delivers an improved pedestrian experience which is a goal of the overlay zone.

This design review guideline requires building setbacks from the street to be minimized and indicates that buildings constructed contiguous with the street right-of-way are preferred.

As shown on the proposed site plan (**Attachment B**) and building elevations (**Attachment C**), the proposed Police Facility building will be three stories in height and is located so as to be brought forward on site within close proximity to the public streets. Based on the proposed three-story height of the building and setbacks which have been minimized from the public street right-of-way, the building will portray the compact urban form desired within the CB zone and the General Retail/Office Overlay Zone.

Because of the length of the building's facades, the applicant explains that articulation has been provided to break-up the overall mass of the building and provided visual relief. As such, building setbacks along Liberty Street range from 0 feet to 24 ft.-6 in. and setbacks along Commercial Street generally range from 8 ft.-8 in. to 16 ft.-3 in.

In the front of the building, adjacent to Division Street, building setbacks from the street are greater, but in this increased setback area a public plaza is provided which provides both a visual and functional amenity for the facility helping to frame the building's main entry and primary façade as well as provide a community gathering space. On the sides of the building adjacent to Commercial Street and Division Street, landscaping is provided between the building and the street where the building is not located contiguous to the property line to provide an attractive separation between the building and adjacent sidewalk.

Because the proposed building is not setback from the street more than 24 ft.-6 in. on either side of the building adjacent to Commercial Street and Liberty Street, because the setback area between the front of the building and Division Street is designed as an open public plaza, and because the three-story height of the building compensates for the slightly increased setbacks from the street to still maintain the appearance of the compact urban form called for in the downtown core of the City, the proposed facility conforms to this design guideline

▪ **Building Orientation and Design (SRC 632.025(a)(2)(A)):**

- (i) ***Buildings shall create safe, pleasant, and active pedestrian environments.***

Finding: The written statement provided by the applicant (**Attachment D**) indicates that the building is sited to promote visibility and improve community access. The plaza and covered areas provide a safe, pleasant and active pedestrian environment that is easily accessed from all three streets that front the site. Setback areas will be landscaped to improve the pedestrian experience and pedestrian paths and outdoor use areas will be lit to provide greater safety at night. This proposed design provides pedestrian enhancements that do not currently exist at this location.

The proposed facility is designed with a public plaza between the building and Division Street, and the areas between the sides of the building adjacent to Commercial Street and Division Street include landscaping to provide a pleasant pedestrian environment. The proposed facility conforms to this design guideline.

- (ii) ***Weather protection, in the form of awnings or canopies appropriate to the design of the building, shall be provided along ground floor***

building facades adjacent to a street in order to create a comfortable and inviting pedestrian environment.

Finding: The written statement provided by the applicant (**Attachment D**) indicates that a deep awning that projects from a portion of the Division Street façade, including over the public entry and portions of the plaza, is provided. Awnings along Commercial and Liberty Street are not proposed as the sidewalks are not adjacent to the building or property line therefore it is not practicable or “appropriate to the design of the building” to provide weather protection in these situations.

The intent of the weather protection required under this design guideline is to provide protection from the sun and rain in order to ensure a comfortable and inviting environment for pedestrians along the sidewalk.

As the applicant indicates, a deep overhang is provided over the public entry into the building and portions of the plaza to provide weather protection for pedestrians. Canopies/awnings are not provided, however, on the building’s eastern and western facades adjacent to Commercial Street and Liberty Street because the building is setback a sufficient distance from the public sidewalks to preclude the weather protection benefit that a canopy would provide.

In the August 14, 2018, staff report, staff recommended that a condition be placed on the Class 3 Design review approval requiring canopies/awnings to be provided over the one exit doorway on the west side of the building and the two exist doorways on the east side of the building. Testimony provided by the applicant’s architect at the August 14, 2018, public hearing objected to placement of this condition on the design review approval because two of the doorways identified were for emergency existing purposes only, and the third doorway was to a fire riser room. The applicant’s architect explained that the these doorways will be infrequently used and are specifically designed so as to not give the appearance of buildings entries that would otherwise potentially draw the public/pedestrians to these areas of the building.

Because of the infrequent use of these identified doorways and their intent to not serve as pedestrian access points to the building, recommended Condition No. 1 for the Class 3 Design Review is not necessary in order for the proposed facility to conform to this design review guideline and is therefore struck and not applicable to the proposal. The proposed facility conforms to this design guideline.

(iii) *Above grade pedestrian walkways shall not be provided to property located within the Salem Downtown Historic District.*

Finding: The written statement provided by the applicant (**Attachment D**) indicates that the proposed facility is not located within Salem’s Downtown Historic District and therefore this restriction does not apply.

The subject property is located at the northern end of the City's downtown core. It is not located within the Salem Downtown Historic District. This approval criterion is therefore not applicable to the proposed facility.

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

10. CLASS 3 SITE PLAN REVIEW APPROVAL CRITERIA

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

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

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

Finding: The proposed development is the City's new Police Facility which includes the approximate 103,780 square-foot three-story main Police Facility building, a public plaza along Division Street, a community room for public gatherings and events in the southwest portion of the building on the ground floor next to the main public entry, secure off-street parking for employees and Police vehicles in the form of a two-story parking garage and surface lot, and public parking along Division Street.

The subject property is designated "Central Business District" on the Salem Area Comprehensive Plan Map and zoned CB (Central Business District) within the General Retail/Office Overlay Zone. The allowed uses and applicable development standards of the CB zone are set forth under SRC Chapter 524. The requirements of the General Retail/Office Overlay Zone are set forth under SRC Chapter 632.

The proposed development conforms to SRC Chapter 524, 632, and all other applicable development standards of the Salem Revised Code as follows:

**SRC CHAPTER 524 (CB ZONE) & CHAPTER 632 (GENERAL
RETAIL/OFFICE OVERLAY ZONE)**

SRC 524.005(a) & SRC 632.010 - Allowed Uses:

The subject property is proposed to be developed with the City's new Police Facility, which is classified as an Emergency Services use under SRC 400.080(a). SRC 400.080(a) describes Emergency Services as follows:

Characteristics. *Emergency Services is characterized by services and facilities that provide police protection and fire and life safety to residents of the community. Emergency response vehicles and personnel are typically dispatched from these facilities and stationed on-site when not responding to a call. Facilities may be staffed 24 hours a day and may provide sleeping and eating facilities, as well as office space for employees on duty.*

Examples. *Ambulance stations and ambulance service facilities; fire stations; highway patrol facilities; Marshals' offices; police stations; Sheriffs' offices; State police facilities.*

Allowed uses within the CB zone are identified under SRC 524.005(a), Table 524-1. Emergency Services is identified as a permitted use in the table and is therefore a permitted use in the CB zone.

Because the property is located within the General Retail/Office Overlay Zone, it is also subject to the requirements of that overlay zone. Pursuant to SRC 632.010, any use that is a permitted, special, conditional, or prohibited use in the underlying zone is a permitted, special, conditional, or prohibited use in the overlay zone. Because Emergency Services is allowed within the underlying CB zone, Emergency Services is also allowed in the General Retail/Office Overlay Zone.

SRC 524.010(a) - Lot Standards:

The subject property is currently comprised of several platted lots established with the original Salem subdivision plat. In order to consolidate the existing individual lots into one large lot to accommodate the proposed development, tentative plan approval was issued on April 4, 2018, for a replat (Case No. REP18-01) to consolidate all of Block 27 (Lots 1-8), Lot 5, a portion of Lot 4 of an unnumbered Block north of Block 27, and vacated portions of the rights-of-way of Fir Street and the exiting alley. Upon recording of the final plat for the replat, the subject property will consist of one large consolidated lot approximately 3.49 acres in size.

Lot standards within the CB zone are established under SRC 524.010(a), Table 524-2. Within the CB zone there are no minimum lot area, width, or depth requirements. The minimum street frontage requirement for lots within the CB zone developed for uses other than Single Family is 16 feet. Within the General

Retail/Office Overlay Zone there are no minimum lot area, dimension, or street frontage standards; therefore the lot standards of the CB zone apply. The consolidated lot approved under the replat tentative plan approval conforms to the lot area, width, depth, and street frontage requirements of the CB zone.

SRC 524.010(b) - Setbacks:

Setback requirements for buildings and accessory structures within the CB zone are established under SRC 524.010(b), Table 524-3. Pursuant to SRC 524.010(b), Table 524-3, setback requirements for parking and vehicle use areas within the CB zone are based on the requirements of SRC Chapter 806 (Off-Street Parking, Loading, and Driveways). SRC 806.035(c) establishes perimeter setback requirements for parking and vehicle use areas adjacent to streets, interior property lines, and buildings.

Additional setback requirements are also established under the design review guidelines of the General Retail/Office Overlay Zone pursuant to SRC 632.025. The setbacks established in the overlay zone are in addition to the setbacks established in the underlying zone. Findings establishing how the proposed development conforms to the applicable design review guidelines of the General Retail/Office Overlay Zone are established under Section 9 of this report.

Based on the requirements of SRC 524.010(b), Table 524-3, and SRC Chapter 806.035(c), the buildings, accessory structures, and off-street parking and vehicle use areas included within the development are required to have the following setbacks:

Required Setbacks		
Abutting Street		
Buildings ⁽¹⁾	0 ft. or 10 ft.	
Accessory Structures	0 ft. or 10 ft.	
Parking and Vehicle Use Areas ⁽²⁾	Min. 6 ft. to 10 ft.	Per alternative setback methods under SRC 806.035(c)(2)
Interior Side		
Buildings	None	
Accessory Structures	None	
Parking and Vehicle Use Areas ⁽²⁾	Min. 5 ft. with Type A Landscaping ⁽³⁾	Per SRC 806.035(c)(3)
Interior Rear		
Buildings	None	
Accessory Structures	None	
Parking and Vehicle Use Areas ⁽²⁾	Min. 5 ft. with Type A Landscaping ⁽³⁾	Per SRC 806.035(c)(3)
Notes		
(1) <u>Building Setback Abutting Street:</u> In addition to the above identified		

setbacks abutting a street required in the CB zone, the design review guidelines of the General Retail/Office Overlay Zone require building setbacks to be minimized from the street and that buildings constructed contiguous to the street right-of-way are preferred (SRC 632.025(a)(1)(i)).

- (2) Parking Garage Perimeter Setbacks: Perimeter setbacks for parking garages are the same as required for surface parking lots except as otherwise provided under SRC 806.035(c)(5).
- (3) Required Landscaping: Pursuant to SRC 807.015(a), Table 807-1, Type A Landscaping requires a minimum planting density of 1 plant unit per 20 square feet of landscaped area.

As illustrated on the site plan, the proposed Police Facility satisfies the minimum setback requirements of SRC Chapter 524 and SRC Chapter 806 with the exception of the following:

- **Police Facility Building Setback Abutting Street.** As summarized in the table above, the CB zone requires buildings to be setback either 0 ft. or 10 ft. from the property line abutting the street. As shown on the site plan, the proposed Police Facility building has a varying setback adjacent to the street. In some locations the building is constructed contiguous to property line abutting the street and in other locations the building is setback either between 0 ft. and 10 ft. or greater than 10 feet from the street. Because not all portions of the proposed building are setback either 0 ft. or 10 ft. from the street right-of-way, the building does not meet the 0-foot or 10-foot building setback from the street required by in the CB zone; instead, the building has been designed to conform to the General Retail/Office Overlay Zone design guidelines that call for building setbacks from the street to be minimized. Because the CB zone street setback requirement is not met a Class 2 Adjustment to this standard has been requested in conjunction with the proposal.
- **Parking Garage Setback Abutting Street.** Setbacks for parking garages are established under SRC 806.035(c)(5). Pursuant to this requirement, the Police Facility's proposed two-level parking garage located to the north of the Police Facility building is required to be setback a minimum of 6 ft. to 10 ft. from the street in combination with either a minimum 3-foot-tall screening wall, grade drop, berm, or landscape strip per SRC 806.035(c)(2)(A)-(E).

As shown on the site plan, the majority of the proposed parking garage is setback 5 ft.-4in. from Commercial Street. The proposed elevation drawings for the garage show that the cars parked within the garage will be screened from view from the street through utilization of a screening wall composed of a brick veneer with metal panels above. The proposed screening wall satisfies the screening requirements of SRC 806.036(c)(2)(D), which requires a minimum 3-foot-tall brick, stone, or finished concrete wall, and the proposed landscaped strip between the wall and the property line next to Commercial Street will be landscaped.

The parking garage does not, however, conform to the minimum required 6-foot setback abutting the street. Because the minimum 6-foot setback requirement abutting street is not met, a Class 2 Adjustment to this standard has been requested as part of the application.

▪ **Surface Parking & Vehicle Use Area Setback Abutting Street.**

Setbacks for surface parking lot and vehicle uses are established under SRC 806.035(c)(2)(A)-(E). Pursuant to this requirement, surface parking lot and vehicle use areas, like parking garages, are required to be setback a minimum of 6 ft. to 10 ft. from the street in combination with either a minimum 3-foot-tall screening wall, grade drop, berm, or landscape strip.

As shown on the site plan and elevation drawings for the facility, the proposed surface parking lot adjacent to Commercial Street is setback 5 ft.-4in. from the property line adjacent to Commercial Street and is screened from the street by an 8-foot-tall security/screening fence comprised of a brick veneer with a fence above. On the east side of the site, the surface parking lot/vehicle use area adjacent to Liberty Street abuts the street and is not setback or landscaped, but it is located behind an 8-foot-tall concrete masonry unit (cmu) screen wall. The walls provided to screen the surface parking lot/vehicle use areas adjacent to Commercial Street and Liberty Street meet the screening requirements of SRC 806.035(c)(2)(D), but the parking lot/vehicle use areas are not setback the minimum required 6 feet from the street. Because the proposed surface parking lot/vehicle use areas adjacent to Commercial Street and Liberty Street do not meet the minimum required setback, a Class 2 Adjustment to this standard has been requested as part of the application.

- **Parking and Vehicle Use Area Setback Adjacent to Buildings and Structures.** In addition to required setbacks from property lines as identified above, SRC 806.035(c)(4) requires parking and vehicle use areas adjacent to buildings and structures to be setback from the exterior wall of the building or structure by a minimum 5-foot-wide landscape strip, planted to Type A landscaping standards, or a minimum 5-foot-wide paved pedestrian walkway.

The surface parking/vehicle use areas serving the proposed facility are located to the north and east of the proposed parking garage. As shown on the site plan, proposed surface parking spaces are located abutting the perimeter of the first phase of the parking garage on its northern and eastern sides, and the future phase of the parking garage on its northern side, without the required 5-foot-wide perimeter landscaped strip or pedestrian pathway to separate the parking spaces from the perimeter of the structure. Because the proposed surface parking spaces do not meet the required 5-foot separation, a Class 2 Adjustment to this standard has been requested as part of the application.

In all other areas of the site, the proposed facility meets setback requirements for buildings, accessory structures, and parking and vehicle use areas. Adjacent to the north (*interior rear*) property line there is no minimum setback required for

buildings and accessory structures, and both the parking garage and the surface parking lot/vehicle use area exceed the minimum required 5-foot landscaped setback.

Analysis of the Class 2 Adjustment request to reduce the required setbacks abutting the street for the proposed Police Facility building, parking garage, and surface parking lot/vehicle use areas, and findings demonstrating conformance with the Class 2 Adjustment approval criteria, are included in Section 11 of this report.

SRC 524.010(c) - Lot Coverage:

Lot coverage requirements within the CB zone are established under SRC 524.010(c), Table 524-4. Within the CB zone there is no maximum lot coverage requirement for buildings and accessory structures.

There is also no maximum lot coverage requirement for buildings and accessory structures within the General Retail/Office Overlay Zone.

SRC 524.010(c) - Height:

Height requirements for buildings and accessory structures within the CB zone are established under SRC 524.010(c), Table 524-4. Within the CB zone there are no minimum or maximum height restrictions for buildings or accessory structures.

SRC 524.010(d) - Landscaping:

Landscaping requirements within the CB zone are established under SRC 524.010(d). Within the CB zone landscaping is required as follows:

- Setbacks. Required setbacks must be landscaped as required under SRC Chapter 807 (Landscaping).
- Parking & Vehicle Use Areas. Parking and vehicle use areas must be landscaped pursuant to the requirements of SRC Chapter 807 (Landscaping) and SRC Chapter 806 (Off-Street Parking, Loading, & Driveways).

Setback Landscaping. As identified earlier in this report, the only required setbacks for the development apply to buildings, accessory structures, and parking and vehicle use areas (*including parking garages*) adjacent to Commercial Street, Division Street, and Liberty Street. Adjacent to the north property there is no minimum required setback for buildings and accessory structures, but there is a minimum required 5-foot setback for parking and vehicle use areas.

A Class 2 Adjustment to allow the proposed Police Facility building to be setback other than 0 ft. or 10 ft. from Commercial Street, Division Street, and Liberty Street has been requested with the application, as well as a Class 2 Adjustment to reduce the required parking and vehicle use area setbacks for the proposed

parking garage and the surface parking lot/vehicle use area from Commercial Street and Liberty Street.

Analysis of the Class 2 Adjustment request and findings demonstrating conformance with the Class 2 Adjustment approval criteria are included in Section 11 of this report.

As shown on the proposed site plan, setbacks provided adjacent to Commercial Street, Liberty Street, and the north property line will be landscaped. The building setback provided between the proposed Police Facility building and Division Street will also be landscaped, but will also include a public plaza and gathering space for the public.

Parking & Vehicular Use Area Landscaping. SRC 806.035(d) establishes interior landscaping requirements for parking areas greater than 5,000 square feet in size. Pursuant to SRC 806.035(d)(1)(F), interior landscaping is not required for parking garages.

Pursuant to SRC 806.035(d)(2), Table 806-5, parking areas less than 50,000 square feet in size are required to provide a minimum of 5 percent interior landscaping. Review of the proposed site plan indicates that the total surface parking area on the site equals approximately 37,685 square feet, which includes the portion of the surface parking area located under the future phase of the parking garage.

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

Summary of Parking Area Interior Landscaping		
Parking Area Size	Interior Landscaping Required (Min. 5%)	Interior Landscaping Provided
37,685 ft. ²	1,884 ft. ²	3,017 ft. ²

As evidenced by the table above, the off-street surface parking areas within the development include interior landscaping which exceeds the minimum landscaping requirements of SRC 806.035(d)(2).

In addition to requiring a specific percentage of the interior area of a parking lot to be landscaped, SRC 806.035(d)(3) requires a minimum of 1 deciduous shade tree to be planted within the off-street parking area for every 12 parking spaces provided.

As shown on the site plan, a total of 108 off-street surface parking spaces are provided within the proposed development, which includes the 32 spaces located under the future phase of the parking garage. Based on the minimum tree planting requirement of 1 tree for every 12 parking spaces, the proposed parking area is required to include a minimum of 9 trees. As shown on the site plan for the proposed development, 9 trees are provided within the parking area

on the northern portion of the site which satisfies the parking area tree planting requirements of SRC 806.035(d)(3).

The required trees could not be dispersed within the portion of the parking area under the future phase of the parking garage because they would be required to be removed when the future phase is constructed. The required trees could also not be dispersed in the parking area to the east of the parking garage next to Liberty Street due to space constraints associated with the overall smaller size of that particular parking area, proximity to the building, driveway circulation, and maneuvering area required for delivery vehicles and trash/recycling area servicing.

SRC CHAPTER 805 (VISION CLEARANCE)

SRC Chapter 805 (Vision Clearance) establishes standards for clear and unobstructed visibility at intersections of streets, alleys, flag lot accessway, and driveways in order to ensure vehicular, bicycle, and pedestrian safety.

As shown on the proposed site plan (**Attachment B**), the facility is served by three driveways. Two of the driveways access Commercial Street NE and the third driveway accesses Liberty Street NE.

Pursuant to SRC 805.005(b)(1)(B), driveway approaches, serving non-residential uses, onto streets are required to have a 10-foot by 50-foot vision clearance area. The vision clearance area is a triangular area with 10-foot legs along the driveway and 50-foot legs along the intersecting street. In review of the proposed driveways for conformance with the vision clearance requirements of SRC Chapter 805 it has been determined the both driveways onto Commercial Street and the driveway onto Liberty Street NE do not conform to vision clearance requirements.

The driveway onto Liberty Street NE does not meet vision clearance requirements due to excess right-of-way adjacent to the property along Liberty Street. Further discussion and analysis of vision clearance requirements in relation to this driveway approach are included in Section 12 of this report.

The northern driveway onto Commercial Street from the surface parking area at the northern end of the property does not meet vision clearance requirements on the southern side of the driveway due to the proposed adjacent 8-foot-tall security/screening fence. In order to meet vision clearance requirements for this driveway the following condition of approval shall apply:

Condition 1: The section of the 8-foot-tall security/screening fence adjacent to northern driveway onto Commercial Street NE shall be redesigned to be located outside of the required vision clearance area adjacent to Commercial Street NE.

The recommended condition of approval will require the location of the 8-foot-tall fence to be relocated and two of the parking spaces adjacent to the perimeter of the fence to be converted to smaller compact sized spaces. Because the proposed facility is well under the maximum limitation for compact sized parking

spaces, the addition of these two compact parking spaces will not result in the proposed facility going over maximum compact parking space limits.

The southern driveway onto Commercial Street from the proposed parking garage does not meet vision clearance requirements on the northern side of the driveway due to the location of the proposed parking garage. In order to meet vision clearance requirements for this driveway the following condition of approval shall apply:

Condition 2: The section of the parking garage adjacent to the southern driveway onto Commercial Street NE shall be redesigned to meet vision clearance requirements under SRC Chapter 805 or approval of an alternative vision clearance standard, pursuant to SRC 805.015, shall be obtained.

The proposed driveways as recommended to be conditioned will conform to the requirements of SRC Chapter 805.

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

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

Off-Street Parking:

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

Minimum Off-Street Parking		
Emergency Services	1 space per 500 sq. ft.	

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

Based on the above identified minimum and maximum off-street parking requirements, the proposed 103,780 square-foot facility requires the following off-street parking:

Off-Street Parking Summary			
Use	Minimum Spaces Req.	Maximum Spaces	Spaces Provided
Emergency Services	208		
Total:	208	364	208
			238 (with future phase of parking garage)

As shown on the site plan for the proposed development, a total of 208 off-street parking spaces are provided. This number increases to 238 off-street spaces when the 30 additional spaces proposed within the future phase of the parking garage are included. These totals do not, however, include the 10 additional spaces provided on-site for oversized vehicles.

The 208 off-street parking spaces initially proposed with the facility and the 238 total spaces resulting from the potential future expansion of the parking garage conform to the minimum and maximum off-street parking requirements of SRC Chapter 806.

In addition to parking provided on-site, 20 diagonal parking spaces will be provided within the street right-of-way on the north side of Division Street as part of a project to improve traffic circulation in the area. These spaces will serve the public, but are not required in order for the facility to meet its minimum off-street parking requirements.

Compact Parking. SRC 806.015(b) allows for the utilization of compact parking stalls to satisfy up to 75 percent of the required off-street parking spaces. The proposed facility includes a combination of both standard sized and compact parking spaces.

A summary of the break down between compact and standard size spaces provided with the development is included in the following table:

Compact & Standard Parking Summary			
	Standard Size Spaces	Compact Size Spaces	Total
Surface Parking	76	32	108
Garage Parking	98	2	100
Total:	174	34	208
Garage Parking (Future Phase)	30	0	30
Total:	204	34	238

As identified in the above table and shown on the proposed site plan, the facility will include a total of 174 standard sized parking spaces and 34 compact sized parking spaces prior to the construction of the potential future phase of the parking garage. The 34 compact spaces provided represents 16.3 percent of the overall 208 spaces provided; therefore not exceeding the maximum 75 percent limit. With the construction of the potential future phase of the parking garage, 30 additional standard sized stalls are added; thereby reducing the percentage of compact stalls from 16.3 percent to 14.3 percent of the overall 238 stalls provided.

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

Off-Street Parking Area Dimensions. SRC 806.035(e), Table 806-6, establishes minimum dimension requirements for off-street parking stalls and the drive aisles serving them. Based on the layout of the parking spaces within the development, the proposed parking stalls and access aisles must meet the following standards:

Minimum Parking Stall & Drive Aisle Dimensions		
Stall Type	Parking Stall Dimension	Drive Aisle Width ⁽¹⁾
90° Standard Stall	9 ft. x 19 ft.	24 ft.
90° Compact Stall ⁽²⁾	8 ft. x 15 ft.	22 ft.
	8 ft.- 6 in. x 15 ft.	
<u>Notes</u>		
(1) <u>Drive Aisle Width Serving Standard and Compact Stalls:</u> Pursuant to SRC 806, Table 806-6, when a parking lot drive aisle serves both standard and compact size parking stalls of 80 degrees or more, the drive aisle shall be a minimum of 24 feet.		
(2) <u>Compact Stall Dimension Next to Wall or Post:</u> Pursuant to SRC 806, Table 806-6, compact sized parking stalls next to a wall or post must be a minimum of 8-foot 6-inches in width.		

As shown on the site plan for the proposed facility, both standard size and compact size parking stalls are provided. The standard size stalls conform to the minimum required 9-foot width and 19-foot depth. The compact size stalls conform to the minimum required 8-foot width outside of the proposed parking garage and the minimum 8-foot 6-inch width inside the parking garage where compact stalls are located next to posts. The compact stalls also exceed the minimum 15-foot stall depth.

The parking stalls within the development are served by 24-foot-wide and 25-foot-wide drive aisles in conformance with the requirements of SRC 806.035(e), Table 806-6.

Access. SRC 806.040(a) establishes access requirements for off-street parking areas. Pursuant to the requirements of this subsection, off-street parking and vehicle use areas are required to have either:

- Separate driveways for ingress and egress; or
- A single driveway for ingress and egress with an adequate turnaround that is always available, or a loop to the single point of access.

As shown on the site plan, the layout of the proposed parking stalls, drive aisles, and driveways within the parking garage and surface parking lot allow for vehicles to circulate to entrance and exit points without any dead-ends except in the following locations where drive aisles lead to dead-ends without turnarounds as required under SRC 806.040(a):

- Surface parking area to the north of the future phase of the parking garage;
- Second level of the parking garage; and
- Second level of the future phase of the parking garage.

Because some locations within the off-street parking areas will not have a required turnaround, a Class 2 Adjustment to allow them to be developed without turnarounds is included with the application. Analysis of the Class 2 Adjustment request and findings demonstrating conformance with the Class 2 Adjustment approval criteria are included in Section 11 of this report.

Driveways. SRC 806.040(d) establishes minimum driveway width standards. Pursuant to SRC 806.040(d), Table 806-7, one-way driveways are required to have a minimum width of 12 feet and two-way driveways are required to have a minimum width of 22 feet. As shown on the proposed site plan, only two-way driveways are provided to serve the facility. All of the driveways exceed the minimum 22-foot required width and therefore conform to this standard.

Bicycle Parking:

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

Minimum Bicycle Parking		
Emergency Services	1 space per 5,000 ft. ²	

Based on the above identified minimum bicycle parking requirements, the proposed 103,780 square-foot facility requires the following bike parking:

Bicycle Parking Summary		
Use	Minimum Spaces Req.	Spaces Provided
Emergency Services	21	
Total:	21	22

As shown on the proposed site plan and indicated in the above table, a total of 22 bicycle parking spaces are provided for the facility. Eight of the spaces are located at the front of the building next to the main entry, another eight spaces are located further to the east in the public plaza in front of the building, and the final six spaces are located behind the building to the east of the stairway to the parking garage. The 22 bicycle parking spaces proposed exceed minimum bicycle parking requirements.

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

As previously indicated, 16 of the 22 bicycle parking spaces provided are located within the front of the building, with eight being located near the main entry and the other eight within the public plaza. The remaining six spaces are located to the rear of the building in order to serve Police Department staff. Though all of the bicycle parking spaces provided are in proximity to and easily accessible from the building entrances of the facility in conformance with the requirements of SRC 806.060(a), only eight of the spaces are located within 50 feet of the primary building entrance. Because 14 of the bike parking spaces are located more than 50 feet from the primary building entrance, a Class 2 Adjustment has been requested with the application to allow these spaces to be located further than 50 feet from the main entry. Analysis of the Class 2 Adjustment request and findings demonstrating conformance with the Class 2 Adjustment approval criteria are included in Section 11 of this report.

Bicycle Parking Access. SRC 806.060(b) requires bicycle parking areas to have direct and accessible access to the public right-of-way and the primary building entrance. As discussed earlier in this report, bicycle parking to serve the facility is located both in the front of the building near the main entry and within the public plaza, and behind the building to the east of the stairway to the parking garage.

The proposed bike parking spaces serving the public within the front of the building have direct access to the public rights-of-way of Commercial Street, Division Street, and Liberty Street and the primary building entrance via the public plaza and sidewalks. The proposed bike spaces serving Police Department staff located behind the building have direct access to Liberty Street and building entries in the rear of the building. The bicycle parking spaces provided to serve the facility conform to this standard.

Bicycle Parking Dimensions. SRC 806.060(c) requires bicycle parking spaces to be a minimum of 2 feet in width by 6 feet in depth, and served by a minimum 4-foot-wide access aisle. As shown on the proposed site plan, all of the bicycle parking spaces provided conform to the minimum depth requirement of 6 feet, the minimum width requirement of 2 feet, and the minimum aisle width requirement of 4 feet.

Loading:

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

Minimum Loading		
Emergency Services	Buildings 60,001 ft. ² to 250,000 ft. ²	2 Spaces (12'W x 30'L x 14'H)

Based on the above identified minimum off-street loading requirements, the proposed 103,780 square-foot facility requires a minimum of two off-street loading spaces. As shown on the site plan, one off-street loading space meeting dimension requirements is provided behind the building within the parking/vehicle use area to the east of the parking garage. The other loading space is not provided off-street, but is instead proposed within the public street right-of-way parallel to Liberty Street between the public sidewalk and the property line. Because the second loading spaces is not provided off-street as required under SRC 806.070, a Class 2 Adjustment has been requested with the application to allow this required loading space to be located within the public street right-of-way. Analysis of the Class 2 Adjustment request and findings demonstrating conformance with the Class 2 Adjustment approval criteria are included in Section 11 of this report.

SRC 800.050(a) (FENCE / WALL HEIGHT & TRANSPARENCY)

SRC 800.050(a) establishes standards for the maximum heights and transparency of fences and walls. The proposed facility includes the following fences and walls around the perimeter of the site for security and screening:

- 8-foot-tall security fence along portion of frontage on Commercial Street;
- 10-foot-tall security fence along north portion of facility adjacent to proposed pedestrian path along Mill Creek;
- 8-foot-tall concrete masonry unit (cmu) screen wall along portion of frontage on Liberty Street.

Pursuant to SRC 800.050(a)(1)(B), within non-residential zones fences and walls shall not exceed a maximum height of 12 feet; provided, however, within yards abutting a street the maximum height shall not exceed eight feet when located within 10 feet of the property line abutting the street and any portion of the fence or wall above 30 inches in height is less than 25 percent opaque when viewed at any angle 25 feet away from the fence or wall.

None of the fences and walls proposed for security and screening on the perimeter of the site exceed the maximum height limit of eight feet, when located within 10 feet of a property line abutting a street, or 12 feet, when located more than 10 feet from a property line abutting a street. The transparency of these fences and walls, however, does not meet maximum 25 percent opacity standard of SRC 800.050(a)(1)(B)(i). Because the transparency standard is not met, a Class 2 Adjustment is included with the application to allow the fences and walls located within 10 feet of the property lines abutting Commercial Street and Liberty Street to be full opaque. Analysis of the Class 2 Adjustment request and findings demonstrating conformance with the Class 2 Adjustment approval criteria are included in Section 11 of this report.

SRC 800.055 (SOLID WASTE SERVICE AREAS)

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

A solid waste service area is defined under SRC 800.010(e) as, "An area designed and established for the purpose of satisfying the local collection franchisee service requirements for servicing receptacles, drop boxes, and compactors singularly or collectively."

The proposed facility includes one trash collection area meeting the definition of a solid waste service area under SRC 800.010(e). The solid waste service area is located behind the building to the east of the parking garage with access from Liberty Street.

As shown on the site plan for the proposed development, the solid waste service area is uncovered, enclosed by an 8-foot-tall perimeter wall, has an interior dimension within the enclosure of approximately 24 ft.-2 in. in width by 11 ft.-6 in. in depth, has a front opening of 20 feet, and is free of vertical obstructions above the receptacles,

Pursuant to SRC 800.055(f)(1)(A), the 12-foot-wide by 45-foot-long vehicle operation area required to service the solid waste service area is proposed to be located directly in front of the enclosure.

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

Condition 3: The trash/recycling area shall conform to the solid waste service area standards of SRC 800.055.

Because the solid waste service area is proposed to be uncovered it is also subject to Administrative Rule 109-012 Appendix D which requires a Trash Area Management Plan.

SRC CHAPTER 808 (PRESERVATION OF TREES & VEGETATION)

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

Because the subject property is adjacent to Mill Creek, there are trees and native vegetation present in the riparian corridor of the creek. Any removal of trees or native vegetation will be required to comply with the requirements of SRC Chapter 808. In addition to the trees and native vegetation present within the riparian corridor, there are also existing trees present in the rights-of-way of both Division Street and Liberty Street. Because these trees are located within the public street right-of-way, they are classified as City trees. Removal of any trees from the public street right-of-way is subject to the requirements of SRC Chapter 86 (Trees on City Owned Property).

SRC CHAPTER 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 wetlands 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 Wetlands Inventory (LWI), the subject property does not contain any mapped wetlands or hydric (*wetland-type*) soils. The property is, however, adjacent to Mill Creek which is a mapped wetland area. Because of the proximity of the property to the creek, notice of the proposal was provided to the Oregon Department of State Lands (DSL) as required under the City's wetlands ordinance, SRC Chapter 809 (Wetlands). Compliance with the requirements of the DSL, if necessary, will be coordinated between the applicant and DSL staff.

SRC CHAPTER 810 (LANDSLIDE HAZARDS)

According to the City's adopted landslide hazard susceptibility maps, the northern portion of the subject property adjacent to Mill Creek is mapped with areas of 2 landslide hazard susceptibility points. There are 3 activity points associated with building permits for public buildings. The cumulative total of 5 points indicates a moderate landslide hazard risk. Pursuant to SRC Chapter 810, a geologic assessment, and potentially a geotechnical report, is therefore required for development of the property.

A geotechnical engineering report has been submitted for the proposed facility as required under SRC Chapter 810.

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

Finding: The subject property abuts Commercial Street NE, Division Street NE, and Liberty Street NE. Commercial Street is designated as a parkway street within the City's Transportation System Plan (TSP) requiring an 80-foot-wide improvement within a 120-foot-wide right-of-way. Commercial Street is currently improved to an approximate width of 81 feet within a 99-foot-wide right-of-way adjacent to the subject property. Because Commercial Street is also a State Highway, it is under the jurisdiction of the Oregon Department of Transportation.

Division Street and Liberty Street are designated as a minor arterial streets within the TSP requiring a 46-foot-wide improvement within a 72-foot-wide right of way. Division Street is currently improved to an approximate width of 40 feet within a 99-foot-wide right-of-way adjacent to the subject property. Liberty Street is currently improved to an approximate width of 60 feet within a 99-foot-wide right-of-way.

As indicated in the comments from the Public Works Department (**Attachment E**), Commercial Street NE, Division Street NE, and Liberty Street NE are fully urbanized with lane widths that meet or exceed Salem Transportation System Plan requirements. No additional pavement improvements are required along these frontages. Additional right-of-way is required along Commercial Street NE, which will be dedicated to the City as a condition of approval of the previously approved replat (Case No. REP18-01) to consolidate the existing individual lots which comprise the subject property into one large lot. No special setbacks or right-of-way dedication are required along Division Street or Liberty Street because the existing rights-of-way exceed the standards for minor arterial streets.

The proposed facility also does not generate sufficient vehicle trips to warrant a traffic impact analysis (TIA). Because existing streets abutting the property are currently improved to urban standards, required boundary street improvements are limited to sidewalks and street trees along all frontages as shown on the application materials. As part of the application, a request was made to allow for an alternative street standard to allow for alternative sidewalk locations within Commercial Street and Liberty Street. Pursuant to SRC 803.035(I)(2)(B), if topography or other conditions make the construction of a sidewalk impossible or undesirable in the required location, a different location may be allowed. In order to ensure the proposed improvements meet the requirements of SRC 803, the following conditions of approval shall apply:

Condition 4: Construct sidewalk and install street trees along the frontage of Commercial Street NE. The sidewalk shall be no closer than 8 feet from face of curb with transitions to the curb line at the driveways as shown on the application materials.

Condition 5: Construct sidewalk and install street trees along the frontage of Division Street NE. The landscape strip may be paved pursuant to SRC Chapter 79 to allow for the extension of the proposed public plaza in front of the building.

Condition 6: Construct sidewalk and install street trees along the frontage of Liberty Street. The sidewalk may be constructed as a multi-use path along the curb line as shown on the application materials.

In regards to pedestrian and bicycle traffic and circulation, the pedestrian system element of the TSP identifies a shared use path crossing the northern portion of the property along Mill Creek. As shown on the proposed site plan (**Attachment B**), the required pedestrian path is identified along the northern portion of the site providing a connection between the sidewalks on Liberty Street and Commercial Street.

The transportation system as proposed and recommended to be conditioned provides for the safe, orderly, and efficient circulation of traffic into and out of the proposed development. This approval criterion is met.

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

Finding: Primary vehicular access to the development is proposed to be provided via the driveway approach onto Liberty Street NE. No driveway approaches are proposed from the subject property onto Division Street. Two driveway approaches are proposed from the subject property onto Commercial Street NE. The driveway access onto Liberty Street provides for safe turning movements into and out of the property. The driveway approaches onto Commercial Street are under the jurisdiction of the Oregon Department of Transportation and require separate permits.

Pedestrian access to and throughout the facility will be provided by the public sidewalks within the rights-of-way of Commercial Street, Division Street, and Liberty Street; the public plaza in the front of the building that extends the full width of the building from the front façade to the sidewalk on Division Street; and a pedestrian path along the northern boundary of the site next to Mill Creek. By locating off-street parking behind the building and away from the majority of pedestrian activity occurring in the front of the building, directing the majority of vehicular traffic into and out of the facility to one main driveway approach onto Liberty Street, and providing sidewalks around the perimeter of the site within the abutting streets and a pedestrian pathway along Mill Creek, potential areas of pedestrian and vehicle conflict are minimized.

As discussed in Section 11 of this report, a Class 2 Adjustment has been requested to allow one of the required loading spaces serving the facility to be located within the right-of-way of Liberty Street NE. As shown on the site plan, the proposed sidewalk on Liberty Street will abut and run parallel to the proposed loading space and both the sidewalk and loading space will be at the

same elevation of the street and driveway approach. In order to facilitate safe pedestrian access along the sidewalk as required by this approval criterion and clearly distinguish the sidewalk from the loading area, the following condition of approval shall apply:

Condition 7: The proposed loading area within the right-of-way of Liberty Street shall be designed to be visually distinct from the sidewalk in order to clearly delineate for pedestrians which portion of the paved area is for pedestrians and which portion of the paved area is for loading.

The parking, vehicle use areas, and driveways as proposed, and recommended to be conditioned, facilitate safe and efficient movement of vehicles, bicycles, and pedestrians. This approval criterion is met.

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

Finding: The Public Works Department has reviewed the applicant's preliminary utility plan for this site. The water, sewer, and storm infrastructure are available within surrounding streets/areas and appear to be adequate to serve the proposed development. The applicant shall design and construct all utilities (sewer, water, and storm drainage) according to the PWDS and to the satisfaction of the Public Works Director. The applicant is advised that a sewer monitoring manhole may be required, and the trash area shall be designed in compliance with Public Works Standards.

The applicant's engineer submitted a statement demonstrating compliance with Stormwater PWDS Appendix 004-E(4)(b) and SRC Chapter 71. The preliminary stormwater design demonstrates the use of green stormwater infrastructure to the maximum extent feasible. In order to ensure compliance with the requirements of SRC Chapter 71, the following condition of approval shall apply:

Condition 8: Design and construct a storm drainage system for the new and replaced impervious surfaces in compliance with SRC Chapter 71. The flow control facilities required pursuant to SRC 71.090 may be located on the subject property or off-site within 1,000 feet of Mill Creek pursuant to SRC 71.095(b)(4).

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

11. CLASS 2 ADJUSTMENT APPROVAL CRITERIA

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

Class 2 Adjustment application, or for the issuance of certain conditions to ensure the criteria are met.

(A) The purpose underlying the specific development standard proposed for adjustment is:

- (i) Clearly inapplicable to the proposed development; or**
- (ii) Equally or better met by the proposed development.**

Finding: The proposal includes a Class 2 Adjustment to eight development standards of the SRC. The Class 2 Adjustment requests approval to:

- a) Allow portions of the proposed building adjacent to Commercial Street NE, Division Street NE, and Liberty Street NE to be setback greater than 0 ft. or 10 ft. as required under SRC 524.010(b);
- b) Reduce the minimum 6-foot to 10-foot parking and vehicle use area setback required, pursuant to SRC 806.035(c)(2) and SRC 806.035(c)(5), between the proposed surface parking area and parking garage and Commercial Street NE and Liberty Street NE;
- c) Eliminate the minimum 5-foot-wide landscape strip required, pursuant to SRC 806.035(c)(4), between the proposed surface parking area and the parking garage;
- d) Allow the opacity of those portions of the fences and walls screening the proposed surface parking area which are located within 10 feet of Commercial Street NE and Liberty Street NE to be increased from not more than 25 percent opaque, as required under SRC 800.050(a)(1)(B)(i), to fully opaque;
- e) Allow the proposed surface parking area and parking garage to be developed without turnarounds as required under SRC 806.040(a);
- f) Allow a portion of the required bicycle parking spaces serving the facility to be located more than 50 feet from the primary building entrance as required under SRC 806.060(a);
- g) Allow one of the required loading spaces serving the facility to be located within the public street right-of-way of Liberty Street NE, rather than off-street on the subject property as required under SRC 806.070; and
- h) Allow the proposed driveway onto Liberty Street NE to be located less than 370 feet from the nearest street and driveway intersections as required under SRC 804.035(d).

Building Setbacks Adjacent to Commercial Street, Division Street, and Liberty Street.

The written statement provided by the applicant (**Attachment D**) explains that building setback standards found in Table 524-3 state the setbacks for buildings abutting streets is 0 ft. or 10 ft. The applicant explains that while this standard may be appropriate for the downtown core's commercial office/retail uses and the historic downtown it is not conducive to all sites and uses that are located

within the CB zoning district. It is indicated that such specific dimensions apply greater limitations on developments with multiple street frontages, increase potential for long monotonous building facades, and precludes developments from providing appropriately sized public open space that promotes outdoor use. The applicant explains that a goal of the Comprehensive Plan is to include government uses within the Central Business District as a means of offering convenient access by pedestrians, noting that "public buildings should be located within the downtown area" and that "Major public and semi-public buildings shall be located on or near arterials and have well-planned access and parking."

The applicant explains that the proposal seeks to meet the intent of this code section while still addressing security and programing needs of the Salem Police Department. The building is sited so that the front façade faces Division and the downtown core. A public plaza is provided between the building and the public right-of-way with building setbacks for this elevation ranging from just over 5 feet at the western end to approximately 45 feet on the eastern end of the Division Street facade. Along the Liberty Street facade the building setbacks vary from 0 up to 24 feet 6 inches. On the western elevation of the Commercial Street facade the building setbacks are more articulated from 8 feet 8 inches to approximately 21 feet 5 inches. Due to the use, a level of security is required that is not necessary for other allowed uses in this zone. Setbacks are minimized where possible and building articulation is provided on all street facing elevations meeting intent of the underlining zone's standards and the design guidelines of the overlay zone.

The proposal is relatively unique compared to other projects within the downtown area zoned CB with General Retail/Office Overlay. This uniqueness can be attributed to the size of the subject property as compared to other properties in the downtown, as the subject property is greater in size than a typical downtown city block; the property has street frontages on three sides, which creates problems for building design by requiring the building footprint to be stretched to meet maximum setbacks from all street frontages; and the programmatic needs for a police facility are generally different from those of typical office, retail, and services uses in the downtown core.

The purpose of the CB zone 0 ft. or 10 ft. setback from streets is to ensure that buildings are sited in a manner to support a compact and higher density urban form where buildings are located in close proximity to the street to promote an active and engaging pedestrian environment.

As indicated in the applicant's written statement, the proposed Police Facility has been designed to minimize setbacks from the right-of-way to the extent possible while also meeting the safety and security needs of the Police Department. Though the proposed building is not setback exactly 0 ft. or 10 ft. from the public street right-of-way, the building has been positioned on the site so as to present a significant presence on the southern portion of the site adjacent to Commercial Street, Division Street, and Liberty Street. In all areas where the building is setback greater than the required CB zone setback, landscaping or public open space is provided to promote an attractive, inviting, and engaging pedestrian environment. By minimizing setbacks from the public street right-of-way as allowed for under the design review guidelines of the General Retail/Office

Overlay Zone and providing landscaping and public open space between the proposed building and the adjacent street frontages where the building is setback greater than 0 ft. or 10 ft., the proposed design equally meets the underlying purpose of the required CB zone setback. This approval criterion is met.

Parking and Vehicle Use Area Setback Adjacent to Commercial Street and Liberty Street

The written statement provided by the applicant (**Attachment D**) indicates that as noted in the code, parking and vehicle use areas have different setback standards than buildings. In this instance SRC 806 states that setbacks for parking to property line may vary from 10 feet down to 6 feet with berm or 3-foot-tall wall. Our development proposal shows the secured structured parking and surface parking areas are setback from the Commercial Street property line by 5 feet. Screening of the secured parking areas is provided via a solid screen “wall” for structured parking at the ground level and portions of the upper parking deck; while the surface parking anticipates utilizing an 8 foot tall wall or combination wall and sight obscuring screen “fence”. The setback to the public sidewalk is approximately 10 feet and the setback to the curb and street is 20 feet or greater. The request for leniency is minimal and needed to allow for adequate parking and maneuvering within the secured parking areas. The intent of the standard is to provide a separation between sidewalks and parking areas, this will still be achieved as the provided setback to the sidewalk is 10 feet, landscaped and include and a screen “wall” for both structured and surface parking. Currently there is no separation between the existing sidewalk and the street or the sidewalk and the vehicle use areas. The proposed improvements meet the intent and provide needed separation between pedestrian paths and vehicle use areas increasing pedestrian safety.

The underlying purpose of the 6 ft. to 10 ft. parking and vehicle use area setback from streets is to ensure that surface parking lots, parking garages, and vehicle use areas (including loading areas) are setback an adequate distance and buffered from pedestrians on the sidewalk. This is achieved by providing either a greater 10-foot-wide landscaped setback or a lesser 6-foot-wide landscape setback with a vertical element (e.g. decorative screening wall) to obscure visibility of parked vehicles from the right-of-way.

In the case of the proposed facility, the site plan shows that the surface parking lot and parking garage adjacent to Commercial Street will be setback at just over five feet from the property line. The parking and vehicle use area (including loading area) on the east side of the property adjacent to Liberty Street, though not setback from the street, is located behind a proposed 8-foot-tall cmu screen wall to obscure visibility from the public sidewalk.

The design of the proposed parking and vehicle use areas adjacent to Commercial Street and Liberty Street equally meet the underlying purpose of the required parking and vehicle use area setback adjacent to the street by providing sufficient landscaping and screening to buffer the parking and vehicle use areas from the street. This criterion is met.

Landscape Strip/Pedestrian Path Between Surface Parking & Parking Garage.

The written statement provided by the applicant (**Attachment D**) indicates that due to the site configuration and the need for adequate secure parking the proposal is unable to provide the 5-foot perimeter landscaping between the surface parking and the structured parking as desired in SRC 806.035(c)(4). The reduction in parking, loading and maneuvering space to provide landscaping or a pedestrian path with no pedestrian connection provides no benefit to the project, nor is there any community value.

The applicant explains that the requested adjustments are the minimum needed for this development proposal and that granting their approval will not negatively impact the site, the surrounding area, or the greater community. To the contrary, the proposed development will provide the City of Salem a suitable home for the Salem Police allowing them to serve the community in a more effective and beneficial manner. The proposed development will better meet the needs of the community, the goals of the Comprehensive Plan, and the intent of the development code.

The requested adjustment affects only a relatively small portion of the parking and vehicle use areas on the site where the proposed surface parking lots abut the outside perimeter of the proposed parking garage and the proposed future phase of the parking garage. Provision of the required 5-foot separation would also result in the number of off-street parking spaces provided on the site to be reduced below the minimum number of required spaces. Because the proposed parking garage is designed to be open on the ground level, the surface parking stalls appear visually to be more located adjacent to other surface parking stalls than the exterior wall of a building. As such, the need for a 5-foot landscape setback in these locations is diminished and the proposed design otherwise equally meets the underlying purpose of this standard. This criterion is met.

Opacity of Fences and Walls Adjacent to Commercial Street and Liberty Street.

The written statement provided by the applicant (**Attachment D**) indicates that an adjustment to the opacity restrictions found in SRC 800.050(a)(1)(B)(i) for walls and fences more than 30 inches tall within 10 feet of a street abutting property line is requested for the walls, fences, and gates that surround the secure parking areas adjacent to Commercial and Liberty streets. The desire for secure parking for Police vehicles and staff was identified by the Salem Police Department. In order to achieve this, solid fencing and walls up to 8 feet for surface parking areas are proposed in the design. The need for this level of screening conflicts with the above noted standard which states "Fences and walls within a front, side, or rear yard abutting a street shall not exceed a maximum height of eight feet when located within ten feet of a property line abutting a street; provided, however, any portion of the fence or wall above 30 inches in height shall be less than 25 percent opaque when viewed at any angle at a point 25 feet away from the fence or wall." However, this standard does not anticipate the needs of uses which require greater levels of privacy or security allowed in various zoning districts.

Due to the security needs for the facility, the proposed security/screening fences and walls around the perimeter of the surface parking and vehicle use areas on

the site do not meet the transparency requirements of SRC 800.050. The underlying purpose of this standard is to ensure that adequate visibility is maintained, especially in regards to driveway access onto streets. As indicated in this report, the proposed 8-foot-tall security/screening wall adjacent to Liberty Street is located within the vision clearance area of the driveway approach onto Liberty Street. Analysis of the vision clearance areas issues associated with this driveway discussed in Section 12 of this report and a condition of approval is recommend to allow for the proposed wall to remain in the current proposed location and still meet vision clearance standards.

In addition to the wall along Liberty Street, a portion of the proposed security/screening fence adjacent to Commercial Street near the northernmost driveway approach also does not meet vision clearance requirements. As identified in Section 10 of this report, a condition of approval has been recommend requiring that portion of the fence to be redesigned to conform to vision clearance standards.

Compliance with the recommended conditions of approval will ensure the proposed fences and walls around the perimeter of the site will not pose an obstruction to visibility at driveway intersections for the facility and therefore equally meet the underlying purpose of the standard while also meeting the security needs for the facility. This approval criterion is met.

Parking Areas without Turnarounds.

The written statement provided by the applicant (**Attachment D**) indicates that, due to design constraints, turnaround areas within the secure surface parking lot and garage have not been provided because it would cause a loss in required off-street parking. As such, an Adjustment to SRC 806.040(a) is needed. The applicant explains that this standard was established to assist with access and they believe the request is reasonable as the parking is gated and parking spaces are assigned. It is explained that restricting access and providing assigned parking spaces removes access issues that would otherwise exist therefore eliminating the need for a turnaround within the development.

The underlying purpose of the standard requiring separate ingress or egress driveways, or an onsite turnaround area for parking areas with a single point of ingress and egress, is to ensure that vehicles can enter and exit from a development without having to back out long distances or onto the public street right-of-way which can pose a hazard.

Though an on-site turnaround is not provided for certain areas of the proposed surface parking lot and parking garage, the proposed development still equally meets the underlying purpose of the standard by preventing individuals from needing to back out long distances or onto the public right-of-way. This is done by assigning parking spaces and restricting access to the parking areas to only those individuals who have an assigned space. By assigning spaces and limiting access to the parking area, an assigned parking space will always be available when an individual enters the parking area; thereby preventing the need to exit the parking area because a parking space could not be found. The proposed adjustment conforms to this approval criterion.

In order to ensure that the proposed parking spaces within the development are assigned spaces, therefore ensuring a turnaround will not be required, the following condition of approval shall apply:

Condition 1: Off-street parking spaces serving the facility shall be assigned.

Bicycle Parking Proximity to Primary Building Entrance.

The written statement provided by the applicant (**Attachment D**) explains that SRC 806.060(a) requires bicycle parking areas to be located within a convenient distance of, and shall be clearly visible from, the primary building entrance, but in no event more than 50 feet from the primary building entrance. The applicant indicates that the facility provides accommodation for 22 bicycle spaces, 16 of which are public and located on the front/Division Street side of the building and 6 within the secure parking area on the north side of the building. The applicant explains that it is not practical to locate all 16 public bicycle parking next to the main entry door; they are proposing that half (8) of these spaces be located near the main entry and the other half (8) will be centrally located within the public plaza. The applicant indicates that placing bicycle parking at the entry and within the public plaza provides better balance for the building and the plaza users. It also allows for better circulation and accessibility at the public entry and in the plaza area. Both of these locations are easily accessed from the public right-of-way and the proposed design approach better meets the intent of the standard which is to locate bicycle parking so that it is convenient and visible to the destination which may be the plaza rather than the actual Police Station.

In addition, the applicant indicates that programming needs and design constraints within the secure parking area do not provide adequate space for the 6 bike parking spaces to be within 50 feet of the primary staff entrance; however, these spaces are located within 50 of a secondary building entrance and adjacent to the parking garage thereby having access that is convenient to bike parking.

The number of off-street bicycle parking spaces provided within the proposed facility exceeds the minimum number of spaces required, but not all of the spaces are located within the required 50-foot distance of the primary building entrance. Instead, 16 of the spaces have been located in the front of the building and evenly divided in location between the primary building entrance and the public plaza. The remaining six spaces are located behind the building to serve Police Department staff.

The underlying purpose of this standard is to ensure that bicycle parking spaces are located in a convenient, visible, and easily accessible location on the site. As proposed, the location of the bicycle spaces equally meet the purpose of this standard. This criterion is met.

Required Loading Space within Public Street Right-of-Way.

The written statement provided by the applicant (**Attachment D**) indicates that the facility is required to provide two off-street loading spaces per SRC 806.075 and that two loading spaces are proposed; however one will be within the public right-of-way adjacent to the loading ramp and on-site loading space. The applicant explains that the need to provide a loading space with more direct access to the street is in large part due to the nature of the development and the various types of vehicles and deliveries the Police Department will receive. Maneuvering challenges and potential impacts to vehicular access within the motor court is the chief concern and reason for the request for the street side loading space. The “off-site” loading space is proposed along Liberty between the property line and the public sidewalk and will be accessed from the Liberty Street driveway. As already indicated, one on-site space is proposed adjacent to the staff and receiving entry. Allowing the off-site loading will provide safer access and maneuvering for large semi-truck type deliveries.

SRC 806.070 requires off-street loading to be located on the same development site as the use or activity it serves. In the case of the proposed facility, one of the required spaces, however, is located within the right-of-way of Liberty Street adjacent to the property but not on the development site. The necessity to locate one of the required loading spaces off-site within the public right-of-way stems from site constraints and the various types of vehicles and deliveries the Police Department receives.

The purpose of this standard is to ensure that sufficient loading is provided on-site to serve developments and that such loading areas are not located on other properties. Though the proposed loading space within the right-of-way of Liberty Street is not located on the subject property, it is located immediately adjacent to the property and will be dedicated to serving the proposed Police Facility in the same manner as an off-street loading space would. The requested adjustment equally meets the underlying purpose of the standard. This criterion is met.

Driveway Spacing on Liberty Street.

The written statement provided by the applicant (**Attachment D**) indicates that the proposed driveway on Liberty will provide access to the facility’s secure parking areas. General access to the secure staff and police vehicle parking is proposed from Liberty Street, using one of three existing driveways on the Liberty frontage. This particular driveway is the most northern driveway just south of the Mill Creek Bridge.

Currently all of the driveways along Liberty are non-conforming and do not meet the driveway spacing standard found in SRC 804.035(d); which states “Driveway approaches providing direct access to a major or minor arterial shall be no less than 370 feet from the nearest driveway or street intersection, measured from centerline to centerline.” The existing driveways for this development site and driveways for existing developments further north do not meet spacing requirements; however it was decided that choosing the one farthest from the

intersection, which is Division, will reduce the level of non-conformance and improve safety. Additionally, the applicant explains that the driveway will be improved including realignment with the roadway so that it provides improved visibility for both ingress and egress traffic adding greater safety benefit. Based on the site configuration and location of secure police and staff vehicle parking areas, behind the proposed facility away from the public entry and plaza there is no better option for driveway location. The reduction in degree of non-conformance for the site and improved visibility with realignment meet the criteria for approval of this request.

The purpose of the minimum 370-foot driveway spacing requirement is to limit the overall number of driveways onto streets and to ensure driveways are separated by a sufficient distance to promote safe turning movements into and out of developments and onto streets.

As indicated by the applicant and shown on the site plan, the primary driveway entrance to the facility for staff will be provided from the driveway onto Liberty Street. This driveway was selected due to access constraints onto Commercial Street, the need to provide secure parking for officers and staff, and the requirements of the CB zone and General Retail/Office Overlay Zone which generally require buildings to be brought up to the street with minimized setbacks in order to facilitate the creation of a pedestrian-friendly urban environment.

The proposed facility will result in the elimination of two of the three existing driveways along the property's Liberty Street frontage, and a reconfiguration of the northernmost third driveway. The proposed driveway onto Liberty Street is sited as far north as possible to maximize spacing to Division Street and will be reconfigured in a manner to improve its safety consistent with the underlying purpose of this standard. This approval criterion is met.

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

Finding: The subject property is zoned CB (Central Business District) with General Retail/Office Overlay and located in northern part of the downtown. Because the subject property is not located within a residential zone, and because it's located in an area characterized predominantly as commercial rather than residential, this approval criterion is not applicable to the proposed development.

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

Finding: Pursuant to SRC 524.001, the CB (Central Business District) zone serves Salem and the region as a principal center of business and commerce and allows a compact arrangement of retail and commercial enterprises together with office, financial, cultural, entertainment, governmental, and residential uses

designed and situated to afford convenient access by pedestrians. The General Retail/Office Overlay Zone furthers the purposes of the CB zone by promoting an active and inviting urban and pedestrian-oriented district within the core of the downtown.

Though an adjustment to eight different standards has been requested in conjunction with the proposed facility, the adjustments will not cumulatively result in a project that is inconsistent with the overall purposes of the CB zone or the General Retail/Office Overlay Zone.

The requested adjustments are the minimum necessary to accommodate development of the proposed new facility which represents a redevelopment of an underutilized downtown property that will serve and benefit not only the downtown and surrounding area but also the City as a whole. This approval criterion is met.

FINDINGS ADDRESSING APPLICABLE SALEM REVISED CODE APPROVAL CRITERIA FOR CLASS 2 DRIVEWAY APPROACH PERMIT

12. CLASS 2 DRIVEWAY APPROACH PERMIT APPROVAL CRITERIA

The proposed Police Facility will be served by three separate driveway approaches. Two of the proposed driveway approaches will take access from Commercial Street NE and the third driveway approach will take access from Liberty Street NE.

Because Commercial Street NE is also a State Highway under the Jurisdiction of the Oregon Department of Transportation (ODOT), the two proposed driveway approaches onto Commercial Street NE are exempt, pursuant to SRC 804.015(b)(1), from the requirement to obtain a Driveway Approach Permit from the City. Instead, these driveway approaches are subject to review and approval by ODOT and require the filing of an application for a State Highway Approach Permit. As previously indicated in this report, comments provided by ODOT (**Attachment F**) indicate they have no objection to the proposed elimination of the four existing driveway approaches and the construction of the two proposed new ones to better align with the site layout for the facility

Liberty Street, however, is not a State Highway and is therefore under the jurisdiction of the City of Salem. Pursuant to SRC 804.015(a), the proposed driveway approach onto Liberty Street requires a Class 2 Driveway Approach Permit.

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 Class 2 Driveway Approach Permit. The following subsections are organized with approval criteria shown in ***bold italic***, followed by findings evaluating the proposed development's conformance with the criteria. Lack of compliance with the following criteria is grounds for denial of the Class 2 Driveway Approach Permit, or for the issuance of certain conditions to ensure the criteria are met.

(1) *The proposed driveway approach meets the standards of this chapter and the Public Works Design Standards;*

Finding: The written statement provided by the applicant (**Attachment D**) indicates that the driveway approach intended to serve the facility is one of three that currently exist along the property's Liberty Street frontage. The applicant explains that two of the existing driveway approaches will be removed while the northernmost third driveway approach will be retained and improved to serve the proposed facility. The applicant indicates that the improved driveway approach will meet the standards of SRC 804 and the Public Works Design Standards except for the minimum 370-foot spacing requirement due to the property not having sufficient frontage on Liberty Street to accommodate a driveway approach meeting the 370-foot spacing standard.

As indicated in the comments from the Public Works Department (**Attachment E**), the proposed driveway onto Liberty Street NE meets the standards of SRC 804 and the PWDS except for the minimum 370-foot spacing requirement and vision clearance. In order to address the minimum 370-foot driveway spacing requirement, a Class 2 Adjustment has been requested with the application to allow the proposed driveway to be located less than 370 feet from the nearest street intersections and driveways. Analysis of the Class 2 Adjustment request and findings demonstrating conformance with the Class 2 Adjustment approval criteria are included in Section 11 of this report.

In addition, because the proposed driveway approach onto Liberty Street does not meet vision clearance requirements as discussed later in the section, a condition of approval has been recommended to ensure conformance with the requirements of SRC Chapter 804.

The proposed driveway approach, as recommended to be conditioned and as otherwise recommended to be allowed with approval of the requested Class 2 Adjustment, conforms to the applicable standards of SRC Chapter 804 and the Public Works Design Standards (PWDS). This criterion is met.

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

Finding: The written statement provided by the applicant (**Attachment D**) indicates that the proposed driveway approach already exists and that based on the proposed plan and conditions in the surrounding area maintaining this driveway approach location is the best option.

Despite the driveway already existing, there are two conditions applicable to the subject property that prevent the existing driveway approach from fully meeting the requirements of SRC Chapter 804. These two conditions include the limited length of street frontage the property has on Liberty Street, which restricts the ability of the site to conform to driveway spacing requirements, and the excess public street right-of-way present adjacent to the subject property on Liberty

Street, which creates a situation where the proposed driveway approach does not meet vision clearance requirements.

In order to address the driveway spacing issue, a Class 2 Adjustment has been requested with the application to allow the proposed reconfigured driveway approach onto Liberty Street to be located less than 370 feet from the nearest street intersections and driveways. Analysis of the Class 2 Adjustment request and findings demonstrating conformance with the Class 2 Adjustment approval criteria are included in Section 11 of this report.

In order to address the vision clearance issue, a condition of approval has been recommended to be placed on the approval of the driveway approach permit to ensure compliance with vision clearance requirements.

The proposed driveway approach, as recommended to be conditioned and as otherwise recommended to be allowed with approval of the requested Class 2 Adjustment, conforms to the applicable standards of SRC Chapter 804 and the Public Works Design Standards (PWDS). No other site conditions prevent placing the driveway approach in the required location. This criterion is met.

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

Finding: The written statement provided by the applicant (**Attachment D**) indicates that there are currently three existing driveway approaches onto Liberty Street and that two of these existing driveway approaches will be removed in conformance with this criterion.

As indicated in the comments from the Public Works Department (**Attachment E**), the proposal limits driveway access onto Liberty Street, which is designated as a minor arterial street under the City's Transportation System Plan (TSP). Because the proposal reduces the number of driveway approaches onto Liberty Street from three to only one, the number of driveway approaches onto this minor arterial are minimized. This criterion is met.

(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 written statement provided by the applicant (**Attachment D**) indicates that the existing proposed driveway approach is accessed from a minor arterial, which is the lowest classification of the streets adjacent to the property.

As indicated in the comments from the Public Works Department (**Attachment E**), the subject property abuts a parkway (Commercial Street) and two minor arterial streets (Division Street & Liberty Street).

Based on location of the property being surrounded by streets to the west, east, and south, and Mill Creek to the north, and the need to control access to the site for security purposes, no opportunities are possible for shared access with adjacent properties. The proposed driveway approach does, however, provide access to Liberty Street, which is a minor arterial and the lowest applicable classification street which abuts the property. This approval criterion is met.

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

Finding: As previously indicated, the proposed driveway approach onto Liberty Street does not meet vision clearance requirements. This is due to the excess right-of-way that is present adjacent to the subject property along Liberty Street. Because Liberty Street is classified as a minor arterial street within the City's TSP it is required to have a minimum right-of-way width of 72 feet. The right-of-way width of Liberty Street adjacent to the subject property, however, is 99 feet.

Pursuant to SRC 805.005(b)(1)(B), driveway approaches serving non-residential uses onto streets are required to have a 10-foot by 50-foot vision clearance area. The vision clearance area is a triangular area with 10-foot legs along the driveway and 50-foot legs along the intersecting street. Because vision clearance areas are required to be measured from and along property lines, if a property is located next to a street where the existing right-of-way is greater than what is required, such as Liberty Street, the property line will be setback further from the street and, as a result, will require the vision clearance area to be setback further from the street and closer to the proposed development

In the case of the Police Facility, the excess right-of-way along Liberty Street requires the vision clearance area to conflict with the proposed 8-foot security/screening wall behind the building along the eastern property line. If, however, excess right-of-way were to be vacated along Liberty Street, the property line and the vision clearance area would move further to the east, the 8-foot wall would no longer be located within the vision clearance area, and the driveway approach would conform to vision clearance requirements. Regardless of whether excess right-of-way along Liberty Street is vacated, the depth of the driveway approach onto Liberty Street from the inside edge of the sidewalk to the property line is sufficient to meet vision clearance requirements. However, because the vision clearance area is required to be measured from and along the property line, the proposed 8-foot security/screening wall along Liberty Street is still technically located inside the vision clearance area and represents a visual obstruction. In order to ensure the proposed facility meets vision clearance requirements, the following condition of approval shall apply in order to allow the wall to remain in its current proposed location while also ensuring the proposed driveway approach is reviewed through the appropriate process to demonstrate that it otherwise meets vision clearance requirements:

Condition 1: Approval of an alternative vision clearance standard, pursuant to SRC 805.015, shall be required for the proposed driveway approach onto Liberty Street.

The purpose of an alternative vision clearance standard is to provide a process whereby a driveway approach that does not meet the standards of SRC Chapter 805 (Vision Clearance) can be otherwise be approved if it satisfies the purpose of the Vision Clearance chapter and is consistent with recognized traffic engineering standards.

The proposed driveway approach, as recommended to be conditioned up approval of an alternative vision clearance standard, ensures that vision clearance standards for the driveway approach will be met. This approval criterion is met.

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

Finding: The Public Works Department reviewed the proposed driveway approach for conformance with the requirements of SRC Chapter 804 and determined that the proposed driveway approach will provide for safe turning movements for access to the subject property and will not create a known traffic hazard. This approval criterion is met.

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

Finding: The Public Works Department reviewed the proposed driveway approach for conformance with the requirements of SRC Chapter 804 and determined that the proposed driveway approach does not appear to have any adverse impacts to adjacent properties or streets. This approval criterion is met.

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

Finding: The Public Works Department reviewed the proposed driveway approach for conformance with the requirements of SRC Chapter 804 and provided comments indicating that the proposed driveway approach is located on a minor arterial street and minimizes the impact to adjacent streets and intersections. This approval criterion is met.

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

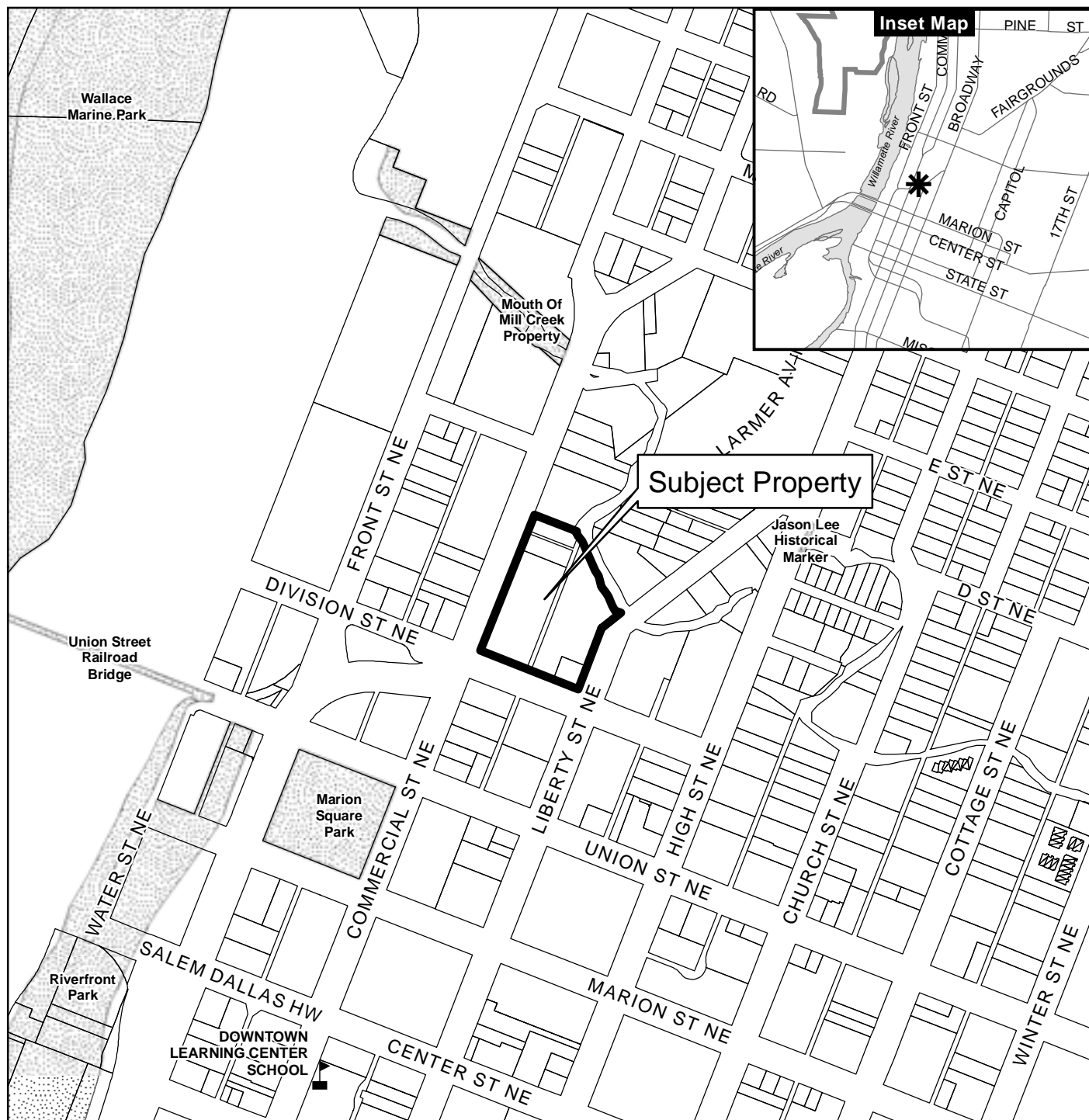
Finding: The subject property is located at the north end of the City's downtown core in an area predominantly zoned CB (Central Business District). Because the subject property is not located in a residentially zoned area this approval criterion is not applicable to the proposed driveway approach permit.

CONCLUSION

Based on the facts and findings presented herein, the proposed Class 3 Design Review, Class 3 Site Plan Review, Class 2 Adjustment, and Class 2 Driveway Approach Permit, as conditioned, satisfy the applicable criteria contained under SRC 225.005(e)(2), SRC 220.005(f)(3), SRC 250.005(d)(2), and SRC 804.025(d) for approval.

Attachments: A. Vicinity Map
B. Site Plan
C. Building Elevations & Renderings
D. Applicant's Written Statement
E. Public Works Department Comments
F. Comments from the Oregon Department of Transportation (ODOT)

Vicinity Map 750 Commercial Street NE



Legend

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

0 100 200 400 Feet



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Community Development Dept.

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JURISDICTION
CITY OF SALEM

SALEM POLICE STATION

DIVISION STREET - SALEM OREGON

CITY OF Salem
AT YOUR SERVICE

Issue: 50% DD
Date: 07.12.2018
Rev: Description Date:

SITE PLAN
GROUND LEVEL

A1.00

7/16/2018 12:14:35 PM

SITE PLAN SUMMARY:

BUILDING FOOTPRINT:	38,405 S.F.
LANDSCAPE:	29,212 S.F.
HARDSCAPE:	84,276 S.F.
TOTAL SITE AREA:	151,892 S.F. (3.49 ACRES)
TOTAL BUILDING AREA:	103,780 S.F.
BUILDING HEIGHT:	55'-0"
PARKING DECK AREA:	28,242 S.F.
(FUTURE ADDITION PARKING DECK AREA)	(10,247 S.F.)
LANDSCAPE AREA:	29,212 S.F. (19.2%)
MILL CREEK:	3,048 S.F.
CREEK BANK:	15,368 S.F.
INTERIOR LANDSCAPE:	3,017 S.F.
PERIMETER LANDSCAPE:	7,780 S.F.

PARKING: (SECURED, NON-PUBLIC)

GROUND LEVEL:	MINIMUM SIZE:	SPACES:
---------------	---------------	---------

SITE:		
STANDARD:	(9'-0" x 19'-0")	76
COMPACT:	(8'-0" x 16'-0")	32

PARKING GARAGE:		
STANDARD:	(9'-0" x 19'-0")	31
COMPACT:	(8'-0" x 16'-0")	2
LARGE VEHICLES:	NA	10
ADA:	(9'-0" x 19'-0")	2
SUBTOTAL:		153

PARKING DECK:	MINIMUM SIZE:	SPACES:
---------------	---------------	---------

STANDARD:	(9'-0" x 19'-0")	65
(FUTURE ADDITION STANDARD):	(9'-0" x 19'-0")	(30)

TOTAL PROVIDED:	218
(TOTAL INCLUDING FUTURE ADDITION):	(248)

MINIMUM REQUIRED:	208
MAXIMUM ALLOWED:	364

LOADING SPACES:		
OFF-STREET:	(12'-0" X 30'-0")	1
ON-STREET:	(12'-0" X 50'-0")	1

BIKE PARKING:

REQUIRED:	21
PROVIDED:	22

SITE PLAN LEGEND:

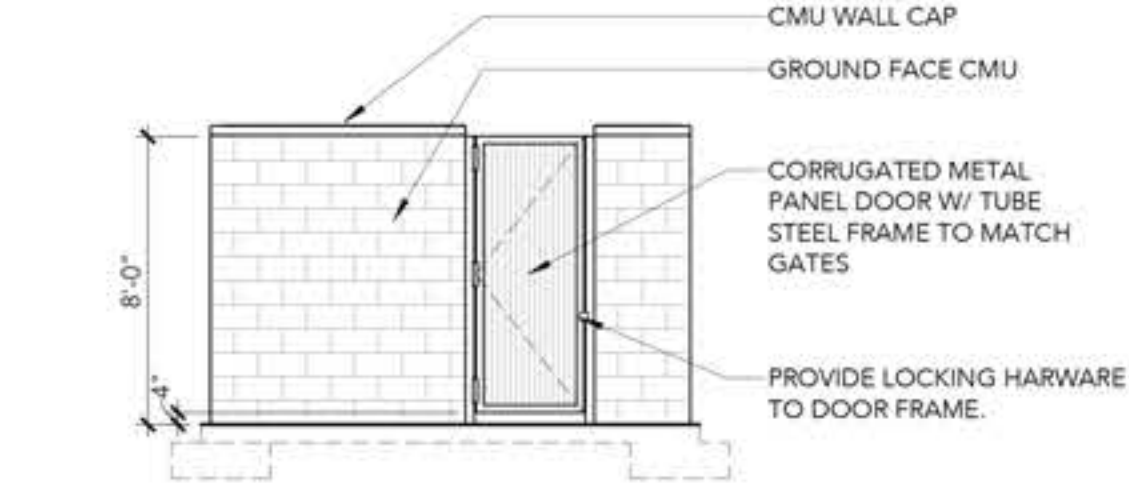
- BUILDING FOOTPRINT
- PARKING DECK FOOTPRINT
- AC PAVING AREA
- CONCRETE / HARDSCAPE AREA
- LANDSCAPE AREA
- MILL CREEK

KEYNOTES

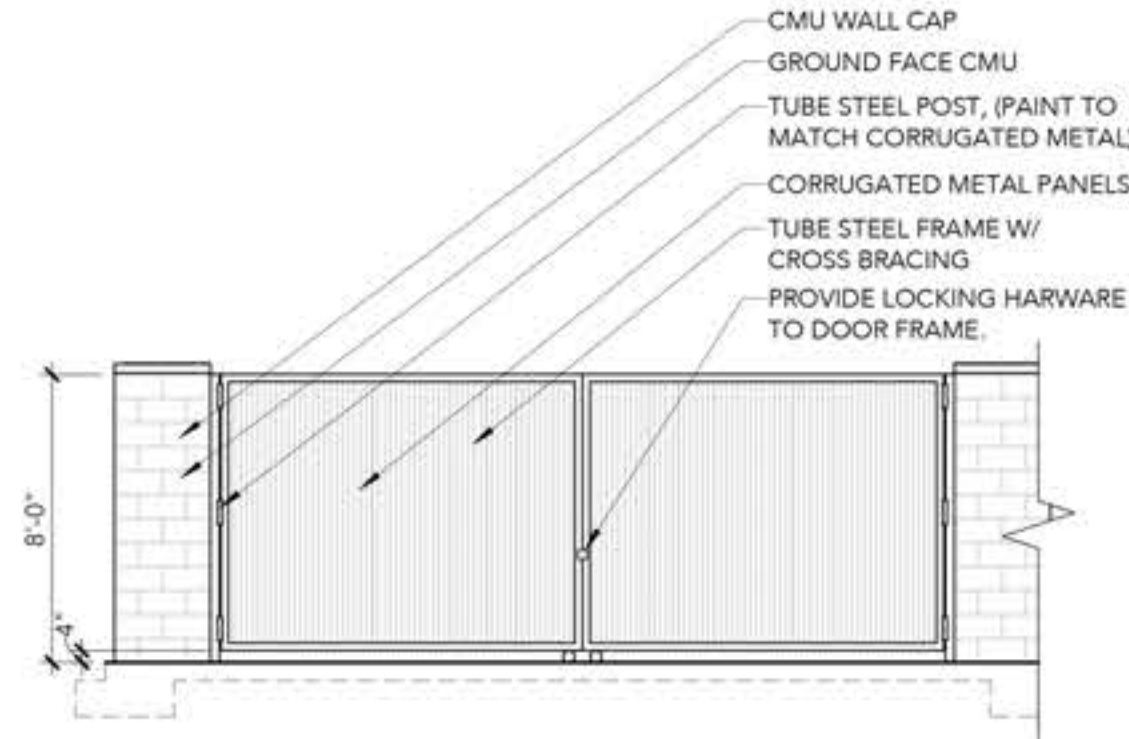
02-07	EXISTING FIRE HYDRANT
03-01	CONCRETE WALKWAY
03-03	CONCRETE CURB
03-11	8" CONCRETE SITE WALL
08-07	OVERHEAD COILING DOOR
08-08	HIGH SPEED OVERHEAD COILING DOOR
08-09	8'-0" HORIZONTAL ROLLING GATE
12-01	BICYCLE RACK
26-02	TRANSFORMER
32-08	ASPHALT PAVING, SEE CIVIL DRAWINGS
32-09	CONCRETE CURB, SEE CIVIL DRAWINGS
32-10	LANDSCAPE AREA, SEE LANDSCAPE DRAWINGS
32-12	10'-0" SECURITY FENCE
32-13	8'-0" CMU SCREEN WALL
32-14	8'-0" SECURITY FENCE

ADJUSTMENTS

- BUILDING SETBACKS
TABLE 521-3
- PARKING & VEHICLE USE AREA SETBACKS
TABLE 521-3
SRC 806
- FENCE & WALLS
SRC 800.050(a)(1)(B)(i)
- OFF-STREET LOADING
SRC 806.75
- MINIMUM DRIVEWAY SPACING
SRC 804.035(d)
- PERIMETER LANDSCAPING IN PARKING AND VEHICLE USE AREAS
SRC 806.040(c)(4)
- BICYCLE PARKING STANDARDS
SRC 806.040(a)
- ACCESS - ADEQUATE TURN AROUNDS
SRC 806.040(a)

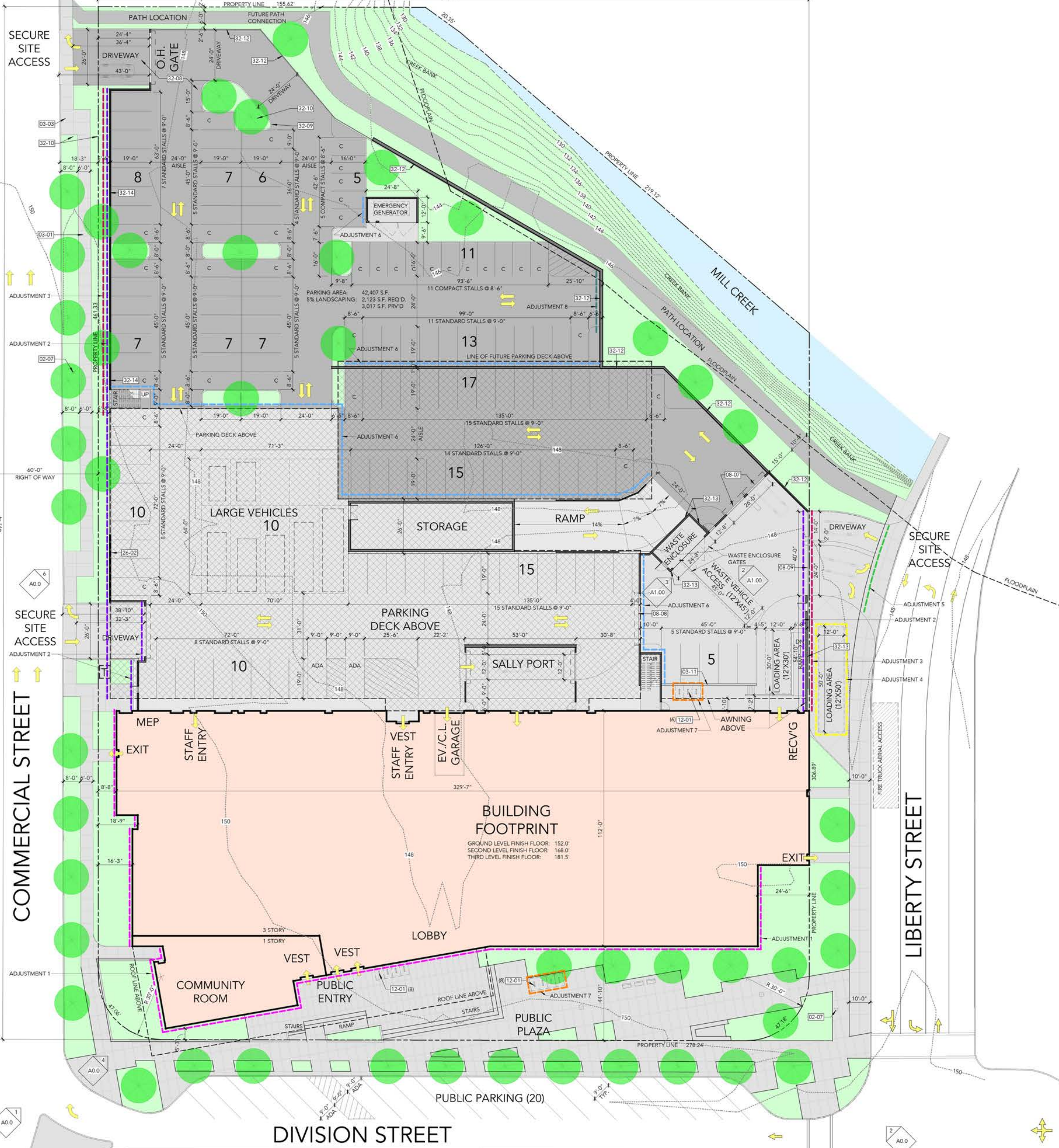


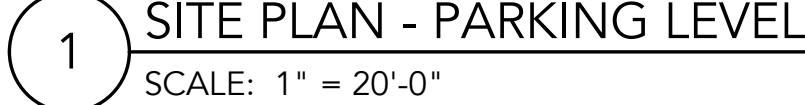
3 TRASH ENCLOSURE - SIDE ELEVATION
SCALE: 3/16" = 1'-0"



2 TRASH ENCLOSURE - FRONT ELEVATION
SCALE: 3/16" = 1'-0"

1 SITE PLAN - GROUND LEVEL
SCALE: 1" = 20'-0"





DEMOLITION LEGEND

(P) CONTRACTOR TO SAVE & PROTECT AT ALL TIMES.

(R) CONTRACTOR TO REMOVE & DISPOSE OFF SITE.

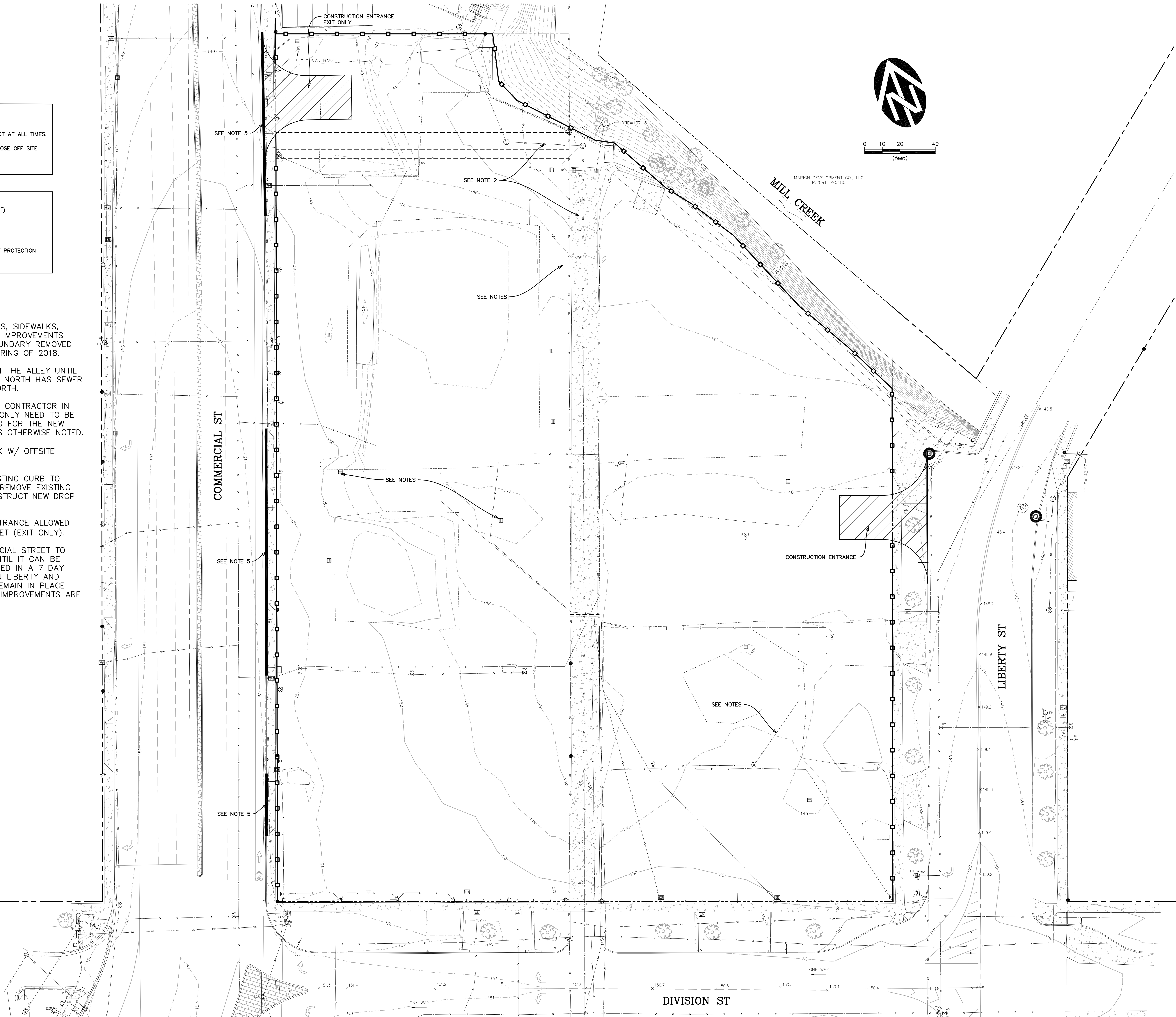
(S) SAWCUT.

EROSION CONTROL LEGEND

— SILT FENCE
SEE DTL

○ SILT SACK INLET PROTECTION
SEE DTL

- NOTES:
- ALL EXISTING BUILDINGS, SIDEWALKS, CURBS, AND SURFACE IMPROVEMENTS INSIDE SILT FENCE BOUNDARY REMOVED BY OTHERS IN THE SPRING OF 2018.
 - MAINTAIN SS FLOWS IN THE ALLEY UNTIL THE EXISTING FACILITY NORTH HAS SEWER SERVICE REROUTED NORTH.
 - UTILITIES LEFT BY THE CONTRACTOR IN THE SPRING OF 2018 ONLY NEED TO BE REMOVED AS REQUIRED FOR THE NEW IMPROVEMENTS UNLESS OTHERWISE NOTED.
 - COORDINATE ALL WORK W/ OFFSITE IMPROVEMENTS.
 - REMOVE/REPLACE EXISTING CURB TO ODOT STANDARDS TO REMOVE EXISTING DROP CURB AND CONSTRUCT NEW DROP CURB.
 - NO CONSTRUCTION ENTRANCE ALLOWED VIA COMMERCIAL STREET (EXIT ONLY).
 - SIDEWALK ON COMMERCIAL STREET TO REMAIN IN SERVICE UNTIL IT CAN BE REMOVED AND REPLACED IN A 7 DAY PERIOD. SIDEWALKS ON LIBERTY AND DIVISION STREET TO REMAIN IN PLACE UNTIL PUBLIC STREET IMPROVEMENTS ARE CONSTRUCTED.

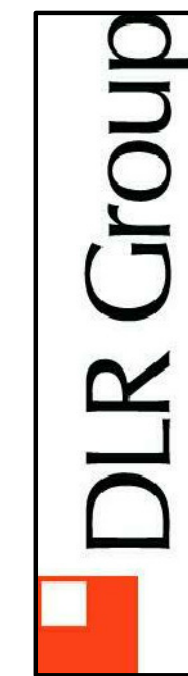


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SALEM POLICE STATION

Salem, Oregon

CLIENT LOGO

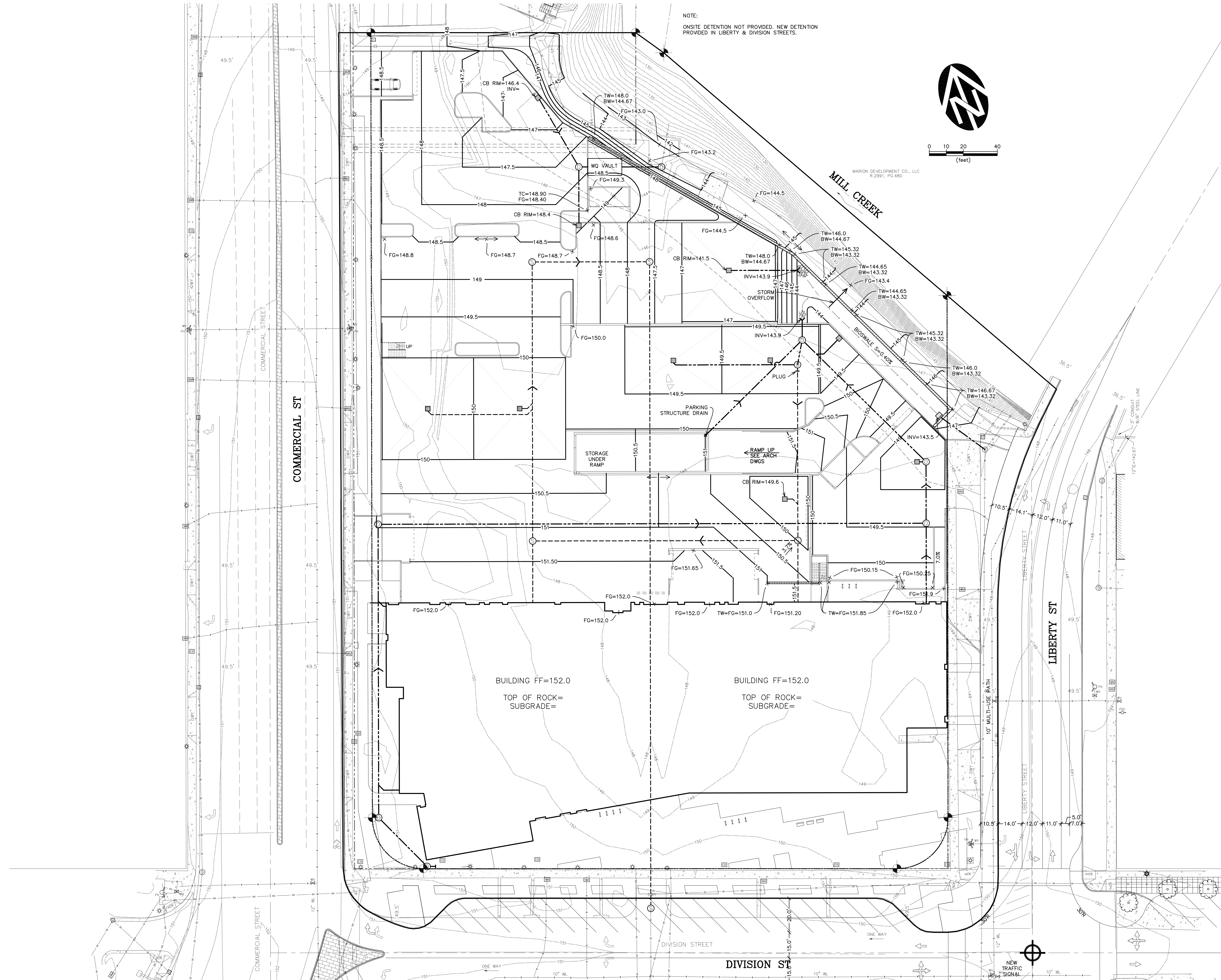
Issue: SITE PLAN REVIEW
Date: 03.26.2018

Rev: Description Date:

EXISTING
CONDITIONS,
EROSION
CONTROL, &
DEMOLITION
PLAN

C2.0

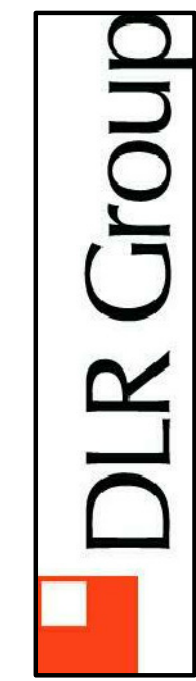
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R:\Dwg\032_ARCHITECTS\Salem Police Facility 2018 - 3037.0000.D\Civil\Plan\C4.0 C&B.dwg (Loyalt11.ue)



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Date: 03.26.2018

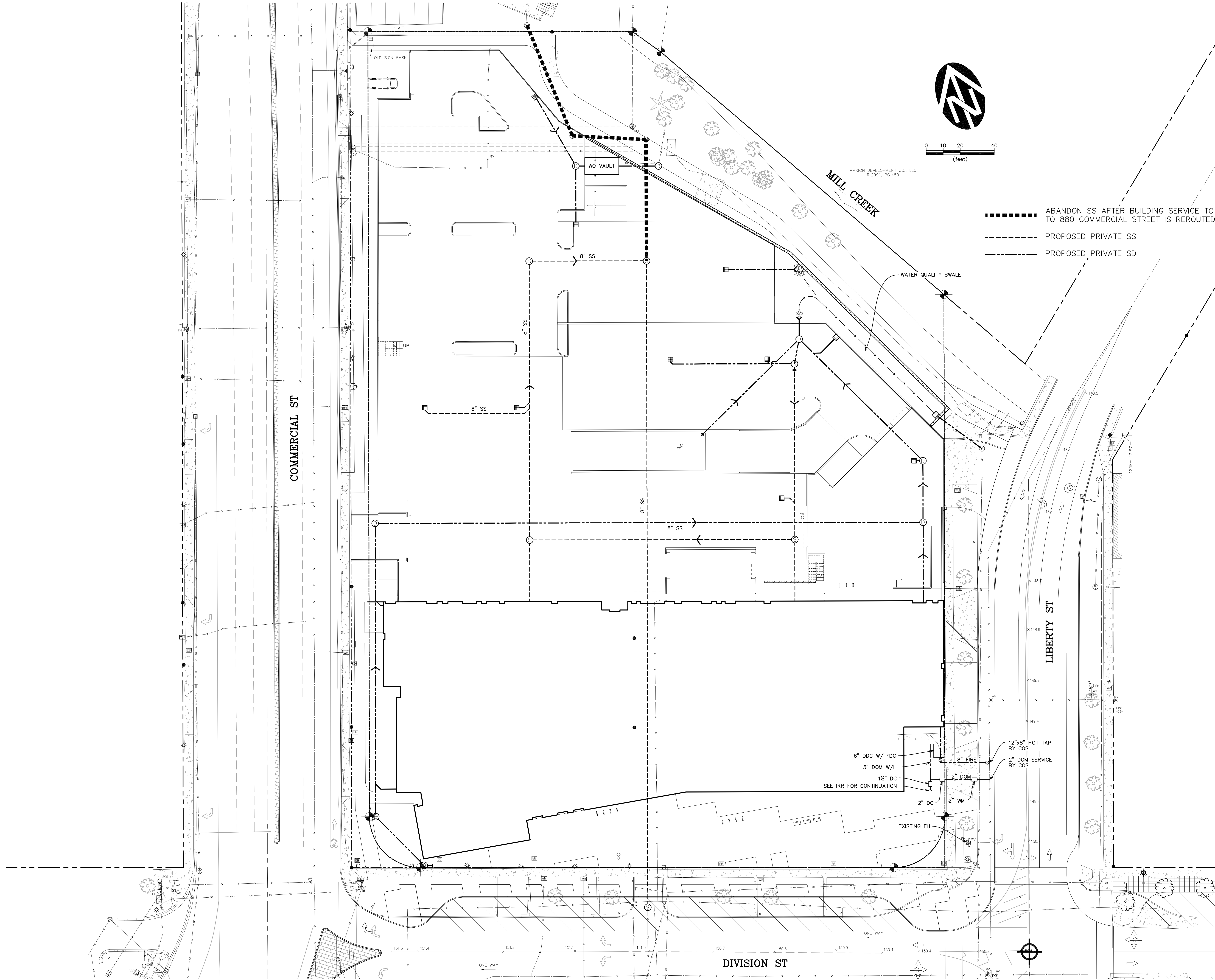
Rev: Description Date:

Rev	Description	Date

GRADING &
DRAINAGE
PLAN

C4.0

6/22/2018 11:47:39 AM
R:\Data\CB2 ARCHITECTS\Salem Police Facility 2018 - 3037.0000.D\Civil\Plan\C5.0 Utilities.dwg (Layout1 tab)



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SALEM POLICE STATION
Salem, Oregon
CLIENT LOGO
Issue: SITE PLAN REVIEW
Date: 03.26.2018
Rev: Description Date:
Overall Utility Plan
C5.0

REVIEW
REGISTERED PROFESSIONAL ENGINEER
STEVEN A. WARD
REVIEW: 6/20/2018

EXTERIOR ELEVATION
COLOR & FINISH LEGEND

- A** MATERIAL: BRICK VENEER
MANUF: MUTUAL MATERIALS
SERIES: NORMAN STRETCHER
FINISH: MISSION AND SMOOTH
COLOR: 1/3 REDONDO GRAY, SMOOTH
1/3 PEWTER, SMOOTH
- B** MATERIAL: BRICK VENEER (STACKED BOND)
MANUF: MUTUAL MATERIALS
SERIES: NORMAN STRETCHER
FINISH: TBD
COLOR: TBD
- C** MATERIAL: COMPOSITE METAL PANEL
MANUF: TBD
SERIES: TBD
FINISH: SILVER (TBD)
COLOR: TBD
- D** MATERIAL: COMPOSITE METAL PANEL
MANUF: TBD
SERIES: TBD
FINISH: BLUE-GRAY (TBD)
COLOR: TBD
- E** MATERIAL: COMPOSITE METAL PANEL
MANUF: TBD
SERIES: TBD
FINISH: DARK GRAY (TBD)
COLOR: TBD
- F** MATERIAL: ALUM. STOREFRONT WINDOW SYSTEM
MANUF: KAWNEER
SERIES: TRIFAB VERSAGLAZE 451
FINISH: KYNAR 500 COATING
COLOR: DARK GRAY TO MATCH ADJACENT
- G** MATERIAL: PRE-MANUFACTURED SUNSHADE
MANUF: KAWNEER
SERIES: KYNAR 500 COATING
FINISH: DARK GRAY TO MATCH ADJACENT
COLOR: TBD
- H** MATERIAL: CURTAINWALL SYSTEM
MANUF: KAWNEER
SERIES: 1600
FINISH: KYNAR 500 COATING
COLOR: TBD
- J** MATERIAL: STEEL COLUMN
MANUF: N/A
SERIES: N/A
FINISH: FIELD PAINTED
COLOR: LIGHT GRAY, TBD
- K** MATERIAL: H.M. DOOR AND FRAME
MANUF: PER SPECIFICATIONS
SERIES: N/A
FINISH: FIELD PAINTED
COLOR: TBD
- L** MATERIAL: O.H. COILING DOOR AND FRAME
MANUF: PER SPECIFICATIONS
SERIES: TBD
FINISH: FACTORY, TBD
COLOR: TBD
- M** MATERIAL: WOOD SOFFIT
MANUF: N/A
SERIES: N/A
FINISH: STAINED
COLOR: TBD
- N** MATERIAL: ELEVATED CONCRETE WALKWAY
MANUF: ...
SERIES: ...
FINISH: ...
COLOR: ...
- O** MATERIAL: METAL PANEL (FLAT OR CORRUGATED)
MANUF: ...
SERIES: ...
FINISH: ...
COLOR: ...
- P** MATERIAL: POLYCARBONATE AWNING OVER
MANUF: STEEL FRAME
SERIES: ...
FINISH: ...
COLOR: ...
- Q** MATERIAL: COMPOSITE METAL PANEL
MANUF: TBD
SERIES: TBD
FINISH: RED (TBD)
COLOR: TBD
- R** MATERIAL: STEEL CARPORT W/ SOLAR ROOF
MANUF: TBD
SERIES: TBD
FINISH: TBD
COLOR: TBD
- S** MATERIAL: STEEL GATE
MANUF: TBD
SERIES: TBD
FINISH: POWDERCOATED
COLOR: TBD
- T** MATERIAL: STEEL FENCE
MANUF: TBD
SERIES: TBD
FINISH: POWDERCOATED
COLOR: TBD

EXTERIOR ELEVATION
GLAZING LEGEND

- 1** TYPE: INSULATED GLASS
MANUF: GUARDIAN SUNGUARD
SERIES: SNX 62/27 ON ULTRAWHITE
U.L. SECURITY LEVEL: N/A
- 2** TYPE: LAMINATED GLASS
MANUF: TBD
SERIES: TBD
U.L. SECURITY LEVEL: N/A
- 3** TYPE: SECURITY GLASS
MANUF: TBD
SERIES: TBD
U.L. SECURITY LEVEL: TBD
LAYER 1: TBD
LAYER 2: TBD
LAYER 3: TBD
- 4** TYPE: SECURITY GLASS
MANUF: TBD
SERIES: TBD
U.L. SECURITY LEVEL: TBD
LAYER 1: TBD
LAYER 2: TBD
LAYER 3: TBD
- 5** MODIFIERS:
P - PROVIDE PRIVACY FILM
T - TEMPERED

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SD
SCHEMATIC
DESIGN

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ARCHITECTS
A LIMITED LIABILITY COMPANY
500 Liberty Street SE, Suite 100 / Salem, Oregon 97301
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SALEM POLICE STATION
-- project address --

CLIENT LOGO

Issue:	100% S	
Date:	04/11/20	
Rev:	Description	Date

OVERALL
EXTERIOR
ELEVATIONS

A3.00



4 PERSPECTIVE VIEW FROM SOUTH-WEST CORNER
N.T.S.



5 PERSPECTIVE VIEW FROM SOUTH-WEST CORNER
N.T.S.



6 PERSPECTIVE VIEW FROM COMMERCIAL ST. SIDEWALK
N.T.S.



1 PERSPECTIVE VIEW FROM SOUTH-WEST CORNER
N.T.S.



2 PERSPECTIVE VIEW FROM SOUTH-EAST CORNER
N.T.S.



3 PERSPECTIVE VIEW FROM NORTH-WEST CORNER
N.T.S.

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CITY OF SALEM

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Salem, Oregon

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Issue: SITE PLAN REVIEW
Date: 06.08.2018
Rev: Description Date:

EXTERIOR PERSPECTIVE VIEWS

A3.50

6/26/2015 10:48:30 AM



July 15, 2018

Bryce Bishop
City of Salem
Community Development Department, Planning Division
555 Liberty Street SE, Room 305
Salem, OR 97501

Re: Consolidated Land Use Application for the
Proposed Salem Police Facility

CB Two Architects with DLR Group and the City of Salem are pleased to submit this Consolidated Land Use Application. Requested approvals consist of a Class 3 Site Plan Review, Class 3 Design Review, Class 2 Adjustments, Class 2 Driveway Approach and a Design Exception for the proposed Salem Police Department at the northeastern corner of Commercial Street NE and Division Street NE.

I. PROJECT DESCRIPTION

The development site is approximately 3.5 acres located at the northeast corner of Commercial Street NE and Division Street NE. The site is bordered on the north by Mill Creek, on the east by Liberty Street NE, on the south by Division Street NE, and to the west by Commercial Street NE. The site, formerly used as an auto dealership is well suited for this proposal due to its size, location, proximity to the downtown and access. The building is oriented towards the southern half of the site towards the downtown core. Public access will be from the Division side of the station off the public plaza. Construction improvements for the new Salem Police facility will consist of: the approximately 104,000 square foot station in three floors; secured parking, and a public plaza along the Division Street frontage.

The architectural style of the building is contemporary, exterior finish materials will be a mix of materials and are anticipated to include: masonry, glass, composite or metal type panels, metal and wood elements. The building is sited to engage the community but still provide the security needed for the uses it will contain. Public parking will be provided along Division Street adjacent to the site.

II. SITE PLAN REVIEW

The site is located within the Central Business Zoning District (CB) SRC 524 with the General Retail/Office Overlay Zone SRC 632 applying as well. Development standards for Site Plan Review are generally found in SRC 524, applicable standards are provided in the following table by category. The table also includes information about the project and how the standards are met. In instances where standards are not met it is noted, and adjustments to the standards will be requested as needed. Adjustment request information is found in section IV of this narrative.

Development Standards (SRC 524.010)

(a) Lot Standards

Requirement	Standard	Limitations & Qualifications	Project Information
Lot Area			
<i>All Uses</i>	<i>None</i>		Site is 151,892 SF or 3.49 acres.
Lot Width			
<i>All Uses</i>	<i>None</i>		Width from Commercial to Liberty is more than 330 feet.
Lot Depth			
<i>All uses</i>	<i>None</i>		The lot is irregularly shaped; the average depth is approximately 375 feet.
Street Frontage			
<i>Uses other than Single Family</i>	<i>Min. 16 ft.</i>		The site has frontage on three public streets, the shortest length is over 275 feet along Division. This standard is exceeded.

(b) Setbacks

Requirement	Standard	Limitations & Qualifications	Project Information
Abutting Street			
Buildings			
<i>All uses</i>	<i>0 ft. or 10 ft.</i>		The proposed building has frontage on three different public streets and is articulated to break up massing. Some portions of the building are at the property line while others are set back 10 feet; still others are less or greater than 10 feet. On Division, where the public entry is, a large public plaza is proposed. A Class 3 Design Review to provide flexibility to the standard and a Class 2 Adjustment are included in this Consolidated Land Use application.
Accessory Structures			
<i>Accessory to all uses other than Single Family</i>	<i>0 ft. to 10 ft.</i>	<i>Not applicable to transit stop shelters</i>	There are no applicable accessory structures abutting the street, therefore this standard does not apply.
Vehicle Use Areas			
<i>All uses</i>	<i>Per SRC 806 Surface parking is 6 ft. to 10 ft. with applicable screening. Parking garages 6 ft. to 10ft. along street frontage.</i>		Surface parking and the open parking garage do not meet setback requirements at all property lines. Class 3 Design Review, which allows greater flexibility, as well as a Class 2 Adjustment are included as part of this Consolidated Land Use application. Both the surface parking and the parking garage are setback from the Commercial Street property line by 5 feet. A landscaped setback approximately 10 feet between parking areas and the public sidewalk on Commercial is also planned.

Interior Front			
Buildings			
<i>All uses</i>	<i>None</i>		Not applicable to this proposal.
Accessory Structures			
<i>Accessory to all uses</i>	<i>None</i>		Not applicable to this proposal.
Vehicle Use Areas			
<i>All uses</i>	<i>Per SRC 806</i>		Not applicable to this proposal.
Interior Side			
Buildings			
<i>All uses</i>	<i>None</i>		Not applicable to this proposal.
Accessory to all uses			
<i>None</i>			Not applicable to this proposal.
Vehicle Use Areas			
<i>All uses</i>	<i>Per SRC 806</i>		Not applicable to this proposal.
Interior Rear			
Buildings			
<i>All uses</i>	<i>None</i>		The interior rear yard building set back to the open parking garage is more than 50 feet to the closest rear property line.
Accessory Structures			
<i>Accessory to all uses</i>	<i>None</i>		The closest accessory structure is more than 125 feet from the interior rear property line.
Vehicle Use Areas			
<i>All uses</i>	<i>Per SRC 806 Perimeter setbacks and landscaping abutting interior rear property lines shall be setback a minim of five feet with a Type A landscape.</i>		The setback to the vehicle use area to the north property line is at least 10 feet. This setback includes landscaping room for a future pedestrian path which is separated from the vehicle use area by an 8 foot high fence or wall. The standard is met.

(c) Lot Coverage; Height

Requirement	Standard	Limitations & Qualifications	Project Information
Lot Coverage			
Buildings and Accessory Structures			
<i>All uses</i>	<i>No Max.</i>		This project has a building lot coverage of approximately 50 percent.
Rear yard Coverage			
Buildings			
<i>All uses</i>	<i>N/A</i>		
Accessory Structures			
<i>Accessory to all uses</i>	<i>No Max.</i>		
Height			
Buildings			
<i>All uses</i>	<i>No Max.</i>		The anticipated building height of the Police facility is approximately 55 feet to the top of the parapet.
Accessory Structures			
<i>Accessory to uses other than residential.</i>	<i>No. Max.</i>		There are two accessory structures proposed, the trash enclosure and the emergency generator enclosure. They will have an approximate wall height of 6 feet.

(d) *Landscaping. Landscaping within the CB zone shall be provided as set forth in this subsection.*

- (1) **Setbacks.** Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC chapter 807.

Project Information: Setbacks will be landscaped. Please refer to Site Plan for landscape locations and percentages.

- (2) *Vehicle use areas. Vehicle use areas shall be landscaped as provided under SRC 806 and 807.*

Project Information: Setbacks to vehicle use areas will be landscaped as required. Please refer to the Site Plan for landscape and screening locations.

*Off-Street Parking, Loading and Driveways (SRC 806)**Sec. 806.015 Amount off-street parking.*

(a) Minimum required off-street parking. Unless otherwise provided under the UDC, off-street parking shall be provided in amounts not less than those set forth in Table 806-1.

Table 806.1. Minimum Off-Street Parking

Use	Minimum number of Spaces Required (1)	Limitations & Qualifications	Project Information
Public Safety			
<i>Emergency services</i>	<i>1 per 500 sq. ft.</i>	<i>Applicable to all emergency services other than ambulance stations.</i>	Secured non-public parking is provided in the secured parking areas, the initial construction provides 208 surface and structured standard parking spaces and 10 large vehicle spaces; with a future parking deck expansion adding 30 standard for a total of 238 standard and 10 large vehicle secure spaces. Plus 20 on-street public spaces on Division Street.

Additional Requirements –

Trees and Shrubs (SRC 86) - Street trees as noted in SRC 86.065(c) "Every property owner whose property abuts upon any street shall plant City trees conforming to the provisions of this chapter as a condition of final occupancy for construction of any building located upon the property. Applications for tree planting shall be made at the time of application for building permits. An inspection shall be made to verify that trees have been planted at the time of the final inspection. In lieu of planting City trees, the applicant may elect to pay a fee for the City to install any required trees as set by resolution of the Council."

Project Information: Street trees will be provided as required. Exact locations and species will be identified on the landscape plans that will be submitted for review and approval during the building permit process.

Solid Waste Service Areas (SRC 800.055) – Solid waste service area design standards shall apply to:

- (1) All new solid waste, recycling, and compostable service areas, where use of a solid waste, recycling, and compostable receptacle of one cubic yard or larger is proposed;*

Project Information: Trash enclosures will meet the standards set forth in SRC 800.055 as required. Please reference the proposed Site Plan for details and location of the solid waste service area.

Natural Resources

Tree Preservation (SRC 808) – The City’s tree preservation ordinance protects Heritage Trees, Significant Trees (including Oregon White Oaks with diameter-at-breast-height of 24” or greater), trees and native vegetation in riparian corridors, and trees on lots and parcels greater than 20,000 square feet.

Project Information: The majority of the site was developed as an auto dealership with very little vegetation in the area that will be redeveloped, and there are no protected species within this area. Applicable approvals will be secured for any trees being removed and street trees will be addressed through the landscape review and approval during the building permit phase.

Wetlands (SRC 809) – According to the Salem-Keizer Local Wetland Inventory (LWI) there are mapped wetlands located adjacent to the subject property which are associated with Mill Creek. Pursuant to the requirements of the City’s wetlands ordinance (SRC Chapter 809), the proposed development will require notice to, and conformance with the applicable requirements of, the Oregon Department of State Lands (DSL).

Project Information: A portion of Mill Creek is adjacent to the north and northeast property lines. We are aware of the applicable requirements and will work with all agencies having authority in this area. Currently there is no plan to develop within the mapped wetland area; all construction activities will be limited to non-wetland areas. This includes the new pedestrian path that is proposed to run along the top of the bank adjacent to the south side of the creek.

Landslide Hazard Susceptibility (SRC 810) – According to the City’s adopted landslide hazard susceptibility maps, the subject property is mapped with areas of 2 landslide hazard susceptibility points. There are 3 activity points associated with building permits for schools, hospitals, and public buildings. Pursuant to the City’s landslide hazard ordinance (SRC Chapter 810) the cumulative total of 5 points indicates a moderate landslide hazard risk and therefore a geologic assessment and possibly a geotechnical report will be required in conjunction with the proposed development.

Project Information: A geotechnical report has been prepared for this project and is included with the application material.

Other Provisions -

Chapter 803 Streets and Right-of-Way Improvements – Alternative Street Standards.

Section 803.065 Alternative Street Standards applies for the future sidewalk along Liberty Street, as it is proposed as a curblin sidewalk which is an alternate design to locating it one foot from the adjacent right-of-way. The Director has the ability to authorize alternatives to the standards, in certain cases if applicable. In this particular case 803.065(a)(3) applies “Where topography or other conditions make the construction that conforms to the standards impossible or undesirable.” It is undesirable for the sidewalk along Liberty to be located away from street for a variety of reasons: first, and most importantly, the proposed use requires an increased need for security keeping a curblin sidewalk provides better separation to the facility; second, we are connecting to an existing curblin sidewalk at a bend in the roadway and the bridge crossing Mill Creek; third, the improved driveway approach is adjacent to the connection at the existing curblin sidewalk, moving the sidewalk away from the curb reduces pedestrian visibility where vehicles are exiting or entering the roadway; lastly, the curblin sidewalk allows for a larger plaza area at the corner of Liberty and Division.

III. DESIGN REVIEW

The site is located within the General Retail/Office Overlay Zone and is subject to Design Review. Due to programing needs this proposed development is designed using the Design Review Guidelines rather than the Design Review Standards, therefore a Class 3 Design Review applies to this proposal.

Design Review Guidelines are met as follows:

SRC 632.025(a) Building Location, Orientation and Design

(1) Building Setbacks

(A) Design Review Guidelines

(i) Building setbacks from the street shall be minimized. Buildings constructed contiguous to the street right-of-way are preferred.

Project Information: The 3.5 acre site has frontage on three public streets, ranging in length from 336 feet along Liberty, 338 along Division and more than 490 feet on Commercial. The building’s front façade is oriented towards Division which is adjacent to the south property line, facing the downtown core. A large public plaza along Division acts as a “front porch” for the community and provides landscaped open space that will be used by the Police department as well as other agencies and for local events. A large community room is located at the corner of Division and Commercial Streets, this space looks out onto the plaza as well as all of the streets that boarder the site. The building’s street facades are articulated to break up its mass and provide visual relief, with the exception of the plaza, building setbacks vary from 0 to 24 feet 6 inches.

As noted the development site has extensive street frontage and the property lines are not adjacent to the street or public sidewalk as with most other properties in the General Retail/Office Overlay Zone. The building is sited to maximize its street presence while still maintaining a desired level of security and minimizing setbacks where possible and appropriate. Due to the length of the facades, building articulation is crucial to reduce perceived mass and maintain a human scale. While it is preferred to construct buildings contiguous to the street right-of-way the code allows for deviation or flexibility through guidelines to allow suitable and desired redevelopment. This proposal meets the intent of the guideline by orienting the building towards downtown and Division Street and promoting the pedestrian experience by providing a public plaza between the public right-of-way and the structure. Additionally, all setbacks will be landscaped which delivers an improved pedestrian experience which is a goal of the overlay zone.

(2) Building Orientation and Design.

(A) Design Review Guidelines.

- (i) Buildings shall create safe, pleasant, and active pedestrian environments.*

Project Information: The building is sited to promote visibility and improve community access. The plaza and covered areas provide a safe, pleasant and active pedestrian environment that is easily accessed from all three streets that front the site. Setback areas will be landscaped to improve the pedestrian experience and pedestrian paths and outdoor use areas will be lit to provide greater safety at night. This proposed design provides pedestrian enhancements that do not currently exist at this location.

- (ii) Weather protection, in the form of awnings or canopies appropriate to the design of the building, shall be provided along the ground floor building facades adjacent to a street in order to create a comfortable and inviting pedestrian environment.*

Project Information: A deep awning that projects from a portion of the Division Street façade, including over the public entry and portions of the plaza, is provided. Awnings along Commercial and Liberty Street are not proposed as the sidewalks are not adjacent to the building or property line therefore it is not practicable or “appropriate to the design of the building” to provide weather protection in these situations.

- (iii) Above grade pedestrian walkway shall not be provided to property located within the Salem Downtown Historic District.*

Project Information: This project is not located within Salem’s Downtown Historic District therefore this restriction does not apply to this development.

IV. CLASS 2 ADJUSTMENTS

As noted previously, adjustments are required for the following: building setbacks; setbacks to parking; opacity restrictions for certain types of fences/walls; access or turn arounds within the secure parking areas, off-street loading; minimum driveway spacing; perimeter landscaping in parking and vehicles use areas; and for the location of some of the required bicycle parking. Based on the criterion set forth in SRC 250.005(d)(2) an application for a Class 2 adjustment shall be granted if all of the following criteria are met:

(A) The purpose underlying the specific development standard proposed for adjustment is:

- (i) Clearly inapplicable to the proposed development; or*
- (ii) Equally or better met by the proposed development.*

Project Information: The design team working with the City of Salem and Salem Police, has endeavored to develop a plan that meets the needs of the user within the parameters of the City's development code. Generally, the overall design does meet or exceed most of the standards prescribed in SRC 524.010 with the exception of: building setbacks along street frontage; parking setbacks at street frontage; off-street loading; fencing or wall height abutting streets; minimum driveway spacing to a minor arterial; and perimeter landscaping within parking and vehicle use areas.

Building Setbacks - Building setback standards found in Table 514-3 state the setbacks for buildings abutting streets is 0 ft. or 10 ft., while this standard may be appropriate for the downtown core's commercial office/retail uses and the historic downtown it is not conducive to all sites and uses that are located within the CB zoning district. Such specific dimensions apply greater limitations on developments with multiple street frontages and increase potential for long monotonous building facades. Strict adherence to these standards also precludes developments from providing appropriately sized public open space that promotes outdoor use, "open spaces in the form of plazas" is a goal of the Comprehensive Plan and the SRC 632 General Retail/Office Overlay Zone. Another goal of the Comprehensive Plan is to include government uses within the Central Business District as a means of offering convenient access by pedestrians, noting that "public buildings should be located within the downtown area". Further, it states, "Major public and semi-public buildings shall be located on or near arterials and have well-planned access and parking."

This proposal seeks to meet the intent of this code section while still addressing security and programing needs of the Salem Police Department. The building is sited so that the front façade faces Division and the downtown core. A public plaza is provided between the building and the public right-of-way with building setbacks for this elevation ranging from just over 5 feet at the western end to approximately 45 feet on the eastern end of the Division Street facade. Along the Liberty Street facade the building setbacks vary from 0 up to 24 feet 6 inches. On the western elevation or the Commercial Street facade the building setbacks are more articulated from 8 feet 8 inches to approximately 21feet 5 inches. Due to the use, a level of security is required

that is not necessary for other allowed uses in this zone. Setbacks are minimized where possible and building articulation is provided on all street facing elevations meeting intent of the underlining zone's standards and the design guidelines of the overlay zone. An active pedestrian environment is provided through the large public plaza with an improved pedestrian experience along Commercial and Liberty with installation of landscaping between the street and the public sidewalk and between public sidewalks and the proposed building.

Parking Setbacks – As noted in the code, parking and vehicle use areas have different setback standards than buildings. In this instance SRC 806 states that setbacks for parking to property line may vary from 10 feet down to 6 feet with berm or 3 foot tall wall. Our development proposal shows the secured structured parking and surface parking areas are setback from the Commercial Street property line by 5 feet. Screening of the secured parking areas is provided via a solid screen "wall" for structured parking at the ground level and portions of the upper parking deck; while the surface parking anticipates utilizing an 8 foot tall wall or combination wall and sight obscuring screen "fence". The setback to the public sidewalk is approximately 10 feet and the setback to the curb and street is 20 feet or greater. The request for leniency is minimal and needed to allow for adequate parking and maneuvering within the secured parking areas. The intent of the standard is to provide a separation between sidewalks and parking areas, this will still be achieved as the provided setback to the sidewalk is 10 feet, landscaped and include and a screen "wall" for both structured and surface parking. Currently there is no separation between the existing sidewalk and the street or the sidewalk and the vehicle use areas, the proposed improvements meet the intent and provide needed separation between pedestrian paths and vehicle use areas increasing pedestrian safety.

Fences and Walls – An adjustment to the opacity restrictions found in SRC 800.050(a)(1)(B)(i) for walls or fences more than 30 inches tall and within 10 feet of a street abutting property line is requested for the walls or fences and gates that surround the secure parking areas adjacent to Commercial and Liberty streets. The desire for secure parking for Police vehicles and staff was identified by the Salem Police Department, in order to achieve this solid fencing or walls up to 8 feet for surface parking areas is proposed in the design. The need for this level of screening conflicts with the above noted standard which states "Fences and walls within a front, side, or rear yard abutting a street shall not exceed a maximum height of eight feet when located within ten feet of a property line abutting a street; provided, however, any portion of the fence or wall above 30 inches in height shall be less than 25 percent opaque when viewed at any angle at a point 25 feet away from the fence or wall. However, this standard does not anticipate the needs of uses which require greater levels of privacy or security allowed in various zoning districts.

This standard also conflicts with SRC 806.035(c)(2)(D) which requires that parking setbacks of less than 10 feet have a wall with a minimum height of 36 inches. In addition parking garages in the CB zone are allowed to be less than 10 feet from the

property line adjacent to a street the walls of these structures typically are over 8 feet tall with no “openness” requirement. In other sections of the code there is a requirement for screening parking areas. It is unclear why there are discrepancies within the code as it relates to wall height and screening; however, it appears that generally screening for parking is desired. This proposal meets the intent of the code and the needs of the user.

Access – Due to design constraints we do not provide turnaround areas within the secure surface parking lot or garage as providing them would cause a loss in required parking as a result an Adjustment to SRC 806.040(a) is needed. The standard was established to assist with access, we believe our request is reasonable as our parking is gated and parking spaces are assigned. Restricting access and providing assigned parking spaces removes access issues that would otherwise exist therefore eliminating the need for a turnaround within the development.

Off-Street Loading Spaces – This project is required to provide two off-street loading spaces per SRC 806.75. Two loading spaces are proposed; however one will be within the public right-of-way adjacent to the loading ramp and on-site loading space. The need to provide a loading space with more direct access to the street is in large part due to the nature of the development and the various types of vehicles and deliveries the Police Department will receive. Maneuvering challenges and potential impacts to vehicular access within the motor court is the chief concern and reason for the request for the street side loading space. The “off-site” loading space is proposed along Liberty between the property line and the public sidewalk and will be accessed from the Liberty Street driveway. As already indicated, one on-site space is proposed adjacent to staff and receiving entry. Allowing the off-site loading will provide safer access and maneuvering for large semi-truck type deliveries.

Minimum Driveway Spacing – The proposed driveway on Liberty will provide access to the facility’s secure parking areas. General access to the secure staff and police vehicle parking is proposed from Liberty Street, using one of three existing driveways on Liberty frontage. This particular driveway is the most northern driveway just south of the Mill Creek Bridge.

Currently all of the driveways along Liberty are non-conforming and do not meet the driveway spacing standard found in SRC 804.035(d); which states “Driveway approaches providing direct access to a major or minor arterial shall be no less than 370 feet from the nearest driveway or street intersection, measured from centerline to centerline.” The existing driveways for this development site and driveways for existing developments further north do not meeting spacing requirements; however it was decided that choosing the one farthest from the intersection, which is Division, will reduce the level of non-conformance and improves safety. Additionally, this driveway will be improved including realignment with the roadway so that it provides improved visibility for both ingress and egress traffic adding greater safety benefit. Based on the

site configuration and location of secure police and staff vehicle parking areas, behind the proposed facility away from the public entry and plaza there is no better option for driveway location. The reduction in degree of non-conformance for the site and improved visibility with realignment meet the criteria for approval of this request.

Perimeter Landscaping in Parking and Vehicle Use Areas – Due to the site configuration and the need for adequate secure parking the proposal is unable to provide the 5 foot perimeter landscaping between the surface parking and the structured parking or between the motor court and structured parking as desired in SRC 806.035(c)(4). The reduction in parking, loading and maneuvering space to provide landscaping or a pedestrian path with no pedestrian connection provides no benefit to the project, nor is there any community value.

The requested adjustments are the minimum needed for this development proposal. Granting their approval will not negatively impact the site, the surrounding area, or the greater community. To the contrary, the proposed development will provide the City of Salem a suitable home for the Salem Police allowing them to serve the community in a more effective and beneficial manner. The proposed development will better meet the needs of the community, the goals of the Comprehensive Plan, and the intent of the development code.

Bicycle parking development standards. Section 806.060(a) indicates that bicycle parking areas “shall be located within a convenient distance of, and shall be clearly visible from, the primary building entrance.” and that be located within “50 feet from the primary building entrance.” We are required to have 21 bicycle parking spaces and will be providing accommodations for 22 bicycles, 16 (public) will be located on the front or Division Street side of the building and 6 within the secure parking area on the north side of the building. It is not practical to locate all 16 public bicycle parking next to the main entry door; we are proposing that half (8) of these spaces be located near the main entry and the other half (8) will be centrally located within the public plaza. Placing bicycle parking at the entry and within the public plaza provides better balance for the building and the plaza users. It also allows for better circulation and accessibility at the public entry and in the plaza area. Both of these locations are easily accessed from the public right-of-way. We believe this design approach better meets the intent of the standard which is to locate bicycle parking so that it is convenient and visible to the destination which may be the plaza rather than the actual Police Station. Programming needs and design constraints within the secure parking area do not provide adequate space for the 6 bike parking spaces to be within 50 feet of the primary staff entrance; however, these spaces are located within 50 of a secondary building entrance and adjacent to the parking garage thereby having access that is convenient to bike parking.

V. CLASS 2 DRIVEWAY APPROACH (SRC 804)

Approval of a Class 2 Driveway Approach is requested as part of this Consolidated Land Use review for modifications to the existing driveway approach on Liberty that is scheduled to remain as part of the redevelopment proposal. This particular driveway approach is one of three that currently exist along the site's Liberty Street boundary and is the northern most one. The other two driveway approaches will be removed as part of the redevelopment. Criteria found in SRC 804.025(d) for a Class 2 driveway approach shall be granted if:

- (1) *The proposed driveway approach meets the standards of this chapter and the Public Works Design Standards;*

Project Information: The improved driveway approach will meet the standards of SRC 804 and the Public Works Design Standards as required save spacing standards which are not physically possible given that the site does not have 370 feet for frontage on Liberty where the access is proposed. An adjustment to this particular standard is requested.

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

Project Information: The driveway approach already exists, based on the proposed plan and conditions in the surrounding area maintaining this location is the best option.

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

Project Information: As noted, there are 3 existing driveway approaches accessing Liberty from this site, two will be removed meeting the criteria.

- (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.*

Project Information: The existing driveway approach is accessed from a minor arterial, which is the lowest classification of the streets adjacent to the property.

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

Project Information: As designed the improved approach will meet the vision clearance standards. Please see the Site Plan for confirmation.

VI. DESIGN EXCEPTIONS

The design team has endeavored to provide a design that meets the programming needs of the Salem Police Department on a redevelopment site that due to its location and configuration make it impracticable to meet all of the design standards that apply to the site; however, the City does have some latitude if design alternatives exist that allow the development proposal to use alternative design practices or design exceptions when greater benefit is realized with the overall design and its ability to meet the intent of the development code. The following

design exceptions through Public Works are being pursued: no property line sidewalks on Commercial or Liberty Streets (Liberty Street sidewalk will be curbline and is included in the development standards and is allowed as an alternate standard), and no onsite stormwater detention will be provided.


VII. CONCLUSION

The application materials submitted in this package and the information and details they provide will allow City of Salem Staff to recommend approval of the request. We believe that the proposal meets the applicable standards or that the requested adjustments are the minimum needed to meet the goals and intent of Salem's Revised Code and the Comprehensive Plan. The proposed design and written narrative confirm that applicable design standards and regulations or appropriate adjustments are met and therefore approval should be recommended.



MEMO

TO: Bryce Bishop, Planner II
Community Development Department

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

DATE: August 3, 2018

SUBJECT: PUBLIC WORKS RECOMMENDATIONS
SITE PLAN REVIEW DR-SPR-ADJ-DAP18-03 (18-108431-RP)
750 COMMERCIAL STREET NE
NEW CITY OF SALEM POLICE FACILITY

PROPOSAL

A Site Plan Review application to construct a new Police Facility in a CB (Central Business District) zone at 750 Commercial Street NE, and including a Class 2 Driveway Approach Permit for the access to Liberty Street NE.

RECOMMENDED CONDITIONS OF APPROVAL

1. Approval of an alternative vision clearance standard, pursuant to SRC 805.015, shall be required for the proposed driveway approach onto Liberty Street NE.
2. Construct sidewalk and install street trees along the frontage of Commercial Street NE. The sidewalk shall be no closer than 8 feet from face of curb with transitions to the curb line at the driveways as shown on the application materials.
3. Construct sidewalk and install street trees along the frontage of Division Street NE. The landscape strip may be paved pursuant to SRC Chapter 79 to allow for the extension of the proposed public plaza in front of the building.
4. Construct sidewalk and install street trees along the frontage of Liberty Street NE. The sidewalk may be constructed as a multi-use path along the curb line as shown on the application materials.
5. Design and construct a storm drainage system for the new and replaced impervious surfaces in compliance with SRC Chapter 71. The flow control facilities required pursuant to SRC 71.090 may be located on the subject property or off-site within 1,000 feet of Mill Creek pursuant to SRC 71.095(b)(4).

FACTS

Streets

1. Commercial Street NE

- a. Standard—This street is designated as a Parkway street in the *Salem Transportation System Plan (TSP)* and is under the jurisdiction of the Oregon Department of Transportation. The standard for this street classification is an 80-foot-wide improvement within a 120-foot-wide right-of-way.
- b. Existing Conditions—This street has an approximate 81-foot improvement within a 99-foot-wide right-of-way abutting the subject property.

2. Division Street NE

- a. Standard—This street is designated as a Minor Arterial street in the *Salem TSP*. The standard for this street classification is a 46-foot-wide improvement within a 72-foot-wide right-of-way.
- b. Existing Conditions—This street has an approximate 40-foot improvement within a 99-foot-wide right-of-way abutting the subject property.

3. Liberty Street NE

- a. Standard—This street is designated as a Minor Arterial street in the *Salem TSP*. The standard for this street classification is a 46-foot-wide improvement within a 72-foot-wide right-of-way.
- b. Existing Conditions—This street has an approximate 60-foot improvement within a 99-foot-wide right-of-way abutting the subject property.

Storm Drainage

1. Existing Conditions

- a. A 10-inch storm main is located in Liberty Street NE.
- b. Mill Creek is aligned with the northern boundary of the subject property.

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 Commercial St NE. Mains of this size generally convey flows of 2,100 to 4,900 gallons per minute.
- c. A 10-inch water line is located in Division Street NE. Mains of this size generally convey flows of 1,500 to 3,400 gallons per minute.
- d. A 12-inch water line is located in Liberty Street NE. Mains of this size generally convey flows of 2,100 to 4,900 gallons per minute.

Sanitary Sewer

1. Existing Conditions

- a. An 8-inch public sewer line is located on the property within the current alleyway. The public main extends through the property and terminates on the neighboring property to the north.

CRITERIA AND FINDINGS

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

Criteria: The application meets all applicable standards of the Unified Development Code (UDC).

Finding: With compliance with the above conditions, the subject property meets all applicable standards of the following chapters of the UDC: 601 – Floodplain, 802 – Public Improvements, 803 – Streets and Right-of-Way Improvements, 804 – Driveway Approaches, 805 – Vision Clearance, 809 – Wetlands, and 810 – Landslides.

Commercial Street NE is under the jurisdiction of the Oregon Department of Transportation. Driveway approaches to Commercial Street NE require ODOT approval. The proposed driveway on Liberty Street NE meets the standards for SRC 804 and *Public Works Design Standards (PWDS)* except for the minimum 370-foot spacing requirement and vision clearance. In order to address the minimum 370-foot driveway spacing requirement, a Class 2 Adjustment has been requested with the application to

allow the proposed driveway to be located less than 370 feet from the nearest street intersections and driveways. In order to address the vision clearance issue, a condition of approval has been recommended to be placed on the approval of the driveway approach permit to ensure compliance with vision clearance requirements.

The applicant submitted a geotechnical engineering report with the site plan review application.

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

Finding: Commercial Street NE, Division Street NE, and Liberty Street NE are fully urbanized with lane widths that meet or exceed the *Salem Transportation System Plan* (TSP) designation. No additional pavement improvements are required along these frontages. Additional right-of-way is required along Commercial Street NE and is proposed to be shown on the re-plat that is currently in progress. No special setback is required along Division Street NE nor Liberty Street NE because the existing rights-of-way exceed the standard for Minor Arterial streets.

The proposed development does not generate sufficient vehicle trips to warrant a TIA. Boundary street improvements are limited to sidewalks and street trees along all frontages as shown on the application materials. Along Commercial Street NE, the sidewalk shall be no closer than 8 feet from face of curb with transitions to the curb line at the driveways in order to provide a buffer between pedestrians and the building. Along Division Street NE, the landscape strip may be paved pursuant to SRC Chapter 79 because the Division Street NE frontage is being designed as a public plaza. Along Liberty Street NE, the sidewalk may be constructed as a multi-use path along the curb line in order to accommodate for a loading zone outside of the gated perimeter.

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

Finding: The driveway access onto Liberty Street NE provides for safe turning movements into and out of the property. Commercial Street NE is under the jurisdiction of the Oregon Department of Transportation and requires separate permits.

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

Finding: The Public Works Department has reviewed the applicant's preliminary utility plan for this site. The water, sewer, and storm infrastructure are available within

surrounding streets / areas and appear to be adequate to serve the proposed development. The applicant shall design and construct all utilities (sewer, water, and storm drainage) according to the *PWDS* and to the satisfaction of the Public Works Director. The applicant is advised that a sewer monitoring manhole may be required, and the trash area shall be designed in compliance with Public Works Standards.

The applicant's engineer submitted a statement demonstrating compliance with Stormwater *PWDS* Appendix 004-E(4)(b) and SRC Chapter 71. The preliminary stormwater design demonstrates the use of green stormwater infrastructure to the maximum extent feasible. The flow control facilities required pursuant to SRC 71.090 may be located on the subject property or off-site within 1,000 feet of Mill Creek pursuant to SRC 71.095(b)(4) because of topographic constraints within the site.

Criteria—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;

Finding—The proposed driveway on Liberty Street NE meets the standards for SRC 804 and *PWDS* except for the minimum 370-foot spacing requirement and vision clearance. In order to address the minimum 370-foot driveway spacing requirement, a Class 2 Adjustment has been requested with the application to allow the proposed driveway to be located less than 370 feet from the nearest street intersections and driveways. In order to address the vision clearance issue, a condition of approval has been recommended to be placed on the approval of the driveway approach permit to ensure compliance with vision clearance requirements.

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

Finding—The written statement provided by the applicant indicates that the proposed driveway approach already exists and that based on the proposed plan and conditions in the surrounding area maintaining this driveway approach location is the best option.

Staff concurs with the findings included in the applicant's written statement. Despite the driveway already existing, there are two conditions applicable to the subject property that prevent the existing driveway approach from fully meeting the requirements of SRC Chapter 804. These two conditions include the limited length of street frontage the property has on Liberty Street NE, which restricts the ability of the site to conform to driveway spacing requirements, and the excess public street right-of-way present adjacent to the subject property on Liberty

Street NE, which creates a situation where the proposed driveway approach does not meet vision clearance requirements.

In order to address the driveway spacing issue, a Class 2 Adjustment has been requested with the application to allow the proposed reconfigured driveway approach onto Liberty Street NE to be located less than 370 feet from the nearest street intersections and driveways.

In order to address the vision clearance issue, a condition of approval has been recommended to be placed on the approval of the driveway approach permit to ensure compliance with vision clearance requirements.

The proposed driveway approach, as recommended to be conditioned and as recommended to be allowed with approval of the requested Class 2 Adjustment, conforms to the applicable standards of SRC Chapter 804 and the *Public Works Design Standards (PWDS)*.

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

Finding—The proposal limits driveway access onto an Arterial street to a single approach.

(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 subject property abuts a Parkway and two Minor Arterials. The proposed driveway to Liberty Street NE is currently located with access to the lowest classification of street abutting the subject property.

(5) Proposed driveway approach meets vision clearance standards;

Finding—The proposed driveway approach onto Liberty Street does not meet the vision clearance requirements of SRC Chapter 805 and *PWDS*. However, the existing right-of-way along the frontage of Liberty Street NE exceeds the requirement for the Minor Arterial classification in the *Salem Transportations System Plan*. If the excess right-of-way were to be vacated along Liberty Street NE, the property line and the vision clearance area would move further to the east, and the proposed 8-foot wall would no longer be located within the vision clearance area. The driveway approach would then conform to vision clearance requirements. Regardless of whether excess right-of-way along Liberty Street NE

is vacated, the depth of the driveway approach onto Liberty Street NE from the inside edge of the sidewalk to the property line is sufficient to meet vision clearance requirements.

In order to ensure the proposed facility meets vision clearance requirements, the following condition of approval is recommended in order to allow the proposed 8-foot wall to remain in its current proposed location while also ensuring the proposed driveway approach is reviewed through the appropriate process to demonstrate that it otherwise meets vision clearance requirements:

Condition 1: Approval of an alternative vision clearance standard, pursuant to SRC 805.015, shall be required for the proposed driveway approach onto Liberty Street NE.

The purpose of an alternative vision clearance standard is to provide a process whereby a driveway approach that does not meet the standards of SRC Chapter 805 (Vision Clearance) can otherwise be approved if it satisfies the purpose of the Vision Clearance chapter and is consistent with recognized traffic engineering standards.

The proposed driveway approach, as recommended to be conditioned with approval of an alternative vision clearance standard, ensures that vision clearance standards for the driveway approach will be met.

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

Finding—The proposed driveway 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 driveway does not appear to have any adverse impacts to the adjacent properties or streets.

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

Finding—The proposed driveway approach is located on a Minor Arterial street and minimizes the impact to adjacent streets and intersections.

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

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

Prepared by: Jennifer Scott, Program Manager
cc: File

Bryce Bishop

From: KNECHT Casey <Casey.KNECHT@odot.state.or.us>
Sent: Wednesday, July 25, 2018 4:44 PM
To: Bryce Bishop
Cc: EARL Robert; KAGAWA Leia
Subject: ODOT Comments for City of Salem DR-SPR-ADJ-DAP18-03 - Salem Police Facility

Bryce,

Thank you for notifying the Oregon Department of Transportation (ODOT) of the consolidated application for the proposed police facility in Salem. This letter is submitted for inclusion in the public hearing record. Please send a copy of the land use decision or notice of any time extensions to ODOTR2PlanMgr@odot.state.or.us

The site abuts Commercial Street, which is the Salem Highway, No. 072 (OR-99EB) and is subject to state laws administered by ODOT. There are currently 4 approaches to the site from Commercial Street. The proposal is calling for the closure of all 4 existing approaches and the construction of 2 new approaches to better align with the site layout. ODOT has no objection to the location of these approaches, and recommends the following conditions of approval related to highway access:

1. The applicant (either the city or designated consultant) shall submit an Application for State Highway Approach for both proposed approaches and receive valid use permits prior to taking occupancy of the building.
2. Gates or barricades at the proposed approaches shall be setback far enough from the street so that the largest design vehicle can wait for the gate/barricade to open without obstructing pedestrian traffic on the sidewalk.
3. Modifications to the existing median traffic separator (specifically, installation of a mountable curb section) will require ODOT Region 2 Traffic approval separate from the approach applications/permits. Until such a point that ODOT can make a decision on proposed modifications to the separator, the proposed approaches will be processed as de facto right-in right-out.

In previous conversations with the City of Salem, transportation improvements to surrounding city streets were being proposed in conjunction with this police facility. Most notably, the City of Salem is proposing to allow two-way operation on Division Street, which will require modifications to the signalized intersection at Commercial/Division. This letter is addressing only the consolidated application for the police facility and not the related transportation improvements to surrounding streets. Modifications to an ODOT signalized intersection require approval from the State Traffic-Roadway Engineer after sufficient analysis of queuing and operations at surrounding intersections. When the City of Salem is ready to move forward with the signal modifications at the intersection of Commercial/Division additional analysis will be required. ADA accessibility at the intersection will also be addressed at that point.

If you have any questions, please let me know.

Casey Knecht, P.E.

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