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503-588-6173*

## DECISION OF THE PLANNING ADMINISTRATOR

**CLASS 3 SITE PLAN REVIEW, URBAN GROWTH PRELIMINARY  
DECLARATION, CLASS 2 DRIVEWAY PERMIT CASE NO.: SPR-UGA-DAP18-22**

**APPLICATION NO. : 18-121492-RP, 18-121496-LD, 18-121498-ZO**

**NOTICE OF DECISION DATE: DECMEBER 20, 2018**

**SUMMARY:** A proposal to construct two new warehouse and distribution buildings and site improvements, including an application to determine the required public facilities necessary to serve the property.

**REQUEST:** Class 3 Site Plan Review, Urban Growth Preliminary Declaration, and Class 2 Driveway Approach Permit two new buildings, 19,400 square feet and 23,184 square feet in size, for warehousing and distribution. For property approximately 4.39 acres in size, zoned IG (General Industrial Park) and located at 1850 Oxford Street SE (Marion County Assessor Map and Tax Lot 073W35BD01800).

**APPLICANT:** Jeff Blater for The Math Learning Center

**LOCATION:** 1850 Oxford St SE

**CRITERIA:** Salem Revised Code (SRC) Chapters 220.005(f)(3), 804.025(d), and 200.025

**FINDINGS:** The findings are in the attached Decision dated January 20, 2018.

**DECISION:** The **Planning Administrator APPROVED** Class 3 Site Plan Review, Urban Growth Preliminary Declaration, and Class 2 Driveway Site Plan Review Case No. SPR-UGA-DAP18-22 subject to the following conditions of approval:

### Site Plan Review Conditions:

**Condition 1:** Dedicate an open channel drainage easement along the portion of the East Fork of Pringle Creek that is adjacent to the subject property. The easement width shall be either the 100-year floodway, 15 feet from the channel centerline, or 10 feet from the top of the recognized bank, whichever is greatest.

**Condition 2:** Construct all new structures a minimum of one foot above the base flood elevation pursuant to SRC 601.045(b)(1).

### Urban Growth Preliminary Declaration Conditions:

**Condition 3:** Construct a 34-foot wide linking street improvement along Oxford Street SE from the east boundary of the subject property to 20th Street SE.

**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

**Condition 4:** Construct a half-street improvement along the entire frontage of Oxford Street SE to Collector street standards as specified in the City Street Design Standards, consistent with the provisions of SRC Chapter 803.

The rights granted by the attached decision for Class 3 Site Plan Review and Urban Growth Preliminary Declaration Case No. SPR-UGA-DAP18-22 must be exercised, or an extension granted, by January 5, 2023 or this approval shall be null and void. The rights granted by the attached decision for a Class 2 Driveway Approach Permit No. SPR-UGA-DAP 14-15 must be exercised or an extension granted by January 5, 2021 or this approval shall be null and void.

Application Deemed Complete:	<u>November 26, 2018</u>
Notice of Decision Mailing Date:	<u>December 20, 2018</u>
Decision Effective Date:	<u>January 5, 2019</u>
State Mandate Date:	<u>March 26, 2019</u>

Case Manager: Olivia Glantz, [OGlantz@cityofsalem.net](mailto:OGlantz@cityofsalem.net), 503.540.2343

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, Friday, January 4, 2019**. 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, 200, and 804. The appeal must be filed in duplicate with the City of Salem Planning Division. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The City Council will review the appeal at a public hearing. After the hearing, the City Council may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

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

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

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503-588-6173***

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

**SITE PLAN REVIEW / URBAN GROWTH AREA DEVELOPMENT / DRIVEWAY APPROACH PERMIT  
CASE NO. SPR-UGA-DAP 18-22  
DECISION**

<b>IN THE MATTER OF APPROVAL OF</b>	<b>)</b>	<b>CLASS 3 SITE PLAN REVIEW, URBAN</b>
<b>SITE PLAN REVIEW / URBAN GROWTH</b>	<b>)</b>	<b>GROWTH PRELIMINARY DECLARATION,</b>
<b>PRELIMINARY DECLARATION / DRIVEWAY</b>	<b>)</b>	<b>AND CLASS 2 DRIVEWAY APPROACH</b>
<b>APPROACH PERMIT</b>	<b>)</b>	<b>PERMIT</b>
<b>CASE NO. SPR-UGA-DAP 18-22</b>	<b>)</b>	
<b>1850 OXFORD STREET SE</b>	<b>)</b>	<b>DECEMBER 20, 2018</b>

In the matter of the application for a Class 3 Site Plan Review, Urban Growth Preliminary Declaration and Class 2 Driveway Approach Permit submitted by Nick Wallace of Carlson Veit Architects PC, on behalf of the applicant and property owner Math Learning Center, members include Jeff Blater, having received and reviewed evidence and the application materials, makes the following findings and adopts the following order as set forth herein.

**REQUEST**

Summary: A proposal to construct two new warehouse and distribution buildings and site improvements, including an application to determine the required public facilities necessary to serve the property.

Request: Class 3 Site Plan Review, Urban Growth Preliminary Declaration and Class 2 Driveway Approach Permit two new buildings, 19,400 square feet and 23,184 square feet in size, for warehousing and distribution. For property approximately 4.39 acres in size, zoned IG (General Industrial Park) and located at 1850 Oxford Street SE (Marion County Assessor Map and Tax Lot 073W35BD01800).

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

**DECISION**

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

**Site Plan Review Conditions:**

- Condition 1:** Dedicate an open channel drainage easement along the portion of the East Fork of Pringle Creek that is adjacent to the subject property. The easement width shall be either the 100-year floodway, 15 feet from the channel centerline, or 10 feet from the top of the recognized bank, whichever is greatest.
- Condition 2:** Construct all new structures a minimum of one foot above the base flood elevation pursuant to SRC 601.045(b)(1).

**Urban Growth Preliminary Declaration Conditions:**

- Condition 3:** Construct a 34-foot wide linking street improvement along Oxford Street SE from the east boundary of the subject property to 20th Street SE.

**Condition 4:** Construct a half-street improvement along the entire frontage of Oxford Street SE to Collector street standards as specified in the City Street Design Standards, consistent with the provisions of SRC Chapter 803.

## **FINDINGS**

### **1. Class 3 Site Plan Review Applicability**

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

Class 3 Site Plan Review is required pursuant to SRC 220.005(b)(3) for the following reasons:

- A) The proposed development requires a Transportation Impact Analysis pursuant to SRC Chapter 803.
- B) The proposed development requires a geologic assessment under SRC Chapter 810.
- C) The proposed development requires deviation from clear and objective development standards of the SRC relating to streets, driveways or vision clearance areas (requirement for a Urban Growth Preliminary Declaration permit and Class 2 Driveway Approach Permit).

### **2. Background**

The Class 3 Site Plan Review, Urban Growth Preliminary Declaration and Driveway Approach applications were submitted on October 24, 2014. The applications were deemed complete for processing on November 26, 2018. The applicant's proposed site plan is included as **Attachment B** and the applicant's written statement is included as **Attachment C**.

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

Notice of the application was sent to the Southeast Salem Neighborhood Association (SESNA) and all property owners of record within 250 feet of the subject property. No comments were received from the SESNA or surrounding property owners.

#### **City Department Comments:**

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

The Building and Safety Division and Fire Department have reviewed the proposal and indicated no concerns.

#### **Public Agency Comments:**

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

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

SRC 220.005(f)(3) states:

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

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

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

Criterion 1:

The application meets all applicable standards of the UDC.

**Finding:** The proposed development includes a two new buildings, 19,400 square feet and 23,184 square feet in size, for warehousing and distribution, vehicle service and storage and associated parking.

**Applicable Development Standards:**

*SRC 554.005 - Uses:*

**Finding:** Warehouse and distribution is a permitted use in the IG zone pursuant to SRC 554, Table 554-1.

*SRC 554.010(a) - Lot Standards:*

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

**Finding:** The subject property has approximately 163-feet of frontage on Oxford Street SE, which is in conformance with the lot standards of the IG zone.

*SRC 554.010(b) - Setbacks:*

**North:** Adjacent to the north is Oxford Street SE. There is a minimum 5 foot setback required for buildings and structures adjacent to a street. A minimum 6-10 foot setback is required for vehicle use areas abutting a street per SRC Chapter 806.

**South:** Adjacent to the south is an IG (General Industrial) zone. In the IG zone, there is no building setback requirement when abutting another IG zone. A minimum 5 foot setback is required for vehicle use areas abutting an IG zone.

**East:** Adjacent to the east is an IG (General Industrial) zone. In the IG zone, there is no building setback requirement when abutting another IG zone. A minimum 5 foot setback is required for vehicle use areas abutting an IG zone.

**West:** Adjacent to the west is an IG (General Industrial) zone. In the IG zone, there is no building setback requirement when abutting another IG zone. A minimum 5 foot setback is required for vehicle use areas abutting an IG zone.

**Finding:** The existing vehicle use area abutting Oxford Street SE does not meet the required setback standards. The proposal is for two additional buildings and vehicle use area over 150-feet from Oxford Street SE. Since the existing parking area will not be altered the setback abutting the street is not applicable to the proposed development. The remaining portion of the applicant's site plan complies with all applicable setback requirements.

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

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

**Finding:** There are three buildings proposed. Both buildings are proposed at approximately 31 feet in height, which meets the standard of the IG zone.

*SRC 552.010(d) - Landscaping:*

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

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

#### **Off-Street Parking, Loading, and Driveways SRC 806**

##### *SRC 806.005 - Off-Street Parking; When Required.*

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

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

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

**Finding:** The proposed off-street parking area is on the same development site as the proposed use that it will serve.

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

- a) *Minimum Required Off-Street Parking.* The minimum number of off-street parking spaces required for a warehousing and distribution use is the greater of 0.75 spaces per employee or 1 space per 10,000 square feet (50,000 square feet to 100,000 square feet).
- b) *Compact Parking.* Up to 75 percent of the minimum off-street parking spaces required under this Chapter may be compact parking spaces.
- c) *Carpool and Vanpool Parking.* New developments with 60 or more required off-street parking spaces shall designate a minimum of 5 percent of their total off-street parking spaces for carpool or vanpool parking.
- d) *Maximum Off-Street Parking.* Unless otherwise provided in the SRC, off-street parking shall not exceed the amounts set forth in Table 806-2.

**Finding:** The applicant indicates there will be 44 employees on-site. The proposed development requires a minimum of 33 off-street parking spaces ( $0.75 \times 44 = 33$ ). The maximum off-street parking allowance for the use is 58 parking spaces ( $33 \times 1.75 = 57.75$ ). The proposed site plan indicates that there are 48 off-street parking spaces, consistent with the minimum and maximum parking requirements. The proposed parking area is consistent with the provisions of SRC 806.015.

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

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

**Finding:** The proposed off-street parking area complies with the location and perimeter setback requirements of SRC 806 and the underlying zone.

- d) *Interior Landscaping.* Interior landscaping shall be required for off-street parking areas 5,000 square feet or greater in size.

**Finding:** The proposed parking area is approximately 19,000 square feet in size and requires a minimum 8 percent of the parking area to include interior parking lot landscaping. Approximately 950 square feet of interior parking lot landscaping area is required ( $19,000 \times .05 = 950$ ). The proposed site plan indicates an interior parking lot landscape area of 950 square feet (approximately 5 percent), which meets the minimum requirement.

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

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

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

**Finding:** The proposed off-street parking area is developed consistent with the additional development standards for grade, surfacing, and drainage. Bumper guards and wheel barriers are not required for the parking area. The parking area striping, marking, signage and lighting shall be consistent with SRC 806. Off-street parking area screening is not required for the proposed parking area.

*SRC 806.040 - Driveway Development Standards.*

- a) *Access.* Off-street parking and vehicle use areas shall have either separate driveways for ingress and egress, a single driveway for ingress and egress with an adequate turnaround that is always available or a loop to the single point of access.  
b) *Location.* Driveways shall not be located within required setbacks.  
c) *Additional Development Standards 806.040(c)-(g).*

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

## **Bicycle Parking**

*SRC 806.045 - General Applicability.*

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

*SRC 806.050 - Proximity of Bicycle Parking to Use or Activity Served.*

Bicycle parking shall be located on the same development site as the use or activity it serves.

*SRC 806.055 - Amount of Bicycle Parking.*

The minimum number of bicycle parking spaces required for warehousing and distribution use is the greater of four spaces or 1 space per 10,000 square feet for the first 50,000 square feet and 1 space per 20,000 square feet for 50,000 to 100,000 square feet.

**Finding:** The floor area for the three buildings is approximately 61,044 square feet, requiring a minimum of 6 bicycle parking spaces. The proposed site plan indicates that 12 bicycle parking spaces will be provided on the site.

*SRC 806.060 - Bicycle Parking Development Standards.*

Unless otherwise provided, bicycle parking areas shall be developed and maintained as set forth in this section.

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

**Finding:** Bicycle parking spaces shall meet the development requirements of SRC 806. Compliance with these provisions will be checked at the time of building permit review and final inspection.

## **Off-Street Loading Areas**

*SRC 806.065 - General Applicability.*

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

*SRC 806.070 - Proximity of Off-Street Loading to Use or Activity Served.*

Off-street loading shall be located on the same development site as the use or activity it serves.

*SRC 806.075 - Amount of off-street loading.*

An warehousing and distribution use with a floor area of 5,000 to 100,000 square feet of floor area shall have a minimum of one off-street loading spaces. The off-street loadings spaces shall have minimum dimension of 12 feet width, 30 feet length and 14 feet of unobstructed vertical clearance.

**Finding:** Four off-street loading spaces, meeting the minimum dimensions, are provided through out the site.

*SRC 806.080 - Off-street Loading Development Standards.*

Off-street loading shall be developed and maintained as set forth in SRC 806.080(a)-(g).

**Finding:** The proposed off-street loading areas meet the development standards of this section.

### **Landscaping**

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

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

**Finding:** The landscaping area for the site is approximately 13,434 square feet, requiring a minimum of 672 plant units. Of the minimum plant units required, at least 40 percent, or 289 of the required plant units, shall be a combination of mature trees, shade trees, evergreen/conifer trees, or ornamental trees. Landscape and irrigation plans will be reviewed for conformance with the requirements of SRC 807 at the time of building permit application review.

### **Natural Resources**

*SRC 601 - Floodplain Overlay Zone:* The subject property is located in an existing, as designated on the Federal Emergency Management Agency floodplain maps. Development within the floodplain requires a floodplain development permit and is subject to the requirements of SRC Chapter 601. The Community Determined Base Flood Elevation for the proposed structures is 178-feet NGVD 1929. All new structures shall be constructed a minimum of one foot above the base flood elevation pursuant to SRC 601.045(b)(1). An Elevation Certificate is required to verify the new structure's flood protection levels. The Elevation Certificates shall be submitted to the City to verify each structure's elevation prior to pouring building foundations and again prior to final occupancy.

**Condition 1:** Construct all new structures a minimum of one foot above the base flood elevation pursuant to SRC 601.045(b)(1).

*SRC 808 - Preservation of Trees and Vegetation:* The City's tree preservation ordinance, under SRC Chapter 808, provides that no person shall remove a significant tree (Oregon White Oak greater than 24 inches in diameter at breast height) (SRC 808.015) or a tree or native vegetation in a riparian corridor (SRC 808.020), unless the removal is excepted under SRC 808.030(a)(2), undertaken pursuant to a permit issued under SRC 808.030(d), undertaken pursuant to a tree conservation plan approved under SRC 808.035, or permitted by a variance granted under SRC 808.045.

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



**SRC 809 - Wetlands:** The Salem-Keizer Local Wetland Inventory (LWI) shows there are wetlands or hydric soil areas mapped on the property. The East Fork of Pringle Creek flows adjacent to the subject property. Open channel drainage easements shall be dedicated along the West Middle Fork Little Pudding River allowing for access and maintenance. The easement widths shall be the 100-year floodway, 15 feet from the channel centerline, or 10 feet from the top of the recognized bank, whichever is greatest (SRC 601.110(a)(4), PWDS –General 1.8(d)). The applicant should contact the Oregon Department of State Lands to verify if permits are required for development or construction in the vicinity of the mapped wetland and hydric soil areas.

**Condition 2:** Dedicate an open channel drainage easement along the portion of the East Fork of Pringle Creek that is adjacent to the subject property. The easement width shall be either the 100-year floodway, 15 feet from the channel centerline, or 10 feet from the top of the recognized bank, whichever is greatest.

**SRC 810 - Landslide Hazards:** A geological assessment or report is required when regulated activity is proposed in a mapped landslide hazard area. The subject property does not contain areas of mapped landslide hazards points. The proposed commercial building construction is assigned 3 activity points. A total of 3 points indicates a low landslide hazard risk, not requiring a geological assessment.

Criterion 2:

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

**Finding:** The existing configuration of Oxford Street SE does not meet current standards for its classification of street per the Salem TSP. As specified in the Urban Growth Preliminary Declaration permit below, the applicant shall construct a 34-foot wide linking street improvement along Oxford Street SE from the west boundary of the subject property to 20th Street SE. In addition, the applicant shall construct a half-street improvement along the entire frontage of 20th Street to Collector street standards as specified in the City Street Design Standards, consistent with the provisions of SRC Chapter 803. Pursuant to SRC 803.040(e)(3), the boundary street improvements are limited to the frontage of the subject property because the area of development exceeds 25 percent of the total development site or complex area.

No special setback is required along Oxford Street SE because the existing right-of-way meets the standard for a Collector street.

Criterion 3:

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

**Finding:** The two driveway accesses onto Oxford Street SE provide for safe turning movements into and out of the property. The Class 2 Driveway Approach permit findings are addressed below.

Criterion 4:

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

**Finding:** The Public Works Department has reviewed the applicant's preliminary utility plan for this site. The water, sewer, and storm infrastructure are available within surrounding streets and appear to be adequate to serve the proposed development in conjunction with the improvements.

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

The applicant 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.

4. Analysis of Urban Growth Area Preliminary Declaration Determination Criteria

SRC 200.025(d) states:

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

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

*SRC 200.055 - Standards for Street Improvements*

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

The nearest adequate linking street is located at the intersection of 20<sup>th</sup> Street SE and Oxford Street SE. As shown on the proposed development plan, the applicant shall construct a 34-foot wide linking street improvement along Oxford Street SE from the east boundary of the subject property to 20th Street SE.

Construct a half-street improvement along the entire frontage of Oxford Street SE to Collector street standards as specified in the City Street Design Standards, consistent with the provisions of SRC Chapter 803. Pursuant to SRC 200.035, the extent of required improvement includes the frontage of northwesterly abutting property. However, pursuant to SRC 803.040(e)(3), the boundary street improvements are limited to the frontage of the subject property because the area of development exceeds 25 percent of the total development site or complex area.

**Condition 3:** Construct a 34-foot wide linking street improvement along Oxford Street SE from the east boundary of the subject property to 20th Street SE.

**Condition 4:** Construct a half-street improvement along the entire frontage of Oxford Street SE to Collector street standards as specified in the City Street Design Standards, consistent with the provisions of SRC Chapter 803.

*SRC 200.060 - Standards for Sewer Improvements*

**Finding:** The proposed development shall be linked to adequate facilities by the construction of sewer lines and pumping stations, which are necessary to connect to such existing sewer facilities (SRC 200.060). The nearest available sewer facility is located in Oxford Street SE and currently services the existing development at the subject property. No linking sewer improvements are required.

*SRC 200.065 - Standards for Storm Drainage Improvements*

**Finding:** The proposed development shall be linked to existing adequate facilities by the construction of storm drain lines, open channels, and detention facilities which are necessary to connect to such existing drainage facilities. The nearest available public storm system is located in Oxford Street SE. No linking storm improvements are required.

*SRC 200.070 - Standards for Water Improvements*

**Finding:** The proposed development shall be linked to adequate facilities by the construction of water distribution lines, reservoirs, and pumping stations that connect to such existing water service facilities (SRC 200.070). The nearest available public water facility is located in Oxford Street SE. No linking water improvements are required.

*SRC 200.075 – Standards for Park Sites*

**Finding:** The applicant shall reserve for dedication prior to development approval that property within the development site that is necessary for an adequate neighborhood park, access to such park, and recreation routes, or similar uninterrupted linkages, based upon the Salem Comprehensive Parks System Master Plan. No park facilities are required because the proposed use is non-residential.

5. Analysis of Class 2 Driveway Approach Permit Approval Criteria

The approval criteria for a Class 2 Driveway Approach Permit are found in SRC 804.025(d). Findings for each proposed driveway are included below.

Criterion 1:

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

**Finding:** The proposed driveways meet the standards for SRC 804 and Public Works Design Standards (PWDS).

Criterion 2:

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

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

Criterion 3:

The number of driveway approaches onto an arterial are minimized.

**Finding:** The proposed driveways are located on a Collector street and are not accessing onto an arterial street.

Criterion 4:

The proposed driveway approach, where possible:

- i. Is shared with an adjacent property; or
- ii. Takes access from the lowest classification of street abutting the property.

**Finding:** The proposed driveway is currently located with access to the lowest classification of street abutting the subject property.

Criterion 5:

The proposed driveway approach meets vision clearance standards.

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

Criterion 6:

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

**Finding:** No evidence has been submitted to indicate that the proposed driveway replacements will create traffic hazards or unsafe turning movements. Additionally, Staff analysis of the proposed driveways indicate that they will provide for safe turning movements into and out of the subject property.

Criterion 7:

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

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

Criterion 8:

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

**Finding:** The proposed driveway approach is located on a Collector street and does not create a significant impact to adjacent streets and intersections.

Criterion 9:

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

**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.

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

**ORDER**

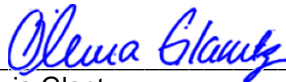
Final approval of Class 3 Site Plan Review, Urban Growth Preliminary Declaration and Class 2 Driveway Approach Permit Case No. 18-22 is hereby **APPROVED** subject to SRC Chapters 200, 220 and 804, the applicable standards of the Salem Revised Code, conformance with the approved site plan included as Attachment B, and the following conditions of approval:

**Site Plan Review Conditions:**

- Condition 1:** Dedicate an open channel drainage easement along the portion of the East Fork of Pringle Creek that is adjacent to the subject property. The easement width shall be either the 100-year floodway, 15 feet from the channel centerline, or 10 feet from the top of the recognized bank, whichever is greatest.
- Condition 2:** Construct all new structures a minimum of one foot above the base flood elevation pursuant to SRC 601.045(b)(1).

**Urban Growth Preliminary Declaration Conditions:**

- Condition 3:** Construct a 34-foot wide linking street improvement along Oxford Street SE from the east boundary of the subject property to 20th Street SE.
- Condition 4:** Construct a half-street improvement along the entire frontage of Oxford Street SE to Collector street standards as specified in the City Street Design Standards, consistent with the provisions of SRC Chapter 803.

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

Prepared by Olivia Glantz, Planner III

Attachments: A. Vicinity Map  
B. Applicant's Site Plan  
C. Applicant's Statement  
D. Public Works Memo

Application Deemed Complete: November 26, 2018  
Notice of Decision Mailing Date: December 20, 2018  
Decision Effective Date: January 5, 2019  
State Mandated Decision Date: March 26, 2018

The rights granted by the attached decision for Class 3 Site Plan Review and Urban Growth Preliminary Declaration Case No. SPR-UGA-DAP18-22 must be exercised, or an extension granted, by January 5, 2023 or this approval shall be null and void. The rights granted by the attached decision for a Class 2 Driveway Approach Permit No. SPR-UGA-DAP 14-15 must be exercised or an extension granted by January 5, 2021 or this approval shall be null and void.

To the extent appeal of this final order is permitted by Oregon law, any such appeal must be to the Hearings Officer for the City of Salem following procedures set forth in SRC 300 for appeals to the Hearing Officer, unless the Salem City Council elects to hear the appeal pursuant to SRC 300.520(f)(3)(A).

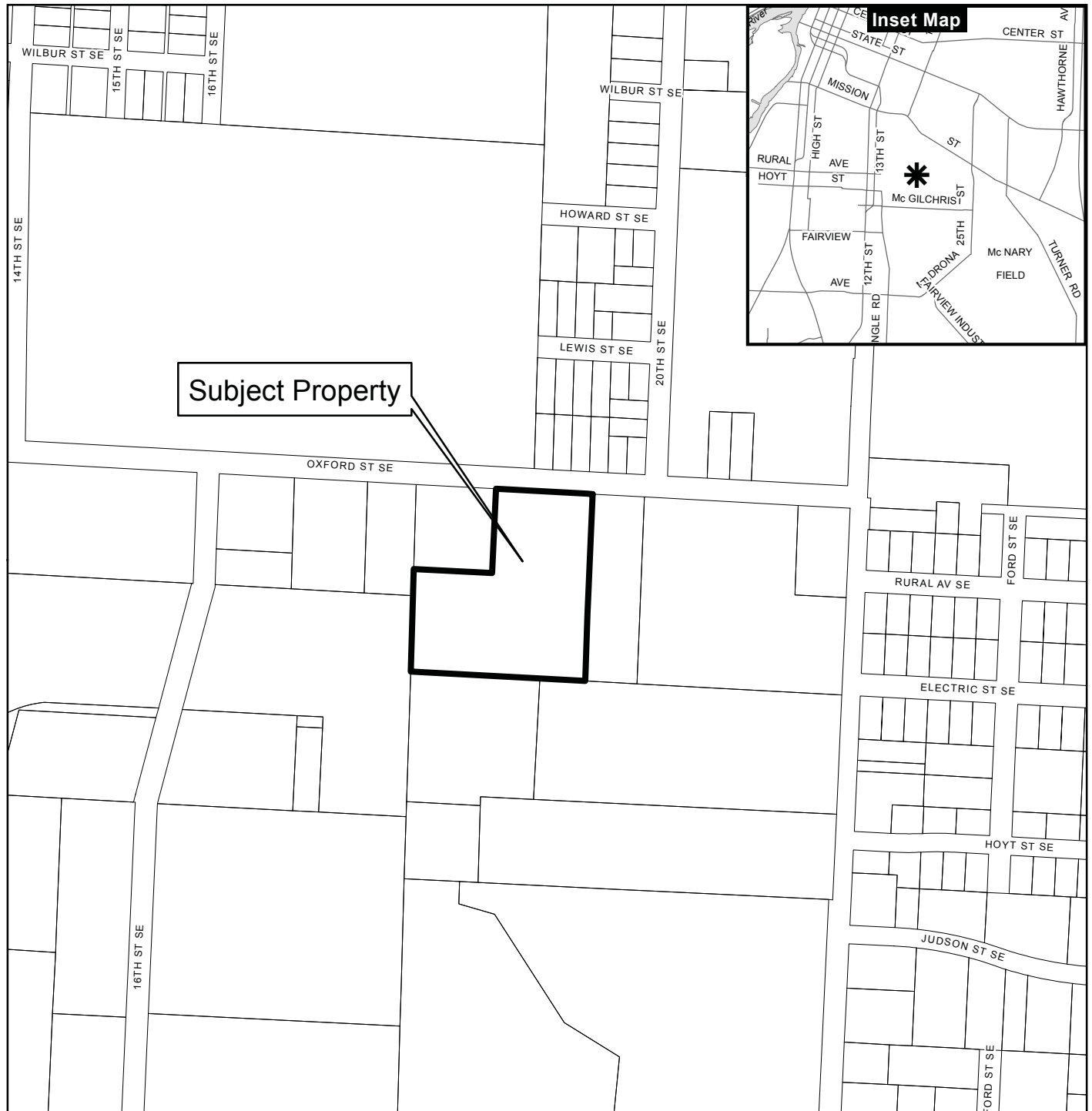
Any person with standing may appeal the decision by filing an appeal with the applicable appeal fee with the City of Salem not later than fifteen (15) days after the date this decision is mailed to persons with standing to appeal.

This decision is final unless written appeal from a person with standing to appeal is received by the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem, OR 97301, not later than **Friday, January 4, 2019, 5:00 PM.** The appeal must state where the decision failed to conform to the applicable criteria for approval. The appeal is to be filed in duplicate with the City of Salem Planning Division. The appeal fee is to be paid at the time of filing. The Hearings Officer for the City of Salem will review the appeal at a public hearing pursuant to SRC 300.1040. After the hearing, the Hearings Officer may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

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

# Vicinity Map

## 1850 Oxford Street SE



### Legend

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

Parks

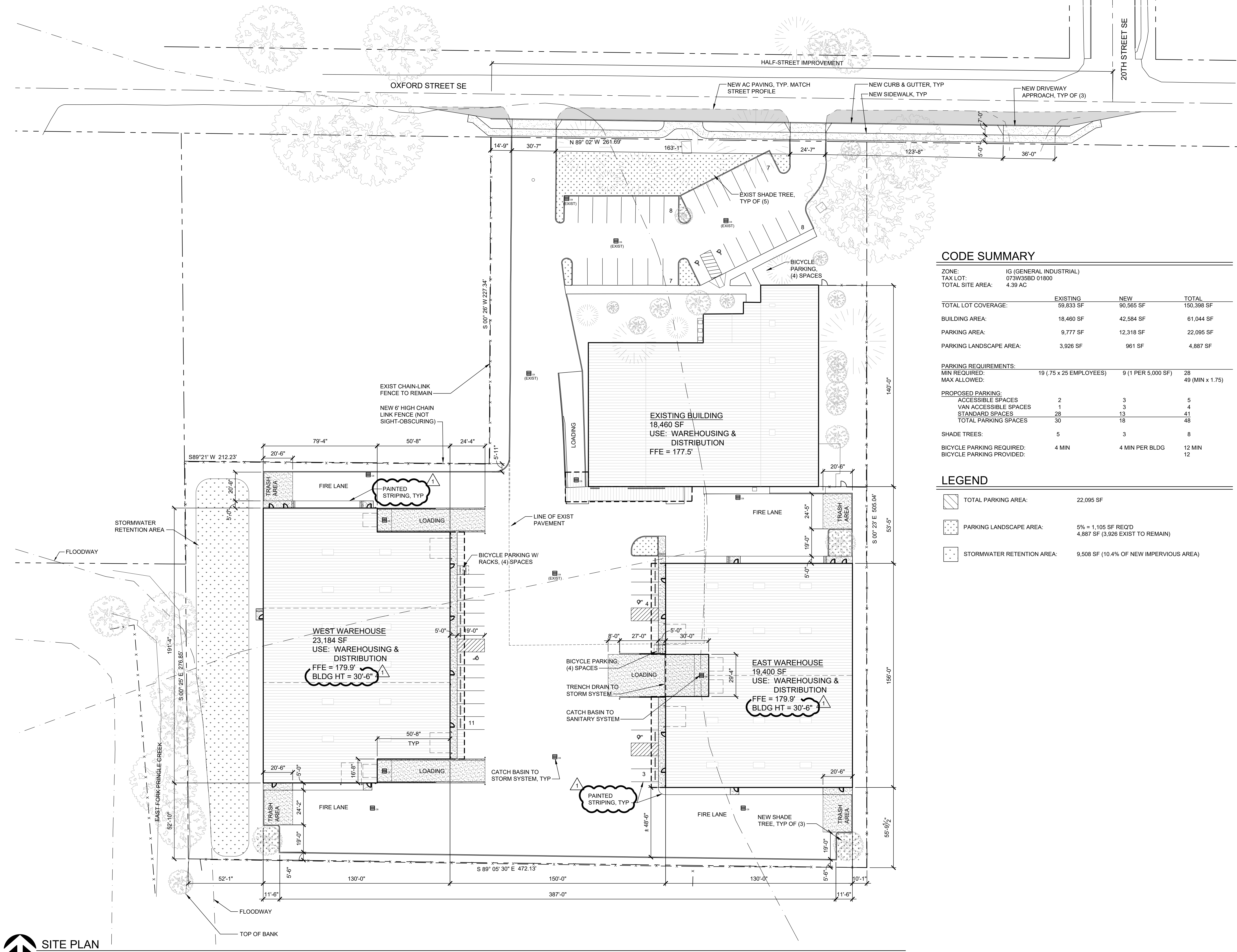
**CITY OF Salem**  
AT YOUR SERVICE  
Community Development Dept.

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0 100 200 400 Feet









October 25, 2018

City of Salem  
Planning Division  
555 Liberty Street SE  
Salem, OR 97301

RE: Site Plan Review Application, UGA Development, and Driveway Approach for Math Learning Center  
1850 Oxford Street SE  
Pre-App Conf. #: 18-116592-PA

Zoning: IG – General Industrial

Proposed Development:

Construction of two warehouse/multi-tenant buildings with associated truck and vehicle circulation paving. The East Warehouse will be occupied by Math Learning Center for warehousing and distribution. The West Warehouse will be constructed without tenants at this time. Occupancy for the West Warehouse will be subject to additional permitting for specific tenant uses.

Off-site improvements include a half-street improvement across the front of the property east to the nearest collector street (20<sup>th</sup> Street SE), and construction of three (3) driveway approaches.

Approval Criteria:

- The application meets all applicable standards of the UDC;  
**Response: The application addresses and complies with all applicable UDC standards.**
- 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;  
**Response: Half street improvements, required for the Urban Growth Area permit, along the front of the property to 20<sup>th</sup> Street SE will mitigate any negative impacts to the transportation system.**
- Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians; and  
**Response: Vehicle and bicycle parking areas are provided in front of each warehouse, with adequate space between the buildings to allow for truck maneuvering.**
- The proposed development will be adequately served with City water, sewer, storm drainage, and other utilities appropriate to the nature of the development.  
**Response: The site has existing utility services available for the proposed development. Storm water will be collected, treated, and disposed of per the new City standards.**

Anticipated Urban Growth Area Requirements (from Pre-Application Conference No. 18-90):

- Construct a 34-foot wide linking street improvement along Oxford Street SE from the west boundary of the subject property to 20<sup>th</sup> Street SE.  
**Response: Design proposes a half-street improvement to 20<sup>th</sup> Street SE in lieu of a street-widening to 34'.**
- Construct a half-street improvement along the entire frontage of Oxford Street SE to Collector street standards as Specified in the City Street Design Standards, consistent with the provision of SRC Chapter 803.  
**Response: Design proposes a half-street improvement along the frontage of Oxford Street SE, which is to continue to 20<sup>th</sup> Street SE.**



Driveway Approaches

- To satisfy the UGA requirements, three (3) driveway approaches must be constructed, two (2) for the subject property and one (1) for the neighboring property to the east.

***Response: Design proposes three (3) new driveway approaches as part of the half-street improvement along the frontage of Oxford Street SE.***

Sincerely,



Nicholas L. Wallace AIA, CSI, LEED Green Associate  
Project Architect

RECEIVED

DEC 19 2018



COMMUNITY DEVELOPMENT

MEMO

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

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

**DATE:** December 19, 2018

**SUBJECT:** PUBLIC WORKS RECOMMENDATIONS  
UGA-SPR- DAP18-22 (18-121492-RP)  
1850 OXFORD STREET SE  
WAREHOUSE AND DISTRIBUTION BUILDINGS

**PROPOSAL**

A Class 3 Site Plan Review, Urban Growth Preliminary Declaration, and Class 2 Driveway Approach Permit for two new buildings, 19,400 square feet and 23,184 square feet in size, for warehousing and distribution. The property is approximately 4.39 acres in size, zoned IG (General Industrial Park) and located at 1850 Oxford Street SE (Marion County Assessor Map and Tax Lot Number 073W35BD01800).

**RECOMMENDED URBAN GROWTH PRELIMINARY DECLARATION CONDITIONS OF APPROVAL**

1. Construct a 34-foot-wide linking street improvement along Oxford Street SE from the east boundary of the subject property to 20th Street SE.
2. Construct a half-street improvement along the entire frontage of Oxford Street SE to Collector street standards as specified in the PWDS, consistent with the provisions of SRC Chapter 803.

**RECOMMENDED SITE PLAN REVIEW CONDITIONS OF APPROVAL**

1. Dedicate an open channel drainage easement along the portion of the East Fork of Pringle Creek that is adjacent to the subject property. The easement width shall be either the 100-year floodway, 15 feet from the channel centerline, or 10 feet from the top of the recognized bank, whichever is greatest.
2. Construct all new structures a minimum of one foot above the base flood elevation pursuant to SRC 601.045(b)(1).

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

3. Design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS. The proposed system shall incorporate existing volumes that are currently being stored in the existing onsite detention facility.

## **FACTS**

### **Streets**

1. Oxford Street SE
  - a. Standard—This street is designated as a Collector street in the Salem TSP. The standard for this street classification is a 34-foot-wide improvement within a 60-foot-wide right-of-way.
  - b. Existing Condition—This street has an approximate 22-foot improvement within a 60-foot-wide right-of-way abutting the subject property.

### **Storm Drainage**

1. Existing Conditions
  - a. A 60-inch storm main is located in Oxford Street SE.
  - b. The subject property is within the Pringle Creek Drainage Basin.

### **Water**

1. Existing Conditions
  - a. The subject property is located within the G-0 water service level.
  - b. An 8-inch water main is located perpendicular to the property boundary along Oxford Street SE. This main serves the property with two 2-inch domestic service lines and one 6-inch fire service line. Mains of this size generally convey flows of 500 to 1,100 gallons per minute.

### **Sanitary Sewer**

Existing Condition—There are two 8-inch sewer mains located in Oxford Street SE. The property is served by an 8-inch sewer line located on the opposite side from the development in Oxford Street SE.

## **CRITERIA AND FINDINGS FOR UGA**

The following Code references indicate the criteria that must be found to exist before an affirmative decision may be made. The applicable criteria and the corresponding findings are as follows:

### **SRC 200.055—Standards for Street Improvements**

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

The nearest adequate linking street is located at the intersection of 20th Street SE and Oxford Street SE. As shown on the proposed development plan, the applicant shall construct a 34-foot-wide linking street improvement along Oxford Street SE from the east boundary of the subject property to 20th Street SE.

Construct a half-street improvement along the entire frontage of Oxford Street SE to Collector street standards as specified in the PWDS, consistent with the provisions of SRC Chapter 803. Pursuant to SRC 200.035, the extent of required improvement includes the frontage of northwesterly abutting property. However, pursuant to SRC 803.040(e)(3), the Boundary street improvements are limited to the frontage of the subject property because the area of development exceeds 25 percent of the total development site or complex area.

### **SRC 200.060—Standards for Sewer Improvements**

**Findings**—The proposed development shall be linked to adequate facilities by the construction of sewer lines and pumping stations, which are necessary to connect to such existing sewer facilities (SRC 200.060). The nearest available sewer facility is located in Oxford Street SE and currently services the existing development at the subject property. No linking sewer improvements are required.

### **SRC 200.065—Standards for Storm Drainage Improvements**

**Findings**—The proposed development shall be linked to existing adequate facilities by the construction of storm drain lines, open channels, and detention facilities, which are necessary to connect to such existing drainage facilities. The nearest available public storm system is located in Oxford Street SE. No linking storm improvements are required.

**SRC 200.070—Standards for Water Improvements**

**Findings**—The proposed development shall be linked to adequate facilities by the construction of water distribution lines, reservoirs, and pumping stations that connect to such existing water service facilities (SRC 200.070). The nearest available public water facility is located in Oxford Street SE. No linking water improvements are required.

**SRC 200.075—Standards for Park Sites**

**Findings**—The applicant shall reserve for dedication prior to development approval that property within the development site that is necessary for an adequate neighborhood park, access to such park, and recreation routes, or similar uninterrupted linkages, based upon the *Salem Comprehensive Parks System Master Plan*. No park facilities are required because the proposed use is non-residential.

**CRITERIA AND FINDINGS FOR SITE PLAN REVIEW**

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

**Criteria: SRC 220.005(f)(3)(A) The application meets all applicable standards of the *Unified Development Code* (UDC)**

**Finding**—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.

An existing floodplain is located on the subject property as designated on the Federal Emergency Management Agency floodplain maps. Development within the floodplain requires a floodplain development permit and is subject to the requirements of SRC Chapter 601. The Community Determined Base Flood Elevation for the proposed structures is 178 feet NGVD 1929. All new structures shall be constructed a minimum of one foot above the base flood elevation pursuant to SRC 601.045(b)(1). An Elevation Certificate is required to verify the new structure's flood protection levels. The Elevation Certificates shall be submitted to the City to verify each structure's elevation prior to pouring building foundations and again prior to final occupancy.

The East Fork of Pringle Creek flows adjacent to the subject property. Open channel drainage easements shall be dedicated along the West Middle Fork Little Pudding River allowing for access and maintenance. The easement widths shall be the 100-year floodway, 15 feet from the channel centerline, or 10 feet from the top of the recognized bank, whichever is greatest (SRC 601.110(a)(4), *PWDS* –General 1.8(d)).

According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are no mapped landslide hazard areas on the subject property.

The Salem-Keizer Local Wetland Inventory shows there are hydric soils mapped on the property. The applicant should contact the Oregon Department of State Lands to verify if permits are required for development or construction in the vicinity of the mapped wetland area(s). Wetland notice was sent to the Oregon Department of State Lands pursuant to SRC 809.025.

**Criteria: SRC 220.005(f)(3)(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 existing configuration of Oxford Street SE does not meet current standards for its classification of street per the Salem TSP. As specified in the UGA, the applicant shall construct a 34-foot-wide linking street improvement along Oxford Street SE from the west boundary of the subject property to 20th Street SE. In addition, the applicant shall construct a half-street improvement along the entire frontage of 20th Street SE to Collector street standards as specified in the PWDS, consistent with the provisions of SRC Chapter 803. Pursuant to SRC 803.040(e)(3), the Boundary street improvements are limited to the frontage of the subject property because the area of development exceeds 25 percent of the total development site or complex area.

No special setback is required along Oxford Street SE because the existing right-of-way meets the standard for a Collector street.

**Criteria: SRC 220.005(f)(3)(C) Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians**

**Finding**—The driveway accesses onto Oxford Street SE provide for safe turning movements into and out of the property. Additional findings related to the driveway approach permit are included below.

**Criteria: SRC 220.005(f)(3)(D) 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 plan for this site. The water, sewer, and storm infrastructures are available within surrounding streets / areas and are adequate to serve the proposed development. The applicant is proposing to serve the property from the existing mains in Oxford Street SE.

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

The applicant 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.

### **DRIVEWAY APPROACH PERMIT – OXFORD STREET SE**

**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 driveways are existing and proposed to be replaced in the same location with widths conforming to SRC Chapter 804. The replaced driveways will meet the standards of SRC Chapter 804 and PWDS.

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

**Finding—**There are no site conditions prohibiting the location of the proposed driveways.

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

**Finding—**The proposed driveways are located on a Collector street.

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

- i. Is shared with an adjacent property; or**
- ii. Takes access from the lowest classification of street abutting the property;**

**Finding—**The proposed driveways take access from the lowest classification of street abutting the subject property.

- (5) Proposed driveway approach meets vision clearance standards;**

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

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

**Finding**—No evidence has been submitted to indicate that the proposed driveway replacements will create traffic hazards or unsafe turning movements. Additionally, our analysis of the proposed driveways indicate that they will provide for safe turning movements into and out of the subject property.

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

**Finding**—There has been no evidence submitted that the existing driveways 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**— By complying with the requirements of SRC Chapter 804 and the PWDS, the applicant has minimized impacts to the functionality of 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: Robin Dalke, Program Manager  
cc: File