

## NOTICE OF DECISION

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



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

## DECISION OF THE PLANNING ADMINISTRATOR

REPLAT CASE NO.: REP19-04

APPLICATION NO.: 19-121048-LD

NOTICE OF DECISION DATE: DECEMBER 20, 2019

**REQUEST:** A replat to reconfigure four existing properties (comprised of Lots 1-5 of Block 70 of the Salem plat) into two lot approximately 1.08 acres and 7,400 square feet in size. The subject property is zoned CR (Retail Commercial) with General Retail/Office Overlay and is located at 685-695 Court Street NE and 299 Cottage Street NE (Marion County Assessor Map and Tax Lot Numbers: 073W27AA / 1400, 073W27AA / 1500 073W27AA / 1600 and 073W27AA / 1800).

**APPLICANT:** CB Two Architects on behalf of the Young Men's Christian Association (YMCA)

**LOCATION:** 685-695 Court St NE and 299 Cottage St NE

**CRITERIA:** Salem Revised Code (SRC) Chapters 205.025(d)

**FINDINGS:** The findings are in the attached Decision dated December 20, 2019.

**DECISION:** The **Planning Administrator APPROVED** Replat REP19-04 subject to the following condition of approval:

**Condition 1:** Prior to final plat or building permits, the site plan review and adjustment applications (SPR-ADJ19-33) shall be approved and effective.

The rights granted by the attached decision must be exercised, or an extension granted, by January 7, 2022 or this approval shall be null and void.

Application Deemed Complete:	<u>December 3, 2019</u>
Notice of Decision Mailing Date:	<u>December 20, 2019</u>
Decision Effective Date:	<u>January 7, 2020</u>
State Mandate Date:	<u>April 1, 2020</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 320, 555 Liberty Street SE, Salem OR 97301, no later than 5:00 p.m., Monday, January 6, 2020. 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) 205. The appeal must be filed in duplicate with the City of Salem Planning Division. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks

the proper fee, the appeal will be rejected. The Planning Commission will review the appeal at a public hearing. After the hearing, the Planning Commission may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

The complete case file, including findings, conclusions and conditions of approval, if any, is available for review at the Planning Division office, Room 320, City Hall, 555 Liberty Street SE, during regular business hours.

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

**BEFORE THE PLANNING ADMINISTRATOR  
OF THE CITY OF SALEM  
(CASE NO. REP19-04)**

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

<b>IN THE MATTER OF THE APPROVAL OF</b>	)	<b>FINDINGS AND ORDER</b>
<b>REPLAT NO. 19-04;</b>	)	
<b>685-695 COURT STREET NE &amp;</b>	)	<b>December 20, 2019</b>
<b>299 COTTAGE STREET NE</b>	)	

**REQUEST**

A replat to reconfigure four existing properties (comprised of Lots 1-5 of Block 70 of the Salem plat) into two lot approximately 1.08 acres and 7,400 square feet in size. The subject property is zoned CR (Retail Commercial) with General Retail/Office Overlay and is located at 685-695 Court Street NE and 299 Cottage Street NE (Marion County Assessor Map and Tax Lot Numbers: 073W27AA / 1400, 073W27AA /1500 073W27AA / 1600 and 073W27AA / 1800).

**DECISION**

The replat is **APPROVED** subject to the applicable standards of the Salem Revised Code, the findings contained herein, and the following condition prior to final plat approval.

**PROCEDURAL FINDINGS**

1. On February 22, 2019, an application for a replat was filed by CB Two Architects LLC on behalf of the applicant, the Young Men's Christian Association (YMCA), in order to consolidate four existing properties located at 685-695 Court Street NE and 299 Cottage Street NE (**Attachment A**).
2. On December 3, 2019, the application was deemed complete for processing and notice was subsequently provided pursuant to Salem Revised Code (SRC) requirements on December 3, 2019. The state-mandated 120-day local decision deadline for the application is April 1, 2020.

**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 CR (Retail Commercial), with General Retail/Office Overlay. The zoning of surrounding properties is as follows:

- North: Across Chemeketa Street NE, CR (Retail Commercial) with General Retail/Office Overlay;
- South: Across Court Street NE, PS (Public Service) with General Retail/Office Overlay;
- East: Across Cottage Street NE, CR (Retail Commercial) with General Retail/Office Overlay;
- West: Across alley, CB (Central Business District) with General Retail/Office Overlay.

## **3. Proposal**

The proposed replat seeks to reconfigure four existing properties (comprised of Lots 1-5 of Block 70 of the Salem plat) into two lot approximately 1.08 acres and 7,400 square feet in size in order to accommodate development of the YMCA proposed new development and retain the existing location of the IKE Box.

## **4. Existing Conditions**

As previously discussed, the subject property consists of seven tax lots (Marion County Assessor Map and Tax Lot Numbers: 073W27AA / 1400, 073W27AA /1500 073W27AA / 1600 and 073W27AA / 1800) and totals approximately 1.24 acres in size. The proposal will create two lot approximately 1.08 acres and 7,400 square feet in size.

The subject property has frontage on three streets, Court Street NE to the south, Cottage Street NE to the east, and Chemeketa Street NE to the north; and abuts an alley to the west. Court Street is designated as a Major Arterial under the Salem Transportation System Plan (TSP) and Chemeketa Street is designated as a Collector and Cottage Street is designated as local street.

The subject property also includes several existing buildings and off-street parking areas located throughout the site that are all proposed to be removed, with the exception of the existing retail building (Ike Box) located on the northern portion of the site.

Under the proposed future redevelopment of the property, the new YMCA building will be located on the southern portion of the site with a parking area to the north on the 1.08-acre property and the existing retail building (Ike Box) will remain on the northern 7,400 square foot property.

## **5. Applicant's Plans and Statement**

Land use applications must include a 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 tentative plan of the proposed replat submitted by the

applicant showing the size and configuration of the proposed consolidated lot is included as **Attachment B**.

The written statement provided by the applicant addressing the applicable approval criteria associated with the proposal is included as **Attachment C**.

**6. Neighborhood Association Comments**

The subject property is located within the boundaries of the Central Area Neighborhood Development Organization (CANDO) neighborhood association. No comments were received from the neighborhood association.

**7. Public Comments**

Notice of the proposal was mailed to property owners and tenants within 250 feet of the subject property. One comment with no objection was received.

**8. City Department Comments**

A. The Salem Fire Department and the Building and Safety Division reviewed the proposal and indicated they have no objections to it.

B. The City of Salem Public Works Department, Development Services Section, reviewed the proposal and provided comments and recommendations for plat approval. The comments provided by the Public Works Department are included as **Attachment D**.

**9. Public Agency & Private Service Provider Comments**

Notice of the proposal was provided to public agencies and to public & private service providers. One comment was received from Portland General Electric indicating that Portland General Electric will provide electric service to the development according to the current tariff and service rates.

**10. REPLAT APPROVAL CRITERIA**

Pursuant to SRC 205.025(a), a replat is required to reconfigure lots or parcels and public easements in a recorded partition or subdivision plat, to increase or decrease the number of lots in a subdivision, or where multiple property line adjustments require a replat.

SRC 205.025(d) establishes the approval criteria which must be met in order for a replat to be approved. The following subsections are organized with approval criteria shown in ***bold italic***, followed by findings evaluating the proposal's conformance with the criteria. Lack of compliance with the following criteria is grounds for denial of the replat, or for the issuance of certain conditions to ensure the criteria are met.

- (1) The tentative replat does not propose to vacate any public street or road, or any recorded covenants or restrictions.***

**Finding:** The purpose of the proposed replat is to reconfigure four existing properties which make up the subject property (comprised of Lots 1-5 of Block 70 of the Salem plat) into two lot approximately 1.08 acres and 7,400 square feet in size in order to allow for the future development of the YMCA building and the existing Ike Box building.

The proposed replat, as conditioned, meets this approval criterion.

- (2) ***The tentative replat will not create non-conforming units of land or non-conforming development, or increase the degree of non-conformity in existing units of land or development.***

**Finding:** The majority of the subject property is zoned CR (Retail Commercial) with General Retail/Office Overlay.

The minimum lot size and dimension requirements applicable to the subject property based on its existing zoning are included under SRC 522.010(a) (*CR Zone lot standards*). There are no minimum lot size or dimension requirements established under the General Retail/Office Overlay.

A summary of the applicable minimum lot size and dimension requirements is provided in the following table:

Lot Size & Dimension Standards		
	CR Zone	General Retail/Office Overlay Zone
Lot Area	None	None
Lot Width	None	None
Lot Depth	None	None
Street Frontage	Min. 16 ft.	None

As shown on the replat tentative plan (**Attachment B**), the consolidated lot resulting from the proposed replat is approximately 1.08 acres and 7,400 square feet with lot dimensions of approximately 60 feet by 120 feet and 330 feet by 166 feet. The reconfiguration and consolidated lots exceed the minimum lot area, dimension, and street frontage requirements of the CR zone and does not result in the creation of a non-conforming unit of land.

Setbacks and lot coverage requirements applicable to the subject property based on its existing zoning are included under SRC 522.010(b) and (c) (*CR Zone setbacks and lot coverage standards*). The General Retail/Office Overlay Zone also includes

additional setback requirements under the overlay zone's design review standards and corresponding design review guidelines.

As shown on the existing conditions plan (**Attachment E**), there are several existing structures located throughout the subject property. The future proposed redevelopment of the site will result in the removal of all these existing structures with the exception of the Ike Box building located on the northern property which has applied for an adjustment to reduce the parking, landscaping, bike parking and loading space requirements (SPR-ADJ19-33). The application is being reviewed concurrently and therefore approval is required prior to relocating the property lines.

Because the proposed replat results in the reconfiguration of four existing smaller properties which currently make up the site into two larger lots, setbacks to existing structures will generally be increased and building lot coverage will correspondingly be decreased. The exiting Ike Box structure will remain with the parking, landscaping and loading spaces being eliminated and bike parking being reduced, which is being reviewed by SPR-ADJ19-33. The setback to the new property line is approximately 5-feet which meets the setback of the CR zone, which the building meets. To ensure all development standards are met the following conditions applies:

**Condition 1:** Prior to final plat or building permits, the site plan review and adjustment applications (SPR-ADJ19-33) shall be approved and effective.

The proposed replat will not result in either the creation of non-conforming units of land or non-conforming development and will not increase the degree of non-conformity in existing units of land or development as conditioned. This approval criterion is met.

**(3) *The tentative replat complies with the standards of this Chapter and with all applicable provisions of the UDC.***

**Finding:** The Unified Development Code (UDC) implements the Salem Area Comprehensive Plan land use goals and governs the development of property within the City limits. The proposed replat meets all applicable provisions of the UDC as detailed below.

SRC Chapter 200 (Urban Growth Management): SRC Chapter 200 (Urban Growth Management) requires issuance of an Urban Growth Preliminary Declaration prior to development of property located outside the City's Urban Service Area. Because the subject property is located within the City's Urban Service Area, and because the proposal is for a replat, an Urban Growth Preliminary Declaration is not required for the development pursuant to SRC 200.020.

SRC Chapter 205 (Land Division and Reconfiguration): The intent of SRC Chapter 205 is to provide for orderly development through the application of appropriate standards and regulations. The replat process reviews development for compliance

with City standards and requirements contained in the UDC, the Salem Transportation System Plan, and the Water, Sewer, and Storm Drain System Master Plans. The applicant has met all application submittal requirements necessary for adequate review of the proposed replat. The proposed replat conforms to the applicable requirements of SRC Chapter 205.

SRC Chapter 522 (Retail Commercial), & SRC Chapter 632 (General Retail/Office Overlay Zone): The subject property is zoned CR (Retail Commercial) and is located within the General Retail/Office Overlay Zone.

The proposed replat seeks to consolidate the seven existing properties which currently make up the subject property into two larger lots approximately 1.08 acres and 7,400 square feet with lot dimensions of approximately 60 feet by 120 feet and 330 feet by 166 feet.

The lot area and dimensions of the proposed replatted lot exceed the minimum lot size, dimension, and street frontage requirements of both the CB and the CO zones. In addition, the setbacks and lot coverages for the existing buildings on the site will not be made more non-conforming as a result of the proposed replat.

The proposed replatted lots are of a size and configuration suitable to allow for its future redevelopment in conformance with the requirements of the CR zones, as well as the General Retail/Office Overlay Zone.

Any future development on the lot will be reviewed for conformance with the applicable zone and overlay zone development standards at the time of site plan review and design review.

City Infrastructure Standards: The Public Works Department reviewed the proposal for compliance with the City's public facility plans pertaining to the provision of streets, water, sewer, and storm drainage facilities and determined that such facilities are available and appear to be adequate to serve future development of the lot in conformance with the requirements of SRC Chapter 802 (Public Improvements) and SRC Chapter 803 (Streets and Right-of-Way Improvements). A summary of existing improvements are as follows:

▪ Water

- ❖ The subject property is located within the G-0 water service level.
- ❖ A 12-inch water main is located in Court Street NE. Mains of this size generally convey flows of 2,100 to 4,900 gallons per minute.
- ❖ A 10-inch water main is located in Cottage Street NE. Mains of this size generally convey flows of 1,500 to 3,400 gallons per minute.
- ❖ An 8-inch water main is located in Chemeketa Street NE. Mains of this size generally convey flows of 900 to 2,200 gallons per minute.



▪ Sewer

- ❖ A 10-inch sewer main is located in Court Street NE.
- ❖ A 48-inch sewer main is located in Cottage Street NE.
- ❖ A 24-inch sewer main is located in Chemeketa Street NE.
- ❖ An 8-inch sewer main is located in the alley abutting the western boundary of the subject property.

▪ Storm Drainage

- ❖ A 12-inch storm main is located in Cottage Street NE.
- ❖ An 8-inch storm main is located near the southeast corner of the subject property.
- ❖ A 10-inch storm main is located in the alley abutting the western boundary of the subject property.

▪ Streets

❖ *Cottage Street NE*

Cottage Street is designated as a Local street in the Salem Transportation System Plan (TSP). The standard for this classification of street is an 30-foot wide improvement within a 60-foot-wide right-of-way. The portion of Cottage Street NE abutting the subject property has an existing approximate 58-foot-wide improvement within a 99-foot-wide right-of-way.

❖ *Chemeketa Street NE*

Chemeketa Street is designated as a Collector street in the Salem TSP. The standard for this classification of street is a 34-foot-wide improvement within a 60-foot-wide right-of-way. The portion of Chemeketa Street abutting the subject property has an existing approximate 58-foot-wide improvement within a 99-foot-wide right-of-way.

❖ *Court Street NE*

Court Street is designated as a Major Arterial street in the Salem TSP. The standard for this classification of street is a 68-foot-wide improvement within a 96-foot-wide right-of-way. The portion of Court Street abutting the subject property has an existing approximate 58-foot-wide improvement within a 99-foot-wide right-of-way.

As identified in the comments provided from the Public Works Department (**Attachment D**), Court Street is required to have a right-of-way width of 99 feet, and currently only has a right-of-way width of 99 feet adjacent to the subject property, exceeding the standard. The improvement width of Court Street along the frontage of the subject property therefore does not conform to

the minimum required right-of-way width standards identified under SRC 803.025(a) and the Salem TSP. However, pursuant to SRC 803.040(a) (*Boundary Streets*), dedication of right-of-way and construction of required boundary street improvements along the frontage of a property are required for subdivisions, partitions, planned unit developments, manufactured dwelling parks, and the construction or enlargement of any building or structure requiring a building permit; but are not required for replat applications. As such, no right-of-way dedication or improvements are required in conjunction with the proposed replat.

❖ *Alley*

The standard for this classification of street is a 10 to 20-foot-wide right of way with improvement detailed in Public Works Standard Plan Nos. 304 and 305. The existing alley abutting the subject property has an existing approximate 16.5-foot-wide improvement.

SRC Chapter 808 (Preservation of Trees and 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. In addition, a tree conservation plan is required in conjunction with any development proposal involving the creation of lots or parcels to be used for the construction of single family or duplex dwelling units, if the development proposal will result in the removal of trees.

As shown on the applicant's existing conditions plan (**Attachment E**), there are existing trees on the subject property. Because the proposed replat does not involve the creation of a lot to be used for the construction of a single family dwelling unit or duplex, a tree conservation plan is not required in conjunction with the proposed replat. However, any removal of trees from the property to accommodate the future development of the site must still comply with the requirements of the City's tree preservation ordinance (SRC Chapter 808).

SRC Chapter 809 (Wetlands): Grading and construction activities within jurisdictional waters of the state are regulated by the Oregon Department of State Lands (DSL) and U.S. Army Corps of Engineers. State and federal wetlands laws are also administered by DSL and the Army Corps of Engineers, 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 waterways. The subject property also does not contain any hydric or wetlands-type soils. As such, no impacts to wetlands or required mitigation measures are required in conjunction with the future development of the subject property.

SRC Chapter 810 (Landslide Hazards): The topography of the subject property is flat. According to the City's adopted landslide hazard susceptibility maps, the subject property does not contain any areas of mapped landslide hazard susceptibility points. Pursuant to the City's landslide hazard ordinance (SRC Chapter 810), a geologic assessment is therefore not required in conjunction with the future development of the subject property.

As identified above, the proposed replat complies with the standards of SRC Chapter 205 and with all applicable provisions of the UDC. This approval criterion is met.

**(4) *The tentative replat complies with all applicable provisions of ORS Chapter 92.***

ORS 92.185 establishes standards for replatting, including standards for reconfiguration of lots or parcels and public easements, vacation, notice, and utility easements. The proposed replat meets all applicable provisions of ORS 92.185 as detailed below:

ORS 92.185(1): *A replat, as defined in ORS 92.010, shall only apply to a recorded plat.*

**Finding:** The land subject to the proposed replat consists of properties comprised of Lots 1-5 of Block 70 of the Salem plat. The proposal complies with this requirement.

ORS 92.185(2): *Notice shall be provided as described in ORS 92.225(4) when the replat is replatting all of an undeveloped subdivision as defined in ORS 92.225.*

**Finding:** Streets and infrastructure have been constructed to serve the platted subdivision lots subject to the proposed replat. The existing subdivision is therefore defined as a "developed" subdivision pursuant to ORS 92.225 and this requirement is not applicable to the proposal.

ORS 92.185(3): *Notice, consistent with the governing body of a city or county approval of a tentative plan of a subdivision plat, shall be provided by the governing body to the owners of property contiguous to the proposed replat.*

**Finding:** As described in the procedural findings included in this decision, notice was provided to owners of property, including any contiguous property, located within 250 feet of the subject property. The proposal therefore satisfies this requirement.

ORS 92.185(4): *When a utility easement is proposed to be realigned, reduced in width or omitted by a replat, all affected utility companies or public agencies shall be notified, consistent with a governing body's notice to owners of the property contiguous to the proposed plat. Any utility company that desires to maintain an easement subject to vacation under this section must notify the governing body within 14 days of the mailing or other service of the notice.*

**Finding:** In addition to providing notice to owners of property located within 250 feet of the subject property, notice of the proposed replat was also provided to public and private utilities serving the subject property. The proposal therefore satisfies this requirement.

ORS 92.185(5): *A replat shall not serve to vacate any public street or road.*

**Finding:** The proposed replat does not vacate any public street or road. The proposal therefore satisfies this requirement.

ORS 92.185(6): *A replat shall comply with all subdivision provisions of this chapter and all applicable ordinances and regulations adopted under this chapter.*

**Finding:** Staff has reviewed the proposed replat for compliance with the applicable provisions of the ORS Chapter 92 and the Salem Revised Code. As described in the findings in this decision regarding criterion SRC 205.025(d), the proposed replat complies with all applicable subdivision standards, including lot size and dimensions, access and circulation, and availability of public and private utility infrastructure. The proposal therefore satisfies this requirement. The proposal complies with the requirements of ORS Chapter 92.

**(5) *The tentative replat is not prohibited by any existing City land use approval or previous condition of approval, affecting one or both of the units of land.***

**Finding:** The property subject to the proposed replat is subject to a prior adjustment approval to allow the reduction of parking for a Teen Center to locate within an existing structure, which is now known as the Ike Box (Case No. ADJ99-16). There are no previous conditions of the approval which would affect the replat proposal.

Neither of these prior decisions affecting the subject property, nor any of their associated conditions of approval, prohibit the proposed replat. This approval criterion is met.

**(6) *The tentative replat does not adversely affect the availability of, or access to, City infrastructure or public or private utilities or streets.***

**Finding:** The Public Works Department reviewed the proposal and indicated in summary, as specified in **Attachment D**, that water, sewer, and storm drainage facilities are available and appear to be adequate to serve the subject property in conformance with the requirements of SRC Chapter 802 (Public Improvements). The proposed replat meets this criterion.

## **11. Conclusion**

Based upon review of SRC 205.025(d), the findings contained under section 10 above, the comments described, and subject to the condition of approval adopted herein, the tentative replat complies with the requirements for an affirmative decision.

### IT IS HEREBY ORDERED

The request to consolidate seven existing properties (comprised of Lots 1-5 of Block 70 of the Salem plat) into two lot approximately 1.08 acres and 7,400 square feet in size. The subject property is zoned CR (Retail Commercial) with General Retail/Office Overlay and is located at 685-695 Court Street NE and 299 Cottage Street NE (Marion County Assessor Map and Tax Lot Numbers: 073W27AA / 1400, 073W27AA / 1500 073W27AA / 1600 and 073W27AA / 1800), is hereby **APPROVED** subject to SRC Chapters 205, 522, and 632, and the following condition prior to final plat approval, unless otherwise indicated:

**Condition 1:** Prior to final plat or building permits, the site plan review and adjustment applications (SPR-ADJ19-33) shall be approved and effective.

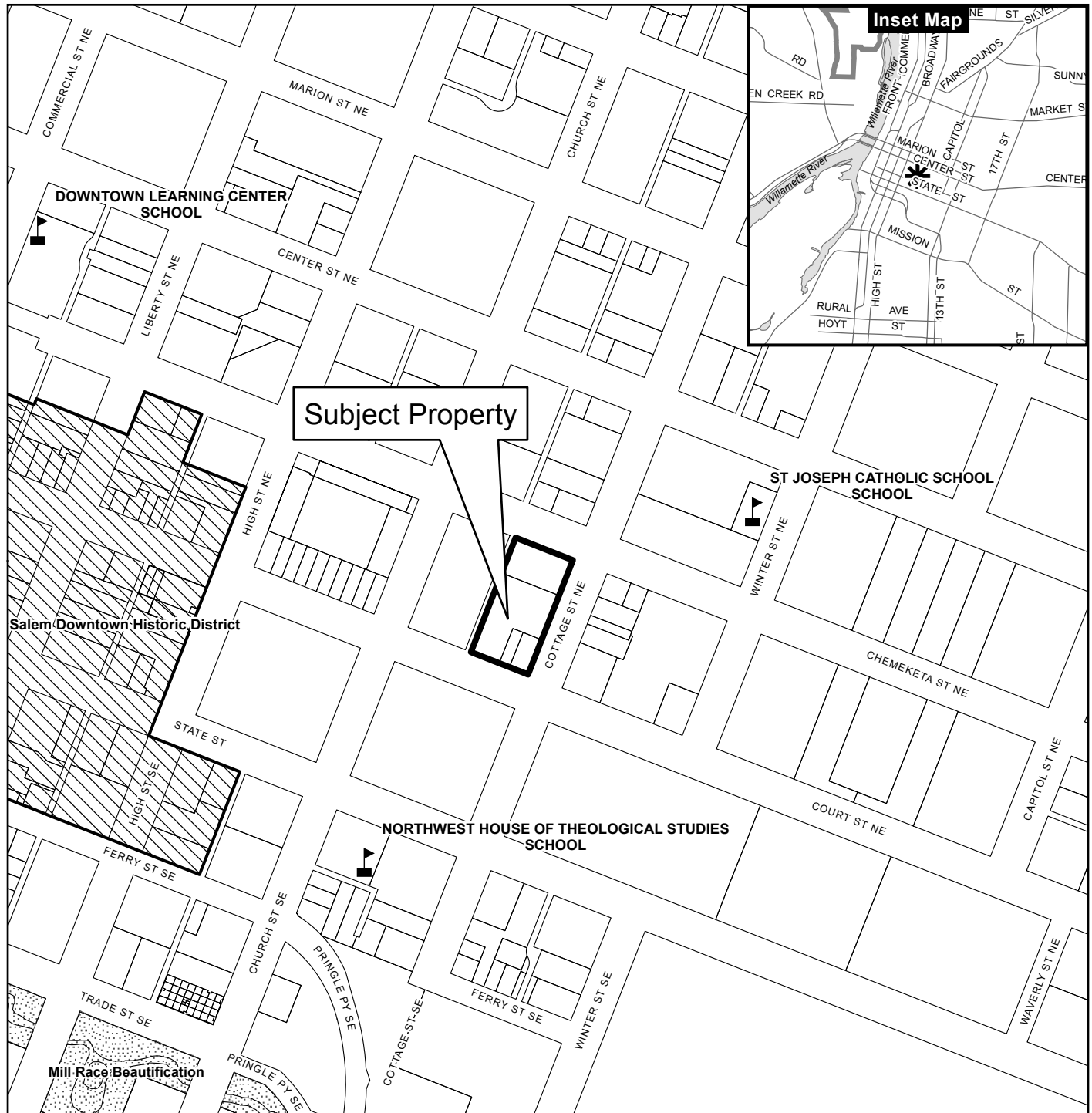


Olivia Glantz, Planner III  
Planning Administrator Designee

Attachments: A. Vicinity Map  
B. Replat Tentative Plan  
C. Applicant's Written Statement  
D. City of Salem Public Works Department Comments  
E. Existing Conditions Plan

# Vicinity Map

## 685-695 Court Street NE & 299 Cottage Street NE



### Legend

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

Parks

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

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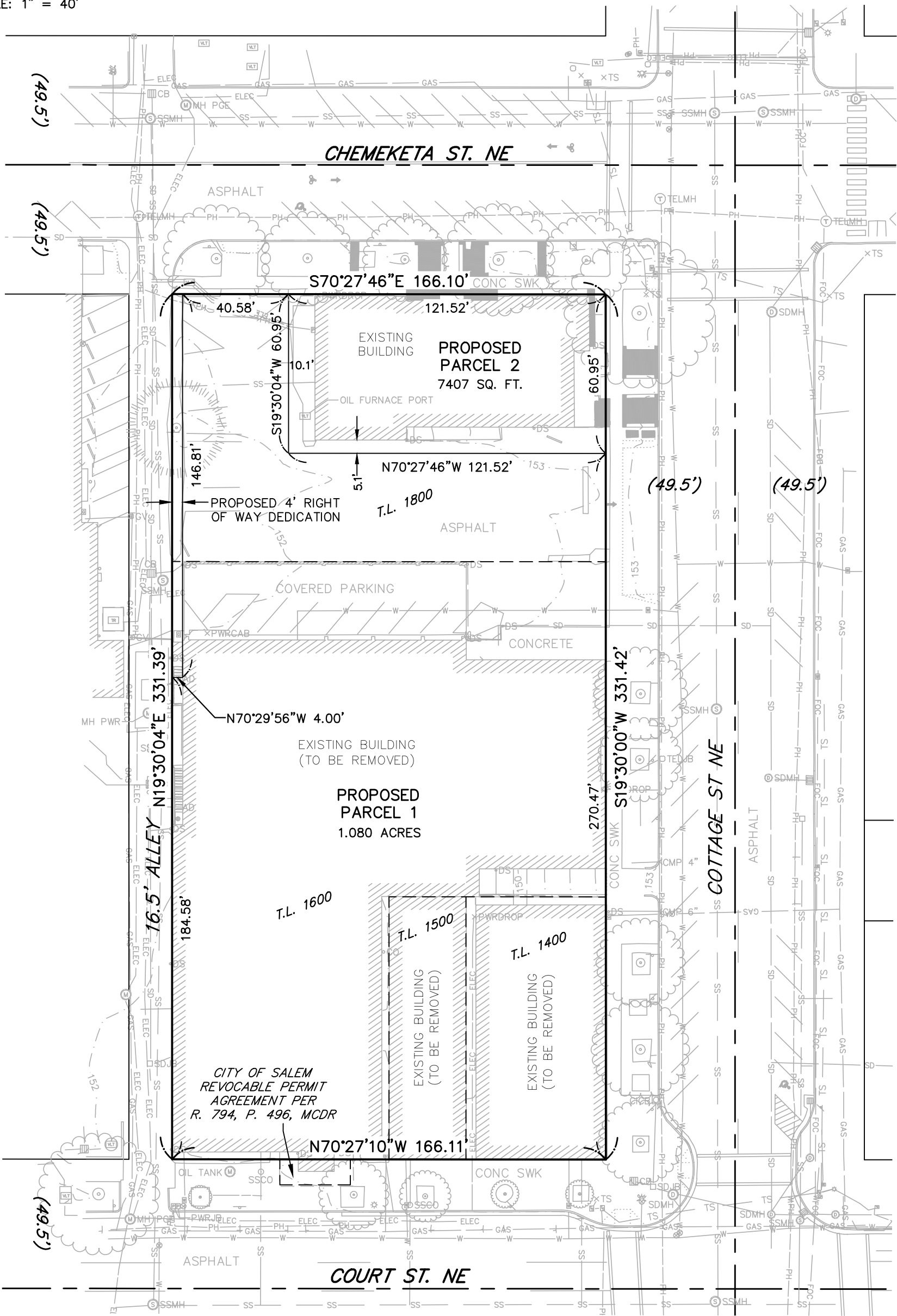




# PROPOSED PARTITION PLAT

LOCATED IN THE S.E. 1/4 OF SEC. 22, T. 7 S., R. 3 W., W.M.,  
AND IN THE N.E. 1/4 OF SEC. 27, T. 7 S., R. 3 W., W.M.,  
CITY OF SALEM, MARION COUNTY, OREGON

SCALE: 1" = 40'



**OWNER:**  
FAMILY YOUNG MENS  
CHRISTIAN ASSN  
685 COURT ST NE  
SALEM, OR 97301

**ZONE:**  
CR

**TOTAL AREA:**  
55048 ± SQ. FT.

**TAX LOT:**  
073WAA 01400,  
01500, 01600, AND 01800

**SITE ADDRESS:**  
695, 687, 685 COURT ST NE  
AND 299 COTTAGE ST NE

**SURVEYOR:**  
GREGORY WILSON  
BARKER SURVEYING  
3657 KASHMIR WAY S.E.  
SALEM, OR 97317  
(503) 588-8800 EXT. 101  
GREG@BARKERWILSON.COM



**BARKER**  
SURVEYING



September 29, 2019

Planning Administrator  
 City of Salem, Community Development Department  
 Planning Division  
 555 Liberty Street SE, Room 305  
 Salem, OR 97301

Re: Application for Replat Tentative Plan  
 Written Statement Narrative

CB Two Architects, LLC, representing, Salem Family YMCA (YMCA) is applying for a replat for property they own on the west site of Cottage Street NE from Court Street NE to Chemeketa Street NE. The half block area contains Tax Lots: 073W27AA0 1600, 1500, 1400, and 1800 addressed as 685, 687, and 695 Court Street NE and 299 Cottage Street NE. The replat will consolidate the YMCA development site into a single lot which would contain the proposed YMCA facility and off-street parking and create a separate smaller lot for the property where the building which houses the Ike Box Café and Isaac's Room is located. The consolidation of properties will give the YMCA a parcel that is 1.08 acres and will include all of lots 1600, 1500 and 1400 and 9,624 square feet of lot 1800, and the removal of all structures with Court Street SE addresses. The remaining 7,407 square feet of lot 1800 will maintain the existing structure that will remain the Ike Box Café and the administrative offices of Isaac's Room, their existing address 299 Cottage Street NE. The proposed replat tentative plan will meet the requirements of SRC 205, subsection 205.025(d) as required.

Chapter SRC 205.025(d) states that "A tentative replat shall be approved if all of the following criteria are met", detailed information related to the specific criteria follows and is noted in *italics* with the proposal response confirming compliance in **bold** type:

*(1) The replat tentative plan does not propose to vacate any public street or road, or any recorded covenants or restrictions.*

The plan is limited to privately held property that is bordered by public right-of ways, there are no vacations of public right-of-ways or recorded covenants or restrictions required or proposed. Proposed and existing buildings can be accessed from the public sidewalks on Court Street NE, Cottage Street NE and Chemeketa Street NE; proposed vehicular use areas planned for the YMCA development will be available via



relocated driveways on Cottage Street NE and the public alley that abuts lots 1600 and 1800. Currently there are four driveways providing access to the properties, two of the four will be closed as part of the redevelopment on the YMCA.

*(2) The replat tentative plan will not create nonconforming units of land or nonconforming development, or increase the degree of nonconformity in existing units of land or development.*

The replat tentative plan encompasses properties with a single owner most of the structures will be razed to allow for the construction of the new YMCA facility. The remaining structure will continue to be used by the Ike Box Café and the administrative offices of Isaac's Room. Proposed Parcel 1 and 2 in the Preliminary Partition Plat satisfies the dimensional standards and parcel areas as set forth in SRC 522.010, Table 522-2 for developments within the CR zone. The YMCA will be applying for Design Review and Site Plan Review as part of their redevelopment and will obtain the required approvals prior to starting construction. The existing structure at 299 Cottage Street is currently non-conforming with no off-street parking provided for the occupants, additionally, their existing use was not reviewed and approved through a Site Plan Review procedure when the Ike Box Café and Isaac's Room moved into the building as that procedure was added to the UDC in 2007 and these business have been tenants in the building since 2004. While there are no changes proposed, the degree of non-conformance will not increase or will be reduced with this application. A Site Plan Review with a request for an adjustment to required parking will be submitted to the City of Salem for review and approval for the Ike Box Café and Isaac's Room to provide the Planning Department an opportunity to verify their uses are consistent with the applicable standards found in the UDC.

*(3) The replat tentative plan complies with the standards of this Chapter and with all applicable provision of the Unified Development Code (UDC).*

As indicated the proposed replat tentative plan complies with the standards of SRC 205.25 as well as other applicable standards found in the UDC. Lot configurations will meet dimensional standards, access is available from public streets and an alley, and the proposal will not impede the future use of or development of the property or adjacent land.

*(4) The tentative replat complies with all applicable provisions of ORS Ch. 92.*

The proposed tentative replat complies with all applicable provisions or ORS Ch. 92 as required. The subject lands are existing legal lots which are all served by public infrastructure, the replat will consolidate lots for a single development site for the future YMCA and the reduction of the northern lot to be consistent with the tenancy of the property by the Ike Box Café and Isaac's Room which is limited to the existing

structure and pedestrian paths to the public sidewalk on Cottage Street NE, all parking areas are reserved for the property owner which is the YMCA.

*(5) The tentative replat is not prohibited by and existing City land use approval or previous condition of approval, affecting one or both of the units of land.*

The City of Salem has confirmed that the proposed tentative replat is allowed and that there are no existing land use approvals that affect any of the properties which will preclude a replat.

*(6) The tentative replat does not adversely affect the availability of, or access to, city infrastructure or public or private utilities or streets.*

The proposed tentative replat will not adversely affect the availability of, or access to, city infrastructure or public or private utilities or streets. The properties are currently developed and served by public and private infrastructure. The development team has confirmed that there are adequate services for the future YMCA facility and the remaining Ike Box Café and Isaac's Room uses.

In conclusion, the tentative replat will consolidate four tax lots into two: Parcel 1, a 1.08 acre site for the proposed new YMCA development; and Parcel 2, a 7,407 square foot property which will maintain the existing structure that houses the Ike Box Café and Isaac's Room administrative offices. These proposed parcels meet all of the dimensional standards and the existing and proposed uses are allowed within CR zone. The properties are currently served by public and private services and public streets and will continue to be adequately served by these infrastructures. The proposed parcels take into account the topography and vegetation of the site. The proposed parcel line between Proposed Parcels 1 and 2 is created by the current topography around the building in Proposed Parcel 2 and the minimal building setback requirements. The tentative replat meets the applicable criteria for approval by the City of Salem.



# MEMO

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

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

**DATE:** December 19, 2019

**SUBJECT:** **PUBLIC WORKS RECOMMENDATIONS**  
**REPLAT NO. 19-04 (19-121048-LD)**  
**685 COURT STREET NE**  
**YMCA REPLAT**

## PROPOSAL

A replat to reconfigure four existing properties (comprised of Lots 1-5 of Block 70 of the Salem plat) into two lots approximately 1.08 acres and 7,400 square feet in size. The subject property is zoned CR (Retail Commercial) with General Retail/Office Overlay and is located at 685-695 Court Street NE and 299 Cottage Street NE (Marion County Assessor Map and Tax Lot Numbers: 073W27AA / 1400, 073W27AA / 1500, 073W27AA / 1600, and 073W27AA / 1800).

## SUMMARY OF FINDINGS

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

## FACTS

### 1. Court Street NE

- a. Standard—This street is designated as a Major Arterial street in the Salem TSP. The standard for this street classification is a 68-foot-wide improvement within a 96-foot-wide right-of-way.
- b. Existing Condition—This street has an approximate 58-foot improvement within a 99-foot-wide right-of-way abutting the subject property.
- c. Right-of-Way—The existing conditions meet the standard for this classification of street; therefore, no additional right-of-way is required.
- d. Improvements—The existing street condition along the frontage of Court Street NE is fully urbanized with sidewalks and street trees.

2. Cottage Street NE

- a. Standard—This street is designated as a Local street in the Salem TSP. The standard for this street classification is a 30-foot-wide improvement within a 60-foot-wide right-of-way.
- b. Existing Condition—This street has an approximate 58-foot improvement within a 99-foot-wide right-of-way abutting the subject property.
- c. Right-of-Way—The existing conditions meet the standard for this classification of street; therefore, no additional right-of-way is required.
- d. Improvements—This street is fully urbanized. The applicant may be required to install one or more street trees pursuant to PWDS. Existing curb cuts that will no longer access a vehicle use area shall be reconstructed with curb, landscaping, and street trees to current streetscape standards at the time of redevelopment. Restriping of on-street parking may be required.

3. Chemeketa Street NE

- 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.
- 5 b. Existing Condition—This street has an approximate 58-foot improvement within a 99-foot-wide right-of-way abutting the subject property.
- c. Right-of-Way—The existing conditions meet the standard for this classification of street; therefore, no additional right-of-way is required.
- d. Improvements—This street is fully urbanized.

4. Alley

- a. Standard—The standard for an Alley classification is right-of-way measuring 10 to 20 feet, with improvements detailed in Public Works Standard Plan Nos. 304 and 305.
- b. Existing Condition—The Alley abutting the subject property is paved and has a right-of-way measuring approximately 16.5 feet.

**Storm Drainage**

1. Existing Conditions

- a. A 12-inch storm main is located in Cottage Street NE.

- b. An 8-inch storm main is located near the southeast corner of the subject property.
- c. A 10-inch storm main is located in the alley abutting the western 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 main is located in Court Street NE. Mains of this size generally convey flows of 2,100 to 4,900 gallons per minute.
- c. A 10-inch water main is located in Cottage Street NE. Mains of this size generally convey flows of 1,500 to 3,400 gallons per minute.
- d. An 8-inch water main is located in Chemeketa Street NE. Mains of this size generally convey flows of 900 to 2,200 gallons per minute.

## **Sanitary Sewer**

### **1. Existing Sewer**

- a. A 10-inch sewer main is located in Court Street NE.
- b. A 48-inch sewer main is located in Cottage Street NE.
- c. A 24-inch sewer main is located in Chemeketa Street NE.
- d. An 8-inch sewer main is located in the alley abutting the western boundary of the subject property.

## **Natural Resources**

- 1. According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are no areas of landslide susceptibility on the subject property.
- 2. Public Works staff has reviewed the Flood Insurance Study and Flood Insurance Rate Maps and has determined that no floodplain or floodway areas exist on the subject property.
- 3. According to the Salem-Keizer Local Wetland Inventory (LWI) the subject property does not contain any wetland areas or hydric soils.

**CRITERIA AND FINDINGS**

**SRC 205.025(d)** indicates 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 205.025(d)(1)**—The tentative replat does not propose to vacate any public street or road, or any recorded covenants or restrictions.

**Findings**—The applicant's proposal does not vacate any public rights-of-way.

**SRC 205.025(d)(3)**—The tentative replat complies with the standards of this Chapter and with all applicable provisions of the Unified Development Code.

**Findings**—Public Works staff has analyzed the proposed development for compliance with applicable provisions of SRC Chapters 21, 70-78, 200, 205, 601, 802-805, 809, and 810, and the development appears to comply with all applicable provisions of these Code chapters.

The applicant shall provide the required field survey and subdivision replat as per Statute and Code requirements outlined in the *Oregon Revised Statutes* (ORS) and the SRC. If said documents do not comply with the requirements outlined in ORS and SRC, and as per SRC 205.035(a), the approval of the replat plat by the City Surveyor may be delayed or denied based on the non-compliant violation.

**SRC 205.025(d)(4)**—The tentative replat complies with all applicable provisions of ORS Chapter 92.

**Findings**—The applicant shall provide the required field survey and subdivision replat as per Statute and Code requirements outlined in the ORS and the SRC. If said documents do not comply with the requirements outlined in ORS and SRC, and as per SRC 205.035(a), the approval of the replat plat by the City Surveyor may be delayed or denied based on the non-compliant violation.

**SRC 205.025(d)(6)**—The tentative replat does not adversely affect the availability of, or access to, City infrastructure or public or private utilities or streets.

**Findings**—The Public Works Department has reviewed the applicant's preliminary plan for this site. The water, sewer, and storm infrastructure are existing, and are adequate to serve the proposed replat. Public and private streets within and abutting the proposed development are available to provide adequate street access.

cc: File



SD  
SCHEMATIC  
DESIGN

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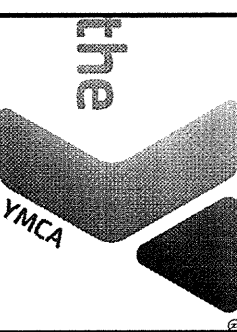
RENEWS: 6/30/2021



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SALEM OREGON 97301



Issue:	100% \$D	
Date:	10.02.2019	
Rev:	Description	Date:

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EXISTING  
CONDITIONS,  
DEMOLITION, &  
EROSION  
CONTROL PLAN

WE JOB# 3160.000.0

## C2.1