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## DECISION OF THE PLANNING ADMINISTRATOR

**CLASS 3 DESIGN REVIEW / CLASS 3 SITE PLAN REVIEW / CLASS 2 ADJUSTMENT / CLASS 2 DRIVEWAY APPROACH PERMIT CASE NO.: DR-SPR-ADJ-DAP21-03**

**APPLICATION NO.: 21-109479-DR/ 21-109480-RP/ 21-113426-ZO/ 21-113424-ZO**

**NOTICE OF DECISION DATE:** August 23, 2021

**REQUEST:** Consolidated applications for a Class 3 Design Review, Class 3 Site Plan Review, three Class 2 Adjustments, and a Driveway Approach Permit for the development of a three-story mixed-use building with retail and office uses, and 20 units of multi-family housing. The approximately one-acre property is zoned CB (Central Business District), is within the General Retail/Office Overlay Zone, and is located at 454 Church Street NE (Marion County Assessors Map and Tax Lot Numbers: 073W22DD / 3000, 073W22DD / 3100 and 073W22DD / 2900).

**APPLICANT:** John Shirley and James Robinson, Anderson Shirley Architects Inc., on behalf of Hope Plaza LLC (Jayne Downing, Sara Brennan)

**LOCATION:** 454 Church Street NE, Salem OR 97301

**CRITERIA:** Salem Revised Code (SRC) Chapters 225.005(e)(2) – Class 3 Design Review; 220.005(f)(3) – Class 3 Site Plan Review; 250.005(d)(2) – Class 2 Adjustment; 804.025(d) – Driveway Approach Permit

**FINDINGS:** The findings are in the attached Decision dated August 23, 2021.

**DECISION:** The **Planning Commission APPROVED** Class 3 Design Review, Class 3 Site Plan Review, Class 2 Adjustment, and Class 2 Driveway Approach Permit DR-SPR-ADJ-DAP21-03 subject to the following conditions of approval:

- Condition 1:** The applicant shall obtain a revocable license for the steel canopy encroaching into the right-of-way pursuant to SRC 76.
- Condition 2:** Prior to the issuance of building permits, the applicant shall record the approved replat (Replat Case No. REP21-01) of lots 6-9 of Block 68 of the Salem Plat into one lot.
- Condition 3:** Construct streetscape improvements to Church Street NE as specified in the City of Salem Downtown Streetscape Plan.
- Condition 4:** Design and construct a storm drainage system at the time of development in compliance with Salem Revised Code (SRC) Chapter 71 and Public Works Design Standards (PWDS).
- Condition 5:** Prior to final building permit approval, the applicant shall install one-way signs and/or pavement markings in the parking lot near the driveway approach to Church Street NE.

**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

**VOTE:**

**Yes 5                  No 0                  Absent 3 (Griggs, Levin, McKinley)**

*Casey Kopcho, Presiding Officer (digitally signed)*

The rights granted by the attached decision must be exercised, or an extension granted, by the dates listed below, or this approval shall be null and void.

Class 3 Site Plan Review:                  September 14, 2025  
All other case types:                          September 14, 2023

Application Deemed Complete:                  July 26, 2021  
Public Hearing Date:                                  August 17, 2021  
Notice of Decision Mailing Date:                  August 23, 2021  
Decision Effective Date:                              September 14, 2021  
State Mandate Date:                                  November 23, 2021

Case Manager: Steven McAtee, Planner II, [smcatee@cityofsalem.net](mailto:smcatee@cityofsalem.net), 503-540-2363

This decision is final unless written appeal and associated fee (if applicable) from an aggrieved party is filed with the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem OR 97301, or by email at [planning@cityofsalem.net](mailto:planning@cityofsalem.net), no later than 5:00 p.m., Tuesday, September 7, 2021. Any person who presented evidence or testimony at the hearing may appeal the decision. The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapter(s) 225, 220, 250, and 804. 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 Salem City Council will review the appeal at a public hearing. After the hearing, the Salem 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 by contacting the case manager, or at the Planning Desk in the Permit Application Center, Room 305, City Hall, 555 Liberty Street SE, during regular business hours.

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

## **FACTS & FINDINGS**

### **CLASS 3 DESIGN REVIEW / CLASS 3 SITE PLAN REVIEW / CLASS 2 ADJUSTMENT / CLASS 2 DRIVEWAY APPROACH PERMIT CASE NO. DR-SPR-ADJ-DAP21-03**

**AUGUST 23, 2021**

#### **PROCEDURAL FINDINGS**

1. On May 19, 2021, John Shirley of Anderson Shirley Architecture, on behalf of the applicant and property owner, Hope Plaza LLC, represented by Jayne Downing, filed an application for a consolidated Class 3 Design Review, Class 3 Site Plan Review, Class 2 Adjustment, and Class 2 Driveway Approach Permit for development of the mixed-use building to include 20 units of Multi-Family housing and Office and Retail uses.
2. After additional information was submitted, the application was deemed complete for processing on July 26, 2021. Notice of the public hearing on the proposed development was subsequently provided pursuant to SRC requirements on July 26, 2021. Notice was also posted by the applicant on the subject property pursuant to SRC requirements.
3. The public hearing on the proposed Class 3 Design Review, Class 3 Site Plan Review, Class 2 Adjustment and Class 2 Driveway Approach Permit application was held on August 17, 2021. The Planning Commission did not receive testimony from the Neighborhood Association or the public. The Planning Commission closed the public hearing, conducted deliberations, and voted to approve the application subject to recommended conditions of approval in the staff report.

The state-mandated 120-day local decision deadline for the application is November 17, 2021.

#### **BACKGROUND**

On May 19, 2021, John Shirley of Anderson Shirley Architecture, on behalf of the applicant and property owner, Hope Plaza LLC, represented by Jayne Downing, filed an application for a consolidated Class 3 Design Review, Class 3 Site Plan Review, Class 2 Adjustment, and Class 2 Driveway Approach Permit for development of the mixed-use building to include 20 units of Multi-Family housing and Office and Retail uses. The application was deemed complete for processing on July 26, 2021

#### **PROPOSAL**

The applicant has submitted Class 3 Design Review, Class 3 Site Plan Review, Class 2 Adjustment, and Class 2 Driveway Approach Permit for development of the mixed-use building to include 20 units of Multi-Family housing and Office and Retail uses for property located at 454 Church Street NE (Marion County Assessor Map and Tax Lot Numbers: 073W22DD / 3000, 073W22DD / 3100 and 073W22DD / 2900) (**Attachment A**).

#### **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 applicant's proposed site plan and building elevations are included as **Attachment B and Attachment C**, and the applicant's statement addressing the applicable approval criteria for the consolidated request is included as **Attachment D**.

### **SUMMARY OF RECORD**

The following items are submitted to the record and are available upon request: All materials submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, and stormwater reports; any materials and comments from public agencies, City departments, neighborhood associations, and the public; and all documents referenced in this report.

### **SUBSTANTIVE FINDINGS**

#### **1. Salem Area Comprehensive Plan (SACP)**

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

#### **2. Zoning**

The subject property is zoned CB (Central Business District) and is located within the General Retail/Office Overlay Zone.

Zoning designations for surrounding properties is as follows:

- North: CB (Central Business District) and the General Retail/Office Overlay Zone – Retail use;
- South: CB (Central Business District) and the General Retail/Office Overlay Zone – Retail financial services use;
- East: Across public alley, CR (Commercial Retail) and the General Retail/Office Overlay Zone – Business and professional services, retail uses;
- West: Across Church Street NE, CB (Central Business District) and the General Retail/Office Overlay Zone – Retail use.

#### **3. Neighborhood Association and Public Comments**

The subject property is located within the boundaries of the Central Area Neighborhood Development Organization (CAN-DO) neighborhood association.

##### **Applicant Neighborhood Association Open House**

Pursuant to SRC 300.320(f), when an open house is required for a land use application, an applicant may elect to present at a neighborhood association meeting in-lieu of arranging and attending an open house. On July 17, 2018 the applicant's representative attended the CAN-DO Neighborhood Meeting, to present their proposal. In addition to the required open house/neighborhood meeting attendance, the applicant attended additional meetings with the Grant Neighborhood Association and the West Salem Neighborhood Association. The applicant has demonstrated compliance with the requirements of SRC 300.310.

Pursuant to SRC 300.310, for a Type III Land Use Application, the applicant is required to contact the neighborhood association. On May 26, 2018, the applicant sent an email, including conceptual plans, to CAN-DO. No comments were received from CAN-DO.

#### Public Comment

All property owners and tenants within 250 feet of the subject property were mailed notice of the proposal. Notice of public hearing was also posted on the subject property. No comments were received from surrounding property owners or tenants.

#### Homeowners Association

The subject property is not located within a Homeowners Association.

### **4. City Department Comments**

The Building and Safety Division reviewed the proposal and indicated that building permits will be required. Building requirements will be evaluated at the time of building permit review.

The Fire Department reviewed the proposal and provided comments indicating that Fire Department access is required per OFC 503. Aerial Fire Department access is required per OFC Appendix D105. Water supply is required per OFC 507, Appendix B and C. The Fire Department connection shall be located within 100 feet of an approved fire hydrant and per OFC 912. The existing alley is less than 20 feet wide and cannot count as Fire Department access. Items including Fire Department access and water supply will be verified at the time of building permit plan review.

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

### **5. 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 Salem Keizer Public Schools and is presented below. As of the date of completing this staff report, no other comments were received.

- A. **Salem-Keizer Public Schools** – Planning and Property Services staff for the school district reviewed the proposal and submitted comments indicating that sufficient school capacity exists at the elementary, middle, and high school levels. The school district indicated that the subject property is within the “walk zone” of the assigned elementary, middle, and high schools.

### **6. FINDINGS ADDRESSING APPLICABLE SALEM REVISED CODE APPROVAL CRITERIA FOR CLASS 3 DESIGN REVIEW**

Salem Revised Code (SRC) 225.005(e)(2) sets forth the criteria that must be met before approval can be granted to an application for Class 3 Design Review. Pursuant to SRC

225.005(e)(2) an application for a Class 3 Design Review shall be approved if all of the applicable design review guidelines are met.

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

***A. SRC 632.025(a) Building Location, Orientation and Design  
Building Setbacks (SRC 632.025(a)(1)(A)):***

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

**Finding:** The applicant explains in a written statement (Attachment D) that setbacks are minimized to the degree possible with the proposed articulation for the building entrances. The building adjacent to Church Street NE is approximately 132-feet long. The columns of the proposed building are setback from the Church Street NE property line approximately one foot. The main building mass is setback approximately three feet. There are seven alcoves present along the Church Street NE building frontage that are setback approximately four feet from the property line. The applicant indicates that these architectural features are provided to align with the existing building on the subject property, to provide bicycle parking, and to prevent the ground floor doors from opening outwardly into the public right-of-way.

The Planning Commission concurs with the findings included in the applicant's written statement. This design review guideline requires building setbacks from the street to be minimized and indicates that buildings constructed contiguous with the street right-of-way are preferred.

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

Because the bulk of the proposed building is setback from the street between approximately one and three feet, with the exception of the door alcoves, from Church Street NE, it will maintain the appearance of the compact urban form called for in the downtown core of the City. This design review guideline requires building setbacks from the street to be minimized and indicates that buildings constructed contiguous with the street right-of-way are preferred. Therefore, the proposal conforms to this design guideline.

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

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

- (ii) ***Weather protection, in the form of awnings or canopies appropriate to the design of the building, shall be provided along ground floor building facades adjacent to a street in order to create a comfortable and inviting pedestrian environment.***
- (iii) ***Above grade pedestrian walkways shall not be provided to property located within the Salem Downtown Historic District.***

**Finding:** The applicant has addressed the more restrictive Design Review Standard (SRC 632.025(a)(2)(B)) addressed below:

**Building Orientation and Design Standards (SRC 632.025(a)(2)(B)):**

- (i) ***A primary building entrance shall be provided for each building facade facing a street. If a building has frontage on more than one street, a single primary building entrance may be provided at the corner of the building where the streets intersect.***

**Finding:** The main building entrance to the proposed building provides access directly to Church Street NE. The ground floor commercial uses will each have direct access to Church Street NE. This standard is met.

- (ii) ***Ground floor building facades facing a street shall include transparent windows on a minimum of 65 percent of the ground floor facade. The windows shall not be mirrored or treated in such a way as to block visibility into the building. The windows shall have a minimum visible transmittance (VT) of 37 percent.***

**Finding:** The ground floor of the west facing building façade abutting Church Street NE is approximately 1,374 square feet in size. The applicant's building elevations indicate approximately 1,084 square feet, or 74-percent, is ground floor windows. The applicant's written materials indicate that the visible transmittance rate is 50-percent. This standard is met.

- (iii) ***Upper floors of buildings shall incorporate vertical windows.***

**Finding:** As shown on the applicant's submitted elevations (**Attachment C**) the upper floor windows of the proposed building are vertically oriented. This standard is met.

- (iv) ***Upper Weather protection, in the form of awnings or canopies, shall be provided along a minimum of 90 percent of the length of the ground floor building facade adjacent to a street. Awnings or canopies shall have a minimum clearance height above the sidewalk of eight feet, and may encroach into the street right-of-way.***

**Finding:** The applicant's submitted plans and narrative show a steel awning along the entire length of the building's Church Street NE façade. The awning clearance above the sidewalk ranges from eight feet to 11.5 feet in height. Per SRC 76.160, the applicant is required to procure an approved encroachment permit for the awning to project of over the public right-of-way. To ensure an encroachment permit for the awning is obtained, the following condition applies:

**Condition 1:** The applicant shall obtain a revocable license for the steel canopy encroaching into the right-of-way pursuant to SRC 76.

- (v) ***Above grade pedestrian walkways may be provided, except that no above grade pedestrian walkway shall be provided to property located within the Salem Downtown Historic District.***

**Finding:** There are no proposed above ground walkways associated with this project. This standard is not applicable.

The Planning Commission concurs with the findings included in the applicant's written statement. The proposal includes an entrance abutting Church Street NE, accessible entrances from the public sidewalk. The proposal will include ground floor façade with transparent windows outside of the area for dwelling units.

The applicant will be providing 1,084 square feet of windows facing Church Street NE which is 74 percent of the façade 1,374 square feet. The upper floors include vertically oriented windows, and the applicant proposes weather protection in the form of a steel awning. The proposed facility conforms to this design guideline.

## **7. FINDINGS ADDRESSING APPLICABLE SALEM REVISED CODE APPROVAL CRITERIA FOR CLASS 3 SITE PLAN REVIEW**

SRC 220.005(f)(3) establishes the following criteria for a Class 3 Site Plan Review:

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

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

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

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

The subject property is zoned CB (Central Business District) and the General Retail/Office Overlay Zone. The following is a summary of the applicable development standards for the proposed development.



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

**Finding:** The development proposal includes a three-story, 32,996 square foot mixed-use building containing 20 multi-family units, 5,878 square feet of office use, and 6,782 square feet of retail use. Multi-family, office and retail are all permitted uses in the CB zone as identified under SRC 524.005(a) Table 524-1.

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

***SRC 522.010(a) - Lot Standards:***

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

According to deed records the subject property currently consists of three separate properties. In order construct the proposed mixed-use building, these three separate properties are required to be consolidated into one lot to accommodate the proposed building being constructed across existing properties lines.

On April 23, 2021, a replat application was approved to consolidate Lots 6-9 of Block 68 of the Salem Plat into one lot (Replat Case No. REP21-01). When the record of surveys and replat deeds for this approval are recorded with the County, the existing interior property lines will be eliminated and the existing properties will be consolidated into one legal unit of land approximately 1.01 acres in size.

The resultant consolidated lot will exceed the minimum lot area, dimension, and street frontage requirements of the CB zone. To ensure that the three properties are consolidated into one unit of land, the following condition applies:

**Condition 2:** Prior to the issuance of building permits, the applicant shall record the approved replat (Replat Case No. REP21-01) of lots 6-9 of Block 68 of the Salem Plat into one lot.

***SRC 524.010(b) - Setbacks:***

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

Based on the requirements of SRC 524.010(b), Table 524-3, and SRC Chapter 806.035(c), the required building, accessory structure, and off-street parking and vehicle use area setbacks applicable to the proposed development are as follows:

<b>Required Setbacks</b>		
<b>Abutting Street</b>		
Buildings	0 ft. or 10 ft.	
Accessory Structures	0 ft. or 10 ft.	
Parking and Vehicle Use Areas <sup>(1)</sup>	Min. 6 ft. to 10 ft.	Per alternative setback methods under SRC 806.035(c)(2)
<b>Interior Side</b>		
Buildings	None	
Accessory Structures	None	
Parking and Vehicle Use Areas <sup>(1)</sup>	Min. 5 ft. with Type A Landscaping <sup>(2)</sup>	Per SRC 806.035(c)(3)
<b>Interior Rear</b>		
Buildings	None	
Accessory Structures	None	
Parking and Vehicle Use Areas <sup>(1)</sup>	Min. 5 ft. with Type A Landscaping <sup>(2)</sup>	Per SRC 806.035(c)(3)
	None	Applicable abutting an alley. (Per SRC 806.035(c)(1)(A)(i))
<b>Notes:</b> <u>Required Landscaping:</u> Pursuant to SRC 807.015(a), Table 807-1, Type A Landscaping requires a minimum planting density of 1 plant unit per 20 square feet of landscaped area.		

As illustrated on the site plan for the development, the proposed building will be located approximately one-foot to three-feet from the west property line abutting Church Street NE. This does not meet the zero-foot, or ten-foot setback standard abutting streets established in SRC 524.010(b), Table 524-3. The applicant requested a Class 2 Adjustment to the setback standard. Findings for the adjustment request are in Section 8 of this report.

The building is setback approximately 55-feet at its closest point from the east property line abutting the public alley, and, with the exception of loading spaces, which require a five-foot setback, there is no vehicle use area setback abutting an alley. The proposed loading space is setback approximately eight feet, exceeding the minimum standard. The applicant proposes to access the loading space from the alley and has requested a Class 2 Adjustment to eliminate the landscaping requirement for loading space setbacks. Findings for the adjustment can be found in Section 8 of this report.

The building is setback approximately 66-feet from the north property line, and the off-street parking area is setback approximately seven feet. The proposed development exceeds the minimum setback standards to the north property line.

The proposed building will be approximately 67-feet from the south property line abutting Center Street NE, which does not meet the standard requiring zero-foot or ten-foot setbacks abutting streets. However, there is an existing building on the subject property, located five feet from the Center Street NE property line. The proposed building is unable to meet the standard due to the location of the existing building. The existing building is proposed to remain and is therefore nonconforming because it is approximately five feet from the property line abutting a street.

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

The proposed building satisfies this standard with a paved walkway separating the building from the vehicle use area, ranging in width from approximately five-feet to eight-feet.

***SRC 524.010(c) - Lot Coverage:***

Lot coverage requirements within the CB zone are established under SRC 524.010(c), Table 524-4. Within the CB zone there is no maximum lot coverage requirement for buildings and accessory structures. There is also no maximum lot coverage requirement for buildings and accessory structures within the General Retail/Office Overlay Zone. The proposal meets this standard.

***SRC 524.010(c) - Height:***

Height requirements for buildings and accessory structures within the CB zone are established under SRC 524.010(c), Table 524-4. Within the CB zone there are no minimum or maximum height restrictions for buildings or accessory structures. The proposed building is 36 feet in height and meets the standard.

***SRC 524.010(d) - Landscaping:***

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

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

Setback Landscaping. As identified earlier in this report, there are no setbacks required adjacent to the west property line abutting Church Street NE or the east property line abutting the alley, except where the loading space is located adjacent to the alley. The vehicle use area is required to be setback five feet from the north property line and landscaped in compliance with Type A Landscaping. The south property line abuts a

portion of the subject property that is not being developed or redeveloped under this review.

**Finding:** The loading space adjacent to the alley is required to be setback a minimum distance of five feet and the setback is required to be landscaped. As shown on the site plan, the loading space is setback in conformance with the required distance from the property line abutting the alley, but the setback is not landscaped because the setback area between the loading space and the alley is required to be paved in order to provide for direct vehicle access from the alley to the loading space. Because the setback area between the proposed loading space and the alley is not landscaped, the applicant requested a Class 2 Adjustment to eliminate the required landscaping in this area. Analysis of the Class 2 Adjustment request and findings demonstrating conformance with the Class 2 Adjustment approval criteria are included in Section 8 of this report.

### **SRC CHAPTER 805 (VISION CLEARANCE)**

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

The proposed building is located mid-block and will be constructed outside of vision clearance areas. This standard is not applicable.

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

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

#### ***Off-Street Parking:***

Minimum Off-Street Vehicle Parking. Minimum off-street vehicle parking requirements are established under SRC Chapter 806, Table 806-1. There is no minimum off-street parking requirement for multi-family development within the Central Salem Development Program (CSDP) area or within one-quarter mile of the Cherriots Core Network. Retail uses require one vehicle parking space per 250 square feet of gross floor area and office uses require one vehicle parking space per 350 square feet of gross floor area.

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

Maximum Off-Street Parking. Unless otherwise provided in the SRC, off-street parking shall not exceed the amounts set forth in Table 806-2 or if no minimum off-street parking is required amounts set forth in Table 806-2B.

**Finding:** The proposal includes 20 multiple-family dwelling units. The subject property is located within the Central Salem Development Program (CSDP) boundary, which does not require parking for multiple-family developments. In addition, multiple-family developments located within one-quarter mile of the Cherriots Core network do not require minimum parking. The property is less than one-quarter mile from the Cherriots Core network, which is located approximately 503 feet north of the subject property on

Union Street NE. Therefore, there is no minimum parking required for the multiple-family development.

The applicant's written statement indicates that 6,782 square feet of retail and 5,878 square feet of office uses are proposed.

Retail: 1 space/250 square feet:  $6,782 / 250 = 27$  spaces required.

Office: 1 space/350 square feet:  $5,878 / 350 = 17$  spaces required.

Total required vehicle parking requires is 44 spaces.

Compact spaces:  $44 \times 0.75 = 33$  compact spaces allowed.

Maximum allowed:  $44 \times 1.75 = 77$  spaces.

The applicant will provide 46 off-street vehicle parking spaces, 22, or 48-percent of which will be compact spaces. The proposal meets the minimum and maximum parking requirements of SRC 806.

Parking & Vehicular Use Area Interior Landscaping. SRC 806.035(d) establishes a five-percent interior landscaping requirement for parking areas between 5,000 square feet and 49,999 square feet in size. The proposed new off-street parking area is approximately 21,249 square feet in size and therefore requires 1,062 square feet of interior landscaping. The applicant's submitted materials indicate 3,194 square feet (15-percent) of interior landscaping, which exceeds the minimum requirement.

In addition to requiring a specific percentage of the area of an off-street parking area to be landscaped, SRC 806.035(d)(3) requires a minimum of 1 deciduous shade tree to be planted within the off-street parking area for every 12 parking spaces provided. As indicated on the site plan for the development, the proposed development includes a total of 46 parking spaces. Based on the minimum tree planting requirement of 1 tree for every 12 parking spaces, the proposed parking area is required to include a minimum of four deciduous shade trees. As shown on the site plan for the development, a total of five deciduous shade trees are provided within the proposed parking area which exceeds the minimum parking area tree planting requirements of SRC 806.035(d)(3).

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

Minimum Parking Stall & Drive Aisle Dimensions		
Stall Type	Parking Stall Dimension	Drive Aisle Width <sup>(1)</sup>
90° Standard Stall	9 ft. x 19 ft.	24 ft.
90° Compact Stall <sup>(2)</sup>	8 ft. x 15 ft.	22 ft.
	8 ft.- 6 in. x 15 ft.	
45° Standard Stall	9 ft. x 19 ft.	13 ft.
45° Compact Stall	8 ft. x 15 ft.	13.5 ft.

As shown on the site plan for the proposal, 24 standard size stalls are provided. The standard size stalls conform to the minimum required 9-foot width and 19-foot depth. The 45-degree oriented parking stalls within the development are served by 13-foot-wide

drive aisle, and in conformance with the requirements of SRC 806.035(e), Table 806-6. The 22 compact parking spaces provided meet the minimum 8-foot width and 15-foot depth standard and are not located adjacent to a wall or pole.

Driveways. SRC 806.040(d) establishes minimum driveway width standards. Pursuant to SRC 806.040(d), Table 806-7, one-way driveways are required to have a minimum width of 12 feet and two-way driveways are required to have a minimum width of 22 feet. As shown on the proposed site plan, only a one-way driveway is provided to serve the facility. The one-way driveway from Church Street NE to the proposed facility is 13-feet wide, which meets the 12-foot minimum for one-way driveways. This standard is met.

### ***Bicycle Parking:***

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

Minimum Bicycle Parking	
Multiple Family	4 spaces or 0.1 space per dwelling unit. 4 spaces required
Retail	4 spaces required (based on proposed 6,782 square feet of retail)
Office	4 spaces required (based on proposed 5,878 square feet of office)

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

Access. Bicycle parking areas shall have direct and accessible access to the public right-of-way and the primary building entrance that is free of obstructions and any barriers, such as curbs or stairs, which would require users to lift their bikes in order to access the bicycle parking area.

Dimensions. Except as provided for bicycle lockers, bicycle parking spaces shall be a minimum of six feet in length and two feet in width, with the bicycle rack centered along the long edge of the bicycle parking space. Bicycle parking space width may be reduced, however, to a minimum of three feet between racks where the racks are located side-by-side. Bicycle parking spaces shall be served by a minimum four-foot-wide access aisle. Access aisles serving bicycle parking spaces may be located within the public right-of-way.

Surfacing. Where bicycle parking is located outside a building, the bicycle parking area shall consist of a hard surface material, such as concrete, asphalt pavement, pavers, or similar material, meeting the Public Works Design Standards.

Bicycle Racks. Where bicycle parking is provided in racks, the racks may be floor, wall, or ceiling racks. Bicycle racks shall meet the following standards:

- (1) Racks must support the bicycle frame in a stable position, in two or more places a minimum of six inches horizontally apart, without damage to wheels, frame, or components.
- (2) Racks must allow the bicycle frame and at least one wheel to be locked to the rack with a high security, U-shaped shackle lock;
- (3) Racks shall be of a material that resists cutting, rusting, and bending or deformation; and
- (4) Racks shall be securely anchored.
- (5) Examples of types of bicycle racks that do, and do not, meet these standards are shown in Figure 806-10.

**Finding:** The proposed development contains 20 multiple-family units, requiring a minimum of four bicycle spaces. The 6,782 square feet of retail use requires a minimum of four bicycle parking spaces, and the proposed 5,878 square feet of office use requires four bicycle parking spaces. The applicant's site plan indicates eight bicycle parking spaces provided along the front façade of the building located within 50-feet of each building entrance. There are 13 interior bicycle parking spaces proposed in a secure interior area, which is accessible from both the main building entrance, and the rear building entrance. This standard is met.

***Loading Spaces:***

Off-street loading spaces are not required for Multiple Family buildings between five-49 dwelling units. One off-street loading space is required for the proposed 6,782 square feet of retail use, and one off-street loading space is required for the proposed 5,878 square feet of office use. As a result, a total of two off-street loading spaces is required.

**Finding:** The applicant's site plan and written findings show one proposed 12-foot by 30-foot off-street loading space to be accessed directly from the alley. The applicant indicates that the other off-street loading space will be provided in a vehicle parking space, as permitted in SRC 806.075(a). The applicant indicates that the proposed space will be greater than 25-feet from the building, and that vehicles with a maximum combined vehicle and load rating of 8,000 pounds are not expected for the office use. This standard is met.

**Sec. 800.015. (Lot standards, generally)**

Buildings to be on a lot. Every building or structure shall be entirely located on a lot. Where two or more lots are under single ownership to accommodate a single development, the entire combined area shall be considered as a single lot for purposes of the UDC. Buildings that are attached at a common property line, but which otherwise meet all requirements of SRC chapter 56 as separate buildings shall be considered as separate buildings for purposes of this subsection.

**Finding:** The subject site has several underlying property lines comprising three existing lots. These lots require zoning and building code setbacks. As established previously in this report, the applicant received approval on a replat application (Replat Case No. REP21-01) to consolidate the three properties. To ensure the lots are consolidated into one lot, Condition 2 above is established.

### **SRC 800.055 (SOLID WASTE SERVICE AREAS)**

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

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

**Finding:** The proposal includes one two-yard trash collection receptacle and collection area meeting the definition of a solid waste service area under SRC 800.010(e). The solid waste service area is located near the east property line, behind the proposed building.

As shown on the site plan for the proposed development, the solid waste service area is enclosed by a six-foot-tall perimeter wall constructed of concrete masonry unit (CMU), has an interior dimension within the enclosure of approximately 16.5 feet in width by six feet in depth, has a front opening of 16 feet, and has an eight foot clearance of vertical obstructions above the receptacles. The site plan indicates that the base of the enclosure will be a concrete slab, consistent with these design standards. Adequate separation distance is provided within the enclosure. Receptacles will not be placed within 1.5 feet of the enclosure walls and at least five feet from any other building or structure. An enclosure is provided for the solid waste service area that is proposed to be constructed of opaque materials which will screen the solid waste service area from abutting properties and streets.

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

### **SRC 800.065 (PEDESTRIAN ACCESS)**

SRC 800.065 establishes standards for pedestrian access to buildings and through development sites. Under this section, pedestrian connections are required:

- (1) Between building entrances and streets;
- (2) Between buildings on the same development site;
- (3) Through off-street surface parking areas greater than 25,000 square feet in size or including four or more consecutive parallel drive aisles;
- (4) Through parking structures/parking garages where an individual floor of the parking structure or garage exceeds 25,000 square feet in size;
- (5) To existing or planned paths and trails; and
- (6) To abutting properties when shared vehicular access is provided between them.

As provided under SRC 800.065, the above pedestrian access standards apply to all developments, other than residential developments, except in those circumstances where pedestrian access standards are provided elsewhere in the UDC.

**Finding:** The proposed building has multiple entrances that provide direct access to the public right-of-way. There is a transit stop located on Church Street NE, in front of the subject property. The proposed building's main entrance and a direct connection to the public right-of-way is within 25-feet of the transit stop. The proposed off-street parking



area in the rear of the building is less than 25,000 square feet, there are no vehicular connections to abutting properties, and there are no planned paths or trails evident on the property. The proposal meets the applicable pedestrian access standards of SRC 800.065.

### **SRC CHAPTER 808 (PRESERVATION OF TREES & VEGETATION)**

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

The subject property has four cedar trees which will be preserved. Any removal of trees or native vegetation will be required to comply with the requirements of SRC Chapter 808. There are also existing trees present in the rights-of-way of both Cottage Street NE and Court Street NE. Because these trees are located within the public street right-of-way, they are classified as City trees. Removal of any trees from the public street right-of-way is subject to the requirements of SRC Chapter 86 (Trees on City Owned Property). Applicant is required to obtain tree removal permits prior to the removal of any City trees.

### **SRC CHAPTER 809 (WETLANDS):**

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

According to the Salem-Keizer Local Wetlands Inventory (LWI), the subject property does not contain any mapped wetlands or hydric (*wetland-type*) soils.

### **SRC CHAPTER 810 (LANDSLIDE HAZARDS)**

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.

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

**Finding:** The subject property abuts Church Street NE and Center Street NE. Church Street NE is designated as a Major Arterial street within the City's Transportation System Plan (TSP) requiring a 68-foot-wide improvement within a 96-foot-wide right-of-way. Church Street NE is currently improved to an approximate width of 59-feet within a 100-foot-wide right-of-way adjacent to the subject property.

Center Street NE is designated as a Major Arterial street within the TSP requiring a 68-foot-wide improvement within a 96-foot-wide right of way. Center Street is currently improved to an approximate width of 59 feet within a 99-foot-wide right-of-way.

Church Street NE and Center Street NE are fully urbanized with lane widths that meet or exceed Salem Transportation System Plan requirements, with the following exceptions. The existing configuration of Church Street NE does not meet current streetscape standards pursuant to PWDS. The applicant shall, as conditioned below, construct streetscape improvements as specified in the City of Salem Downtown Streetscape Plan. A copy of the City of Salem Downtown Streetscape Plan is included in this report as **Attachment F**. Since the abutting streets are fully urbanized, no special setbacks or right-of-way dedication are required along either street.

**Condition 3:** Construct streetscape improvements to Church Street NE as specified in the City of Salem Downtown Streetscape Plan.

As conditioned, this approval criterion is met.

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

**Finding:** Primary vehicular access to the development is proposed to be provided via the driveway approach accessing the property from Church Street NE. The proposed one-way driveway is approximately 13-feet wide, which meets the minimum 12-foot-wide one-way standard.

Pedestrian access to and throughout the property will be provided by the public sidewalks within the rights-of-way of Church Street NE; and a pedestrian path along the building to provide access to all entrances of the development. By locating off-street parking behind the building and away from the majority of pedestrian activity occurring in the front of the building, directing the vehicular traffic into the facility from the one-way driveway approach from Church Street NE, and providing sidewalks around the perimeter of the site, the potential areas of pedestrian and vehicle conflict are minimized.

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

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

**Finding:** The Public Works Department has reviewed the applicant's preliminary utility plan for this site. The water, sewer, and storm infrastructure are available within surrounding streets/areas and appear to be adequate to serve the proposed development. The applicant shall design and construct all utilities (sewer, water, and storm drainage) according to the PWDS.

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

maximum extent feasible. At the time of development, the applicant shall design and construct a storm drainage system at the time of development in compliance with Salem Revised Code (SRC) Chapter 71 and Public Works Design Standards (PWDS).

**Condition 4:** Design and construct a storm drainage system at the time of development in compliance with Salem Revised Code (SRC) Chapter 71 and Public Works Design Standards (PWDS).

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.

## **8. FINDINGS ADDRESSING APPLICABLE SALEM REVISED CODE APPROVAL CRITERIA FOR CLASS 2 ADJUSTMENT**

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

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

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

**Finding:** The proposal includes three Class 2 Adjustments to three development standards of the SRC. The Class 2 Adjustments request approval to:

- a) Allow the proposed building adjacent to Church Street NE to be setback greater than zero feet and less than ten feet as required under SRC 524.010(b);
- b) Eliminate the perimeter landscaping requirement for the five-foot loading area setback from the east property line abutting the alley, pursuant to SRC 806.080(b)(2);
- c) Reduce the minimum distance between a driveway approach and an intersection from the minimum 370-feet required per SRC 804.0359(d) to approximately 155-feet.

**Allow the proposed building adjacent to Church Street NE to be setback greater than zero feet and less than ten feet as required under SRC 524.010(b);**

The written statement provided by the applicant (**Attachment D**) acknowledges the intent of the zero-foot to ten-foot setback requirement is to maintain a consistent urban edge in downtown Salem, and to create an inviting pedestrian atmosphere along public sidewalks. The applicant explains that the design choices for the proposed building were, in part, chosen to meet the existing façade of the adjacent building on the subject property, which has a similar setback, and would therefore create a consistent urban edge for most of the block face. The site plan shows that the building has an articulated façade with architectural features set approximately one foot from the sidewalk along Church Street NE, and the rest of the façade setback approximately three feet. The

applicant's plans show bicycle parking spaces for the ground floor commercial uses are proposed in these alcoves, which furthers the pedestrian/cyclist experience by inviting the general public to use this space. Additionally, the alcoves allow the entry and egress doors serving the commercial uses to swing outward without encroaching in the public right-of-way.

The Planning Commission concurs that the proposed building placement meets or exceeds the intent of the setback standard by furthering the downtown urban edge and creating an active and usable pedestrian environment.

*Eliminate the perimeter landscaping requirement for the five-foot loading area setback from the east property line abutting the alley, pursuant to SRC 806.080(b)(2)*

The intent of the landscaping requirement for loading space setbacks is, in part, to screen the loading space from adjacent properties and uses. In a written statement, the applicant explains that the proposed location of the loading space is approximately eight feet from the property line abutting the alley which is outside of the setback area. However, the loading space is to be served via direct vehicle access from the alley and its location is practical, easily accessible, safely visible to pedestrians, and is consistent with other uses in the area. Additionally, the applicant explains that the required interior parking lot landscaping is 1,062 square feet, to be planted to Type A Landscaping standards. The applicant is providing 3,194 square feet of landscaped area, which is greater than the minimum requirement.

The Planning Commission concurs with the applicant that the proposal meets or exceeds the intent of the loading space setback landscaping standard by providing more than double the required landscaping and by siting the loading space in a favorable location in an alley-accessed, small parking lot in the downtown area.

*Reduce the minimum distance between a driveway approach and an intersection from the minimum 370-feet required per SRC 804.0359(d) to approximately 155-feet.*

The underlying purpose of the 370-foot minimum driveway spacing standard is to avoid impedances to traffic flow and avoid potential accidents between vehicles on major and minor arterials, and those using driveways. The subject property is located on Church Street NE, a Major Arterial located in downtown Salem. The applicant asserts that because downtown block lengths are only approximately 430-feet, measured from centerline to centerline, it is impossible to provide a driveway to a property located mid-block, while meeting the 370-foot minimum standard. The applicant's written materials convey that there is an existing two-way driveway approach at this same general location, that has existed for years, so this upgraded, narrowed, and only slightly relocated driveway will not create measurable change to existing traffic patterns in the area. Additionally, the proposed driveway will be a one-way ingress only, accessible from Church Street NE, and serving the buildings parking lot. Traffic will then exit the property using the alley.

The Planning Commission concurs that the applicant is meeting the intent of the spacing standard by designing a one-way driveway and by refurbishing an existing driveway in a practical location. To ensure that vehicle users are aware of the one-way nature of the proposed driveway, the following condition applies:

**Condition 5:** Prior to final building permit approval, the applicant shall install one-way signs and/or pavement markings in the parking lot near the driveway approach to Church Street NE.

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

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

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

**Finding:** The General Retail/Office Overlay Zone promotes an active and inviting urban and pedestrian-oriented district within the core of the downtown. Though an adjustment to three different standards has been requested in conjunction with the proposed facility, the adjustments will not cumulatively result in a project that is inconsistent with the overall purposes of the CB zone or the General Retail/Office Overlay Zone.

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

## **9. FINDINGS ADDRESSING APPLICABLE SALEM REVISED CODE APPROVAL CRITERIA FOR CLASS 2 DRIVEWAY APPROACH PERMIT**

Salem Revised Code (SRC) 804.025(d) sets forth the following criteria that must be met before approval can be granted to an application for a Class 2 Driveway Approach Permit. The following subsections are organized with approval criteria shown in ***bold italic***, followed by findings evaluating the proposed development's conformance with the criteria. Lack of compliance with the following criteria is grounds for denial of the Class 2 Driveway Approach Permit, or for the issuance of certain conditions to ensure the criteria are met.

***SRC 804.025(d)(1): The proposed driveway approach meets the standards of this chapter and the Public Works Design Standards;***

**Finding:** The Public Works Department reviewed the proposed driveway approach for conformance with the requirements of SRC Chapter 804 and provided comments indicating that, with the approved adjustment for driveway spacing, the proposed driveway approach meets the standards of SRC Chapter 804 and the Public Works Design Standards. This approval criterion is met.

***SRC 804.025(d)(2): No site conditions prevent placing the driveway approach in the required location;***

The submitted materials provided by the applicant indicate that the proposed driveway will replace an existing driveway; there are no site conditions or design constraints that preclude it remaining in the same location.

**Finding:** The Public Works Department reviewed the proposal and provided comments indicating that there are no site conditions prohibiting the location of the proposed driveway. This approval criterion is met.

***SRC 804.025(d)(3): The number of driveway approaches onto an arterial are minimized;***

**Finding:** Church Street NE is designated as a Major Arterial street under the TSP. There is one existing two-way driveway approach from the property onto Church Street NE. This proposal will restrict access to ingress only, thereby reducing access onto Church Street NE. No additional driveway approaches are proposed. This approval criterion is met.

***SRC 804.025(d)(4): The proposed driveway approach, where possible:***

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

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

The submitted materials provided by the applicant indicate that the existing driveway takes access from the lowest classification of street that abuts the development site.

**Finding:** The Planning Commission concurs with the findings included in the applicant's written statement. The existing driveway takes access from the lowest classification of street that abuts the property. There is an existing alley that is not wide enough to support two-way traffic, but that does support one-way egress from the site. This approval criterion is met.

***SRC 804.025(d)(5): The proposed driveway approach meets vision clearance standards;***

The submitted materials provided by the applicant indicate that there is no vision clearance for the replacement driveway as it will be right-in only from a one-way street.

**Finding:** The Planning Commission concurs with the findings included in the applicant's written statement. The driveway onto Church Street NE is a right-in only driveway. The proposed driveway approach meets the vision clearance standards of SRC Chapter 805. This approval criterion is met.

***SRC 804.025(d)(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 will create traffic hazards or unsafe turning movements. Additionally, staff analysis of the proposed driveway indicates that it will not create a traffic hazard and will provide for safe turning movements for access to the subject property. This approval criterion is met.

***SRC 804.025(d)(7): The proposed driveway approach does not result in significant adverse impacts to the vicinity;***

**Finding:** Analysis of the proposed driveway and the evidence that has been submitted indicate that the location of the proposed driveway will not have any adverse impacts to the adjacent properties or streets. This approval criterion is met.

***SRC 804.025(d)(8): The proposed driveway approach minimizes impact to the functionality of adjacent streets and intersections; and***

The submitted materials provided by the applicant indicate that the driveway approach will have limited access and utilizes the existing location to minimize impacts to the functionality of adjacent streets and the intersection at the northeastern corner of the site.

**Finding:** The Public Works Department reviewed the proposed driveway approach and provided comments indicating that the proposed driveway approach minimizes the impact to adjacent streets and intersections by providing one-way only ingress to the site. This approval criterion is met.

***SRC 804.025(d)(9): The proposed driveway approach balances the adverse impacts to residentially zoned property and the functionality of adjacent streets.***

The driveway approach provides right-in only access to the development from a one-way street. The design of the development utilizes an existing alley for egress in order to reduce adverse impacts.

**Finding:** The proposed driveway approach is not located in the vicinity of a residentially zoned area and will serve a mixed-use building in the predominately mixed-use downtown Salem neighborhood. The driveway will not have an effect on the functionality of the adjacent streets.

## **CONCLUSION**

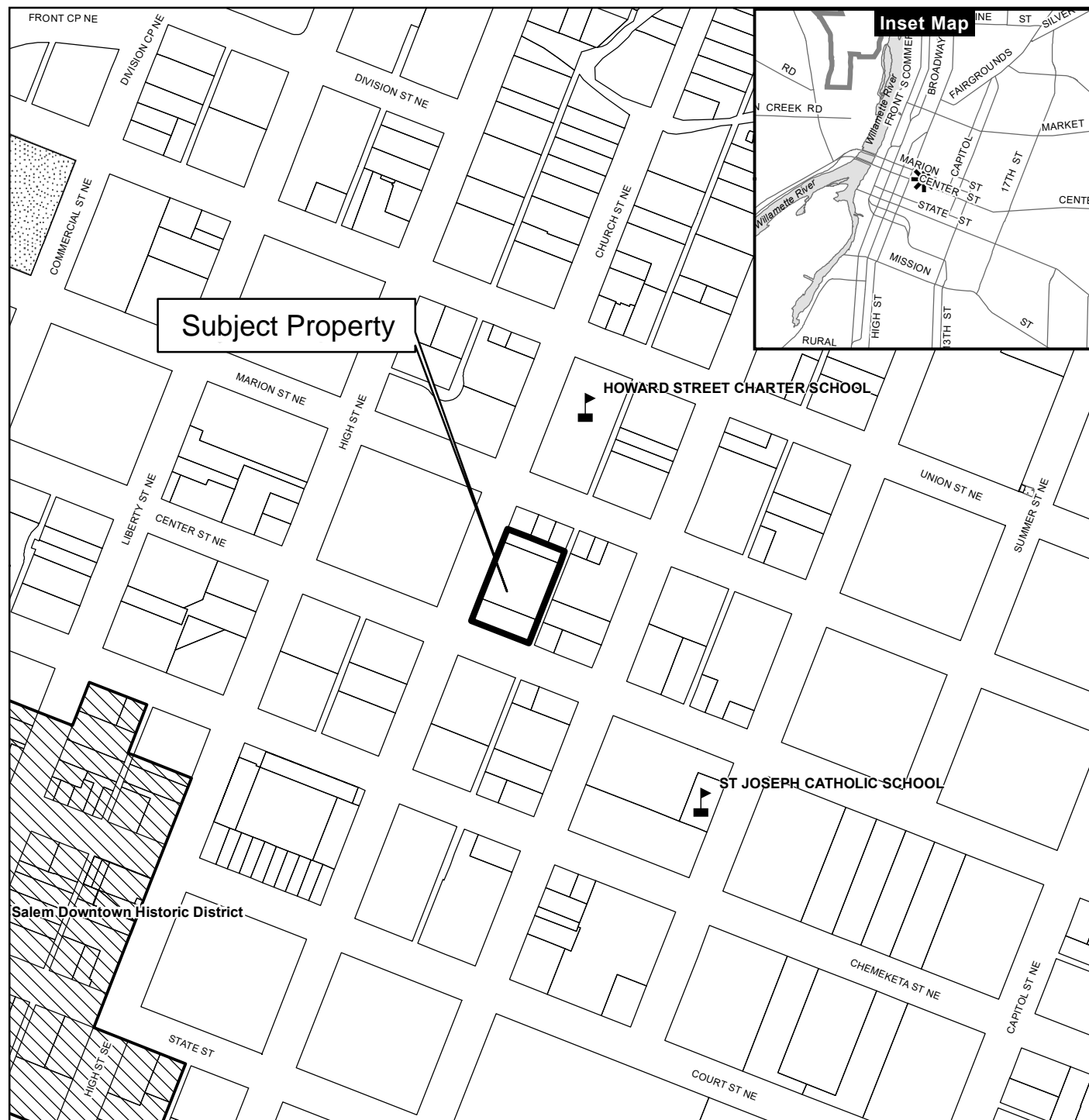
Based on the facts and findings presented herein, the Planning Commission concludes that the proposed Class 3 Design Review, Class 3 Site Plan Review, Class 2 Adjustments, and Class 2 Driveway Approach Permit, as recommended to be conditioned, satisfy the applicable criteria contained under SRC 225.005(e)(2),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

**Attachments:** A. Vicinity Map  
B. Site Plan  
C. Building Elevations  
D. Applicant's Written Statement  
E. Public Works Department Comments  
F. Applicable Pages of Downtown Streetscape Plan

Prepared by Steven McAtee, Planner II

# Vicinity Map

## 454 Church St NE



### Legend

Taxlots

Urban Growth Boundary

City Limits

Outside Salem City Limits

Historic District

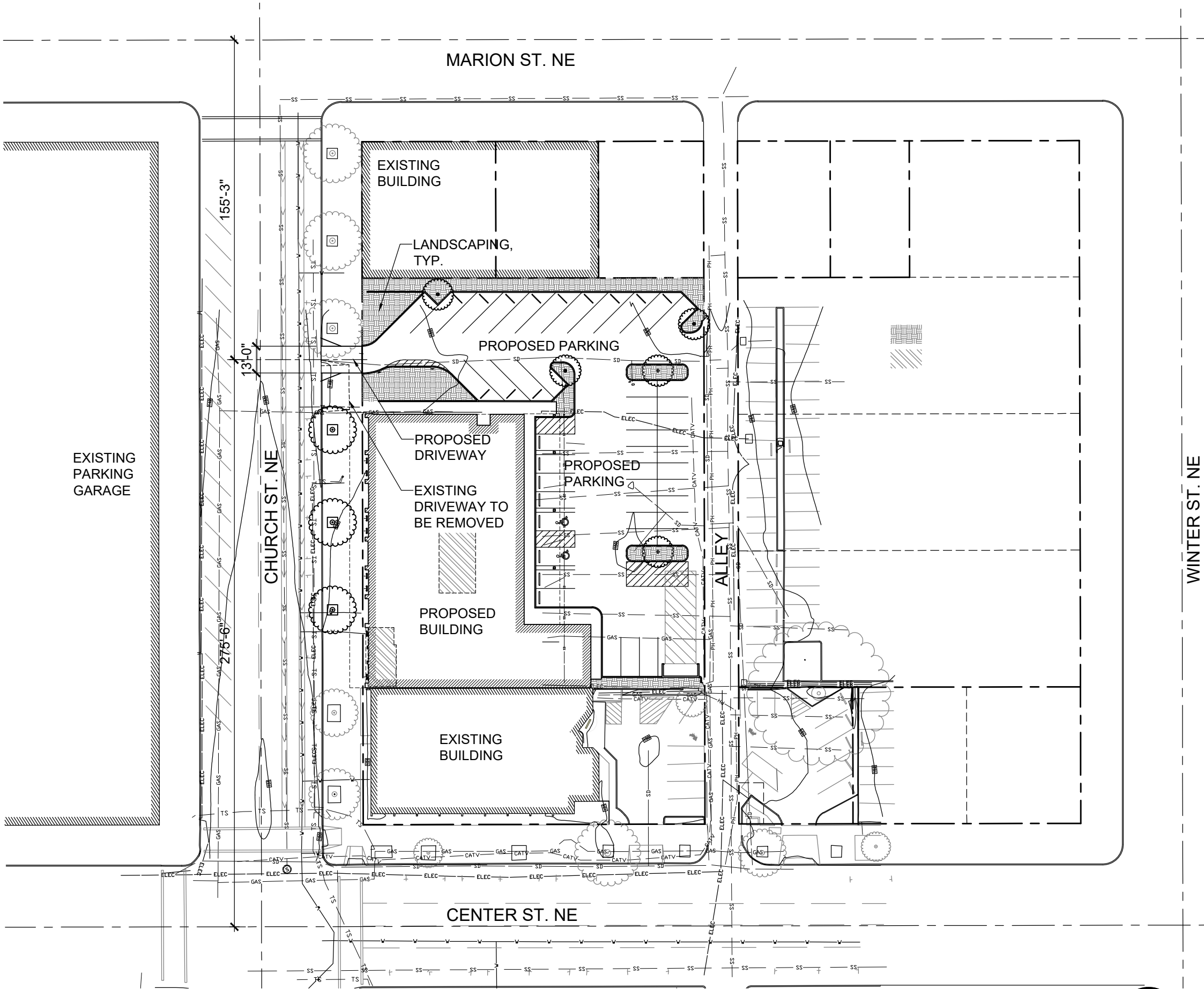
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Parks

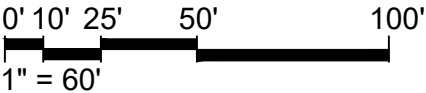
**CITY OF Salem**  
AT YOUR SERVICE  
Community Development Dept.

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1 FULL BLOCK SITE PLAN  
A0.3 SCALE: 1" = 50'



ANDERSON SHIRLEY  
ARCHITECTS  
695 COMMERCIAL ST. SE SUITE 5 SALEM, OR 97301  
OFFICE: 503-371-1140 FAX: 503-364-6751

CONSULTANT

REVISIONS

KEY PLAN

DESC: NEW CONSTRUCTION

PROJECT: HOPE PLAZA  
CENTER FOR HOPE  
& SAFETY

ADDRESS: 454 CHURCH ST. NE  
SALEM OR 97301

STAMP



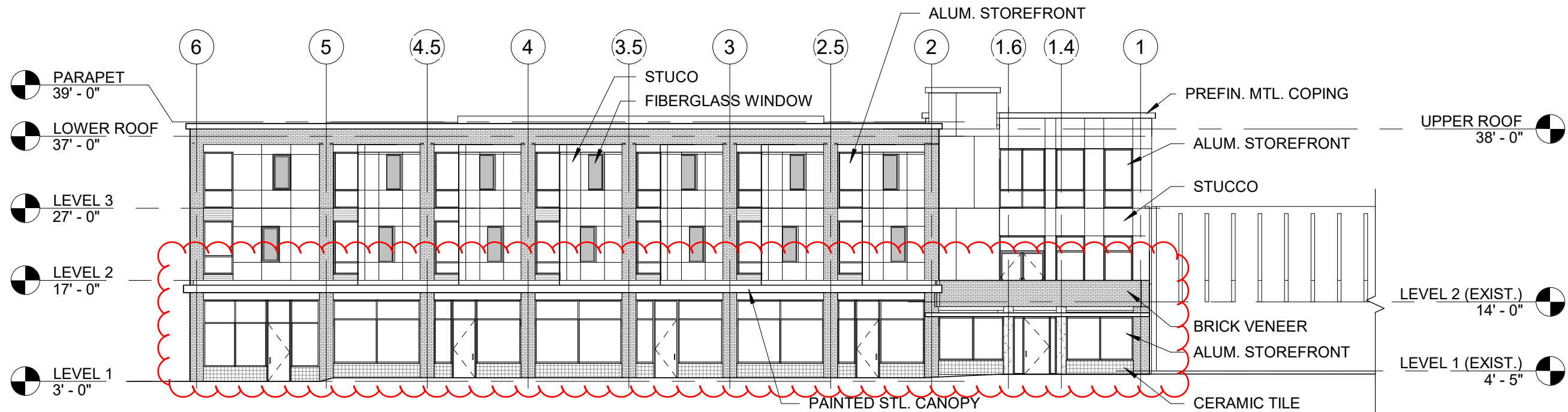
JOB 1701 DWG 05

DRAWN: JMR DATE: 06-12-2020

TITLE: SITE PLAN  
FULL BLOCK

SHEET: A0.3

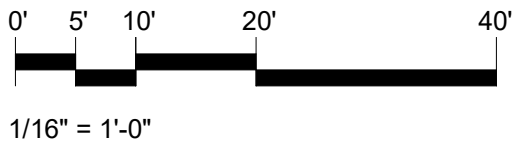
ISSUE: SITE PLAN REVIEW



1 A3 WEST (1/16")  
A3.01 1/16" = 1'-0"



2 A3 EAST (1/16")  
A3.01 1/16" = 1'-0"



REVISIONS

KEY PLAN

DESC. NEW CONSTRUCTION

PROJECT HOPE PLAZA

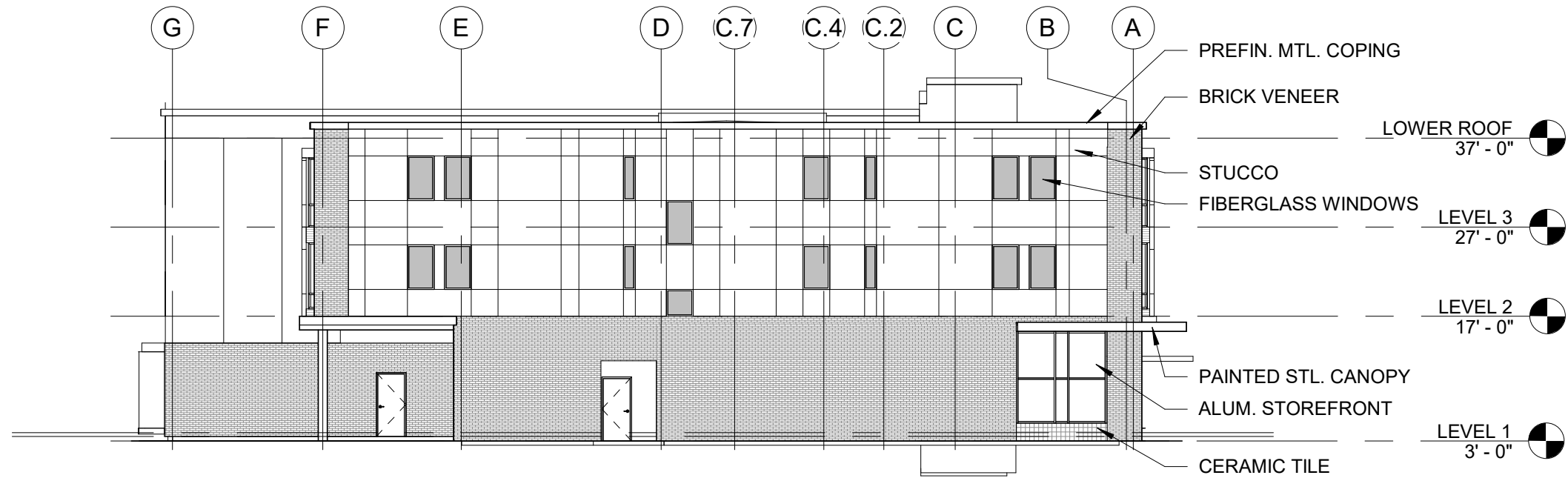
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SALEM OR, 97301

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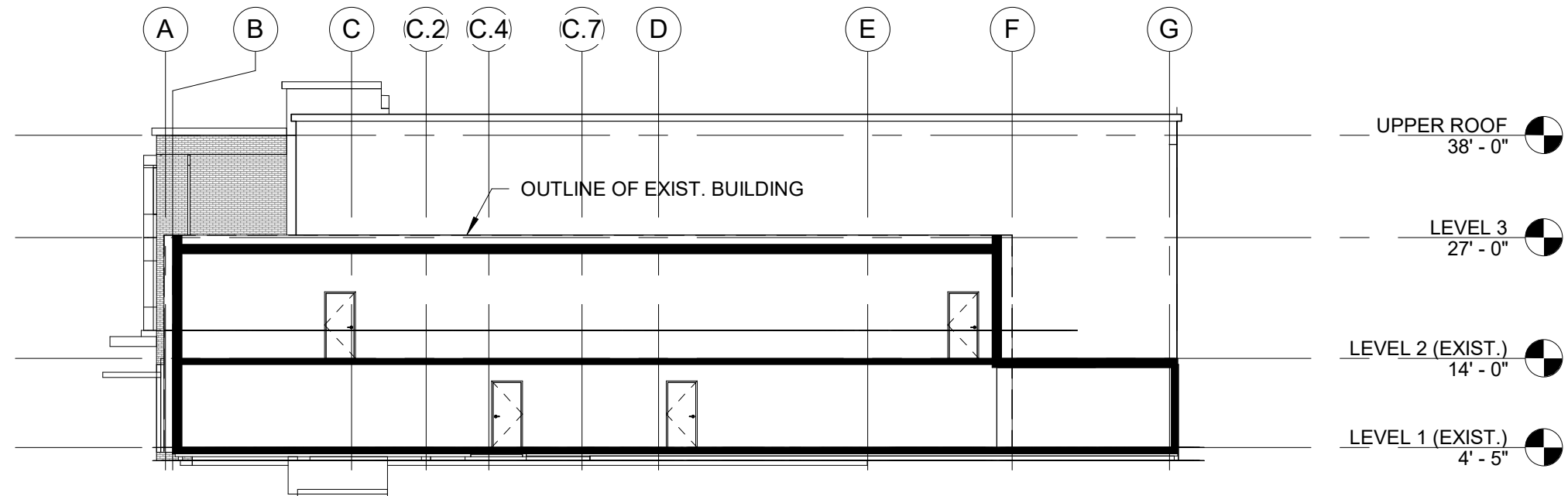


JOB 1701 DWG OF Total  
DRAWN: JMR DATE: 06/24/2021  
TITLE ELEVATIONS

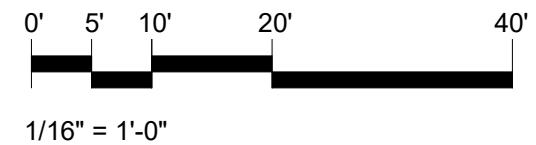
SHEET A3.01  
100% CONST. DOCS.



1  
A3.02 A3 NORTH (1/16")  
1/16" = 1'-0"



2  
A3.02 A3 SOUTH (1/16")  
1/16" = 1'-0"



CONSULTANT

REVISIONS

KEY PLAN

DESC: NEW CONSTRUCTION

PROJECT: HOPE PLAZA

ADDRESS: 454 CHURCH ST. NE  
SALEM OR, 97301

STAMP



JOB 1701 DWG OF Total  
DRAWN: JMR DATE: 06/24/2021

TITLE: ELEVATIONS

SHEET: A3.02  
ISSUE: 100% CONST. DOCS.



### **Design Review- Class 3**

### **Site Plan Review – Class 3**

### **Property Line Adjustment**

**476 Church St. NE, 444-460 Church St. NE, 605 Center St. NE**

**Tax Lot # 073W22DD02900, #073W22DD03000, #073W22DD03100**

*The following written statement has been prepared to be as part of the following applications: Class 3 Design Review, Class 3 Site Plan Review, and Property Line Adjustment. It is the intent of this applicant to consolidate these applications into a single application. These applications are submitted in response to Pre-Application Meeting case number PRE-AP19-39 / 19-107561-PA.*

### **Past Land Use Actions**

Class 3 Site Plan Review & Class 2 Adjustments Case No. SPR-ADJ14-05.

*The proposed development will not affect the existing parking lot for 605 Center Street or 657 Center Street. All parking for the new development will be provided on tax lots 073W22DD02900 and #073W22DD03000.*

### **Chapter 632. – General Retail/Office Overlay Zone**

#### **Sec. 632.001. – Purpose**

The purpose of the General Retail/Office Overlay Zone is to establish standards that promote an active and inviting urban and pedestrian-oriented district within the core of downtown.

#### **Sec. 632.010. – Uses**

Any use that is a permitted, special, conditional, or prohibited use in the underlying zone is a permitted, special, condition, or prohibited use in the General Retail/Office Overlay Zone.

### **Chapter 524. – CB – Central Business District**

#### **Sec. 524.005 – Uses**

- (a) **Except as otherwise provided in this section, the permitted (P), special (S), conditional (C), and prohibited (N) uses in the CB zone are set forth in Table 524-1.**

*Table 524-1. Uses.*

Multiple Family Housing - Permitted

Retail Sales - Permitted

Business and Professional Services – Permitted

Social Services – Permitted

***All proposed uses within the proposed development are permitted within a CB zone. Therefore, all uses in the underlying CB zone are also allowable under the General Retail / Office Overlay Zone. The standard is met.***

## **Sec. 632.015. – Development Standards**

Development within the General Retail/Office Overlay Zone must comply with the development standards applicable in the underlying zone.

### **Chapter 524. – CB – Central Business District**

#### **Sec. 524.010 – Development Standards**

Developments within the CB Zone must comply with the development standards set forth in this section

- (a) ***Lot Standards.*** Lots within the CB zone shall conform to the standards set forth in Table 524-2.

Lot Area – No standard

Lot Width – No standard

Lot Depth – No standard

Street Frontage – All uses other than Single Family: Min. 16 ft.

***The proposed frontage along Church Street is 133' – 2 ½", which meets the standard.***

- (b) ***Setbacks.*** Setbacks within the CB zone shall be provided as set forth in Table 524-3. Setbacks

Abutting Street

Buildings – 0 ft. or 10 ft.

***Proposed – varies from 1'-0" to 3'-6". See design review guidelines below for further information.***

Vehicle Use Areas – 6 ft. to 10 ft. per SRC Chapter 806

***Proposed – 10'-7" minimum, which meets the standard.***

Interior Front

Buildings – None

Vehicle Use Areas – 6 ft. to 10 ft. per SRC Chapter 806

***Proposed – 10'-7" minimum, which meets the standard.***

Interior Side

Buildings – None

Vehicle Use Areas – Min. 5 ft. w/ type 'A' landscaping, or 0 ft. where abutting an alley, per SRC Chapter 806

***Proposed – 6'-4" w/ type 'A' landscaping, which meets the standard.***

Interior Rear

Buildings – None

Vehicle Use Areas – Min. 5 ft. w/ type 'A' landscaping, or 0 ft. where abutting an alley per SRC Chapter 806

***Proposed – All interior rear parking abuts an alley, therefore no setback is required. The standard is met.***

- (c) ***Lot Coverage; height.*** Buildings and accessory structures within the CB zone shall conform to the lot coverage and height standards set forth in Table 524-4.

Lot coverage: No Max.

Rear Yard Coverage: No Max.

Height:

Buildings: No Max.

***Proposed building is 36 feet in height, the standard is met.***

Accessory Structures: Max. 15 ft.

***Proposed trash enclosure is 10' – 10" in height, which meets the standard.***

- (d) *Landscaping.* Landscaping within the CB zone shall be provided as set forth in this subsection.
  - (1) Setbacks. Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC chapter 807.  
***See responses to chapter 807 below.***
  - (2) Vehicle use areas. Vehicle use areas shall be landscaped as provided under SRC chapters 806 and 807  
***See responses to chapters 806 and 807 below.***

#### **Sec. 632.020. – Design review**

Design review under SRC chapter 225 is required for development within the General Retail / Office Overlay Zone as follows:

- (a) Except as otherwise provided in this section, design review according to the design review guidelines or the design review standards set forth in SRC 632.025 is required for all development within the General Retail / Office Overlay Zone.
- (b) Multiple family development shall only be subject to design review according to the design review guidelines or the design review standards set forth in SRC 632.025.
- (c) Any development requiring historic design review shall only be subject to design review according to the historic design review standards or the historic design review guidelines set forth in SRC chapter 230.

***This land use application includes the documents required for a Class 3 Design Review. The proposed development does not require historic design review.***

#### **Section 632.025. – Design review guidelines and design review standards**

- (a) *Building location, orientation, and design.*
  - (1) *Building setbacks*
    - (A) *Design review guidelines.*
      - (i) Building setbacks from the street shall be minimized (see Figure 632-1). Buildings constructed contiguous to the street right-of-way are preferred.  
***The finish face of the columns of the proposed building are set back a minimum of one foot from the property line to allow for structural footings. The majority of the ground floor building façade is set back 3'-6". This allows space for the required bicycle parking adjacent to retail entrances and also allows the project to avoid doors opening into the public right-of-way. After accounting for structural and bike parking requirements, the overall setbacks have been minimized. A Class 2 Adjustment Application has been submitted for this item.***
    - (B) *Design review standards.*
      - (i) Setback abutting street. New buildings shall have the following setbacks from a street.
        - (aa) Contiguous to the street right-of-way; or
        - (bb) Maximum ten feet from the street right-of-way, for those portions of a building where a plaza or other outdoor space

open to the public is provided between the building and the street right-of-way.

- (cc) Portions of the buildings greater than 25 feet in height may set back up to ten additional feet from the street right-of-way.

**See response to the design review guidelines above.**

**(2) Building orientation and design**

**(A) Design review guidelines**

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

**See response to Design Review Standards below.**

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

**See response to Design Review Standards below.**

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

**See response to Design Review Standards below.**

**(B) Design review standards**

- (i) A primary building entrance shall be provided for each building facade facing a street. If a building has frontage on more than one street, a single primary building entrance may be provided at the corner of the building where the streets intersect.

**The building has frontage on Church Street, therefore the primary building entrance is located on Church Street. The retail use has entrances on Church Street as well, therefore the standard is met.**

- (ii) Ground floor building facades facing a street shall include transparent windows on a minimum of 65 percent of the ground floor facade. The windows shall not be mirrored or treated in such a way as to block visibility into the building. The windows shall have a minimum visible transmittance (VT) of 37 percent.

**The ground floor windows make up (1465sf / 1084sf) 74 percent of the ground floor facade, therefore the standard is met. The specified glass has a VT of 50%.**

- (iii) Upper floors shall incorporate vertical windows.

**Windows in the second and third floor units are all vertically oriented, therefore the standard is met.**

- (iv) Weather protection, in the form of awnings or canopies, shall be provided along a minimum of 90 percent of the length of the ground floor building facade adjacent to the street. Awnings or canopies shall have a minimum clearance height above the sidewalk of eight feet, and may encroach into the street right-of-way as provided in SRC 76.160.

**A steel awning is shown across the entire length of the primary (west) facade. The lower portion (southern-most awning) is 8' – 0" above the sidewalk, and the remainder is a minimum of 11' – 7", therefore the standard is met.**

- (v) Above grade pedestrian walkways may be provided, except that no above grade pedestrian walkway shall be provided to property located within the Salem Downtown Historic District.

**This project does not include above grade pedestrian walkways.**

**Off-Street Parking, Loading, & Driveways (SRC 806)**

**Sec. 806.005. – Off-street parking; when required.**

- (a) *General applicability.* Off-street parking shall be provided and maintained as required under this chapter for:
  - (1) Each proposed change new use or activity  
***This proposed project is a new use. See responses below regarding new required off-street parking.***
- (b) *Applicability to Downtown Parking District.* Within the Downtown Parking District, off-street parking shall only be required and maintained for uses or activities falling under household living.  
***The proposed project is outside the Downtown Parking District.***

**Sec. 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 activity it serves or in the following locations:

***All required off-street parking is provided on the development site, therefore the standard is met.***

**Sec. 806.015. – Amount off-street parking**

- (a) *Minimum required off-street parking.* Unless otherwise provided under the UDC, off-street parking shall be provided in amounts not less than those set forth in Table 806-1.
  - Multiple Family – ***No parking requirement due to the proximity to the Cherriots Core Network. The project is located one block from the Downtown Transit Center.***
  - Social services – 1 space per 350 sf.  
***N/A***
  - Retail Sales – 1 space per 250 sf.  
***6,782 sf. / 250 sf. = 28 spaces***
  - Office – 1 space per 350 sf.  
***5,878 sf. / 350 sf. = 17 spaces***
  - Per the totals above, a minimum of 45 spaces are required for this new development.***
- (b) *Compact Parking.* Up to 75 percent of the minimum off-street parking spaces required under this chapter may be compact parking spaces:  
***Total proposed spaces (46) divided by total compact spaces (22) equals 48 percent, therefore the standard is met.***
- (c) *Carpool and vanpool parking.* New developments with 60 or more required off-street parking spaces, and falling within the public services and industrial use classifications, and the business and professional services use category, shall designate a minimum of five percent of their total off-street parking spaces for carpool or vanpool parking.  
***The proposed development is required to contain a minimum of 41 spaces, therefore this standard does not apply.***
- (d) *Maximum off street parking.* Maximum off-street parking is based upon the minimum number of required off-street parking spaces. Except as otherwise provided in this section, and otherwise provided under the UDC, off-street parking shall not exceed the amounts set forth in Table 806-2A  
***More than 20 spaces = 1.75 times minimum number of spaces required.***



**37 x 1.75 = 65 spaces. 46 spaces are provided, so this standard is met.**

**Sec. 806.020. – Method of providing off-street parking**

- (a) *General.* Off-street parking shall be provided through one or more of the following methods:
  - (1) *Ownership.* Ownership in fee by the owner of the property served by the parking.  
**The development, site, and required parking will be owned by one party, therefore the standard is met.**

**Sec. 806.035. – Off-street parking and vehicle use area development standards for uses other than single family, two family, three family, and four family**

- (a) *General applicability.* The off-street parking and vehicle use area development standards set forth in this section apply to:
  - (1) The development of new off-street parking and vehicle-use areas.  
**The proposed development includes new off-street parking and vehicle-use areas. See responses below.**
- (b) *Location.*
  - (1) *Generally.* Off-street parking and vehicle-use areas shall not be located within required setbacks.  
**All off-street parking and vehicle use areas are located beyond the setbacks required per section 524.010.(b).**
  - (2) *Carpool and vanpool parking.*  
**Not required per section 806.015.(c)**
  - (3) *Underground parking.*  
**No underground parking included in this project**
- (c) *Perimeter setback and landscaping.*
  - (1) *Perimeter setbacks and landscaping generally.*
    - (A) *Perimeter setbacks.* Perimeter setbacks, as set forth in this subsection, 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. Perimeter setbacks for parking garages are set forth under subsection (c)(5) of this section. Perimeter setbacks are not required for:
      - (i) *Off-street parking and vehicle use areas abutting an alley.*  
**The east property line abuts an alley, therefore no setback is required.**
    - (B) *Perimeter landscaping.* Required perimeter setbacks for off-street parking and vehicle use areas shall be landscaped as set forth in this subsection.  
**See responses below.**
  - (2) *Perimeter setbacks and landscaping abutting streets.* Unless a greater setback is required elsewhere within the UDC, off-street parking and vehicle use areas abutting a street shall be setback and landscaped according to one of the methods set forth in this subsection. Street trees located along an arterial street may be counted towards meeting the minimum required number of plant units.
    - (A) *Method A.* The off-street parking and vehicle use area shall be setback a minimum of ten feet (see figure 806-1). The setback shall be landscaped according to the Type A standard set forth in SRC chapter 807  
**Not used in this project.**
    - (B) *Method B.* **Not used in this project.**
    - (C) *Method C.* **Not used in this project.**
    - (D) *Method D.* **Not used in this project.**

- (E) *Method E.* The off-street parking and vehicle use area shall be setback a minimum of six feet to accommodate green stormwater infrastructure meeting public works design standards.

***The proposed parking area accessed from Church Street is set back ten feet and will be utilized for green stormwater infrastructure. The standard is met.***

- (3) *Perimeter setbacks and landscaping abutting interior front, side, and rear property lines.* Unless a greater setback is required elsewhere within the UDC, off-street parking and vehicle use areas abutting an interior front, side, or rear property line shall be setback a minimum of five feet (see figure 806-5). The setback shall be landscaped according to the Type A standard set forth in SRC chapter 807.

***The proposed parking areas are set back a minimum of five feet from interior side property lines and will be landscaped per Type A standards. The interior rear property line abuts an alley, therefore per 806.035(c)(a)(i) no setback or associated landscaping is required. The standard is met.***

- (4) *Setback adjacent to buildings and structures.* Except for drive-through lanes, where an off-street parking or vehicular use area is located adjacent to a building or structure, the off-street parking or vehicular use shall be setback from the exterior wall of the building or structure by a minimum five-foot-wide landscape strip, planted to the Type A standard set forth in SRC chapter 807, or by a minimum five-foot-wide paved pedestrian walkway (see figure 806-6). A landscape strip or paved pedestrian walkway is not required for drive-through lanes located adjacent to a building or structure.

***The proposed parking area adjacent to the proposed building is set back a minimum of five feet from the north and east sides. This will be a concrete pedestrian walkway. The standard is met.***

(d) *Interior landscaping*

- (1) *Interior landscaping, generally.* Interior landscaping, as set forth in this subsection, shall be required for off street parking areas 5,000 square feet or greater in size; provided, however, interior landscaping is not required for:

***The proposed parking area is greater than 5,000 square feet, therefore interior landscaping is required.***

- (2) *Minimum percentage of interior landscaping required.* Interior landscaping shall be provided in amounts not less than those set forth in Table 806-5. For purposes of this subsection, the total interior area of an off-street parking area is the sum of all areas within the perimeter of the off-street parking area, including parking spaces, aisles, planting islands, corner area, and curbed areas, but not including interior driveways. Perimeter landscaped setbacks and required landscape strips separating off-street parking areas from buildings and structures shall not count towards satisfying minimum interior landscaping requirements.

Less than 50,000 sq. ft. = Min. 5%

***The total interior area of off-street parking is 21,249 sf., less than 50,000 sf., therefore a minimum of 5% of the area must be landscaped. This equates to 1,062 sf. of interior landscaping. The total provided interior landscaping is 3,194 sf., therefore the standard is met.***

- (3) *Trees.* A minimum of one deciduous shade tree shall be planted for every 12 parking spaces within an off-street parking area. Trees may be clustered within landscape islands or planter bays, and shall be distributed throughout the off-street parking area to create a canopy effect and to break up expanses of paving and long rows of parking spaces.

***46 new off-street parking spaces are proposed; therefore, four deciduous shade trees are required. five trees are proposed, the standard is met.***

- (4) *Landscape islands and planter bays.* Landscape islands and planter bays shall have a minimum planting area of 25 square feet, and shall have a minimum width of five feet (see figure 806-7)

***The two Landscape islands are 197 sf. and seven feet in width, therefore the standard is met.***

- (e) *Off-street parking area dimensions.* Off-street parking areas shall conform to the minimum dimensions set forth in table 806-6;  
***Typical dimensions are shown on the plans to indicate conformity with the minimum dimensions set forth in table 806-6, the standard is met.***
- (f) *Grade.* Off-street parking and vehicle use areas shall not exceed a maximum grade of ten percent. Ramps shall not exceed a maximum grade of 15 percent.  
***The site has a gradual slope of roughly 1 percent, therefore no ramps are necessary. The standard is met.***
- (g) *Surfacing.* Off-street parking and vehicle use areas shall be paved with a hard surface material meeting the Public Works Design Standards; provided, however, up to two feet of the front of a parking space may be landscaped with ground cover plants (see figure 806-9). Such two-foot landscaped area counts towards meeting interior off-street parking area landscaping requirements, but shall not count towards meeting perimeter setbacks and landscaping requirements.  
***Per civil drawings, the vehicle use areas will be paved with a hard surface material complying with the Public Works Design Standards. Wheel stops are implemented in this site plan to avoid vehicles overhanging into the required landscaping. In some instances, curbs are used as wheel stops, but the bumper overhang is not included in the calculated landscape area.***
- (h) *Drainage.* Off-street parking and vehicle use areas shall be adequately designed, graded, and drained according to the Public Works Design Standards, or to the approval of the Director.  
***The provided site plan outlines the drainage strategies for the vehicle use areas.***
- (i) *Bumper guards or wheel barriers.* Off-street parking and vehicle use areas shall include bumper guards or wheel barriers so that no portion of a vehicle will overhang or project into required setbacks and landscaped areas, pedestrian accessways, streets or alleys, or abutting property;  
***Bumper guards have been proposed at parking locations adjacent to pedestrian walkways and landscaping. In some instances, curbs are used as wheel stops, but the bumper overhang is not included in the calculated landscape area. Therefore the standard is met.***
- (j) *Off-street parking area striping.* Off-street parking areas shall be striped in conformance with the off-street parking area dimension standards set forth in Table 806-6;  
***Typical dimensions are shown on the plans to indicate conformity with the minimum dimensions set forth in table 806-6, the standard is met.***
- (k) *Marking and signage.*
- (1) *Off-street parking and vehicle use area circulation.* Where directional signs and pavement markings are included within an off-street parking or vehicle use area to control vehicle movement, such signs and markings shall conform to the Manual of Uniform Traffic Control Devices.  
***Painted directional arrows are proposed to direct traffic flow within the proposed development site.***
- (2) *Compact parking.* Compact parking spaces shall be clearly marked indicating the spaces are reserved for compact parking only.  
***Compact parking spaces will be marked "compact".***

- (3) *Carpool and Vanpool Parking. No carpool or vanpool parking is required for this project.*
- (l) *Lighting.* Lighting for off-street parking and vehicle use areas shall not shine or reflect onto adjacent residentially zoned property, or property used for uses or activities under household living, or cast glare onto the street.  
***There are no abutting residentially zoned properties or property used for uses falling under household living.***
- (m) *Off-street parking area screening.* Off-street parking areas with more than six spaces shall be screened from abutting residentially zoned property, or property used for uses or activities falling under household living, by a minimum six-foot tall sight-obscuring fence, wall, or hedge;  
***There are no abutting residentially zoned properties or property used for uses falling under household living.***

**Sec. 806.040. – Driveway development standards for uses or activities other than single family, two family, three family, or four family.**

- (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. The driveway approaches to the driveways shall conform to SRC chapter 804.  
***The proposed parking lot allows for ingress either from Church Street or from the adjacent alley. Flow through the site is noted with painted arrows depicting one-way traffic. Exiting from the site is provided from the alley to the north or south.***
- (b) *Location.* Driveways shall not be located within required setbacks, except where:
  - (1) The driveway provides direct access to the street, alley, or abutting property.  
***The driveway is not located within setbacks, except for immediate site ingress from Church street. The standard is met.***
- (c) *Setbacks and Landscaping*
  - (1) *Perimeter setbacks and landscaping, generally.* Perimeter setbacks and a landscaping as set forth in this subsection shall be required for driveways abutting streets and abutting interior front, side, and rear property lines; provided, however, perimeter setbacks and landscaping are not required where:
    - (A) The driveway provides direct access to the street, alley, or abutting property.  
***The driveway is not located within setbacks, except for immediate site ingress from Church street. The standard is met.***
  - (2) *Perimeter setbacks and landscaping abutting streets.* Unless a greater setback is required elsewhere within the UDC, driveways abutting a street shall be setback and landscaped according to the off-street parking and vehicle use area perimeter setbacks and landscaping standards set forth under SRC 806.035(c)(2).  
***The proposed driveway from Church Street does not abut the street, therefore this standard does not apply.***
  - (3) *Perimeter setbacks and landscaping abutting interior front, side, and rear property lines.* Unless a greater setback is required elsewhere within the UDC, driveways abutting an interior front, side, or rear property line shall be setback a minimum of five feet. The setback shall be landscaped according to the Type A standard set forth in SRC chapter 807.  
***The proposed driveways on the interior rear are perpendicular to alley, and does not abut the property line. Therefore this standard does not apply.***

- (d) *Dimensions.* Driveways shall conform to the minimum width set forth in Table 806-7.  
**One way driveway = 12 ft.**  
**Two way driveway = 22 ft.**  
**Driveways are designed to meet the above requirements. The driveways on site are one way and are dimensioned on the plans to demonstrate conformance with the required widths. The standard is met.**
- (e) *Surfacing.* All driveways, other than access roads required by the Public Works Design Standards. Access roads required by the Public Works Design Standards to provide access to City utilities shall be an all-weather surface material meeting the Public Works Design Standards; provided, however, the first ten feet of the access road leading into the property, as measured from the property line, shall be paved with a hard surface material.  
**Per civil drawings, the vehicle access areas will be paved with approved materials.**
- (f) *Drainage.* Driveways shall be adequately designed, graded, and drained according to the Public Works Design Standards, or to the approval of the Director.  
**The provided site plan outlines the drainage strategies for the vehicle use areas.**
- (g) *"No Parking" signs.* Driveways shall be posted with one "no parking" sign for every 60 feet of driveway length, but in no event shall less than two signs be posted  
**Two "No Parking" signs will be posted in the short driveway connecting Church St. to the parking area.**

**Sec. 806.045. – Bicycle parking; when required**

- (a) *General applicability.* Bicycle parking shall be provided as required under this chapter for:
  - (1) Each proposed new use or activity.  
**The new development is a new use, therefore bicycle parking will be required.**
- (b) *Applicability to non-conforming bicycle parking area.*  
**All proposed bicycle parking in this project is new.**

**Sec. 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.

**All proposed bicycle parking is located within the same development site as the use or activity it serves, therefore the standard is met. See site plan for locations.**

**Sec. 806.055. – Amount of bicycle parking.**

Unless otherwise provided under the UDC, bicycle parking shall be provided in amounts not less than those set forth in Table 806-8

Multiple family – The greater of 4 spaces or 0.1 space per dwelling unit

**20 units x 0.1 = 2 spaces. 4 spaces required**

Retail Sales – The greater of 4 spaces or 1 space per 10,000 square feet of building area.

**7,285 sf. = 1 space. 4 spaces required**

Office – The greater of 4 spaces or 1 space per 3,500 square feet of building area.

**2,650 sf. = 1 space. 4 spaces required**

**8 staple / inverted racks are provided along the church street façade. These spaces satisfy the requirement of 4 spaces each for retail and office uses. 13 additional**

***indoor spaces are provided for the residential units, which satisfies the four required spaces for multiple family use.***

#### **Sec. 806.060. – Bicycle parking development standards**

Unless otherwise provided under the UDC, bicycle parking shall be provided in racks or lockers developed and maintained as set forth in this section. The standards set forth in this section shall not apply to City approved bike share stations which utilize bike docking stations.

- (a) ***Location.*** Except as otherwise provided in this section, bicycle parking shall be located outside a building.

  - (1) Bicycle parking located outside a building shall be located within a convenient distance of, and be clearly visible from, the primary building entrance. In no event shall bicycle parking be located more than 50 feet from the primary building entrance, as measures along a direct pedestrian route.

***Bicycle parking spaces are provided as loops along the Church Street (west) façade. These are spaced evenly along the exterior of the front façade, as there are multiple entrances to the building. Each bicycle loop is within 50 feet of a building entrance. Additional bicycle parking is provided inside the building, see item (2) for additional information.***
  - (2) Where bicycle parking cannot be located outside a building, it may be located inside a building within a convenient distance of, and accessible from, the primary building entrance.

***Secure bicycle parking is located within the new building. The bike storage room is located down a hallway from the primary entrance and has a separate entrance from the back side of the building. The standard is met.***
- (b) ***Access.*** Bicycle parking areas shall have direct and accessible access to the public right-of way and the primary building entrance that is free of obstructions and any barriers, such as curbs or stairs, which would require users to lift their bikes in order to access the bicycle parking area.

***The proposed staple / inverted rack bike parking will be at the same grade as the adjacent sidewalk. The standard is met.***
- (c) ***Dimensions.*** Except as provided in subsection (f) of this section, bicycle parking shall meet the following dimension requirements:

  - (1) ***Bicycle parking spaces.*** Bicycle parking spaces shall be a minimum of six feet in length and two feet in width with the bicycle rack centered along the edge of the bicycle parking space. Bicycle parking space width may be reduced, however, to a minimum of three feet between racks where the racks are located side-by-side.

***A 2 ft. by 6 ft. clear area is noted by each exterior bicycle rack. The space between bicycle racks inside the bike storage room has been reduced to 3 feet. The standard is met.***
  - (2) ***Access Aisles.*** Bicycle parking spaces shall be served by a minimum four-foot-wide access aisle. Access aisles serving bicycle parking spaces may be located within the public right of way.

***The exterior bicycle racks are accessed via the sidewalk, which exceeds the minimum width for an access aisle. The interior bike storage room has an interior aisle 5' – 3" wide, which exceeds the minimum. The standard is met.***
- (d) ***Surfacing.*** Where bicycle parking is located outside a building, the bicycle parking area shall consist of a hard surface material, such as concrete, asphalt pavement, pavers, or similar material, meeting the Public Works Design Standards.

***The exterior bicycle racks will be on paved concrete to match the adjacent sidewalk. The interior bike storage room will have a 6 inch concrete slab floor. The standard is met.***

- (e) ***Bicycle racks.*** Where bicycle parking is provided in racks, the racks may be floor, wall, or ceiling racks. Bicycle racks shall meet the following standards
- (1) Racks must support the bicycle frame in a stable position, in two or more places a minimum of six inches horizontally apart, without damage to wheels, frame, or components.
  - (2) Racks must allow the bicycle frame and at least one wheel to be locked to the rack with a high security, U-shaped shackle lock.
  - (3) Racks shall be of a material that resists cutting, rusting, and bending or deformation; and
  - (4) Racks shall be securely anchored.
  - (5) Examples of types of bicycle racks that do, and do not, meet these standards are shown in Figure 806-10.
- Staple / Inverted bike racks per figure 806-10 are proposed at all bicycle parking areas, this meets the standards listed above.***
- (f) ***Bicycle lockers.***  
***No bicycle lockers are included in the proposed development.***

**Sec. 806.065. – Off-street loading areas; when required.**

- (a) ***General applicability.*** Off-street loading shall be provided and maintained as required under this chapter for:
- (1) Each proposed new use or activity  
***The proposed new development is a new use, therefore an off-street loading area is required. One is provided per the requirements listed below, see site plan for location.***
- (b) ***Applicability to non-conforming off-street loading area.***  
***The proposed loading area is new, therefore this section is not application.***

**Sec. 806.070. – Proximity of off-street loading areas to use or activity served.**

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

***The proposed off-street loading zone is located within the same development site as the use or activity it serves, therefore the standard is met. See site plan for location.***

**Sec. 806.075. – Amount of off-street loading**

Unless otherwise provided under the UDC, off-street loading shall be provided in amounts not less than those set forth in table 806-9

Multiple family – 5 to 49 units = None required

***20 units = None required***

Business and professional services – Less than 5,000 sf. = none required

***5,878 sf. = 1 space required, 9 ft. x 19 ft. x 12 ft. One off-street parking space will be used to satisfy this requirement, per 806.075(a).***

Retail Sales & Service – 5,000 sf. – 60,000 sf. = 1 space, 12 ft. x 20 ft. x 14 ft.

***7,285 sf. = 1 space required, 12 ft. x 30 ft. x 14 ft. One loading zone, 12 ft. x 30 ft. x 14 ft. is provided off the alley in the rear parking lot, therefore the standard is met.***

## **Sec. 806.080. – Off-street loading development standards.**

Unless otherwise provided under the UDC, off-street loading shall be provided in amounts not less than those set forth in this section.

- (a) *Location.* Off-street loading areas shall not be located within required setbacks.  
***The proposed loading zone is located within the off-street parking area, outside of any setbacks. The standard is met.***
- (b) Perimeter setbacks and landscaping.
  - (1) Perimeter setbacks and landscaping abutting streets. Unless a greater setback is required elsewhere within the UDC, off-street loading areas abutting a street shall be setback and landscaped according to the off-street parking and vehicle use area perimeter setback and landscaping standards set forth under SRC 806.035(c)(2)  
***The proposed loading zone does not abut a street. The standard does not apply.***
  - (2) Perimeter setbacks and landscaping abutting interior front, side, and rear property lines. Unless a greater setback is required elsewhere within the UDC, off-street loading areas abutting an interior front, side, or rear property line shall be setback a minimum of five feet. The setback shall be landscaped according to the Type A landscaping standard of SRC chapter 807.  
***The proposed loading zone is set back seven feet from the adjacent alley. The setback is not landscaped; a Class 2 adjustment application has been submitted for this item.***
- (c) Dimensions. Loading areas shall conform to the minimum dimensions set forth in Table 806-9.  
***The proposed loading area is 12 ft. x 30 ft. x 14 ft. per Table 806-9, the standard is met.***
- (d) Maneuvering. Off-street loading areas shall be of sufficient size, and all curves and corners of sufficient radius, to accommodate the safe operation of a delivery vehicle.  
***The loading area is directly accessible from the adjacent alley, the standard is met.***
- (e) Surfacing. All loading areas shall be paved with a hard surface material meeting the Public Works Design Standards, or to the approval of the Director.  
***The loading area is in the off-street parking area, therefore the surface will be the same. The standard is met.***
- (f) Drainage. Loading areas shall be adequately designed, graded, and drained according to the Public Works Design Standards, or to the approval of the Director.  
***The loading area grading is designed per the PWDS. See the civil site plan for additional drainage information.***
- (g) Lighting. Lighting for off-street loading areas shall not shine or reflect onto adjacent residentially zoned property, or property used for uses or activities falling under household living, or cast glare onto the street.  
***There are no abutting residentially zoned properties or property used for uses falling under household living.***

## **General Development Standards (SRC 800)**

### **Sec. 800.055. – Solid Waste Service Areas**

Solid waste service areas shall provide for the safe and convenient collection of solid waste and recyclable and compostable materials by the local solid waste collection franchisee.



- (a) *Applicability.* Solid waste service area design standards shall apply to:
- (1) All new solid waste, recycling, and compostable service areas, where use of solid waste, recycling, and compostable receptacle of one cubic yard or larger is proposed  
***A single two yard solid waste receptable will be placed on site, therefore the standard applies.***
- (b) *Solid waste receptacle placement standards.* All solid waste receptacles shall be placed at grade on a concrete pad that is a minimum of four inches thick, or on an asphalt pad that is a minimum of six inches thick. The pad shall have a slope of no more than a three percent and shall be designed to discharge stormwater runoff consistent with the overall stormwater management plan for the site approved by the Director.
- (1) *Pad Area.* In determining the total concrete pad area for any solid waste service area:
- (A) The pad area shall extend a minimum of one foot beyond the sides and rear of the receptacle; and  
***Minimum one foot provided.***
- (B) The pad area shall extend a minimum three feet beyond the front of the receptacle  
***Minimum three feet provided.***
- (C) In situation where receptacles face each other, a minimum four feet of pad area shall be required between the fronts of the facing receptacles.  
***Receptacles are side by side, they do not face each other.***
- (2) *Minimum separation.*
- (A) A minimum separation of 1.5 feet shall be provided between the receptacle and the side wall of the enclosure  
***Minimum 1.5 feet provided.***
- (B) A minimum separation of five feet shall be provided between the receptacle and any combustible walls, combustible roof eave lines, or building or structure opening.  
***Closest structure is 35 feet away.***
- (3) *Vertical clearance.*
- (A) *Receptacles two yards or less.* Receptacles two yards or less in size shall be provided with a minimum of eight feet of unobstructed overhead or vertical clearance for servicing.  
***Eight feet of vertical clearance is provided.***
- (B) *Receptacles greater than two cubic yards.*  
***New development does not include a proposal for any receptacles over two cubic yards.***
- (c) *Permanent drop box and compactor placement standards*  
***New development does not include a proposal for a permanent dropbox or compactor.***
- (d) *Solid waste service area screening standards*
- (1) Solid waste, recycling, and compostable service areas shall be screened from all streets abutting the property and from all abutting residentially zoned property by a minimum six-foot-tall sight obscuring fence or wall; provided, however, where receptacles, drop boxes, and compactors are located within an enclosure, screening is not required. For the purpose of this standard, abutting property shall also include any residentially zoned property located across an alley from the property.  
***Waste area is surrounded by a six foot tall CMU wall and chain link gate with privacy slats.***

- (e) *Solid waste service area enclosure standards.* When enclosures are used for required screening or aesthetics, such enclosures shall conform to the standards set forth in this subsection. The overall dimensions of an enclosure are dependent upon the number and size of receptacles the enclosure is designed to accommodate.
- (1) *Front opening of enclosure.* The front opening of the enclosure shall be unobstructed and shall be a minimum of 12 feet in width.  
***The enclosure has a 16 foot wide opening.***
- (2) Measures to prevent damage to the enclosure.
- (A) Enclosures constructed of wood or chainlink fencing material shall contain a minimum four-inch nominal high bumper curb at ground level located 12 inches inside the perimeter of the outside walls of the enclosure to prevent damage from receptacle impacts.  
***Not applicable***
- (B) Enclosures constructed of concrete, brick, masonry block, or similar types of material shall contain a minimum four-inch nominal high bumper curb at ground level located 12 inches inside the perimeter of the outside walls of the enclosure, or a fixed bumper rail to prevent damage from receptacle impacts.  
***Fixed 4" concrete curbs are provided at the perimeter.***
- (3) *Enclosure gates.* Any gate across the front opening of an enclosure shall swing freely without obstructions. For any enclosure opening with an unobstructed width of less than 15 feet, the gates shall open a minimum of 120 degrees. For any enclosure opening with an unobstructed width of 15 feet or greater, the gates shall open a minimum of 90 degrees. All gates shall have restrainers in the open and closed positions.  
***The proposed opening is 16 feet, and the gates open a minimum of 90 degrees.***
- (4) *Prohibited enclosures.* Receptacles shall not be stored in buildings or entirely enclosed structures...  
***Receptacles are stored in an exterior covered area specifically designed as a solid waste service area.***
- (f) Solid waste service area vehicle access.
- (1) Vehicle operation area.
- (A) A vehicle operation area shall be provided for solid waste collection service vehicles that is free of obstructions and no less than 45 feet in length and 15 feet in width; provided, however, where the front opening of an enclosure is wider than 15 feet, the width of the vehicle operation area shall be increased to equal the width of the front opening of the enclosure. Vehicle operation areas shall be made available perpendicular to the front of every receptacle, or, in the case of multiple receptacles within an enclosure, perpendicular to every enclosure opening  
***A 15' x 45' service area is located perpendicular to the proposed solid waste enclosure.***
- (B) For solid waste service area having receptacles of two cubic yards or less, the vehicle operation may be located:
- (i) Perpendicular to the permanent location of the receptacle of the enclosure opening (see Figure 800-8);
- (ii) Parallel to the permanent location of the receptacle of the enclosure opening (see Figure 800-9); or
- (iii) In a location where the receptacle can be safely maneuvered manually not more than 45 feet into a position at one end of the vehicle operation area for receptacle servicing.  
***A 15' x 45' service area is located perpendicular to the proposed solid waste enclosure. The standard is met.***

- (C) The vehicle operation area may be coincident with a parking lot drive aisle, driveway, or alley provided that such area is kept free of parked vehicles and other obstructions at all times except for the normal ingress and egress of vehicles.

***The service area is adjacent to an alley.***

- (D) Vertical clearance. Vehicle operation areas shall have a minimum vertical clearance of 14'.

***There are no overhead obstructions at the vehicle operation area.***

- (E) In the event that access to the vehicle operation area is not a direct approach into position for operation of the service vehicle, a turnaround, in conformance with the minimum dimension and turning radius requirements shown in Figure 800-10, shall be required to allow safe and convenient access for collection service.

***Not applicable***

- (g) Notice to solid waste collection franchisee. Upon receipt of an application to vary or adjust the standards set forth in this section, notification and opportunity to comment shall be provided to the applicable solid waste collection franchisee. Notice required under this subsection shall be in addition to the notification required for a variance or adjustment under SRC chapter 300

#### **Sec. 800.060. – Exterior Lighting**

- (a) Exterior lighting shall not shine or reflect onto adjacent properties, or cast glare onto the public right-of-way

***Light fixtures will be specified with cut-offs or optics to provide required illumination of the site while complying with 800.060 and 800.065. A photometric site plan will be submitted as part of the building permit application.***

- (b) Exterior light fixtures shall be located and designed so that the light source, when viewed at a height of five feet above the ground at a distance of five feet outside the boundary of the lot, shall be either:

- (1) Completely shielded from direct view; or
- (2) No greater than five foot-candles in illumination

***Light fixtures will be specified with cut-offs or optics to provide required illumination of the site while complying with 800.060 and 800.065. A photometric site plan will be submitted as part of the building permit application.***

#### **Sec. 800.065. – Pedestrian Access**

Except where pedestrian access standards are provided elsewhere under the UDC, all developments, other than single family, two family, three family, four family, and multiple family developments, shall include an on-site pedestrian circulation system developed in conformance with the standards in this section.

- (a) Pedestrian connections required. The on-site pedestrian circulation system shall provide pedestrian connectivity throughout the development site as follows.

- (1) Connection between building entrances and streets.

- (A) A pedestrian connection shall be provided between the primary building entrance of each building on the development site and each adjacent street. Where a building has more than one primary building entrance, a single pedestrian connection from one of the buildings primary entrances to each adjacent street is allowed; provided each

of the buildings primary entrances are connected, via a pedestrian connection, to the required connection to the street.

***The primary building entrances are directly connected to the sidewalk of the adjacent Church Street.***

- (B) Where an adjacent street is a transit route and there is an existing or planned transit stop along street frontage of the development site, at least one of the required pedestrian connections shall connect to the street within 20 feet of the transit stop.

***There is one existing transit stop near the southwest corner of the property. The primary building entrances are directly connected to the sidewalk, which provides a direct connection to the transit stop.***

- (2) Connection between buildings on the same development site. Where there is more than one building on a development site, a pedestrian connection, or pedestrian connections, shall be provided to connect the primary building entrances of all the buildings.

***The new Hope Plaza building and the existing Center For Hope and Safety building are connected by the sidewalks along Church Street and Center Street.***

- (3) Connection through off-street parking areas.

- (A) Surface parking areas. Except as provided under subsection (a)(3)(A)(iii) of this section, off-street surface parking areas greater than 25,000 square feet in size or including four or more consecutive drive aisles shall include pedestrian connections through the parking area to the primary building entrance or where there is no building, through the parking area as provided in this subsection.

***Not applicable, the proposed parking area is less than 25,000sf.***

- (B) Parking Structures and parking garages

***Not applicable, no proposed parking structures or garages.***

- (4) Connection to existing or planned paths and trails.

***Not applicable, no existing or planned paths or trails.***

- (5) Connection to abutting properties.

***Not applicable, no proposed vehicular connection to an abutting property.***

- (b) Design and materials. Required pedestrian connection shall be in the form of a walkway, or may be in the form of a plaza.

***Not applicable. No existing or proposed pedestrian routes***

- (c) Lighting. The on-site pedestrian circulation system shall be lighted to a level where the system can be used at night by employees, customers, and residents.

***Light fixtures will be specified with cut-offs or optics to provide required illumination of the site while complying with 800.060 and 800.065. A photometric site plan will be submitted as part of the building permit application.***



**Class 2 Driveway Approach Permit**

**Written Statement**

**5 August, 2021**

Site Plan Review – Class 2

Center for Hope and Safety – HOPE Plaza

**454 Church St. NE**

**Reference Numbers: 21-109479-DR / 21-109480-RP / 21-109481-ZO**



**Approval Criteria, Chapter 804:**

**1. The proposed driveway approach meets the standards of this chapter and Public Works Design**

**Standards:** The approach is 12.5 feet wide, which meets the width standard of this chapter and meets the additional standards of this chapter, as described in the responses below. The driveway will comply with Public Works Design Standards, Standard Plan No. 302.

**2. No site conditions prevent placing the driveway approach in the required location:** The proposed driveway replaces a current, functioning driveway within a few feet of the proposed location. No site conditions pose a problem for the proposed location.

**3. The number of driveway approaches onto an arterial are minimized:** One driveway is proposed for the site, and no future approaches on the same side of the street are feasible given the development of the block.

**4. The proposed driveway approach, where possible (A) Is shared with an adjacent property; or (B) Takes access from the lowest classification of street abutting the property:** The adjacent property has no parking lot. Both streets abutting the property (Center St. NE and Church St. NE) are classified as Major Arterials.

**5. The driveway approach meets vision clearance standards:** Proposed driveway is one-way into the site, so vision clearance standards do not apply.

**6. The proposed driveway approach does not create traffic hazards and provides for safe turning movements and access:** Proposed driveway is one-way onto the site, is approximately mid-block, and is in approximately the same location as the driveway it will replace — so no significant change to current traffic patterns.

**7. The proposed driveway approach does not result in significant adverse impacts to the vicinity:** The proposed driveway replaces an existing driveway of similar size, location and same travel direction. The proposed driveway will not cause any significant impact to the vicinity.

**8. The proposed driveway approach minimizes impact to the functionality of adjacent streets and intersections:** Although the proposed driveway is less than 370 feet to the adjacent intersections (a Class 2 Adjustment has been applied for), Church Street is a downtown street with much slower speeds and traffic load than a typical Major Arterial. The proposed driveway is mid-block, resulting in minimal impact 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:** The proposed driveway is in a central business district location; there is no residentially zoned property nearby. No significant impact to residential property.



## **Class 2 Adjustment**

### **Written Statement for Driveway Spacing**

**13 July, 2021**

Site Plan Review – Class 3

Center for Hope and Safety – HOPE Plaza

**454 Church St. NE**

**Reference Numbers: 21-109479-DR / 21-109480-RP / 21-109481-ZO**



## **Adjustment Written Statement**

**Seeking adjustment to SRC 804.035(d)** which states that driveway approaches providing direct access to a major or minor arterial shall be no less than 370 feet from the nearest driveway or street intersection, measured from centerline to centerline.

### **Approval Criteria:**

**1. The purpose underlying the standard is clearly satisfied by the proposed development:** The purpose of the standard is to avoid impedances to traffic flow and potential accidents between vehicles on major or minor arterials (which typically have higher volumes and speed limits) and those entering or leaving driveways. In the case of the proposed development, the major arterial in question is a downtown street. Since downtown street intersections are typically only about 430 feet apart in the North-South direction, it is impossible to meet the standard at any location along the block. However, the speed limit downtown is only 20 miles an hour, so there is more time for drivers on the arterial to react to another driver entering or leaving via the driveway. Additionally, the proposed driveway is one-way onto the site, meaning no vehicles will be entering the street from the driveway. Finally, the proposed driveway is replacing an existing one in a slightly different location, meaning that there is no material change to current traffic patterns in the area. All of these factors (low speed, one way driveway, and existing driveway) lead to the conclusion that the proposed design meets the purpose of the standard.

**2. If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.** Does not apply – the proposed development is not in a residential zone.

**3. If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone.** The other adjustments requested are for building setback abutting a street, and loading zone landscaping. All three adjustments being requested are individually consistent with the overall purpose of the zone, and do not have any combined impacts which are inconsistent with the overall purpose of the zone.

Regarding the adjustment for building setback, the new driveway is slightly farther from the corner of the proposed building than the existing driveway is from the former building on the site, and the proposed building is set back from the property line slightly further than the former building was, so the new configuration is safer than the existing.





## **Class 2 – Adjustment**

### **Written Statement for Building Setback Abutting a Street**

**13 July, 2021**

Site Plan Review – Class 2

Center for Hope and Safety – HOPE Plaza

**454 Church St. NE**

**Reference Numbers: 21-109479-DR / 21-109480-RP / 21-109481-ZO**



## **Adjustment Written Statement**

**Seeking adjustment to SRC 524.010(b) Table 524-3** which states that buildings abutting the street shall be set back from the property line 0 feet or 10 feet.

### **Approval Criteria:**

- 1. The purpose underlying the standard is clearly met by the proposed development:** The assumed purpose of the 0-foot setback is to maintain a consistent urban edge along downtown streets and sidewalks. The assumption is that the 10-foot setback is to allow for a shallow plaza that would accommodate outdoor dining. The proposed building has an articulated façade, with piers set approximately 1 foot from the property line, with the rest of the wall set back 3'-3" from the property line. The existing adjacent building has a setback of approximately the same amount, so the proposed building helps to create a consistent urban edge that complies with the purpose of the standard. Additionally, the setback is required to allow space for bike parking which is required elsewhere in the zoning code to be within 50 feet of the main entrance, and is not allowed by Public Works to be located within the right-of-way. The setback also allows door swings to be outside of the right-of-way, meeting another Public Works requirement. Finally, the proposed design includes three new street trees, where none currently exist. All of these factors contribute to a usable and active pedestrian space with an urban character, and meet the purpose underlying the standard.
- 2. If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.** Does not apply – the proposed development is not in a residential zone.
- 3. If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone.** The other adjustments requested are for loading zone landscaping, and driveway separation. All three adjustments being requested are individually consistent with the overall purpose of the zone, and do not have any combined impacts which are inconsistent with the overall purpose of the zone.



## **Class 2 Adjustment**

### **Written Statement for Loading Zone Landscaping**

**13 July, 2021**

Site Plan Review – Class 2

Center for Hope and Safety – HOPE Plaza

**454 Church St. NE**

**Reference Numbers: 21-109479-DR / 21-109480-RP / 21-109481-ZO**



## **Adjustment Written Statement**

**Seeking adjustment to SRC 806.080(b)(2)** which states that the required 5-foot setback from a rear property line shall be landscaped according to the Type A landscaping standard of SRC chapter 807.

### **Approval Criteria:**

**1. The purpose underlying the standard is clearly satisfied by the proposed development:** The purpose of the standard is to screen loading zones from adjacent uses. In the case of the proposed development, the rear property line abuts an alley which provides access to parking for both the proposed and existing adjacent commercial uses. The existing parking directly accesses the alley with no landscape screening, and functions well for its intended purpose. The proposed design for the loading zone maintains a consistent design vocabulary within the alley, and allows for unobstructed access to the loading zone from the alley as well as truck access to the trash enclosure.

The overall parking lot is required to have 1,062 SF of landscaping, and 3,194 SF is proposed, so the proposed design is well above the requirement. As there would be no real advantage to introducing a 12-foot long landscape strip between the alley and loading zone, and the proposed landscaping overall is approximately 3 times the required amount, the proposed design meets the purpose of the standard.

**2. If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.** Does not apply – the proposed development is not in a residential zone.

**3. If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone.** The other adjustments requested are for building setback abutting a street, and driveway separation. All three adjustments being requested are individually consistent with the overall purpose of the zone, and do not have any combined impacts which are inconsistent with the overall purpose of the zone.



# MEMO

**TO:** Steven McAtee, Planner II  
Community Development Department

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

**DATE:** August 9, 2021

**SUBJECT: PUBLIC WORKS RECOMMENDATIONS  
DR-SPR-ADJ-DAP21-03 (21-109480-RP)  
454 CHURCH STREET NE  
THREE-STORY MIXED-USE BUILDING**

## **PROPOSAL**

A Class 3 Site Plan Review, Class 2 Driveway Approach Permit, and a Class 2 Adjustment for the development of a three-story mixed-use building with retail and office uses, and 20 units of multi-family housing. The approximately one-acre property is zoned CB (Central Business District), is within the General Retail/Office Overlay Zone, and is located at 454 Church Street NE (Marion County Assessors Map and Tax Lot Numbers: 073W22DD / 3000, 073W22DD / 3100 and 073W22DD / 2900).

## **RECOMMENDED CONDITIONS OF APPROVAL**

1. Construct streetscape improvements as specified in the City of Salem Downtown Streetscape Plan.
2. Obtain a revocable license for the steel canopy encroaching into the right-of-way pursuant to SRC 76.150.
3. Design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.

## **FACTS**

### **Streets**

1. Church 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.

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).

- b. Existing Conditions—This street has an approximate 59-foot improvement within a 100-foot-wide right-of-way abutting the subject property.

2. Center 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 Conditions—This street has an approximate 59-foot improvement within a 99-foot-wide right-of-way abutting the subject property.

3. 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 Conditions—The Alley abutting the subject property is paved and has a right-of-way measuring approximately 16 feet.

**Storm Drainage**

1. Existing Conditions

- a. A 10-inch storm main is located in Center Street NE.
- b. There are 8-inch and 10-inch storm mains located in the Alley.
- c. An 8-inch storm main is located within an easement on the north side of the subject property.

**Water**

1. Existing Conditions

- a. The subject property is located in the G-0 water service level.
- b. A 12-inch water main is located in Church Street NE.
- c. A 10-inch water main is located in Center Street NE.

## Sanitary Sewer

### 1. Existing Conditions

- a. An 8-inch sewer main is located in the Alley.
- b. A 36-inch sewer main is located in Center Street NE.
- c. A 42-inch and two 48-inch sewer mains are located in Church Street NE.

## **CRITERIA AND FINDINGS**

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 UDC (*Unified Development Code*)**

**Finding**—With completion of the conditions above and approval of the adjustment for driveway spacing, 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.

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.

According to the Salem-Keizer Local Wetland Inventory (LWI) the subject property does not contain any wetland areas or hydric soils.

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.

**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**—Church Street NE, Center Street NE, and the Alley meet the right-of-way width standards pursuant to the Salem TSP and PWDS.

The existing configuration of Church Street NE does not meet current streetscape standards pursuant to PWDS. The applicant shall construct streetscape improvements

as specified in the City of Salem Downtown Streetscape Plan.

The application materials show an overhead steel canopy structure encroaching into the right-of-way. Prior to construction, the applicant shall obtain a revocable license for encroachment pursuant to SRC 76.150.

**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 applicant has proposed an ingress only driveway approach on Church Street NE with all egress directed to the alley, providing safe turning movements into and out of the property.

**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 infrastructure are available within the surrounding streets/areas and are adequate to serve the proposed development. The applicant proposes connections to existing water, sewer, and storm infrastructure.

The applicant's engineer submitted a statement demonstrating compliance with Stormwater PWDS Appendix 004-E (4) and SRC Chapter 71. At the time of development, the applicant shall design and construct a storm drainage system in compliance with SRC Chapter 71 and PWDS.

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.

**Criteria—A Class 2 Driveway Approach Permit shall be granted if:**

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

**Finding—**The proposed driveway is located less than 370 feet from surrounding intersections; therefore, a Class 2 adjustment is required for driveway spacing as described below. Otherwise, the proposed driveway meets the standards for SRC 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 driveway.

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

**Finding—**The proposed development reduces the width of the existing driveway, and proposes one-way ingress only access from an arterial 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 subject property abuts two Major Arterials and an Alley. The Alley is not wide enough for two-way traffic. The development cannot be fully served by the lowest classification of street (Alley).

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

**Finding—**The proposed driveway 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 will create traffic hazards or unsafe turning movements. Additionally, staff analysis of the proposed driveway indicates that it will not create a traffic hazard and will provide for safe turning movements for access to the subject property.

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

**Finding—**Staff analysis of the proposed driveway and the evidence that has been submitted indicate the location of the proposed driveway will not have any adverse impacts to the adjacent properties or streets.

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

**Finding—**The proposed driveway approach is located on a Major Arterial street and minimizes the impact to adjacent streets and intersections by directing all egress to the Alley.

**(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.

**CRITERIA AND FINDINGS—Class 2 Adjustments**

Analysis of the proposed Class 2 adjustment based on relevant criteria in SRC 250.005(d)(2) is as follows:

**Criteria—**The purpose underlying the specific development standard proposed for adjustment is:

1. Clearly inapplicable to the proposed development; or
2. Equally or better met by the proposed development.

**Finding—**The applicant is requesting a Class 2 adjustment to allow reduced spacing between intersections less than the standard of 370 feet. The development is proposing a one-way ingress only driveway on Church Street NE, replacing an existing two-way driveway in a slightly different location. The applicant provided a written statement identifying the existing surrounding downtown intersections are only approximately 430 feet apart. Additionally, this area of downtown has a speed limit of 20 miles an hour, which increases driver reaction time of turning movements into the driveway. The proposed driveway configuration meets the adjustment criteria by allowing for turning movements and traffic safety equal to what would be accomplished by meeting the development standard.

Prepared by: Matt Olney, Program Manager  
cc: File



CITY OF SALEM  
**DOWNTOWN STREETScape PLAN**



# PROJECT BACKGROUND

In 2011, the City of Salem adopted a Strategic Action Plan that identified streetscape improvements as a top priority to support a livable and economically healthy downtown. In 2016, the City conducted focus groups with major downtown stakeholders which included downtown businesses, residents, and property owners, and found that streetscape improvements were ranked as the highest-impact priority for downtown.

The Downtown Streetscape Plan provides a road map for these needed improvements. Its study area is depicted in the map at left and is bounded by Union Street to the north, Church Street to the east, Ferry / Trade Streets to the south, and Front Street to the west.

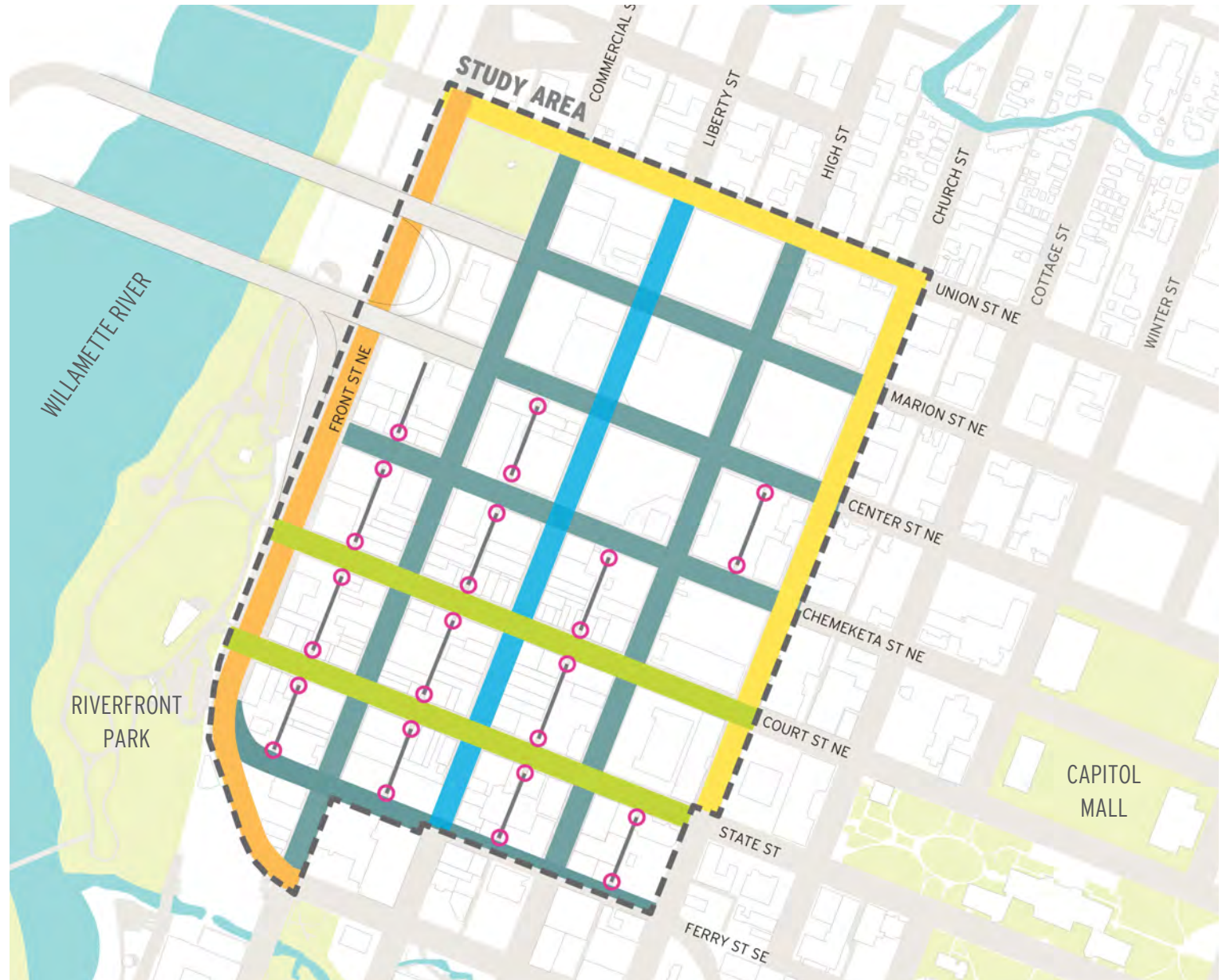
As Salem continues to grow and flourish, this plan provides a guide to transform the downtown public realm into a cohesive, attractive, and inviting environment that benefits all downtown users.





# STREETSCAPE TYPES

- Promenade
- Civic
- Urban
- Parkway
- Front
- Alley Entrance



# PARKWAY STREETSCAPE

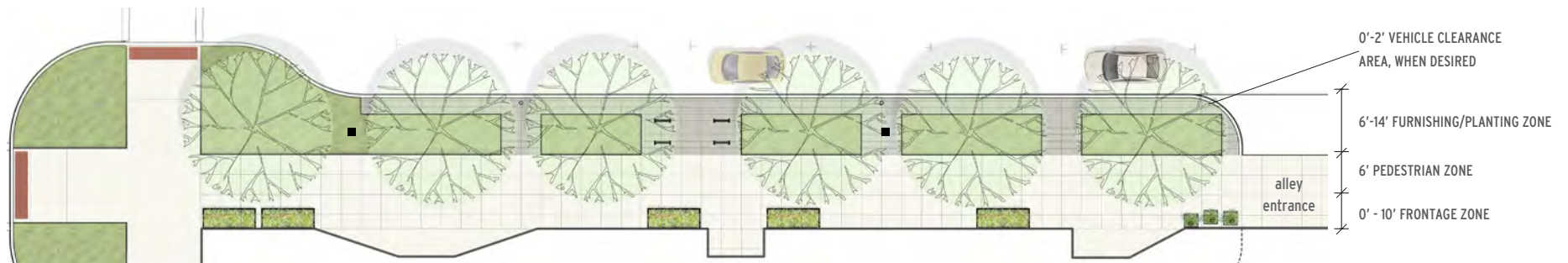
## Parkway Streets: Union and Church

These streets serve as transition areas between the State Capitol, residential neighborhoods, and north downtown. The street type features wider landscape/planting strips with space for broad canopy street trees and opportunities for more landscape.





# PARKWAY STREETSCAPE



This plan shows an example of one half-block, from a corner to the middle of the block.

Sidewalks vary in width across the downtown; consult the sidewalk width adjustment table on page 41 for guidance in scaling this design to a specific sidewalk width.