

TO: HEARINGS OFFICER

FROM: LISA ANDERSON-OGILVIE, AICP, DEPUTY COMMUNITY DEVELOPMENT
DIRECTOR AND PLANNING ADMINISTRATOR

SUBJECT: **CONDITIONAL USE / CLASS 3 SITE PLAN REVIEW / CLASS 2
ADJUSTMENT CASE NO. CU-SPR-ADJ24-02
325 LANCASTER DRIVE SE – 97317
AMANDA NO. 24-103944-PLN**

REQUEST

Summary: A Conditional Use Permit, Class 3 Site Plan Review and Class 2 Adjustment for a Residential Care Facility.

Request: A consolidated application for a Conditional Use Permit and Class 3 Site Plan Review to construct a Residential Care Facility and associated site improvements with a Class 2 Adjustment to reduce the perimeter setback landscaping and plant units for the undeveloped portion of the development site. The subject properties are 5.57 acres in size, zoned CG (General Commercial) and located at 325 Lancaster Drive SE (Marion County Assessors Map and Tax Lot Numbers 072W31BB / 4501).

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

APPLICANT: Community First Solutions (Bryce Petersen and Michael Gay)

OWNER: Community First Solutions Inc (Bryce Petersen and Michael Gay)

AGENT: Harper Houf Peterson Righellis (HHPR)

APPLICATION PROCESSING

On February 14, 2023, Conditional Use Permit and Class 3 Site Plan Review applications were accepted for processing. After receiving additional information and a Class 2 Zoning Adjustment was submitted, the collective applications were deemed complete for processing on March 21, 2023. The 120-day state mandated decision deadline for this collective application is July 19, 2024.

The public hearing before the City of Salem Hearings Officer is scheduled for April 24, 2024, at 5:30 p.m. Notice of public hearing was sent by mail to surrounding property owners and tenants pursuant to Salem Revised Code (SRC) requirements on April 3, 2024. Public hearing notice was also posted on the property on April 14, 2024 pursuant to SRC requirements.

PROPOSAL

The applicant has submitted Conditional Use Permit, Class 3 Site Plan Review and Class 2 Zoning Adjustment applications for construction of a Residential Care Facility and associated site improvements in the CG zone, located at 325 Lancaster Drive SE.

The development site consists of one unit of land and a proposed 11,500 square foot Residential Care Facility with sixteen beds and associated site improvements. (**Attachment B**).

SUMMARY OF RECORD

The following items are submitted to the record and are available upon request: 1) All materials submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, and stormwater reports; 2) any materials, testimony, and comments from public agencies, City Departments, neighborhood associations, and the public; and 3) all documents referenced in this report. All application materials are available on the City's online Permit Application Center at <https://permits.cityofsalem.net>. You can use the search function without registering and enter the permit number listed here: 24 103944.

APPLICANT'S MATERIALS

The applicant's site plan is included as **Attachment B**, and the applicant's statement addressing the applicable approval criteria for the consolidated applications can be found in the record, accessible online as indicated above.

FACTS AND FINDINGS

1. Salem Area Comprehensive Plan (SACP) designation

The applications were submitted on February 14, 2024. At the time this application was submitted, the Salem Area Comprehensive Plan (SACP) map designation for the subject property was Commercial.

2. Zoning and Surrounding Land Uses

The applications were submitted on February 14, 2024. The subject property is currently zoned CG (General Commercial). The zoning designation of surrounding properties is as follows:

North: CR (Retail Commercial) Zone; Marion County RS (Single-Family Residential) Zone

South: CG (General Commercial) Zone

East: Across Lancaster Drive SE; Marion County CR (Retail Commercial) Zone

West: PS (Public Service) Zone

3. Site Analysis

The proposal is part of a development site consisting of a single unit of land totaling 5.6 acres in size with 100 feet of frontage along Lancaster Drive SE, which is designated as a Major Arterial Street in the Salem Transportation System Plan (TSP) and approximately 750-feet of frontage along a Private Street. The subject property is located within the Urban Growth Boundary and outside of the Urban Service Area.

4. Neighborhood and Citizen Comments

The subject property is located within the Southeast Salem Neighborhood Association (SESNA). Pursuant to SRC Chapter 300, the applicant is required to contact the Neighborhood Association prior to submittal of this consolidated application. On February 6, 2024, the applicant contacted the Southeast Salem Neighborhood Association, meeting the requirements of SRC 300.310(c). Notice was provided to the Southeast Salem Neighborhood Association, and to surrounding addresses, property owners, and tenants within 250 feet of the subject property. No comments were provided prior to issuance of the staff report.

5. City Department and Public Agency Comments

Notice of the proposal was provided to City Departments, public agencies, and to public & private service providers. The following comments were received:

City of Salem Development Services Division: Reviewed the proposal and provided a memo which is included as **Attachment C**.

City of Salem Building and Safety Division: Reviewed the proposal and indicated no concerns.

City of Salem Fire Department: Reviewed the proposal and indicated no concerns.

Marion County: Marion County submitted comments indicating that there is a driveway access onto Lancaster Drive NE that requires closure and that the curb ramps at the primary driveway approach to the private street need to be upgraded to meet current ADA standards. Marion County Comments are included as **Attachment D**.

Staff Response: Lancaster Drive NE along the property frontage is under jurisdiction of Marion County. Conditions of approval will require the applicant to close the northern driveway approach onto Lancaster Drive NE and to upgrade curb ramps at the remaining driveway approach to meet current standards.

DECISION CRITERIA FINDINGS

6. Analysis of Conditional Use Criteria

Salem Revised Code (SRC) Chapter 240.005(a)(1) provides that no building, structure, or land shall be used or developed for any use which is designated as a conditional use in the UDC unless a conditional use permit has been granted pursuant to this Chapter.

Salem Revised Code (SRC) 240.005(d) provides that an application for a Conditional Use Permit shall be granted if the following criteria are met.

SRC 240.005(d)(1): The proposed use is allowed as a conditional use in the zone.

Finding: The proposal includes development of a 11,500 square foot Residential Care Facility with sixteen beds and associated site improvements. In the CG zone, *Residential Care Facility* uses require a Conditional Use Permit; therefore, a Conditional Use Permit is required to

establish the proposed use on the subject property.

SRC 240.005(d)(2): The reasonably likely adverse impacts of the use on the immediate neighborhood can be minimized through the imposition of conditions.

Finding: The proposed *Residential Care Facility* use would be surrounded by a mix of uses, with commercial uses (movie theater, bar, car lot) to the south and east, residential uses (single family houses) to the north, and institutional uses (Roberts High School) to the west. The construction of a residential care facility will be compatible with the general mixed development of the area. The proposed area for development is providing landscaping abutting the residentially zoned property to the north, which can mitigate any impacts to the existing residential development. The applicant is proposing 16 beds for the facility.

Condition 1: The operation shall be limited to the proposed 16 beds.

Condition 2: At the time of building permit, the applicant shall install a six-foot sight-obscuring fence along the northern property line between the development and single-family zoned properties.

As conditioned, staff finds that the proposed development will have a minimal impact on the immediate neighborhood.

SRC 240.005(d)(3): The proposed use will be reasonably compatible with and have minimal impact on the livability or appropriate development of surrounding property.

Finding: The construction of the residential care facility will have minimal impact to the existing uses and surrounding properties. The general development pattern of the area includes a mix of uses and zones that can cohesively incorporate a residential care facility. Additionally, the site has been designed to provide larger than required setbacks and landscaping around the perimeter of the development to provide a buffer between the existing uses, specifically the residential zone to the north and the institutional zone to the west. This includes additional tree planting along the north property line between the proposed building and houses, as conditioned above the criteria is met.

7. Analysis of Class 3 Site Plan Review Approval Criteria

Salem Revised Code (SRC) 220.005(f)(3) provides that an application for a Class 3 Site Plan Review shall be granted if the following criteria are met. The following subsections are organized with approval criteria, followed by findings of fact upon which the decision is based. Lack of compliance with the following criteria is grounds for denial or for the issuance of conditions of approval to satisfy the criteria.

SRC 220.005(f)(3)(A): The application meets all applicable standards of the UDC.

Finding: The applicant is requesting construction of an 11,500 square foot building for a *Residential Care* use. The proposed site plan complies with all applicable development standards of the Unified Development Code (UDC) as follows.

Use and Development Standards – CG (General Commercial) Zone:

SRC 523.005(a) – Uses:

Table 523-1 lists permitted uses in the CG Zone.

Finding: The proposal includes a proposed 11,500 square foot Residential Care Facility with sixteen beds and associated site improvements. In the CG zone, all *Residential Care Facility* uses require a Conditional Use Permit; therefore, a Conditional Use Permit is required to establish the proposed use on the subject property.

SRC 523.010(a) – Lot Standards:

There are no minimum lot area or dimension requirements in the CG zone. All uses, other than single family, are required to have a minimum of 16 feet of street frontage.

Finding: The proposal is part of a larger parcel totaling 5.57 acres in size with 100 feet of frontage along Lancaster Drive SE, exceeding the minimum standard of 16 feet. The subject property also contains Private Street service parcels to the south and west. No changes are proposed to the existing development site's lot size or dimensions.

SRC 523.010(b) – Setbacks:

Setbacks within the CG zone shall be provided as set forth in Table 523-3 and Table 523-4.

Abutting Street

East: Adjacent to the east is right-of-way for Lancaster Drive SE. New buildings and accessory structures for uses other than household living require a minimum setback of five feet abutting a street. Vehicle use areas require a minimum 6-10-foot setback per Chapter 806 adjacent to a street.

South: Adjacent to the south is an unnamed right-of-way for a private street. New buildings and accessory structures for uses other than household living require a minimum setback of five feet abutting a street. Vehicle use areas require a minimum 6-10-foot setback per Chapter 806 adjacent to a street.

Interior side and rear

North: Adjacent to the north is property within Marion County zoned RS (Single Family Residential) and CR (Retail Commercial). There is a 15-foot setback for building and accessory structures abutting a residential zone and no setback for buildings and accessory structures abutting a commercial zone. Vehicle use areas require a minimum five-foot setback with Type A landscaping abutting a commercial zone, and 15-foot with Type C landscaping abutting a residential zone.

West: Adjacent to the west of the subject property is property zoned PS (Public Service). Buildings and accessory structures do not have a required a minimum setback. Vehicle use areas require a minimum five-foot setback with Type C landscaping.

East: Adjacent to the interior east property line, the abutting property is zoned Marion County

Retail Commercial (CR). There is no setback for buildings and accessory structures abutting a commercial zone. Vehicle use areas require a minimum five-foot setback with Type A landscaping abutting a commercial zone.

Finding: The proposed building and vehicle use area is located more than 40-feet from any property line, meeting the above requirements. There is an unauthorized parking area located on the northeastern portion of the property, which is not within the scope of the proposed project. In order to prevent the continued use of the parking area, the applicant has proposed a jersey barrier between the abutting property and the parking area preventing access. As discussed below, the driveway to this area will be closed as a condition of approval. To ensure the unauthorized parking area is not used until permits are issued the following condition applies:

Condition 3: Prior to issuance of any building permits, the applicant shall install a jersey barrier between the unauthorized parking area on the northeastern portion of the property and 375 Lancaster Drive SE.

The vehicle use area is setback from the abutting residentially zoned properties to the north by 38-feet, more than 200-feet to Lancaster Drive SE to the east, 17-feet to the back of the sidewalk of the private street to the south and over 500-feet to the western property line.

SRC 523.010(c) – Lot Coverage, Height:

There is no maximum lot coverage requirement. The maximum height in the CG zone is 70 feet.

Finding: The proposed building is 23-feet in height, which is less than 70-feet in height and is in compliance with the maximum height standard in the CG zone.

SRC 535.010(d) – Landscaping:

- (1) *Setbacks.* Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC Chapter 807.
- (2) *Vehicle use areas.* Vehicle use areas shall be landscaped as provided under SRC Chapter 806 and SRC Chapter 807.
- (3) *Development site.* A minimum of 15 percent of the development site shall be landscaped. Landscaping shall meet the Type A standard set forth in SRC Chapter 807. Other required landscaping under the UDC, such as landscaping required for setbacks or vehicular use areas, may count toward meeting this requirement.

Finding: The proposal is for construction of a new 11,500 square foot building; vehicle use area and other site improvements. The site plan indicates that more than 15% of the entire site will be landscaped within this development. The landscaping plan indicates landscaping is not within all perimeter setbacks and plant unit requirements are not met. The applicant has applied for an adjustment which is addressed below.

SRC 523.015(e) – Development standards for continued uses:

Buildings housing a continued use and existing accessory structures may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding conforms to development standards in this chapter and to all other

applicable provisions of the UDC.

Finding: The proposal includes a request for a change of use, and therefore, does not classify as a continued use.

General Development Standards SRC 800

SRC 800.055(a) – Applicability.

Solid waste service area design standards shall apply to all new solid waste, recycling, and compostable services areas, where use of a solid waste, recycling, and compostable receptacle of 1 cubic yard or larger is proposed.

Finding: The proposal includes a new new solid waste service area. The proposed trash enclosure is located within a City Easement, where structures are not permitted. As addressed below, the trash enclosure shall be located outside of the public easement. The applicant has not provided adequate detail to address the standards nor the existing easement, therefore the following condition applies:

Condition 4: At the time of building permit, the applicant shall provide detail meeting standards of SRC 800.055.

Condition 5: At the time of building permit, the applicant shall revise the site plan to relocate the trash enclosure outside of the required easement for existing public utilities.

SRC 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. For purposes of this section development means the construction of, or addition to, a building or accessory structure or the construction of, or alteration or addition to, an off-street parking or vehicle use area. Development does not include construction of, or additions to, buildings or accessory structures that are less than 200 square feet in floor area.

When a development site is comprised of lots under separate ownership, the pedestrian access standards set forth in this section shall apply only to the lot, or lots, proposed for development, together with any additional contiguous lots within the development site that are under the same ownership as those proposed for development.

Finding: The proposal meets the definition of development, as defined in this chapter; therefore, this section is applicable to the proposal.

SRC 800.065(a)(1) – Pedestrian Connection Between Entrances and Streets

- (A) A pedestrian connection shall be provided between the primary 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 building's primary entrances to each adjacent street is allowed; provided each of the building's

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

Finding: The applicant has provided a sidewalk to the unnamed private street and proposed sidewalk along the private street which connects to Lancaster Drive SE, which meets the standard.

- (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.

Finding: There is no transit route or planned transit stop abutting the development site; therefore, this standard is not applicable.

SRC 800.065(a)(2) – Pedestrian Connection Between Buildings on the same Development Site

Where there is more than one building on a development site, a pedestrian connection(s), shall be provided to connect the primary building entrances of all the buildings.

Finding: The proposal includes existing pedestrian paths connecting buildings on the subject property; therefore, this standard is met.

SRC 800.065(a)(3) – Pedestrian 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 parallel drive aisles shall include pedestrian connections through the parking area to the primary building entrance as provided in this subsection.

Finding: The development site does not include any existing or proposed parking areas greater than 25,000 square feet; therefore, this standard is not applicable.

- (B) *Parking structures and parking garages.* Where an individual floor of a parking structure or parking garage exceeds 25,000 square feet in size, a pedestrian connection shall be provided through the parking area on that floor to an entrance/exit.

Finding: The development site does not include any existing or proposed parking structures or garages greater than 25,000 square feet; therefore, this standard is not applicable.

SRC 800.065(a)(4) – Pedestrian Connection to Existing or Planned Paths and Trails.

Where an existing or planned path or trail identified in the Salem Transportation System Plan (TSP) or the Salem Comprehensive Parks System Master Plan passes through a development site, the path or trail shall:

- (A) Be constructed, and a public access easement or dedication provided; or
- (B) When no abutting section of the trail or path has been constructed on adjacent property, a public access easement or dedication shall be provided for future construction of the path or trail.

Finding: There is not a planned path or trail that passes through the development site;

therefore, this standard is not applicable.

SRC 800.065(a)(5) – Pedestrian Connection to Abutting Properties

Whenever a vehicular connection is provided from a development site to an abutting property, a pedestrian connection shall also be provided. A pedestrian connection is not required, however:

- (A) To abutting properties used for activities falling within the following use classifications, use categories, and uses under SRC chapter 400:
 - (i) Single-family;
 - (ii) Two-family;
 - (iii) Group living;
 - (iv) Industrial;
 - (v) Infrastructure and utilities; and
 - (vi) Natural resources.

Finding: The proposal is constructing a sidewalk along the northern side of the unnamed private street. The sidewalk will connect the subject property to all abutting properties with any vehicular connections to an abutting property; therefore, this standard is met.

SRC 800.065(b) – Design and materials

Required pedestrian connections shall be in the form of a walkway, or may be in the form of a plaza.

- (1) Walkways shall conform to the following:
 - (A) Walkways shall be paved with a hard-surface material meeting the Public Works Design Standards and shall be a minimum of five feet in width.
 - (B) Where a walkway crosses driveways, parking areas, parking lot drive aisles, and loading areas, the walkway shall be visually differentiated from such areas through the use of elevation changes, a physical separation, speed bumps, a different paving material, or other similar method. Striping does not meet this requirement, except when used in a parking structure or parking garage.
 - (C) Where a walkway is located adjacent to an auto travel lane, the walkway shall be raised above the auto travel lane or separated from it by a raised curb, bollards, landscaping, or other physical separation. If the walkway is raised above the auto travel lane it must be raised a minimum of four inches in height and the ends of the raised portions must be equipped with curb ramps. If the walkway is separated from the auto travel lane with bollards, bollard spacing must be no further than five feet on center.
- (2) Wheel stops or extended curbs shall be provided along required pedestrian connections to prevent the encroachment of vehicles onto pedestrian connections.

Finding: All proposed pedestrian connections are at least five feet in width and appear to meet the design and material standards above. Further conformance with design and material standards for pedestrian connections will be reviewed at the time of building permit.

SRC 800.065(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.

Finding: The applicant has provided lighting along the pedestrian pathway to the eastern driveway, but lighting is required along the entirety of the pathway, therefore the following condition applies:

Condition 6: At the time of building permit, the applicant shall provide lighting along the entire pedestrian pathway including between the eastern driveway and Lancaster Drive.

Public Infrastructure SRC 802

There are existing public water and sewer mains on the subject property. Easements for existing mains do not meet current Public Works Design Standards (PWDS) for required width under PWDS Section 1.8 (Easements). Pursuant to SRC 802.020 easements for public utilities are required as a condition of development approval. The applicants preliminary plan shows dedication of easements to meet current standards, except along the northern property line, where the proposed building is located. As a condition of approval, the applicant shall dedicate easements for existing public infrastructure on the site to current standards, except where a Design Exception to the Public Works Design Standards is approved by the City Engineer pursuant to PWDS Section 1.18 (Design Standard Exceptions).

Condition 7: Dedicate easements for existing public infrastructure on the site to current standards in Public Works Design Standards Section 1.8 (Easements), except where a Design Exception to the Public Works Design Standards is approved by the City Engineer pursuant to Public Works Design Standards Section 1.18 (Design Standard Exceptions).

The applicant's preliminary site plan shows a trash enclosure, trees, and parking within the required easement. Pursuant to SRC 802.020 buildings, structures, trees, or other obstructions other than landscaping shall not be located in City easements. The surface parking can be permitted within the sanitary sewer easement with a revocable license to encroach; however, trees and the trash enclosure shall be relocated to outside of the sanitary sewer main easement so as not to obstruct access to the City's main.

Condition 8: At the time of building permit, the applicant shall submit a final landscaping plan that relocates the trees within the required easement for existing public utilities to another location on the site.

Condition 9: The applicant shall obtain a revocable license to encroach into the required easement for existing public utilities for any parking that extends into the required easement.

Driveway Approaches, SRC 804

The development site currently has two (2) driveway approaches to Lancaster Drive SE, which is under Marion County jurisdiction. The primary driveway approach contains a shared access serving abutting properties as a private street; no changes to this driveway are proposed. The secondary driveway approach onto Lancaster Drive SE serves an existing unpermitted parking area on the subject property. Marion County submitted comments indicating that the northerly driveway approach onto Lancaster Drive SE shall be permanently closed (**Attachment D**). The

applicant's site plan shows placement of a jersey barrier to block vehicle traffic from utilizing this driveway approach and unpermitted parking area. As a condition of approval, the applicant shall be required to permanently close the driveway approach and replace with curbs and sidewalks in accordance with Marion County construction standards.

Marion County also submitted comments that the curb ramps at the primary access to Lancaster Drive NE needs to be replaced to meet current ADA standards. As a condition of approval, the applicant shall provide upgrades to the curb ramps at the primary entrance along Lancaster Drive NE.

Condition 10: Permanently close the northerly driveway onto Lancaster Drive NE as shown on the applicant's preliminary site plan and replace with curbs and sidewalks in accordance with Marion County construction standards.

Condition 11: At the primary driveway approach entrance onto Lancaster Drive NE, upgrade existing curb ramps to meet current Marion County Construction Standards for Public Right-of-way Accessibility Guidelines.

Off-Street Parking, Loading, and Driveways SRC 806

SRC 806.015 – Amount Off-Street Parking.

(a) *Maximum Off-Street Parking.* Except as otherwise provided in this section, and unless otherwise provided under the UDC, off-street parking shall not exceed the amounts set forth in Table 806-1. For the purposes of calculating the maximum amount of off-street parking allowed, driveways shall not be considered off-street parking spaces.

Finding: The proposed building is for interior tenant improvement for a *Residential Care* use, which is allowed a maximum of one parking space per 250 square feet of gross building floor area. The building on the development site is 11,500 square feet, allowing a maximum of 46 parking spaces ($11,500 / 250 = 46$). The proposed parking area contains 23 parking spaces, meeting the allowed maximum.

(b) *Compact Parking.* Up to 75 percent of the off-street parking spaces provided on a development site may be compact parking spaces.

Finding: The proposal includes eight existing compact parking spaces in the vehicle use area, meeting the standard.

(c) *Carpool and Vanpool Parking.* New developments with 60 or more 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.

Finding: The proposal is not for development of a new Public Services or Industrial use with 60 or more parking spaces; therefore, this standard is not applicable.

(d) *Required electric vehicle charging spaces.* For any newly constructed building with five or more dwelling units on the same lot, including buildings with a mix of residential and

nonresidential uses, a minimum of 40 percent of the off-street parking spaces provided on the site for the building shall be designated as spaces to serve electrical vehicle charging. In order to comply with this subsection, such spaces shall include provisions for electrical service capacity, as defined in ORS 455.417.

Finding: The proposed development does not include any dwelling units; therefore, this standard is not applicable.

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

(a) *General Applicability.* The off-street parking and vehicle use area development standards set forth in this section apply to:

1. The development of new off-street parking and vehicle use areas;
2. The expansion of existing off-street parking and vehicle use areas, where additional paved surface is added;
3. The alteration of existing off-street parking and vehicle use areas, where the existing paved surface is replaced with a new paved surface; and
4. The paving of an unpaved area.

Finding: The development does include a new off-street parking and vehicle use area; therefore, these standards are applicable.

- (b) *Location.* Off-street parking and vehicle use areas shall not be located within required setbacks.
- (c) *Perimeter Setbacks and Landscaping.* Perimeter setbacks shall be required for off-street parking and vehicle use areas abutting streets, abutting interior front, side, and rear property lines, and adjacent to buildings and structures.

Finding: The proposed off-street parking area is in compliance with the minimum setback requirements of SRC Chapters 523 and 806. Perimeter landscaping is proposed on the submitted landscaping plan. The applicant has requested an adjustment, which is addressed below.

- (d) *Interior Landscaping.* Interior landscaping shall be provided for off-street parking areas greater than 5,000 square feet in size, in amounts not less than those set forth in Table 806-4.

Finding: For off-street parking areas less than 50,000 square feet in size, a minimum of five percent of the parking area interior shall be landscaped. The applicant's summary table indicates that the off-street parking area is approximately 10,687 square feet in size, requiring interior landscaping. A minimum of 535 square feet of interior parking area landscaping ($10,687 \times 0.05 = 534.35$) is required. The site plan indicates that 736 square feet of interior landscaping will be provided in this area, exceeding the minimum requirement.

The proposed landscaping plan has two trees located within the interior landscaping areas but will require an additional tree in the planter bay labeled 'E', therefore the following condition applies:

Condition 12: At the time of building permit, the applicant shall include one tree within the planter area labeled 'E' on the landscaping plan.

(e) Off-Street Parking Area Dimensions. Off-street parking areas shall conform to the minimum dimensions set forth in Table 806-5.

Finding: The proposed off-street parking spaces comply with the minimum aisle width and dimensional requirements for compact and standard vehicle parking spaces established in Table 806-5.

(f) Off-street parking area access and maneuvering. In order to ensure safe and convenient vehicular access and maneuvering, off-street parking areas shall:

- (1) Be designed so that vehicles enter and exit the street in a forward motion with no backing or maneuvering within the street; and
- (2) Where a drive aisle terminates at a dead-end, include a turnaround area as shown in Figure 806-8. The turnaround shall conform to the minimum dimensions set forth in Table 806-6.

Finding: Pursuant to the requirements of this subsection, off-street parking and vehicle use areas are required to be designed so that vehicles enter and exit the street in a forward motion with no backing or maneuvering within the street and, where a drive aisle terminates at a dead-end, a turnaround is provided that conforms to the dimensions set forth in Table 806-6.

As shown on the site plan, the proposed development includes one off-street parking area that terminates in a dead-end. At the end of each of the parking areas a turnaround is provided that meets the dimensions required under Table 806-6.

(g) Additional Off-Street Parking Development Standards 806.035(g)-(i)

Finding: The proposed off-street parking area is developed consistent with the additional development standards for grade, surfacing, and drainage. Bumper guards shall be provided as required by SRC Chapter 806. The parking area striping, marking, signage, and lighting shall comply with the standards of SRC Chapter 806.

(n) Additional standards for new off-street surface parking areas more than one-half acre in size. When a total of more than one-half acre of new off-street surface parking is proposed on one or more lots within a development site, the lot(s) proposed for development shall comply with the additional standards in this subsection. For purposes of these standards, the area of an off-street surface parking area is the sum of all areas within the perimeter of the off-street parking area, including parking spaces, aisles, planting islands, corner areas, and curbed areas, but not including interior driveways and off-street loading areas.

Finding: The proposed off-street parking area is less than one-half acre in size, therefore these standards are not applicable.

Driveway Standards

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

- (a) *Access.* The off-street parking and vehicle use area 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.
- (b) *Location.* Driveways shall not be located within required setbacks, except where the driveway provides access to the street, alley, or abutting property; or where the driveway is a shared driveway located over the common lot line and providing access to two or more uses.
- (c) *Perimeter Setbacks and Landscaping.* Perimeter setbacks shall be required for driveways abutting streets, and abutting interior front, side, and rear property lines.
- (d) *Dimensions.* Driveways shall conform to the minimum width set forth in Table 806-7.

Finding: 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 site plan, vehicular access to the parking areas within the development is served by a two-way driveway which conforms to minimum required driveway width standards.

Bicycle Parking

SRC 806.045 – General Applicability.

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

SRC 806.050 – Proximity of Bicycle Parking to use or Activity Served.

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

SRC 806.055 – Amount of Bicycle Parking.

Unless otherwise provided under the UDC, bicycle parking shall be provided in amounts not less than those set forth in Table 806-9.

Finding: The proposal includes a 11,500 square foot building for *Residential Care* use. A *Residential Care* use requires the greater of four bicycle parking spaces or one space per 3,500 square feet for the first 50,000 square feet. Therefore, four bicycle parking spaces are required on the development. The applicant's site plan indicates there are four existing bicycle parking spaces on the development site, meeting the minimum requirement.

SRC 806.060 – Bicycle Parking Development Standards.

Bicycle parking areas shall be developed and maintained as set forth in this section.

- (a) *Location.* Short-term 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 areas be located more than 50 feet from the primary building entrance, as measured along a direct pedestrian access route.
- (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

- (c) *Dimensions.* Except as provided for bicycle lockers, bicycle parking spaces shall be a minimum of 6 feet in length and 2 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 4-foot-wide access aisle. Access aisles serving bicycle parking spaces may be located within the public right-of-way.
- (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.
- (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.

Finding: The applicant's site plan indicates there are four bicycle parking spaces on site. It is unclear which door is the primary entrance in order to apply the location standard of 50-feet to the primary building entrance. Access to public right-of-way can be obtained, but based on the site plan it is unclear that no obstructions such as curbs or steps would require the user to lift the bike.

The applicant has provided a detail of the rack type, surfacing and dimension to meet the above standards. To ensure all of the standards are met, the following condition applies:

Condition 13: At the time of building permit, the applicant shall provide evidence that standards of SRC 806.060 are met, including access and location.

Off-Street Loading Areas

SRC 806.065 – General Applicability.

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

SRC 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.

SRC 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 806-11.

Finding: The proposed *Residential Care* use is 11,500 square feet in size. Per Table 806-11, a *Residential Care* use between 5,000 square feet and 60,000 square feet requires one loading space. The applicant has provided one loading space, as shown on the site plan. This standard is met.

Landscaping

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

Finding: The site plan indicates 38,600 square feet of landscaped area is proposed, requiring a minimum of 1,930 plant units ($38,600 / 20 = 1,930$). Of the required plant units, a minimum of 772 plant units shall be trees ($1,930 \times 0.4 = 772$). The applicant has provided a preliminary landscaping plan which shows the areas which are to be landscaped. The plan indicates a total of 2,200 plant units provided, 390 of which are trees. Since the total amount of trees does not meet the plant units the applicant has requested an adjustment, which is addressed below. The applicant has provided all plant units and landscaping on 1.55 acres of the development site, leaving the remaining four acres in a natural state and not meeting plant unit standards, which is addressed below under the requested adjustment.

Natural Resources

SRC 601 – Floodplain: Development in the floodplain shall be regulated to preserve and maintain the capability to the floodplain to convey the flood water discharges and to minimize danger to life and property.

Finding: Development Services 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.

SRC 808 – Preservation of Trees and Vegetation: The City's tree preservation ordinance, under SRC Chapter 808, provides that no person shall remove a significant tree (Oregon White Oak greater than 20 inches in diameter at breast height) (SRC 808.015) or a tree or native vegetation in a riparian corridor (SRC 808.020), unless the removal is excepted under SRC 808.030(a)(2), undertaken pursuant to a permit issued under SRC 808.030(d), undertaken pursuant to a tree conservation plan approved under SRC 808.035, or permitted by a variance granted under SRC 808.045.

Finding: There are no protected trees identified on the subject property.

SRC 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 wetland 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.

Finding: The Salem-Keizer Local Wetland Inventory shows that there are wetland channels and/or hydric soils mapped on the property. The applicant should contact the Oregon Department of State Lands to verify if any permits are required for development or construction in the vicinity of the mapped wetland area(s), including any work in the public right-of-way. Wetland notice was sent to the Oregon Department of State Lands pursuant to SRC 809.025.

SRC 810 – Landslide Hazards: A geological assessment or report is required when regulated activity is proposed in a mapped landslide hazard area.

Finding: According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are mapped 2-to-3-point landslide hazard areas on the subject property. The proposed activity of a commercial building (residential care facility) adds 3 activity points to the proposal, which results in a total of 5-to-6 points. Therefore, the proposed development is classified as a moderate landslide risk and requires a geological assessment. A Geotechnical Engineering Report, prepared by NV5 and dated December 8, 2023 was submitted to the City of Salem. This assessment demonstrates the subject property could be developed as proposed by implementing geotechnical recommendations in the design and construction of the project.

SRC 802 – Public Improvements, SRC 803 – Streets and Right-of-Way Improvements, SRC 804 – Driveway Approaches, and SRC 805 – Vision Clearance: With completion of the conditions of approval, the subject property meets all applicable standards of the following chapters of the UDC.

SRC 220.005(f)(3)(B): The transportation system provides for the safe, orderly, and efficient circulation of traffic into and out of the proposed development, and negative impacts to the transportation system are mitigated adequately.

Finding: The subject property abuts Lancaster Drive SE which is classified as a major arterial street according to the Salem Transportation System Plan (TSP) and is under Marion County Jurisdiction. This street has adequate improvement width along the property frontage; however, lacks adequate right-of-way width along the northern portion of the property. As a condition of approval, the applicant is required to dedicate 48-feet from the centerline of Lancaster Drive SE pursuant to SRC 803.040 (Boundary Streets).

Condition 14: Convey land for dedication to equal a half-width right-of-way of 48-feet on the development side of Lancaster Drive SE.

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 development site currently has two (2) driveway approaches to Lancaster Drive SE, which is under Marion County jurisdiction. The primary driveway approach contains a

shared access serving abutting properties; no changes to this driveway are proposed. The secondary driveway approach onto Lancaster Drive SE serves an existing unpermitted parking area on the subject property, which is required to be closed permanently as a condition of approval.

The primary driveway approach onto Lancaster Drive SE, which contains a shared access serving abutting properties, is located at a signalized intersection. This access provides safe and efficient movement of vehicles in and out of the development site.

SRC 220.005(f)(3)(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 subject property is located outside of the Urban Service Area. Because the proposed development does not precede construction of required facilities, an UGA permit is not required. The Public Works Department has reviewed the applicant's preliminary plan for this site. The water, sewer, and storm infrastructure are available within surrounding streets/areas and are adequate to serve the proposed development. The applicant shall design and construct all utilities (sewer, water, and storm drainage) according to the PWDS and to the satisfaction of the Public Works Director. The applicant is advised that a sewer monitoring manhole may be required, and the trash area shall be designed in compliance with Public Works Standards.

The development is subject to green stormwater infrastructure requirements pursuant to SRC Chapter 71 and PWDS for the treatment and detention of stormwater discharge from the proposed development. The applicant's engineer submitted a statement demonstrating compliance with Stormwater PWDS Appendix 004-E(4) and SRC Chapter 71. The preliminary stormwater design demonstrates the use of green stormwater infrastructure to the maximum extent feasible. As a condition of approval, 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 15: 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 proposes to discharge to an existing on-site stormwater system on adjacent property which collects and detains storm runoff from the site before out falling into a ditch along the Interstate 5 corridor. It appears that an easement is required for the subject property to connect to this system. Pursuant to SRC 802.040, when a proposed stormwater system serves multiple properties under separate ownership, an agreement is required to ensure the development has a perpetual right of access to maintain the system, and that the persons served by the system are responsible for repairs. As a condition of approval, the applicant shall obtain any necessary off-site easements required to connect to the private system on neighboring property. In addition, a Private Stormwater Facilities Agreement (PSFA) is required for the system as a condition of approval.

Condition 16: Prior to issuance of a building permit, record a Private Stormwater Facilities Access Agreement for the common system pursuant to SRC 802.040 and PWDS.

Condition 17: Prior to issuance of a building permit, the applicant shall demonstrate they have appropriate easements to connect to the private stormwater system on neighboring property.

8. Analysis of Class 2 Adjustment Approval Criteria

Salem Revised Code (SRC) 250.005(d)(2) provides that an application for a Class 2 Adjustment shall be granted if the following criteria are met. The following subsections are organized with approval criteria, followed by findings of fact upon which the decision is based. Lack of compliance with the following criteria is grounds for denial or for the issuance of conditions of approval to satisfy the criteria.

SRC 250.005(d)(2)(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 applicant is requesting four Class 2 Adjustments to:

Reduce the perimeter setback landscaping and plant unit requirements for the undeveloped are of the development site (SRC 523.010(d)(1) & SRC 807.015(b));

The applicant is requesting that the minimum landscaping be provided based on the size of the impact area on the property rather than the entire size of the property. After analysis by staff, it was determined the adjustment to the Plant Unit requirement and perimeter landscaping for the undeveloped area would be the most logical adjustment to accomplish review of the smaller area on site. In addition, the applicant is proposing landscaping abutting the eastern property line within a City easement. Since the City easement does not allow for trees, the requirements of SRC 807 cannot be met.

The subject site is approximately 5.57 acres in size and is vacant of all development. The residential care facility proposed with this project will occupy approximately 1.55 acres of the site with all improvements (building, parking lot, utilities), leaving the other four acres vacant and available for future development. The purpose of the perimeter setback landscaping and plant units is to ensure development sites include landscaped areas and tree canopy to break up large expanses of pavement and structures and provide shade.

The proposal includes development on 1.6 acres of the 5.6-acre property. The applicant's site plan indicates that the proposed landscape areas will meet the overall 15% landscaping standard for the entire site, but the applicant is requesting to reduce the perimeter landscaped area and plant units required for those areas which are not proposed for development.

The area designated as Future development would need to be developed separately from this decision and meet development standards at that time. The purpose of landscaped setbacks

between property lines, public streets and parking and vehicle use areas and driveways is to provide separation with trees and other plantings that improve the appearance and visual character of the community and preserve and enhance the livability of the City. The current proposal is to landscape areas of approximately 38,000 square feet, including between Lancaster Drive and the private street abutting the development. While the applicant is not proposing to landscape the undeveloped area to meet the standard of one plant per 20 square feet and a minimum of 40 percent of the plant units consisting of trees at this time, the area is in a natural state with existing trees and grass areas. The combination of distance and groundcover provides adequate separation. However, to ensure that the proposal equally or better meets the purpose of the standard, the following condition is required:

Condition 18: At the time of future development, perimeter landscaping for the entire development site shall be installed to meet SRC 807.

Condition 19: The applicant shall provide Type A landscaping for the ten-foot landscaped setback along Lancaster Drive SE and the Private Street to the south, including 40 percent of plant units being trees, excluding Street Trees for the Private Street.

Staff finds that while the proposed site plan does not comply with the minimum standards for the entire development site, the proposed landscape improvements to the subject property would increase the overall area of landscaping, and thereby increasing the total amount provided for the development site.

SRC 250.005(d)(2)(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 located within an CG (General Commercial) zone; therefore, the criterion is not applicable.

SRC 250.005(d)(2)(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: One Class 2 Adjustment has been requested with this development. Any future development, beyond what is shown in the proposed plans, shall conform to all applicable development standards of the UDC, unless adjusted through a future land use action.

Condition 20: The adjusted landscape standards, as approved in this zoning adjustment, shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to all applicable development requirements, unless adjusted through a future land use action.

RECOMMENDATION

Based upon the Facts and Findings contained in this staff report, staff recommends that the Hearings Officer **APPROVE** the request for a Conditional Use, Site Plan Review and Class 2

Adjustment consolidated application for the proposed development of a *Residential Care Facility* and associated development, located at 325 Lancaster Drive SE, subject to the following conditions of approval:

CONDITIONS OF APPROVAL:

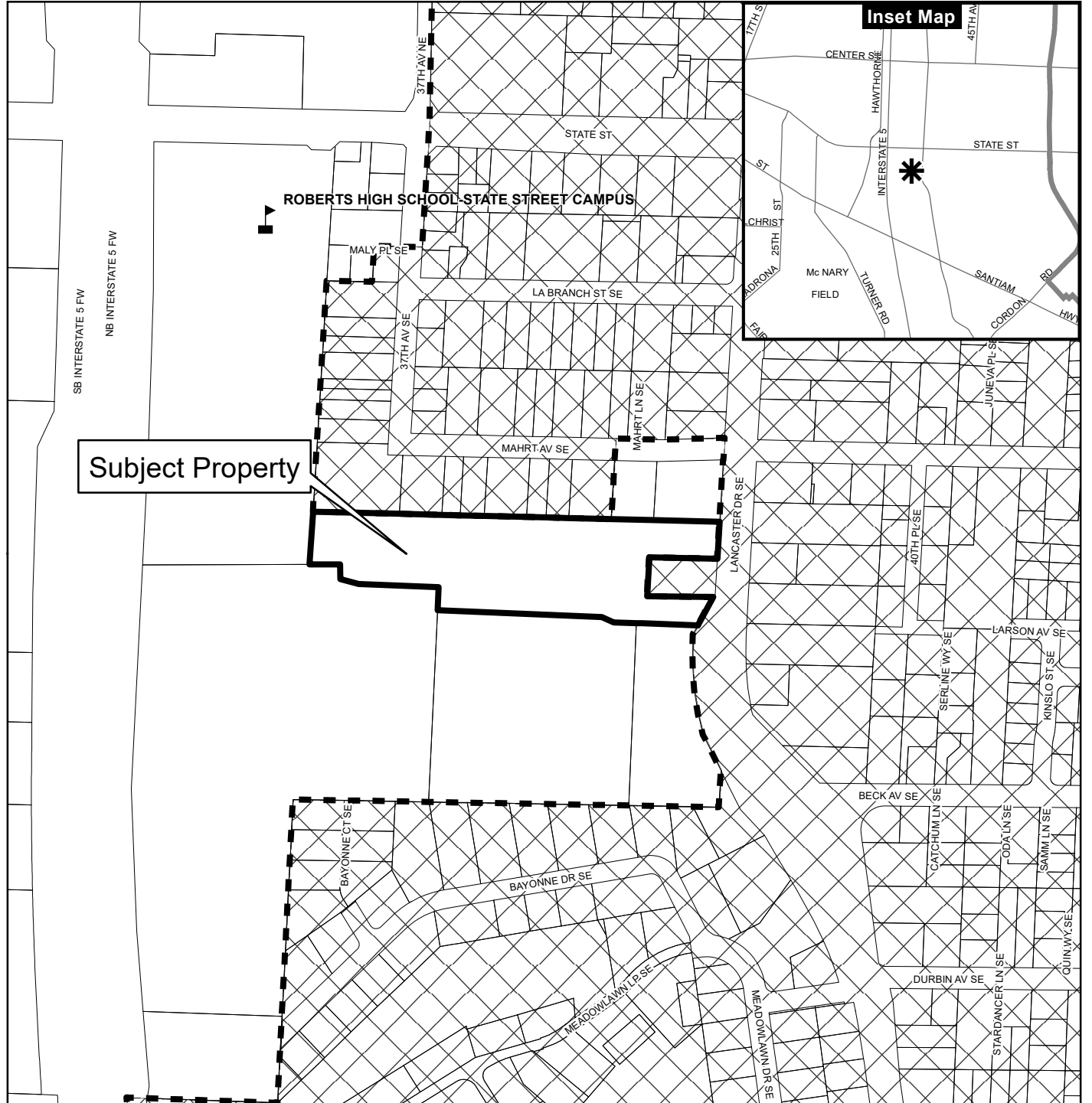
- Condition 1:** The operation shall be limited to the proposed 16 beds.
- Condition 2:** At the time of building permit, the applicant shall install a six-foot sight-obscuring fence along the northern property line between the development and single-family zoned properties.
- Condition 3:** Prior to issuance of any building permits, the applicant shall install a jersey barrier between the unauthorized parking area on the northeastern portion of the property and 375 Lancaster Drive SE.
- Condition 4:** At the time of building permit, the applicant shall provide detail meeting standards of SRC 800.055.
- Condition 5:** At the time of building permit, the applicant shall revise the site plan to relocate the trash enclosure outside of the required easement for existing public utilities.
- Condition 6:** At the time of building permit, the applicant shall provide lighting along the entire pedestrian pathway including between the eastern driveway and Lancaster Drive.
- Condition 7:** Dedicate easements for existing public infrastructure on the site to current standards in Public Works Design Standards Section 1.8 (Easements), except where a Design Exception to the Public Works Design Standards is approved by the City Engineer pursuant to Public Works Design Standards Section 1.18 (Design Standard Exceptions).
- Condition 8:** At the time of building permit, the applicant shall submit a final landscaping plan that relocates the trees within the required easement for existing public utilities to another location on the site.
- Condition 9:** The applicant shall obtain a revocable license to encroach into the required easement for existing public utilities for any parking that extends into the required easement.
- Condition 10:** Permanently close the northerly driveway onto Lancaster Drive NE as shown on the applicant's preliminary site plan and replace with curbs and sidewalks in accordance with Marion County construction standards.
- Condition 11:** At the primary driveway approach entrance onto Lancaster Drive NE, upgrade existing curb ramps to meet current Marion County Construction Standards for Public Right-of-way Accessibility Guidelines.

- Condition 12:** At the time of building permit. the applicant shall include one tree within the planter area labeled 'E' on the landscaping plan.
- Condition 13:** At the time of building permit, the applicant shall provide evidence that standards of SRC 806.060 are met, including access and location.
- Condition 14:** Convey land for dedication to equal a half-width right-of-way of 48-feet on the development side of Lancaster Drive SE.
- Condition 15:** 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 16:** Prior to issuance of a building permit, record a Private Stormwater Facilities Access Agreement for the common system pursuant to SRC 802.040 and PWDS.
- Condition 17:** Prior to issuance of a building permit, the applicant shall demonstrate they have appropriate easements to connect to the private stormwater system on neighboring property.
- Condition 18:** At the time of future development, perimeter landscaping for the entire development site shall be installed to meet SRC 807.
- Condition 19:** The applicant shall provide Type A landscaping for the ten-foot landscaped setback along Lancaster Drive SE and the Private Street to the south, including 40 percent of plant units being trees, excluding Street Trees for the Private Street.
- Condition 20:** The adjusted landscape standards, as approved in this zoning adjustment, shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to all applicable development requirements, unless adjusted through a future land use action.

Prepared by Olivia Dias, Current Planning Manager

- Attachments: A. Vicinity Map
B. Applicant's Site Plan
C. City of Salem Development Services Memo
D. Marion County Comments








Vicinity Map 325 Lancaster Drive

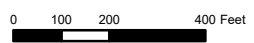


Subject Property

Inset Map

Legend

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



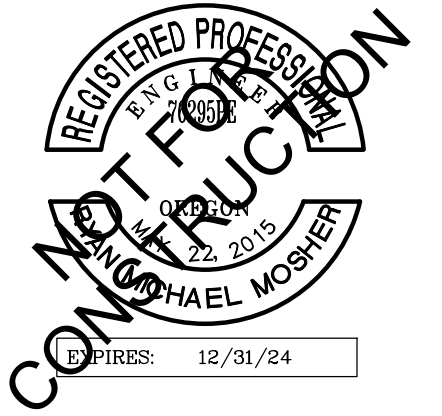
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EROSION CONTROL NOTES:

- 9 SEED ALL DISTURBED SOIL AREAS NOT SHOWN ON LANDSCAPE PLAN WITH SUNMARK NATIVE EC SEED MIX (43.63 LBS PER ACRE).

GENERAL ESC NOTES

1. BMP'S SHOWN ARE THE MINIMUM REQUIRED. ADDITIONAL MEASURES MAY BE NECESSARY DURING CONSTRUCTION AS FIELD CONDITIONS DICTATE IN ACCORDANCE WITH CITY AND DEQ PERMIT REQUIREMENTS.
2. ALL PROPOSED SLOPE GRADING SHALL CONFORM TO I.B.C. REQUIREMENTS FOR BENCHING AND DRAINAGE.

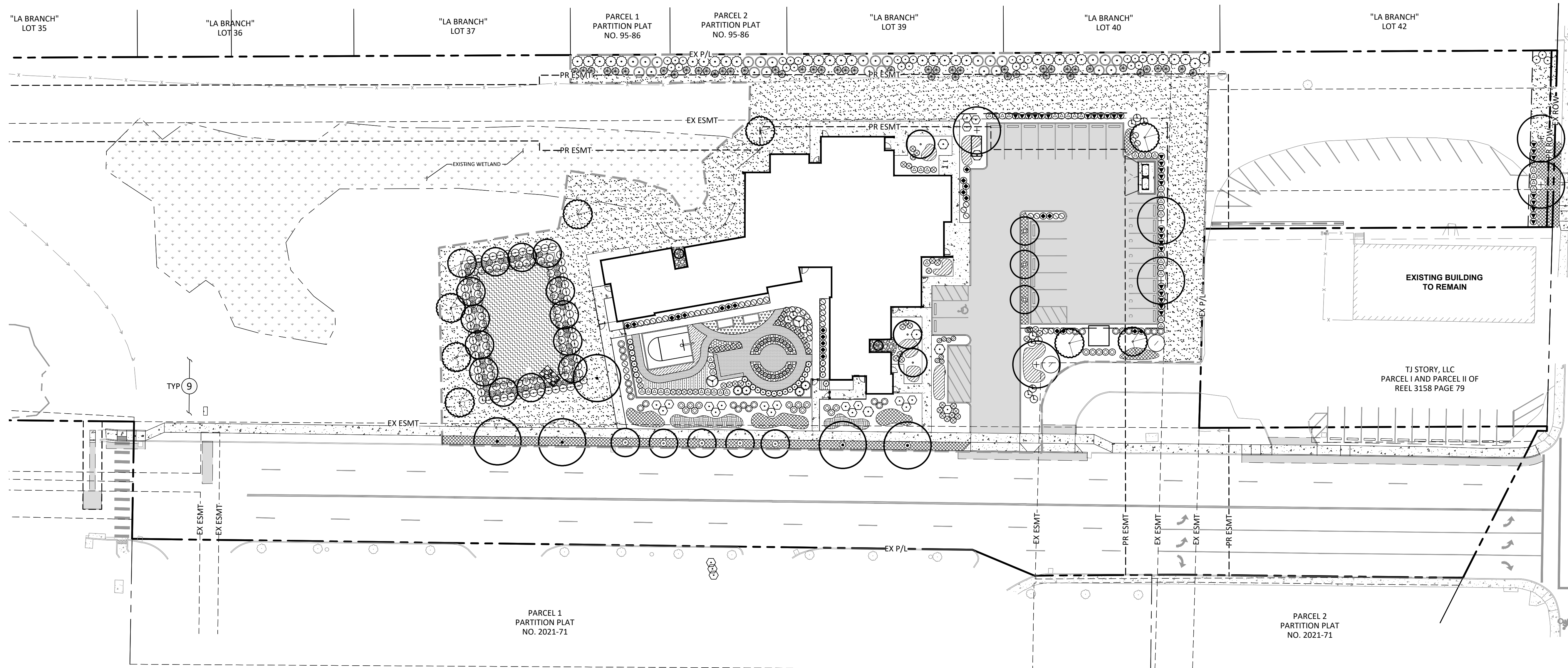


**CFS SRTF -
SALEM**

Job Number: 22224

325 Lancaster Drive SE
Salem, Oregon 97317

FILE PATH:



LANCASTER DRIVE SE

LAND USE 03.15.24

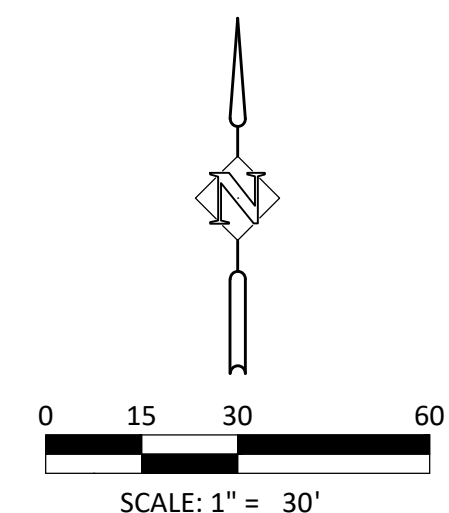
ISSUE DATE

Drawing:

ESC - FINAL LANDSCAPING
AND SITE STABILIZATION

Sheet No:

C155



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PARKING STALL QUANTITIES:

STANDARD: 14
COMPACT: 8
ADA ACCESSIBLE: 1

GENERAL NOTES:

1. ELECTRONIC FILES WILL BE PROVIDED TO CONTRACTOR FOR SITE LAYOUT.
2. THE OWNER SHALL RETAIN A LICENSED SURVEYOR TO PROVIDE CONSTRUCTION STAKING FOR ALL SITE WORK, INCLUDING BUT NOT LIMITED TO GRADING, PAVING, CURBS, UTILITIES, SITE ELECTRICAL, ETC.
3. SEE ARCHITECTURAL AND LANDSCAPE DRAWINGS FOR SCORING PATTERNS, SPECIALTY SURFACING, AND OTHER INFORMATION.
4. FOR STANDARD ASPHALT PAVEMENT AREAS AND STRIPING, SEE SIGNING, STRIPING AND SURFACING PLANS ON SHEET C210.

TOTAL PROJECT AREA = 242,695 SF (5.57 AC)
EXISTING IMPERVIOUS AREA = 3,753 SF (0.09 AC)
PROPOSED IMPERVIOUS AREA = 34,446 SF (0.79 AC)

CONSTRUCTION NOTES:

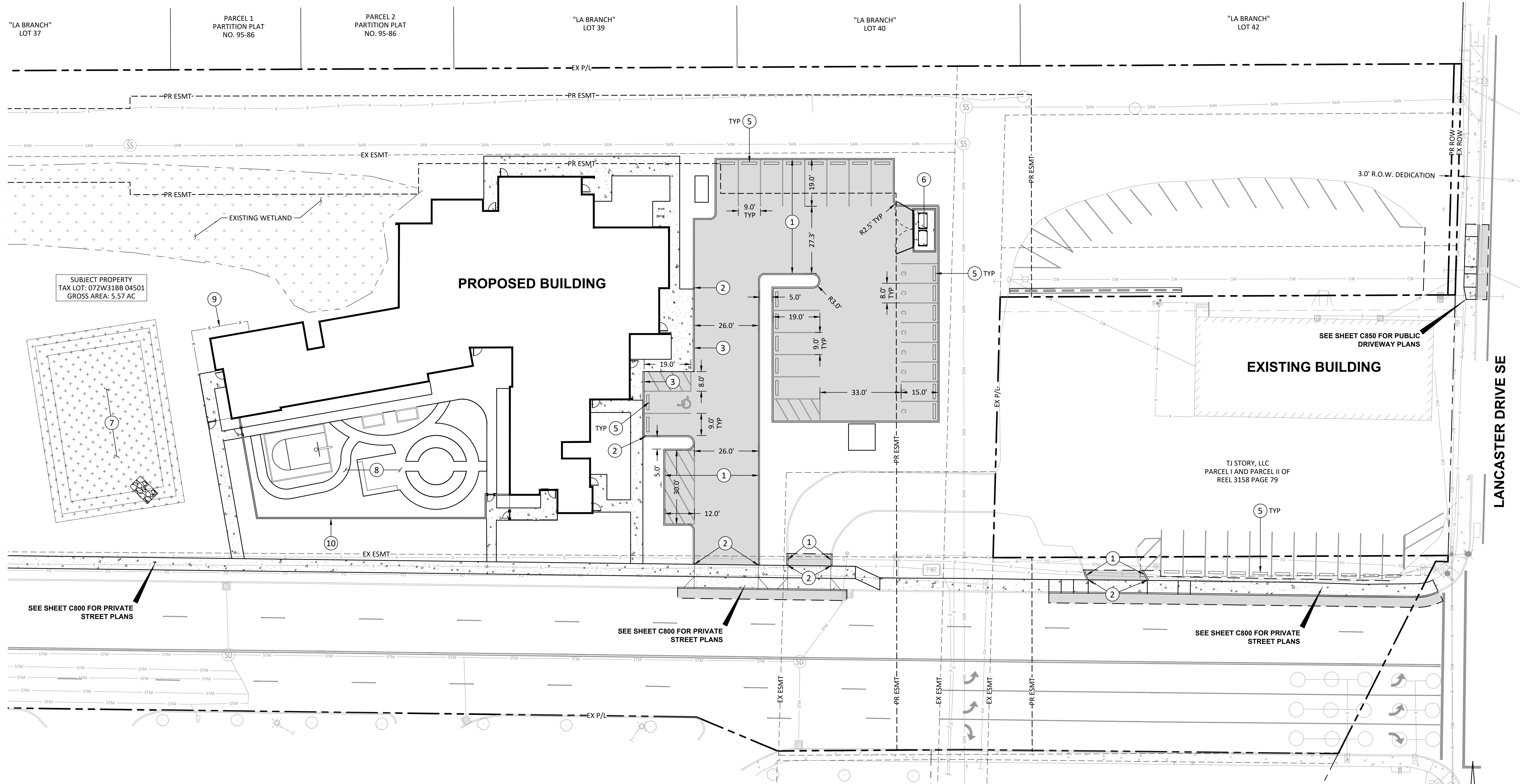
1. CONSTRUCT STANDARD CURB PER DETAIL ON SHEET C900.
2. CONSTRUCT 45 DEGREE CURB TAPER.
3. CONSTRUCT FLUSH CURB PER DETAIL ON SHEET C900.
5. INSTALL PRECAST CONCRETE WHEEL STOP PER DETAIL ON SHEET C900.
6. PROPOSED TRASH COLLECTION AREA. REFER TO ARCHITECTURAL PLANS FOR ADDITIONAL INFORMATION.
7. PROPOSED STORMWATER FACILITY. REFER TO SHEET C501 FOR ADDITIONAL INFORMATION.
8. PROPOSED COURTYARD AND LANDSCAPE AREA. REFER TO LANDSCAPE PLANS FOR ADDITIONAL INFORMATION.
9. PROPOSED 10' HEIGHT METAL FENCE. REFER TO ARCHITECTURAL PLANS FOR ADDITIONAL INFORMATION.
10. PROPOSED 10' HEIGHT CMU WALL. REFER TO ARCHITECTURAL PLANS FOR ADDITIONAL INFORMATION.

**CFS SRTF -
SALEM**

Job Number: 22224

325 Lancaster Drive SE
Salem, Oregon 97317

FILE PATH:



SUBJECT PROPERTY
TAX LOT: 072W31BB 04501
GROSS AREA: 5.57 AC

TJ STORY, LLC
PARCEL I AND PARCEL II OF
REEL 3158 PAGE 79

SEE SHEET C800 FOR PRIVATE
STREET PLANS

SEE SHEET C800 FOR PRIVATE
STREET PLANS

SEE SHEET C800 FOR PRIVATE
STREET PLANS

LAND USE 03.15.24

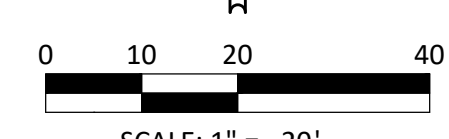
ISSUE DATE

Drawing:

ENLARGED SITE PLAN

Sheet No:

C201



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MEMO

TO: Olivia Dias, Current Planning Manager
Community Planning and Development Department

FROM: Laurel Christian, Infrastructure Planner II
Community Planning and Development Department

DATE: April 16, 2024

SUBJECT: Infrastructure Memo
CU-SPR-ADJ24-02 (24-103944-PLN)
325 Lancaster Drive SE
Residential Care Facility

PROPOSAL

A consolidated application for a Conditional Use Permit and Class 3 Site Plan Review to construct a Residential Care Facility and associated site improvements with a Class 2 Adjustment to reduce the perimeter setback landscaping and plant units for the undeveloped portion of the development site. The subject properties are 5.57 acres in size, zoned CG (General Commercial) and located at 325 Lancaster Drive SE (Marion County Assessors Map and Tax Lot Numbers 072W31BB / 4501).

RECOMMENDED CONDITIONS OF APPROVAL

1. Dedicate easements for existing public infrastructure on the site to current standards in Public Works Design Standards Section 1.8 (Easements), except where a Design Exception to the Public Works Design Standards is approved by the City Engineer pursuant to Public Works Design Standards (PWDS) Section 1.18 (Design Standard Exceptions).
2. At the time of building permit, the applicant shall submit a final landscaping plan that relocates the trees within the required easement for existing public utilities to another location on the site.
3. At the time of building permit, the applicant shall revise the site plan to relocate the trash enclosure outside of the required easement for existing public utilities.
4. The applicant shall obtain a revocable license to encroach into the required easement for existing public utilities for any parking that extends into the required easement.

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).

5. Permanently close the northerly driveway onto Lancaster Drive NE as shown on the applicants preliminary site plan and replace with curbs and sidewalks in accordance with Marion County construction standards.
6. At the primary driveway approach entrance onto Lancaster Drive NE, upgrade existing curb ramps to meet current Marion County Construction Standards for Public Right-of-way Accessibility Guidelines.
7. Convey land for dedication to equal a half-width right-of-way of 48-feet on the development side of Lancaster Drive SE.
8. Design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.
9. Prior to issuance of a building permit, record a Private Stormwater Facilities Access Agreement for the common system pursuant to SRC 802.040 and PWDS.
10. Prior to issuance of a building permit, the applicant shall demonstrate they have appropriate easements to connect to the private stormwater system on neighboring property.

FACTS

Streets

1. Lancaster Drive SE
 - 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. The portion of Lancaster Drive SE fronting the subject property is under Marion County jurisdiction.
 - b. Existing Conditions—This street has an approximate 72-foot improvement within a 90-to 130-foot-wide right-of-way abutting the subject property.

Storm Drainage

1. Existing Conditions
 - a. There are no public storm mains in the vicinity 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 on the subject property in an easement. Mains of this size generally convey flows of 2,100 to 4,900 gallons per minute.

Sanitary Sewer

1. Existing Conditions

- a. 8-inch and 15-inch sewer main is located on the subject property in an easement.
- b. An 8-inch sanitary sewer main is located in Lancaster Drive SE.

CRITERIA AND FINDINGS—SITE PLAN REVIEW

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

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

Finding—With completion of the conditions above, the subject property meets all applicable standards of the following chapters of the Unified Development Code (UDC): 200 – Urban Growth Management; 601 – Floodplain Development; 802 – Public Improvements; 803 - Street and Right-of-way Improvements; 804 – Driveway Approaches; 805 – Vision Clearance; 809 – Wetlands; 810 – Landslide Hazards.

SRC Chapter 200 (Urban Growth Management): SRC Chapter 200 (Urban Growth Management) requires issuance of an Urban Growth Preliminary Declaration (UGA) prior to development of property located outside the City’s Urban Service Area. The subject property is located outside of the Urban Service Area. Because the proposed development does not precede construction of required facilities, an UGA permit is not required.

SRC Chapter 601 (Floodplain): The Floodplain Administrator 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.

SRC Chapter 802 (Public Improvements): There are existing public water and sewer mains on the subject property. Easements for existing mains do not meet current Public Works Design Standards (PWDS) for required width under PWDS Section 1.8 (Easements). Pursuant to SRC 802.020 easements for public utilities are required as a condition of development approval. The applicants preliminary plan shows dedication of easements to meet current standards, except along the northern property line, where the proposed building is located. As a condition of approval, the applicant shall dedicate

easements for existing public infrastructure on the site to current standards, except where a Design Exception to the Public Works Design Standards is approved by the City Engineer pursuant to PWDS Section 1.18 (Design Standard Exceptions).

Condition: Dedicate easements for existing public infrastructure on the site to current standards in Public Works Design Standards Section 1.8 (Easements), except where a Design Exception to the Public Works Design Standards is approved by the City Engineer pursuant to Public Works Design Standards Section 1.18 (Design Standard Exceptions).

The applicants preliminary site plan shows a trash enclosure, trees, and parking within the required easement. Pursuant to SRC 802.020 buildings, structures, trees, or other obstructions other than landscaping shall not be located in City easements. The surface parking can be permitted within the sanitary sewer easement with a revocable license to encroach; however, trees and the trash enclosure shall be relocated to outside of the sanitary sewer main easement so not to obstruct access to the City's main.

Condition: At the time of building permit, the applicant shall submit a final landscaping plan that relocates the trees within the required easement for existing public utilities to another location on the site.

Condition: At the time of building permit, the applicant shall revise the site plan to relocate the trash enclosure outside of the required easement for existing public utilities.

Condition: The applicant shall obtain a revocable license to encroach into the required easement for existing public utilities for any parking that extends into the required easement.

SRC 804 (Driveway Approaches): The development site currently has two (2) driveway approaches to Lancaster Drive SE, which is under Marion County jurisdiction. The primary driveway approach contains a shared access serving abutting properties as a private street; no changes to this driveway are proposed. The secondary driveway approach onto Lancaster Drive SE serves an existing unpermitted parking area on the subject property. Marion County submitted comments indicating that the northerly driveway approach onto Lancaster Drive SE shall be permanently closed. The applicant site plan shows placement of a jersey barrier to block vehicle traffic from utilizing this driveway approach and unpermitted parking area. As a condition of approval, the applicant shall be required to permanently close the driveway approach and replace with curbs and sidewalks in accordance with Marion County construction standards.

Marion County also submitted comments that the curb ramps at the primary access to Lancaster Drive NE needs to be replaced to meet current ADA standards. As a condition of approval, the applicant shall provide upgrades to the curb ramps at the primary entrance along Lancaster Drive NE.

Condition: Permanently close the northerly driveway onto Lancaster Drive NE as shown on the applicants preliminary site plan and replace with curbs and sidewalks in accordance with Marion County construction standards.

Condition: At the primary driveway approach entrance onto Lancaster Drive NE, upgrade existing curb ramps to meet current Marion County Construction Standards for Public Right-of-way Accessibility Guidelines.

SRC 805 (Vision Clearance): The proposal does not cause a vision clearance obstruction per SRC Chapter 805. The proposed residential care facility structure meets the vision clearance standards established in SRC Chapter 805.

SRC Chapter 809 (Wetlands): The Salem-Keizer Local Wetland Inventory shows that there are wetland channels and/or hydric soils mapped on the property. The applicant should contact the Oregon Department of State Lands to verify if any permits are required for development or construction in the vicinity of the mapped wetland area(s), including any work in the public right-of-way. Wetland notice was sent to the Oregon Department of State Lands pursuant to SRC 809.025.

SRC Chapter 810 (Landslide Hazards): According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are mapped 2-to-3-point landslide hazard areas on the subject property. The proposed activity of a commercial building (residential care facility) adds 3 activity points to the proposal, which results in a total of 5-to-6 points. Therefore, the proposed development is classified as a moderate landslide risk and requires a geological assessment. A Geotechnical Engineering Report, prepared by NV5 and dated December 8, 2023, was submitted to the City of Salem. This assessment demonstrates the subject property could be developed as proposed by implementing geotechnical recommendations in the design and construction of the project.

Criteria: SRC 220.005(f)(3)(B) The transportation system provides for the safe, orderly, and efficient circulation of traffic into and out of the proposed development, and negative impacts to the transportation system are mitigated adequately

Finding— The subject property abuts Lancaster Drive SE which is classified as a major arterial street according to the Salem TSP and is under Marion County Jurisdiction. This street has adequate improvement width along the property frontage; however, lacks adequate right-of-way width along the northern portion of the property. As a condition of approval, the applicant is required to dedicate 48-feet from the centerline of Lancaster Drive SE pursuant to SRC 803.040 (Boundary Streets).

Condition: Convey land for dedication to equal a half-width right-of-way of 48-feet on the development side of Lancaster Drive SE.

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 development site currently has two (2) driveway approaches to Lancaster Drive SE, which is under Marion County jurisdiction. The primary driveway approach contains a shared access serving abutting properties; no changes to this driveway are proposed. The secondary driveway approach onto Lancaster Drive SE serves an existing unpermitted parking area on the subject property, which is required to be closed permanent as a condition of approval.

The primary driveway approach onto Lancaster Drive SE, which contains a shared access serving abutting properties, is located at a signalized intersection. This access provides safe and efficient movement of vehicles in and out of the development site.

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 subject property is located outside of the Urban Service Area. Because the proposed development does not precede construction of required facilities, an UGA permit is not required. The Public Works Department has reviewed the applicant's preliminary plan for this site. The water, sewer, and storm infrastructure are available within surrounding streets/areas and are adequate to serve the proposed development. The applicant shall design and construct all utilities (sewer, water, and storm drainage) according to the PWDS and to the satisfaction of the Public Works Director. The applicant is advised that a sewer monitoring manhole may be required, and the trash area shall be designed in compliance with Public Works Standards.

The development is subject to green stormwater infrastructure requirements pursuant to SRC Chapter 71 and PWDS for the treatment and detention of stormwater discharge from the proposed development. The applicant's engineer submitted a statement demonstrating compliance with Stormwater PWDS Appendix 004-E (4) and SRC Chapter 71. The preliminary stormwater design demonstrates the use of green stormwater infrastructure to the maximum extent feasible. As a condition of approval, the applicant shall Design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.

Condition: Design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.

The applicant proposes to discharge to an existing on-site stormwater system on adjacent property which collects and detains storm run off from the site before out falling into a ditch along the Interstate 5 corridor. It appears that an easement is required for the subject property to connect to this system. Pursuant to SRC 802.040, when a

proposed stormwater system serves multiple properties under separate ownership, an agreement is required to ensure the development has a perpetual right of access to maintain the system, and that the persons served by the system are responsible for repairs. As a condition of approval, the applicant shall obtain any necessary off-site easements required to connect to the private system on neighboring property. In addition, a Private Stormwater Facilities Agreement (PSFA) is required for the system as a condition of approval.

Condition: Prior to issuance of a building permit, record a Private Stormwater Facilities Access Agreement for the common system pursuant to SRC 802.040 and PWDS.

Condition: Prior to issuance of a building permit, the applicant shall demonstrate they have appropriate easements to connect to the private stormwater system on neighboring property.

RESPONSE TO COMMENTS

1. **Lancaster Drive** – Marion County submitted comments indicating that there is a driveway access onto Lancaster Drive NE that requires closure and that the curb ramps at the primary driveway approach need to be upgraded to meet current ADA standards.

Staff Response: Lancaster Drive NE along the property frontage is under jurisdiction of Marion County. Conditions of approval will require the applicant to close the northern driveway approach onto Lancaster Drive NE and to upgrade curb ramps at the remaining driveway approach to meet current standards.

Prepared by: Laurel Christian, Infrastructure Planner II
CC: Final

Olivia Dias

From: John Rasmussen <JRasmussen@co.marion.or.us>
Sent: Tuesday, April 2, 2024 4:07 PM
To: Olivia Dias
Subject: 325 Lancaster Dr SE Conditional Use Residential Care Facility

Follow Up Flag: Follow up
Flag Status: Completed

Olivia,

Here are my comments:

- Close Lancaster Dr north access as shown on preliminary plan
- Upgrade/Replace NWC ADA ramp Cinema Dr @ Lancaster to meet current PROWAG standard



OREGON

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