

TO: HEARINGS OFFICER

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

SUBJECT: **CONDITIONAL USE CASE NO. CU24-05**
3393 SILVERTON ROAD NE – 97301
AMANDA NO. 24-102368-PLN

REQUEST

Summary: Conditional Use for motor vehicle services in the MU-III zone.

Request: Conditional Use Permit to allow a motor vehicle service use in an existing building on property zoned MU-III (Mixed Use-III), 0.26 acres in size, and located at 3393 Silverton Road NE (Marion County Assessors Map and Tax Lot number: 073W13AA / 700).

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

APPLICANT: Giovanna Casas Reyes

OWNER: Oregon Alliance LLC

AGENT: Britany Randall, BRAND Land Use

APPLICATION PROCESSING

On March 6, 2024, a Conditional Use Permit application was accepted for processing. After receiving additional information, the application was deemed complete for processing at the request of the applicant on May 30, 2024. The 120-day State mandated deadline was extended at the request of the applicant by 90 days to December 26, 2024.

The public hearing before the City of Salem Hearings Officer is scheduled for August 14, 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 July 25, 2024. SRC 300.620(b)(3) requires the applicant to post notice on the subject property no earlier than 14 and no later than ten days prior to the public hearing. Public hearing notice was posted on the property on July 31, 2024, 14 days prior to the public hearing, pursuant to SRC requirements.

PROPOSAL

The applicant has submitted Conditional Use Permit application to allow a *motor vehicle services* use in the MU-III zone, for property located at 3393 Silverton Road NE.

The consolidated application was submitted on March 6, 2024. The subject property is currently zoned MU-III (Mixed Use-III) as of August 25, 2022, after it was rezoned from CG (General Commercial) with the Our Salem project, prior to the sale of the property to the applicant. The development site consists of one unit of land and is developed with an existing

building which has historically operated as a bakery. During routine City inspections, staff noticed a new sign painted on the building for Adan's Automotive, which is classified as a *motor vehicle services* use. In the MU-III zone, all other motor vehicle service uses except gasoline service stations, require a Conditional Use Permit. Upon discovering that no permits were submitted for the new sign or to establish a new occupancy for the building, a compliance case was opened for the violations on August 8, 2023. As such, the applicant is required to obtain approval of a Conditional Use Permit to continue operating the new *motor vehicle services* use in the existing building that was previously a bakery, for property zoned MU-III and located at 3393 Silverton Road NE.

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 102368.

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 March 6, 2024. At the time this application was submitted, the Salem Area Comprehensive Plan (SACP) map designation for the subject property is Mixed Use.

2. Zoning and Surrounding Land Uses

The applications were submitted on March 6, 2024. The subject property is currently zoned MU-III (Mixed Use-III). The zoning and uses of the surrounding properties include:

North: MU-III (Mixed Use-III) Zone; Jackson's Body Shop, *motor vehicle services*

West: MU-III (Mixed Use-III) Zone; Jackson's Body Shop, *motor vehicle services*

South: Across Silverton Road NE, MU-III (Mixed Use-III) Zone; United Rentals, *heavy vehicle and trailer sales*

East: Across Hawthorne Avenue NE, MU-III (Mixed Use-III) Zone; Cheetahs and OG Collective, *commercial indoor entertainment and retail sales*

3. Site Analysis

The proposal is part of a development site consisting of one unit of land totaling 11,437 square feet (0.26 acres) in size with approximately 110 feet of frontage along Silverton Road NE to the south, and approximately 80 feet of frontage along Hawthorne Avenue NE to the east, both of which are designated as a Major Arterial Streets in the Salem Transportation System Plan (TSP). The subject property is located within the Urban Growth Boundary and within the Urban Service Area.

4. Neighborhood and Citizen Comments

The subject property is located within the boundaries of the Northgate Neighborhood Association, and directly adjacent to the boundary of the North Lancaster Neighborhood Association (NOLA).

Applicant Neighborhood Association Contact: SRC 300.310 requires an applicant to contact the neighborhood association(s) whose boundaries include, and are adjacent to, property subject to specific land use application requests. Pursuant to SRC 300.310(b)(1), land use applications included in this require neighborhood association contact. On February 29, 2024, the applicant's representative contacted the neighborhood associations above to provide details about the proposal.

Neighborhood Association Comment: Notice of the application was provided to the neighborhood associations above pursuant to SRC 300.620(b)(2)(B)(v), which requires notice to be sent to any City-recognized neighborhood association whose boundaries include, or are adjacent to, the subject property. As of the date of completion of this staff report, no comments have been received from the Northgate or North Lancaster Neighborhood Associations.

Homeowners Association: The subject property is not located within a Homeowners Association.

Public Comment: Notice was also provided, pursuant to SRC 300.620(b)(2)(B)(iii), (vi), & (vii), to all property owners and tenants within 250 feet of the subject property. As of the date of completion of this staff report, no comments have been received from the surrounding property owners and tenants.

5. City Department and Public Agency Comments

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

The City of Salem Building and Safety Division reviewed the proposal and indicated: *If not completed prior, building permits to establish occupancy/use will be required.*

The City of Salem Fire Department reviewed the proposal and indicated no concerns.

Staff Response: The applicant is responsible for addressing these comments during the building permit process. While the Conditional Use is required to allow the use, the

applicant will still need to submit for a site plan review and building permits to fully establish the proposed *motor vehicle services* use in the building and close the active compliance case. As the compliance case has been active for one year, staff recommends the following condition to ensure compliance with the standards are met in a timely manner:

Condition 1: The applicant shall obtain all necessary land use approvals and building permits to establish the change of use to an automotive repair shop within 180 days of the effective date of this approval.

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 a change of use for an existing building of 3,696 square feet from a bakery to a *motor vehicle services* use for the operation of Adan's Automotive. In the MU-III zone, all other *motor vehicle service* uses except gasoline service stations, 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 proposal is to allow conversion of an existing structure from a bakery to an automotive repair shop, which is classified as a *motor vehicle services* use. The nature of the proposed use is more intense than the previous use, as it will involve an increased number of vehicles visiting the site, including parking and circulation of vehicles outside of the building, and could have noise and odor impacts that could present adverse impacts to immediate neighbors. Both the existing conditions plan submitted by the applicant and aerial and street views of the property have shown vehicles parked outside of approved parking spaces, in areas that restrict safe circulation of the site and encroach onto neighboring property. In addition, there have been observations of repairs occurring in the parking lot, which can create excess noise or odors to the surrounding neighborhood. To ensure the operation of the auto repair shop maintains minimal impact to the surrounding neighborhood, staff recommends the following conditions of approval:

Condition 2: All vehicle repair shall be conducted entirely within the building and there shall be no outdoor storage of vehicle parts or equipment on site.

Condition 3: Vehicles shall only be parked within approved parking spaces, or within the building.

The property was rezoned from CG (General Commercial) to MU-III (Mixed Use-III) with the *Our Salem* project in August 2022, prior to the sale of the property to the applicant. The purpose of rezoning this area to Mixed Use was to encourage infill development and redevelopment of one the City's main corridors, specifically to allow residential uses outright in areas served by transit. The MU-III zone generally allows a variety of retail and office uses, commercial services, and multi-family residential uses. While there is not any residential development in the immediate vicinity today, it is reasonable to assume that surrounding properties could add housing, or be completely redeveloped with housing, in the foreseeable future.

The applicant did not provide current or proposed hours of operation, but it is common to restrict the hours of *motor vehicle services* through a Conditional Use Permit, to ensure that impacts from noise and odors are limited. Staff is proposing hours of 7 AM to 8 PM. A start time of 7 AM allows patrons to drop off vehicles before the start of a normal business day and aligns with the limits for other types of noises, such as construction and idling engines, that are restricted in the City's Noise Ordinance (SRC Chapter 93). An end time of 8 PM will ensure that any future nearby residential uses will not be impacted by noise and odors late into the evening. Therefore, staff recommends the following condition of approval:

Condition 4: Normal hours of operation where the business is open to the public may only be between the hours of 7 AM and 8 PM.

The proposed use will also involve parking of vehicles in the existing parking spaces exterior to the building, along Silverton Road NE. The applicant did not submit a site plan with proposed improvements; however, an existing conditions plan was submitted (**Attachment B**). The existing conditions plans submitted by the applicant shows parking stalls that extend into the public right-of-way and overhang into the sidewalk along Silverton Road NE. The parking on the subject property was re-striped through a Capital Improvement Project at the intersection of Silverton Road NE and Hawthorne Avenue NE. Wheel stops were not placed as part of the Capital Improvement Project on the private property; however, bollards at the intersection of Silverton Road NE and Hawthorne Avenue NE were placed in the public right-of-way. Pursuant to SRC 78.220, it is the responsibility of owners or lessees abutting, or adjacent to, any sidewalk to keep the sidewalk clear of obstructions. In order to ensure that vehicles do not overhang from the parking spaces into the right-of-way and sidewalk, the applicant shall be required to place wheel stops within the parking spaces abutting Silverton Road NE. Imposition of this condition of approval will ensure that the adverse impacts of the development are minimized and pedestrian safety in the public right-of-way is ensured. Therefore, staff recommends the following condition:

Condition 5: Wheel stops shall be installed to ensure that vehicles do not overhang into the sidewalk or right-of-way directly adjacent to the parking area.

In addition, the existing ADA parking space on site was also re-striped due to the Capital Improvement Project at the intersection of Silverton Road NE and Hawthorne Avenue NE. However, the re-striped ADA parking area does not meet the Oregon Transportation

Commission's Standards for Accessible Parking Places (**Attachment D**), which requires the use of signs, pavement markings, and wheel stops, for clear identification of the space and safety. Prior observations of the site have also shown cars parked in the ADA access aisle, or cars parked beyond the lines that delineate the space to accommodate tandem parking of excess vehicles. To ensure that accessible parking requirements are met and the ADA space remains safe and accessible at all times, the following condition is recommended:

Condition 6: The applicant shall provide a wheel stop and post signage for the ADA parking space, and paint "No Parking" within the striped access aisle. The access aisle serving the ADA space shall maintain a minimum width of 8 feet, clear of vehicles or obstructions.

Typically, similar developments of this nature and subject to a Conditional Use Permit, would also provide a combination of landscaping and/or sight-obscuring fencing to mitigate the visual impacts of parked vehicles to surrounding properties and the public. The subject property, however, has existing pavement through most of the site that greatly limits the ability to provide such improvements. There is one landscape planter strip left on the property along Hawthorne Avenue NE which once included healthy plantings, and should be maintained in good condition so as to present a healthy, neat, and orderly appearance, pursuant to SRC 807.045. To ensure compliance with landscape maintenance standards and to mitigate the visual impacts of the parked vehicles to neighboring properties, staff recommends the following condition:

Condition 7: The applicant shall install landscaping of shrubs and ground cover to the existing planter strip along Hawthorne Avenue NE at a density of one plant unit per 20 square feet; trees are not required.

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 property was rezoned from CG (General Commercial) to MU-III (Mixed Use-III) with the Our Salem project in August 2022, prior to the sale of the property to the applicant. The purpose of rezoning this area to Mixed Use is to encourage infill development and redevelopment of one the City's main corridors, and to promote pedestrian access through the area. The MU-III zone generally allows a variety of retail and office uses, commercial services, and multi-family residential uses. As such, staff recommends that the development provide improvements to the property that would be reasonably compatible with the anticipated uses of the surrounding properties as the area continues to redevelop, and to bring the proposed conditional use in alignment with the purpose of the zone. This includes the provision of pedestrian connections.

To promote pedestrian access, the City adopted on-site pedestrian access standards in 2019 which link the public sidewalks with entrances of businesses and places of interest, and provide a system of safe pedestrian travel. The standards require pedestrian access from the front entrance of each building to each street, between buildings on site, and between properties that have a vehicular connection. There are a variety of materials and methods that

can be utilized to meet the standards under SRC 800.065. Pedestrian access is required for all new development, for additions, and for parking lot changes. While the applicant's proposal does not trigger pedestrian access on its own, this improvement can be required through a Conditional Use Permit, to better meet the approval criterion.

The proposed motor vehicle repair shop does not currently provide a means of safe pedestrian access from the public sidewalk to the business. A pedestrian connection would be an improvement to the property that would help ensure it is reasonably compatible with the surrounding area as customers can drop off their car and walk somewhere nearby to wait while it is repaired, thereby providing a positive impact on the appropriate development envisioned for the area. Because the property is on a corner lot, one connection to the intersection would provide sufficient access from the sidewalks along both streets and can be accomplished by painting a five-foot-wide striped path through the parking lot, with the installation of speed bumps for pedestrian safety. Therefore, staff recommends the following condition:

Condition 8: The applicant shall provide a pedestrian connection from the building entrance to the intersection of Silverton Road NE and Hawthorne Avenue NE, in conformance with SRC 800.065.

Special setbacks along both streets shall also ensure that the proposed use will be reasonably compatible with the future development of the surrounding right-of-way. SRC Chapter 800.040 establishes special setback requirements to afford better light, air, and vision on public streets, and to permit the eventual widening of streets without creating nonconforming structures. The subject property abuts Silverton Road NE to the south and Hawthorne Avenue NE to the east. Both Silverton Road NE and Hawthorne Avenue NE are classified as Major Arterial Streets, according to SRC Chapter 803 and the Salem TSP, and require 96 feet of right-of-way width, pursuant to SRC 803.025(a), Table 803-1. Silverton Road NE currently has a right-of-way width of approximately 80 feet; Hawthorne Avenue NE has a right-of-way width of approximately 62-to-85-feet. Because both streets do not meet the minimum right-of-way width standard for its street classification, special setbacks apply along both right-of-ways abutting the subject property. The required special setback is equal to 48 feet from centerline along both Silverton Road NE and Hawthorne Avenue NE. As such, staff recommends the following conditions:

Condition 9: The property is subject to a special setback equal to 48 feet from the centerline of Hawthorne Avenue NE.

Condition 10: The property is subject to a special setback equal to 48 feet from the centerline of Silverton Road NE.

Additionally, the special setbacks and potential future street widening would likely contribute to removal of the existing ADA parking space on site, as it may no longer be in conformance with accessibility requirements once the street improvements occur. As such, staff recommends that the Hearings Officer adopt the following condition for the applicant to relocate the ADA parking in the future:

Condition 11: The applicant shall provide a minimum of one ADA space elsewhere on site, meeting the minimum access requirements, if Hawthorne Avenue NE is widened to meet standards.

As conditioned, staff finds that the proposed development will be reasonably compatible with and have minimal impact on the livability or appropriate development of surrounding property.

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 application for the proposed to allow a *motor vehicle services* use, located at 3393 Silverton Road NE, subject to the following conditions of approval:

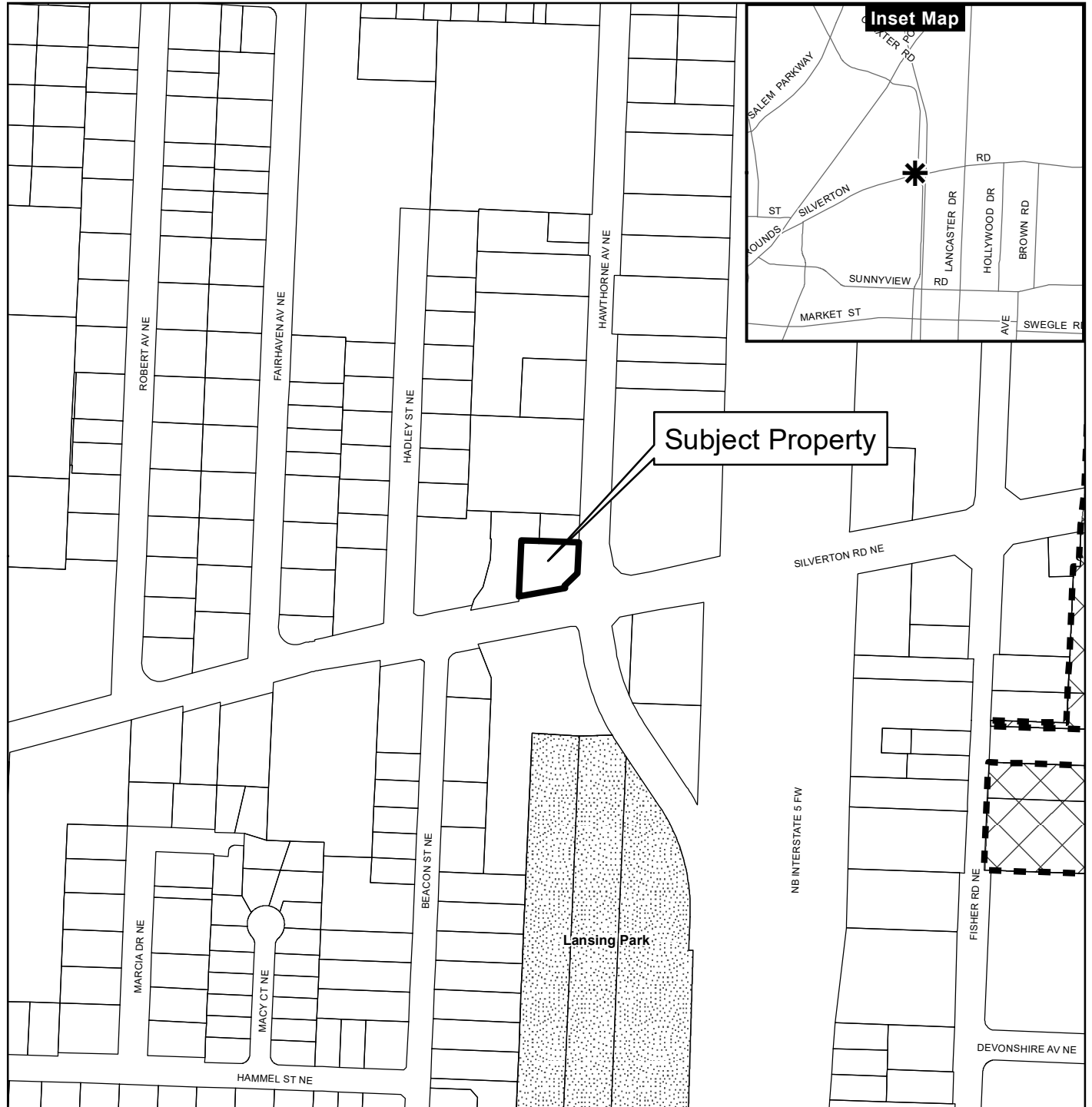
- Condition 1:** The applicant shall obtain all necessary land use approvals and building permits to establish the change of use to an automotive repair shop within 180 days of the effective date of this approval.
- Condition 2:** All vehicle repair shall be conducted entirely within the building and there shall be no outdoor storage of vehicle parts or equipment on site.
- Condition 3:** Vehicles shall only be parked within approved parking spaces, or within the building.
- Condition 4:** Normal hours of operation where the business is open to the public may only be between the hours of 7 AM and 8 PM.
- Condition 5:** Wheel stops shall be installed to ensure that vehicles do not overhang into the sidewalk or right-of-way directly adjacent to the parking area.
- Condition 6:** The applicant shall provide a wheel stop and post signage for the ADA parking space, and paint "No Parking" within the striped access aisle. The access aisle serving the ADA space shall maintain a minimum width of 8 feet, clear of vehicles or obstructions.
- Condition 7:** The applicant shall install landscaping of shrubs and ground cover to the existing planter strip along Hawthorne Avenue NE at a density of one plant unit per 20 square feet; trees are not required.
- Condition 8:** The applicant shall provide a pedestrian connection from the building entrance to the intersection of Silverton Road NE and Hawthorne Avenue NE, in conformance with SRC 800.065.
- Condition 9:** The property is subject to a special setback equal to 48-feet from the centerline of Hawthorne Avenue NE.
- Condition 10:** The property is subject to a special setback equal to 48-feet from the centerline of Silverton Road NE.

Condition 11: The applicant shall provide a minimum of one ADA space elsewhere on site, meeting the minimum access requirements, if Hawthorne Avenue NE is widened to meet standards.








Prepared by Jamie Donaldson, Planner III

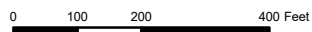
Attachments: A. Vicinity Map
B. Applicant's Site Plan
C. Development Services Memo
D. Standards for Accessible Parking

Vicinity Map 3393 Silverton Road NE

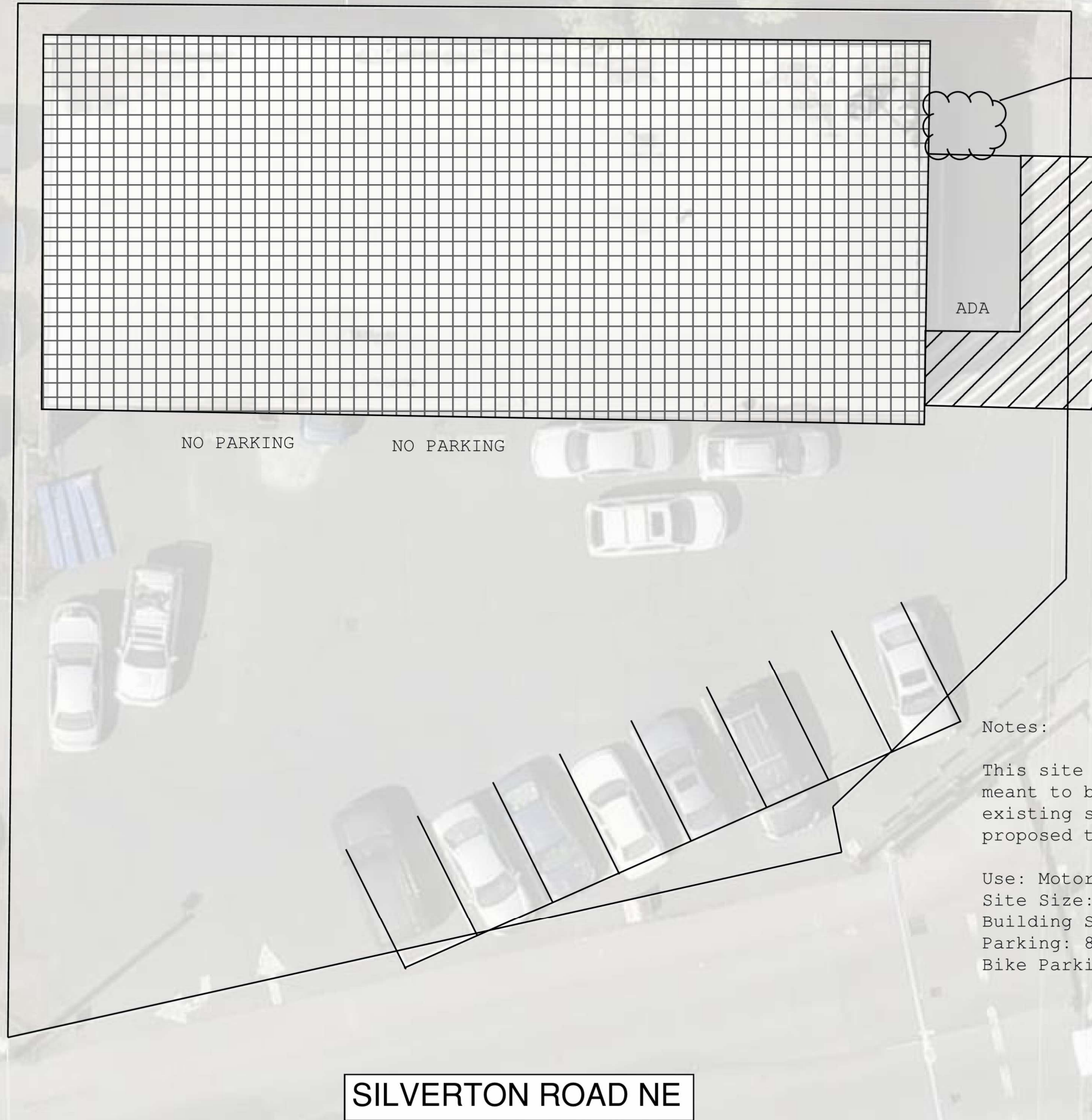


Legend

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



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Proposed location of 2 new bicycle parking stalls.

ADA

NO PARKING

NO PARKING

HAWTHORNE AVE NE

SILVERTON ROAD NE



Notes:

This site plan is not to scale and is meant to be used to demonstrate some existing site features. No changes are proposed to the building or site.

- Use: Motor Vehicle Service
- Site Size: .26 acres
- Building Size: 3,696
- Parking: 8 Standard 1 ADA
- Bike Parking: 2 - Newly Proposed

Existing Conditions - No Changes Proposed

BRAND


OREGON ALLIANCE, LLC

3393 SILVERTON ROAD NE SALEM, OR 97303



MEMO

TO: Jamie Donaldson, Planner III
Community Planning and Development Department

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

DATE: August 5, 2024

SUBJECT: **Infrastructure Memo**
CU24-05 (24-104327-PLN)
3393 Silverton Road NE
Conditional Use Permit for Motor Vehicle Services Use

PROPOSAL

A Conditional Use Permit to allow a motor vehicle service use in an existing building on property zoned MU-III (Mixed Use-III), 0.26 acres in size, and located at 3393 Silverton Road NE (Marion County Assessors Map and Tax Lot number: 073W13AA / 700).

RECOMMENDED CONDITIONS OF APPROVAL

1. Wheel stops shall be installed to ensure that vehicles do not overhang into the sidewalk or right-of-way directly adjacent to the parking area.
2. The property is subject to a special setback equal to 48-feet from the centerline of Silverton Road NE.
3. The property is subject to a special setback equal to 48-feet from the centerline of Hawthorne Avenue NE.

EXISTING CONDITIONS – INFRASTRUCTURE

The existing conditions of streets abutting the subject property are described in the following table:

Streets			
Street Name		Right-of-way Width	Improvement Width
Silverton Rd NE (Major Arterial)	Standard:	96-feet	69-feet
	Existing Condition:	80-feet	46-feet
Hawthorne Ave NE (Major Arterial)	Standard:	96-feet	68-feet
	Existing Condition:	62-to-85-feet	65-feet

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).

The existing conditions of public infrastructure available to serve the subject property are described in the following table:

Utilities	
Type	Existing Conditions
Water	Water Service Level: G-0
	An 8-inch water main is located in Hawthorne Avenue NE.
Sanitary Sewer	8-inch sanitary sewer mains are located in Silverton Road SE and Hawthorne Avenue NE.
Storm Drainage	A 24-inch storm main is located in Silverton Road NE.
	An 18-inch storm main is located in Hawthorne Avenue NE.

CONDITIONAL USE DECISION 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: Not applicable to Development Services review.

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 proposal will allow conversion of an existing structure from a bakery use to a motor vehicle sales use. The proposed use will involve parking of vehicles in the parking spaces exterior to the building, along Silverton Road NE. The applicant did not submit a site plan with proposed improvements; however, an existing conditions plan was submitted. The existing conditions plans submitted by the applicant shows parking stalls that extend into the public right-of-way and overhang the sidewalk along Silverton Road NE. The parking on the subject property was re-striped through a Capital Improvement Project at the intersection of Silverton Road NE and Hawthorne Avenue NE. Wheel stops were not placed as part of the Capital Improvement Project on the private property; however, bollards at the intersection of Silverton Road NE and Hawthorne Avenue NE were placed in the public right-of-way. Pursuant to SRC 78.220, it is the responsibility of owners or lessees abutting or adjacent to any sidewalk to keep the sidewalk clear of obstructions. In order to ensure that vehicles do not overhang from the parking spaces into the right-of-way and sidewalk, the applicant shall be required to place wheel stops within the parking spaces abutting Silverton Road NE. Imposition of this condition of approval will ensure that the adverse impacts of the development are

minimized and pedestrian safety in the public right-of-way is ensured. As such, staff recommends the following condition applies:

Condition: Wheel stops shall be installed to ensure that vehicles do not overhang into the sidewalk or right-of-way directly adjacent to the parking area.

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 subject property abuts Silverton Road NE to the south and Hawthorne Avenue NE to the east. Silverton Road NE is classified as a major arterial street according to SRC Chapter 803 and the Salem Transportation System Plan (TSP) and does not meet the minimum right-of-way width standard for its classification. Silverton Road NE has a right-of-way width of approximately 80-feet where 96-feet is required (SRC 803.025(a) Table 803-1). Hawthorne Avenue NE is classified as a major arterial street according to SRC Chapter 803 and the Salem Transportation System Plan (TSP) and does not meet the minimum right-of-way width standard for its classification. Hawthorne Avenue NE has a right-of-way width of approximately 62-to-85-feet where 96-feet is required (SRC 803.025(a) Table 803-1).

Special setbacks along both streets shall also ensure that the proposed use will be reasonably compatible with the future development of the surrounding right-of-way. SRC Chapter 800.040 establishes special setback requirements to afford better light, air, and vision on public streets, and to permit the eventual widening of streets without creating nonconforming structures. The subject property abuts Silverton Road NE to the south and Hawthorne Avenue NE to the east. Both Silverton Road NE and Hawthorne Avenue NE are classified as Major Arterial Streets, according to SRC Chapter 803 and the Salem TSP, and require 96 feet of right-of-way width, pursuant to SRC 803.025(a), Table 803-1. Silverton Road NE currently has a right-of-way width of approximately 80 feet; Hawthorne Avenue NE has a right-of-way width of approximately 62-to-85-feet. Because both streets do not meet the minimum right-of-way width standard for its street classification, special setbacks apply along both right-of-ways abutting the subject property. The required special setback is equal to 48 feet from centerline along both Silverton Road NE and Hawthorne Avenue NE. As such, staff recommends the following conditions:

Condition: The property is subject to a special setback equal to 48-feet from the centerline of Silverton Road NE.

Condition: The property is subject to a special setback equal to 48-feet from the centerline of Hawthorne Avenue NE.

As conditioned, staff finds that the proposed development will be reasonably compatible with and have minimal impact on the livability or appropriate development of surrounding property.

Prepared by: Laurel Christian, Infrastructure Planner III
cc: File

OREGON TRANSPORTATION COMMISSION
 Standards for Accessible Parking Places
 August 2018

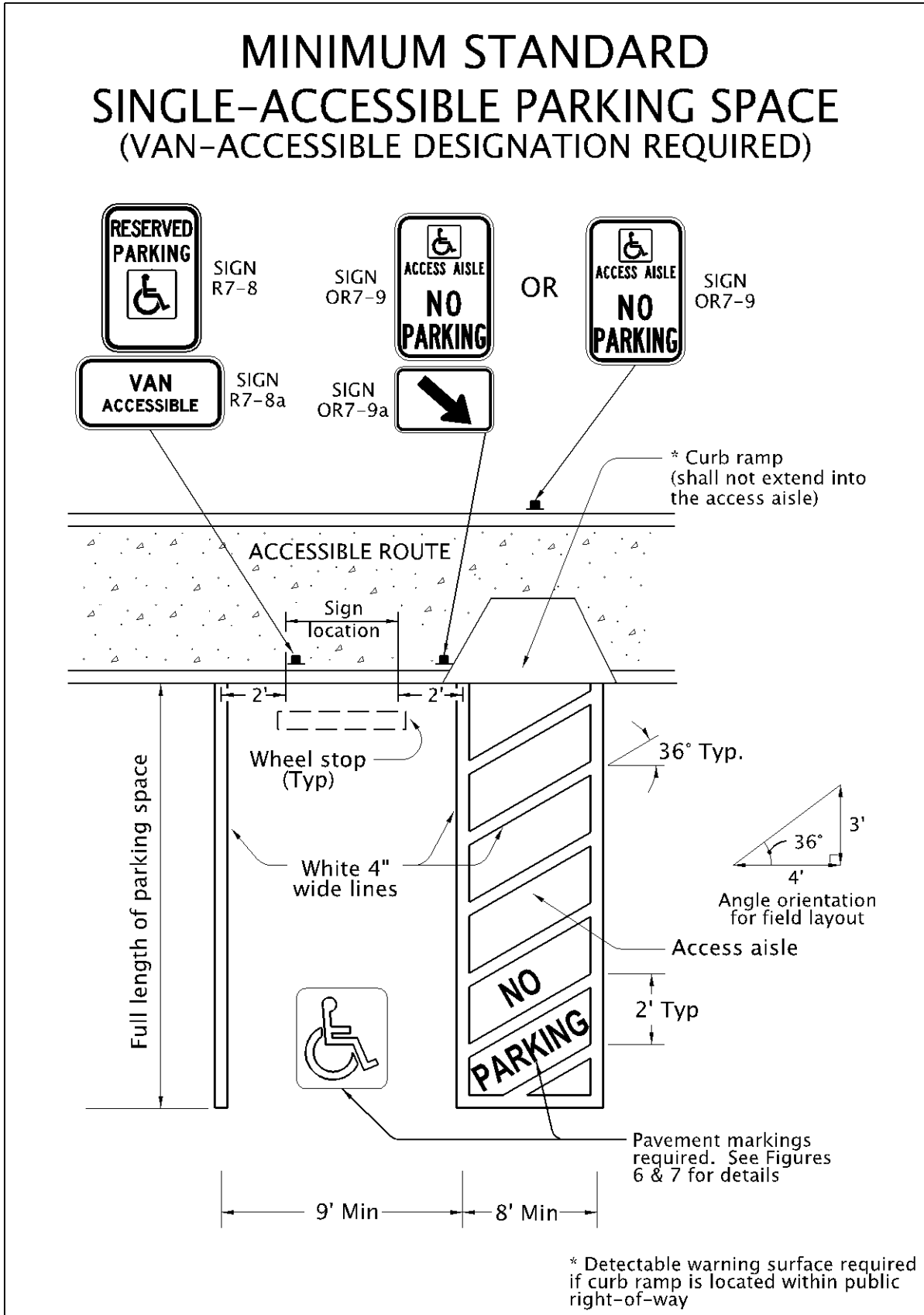


Figure 1