

**TO:** HEARINGS OFFICER

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

**SUBJECT:** **CONDITIONAL USE / CLASS 3 SITE PLAN REVIEW CASE NO. CU-  
SPR20-09**  
**2960, 3000 and 3010 LANSING AVENUE NE - 97301**  
**AMANDA NOS. 20-118295-ZO & 20-118296-RP**

**REQUEST**

Summary: A conditional use and site plan review to allow expansion of an existing religious assembly.

Request: Conditional Use and Class 3 Site Plan Review for construction of a new 7,561 square foot fellowship building for an existing religious assembly, on a 3.8-acre property located at 2960, 3000, and 3010 Lansing Avenue NE – 97301 (Marion County Assessor Map and Tax Lot numbers: 073W13AC / 5600, 5700, and 5800).

**OWNER:** Capital Baptist Church

**APPLICANT:** Capital Baptist Church

**FILER:** Leonard Lodder, Studio 3 Architecture, Inc.

**RECOMMENDATION**

Based upon the Facts and Findings contained in this staff report, staff recommends that the Hearings Officer APPROVE the request for a consolidated conditional use and site plan review for the expansion of an existing religious assembly, including construction of a new 7,521 square foot Christian Education Fellowship Building, new pedestrian accessways and new bicycle parking for property located at 2960, 3000 and 3010 Lansing Avenue NE subject to the following conditions of approval:

**CONDITIONAL USE:**

- Condition 1:** The proposed development shall be in substantial conformance with the approved site plan (Attachment B).
- Condition 2:** Provide a minimum 12-foot setback along the street frontages to a Type A standard in conformance with SRC 807.
- Condition 3:** Provide a minimum 12-foot setback along exterior property lines abutting residentially developed areas to a Type B standard in conformance with SRC 807. The remaining undeveloped property shall be landscape with grass or groundcover.

**Condition 4:** On site off-street parking shall only be allowed in vehicle use areas development in conformance with 806.035.

### **SITE PLAN REVIEW:**

**Condition 5.** Prior to the issuance of a building permit, existing property lines within the development site shall be eliminated by final recording of either (1) property line adjustment(s) or, (2) a replat.

**Condition 6:** Prior to the issuance of a building permit, the applicant shall provide a pedestrian connection to Watson Avenue NE in conformance with SRC 800.065, or apply for a zoning adjustment to the standard.

**Condition 7:** The two planter bays at the north entrance of the parking lot shall be planted with a minimum of one canopy tree per bay.

**Condition 8.** Install street trees to the maximum extent feasible along frontage of Lansing Avenue NE pursuant to SRC 86.015(e).

### **BACKGROUND**

The applicant is proposing expansion of an existing religious assembly use which is subject to the use standards in SRC (Salem Revised Code) 700.055.

On November 25, 2020, conditional use and site plan review applications were submitted by the applicant, Capital Baptist Church. On December 8, 2020, the applicant submitted confirmation that the applicable neighborhood association had been contacted pursuant to SRC 303.310 and the applications were accepted into the system for process. After additional information was received, the consolidated applications were deemed complete for processing on February 9, 2021.

The public hearing before the City of Salem Hearings Officer is scheduled for March, 10, 2021 at 5:30 p.m. Notice of public hearing was sent by mail to surrounding property owners pursuant to Salem Revised Code (SRC) requirements on February 18, 2021. Public hearing notice was also posted on the property pursuant to SRC requirements.

### **PROPOSAL**

The applicant is requesting to allow expansion of an existing religious assembly use where the subject property, and existing development, does not meet special use standards in SRC 700.055, at 2960, 3000, and 3010 Lansing Avenue NE - 97301 (Marion County Assessor Map and Tax Lot numbers: 073W13AC / 5600, 5700 and 5800). (**Attachment A**).

Religious assembly uses in the RS (Single-Family Residential) zone are subject to Special Use standards of SRC 700.055. As allowed by SRC 700.005(d), special use

standards may be modified, through a conditional use approval, as provided in SRC Chapter 240.

A Conditional Use is requested to:

- Increase the maximum lot area requirement of SRC 700.055(f), Table 700-6 for a religious assembly use, from a maximum of 2-acres to 3.8-acres.
- Reduce the landscape requirement of SRC 700.055(j) that requires all lot area not development for buildings, structures, parking, loading or driveways be landscaped to the Type A standard as provided in SRC Chapter 807.

The proposed site plan is included as **Attachment B**.

### **NONCONFORMING DEVELOPMENT**

Pursuant to SRC 700.055(b), notwithstanding SRC Chapter 270, existing nonconforming religious assemblies that are substantially damaged or destroyed by any cause may be rebuilt provided that the degree of nonconformity is not increased. For purposes of this section, "existing nonconforming religious assemblies" are religious assemblies that were nonconforming on February 25, 1993.

The original fellowship building was damaged due to arson and the damage exceeded 60 percent of replacement cost. Demolition permit 20-106985-00-BP was issued May 5, 2020, and the fire damaged building was demolished. The original fellowship building was nonconforming on February 25, 1993, so this building could have been replaced like-for-like to meet the development standards of SRC Chapters 511 and 700. However, the applicant has proposed a new building that is larger than the original fellowship building, thereby increasing the degree of nonconformity. As well, an existing property line prevents the new building from being constructed in the current footprint of the original fellowship building, as the location does not meet the required building setback standards of SRC 700. Therefore, the new building could not meet the applicable development standards.

### **SUMMARY OF RECORD**

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

### **APPLICANT'S STATEMENT**

The applicant's statement addressing the applicable approval criteria for this consolidated request is included as **Attachment C**.

## **FACTS AND FINDINGS**

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

The Salem Area Comprehensive Plan (SACP) map designation for the subject property is "Single-Family Residential." The subject property is within the Urban Growth Boundary and the Urban Service Area.

### **2. Zoning and Surrounding Land Uses**

The subject property is zoned RS (Single-Family Residential). Religious Assembly uses are Special Uses in the RS Zone. SRC Chapter 700.005(d) provides that modifications to special use standards shall be made pursuant to Conditional Use approval, as provided in SRC Chapter 240, and in no case shall Conditional Use approval allow a standard that is less restrictive than the development standards established in the zone or overlay zone.

The zoning of surrounding properties is as follows:

North: Across Sorensen Court NE; RS (Single-Family Residential)  
South: RS (Single-Family Residential)  
East: RS (Single-Family Residential)  
West: Across Lansing AV NE; PE (Public / Private Education)

### **3. Site Analysis**

The subject property consists of three tax lots, 073W13AC / 5600, 5700 and 5800, is approximately 3.8 acres in size, and is developed with two existing buildings, a 6,112 square foot principal worship building (Capital Baptist Church) and a 1,089 square foot youth building. The property is bounded on the west by Lansing Avenue NE, by Sorenson Court NE to the north, Watson Avenue NE to the east, and RS (Single-Family Residential) zoned properties to the north, south, and east.

### **4. Neighborhood and Citizen Comments**

The subject property is located within the Lansing Neighborhood Association. Notice was provided to Lansing Neighborhood Association and surrounding property owners and tenants within 250 feet of the subject property. As of the date of this staff report, no comments have been received from Northgate, or surrounding property owners.

### **5. City Department and Public Agency Comments**

The Building and Safety Division reviewed the proposal and provided comments stating the proposed building requires a minimum 10 foot setback from a side property line to be compliant with Oregon Building Code.

**Staff Response:** As conditioned in Section 6 of this report, prior to the issuance of a building permit, the existing property lines within the development site are required to be eliminated by final recording of either (1) property line

adjustments(s) or, (2) a replat. As conditioned, the proposal would meet Oregon Building Code standards.

The Fire Department reviewed the proposal and commented, "Fire department access is required to be provided within 150 feet of all portions of the building. It appears fire department access is provided with the parking area and street system. Fire hydrants are required to be located within 400 feet of all portions of the building (600 feet if provided with an approved fire sprinkler system). Items including fire department access and water supply will be evaluated at the time of building permit plan review."

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

## 5. **Analysis of Conditional Use Criteria**

Religious Assembly uses are subject to special use standards in the RS (Single-Family Residential) zone. SRC Chapter 700.005(d) provides:

Modifications to special use standards shall be made pursuant to Conditional Use approval, as provided in SRC Chapter 240, and in no case shall Conditional Use approval allow a standard that is less restrictive than the development standards established in the zone or overlay zone.

The proposed development requires Conditional Use approval because the proposal does not meet the Special Use standards for a religious assembly use. The subject development site exceeds the maximum total lot area, and does not meet the code requirements for off-street parking area screening requirements from abutting residential zones, interior side vehicle use area setbacks abutting a residential zone, and landscaping requirements for all lot area not development for buildings, structures, parking, loading or driveways.

SRC Chapter 240.005(d) establishes the following approval criteria for a conditional use permit:

### Criterion 1:

The proposed use is allowed as a conditional use in the zone.

**Applicant's Statement:** Per the RS zone, Religious Assembly is allowed as a Special Use.

**Staff Finding:** While the use is allowed as a Special Use, conditional use approval is required to deviate from the applicable Special Use standards. The proposal meets this criterion.

Criterion 2:

The reasonably likely adverse impacts of the use on the immediate neighborhood can be minimized through the imposition of conditions.

**Applicant's Statement:** The applicant addresses this criterion in **Attachment C**. The applicant's statement is summarized below.

The Conditional Use is requested to reduce the following special use standards:

- (1) Increase the maximum lot area requirement of SRC 700.055(f), Table 700-6 for a religious assembly use, from a maximum of 2-acres to 3.8-acres.
- (2) Reduce the landscape requirement of SRC 700.055(j) that requires all lot area not development for buildings, structures, parking, loading or driveways be landscaped to the Type A standard as provided in SRC Chapter 807.

The applicant states that relief from the maximum lot area requirement is requested due to the historical nature of the ownership of the property and that over half the ground is used for community sports activities. The applicant further argues that relief from the landscaping requirement for the existing playing field is proposed to be mitigated by a condition of approval that the existing playing field east of the existing parking area would be maintained as a playing field, and that the landscaping requirement for the remaining undeveloped ground not be landscaped in a manner that would adversely affect security concerns.

**Staff Finding:**

- (1) Increase the maximum lot area requirement of SRC 700.055(f), Table 700-6
- (2) for a religious assembly use, from a maximum of two acres to 3.8-acres.

The special use standards require a maximum lot area of two-acres for religious assembly uses in an RS (Single-Family Residential) zone. The intent behind the lot size restriction is to reduce the impact of very large gathering places on residential neighborhoods. A larger property could reasonably be assumed to have a larger sanctuary and associated church uses thereby resulting in a larger membership and associated increased traffic, parking, noise, hours of operation, etc.

Staff concurs that the historic use of the property as a religious assembly by the applicant dates back to the 1950's. The request is to allow the existing 3.8 acres to be approved, recognizing the church's longstanding ownership of more than two acres at this site. The proposal is for a new, larger, fellowship hall to replace the one that burned down. However, there is no evidence that the use itself is substantially increasing or that the existing church will create any additional adverse impacts on the neighboring area due to the size of the property. Recognizing the longevity of the religious assembly use within the neighborhood and allowing the

existing property to remain operating at its current size, with the recommended conditions below, will minimize any likely adverse impacts on the property. The proposal meets this criterion.

- (3) Reduce the landscape requirement of SRC 700.055(j), that requires all lot area not development for buildings, structures, parking, loading or driveways be landscaped to the Type A standard as provided in SRC Chapter 807.

The special use standards require all lot area not developed for buildings, structures, parking, loading, or driveways to be landscaped as provided in SRC Chapter 807 with Type A Landscaping. Type A landscaping requires a minimum of 1 plant unit per 20 square feet of landscaped area. No existing landscaping is proposed to be removed and the applicant's site plan does not indicate any new landscaping.

The applicant's written statement does mention additional landscaping in the immediate vicinity of the replacement building is anticipated, but is not proposed to be landscaped to the density of Type A standards in an effort to not provide cover for any future criminal activities. The construction of a new structure triggers perimeter setbacks be landscaped. Additionally, staff would like to point out that Type A Landscaping allows a variety of landscaping choices that could include small shrubs or plants, ground cover and trees that would not provide any type of cover for criminal activity.

Through the Conditional Use the applicant has requested relief from landscaping the playing field and the remaining undeveloped ground due to their security concerns. The purpose of requiring the remaining site to be landscaped is to prevent unpermitted uses, such as parking on the grass and to provide a pleasant and compatible site adjacent to residentially developed areas.

These requests, if granted, should be mitigated by a requirement for an increase in the density of landscaping elsewhere on site (Type B Landscaping). The Special Use standards require a landscaped 12-foot setback adjacent to the street(s) and all property lines. The applicant did not request a zoning adjustment to the required setback landscaping requirements and shall be required to provide the setbacks and landscaping pursuant to SRC 807. In order to mitigate the request to not landscape the remaining site, staff recommends the applicant landscape adjacent to the exterior property lines abutting residentially developed properties to Type B Landscaping, which, in addition to the plant units required under a Type A standard, requires a minimum 6-foot-tall fence, wall, or hedge. The existing church property does not have screening or landscaping to block the church or church activities from the residential areas except for some limited existing landscaping. To ensure the requested reduction to the landscaping requirement of SRC 700.055(j)

does not have any adverse impacts on the immediate surrounding neighborhoods, staff recommends the following conditions of approval:

- Condition 1:** The proposed development shall be in substantial conformance with the approved site plan (Attachment B).
- Condition 2:** Provide a minimum 12-foot setback along the street frontages to a Type A standard in conformance with SRC 807.
- Condition 3:** Provide a minimum 12-foot setback along exterior property lines abutting residentially developed areas to a Type B standard in conformance with SRC 807. The remaining undeveloped property shall be landscaped with grass or groundcover.

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

Based on site visits and aerial photos, there are concerns that off-street parking occurs within an existing landscaped area on the northwestern corner of tax lot 5600. To ensure that the proposal minimizes the impacts on the neighboring property now and in the future, staff recommends the following condition of approval:

- Condition 4:** On site off-street parking shall only be allowed in vehicle use areas development in conformance with SRC 806.035.

Pursuant to SRC 700.055(i)(2), the special use standards require that off-street parking areas shall be screened from abutting residentially zoned property, and the screening standards of SRC Chapter 807 require screening to be a minimum of 6 feet in height and at least 75 percent opaque when viewed from any angle at a point 25 feet away. The subject property abuts residentially zoned property to the north, south, and east. Off-street parking will be screened through the landscaping condition above.

Criterion 3:

The proposed use will be reasonably compatible with and have minimal impact on the livability or appropriate development of surrounding property.

**Applicant's Statement:** The applicant's written statement addressing the conditional use approval criteria is included as **Attachment C**.

**Staff Finding:** The requested increase of the maximum lot area allowance to 3.8 acres for a religious assembly use will have minimal impacts on the livability of the surrounding properties because the church has been in existence at this location since the 1950s and it will allow the applicant to continue using the site for the same use.

The requested reduction to the landscape requirement will be compatible with and have a minimal impact on the livability or development of surrounding properties as no existing landscaping is proposed to be removed, and as a recommended condition above, will provide new landscaping and screening around the perimeter of the property abutting residential zones. Additionally, no off-street parking will be allowed in any required landscaped areas. With the recommended conditions above, the proposal will meet this criterion.

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

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

### Criterion 1:

The application meets all applicable standards of the UDC.

**Finding:** The proposed development includes expansion of an existing religious assembly, including construction of a new 7,521 square foot Christian Education Fellowship Building, new pedestrian accessways, and new bicycle parking. The proposal does not comply with requirements for maximum lot area, landscaping, and screening. The applicant has requested conditional use approval to allow modifications, which are addressed above. The development, as proposed and conditioned, meets all standards of the UDC.

### **Development Standards – RS Zone:**

#### *SRC 511.005(a) - Uses:*

Except as otherwise provided in Chapter 511, the permitted, special, conditional and prohibited uses in the RS zone are set forth in Table 511-1.

**Finding:** The proposed development includes expansion of an existing religious assembly, including construction of a new 7,521 square foot Christian Education Fellowship Building, new pedestrian accessways, and new bicycle parking. A religious assembly use is allowed in the RS zone per SRC 511.005, Table 511-1 as a special use, subject to the standards of SRC 700.055. The applicant has requested a conditional use review to deviate from several standards, which is addressed above.

#### *SRC 511.010(a) – Lot Standards:*

In the RS zone, religious assembly uses are required to have a minimum lot area of 6,000 square feet; a minimum lot width of 40 feet; a minimum lot depth of 80 feet; a maximum lot depth to width ratio of 300 percent; and a minimum lot street frontage of 40 feet.

**Finding:** The subject property consists of three tax lots with a total combined lot area of approximately 3.8 acres. Each property meets the minimum lot standards

of the RS zone, however, the existing church building straddles an existing property line between tax lots 5700 and 5800 and the existing vehicle use area crosses existing interior property lines between tax lots 5600, 5700, and 5800.

*SRC 511.010(c) - Lot Coverage, Height:*

The maximum lot coverage standard for a religious assembly use is 35 percent. The maximum building height for a religious assembly use is 50 feet.

**Finding:** The existing development site is approximately 166,098 square feet and the existing buildings and proposed new building cover approximately 9 percent of the site. The existing buildings and proposed new building are less than 50 feet in height, therefore, the existing and proposed development complies with the maximum height and lot standards.

**Special Use Standards SRC 700.055**

The special use standards set forth in Chapter 700 apply where a use is designated as a special use and are in addition to the standards that apply to uses generally within a zone or overlay zone. The special use standards set forth in Chapter 700 may be modified, unless otherwise specially provided in this Chapter. Modification to a special use standard shall be made pursuant to Conditional Use approval, as provided in SRC Chapter 240. In no case shall Conditional Use approval allow a standard that is less restrictive than the development standards established in the zone or overlay zone.

*SRC 700.055(c) - Seating Capacity:*

The seating capacity of the largest space within a religious assembly shall not exceed the standards set forth in Table 700-2. Maximum seating capacity cannot be modified through Conditional Use approval. In the RS zone, a maximum seating capacity of 375 is applicable to lots abutting a Local, Collector, or Arterial Street.

**Finding:** There are 246 seats in the principal worship area. The facility is located on Lansing Avenue NE, a Collector Street. The proposal meets the standard.

*SRC 700.055(d) - Locational Standards:*

Religious assemblies shall be located on streets as set forth in Table 700-3. In the RS zone, location on a Local, Collector or Arterial Street is allowed for a seating capacity of 375 seats or less.

**Finding:** The facility is located on Lansing Avenue NE, a Collector Street to the west and has 246 seats in the principal worship area. The proposal meets the standard.

*SRC 700.055(e) - Access:*

Access to religious assemblies may be provided from local, collector, or arterial streets. Access provided from a local street shall conform to the standards set

forth in Table 700-4. In the RS zone, only one access point is allowed from a local street.

**Finding:** The existing development has two access points; one from Lansing Avenue NE, a Collector Street, and one from Sorenson Court NE, classified as a Local Street; meeting this development standard.

*SRC 700.055(f) - Lot Standards:*

Maximum lot area and minimum street frontage requirements for religious assemblies are set forth in Table 700-5. In the RS zone, a maximum of two acres applies.

**Finding:** The subject property is 3.8 acres in size. Because the lot area exceeds the maximum lot area of two acres in the RS zone, conditional use approval is required to exceed this standard, which is addressed above.

*SRC 700.055(g) – Setbacks:*

Setbacks for religious assemblies shall be provided as set forth in SRC 700.055, Table 700-7:

Based on the requirements of SRC 700.055, the required building, accessory structure, and vehicle use area setbacks applicable to the proposed development are as follows:

<b>Required Setbacks</b>		
<b>Abutting Street</b>		
Buildings & Accessory Structures - RS zone	Min. 12 ft.	Applicable to buildings and accessory structures not more than 25 ft. in height.
	Min. 12 ft., plus 2 feet for each 5 feet of height over 25 ft.	Applicable to building and accessory structures greater than 25 ft. in height.
Vehicle Use Areas	Min. 12 ft.	Applicable in the RS zone
<b>Interior Side and Rear</b>		
Buildings & Accessory Structures – RS zone	Min. 12 ft.	Applicable to buildings and accessory structures not more than 25 ft. in height.
	Min. 12 ft., plus 2 feet for each 5 feet of height over 25 ft.	Applicable to buildings and accessory structures greater than 25 ft. in height.
Vehicle Use Areas	Min. 15 ft.	Applicable abutting an RS zone

**North and West – abutting street:** The proposed building is not more than 25 feet in height and is more than 12 feet from all three streets, meeting the standard. The existing vehicle use area does not meet the minimum 15-foot setback requirement adjacent to existing interior property lines.

**North, South and East– abutting RS zone:** The proposed building is not more than 25 feet in height and is more than 15 feet from the south, west and east property lines. An existing interior property line abuts the new fellowship building to the north with a proposed setback of 6-feet 5-inches. The existing vehicle use area does not meet the minimum 15-foot setback requirement adjacent to existing interior property lines.

**Finding:** As illustrated on the site plan, the subject property consists of three contiguous tax lots that make up the development site. The previous fellowship building straddled an existing interior property line. The proposed new building is located in a similar location as the previous building, but is proposed within the boundaries of tax lot 5700. This new location is in compliance with setback standards to all streets, however, an existing interior property line abuts the new fellowship building to the north with a proposed setback of 6-feet 5-inches, which does not meet the minimum 12-foot setback requirement of SRC 700.055(g) for a building abutting an RS zone. Additionally, comments provided by Building and Safety in Section 5 of this report state Oregon Building Code standards require the proposed building to have a minimum 10-foot setback adjacent to an interior property line. Therefore, as proposed, the development does not meet Oregon Building Code standards. The applicant has not requested an adjustment to this standard. In order to meet the minimum 12-foot building setback requirement of SRC 700.055(f) and the minimum 10-foot building setback of Oregon Building Code standards, the properties shall be consolidated into one lot to accommodate the proposed development. Staff recommends the following condition of approval:

**Condition 5.** Prior to the issuance of a building permit, existing property lines within the development site shall be eliminated by final recording of either (1) property line adjustment(s) or, (2) a replat.

Additionally, the existing nonconforming vehicle use area crosses existing interior property lines and does not meet the minimum 15-foot setback requirement to an RS zone. As conditioned above, removing the existing interior property lines will reduce the degree of nonconformity of the existing nonconforming vehicle use area.

*SRC 700.055(h) - Lot Coverage; Height:*

Buildings and accessory structures for religious assemblies shall conform to the lot coverage and height standards set forth in Table 700-7. In the RS zone, the maximum lot coverage by buildings and accessory structures is 40%. In the RS zone, the maximum height is 35 feet for buildings and 50 feet for spires, steeples, and towers without usable floor space.

**Finding:** The lot coverage by the existing buildings and proposed new building is approximately nine percent of the lot area. The existing buildings and steeple, and the proposed new building, are less than 50 feet in height. The lot coverage and heights of the buildings and steeple meet the standards of the special use and the underlying zone.

*SRC 700.055(i) - Off-Street Parking:*

(1) Location.

(A) Off-street parking may be located on-site or off-site. When parking is provided offsite, it shall be located:

- (i) On a lot or lots that are contiguous to the lot containing the main building or use; or
- (ii) Within 600 feet of the lot containing the main building or use, on a lot or lots within a non-residential zone.

(B) For the purposes of this paragraph, contiguous shall include a lot or lots that are separated from the lot containing the main building or use by an alley.

(2) Screening. Off-street parking areas shall be screened from abutting residential zoned property.

**Finding:** All of the required parking spaces are located on-site on the lot with the building. The subject property abuts residentially zoned property to the north, south, and east. There are some existing fences and landscaping between the neighboring properties and the subject property, however, the height of the existing fence is unclear. Additional screening is required to meet the standards of SRC 700.055(i)(2). As recommended by Condition 3 earlier in this report, the proposal will meet this standard.

*SRC 700.055(j) – Landscaping:*

All lot area not developed for buildings, structures, parking, loading, or driveways shall be landscaped as provided in SRC Chapter 807.

**Finding:** The applicant has requested relief from this standard as discussed under Section 5 of this report.

*SRC 700.055(k) – Related Uses:*

Schools, day care facilities, kindergartens, meeting facilities for clubs and organizations, and other similar activities operated primarily for the purpose of religious instruction, worship, government of the church, or the fellowship of its congregation shall be permitted. When such activities are not operated primarily for the purpose of religious instruction, worship, government of the church, or the fellowship of its congregation, the activities shall be allowed only if they are an allowed use in the zone.

**Finding:** The proposal includes the construction of a new Christian Education Fellowship Building, as an accessory use to the existing religious assembly use. The proposal meets this standard.

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

### *SRC 800.055 - Solid Waste Service Areas*

#### *SRC 800.055(a) – Applicability*

Solid waste service area design standards shall apply to:

- (1) All new solid waste, recycling, and compostable service areas, where use of a solid waste, recycling, and compostable receptacle of 1 cubic yard or larger is proposed; and
- (2) Any change to an existing solid waste service area for receptacles of 1 cubic yard or larger that requires a building permit.

**Finding:** No new solid waste service areas are proposed; this standard is not applicable to the proposed development.

#### *SRC 800.060 – Exterior Lighting.*

- (a) Exterior lighting shall not shine or reflect onto adjacent properties or cast glare onto public right-of-way.
- (b) Exterior light fixtures shall be located and designed so that the light source, when viewed at a height of five feet above the ground at a distance of five feet outside the boundary of the lot, shall be either:
  - (1) Completely shielded from direct view; or
  - (2) No greater than five foot-candles in illumination.

**Finding:** The existing lighting is in compliance with exterior lighting standards.

#### *SRC 800.065 – Pedestrian Access.*

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

##### *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 development site is adjacent to Lansing Avenue NE to the west, Sorenson Court NE to the north, and Watson Avenue NE to the east. The proposal includes pedestrian connections from all primary building entrances to Lansing Avenue NE and Sorenson Court NE, however, no connection is proposed to Watson Avenue NE. To ensure that the proposal meets the development standards of SRC 800.065(a)(1)(A), staff recommends the following condition of approval:

**Condition 6:** Prior to the issuance of a building permit, the applicant shall provide a pedestrian connection to Watson Avenue NE in conformance with SRC 800.065, or apply for a zoning adjustment to 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:** Lansing Avenue NE is a transit route for Cherriots Route 2; however, the transit stop is not located along the street frontage of the development site, it is over 250 feet to the south of 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:** Two buildings exist on the development site, and a third one is proposed. The applicant's site plan indicated pedestrian connections will be provided connecting the primary building entrances of all the buildings; this standard is met.

*SRC 800.065(a)(3) – Pedestrian Connection Through Off-Street Parking Areas.*

(iv) Regardless of the size of the off-street parking area, pedestrian connections are not required through off-street surface parking areas that have a depth, in all locations, of not more than 124 feet. For purposes of this subsection, parking area depth is measured through the parking area from its outside edge towards the building.

**Finding:** The existing parking areas on the subject property are approximately 115 feet in depth at their deepest point; 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 are no planned pedestrian paths or trails that pass through the development site. No construction of pathways or trails, no additional easements, and no additional dedications are required.

*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.

**Finding:** The proposed development is within a development site bounded on two sides by streets and three sides by residential uses. This standard is not applicable.

*(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) Material and width. 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 driveway, 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.

**Finding:** The applicant's site plan indicates the current proposed pedestrian pathways conform to the design and materials standards; this standard is met.

(3) Wheel stops or extended curbs shall be provided along required pedestrian connections to prevent the encroachment of vehicles onto pedestrian connections.

**Finding:** The applicant's site plan indicates extended curbs are provided along all required pedestrian connections. This standard is met.

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

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

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

or activity; any change of use or activity, when such change of use or activity results in a parking ratio requiring a greater number of spaces than the previous use or activity; and for any intensification, expansion, or enlargement of a use or activity.

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

Required off-street parking shall be located on the same development site as the use or activity it serves; or, within the RS (Single Family Residential) zone, required off-street parking may be located within 200 feet of the development site containing the use or activity it serves.

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

- a) *Minimum Required Off-Street Parking.* The minimum number of off-street parking spaces required for a Religious Assembly use is 1 space per 5 seats or 10 feet of bench length within the principal worship area.
- b) *Compact Parking.* Up to 75 percent of the minimum off-street parking spaces required under this Chapter may be compact parking spaces.
- c) *Carpool and Vanpool Parking.* New developments with 60 or more required off-street parking spaces shall designate a minimum of 5 percent of their total off-street parking spaces for carpool or vanpool parking.
- d) *Maximum Off-Street Parking.* Unless otherwise provided in the SRC, off-street parking shall not exceed the amounts set forth in Table 806-2.

**Finding:** The existing principal worship area has 246 seats, requiring a minimum of 49 off-street parking spaces ( $246 / 5 = 49.2$ ). The maximum off-street parking allowance for the use is 86 spaces ( $49 \times 1.75 = 85.75$ ). There are 79 existing off-street parking spaces provided on site. The proposal meets the standard.

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

Unless otherwise provided under the UDC, off-street parking and vehicle use areas, other than driveways and loading areas, for uses or activities other than Single Family and Two Family shall be developed and maintained as provided in this section.

- a) *General Applicability.* The off-street parking and vehicle use area development standards set forth in this section apply to the development of new off-street parking and vehicle use areas; the expansion of existing off-street parking and vehicle use areas, where additional paved surface is added; the alteration of existing off-street parking and vehicle use areas, where the existing paved surface is replaced with a new paved surface; and the paving of an un-paved area.

- 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 existing vehicle use area is nonconforming. As conditioned above by Condition 5, property lines will be eliminated.

- d) *Interior Landscaping.* Interior landscaping shall be provided in amounts not less than those set forth in Table 806-5. For parking areas between 5,000 and 50,000 square feet in size a minimum of 5 percent of the interior parking area shall be landscaped. A minimum of one deciduous shade tree is required for every 12 parking spaces. The minimum planting area for a landscape island or planter bay is 25 square feet, with a minimum width of 5 feet.

**Staff Response:** Within the 30,000-square-foot parking area, the site plan indicates approximately 1,580 square feet of interior parking lot landscaping, or 5.3 percent of the parking area, however, not all of the landscaping is planted in accordance with SRC 806. In 2001, the existing parking lot received building permit approval for expansion and improvements. Under this permit, canopy trees were required to be planted in the two planter bays at the north entrance of the parking lot. The proposed site plan indicates no landscaping within these two bays. Building permit approval required all areas in residential districts used for parking, loading, or storage of motor vehicles to be screened from all public areas and public right-of-ways by a minimum six foot high sight-obscuring fence, wall, or hedge. The existing parking lot does not have the required screening. As recommended above earlier in this report, the proposal would meet the screening requirements. To ensure that the proposal meets the interior landscaping requirements approved by a previous building permit and SRC 806, staff recommends the following condition of approval:

**Condition 7:** The two planter bays at the north entrance of the parking lot shall be planted with a minimum of one canopy tree per bay.

### **Bicycle Parking**

*SRC 806.045 - General Applicability.*

Bicycle parking shall be provided and maintained for any change of use or activity, when such change of use or activity results in a bicycle parking ratio requiring a greater number of spaces than the previous 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.*

A Religious Assembly use is required to have a minimum of 1 bicycle parking space per 30 vehicle parking spaces.

*SRC 806.060 – Bicycle Parking Development Standards*

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

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

**Finding:** The proposal is required to have 49 parking spaces, which would require a minimum of two bicycle parking space. The site plan indicates two bike parking spaces will be provided within 50 feet of the primary building entrance, meeting the standard.

### **Off-Street Loading Area**

*SRC 806.065 - General Applicability.*

Off-street loading areas shall be provided and maintained for any change of use or activity, when such change of use or activity results in a greater number of required off-street loading spaces than the previous use or activity.

*SRC 806.075 - Amount of Off-Street Loading.*

A Religious Assembly use between 5,000 and 60,000 square feet is required to have a minimum of one 12 foot by 30 foot by 14 foot loading space. An off-street parking space may be used in place of a required off-street loading space when the use or activity does not require a delivery vehicle which exceeds a maximum combined vehicle and load rating of 8,000 pounds and the off-street parking area is located within 25 feet of the building.

**Finding:** The existing church use is not increased in intensity of use or expanded or enlarged. The proposed development does not result in any additional off-street loading spaces required for the development site.

### **Landscaping**

All required setbacks shall be landscaped with a minimum of 1 plant unit per 20 square feet of landscaped area. A minimum of 40 percent of the required number of plant units shall be a combination of mature trees, shade trees,

evergreen/conifer trees, or ornamental trees. Plant materials and minimum plant unit values are defined in SRC Chapter 807, Table 807-2.

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

**Finding:** The applicant is proposing expansion of an existing religious assembly use which is subject to the use standards in SRC 700.055, and has requested relief SRC 700.055(j), that requires all lot area not development for buildings, structures, parking, loading or driveways be landscaped to the Type A standard as provided in SRC Chapter 807. As conditioned under Condition 2 and 3 above, the proposal would meet this standard. Landscape and irrigation plans will be reviewed for conformance with the requirements of SRC 807 at the time of building permit application review.

### **Natural Resources**

*SRC Chapter 601 (Floodplain):* Public Works staff has reviewed the Flood Insurance Study and Flood Insurance Rate Maps and has determined that no floodplain or floodway areas exist on the subject property.

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

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

*SRC 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). Wetland notice was sent to the Oregon Department of State Lands pursuant to SRC 809.025.

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

Criterion 2:

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

**Finding:** The existing street system is adequate to serve the proposed development and the development generates less than 20 new average daily vehicle trips; therefore, no right-of-way dedication or street improvements are required (SRC 803.040(d)) as a condition of the proposed development.

At the time of building construction, the applicant shall install street trees to the maximum extent feasible along the frontage of Lansing Avenue NE pursuant to SRC 86.15(e). Staff recommends the following condition to ensure compliance with this criterion:

**Condition 8.** Install street trees to the maximum extent feasible along the frontage of Lansing Avenue NE pursuant to SRC 86.015(e).

Criterion 3:

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

**Finding:** The driveway access onto Lansing Avenue NE and Sorenson Court NE provides for safe turning movements into and out of the property.

Criterion 4:

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

**Finding:** The Public Works Department has reviewed the applicant's preliminary 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 does not show any new connections to public infrastructure.

**RECOMMENDATION**

Based upon the Facts and Findings contained in this staff report, staff recommends that the Hearings Officer **APPROVE** the request for expansion of an existing religious assembly, including construction of a new 7,521 square foot Christian Education Fellowship Building, new pedestrian accessways, and new bicycle parking for property located at 2960, 3000 and 3010 Lansing Avenue NE subject to the following conditions of approval:

**CONDITIONAL USE:**

- Condition 1:** The proposed development shall be in substantial conformance with the approved site plan (Attachment B).
- Condition 2:** Provide a minimum 12-foot setback along the street frontages to a Type A standard in conformance with SRC 807.
- Condition 3:** Provide a minimum 12-foot setback along exterior property lines abutting residentially developed areas to a Type B standard in conformance with SRC 807. The remaining undeveloped property shall be landscape with grass or groundcover.
- Condition 4:** On site off-street parking shall only be allowed in vehicle use areas development in conformance with 806.035.

**SITE PLAN REVIEW:**

- Condition 5.** Prior to the issuance of a building permit, existing property lines within the development site shall be eliminated by final recording of either (1) property line adjustment(s) or, (2) a replat.
- Condition 6:** Prior to the issuance of a building permit, the applicant shall provide a pedestrian connection to Watson Avenue NE in conformance with SRC 800.065, or apply for a zoning adjustment to the standard.
- Condition 7:** The two planter bays at the north entrance of the parking lot shall be planted with a minimum of one canopy tree per bay.
- Condition 8.** Install street trees to the maximum extent feasible along frontage of Lansing Avenue NE pursuant to SRC 86.015(e).

Prepared by Sally Long, Planner I

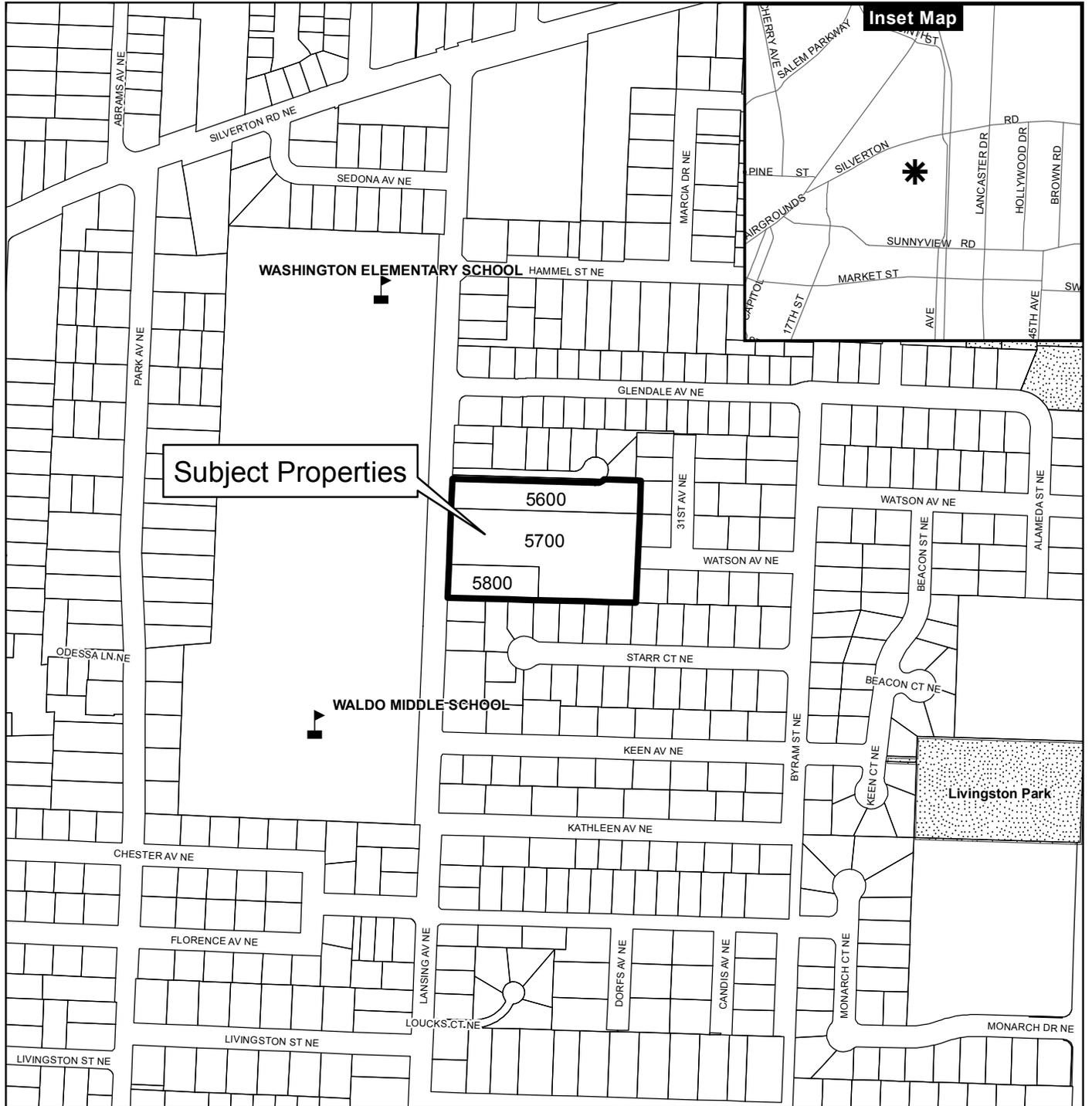
Application Deemed Complete Date: February 9, 2021  
State Mandated Decision Date: June 9, 2021

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

# Vicinity Map

## 2960, 3000 and 3010 Lansing Avenue NE

### (073W13AC05600, 073W13AC05700 and 073W13AC05800)



**Legend**

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



0 100 200 400 Feet



This product is provided as is, without warranty. In no event is the City of Salem liable for damages from the use of this product. This product is subject to license and copyright limitations and further distribution or resale is prohibited.

# ATTACHMENT B

## SITE PLAN GENERAL NOTES:

- THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVES. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.
- REFER TO CIVIL DRAWINGS FOR GRADING. SITE IS REQUIRED TO MEET THE LAWS OF FHA AND ADA. ACCESSIBLE ROUTES SHALL NOT EXCEED 5% (1 IN 20) OR CROSS SLOPES SHALL NOT EXCEED 2% (1 IN 50). ALL AT GRADE SIDEWALKS ARE ACCESSIBLE ROUTES.
- JOINTS IN CONCRETE WALKS NOTED AS E.J. ARE TO BE CONSTRUCTED AS EXPANSION JOINTS. ALL OTHER JOINTS SHOWN, TO BE TOOLED CONTROL JOINTS, SEE CIVIL.
- PROVIDE CONSTRUCTION FENCING AS REQUIRED TO SECURE SITE AND BUILDING DURING CONSTRUCTION.
- SEE LANDSCAPE DRAWINGS FOR LANDSCAPE AND IRRIGATION ELEMENTS.
- EXTREME CARE SHOULD BE TAKEN TO PRESERVE EXISTING ROOTS OF TREES TO REMAIN.
- SEE ELECTRICAL DRAWINGS FOR SITE LIGHTING.

## SITE DEVELOPMENT CODE REVIEW:

- SITE AREA: 166,098.16 sf = 3.813ac
- ZONING: RS Single-Family Residential  
Use: Religious Assembly, a Special Use subject to SRC 700.055
- LOADING SPACES:  
 • FOR BUILDINGS BETWEEN 5,000 sf TO 60,000 sf PROVIDE 1 SPACE.  
 • LOADING SPACE SIZE: 12'-0" w x 30'-0" d x 14'-0" h WITH ACCESS TO STREET OR ALLEY.

Note: This building replaces a building destroyed by fire, set by an arsonist. Per SRC 700.055 (b), Notwithstanding SRC chapter 270, existing nonconforming religious assemblies that are substantially damaged or destroyed by any cause may be rebuilt provided that the degree of nonconformity is not increased. For purposes of this section, 'existing nonconforming religious assemblies' are religious assemblies that were nonconforming on February 25, 1993.

- BUILDING AREAS:
- BLDG 1 LEVEL 01: 6,111.91 sf
  - BLDG 2 LEVEL 01: 7,521.00 sf
  - BLDG 3 LEVEL 01: 1,088.61 sf

- PARKING:
- 1 per 5 SEATS IN SANCTUARY.
  - Seating Capacity = 246, Therefore 49.2 spaces required.
  - Provided: 79 Spaces, (all existing).

- BIKE PARKING:
- NOT REQUIRED.

### SITE AREA CALCULATIONS

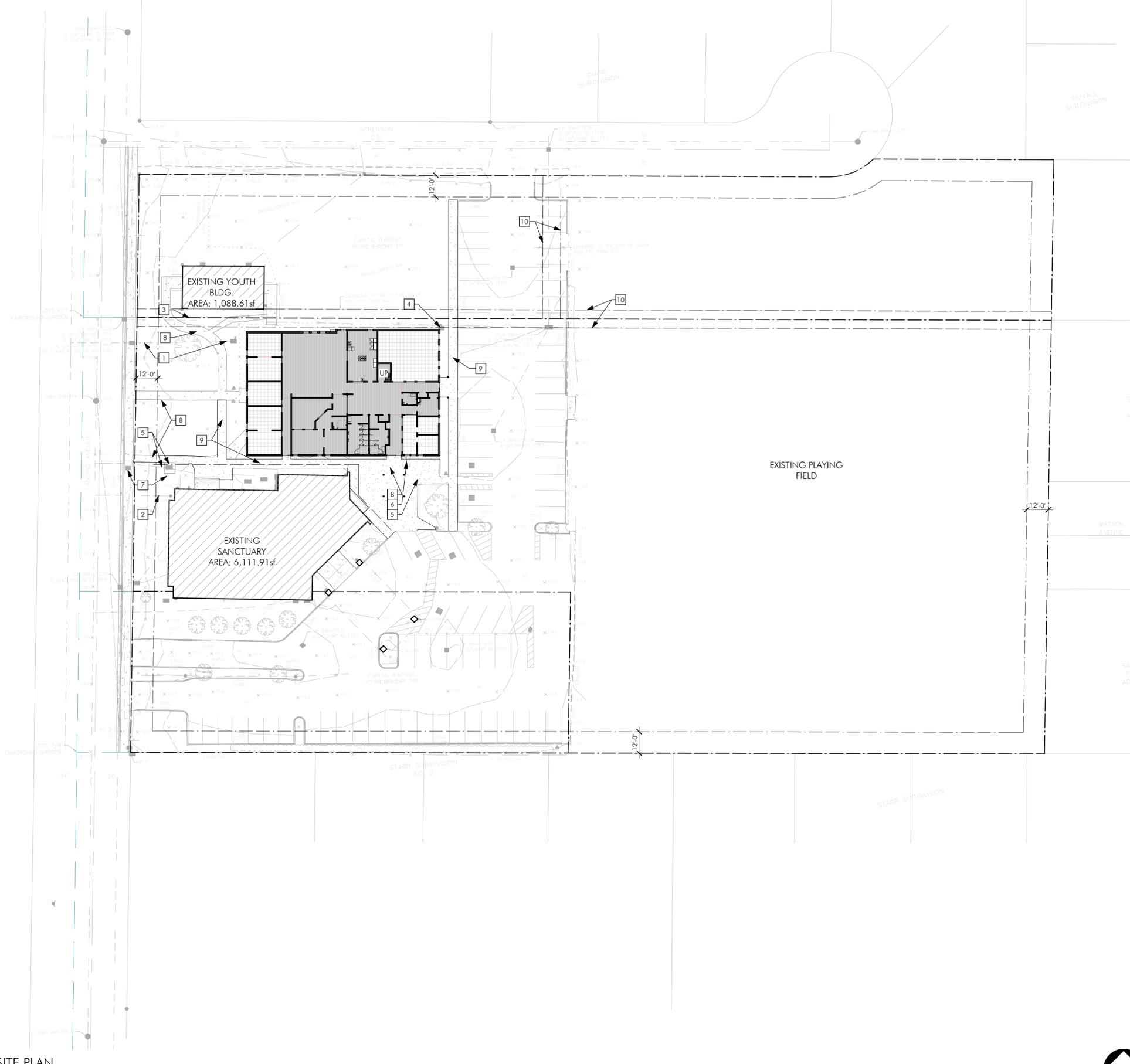
DESCRIPTION	AREA sf	PERCENT	REMARKS
<b>BUILDINGS</b>	<b>14,729.52</b>	<b>100.00%</b>	
LANDSCAPING	0.00	0.00%	
ASPHALT PAVING	0.00	0.00%	
ACCESSORY STRUCTURES	0.00	0.00%	
CONCRETE SIDEWALKS	0.00	0.00%	
CONCRETE CURBS	0.00	0.00%	
CONCRETE PAVING AND MISC CONCRETE PADS	0.00	0.00%	
MISCELLANEOUS	0.00	0.00%	
<b>8</b>	<b>14,729.52</b>	<b>100.00%</b>	

### CANOPY AREA CALCULATIONS

COVER DESCRIPTION	COVER AREA sf	PERCENT	COVER REMARKS
PORTE COCHERE	0.00	0.00%	
ENTRANCE CANOPIES	0.00	0.00%	
WEATHER COVER CANOPIES	0.00	0.00%	
<b>3</b>	<b>0.00</b>	<b>0.00%</b>	

## SITE PLAN NOTES:

- EXISTING 1.5" IRRIGATION WATER SERVICE. TO REMAIN UNCHANGED.
- EXISTING 4" SANITARY SERVICE SERVING BOTH BUILDINGS TO BE RECONNECTED TO NEW BUILDING.
- EXISTING STORM SERVICE TO BE REUSED.
- EXISTING GAS SERVICE TO BE REUSED.
- EXISTING ELECTRICAL SERVICE TO BE REUSED.
- 2 BIKE PARKING SPACES.
- EXISTING 1.5" SERVING EXISTING BUILDINGS. CONNECT NEW BUILDING TO EXISTING WATER SERVICE.
- EXISTING PEDESTRIAN PATHWAYS TO BE MAINTAINED.
- NEW PEDESTRIAN PATHWAYS TO BE INSTALLED AND CONNECTED TO EXISTING PATHWAYS.
- EXISTING STORM EASEMENT TO REMAIN



1 SITE PLAN  
 0 15' 30' 60' 90' 1" = 30'-0"



PRELIMINARY,  
 NOT FOR  
 CONSTRUCTION

IN THE EVENT CONFLICTS ARE DISCOVERED BETWEEN THE ORIGINAL SIGNED AND SEALED DOCUMENTS PREPARED BY THE ARCHITECTS AND/OR THEIR CONSULTANTS, AND ANY COPY OF THE DOCUMENTS TRANSMITTED BY MAIL, FAX, ELECTRONICALLY OR OTHERWISE, THE ORIGINAL SIGNED AND SEALED DOCUMENTS SHALL GOVERN.

PROJECT # 2019-216  
 DATE: 01/18/2021  
 REVISIONS

# CAPITAL BAPTIST CHURCH CHRISTIAN ED WING

3000 LANSING AVENUE NE, SALEM OR 97301



MEMORANDUM
Site Plan Review – Class 3

To: City of Salem
Community Development Department
Date: 11/12/2020
Project: Capital Baptist Church
Christian Education Wing Replacement
3000 Lansing Ave NE
Salem OR 97301
Architect's Project No: 2019-216
From: Leonard Lodder, AIA, LEED AP
Studio 3 Architecture, Inc
275 Court Street NE
Salem OR 97301
Sent Via: Email
Subject: SPR Class III
Request for Relief from certain
Requirements of the SRC

Requests for Relief from SRC requirements:

- The Owner requests relief from SRC Table 700-6. Lot Standards. This table specifies a maximum lot size for Religious Uses at 2 acres while the Site Owned by Capital Baptist Church is 3.81 acres. Capital Baptist requests relief from this requirement reflecting the historical nature of their current ownership, and recognizing that over half the ground is in fact used for organized community sports activities.
The Owner requests relief from SRC 700.055(j) which requires that all lot area not developed for buildings, structures, parking, loading or driveways shall be landscaped to the Type A standard described in SRC 807. Capital Baptist Church requests relief on two points:
That the playing field east of the existing parking area, be fully excluded from this requirement, with the proviso that it be reasonably maintained as a playing field.
That the remaining undeveloped ground not be landscaped in a manner that would adversely affect security concerns.
The Owner requests relief from SRC Table 806-9, since the existing uses of the site have been conducted for over 50 years without the benefit of a Loading Space, Capital Baptist Church requests relief from the requirement to provide a Loading Space.
The Owner requests relief from preparing a Lot Line Adjustment. The replacement building will be entirely constructed on Tax Lot 5700, in order to avoid crossing an existing Storm Sewer Easement. As such we will have a "Property Line Verification" drawn up as required by the Building and Safety Division, to satisfy Building Code Requirements. Capital Baptist Church requests relief from any requirement to further adjust lot lines, or any site work that could be associated with that relief.

275 Court Street NE Salem, Oregon 97301-3442 T: 503.390.6500 www.studio3architecture.com

Memorandum

Capital Baptist Church, Christian Ed Wing Replacement

File: 2019.216.01

Project No: 2019.216

Page 1 of 2

We understand that Planning Staff believe that SRC 700.055(b) has limited application to this application. We heartily disagree. We understand that both in spirit and in letter, SRC 700.055(b) allows Religious Uses to be reconstructed, effectively duplicating the building program that pre-existed the destruction of the original, and that this reconstruction need not be a "like for like" reconstruction since the UDC does not exempt reconstruction from current Building Code requirements. The replacement building is designed to replace the existing building program while at the same time achieving current requirements for life safety, property protection and accessibility. This has resulted in a reconfigured and slightly larger plan. Capital Baptist Church anticipates that the cost of the replacement building should not place a financial burden on its members, since it never intended to be involved in a Building Program.

**MEMORANDUM**  
**Site Plan Review – Class 3**

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<b>To:</b>	City of Salem Community Development Department	<b>Date:</b>	11/11/2020
<b>Project:</b>	Capital Baptist Church Christian Education Wing Replacement 3000 Lansing Ave NE Salem OR 97301	<b>Architect's Project No:</b>	2019-216
<b>From:</b>	Leonard Lodder, AIA, LEED AP Studio 3 Architecture, Inc 275 Court Street NE Salem OR 97301	<b>Sent Via:</b>	Email
<b>Subject:</b>	SPR Class III Application Checklist		

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**Project Description:**

•

**Application Checklist:**

- X COMPLETED APPLICATION FORM.  
*The application form must be signed by the applicant(s), property owner(s), and/or duly authorized representative(s). If the applicant and/or property owner is a Limited Liability Company (LLC), please also provide a list of all members of the LLC with your land use application.*
- X APPLICATION FEE.  
*The application fee must be paid at the time of filing your application.*
- o NEIGHBORHOOD ASSOCIATION CONTACT.  
*Neighborhood association contact, pursuant to SRC 300.310, is required prior to submitting this land use application. A copy of the required e-mail or letter to the neighborhood association, and a list of the e-mail or postal addresses to which the e-mail or letter was sent shall be submitted or the land use application will not be accepted.*  
 Neighborhood Association not contacted since the project is a replacement of an existing structure destroyed by arson. Contact did not seem germane to the application.
- o RECORDED DEED/LAND SALES CONTRACT WITH LEGAL DESCRIPTION.  
*A copy of the recorded deed/land sales contract of the total contiguous ownership of the applicant.*  
 This information will not be provided. Unfortunately any paper documentation previously possessed by the Owners was destroyed in the fire. It does not seem that this request is germane to the application.
- o HOMEOWNERS ASSOCIATION INFORMATION.

*A statement indicating whether the subject property is subject to an active and duly incorporated Homeowner's Association (HOA) registered with the Oregon Secretary of State. If so, the applicant shall provide the HOA name, name of the registered agent and the mailing address for the registered agent.*

Unaware of a Home Owners association that would need to be contacted.

**X TRIP GENERATION ESTIMATE (TGE) FORM.**

*A Trip Generation Estimate (TGE) form must be completed by the applicant and submitted to the Department of Public Works, Traffic Engineering Section, Room 325, to determine whether a Transportation Impact Analysis (TIA) is required for the application.*

Form prepared but since the building is a replacement of the existing facility, we assume there will be no impact. The user population for the building is not increased by this work.

**o TRANSPORTATION IMPACT ANALYSIS (TIA).**

*If required for the development, a TIA shall be provided in the format, and based on thresholds, specified in standards established by the Director of Public Works.*

Since the project involves a replacement, it is assumed that a TIA is not required.

**o GEOLOGICAL ASSESSMENT OR GEOTECHNICAL REPORT.**

*If required by SRC Chapter 810, or a statement from an engineer certifying that landslide risk on the site is low, and that there is no need for further landslide risk assessment.*

Site is not located in a landslide risk area.

**X SITE PLAN.**

*The site plan must include the following information:*

- The total site area, dimensions, and orientation relative to north;*

See Site plan

- The location of all proposed primary and accessory structures and other improvements, including fences, walls, and driveways, indicating distance from the structures and improvements to all property lines and adjacent on-site structures;*

See Site Plan. The replacement building is generally sited in the area of the building, which was destroyed.

- Loading areas, if included with proposed development;*

The Existing facility, demonstrably illustrated that it did not need a Loading area, and a new one is not projected to be added with this work.

- The size and location of solid waste and recyclables storage and collection areas, and amount of overhead clearance above such enclosures, if included with proposed development;*

See the Site Plan for the location of existing facilities, which are intended to remain.

- An indication of future phases of development on the site, if applicable;*

In the future, the church may wish to add a more permanent Fellowship Hall, connected to this building, and to the north.

- All proposed landscape areas on the site, with an indication of square footage and their percentage of the total site area (complete landscape and irrigation plans are required with the building permit application);*

- The existing landscaping to the South of the existing sanctuary will remain in its current condition.*
- Some additional landscaping in the immediate vicinity of the replacement building is anticipated as part of this work, although we do not anticipate landscaping to the density of the Type A standard of SRC Section 807. The tragic criminal act of an arsonist destroying their building under cover of darkness, makes the church community highly reticent to provide further cover for criminal activities in the*

future. They prefer to have the added security that comes with the “eyes on the street” afforded by neighbors living across the street.

- The large playing field to the east of the existing parking surface is currently occupied by a softball diamond used by the community for pick-up softball games as well as organized community leagues. Talks are also underway with another community group, to make use of the field as a community soccer field. Since City Parks are in short supply in this part of the City, the Capital Baptist Church wants the area of this field to be exempted from the Type A landscape standard.
- *The location, height, and material of fences, berms, walls, and other proposed screening as they relate to landscaping and screening required by SRC Chapter 807;*

Not a requirement for this site.

- *The location of all trees and vegetation required to be protected pursuant to SRC Chapter 808;*

See Site Plan – Existing Conditions.

- *The location of all street trees, if applicable, or proposed location of street trees required to be planted at time of development pursuant to SRC Chapter 86; and*

The City has seen fit not to plant street trees along the street frontage.

- *Identification of vehicle, pedestrian, and bicycle parking and circulation areas, including handicapped parking stalls, disembarking areas, accessible routes of travel, and proposed ramps.*

See Site Plan – Existing Conditions.

## X EXISTING CONDITIONS PLAN.

*The existing conditions plan must include the following information:*

- *The total site area, dimensions, and orientation relative to north;*

See Site Plan – Existing Conditions

- *The location of existing structures and other improvements on the site, including accessory structures, fences, walls, and driveways, noting their distance from property lines;*

See Site Plan – Existing Conditions

- *The location of the 100-year flood plain, if applicable.*

Not Applicable

- *The zoning district, comprehensive plan designation, and land uses for all properties abutting the site;*

See Site Plan – Existing Conditions

- *Driveway locations, public and private streets, bike paths, transit stops, sidewalks, and other bike and pedestrian pathways, curbs, and easements;*

See Site Plan – Existing Conditions

- *The elevation of the site at 2-foot contour intervals, with specific identification of slopes in excess of 15 percent; and*

See Site Plan – Existing Conditions

- *The location of drainage patterns and drainage courses, if applicable.*

See Site Plan – Existing Conditions

## o PRELIMINARY UTILITY PLAN.

*A preliminary utility plan shall be submitted showing capacity needs for municipal water, stormwater management, and sewer service, and schematic location of connection points to existing municipal water and sewer services. It is suggested that the utility plan contain the following items:*

A Preliminary Utility Plan will not be provided since the replacement building will be reconnected to all of the existing utilities already servicing the site, currently disconnected from the building destroyed by an arsonist.

- *Existing drainage plan and drainage courses;*

See Site Plan – Existing Conditions

- *Water service connection and meter location;*

See Site Plan – Existing Conditions

- *Maximum water meter size required;*

See Site Plan – Existing Conditions

- *Maximum fire flow needs for development;*

See Site Plan – Existing Conditions. Existing building as well as replacement building do not require fire sprinklers.

- *Sanitary sewer location and connection to public main;*

See Site Plan – Existing Conditions

- *Maximum sanitary sewer service size required; and*

See Site Plan – Existing Conditions

- *Storm drain service location and point of disposal.*

See Site Plan – Existing Conditions

o PRELIMINARY GRADING PLAN.

*A preliminary utility plan shall be submitted depicting proposed site conditions following completion of the proposed development, when grading of the subject property will be necessary to accommodate the proposed development.*

A Preliminary Utility Plan will not be provided since the replacement building will be set at the same finished floor elevation as the building destroyed by arson.

o ARCHITECTURAL DRAWINGS.

*For development in the Mixed Use-I (MU-I) and Mixed Use-II (MU-II) zones, architectural drawings, renderings, or sketches showing all elevations of the existing buildings and the proposed buildings as they will appear on completion.*

This site is not in an MU-1 or MU-2 zone.

X SUMMARY TABLE.

*A summary table shall be submitted which identifies the zoning designation for the subject property; total site area; gross floor area by use (i.e. manufacturing, office, retail, storage); building height; itemized number of full size, compact, and handicapped parking stalls, and the collective total number; total lot coverage proposed, including areas to be paved for parking and sidewalks.*

See Site Plan

WRITTEN STATEMENT.

*A written statement is recommended to be submitted describing how the proposed development meets the following approval criteria for Class 3 Site Plan Review:*

- *The application meets all applicable standards of the UDC;*

Given that the UDC contains requirements that cannot be met by more than 90% of properties in the City of Salem, it would be foolhardy to give assent to this statement. Given that such a high percentage of properties within Salem could not possibly conform to all of the requirements of the UDC, we ask that the site not be considered non-conforming in its essentials. Capital Baptist Church does request relief from the requirements of the UDC in the following areas:

- Table 700-6. Lot Standards, specifies a maximum lot size for Religious Uses at 2 acres while the Site Owned by Capital Baptist Church is 3.81 acres. Capital Baptist requests relief from this requirement reflecting the historical nature of their current ownership, and recognizing that over half the ground is in fact used for organized community sports activities.

- SRC 700.055(j) requires that all lot area not developed for buildings, structures, parking, loading or driveways shall be landscaped to the Type A standard described in SRC 807. Capital Baptist Church requests relief on two points:
  - That the playing field east of the existing parking area, be fully excluded from this requirement, with the proviso that it be reasonably maintained as a playing field.
  - That the remaining undeveloped ground not be landscaped in a manner that would adversely affect security concerns.
- The replacement building will be entirely constructed on Tax Lot 5700, in order to avoid crossing an existing Storm Sewer Easement. As such we will have a "Property Line Verification" drawn up as required by the Building and Safety Division, to satisfy Building Code Requirements. As such Capital Baptist Church requests relief from any requirement to further adjust lot lines, or any site work that could be associated with that relief.
- Since the existing uses of the site have been conducted for XX years without the benefit of a Loading Space, Capital Baptist Church requests relief from the requirement to provide a Loading Space.
- *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;*

Existing conditions, which have not demonstrably failed.

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

Existing conditions, which have not demonstrably failed.

- *The proposed development will be adequately served with City water, sewer, storm drainage, and other utilities appropriate to the nature of the development.*

Existing conditions, which have not demonstrably failed.

We understand that Planning Staff believe that SRC 700.055(b) has limited application to this application. We heartily disagree. We understand that both in spirit and in letter, SRC 700.055(b) allows Religious Uses to be reconstructed, effectively duplicating the building program that pre-existed the destruction of the original, and that this reconstruction need not be a "like for like" reconstruction since the UDC does not exempt reconstruction from current Building Code requirements. The replacement building is designed to replace the existing building program while at the same time achieving current requirements for life safety, property protection and accessibility. This has resulted in a reconfigured and slightly larger plan. Capital Baptist Church anticipates that the cost of the replacement building should not place a financial burden on its members, since it never intended to be involved in a Building Program.



# MEMO

**TO:** Sally Long, Planner I  
Community Development Department

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

**DATE:** March 3, 2021

**SUBJECT: PUBLIC WORKS RECOMMENDATIONS  
CU-SPR20-09 (20-118295-ZO & 20-118296-RP)  
2960, 3000, and 3010 LANSING AVENUE NE  
EXPANSION OF EXISTING RELIGIOUS ASSEMBLY**

## **PROPOSAL**

Conditional Use and Class 3 Site Plan Review for construction of a new 7,561-square-foot fellowship building for an existing religious assembly, on a 3.8-acre property located at 2960, 3000, and 3010 Lansing Avenue NE 97301 (Marion County Assessor Map and Tax Lot numbers: 073W13AC / 5600, 5700 and 5800).

## **RECOMMENDED CONDITIONS OF APPROVAL**

Install street trees to the maximum extent feasible along the frontage of Lansing Avenue NE pursuant to SRC 86.015(e).

## **FACTS**

### **Streets**

1. Lansing Avenue NE
  - a. Standard—This street is designated as a Collector street in the Salem TSP. The standard for this street classification is a 34-foot-wide improvement within a 60-foot-wide right-of-way.
  - b. Existing Condition—This street is fully-urbanized within a 64-foot-wide right-of-way abutting the subject property.
2. Sorenson Court NE (Private Street)
  - a. Existing Condition—This street is designated as a private street with joint ownership between Marion County and Capitol Baptist Church.

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).

## Storm Drainage

### 1. Existing Condition

- a. A 24-inch storm main is located in Lansing Avenue NE.

## Water

### 1. Existing Conditions

- a. The subject property is located in the G0 water service level.
- a. An 8-inch water main is located in Lansing Avenue NE. Mains of this size generally convey flows of 900 to 2,200 gallons per minute.

## Sanitary Sewer

### 1. Existing Conditions

- a. An 8-inch sewer main is located in Lansing Avenue NE.

## **CRITERIA AND FINDINGS**

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

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

**Finding**—With completion of the conditions above, the subject property meets all applicable standards of the following chapters of the UDC: 601–Floodplain; 802–Public Improvements; 803–Streets and Right-of-Way Improvements; 804–Driveway Approaches; 805–Vision Clearance; 809–Wetlands; and 810–Landslides.

Public Works staff has reviewed the Flood Insurance Study and Flood Insurance Rate Maps and has determined that no floodplain or floodway areas exist on the subject property.

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). Wetland notice was sent to

the Oregon Department of State Lands pursuant to SRC 809.025.

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

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

**Finding**—The existing street system is adequate to serve the proposed development and the development generates less than 20 new average daily vehicle trips; therefore, no right-of-way dedication or street improvements are required (SRC 803.040(d)) as a condition of the proposed development.

At the time of building construction, the applicant shall install street trees to the maximum extent feasible along the frontage of Lansing Avenue NE pursuant to SRC 86.15(e).

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

**Finding**—The driveway access onto Lansing Avenue NE and Sorensen Court NE provides for safe turning movements into and out of the property.

**Criteria: SRC 220.005(f)(3)(D) The proposed development will be adequately served with City water, sewer, storm drainage, and other utilities appropriate to the nature of the development**

**Finding**—The Public Works Department has reviewed the applicant's preliminary plan for this site. The water, sewer, and storm infrastructure are available within surrounding streets/areas and are adequate to serve the proposed development. The applicant does not show any new connections to public infrastructure.

Prepared by: James Suing, Program Coordinator  
cc: File