

NOTICE OF DECISION

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



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

DECISION OF THE PLANNING ADMINISTRATOR

CLASS 3 SITE PLAN REVIEW / CLASS 2 ADJUSTMENT CASE NO.: SPR-ADJ20-17

APPLICATION NO.: 20-103881-RP / 20-103883-ZO

NOTICE OF DECISION DATE: JUNE 2, 2020

SUMMARY: An application for proposed improvements to the south end of Riverfront Park to prepare the site for the future covered stage and amphitheater identified in the Salem Riverfront Park Master Plan. The proposal includes grading, utility work, landscaping, lighting, hardscape, and expansion of the existing parking lot. The covered stage and amphitheater will be developed separately from this application.

REQUEST: A consolidated application for proposed improvements to the south end of Riverfront Park to prepare the site for the future covered stage and amphitheater identified in the Salem Riverfront Park Master Plan that will be constructed by the Salem Rotary. The application includes:

- 1) A Class 3 Site Plan Review for the required site improvements, including grading, utility work, landscaping, lighting, hardscape, and expansion of the existing parking lot to include 55 additional parking spaces; and
- 2) A Class 2 Adjustment to eliminate the minimum 5-foot parking and vehicle use area setback required, pursuant to SRC 806.035(c)(3), on both sides of the property line between the existing and proposed expanded parking lot.

The property is zoned CB (Central Business District), partially within the Willamette Greenway, and is located at ~~200 Ferry St SE~~ 211 Front Street SE (Marion County Assessor Map and Tax Lot Numbers: 073W27BA01490, 1491, 1492, 1700, & 1800).

APPLICANT: Aaron Kimsey, City of Salem Public Works, on behalf of the City of Salem

LOCATION: ~~200 Ferry St SE~~ 211 Front St SE / 97301

CRITERIA: Salem Revised Code (SRC) Chapters 220.005(f)(3) – Class 3 Site Plan Review and 250.005(d)(2) – Class 2 Adjustment

FINDINGS: The findings are in the attached Decision dated June 2, 2020.

DECISION: The **Planning Administrator APPROVED** Class 3 Site Plan Review / Class 2 Adjustment SPR-ADJ20-17 subject to the following conditions of approval:

Condition 1: All ground disturbing activity associated with the project shall be monitored by a qualified archaeologist. Prior to building permit and grading permit approvals for the proposed development the applicant shall submit a monitoring plan to the City Archaeologist demonstrating compliance with this requirement.

Condition 2: Where new parking stalls are proposed abutting pedestrian pathways, required setbacks, or interior parking lot landscape islands and the stalls are designed to overhang such areas, bumper guards/wheel barriers shall be installed within the stalls to prevent vehicles from overhanging more than one-foot over the abutting pedestrian pathway, required setback, or interior parking lot landscape island.

Condition 3: The bicycle parking spaces included within the proposed development shall conform to the dimension standards of SRC 806.060(c) and the bicycle rack design standards of SRC 806.060(e).

Condition 4: A pedestrian connection developed in conformance with the requirements of SRC 806.065(b)(1) shall be extended from the northern terminus of the existing north-south pedestrian pathway in the middle of the existing parking lot, across the entrance driveway, and connecting to the pathway in front of the building housing the carousel.

Condition 5: Fire department access shall be provided to the new amphitheater per Oregon Fire Code section 503.

Condition 6: Design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.

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

- Site Plan Review: June 18, 2024
- Adjustment: June 18, 2022

Application Deemed Complete:	<u>April 22, 2020</u>
Notice of Decision Mailing Date:	<u>June 2, 2020</u>
Decision Effective Date:	<u>June 18, 2022</u>
State Mandate Date:	<u>August 20, 2020</u>

Case Manager: Bryce Bishop, bbishop@cityofsalem.net, 503-540-2399

This decision is final unless written appeal from an aggrieved party is filed with the City of Salem Planning Division by 5:00 p.m., Wednesday, June 17, 2020. **PLEASE NOTE: Due to the COVID-19 pandemic, City of Salem Offices are closed to the public until further notice.** The notice of appeal can be submitted electronically at planning@cityofsalem.net or mailed to City of Salem Planning, Room 320, 555 Liberty Street SE, Salem OR 97301. The appeal must be received by the above date and time. The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapter(s) 220 and 250. The appeal must be filed in duplicate with the City of Salem Planning Division. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Hearings Officer will review the appeal at a public hearing. After the hearing, the Hearings Officer may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

The complete case file, including findings, conclusions and conditions of approval, if any, is available for review at the Planning Division office, Room 320, City Hall, 555 Liberty Street SE, during regular business hours. For access to case related documents during the closure of City Hall to the public because of the Covid-19 pandemic, please contact the Case Manager.

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

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**BEFORE THE PLANNING ADMINISTRATOR
OF THE CITY OF SALEM
(CLASS 3 SITE PLAN REVIEW / CLASS 2 ADJUSTMENT
CASE NO. SPR-ADJ20-17)**

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

IN THE MATTER OF CLASS 3)	FINDINGS AND ORDER
SITE PLAN REVIEW & CLASS 2)	
ADJUSTMENT CASE NO.)	
SPR-ADJ20-17; 211 FRONT STREET)	
SE)	JUNE 2, 2020

REQUEST

A consolidated application for proposed improvements to the south end of Riverfront Park to prepare the site for the future covered stage and amphitheater identified in the Salem Riverfront Park Master Plan that will be constructed by the Salem Rotary. The application includes:

- 1) A Class 3 Site Plan Review for the required site improvements, including grading, utility work, landscaping, lighting, hardscape, and expansion of the existing parking lot to include 55 additional parking spaces; and
- 2) A Class 2 Adjustment to eliminate the minimum 5-foot parking and vehicle use area setback required, pursuant to SRC 806.035(c)(3), on both sides of the property line between the existing and proposed expanded parking lot.

The property is zoned CB (Central Business District), partially within the Willamette Greenway, and is located at 211 Front Street SE (Marion County Assessor Map and Tax Lot Numbers: 073W27BA01490, 1491, 1492, 1700, & 1800).

DECISION

The Class 3 Site Plan Review and Class 2 Adjustment application is **APPROVED** subject to the applicable standards of the Salem Revised Code, the findings contained herein, and the following conditions of approval:

CLASS 3 SITE PLAN REVIEW

- Condition 1:** All ground disturbing activity associated with the project shall be monitored by a qualified archaeologist. Prior to building permit and grading permit approvals for the proposed development the applicant shall submit a monitoring plan to the City Archaeologist demonstrating compliance with this requirement.

- Condition 2:** Where new parking stalls are proposed abutting pedestrian pathways, required setbacks, or interior parking lot landscape islands and the stalls are designed to overhang such areas, bumper guards/wheel barriers shall be installed within the stalls to prevent vehicles from overhanging more than one-foot over the abutting pedestrian pathway, required setback, or interior parking lot landscape island.
- Condition 3:** The bicycle parking spaces included within the proposed development shall conform to the dimension standards of SRC 806.060(c) and the bicycle rack design standards of SRC 806.060(e).
- Condition 4:** A pedestrian connection developed in conformance with the requirements of SRC 806.065(b)(1) shall be extended from the northern terminus of the existing north-south pedestrian pathway in the middle of the existing parking lot, across the entrance driveway, and connecting to the pathway in front of the building housing the carousel.
- Condition 5:** Fire department access shall be provided to the new amphitheater per Oregon Fire Code section 503.
- Condition 6:** Design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.

PROCEDURAL FINDINGS

1. On February 13, 2020, an application for a consolidated Class 3 Site Plan Review and Class 2 Adjustment was submitted by the City of Salem Public Works Department for proposed improvements to the south end of Riverfront Park in order to prepare the site for a new covered stage and amphitheater identified in the Salem Riverfront Park Master Plan.

Because multiple land use applications are required in connection with the proposed development, the applicant, pursuant to SRC 300.120(c), chose to consolidate the applications and process them together as one. When multiple applications are consolidated, the review process for the application shall follow the highest numbered procedure type required for the land use applications involved, and the Review Authority for the application shall be the highest applicable Review Authority under the highest numbered procedure type. Based on these requirements, the proposed consolidated Class 3 Site Plan Review and Class 2 Adjustment application is required to be reviewed by the Planning Administrator and processed as a Type II procedure.
2. After additional requested information was provided by the applicant, the application was deemed complete for processing and notice of filing of the application was sent, pursuant to SRC requirements, on April 22, 2020. The state-mandated 120-day local decision deadline for the application is August 20, 2020.

SUBSTANTIVE FINDINGS

1. Proposal.

The application under review by the Planning Administrator is a consolidated Class 3 Site Plan Review and Class 2 Adjustment for improvements to the southern end of Riverfront Park located at 211 Front Street SE (**Attachment A**).

The public notice provided for the proposal originally identified the subject property's location as 200 Ferry Street SE. However, subsequent to notice being provided, a corrected more accurate address for the subject property was issued by the City's Building and Safety Division. The new corrected address is 211 Front Street SE.

The area proposed to be improved includes portions of the existing park and two properties acquired by the City located north of Pringle Creek and west of the railroad line that were part of the former Boise Cascade site.

Proposed improvements to the park include grading, utility work, landscaping, lighting, hardscape, and expansion of the existing parking lot to accommodate a new covered stage and amphitheater identified in the Riverfront Park Master Plan. The covered stage and amphitheater will be reviewed and developed separately from the site improvements included with this application, but grading and utility improvements for the entire site are still included with this proposal in order to facilitate the overall development of the south end of the park.

Vehicular access to the proposed expanded southern area of the park, and the expanded parking lot, will be taken from the existing driveway into the park located at the intersection of Front Street and State Street. Pedestrian access and connectivity will also be extended into this expanded area of the park with new hardscape paths and pedestrian connections throughout the area to provide connectivity to and around the covered stage and amphitheater, connectivity to existing paths in the surrounding park, and connectivity through the proposed parking area.

2. Applicant's Plans and Statement.

Land use applications must include a statement addressing the applicable approval criteria and be supported by proof they conform to all applicable standards and criteria of the Salem Revised Code. The plans submitted by the applicant depicting the proposed development, and in support of the proposal, are attached to this report as follows:

- Site Plan and Landscape Plan: **Attachment B**
- Site Layout Plan and Riparian Buffer Exhibit: **Attachment C**
- Utility Plan: **Attachment D**

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

3. 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.

4. Salem Area Comprehensive Plan (SACP).

The subject property is designated “River-Oriented Mixed-Use” on the Salem Area Comprehensive Plan map. The comprehensive plan map designations of surrounding properties are as follows:

Comprehensive Plan Map Designations of Surrounding Properties	
North	River-Oriented Mixed-Use
South	Across Pringle Creek, River-Oriented Mixed-Use
East	Across railroad line, River-Oriented Mixed-Use
	Across Front Street SE, Central Business District
West	Across Willamette Slough, Parks, Open Space, and Outdoor Recreation

5. Zoning.

The subject property is zoned CB (Central Business District) with a portion of the property located within the Willamette Greenway. The zoning of surrounding properties is as follows:

Zoning of Surrounding Properties	
North	CB (Central Business District)
South	Across Pringle Creek, SWMU (South Waterfront Mixed-Use)
East	Across railroad line, SWMU (South Waterfront Mixed-Use)
	Across Front Street SE, CB (Central Business District) with Front Street Overlay
	Across Front Street SE, CB (Central Business District) within Salem Downtown Historic District
West	Across Church Street NE, CO (Commercial Office) within the Broadway/High Street Transition Overlay Zone

6. Natural Features.

Trees: The City’s tree preservation ordinance (SRC Chapter 808) protects Heritage Trees, Significant Trees (*including Oregon White Oaks with diameter-at-breast-height (dbh) of 24 inches or greater*), trees and native vegetation in riparian corridors, and trees on lots and parcels greater than 20,000 square feet. The tree preservation ordinance defines “tree” as, “any living woody plant that grows to 15 feet or more in height, typically

with one main stem called a trunk, which is 10 inches or more dbh, and possesses an upright arrangement of branches and leaves.”

There are existing trees on the subject property. Out of the total trees present, the site demolition plan submitted with the proposal identifies nine trees for removal in order to accommodate the proposed improvements to the park. None of the trees proposed for removal are heritage trees or significant trees, but one tree, located in proximity to the north bank of Pringle Creek at the southern end of the site, is located within the riparian corridor of the creek.

Pursuant to SRC 808.020, a tree within a riparian corridor cannot be removed without first obtaining a tree removal permit. Under SRC 808.030(a)(2), certain exceptions to the requirement to obtain a permit are identified. One of those exceptions is when the removal of a tree is necessary for public trail or public park development and maintenance (*per SRC 808.030(a)(2)(F)*).

As shown on the proposed site plan (**Attachment B**) and grading plan (**Attachment F**), the tree at the southern end of the property within the riparian corridor of Pringle Creek is located in the alignment of a future proposed path along the north bank of Pringle Creek. It is also located in an area that will require regrading in order to accommodate the new amphitheater area. Due to the location of the future path and the necessary site grading in the area of the tree, it is required to be removed. Pursuant to SRC 808.030(a)(2)(F), because the removal of this tree is necessary in order to accommodate both a public trail and the proposed expansion of the park, a tree removal permit is not required. The proposal conforms to the tree preservation requirements of SRC Chapter 808.

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

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

Landslide Hazards: According to the City’s adopted landslide hazard susceptibility maps, the subject property is mapped with areas of 2 landslide hazard susceptibility points. There are 3 activity points associated with the proposed development activity, which includes excavation or fill exceeding two feet in depth or 25 cubic yards of volume and a public building permit for the new covered stage and amphitheater. The cumulative total of 5 points indicates a moderate landslide hazard risk. Pursuant to SRC Chapter 810, a geologic assessment, and potentially a geotechnical report, is therefore required for development of the property.

Because the application includes grading and site improvements covering the entire southern area of the park in order to accommodate the proposed park expansion and the new covered stage and amphitheater, geotechnical engineering reports have been

submitted for both the proposed improvements to the south end of Riverfront Park and the new covered stage and amphitheater as required under SRC Chapter 810.

7. Public and Private Agency Review

- A. The City of Salem Building and Safety Division reviewed the proposal and identified no objections. The Building and Safety Division indicates that any public utilities not located within City owned right-of-way or easements require separate permits.
- B. The Salem Fire Department reviewed the proposal and indicated no objections. The Fire Department indicates that fire department access will be required through the parking lot and into the park area to the new structure. They also indicate that proposed fire hydrants cannot be evaluated until the future structure is proposed.
- C. The City of Salem Public Works Department reviewed the proposal and provided comments pertaining to required City infrastructure to serve the proposed development and recommended conditions of approval to ensure conformance with the applicable requirements of the SRC. Comments from the Public Works Department are included as **Attachment G**.
- D. The Oregon Department of Transportation (ODOT) reviewed the proposal and provided comments that are included as **Attachment H**. ODOT indicates, in summary, that the site is adjacent to Salem Highway, No. 072 (OR-22, OR-99EB) and is subject to state laws administered by ODOT. The site has access to the highway at the signalized intersection of State Street and Front Street (Salem Highway). The site plan shows a new amphitheater and expanded parking. ODOT indicates that because this proposal will not trigger a Change of Use, they have no objections.
- E. Portland General Electric (PGE) reviewed the proposal and indicated that development cost will be per current tariff and service requirements and that any relocation of PGE facilities on private property or within right-of-way will be at the developer's expense.

8. Neighborhood Association and Public Comments.

The subject property is located within the boundaries of the Central Area Neighborhood Development Organization (CAN-DO) neighborhood association. Notice of the application was provided to the neighborhood association pursuant to SRC 300.520(b)(1)(B)(v), which requires notice to be sent to any City-recognized neighborhood association whose boundaries include, or are adjacent to, the subject property. No comments were received from the neighborhood association.

In addition to providing notice to the neighborhood association, notice was also provided, pursuant to SRC 300.520(b)(1)(B)(iii), (vi), & (vii), to all property owners and tenants within 250 feet of the subject property. Three comments were received prior to the comment deadline. The comments received did not identify any objections to the proposal.

9. Class 3 Site Plan Review Approval Criteria.

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

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

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

Finding: The proposed development involves improvements to the southern end of Riverfront Park. Under the proposal, two properties acquired by the City, which were part of the former Boise Cascade site, and portions of the existing park will be developed with new landscaping, lighting, hardscape, and other site improvements in order to accommodate the expansion of the park and prepare the site for the new covered stage and amphitheater identified in the Salem Riverfront Park Master Plan. The project also includes an expansion of the existing parking lot to provide additional parking.

The subject property is designated "River-Oriented Mixed-Use" on the Salem Area Comprehensive Plan Map and zoned CB (Central Business District) with portions of the property also located within the Willamette Greenway. The allowed uses and applicable development standards of the CB zone are set forth under SRC Chapter 524. Requirements of the Willamette Greenway Overlay Zone are included under SRC Chapter 600.

The proposed development conforms to SRC Chapter 524, SRC Chapter 600, and all other applicable development standards of the Salem Revised Code as follows:

SRC CHAPTER 524 (CB ZONE)

SRC 524.005(a) - Uses:

Riverfront Park is classified as an Urban Park under the City's Comprehensive Park System Master Plan. Under the plan, Urban Parks are intended to meet the active and passive recreational needs of the entire community and may even be a regional draw. Urban parks can be of varying size and preserve large open spaces that accommodate community-wide gatherings, such as festivals, fairs, open-air-theater, and musical events; or they may be smaller and contain important facilities that are a regional draw within the community such as skate parks, dog parks, recreation centers, community halls, aquatic centers, sports complexes, or amphitheaters.

The 2018 Salem Riverfront Park Master Plan, consistent with the park's Urban Park master plan designation, sets forth the framework for the use, development, and management of Riverfront Park for the next 20-years.

The proposed development included with this application includes improvements to the subject property to allow for the expansion of Riverfront Park consistent with the 2018 Salem Riverfront Park Master Plan. Proposed improvements include new landscaping, pathways, an expanded parking lot, and other site improvements to increase the recreational opportunities within the park and to accommodate a new covered stage and amphitheater.

The City's Use Classification chapter (SRC 400), establishes the framework for classification of land uses under the City's development code. Pursuant to SRC 400.060(e), the characteristics of Parks and Open Space use are as follows:

Characteristics. *Parks and open space is characterized by publicly owned land and outdoor facilities that provide for recreation, or land that provides for the preservation of natural resources.*

Because the proposal is for the expansion of the Riverfront Park and includes the improvement of publicly owned land in order to provide additional outdoor facilities and recreational amenities within the park consistent with its Urban Park classification under the City's Comprehensive Park System Master Plan, and as called for in the Riverfront Park Master Plan, the principal use of the subject property is classified as a Parks and Open Space use and all of the facilities within the park are accessory to, and operate in furtherance and support of, that use in a manner that conforms to the park's Urban Park designation.

Allowed uses within the CB zone are identified under SRC 524.005(a), Table 524-1. Within the CB zone Parks and Open Space is identified as a permitted use. Because Parks and Open Space is a permitted use, the proposed expansion of the park is a permitted use in the CB zone.

SRC 524.010(a) - Lot Standards:

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

The properties subject to the proposed development are existing. No reconfiguration of the existing properties is proposed in connection with the proposed development.

SRC 524.010(b) - Setbacks:

Setback requirements for buildings and accessory structures within the CB zone are established under SRC 524.010(b), Table 524-3. Pursuant to SRC 524.010(b),

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

Based on the requirements of SRC 524.010(b), Table 524-3, and SRC Chapter 806.035(c), setbacks with the CB zone are as follows:

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

As illustrated on the submitted plans, the proposal includes grading, utility work, landscaping, hardscape, lighting, retaining walls, fencing, bike racks, and expansion of the existing parking lot. Because the proposal does not include any buildings/structures and because the other proposed structures provided (*e.g. fencing, retaining walls, bike racks, etc.*) are not structures subject to accessory structure setback requirements, the building and accessory structure setback requirements of the CB zone are not applicable to the proposed development.

The parking and vehicle use area setback requirements of the CB zone and SRC Chapter 806 are, however, applicable to the proposed development because of the expansion of the existing parking lot. The parking and vehicle use area setback requirements included under SRC 806.035(c)(3) require a minimum 5-foot-wide landscaped setback between parking and vehicle use areas and adjacent interior front, side, and rear property lines.

As shown on the proposed site plan (**Attachment B**), the expanded parking lot exceeds minimum required parking setbacks from the interior property lines to the east, south, and west of the parking lot. The minimum required 5-foot setback is not met, however, on both sides of the property line between the existing and proposed expanded parking lot.

Because the minimum required 5-foot setback is not met on both sides of the property line between the existing and proposed expanded parking lot, a Class 2 Adjustment to eliminate the required setback has been requested as part of the application. Analysis of the Class 2 Adjustment request and findings evaluating its conformance with the Class 2 Adjustment approval criteria are included in Section 10 of this decision.

SRC 524.010(c) - Lot Coverage:

Lot coverage requirements within the CB zone are established under SRC 524.010(c), Table 524-4. Within the CB zone there is no maximum lot coverage requirement for buildings and accessory structures.

SRC 524.010(c) - Height:

Height requirements for buildings and accessory structures within the CB zone are established under SRC 524.010(c), Table 524-4. Within the CB zone there are no minimum or maximum height restrictions for buildings or accessory structures.

SRC 524.010(d) - Landscaping:

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

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

Setback Landscaping. As identified earlier in this decision, the only required setbacks for the development apply to the proposed expanded parking lot. Per SRC 524.010(b) and SRC 806.035(c)(3), parking and vehicle use areas are required to be setback a minimum of 5 feet from all interior property lines. As shown on the site plan and the landscape plan (**Attachment B**), landscaped setbacks greater than 5 feet in width are provided between the expanded parking lot and the eastern, southern, and western property lines. A required 5-foot-wide landscaped setback is not, however, provided on both sides of the property line between the existing and proposed parking lot. Because the minimum required 5-foot landscape setback is not met on both sides of the property line between the existing and proposed expanded parking lot, a Class 2 Adjustment to eliminate the required setback has been requested as part of the application. Analysis of the Class 2 Adjustment request and findings evaluating its conformance with the Class 2 Adjustment approval criteria are included in Section 10 of this decision.

Parking & Vehicular Use Area Landscaping. SRC 806.035(d) establishes interior landscaping requirements for parking areas greater than 5,000 square feet in size. Pursuant to SRC 806.035(d)(2), Table 806-5, parking areas less than 50,000 square feet in size are required to provide a minimum of 5 percent interior landscaping.

Review of the proposed site plan indicates that the proposed expanded parking lot is approximately 19,072 square feet in size.

A summary of the parking area interior landscaping required and provided for the development is included in the table below.

Summary of Parking Area Interior Landscaping		
Parking Area Size	Interior Landscaping Required (Min. 5%)	Interior Landscaping Provided
19,072 ft. ²	954 ft. ²	1,828 ft. ²

As evidenced by the table above, the proposed expanded parking lot exceeds the minimum landscaping requirements of SRC 806.035(d)(2).

In addition to requiring a specific percentage of the interior area of a parking lot to be landscaped, SRC 806.035(d)(3) requires a minimum of 1 deciduous shade tree to be planted within the off-street parking area for every 12 parking spaces provided.

As shown on the site plan, a total of 55 new off-street parking spaces are provided with the proposed expansion of the park. Based on the minimum tree planting requirement of 1 tree for every 12 parking spaces, the proposed expanded parking lot is required to include a minimum of five trees. As shown on the site plan for the proposal, six trees are provided within the interior of the expanded parking lot in conformance with the tree planting requirements of SRC 806.035(d)(3). The six trees include one existing tree and five new trees located in the central landscape/pathway area that separates the eastern and western portions of the parking lot.

SRC 806.035(d)(4) requires landscape planter bays for parking and vehicle use area interior landscaping to be a minimum of 25 square feet in size with a minimum width of 5 feet. As measured on the site plan, the proposed interior parking area landscape planter bays range in size from approximately 180 square feet to approximately 579 square feet and have widths that exceed 5 feet.

SRC CHAPTER 600 (WILLAMETTE GREENWAY)

SRC Chapter 600 establishes requirements for development with the Willamette Greenway Overlay Zone. Due to the location of the subject property in relation to the Willamette River, portions of the site are located within the Compatibility Review Boundary of the Willamette Greenway Overlay Zone. As such, the proposed development is also subject to the applicable provisions of SRC Chapter 600 (Willamette Greenway Overlay Zone).

Allowed uses within the Willamette Greenway Overlay Zone are identified under SRC 600.020. Except for limits on the types of uses that are allowed within the required riparian buffer of the Willamette Greenway, any use allowed in the underlying zone is generally allowed within the Willamette Greenway Overlay zone. Within the required riparian buffer only riparian restoration and enhancement

activities, and those uses allowed in the underlying zone that are either water-dependent or water-related or exempt from a Willamette Greenway Development Permit under SRC 600.015(a)(2), are allowed.

Pursuant to SRC 600.015, any intensification, change or use, or development within the Willamette Greenway Overlay Zone also requires a Willamette Greenway Development Permit unless the proposal is exempt under SRC 600.015(a)(2). One of the specific exemptions identified in this subsection, per SRC 600.015(a)(2)(I), is improvement of a public park in accordance with an officially approved master plan and the setback requirements of the Willamette Greenway Overlay Zone.

The proposed improvements to the southern end Riverfront Park included with this application, as well as the new covered stage and amphitheater, are identified in the Salem Riverfront Park 2018 Master Plan which was adopted on November 13, 2018; and there is one prescribed setback within the Willamette Greenway Overlay Zone that establishes the required riparian buffer.

The riparian buffer is defined under SRC 600.005 as, "...a designated area adjoining the Willamette River intended to maximize the ecological, scenic, and aesthetic values of the river through maintaining the natural river corridor, minimizing erosion, nutrient, and pollutant loading, providing for filtration and infiltration of stormwater runoff, and stabilizing slopes to prevent landslides and accelerated rates of channel migration contributing to sedimentation."

The required width of the riparian buffer is established under SRC 600.025(c)(2) and is dependent on the slope of the portion of the riverbank abutting the property and the location of the floodway boundary. If the boundary of the floodway is wider than the required setback based on the slope of the riverbank, the riparian buffer is required to be extended to the boundary of the floodway.

In the case of the subject property, the slope of the riverbank results in a setback of 75 feet. Because the boundary of the floodway in this location is not wider than the 75-foot setback, the width of the required riparian buffer is 75 feet measured from the ordinary high waterline.

As shown on the site plan (**Attachment B**), only a few of the overall proposed site improvements included with this application are located within the Willamette Greenway Compatibility Review Boundary. Those improvements include portions of the 20-foot-wide path which circles around the proposed amphitheater, a set of stairs and a retaining wall and railing on the west side of the path, and lamp posts for pedestrian-scale lighting along the path. None of these site improvements, or any other structures included within the proposed development, are located within the required 75-foot-wide Willamette Greenway riparian buffer.

Because no new uses or activities are proposed within the riparian buffer, the uses allowed under the subject property's underlying CB zoning are allowed within the portion of the property located within the Willamette Greenway Overlay Zone. Within the CB zone Parks and Open spaces is allowed as a permitted use. Pursuant to

SRC 600.020, Parks and Open Space is therefore also allowed as a permitted use within the Willamette Greenway Overlay Zone.

In addition, because the proposed development conforms to the setback requirements of the Willamette Greenway Overlay Zone and the proposed improvements to the park are identified within, and will be provided in accordance with, the adopted Riverfront Park Master Plan, the proposal meets the identified exemption under SRC 600.015(a)(2)(l) and a Willamette Greenway Development Permit is therefore not required for the proposed development.

SRC CHAPTER 230 (HISTORIC PRESERVATION)

SRC Chapter 230 (Historic Preservation) establishes requirements for the preservation of historic buildings and structures as well as archaeological resources. Requirements specific to the preservation of archaeological resources are included under SRC 230.100.

The proposed project is located within a known high probability archeological zone and within an area where a Kalapuyan Village was located. The applicant has completed consultation with the Oregon State Historic Preservation Office (SHPO) and the Tribes, and archaeological testing of the project area has been completed. While the SHPO has concurred that there will be no demonstrated adverse effect to archaeological resources as a result of the ground disturbance associated with the construction of the proposed improvements, the SHPO and the Confederated Tribes of the Grand Ronde, the Confederated Tribes of the Siletz, and the Confederated Tribes of Warm Springs have indicated that due to the sensitivity of the project location and the elevated probability for buried human remains, funerary objects, or objects of cultural patrimony an additional requirement for archaeological monitoring during development is required. In order to ensure there will be no adverse effects to archaeological resources as a result of the proposed development and to ensure that the archaeological preservation requirements of SRC 230.100 are met, the following condition shall apply:

Condition 1: All ground disturbing activity associated with the project shall be monitored by a qualified archaeologist. Prior to building permit and grading permit approvals for the proposed development the applicant shall submit a monitoring plan to the City Archaeologist demonstrating compliance with this requirement.

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

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

Off-Street Parking:

Minimum Off-Street Vehicle Parking. Minimum off-street vehicle parking requirements are established under SRC Chapter 806, Table 806-1. The minimum off-street parking requirement for the proposed development is as follows:

Minimum Off-Street Parking	
Parks and Open Space	None

Maximum Off-Street Vehicle Parking. Maximum off-street vehicle parking requirements are established under SRC 806.015(d). Pursuant to SRC 806.015(d)(2) Parks and Open Space uses are exempt from maximum parking.

As shown on the site plan, the proposed development includes an expansion of the existing parking lot to include 55 additional off-street parking spaces.

Because there is no minimum or maximum parking requirement applicable to Parks and Open Spaces uses the proposed development conforms to the off-street parking requirements of SRC 806.015.

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

Minimum Parking Stall & Drive Aisle Dimensions		
Stall Type	Parking Stall Dimension	Drive Aisle Width ⁽¹⁾
90° Standard Stall	9 ft. x 19 ft.	24 ft.
90° Compact Stall	8 ft. x 15 ft.	22 ft.
Notes		
(1) <u>Drive Aisle Width Serving Standard and Compact Stalls:</u> Pursuant to SRC 806, Table 806-6, when a parking lot drive aisle serves both standard and compact size parking stalls of 80 degrees or more, the drive aisle shall be a minimum of 24 feet.		

As shown on the site plan, all of the proposed new parking spaces are standard size stalls with the exception of two spaces which are compact in size. The proposed standard size stalls are 9 feet in width and 18 feet in depth (with an additional allowed overhang of 1-foot for a total depth of 19 feet). The proposed compact sized stalls are 9 feet in width and 15 feet in depth. Both the standard and compact sized parking stalls within the development meet the minimum parking stall dimensions of SRC 806.035(e) and are served by two 24-foot-wide drive aisles that conform to SRC requirements.

SRC 806.035(i) requires the installation of bumper guards/wheel barriers within parking stalls in order to prevent vehicles from overhanging or projecting into required setbacks, landscape areas, pedestrian pathways, streets, alleys, or abutting property. As shown on the site plan, the proposed parking stalls included within the development are located abutting pedestrian pathways and required setbacks and interior parking lot landscaping islands. In order to meet the minimum required 19-foot standard size parking stall depth, the standard sized stalls abutting these areas have been designed to include a one-foot overhang. The proposed one-foot overhang does not, however, cause any of the abutting pathways, setbacks, or parking lot landscaping islands to be reduced below their minimum required width. In order to conform to the requirements of SRC 806.035(i) and ensure that none of the proposed parking stalls overhang an abutting pathway, required setback, or landscape island in a manner that causes the adjacent pathway, required setback, or landscape island to be reduced below its minimum required width the following condition of approval shall apply:

Condition 2: Where new parking stalls are proposed abutting pedestrian pathways, required setbacks, or interior parking lot landscape islands and the stalls are designed to overhang such areas, bumper guards/wheel barriers shall be installed within the stalls to prevent vehicles from overhanging more than one-foot over the abutting pedestrian pathway, required setback, or interior parking lot landscape island.

Access. SRC 806.040(a) establishes access requirements for off-street parking areas. Pursuant to the requirements of this subsection, off-street parking and vehicle use areas are required to have either:

- Separate driveways for ingress and egress; or
- A single driveway for ingress and egress with an adequate turnaround that is always available, or a loop to the single point of access.

As shown on the site plan, the proposed development includes an expansion of the existing parking area. Vehicle ingress and egress to the existing parking area is provided by a single driveway off Front Street. The design of the existing parking area allows vehicles to enter from Front Street and loop around through the parking area back to the driveway on Front Street. The design of the proposed expanded parking area extends the configuration of the existing parking lot further to the south and retains a one-way driveway at its southern end allowing vehicles to continue to enter and exit the site from the existing driveway on Front Street in conformance with the requirements of SRC 806.040(a).

Driveways. SRC 806.040(d) establishes minimum driveway width standards. Pursuant to SRC 806.040(d), Table 806-7, one-way driveways are required to have a minimum width of 12 feet and two-way driveways are required to have a minimum width of 22 feet.

Access to this portion of the park is served by a two-way driveway off Front Street that splits into two one-way driveways at the north end of the existing parking lot. A

one-way driveway is provided at the southern end of the parking lot allowing vehicles to loop around back to the driveway entrance at Front Street.

The location and width of the existing driveway between Front Street and the north end of the existing parking lot meets applicable SRC standards and is not proposed to be changed with this application. As shown on the site plan a new one-way driveway is proposed, however, at the south end of the proposed expanded parking lot that is consistent with the design of the existing parking area. The proposed new one-way driveway is 24 feet in width and exceeds minimum required driveway standards.

Bicycle Parking:

Minimum Bicycle Parking. Minimum bicycle parking requirements are established under SRC 806.055, Table 806-8. The minimum bicycle parking requirement for the proposed development is as follows:

Minimum Bicycle Parking	
Parks and Open Space	The greater of 4 spaces or 1 space per 30 vehicle parking spaces

Based on the above identified minimum bicycle parking requirements, the proposed improvements to the park with the addition of 55 new vehicle parking spaces results in the following additional required bike parking:

Required Bike Parking		
Use	No. of Vehicle Parking Spaces	Minimum Spaces Req.
Parks and Open Space	55	4

As shown on the landscape plan, six additional bike racks, for a total of 12 new bike parking spaces, are proposed to be added to the south of the expanded parking lot near the entry to the new arrival plaza area. The 12 additional bike parking spaces conform to the bicycle parking requirements of SRC Chapter 806. In order to ensure that the new bike parking spaces meet the applicable development standards of SRC Chapter 806, the following condition of approval shall apply:

Condition 3: The bicycle parking spaces included within the proposed development shall conform to the dimension standards of SRC 806.060(c) and the bicycle rack design standards of SRC 806.060(e).

Loading:

Minimum loading requirements are established under SRC Chapter 806.075, Table 806-9. The minimum loading requirement for the proposed development is as follows:

Minimum Loading	
Parks and Open Space	None

Based on the above identified minimum off-street loading requirements, the proposed expansion of the parking does not require any additional loading spaces to be provided.

SRC 800.050(a) (FENCE & RETAINING WALL HEIGHT)

SRC 800.050(a) establishes maximum height standards for fences, walls, and retaining walls. The park improvements included with the development include a new 6-foot-tall chain link fence with vinyl slats around the proposed relocated park maintenance yard and along the eastern property line abutting the railroad tracks to connect to the existing fence on the eastern property line. In addition, retaining walls are also included in the proposed development in order to create the new amphitheater space and associated pathways.

Pursuant to SRC 800.050(a)(1)(B), fences within non-residential zones shall not exceed a maximum height of 12 feet; provided, however, within yards abutting a street the maximum height shall not exceed eight feet when located within 10 feet of the property line abutting the street and any portion of the fence or wall above 30 inches in height is less than 25 percent opaque when viewed at any angle 25 feet away from the fence or wall.

The proposed fencing included within the development is not located within a yard abutting a street and is therefore allowed to be constructed to a maximum height of 12 feet. The 6-foot-tall chain link fencing included within the development does not exceed the maximum fence height requirements of SRC 800.050(a)(1)(B).

Pursuant to SRC 800.050(a)(4), retaining walls shall not exceed a maximum height of four feet when located at the property line abutting a street. Retaining walls not located at the property line abutting a street may exceed four feet in height. Because the retaining walls included within the proposed development are not located at a property line abutting a street they may exceed four feet in height. The retaining walls included within the development conform to the retaining wall height requirements of SRC 800.050(a)(4).

SRC 800.055 (SOLID WASTE SERVICE AREAS)

SRC 800.055 establishes standards that apply to all new solid waste, recycling, and compostable service areas, where use of a solid waste, recycling, and compostable receptacle of 1 cubic yard or larger is proposed; and any changes to existing solid waste service areas for receptacles one cubic yard or larger that require a building permit.

The proposed development does not include any new solid waste service areas or any modifications to existing solid waste service areas. The solid waste service areas standards of SRC 800.055 are therefore not applicable to the proposed development.

SRC 800.065 (PEDESTRIAN ACCESS)

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

- (1) Between building entrances and streets;
- (2) Between buildings on the same development site;
- (3) Through off-street parking areas greater than 25,000 square feet in size or including four or more consecutive parallel drive aisles;
- (4) To existing or planned paths and trails; and
- (5) To abutting properties.

Pedestrian connections are required to be a minimum of 5 feet in width and paved with a hard-surface material meeting Public Works Design Standards. Where pedestrian connections cross driveways, parking areas, parking lot drive aisles, and loading areas, the pedestrian connections shall be visually differentiated from such areas through the use of elevation changes, a physical separation, speed bumps, different paving material, or other similar method. Please note that striping does not meet this requirement.

Riverfront Park is currently served by an interconnected system of pathways which meet the pedestrian access requirements of SRC 800.065 and not only provide pedestrian access throughout the park and to abutting streets, but also serve as a hub of pedestrian connectivity to the downtown and the surrounding area in general. The proposed improvements included with the development expand the network of existing pathways within the park to the south and also help make possible future pedestrian connections, as identified in the Riverfront Park Master Plan, such as along the north bank of Pringle Creek and across Pringle Creek to the south.

Because the proposed development includes an expansion of the existing parking area, the parking area pedestrian access requirements of SRC 800.065(a)(3) are directly applicable to the proposed development. Under these standards pedestrian connections are required through proposed parking areas to primary building entrances. As shown on the site plan, pedestrian access through the existing and proposed expanded parking areas is provided as follows:

- 1) The north-south pedestrian pathway provided through the middle of the existing parking lot is extended to the south through the new expanded parking lot and across the new driveway with striping and speed bumps in order to safely connect to the new pathway around the proposed amphitheater; and
- 2) The existing east-west pedestrian connection in the middle of the existing parking lot which crosses the parking lot drive aisle and leads to the playground area is enhanced with striping and speed bumps for safety.

The above identified existing and proposed pedestrian pathways help to satisfy the pedestrian connectivity requirements of SRC 800.065 but do not, however, provide a direct and safe pedestrian connection through the parking area to the north to the entry of the building housing the carousel. In order to provide pedestrian connectivity through the parking lot to the entrance of the carousel building in

conformance with the requirements of SRC 800.065(a)(3) the following condition of approval shall apply:

Condition 4: A pedestrian connection developed in conformance with the requirements of SRC 806.065(b)(1) shall be extended from the northern terminus of the existing north-south pedestrian pathway in the middle of the existing parking lot, across the entrance driveway, and connecting to the pathway in front of the building housing the carousel.

SRC CHAPTER 808 (PRESERVATION OF TREES & VEGETATION)

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

There are existing trees on the subject property. Out of the total trees present, the site demolition plan submitted with the proposal identifies nine trees for removal in order to accommodate the proposed improvements to the park. None of the trees proposed for removal are heritage trees or significant trees, but one tree, located in proximity to the north bank of Pringle Creek at the southern end of the site, is located within the riparian corridor of the creek.

Pursuant to SRC 808.020, a tree within a riparian corridor cannot be removed without first obtaining a tree removal permit. Under SRC 808.030(a)(2), certain exceptions to the requirement to obtain a permit are identified. One of those exceptions is when the removal of a tree is necessary for public trail or public park development and maintenance (*per SRC 808.030(a)(2)(F)*).

As shown on the proposed site plan (**Attachment B**) and grading plan (**Attachment F**), the tree at the southern end of the property within the riparian corridor of Pringle Creek is located in the alignment of a future proposed path along the north bank of Pringle Creek. It is also located in an area that will require regrading in order to accommodate the new proposed amphitheater area. Due to the location of the future path and the required site grading in the area of the tree, it is required to be removed. Pursuant to SRC 808.030(a)(2)(F), because the removal of this tree is necessary in order to accommodate both a public trail and the proposed expansion of the park, a tree removal permit is not required. The proposal conforms to the tree preservation requirements of SRC Chapter 808.

SRC CHAPTER 809 (WETLANDS):

Grading and construction activities within wetlands are regulated by the Oregon Department of State Lands (DSL) and US Army Corps of Engineers. State and Federal wetlands laws are also administered by the DSL and Army Corps, and

potential impacts to jurisdictional wetlands are addressed through application and enforcement of appropriate mitigation measures.

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

SRC CHAPTER 810 (LANDSLIDE HAZARDS)

According to the City's adopted landslide hazard susceptibility maps, the subject property is mapped with areas of 2 landslide hazard susceptibility points. There are 3 activity points associated with the proposed development activity, which includes excavation or fill exceeding two feet in depth or 25 cubic yards of volume and a public building permit for the new covered stage and amphitheater. The cumulative total of 5 points indicates a moderate landslide hazard risk. Pursuant to SRC Chapter 810, a geologic assessment, and potentially a geotechnical report, is therefore required for development of the property.

Because the application includes grading and site improvements covering the entire southern area of the park in order to accommodate the proposed park expansion and the new covered stage and amphitheater, geotechnical engineering reports have been submitted for both the proposed improvements to the south end of Riverfront Park and the new covered stage and amphitheater as required under SRC Chapter 810. The reports demonstrate that the subject property can be developed without increasing the potential for slope hazard on the site or adjacent properties.

- (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 proposal includes improvements to expand Riverfront Park and to prepare the site for a new covered stage and amphitheater identified in the Riverfront Park Master Plan.

The properties included in the proposed development do not have frontage on a street. Vehicular access is proposed to be taken from the existing park driveway to the north of the subject property at the intersection of Front Street and State Street. Front Street is designated as a parkway street under the City's transportation system plan.

The proposed development includes an expansion of the existing parking lot. The layout of the expanded parking lot maintains the configuration of the existing parking lot and simply extends the four rows of existing parking further to the south and provides a one-way driveway at its southern end, as is provided with the existing parking lot, to allow vehicles to loop back around to the driveway at Front Street.

Front Street and the internal looped driveway through the subject property provide for safe and orderly circulation of traffic into and out of the proposed development. This criterion is met.

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

Finding: The location and configuration of the existing driveway approach into the park at the intersection of Front Street and State Street is not proposed to be changed as part of the proposed development. The proposal does, however, expand the existing park parking lot. The design of the expanded parking lot maintains the configuration of the existing parking lot and simply extends the four rows of existing parking further to the south and provides a one-way driveway at its southern end, as is provided with the existing parking lot, to allow vehicles to loop back around to the driveway at Front Street. The configuration of the expanded parking lot provides for safe turning movements into and out of the property and allows for the safe and efficient movement of vehicles.

The proposal provides for the safe and efficient movement of pedestrians and bicycles through the network of pedestrian paths that are proposed throughout the site to connect to the existing paths in the park and through proposed, and conditioned, north-south and east-west pedestrian pathways through the existing and proposed expanded parking lot to provide safe pedestrian access to the new amphitheater to the south, the playground to the west, and the carousel to the north.

An additional critical element of safe site access is fire department access. As indicated previously in this decision, comments provided from the Fire Department indicate that fire department access is required to be provided to the new amphitheater per Oregon Fire Code section 503. In order to reach the covered stage and amphitheater the Fire Department indicates that the parking area, park paths, or a combination of both could be utilized provided the routes meet fire department access requirements. In order to ensure fire department access to the site the following condition of approval shall apply:

Condition 5: Fire department access shall be provided to the new amphitheater per Oregon Fire Code section 503.

The proposed development, as conditioned, provides for the safe and efficient movement of vehicles, bicycles, and pedestrians. This approval criterion is met.

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

Finding: The Public Works Department has reviewed the preliminary utility plan for the proposed development. The Public Works Department indicates that water, sewer, and stormwater infrastructure are available within surrounding streets/areas and are adequate to serve the proposed development.

In regard to water service, the Public Works Department indicates that the subject property is located within the G-0 water service level and that the parking is currently served by a 12-inch water main that extends into the park near Court Street NE. Public Works indicates that mains of this size generally convey flows of 1,100 to 2,500 gallons per minute.

In regard to sewer service, the Public Works Department indicates that the park is currently served by a 10-inch sewer main that extends into the park near Court Street NE.

In regard to stormwater service, the Public Works Department indicates that a 30-inch storm main is located on the property along the southern and western portions of tax lot 073W27BA01700.

The Public Works Department explains that the applicant's engineer submitted a statement demonstrating compliance with Stormwater PWDS Appendix 004-E(4)(b) and SRC Chapter 71. The preliminary stormwater design demonstrates the use of green stormwater infrastructure to the maximum extent feasible. In order to ensure the provision of adequate stormwater service, the following condition of approval shall apply:

Condition 6: Design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.

As indicated in the comments from the Public Works Department (**Attachment G**), the proposed development, as conditioned, will be adequately served with City water, sewer, stormwater facilities. This approval criterion is met.

10. **CLASS 2 ADJUSTMENT APPROVAL CRITERIA**

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

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

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

Finding: The proposal includes a requested adjustment to eliminate the minimum 5-foot parking and vehicle use area setback required, pursuant to SRC 806.035(c)(3), on both sides of the property line between the existing and proposed expanded parking lot.

The written statement provided by the applicant (**Attachment E**) indicates, in summary, that the requested adjustment satisfies this approval criterion because, other than the requested adjustment, the proposal meets all other parking and vehicle setbacks listed under SRC 806; the parcels are under one owner, the City of Salem; the parking area is designed for a single use for Riverfront Park users; and the amount of interior parking lot landscaping provided exceeds the minimum five percent interior landscaping requirement.

Staff concurs that the proposed development equally meets the underlying purpose of the parking area setback proposed to be adjusted with this application. SRC 806.035(c)(3) requires parking areas to have a minimum 5-foot-wide landscaped setback from interior front, side, and rear property lines. The purpose of this standard is to provide a minimum separation/buffer between proposed parking areas and abutting properties and to ensure that parking lots aren't paved up to the boundary of another property.

In the case of the proposed development there are several properties which make up the southern portion of the park which is proposed for development. Due to the location of the existing property line between tax lots 073W27BA01490 & 1491, a minimum 5-foot setback is required on both sides of the property line.

The proposed adjustment to eliminate the required setback is needed in this case because of the odd angle at which the property line bisects the proposed expanded parking lot and because the parking lot is intended to function as one uniform whole rather than separated portions. If the minimum 5-foot setback were provided on both sides of the existing property line a 10-foot-wide setback would cross diagonally through the parking lot and result in eight fewer parking spaces being able to be provided with the proposed park expansion.

Rather than bisecting the parking lot with an arbitrarily located landscape strip, the proposed design instead extends the four existing rows of parking and internal landscape islands with trees further to the south in a manner that matches the design/configuration of the existing parking lot. To mitigate for the landscaping lost on both sides of the property line, the proposed design provides increased landscaping on the eastern perimeter of the proposed expanded parking lot adjacent to the railroad tracks for an enhanced separation and visual buffer. As shown on the landscape plan, a total of 195 plant units are provided in the setback area between the expanded parking lot and the eastern property line. The 195 proposed plant units is just over five times the minimum 38 plant units that would otherwise be required in this area. The proposed landscaping includes three trees and a variety of shrubs and ground covers.

Because the properties subject to the proposed development are under one ownership and will accommodate a single development, the expansion of Riverfront Park, and because the required 5-foot landscape setback on both sides of the property line would not serve its underlying purpose in this case of providing a needed separation between abutting properties but instead only result in fewer parking spaces being able to be provided, the required parking area setback is not necessary. The underlying purpose of the standard, however, is otherwise met by the additional interior parking lot landscaping provided and the increased

landscaping abutting the eastern property line where the park abuts the railroad and where a separation and buffer is most needed. This approval criterion is met.

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

Finding: The subject property is zoned CB (Central Business District). While there are residential uses within the vicinity of the subject property, Riverfront Park is located within the downtown core of the City and not within a purely residential area. Because the proposed development is not located in a residential zone or a residential area, this approval criterion is not applicable to the proposed development.

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

Finding: The proposal includes only one adjustment to eliminate the minimum 5-foot setback required on both sides of the property line between the existing and proposed expanded parking lot. Because only one adjustment is required, this approval criterion is not applicable to the proposed development.

CONCLUSION

Based upon review of SRC Chapters 220 and 250, the applicable standards of the Salem Revised Code, the findings contained herein, and due consideration of comments received, the application complies with the requirements for an affirmative decision.

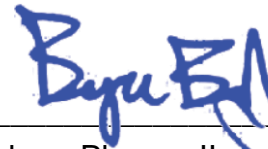
IT IS HEREBY ORDERED

Class 3 Site Plan Review and Class 2 Adjustment Case No. SPR-ADJ20-17 is hereby **APPROVED** subject to SRC Chapters 220 and 250, the applicable standards of the Salem Revised Code, the findings contained herein, the approved site plan and landscape plan (included as **Attachment B**), and the following conditions of approval:

Class 3 Site Plan Review

- Condition 1:** All ground disturbing activity associated with the project shall be monitored by a qualified archaeologist. Prior to building permit and grading permit approvals for the proposed development the applicant shall submit a monitoring plan to the City Archaeologist demonstrating compliance with this requirement.
- Condition 2:** Where new parking stalls are proposed abutting pedestrian pathways, required setbacks, or interior parking lot landscape islands and the stalls are designed to overhang such areas, bumper guards/wheel barriers shall be installed within the stalls to prevent vehicles from overhanging more than one-foot over the abutting pedestrian pathway, required setback, or interior parking lot landscape island.

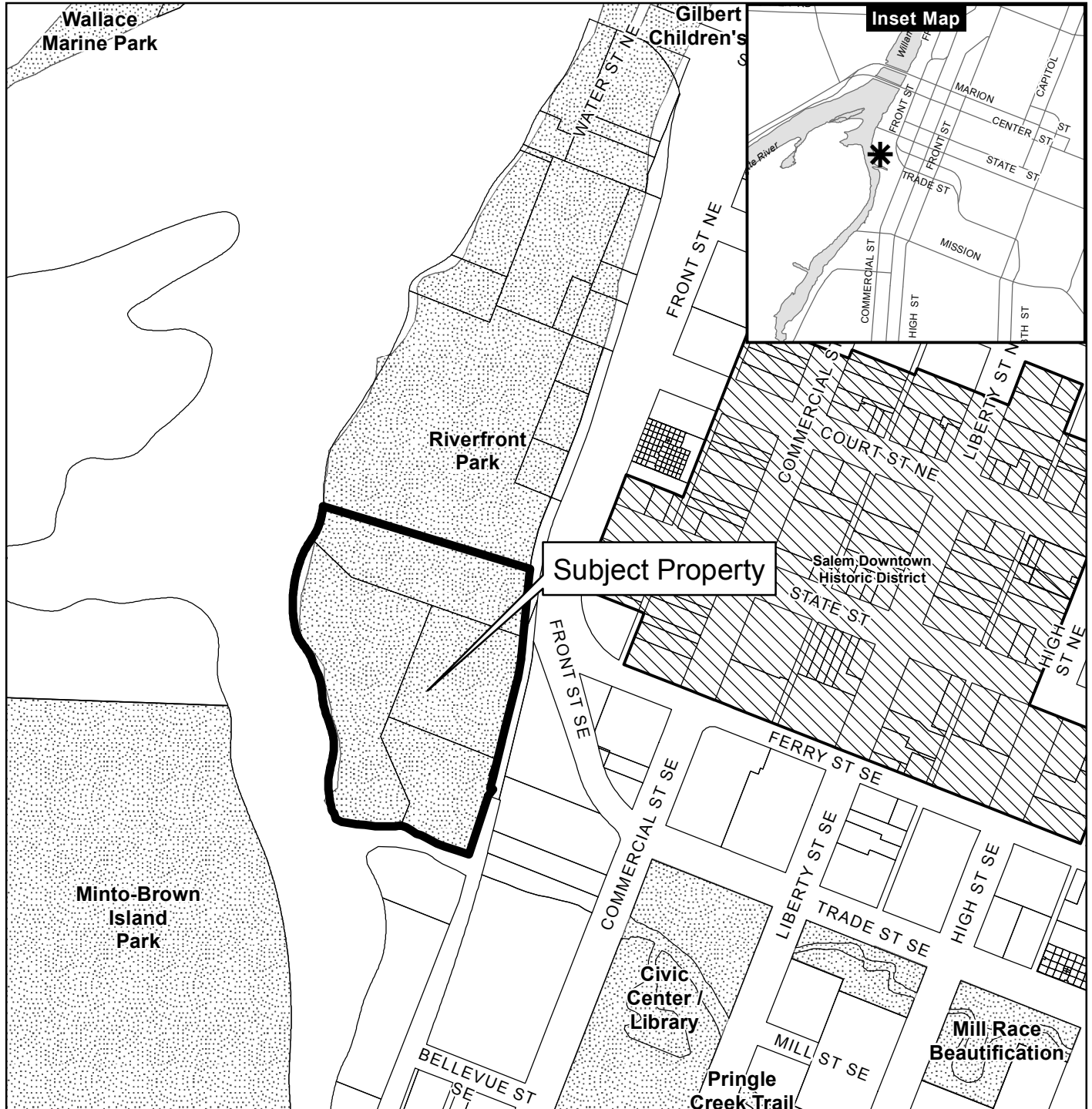
- Condition 3:** The bicycle parking spaces included within the proposed development shall conform to the dimension standards of SRC 806.060(c) and the bicycle rack design standards of SRC 806.060(e).
- Condition 4:** A pedestrian connection developed in conformance with the requirements of SRC 806.065(b)(1) shall be extended from the northern terminus of the existing north-south pedestrian pathway in the middle of the existing parking lot, across the entrance driveway, and connecting to the pathway in front of the building housing the carousel.
- Condition 5:** Fire department access shall be provided to the new amphitheater per Oregon Fire Code section 503.
- Condition 6:** Design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.










Bryce Bishop, Planner II, on behalf of
Lisa Anderson-Ogilvie, AICP
Planning Administrator

- Attachments:
- A. Vicinity Map
 - B. Proposed Site Plan and Landscape Plan
 - C. Site Layout Plan & Riparian Buffer Exhibit
 - D. Proposed Utility Plan
 - E. Applicant's Written Statement
 - F. Proposed Grading Plan
 - G. Public Works Department Comments
 - H. Oregon Department of Transportation (ODOT) Comments

Vicinity Map 211 Front Street SE



Legend

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

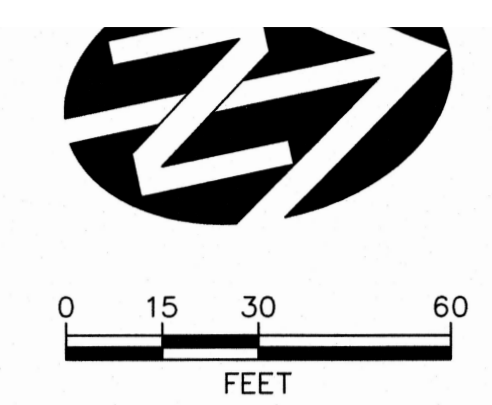


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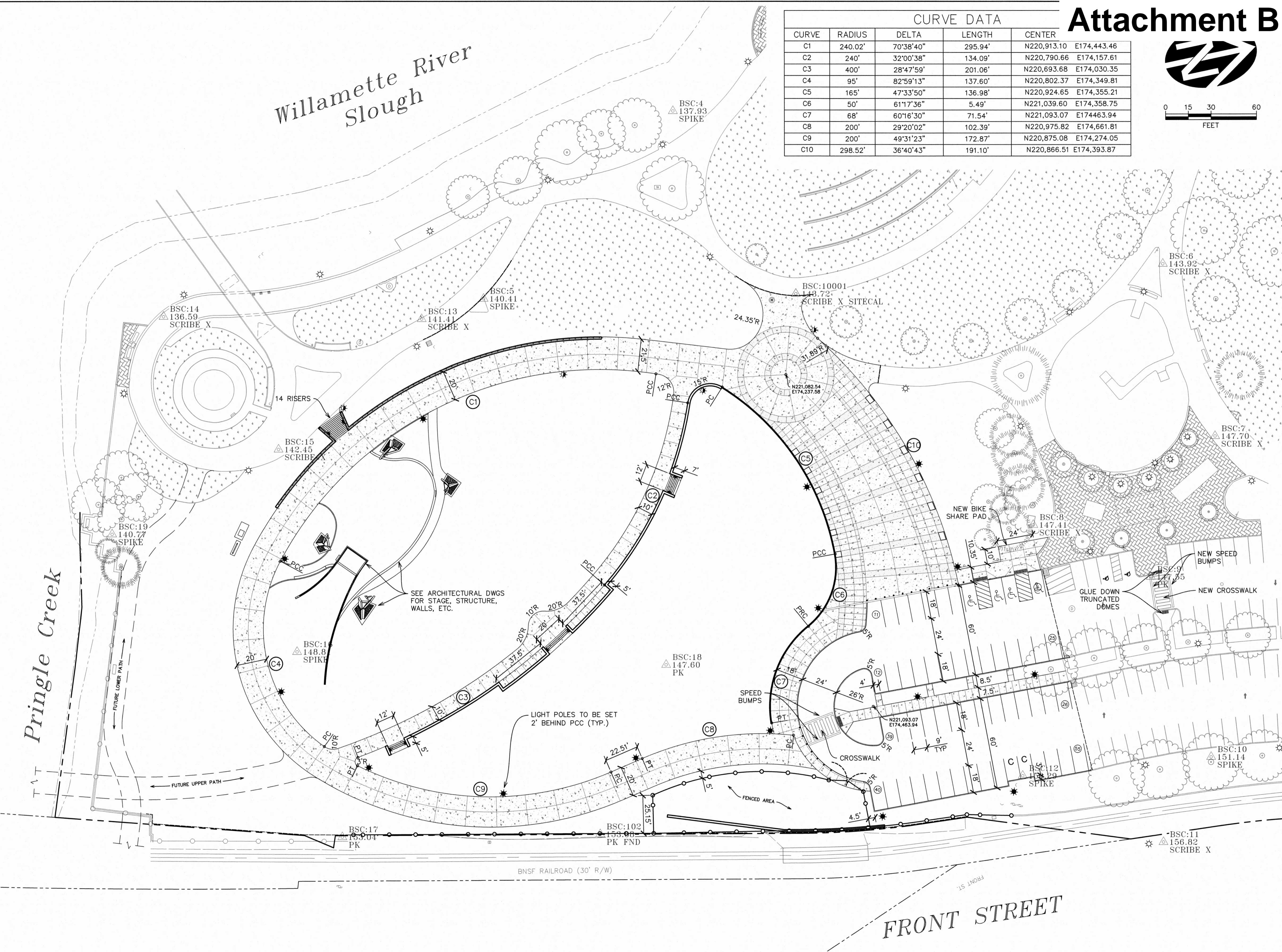
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CURVE DATA				
CURVE	RADIUS	DELTA	LENGTH	CENTER
C1	240.02'	70°38'40"	295.94'	N220,913.10 E174,443.46
C2	240'	32°00'38"	134.09'	N220,790.66 E174,157.61
C3	400'	28°47'59"	201.06'	N220,693.68 E174,030.35
C4	95'	82°59'13"	137.60'	N220,802.37 E174,349.81
C5	165'	47°33'50"	136.98'	N220,924.65 E174,355.21
C6	50'	61°17'36"	5.49'	N221,039.60 E174,358.75
C7	68'	60°16'30"	71.54'	N221,093.07 E174,463.94
C8	200'	29°20'02"	102.39'	N220,975.82 E174,661.81
C9	200'	49°31'23"	172.87'	N220,875.08 E174,274.05
C10	298.52'	36°40'43"	191.10'	N220,866.51 E174,393.87



Willamette River
Slough

Pringle Creek



SHEET PREPARED BY:

WE WESTECH ENGINEERING, INC.
CONSULTING ENGINEERS AND PLANNERS
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E-mail: westech@westech-eng.com

APRIL 17, 2020



CERTIFICATE EXPIRES: JUNE 30, 2020
DATE SIGNED: APRIL 17, 2020

SOUTH RIVERFRONT PARK PHASE I DEVELOPMENT

REVISIONS			
NO.	DESCRIPTION	DATE	BY
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WE JO #2272.1019.0

PN: 718412

HORIZ DATUM: NAD 83-SPCS
VERT DATUM: NGVD 1929(47)
HORIZ SCALE: AS SHOWN
VERT SCALE: AS SHOWN
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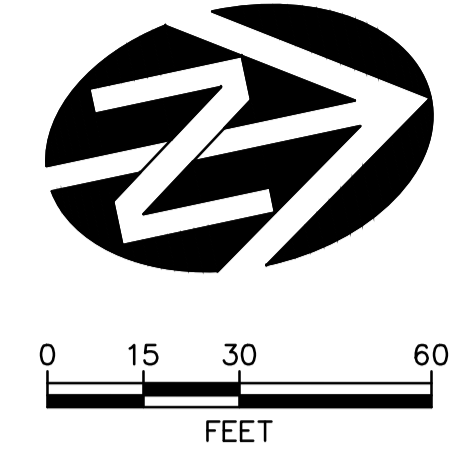
APPROVED:

SHEET TITLE

**SITE LAYOUT
PLAN**

C-02

SHEET 11 OF 59



Willamette River
Slough

Pringle Creek

SHEET PREPARED BY:

GREENWORKS
GreenWorks, P.C.
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APRIL 17, 2020



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SOUTH RIVERFRONT PARK PHASE I DEVELOPMENT

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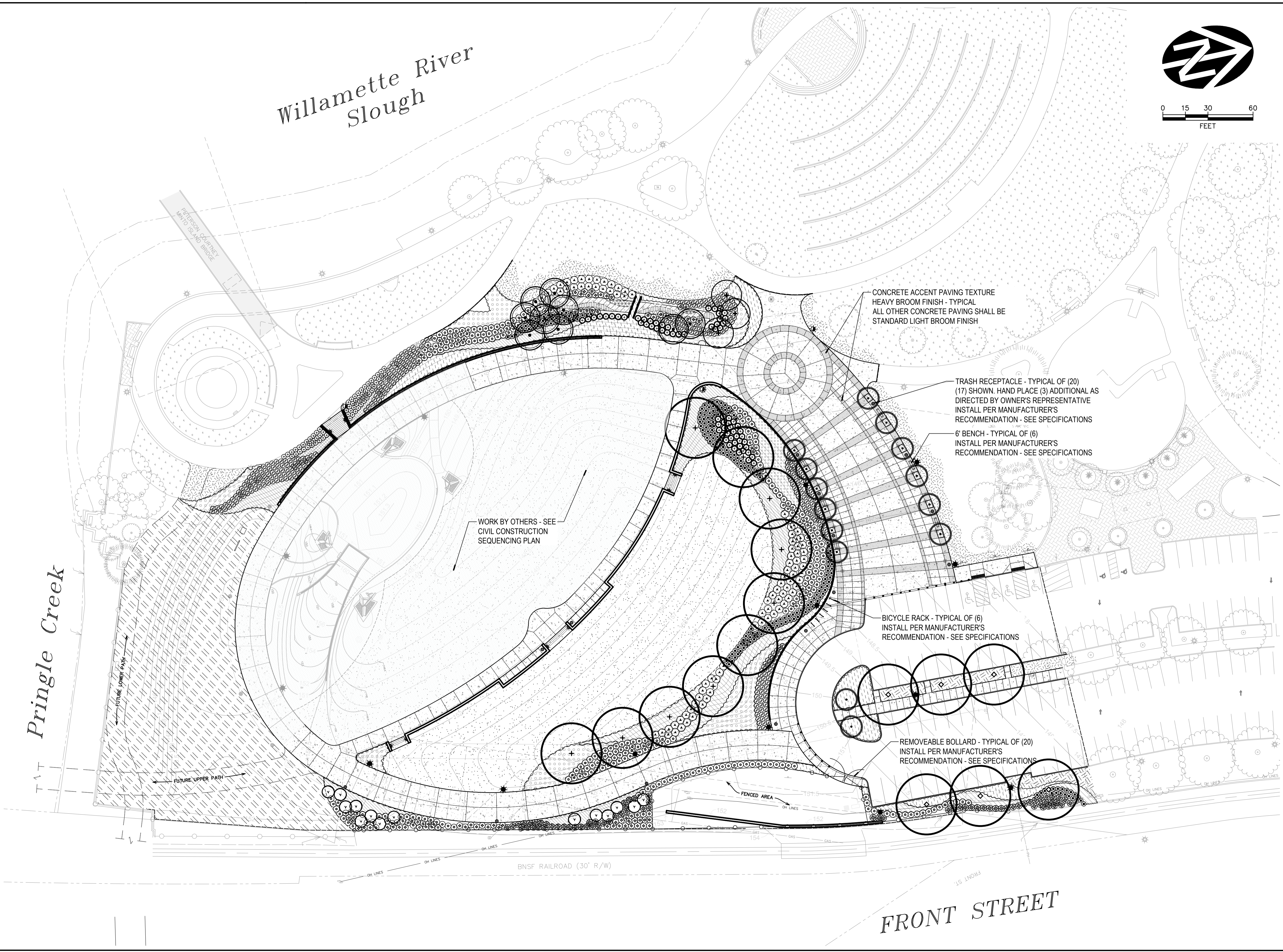
SHEET TITLE

PLANTING PLAN

L-04




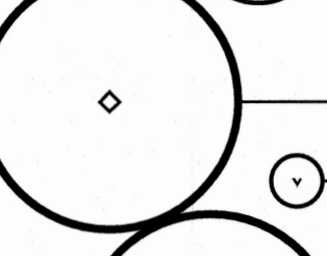

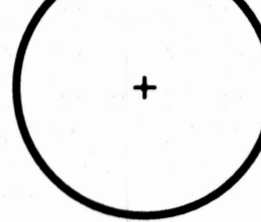
SHEET 51 OF 59

4/23/2020 2:32:44 PM \\192.168.100.151\Projects\180389_1_Salem_Riverfront_Park_Phase_I02_Production\01_CAD\01_Plot_Sheets\180389_PLNT.dwg (L-04.lab)



PLANTING LEGEND

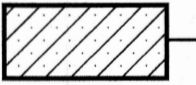
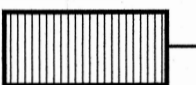
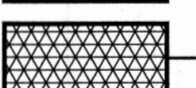
TREES

BOTANICAL NAME	COMMON NAME	SIZE & TYPE	SPACING	QTY.
 AMELANCHIER ALNIFOLIA 'AUTUMN B.'	AUTUMN BRILLIANCE SERVICEBERRY	1 1/2" CAL., B&B	AS SHOWN	3
 GINKGO BILOBA 'PRINCETON SENTRY'	PRINCETON SENTRY MAIDENHAIR TREE	2" CAL., B&B	AS SHOWN	14
 OEUMLERIA CERASIFORMIS	INDIAN PLUM	1 1/2" CAL., B&B	AS SHOWN	9
 PLATANUS X ACERIFOLIA 'BLOODGOOD'	BLOODGOOD LONDON PLANETREE	1 1/2" CAL., B&B	AS SHOWN	6
 THUJA PLICATA 'FASTIGIATA'	HOGAN CEDAR	6'-7", B&B	AS SHOWN	14
 ULMUS PARVIFOLIA	CHINESE ELM	2 1/2" CAL., B&B	AS SHOWN	10

SHRUBS / GROUNDCOVERS

BOTANICAL NAME	COMMON NAME	SIZE & TYPE	SPACING	QTY.
 ABELIA GRANDIFLORA 'KALEIDOSCOPE'	KALEIDOSCOPE ABELIA	1 GAL. CONT.	AS SHOWN	67
 ARCTOSTAPHYLOS 'WOODS COMPACT'	WOODS COMPACT KINNIKINNICK	1 GAL. CONT.	2' O.C.	838
 CEANOTHUS X PALLIDUS 'MINMARI'	MARIE BLEU NEW JERSEY TEA	1 GAL. CONT.	2'-6" O.C.	734
 CORNUS ALBA 'BAHALO'	IVORY HALO DOGWOOD	5 GAL. CONT.	AS SHOWN	97
 CORNUS SANGUINEA 'MIDWINTER'	MIDWINTER FIRE DOGWOOD	5 GAL. CONT.	AS SHOWN	67
 HOLODISCIJUS DISCOLOR	OCEAN-SPRAY	2 GAL. CONT.	AS SHOWN	70
 LIRIOPE MUSCARI 'BIG BLUE'	BIG BLUE LILY TURF	1 GAL. CONT.	18" O.C.	190
 MAHONIA REPENS	CREEPING MAHONIA	1 GAL. CONT.	2'-6" O.C.	868
 PHILADELPHUS LEWISII	MOCKORANGE	2 GAL. CONT.	AS SHOWN	71
 RIBES SANGUINEUM 'KING EDWARD VII'	RED FLOWERING CURRANT	3 GAL. CONT.	AS SHOWN	292
 SPIREA BETUFOLIA LUCIDA	SHINYLEAF SPIREA	2 GAL. CONT.	AS SHOWN	351
 VACCINIUM OVATUM	EVERGREEN HUCKLEBERRY	3 GAL. CONT.	AS SHOWN	226

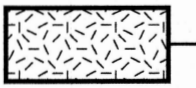
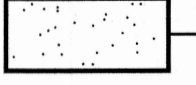

WATER QUALITY BASIN PLANTING

BOTANICAL NAME	COMMON NAME	SIZE & TYPE	SPACING	QTY.
 CAREX OBNUPTA	SLOUGH SEDGE	4" POTS	9" O.C.	610
 JUNCUS PATENS	SPREADING RUSH	4" POTS	9" O.C.	565
 SCIRPUS MICROCARPUS	SMALL FRUITED BULRUSH	4" POTS	9" O.C.	351

BASIN PLANTING TO BE INSTALLED ON FACILITY BOTTOM AND UP TO THE WATER QUALITY SURFACE ELEVATION REFER TO CIVIL DRAWINGS

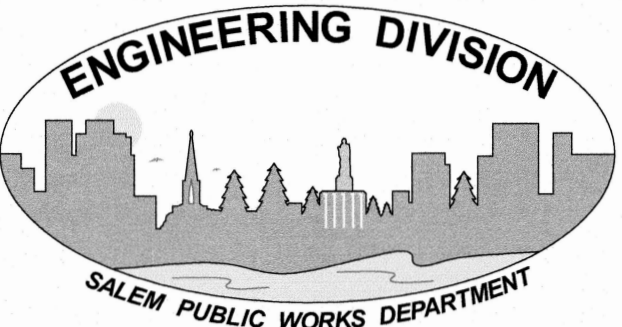
EROSION CONTROL SEEDING - (SUNMARK SEEDS 'LAWN BLOOMERS' OR EQUAL) - 20,795 SF / 42.48 LBS/ACRE

BOTANICAL NAME	COMMON NAME	PLS LBS.	PERCENT BY WEIGHT
BELLIS PERENNIS	LAWNDAISY	0.42	1
FESTUCA BREVIPILA SPARTAN	SPARTAN HARD FESCUE	7.10	17
FESTUCA OVINA AZAY BLUE	AZAY BLUE SHEEP FESCUE	5.00	12
ESCHSCHOLZIA CAESPITOSA	CALIFORNIA POPPY	1.70	4
LOBULARIA MARITIMA	SWEET ALYSSUM CARPET OF SNOW	1.70	4
LOLIUM PERENNE CELEBRATION	CELEBRATION PERENNIAL RYEGRASS	20.80	50
SILENE ARMERIA DWARF	DWARF SWEET WILLIAM SILENE	0.40	1
TRIFOLIUM FRAGIFERUM	STRAWBERRY CLOVER	2.50	6
TRIFOLIUM REPENS MICROCLOVER	MICROCLOVER	2.10	5

	SEEDING - TURF REPAIR PROTECT EXISTING TURF AND REPAIR / RESEED AREAS DISTURBED BY CONSTRUCTION ACTIVITIES
	SEEDING - TURF NEW - 49,942 SF
	HEMLOCK BARK MULCH (3" DEPTH) - 1,191 SF

PLANTING NOTES

- CONTRACTOR SHALL PROVIDE PLANTING SOIL, SOIL AMENDMENTS, AND BARK MULCH TO THE COMPOSITION AND DEPTHS IN ACCORDANCE WITH THE DRAWINGS AND SPECIFICATIONS OF THE CONTRACT DOCUMENTS.
- ALL PLANTS SHALL BE INSTALLED IN ACCORDANCE WITH THE DRAWINGS AND THE SPECIFICATIONS PROVIDED AS PART OF THE CONTRACT DOCUMENTS.
- QUANTITIES ARE LISTED FOR THE CONTRACTOR'S CONVENIENCE ONLY. ALL COUNTS MUST BE VERIFIED BY THE CONTRACTOR. IN THE CASE OF A DISCREPANCY BETWEEN THE LEGEND AND THE PLAN, PLANTS INDICATED ON THE PLAN SHALL SUPERCEDE QUANTITIES LISTED IN THE LEGEND.
- UTILITY LOCATIONS SHOWN ON PLANS MAY DIFFER FROM FIELD CONDITIONS. CONTRACTOR TO FIELD VERIFY ALL UTILITIES BEFORE INSTALLATION. CONFLICTS BETWEEN ANY EXISTING AND PROPOSED UTILITIES ARE TO BE BROUGHT TO THE ATTENTION OF THE OWNER'S REPRESENTATIVE IMMEDIATELY.
- REFER TO SHEET L-03 FOR IRRIGATION PLAN AND SHEET L-04 FOR PLANTING PLAN.
- REFER TO SHEETS L-08,09 FOR PLANTING DETAILS.
- ALL TREES PLANTED WITHIN 6" OF PAVING, WALK, WALL OR CURB SHALL BE INSTALLED WITH ROOT BARRIERS. SEE DETAIL (3) SHEET L-08
- GENERAL PLANTING NOTES APPLY TO ALL PLANTING DRAWINGS.
- CONTRACTOR MUST FIELD VERIFY ALL EXISTING TREES IN FIELD PRIOR TO CONSTRUCTION ACTIVITIES. ALL EXISTING TREES NOT SHOWN IN CIVIL DEMO PLANS AS REMOVED ARE TO BE PROTECTED AND PRESERVED IN PLACE PER PROJECT SPECIFICATIONS.
- ALL PLANTS SHALL BE INSTALLED IN ACCORDANCE WITH THE DETAILS AND SPECIFICATIONS PROVIDED AS PART OF THE CONSTRUCTION DOCUMENT PACKAGE.
- ALL EXISTING PLANTING AREAS TO REMAIN, THAT ARE DAMAGED FROM CONSTRUCTION ACTIVITIES SHALL BE REPAIRED / REPLACED AND RESTORED TO PRE-EXISTING CONDITION.
- CONTRACTOR SHALL VERIFY EXACT LOCATIONS AND ROUTING OF EXISTING UNDERGROUND UTILITIES PRIOR TO STARTING EXCAVATION. ANY DAMAGE TO EXISTING PIPES, UTILITIES, OR RELATED FACILITIES SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE IN A MANNER APPROVED BY THE PROJECT MANAGER.
- ADJUST PLANT LOCATIONS SO THAT VEGETATION DOES NOT CONFLICT WITH ABOVE-GROUND UTILITIES, OR WITH LIGHTS, SIGNS, OR OTHER APPURTENANCES.
- PRESERVE, PROTECT, AND MAINTAIN ALL IMPROVEMENTS WITHIN WORK AREAS, INCLUDING EXISTING TREES AND VEGETATION. THOROUGHLY CLEAN ALL IMPROVEMENTS AFTER COMPLETION OF WORK.
- REFER TO DEMOLITION DRAWINGS FOR TREES TO BE REMOVED.
- THE SCALE OF THE LANDSCAPE DRAWINGS ARE HALF THE SCALE INDICATED ON THE PLANS WHEN THE DRAWINGS ARE SIZE 11"X17".



SHEET PREPARED BY:



GreenWorks, P.C.

Landscape Architecture
Environmental Design

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Email: info@greenworkspc.com

APRIL 17, 2020



CERTIFICATE EXPIRES: 10/31/2020
DATE SIGNED: 03/13/2020

SOUTH RIVERFRONT PARK PHASE I DEVELOPMENT

REVISIONS			
NO.	DESCRIPTION	DATE	BY
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WE JO #2272.1019.0

PN: 718412

HORIZ DATUM: NAD 83-SPCS
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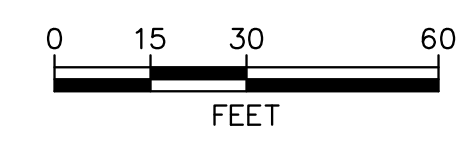
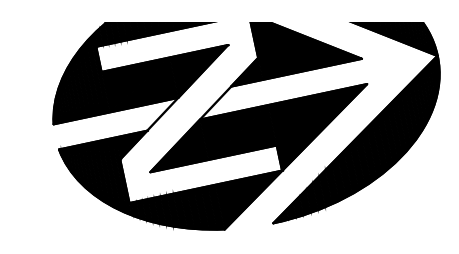
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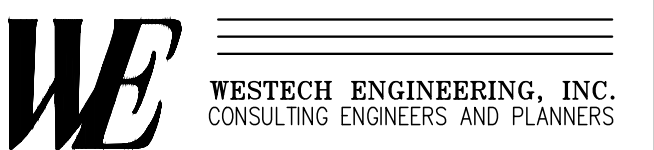
PLANTING NOTES AND LEGEND

L-03

SHEET 50 OF 59



SHEET PREPARED BY:



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Phone: (503) 585-2474 Fax: (503) 585-3986
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SOUTH RIVERFRONT PARK PHASE I DEVELOPMENT

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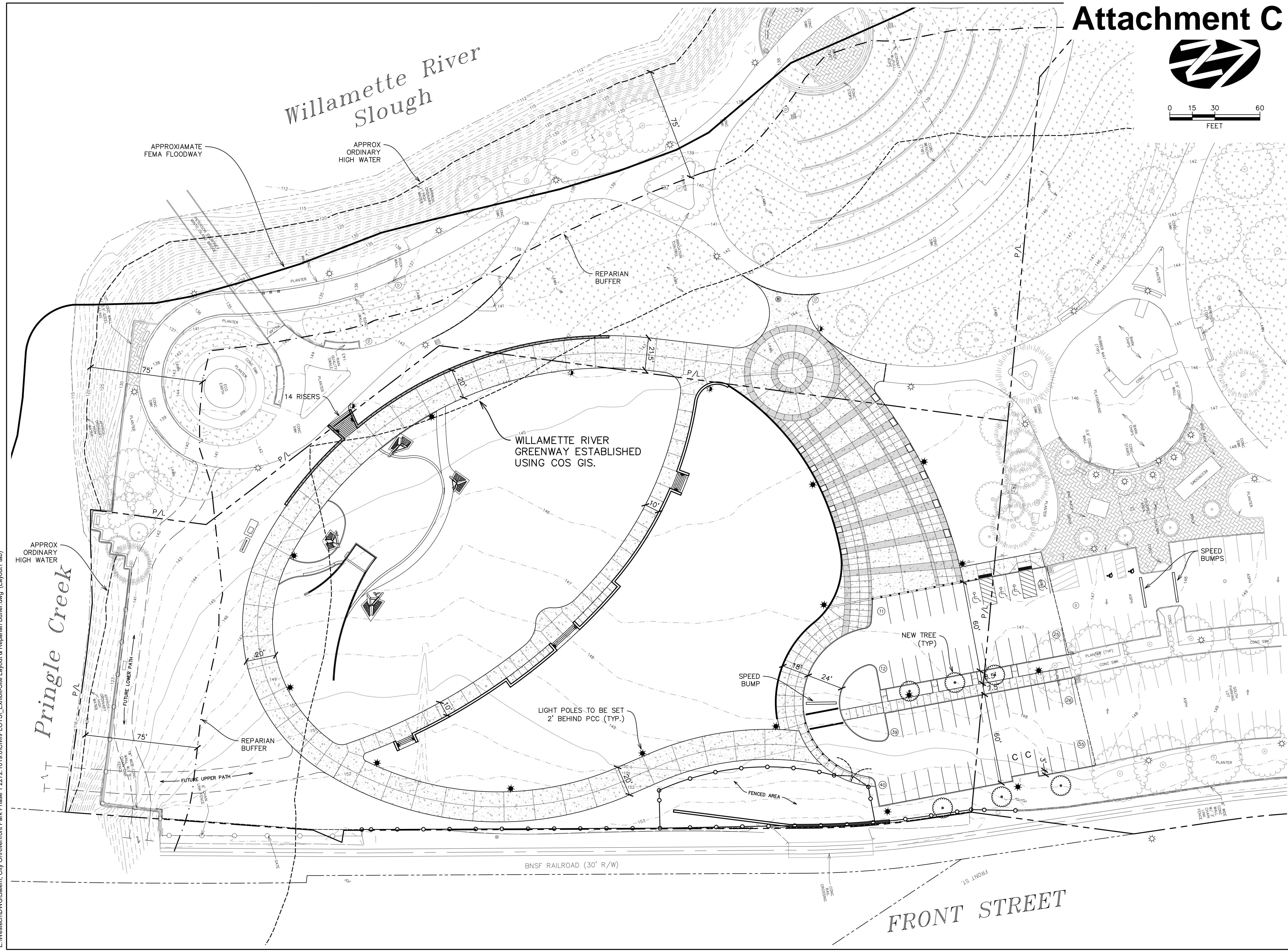
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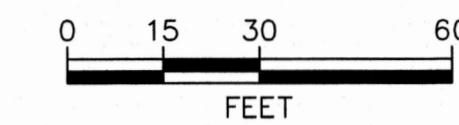
SHEET TITLE

SITE LAYOUT PLAN AND REPARIAN BUFFER EXHIBIT



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Attachment D



SHEET PREPARED BY:

WE WESTECH ENGINEERING, INC.
CONSULTING ENGINEERS AND PLANNERS
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APRIL 17, 2020



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SOUTH RIVERFRONT PARK PHASE I DEVELOPMENT

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APPROVED:

SHEET TITLE

OVERALL UTILITY PLAN

C-07

SHEET 16 OF 59

Willamette River Slough

Pringle Creek

FRONT STREET

CONTRACTOR TO RELOCATE / LOWER EXISTING 6" IRR. LINE. COORDINATE WITH PARKS PERSONNEL.

WM BOX W/QUICK DISCONNECT FOR WAT. & POWER (TYP) (SEE NOTE RIGHT)

WM BOX W/QUICK DISCONNECT FOR WAT. & POWER (TYP) COORDINATE WITH PARKS STAFF FOR EXACT LOCATIONS. INSTALL ONE RAINBIRD 33DRC-3/4" QUICK COUPLING VALVE WITH 33DK 3/4" KEY AND HOSE BIB, IN EACH BOX (15 REQ'D).

NEW FH ASSEMBLY PER COS DTL. #413

SEE SHEET C10 FOR PUBLIC WATER PLAN & PROFILE

NEW FH ASSEMBLY PER COS DTL. #413
1 1/2" DC ASSY.
1 1/2" WM

F.H. TO BE REMOVED BY COS PW.

NEW YARD HYDRANT

NEW 3" DOM. W/L
NEW 8" PUBLIC W/L

BNSF RAILROAD (30' R/W)

FUTURE LOWER PATH
FUTURE UPPER PATH

FENCED AREA



MEMO

TO: Bryce Bishop
Community Development

FROM: Aaron Kimsey, PE
Public Works Department

DATE: February 26, 2020

SUBJECT: **South Riverfront Park Phase I Development
Class II Zoning Adjustment – Written Statement
Project Number 718412**

The proposed project includes the development of the 4-acre parcel within the Riverfront Park area. This parcel was purchased in 2015 from Mountain West Investments for the purpose of expansion of Riverfront Park. The *Riverfront Park Master Plan* was adopted by Council in the fall of 2018 and identified expanding the existing parking lot and constructing a new covered amphitheater on this parcel. Riverfront Park is currently composed of several separate parcels and as a result many uses cross property lines. Through this Zoning Adjustment, we are proposing a reduction to the interior lot line set back for off-street parking and vehicle use from 10'-0" to 0'-0". Outlined below is how the proposed project addresses all applicable criteria for a Class II – Zoning Adjustment permit.

Class II – Zoning Adjustment design criteria:

- **The purpose underlying the specific development standard proposed for adjustment is clearly satisfied by the development.**
 - o Other than the requested change to the Interior Lot line setback adjustment from 10'-0" to 0'-0", the proposed project meets all other off-street parking and vehicle setbacks listed under SRC 806.040.
 - o Ownership of the parcels are under one owner. (City of Salem)
 - o Parking area is designed for a single use, which is for Riverfront Park users.
 - o Total parking area equals 46,150 sf and total landscape area equals 3,540 sf. This exceeds the minimum required landscaping area of 5%.

- **If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.**
 - o The proposed project is not in a residential zone; therefore, the project does not need to satisfy this requirement.

- **If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone.**
 - o Only one Zoning Adjustment is being requested, therefore the project does not need to satisfy this requirement.

We believe that through the findings above, the proposed project meets all applicable approval criteria for a Class II – Zoning Adjustment.

Attachment F



0 15 30 60
FEET

CITY OF *Salem*
AT YOUR SERVICE



SHEET PREPARED BY:



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E-mail: westech@westech-eng.com

APRIL 17, 2020



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SOUTH RIVERFRONT PARK PHASE I DEVELOPMENT

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APPROVED:

SHEET TITLE

FINISH GRADING PLAN WITH AMPHITHEATER

C-03

SHEET 12 OF 59

Willamette River Slough

Pringle Creek

SEE SHEET C11 FOR GRADING DETAILS


REMOVE 2' OF SOIL AND REPLACE WITH CLEAN IMPORTED SOIL (CAPPING FILL).

NOTE:
CONTRACTOR SHALL ASSUME ALL EXISTING ONSITE MATERIAL IS CONTAMINATED. SEE CMMP PLAN FOR ADDITIONAL INFORMATION AND REQUIREMENTS. NO EXISTING ONSITE MATERIAL SHALL BE LESS THAN 2" BELOW FINAL FINISH GRADE TO ALLOW FOR CAPPING FILL CONSISTING OF CLEAN IMPORTED SOIL, CRUSHED ROCK, OR PCC / AC PAVEMENTS AS SHOWN ON THE DRAWINGS.



MEMO

TO: Bryce Bishop, Planner II
Community Development Department

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

DATE: May 26, 2020

**SUBJECT: PUBLIC WORKS RECOMMENDATIONS
SPR-ADJ20-17 (20-103881)
211 FRONT STREET SE
SITE IMPROVEMENTS IN PREPARATION FOR NEW AMPHITHEATER**

PROPOSAL

A consolidated application for proposed improvements to the south end of Riverfront Park to prepare the site for the future covered stage and amphitheater identified in the Salem Riverfront Park Master Plan that will be constructed by the Salem Rotary. The application includes:

1. A Class 3 Site Plan Review for the required site improvements, including grading, utility work, landscaping, lighting, hardscape, and expansion of the existing parking lot to include 55 additional parking spaces; and
2. A Class 2 Adjustment to eliminate the minimum 5-foot parking and vehicle use area setback required, pursuant to SRC 806.035(c)(3), on both sides of the property line between the existing and proposed expanded parking lot.

The property is zoned CB (Central Business District), partially within the Willamette Greenway, and is located at 200 Ferry Street SE (Marion County Assessor Map and Tax Lot Numbers: 073W27BA01490, 1491, 1492, 1700, and 1800).

RECOMMENDED CONDITIONS OF APPROVAL

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

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).

FACTS

Streets

1. The parcels included in this application have no street frontage. The parcels are bordered by City of Salem-owned parcels to the west and north, a BNSF Railroad Company rail-line and private property to the east, and Pringle Creek right-of-way to the south. The nearest street access is approximately one block north at the intersection of Front Street SE and State Street through parcels currently owned by the City of Salem and operated as Salem Riverfront Park.

Storm Drainage

1. Existing Conditions
 - a. A 30-inch storm main is located on the property along the southern and western portions of tax lot 01700.

Water

1. Existing Conditions
 - a. The subject property is located in the G-0 water service level.
 - b. The park is currently served by a 12-inch water main that extends into the park near Court Street NE. Mains of this size generally convey flows of 1,100 to 2,500 gallons per minute.

Sanitary Sewer

1. Existing Conditions
 - a. The park is currently served by a 10-inch sewer main that extends into the park near Court Street NE.

CRITERIA AND FINDINGS

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

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

Finding—With completion of the conditions above, 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.

The southern portion of the subject property is designated on the Federal Emergency Management Agency floodplain maps as a Zone “AE” floodplain and floodway. Based on the applicant’s submittal, the proposed development does not encroach into the mapped floodplain area. Development within the floodplain requires a floodplain development permit and is subject to the requirements of SRC Chapter 601.

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

According to the City’s adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are mapped 2-point landslide hazard areas on the subject property. The proposed activity adds 3 activity points to the proposal, which results in a total of 5 points. Therefore, the proposed development is classified as a moderate landslide risk and requires a geological assessment. Geotechnical Engineering Reports, prepared by GeoEngineers, Inc. and dated March 31, 2020, were submitted to the City of Salem. The reports demonstrate the subject property can be developed without increasing the potential for slope hazard on the site or adjacent properties.

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 proposed development is an expansion of, and proposes to take access from, the existing parking lot along the northern boundary. All parcels involved in the proposed development are under common ownership by the City of Salem and are operated as Salem Riverfront Park. The existing 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.

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 proposed expansion of the existing parking lot along the northern boundary into the subject property 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 is proposing to extend water and stormwater mains from the existing main locations within the property along the northern boundary into the subject property to adequately serve the proposed development. The applicant shall design and construct all utilities (sewer, water, and storm drainage) according to the PWDS and to the satisfaction of the Public Works Director.

The applicant’s engineer submitted a statement demonstrating compliance with Stormwater PWDS Appendix 004-E(4) and SRC Chapter 71. The preliminary stormwater design demonstrates the use of green stormwater infrastructure to the maximum extent feasible. At the time of development, the applicant shall design and construct a storm drainage system in compliance with SRC Chapter 71 and PWDS.

Prepared by: Jennifer Scott, Program Manager
cc: File

Bryce Bishop

From: KNECHT Casey <Casey.KNECHT@odot.state.or.us>
Sent: Friday, May 01, 2020 4:13 PM
To: Bryce Bishop
Subject: ODOT Comments for City of Salem Case SPR-ADJ20-17 - Salem Riverfront Park

Bryce,

Thank you for notifying the Oregon Department of Transportation (ODOT) of the proposal at 200 Ferry St SE in Salem. Please include these comments in the public record and notify ODOT of the land use decision by sending a copy to odotr2planmgr@odot.state.or.us when available.

The site is adjacent to Salem Highway, No. 072 (OR-22, OR-99EB) and is subject to state laws administered by ODOT. The site has access to the highway at the signalized intersection of State Street and Front Street (Salem Highway). The site plan shows a new amphitheater and expanded parking. This proposal will not trigger a Change of Use and therefore, ODOT has no objections to the proposal.

I have been in contact with Aaron Kimsey with City of Salem Public Works to discuss signal operations at the State/Front intersection. ODOT will continue to work with City of Salem Public Works to ensure that the intersection functions in a safe and efficient manner, accounting for any changes brought on by this development.

Please contact me with any questions.

Casey Knecht, P.E.

Development Review Coordinator | ODOT Region 2
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