



Oregon

John A. Kitzhaber, M.D., Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: (503) 373-0050

Fax: (503) 378-5518

www.oregon.gov/LCD



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: 10/24/2014
Jurisdiction: City of Salem
Local file no.: CPC-NPC-ZC-SPR-14-06
DLCD file no.: 016-14

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 10/23/2014. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office. This amendment was submitted without a signed ordinance.

Notice of the proposed amendment was submitted to DLCD 35 days prior to the first evidentiary hearing.

Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR chapter 661, division 10).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or plan.amendments@state.or.us



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE
File No.:
Received:

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See OR 660-018-0040). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use Form 4 for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use Form 5 for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use Form 6 with submittal of an adopted periodic review task.

Jurisdiction: City of Salem

Local file no.: CPC-NPC-ZC-SPR14-06

Date of adoption: 10/21/2014 Date sent: 10/23/2014

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 09/16/2014

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No

If yes, describe how the adoption differs from the proposal:

Local contact (name and title): Chris Green, Planner II *CG*

Phone: 503-540-2326 E-mail: cgreen@cityofsalem.net

Street address: 555 Liberty St SE, Rm 305 City: Salem Zip: 97301-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

Change from Single Family Residential to Commercial. 0.58 acres. A goal exception was required for this change.

Change from _____ to _____ acres. A goal exception was required for this change.

Change from _____ to _____ acres. A goal exception was required for this change.

Change from _____ to _____ acres. A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address): _____

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

Change from Single Family Residential to Retail Commercial. Acres: 0.58

Change from to . Acres:

Change from to . Acres:

Change from to . Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation: Compact Development Overlay. Acres added: . Acres removed: 0.58

Location of affected property (T, R, Sec., TL and address): 073W28AB 00300, 0301 & 0302 - 220 Kingwood Ave NW and 1255 + 1257 2nd St NW

List affected state or federal agencies, local governments and special districts:

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

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 COMMISSION

**COMPREHENSIVE PLAN MAP CHANGE / NEIGHBORHOOD PLAN CHANGE /
ZONE CHANGE / CLASS 3 SITE PLAN REVIEW CASE NO. CPC-NPC-ZC-
SPR14-06**

APPLICATION NOS.: 14-114207-ZO, 14-114209-ZO & 14-115482-RP

NOTICE OF DECISION DATE: OCTOBER 22, 2014

REQUEST: A consolidated Comprehensive Plan Map Amendment, Zone Change, Neighborhood Plan Change, and Site Plan Review for three adjacent properties located on 2nd Street NW.

The applicant proposes to change the Salem Area Comprehensive Plan (SACP) Map designation from Single Family Residential to Commercial, change the zone district from RS (Single Family Residential) with Compact Development Overlay, Edgewater-Wallace Area 6 to CR (Retail Commercial), and change the West Salem Neighborhood Plan accordingly, on property approximately 0.58 acres in size and located at 220 Kingwood Avenue NW and 1255 & 1257 2nd Street NW (Polk County Assessor's Map and Tax Lot numbers: 073W28AB00300, 0301, and 0302). The applicant also requests Site Plan Review to change the use of existing single family residences at 1255 & 1257 2nd Street NW to offices.

APPLICANT: NORTHWEST HUMAN SERVICES

LOCATION: 1255 & 1257 2ND ST NW and 220 KINGWOOD AVE NW

CRITERIA: Salem Revised Code Chapters 64, 220 and 265

DECISION:

The Planning Commission **GRANTED** Comprehensive Plan Map Change / Neighborhood Plan Change / Zone Change / Class 3 Site Plan Review Case No. CPC-NPC-ZC-SPR14-06, subject to the following conditions of approval:

- A. That the Salem Area Comprehensive Plan (SACP) map designation change request for the subject property from Single Family Residential to Commercial be GRANTED.
- B. That the Neighborhood Plan Change to change the subject property's West Salem Neighborhood Plan Map designation from Single Family with Compact Development Overlay to Commercial be GRANTED.
- C. That the zone change request for the subject property from RS (Single Family Residential) to CR (Retail Commercial) be GRANTED, subject to the following conditions of approval:

Condition 1: In addition to the uses prohibited in the underlying zone, the following uses shall be prohibited on the site:

- Lumber and building materials dealers
- Motor Vehicle and Manufactured Dwelling and Trailer Sales
- Motor Vehicle Services

- Heavy Vehicle and Trailer Sales
- Heavy Vehicle and Trailer Service and Storage
- Major Event Entertainment
- Building and Grounds Services and Construction Contracting
- Industrial Services
- Waste-Related Facilities
- Agriculture
- Forestry
- Any use if developed with a drive-through

Condition 2: Any new buildings shall have the following setbacks from 2nd Street:

- Minimum: 0 feet
- Maximum: 10 feet
- Where a minimum of 50 percent of buildable lot width of a lot is already occupied by buildings, or portions of buildings, located within 10 feet of the 2nd Street right-of-way, the maximum setback shall not apply.

Condition 3: Along 2nd Street NW, off-street surface parking shall not occupy more than 50 percent of the street frontage of the lot, except that where a lot has frontage on 2nd Street NW and a side street, off-street parking may occupy more than 50 percent of the side street frontage.

Condition 4: Traffic impacts from future development to the subject property shall be limited to a maximum of 55 average daily trips generated by the proposed use or uses, calculated pursuant to the then-current Institute of Transportation Engineers (ITE) Trip Generation manual.

D. That the Class 3 Site Plan Review request to change the use of existing single family residences at 1255 and 1257 2nd Street NW to office use be GRANTED, subject to the following conditions of approval:

Condition 5: Provide an on-site bicycle parking area that accommodates a minimum of 4 bicycles, pursuant to SRC Chapter 133.

VOTE:

Yes 4 No 1 (McKinley) Absent 2 (Blasi, Palmateer)


 Rich Fry, President
 Salem Planning Commission

The rights granted by the attached decision for the CLASS 3 SITE PLAN REVIEW must be exercised, or an extension granted, by November 6, 2018, or the approval for the Class 3 Site Plan Review shall be null and void.

A copy of the decision is attached.

Application Deemed Complete: September 16, 2014
 Public Hearing Date: October 21, 2014
 Notice of Decision Mailing Date: October 22, 2014
 Decision Effective Date: November 6, 2014
 State Mandate Date: January 14, 2015

Case Manager: Chris Green, cgreen@cityofsalem.net

This decision is final unless written appeal from an aggrieved party is filed with the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem OR 97301, no later than 5:00 p.m., November 5, 2014. Any person who presented evidence or testimony at the hearing may appeal the decision. The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapters 64, 220 and 265. 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 City Council will review the appeal at a public hearing. After the hearing, the City Council may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

The complete case file, including findings, conclusions and conditions of approval, if any, is available for review at the Planning Division office, Room 305, City Hall, 555 Liberty Street SE, during regular business hours.

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

TO: Planning Commission

FROM: Lisa Anderson-Ogilvie, Urban Planning Administrator 

STAFF: Christopher Green, Planner II

HEARING DATE: October 21, 2014

APPLICATION: Comprehensive Plan Change / Neighborhood Plan Change / Zone Change / Site Plan Review 14-06

LOCATION: 1255 and 1257 2nd Street NW; 220 Kingwood Avenue NW (Polk County Assessor's Map and Tax Lot Numbers 073W28AB00300, 0301, and 0302)

SIZE: 0.58 acres

REQUEST: A consolidated application for three abutting lots on 2nd Street NW that contains the following requests:

- (1) Comprehensive Plan Change to change the site's Salem Area Comprehensive Plan Map designation from "Single Family Residential" to "Commercial";
- (2) Neighborhood Plan Change to Change the site's West Salem Neighborhood Plan Map designation from Single Family Residential with Compact Development Overlay to Commercial;
- (3) Zone Change request to change to zone district from RS (Single Family Residential) with Compact Development Overlay, Edgewater-Wallace Area 6 to CR (Commercial Retail);
- (4) Class 3 Site Plan Review request to change the use of existing single family residences to office use.

APPLICANT: Northwest Human Services

APPROVAL CRITERIA: Comprehensive Plan Amendment: Salem Revised Code, Ch. 64
Site Plan Review: Salem Revised Code, Ch. 220
Zoning Map Amendment: Salem Revised Code, Ch. 265

RECOMMENDATION: APPROVE subject to the following conditions:

The following conditions apply to the Zone Change:

Condition 1: In addition to the uses prohibited in the underlying zone, the following uses and activities shall be prohibited on the site:

- Lumber and building materials dealers
- Motor Vehicle and Manufactured Dwelling and Trailer Sales
- Motor Vehicle Services
- Heavy Vehicle and Trailer Sales
- Heavy Vehicle and Trailer Service and Storage
- Major Event Entertainment
- Building and Grounds Services and Construction Contracting
- Industrial Services
- Waste-Related Facilities
- Agriculture
- Forestry
- Any use if developed with a drive-through

Condition 2: Any new buildings shall have the following setbacks from 2nd Street:

- (a) Minimum: 0 feet
- (b) Maximum: 10 feet
- (c) Where a minimum of 50 percent of buildable lot width of a lot is already occupied by buildings, or portions of buildings, located within 10 feet of the 2nd Street right-of-way, the maximum setback shall not apply.

Condition 3: Along 2nd Street NW, off-street surface parking shall not occupy more than 50 percent of the street frontage of the lot, except that where a lot has frontage on 2nd Street NW and a side street, off-street parking may occupy more than 50 percent of the side street frontage.

Condition 4: Traffic impacts from future development to the subject property shall be limited to a maximum of 55 average daily trips generated by the proposed use or uses, calculated pursuant to the then-current Institute of Transportation Engineers (ITE) Trip Generation manual.

The following condition applies to the Site Plan Review:

Condition 5: Provide an on-site bicycle parking area that accommodates a minimum of 4 bicycles, pursuant to SRC Chapter 133.

APPLICATION PROCESSING

Subject Application

On August 14, 2014, Michael Paluska submitted the subject application on behalf of the applicant, Northwest Human Services, Inc. After additional required information was received, the application was deemed complete for processing on September 16, 2014. The public hearing for the application is scheduled for October 21, 2014.

120-Day Requirement

Amendments to an acknowledged Comprehensive Plan are not subject to the 120-day rule (Oregon Revised Statutes [ORS] 227.128). The other requests included in this consolidated application are subject to the 120-day rule. The state-mandated 120-day deadline to issue a final local decision in this case is January 14, 2015, unless an extension is granted by the applicant.

Public Notice

1. Notice of the proposed Comprehensive Plan Change, Zone Change, Neighborhood Plan Change and Site Plan Review was distributed to City departments and public and private service providers on October 1, 2014 (Attachment 1). A revised notice was issued on October 2, 2014, to correct property owner information.
2. Notice of the public hearing was mailed to the owners of all property within 250 feet of the subject property on October 1, 2014 (Attachment 1). A revised notice was issued on October 2, 2014, to correct property owner information.
3. The property was posted in accordance with the posting provision outlined in SRC 300.620.
4. State law (ORS 197.610) and SRC 300.602(b)(1) require the City to provide the Oregon Department of Land Conservation and Development (DLCD) a minimum 35-day notice when an applicant or the City proposes an amendment to an acknowledged Comprehensive Plan or land use regulation or to adopt a new land use regulation. The City sent notice of this proposal to DLCD on September 16, 2014.

Background Information

The subject site consists of three adjoining lots totaling 0.58 acres in size (Polk County Assessor's Map and Tax Lot Numbers 073W28AB00300, 0301, and 0302). Tax Lot 300 is

situated on the corner of 2nd Street NW and Kingwood Avenue NW, and is developed with a small office building (ca. 1959), storage building (ca. 2012) and parking lot. Tax Lots 301 and 302 have frontage on 2nd Street NW and were developed with single family residences in 1950 and 1930, respectively.

Northwest Human Services, Inc. has acquired the three lots (NWHS). NWHS is a non-profit 501(c)(3) that operates medical, dental, mental health, and social service programs. The main NWHS facility is located across 2nd Street NW from the site, at 1233 Edgewater Street NW. NWHS owns the existing developments on the Tax Lot 300, which are lawful non-conforming uses, with the office established in 1959 and approved to include the storage building and parking in 2012 (Case No. CU-SPR12-11). The proposal would allow conversion of the existing dwellings to office use and the continued use of the office, storage, and parking on Tax Lot 300 as a permitted rather than non-conforming use.

Summary of Requested Action

The applicant is requesting an amendment to the Salem Area Comprehensive Plan (SACP) Map to change the Comprehensive Plan Map designation for the subject properties from Single Family Residential to Commercial, a Neighborhood Plan Change to change the site's West Salem Neighborhood Plan designation from Single Family Residential with Compact Development Overlay to Commercial, a Zone Change request to change the zone district from RS (Single Family Residential) with Compact Development Overlay and Second Street Corridor Overlay to CR (Commercial Retail), and a site plan review to change the use of existing single family residences to offices.

Pursuant to Salem Revised Code (SRC) 631.005(a), the Compact Development Overlay zone can only be applied to properties with an underlying zoning of RS. Accordingly, the zone change from RS to CR requested by the applicant would also result in the removal of the Compact Development Overlay on the site. The Second Street Corridor overlay would remain in place.

The proposal would make the existing nonconforming office use on Tax Lot 300 a permitted use, allow the applicant to convert the existing residences on Tax Lots 301 and 302 into offices, and potentially convert Tax Lots 301 and 302 into other office or retail uses in the future.

Neighborhood Association Comments

The subject property is located within the West Salem Neighborhood Association (WSNA). Notification was sent to the neighborhood association on October 1, 2014. As of the date of this staff report, neighborhood associations had not submitted written comments.

Public Comments

All property owners within 250 feet of the subject property were mailed notification of the

proposed partition. As of the date of this staff report, no members of the public have submitted written comments.

City Department Comments

Public Works Department (Development Services and City Traffic Engineer) - reviewed the proposal and indicated that they concur with the trip cap proposed by the applicant. The Public Works Department indicated that the proposal is consistent with preliminary comments made by the Public Works Department following the Pre-Application conference on the proposal. Those comments are referenced in relevant portions of this report, and included in full as Attachment 4.

Salem Fire Department – reviewed the proposal and indicated that they have no specific comments on this case.

Salem Police Department – reviewed the proposal and indicated that they have no specific comments on this case.

Salem Urban Forester - reviewed the proposal and indicated that street trees should be protected on Kingwood Avenue NW.

Public and Private Service Provider Comments

Notification was sent to public and private service providers and utilities on October 1, 2014. As of the date of this staff report, no service providers or utilities submitted written comments.

Salem Area Comprehensive Plan (SACP) Designation

The Salem Area Comprehensive Plan (SACP) map designates the subject property as "Single Family Residential." The Comprehensive Plan designations of surrounding properties include:

Northeast: "Single Family Residential"

Northwest: "Single Family Residential"

Southeast: (Across 2nd Street NW) "Commercial"

Southwest: (Across Kingwood Avenue NW) "Single Family Residential"

Neighborhood Plan: The subject property is within the West Salem Neighborhood Association (WSNA). WSNA has a neighborhood plan, which was adopted by the Salem City Council in 2001. The Generalized Land Use Map for the plan designates the subject properties as "Multi-Family Residential," with a notation indicating that "The multi-family designation in this area represents single-family zoning with a Compact Development Overlay. Within this area, a maximum of 12 dwelling units per acre is permitted with additional design guidelines and standards, as stipulated by the Salem Zoning Code." The Compact Development Overlay zone is implemented by Chapter 631 of the Salem Revised Code.

Relationship to the Urban Service Area

The subject property is located within the City's Urban Service Area (USA); therefore, an Urban Growth Area Development Permit is not required for development of the property.

Applicable Detail Plans

Detail plans are prepared as policy guides to the Salem Area Comprehensive Plan and are specific plans for a particular geographic area of the City, or for the provision or performance of some particular service or function.

Salem Transportation System Plan (TSP): The TSP uses a Street Classification System to determine the functional classification of each street within the City's street system. The subject property has frontages on 2nd Street NW and Kingwood Avenue NW. 2nd Street NW which are both designated as local streets.

Zoning

The subject properties are zoned RS (Single Family Residential), Compact Development and Second Street Corridor Overlays. The zoning of surrounding properties is described as follows:

- North:** RS (Single Family Residential) with Compact Development and Second Street Corridor Overlays
- South:** (Across 2nd Street NW) RS (Single Family Residential) with Edgewater Street Corridor Overlay
- East:** RS (Single Family Residential) with Compact Development and Second Street Corridor Overlays
- West:** (Across Kingwood Avenue NW) RS (Single Family Residential) with the Compact Development and Second Street Corridor Overlays

Existing Site Conditions

The subject site consists of three adjoining lots totaling 0.58 acres in size (Polk County Assessor's Map and Tax Lot Numbers 073W28AB00300, 0301, and 0302). Tax Lot 300 is situated on the corner of 2nd Street NW and Kingwood Avenue NW, and is developed with a one-story non-conforming office building (ca. 1959), a storage building of approximately 1,378 square feet, and a parking lot. Tax Lots 301 and 302 are rectangular, interior lots with frontage on 2nd Street NW. Tax Lot 301 is approximately 0.16 acres in size and was developed with the existing single family residence in 1950. Tax Lot 302 is approximately 0.15 acres in size and was developed with the existing single family residence in 1930.

Circulation and Access: All three properties take access from 2nd Street NW. The parking lot on Tax Lot 300 also has an exit-only driveway onto Kingwood Avenue NW.

Trees: The City's tree preservation ordinance protects heritage trees, significant trees (*including Oregon White Oaks with a diameter-at-breast-height of 24 inches or greater*), trees and vegetation within riparian corridors, and trees on lots or parcels greater than 20,000 square feet. There are no waterways on the subject property.

Any development of the subject property must comply with the tree preservation requirements of SRC Chapter 808 (Preservation of Trees and Vegetation). Pursuant to the City's tree preservation requirements, no heritage trees, significant trees, or riparian corridor trees or riparian corridor native vegetation shall be removed.

Wetlands: According to the Salem Keizer Local Wetland Inventory (LWI) there are no mapped wetlands on the subject property.

Landslide Hazards: The site is generally flat. According to the City's adopted landslide hazard susceptibility maps, there are no areas of mapped landslide hazards on the subject properties.

Applicant Submittal Information:

Requests for a Minor Comprehensive Plan Change must include a statement addressing each applicable approval criterion and standard. Similarly, requests for a zone change and site plan approval must be supported by proof that they conform to all applicable criteria imposed by the Salem Revised Code. The applicant submitted such statements and proof, which are included in their entirety as Attachment 2 to this staff report. Staff utilized the information from the applicant's statements to evaluate the applicant's proposal and to compose the facts and findings within the staff report.

FINDINGS APPLYING THE APPLICABLE SALEM REVISED CODE CRITERIA FOR A COMPREHENSIVE PLAN AMENDMENT

Salem Revised Code (SRC) 64.025(e)(2) establishes the approval criteria for Comprehensive Plan Map amendments. In order to approve a quasi-judicial Plan Map amendment request, the decision-making authority shall make findings of fact based on evidence provided by the applicant that demonstrates satisfaction of all of the applicable criteria. The applicable criteria are shown below in **bold** print. Following each criterion is a finding relative to the amendment requested.

SRC 64.025(e)(2)(A): The Minor Plan Map Amendment is justified based on the existence of one of the following:

- (i) ***Alteration in Circumstances.* Social, economic, or demographic patterns of the nearby vicinity have so altered that the current designations are no longer appropriate.**
- (ii) ***Equally or Better Suited Designation.* A demonstration that the proposed**

designation is equally or better suited for the property than the existing designation.

- (iii) ***Conflict Between Comprehensive Plan Map Designation and Zone Designation.*** A Minor Plan Map Amendment may be granted where there is conflict between the Comprehensive Plan Map designation and the zoning of the property, and the zoning designation is a more appropriate designation for the property than the Comprehensive Plan Map designation. In determining whether the zoning designation is the more appropriate designation, the following factors shall be considered:
- (aa) **Whether there was a mistake in the application of a land use designation to the property;**
 - (bb) **Whether the physical characteristics of the property are better suited to the uses in the zone as opposed to the uses permitted by the Comprehensive Plan Map designation;**
 - (cc) **Whether the property has been developed for uses that are incompatible with the Comprehensive Plan Map designation; and**
 - (dd) **Whether the Comprehensive Plan Map designation is compatible with the surrounding Comprehensive Plan Map designations.**

Finding: SRC 64.025(e)(2)(A)(ii) supports the applicant's request to change the Comprehensive Plan map designation for the subject properties. The Edgewater/Second Street Redevelopment Action Plan, approved by the West Salem Redevelopment Advisory Board in 2010, describes "key vision elements and desired outcomes" for the district including transformation of 2nd Street into a "mixed-use street." To this end, a \$4.8 million reconstruction of 2nd Street, including sidewalks, street trees, customer parking, improved lighting, and utility upgrades were completed in December 2013. The existing RS (Single Family Residential) zoning and Compact Development Overlay allows a limited range of allowed uses, almost all residential. The RS zone does not permit retail, office, or civic uses necessary to establish a "mixed-use, pedestrian-oriented" district. The proposed Commercial designation would allow office, retail, service, and some residential uses, consistent with recent action plans and infrastructure investments in the area. The proposal meets this criterion.

SRC 64.025(e)(2)(i) does not apply to the proposal. The applicant's statement describes how the removal of railroad tracks and rail traffic on 2nd Street NW, paving and other improvements made to the 2nd Street right-of-way, and a general decline in industrial uses in the vicinity have altered social, economic, and demographic patterns. While these changes have improved the suitability of the 2nd Street corridor for commercial or mixed uses, they do not render the current Single Family Residential designation inappropriate for properties on the north side of 2nd Street.

SRC 64.025(e)(2)(A)(iii) does not apply since there is not a conflict between the designation on the Comprehensive Plan Map and the zoning of the subject properties.

SRC 64.025(e)(2)(B): The property is currently served, or is capable of being served, with public facilities and services necessary to support the uses allowed by the proposed plan map designation;

Applicant Statement: The site is located within the boundary of the Urban Service Area. Therefore, all public facilities and services are readily available to serve the site for development. City engineering staff, in the report for PRE-APP NO. 14-19 dated June 25, 2014, found that the water, sewer, and storm infrastructure are available within the surrounding streets/areas and appear to be adequate to serve the existing and future tenants.

On-site public facility and service improvements will be reviewed for conformance with adopted facility plans at the time of further site development. See Exhibit J, existing conditions plan.

Finding: Staff concurs with the applicant's statement. The 8-inch G-0 waterlines in 2nd Street NW and Kingwood Avenue NW and 21-inch sewer main in Kingwood Avenue NW are adequately sized to handle commercial redevelopment of the area. An existing 10-inch public storm line is located in 2nd Avenue NW and an 18-inch line is located in Kingwood Avenue NW. Therefore, water, sewer, and storm infrastructure are available within surrounding streets/areas and appear to be adequate to serve future uses. Tax Lot 300 has frontage on Kingwood Street NW, which provides direct access to Edgewater Street NW, designated as a minor arterial in the Salem Transportation System Plan (TSP). All three lots within the subject property have frontage on 2nd Street NW, which provides east-west access connecting with the existing street system in the area. Site-specific infrastructure requirements for any future development of the site would be addressed in the Site Plan Review process in SRC Chapter 220. The proposal meets this criterion.

SRC 64.025(e)(2)(C): The proposed plan map designation provides for the logical urbanization of land;

Applicant Statement: The vicinity surrounding the property is fully built-out and developed as an established urban area in the immediate vicinity of a major transportation corridor. The proposed map designation does not disturb the established urban area and continues to provide for the logical urbanization of land. As discussed above, the change to a commercial plan designation will promote a diversity of uses, directly advancing the vision of this area as a mixed-use center.

Staff Response: Staff concurs with the applicant's statement. The subject properties occupy an area of transition between a commercial district centered on Edgewater and 2nd Streets

and a residential neighborhood to the north. The predominant uses of both districts were established decades ago although the railroad tracks which once ran down the center of 2nd Street and indicated a boundary between the two areas has since been removed. As the applicant states, the Edgewater/Second Street Redevelopment Action Plan calls for transformation of 2nd Street NW to a "mixed use street." The change to a commercial designation would allow a much greater range of uses on the subject properties, including mixed-use development. The recent investment in rebuilding 2nd Street, including the addition to streetscape amenities on both sides of the street, supports the inclusion of some commercial uses on the site. The applicant has indicated that the proposal would facilitate more intensive use of its existing clinical building on the south side of 2nd Street for clinical services, while concentrating support activities, which involve few or no daily visits from patients or the general public, on the north side of 2nd Street. Staff finds that the proposal meets this criterion.

SRC 64.025(e)(2)(D): The proposed land use designation is consistent with the Salem Area Comprehensive Plan and applicable Statewide planning goals and administrative rules adopted by the Department of Land Conservation and Development; and

Findings:

Consistency with the Salem Area Comprehensive Plan (SACP)

This proposal to change the Comprehensive Plan map designation from "Single Family Residential" to "Commercial" is consistent with the Salem Area Comprehensive Plan as follows:

Urban Growth Policies (Page 13, Salem Comprehensive Policies Plan):

- a. *To contain urban development within planned areas where basic services such as sewers, water, facilities, police and fire protection can be efficiently and economically provided.*
- b. *To conserve resources by encouraging orderly development of land.*
- c. *To preserve and enhance the livability of the area.*
- d. *To use public facilities and services as a framework for urban development.*

Response: All public services and utilities are available in the vicinity of the subject property including water, sewer, storm drainage, streets, bike lanes, sidewalks, fire and police protection, public transit (Cherriots bus lines #12 and #24), electricity and telephone, and solid waste disposal. The proposal is consistent with these policies.

Salem Urban Area Goals and Policies, Mixed Use Development Goal (Page 35, Salem Comprehensive Policies Plan):

To provide a mixture of complementary land uses that may include housing, retail, offices, services, industrial and civic uses, to create economic and social vitality.

Applicant Statement: The change from Single Family Residential to Commercial will provide the opportunity to site a diversity of uses which are not currently permitted on site. The surrounding vicinity is well stocked with existing single family dwellings. A commercial designation would provide additional opportunities to site retail, office, service and industrial and civic uses, as well as multifamily residential development.

Response: Staff concurs with the applicant's statement. The Commercial designation proposed by the applicant would generally increase the range of allowed uses on the site. The size of the site subject to the Plan Map change is appropriately scaled for complementary, neighborhood-serving commercial uses.

Salem Urban Area Goals and Policies, Commercial Development Goal (Page 35, Salem Comprehensive Policies Plan):

5. *Neighborhood and Community Shopping and Service Facilities*

Unless the existing development patterns along arterials and collectors commits an area to strip development, new commercial development shall be clustered to provide convenience goods and services for neighborhood residents or a wide variety of goods and services for a market area of several neighborhoods.

Applicant's Statement: The vision for this particular area is that it will be a diverse mixture of uses providing goods and services to the residents of the immediate area. The change to a commercial designation will help promote this vision, and helping to move towards more clustered development as opposed to a single strip of development along Edgewater.

Response: Staff concurs with the applicant's statement. The Commercial designation proposed by the applicant would facilitate clustered retail and office development on 2nd Street, in addition to the existing corridor on Edgewater Street. The change would allow the applicant to consolidate non-clinical support functions such as billing and maintenance to the subject properties, and increase capacity to provide services within the applicant's clinical building south of 2nd Street.

6. *Commercial office uses shall have convenient access to collector and arterial streets.*

Applicant's Statement: The Site abuts Kingwood Avenue NW and Second Street NW, both of which are classified as local streets in the Salem Transportation Systems Plan (TSP). These local streets provide convenient access to Edgewater Street NW, which is located approximately 1 block away from the site and is designated as a Minor Arterial in the TSP.

Response: Staff concurs with the applicant's statement.

This proposal to change the Comprehensive Plan map designation from "Single Family Residential" to "Commercial" is consistent with the applicable statewide planning goals and administrative rules adopted by the Department of Land Conservation and Development as follows:

Goal 1 – Citizen Involvement

Finding: A Minor Plan Change is processed as a quasi-judicial land use action. Public notice is required and a public hearing will be held giving interested citizens an opportunity to be involved in the process. The City, through the Salem Revised Code, has created proper procedures to ensure citizens the opportunity to have input in zoning changes. Opportunities for public input will be available in the hearings process prior to action on this proposal.

A public hearing notice was mailed to the affected property owners, all property owners within 250 feet of the subject property and the neighborhood association. The City has therefore met its obligation of providing for citizen involvement under Statewide Planning Goal 1, as defined through the City's adopted procedures.

In addition to the City's required citizen involvement tasks, the applicant has actively engaged the neighborhood association to keep them apprised of what is happening with the property.

This satisfies Citizen Involvement described in Goal 1.

Goal 2 – Land Use Planning

Finding: The Salem Area Comprehensive Plan is adopted by the City and acknowledged by the Land Conservation and Development Commission (LCDC) as being in compliance with Oregon Statewide Planning Goals, statutes and administrative rules. The City has established a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Goal 5 – Open Spaces, Scenic and Historic Areas, and Natural Resources

Finding: No resources have been identified or designated on the subject property under Goal 5.

Goal 6 – Air, Water and Land Resources Quality

Applicant Statement: The applicant proposes to convert existing single-family residences into office uses. The existing uses on the site, as well as adjacent uses which this project will support, have not and will not exceed the carrying capacity of the air and water resources available to serve the site. Development of the site will not result in the production or discharge of waste except in the manner of a small scale commercial uses [sic]. Specifically, the proposed development will not require the direct discharge of waste into the surrounding air or water resources and will rely on City waste services entirely. Moreover, the site is within

the City's Urban Services Area, and thus the City currently has adequate water, stormwater, and sewer services either in place or fully committed to serve the site. Therefore, the City can adequately serve the proposed development's waste and discharge needs, and future development will not exceed the current resources' carrying capacity.

Staff Response: Staff concurs with the applicant's statement. The site has been previously developed and existing City services are in place to accommodate moderate increases in discharge of waste that could occur from future redevelopment allowed under the proposed designation. The proposal would not otherwise result in adverse impacts to air, water, or land resources quality. Staff finds that the proposal is consistent with Goal 6.

Goal 7 – Areas Subject to Natural Disasters and Hazards

Applicant Statement: The proposed zoning designation and land use does not conflict with or affect any policies associated with Goal 7, as there are no mapped or identified natural hazards that affect this site and the area is planned to be used as offices to support the main facility on Edgewater, all within a commercial zone. Goal 7 is therefore not applicable to this request.

Finding: Staff concurs with the applicant's statement and finds that the proposal is consistent with Goal 7.

Goal 8 – Recreational Needs

Applicant Statement: The proposed zoning designation and land use does not conflict with or affect any policies associated with Goal 8, as the area is planned to be used as offices to support the main facility on Edgewater, all within a commercial zone. Parks and recreation facilities are planned or already provided to serve this area. Goal 8 is therefore not applicable to this request.

Finding: Staff concurs with the applicant's statement and finds that the proposal is consistent with Goal 8.

Goal 9 – Economic Development

Applicant Statement: The facility provides a place of employment for some of its clerical staff. Additionally, the offices will be a productive reuse of existing buildings. Changing the Plan Map designation to facilitate the use of existing residences will ensure that this Site is able to be established as economically productive land in an area targeted for a mixture of uses.

Finding: Staff concurs with the applicant's statement and finds that the proposal is consistent with Goal 9.

Goal 10 – Housing

Applicant Statement: The applicant proposes to convert approximately .58 acres of land from primarily residential uses to commercial uses. If approved, the applicant anticipates that the current single family dwellings would be converted into offices.

According to the Salem-Keizer Housing Needs Analysis 2012-2032, Salem has more capacity in the Single Family Residential designation than demand for housing. A conversion of 0.58 acres from single-family residential uses to commercial uses (which includes multifamily housing as a potential use) will not violate Goal 10.

Finding: Staff concurs with the applicant's statement. The three lots currently provide two units of single family residential housing. The Salem-Keizer Housing Needs Analysis 2012-2032 was not adopted by the City and cannot be used to address this application. However, the applicant is correct that the analysis indicates Salem does not have a shortage of single family residential housing. The applicant correctly states that multifamily housing is a "potential use" in the commercial designation. However, multiple family housing is listed as a conditional (rather than permitted) use in the CR (Retail Commercial) zone requested by the applicant, and the relatively small size of the subject lots present challenges for development of multifamily housing on the site. The proposal would not have an impact on the ability of the City to provide for its projected housing needs, even if no new housing units were added in future redevelopment of the site. The proposal meets the requirements of Goal 10.

Goal 11 – Public Facilities and Services

Finding: All necessary public services and utilities including water, sewer, storm drainage, streets, fire and police protection, public transit, electricity, telephone, and solid waste disposal, are currently available. The provision of public facilities and services are adequate for potential commercial uses on the subject property. Therefore, the proposal meets the requirements of Goal 11.

Goal 12 – Transportation

Applicant Statement: The applicant has submitted a TPR analysis. See Exhibit K. The analysis conducted by Project Delivery Group, LLC, found that the current RS zoning could allow development which would generate 55 trips per day. Therefore, the engineer recommended that a condition of approval be added limiting development to uses generating less than 55 average daily trips to ensure compliance with the Transportation Planning Rule. The applicant would not object to such a condition. The report went on to review potential uses for the Site where zoning was changed to CR. Assuming a 20% coverage ratio, the owner could build a 5000 square foot office, which would generate 55 trips per day, so development of the site is viable even with a trip cap condition. As discussed previously, the applicant does not plan to develop a 5000 square foot office, but rather use the existing office and convert the existing residences on the Site (approximately 3800 square feet total).

Finding: Goal 12 is implemented by the Transportation Planning Rule (TPR). In summary, the TPR requires local governments to adopt Transportation System Plans (TSPs) and requires local governments to consider transportation impacts resulting from land use decisions and development. The key provision of the TPR related to local land use decisions is Oregon Administrative Rule (OAR) 660-012-0060. This provision is triggered by amendments to comprehensive plans and land use regulations that “significantly affect” a surrounding transportation facility (road, intersection, etc.). Where there is a “significant effect” on a facility, the local government must ensure that any new allowed land uses are consistent with the capacity of the facility. In the context of a site-specific comprehensive plan change request, such as this proposal, a “significant effect” is defined under Oregon Administrative Rule (OAR) 660-012-0060(1) as either an amendment that “allows types or levels of land uses which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility,” or an amendment that would “reduce the performance standards of an existing or planned facility below the minimum acceptable level identified in the TSP.”

The applicant for a comprehensive plan change is required to submit a Transportation Planning Rule (TPR) analysis to demonstrate that their request will not have a “significant effect” on the surrounding transportation system, as defined above. The applicant submitted a Traffic Impact Analysis (TIA) in consideration of the requirements of the Transportation Planning Rule (OAR 660-012-0060). The applicant’s TIA recommends a “trip cap” of no more than 55 average daily trips to development located on the subject property, in order to ensure no significant effect on the surrounding transportation system. The City Traffic Engineer concurs that the proposal will not have a significant effect on the transportation system if conditioned to include this limitation on average daily trips to and from the site. The proposal meets the requirements of Goal 12.

Goal 13 – Energy Conservation

Applicant Statement: The site is well-suited for the proposed commercial designation because it will facilitate the applicant’s proposed office use within existing buildings in close proximity to a high-capacity transportation corridor, and in an area that is actively seeking to add a diverse mix of uses that will promote alternative modes of transportation. The proposed zoning designation and land use is consistent with the policies associated with Goal 13 established by the SACP. The site is adjacent to a large residential neighborhood. Expanding the commercial area will provide more opportunities for a diverse mix of offerings.

Public transit service, (Routes #12 and #24 are available within 2 blocks of the Site. By choosing to expand the existing operation in West Salem, the applicant is creating a more efficient operation, which would reduce SOV trips to satellite locations, and could promote more carpooling opportunities due to the expanded number of employees.

Finding: Staff concurs with the applicant's statement and finds that the proposal is consistent with Goal 13.

Goal 14 – Urbanization

Finding: This application does not affect urban growth areas, as the property has been within the City of Salem for many decades. The change in land use designation from Residential to Commercial is consistent with the commercial development on the adjacent Edgewater/2nd Street corridor. Therefore, staff finds that the proposal is consistent with Goal 14.

SRC 64.025(e)(2)(E): The amendment is in the public interest and would be of general benefit.

Applicant Statement: As discussed at length above, the change to a commercial plan designation will directly advance the vision for this area as a mixed use center. The commercial designation will provide additional opportunities to site commercial and office uses, as well as multifamily residential uses, to supplement the stock of single family residential uses which already existing in the vicinity.

The applicant has been providing medical, dental and mental health services to low income and disenfranchised members of Marion and Polk Counties since 1970. Approximately 40% of its patient population is covered by Medicaid; 20% by Medicare; 30% are uninsured, and 10% are covered by commercial insurance plans. With the expansion of the Affordable Care Act, the applicant is charged with growing their services to meet the needs of the expanded Medicaid population. To accomplish this goal, the applicant will need additional physical space dedicated for exam rooms from their direct service clinical teams. Approval of this application will enable the applicant to move non-clinical (i.e. billing, maintenance, etc.) across the street from the main campus, allowing the applicant to remodel and expand the current clinical service areas (1233 Edgewater St. NW). The non-clinical services proposed to be relocated have a small number of staff and very few, if any, visits each day from patients and/or the general public. Creating the additional space will enable the applicant to significantly expand the number of medical providers, examination rooms and daily volume of clinical services provided to patients.

Finally, the applicant has demonstrated its commitment to rehabilitating existing buildings in this area and improving the appearance and viability of this area. If approved, the applicant will continue to do the same with existing single family residences on the Site.

Finding: Staff concurs with the applicant's statement. The proposal would allow Northwest Human Services to make more efficient use of available space in the vicinity, thereby increasing the total space devoted to clinical care in an easily accessible location within an established commercial district close to a limited access state highway (SR 22), minor arterial (Edgewater Street NW) and two Cherriots routes (#12 and #24). The proposed change in

Plan map designation and zoning would also allow for a greater mix of land uses on 2nd Street NW, consistent with the goals outlined the Edgewater/Second Street Redevelopment Plan and the public investments in improvements to 2nd Street. The proposal satisfies this criterion.

**FINDINGS APPLYING TO THE NEIGHBORHOOD PLAN MAP AMENDMENT FROM
“SINGLE FAMILY RESIDENTIAL WITH COMPACT DEVELOPMENT OVERLAY” TO
“COMMERCIAL”**

Finding: The property is located within the West Salem Neighborhood Association. The Association has a neighborhood plan adopted by the Salem City Council in 2004. The West Salem Neighborhood Plan Generalized Land Use Map designates the property “Multi-Family.” The map includes an explanation that for the area including the site and vicinity, the multi-family designation “represents single-family zoning with a Compact Development Overlay.”

The existing building on the property was constructed prior to the adoption of the neighborhood plan and prior to any zoning regulations. Applicant requests a change from "Multi-family Residential" to "Commercial."

The West Salem Neighborhood Plan states:

LAND USE, URBAN DESIGN, AND HOUSING POLICIES (Page 12)

Maximize Use of Land

1.1 Encourage higher densities, infill, and mixed-use opportunities, where appropriate, to minimize the need for UGB expansion.

Applicant Statement: The change to Commercial would expand the availability of land which could specifically be used for retail and office opportunities to complement the existing housing inventory. Additional land zoned Commercial would specifically encourage the mix of uses that residents in this neighborhood are actively trying to encourage.

Finding: Staff concurs with the applicant’s statement. The proposal would allow eventual redevelopment of the subject property in a mixed-use format with a higher density than currently exists.

Self-Sufficient Economic Infrastructure

1.6 Encourage nonresidential uses that provide a range of jobs to support the employment needs of residents in West Salem.

Applicant Statement: The applicant has already demonstrated that they are a stable employer in this area, and the redesignation will allow them to expand their services in the short term to ensure they continue to provide, and expand upon, the services and employment opportunities they already provide. Redesignating the Site from "Multifamily" to "Commercial" will directly encourage nonresidential uses that will provide a range of jobs.

Finding: The proposal may result in a small increase in employment provided at the NWHS clinical facility south of 2nd Street, due to more efficient use of that space and potential to expand space for providing clinical services. The use of existing residences as back offices for NWHS may also result in the relocation of a small number of jobs to the neighborhood, as presently scattered functions are consolidated at the West Salem location. The proposal also facilitates future redevelopment of the site, which could include office or other commercial uses providing space for employment.

Support Neighborhood Businesses

1.8 Encourage the short-term (0-15) years redevelopment of the Edgewater/Wallace area with compatible pedestrian-oriented retail and office uses, while supporting existing industrial uses consistent with the West Salem Urban Renewal Plan, which is generally described in Chapter 8 of this document.

Applicant Statement: The Applicant has already begun to redevelop and remodel its existing facilities in the Edgewater/Second Street corridor. Changing the permitted uses on the Site will accelerate the redevelopment of this particular area. The Site is ideally situated next to transportation (Edgewater and transit service) and within walking distance of a number of services, such as Safeway commercial development, and the other existing businesses on Edgewater.

Finding: Staff concurs with the applicant's statement. The proposed office uses are compatible with pedestrian-oriented retail and office uses in the vicinity, as well as single-family residences to the north and east. The Commercial designation proposed by the applicant would encourage future redevelopment of the property with a greater variety of available uses than allowed under the current Plan Map designation and zoning.

Livability and Urban Design

1.10 Support zone changes to allow neighborhood and pedestrian friendly uses while taking measures (i.e. Planned Unit Development (PUD), development agreements, mixed use zoning) to achieve compatibility and an appropriate scale and design of office, commercial, and residential development.

Applicant Statement: As described above, the Site is already located in an area which is well-suited for pedestrians. Adding the possibility for commercial and office uses should

encourage the mixed-use, pedestrian-friendly area that the neighborhood has been actively trying to develop. The Site is made up of lots designed for single-family residences. The size of the lots are such that large scale commercial or office uses could not likely be developed on these individual properties without further land use approval. This zoning change would retain the general compatibility of with the surrounding residential areas, and expand upon the existing commercial areas that already exist adjacent to the site.

Finding: Staff concurs that the existing lot sizes and overall size of the site would serve to limit the scale of future structures developed on the site. In addition, the trip cap proposed by the applicant (55 annual daily trips) would also serve to curtail large-scale development on the Site. In order to ensure compatible uses and design of future developments, staff recommends conditions incorporating certain development standards contained in the Edgewater Street Development zone (SRC Chapter 610). These conditions are described in further detail below, in findings applying the request for a zone change.

FINDINGS APPLYING TO THE APPLICABLE SALEM REVISED CODE CRITERIA FOR THE ZONING MAP AMENDMENT

The following analysis addresses the proposed zone change the subject property from RS (Residential Single Family) to CR (Retail Commercial). SRC Chapter 265.005 provides the criteria for approval for Quasi-Judicial Zone Changes. In order to approve a quasi-judicial Zone Map amendment request, the review authority shall make findings based on evidence provided by the applicant demonstrating that all the following criteria and factors are satisfied. The extent of the consideration given to the various factors set forth below will depend on the degree of impact of the proposed change, and the greater the impact of a proposal on the area, the greater is the burden on the applicant to demonstrate that, in weighing all the factors, the zone change is appropriate.

The applicable criteria and factors are stated below in **bold** print. Following each criterion is a response and/or finding relative to the amendment requested. The applicant provided justification for all applicable criteria (Attachment 2).

SRC 265.005(e)(1)(A). The zone change is justified based on one or more of the following:

- (i) A mistake in the application of a land use designation to the property**
- (ii) A demonstration that there has been a change in the economic, demographic, or physical character of the vicinity such that the zone would be compatible with the vicinity's development pattern.**
- (iii) A demonstration that the proposed zone change is equally or better suited for the property than the existing zone. A proposed zone is equally or**

better suited than an existing zone if the physical characteristics of the property are appropriate for the proposed zone and the uses allowed by the proposed zone are logical with the surrounding land uses.

Applicant's Statement: The applicant submits that the same justifications cited above in response to the criteria set forth in UDC [SRC] 64.025(e)(2)(A) supporting a comprehensive plan change from single family residential to commercial are equally applicable to support a finding that a zone change from RS to CR meets the criteria of UDC [SRC] 265.005(e)(1). The applicant specifically incorporates those proposed findings above to fulfill these criteria. In sum, the Site is at least as equally suited for commercial retail uses, if not better suited, in light of the specific vision for this area to be a mixed-use and pedestrian-oriented center. While small, the Site can support neighborhood scale commercial and office uses. The south side of Second Street is exclusively zoned under the same CR zoning designation. Changes over the years have shaped the vision for this area and the desire to move towards a mixed use model that incorporates a diversity of uses to support the neighborhood.

For the reasons set forth above, this request complies with UDC [SRC] 265.005(e)(1)(A)(ii) and UDC [SRC] 265.005(e)(1)(A)(iii).

Finding: As noted by the applicant, the criteria for justifying a Comprehensive Plan Map Amendment under SRC 64.025(e)(2)(A) are very similar to those considered for a zone change under SRC 265.005(e)(1). There are also two differences in the criteria pertinent to the applicant's proposal.

First, SRC 265.005(e)(1)(A)(ii) can justify a zone change if conditions in vicinity of the property have changed to the point that the proposed zone is compatible with the vicinity's development pattern, whereas SRC 64.025(e)(2)(A)(i) requires that changes in the vicinity render the existing Plan Map designation "no longer appropriate." While changes in the vicinity, including commercial development in the Edgewater/2nd Street district, removal of railroad tracks from the 2nd Street right-of-way, and streetscape improvements on 2nd Street do not render the current Single Family Residential designation inappropriate, the proposed CR zoning is compatible with nearby development patterns.

Second, the proposed Plan Map amendment would change of the land use designation of the subject properties to "Commercial," which can be implemented by multiple zoning districts contained in the Unified Development Code. In evaluating the proposed zone change, the suitability of the specific zone (Commercial Retail) proposed by the applicant must be considered, as well as the effect of removing the Compact Development Overlay and leaving the Second Street Corridor Overlay in place.

The subject property is located near an area of transition between commercial development along Edgewater Street NW and a neighborhood of predominantly single family residences. The SACP includes policies that foster mixed-use development in infill locations as well as

policies protecting “residential areas from more intensive land use activity in abutting zones.” Boundaries between Single Family Residential and Commercial Plan Map designations, RS and CR zones, and Edgewater and 2nd Street overlay districts all run down the center of 2nd Street. The asymmetrical streetscape design implemented in the 2nd Street reconstruction also reflects the transition from the north side of the street to the south; 8’ sidewalks, street trees, and diagonal parking are included on the south side of the street, while the north edge of the right-of-way is less intensively developed, with 5’ sidewalks and parallel parking. The rear lot lines of each of the lots on the subject property abut rear and side yards of single family residences.

At the Pre-Application Conference for the proposal, city staff suggested that a change to CO (Commercial Office) may be preferable to CR because it would provide a transition between the CR zoning to the south and the historically residential areas to the north. At the same time, staff indicated that a change to either CR or CO would be consistent with the vision for 2nd Street as a “mixed use area” in the Edgewater/2nd Street Redevelopment Action Plan. The Unified Development Code primarily implements mixed use development through zoning overlays, and neither the CO nor the CR zone provide for a full range of mixed use development on their own. For instance, the CO zone only permits a very limited range of retail or eating and drinking establishments, while the CR zone only permits a limited range of single and multiple family housing uses.

The subject property also sits at the border of two overlay zones. The Edgewater Street Corridor overlay zone runs one block north from Edgewater Street NW, including properties on the block south of 2nd Street adjacent to the subject property. This purpose of this zone is described in SRC 610.001 as establishing “development standards that promote pedestrian-oriented mixed-use development in keeping with a ‘main street’ character.” Beginning on the north side of the street, and including the subject property, the Second Street Corridor overlay zone is described in SRC 611 as promoting “live/work opportunities in close proximity to Second Street NW.” The zone change proposed by the applicant would not alter either of these overlay districts. Because most types of residential development are not permitted outright in the CR zone, the Second Street Corridor overlay would have limited applicability to the underlying zoning proposed by the applicant.

The applicant’s proposal would continue the NWHS campus and commercial and mixed-use development pattern across 2nd Street, but with the north side of 2nd Street containing office uses that would involve fewer daily visits. The overall compatibility of the proposed Plan Map change and zone change with existing land uses must also be evaluated based on allowable future redevelopment of the site. Because the subject properties lie outside the boundary of the Edgewater Street Corridor Overlay zone, and the Compact Development Overlay zone would no longer apply to the subject property under CR zoning, the rezone would result in the site having the only properties in the vicinity not subject to design review. In addition, the Edgewater Street Corridor Overlay includes additional restrictions on drive-throughs and

certain higher impact uses that are not as compatible with the mixed-use “main street” purpose of that overlay.

Although the site directly abuts single family residential properties, the limitations found south of 2nd Street would not carry over from the Edgewater corridor. Staff has reviewed the development standards contained in SRC 610.020 and design review standards in SRC 610.025 and recommends that certain requirements from the Edgewater Street Corridor Overlay zone related to allowed uses, setbacks, and surface parking areas be adopted as conditions of the subject zone change. Such conditions, if adopted, would only apply to new development on the property.

In order to ensure that future development on the site is compatible with the development patterns established by the mixed-use district in the vicinity of 2nd Street NW and Edgewater Street NW, staff recommends the following conditions of approval:

Condition 1: In addition to the uses prohibited in the underlying zone, the following uses and activities shall be prohibited on the site:

- Lumber and building materials dealers
- Motor Vehicle and Manufactured Dwelling and Trailer Sales
- Motor Vehicle Services
- Heavy Vehicle and Trailer Sales
- Heavy Vehicle and Trailer Service and Storage
- Major Event Entertainment
- Building and Grounds Services and Construction Contracting
- Industrial Services
- Waste-Related Facilities
- Agriculture
- Forestry
- Any use if developed with a drive-through

Condition 2: Any new buildings shall have the following setbacks from 2nd Street:

(d) Minimum: 0 feet

(e) Maximum: 10 feet

(f) Where a minimum of 50 percent of buildable lot width of a lot is already occupied by buildings, or portions of buildings, located within 10 feet of the 2nd Street right-of-way, the maximum

setback shall not apply.

Condition 3: Along 2nd Street NW, off-street surface parking shall not occupy more than 50 percent of the street frontage of the lot, except that where a lot has frontage on 2nd Street NW and a side street, off-street parking may occupy more than 50 percent of the side street frontage.

As conditioned, the proposal meets the criterion.

(B) If the zone change is City-initiated, and the change is for other than City-owned property, the zone change is in the public interest and would be of general benefit.

Finding: The proposal is not a City-initiated zone change. Therefore, this criterion does not apply.

(C) The zone change conforms with the applicable provisions of the Salem Area Comprehensive Plan.

(D) The zone change complies with applicable Statewide Planning Goals and applicable administrative rules adopted by the Department of Land Conservation and Development.

Findings addressing the Comprehensive Plan Change criterion SRC 64.025(e)(2)(D), included earlier in this report, address the applicable provisions of the Salem Area Comprehensive Plan and applicable Statewide Planning Goals and Oregon Administrative Rules for this consolidated comprehensive plan change, neighborhood plan change, and zone change request. The proposal satisfies this criterion.

(E) If the zone change requires a comprehensive plan change from an industrial use designation to a non-industrial use designation, or from a commercial or employment designation to any other use designation, a demonstration that the proposed rezone is consistent with its most recent economic opportunities analysis and the parts of the Comprehensive Plan which address the provision of land for economic development and employment growth; or be accompanied by an amendment to the Comprehensive Plan to address the proposed rezone; or include both the demonstration and an amendment to the Comprehensive Plan.

Finding: The proposed zone change is from RS (Residential Single Family) to CR (Retail Commercial). No industrial Comprehensive Plan designations or zoning districts are involved in the proposal. Therefore, this criterion does not apply.

(F) The zone change does not significantly affect a transportation facility, or, if the

zone change would significantly affect a transportation facility, the significant effects can be adequately addressed through the measures associated with, or conditions imposed on, the zone change.

Applicant's Statement: The zone change will not significantly affect a transportation facility. The Site is served by Second St. NW and Kingwood Ave. NW, and is approximately a block from Edgewater St. NW. Second St. NW is already adjacent to land zoned CR. The TPR does not indicate any current traffic capacity issues in the vicinity of the Site. As discussed above, applicant recommends a condition of approval limiting uses on the Site to 55 trips per day to ensure that the comprehensive plan and zone change would not significantly affect a transportation facility.

Finding: The applicant submitted a Transportation Planning Rule (TPR) analysis, which addressed the question of whether traffic generated by development of the site under the proposed CR zone would significantly affect the surrounding transportation infrastructure, when compared to the amount of traffic that could be generated under the existing Single Family Residential with Compact Development Overlay.

The TPR Analysis (Attachment 6) concludes that the site could generate up to 58 average daily trips (ADT) if fully developed under the existing Single Family Residential with Compact Development Overlay plan map designation. The applicant proposes a limit of 55 ADT to be included as a condition upon this re-zone request. In order to ensure that future uses on the re-zoned site will not generate more average daily trips than the site could potentially generate under the current plan map designation, staff recommends the following condition of approval:

Condition 4: Traffic impacts from future development to the subject property shall be limited to a maximum of 55 average daily trips generated by the proposed use or uses, calculated pursuant to the then-current Institute of Transportation Engineers (ITE) Trip Generation manual.

As conditioned, the proposal meets this criterion.

(G)The property is currently served, or is capable of being served, with public facilities and services necessary to support the uses allowed in the proposed zone.

Applicant's Statement: The Site is located within the boundary of the Urban Service Area. Therefore, all public facilities and services are readily available to service the Site for development. No changes are proposed to the buildings on the Site at this time. On-site public facility and service improvements will be reviewed at the time of any future site development.

Finding: Findings addressing the Comprehensive Plan Change criterion SRC 64.025(e)(2)(B), included earlier in this report, address the public facilities and services available to support commercial uses allowed on the subject property. The proposal satisfies this criterion.

FINDINGS APPLYING TO THE APPLICABLE SALEM REVISED CODE CRITERIA FOR SITE PLAN REVIEW

SRC 220.005(f)(3) states:

An application for Class 3 Site Plan Review shall be granted if:

- (1) The application meets all applicable standards of the UDC;**
- (2) The transportation system provides for the safe, orderly, and efficient circulation of traffic into and out of the proposed development, and negative impacts to the transportation system are mitigated adequately;**
- (3) Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians; and**
- (4) The proposed development will be adequately served with City water, sewer, storm drainage, and other utilities appropriate to the nature of the development.**

Criterion 1: The application meets all applicable standards of the UDC.

Applicant Statement: The site plan review request is consolidated with requests by the Applicant to change the comprehensive plan designation, the neighborhood plan designation, and the zoning designation. Provided these other requests are approved, the Applicant's proposed uses will be allowed uses on the site.

Additionally, the applicant does not propose to do any work at this time to the exterior of the buildings which would require a building permit, therefore there will be no changes to setbacks, lot coverage and other development standards related to buildings on the Site. Only interior improvements will be necessary if the Applicant wishes to convert the single family dwellings into office space.

Finding: The subject property is zoned Retail Commercial (CR) (see consolidated Zone Change application) and offices are permitted use in this zone under SRC Chapter 522. Site Plan Review is required with any development or new use requiring a building permit, such as this. Provided that the consolidated re-zone is approved, then the applicant has addressed and met all required development standards per SRC Chapter 522 (Retail Commercial),

Chapter 807 (Landscaping and Screening), and Chapter 806 (Off-Street Parking, Loading, and Driveways).

As shown on the site plan, the applicant has met all UDC requirements. The site plan shows the vehicle and pedestrian circulation pattern; parking stalls and aisle way locations and dimensions; disabled parking location; landscaped setbacks; site grading; utilities and hydrants; and service areas. There is no new exterior development proposed at this time.

Criterion 2: The transportation system provides for the safe, orderly, and efficient circulation of traffic into and out of the proposed development, and negative impacts to the transportation system are mitigated.

Finding: The existing street system is adequate to serve the proposed development and the development is not proposing a building addition pursuant to 77.150(a)(1)(b), so no right-of-way dedication or street improvements are required. The subject property is located along 2nd Street NW and Kingwood Avenue NW. 2nd Street NW runs along the south side of the subject property, thus linking the site to existing transportation. 2nd Street NW provides a direct connection east and west to the street system that serves the area. The subject property is approximately one block north of Edgewater Street NW, a minor arterial, and one block northeast of an access point onto the Salem-Dallas Highway (State Route 22).

Public transit service is available one block to the south at the corner of Edgewater and Kingwood (Routes #12 and #24). All street frontages in the immediate vicinity include sidewalks.

Criterion 3: Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians.

Applicant Statement: All of the individual lots which make up the Site take primary access off of Second St., which has recently been improved. The Site is also in the vicinity of Kingwood Ave. 2nd Street NW is designated as a local street in the Salem TSP and has an approximate 40-foot improvement within a 60-foot-wide right-of-way abutting the Site. The standard for a local street is a 30-foot-wide improvement within a 60-foot-wide right-of-way. As discussed previously, the Applicant's proposals will not significantly affect any transportation facility. The Site is served by Second St. NW and Kingwood Ave. NW, and is approximately a block from Edgewater St. NW. Second St. NW is already adjacent to land zoned CR. The TSP does not indicate any current traffic capacity issues in the vicinity of the Site. Applicant is also recommending a condition of approval limiting the uses on the Site to 55 trips per day to ensure that the Applicant's development will not significantly affect a transportation facility.

Finding: Staff concurs with the applicant's statement. As stated above, Tax Lots 301 and 302 have access via 2nd Street NW to the existing street system serving the area. Tax Lot

300 has access to both 2nd Street NW and Kingwood Avenue NW, which provides direct access to Edgewater Street NW. The site has 14 off-street parking spaces in a striped parking lot on Tax Lot 300. The applicant proposes to incorporate existing driveways on Tax Lots 301 and 302 and a one-car garage on Tax Lot 301 to provide an additional 4 off-street parking spaces.

Paved 5-foot wide sidewalks run along the west and south of the site along 2nd Street and Kingwood Avenue. The sidewalks provide connections to building entrances, parking areas, and the public sidewalk system.

The site plan shows the vehicle and pedestrian circulation pattern; parking stalls and aisle way locations and dimensions; loading area; disabled parking locations; building setbacks and sizes; landscaped areas; and service areas.

The following condition is recommended, to ensure that bicycle parking is provided on site in accordance with the requirements of SRC Chapter 806:

Condition 5: Provide an on-site bicycle parking area that accommodates a minimum of 4 bicycles, pursuant to SRC Chapter 133.

Criterion 4: 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 proposal for this site. The water, sewer, and storm infrastructure are available within surrounding streets and areas and are adequate to serve the proposed use in the existing buildings.

RECOMMENDATION

Staff recommends that the Planning Commission adopt the facts and findings of the staff report and APPROVE, by resolution, the following actions for Comprehensive Plan Change / Neighborhood Plan Change / Zone Change / Site Plan Review 14-06 on property consisting of three lots and located at 1255 and 1257 2nd Street NW and 220 Kingwood Avenue NW (Polk County Assessor map and tax lot numbers 073W28AB00300, 0301, and 0302).

- A. That the Salem Area Comprehensive Plan (SACP) map designation change request for the subject property from Single Family Residential to Commercial be GRANTED.
- B. That the Neighborhood Plan Change to change the subject property's West Salem Neighborhood Plan Map designation from Single Family with Compact Development Overlay to Commercial be GRANTED.
- C. That the zone change request for the subject property from RS (Single Family Residential) to CR (Retail Commercial) be GRANTED, subject to the following conditions of approval:

Condition 1: In addition to the uses prohibited in the underlying zone, the following uses shall be prohibited on the site:

- Lumber and building materials dealers
- Motor Vehicle and Manufactured Dwelling and Trailer Sales
- Motor Vehicle Services
- Heavy Vehicle and Trailer Sales
- Heavy Vehicle and Trailer Service and Storage
- Major Event Entertainment
- Building and Grounds Services and Construction Contracting
- Industrial Services
- Waste-Related Facilities
- Agriculture
- Forestry
- Any use if developed with a drive-through

Condition 2: Any new buildings shall have the following setbacks from 2nd Street:

(g) Minimum: 0 feet

(h) Maximum: 10 feet

(i) Where a minimum of 50 percent of buildable lot width of a lot is already occupied by buildings, or portions of buildings, located within 10 feet of the 2nd Street right-of-way, the maximum setback shall not apply.

Condition 3: Along 2nd Street NW, off-street surface parking shall not occupy more than 50 percent of the street frontage of the lot, except that where a lot has frontage on 2nd Street NW and a side street, off-street parking may occupy more than 50 percent of the side street frontage.

Condition 4: Traffic impacts from future development to the subject property shall be limited to a maximum of 55 average daily trips generated by the proposed use or uses, calculated pursuant to the then-current Institute of Transportation Engineers (ITE) Trip Generation manual.

D. That the Class 3 Site Plan Review request to change the use of existing single family residences at 1255 and 1257 2nd Street NW to office use be GRANTED, subject to the following conditions of approval:

Condition 5: Provide an on-site bicycle parking area that accommodates a minimum of 4 bicycles, pursuant to SRC Chapter 133.

- Attachments:
1. Public Hearing Notice & Vicinity Map
 2. Applicant's Statement Addressing Approval Criteria
 3. Site Plan
 4. Public Works Department Comments
 5. Zoning Map
 6. Applicant's Transportation Planning Rule Analysis

Prepared by Christopher Green, Planner II 



REVISED

HEARING NOTICE

LAND USE REQUEST AFFECTING THIS AREA

Audiencia Pública

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

CASE NUMBER:	Comprehensive Plan Map Change / Neighborhood Plan Change / Zone Change / Class 3 Site Plan Review Case No.CPC-NPC-ZC-SPR14-06
AMANDA APPLICATION NO:	14-114207-ZO, 14-114209-ZO & 14-115482-RP
HEARING INFORMATION:	Salem Planning Commission, TUESDAY, OCTOBER 21, 2014, AT 5:30 P.M., Council Chambers, Room 240, Civic Center
PROPERTY LOCATION:	1255 2ND ST NW, SALEM OR 97304
OWNER:	RICHARD BRAMLETT <i>NORTHWEST HUMAN SERVICES</i>
APPLICANT / AGENT:	NORTHWEST HUMAN SERVICES / MICHAEL J. PALUSKA
DESCRIPTION OF REQUEST:	<p>A consolidated Comprehensive Plan Map Amendment, Zone Change, Neighborhood Plan Change, and Site Plan Review for three adjacent properties located on 2nd Street NW.</p> <p>The applicant proposes to change the Salem Area Comprehensive Plan (SACP) Map designation from Single Family Residential to Commercial, change the zone district from RS (Single Family Residential) with Compact Development Overlay, Edgewater-Wallace Area 6 to CR (Retail Commercial), and change the West Salem Neighborhood Plan accordingly, on property approximately 0.58 acres in size and located at 220 Kingwood Avenue NW and 1255 & 1257 2nd Street NW (Polk County Assessor's Map and Tax Lot numbers: 073W28AB00300, 0301 and 0302). The applicant also requests Site Plan Review to change the use of existing single family residences at 1255 & 1257 2nd Street NW to offices.</p>
CRITERIA TO BE CONSIDERED:	<p>Comprehensive Plan</p> <p>Pursuant to SRC 64.025(e)(2), the greater the impact of the proposed Minor Plan Map Amendment, the greater the burden on an applicant to demonstrate that the criteria are satisfied. A Minor Plan Map Amendment may be made if it complies with the following:</p> <p>(A) The Minor Plan Map Amendment is justified based on the existence of one of the following:</p> <ul style="list-style-type: none">(i) Alteration in Circumstances. Social, economic, or demographic patterns of the nearby vicinity have so altered that the current designations are no longer appropriate.(ii) Equally or Better Suited Designation. A demonstration that the proposed designation is equally or better suited for the property than the existing designation.(iii) Conflict Between Comprehensive Plan Map Designation and Zone Designation. A Minor Plan Map Amendment may be granted where there is a conflict between the Comprehensive Plan Map designation and the zoning of the property, and the zoning designation is a more appropriate designation for the property than the Comprehensive Plan Map designation. In determining whether the zoning designation is the more appropriate designation, the following factors shall be considered:<ul style="list-style-type: none">(aa) Whether there was a mistake in the application of a land use designation to the property;

- (bb) Whether the physical characteristics of the property are better suited to the uses in zone as opposed to the uses permitted by the Comprehensive Plan Map designation;
 - (cc) Whether the property has been developed for uses that are incompatible with the Comprehensive Plan Map designation; and
 - (dd) Whether the Comprehensive Plan Map designation is compatible with the surrounding Comprehensive Plan Map designations.
- (B) The property is currently served, or is capable of being served, with public facilities and services necessary to support the uses allowed by the proposed plan map designation;
 - (C) The proposed plan map designation provides for the logical urbanization of land;
 - (D) The proposed land use designation is consistent with the Salem Area Comprehensive Plan and applicable Statewide planning goals and administrative rules adopted by the Department of Land Conservation and Development; and
 - (E) The amendment is in the public interest and would be of general benefit.

Zone Change

Pursuant to SRC 265.005(e)(1), a QUASI-JUDICIAL ZONE CHANGE shall be granted if the following criteria are met:

- A. The zone change is justified based on the existence of one or more of the following:
 - (i) A mistake in the application of a land use designation to the property
 - (ii) A demonstration that there has been a change in the economic, demographic, or physical character of the vicinity such that the proposed zone would be compatible with the vicinity's development pattern; or
 - (iii) A demonstration that the proposed zone is equally or better suited for the property than the existing zone. A proposed zone is equally or better suited for the property than an existing zone if the physical characteristics of the property are appropriate for the proposed zone and the uses allowed by the proposed zone are logical with the surrounding land uses.
 - B. If the zone change is City-initiated, and the change is for other than City-owned property, the zone change is in the public interest and would be of general benefit.
 - C. The zone change complies with the applicable provisions of the Salem Area Comprehensive Plan.
 - D. The zone change complies with applicable Statewide Planning Goals and applicable administrative rules adopted by the Department of Land Conservation and Development.
 - E. If the zone change requires a comprehensive plan change from an industrial designation to a non-industrial designation, or a comprehensive plan change from a commercial or employment designation to any other designation, a demonstration that the proposed zone change is consistent with the most recent economic opportunities analysis and the parts of the Comprehensive Plan which address the provision of land for economic development and employment growth; or be accompanied by an amendment to the Comprehensive Plan to address the proposed zone change; or include both the demonstration and an amendment to the Comprehensive Plan.
 - F. The zone change does not significantly affect a transportation facility, or, if the zone change would significantly affect a transportation facility, the significant effects can be adequately addressed through the measures associated with, or conditions imposed on, the zone change.
 - G. The property is currently served, or is capable of being served, with public facilities and services necessary to support the uses allowed by the proposed zone.
2. The greater the impact of the proposed zone change on the area, the greater the burden on the applicant to demonstrate that the criteria are satisfied.

Class 3 Site Plan Review

Pursuant to SRC 220.005(f)(3), an application for a *CLASS 3 SITE PLAN REVIEW* shall be granted if:

- (A) The application meets all applicable standards of the UDC;
- (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;
- (C) Parking areas and driveways are designed to facilitate safe and efficient

ovement of vehicles, bicycles, and pedestrians; and
(D) .ne proposed development will be adequate., served with City water, sewer, stormwater facilities, and other utilities appropriate to the nature of the development.

HOW TO PROVIDE TESTIMONY:

Any person wishing to speak either for or against the proposed request may do so in person or by representative at the Public Hearing. Written comments may also be submitted at the Public Hearing. Include case number with the written comments. Prior to the Public Hearing, written comments may be filed with the Salem Planning Division, Community Development Department, 555 Liberty Street SE, Room 305, Salem, Oregon 97301. Only those participating at the hearing, in person or by submission of written testimony, have the right to appeal the decision.


HEARING PROCEDURE:

The hearing will be conducted with the staff presentation first, followed by the applicant's case, neighborhood organization comments, testimony of persons in favor or opposition, and rebuttal by the applicant, if necessary. The applicant has the burden of proof to show that the approval criteria can be satisfied by the facts. Opponents may rebut the applicant's testimony by showing alternative facts or by showing that the evidence submitted does not satisfy the approval criteria. Any participant may request an opportunity to present additional evidence or testimony regarding the application. A ruling will then be made to either continue the Public Hearing to another date or leave the record open to receive additional written testimony.

Failure to raise an issue in person or by letter prior to the close of the Public Hearing with sufficient specificity to provide the opportunity to respond to the issue, precludes appeal to the Land Use Board of Appeals (LUBA) on this issue. A similar failure to raise constitutional issues relating to proposed conditions of approval precludes an action for damages in circuit court.

Following the close of the Public Hearing a decision will be issued and mailed to the applicant, property owner, affected neighborhood association, anyone who participated in the hearing, either in person or in writing, and anyone who requested to receive notice of the decision.

CASE MANAGER:

Chris Green, Case Manager, City of Salem Planning Division, 555 Liberty Street SE, Room 305, Salem, Oregon 97301. Telephone: 503-540-2326; E-mail: cgreen@cityofsalem.net 

NEIGHBORHOOD ORGANIZATION:

West Salem Neighborhood Association, Josh Pollock, Land Use Chair; Phone: 503-584-1859; Email: joshpollock@comcast.net

DOCUMENTATION AND STAFF REPORT:

Copies of the application, all documents and evidence submitted by the applicant are available for inspection at no cost at the Planning Division office, City Hall, 555 Liberty Street SE, Room 305, during regular business hours. Copies can be obtained at a reasonable cost. The Staff Report will be available seven (7) days prior to the hearing, and will thereafter be posted on the Community Development website: www.cityofsalem.net/Departments/CommunityDevelopment/Planning/PlanningCommission/Pages/default.aspx

ACCESS:

The Americans with Disabilities Act (ADA) accommodations will be provided on request.

NOTICE MAILING DATE:

October 2, 2014

PLEASE PROMPTLY FORWARD A COPY OF THIS NOTICE TO ANY OTHER OWNER, TENANT OR LESSEE.
<http://www.cityofsalem.net/planning>








It is the City of Salem's policy to assure that no person shall be discriminated against on the grounds of race, religion, color, sex, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, gender identity and source of income, as provided by Salem Revised Code Chapter 97. The City of Salem also fully complies with Title VI of the Civil Rights Act of 1964, and related statutes and regulations, in all programs and activities. Disability-related modification or accommodation, including auxiliary aids or services, in order to participate in this meeting or event, are available upon request. Sign language and interpreters for languages other than English are also available upon request. To request such an accommodation or interpretation, contact the Community Development Department at 503-588-6173 at least two business days before this meeting or event. TTD/TTY telephone 503-588-6439 is also available 24/7

Vicinity Map

1255 & 1257 2nd St. NW; 220 Kingwood Ave. NW



Legend

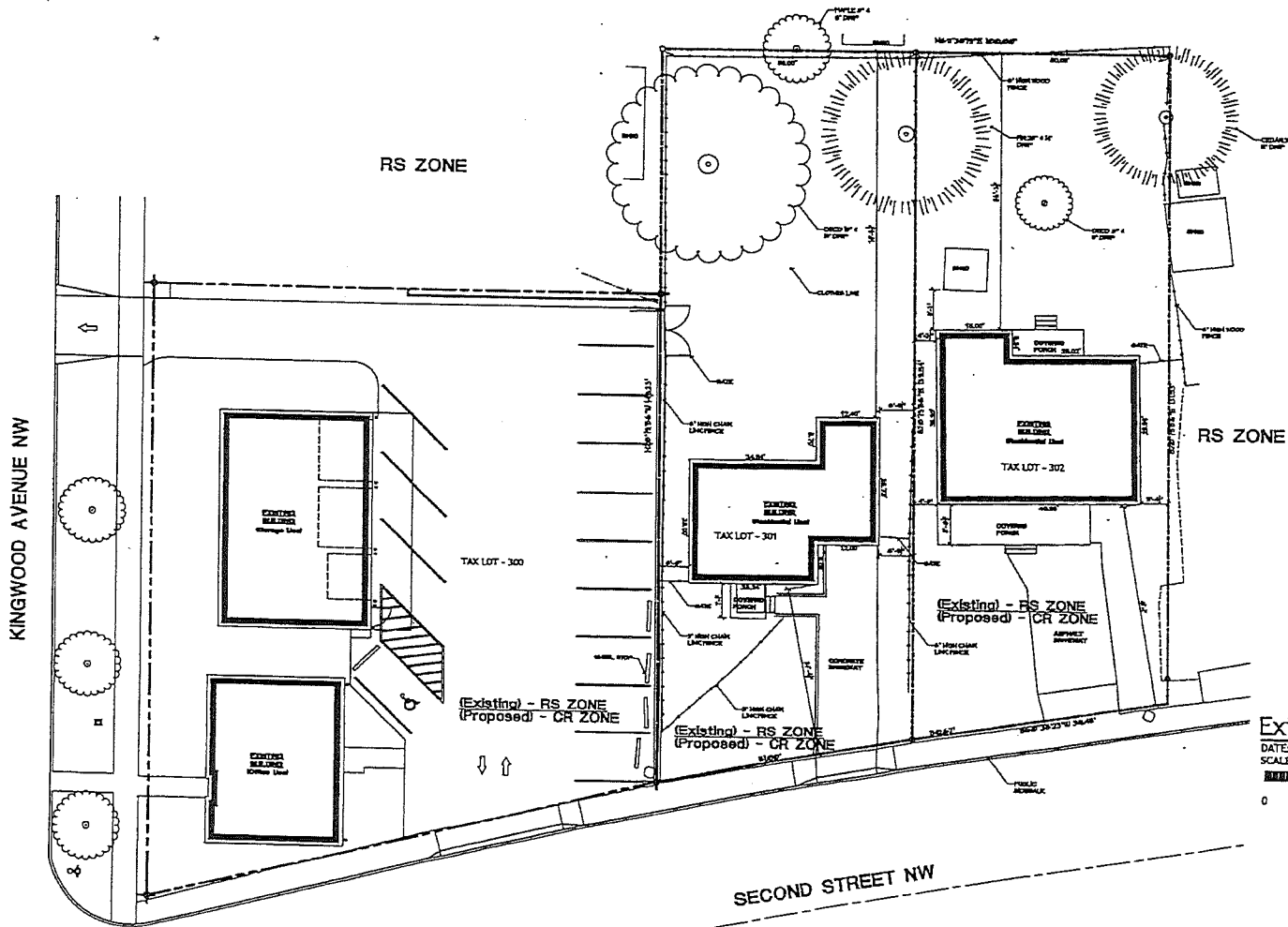
-  Taxlots
-  Urban Growth Boundary
-  City Limits
-  Outside Salem City Limits
-  Historic District
-  Schools
-  Parks


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



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

SITE PLAN REVIEW - CLASS 3 APPLICATION FOR NORTHWEST HUMAN SERVICES, INC



PROJECT SUMMARY:
 NORTHWEST HUMAN SERVICES INC
 1255-1257 2ND ST NW SALEM OR 97304
 CITY OF SALEM, POLK COUNTY
 07503W 00301-00302
 TOTAL AREA: 6,609 S.F. / 7,195 S.F.
 ZONE: RS (COMPACT DEVELOPMENT OVERLAY ZONE)

Existing Conditions Plan
 DATE: 08/27/2014
 SCALE: 1" = 10'-0"
 0 10 20 40



ienity
 architecture

northwest
 human services, inc

SITE PLAN REVIEW -
 CLASS 3 APPLICATION FOR
 NORTHWEST HUMAN SERVICES
 1255-1257 2ND ST NW SALEM, OR 97304

EXISTING
 CONDITIONS
 SITE PLAN

DATE	08/27/14
REVISED DATE	
SHEET	

08/27/2014 11:41 AM by: 461472031 3:46 PM by: 461472031
 All drawings shown on this plan are subject to change without notice. For more information, contact the architect at 503.588.4444.

Northwest Human Services, Inc.

Request for a Comprehensive Plan Map Amendment/Neighborhood Plan Map Change/Zone Change/Class 3 Site Plan Review

Applicant/Owner

Northwest Human Services, Inc.
681 Center St. NE
Salem, OR 97301

Applicant's Representative

Michael J. Paluska, Attorney
Michael J. Paluska, PC
1820 Commercial St. SE
Salem, OR 97302
503-585-2066

Subject Site Information

The subject properties are located at 220 Kingwood Ave. NW, 1257 Second St. NW, and 1255 Second St NW, Polk County, Oregon, Assessor's Map Number 07-3W-28AB, Tax Lot Numbers 300, 302, and 301 (hereinafter the "**Site**"). See Exhibits A and B.



The City of Salem (hereinafter the "**City**") designates the Site as "Single Family Residential" on the Salem Area Comprehensive Plan, and zones the Site "Single Family Residential" (RS) on the Salem Zoning Map. See Exhibits C and D. The Site is within the West Salem Compact Development Overlay Zone and the Edgewater/Wallace Road Overlay Zone Area 6 - Second Street Corridor. Zoning of surrounding properties includes:

North: RS and Compact Development Overlay Zone and the Edgewater/Wallace Road Overlay Zone Area 6 - Second Street Corridor.

West: RS and Compact Development Overlay Zone and the Edgewater/Wallace Road Overlay Zone Area 6 - Second Street Corridor.

South: Across Second Street, CR with Edgewater Street Corridor Overlay.

East: RS and Compact Development Overlay Zone and the Edgewater/Wallace Road Overlay Zone Area 6 - Second Street Corridor.

The properties generally located north of Second Street NW are zoned RS and are primarily developed with single family homes. The properties generally located south of Second Street NW are zoned Retail Commercial (CR). Applicant owns property zoned CR which is located immediately adjacent to the south.

220 Kingwood is approximately .25 acres in size and is developed with a nonconforming office structure approximately 918 square feet and newly constructed storage area which is approximately 1,378 square feet. 1257 Second is approximately .16 acres and is developed with a single family residence approximately 988 square feet in size. 1255 Second is approximately .15 acres and is developed with a single family residence which is approximately 1,834 square feet in size, which has recently been remodeled. The total acreage of the Site is approximately .56 acres.

The Site is located within the West Salem Neighborhood Association. The Association has a neighborhood plan which was adopted by the Salem City Council on March 8, 2001 (Ordinance 11-2004). The Land Use Plan Map has designated the Site "Multifamily", along with the majority of the surrounding properties. Land across Second Street has been designated "Commercial". See Exhibit E.

Primary access to all properties on the Site is provided via Second Street, and off-street parking is currently available to the properties to support the current uses for which the properties are being used. 220 Kingwood also maintains frontage and access along Kingwood Avenue NW. There are sidewalks along the entire frontage of the Site on both Kingwood Avenue NW and Second St. NW. Pictures of the buildings on the Site have been attached as Exhibit F.

The Salem-Keizer Local Wetland Inventory (LWI) does not identify any wetlands or waterways as being present on the Site.

The topography of the Site is flat. There are no mapped landslide hazard susceptibility areas shown on the Site. The proposal does not disturb any portion of a mapped landslide hazard area; therefore, a geological assessment or report is not required.

Public transit service is available along Gerth St. NW, Edgewater St. NW and Kingwood Ave NW (Routes #12 and #24) with stops at the intersection of Edgewater and Kingwood and Gerth and Third, both of which are less than 2 blocks away from the Site. See Exhibit G.

2nd Street NW is designated as a local street in the Salem TSP and has an approximate 40-foot improvement within a 60-foot-wide right-of-way abutting the Site. The standard for a local street is a 30-foot-wide improvement within a 60-foot-wide right-of-way.

Kingwood Avenue NW is designated as a local street in the Salem TSP and has an approximate 40-foot improvement within an 80-foot-wide right-of-way abutting the Site. The standard for a local street is a 30-foot-wide improvement within a 60-foot-wide right-of-way.

An 18-inch storm line is located in Kingwood Avenue NW, and a 10-inch storm line is located in 2nd Street NW.

An 8-inch G-0 water line is located in Kingwood Avenue NW, and an 8-inch G-0 water line is located in 2nd Street NW.

An 8-inch sewer line is located in Kingwood Avenue NW.

Proposal

The applicant requests an amendment to the Salem Area Comprehensive Plan (SACP) Map to change the land use designation of the Site. The Site is currently designated as "Single Family Residential" and the applicant requests changing the designation to "Commercial." Additionally, the applicant requests amending the West Salem Land Use Plan Map from "Multifamily" to "Commercial". The applicant also requests amending the Salem Zoning Map to modify the zoning district of the Site from RS (Single Family Residential) to CR (Retail Commercial) with a corresponding removal of the Compact Development Overlay Zone. Finally, the applicant requests a Class 3 Site Plan Review approval to potentially convert the existing single family dwellings into an office use.

Previous Actions

In November, 2012, the City approved a consolidated request for a Conditional Use Permit and Type II Site Plan Review (CU-SPR 12-11) to the portion of the Site identified as 220 Kingwood to change a non-conforming insurance office use to an office use, to enlarge an existing non-conforming structure to add a storage area approximately 1,378 square feet in size, and to provide overflow parking for the applicant's operation located to the south across Second St. See Exhibit H. Written comments from the West Salem Neighborhood Association were generally in favor of that particular application. There has been general support for further redevelopment by applicant in this area.

The applicant does not propose to change the uses which currently exist on the 220 Kingwood property. Approval of this request would allow the continued use of the 220 Kingwood property as a permitted use, as opposed to the non-conforming use status which currently applies to the property.

Background

The applicant herein is Northwest Human Services, Inc. (NWHS). The applicant's main facility is located in West Salem, adjacent to the Site, and they are a nonprofit community-based 501(c)(3) which has been responding to the needs of the Community by providing quality medical care and social services in the Willamette Valley since 1970.

NWHS operates medical, dental, mental health and social service programs targeting medically underserved populations, homeless, runaway, and street youth and chronically homeless adults, as well as providing crisis intervention services to individuals and families in our community. The original mission to meet the needs of the community and serve the underprivileged remains as strong as ever. Today, NWHS provides healthcare and social services to over 35,000 individuals each year.

The applicant's mission statement is as follows: Northwest Human Services meets the needs of community members, regardless of social or economic status, by providing comprehensive medical, dental, mental health and social services with respect, compassion and acceptance of cultural and linguistic diversity. The applicant's vision is that "as long as there is a need in our community, we will continue to be a safety net providing health care and social services."

The applicant ascribes to the following core values:

Community – Those we work with are those we serve

Cooperation – The spirit of our work ethics

Compassion – The inspiration that guides our work

Commitment – The pledge we make to quality services

Empowerment - Guiding those we serve to play a driving role in determining their own health outcomes.

The applicant currently operates a number of facilities in the community. The following is a summary of those facilities and the services provided at each site:

West Salem Clinic – Medical, 1233 Edgewater St NW Salem, OR 97304, and

Total Health Community Clinic, 180 Atwater St, Monmouth, OR 97361:

As a Federally Qualified Health Center, NWHS provides primary care and preventive care, including health, dental, mental health and social services to persons of all ages, regardless of their ability to pay. Established by Congress to address the needs of communities across the county, Health Centers respond to the challenges of the medically underserved, and assure access for millions of underserved and uninsured individuals. Health Centers have long played a crucial role in providing affordable, high-quality, community-based care to vulnerable populations. NWHS is recognized as a Tier III provider, the highest level of State recognition for Primary Medical Home. NWHS is Joint Commission accredited in both Ambulatory and Behavioral Health Care. Last year, NWHS provided care to 12,309 patients in over 54,000 visits. NWHS's "Healthcare for the Homeless" van picks up homeless individuals from shelter locations and transports them to their Health Center to help ensure access for all those who need care.

West Salem Clinic – Dental, 190 Kingwood Ave NW, Salem, OR 97304: offers quality and affordable dental care on a sliding fee scale to individuals and families in Marion and Polk counties. It served 1,363 patients totaling 3,387 visits during the last year.

West Salem Clinic – Mental Health & Connection, 1245 Edgewater St NW, Salem, OR 97304: provides services for clients with a variety of mental health issues. From complex psychological disorders to problems of daily living, the NWHS staff helps clients reestablish balance in their lives. Last year NWHS served 1,028 patients with a total of 9,960 visits. NWHS 's Connection program serves the needs of Oregon's Deaf and hard of hearing population. Last year Connection served 44 clients with a total of 330 encounters.

Crisis & Information Hotline, 694 Church Street NE, Salem, OR 97301: Hotline is a 24 hour a day, 365 days a year service. Hotline provides comprehensive services with a focus on suicide intervention and the physical and emotional wellbeing of its clients. Last year Hotline served over 24,900 clients, many of whom received financial assistance for rent, utilities and payment of life saving prescription medications.

Homeless Outreach and Advocacy Program (HOAP), 694 Church Street NE, Salem, OR 97301: HOAP provides a myriad of services for homeless and mentally ill adults. This past year MH services were provided to 283 enrolled clients through 1,770 visits. Peer delivered groups were provided to some 400 Day Center attendees. The HOAP Day Center has provided multiple basic needs services to 10,594 visitors. The HOAP Homeless Van provided access to health care to 1,190 homeless individuals. Finally, HOAP Housing Services have supported 87 housing placements in the past year.

Homes Offering Shelter to Teens Youth & Family Program (HOST), 1143 Liberty Rd NE, Salem, OR 97301: HOST offers shelter and supportive services for runaway, homeless, and at-risk youth. The main components of the program consist of the TLP and Street Outreach. It is the only shelter of its size between Portland and Eugene. HOST provided shelter to 167 youth totaling over 1736 bed nights with Street Outreach totaling over 5,000 contacts.

This application will help the applicant move another step forward in providing quality services to the community. By expanding the area associated with the applicant's base of operation, the applicant will be able to continue to provide, and expand upon, those services offered in the West Salem location, as well as the applicant's other locations described above.

Applicant plans to move some of the current administrative operations, such as billing, that are currently in the property across Second St. to the Site. This move will open additional room in the main facility to expand and improve upon the applicant's current services. No medical, dental or social services will be moved to the Site.

The area in which the Site is located has been identified as an area which should evolve into a mixed-use, pedestrian-oriented district, according to the Edgewater/Second Street Redevelopment Action Plan (the "Plan", which is attached hereto as Exhibit I). Please refer to Page 6 of the Plan, which is a summary of the key vision elements. Development in this area is being directed towards providing additional neighborhood amenities and a diversity of uses. One of the key findings in the Plan was that there are many commercial, residential and mixed-use opportunities for redevelopment and infill along both Edgewater and Second Street. See Page 7 of the Plan. It is the vision that Second Street would become a mixed-use street. See Pages 9 and 10 of the Plan. Along those lines, improvements have been made to the streets and sidewalks on those areas of Second Street abutting the Site.

The applicant is aware of this vision, and has already been making investments in the Second Street area. Applicant was approved for a conditional use to expand a non-conforming commercial office and to build additional storage areas and rehabilitate some off-street parking to support its existing operation located adjacent to the south. The applicant recently acquired two additional houses on Second Street and has already rehabilitated one of those. The vision the applicant has is to eventually convert these houses into offices. The change to the CR zone will permit these areas to potentially be converted into other retail or office uses in the future. The 220 Kingwood property is currently operating as a support facility, providing storage and additional office space. The change in zoning would also permit the 220 Kingwood property to eventually accommodate additional uses and develop in a manner that is consistent with the ultimate vision of Second Street. Lastly, the applicant requests that the existing off-street driveways, as shown on Exhibit J, for each single family dwelling, to remain as the primary parking while being used as single family dwellings, now and/or in the future.

Public Outreach

The applicant has kept the City and neighborhood association apprised of its operation and expansion plans. In 2012, the applicant went through a public process to improve the 220 Kingwood property, as described above. This process resulted in a positive outcome, with near unanimous support.

Between January and March of 2014, the applicant has met with the following individuals to discuss the plans associated with this application:

- Josh Pollock, Land Use Chair and Neighborhood Association Member
- EM Easterly, Neighborhood Association Member
- Janet Nokes, Former Land Use Chair
- Cheryl Witters, Adjacent Homeowner
- Richard Rice, Adjacent Homeowner

All of these individuals, with the exception of Cheryl Witters, registered support for this project. Ms. Witters opposed the improvements in 2012 and the applicant continues to try and work directly with her to address her concerns about the development, which primarily involves development of property which had formerly been vacant and used by her children to play.

On April 7, 2014, the applicant's representatives attended the West Salem Neighborhood Association meeting. The applicants received a formal vote in support of the plans to request this land use action.

Applicant's Evidence and Proposed Findings

A.FINDINGS APPLYING THE APPLICABLE UNIFIED DEVELOPMENT CODE CRITERIA FOR A COMPREHENSIVE PLAN AMENDMENT

Unified Development Code (UDC) 64.025(e) defines a minor plan amendment to either the comprehensive plan map or a general land use map in a neighborhood plan, where the amendment affects only a small number of properties or a closely circumscribed set of factual circumstances. This request is a comprehensive plan amendment, which is a quasi-judicial act and is processed as a Type III procedure under UDC Chapter 300. UDC Section 64.025(e)(2) established the approval criteria for the Minor Plan Amendment. In order to approve a quasi-judicial Minor Plan Map Amendment request, the decision-making authority shall make findings of fact based on evidence provided by the applicant that demonstrates satisfaction of all of the applicable criteria. The applicable criteria are shown below in bold typeset. Following each criterion is a response and/or finding relative to the amendment requested. The applicant has provided justification for all applicable criteria.

UDC 64.025(e)(2)(A): The Minor Plan Map Amendment is justified based on the existence of the following:

(i) *Alteration in Circumstance.* Social, economic, or demographic patterns of the nearby vicinity have so altered that the current designations are no longer appropriate.

(ii) *Equally or Better Suited Designation.* A demonstration that the proposed designation is equally or better suited for the property than the existing designation.

(iii) *Conflict Between Comprehensive Plan Map Designation and Zone Designation.* A Minor Plan Map Amendment may be granted where there is a conflict between the Comprehensive Plan Map designation and the zoning of the property, and the zoning designation is a more appropriate designation for the property than the Comprehensive Plan Map designation. In determining whether the zoning designation is the more appropriate designation, the following factors shall be considered:

(aa) Whether there was a mistake in the application of a land use designation to the property;

(bb) Whether the physical characteristics of the property are better suited to the uses in zone as opposed to the uses permitted by the Comprehensive Plan Map designation;

(cc) Whether the property has been developed for uses that are incompatible with the Comprehensive Plan Map designation; and

(dd) Whether the Comprehensive Plan Map designation is compatible with the surrounding Comprehensive Plan Map designations.

Proposed Finding: UDC 64.025(e)(2)(A) requires that the comprehensive plan change comply with either subsection (i), (ii), or (iii). In this case, both UDC 64.025(e)(2)(A)(i) and UDC 64.025(e)(2)(A)(ii) support this request to change the property's designation on the Comprehensive Plan Map. UDC 64.025(e)(2)(A)(iii) does not apply since there is not a conflict between the comprehensive plan map designation and zone designation that justifies a change from the designation currently on the Comprehensive Plan map.

It is fair to assume that the Edgewater and Second Street areas were not originally planned to promote the kind of development that the City and community desires to see in this area today. The plan designation of single-family residential restricts the kind of flexible, mixed use that is clearly being promoted today. A change to a commercial designation would provide an opportunity to allow a diversity of uses which could support the large stock of single family residences that already exist in the immediate vicinity.

The change of vision for this area has coincided with a change in the character of the neighborhood as well. For example, railroad tracks (and the trains that used those tracks) are no longer present, and the industrial uses that once dominated this particular area are giving way to an increase of commercial and residential activity. The larger area was designated as an urban renewal area, and a number of projects have been completed which implement the mixed-use, pedestrian-oriented vision for this area.

The February 2010 Edgewater/Second Street Redevelopment Action Plan Final Report clearly demonstrates that there is a desire to steer development in a different direction in the area, and suggests that Second Street would be better utilized as a mixed-use area. This will require a transition away from the current single-family residential zoning and designation which currently exists in the immediate vicinity, to a zone and plan designation which provides a more diverse mixture of uses.

At the very least, the Retail Commercial designation is as equally well suited as the existing Single-Family Residential designation for the Site, and for the reasons discussed above, likely a better designation to implement the vision of this area. Additional opportunities for commercial type development would provide balance to the existing stock of residential uses in the vicinity, and put the area in a better position to implement a mixed-use strategy as envisioned by the Redevelopment Action Plan. Additionally, the social and economic patterns of the nearby vicinity have so altered that it might be argued that the current designations are no longer appropriate. For the reasons set forth above, this request complies with UDC 64.025(e)(2)(A)(i) and UDC 64.025(e)(2)(A)(ii).

UDC 64.025(e)(2)(B): The property is currently served, or is capable of being served, with public facilities and services necessary to support the uses allowed by the proposed plan map designation.

Proposed Finding: The site is located within the boundary of the Urban Service Area. Therefore, all public facilities and services are readily available to serve the site for development. City engineering staff, in the report for PRE-APP NO. 14-19 dated June 25, 2014, found that the water, sewer, and storm infrastructure are available within surrounding streets/areas and appear to be adequate to serve the existing and future tenants.

On-site public facility and service improvements will be reviewed for conformance with adopted facility plans at the time of any further site development. See Exhibit J, the Existing Conditions Plan.

UDC 64.025(e)(2)(c): The proposed plan map designation provides for the logical urbanization of land.

Proposed Finding: The vicinity surrounding the property is fully built-out and developed as an established urban area in the immediate vicinity of a major transportation corridor. The proposed map designation does not disturb the established urban area and continues to provide for the logical urbanization of land. As discussed above, the change to a commercial plan designation will help promote a diversity of uses, directly advancing the vision of this area as a mixed-use center.

UDC 64.025(e)(2)(D): The proposed land use designation is consistent with the Salem Area Comprehensive Plan and applicable Statewide planning goals and administrative rules adopted by the Department of Land Conservation and Development.

Proposed Finding: See below for findings specifically directed towards the project's consistency with applicable plans, goals and rules.

Consistency with the Salem Area Comprehensive Plan (SACP)

This proposal to change the Comprehensive Plan map designation from "Single Family Residential" to "Commercial" is consistent with the SACP as follows:

3. Plan Map Designations:

The Comprehensive Plan Map is a representation of the Plan's goals and policies. The Plan map designations indicate various types of land use.

Descriptions of the Plan Map designations follows.

c. Commercial

The predominant use in these areas is commercial. Multifamily residential may be included where appropriate.

Proposed Finding: The applicant's planned use as offices to support the adjacent facility, which is already zoned CR, would be appropriate and compatible with the surrounding uses for the reasons discussed above. The change to a commercial designation would permit the Site to eventually be developed with a number of different commercial uses, which directly promotes the vision of this area as a mixed-use center, especially given the healthy supply of residentially designated properties which already exist in the immediate vicinity.

F. MIXED USE DEVELOPMENT

GOAL: To provide a mixture of complementary land uses that may include housing, retail, offices, services, industrial and civic uses, to create economic and social vitality.

Proposed Finding: The change from Single Family Residential to Commercial will provide the opportunity to site a diversity of uses which are not currently permitted on site. The surrounding vicinity is well stocked with existing single family dwellings. A commercial designation would provide additional opportunities to site retail, office, service and industrial and civic uses, as well as multifamily residential development.

Development

Encourage efficient use of land by facilitating compact, high density development and minimizing the amount of land that is needed to accommodate automobile parking.

Proposed Finding: Commercial and office developments should be considered to be more efficient uses of land than single family residential uses. The applicant has other properties in the vicinity which already provide parking onsite. Applicant's operations in the area provide flexibility in providing parking for those people it employs and serves.

Priorities for Mobility and Access

Facilitate development (land use mix, density, connectivity, design and orientation) that reduces the need for, and frequency of SOV trips and supports public transit, where applicable.

Proposed Finding: Public transit service (Routes #12 and #24) are available within 2 blocks of the Site. By choosing to expand the existing operation in West Salem, the applicant is creating a more efficient operation, which would reduce SOV trips to satellite locations, and could promote more carpooling opportunities due to an expanded number of employees.

G. COMMERCIAL DEVELOPMENT

Neighborhood and Community Shopping and Service Facilities

Unless the existing development patterns along arterials and collectors commits an area to strip development, new commercial development shall be clustered and located to provide convenience goods and services for neighborhood residents or a wide variety of goods and services for a market area of several neighborhoods.

Proposed Finding: The vision for this particular area is that it will be a diverse mixture of uses providing goods and services to the residents of the immediate area. The change to a commercial designation will help promote this vision, and helping to move towards more clustered development as opposed to a single strip of development along Edgewater.

Commercial Office Uses

Commercial office uses shall have convenient access to collector and arterial streets.

Proposed Finding: The Site abuts Kingwood Avenue NW and Second Street NW, both of which are classified as local streets in the Salem Transportation Systems Plan (TSP). These local streets provide convenient access to Edgewater Street NW, which is located approximately 1 block away from the Site and is designated as a Minor Arterial in the TSP.

Consistency with the Statewide Planning Goals

This proposal to change the Comprehensive Plan map designation from "Single Family Residential" to "Commercial" is consistent with the applicable statewide planning goals and administrative rules adopted by the Department of Land Conservation and Development as follows:

GOAL 1 - Citizen Involvement

A Minor Plan Change is processed as a quasi-judicial land use action. Public notice is required and a public hearing will be held giving interested citizens an opportunity to be involved in the process. The City, through the Unified Development Code, has created proper procedures to ensure citizens the opportunity to have input in changes to the SACP and the zoning and plan maps. Opportunities for public input will be available in the hearings process prior to action on this proposal. Notification of this proposal and hearing is detailed in the Unified Development Code and implementing ordinances. The City has therefore met its obligation of providing for citizen involvement under Statewide Planning Goal 1, as defined through the City's adoption procedures. In addition to the City's required citizen involvement tasks, the applicant has actively engaged the neighborhood association and other stakeholders to keep them apprised of what is happening with the property. Details of applicant's specific efforts with regards to citizen involvement have been described above, under the heading "Public Outreach".

GOAL 2 - Land Use Planning

The Salem Area Comprehensive Plan is adopted by the City and acknowledged by the Land Conservation and Development Commission (LCDC) as being in compliance with Oregon Statewide Planning Goals, statutes and administrative rules. The City has established a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions. The application of the Retail Commercial zoning designation allows continued beneficial use of the site consistent with the vision and anticipated development pattern in the area, and the Commercial designation in the Comprehensive Plan is appropriate for the proposed uses in the existing buildings.

GOAL 3 - Agricultural Lands

The property is in a well-developed part of West Salem, in an urban area, so it protects the agricultural lands by concentrating services like this within the urban growth boundary. The proposed comprehensive plan map amendment does not affect the inventory of agricultural lands. Thus Goal 3 is not applicable to this proposal.

Goal 4 - Forest Lands

The proposed comprehensive plan map amendment does not affect the inventory of forest lands. Thus, Goal 4 is not applicable to this proposal.

Goal 5 - Open Space, Scenic and Historic Areas and Natural Resources

The proposed zoning designation and land use does not conflict with or affect any planned open spaces, scenic and historic areas, or natural resources.

Goal 6 - Air, Water and Resources Quality

The applicant proposes to convert existing single-family residences into office uses. The existing uses on site, as well as the adjacent uses which this project will support, have not and will not exceed the carrying capacity of the air and water resources available to serve the site. Development of the site will not result in the production or discharge of waste except in the manner of a small scale commercial uses. Specifically, the proposed development will not require the direct discharge of waste into the surrounding air or water resources and will rely on City waste services entirely. Moreover, the site is within the City's Urban Services Area, and thus the City currently has adequate water, stormwater, and sewer services either in place or fully committed to serve the site. Therefore, the City can adequately serve the proposed development's waste and discharge needs, and future development will not exceed the current resources' carrying capacity.

Goal 7 - Areas Subject to Natural Hazards

The proposed zoning designation and land use does not conflict with or affect any policies associated with Goal 7, as there are no mapped or identified natural hazards that affect this site and the area is planned to be used as offices to support the main facility on Edgewater, all within a commercial zone. Goal 7 is therefore not applicable to this request.

Goal 8 - Recreational Needs

The proposed zoning designation and land use does not conflict with or affect any policies associated with Goal 8, as the area is planned to be used as offices to support the main facility on Edgewater, all within a commercial zone. Parks and recreation facilities are planned or already provided to serve this area. Goal 8 is therefore not applicable to this request.

Goal 9 - Economic Development

The facility provides a place of employment for some of its clerical staff. Additionally, the offices will be a productive reuse of existing buildings. Changing the Plan Map designation to facilitate the use of the existing residences will ensure that this Site is able to be established as economically productive land in an area targeted for a mixture of uses.

Goal 10 - Housing

The applicant proposes to convert approximately .58 acres of land from primarily residential uses to commercial uses. If approved, the applicant anticipates that the current single family dwellings would be converted into offices.

According to the Salem-Keizer Housing Needs Analysis 2012-2032, Salem has more capacity in the Single Family Residential designation than demand for housing. A conversion of .58 acres from single-family residential uses to commercial uses (which includes multifamily housing as a potential use) will not violate Goal 10.

Goal 11 - Public Facilities and Services

The City has adopted Stormwater, Wastewater, and Water Master Plans as Detailed Plans to the SACP. These Detailed Plans outline the public facilities and services needed to serve land within the Urban Growth Boundary. The City utilizes an urban Growth Management Program to ensure necessary public facilities and services are available to serve new development. As part of the program, the City has

designated an Urban Services Area boundary, delineating the area in the City where all necessary public facilities have either been installed or are fully committed in the adopted Capital Improvement Plan.

The Subject Property is located within the boundary of the Urban Service Area. Therefore, all public facilities and services are readily available to serve the site for development. Moreover, on-site public facility and service improvements will be reviewed for conformance with adopted facility plans at the time of possible future site development.

Goal 12 - Transportation

Goal 12 is implemented by the Transportation Planning rule (TPR). In summary, the TPR requires local governments to adopt Transportation System Plans (TSP's) and requires local governments to consider transportation impacts resulting from land use decisions and development. The key provision of the TPR related to local land use decisions is Oregon Administrative Rule (OAR) 660-012-0060. This provision is triggered by amendments to comprehensive plans and land use regulations that "significantly affect" a surrounding transportation facility (such as a road or intersection). Where there is a "significant effect" on a facility, the local government must ensure that any new allowed land uses are consistent with the capacity of the facility. In the context of a site-specific Comprehensive Plan change request, such as this proposal, a "significant effect" is defined under OAR 660-012-0060(1) as either an amendment that "allows types or levels of land uses which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility", or an amendment that would "reduce the performance standards of an existing or planned facility below the minimum acceptable level identified in the TSP."

Applicants for a Comprehensive Plan change are required to submit a TPR analysis to demonstrate that the request will not have a "significant affect" on the surrounding transportation system, as defined above.

The applicant has submitted a TPR analysis. See Exhibit K. The analysis conducted by Project Delivery Group, LLC, found that the current RS zoning could allow development which would generate 55 trips per day. Therefore, the engineer recommended that a condition of approval be added limiting development to uses generating less than 55 average daily trips to ensure compliance with the Transportation Planning Rule. The applicant would not object to such a condition. The report went on to review potential uses for the Site where the zoning was changed to CR. Assuming a 20% coverage ratio, the owner could build a 5000 square foot office, which would generate 55 trips per day, so development of the Site is viable even with a trip cap condition. As discussed previously, the applicant does not plan to develop a 5000 square foot office, but rather use the existing office and convert the existing residences on the Site (approximately 3800 square feet total).

GOAL 13 - Energy Conservation

The site is well-suited for the proposed commercial designation because it will facilitate the applicant's proposed office use within existing buildings in close proximity to a high-capacity transportation corridor, and in an area that is actively seeking to add a diverse mix of uses that will promote alternative modes of transportation. The proposed zoning designation and land use is consistent with the policies associated with Goal 13 established by the SACP. The site is adjacent to a large residential

neighborhood. Expanding the commercial area will provide more opportunities for a diverse mix of offerings.

Public transit service (Routes #12 and #24) are available within 2 blocks of the Site. By choosing to expand the existing operation in West Salem, the applicant is creating a more efficient operation, which would reduce SOV trips to satellite locations, and could promote more carpooling opportunities due to an expanded number of employees.

GOAL 14 - Urbanization

This proposal does not include land located outside of the UGB or include the extension of services to properties outside the UGB, thus Goal 14 is not applicable to this proposal.

GOALS 15, 16, 17, 18 and 19 - Willamette River Greenway, Estuarine Resources, Coastal Shorelands, Beaches and Dunes, and Ocean Resources

The site is not within the Willamette River Greenway or in an estuary or coastal area, thus, Goals 15, 16, 17, 18 and 19 are not applicable.

UDC 64.025(e)(2)(E): The amendment is in the public interest and would be of general benefit.

Proposed Finding: As discussed at length above, the change to a commercial plan designation will directly advance the vision for this area as a mixed use center. The commercial designation will provide additional opportunities to site commercial and office uses, as well as multifamily residential uses, to supplement the stock of single family residential uses which already exist in the vicinity.

The applicant has been providing medical, dental and mental health services to low income and disenfranchised members of Marion and Polk Counties since 1970. Approximately 40% of its patient population is covered by Medicaid; 20% by Medicare; 30% are uninsured, and 10% are covered by commercial insurance plans. With the expansion of the Affordable Care Act, the applicant is charged with growing their services to meet the needs of the expanded Medicaid population. To accomplish this goal, the applicant will need additional physical space dedicated for exam rooms for their direct service clinical teams. Approval of this application will enable the applicant to move non-clinical (i.e. billing, maintenance, etc.) across the street from the main campus, allowing the applicant to remodel and expand the current clinical service areas (1233 Edgewater St. NW). The non-clinical services proposed to be relocated have a small number of staff and very few, if any, visits each day from patients and/or the general public. Creating the additional space will enable the applicant to significantly expand the number of medical providers, examination rooms and daily volume of clinical services provided to patients.

Finally, the applicant has demonstrated its commitment to rehabilitating existing buildings in this area and improving the appearance and vitality of this area. If approved, the applicant will continue to do the same with the existing single family residences on the Site.

B.FINDINGS SUPPORTING A CHANGE TO THE WEST SALEM NEIGHBORHOOD PLAN

The Site is located within the West Salem Neighborhood Association area. The Association has a neighborhood plan which was adopted by the Salem City Council on March 8, 2004 (Ordinance 11-2004). The current building the Site was constructed prior to the adoption of the neighborhood plan.

The Site has been designated "Multifamily", which the map explains is a single family zoning designation with a compact development overlay to encourage higher density development. The land use map generally tracks with the City's zoning map and shows mostly "Multifamily" designated areas surrounding the Site, with "Commercial" located across Second Street. Applicant requests a change from "Multifamily" to "Commercial".

Policies

Maximize Use of Land

1.1 Encourage higher densities, infill, and mixed-use opportunities, where appropriate, to minimize the need for UGB expansion.

Proposed Finding: The change to Commercial would expand the availability of land which could specifically be used for retail and office opportunities to complement the existing housing inventory. Additional land zoned Commercial would specifically encourage the mixture of uses that residents in this neighborhood are actively trying to encourage.

Self-Sufficient Economic Infrastructure

1.6 Encourage nonresidential uses that provide a range of jobs to support the employment needs of residents in West Salem.

Proposed Finding: The applicant has already demonstrated that they are a stable employer in this area, and the redesignation will allow them to expand their services in the short term to ensure they can continue to provide, and expand upon, the services and employment opportunities they already provide. Redesignating the Site from "Multifamily" to "Commercial" will directly encourage nonresidential uses that will provide a range of jobs.

Support Neighborhood Businesses

1.8 Encourage the short-term (0-15 years) redevelopment of the industrial Edgewater/Wallace area with compatible pedestrian-oriented retail and office uses, while supporting existing industrial uses consistent with the West Salem Urban Renewal Plan, which is generally described in Chapter 8 of this document.

Proposed Finding: The Applicant has already begun to redevelop and remodel its existing facilities in the Edgewater/Second Street corridor. Changing the permitted uses on the Site will accelerate the redevelopment of this particular area. The Site is ideally situated next to transportation (Edgewater and transit service) and within walking distance of a number of services, such as the Safeway commercial development, and the other existing businesses on Edgewater.

Livability and Urban Design

1.10 Support zone changes to allow neighborhood and pedestrian friendly uses while taking measures (i.e. Planned Unit Development (PUD), development agreements, mixed use zoning) to achieve compatibility and an appropriate scale and design of office, commercial, and residential development.

Proposed Finding: As described above, the Site is already located in an area which is well-suited for pedestrians. Adding the possibility for commercial and office uses should encourage the mixed-use,

pedestrian-friendly area that the neighborhood has been actively trying to develop. The Site is made up of lots designed for single-family residences. The size of the lots are such that large scale commercial or office uses could likely not be developed on these individual properties without further land use approval. This zoning change would retain the general compatibility with the surrounding residential areas, and expand upon the existing commercial areas that already exist adjacent to the Site.

C.FINDINGS APPLYING THE APPLICABLE UNIFIED DEVELOPMENT CODE CRITERIA FOR A QUASI-JUDICIAL ZONE CHANGE

UDC Section 265.005(e) establishes the approval criteria or a quasi-judicial zone change. In order to approve a quasi-judicial zone change request, the decision-making authority shall make findings of fact based on evidence provided by the applicant that demonstrates satisfaction of all of the applicable criteria. UDC 265.005(e)(2) specifically provides "[the] greater the impact of the proposed zone change on the area, the greater the burden on the applicant to demonstrate that the criteria are satisfied." As demonstrated above, the applicant submits that this zone change will have very few impacts on the surrounding area for a number of reasons, but particularly because the proposed zone is the exact same zone that applies to other land in the immediate vicinity of applicant's properties. Therefore, the applicant submits that the burden to demonstrate conformance with the criteria should be relatively low.

The applicant requests amending the Salem Zoning Map to modify the zoning district of the Site from RS (Single Family Residential) to CR (Retail Commercial) with a corresponding removal of the Compact Development Overlay Zone. Per UDC 139.010, the Compact Development (CD) Overlay Zone is intended to provide for efficient residential development within single-family zoned areas within the urban growth boundary. Because the applicant's request involves a change from the current single-family zoning designation, a corresponding removal of the CD overlay zone would be appropriate.

The applicable criteria are shown below in bold typeset. Following each criterion is a response and/or finding relative to the amendment requested. The applicant has provided justification for all applicable criteria.

UDC 265.005(e)(1): A quasi-judicial zone change shall be granted if the following criteria are met:

(A) The zone change is justified based on the existence of one or more of the following:

(i) A mistake in the application of a land use designation to the property.

(ii) A demonstration that there has been a change in the economic, demographic, or physical character of the vicinity such that the zone would be compatible with the vicinity's development pattern.

(iii) A demonstration that the proposed zone change is equally or better suited for the property than the existing zone. A proposed zone is equally or better suited than an existing zone if the physical characteristics of the property are appropriate for the proposed zone and the uses allowed by the proposed zone are logical with the surrounding land uses.

Proposed Finding: UDC 265.005(e)(1)(A) requires that the proposed zone change comply with either subsection (i), (ii), or (iii). In this case, both UDC 265.005(e)(1)(A)(ii) and UDC 265.005(e)(1)(A)(iii)

support this request to change the property's designation on the Zoning Map. UDC 265.005(e)(1)(A)(i) does not apply since there is not a mistake in the application of a land use designation to the property.

The applicant submits that the same justifications cited above in response to the criteria set forth in UDC 64.025(e)(2)(A) supporting a comprehensive plan change from single family residential to commercial are equally applicable to support a finding that a zone change from RS to CR meets the criteria of UDC 265.005(e)(1). The applicant specifically incorporates those proposed findings above to fulfill these criteria. In sum, the Site is at least as equally suited for commercial retail uses, if not better suited, in light of the specific vision for this area to be a mixed-use and pedestrian-oriented center. While small, the Site can support neighborhood scale commercial and office uses. The south side of Second Street is exclusively zoned under the same CR zoning designation. Changes over the years have shaped the vision for this area and the desire to move towards a mixed use model that incorporates a diversity of uses to support the neighborhood.

For the reasons set forth above, this request complies with UDC 265.005(e)(1)(A)(ii) and UDC 265.005(e)(1)(A)(iii).

(B) If the zone change is City-initiated, and the change is for other than City-owned property, the zone change is in the public interest and would be of general benefit.

Proposed Finding: This zone change is not City-initiated. Therefore, this criterion does not apply.

(C) The zone change conforms with the applicable provisions of the Salem Area Comprehensive Plan.

Proposed Finding: As demonstrated above in the applicant's response to the comprehensive plan change criteria and the findings associated with the change to the West Salem Neighborhood Plan, this request is in conformance with the Goals and Policies of the Salem Area Comprehensive Plan.

(D) The zone change complies with applicable Statewide Planning Goals and applicable administrative rules adopted by the Department of Land Conservation and Development.

Proposed Finding: As demonstrated above in the applicant's response to the comprehensive plan change criteria, this request is in conformance with applicable Statewide Planning Goals and applicable administrative rules adopted by the Department of Land Conservation and Development.

(E) If the zone change requires a comprehensive plan change from an industrial use designation to a non-industrial use designation, or from a commercial or employment designation to any other use designation, a demonstration that the proposed rezone is consistent with its most recent economic opportunities analysis and the parts of the Comprehensive Plan which address the provision of land for economic development and employment growth; or be accompanied by an amendment to the Comprehensive Plan to address the proposed rezone; or include both the demonstration and an amendment to the Comprehensive Plan.

Proposed Finding: This zone changes does not require a comprehensive plan change from an industrial use designation to a non-industrial use designation, or from a commercial or employment designation to any other designation. Therefore, this criterion does not apply.

(F) The zone change does not significantly affect a transportation facility, or, if the zone change would significantly affect a transportation facility, the significant effects can be adequately addressed through the measures associated with, or conditions imposed on, the zone change.

Proposed Finding: This zone change will not significantly affect a transportation facility. The Site is served by Second St. NW and Kingwood Ave. NW, and is approximately a block from Edgewater St. NW. Second St. NW is already adjacent to land zoned CR. The TPR does not indicate any current traffic capacity issues in the vicinity of the Site. As discussed above, applicant recommends a condition of approval limiting the uses on the Site to 55 trips per day to ensure that the comprehensive plan and zone change would not significantly affect a transportation facility.

(G) The property is currently served, or is capable of being served, with public facilities and services necessary to support the uses allowed by the proposed zone.

Proposed Finding: The Site is located within the boundary of the Urban Service Area. Therefore, all public facilities and services are readily available to serve the Site for development. No changes are proposed to the buildings on the Site at this time. On-site public facility and service improvements will be reviewed for conformance with adopted facility plans at the time of any future site development.

D.FINDINGS APPLYING THE APPLICABLE UNIFIED DEVELOPMENT CODE CRITERIA FOR A CLASS 3 SITE PLAN REVIEW REQUEST

UDC 220.005(f)(3) establishes the approval criteria for a Class 3 Site Plan Review request. The request contained herein is classified as a Class 3 pursuant to UDC 220.005(b)(3) because this development will require a building permit for interior improvements and involves a land use decision.

While the existing single family dwellings on the Site will continue to be used as dwellings, the Applicant desires to eventually convert the buildings on 1257 Second St. NW and 1255 Second St. NW into offices. No changes to the existing uses on 220 Kingwood Ave NW are proposed at this time. The Proposed Site Plan containing a Site Plan Review Summary Table, and an Existing Conditions Plan for Site Plan Application, included with this application as Exhibits L and M. As noted in the General Site Plan Notes on Exhibit L, the Applicant does not propose any changes to the existing utilities at this time.

The applicable criteria are shown below in bold typeset. Following each criterion is a response and/or finding. The applicant has provided justification for all applicable criteria.

UDC 220.005(f)(3): An application for Class 3 Site Plan Review shall be granted if:

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

Proposed Finding: This site plan review request is consolidated with requests by the Applicant to change the comprehensive plan designation, the neighborhood plan designation, and the zoning designation. Provided these other requests are approved, the Applicant's proposed uses will be allowed uses on the Site.

Additionally, the Applicant does not propose to do any work at this time to the exterior of the buildings which would require a building permit, therefore there will be no changes to setbacks, lot coverage and other development standards related to the buildings on the Site. Only interior improvements will be necessary if the Applicant wishes to convert the single family dwellings into office space.

(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;

Proposed Finding: All of the individual lots which make up the Site take primary access off of Second St., which has been recently improved. The Site is also in the vicinity of Kingwood Ave. 2nd Street NW is designated as a local street in the Salem TSP and has an approximate 40-foot improvement within a 60-foot-wide right-of-way abutting the Site. The standard for a local street is a 30-foot-wide improvement within a 60-foot-wide right-of-way. Kingwood Avenue NW is designated as a local street in the Salem TSP and has an approximate 40-foot improvement within a 80-foot-wide right-of-way abutting the Site. The standard for a local street is a 30-foot-wide improvement within a 60-foot-wide right-of-way. As discussed previously, the Applicant's proposals will not significantly affect any transportation facility. The Site is served by Second St. NW and Kingwood Ave. NW, and is approximately a block from Edgewater St. NW. Second St. NW is already adjacent to land zoned CR. The TSP does not indicate any current traffic capacity issues in the vicinity of the Site. Applicant is also recommending a condition of approval limiting the uses on the Site to 55 trips per day to ensure that the Applicant's development will not significantly affect a transportation facility.

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

Proposed Finding: The property at 220 Kingwood Ave was improved after a previous land use approval. This property contains a small office, approximately 918 square feet in size, and a storage building, which is accessory to the Applicant's operations onsite. The Kingwood property was developed with 14 parking spaces.

The properties at 1257 and 1255 Second St NW have existing driveways. The Applicant plans to retain these driveways. 1257 Second St NW also contains a single car garage and the driveway can accommodate one (1) additional vehicle. 1255 Second St NW has an asphalt driveway, and can accommodate two (2) vehicles. Any additional parking which may be needed to support future office uses is available on the 220 Kingwood Ave. property, as shown on the Proposed Site Plan, attached as Exhibit L. 220 Kingwood Ave. is located within 100 feet of either single family dwelling, which meets the requirements of UDC 806.010.

The Site has direct access to Second St. NW, and each individual property has curb cuts which provide safe and efficient movement of vehicles directly on to Second St. Second street has been improved recently with new turnpike and sidewalk improvements. The buildings on the Site are easily accessible to both pedestrians and bicyclists, as well as vehicles. At this time, the Applicant has no plans to change the exteriors of the existing structures on the Site.

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

Proposed Finding: The City's public works department has not indicated any potential issues with the existing facilities and utilities in the area, finding that the water, sewer, and storm infrastructure are available within surrounding streets/areas and appear to be adequate to serve the existing and future tenants. See Pre-application conference report No. 14-19.

An 18-inch storm line is located in Kingwood Avenue NW, and a 10-inch storm line is located in 2nd Street NW.

An 8-inch G-0 water line is located in Kingwood Avenue NW, and a 8-inch G-0 water line is located in 2nd Street NW.

An 8-inch sewer line is located in Kingwood Avenue NW.

The Applicant is not proposing any new utilities at this time, as noted on the General Site Plan Notes on Exhibit L. The development is adequately served with facilities and other utilities appropriate to the development.

Conclusion

Based on the evidence and proposed findings provided by the applicant herein, the applicant has demonstrated that its proposal conforms to the applicable criteria for granting approval of an application for a Class 3 Site Plan Review, to re-designate the Site from "Single Family Residential" to "Commercial", to change the West Salem Land Use Plan Map from "Multifamily" to "Commercial" and to change the zoning of the Site from "RS" to "CR".

The applicant's goal is to continue to offer quality services and to continue to a safety net providing those essential health care and social services. The applicant believes that the Site is suitable to provide additional needed space for its existing operation. The change in planning designations and approval of the Site Plan Review request for these properties are consistent with the vision that the City and community have articulated for this area and will help move the Second Street area towards the diverse mixture of uses which is desired. It is for these reasons that the applicant respectfully requests that the City of Salem approve the combined application as submitted with reasonable conditions of approval.

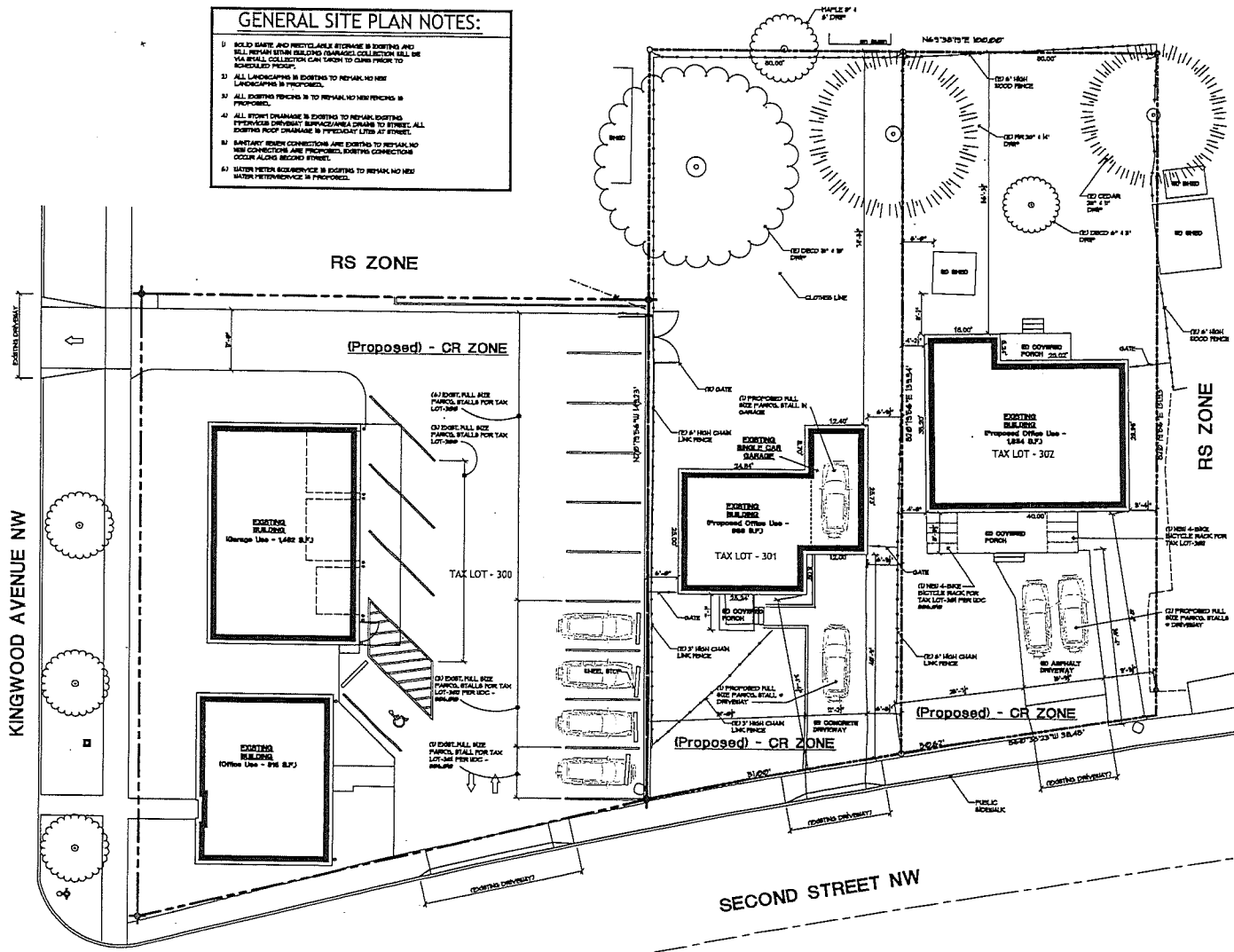
TABLE OF CONTENTS

- A – Tax Map 07328AB00300**
- B – Site Assessment Reports**
- C – Salem Comprehensive Plan Map**
- D – Salem Zoning Map**
- E – West Salem Neighborhood Association Land Use Maps**
- F – Site Photos**
- G – Cherriots Transit Route Maps**
- H – Conditional Use – Site Plan Review Case No. CV-SPR 12-11**
- I – Edgewater/Second Street Redevelopment Action Plan Summary**
- J – Existing Conditions Plan for Land Use Application**
- K – Transportation Planning Rule Analysis**
- L – Proposed Site Plan containing the Site Plan Review Summary Table information**
- M – Existing Conditions Plan for Site Plan Application**

SITE PLAN REVIEW - CLASS 3 APPLICATION FOR NORTHWEST HUMAN SERVICES, INC

GENERAL SITE PLAN NOTES:

1. SOIL BATTER AND RECYCLABLE STORAGE IS EXISTING AND WILL REMAIN. OTHER BUILDING REMAINS COLLECTION WILL BE MAINTAINED. COLLECTION CAN BEGIN TO CLIMB FROM TO SCHEDULED PEOPLE.
2. ALL LANDSCAPING IS EXISTING TO REMAIN. NO NEW LANDSCAPING IS PROPOSED.
3. ALL EXISTING FENCES IS TO REMAIN. NO NEW FENCES IS PROPOSED.
4. ALL STORM DRAINAGE IS EXISTING TO REMAIN. EXISTING FRENCH DRAINAGE IMPROVEMENTS DRAINAGE TO STREET. ALL EXISTING POOL DRAINAGE IS PRESENT. LOTS AT STREET.
5. SANITARY SEWER CONNECTIONS ARE EXISTING TO REMAIN. NO NEW CONNECTIONS ARE PROPOSED. EXISTING CONNECTIONS OCCUR ALONG SECOND STREET.
6. WATER METER REQUIREMENTS IS EXISTING TO REMAIN. NO NEW WATER METER REQUIREMENTS IS PROPOSED.



**TAX LOT-300
ZONING CODE SUMMARY**
PROJECT/ SITE INFORMATION

BUILDING ZONE: RS ZONE	PROPOSED OR - RETAIL COMMERCIAL
TAX MAP: 1000-0000	PROPOSED OR - RETAIL COMMERCIAL
FLOOD PLAN / MAY OVERLAY ZONE: NO	PROPOSED OR - RETAIL COMMERCIAL
TOTAL SITE AREA: 10,000 SQ. FT.	PROPOSED OR - RETAIL COMMERCIAL
CURRENT USE: OFFICE GENERAL OFFICE/CLINIC	PROPOSED OR - RETAIL COMMERCIAL
OFF-STREET PARKING SPACES: 10	PROPOSED OR - RETAIL COMMERCIAL
EXISTING PARKING SPACES: 10	PROPOSED OR - RETAIL COMMERCIAL
PROVIDED PARKING SPACES: 10	PROPOSED OR - RETAIL COMMERCIAL
ADDITIONAL STALLS PROVIDED: 10	PROPOSED OR - RETAIL COMMERCIAL
BICYCLE PARKING: 10	PROPOSED OR - RETAIL COMMERCIAL
LOADING ZONE PARKING: 10	PROPOSED OR - RETAIL COMMERCIAL

**TAX LOT-301
ZONING CODE SUMMARY**
PROJECT/ SITE INFORMATION

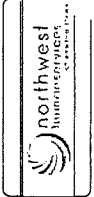
BUILDING ZONE: RS ZONE	PROPOSED OR - RETAIL COMMERCIAL
TAX MAP: 1000-0000	PROPOSED OR - RETAIL COMMERCIAL
FLOOD PLAN / MAY OVERLAY ZONE: NO	PROPOSED OR - RETAIL COMMERCIAL
TOTAL SITE AREA: 10,000 SQ. FT.	PROPOSED OR - RETAIL COMMERCIAL
CURRENT USE: OFFICE GENERAL OFFICE/CLINIC	PROPOSED OR - RETAIL COMMERCIAL
OFF-STREET PARKING SPACES: 10	PROPOSED OR - RETAIL COMMERCIAL
EXISTING PARKING SPACES: 10	PROPOSED OR - RETAIL COMMERCIAL
PROVIDED PARKING SPACES: 10	PROPOSED OR - RETAIL COMMERCIAL
ADDITIONAL STALLS PROVIDED: 10	PROPOSED OR - RETAIL COMMERCIAL
BICYCLE PARKING: 10	PROPOSED OR - RETAIL COMMERCIAL
LOADING ZONE PARKING: 10	PROPOSED OR - RETAIL COMMERCIAL

**TAX LOT-302
ZONING CODE SUMMARY**
PROJECT/ SITE INFORMATION

BUILDING ZONE: RS ZONE	PROPOSED OR - RETAIL COMMERCIAL
TAX MAP: 1000-0000	PROPOSED OR - RETAIL COMMERCIAL
FLOOD PLAN / MAY OVERLAY ZONE: NO	PROPOSED OR - RETAIL COMMERCIAL
TOTAL SITE AREA: 10,000 SQ. FT.	PROPOSED OR - RETAIL COMMERCIAL
CURRENT USE: OFFICE GENERAL OFFICE/CLINIC	PROPOSED OR - RETAIL COMMERCIAL
OFF-STREET PARKING SPACES: 10	PROPOSED OR - RETAIL COMMERCIAL
EXISTING PARKING SPACES: 10	PROPOSED OR - RETAIL COMMERCIAL
PROVIDED PARKING SPACES: 10	PROPOSED OR - RETAIL COMMERCIAL
ADDITIONAL STALLS PROVIDED: 10	PROPOSED OR - RETAIL COMMERCIAL
BICYCLE PARKING: 10	PROPOSED OR - RETAIL COMMERCIAL
LOADING ZONE PARKING: 10	PROPOSED OR - RETAIL COMMERCIAL

Proposed Site Plan

DATE: 08/27/2014
SCALE: 1" = 10'-0"



SITE PLAN REVIEW -
CLASS 3 APPLICATION FOR
NORTHWEST HUMAN SERVICES
1055-287 2ND ST NW GALEA, OR 97004

**PROPOSED
SITE PLAN**

DATE	08/27/14
REVISED DATE	
SHEET	

EXHIBIT - L

Christopher Green - CPC-NPC-ZC-SPR 14-06

From: Robin Dalke
To: Christopher Green
Date: 10/14/2014 9:54 AM
Subject: CPC-NPC-ZC-SPR 14-06

Chris,

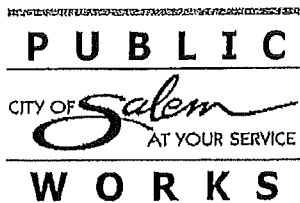
As discussed, the proposed plan for CPC-NPC-ZC-SPR 14-06 is consistent with the Public Works comments in Pre-App No. 14-19. The Assistant City Traffic Engineer concurs with applicants proposed trip cap and recommends a condition to limit the development on the site to 55 vehicles per day.

Water, sewer, and storm infrastructure are available within surrounding streets and appear to adequate to serve the proposed development. The applicant does not show any new connections to public infrastructure. The existing driveways are adequate and do not warrant modification to serve the proposed development.

Please let me know if you need any additional information.

Thank you,

Robin Dalke, CFM
Administrative Analyst III
City of Salem
Development Services
Public Works
(503) 588-6211
Extension 7443




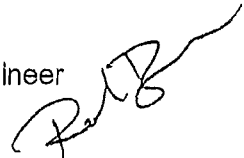
RECEIVED

JUN 25 2014

COMMUNITY DEVELOPMENT

MEMO

TO: Bryan Colbourne, Planner III
Community Development Department

FROM:  Glenn J. Davis, P.E., C.F.M., Chief Development Engineer
Public Works Department 

DATE: June 25, 2014

SUBJECT: PUBLIC WORKS RECOMMENDATIONS
PRE-APP NO. 14-19 (14-109132)
1255 AND 1257 2ND STREET NW AND 220 KINGWOOD AVENUE NW
CPC/ZC

PROPOSAL

A pre-application conference to discuss a proposed comprehensive plan change from Single Family Residential to Commercial and a zone change from Single Family Residential (RS) to Retail Commercial (CR), on property approximately 0.58 acres in size and located at 220 Kingwood Avenue NW and 1255 and 1257 2nd Street NW.

FACTS

Transportation Planning Rule—The applicant will need to submit a Transportation Planning Rule (TPR) Analysis in consideration of the requirements of the TPR (*Oregon Administrative Rule* (OAR) 660-012-0060) with the comprehensive plan change application. The TPR analysis is required to demonstrate that the proposed CPC/ZC will not have a significant effect on the transportation system as defined by OAR 660-012-0060.

Streets

1. 2nd Street NW

- a. Existing Conditions—This street has an approximate 40-foot improvement within a 60-foot-wide right-of-way abutting the subject property.
- b. Standard—This street is designated as a local street in the Salem TSP. The standard for this street classification is a 30-foot-wide improvement within a 60-foot-wide right-of-way.

Code authority references are abbreviated in this document as follows: *Salem Revised Code* (SRC); *Public Works Design Standards* (PWDS); *Salem Transportation System Plan* (Salem TSP); and *Stormwater Management Plan* (SMP).

2. Kingwood Avenue NW

- a. Standard—This street is designated as a local street in the Salem TSP. The standard for this street is a 30-foot-wide improvement within a 60-foot-wide right-of-way.
- b. Existing Conditions—There is an approximate 40-foot improvement within an 80-foot-wide right-of-way adjacent to the subject property.

Storm Drainage

1. Existing Conditions

- a. An 18-inch storm line is located in Kingwood Avenue NW.
- b. A 10-inch storm line is located in 2nd Street NW.

Water

1. Existing Conditions

- a. An 8-inch G-0 water line is located in Kingwood Avenue NE. Mains of this size generally convey flows of 900 to 2,200 gallons per minute.
- b. An 8-inch G-0 water line is located in 2nd Street NW. Mains of this size generally convey flows of 900 to 2,200 gallons per minute.

Sanitary Sewer

1. Existing Sewer

- a. An 8-inch sewer line is located in Kingwood Avenue NE. Mains of this size generally convey flows of 500 to 1,100 gallons per minute.

CRITERIA AND FINDINGS FOR ZONE CHANGE

SRC 265.005(e)(1)(F)—The zone change does not significantly affect a transportation facility, or, if the zone change would significantly affect a transportation facility, the significant effects can be adequately addressed through the measures associated with, or conditions imposed on, the zone change.

Finding—The applicant will need to submit a TPR analysis in consideration of the requirements of the TPR (OAR 660-012-0060) with the zone change application. The TPR analysis is required to demonstrate that the proposed CPC/ZC will not have a significant effect on the transportation system as defined by OAR 660-012-0060.

Bryan Colbourne, Planner III
June 25, 2014
Page 3

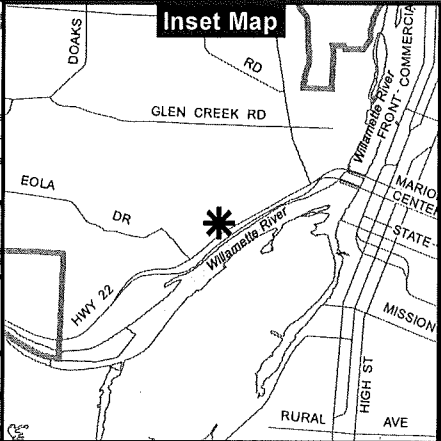
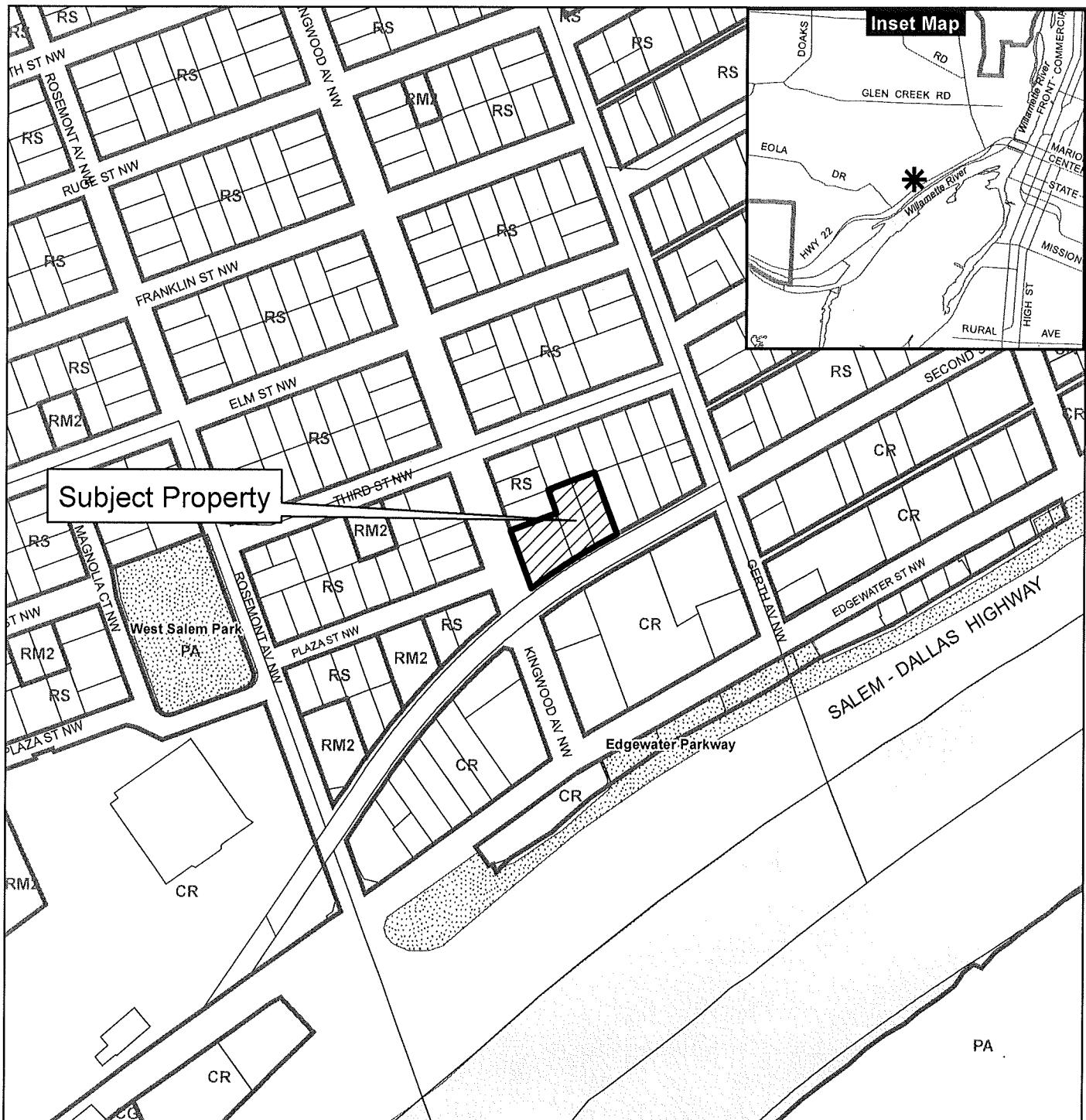
MEMO

SRC 265.005(e)(1)(G) The property is currently served, or is capable of being served, with public facilities and services necessary to support the uses allowed by the proposed zone.

Finding—The water, sewer, and storm infrastructure are available within surrounding streets / areas and appear to be adequate to serve the existing and future tenants. Site-specific infrastructure requirements will be addressed in the Site Plan Review process in SRC Chapter 220.

Prepared by: Robin Bunse, C.F.M., Administrative Analyst II
cc: File

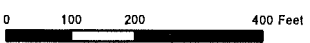
CPC-NPC-ZC-SPR14-06 Zone Change - RS to CR



Subject Property

Legend

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



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

July 21, 2014

Transportation Planning Rule Analysis
for a Comp Plan Map amendment & Zone Change
Northwest Human Services, Salem, OR



ATTACHMENT 6

Mr. Paluska:

This analysis of the Transportation Planning Rule (TPR) is part of your application for the comprehensive plan map amendment and zone change you are requesting for tax lots 300, 301 and 302 of tax map 7S3W28AB in Salem. The three parcels lie in the NE corner of Second St and Kingwood Avenue in West Salem, Polk County. The parcels are currently designated SFR (Single Family Residential) and zoned RS (Single Family Residential). The parcels lay in the Compact Overlay District and are part of the 2nd St Reconstruction Project. The combined area of the parcels is 24,934 sq. ft. (0.57 Ac.)

Your application is to change the Comprehensive Plan Map designation to Commercial and the zoning to CR (Retail Commercial). The parcels across Second Street from the site are zoned CR. Oregon land use law requires that the TPR be addressed whenever a land use action is undertaken. Goal 12 of the TPR requires that the land use action not “significantly affect an existing or planned transportation facility” without specific remedies. It is the intent of this analysis to establish parameters so the proposed comprehensive plan map amendment and the concurrent zone change do not significantly affect an existing or planned transportation facility. Transportation facilities convey traffic and “significant affect” is measured by the volume of traffic using the system. This analysis will determine the amount of traffic that could reasonably be generated if the parcel was developed with allowed uses under the current zoning designation. This “cap” is the amount of traffic allowed to be generated on the parcels if the comprehensive plan map amendment and zone change for the parcels is granted.



Traffic engineers use the ITE (Institute of Transportation Engineers) Trip Generation Manual to estimate the trip generation for a wide variety of uses. Trip generation is estimated for weekdays (ADT), AM and PM Peak hours for the various uses. The ADT (Average Daily Traffic) is used to estimate the total traffic to and from a site during a normal 24-hour workday and will be used for this analysis.

The current RS zoning is intended for residential development. The Compact Development Overlay will permit 14 dwelling units (du) per acre on the parcels. The 3 lots have a combined area of 0.57 acres and could have 3 single family homes or 8 attached homes (du's). An apartment unit (6.65 trips/day) and townhome (5.81 trips/day) generates less traffic than a

single family home (9.52 trips/day). But 8 apartments on the parcels would generate 53 trips per day. The RS zone in the Salem Revised Code does allow some in home business like adult or child day care which would generate additional traffic in residential uses. The trip generation “cap” established by this study is 58 ADT for the parcels under the proposed CR zoning. This is greater than 53 ADT to recognize the additional traffic in home business would add and the fact that 3 or 4 additional trips each day do not have a “significant affect” as stated in the Goal. It also recognizes that parcels across 2nd Street are zoned CR.

Table 1 finds the trip generation some allowed uses in the CR zone that could be built on the site could generate. The parcels are a total of 24,934 sq. ft. in area. If one assumes a coverage ratio of 20% (20% of the site is the floor space of the buildings and the balance of the space is for parking areas and landscaping) one could build a 5000 sq. ft. General Office building. A 5000 sq. ft. General Office building will generate 11.03 trips/day/1000sq. ft. or 55 trips per day. Building a 5000 sq. ft. office with a 20% coverage ratio is reasonable office floor space on the parcels and will meet the intent and letter of the TPR rules. It is noted that the 3 buildings currently on the site have a combined floor space of 3,740 sq. ft.

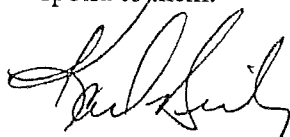
Table 1 – Trip Generation of some proposed allowed uses

ITE #	Use	ADT Rate/ksf	Area	Weekday Trips
710	General Office	11.03	5 ksf	55
715	Single Tenant Office	11.65	5 ksf	58
760	Research & Dev. Center	8.11	7 ksf	57

*ksf is thousand square feet

Summary: It is my engineering judgment that the requested comprehensive plan map amendment and zone change should be approved with the condition that any development that occurs on the 0.57 acre site be limited to uses generating less than 58 Average Daily Trips, based on the trip generation estimates provided in the ITE Trip Generation Manual.

I thank you for asking Project Delivery Group, LLC to provide this analysis. If there is any additional information you might find helpful or if you have questions, I would be pleased to respond to them.



Project Delivery Group, LLC
 Karl Birky, PE, PTOE
 Senior Engineer



12/31/2015

7/22/2014