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March 25, 2024

LAND USE APPLICATION – 2ND COMPLETENESS REVIEW

Project Information

Subject Property:	3295 Ladd Ave NE
Reference Number:	24-103756-PLN
Application Type:	Conditional Use Permit & Site Plan Review
Date Application Accepted:	February 13, 2024
Applicant:	Brand Land Use
Contact:	Britany Randall britany@brandlanduse.com Lindsey King lindsey@brandlanduse.com

Staff Contact

Land Use Planner:	Jacob Brown, Planner I JRBrown@cityofsalem.net / 503-540-2347
Infrastructure Planner:	Shelby Guizar, Infrastructure Planner I SGuizar@cityofsalem.net / 503-584-4638

Land Use Review Comments

Prior to deeming your applications complete, modifications and/or additional information must be provided to address items detailed below.

Applicant should provide a response in the last column for each item or indicate if the item is not being provided. Items not addressed or provided may result in conditions of approval or denial of the land use application.

Your application, which is incomplete, will be deemed complete upon receipt of one of the following:

- (1) All of the missing information.
- (2) Some of the missing information and written notice from you (the applicant) that no other information will be provided.
- (3) Written notice from you (the applicant) that none of the missing information will be provided.

You have 180 days (August 11, 2024) from the date the application was first submitted (February 13, 2024) to respond in one of the three ways listed above, or the application will be deemed void.

The Salem Revised Code may be accessed online at the following location:

<https://www.cityofsalem.net/Pages/salem-revised-code.aspx>

Completeness Review Items

Submittal Requirements – The following items have been identified as required material to be provided by the application(s) prior to deeming the application “complete”:

Submittal Requirement	Description	Applicant Response <i>ie. Written Response, Submitted, Not Providing</i>
Pre-Application Conference Addressed	Conditional Use Permits and Class 3 Site Plan Reviews require mandatory pre-application conferences. Per SRC 300.300(4)(A), mandatory pre-application conferences shall be held within 18 months of the date of application submittal. The last pre-app held for this property was conducted on May 16, 2022. Please request another pre-application conference or submit a request for a pre-application waiver.	
Chain-of-Title Not Addressed	The legal lot status of the property is not clearly established. Please provide a chain-of-title with deeds dating back to the lot's current configuration.	
Signed Application Not Addressed	The application form must be signed by the applicant(s), property owner(s), and/or duly authorized representative(s). Documentation demonstrating David Tatman is an authorized representative of the property owner is required to be provided.	
Site Plan Not Addressed	The submitted site plan is missing an details of all proposed/existing landscape areas on the site, with an indication of square footage and their percentage of the total site area required under SRC 220.005 (e)(vi).	
Stormwater Management Not Addressed	It is unclear from the submitted plans whether or not the proposal meets the definition of a large project pursuant to SRC 70.005 . The applicant shall submit a written finding regarding the definition of large project and a description/calculation of the new/replaced impervious surfaces pursuant to SRC 70.005 . If the proposal meets the definition of a large project the applicant shall provide a storm drainage system that provides treatment and flow control as required by the 2014 PWDS .	

Advisory Comments

Items of Concern - The following items are not listed in the SRC as specific requirements for a complete application; however, are advisories that address areas of concern on the application. **Failure to address advisory comments could result in condition of approval or denial of the application(s).**

Item	Description	Applicant Response <i>ie. Written Response, Submitted, Not Providing</i>
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Chapter 800 – General Standards		
800.040 Special Setback Not Addressed	The property is subject to a special setback equal to 30-feet from the centerline and half of the cul-de-sac of Windsor Avenue NE, per SRC 800.040 . Setbacks for the proposed development shall be measured from the special setback line.	
800.065 Pedestrian Access Standards Not Addressed	<p>Pursuant to SRC 800.065, pedestrian connections are required for the development site. A pedestrian connection meeting the design standards of SRC 800.065 (b) is required between each building and any abutting street. In this case, the plans propose a pedestrian connection to Windsor Ave NE; however, there is no proposed or existing pedestrian connection to Ladd Ave NE or Ellis Ave NE to the south.</p> <p>As there is no direct development near Ellis Ave NE, a Class 2 Adjustment would be supported by staff; however, an adjustment to the required connection to Ladd Ave NE is not supported.</p>	
Chapter 808 – Preservation of Trees and Vegetation		
808.046 Protection Measures During Construction Not Addressed	<p>Pursuant to SRC 808.046 (a)(2), the critical root zone of a significant tree shall be protected to ensure the health and stability of the tree; and there shall be no grading, placement of fill, storage of building materials, or parking of vehicles. As shown in the provided grading plan, there appears to be proposed grading/disturbance proposed within the critical root zone of a Fir tree located south of the addition with a DBH of 32 inches. Per SRC 808, the critical root zone of the tree has radius of 32 feet.</p> <p>As stated under SRC 808.046 (a)(3), up to a maximum of 30 percent of the critical root zone of a tree may be disturbed in order to accommodate development of the property when a report from an arborist is submitted documenting that such disturbance will not compromise the long-term health and stability of the tree and all recommendations included in the report to minimize any impacts to the tree are followed. Please amend the project plans to exclude any development within the critical root zone or provide an updated arborist report demonstrating that development within 30% of the critical root zone shall meet SRC 808.046 (a)(3). If the disturbance exceeds 30% of the critical root zone, a tree variance or tree removal permit may be required and findings will need to be provided for either application</p>	