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April 8, 2024

## LAND USE APPLICATION - COMPLETENESS REVIEW

### Project Information

<b>Subject Property:</b>	2561 Center Street NE
<b>Reference Number:</b>	23-123424-PLN
<b>Application Type:</b>	Class 3 Site Plan Review, Tentative Partition, Class 2 Adjustment, Class 2 Driveway Approach Permit, and Tree Removal Permit
<b>Date Application Accepted:</b>	December 5, 2023 1 <sup>st</sup> Round Completeness Letter Sent December 28, 2023 Applicant response provided March 17, 2024
<b>Applicant:</b>	Steve Kay Cascadia Planning and Development Services PO Box 1920 Silverton, OR 97381 <a href="mailto:steve@cascadiapd.com">steve@cascadiapd.com</a>
<b>Contact:</b>	Tim Lawler 3050 SE Division Street, Suite 270 Portland, OR 97202 <a href="mailto:tim@gl-dev.com">tim@gl-dev.com</a>

### Staff Contact

<b>Land Use Planner:</b>	Aaron Panko, Planner III <a href="mailto:apanko@cityofsalem.net">apanko@cityofsalem.net</a> / 503-540-2356
<b>Infrastructure Planner:</b>	Laurel Christian, Utility Planner II <a href="mailto:lchristian@cityofsalem.net">lchristian@cityofsalem.net</a> / 503-584-4632

### 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 (June 2, 2024) from the date the application was first submitted (December 5, 2023) 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>

<b><u>Completeness Review Items</u></b>		
<b><u>Submittal Requirements</u></b> – The following items have been identified as required material to be provided by the application(s) prior to deeming the application “complete”:		
<b>Submittal Requirement</b>	<b>Description</b>	<b>Applicant Response</b> <i>ie. Written Response, Submitted, Not Providing</i>
<b>Additional Fees</b>	The updated application materials include submittal of a new property line adjustment, and one additional Class 2 Adjustment, for a total of six adjustments. The following additional fees are required and have been added to the folder:  1) Property Line Adjustment = \$1,264.00 2) Additional Adjustment = \$250.00	
<b>PLA Deeds</b>	A copy of the draft PLA deeds in a form approved by the Director is required at completeness per SCR 205.055(C). Please see the attached PLA deed template.	
<b>Tree Removal Permit / Tree Variance</b>	The original application included a Tree Removal Permit application to remove 32 trees, a fee of \$2,128.00 was paid for this application. After reviewing the application materials and the requirements of Chapter 808, a Tree Removal Permit does not appear to be required and may be withdrawn. The fee paid for this application may be applied to new applications.  A Chapter 808 Tree Variance may be needed for the impact to the critical root zone for Tree 3602, the fee for a Chapter 808 Tree Variance is \$2,494 per tree. Please advise if the critical root zone requirements of Chapter 808 can be met for Tree 3602 or if a Chapter 808 Tree Variance will be submitted.	

<b><u>Advisory Comments</u></b>		
<b><u>Items of Concern</u></b> - 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. <b>Failure to address advisory comments could result in condition of approval or denial of the application(s).</b>		
<b>Item</b>	<b>Description</b>	<b>Applicant Response</b> <i>ie. Written Response, Submitted, Not Providing</i>

<b>Chapter 86 – Trees on City Owned Property</b>		
<b>Trees and Sidewalks along 23rd</b>	<p>As mitigation for removal of trees along 23<sup>rd</sup> Street SE as well as the requested adjustment for setbacks, staff will require an 8-foot-wide planter strip along 23<sup>rd</sup> Street SE that can accommodate larger species trees.</p> <p>The applicant's incomplete response indicated a Reasonable Alternative Analysis was submitted for the street trees along 23<sup>rd</sup>, however, it was not included in the package. Additionally, Street Tree Removal Permits are applied for at the time of construction. The applicant shall preserve as many trees as possible along 23rd Street SE and replace the street trees in the new 6-foot planter strip. Staff recommends that the City's Urban Forester review and make recommendations on which trees can be reasonably saved during construction of the sidewalk with the 8-foot planter strip.</p>	
<b>Chapter 806 – Parking</b>		
<b>Electric Vehicle Service Capacity</b>	<p>Required electric vehicle charging spaces. For any newly constructed building with five or more dwelling units on the same lot, including buildings with a mix of residential and nonresidential uses, a minimum of 40 percent of the off-street parking spaces provided on the site for the building shall be designated as spaces to serve electrical vehicle charging. In order to comply with this subsection, such spaces shall include provisions for electrical service capacity, as defined in ORS 455.417.</p> <p>The site plan indicates a total of 209 parking spaces are proposed for the use requiring a minimum of 84 electric vehicle charging off-street parking spaces. The site plan indicates 83 electric vehicle charging spaces are provided, less than the minimum requirement.</p> <p>Please revise the site plan to comply with the minimum standard.</p>	
<b>Minimum Interior Landscaping Required for Off-Street Parking Area</b>	<p>SRC 806.035(d)(2) requires for off-street parking areas greater than 50,000 square feet in size, a minimum of 8% interior landscaping.</p> <p>The written statement and site plan do not indicate the total size of the off-street parking areas, or the amount of interior landscaping provided. Please update the application materials to demonstrate compliance with the minimum standard.</p>	
<b>Bicycle Parking</b>	<p>SRC 806.055 requires one bicycle parking space per unit, or a minimum of 120 spaces for the proposed use.</p> <p>Some of the proposed long-term bicycle parking spaces are located on upper floor units. With no elevator to the upper floor units, the long-term bicycle</p>	

	<p>parking spaces in these units do not comply with SRC 806.060(1)(2)(A)(i) and cannot be counted toward the minimum requirement. Staff counted 114 bicycle parking spaces, less than the minimum required. Please revise to show a minimum of 120 bicycle parking spaces.</p> <p>If bicycle parking is proposed within units, please show locations on the floor plans that comply with required dimensions. If proposed outside, please show on site plan.</p>	
<b>Chapter 800 – General Standards</b>		
<p><b>Existing Easements for Public Utilities</b></p> <p><b>*Not Completely Addressed* The plans do not upgrade all easements widths and there are different easement widths shown on different plan sheets. For example, the utility plan sheet has different easement widths shown than the grading plan</b></p> <p><b>Staff can condition this item if the plans are not updated.</b></p>	<p>There are existing easements on the subject property for public infrastructure. The applicant is advised that no new structures are permitted within existing or required easements. Existing unused public utility easements on the site may be quitclaimed or vacated, as necessary.</p> <p>Conditions of approval require dedication of new and existing easements to meet current <a href="#">Public Works Design Standards (PWDS)</a> for minimum easements widths.</p> <p>Please review the easement Section (1.8) from our Public Works Design Standards for reference. Staff recommends revising the plans to show easements that meet current minimum widths as there appear to be building conflicts with the requirement for easements that meet current PWDS.</p>	
<b>Chapter 807 – Landscaping and Screening &amp; Chapter 808 – Preservation of Trees and Vegetation</b>		
<p><b>SRC Chapter 807 – Tree Preservation and Replanting Requirements</b></p>	<p>The tree inventory provided identified the total number of trees on the subject property, however it does not distinguish between the trees removed on the portion of the site proposed for development, Parcel 1, and those on Parcel 2 which has no development proposed at this time.</p> <p>Please update the tree inventory to indicate which phase each tree is located within, as well as the number of trees proposed to be preserved / removed within Phase 1 (Parcel 1).</p> <p>Per SRC 807.015(d)(2), when more than 75 percent of the existing trees, as defined under Chapter 808 (trees with a dbh of 10 inches or greater), on a development site are proposed for removal, two new trees shall be planted for each tree removed in excess of 75 percent.</p>	

	It appears more than 75 percent of the existing trees located within Phase 1 are proposed for removal and mitigate will likely be required.	
<b>Critical Root Zone – Giant Sequoia</b>	<p>The application materials provide conflicting information on the diameter of the Giant Sequoia (Tree 3206) located near the boundary of proposed Parcels 1 and 2. Application materials indicate between 76-80 dbh for this tree, making it a protected significant tree.</p> <p>Per SRC 808.046, all trees protected under Chapter 808 are required to be provided with protection measures during construction, regardless of whether the tree is located on the property proposed for development, or adjacent property.</p> <p><i>Critical root zone</i> means the circular area beneath a tree established to protect the tree's trunk, roots, branches, and soil to ensure the health and stability of the tree. The critical root zone measures one-foot in radius for every one-inch of dbh of the tree or, as an alternative for non-significant trees, may be specifically determined by an arborist.</p> <p>Development is proposed within the critical root zone of Tree 3206, findings are required demonstrating that the amount of disturbance to the critical root zone does not exceed 30%, per SRC 808.046(a)(3)(A).</p> <p>If more than 30% of the critical root zone will have disturbance that is unavoidable, the applicant may request a Chapter 808 Tree Variance to vary the critical root zone standards for this tree.</p>	
<b>Additional Items</b>		
	No additional items	