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March 5, 2024  
*2<sup>nd</sup> Round – May 16, 2024*

## LAND USE APPLICATION - COMPLETENESS REVIEW

### Project Information

<b>Subject Property:</b>	676 17 <sup>th</sup> Street SE
<b>Reference Number:</b>	24-103565-PLN
<b>Application Type:</b>	Class 3 Site Plan Review and Class 1 Design Review
<b>Date Application Accepted:</b>	February 7, 2024
<b>Applicant:</b>	Servando Garcia S & V Garcia Investments LLC PO Box 21444 8135 River Road NE Keizer, OR 97307-1444 <a href="mailto:estimating@sunsetstuccollc.com">estimating@sunsetstuccollc.com</a>
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### Staff Contact

<b>Land Use Planner:</b>	Aaron Panko, Planner III <a href="mailto:apanko@cityofsalem.net">apanko@cityofsalem.net</a> / 503-540-2356
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### 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 5, 2024) from the date the application was first submitted (February 7, 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>

<b><u>Completeness Review Items</u></b>		
<b><u>Submittal Requirements</u> – The following items have been identified as required material to be provided by the application(s) prior to deeming the application “complete”:</b>		
<b>Submittal Requirement</b>	<b>Description</b>	<b>Applicant Response <i>ie. Written Response, Submitted, Not Providing</i></b>
<b>Pre-Application Conference</b>  <b>Submitted</b>	<del>Design Review applications require mandatory pre-application conferences. Per SRC 300.300(c)(4)(A), mandatory pre-application conferences shall be held within 18 months of the date of application submittal.</del>  <del>Please request another pre-application conference or submit a request for a pre-application waiver.</del>	
<b>Site Plan <u>220.005(e)</u></b> <b>Not addressed.</b> <b>Existing conditions plan is required to show the location of all existing trees, indicating their species, DBH, critical root zone, and whether they will be preserved or removed.</b>	Per SRC 220.005(e)(1)(C), a tree plan, of a size and form and in the number of copies meeting the standards established by the Planning Administrator, containing the following information: <ul style="list-style-type: none"> <li>(i) The total site area, dimensions, and orientation relative to north;</li> <li>(ii) The location of all existing trees, indicating their species, DBH, critical root zone, and whether they will be preserved or removed;</li> <li>(iii) The location of all new trees proposed to be planted on the development site, indicating their species and caliper at the time of planting;</li> <li>(iv) The perimeter and soil depth of all proposed tree planting areas;</li> <li>(v) The location of all existing and proposed primary and accessory structures;</li> <li>(vi) The location of all existing and proposed parking and vehicle use areas; and</li> <li>(vii) For developments that include more than one-half acre of new off-street surface parking, the tree plan shall include the expected tree canopy area after 15 years for all trees.</li> </ul> A tree plan meeting the requirements of this section was not provided in the application materials.	Notes showing tree type, DBH and drip/critical root zone have been added. All trees are proposed to be preserved at this time, and has been noted as such on drawings.
<b>Written Statement (SPR)</b> <b>Submitted</b>	<del>Please include a response to all applicable development standards and all approval criteria in the written statements.</del>	

	<del>The written statement does not address applicable development standards found in SRC Chapters 514, 702, 800, 806, 807, and 808.</del>	
<b>Class 2 Driveway Approach Permit</b>  <b>Submitted</b>	<del>The proposed driveway approach will be subject to the Class 2 Driveway Approach requirements described in SRC 804. The applicant shall submit the applicable application and fee.</del>	
<b>Vision Clearance Fencing in the vision clearance area will be conditioned to be 30-inches or less per SRC 805.010.</b>	<del>The proposed fencing along the driveway approach may not meet vision clearance standards established in SRC 805. The applicant shall demonstrate how vision clearance standards are met.</del>	Noted
<b>Floodplain Development</b> <b>Not addressed; however, staff will condition removal of the encroachment if the applicant cannot obtain a No-Rise Certification per SRC 601.075(d)(1)(A).</b>	An existing floodway is located on the subject property as designated on the Federal Emergency Management Agency (FEMA) floodplain maps. Development within the floodplain requires a floodplain development permit and is subject to the requirements of SRC 601.  Development within the floodway, including any excavation, grading, fill, or pavement, or structures, is not permitted. The applicant should revise the site plan to remove encroachments into the floodway.	A No-Rise Certification will be acquired per SRC 601.075(d)(1)(A)
<b>Stormwater Management and/or Design Exception</b>  <b>Not addressed, see note.</b>	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 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. Staff measurements of new impervious area indicate the project may exceed the 10,000 sq. ft. threshold.  <b>NOTE: The applicant's impervious calculation does not include new pervious surface in the alley, which will be solely used for this development. Additionally, the applicant has measured building footprint while the impervious area includes roof eaves. Based on these considerations staff has determined this is a "large project" and will require GSI. The applicant shall either set aside an area of the site that equals 10-percent of the new impervious surface, or provide a stormwater report demonstrating compliance with SRC 71, and Public Works Design Standards (PWDS) Appendix 4E.</b>	After recalculating with overhangs and alleyways included, we determine that the project does have over 10,000sf of new/replaced surfaces. We have set aside an on site area that is at least 10% of the impervious area, with drainage directed towards this area instead of into city storm infrastructure.
<b>Replat Submittal Items</b>	The applicants written statement indicates a replat will be consolidated with this land use application; however, the applicant has not provided any materials for the replat. The applicant shall submit all information listed in <u>SRC 205.025(c).</u>	This was an oversight on our part. We have included drawings for the replat with this response. See SPR-7 Plat Plan

### **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>
<b>Chapter 514 – RM-II (Multi-Family Residential) Zone</b>		
<b>RM-II Zone – Zone to zone setbacks</b> <b>Adjustment Submitted</b>	SRC 514.010(d), Table 514-4 and Table 514-5 requires a minimum 10-foot setback to the abutting RS zoned property to the east. No vehicle use area setback is provided. Please revise the site plan to comply with the minimum standard, or request an adjustment.	
<b>RM-II Zone – Building Setbacks abutting a street</b> <b>Adjustment Submitted</b>	SRC 514.010(d), Table 514-4 requires a minimum building setback of 20 feet for the proposed 35' tall buildings. Proposed buildings are setback approximately 13 feet from 17 <sup>th</sup> Street SE and approximately 12 feet from Oak Street SE. Please revise the plans to comply with minimum standard.	
<b>Chapter 702 – Design Review</b>		
<b>702.015(b)(1) – Landscaping Standards</b> <b>Not addressed.</b>	<p>Where a development site abuts property that is zoned RS (Single Family Residential), a combination of landscaping and screening shall be provided to buffer between the multi-family residential development and abutting RS zoned property.</p> <p>Screening includes: a minimum of one tree for every 30 linear feet of abutting property width and a minimum six foot tall, decorative, sight obscuring fence or wall.</p> <p>No screening is proposed along the eastern property line where the subject property abuts RS zoned property. Please revise the site plan to demonstrate compliance with the standard.</p>	This was addressed in the previous response and with the adjustment letter (#4). The portion of the East property line that directly abuts the RS zone is where we propose a driveway that needs to be at the property line, not allowing for a setback. The remaining of the RS zone is along the alley, which does not require a setback per table SRC 514-5. A privacy fence is existing along this alley satisfying the screening requirement. A fence with transparency is required along the driveway for vision clearance.
<b>702.015(d)(1) – Parking and Site Design Standards</b> <b>Not addressed. Proposed configuration does not comply, an Adjustment to this standard will not be supported.</b>	<p>To minimize the visual impact of on-site parking and to enhance the pedestrian experience, off-street surface parking areas and vehicle maneuvering areas shall be located behind or beside buildings and structures. Off-street surface parking areas and vehicle maneuvering areas shall not be located between a building or structure and a street.</p> <p>Off-street parking spaces are proposed between the ground level of the northern most building and Oak Street SE. Please adjust the orientation of the building and parking so parking spaces are not proposed between the ground floor and abutting street.</p>	<p>Parking that is being referenced is wholly inside the building and considered a parking structure. Definition: Parking structure means a structure, or portion thereof, that provides two or more levels of parking.</p> <p>Per SRC 806.035(c)(5), no setback or screening is required, however we have provided landscaping to visually screen this area from Oak St. See SPR-8, specifically drawings C and D.</p>

<b>702.015(d)(2) – Parking and Site Design Standards</b> <b>Not addressed.</b>	<p>To ensure safe pedestrian access to and throughout a development site, pedestrian pathways shall be provided that connect to and between buildings, common open space, and parking areas, and that connect the development to the public sidewalks. Pedestrian pathways shall be a minimum of five feet in width.</p> <p>A pedestrian pathway connection to the southern most parking spaces and solid waste service area is required.</p>	<p>A pathway was shown through the landscape in the SW corner of the property. This has been updated to gravel, decomposed granite or similar pathway, and labeled.</p>
<b>Chapter 800 – General Development Standards</b>		
<b>800.055 Solid waste service areas</b> <b>Okay</b>	<p><del>SRC 800.055(e)(1) – The proposed front opening does not comply with the minimum 12 foot standard.</del></p> <p><del>SRC 800.055(f)(1)(A) – Vehicle operation area does not appear to comply with minimum dimensions.</del></p> <p><del>SRC 800.055(f)(1)(E) and SRC 800.055(f)(2) – Turnaround not provided for solid waste service vehicles. Need to demonstrate that vehicles will not be required to back onto a public street to leave the premises.</del></p>	
<b>Chapter 806 – Off-Street Parking</b>		
<b>Vehicle Use Areas – Perimeter Setbacks &amp; Vehicle Turnaround</b> <b>Okay</b>	<p><del>SRC 806.035(f)</del>  <del>Off street parking area access and maneuvering.</del></p> <p><del>No vehicle turnaround area is provided within the proposed off street parking area. Please submit a revised site plan demonstrating compliance with minimum turnaround requirements.</del></p>	
<b>Vehicle Use Area Setback Adjacent to Buildings and Structures</b> <b>Not addressed.</b> <b>Vehicle use area proposed within five feet of exterior wall.</b>	<p><del>SRC 806.035(c)(5)</del>  <del>Where an off-street parking or vehicular use area is located adjacent to a building or structure, the off-street parking or vehicular use area shall be setback from the exterior wall of the building or structure by a minimum five-foot-wide landscape strip, planted to the Type A standard set forth in SRC chapter 807, or by a minimum five-foot-wide paved pedestrian walkway.</del></p>	<p><del>Not clear where specifically this is referring to.</del></p> <p><del>The driveways to the East of each building do not require setbacks per SRC 806.040(c)</del></p>
<b>Electric Vehicle Service Capacity</b> <b>Okay</b>	<p><del>SRC 806.015(d)</del></p> <p><del>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.</del></p> <p><del>Please show which units will be wired for electrical service capacity and show compliance on the utility plan.</del></p>	



<b>Bicycle Parking</b> <b>Okay</b>	<p>SRC 806.055 requires one space per unit. A minimum of 12 bicycle parking spaces are required for the proposed development. Please demonstrate compliance with this section.</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 807 – Landscaping and Screening &amp; Chapter 808 – Preservation of Trees and Vegetation</b>		
<b>SRC 808.020 Trees and Native Vegetation in Riparian Corridors</b> <b>Not addressed.</b> <b>Additional details required on existing conditions plan and site plan demonstrating compliance with tree protection requirements.</b>	<p>No person shall remove a tree in a riparian corridor or native vegetation in a riparian corridor. Evidence from a certified arborist or landscape architect shall be provided demonstrating no trees or native vegetation will be removed from the riparian area.</p> <p>Per SRC 808.046, any trees or native vegetation required to be preserved shall be protected during construction with the installation of an above ground silt fence, or its equivalent. The above ground silt fence shall encompass 100 percent of the critical root zone of the tree.</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>Not clear what details are being requested.</p> <p>Tree protection area was noted on Landscape plan SPR-5A, but note has also been added to SPR-1, and SPR-1A has been created to include a dedicated tree protection plan and detail.</p>
<b>Additional Items of Concern</b>		
<b>Wetlands and/or Hydric Soils</b> <b>WLUN to be sent by the City. Nothing required from applicant at this time.</b>	<p>There are Salem-Keizer Local Wetland Inventory linear channel wetlands and/or hydric soils mapped on the subject property. The applicant shall contact the Oregon Department of State Lands to verify if any permits are required for future development. The applicant is required to verify mapped wetland area(s). Once the application is deemed complete, Public Works will send Wetlands Notice to the Department of State Lands, as required by SRC 809.025.</p>	
<b>Primary Alley Access</b> <b>Pavement shown.</b>	<p>As a condition of utilizing the alley for primary access for employee parking, the applicant is required to widen the alley approach in order to provide adequate circulation, the applicant should revised the plans to show improvements to the alley.</p>	

<b>Open Channel/Drainage Easements</b>  <b>Not shown. Will be listed as a condition to remove parking/obstructions from this area.</b>	<p>Pursuant to Public Works Design Standards (PWDS) 1.8(d), the application is subject to open channel drainage easements to be dedicated along the creek, allowing for access and maintenance. The easement width shall be either the 100-year floodway boundary, 15-feet from the channel centerline, or 10-feet from the top of the recognized bank, whichever is greatest.</p> <p>The applicant shows structures and parking within the easement area and this is not permitted. The plans should be updated to remove obstructions from easements and the floodway.</p>	<p>Easement was shown but not labeled. Now its labeled and included in replat docs.</p> <p>The easement allows access to the stream for the city, but does not require the city to have exclusive use, and therefore we can provide parking within the easement.</p>
<b>Lot Legality and Configuration</b>  <b>Outstanding. Replat items needed.</b>	<p>The survey section has previously reviewed the information submitted for this site. The subject property appears to be made up of multiple units of land under separate ownership. The buildings and improvements appear to cross internal property lines. The applicant should indicate if a replat application will be consolidated with this application or filed for separately and conditioned.</p> <p>Comments from Survey section attached.</p>	<p>Replat documents are submitted with this response, and we request that a replat application be added to this active application. See SPR-7 Replat and 01-ExpeditedLandDivisionApp.pdf.</p> <p>Any comments on drawings were responded to in first response.</p>