

Community Planning and Development

555 Liberty St. SE / Room 305 • Salem, OR 97301-3503 • 503-588-6173 • www.cityofsalem.net

April 20, 2024

LAND USE APPLICATION COMPLETENESS REVIEW

Subject Property: 1105 Front Street NE

Reference Nos.: 24-106451-PLN (Class 3 Site Plan Review, Tentative Subdivision Plan,

Class 1 & 2 Adjustment, Class 2 Driveway Approach Permit)

Applicant: Trent Michels **Phone:**

The Future of Neighborhood Development, LLC **E-Mail:** trent.michels@gmail.com

Agent: Grace Wolff Phone: 503-400-6028

AKS Engineering & Forestry, LLC E-Mail: wolffg@aks-eng.com

3700 River Road N Keizer, OR 97303

The Planning Division has conducted its completeness review of the proposed Class 3 Site Plan Review, Tentative Subdivision Plan, Class 1 and 2 Adjustment, and Class 2 Driveway Approach Permit for property located at 1105 Front Street NE. In order to deem the application complete and to continue processing the application, modifications/and or additional information is needed to address the following item(s):

Item:	Description:
Application Form	SRC 300.210(a)(1)(G) requires land use applications to be signed by the applicant, owner of the property, and/or the duly authorized representative. The land use application form submitted is signed by Trent Michels. Per SRC 300.210(a)(1)(G), land use applications are required to be signed by the applicant and owner, or an authorized representative thereof.
	Because the subject properties are owned by Front Street Properties LLC and Truitt Properties LLC, authorized representatives of these two companies are also required to sign the application form authorizing its submittal.
Application Fee	Site Plan Review Fee: In review of the application fee paid for the Site Plan Review component of the application, it appears that the "Type of Plan Check" selected during the folder creation process was Multi-Family. However, because the proposal is for a mixed-use development, the Multi-Family plan check is incorrect and the applicable Site Plan Review application fees were incorrectly billed. The correct total Site Plan Review fee should be \$93,484.00. The site plan review fee that was paid (\$68,148.00) was for a multi-family project and is therefore less than the full required amount. An additional application fee of \$25,336.00 is therefore required for the site plan review application.
	<u>Class 2 Adjustment Fee:</u> Based on review of the application materials submitted for the application a Class 2 Adjustment was requested in order to approve an

Item:	Description:
	alternative street standard for the planned design of Front Street NE. A Class 2 Adjustment is not required, however, for alternative street standards. As such, there is one less Class 2 Adjustment required with the application and the Class 2 Adjustment component of the application was overpaid by \$250.00 .
Recorded Deed	SRC 300.210(a)(2) requires copies of the recorded deeds, with legal descriptions, to submitted for the properties included in a land use application. A title report has been provided, but copies of the current recorded deeds for the properties have not yet been submitted.
Proof of Signature Authority	The subject properties are owned by Front Street Properties LLC and Truitt Properties LLC. The application form is required to be signed by the authorized representatives of both companies and proof of signature authority is required for whomever signs the application demonstrating they have signature authority to sign the application on behalf of the companies.
	SRC 300.210(a)(3) requires the submittal of any information that would give rise to an actual or potential conflict of interest under state or local ethics laws for any member of a Review Authority that will or could make a decision on the application.
List of LLC Members	In order to implement this submittal requirement applicants are required to submit a list of the names of all of the members of the company, LLC, or organization that is involved with a land use application request as either an owner or applicant. This allows the members of any potential Review Authority at the City who may end up reviewing the application to be able to identify whether any potential conflict of interest exists with the applicant and/or property owner.
	Because the subject properties are owned by Front Street Properties LLC and Truitt Properties LLC, a list of all of the members of these companies is needed.
	The Tree Preservation and Removal Plan needs to be revised to address the following:
	Riparian Corridor Boundaries: The subject property is located adjacent to both the Willamette River and Mill Creek. The Tree Preservation and Removal Plan needs to be revised to show the 75-foot-wide riparian corridor of the Willamette River and the 50-foot-wide riparian corridor of Mill Creek in order to determine which trees and native vegetation on the site are within a riparian corridor boundary and therefore protected under SRC 808.020.
Tree Preservation & Removal Plan	Riparian Corridor Vegetation: Per SRC 808.020, both trees and native vegetation are protected within riparian corridors. The Tree Preservation and Removal Plan appears to inventory trees with a dbh of 10 inches or greater. The application materials provided do not, however, identify whether an inventory of existing native vegetation was conducted. Confirmation is needed whether there is any existing native vegetation located within the riparian corridors of either the Willamette River or Mill Creek present on the property and, if so, whether the native vegetation is proposed to be preserved or removed. Within riparian corridors, native vegetation includes trees less than 10 inches dbh.
	 Tree Removal Permit Exemption: SRC 808.030(a)(2)(G) exempts the removal of trees and native vegetation within a riparian corridor from the requirement

Item:	Description:	
	to obtain a tree removal permit when the removal of the tree or native vegetation is necessary for public trail or public park development and maintenance. It doesn't appear, however, that all of the trees identified for removal need to be removed to accommodate the construction of the Willamette Greenway path. See tree removal comments included with arborist's report identifying those trees which appear as though they can be preserved based on their assessed health and the minimal amount of disturbance to their critical root zones.	
	■ <u>Trees & Vegetation on Proposed Lots 5 & 6:</u> The Tree Preservation and Removal Plan does not include proposed Lots 5 and 6 of the subdivision. If any required improvements associated with the approval of the subdivision (such as utility lines, bike paths, etc) will be required to cross through Lots 5 and 6 and such improvements will result in the need to remove existing trees and vegetation on that portion of the site, the Tree Preservation and Removal Plan will need to be revised to show the riparian corridor boundary of the Willamette River and existing trees and native vegetation on Lots 5 & 6 that that will be proposed for removal.	
Approved Subdivision Name	For subdivision applications, SRC 205.030(j)(3) requires submittal of a name for the subdivision that's been approved by the County Surveyor. The <i>Marion County Subdivision/Condominium Name Request Form</i> that's required to be completed and submitted with the subdivision application can be found on the Marion County Surveyor's Office website at the following location:	
	https://www.co.marion.or.us/PW/Survey/Documents/subcondonamerequest.pdf	
New CFEC Standards for Large Parking Lots	The total size of the new surface parking lot area included with the development is more than one-half acre in size. Therefore, the additional new large parking lot landscaping standards adopted in response to the State's Climate Friendly & Equitable Communities (CFEC) administrative rules apply. The additional parking lot standards are included under SRC 806.035(n).	
Additional Comments on Plans	Please see the additional staff comments included on the attached plans.	
Development Services Comments Submittal Requirements - The following items have been identified as required material to be provided by the applicant prior to deeming the application "complete".		
Traffic Impact Analysis	Pursuant to SRC 220.005(e)(2)(I) and 803.015(b)(1), a Traffic Impact Analysis (TIA) is required. The applicant's traffic engineer is advised to contact Tony Martin, Assistant City Traffic Engineer, at 503-588-6211 or tmartin@cityofsalem.net to discuss the scope needed and if there are any questions about the TIA requirements.	
Class 2 Driveway Approach Permit	The applicant applied for three (3) Class 2 Driveway Approach Permits; however, one additional may be required. There is a driveway on the plans that extends towards Shipping Street NE. It is unclear if this will be constructed as part of this development or in the future. If constructed with this development, the proposed driveway approach will be subject to the Class 2 Driveway Approach requirements described in SRC 804.025 . The applicant shall submit the applicable application and fee.	

Item:	Description:		
	Where does this go? When will it be constructed? TL 6000 TM 607 3W 22AB		
Stormwater Management	The application does not provide sufficient details to identify how the site is compliant with SRC 71, it does not appear based on the information provided that adequate area has been provided for GSI pursuant to Public Works Design Standards (PWDS) Appendix 4E. Comments on the stormwater report will be provided to the applicant's engineer. The applicant should indicate if stormwater management for lots 5 and 6 will be deferred until development on those lots.		
Street Trees Required	Existing and proposed street trees shall be shown on the applicants site plan per SRC 220.005(e)(1)(A)(ix).		
Tentative Subdivision Plan	The tentative plan does not include all required items listed under SRC 205.030(a) . The Shipping Street right-of-way is not shown on the tentative plat. Required cul-de-sac right-of-way is not shown on the plan (see below comments).		
Utility Plan (Subdivision)	The application shall include a preliminary utility plan demonstrating how proposed lots 5 and 6 will be served pursuant to SRC 205.030(f).		
Title Report	Submit a current title report for the subject property for review by the Survey Section pursuant to SRC 205.030(b). A title report dated 30-days from time of application is required. Note: A revised title report was submitted on 04/19, so this item may be resolved unless issues arise upon review of the revised report.		
Deed History	Survey is not able to determine lot legality at this time. The hyper-links in the 'Survey Memo' are expired; therefore Survey is unable to review the deed history.		
<u>Items of Concern</u> - 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) .			
Street Tree Removal	The applicant's plans show removal of City-owned trees. The applicant is advised that a street tree removal application is required for the trees proposed for removal prior to issuance of Public Construction or Building Permits. The applicant may contact Zach Diehl in Development Services with any questions regarding the street tree removal process at 503-588-6211 ext.7435, or via		

Item:	Description:
	email at Zdiehl@cityofsalem.net.
Floodplain	LOMR – Staff understands a LOMR is pending for the floodway portion of the property. The applicant should provide the LOMR upon approval from FEMA.
Development Comments	Substantial Improvements – It appears the applicant is proposing to construct two new buildings on existing pier systems. The applicants plans should indicate the finished floor elevation of the existing pier systems. The proposal appears to constitute a Substantial Improvement per SRC Chapter 601.
	The Willamette River Greenway Path, an off-street shared use path, is identified on the subject property. The applicant's plans do not demonstrate how the path provides connectivity to Front Street along the Southern property Boundary or to Shipping Street along the northern property boundary.
TSP/Parks Path Alignment	The plan for the path should be shown throughout the entire subdivision boundary to ensure that alternative connectivity requirements are met. Additionally, a 15-foot-wide easement and 10-foot-wide minimum constructed path is required.
	If the path is not completed throughout the entire subdivision with completion of the first phase of development, the applicant will need to provide a temporary connectivity plan.
Existing Easements for Public Utilities	There are existing easements on the subject property for public infrastructure. The applicant is advised that no new structures are permitted within existing/proposed easements. Conditions of approval will require dedication of new easements to meet current Public Works Design Standards (PWDS) for minimum easements widths pursuant to SRC 802.020 . The applicants revised utility plan should indicate which mains will remain in easements and which shall be abandoned/relocated.
Common Private Sewer	SRC 802.040 allows private common sewer systems if the criteria of this section are met. The applicant is advised that a common private sewer may be an option for the development rather than multiple individual service lines.
	The applicant is proposing a street design that does not conform to minor arterial street standards. The application shall include findings for alternative street standards pursuant to SRC 803.065(a) or be revised to comply with the standards. Please note that an Alternative Street Request is included under the applicant's requests for adjustments; however, the application should include an analysis of SRC 803.065 as justification for Alternative Street Standards.
	Staff notes the following alternatives:
Alternative Street Standard	 Block spacing – Front Street NE exceeds the 600-foot block spacing standard. Staff supports this request with a with 10-foot shared path consistently throughout the site that provides connectivity, discussed above. 30-foot half width ROW where 36 is required along the southern portion of front street. Staff supports this request if consistent with the ultimate design of Front
	Street NE. Front Street NE Design does not conform to minor arterial standards. Staff acknowledges that an alternative is required for the design of Front Street; however, additional discussions are needed in order to specify a cross section in the subdivision decision. A meeting will be scheduled with

Item:	Description:
	the City Engineer for discussion of Front Street NE.
Boundary Street Improvements	The applicant should be aware that Shipping Street NE is considered a "Boundary Street" for the subdivision and will require improvements. These improvements could be deferred until Site Plan Review for Lot 6. Right-of-way dedication will be required to be shown on the tentative plan. Streets shall terminate as a cul-de-sac, as such, the applicant will be required to
	dedicate a half-width cul-de-sac at the terminus of Shipping Street NE and construct a half street improvement along the frontage and within the cul-de-sac.
Adjustment for Driveway Width	The applicant has requested an adjustment to maximum driveway width for the Gaines Street Entrance, which is planned to be one-way. The applicant is advised that mitigation measures should be included to ensure one-way travel is maintained and that pedestrian conflicts are reduced (stop bar, "NO Entrance signs", double arrows).
Vision Clearance	The driveway entrances labeled as "Belmont Alley" and "Market Street Entrance" do not meet vision clearance standards established in <u>SRC 805.005</u> . The applicant is advised to revise the plans to meet the vision clearance standards in <u>SRC Chapter 805.005</u> or submit a request for an adjustment to the vision clearance standard per <u>SRC 805.015</u> , including the analysis required under <u>SRC 805.015</u> .
	Note that the applicant has requested an adjustment for the Market Street Entrance; however, has not included the analysis required under SRC 805.015 . It is recommended that the applicant's Traffic Engineer review and recommend mitigation for the adjustment as part of the required TIA.

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; or
- Written notice from you (the applicant) that none of the missing information will be provided.

You have 180 days from the date the application was first submitted to respond in one of the three ways listed above, or the application will be deemed void.

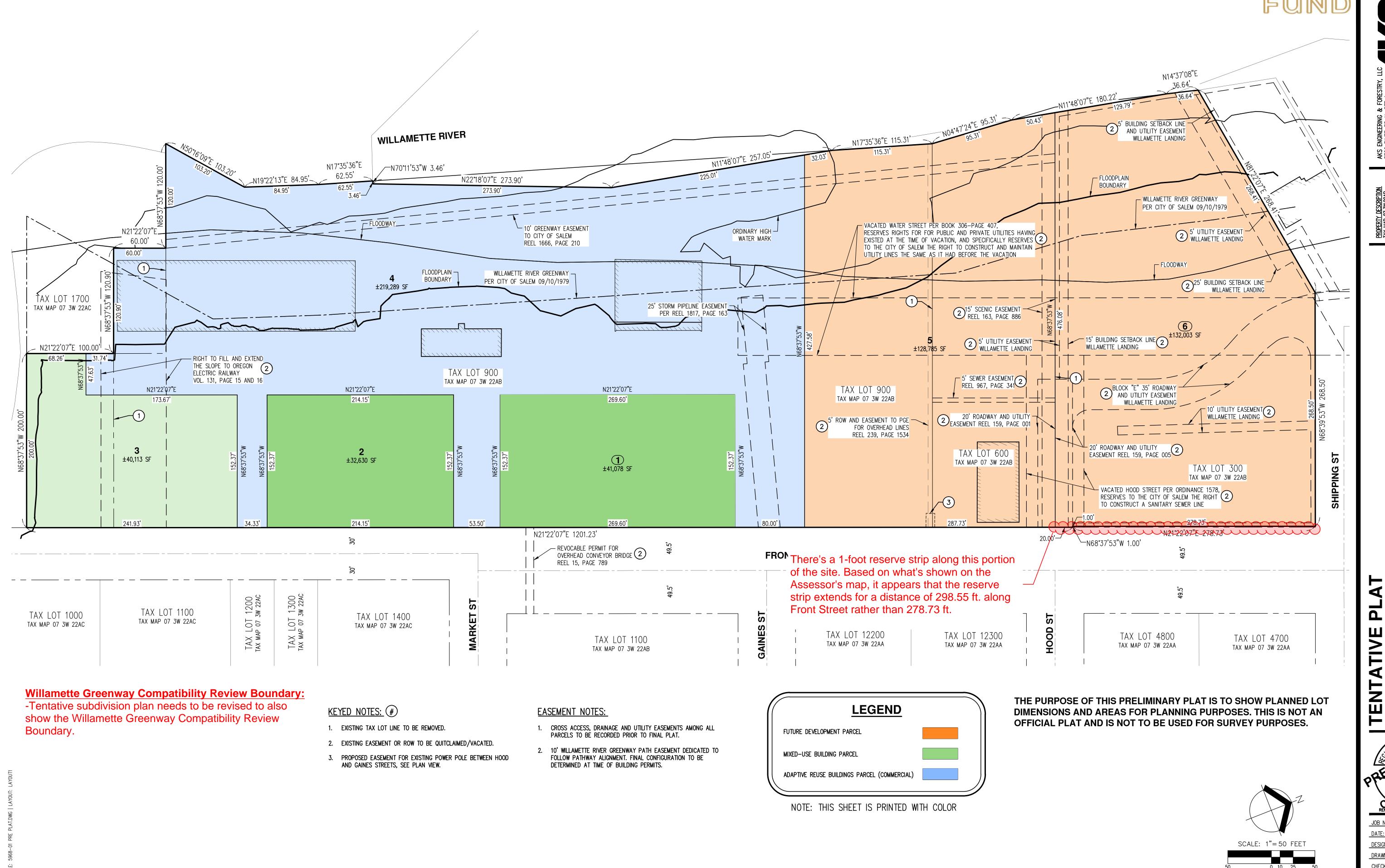
For questions regarding any of the above requirements, please feel free to contact me directly by calling (503) 540-2399 or via e-mail at bbishop@cityofsalem.net.

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

https://www.cityofsalem.net/government/laws-rules/salem-revised-code

Sincerely,

Bryce Bishop Planner III



ERING & FORESTRY, LLC
RD N, STE 1
97303
28
NG.COM
RC.COM
Y-PLANNING-LANDSCAPE ARCHITECTURE

3700 RIVER RD N, ST KEIZER, OR 97303 503.400.6028 WWW.AKS-ENG.COM

TAX LOTS 300, 600, 900 CONTRACT PURCHASER: FunD 15017 THOMAS RD, CHARLOTTE, NC 28278

TENTATIVE PLAT
THE CANNERY
Fund
SALEM, OREGON

PROFILE OREGON CONTROL OF THE PROFILE OF THE PROFIL

 JOB NUMBER:
 5968-01

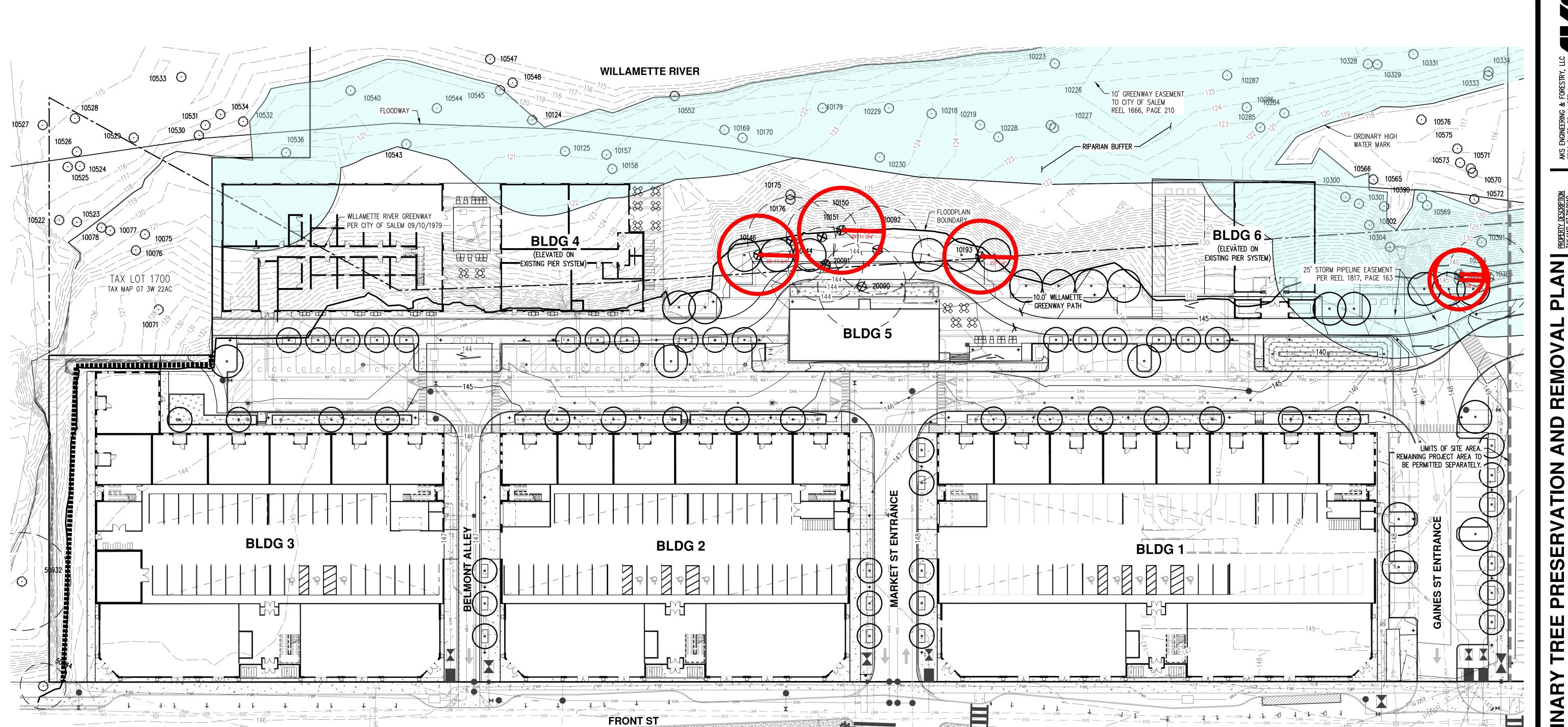
 DATE:
 03/15/2024

 DESIGNED BY:
 TDR

 DRAWN BY:
 MJM

 CHECKED BY:
 TDR

P4



Riparian Corridor Boundaries

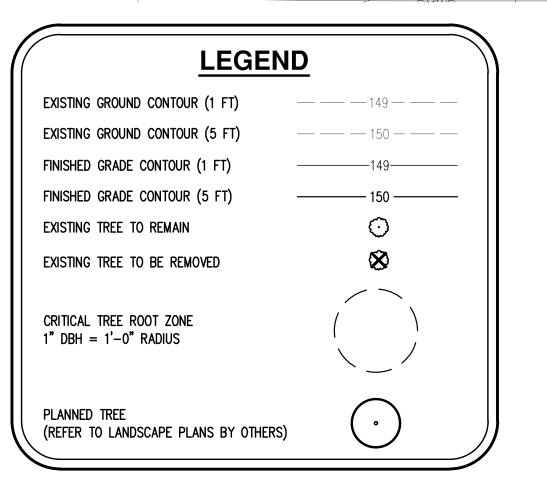
Tree Removal & Preservation Plan needs to be revised to show the 75-foot-wide riparian corridor of the Willamette River and the 50-foot-wid riparian corridor of Mill Creek.

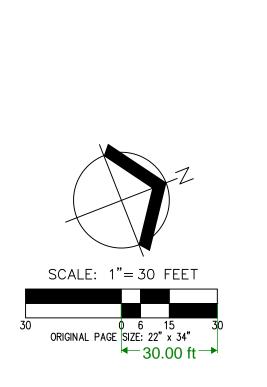
TREE SUMMARY:

TREES REMOVED FOR GREENWAY TRAIL = 11

GENERAL NOTES:

- 1. CRITICAL ROOT ZONES SHOWN ARE FOR ANTICIPATED TREE IMPACTS ONLY.
- 2. TREES BELOW TOP OF BANK ARE NOT ANTICIPATED TO BE IMPACTED
- 3. REFER TO ARBORIST LETTER FOR TREE SPECIES AND MORE INFORMATION REGARDING TREE REMOVAL.
- 4. NO SIGNIFICANT TREES PER CITY OF SALEM REQUIREMENTS ARE PROPOSED TO BE REMOVED.





& FORESTRY, LLC

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SURVEYING · NATURAL RESOURCES

ANNING · LANDSCAPE ARCHITECTURE

KEIZER, OR 97303 503.400.6028 WWW.AKS-ENG.COM

TAX LOTS 300, 600, 900 CONTRACT PURCHASER: Fund 15017 THOMAS RD, CHARLOTTE, NC 28278

PRELIMINARY TREE PRESERVATION
THE CANNERY
E.IND

CHECKED BY:

CANNERY

PRELIMINARY

JOB NUMBER:	5968-01
DATE:	03/15/2024
DESIGNED BY:	TDR
DRAWN BY:	MJM
CHECKED BY:	TDR

P7

Tree Removal Comments:

- -Tree 10144: Not clear why this tree is proposed for removal. Tree is in good condition with good health rating and good structure rating. It doesn't appear that more than 30% of the critical root zone will be disturbed with the construction of the path.
- -Tree 10151: Not clear why this tree is proposed for removal. Tree only has a slight lean and is identified as having a good health rating and good structure rating. It doesn't appear that more than 30% of the critical root zone of this tree will be disturbed with the construction of the path.
- -Tree 10193: Not clear why this tree is proposed for removal. Tree is in good condition with good health and good structure rating. It doesn't appear that more than 30% of the critical root zone of this tree will be disturbed with the construction of the path.
- -Tree 10383: Not clear why this tree is proposed for removal. Tree not evaluated by arborist but it doesn't look like more than 30% of the critical root zone of the tree will be disturbed with the construction of the path.
- -Tree 10384: Not clear why this tree is proposed for removal. Tree not evaluated by arborist but it doesn't look like more than 30% of the critical root zone of the tree will be disturbed with the construction of the path.

SRC 808.030(a)(2)(G) exempts the removal of trees and native vegetation within a riparian corridor from the requirement to obtain a tree removal permit but only when the removal of the tree or native vegetation is necessary for public trail or public park development and maintenance. It doesn't appear, however, that all of the trees identified for removal need to be removed for the construction of the Willamette Greenway path.

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10071 DECIDUOUS 19 18	PRESERVE
10075 DECIDUOUS 12	PRESERVE
10076 DECIDUOUS 24	PRESERVE
10077 DECIDUOUS 30	PRESERVE
10078 DECIDUOUS 34	PRESERVE
10124 DECIDUOUS 13	PRESERVE
10125 DECIDUOUS 16	PRESERVE
*10144 DECIDUOUS 27	REMOVE
*10146 DECIDUOUS 24	REMOVE
*10150 DECIDUOUS 22	REMOVE
*10151 DECIDUOUS 26	REMOVE
10157 DECIDUOUS 15 11	PRESERVE
10158 DECIDUOUS 59	PRESERVE
10169 DECIDUOUS 15	PRESERVE
10170 DECIDUOUS 47	PRESERVE
10175 DECIDUOUS 12	PRESERVE
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10287 DECIDUOUS 13	PRESERVE
10300 DECIDUOUS 52	PRESERVE
10301 DECIDUOUS 54	PRESERVE
10302 DECIDUOUS 19	PRESERVE
10304 DECIDUOUS 20 18	PRESERVE
10328 DECIDUOUS 16 12	PRESERVE
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10331 DECIDUOUS 42	PRESERVE
10333 DECIDUOUS 43	PRESERVE
10334 DECIDUOUS 10	PRESERVE
*10383 DECIDUOUS 18 17	REMOVE

*	REMOVAL NECESSARY TO ACCOMMODATE PUBLIC WILLAMETTE RIVER GREENWAY TRAIL, EXEMPT PER SRC 808.030(a)(2)(G).
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TREE TABLE

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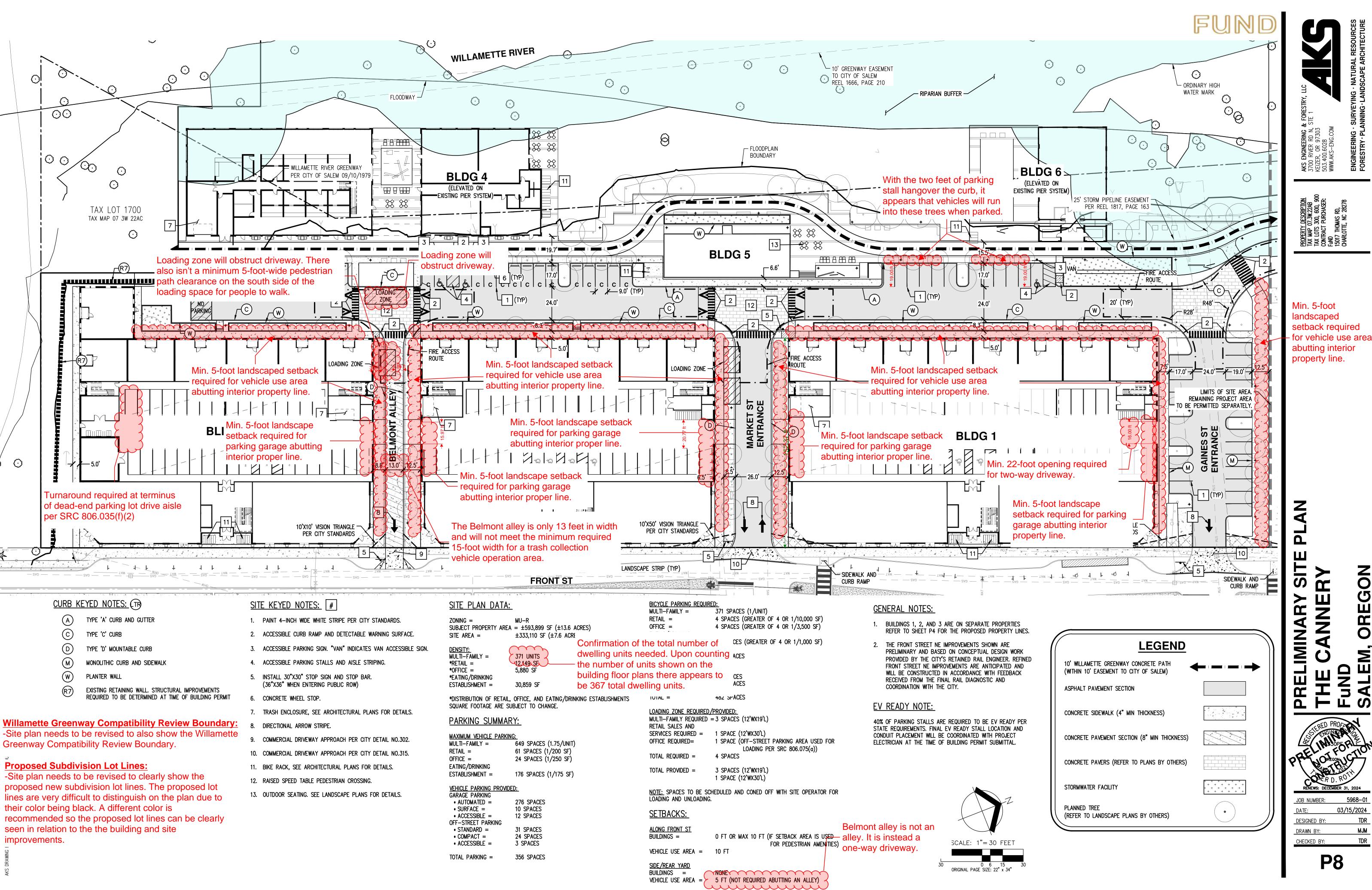
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P8

5968-01

03/15/2024

REVISIONS

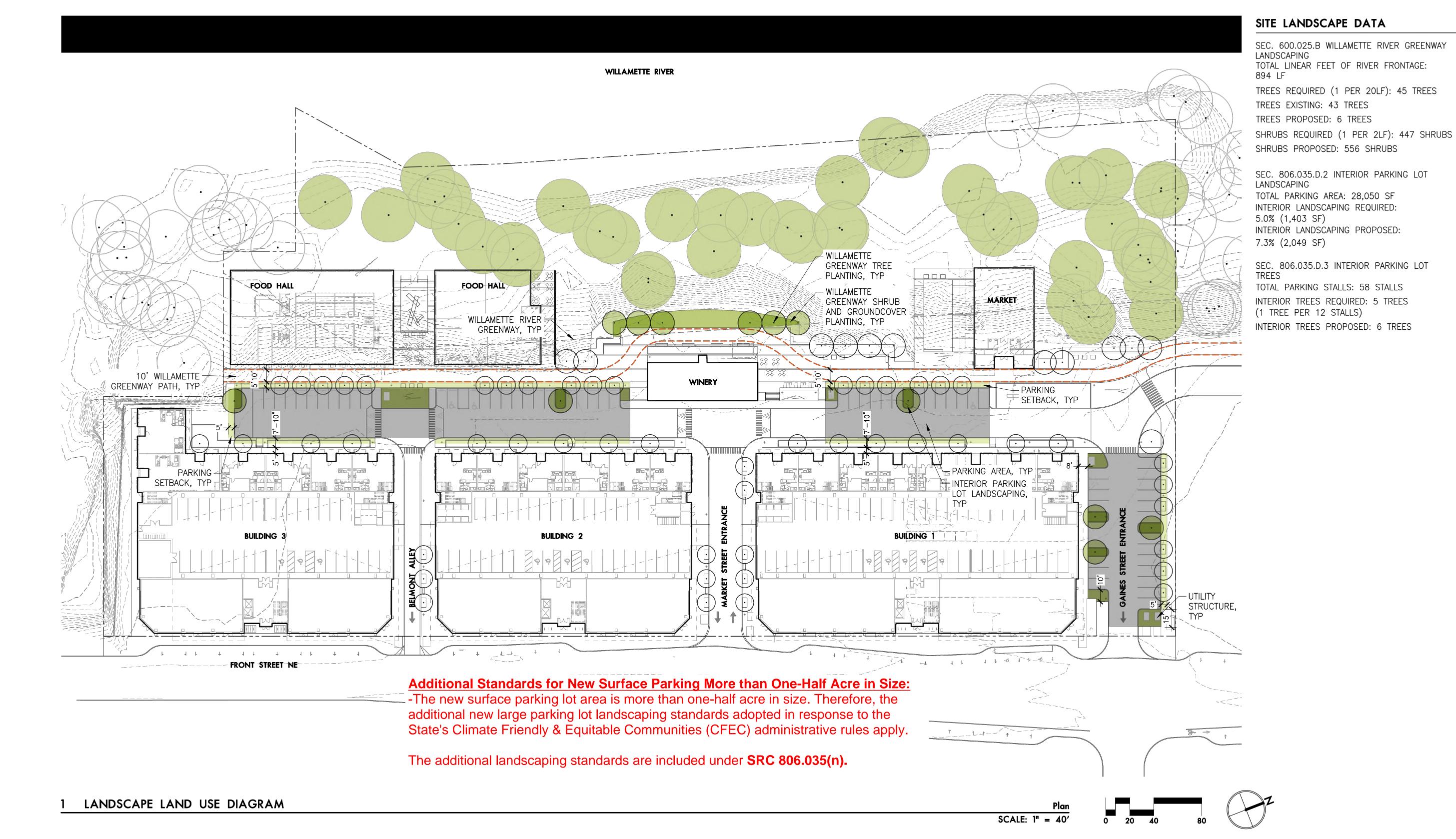
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DRAWN BY DATE PROJECT NO.

SHEET

2024.01.29

2346-SAC

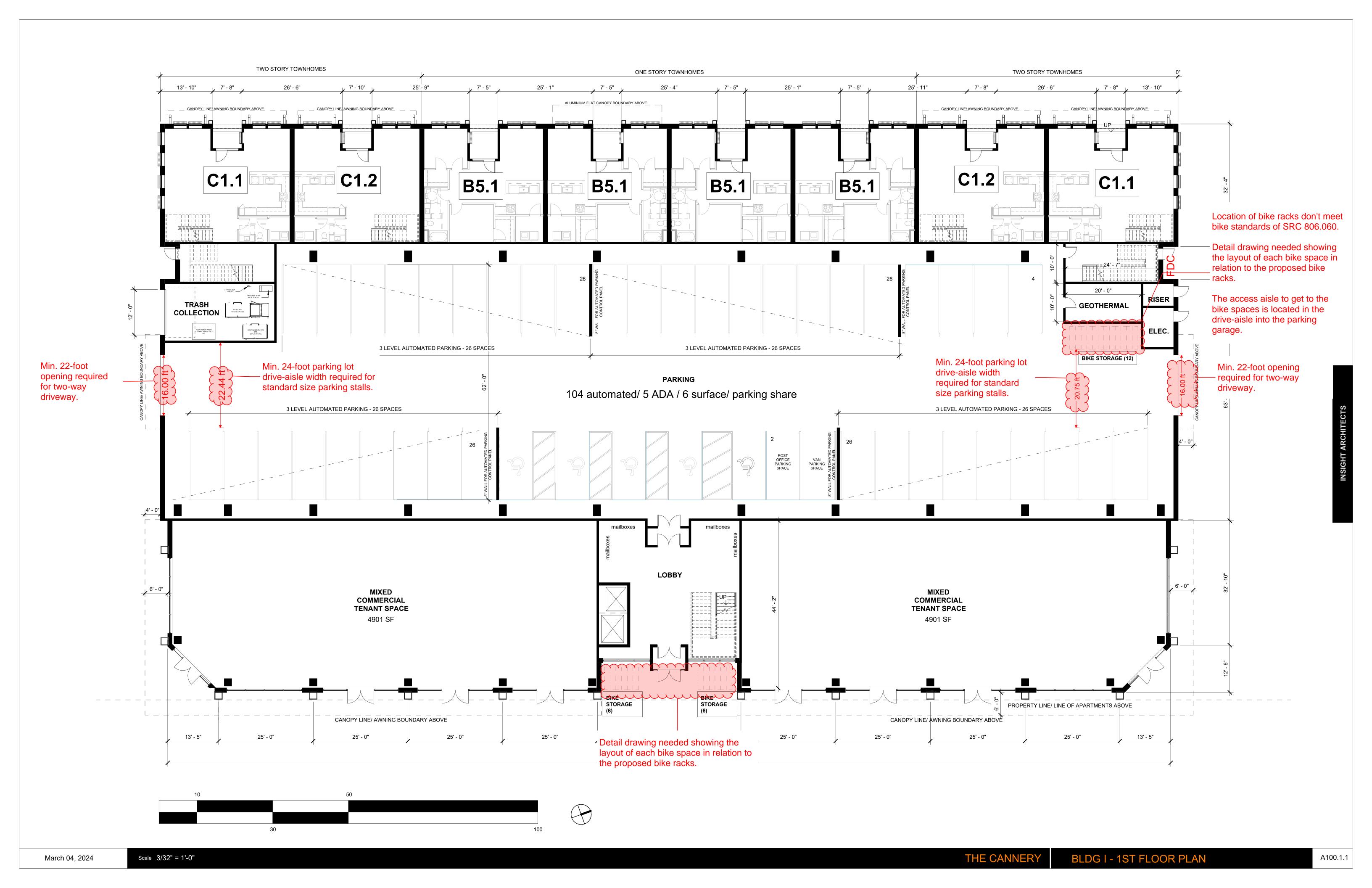


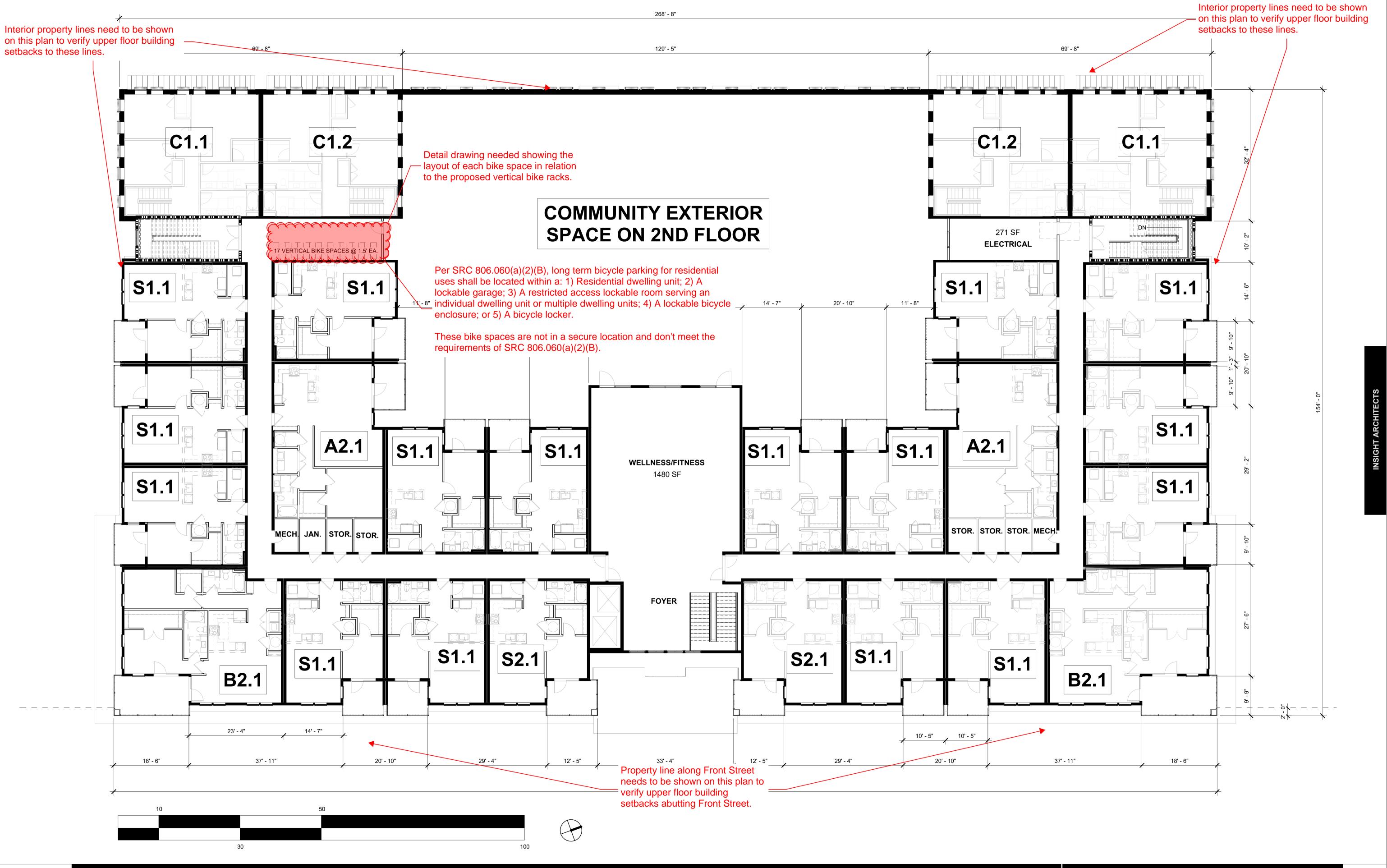
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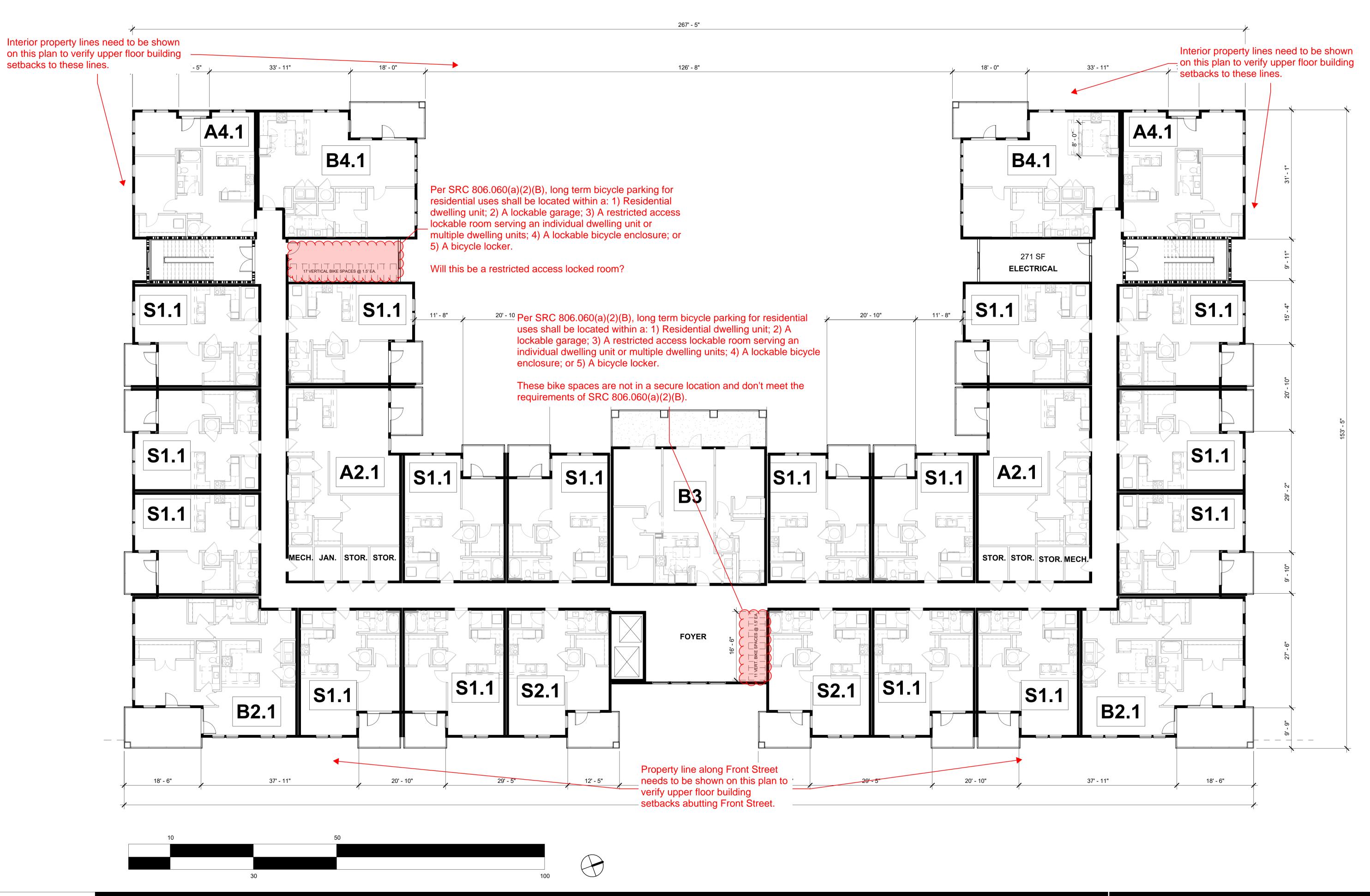


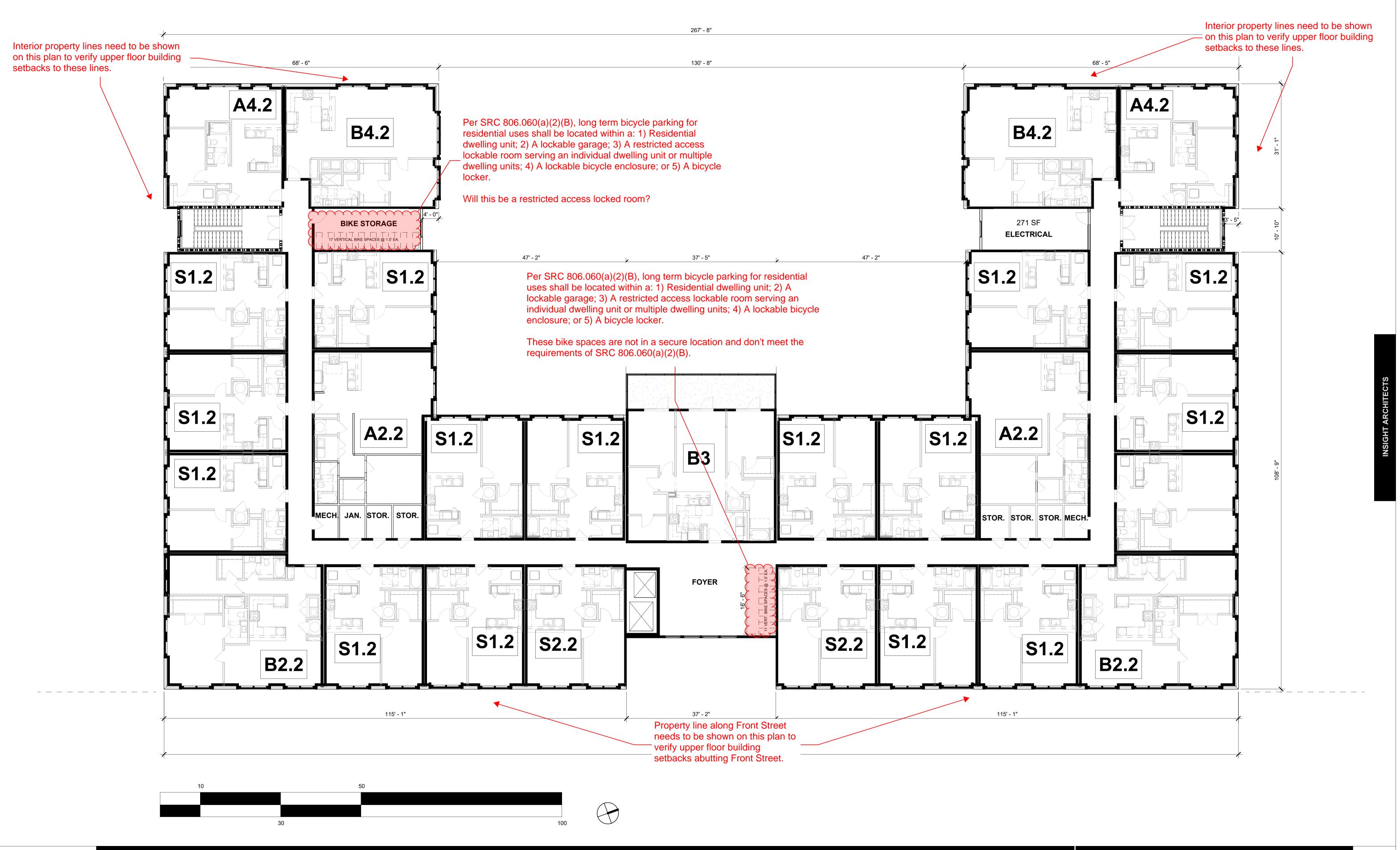
*Calculated per SRC 112.030 (b)

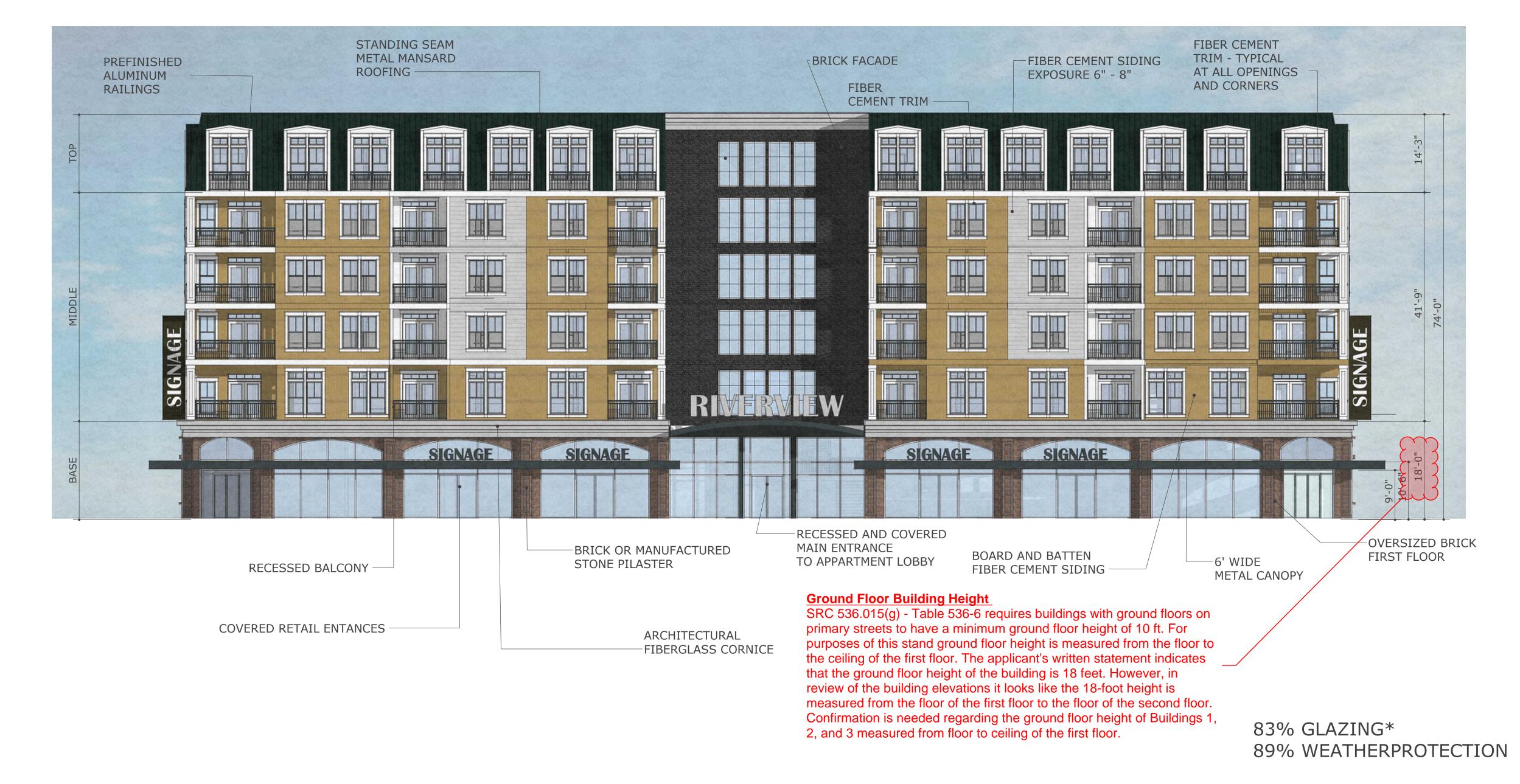
March 4, 2024 The Cannery BLDG I - FRONT STREET VIEW scale 1'=3/32"



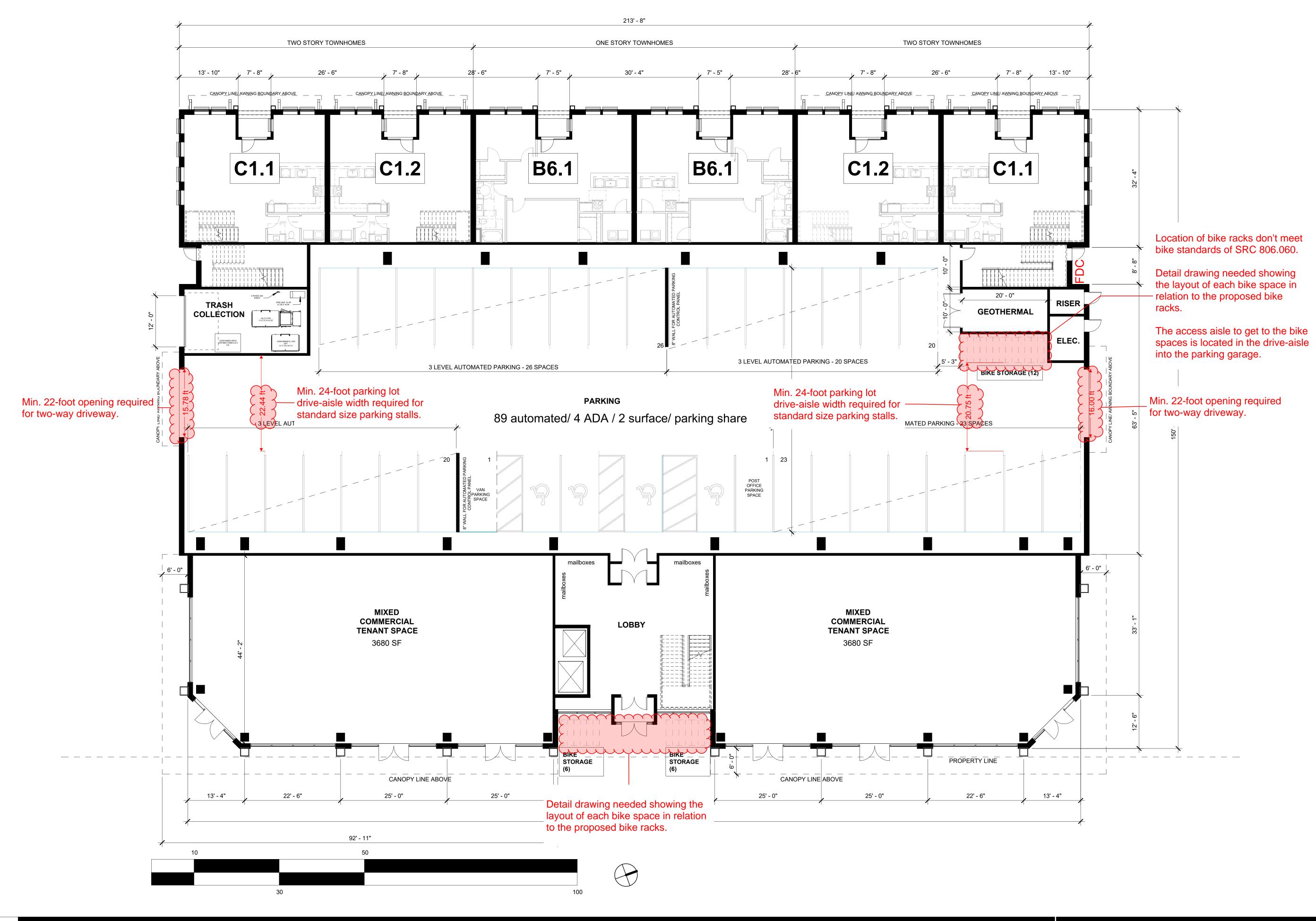


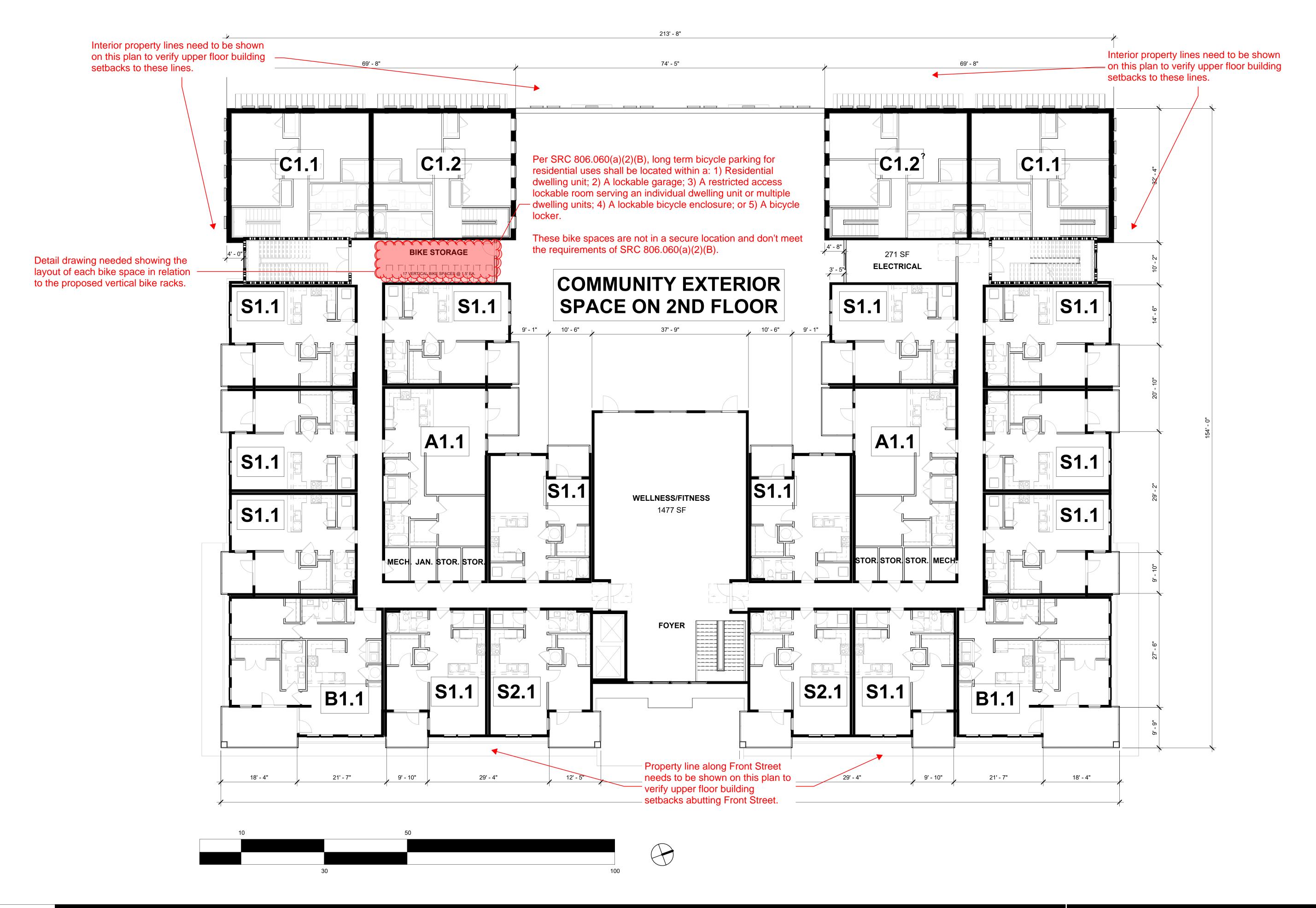


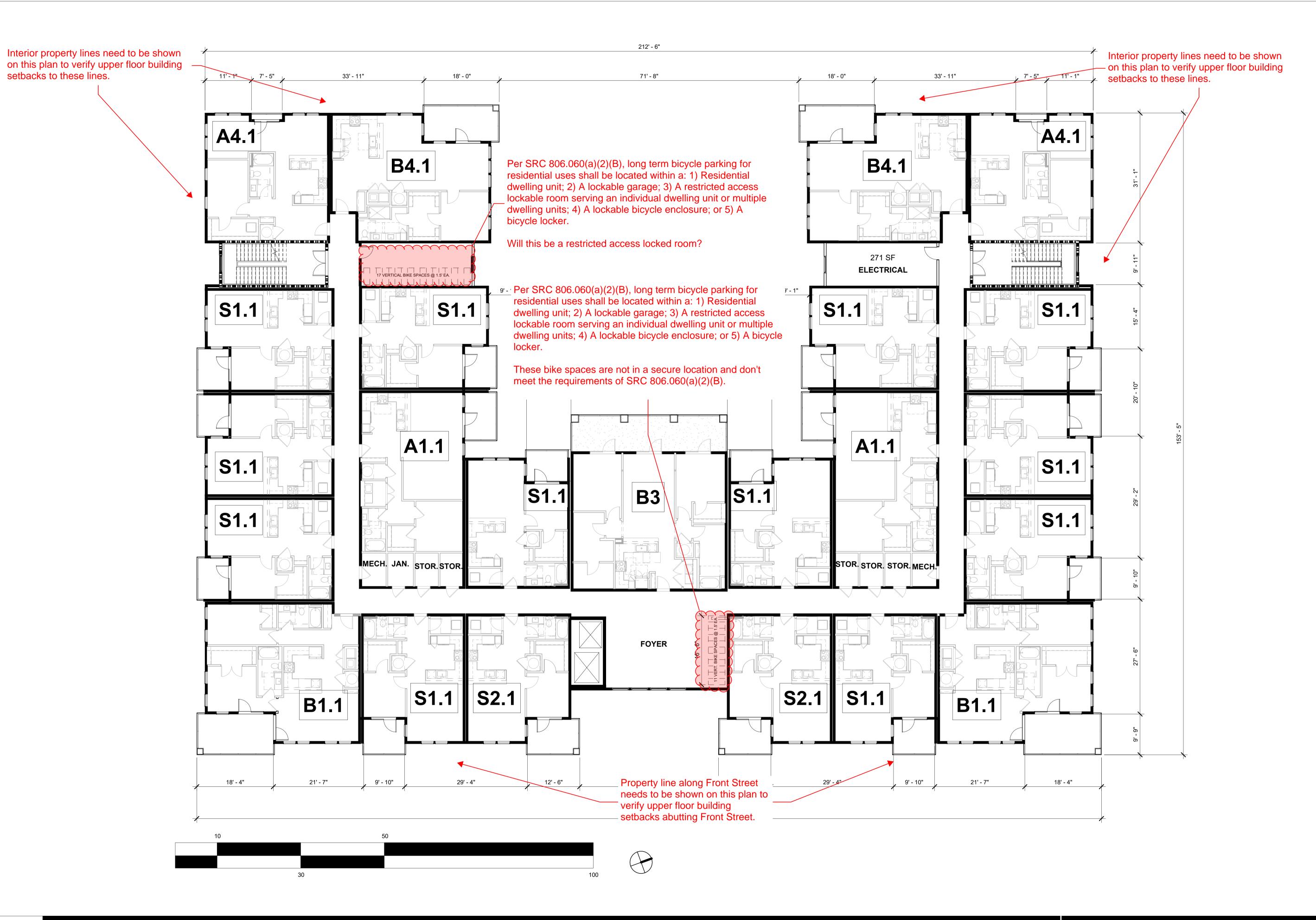


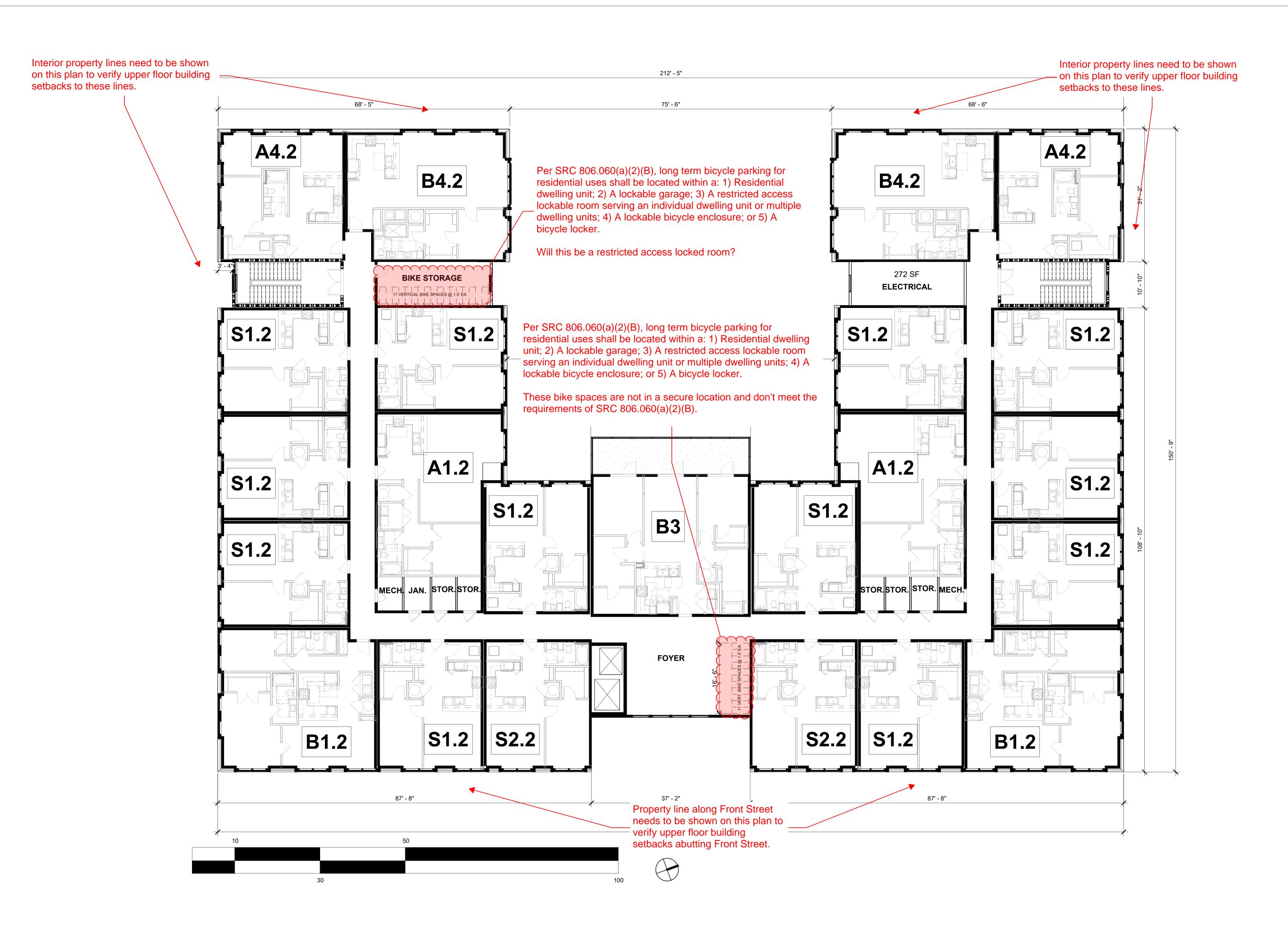


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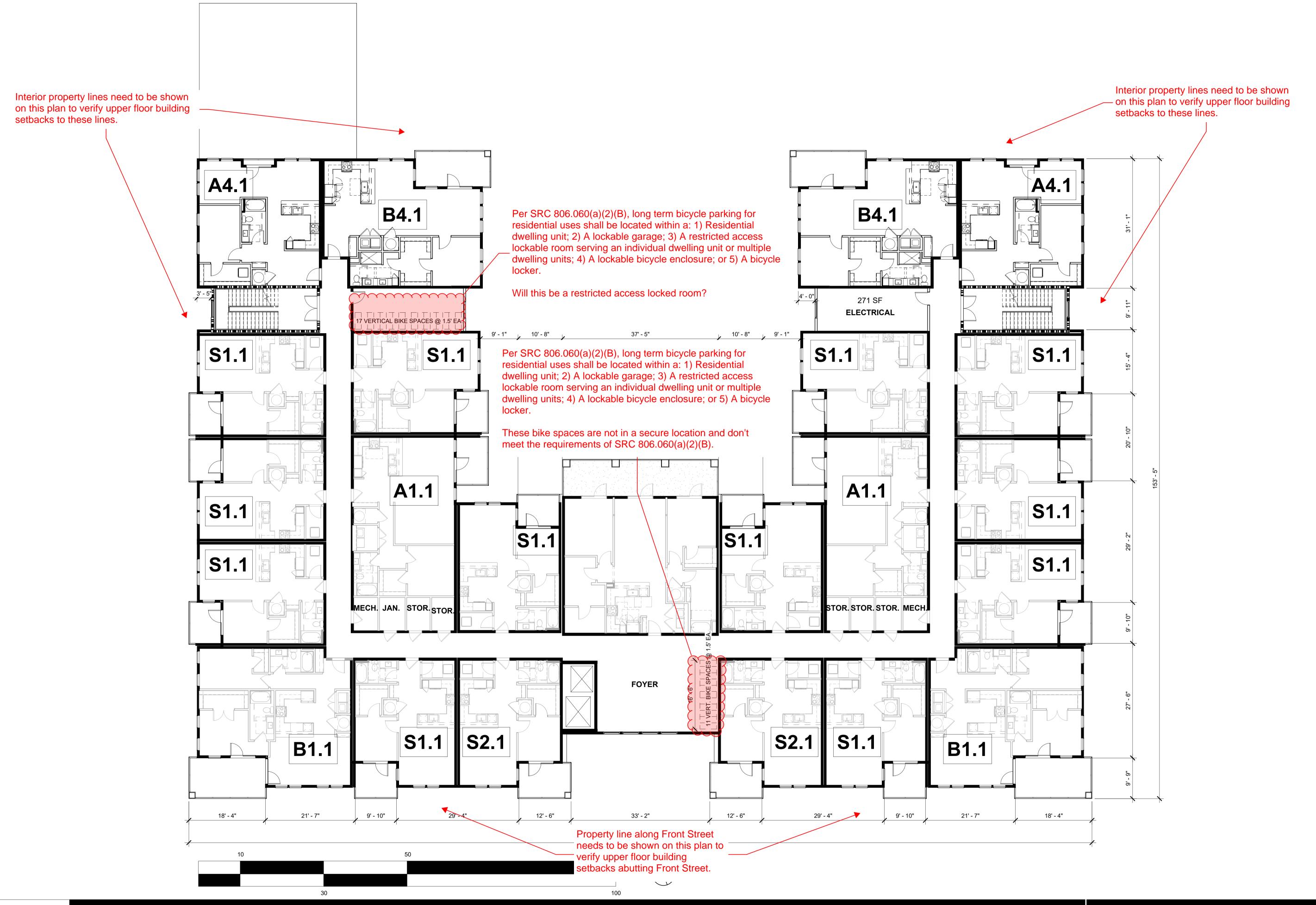
THE CANNERY | Scale 3/32" = 1'-0" | A100.2.6

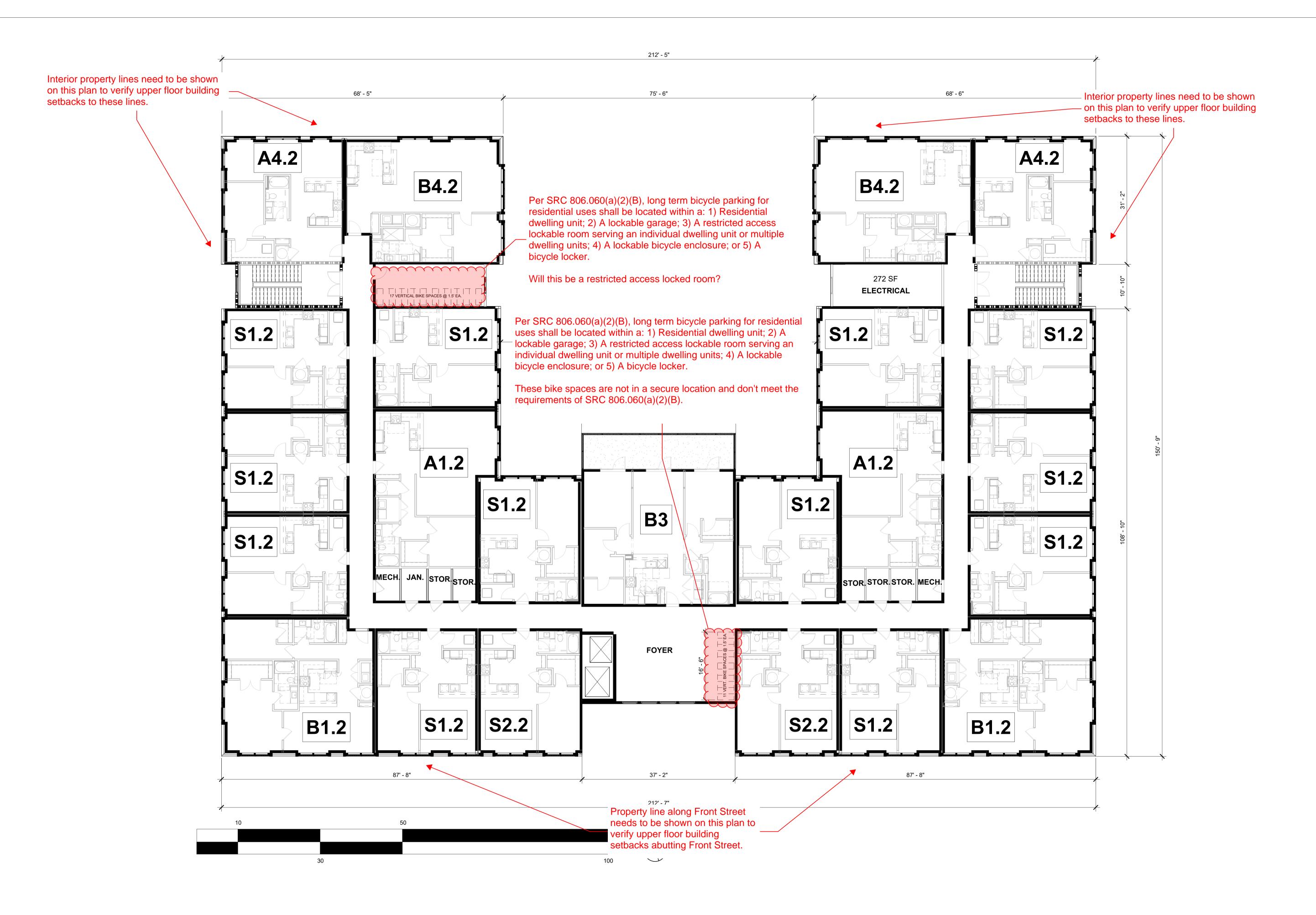


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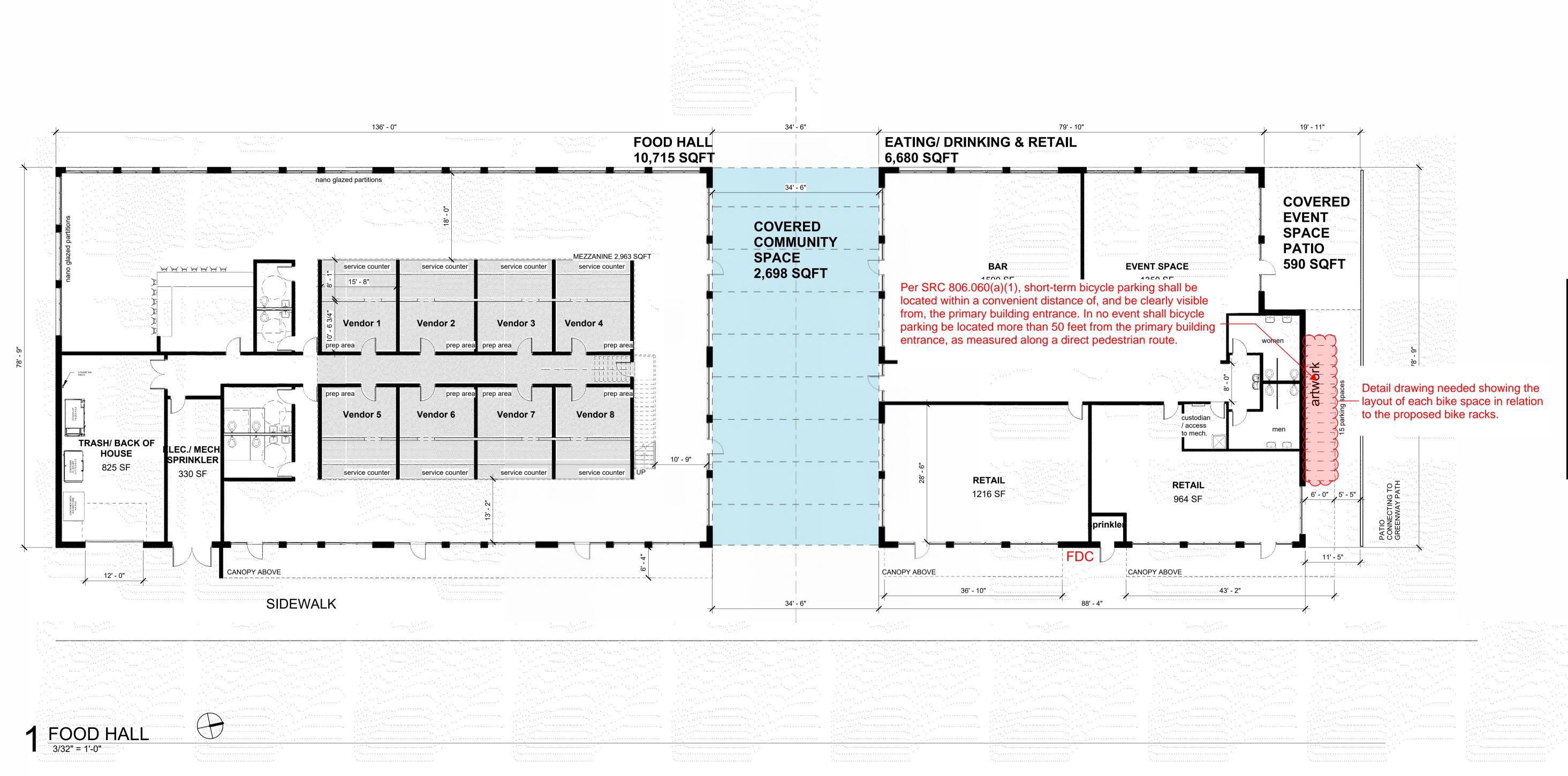
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March 04, 2024





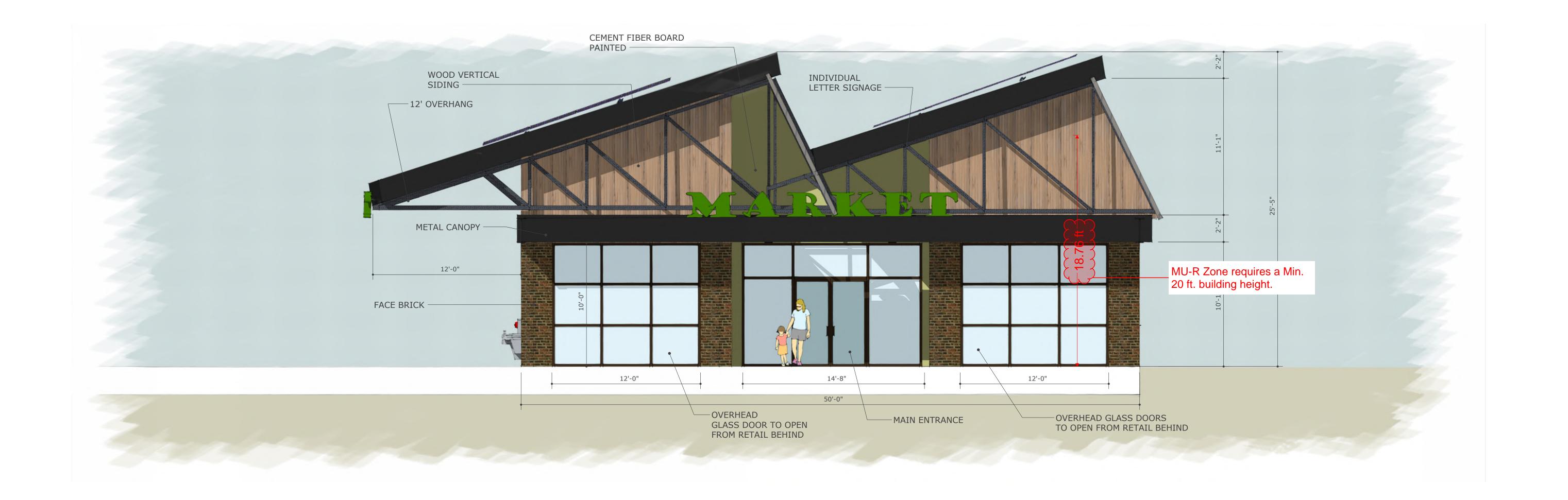
THE CANNERY BLDG III - 6TH FLOOR PLAN



THE CANNERY - MARKET

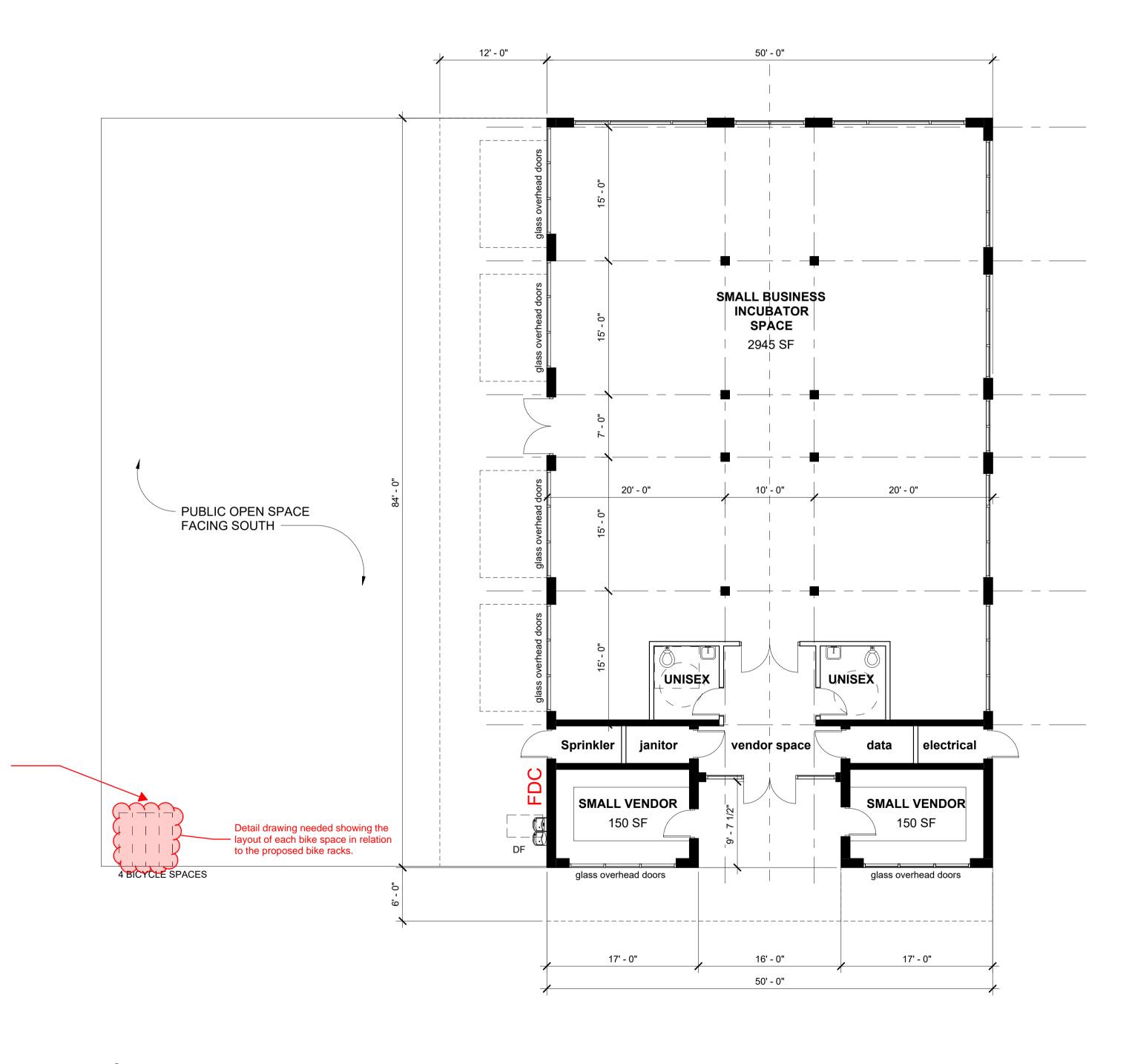
FOOD HALL

A 01



77% GLAZING*
100% WEATHERPROTECTION

*Calculated per SRC 112.030 (b)



Per SRC 806.060(a)(1), short-term bicycle parking shall be located within a convenient distance of, and be clearly visible from, the primary building entrance. In no event shall bicycle parking be located more than 50 feet from the primary building entrance, as measured along a direct pedestrian route.

 $\frac{1}{1/8"} = 1'-0"$

TOTAL BUILDING SQFT 4,046 sf <u>COVERED AREA:</u> 1,154 sf TOTAL: 5,200 sf