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August 27, 2024

LAND USE APPLICATION - COMPLETENESS REVIEW

Project Information

Subject Property:	5871 Liberty Road S
Reference Number:	24-116100-PLN
Application Type:	Class 3 Site Plan Review, Class 2 Adjustment, Class 2 Driveway Approach Permit, Class 1 Design Review
Date Application Accepted:	July 29, 2024
Applicant:	Harrison Industries LLC terri@harrisonindustries.net
Contact:	Brandie Dalton bdalton@mtengineering.net

Staff Contact

Land Use Planner:	Jamie Donaldson, Planner III jdonaldson@cityofsalem.net / 503-540-2328
Infrastructure Planner:	Laurel Christian, Infrastructure Planner III lchristian@cityofsalem.net / 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 (January 25, 2025) from the date the application was first submitted (July 29, 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>i.e. Written Response, Submitted, Not Providing</i>
Utility Plan	<p>The subject property is located within the S-3 and S-4 water service levels. There is no S-4 water in the vicinity of the property; the utility plan should indicate how water service will be provided to the development.</p> <p>Note: See the “Previous Conditions of Approval” section below. If not provided, conditions of approval will require the development to comply with the previous condition of approval.</p>	
CFEC Tree Plan	<p>For developments that include more than one-half acre of new off-street surface parking, a tree plan shall be provided, that includes the perimeter and soil depth of all proposed tree planting areas, the expected tree canopy area after 15 years for all trees not removed by the proposed development, and the caliper of all proposed new trees at the time of planting in addition to the other requirements of the tree planting plan.</p> <p>The plans provided labeled for the Climate Mitigation standards appear to be a typical landscape plan and do not appear to be the same plan previously reviewed; all of the required information listed above has not been provided for review of conformance with the standards.</p>	
Class 2 Driveway Approach	<p>The plans indicate that the northern driveway is for emergency access only, which appears to be a choice of the developer and not a requirement of the City. An additional Driveway Approach Permit, and the associated fee, is required for the proposed access that is capable of meeting the criteria under SRC 804.025(d).</p>	
Adjustment(s)	<p>Three adjustments were applied for, and three adjustments were paid for; however, the adjustment request to eliminate the requirement to orient buildings towards the street with direct pedestrian access for Buildings 6 and 7 was missing and is still necessary. Please also note the comments below regarding the adjustment that will not be supported for the maximum allowed parking. The applicant may switch the maximum parking adjustment to the missing adjustment, or an additional fee and written statement is required for a fourth adjustment.</p>	

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>i.e. Written Response, Submitted, Not Providing</i>
Application Review		
<p>Previous Conditions of Approval</p> <p>Note: These Comments are Advisory in nature, and the proposal will be conditioned to comply with previous conditions of approval.</p>	<p>Based on the submitted information, it is unclear how the development complies with the following previous conditions of approval:</p> <p><u>SUB-UGA-ADJ20-05</u></p> <p><i>Condition 15: The applicant shall construct the Skyline #2, S-3 reservoir, or pay a temporary access fee of \$2,000 per dwelling unit to be collected at the time of building permit issuance.</i></p> <p><i>Condition 16: The applicant shall construct a minimum 12-inch S-4 water main from the existing S-4 water system in Barbaresco Street S to the subject property.</i></p> <ul style="list-style-type: none"> Based on the information submitted, it is not clear how the development is compliant with Condition 16. If the applicant wishes to obtain S-4 water through an alternative location that identified in the condition, the UGA may need to be modified. Otherwise, the development will be conditioned to comply with the condition of approval as written. Boundary Street Improvements and Right-of-way dedications along the subject property are established in SUB-UGA-ADJ20-05. The proposed lot is within Phase 2. A condition of approval include the recording of the Phase 2 Plat to ensure adequate access and utilities are provided. <p><u>CPC-ZC19-03:</u></p> <p><i>Condition 2: Construct a traffic signal at the intersection of Liberty Road S and Mildred Lane SE to City of Salem Standards. The signal shall be interconnected via underground fiber-optic cable to the existing traffic signal at Liberty Road S and Kuebler Boulevard SE. The timing of the traffic signal installation shall be determined at the time of Site Plan Review.</i></p> <ul style="list-style-type: none"> A condition of approval will require that no building permits are issued until this signal is operational. 	
<p>Adjustment Requests</p>	<p>The Class 2 Adjustment requests do not provide enough evidence as to how the intent of the standards are being equally or better met by the proposed development. Specifically, the request to increase the maximum parking on site does not equally or better meet the intent of the maximum parking standard, which is to meet the State's Climate Friendly and Equitable Communities (CFEC) rules.</p>	

	<p>In addition, an adjustment was requested for the parking area located between a building and a street for Building 10. Please be aware that this adjustment will not be supported at this time because the adjustment to maximum parking is also not supported; and because the site is overparked and the spaces that are in front of the building can be removed to meet the standard. Removal of these parking spaces will likely be a condition of approval if the plans are not revised. However, the adjustment is still necessary for the parking along Rise Street and Big Mountain Avenue, so the adjustment does not need to be withdrawn.</p> <p>Finally, the request to eliminate the requirement to orient buildings towards the street with direct pedestrian access to the street for Buildings 6 and 7 is still required in addition to the buildable width request. It appears that a pedestrian connection to Rise Street may have been added to better meet the intent, but it is not called out on the plan or addressed in the written statement and criteria.</p> <p>Please revise the written statement for the correct adjustment requests, and to include <u>how</u> each adjustment equally or better meets the intent of the requested standard, as outlined in SRC 250.005.</p>	
Chapter 514 – RM-II Zone		
Setbacks	<p>Aside from other design review standards, the setback for buildings or vehicle use areas abutting residentially zoned properties is a minimum 10 feet with Type C landscaping, which includes a six-foot-tall sight-obscuring fence. Neither the civil plans nor landscape plans indicate the required fencing for the property lines abutting the north property line. This will likely be a condition of approval.</p>	
Chapter 800 – General Standards		
Solid Waste Area	<p>Please provide dimensions and design details for the proposed trash enclosure(s) to verify conformance with SRC 800.055.</p>	
Chapter 702 – Design Review		
Open Space	<p>The open space plan identifies driveways and parking as common open space. As defined in SRC Chapter 111: <i>Common open space does not include parking areas, streets, or other areas designed for motor vehicle circulation or storage.</i></p> <p>In addition, some areas appear to be double counted, and the called-out areas do not appear to add up to the total common open space provided. The summary also does not take into account the sports court or tot lot in the summary table, which would count as double towards the open space requirements, pursuant to SRC 702.020(a)(1)(E). Please provide a more accurate breakdown for the square footage of common open space on site.</p>	

Landscaping	<p>While Buildings 8 and 9 meet the setback to the north property line, the inclusion of the retaining wall does not appear to provide enough room around the buildings to accommodate the required number of trees for the perimeter of the building, pursuant to SRC 702.020(b)(4). If there is not enough room to accommodate tree plantings, an adjustment may be required.</p> <p>In addition, several of the landscape planter bays do not meet the minimum requirement of nine feet in width, pursuant to SRC 702.020(b)(7). All landscaped planter bays shall be meet the minimum requirement for the area of landscape provided inside the planter curbs, as measured from inside-of-curb to inside-of-curb. This can be a condition of approval, but will likely reconfigure or remove parking on site.</p>	
Site Safety & Security	The written statement indicates that all private open spaces will be screened with a five-foot-tall sight-obscuring fencing, which does not meet the visual surveillance standard of SRC 702.020(c)(4). This will likely be a condition of approval.	
Façade & Building Design	The written statement indicates that Buildings 2 through 5 will have sight-obscuring railings for the balconies that face the RS-zoned properties, pursuant to SRC 702.020(e)(3); however, the elevations do not show conformance with this standard. This will likely be a condition of approval.	
Chapter 806 – Off-Street Parking, Loading, and Driveways		
Maximum Parking *Adjustment not supported	As indicated above, the request to increase the maximum parking on site does not equally or better meet the intent of the maximum parking standard, which is to meet the State's Climate Friendly and Equitable Communities (CFEC) rules. The plans should be revised to provide other residential amenities or open space instead of additional parking.	
Climate Mitigation	The plans submitted all of the required information listed above has not been provided for review of conformance with the standards. Please visit this webpage for a breakdown of the options, review process and submittal requirements, FAQs, etc.	
Turnaround Areas	Two parking lots with trash enclosures do not provide the required space for a dead-end turnaround area, pursuant to SRC 806.035(f) and Figure 806-9. The striped area adjacent to the trash enclosure does not provide enough room to be accessed by a vehicle if the parking lot was full, and should be revised to meet the minimum required dimensions. This can be a condition of approval, but will likely remove parking on site.	
Bicycle Parking	Please indicate the proposed bike rack details, including spacing dimensions and bike rack design, that illustrate compliance with the standards set forth in SRC 806.060 .	

Chapter 808 – Tree Preservation		
Tree Removal	<p>TCP20-15 did not approve removal of the trees on this portion of the site (Lot 35) as indicated in the written statement. However, the trees can be removed through this site plan review process, provided the replanting requirements are met.</p> <p>Pursuant to SRC 807.015(d)(2), when more than 75 percent of the existing trees are proposed for removal, two new trees shall be planted for each tree removed in excess of 75 percent. Replanted trees shall be of either a shade or evergreen variety with a minimum 1.5-inch caliper. Please indicate this replanting requirement for each tree removed in excess of 75 percent.</p>	