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November 8, 2024

LAND USE APPLICATION - COMPLETENESS REVIEW

Project Information

Subject Property:	3021-3027 D Street NE
Reference Number:	24-121106-PLN
Application Type:	Partition, PLA, Class 3 SPR, Class 2 Adjustments, Class 2 Driveway Approach Permit & Class 1 Design Review
Date Application Accepted:	October 11, 2024
Applicant:	Skyline Builders LLC (Landon Hattan) landon@skyline-co.com
Contact:	Britany Randall britany@brandlanduse.com

Staff Contact

Land Use Planner:	Jamie Donaldson, Planner III jdonaldson@cityofsalem.net / 503-540-2328
Infrastructure Planner:	Aaron Panko, Infrastructure Planner III apanko@cityofsalem.net / 503-540-2356

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 (April 9, 2025) from the date the application was first submitted (October 11, 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>
Complete Application	<p>The application form must be signed by the applicant(s), property owner(s), and/or duly authorized representative(s). If the applicant and/or property owner is a Limited Liability Company (LLC), a list of all members of the LLC must be provided with your land use application.</p> <p>The deed and County records indicate the property is owned by Calvin Cox. Please provide an application signed by the property owner.</p>	
Title Report	<p>Submit a current title report for the subject property for review by the Survey Section pursuant to SRC 205.030(b).</p> <p>The title report has an effective date of August 22, 2024, and is considered expired. A title report no older than 30-days is required at completeness.</p>	
Vesting Deed and Lot Legality	<p>Survey is not able to determine lot legality at this time. The applicant shall submit evidence that the property is lawfully established. The current vesting deed Instrument No. 2024-29874 is required to provide legality and ownership. The PLA deed provided does not reflect the current owner.</p>	
Open Space Plan	<p>An open space plan drawn to scale showing locations of common and private open space, including active and passive recreational areas. The open space plan must show the total area of individual classifications of proposed open space.</p>	
Landscape Plan	<p>The landscape plan must show the location of natural features, trees, and plant materials proposed to be removed, retained, or planted; the amount, height, type, and location of landscaped areas, planting beds, and plant materials and provisions for irrigation.</p>	
Street Trees Required	<p>Proposed street trees shall be shown on the applicant's site plan per SRC 220.005(e)(1)(A)(ix). The applicant is advised that large growing trees will be required behind the existing curblin sidewalks.</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		
Written Statement (ADJ)	An adjustment was requested to the pedestrian access standards which is not required. The applicant may switch the requested adjustment to any additional adjustment that may be necessary, along with a written statement for the new adjustment request as outlined in SRC 250.005(d)(2) , or request for it to be removed and refunded. Any new adjustment beyond the six applied for would require an additional fee and written statement.	
Chapter 71 – Stormwater		
Stormwater Management Design	The applicant has met their minimal submittal requirements and provided a preliminary stormwater management report; however, the approach identified in the report does not appear to meet the Public Works Design Standards. The stormwater facility can be potentially undersized due to current modeling approach (not modeling infiltration through growing media), and site potentially triggers a 5-foot min setback requirement for the rain garden, which it currently does not meet. If not addressed, site modifications may be required at time of final stormwater management report review.	
Right-of-way Dedication	As a condition of approval, the applicant is required to dedicate right-of-way equal to 36-feet from centerline of D Street NE (Minor Arterial), per SRC 803.040 . The applicant's tentative plan and site plan shows a dedication of approximately six feet, where approximately 11 feet is required. The applicant shall revise their proposed site plan to show the correct dedication to ensure setbacks for structures can be met from the future right-of-way.	
Chapter 514 – RM-II		
Lot Area	Both lots created for the existing single-family dwellings do not meet the minimum lot size of 6,000 square feet. As indicated in the pre-ap summary, each lot that does not meet the standard would require its own adjustment. Only one adjustment was requested for the minimum lot size standard.	
Setbacks	The trash enclosure serves the multi-family development and is not accessory to the single-family use; it is subject to the 10-foot zone-to-zone setback for "accessory to all other uses." As such, the trash enclosure does not meet the minimum 10-foot setback for an accessory structure abutting an interior property line.	
Chapter 702 – Design Review		
Open Space	While it's unclear yet how the 20 percent open space requirement is being met for the site as a whole, the single open space area proposed greatly exceeds the minimum 500 square-foot requirement under SRC 702.015(a)(1)(A) . This will not hold up completeness,	

	but may help with some revisions to the site to meet all standards.	
Site Safety and Security – Windows	<p>Pursuant to SRC 702.015(c)(1), windows shall be provided in all habitable rooms, other than bathrooms, on each wall that faces common open space, parking areas, and pedestrian paths to encourage visual surveillance of such areas and minimize the appearance of building bulk.</p> <p>The bedrooms with walls facing the open space stairs do not appear to meet this standard.</p>	
Site Safety & Security – Lighting	Pursuant to SRC 702.015(c)(2), please show all building lighting on the elevations, and show site lighting on the civil plan sheets.	
Parking & Site Design – Pedestrian Access	Pursuant to SRC 702.015(d)(2), 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. A crosswalk from the building to the trash enclosure and compact parking area should be provided. The crosswalk would also provide access to the street for the existing dwelling at the back, and help meet the intent to provide connectivity to the street for an adjustment to the flag lot accessway standards.	
Chapter 800 – General Standards		
Flag Lots	<p>A maximum of four residential units may be served by the flag lot accessway for residential lots created after November 28, 2022, pursuant to SRC 800.025(c)(1). An adjustment may be supported with the addition of pedestrian access to the street provided for the existing single-family dwellings.</p> <p>Additionally, the minimum easement width for a flag lot accessway serving more than two units should be 25 feet; the proposed plat shows only 22 feet.</p> <p>Finally, the proposed length of the flag lot accessway appears to be just over 150 feet. Pursuant to SRC 800.025(c)(3)(B), flag lot accessways greater than 150 feet in length shall include a turnaround meeting Salem Fire Prevention Code standards, unless the buildings served by the flag lot accessway are equipped with approved automatic fire sprinkler systems or where geographic features make it impractical and an alternative means of fire protection is provided and approved by the Fire Marshal. Please demonstrate compliance with this standard.</p>	
Solid Waste Area	Please provide dimensions and design details for the proposed trash enclosure(s) to verify conformance with SRC 800.055 . As proposed, the trash enclosure location does not appear to provide adequate turnaround room for vehicle operation so that the waste collection vehicles are not required to back onto a public street or leave the premises, per SRC 800.055(f)(2) and Figure 800-10.	

Pedestrian Connection	Pursuant to SRC 800.065 (b)(1), multiple family uses subject to SRC Chapter 702 are not subject to the pedestrian access standards of SRC 800.065; therefore, the adjustment request SRC 800.065(2) is not required. The applicant may switch the requested adjustment to any additional adjustment that may be necessary, or request for it to be removed and refunded.	
Chapter 806 – Off-Street Parking, Loading, and Driveways		
Single-Family Off-Street Parking	There appears to be a driveway created off the flag lot accessway for the existing dwelling at the back, which does not lead to an approved parking location, pursuant to SRC 806.025 . In addition, it is not clear if the flag lot accessway will be providing vehicle access to the existing front residence, which should also lead to an approved parking location. Please clarify the intent to provide any parking areas for the existing single-family dwellings, demonstrating compliance with SRC 806.025, 806.030, and 804.050 .	
Electric Vehicle Service Capacity	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. Please show which spaces will be wired for electrical service capacity and show compliance on the utility plan.	
Setbacks Adjacent to Structures	Pursuant to SRC 806.035 (c)(4), 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 Type A standard, or by a minimum five-foot-wide paved pedestrian walkway.	
Dead-End Turnaround	The new parking lot does not meet the dead-end turnaround requirements, pursuant to SRC 806.035 (f) and Figure 806-9, which still requires striping of a 15 ft by 9 ft space for a 30 ft drive aisle. This can be a condition of approval, but will likely remove a parking space.	
Bicycle Parking	Please indicate the proposed bike rack installation details, including spacing dimensions and bike rack design, that illustrate compliance with the standards set forth in SRC 806.060 .	
Adjustments to Development Standards		
Zoning Adjustments	If any development standard cannot be met, an Adjustment to the standard may be requested. The applicant shall pay the applicable fee(s) and submit written findings that demonstrate how the request meets the criteria under SRC 250.005 .	