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November 21, 2024

LAND USE APPLICATION - COMPLETENESS REVIEW

Project Information

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| Subject Property: | 415 Moyer Lane NW |
| Reference Number: | 24-121939-PLN |
| Application Type: | Class 3 Site Plan Review, Class 2 Driveway Approach Permit, Class 2 Adjustments |
| Date Application Accepted: | October 25, 2024 |
| Applicant: | Skyline Builders LLC (Landon Hattan) landon@skyline-co.com |
| Contact: | Britany Randall britany@brandlanduse.com |

Staff Contact

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| 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 (April 23, 2025) from the date the application was first submitted (October 25, 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

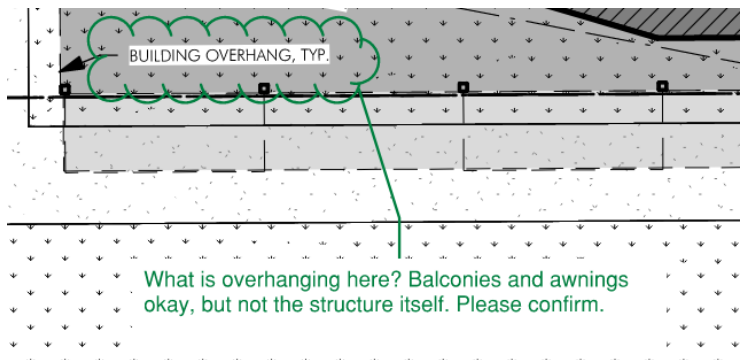
Submittal Requirements – The following items have been identified as required material to be provided by the application(s) prior to deeming the application “complete”:

| Submittal Requirement | Description | Applicant Response <i>i.e. Written Response, Submitted, Not Providing</i> |
|------------------------------|---|---|
| Complete Application | The application form must be signed by the applicant(s), property owner(s), and/or duly authorized representative(s). A signed application was not uploaded for the new submittal. Please provide an application signed by both property owners for the new case. | |

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 | | |
| Site Plan | The final property lines and their dimensions are not identified on the architectural plan set, and make it difficult to verify setbacks and requirements, even when comparing with the civil plan. Will the southeast corner be changed to a curve? Please provide a site plan with all of the required information outlined in SRC 220.005(e) , including the distance from structures and improvements to all property lines and adjacent on-site structures. | |
| Class 2 Adjustment(s) | <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. For instance, how are the windows and doors provided, which are required for access, enhancing the pedestrian experience to a level equal to the 65 percent? What else can be provided to enhance the pedestrian experience, or to break up the solid wall that makes up approximately one-third of the southern façade?</p> <p>In addition, it is not clear why the requested adjustments for window coverage or canopies are necessary, and the elements cannot be provided; therefore, the adjustments are not supportable at this time. Without further information, conditions of approval may require the provision of additional canopies, additional windows added in the bike or trash rooms, or additional pedestrian amenities to meet the intent of the standard(s).</p> | |

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| | As proposed, additional adjustments may be required. The applicant shall pay the applicable fee(s) and submit written findings that demonstrate how each request meets the criteria under SRC 250.005 (d). | |
| Chapter 71 – Stormwater Management | | |
| Approved Point of Discharge | <p>All stormwater facilities shall drain to an approved point of discharge (SRC 71.075(a) & PWDS). Draining to curb is not an approved point of discharge. Rain garden should connect to storm main in Bartell Dr NW. The smaller storm planter in the SW corner of the site can be routed to the larger rain garden through the parking lot or storm main needs to be installed in Moyer Lane NW.</p> <p>The applicant's engineer should identify an approved point of discharge for both facilities in order for staff to condition the application, if needed, to extend public mains in Moyer Lane NW.</p> | |
| Chapter 76 – Streets, Sidewalks, and other Public Ways | | |
| Encroachments | <p>The applicant's plans identify a "building overhang" into the public right-of-way. Encroachments into the public right-of-way are not permitted without Public Works Director approval. Generally, awnings covering sidewalks and second floor and above Balcones are permitted encroachments under SRC 76.160; however, the building itself cannot encroach into the right-of-way. Please clarify what type of encroachment you are requesting.</p>  | |
| Chapter 525 – WSCB Zone | | |
| Setbacks | <p>A maximum setback of up to 10 feet is permitted if the space is used for pedestrian amenities. <i>Pedestrian amenities</i> means areas and objects that are intended to serve as places for public use and are closed to motorized vehicles. Examples include plazas, sidewalk extensions, outdoor seating areas, and street furnishings.</p> <p>The building frontage along Moyer Lane NW requires pedestrian amenities for the west part of the façade where the setback increases to under 10 feet, and appears to provide only landscape without the required pedestrian amenities.</p> <p>The building frontage along Bartell Drive NW still appears to exceed the 10 feet along the southeastern corner of the façade, depending on where the property line falls. In addition, the handicap ramp proposed for the Bartell</p> | |

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| | Drive frontage is considered a function of the building that is generally used by specific persons, and does not meet the intent of a pedestrian amenity to engage passing pedestrians into using the public space. Please revise and address how the proposal meets the setback standards of SRC 525.010 (d), Table 525-3. | |
| Ground Floor Entrances | For residential uses on the ground floor, a primary building entrance shall be provided for each building façade facing a street. There is one unit at the northwest corner that is adjacent to Bartell Drive NW which should have a primary entrance facing the street. | |
| Ground Floor Windows | An adjustment has been requested for the windows along the Moyer Lane frontage, and the Bartell Drive frontage, which requires an adjustment for each frontage. However, it is not clear how the calculations have been made for the window adjustment(s) requested, and more information is needed to make accurate findings. Where a minimum percentage of windows are required on the ground floor of a building, the percentage of windows shall be calculated using SRC 112.030 . On the east side facing Bartell Drive, it seems that the 65 percent could be met if the shortest window was increased to meet the vertical dimension of 6 feet. Please provide more information on the calculations used, and necessity for the adjustment(s), to support the adjustment findings. | |
| Canopies | It is not clear how the cantilevered portions of the building are providing 55 percent coverage along Bartell Dr NW. By staff's measurements, there is only about 40-43 percent, depending on where the property line is. In addition, weather protection is not solely for the protection of pedestrians outside of the building, but also for protection of light through windows or shielding landscaping from intense weather. At this time, staff would likely condition a canopy or awning be provided, especially if there should be a connection made to the ground floor unit along Bartell Dr NW. The canopies/awning along Moyer Ln NW do not meet the minimum depth requirement of six feet, pursuant to SRC 525.010 (i)(1)(C). | |
| Chapter 800 – General Standards | | |
| Solid Waste Area | Please provide the correspondence that indicates that Valley Recycling and Disposal have confirmed that the proposed receptacles and/or trash location will meet the servicing needs for trash collection. | |
| Pedestrian Connection | An ADA access aisle is proposed crossing a drive aisle and leads to a curbed sidewalk. This should likely be a ramp area to provide ease of access for ADA patrons, bikes, and potentially trash receptacles. This would likely be a condition of approval from another division upon noticing, or in relation to the bicycle access standards of SRC 806.060 (b), which requires access to be free of obstacles like curbs. | |

| Chapter 803 – Street and Right-of-way Improvements | | |
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| Boundary Street Improvements | The applicant's preliminary plans show more pavement widening than a typical half street improvement. The applicant is advised that the requirement is a half street improvement to local street standards, pursuant to SRC 803.040 . | |
| Chapter 807 – Landscaping and Screening | | |
| Tree Replanting | There appears to be at least one tree that is left on the property after the right-of-way dedication, and within the required setback, which was not addressed in the narrative. The replanting requirement, pursuant to SRC 807.015 (d), will be a condition of approval. | |