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December 18, 2024

LAND USE APPLICATION - COMPLETENESS REVIEW

Project Information

Subject Property:	4455 27 th Avenue SE
Reference Number:	24-123435-PLN
Application Type:	Urban Growth Preliminary Declaration, Tentative Partition Plan, Class 3 Site Plan Review, Class 2 Adjustment, Class 2 Driveway Approach Permit
Date Application Accepted:	November 18, 2024
Applicant:	Margaret Gander Vo, Saalfeld Griggs Lawyers, on behalf of Home First Development, LLC margaret@sglaw.com
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Staff Contact

Land Use Planner:	Peter Domine, Planner II pdomine@cityofsalem.net / 503-540-2311
Infrastructure Planner:	Aaron Panko, Infrastructure Planner III apanko@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.

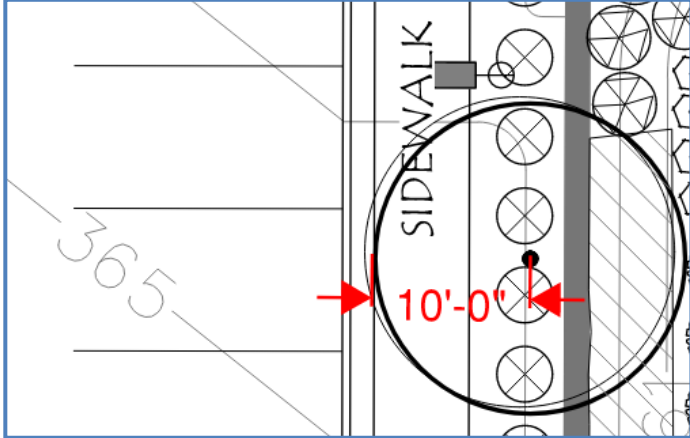
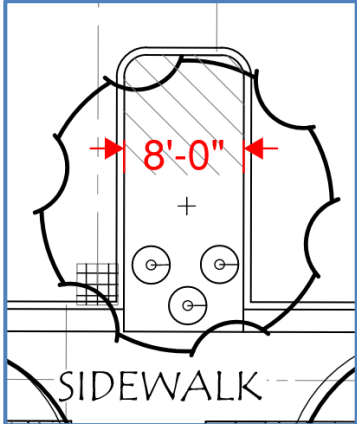
You have 180 days (May 17, 2025) from the date the application was first submitted (November 18, 2024) to respond in one of the three ways listed above, or the application will be deemed void.

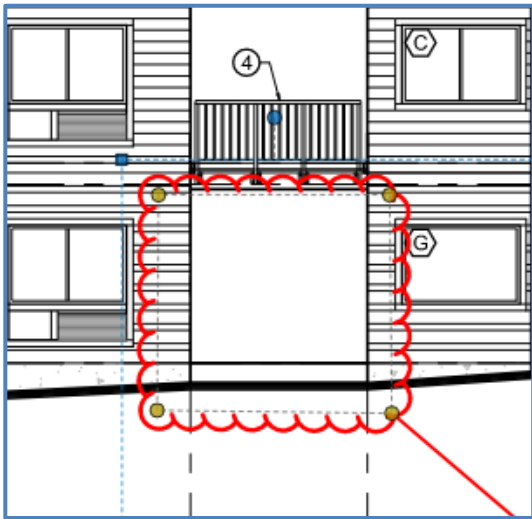
The Salem Revised Code may be accessed online at the following location:

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

<u>Completeness Review Items</u>		
<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”:		
Submittal Requirement	Description	Applicant Response <i>i.e., Written Response, Submitted, Not Providing</i>
Signed Application	Please provide proof of signatory authorization for the land use application.	
Title Report	Submit a current title report for the subject property for review by the Survey Section pursuant to SRC 205.030(b) .	
Utility Plan	The application shall include a preliminary utility plan pursuant to SRC 220.005(e)(2)(F) and SRC 205.030(f) . Proposed Parcel 2 is in the S-2 water service level. The utility plan will need to demonstrate how S-2 water service will be provided to Parcel 2.	
Easements	The submitted site plan does not include required access and utility easements serving proposed Parcel 2. The applicant shall include all existing and proposed easements pursuant to SRC 205.030(a)(7) .	
Driveways and Accesses	Provide proposed flag lot driveway access locations and widths for each lot pursuant to SRC 205.030(a)(6) .	
Adjustments	Please provide an updated written statement for each requested adjustment, and how it meets the approval criteria of SRC 250.005(d)(2)(A)(ii). See advisory comments below.	
<u>Advisory Comments</u>		
<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).		
Item	Description	Applicant Response
Chapter 250 – Adjustments		
Adjustments	Applicant has requested nine Adjustments to the following standards:	

	<ol style="list-style-type: none"> 1. To the street frontage standard for proposed Parcel 2 of the tentative partition plan. This lot would be considered a flag lot; therefore, street frontage is not required. See advisory comments below regarding flag lot standards. The request includes an adjustment to the partition approval criteria SRC 205.005(d)(1)(A); however, this is not necessary, only an adjustment to the lot standards. See advisory comments below. 2. To the lot standards 514.010(a) for street frontage. This is not necessary; however, an adjustment to the flag lot accessway setbacks is. See comments below. 3. To the requirement to plant a shade tree for every 50 feet of parking area perimeter, per SRC 702.020(b)(7). See comments below. 4. To the minimum planter bay width of 9 ft, per SRC 702.020(b)(7)(B). See comments below. 5. To the minimum planter bay width of 9 ft, per SRC 702.020(d)(1). See comments below. 6. To the building setback of proposed Building P abutting the RA zoned property to the north, per SRC 702.020(e)(2). 7. To the requirement of sight-obscuring railings for the balconies abutting RA or RS zoned property. The neighboring property to the east (Phase 1) is zoned RM-II; sight-obscuring railings are not required here. The proposed buildings do not include balconies facing any RA or RS zoned property. This adjustment is not necessary. 8. To the requirement that any ground level dwelling units located within 25 feet of the property line abutting a street shall have an architecturally defined primary entrance facing the street, with direct pedestrian access. A separate Adjustment is required for each unit or cluster of units in each building (i.e., Building S, Building R, and Building M). See comments below. 9. To an additional driveway approach onto the new extension of Marietta St, per SRC 804.030(a). This section and criteria is not applicable to the proposal. SRC 804.030 is for driveways for single-to-four-family uses, not multi-family. This adjustment is not necessary, on a separate Class 2 Driveway Approach Permit, which has been applied for. 	
Chapter 702 – Multi-Family Design Review		
Landscaping	An Adjustment has been requested to the provision requiring a minimum of one shade tree to be planted along every 50 feet of perimeter of the parking area; however, the trees are also required to be within 10 feet of the parking area, per SRC 702.020(b)(7). Plans do not appear to meet this.	

	 <p>Trees are not within 10 feet of the parking area.</p>	
Parking and Site Design	<p>Per SRC 702.020(d)(1), within parking areas greater than 6,700 square feet, landscape planter bays are required to be a minimum 9 feet in width. An Adjustment has been requested for two landscape planter bays; however, many of the landscape islands are not the minimum 9-foot-width. The width is measured from the inside of the curbs.</p>  <p>Planters within the parking lot are not 9 ft in width.</p>	

Façade and building design	<p>Per SRC 702.020(e)(5), to orient buildings to the street, any ground-level unit, cluster of units, interior lobbies, or portions thereof, located within 25 feet of the property line abutting a street shall have an architecturally defined primary building entrance facing that street, with direct pedestrian access to adjacent sidewalks. One Adjustment was requested; however, a separate Adjustment is required for each unit/cluster of units in each building abutting a street.</p> <p>Per SRC 702.020(e)(6), a porch or architecturally defined entry shall be provided for each ground level dwelling unit. Shared porches or entry areas shall be provided at no more than four dwelling units. Individual and common entryways shall be articulated with a differentiated roof, awning, stoop, forecourt, arcade, or portico. Plans do not indicate this for any building entrance.</p>  <p>Common entry areas of each ground floor dwelling unit.</p>	
Chapter 800 – Flag Lots		
Flag Lot Accessways	<p>Proposed Parcel 2 (with the existing house) would be considered a flag lot and subject to the standards of SRC 800.025. Per SRC 112.050(c), setbacks abutting a flag lot accessway shall be measured from the property line or the most interior access easement line, whichever is most interior to the lot or parcel. Setbacks for a multifamily use within the RM-II zone require a 10-foot setback landscaped to the Type C standard. An Adjustment would be necessary to eliminate this setback.</p>	
Chapter 806 – Off-street Parking		
Off-Street Parking	<p>A minimum of 40% of the off-street parking spaces are required to be EV ready. The written statement indicates this will be determined at building permit. It will be conditioned to be met.</p>	
Climate Mitigation	<p>The Tree Canopy Plant Schedule legend does not appear to match the trees on the landscape plan on sheet L1.3. Specifically, the Sawleaf Zelkova does not match the symbol on the plans.</p> <p>Selected trees do not appear to meet the approved list in Table 806-7, specifically the “Wildfire” Tupelo is not an approved tree.</p>	
Off-Street Loading	<p>The proposed 72 multifamily dwelling units require a minimum of one off-street loading space, per Table 806-11. Plans do not indicate any loading spaces. An off-street loading area may not be necessary if the applicant demonstrates SRC 806.075(a) is applicable.</p>	