

# BRAND

## **Incomplete Application Response**

24-121106-PLN | 3021-3027 D Street NE

This letter shall serve as the applicant's response to an incomplete application notice received on November 8, 2024. This response is organized by item in the same order as the incomplete letter.

### Item 1: Complete Application

**Applicant's Response:** *The applicant provided a complete application signed by managing member of the LLC that owns the property. The county records indicate Creswell Hldgs LLC as the owner of the subject property. Articles for this LLC have been uploaded. This item is resolved.*

### Item 2: Title Report

**Applicant's Response:** *The applicant has provided an updated title report. This item is resolved.*

### Item 3: Vesting Deed and Lot Legality

**Applicant's Response:** *The applicant has provided deed no. 2024-29874 and a chain of title in order to aid the City in determining legality. This item is resolved.*

### Item 4: Open Space Plan

**Applicant's Response:** *An open space plan has been provided. This item is resolved.*

### Item 5: Landscape Plan

**Applicant's Response:** *A landscaping plan will be provided at the time of building permit; the applicant requests this item be a condition of approval. This item is resolved.*

#### Item 6: Street Trees Required

**Applicant's Response:** *The applicant is aware that street tree plantings are required and has shown approximate plantings on the site plan. The applicant understands that City staff will provide feedback on selection and location preferences at the time of building permit review. This item is resolved.*

#### Item 7: Written Statement (ADJ)

**Applicant's Response:** *As the adjustment request for pedestrian access standards is not required, the applicant requests to apply the fee to an additional adjustment to lot size, see item 10. The applicant has provided findings below for all additional adjustment requests. This item is resolved.*

#### Item 8: Stormwater Management Design

**Applicant's Response:** *The site is unable to provide infiltration; therefore, the proposed stormwater facility is lined, and no setback is required. These details are provided in the submitted stormwater report on pages 4 and 7. This item is resolved.*

#### Item 9: Right-of-way Dedication

**Applicant's Response:** *Plans have been revised to show the 11-foot right-of-way dedication. This item is resolved.*

#### Item 10: Lot Area

**Applicant's Response:** *The applicant would like to apply for an additional adjustment to lot size for the lot being adjusted by the proposed PLA. The applicant has paid for an adjustment to pedestrian standards that are not applicable and requests staff to use this fee and apply it to this adjustment.*

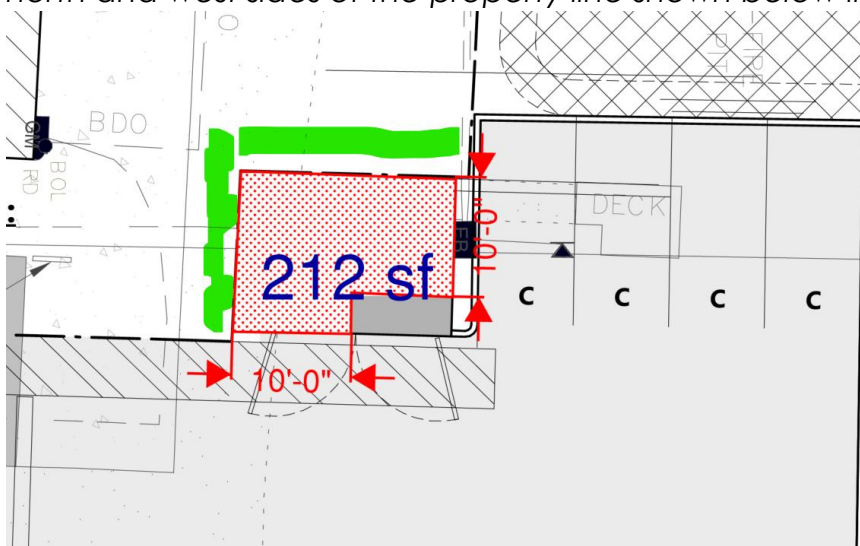
**Finding:** *The applicant is seeking an adjustment to this standard for both lots/parcels west of the access easement to allow proposed parcel 2 to be developed with a new multi-family development and accessway that will continue to serve the existing developments and the newly proposed development. The proposed adjustment is consistent with the underlying purpose of the requirement because it allows the vacant portion of the development site to be developed with a multifamily use bringing the site more into conformance with the RM2 zone. The applicant understands the*

purpose of preserving larger properties within this zone is to afford multifamily units to be constructed. In this case, it is important the applicant is permitted to separate the existing single-family dwelling and existing duplex from the remainder of the site so that additional dwelling units can be added on proposed parcel 2. Additionally, the applicant has ensured the property meets the size and dimensional standards applicable to single family dwellings within the RS zone. By using these standards as the guide, the applicant is able to maximize the new multifamily dwelling units on the remaining portion of the property. This adjustment meets approval criterion (ii) for equally meeting the purpose of the standard.

Item 11: Setbacks (to trash enclosure)

**Applicant's Response:** The applicant requests an additional adjustment to the setback requirement for the trash enclosure.

**Finding:** The applicant understands the purpose of the setback to the accessory structure (trash enclosure) on the multifamily portion of the development site is to afford light, air, and green space between structures. Due to the narrow configuration of the site, the requirement to tuck vehicle parking behind the buildings, the low portion of the site where the GSI must be located, meeting the setback requirement to the accessory structure is not feasible on this site. To equally meet the intent of the requirement being adjusted, the applicant proposes to place additional plant units on proposed parcel 1 side of the sight obscuring fence. The setback requirement is 10 feet to the accessory structure which is a displacement of approximately 212 square feet of landscaped setback. The applicant proposes to move the plant units, totaling 11 PUs ( $212 / 20 = 10.6$  plant units rounded to 11) to the north and west sides of the property line shown below in green.



*With the mitigation proposed, the requested adjustment meets the approval criteria.*

#### Item 12: Open Space

**Applicant's Response:** *An open space plan clearly demonstrating the applicant is exceeding the 20 percent open space requirement (with 23 percent provided) is being met. This item is resolved.*

#### Item 13: Site Safety and Security - Windows

**Applicant's Response:** *The stairwell is a fire rated exit stairwell and additional openings along this wall are not permitted within the building code pursuant to chapter 10. This is not applicable and this item is resolved.*

#### Item 14: Site Safety and Security - Lighting

**Applicant's Response:** *The applicant requests that staff include this item as a condition of approval to be met at the time of building permit. This item is resolved.*

#### Item 15: Parking and Site Design – Pedestrian Access

**Applicant's Response:** *Plans have been revised to include a pedestrian connection, paved in a different material than the parking area, from the proposed multi-family building to the trash enclosure and compact parking spaces. This connection also provides connectivity to the public street. This item is resolved.*

#### Item 16: Flag Lots

**Applicant's Response:**

Item 1 – Units served by flag lot accessway for residential lots: *The applicant would like to request an adjustment to this standard to provide access to more than four residential units. The applicant proposes additional pedestrian connections, for proposed parcel 2 the applicant is providing a direct pedestrian connection from the primary entrance to the public right-of-way, for proposed parcel 1 the applicant is providing a pedestrian connection to the proposed sidewalk along the multi-family building that connects directly to the public right-of-way. The lot/parcel being adjusted through the property line adjustment has a pedestrian connection from the primary entrance of the*

existing single-family home to the public right-of-way. The adjustment is necessary to provide additional housing units within the City of Salem and bring the properties more into conformance with the RM-II zone.

Item 2 – Flag Lot Widths: The applicant would like to request an adjustment to the minimum easement width of 25-feet down to 22-feet. The applicant is providing more than the minimum width for pavement of the access and the access easement will match the 22-foot pavement width. Additionally, the 22-foot access and pavement provides adequate width for the fire department. The reduction in flag lot easement width is necessary to ensure that the existing structures and proposed multi-family building meets setback requirements.

Item 3 – Flag Lot Length: The applicant has reached out to the fire department to confirm fire requirements. Based on the measurements that the Fire Department has calculated, neither a fire access turnaround nor sprinklers within the existing structure on proposed parcel 1 are required. Comments from the fire department have been uploaded to demonstrate no additional requirements. This item is resolved.

#### Item 17: Solid Waste Area (Dimensions and Design)

**Applicant's Response:** The applicant requests this item to be a condition of approval to provide trash enclosure details at the time of building permit. Additionally, an email from the trash service collector has been provided, indicating that the method of trash service proposed is acceptable. The applicant intends on having small cans within the enclosure that the property management company will roll out to the curb along the public street for collection. This item is resolved.

#### Item 18: Pedestrian Connection

**Applicant's Response:** Please use this adjustment fee towards one of the new adjustments being requested. Thank you! This item is resolved.

#### Item 19: Single-Family Off-Street Parking

**Applicant's Response:**

Property adjusted with PLA (containing existing single-family home): The applicant is proposing a fence/gate to establish a screened off-street parking area for this residence.

Proposed parcel 1 (containing existing duplex): The applicant is proposing two parking spaces on each side of the existing duplex. On the south side of the duplex, a fence/gate providing screening to the adjacent residential zoned properties is being provided for one parking space. On the north side of the duplex there is an existing carport to remain, and no changes are proposed to this carport. The applicant seeks an additional adjustment to the 20-foot maneuverability from the accessway to the carport, where approximately 16 feet of maneuverability is provided on the property adjacent to the accessway. With the proposed parking adjacent to the accessway, there is enough room for one vehicle to safely enter and exit this existing carport.

#### Item 20: Electric Vehicle Service Capacity

**Applicant's Response:** Plans have been updated to demonstrate that 40 percent of the parking spaces will be wired for electrical service for future electric vehicle charging. This item is resolved.

#### Item 21: Setbacks Adjacent to Structures

**Applicant's Response:** Plans have been updated to demonstrate a 5-foot pedestrian walkway to separate the off-street parking area from the proposed multi-family building. This item is resolved.

#### Item 22: Dead-End Turnaround

**Applicant's Response:** Plans have been updated to provide the dead-end turnaround. This item is resolved.

#### Item 23: Bicycle Parking

**Applicant's Response:** The applicant requests that bike rack details be a condition of approval to be provided at the time of building permit to demonstrate compliance. This item is resolved.

#### Item 24: Zoning Adjustments

**Applicant's Response:** The applicant is asking for five additional adjustments where the standards are unable to be met. The applicant has applied for an adjustment originally that is not required, so there are four new adjustment fees required to be paid. Findings addressing these adjustments are provided above under the specific items that are being adjusted. This item is resolved.