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April 9, 2025

## LAND USE APPLICATION - COMPLETENESS REVIEW

### Project Information

<b>Subject Property:</b>	4900 Block of 27 <sup>th</sup> Avenue SE
<b>Reference Number:</b>	25-105629-PLN
<b>Application Type:</b>	Class 3 Site Plan Review and Class 2 Adjustment
<b>Date Application Accepted:</b>	March 11, 2025
<b>Applicant:</b>	Mosaic Development Services LLC <a href="mailto:jeremys@mosaicdevelopmentservices.com">jeremys@mosaicdevelopmentservices.com</a>
<b>Contact:</b>	Britany Randall <a href="mailto:britany@brandlanduse.com">britany@brandlanduse.com</a>

### Staff Contact

<b>Land Use Planner:</b>	Jamie Donaldson, Planner III <a href="mailto:jdonaldson@cityofsalem.net">jdonaldson@cityofsalem.net</a> / 503-540-2328
<b>Infrastructure Planner:</b>	Laurel Christian, Infrastructure Planner III <a href="mailto:lchristian@cityofsalem.net">lchristian@cityofsalem.net</a> / 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 (March 11, 2025) from the date the application was first submitted (September 7, 2025) 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”:

<b>Submittal Requirement</b>	<b>Description</b>	<b>Applicant Response</b> <i>i.e. Written Response, Submitted, Not Providing</i>
<b>LLC Members</b>	<p>It appears the applicant is Mosaic Development Services LLC, acting on behalf of the property owner Boone Road Commercial LLC. 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>Please provide the articles of organization or operating agreement for the applicant Mosaic Development Services LLC.</p>	
<b>CFEC Tree Plan</b>	<p>When a total of more than one-half acre of new off-street surface parking is proposed on one or more lots within a development site, the lot(s) proposed for development shall comply with the additional standards of <a href="#">SRC 806.035(n)</a>. 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. Proof of coordination with the local electric utility to ensure the compatibility of tree canopy and root systems with planned and existing utility infrastructure is also required.</p> <p><b>Note:</b> See also “Climate Mitigation” section below.</p>	

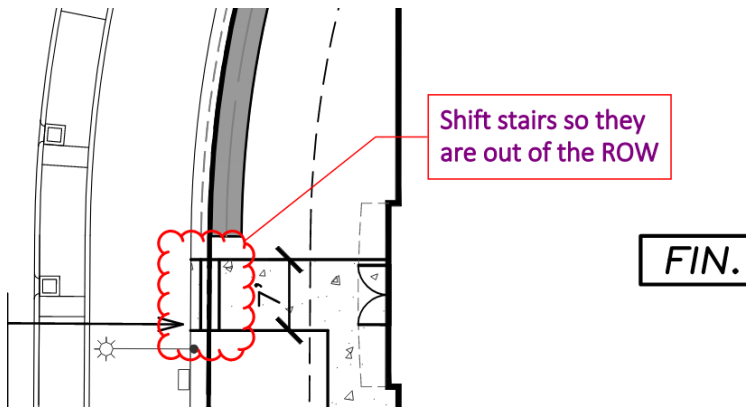
### **Advisory Comments**

**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).**

<b>Item</b>	<b>Description</b>	<b>Applicant Response</b> <i>i.e. Written Response, Submitted, Not Providing</i>
<b>Application Review</b>		
<b>Class 2 Adjustment(s)</b>	<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; therefore, the following adjustments are not supportable at this time:</p>	

	<ol style="list-style-type: none"> <li>1) The request to eliminate the five-foot landscaped setback adjacent to the future interior property line makes a statement about why it is justified, but does not indicate how the standard is equally being met. It is not clear how eliminating the setback ensures efficient circulation when the parking spaces would have to back up into a shared accessway. An adjustment may be supported with an increased aisle width adjacent to the parking, or additional landscaping in the area.</li> <li>2) The request to eliminate a primary building entrance along Kuebler Blvd indicates the façade is not visible from the street, but the civil plans appear to show the grading at a higher elevation that would be seen. As indicated in the following comments, the standard could be equally meet by providing a more visually appealing façade.</li> <li>3) The request to eliminate the ground floor windows along Kuebler Blvd indicates the building is at a taller point than the street, which does not justify why windows would not be necessary, even as the back of the building. The elevations does not seem to show differentiating materials, and does not show how the standard is equally being met. An adjustment may be supported with faux windows, awnings, offsets, or a change in materials like decorative stone.</li> <li>4) Similarly to the above request, the façade facing 27<sup>th</sup> Avenue includes an area of approximately 300 square feet of blank stucco wall. Staff finds no reason why an additional window cannot be added on the to meet the additional 7 percent, especially if there is an adjustment requested for the same standard along Kuebler. The statement provides no evidence of pedestrian-oriented elements that would equally meet the intent of the standard.</li> <li>5) For the pedestrian connection to Kuebler, it does not equally meet the intent to provide connectivity to the street by providing bike parking in an area where there is no connection provided, and is not easily accessible to the street. However, this adjustment is likely not required; see additional comments under Chapter 800.</li> <li>6) As indicated above, the bike parking at the bike of the building does not provide convenient and accessible bike parking when it is the furthest north of the development site and there is no nearby connection to any street or entrance, and an increased sidewalk does not equally meet that intent. The site could be better served by landscaping in lieu of the increased sidewalk, to help with the setback adjustment requested.</li> </ol> <p>Without further detail, conditions of approval may require additional landscaping, building façade changes, or additional pedestrian amenities to meet the intent of the standard(s). However, with Mosaic designated as the primary street and the additional comments below regarding the off-street parking location, several of these adjustments could be met, or no longer required, if the</p>	
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	<p>building was placed at the southern property line abutting the plaza on Lot 3, instead of the northern line abutting Kuebler. Please feel free to call to discuss.</p> <p>As proposed, additional adjustments may be required. If requested, the applicant shall pay the applicable fee(s) and submit written findings that demonstrate how each request meets the criteria under <a href="#">SRC 250.005</a>(d).</p>	
<b>Subdivision Plat</b>	Please be aware that the subdivision for Kuebler Village approved under SUB-UGA-ADJ-DAP24-03, has not yet been platted. The calculations made for the proposed development, including site landscaping, setbacks, and pedestrian connections, are based on property lines that do not yet exist, which could delay building permits from being issued until such time that the plat is recorded.	
<b>Chapter 535 – MU-III</b>		
<b>Setbacks</b>	<p>A maximum setback of up to 30 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 27<sup>th</sup> Avenue only provides a sidewalk to the entrance, which is already required for connectivity, and does not meet the intent of a pedestrian amenity to engage passing pedestrians into using the public space. For the pedestrian amenities along Kuebler, staff finds an adjustment would be better suited for this side, instead of providing amenities where they can't be easily accessed. However, staff would be more supportive of shifting the building to the south property line, eliminating the need for an adjustment to the standard along Kuebler altogether.</p> <p>Please revise and address how the proposal meets the setback standards of <a href="#">SRC 525.010</a>(d), Table 525-3.</p>	
<b>Off-street parking location</b>	Pursuant to <a href="#">SRC 535.015</a> (g)(1), new off-street surface parking areas and vehicle maneuvering areas shall not be located between a building or structure and a street. Because Lot 3 is only developed as a plaza and there is no building proposed, Lot 1 does not meet the standard for off-street parking being located behind or beside a building. An adjustment would be required for the property's current configuration; however, this adjustment would not be necessary if the building was moved to the south property line along Lot 3.	
<b>Building Entrances</b>	As indicated in the adjustment comments above, additional features to create a visually appealing façade are required to support the adjustment.	
<b>Ground Floor Windows</b>	As indicated in the adjustment comments above, additional features to create a visually appealing façade are required to support the adjustment.	

<b>Landscape</b>	Pursuant to <a href="#">SRC 535.015</a> (d), a minimum of 15 percent of the development site shall be landscaped. As of now, the site includes all 24 acres, until such time that the plat is recorded. This is a notification and can be conditioned, if necessary.	
<b>Chapter 800 – General Standards</b>		
<b>Flag Lot(s)</b>	<p>Pursuant to <a href="#">SRC 808.025</a>(c), Table 800-1, and Condition 3 of SUB-UGA-ADJ-DAP24-03, the flag lot accessway serving the property should have a minimum 27-foot-wide easement. For the parking area along the shared accessway, the plans show only 24 feet between the two parking areas along the accessway, meaning the parking spaces are located within the required easement.</p> <p>Please note: setbacks abutting a flag lot accessway shall be measured from the most interior access easement line, if an access easement exists, pursuant to <a href="#">SRC 112.050</a>(c).</p>	
<b>Pedestrian Connection</b>	<p>Pursuant to <a href="#">SRC 800.065</a>(a)(1)(C)(i), a pedestrian connection to Kuebler Boulevard is not required due to the connection along 27<sup>th</sup> Avenue.</p> <p>The written statement indicates that the proposed connection to the east is not required at this time. If review is based on the future division and property lines, then the required pedestrian connections shall be extended to the boundaries of the lot, or lots, proposed for development in order to allow for future extension of required pedestrian connections through other lots within the development site in conformance with <a href="#">SRC 800.065</a>(d). The connection to the east required to eventually provide a connection to Kuebler Blvd through Lot 5, 8, or 9, per Condition 15 of SUB-UGA-ADJ-DAP24-03. Providing the connection to the property to the east will likely be a condition of approval.</p>	
<b>Chapter 803 – Street and Right-of-Way Improvements</b>		
<b>Boundary Street Improvements</b>	<p>This comment is advisory in nature and may be addressed with Building Plan Review. The applicant's plans show stairs in the public right-of-way of 27<sup>th</sup> Avenue SE. Improvements in the ROW shall meet ADA standards. The stairs should be pulled back to the property line and a ramp, meeting ADA requirements can be constructed from the bottom of the stairs to the sidewalk.</p> 	

<b>Chapter 806 – Off-Street Parking, Loading, and Driveways</b>		
<b>Parking Location</b>	Pursuant to <a href="#">SRC 806.035(b)(1)</a> , off-street parking and vehicle use areas shall not be located within required setbacks. While an adjustment is requested for the landscape setback requirement for the parking area located along the shared accessway, the parking is located within the easement, and also within the required setback.	
<b>Interior Parking Landscaping</b>	For purposes of determining the percentage of interior landscape required, and the climate mitigation standards, the area of an off-street parking area is <u>the sum of all areas</u> within the perimeter of the off-street parking area, including parking spaces, aisles, planting islands, corner areas, and curbed areas, but not including interior driveways. The total of the off-street parking areas indicated on the plan are more than 5,000 square feet, and require conformance with the interior parking lot landscaping standards.	
<b>Climate Mitigation</b>	Please demonstrate how the development will meet the CFEC standards as outlined in <a href="#">SRC 806.035(n)</a> . The standards are broken into two sets of options: Climate mitigation and tree canopy. You can choose how you want to accomplish each set of options. Please visit <a href="#">this webpage</a> for a breakdown of the options, review process and submittal requirements, FAQs, etc.	
<b>Bicycle Parking</b>	The adjustment to the bicycle parking location is not supported for the location at the northeast corner of the building. Please revise the bike parking meeting the application location and access standards, and include spacing dimensions and bike rack design, that illustrate compliance with the standards set forth in <a href="#">SRC 806.060</a> .	
<b>Off-Street Loading</b>	The location of the off-street loading space obstructs the minimum aisle width for two-way circulation. In addition, the loading space location does not provide the required maneuvering space for a dead-end turnaround, pursuant to SRC 806.035 (f), for the adjacent parking to the north.	
<b>Chapter 808 – Preservation of Trees and Vegetation</b>		
<b>Tree Inventory</b>	<p>The civil plans indicate removal of a tree on Lot 3 to accommodate the proposed development. Please identify the type and size of the tree to verify applicable standards.</p> <p>In addition, no person shall remove a tree on a lot or parcel that is 20,000 square feet or greater, prior to site plan review or building permit approval, unless the removal is undertaken pursuant to a tree removal permit or tree variance. However, if the tree is not significant, a tree removal permit may not be required if the removal does not result in removal of more than five trees or 15 percent of the trees, whichever is greater, within a single calendar year, pursuant to <a href="#">SRC 808.030(a)(2)(N)</a>. The prior subdivision decision already allowed removal of 15 percent for the last calendar year. Please identify the remaining trees for the development site to verify how many trees could potentially be removed this year without further permitting.</p>	