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**May 17, 2022**

**UPDATED PLANNING REVIEW CHECKLIST**  
**Revised Application Materials Submitted May 9, 2022**

**Subject Property:** 2499, 2501, 2519, 2551 Wallace Rd NW

(Polk County Assessor Map and Tax Lot Number 073W09CD /  
00900, 01000, 01101, 01301)

**Ref#:** 21-106129-RP, 21-106130-ZO, 22-101953-NR

**Applicant:** Scott Martin  
Scott Martin Construction LLC  
PO Box 5850  
Salem OR 97304  
[smconstruction@sendmemail.me](mailto:smconstruction@sendmemail.me)

**Contact:** Sam Thomas  
Lenity Architecture  
3150 Kettle Court SE  
Salem OR 97301  
[Samt@lenityarchitecture.com](mailto:Samt@lenityarchitecture.com)

A consolidated Class 3 Site Plan Review and Class 2 Adjustment application was received March 25, 2021 and accepted for processing March 31, 2021 when fees were paid. Prior to issuing the decision on the Class 3 Site Plan Review and Class 2 Adjustment, staff notified you that we would be issuing a denial. Staff notified you that a revised site plan with connectivity, revised elevations, revised adjustments, and new driveway approach permits could be submitted for review so that revised notice of application/request for comments could be distributed and a decision issued. Staff requested an additional extension equal to at least 120 days from submittal of the driveway approach permit application, revised site plan and elevations, and revised adjustments, and advised that the maximum extension for the 120-day deadline on the original SPR-ADJ application would be September 21, 2022.

A Tree Variance application was received January 14, 2022 and accepted for processing January 18, 2022 when fees were paid. You clarified that the Tree Variance



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should be consolidated with the other applications, and you authorized extending the consolidated applications to September 21, 2022.

Prior to issuing the decision on the consolidated applications, modifications and/or additional information must be provided to address the following item(s).

Item:	
<b><u>Application Submittal Items</u></b>	<p><b><i>Trip Generation Estimate Form</i></b></p> <p><i>The original form indicated 189 apartments. The revised proposal indicates 201 apartments. Please upload a revised completed TGE form.</i></p> <p><a href="https://www.cityofsalem.net/CityDocuments/trip-generation-estimate-form.pdf">https://www.cityofsalem.net/CityDocuments/trip-generation-estimate-form.pdf</a></p>
<b><u>Property Line Adjustments / Related Setback Adjustments</u></b>	<p><i>1. We notified you on December 13, 2021 that the conditions of the Class 3 Site Plan Review – Class 2 Adjustment decision will require recording either a Partition plat or Property Line Adjustment deeds prior to final occupancy of the buildings; that the City Surveyor later determined that the properties that make up the area proposed to be improved were not previously platted; and that the City Surveyor advised that PLAs (property line adjustments, plural, rather than a Partition) will be needed to consolidate the land.</i></p> <p><i>Your revised written statement addresses criteria for a single property line adjustment. You submitted a PLA-Exhibit that indicates a single resulting Partition parcel. You have not submitted a property line adjustment application or supporting materials at this time. You and your surveyor will be responsible for (1) determining the number of property line adjustments that will be required to consolidate the properties and (2) submitting the property line adjustment applications in the proper sequence. It is highly unlikely that you would be able to submit the required property line adjustment applications, receive tentative approval for them, and record property line adjustment deeds prior to issuance of the consolidated Class 3 Site Plan Review – Class 2 Adjustment – Class 2 Driveway Approach Permit – Tree Variance application.</i></p> <p><i>To avoid further delays, the property line adjustment applications should be submitted as soon as possible and processed concurrently with, but not consolidated with, the consolidated Class 3 Site Plan Review – Class 2 Adjustment – Class 2 Driveway Approach Permit – Tree Variance application. Therefore, Class 2 Adjustments are still required to (a) reduce building setbacks from 10 feet to 0 feet abutting internal property</i></p>

	<p><i>lines so that the buildings may cross existing internal property lines in anticipation of future property line adjustments (property boundary verifications are no longer allowed) and (b) to reduce vehicle use area setbacks from 10 feet to 0 feet abutting existing internal property lines. The conditions of the consolidated Class 3 Site Plan Review – Class 2 Adjustment – Class 2 Driveway Approach Permit – Tree Variance decision will require recording Property Line Adjustment deeds prior to final occupancy of the buildings.</i></p> <p><i>2. Building and Safety will not issue permits prior to a legal method of combining the lots into one for Building Permit purposes. Buildings 1, 2, and 10 cross property lines. Because the property line adjustment deeds will not be recorded before the decision is issued, Planning will add a condition addressing this:</i></p> <p style="padding-left: 40px;"><i>Prior to building permit issuance for Buildings 1, 2, and 10, record property line adjustment deeds eliminating the property lines that cross these buildings.</i></p>
<p><b><u>Site Plan Review Items</u></b></p>	<p><b><u>Site Plan</u></b></p> <p>220.005(e)(1)(A) A site plan, of a size and form and in the number of copies meeting the standards established by the Planning Administrator, containing the following information:</p> <ul style="list-style-type: none"> <li>(i) The total site area, dimensions, and orientation relative to north;</li> <li>(ii) The location of all proposed primary and accessory structures and other improvements, including fences, walls, and driveways, indicating distance from the structures and improvements to all property lines and adjacent on-site structures;</li> <li>(iii) Loading areas, if included in the proposed development;</li> <li>(iv) The size and location of solid waste and recyclables storage and collection areas, and amount of overhead clearance above such enclosures, if included in the proposed development;</li> <li>(v) An indication of future phases of development on the site, if applicable;</li> <li>(vi) All proposed landscape areas on the site, with an indication of square footage and their percentage of the total site area;</li> </ul>

	<p>(vii) The location, height, and material of fences, berms, walls, and other proposed screening as they relate to landscaping and screening required by SRC chapter 807;</p> <p>(viii) The location of all trees and vegetation required to be protected pursuant to SRC chapter 808;</p> <p>(ix) The location of all street trees, if applicable, or proposed location of street trees required to be planted at time of development pursuant to SRC chapter 86; and</p> <p>(x) Identification of vehicle, pedestrian, and bicycle parking and circulation areas, including handicapped parking stalls, disembarking areas, accessible routes of travel, and proposed ramps.</p> <p><i>Please revise the site plan so that one of the required 12 ft by 19 ft by 12 ft loading spaces is clearly located in conjunction with the recreation building (Table 806-11). I think you mean the diagonally striped area north of Building 5 to be a loading space, but there is no label. The loading space may be in the parking area on the east side of La Jolla Street NW, and a crosswalk will be required across La Jolla Street NW. If you do not revise the site plan, the decision will include conditions requiring the loading space and crosswalk.</i></p>
<p><b><u>MU-II Zone Development Standards</u></b></p>	<p><i>Staff requested enlarged drawings and elevation drawings in December 2021 and in subsequent emails so that we could determine if the reconfigured buildings would meet setbacks and other applicable MU-II standards. You have changed the building configurations, moved buildings closer to the proposed street, changed numbers of units in buildings, etc. Please provide revised elevation drawings to demonstrate that all of the buildings will comply with the setbacks and pedestrian-oriented development standards of 534.015(h):</i></p> <p><i>The west end of Building 5, Building 9, Building 8, the enclosed pool, and the office/rec building must have pedestrian amenities in order to qualify for the maximum setback of up to 10 feet; or, a minimum setback of 5 feet to maximum setback of 10 feet is permitted for ground-floor residential uses if horizontal separation is provided per 534.015(h).</i></p> <p><i>Ground floor height applies to Building 1 on Wallace.</i></p>

	<p><i>Separation of ground floor residential uses applies to Buildings 1, 5, 8, 9.</i></p> <p><i>Building façade articulation applies to Building 1 on Wallace.</i></p> <p><i>Ground floor windows standard applies to Building 1 on Wallace.</i></p> <p><i>Building entrances standard applies to Building 1 ground floor on Wallace.</i></p> <p><i>Weather protection applies to building ground floors adjacent to a street for Buildings 1, 5, 8, 9, the enclosed pool, and the office/rec building.</i></p>
<p><b><u>Tree Preservation SRC 808</u></b></p>	<p><b><i>Written Statement (SRC 808.045(d))</i></b></p> <p><i>The arborist's report from July 2021 and the written statement submitted May 9, 2022, which addresses tree removal permit criteria that became effective March 16, 2022, are not sufficient.</i></p> <p><i>You must address the Tree Variance criteria that were applicable at the time the Tree Variance was submitted. Please submit a written statement addressing the approval criteria that were in effect January 14, 2022:</i></p> <p><i>808.045(d) Approval criteria. A tree variance shall be granted if either of the following criteria is met:</i></p> <p><i>(1) Hardship.</i></p> <p style="padding-left: 40px;"><i>(A) There are special conditions that apply to the property which create unreasonable hardships or practical difficulties which can be most effectively relieved by a variance; and</i></p> <p style="padding-left: 40px;"><i>(B) The proposed variance is the minimum necessary to allow the otherwise lawful proposed development or activity; or</i></p> <p><i>(2) Economical use.</i></p> <p style="padding-left: 40px;"><i>(A) Without the variance, the applicant would suffer a reduction in the fair market value of the applicant's property, or otherwise suffer an unconstitutional taking of the applicant's property;</i></p>



	<p>(B) The proposed variance is the minimum necessary to prevent a reduction in the fair market value of the applicant's property or otherwise avoid a taking of property; and</p> <p>(C) The proposed variance is consistent with all other applicable local, state, and federal laws.</p>
<b>Adjustments</b>	<p><b><i>Written Statement.</i></b></p> <p><i>Please provide a revised written statement demonstrating how each proposed adjustment meets the criteria:</i></p> <p>250.005(d)(2) An application for a Class 2 adjustment shall be granted if all of the following criteria are met:</p> <p>(A) The purpose underlying the specific development standard proposed for adjustment is:</p> <p style="padding-left: 40px;">(i) Clearly inapplicable to the proposed development; or</p> <p style="padding-left: 40px;">(ii) Equally or better met by the proposed development.</p> <p>(C) If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone.</p> <p><i>Reconfiguration of the site due to required street connectivity changed the adjustments you will need. Your latest written statement says you are seeking five (2) adjustments but lists only two adjustments – increase maximum setback adjacent to Wallace Road for Building 1 from 10 to 12 feet and reduce building frontage to less than 50% on Wallace Road. Please update the written statement to address all of the adjustments that are still required:</i></p> <p><i>(1) <b>Still required</b> - Increase the maximum building setback adjacent to Wallace Road NW from 10 feet to 12 feet;</i></p> <p><i>(2) <b>No longer required</b> - Increase the maximum setback adjacent to La Jolla Drive NW from 10 feet to approximately 37 feet;</i></p> <p><i>(3) <b>Still required, but modified because property boundary verifications are no longer allowed</b> - Reduce building setbacks from 10 feet to 0 feet abutting internal property lines so that the</i></p>

CITY OF *Salem*  
AT YOUR SERVICE  
**Community Development  
Planning Division**

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	<p><i>buildings may cross existing internal property lines in anticipation of a future property <del>boundary verification</del> <u>line adjustments</u>;</i></p> <p><i>(4) <b>Still required</b> - Reduce vehicle use area setbacks from 10 feet to 0 feet abutting existing internal property lines;</i></p> <p><i>(5) <b>No longer required because the proposed street will provide frontage</b> - <del>Reduce the street frontage requirement from 16 feet to 0 feet to allow development on 2501 Wallace Road NW, which is currently landlocked;</del></i></p> <p><i>(6) <b>Still required</b> - Reduce the minimum required building frontage along Wallace Road NW from 50 percent to 0 percent.</i></p>
<b>Class 2 Driveway Approach Permit</b>	<p><i>The revised proposal requires a Class 2 Driveway Approach application. I created 22-110467-ZO. Please complete and upload a land use application form for the Class 2 Driveway Approach Permit and note that it should be consolidated with the Class 3 Site Plan Review, Class 2 Adjustments, and Tree Variance. Please pay the fee of \$1173 within 5 business days.</i></p>
<b>Public Works Items</b>	<p><i>Public Works staff members are reviewing the revised submittals. For additional information, please contact Matt Olney at 503-588-6211 x 7226 or <a href="mailto:MOlney@cityofsalem.net">MOlney@cityofsalem.net</a>.</i></p>
<p><b><u>Items of concern:</u></b></p> <p><b>*Failure to address issues would result in denial of the application.</b></p>	<p><i>Staff cannot prepare the revised notice of the application, review the application, or approve the application until the written statement for the Tree Variance is submitted and the elevations for buildings are submitted to comply with the development standards of the MU-II zone.</i></p>

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 from the date the application was accepted (March 31, 2021) to respond in one of the three ways listed above, or the application will be deemed void.**



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For questions regarding the above requirements, feel free to contact me directly by calling (503) 540-2309 or via email at [pcole@cityofsalem.net](mailto:pcole@cityofsalem.net).

**The Salem Revised Code may be accessed online at the following location:**  
<https://www.cityofsalem.net/Pages/salem-revised-code.aspx>

Sincerely,

Pamela Cole, Planner II

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