



May 23, 2022

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Community Development Department
City of Salem
555 Liberty St SE, Suite 305
Salem, OR 97301

**Subject: Willamette Town Center Dave's Hot Chicken and Jersey Mike's
(Class 3 Site Plan Review: 22-107351-RP)
(Class 2 Adjustment(s): 22-107352-ZO)**

To the City of Salem Planning Staff,

Thank you for your completeness review of the Willamette Town Center Dave's Hot Chicken and Jersey Mike's application. The following letter serves as the Applicant's written response to the completeness items identified in the Planning Review Checklist from May 6, 2022.

An electronic resubmittal will be submitted via the City of Salem's PAC Portal to the project folder (22-107351-RP) and will follow the City's naming policy.

Submittal Requirements

1. Complete Application

The application form must be signed by the applicant(s), property owner(s), and/or duly authorized representative(s). If the applicant and/or property owner is a Limited Liability Company (LLC), a list of all members of the LLC must be provide with your land use application.

The application indicates the application was submitted by JCK Enterprises LLC. An operating agreement was provided for the owner (Lancaster Development Company LLC), but please also provide a list of LLC members for the applicant, JCK Enterprises LLC.

Response: The revised submittal package provides a list of LLC members for the applicant, JCK Enterprises LLC. See Exhibit 55 – Applicant LLC Information.

2. Recorded Deed(s)

The submitted deed references Property Line Adjustment Deeds for PLA19-11 and PLA20-28, which indicates two tax lots in their current configuration. The Jersey Mike's building appears to be built over the property line of the two abutting tax lots 5403 and 5404. An application for a Property Line Adjustment is required to allow building over the existing property line.

Response: A property line adjustment (PLA22-09 and PLA 22-10) has been approved by the city on April 15, 2022, to relocate the property line that exists through the building footprint. The property line adjustment will be surveyed, monumented, and have legal descriptions recorded, per SRC 205.055(f) and (g) with Marion County. See Exhibit 56 – PLA Documentation. The final PLA plans are currently in review with the city.

3. Written Statement

The narrative submitted makes reference to a Class 1 Adjustment for the reduction of required landscape under SRC 522.010(d)(3); however, the reduction appears to be greater than 20% and would require a Class 2 Adjustment, as previously done under SPR-ADJ-DAP20-26. Please clarify why this would be a Class 1 Adjustment; or confirm that this should be a Class 2 Adjustment and the folders and fees will be adjusted accordingly. Should this standard qualify as a Class 2 Adjustment, please revised the narrative addressing the appropriate approval criteria accordingly.

Response: The narrative has been revised to request an additional Class 2 adjustment for the reduction of required landscape under SRC 522.010(d)(3). Please see the revised narrative addressing the appropriate approval criteria.

Site Plan Review Items

4. Pedestrian Access

Per Condition 2 of SPR-ADJ-DAP20-26, the pedestrian connection at the eastern edge of the parking lot shall provide a pedestrian connection of at least 5 feet in width, by either widening the paved area west of the minimum 4-foot-wide planters to 7 feet or through some other configuration that meets the standard. Currently, the planters here are proposed at 3 by 3 feet wide and do not meet the minimum 4-foot-wide planters. Please redesign this pedestrian connection to provide the minimum 4-foot-wide planters with a minimum 5-foot-wide pedestrian connection.

Response: Per Condition 2 of SPR-ADJ-DAP20-26, the pedestrian connection at the eastern edge of the parking lot is provided as shown on the updated Site Plan Sheet C2.1. The Site Plan Sheet C2.1, proposes a 5-foot-wide pedestrian connection at the eastern edge of the parking lot. An updated Landscape Planting Plan Sheet L1.0 proposes 4-foot-wide planters along the 5-foot-wide pedestrian connection to satisfy this condition. The curb line on the east side of the parking lot has been modified to maintain minimum clearance on the sidewalk with the vehicle overhang. Compact stall markings have been added due to the new stall dimensions.

5. Bicycle Parking

Please provide complete spacing dimensions and bike rack design details for the proposed bicycle racks that illustrate compliance with the standards set forth in SRC 806.060.

Response: As shown on the updated Site Plan Sheet C2.1, and Architectural Floor Plan Sheets A3 and A4, the proposed bicycle racks comply with the spacing dimensions and bike rack design details set forth in SRC 806.060.

6. Elevations

The elevations for the Jersey Mike building indicate a door on the north end of the building (facing mall), which appears to be located either where the bike rack or landscaping are proposed, which is not illustrated on the floor plan. Please revise the elevations to accurately reflect the entrance(s).

Response: The Architectural Elevation Sheets A5 and A6 have been revised to accurately reflect the building entrances. See the updated Plan Set, specifically Sheet A6 reflecting Jersey Mike's elevations as provided with this resubmittal.

7. Landscaping

Please submit an existing conditions plan for all existing landscaped areas. The landscape plan submitted only shows some existing areas in conjunction with new areas and does not indicate the specific areas where trees and/or landscaping are proposed to be removed, as highlighted below. Please be sure to include size and species type of trees proposed for removal.

Response: The Existing Conditions Plan Sheet C1.0 has been updated to include all existing landscaped areas where trees and/or landscaping is proposed for removal. Sheet C1.0 contains a Tree Removal Table indicating the size (diameter) and species type of the trees proposed for removal. As written in the Demolition Notes, note 4 calls out existing trees to be removed throughout the development site.

Items of Concern

8. Class 2 Driveway Approach Permit

A Class 2 Driveway Approach Permit application is required in coordination with the proposed modifications to the driveway. A written statement shall be provided how the proposal meets the criteria for approval under SRC 804.025(d).

Response: A Class 2 driveway approach permit application is requested for the proposed modifications to the driveway to the east as indicated on the revised Application Form. See the revised Exhibit 50 – Application Form. The narrative has been revised to address the applicable approval criteria under SRC 804.025(d).

9. Property Line Adjustment

The application is submitted for both tax lots 5403 and 5404 and proposes a building over an existing property line. An application for a Property Line Adjustment is required to allow development of a new building over an existing property line.

Response: A property line adjustment (PLA22-09 and PLA 22-10) has been approved by the city on April 15, 2022, to relocate the property line that exists through the building footprint. The property line adjustment will be surveyed, monumented, and have legal descriptions recorded, per SRC 205.055(f) and (g) with Marion County. See Exhibit 56 – PLA Documentation. The final PLA plans are currently in review with the city.

10. Public Works Comments

Public Works has completed a preliminary “Completeness” review of the application submitted for the above-mentioned project. The following items have been identified as required material to be provided by the applicant prior to accepting the application as “Complete”:

1. Applicants written statement says a storm report is included as exhibit; no report has been submitted. Therefore, the application does not provide sufficient details to identify how the site is compliant with SRC 71, specifically the requirements for Green Stormwater Infrastructure (GSI) pursuant to PWDS Appendix 4E. The applicant shall indicate the design and location of Green Stormwater Infrastructure (GSI) facilitates for onsite stormwater treatment and the plan for offsite disposal.

Response: A Preliminary Drainage (Storm) Memorandum was provided and referenced as Exhibit E in the narrative. The memorandum indicates the design and location of on-site

stormwater treatment facilities and plan for off-site disposal. The Applicant will provide an additional copy of the memo with this resubmittal as Exhibit 71–Stormwater Memorandum and 72–Stormwater-Exhibit. A proposed new filter catch basin will be proposed at an existing low point in the parking lot north of the Dave’s in the area of the TJ Maxx Loading dock. This is an area that is currently not treated and will be used to offset the sidewalk areas not able to be treated with our development. Per conversations with Laurel Christian, these items will be addressed with the site development permit and are not required to be addressed at the land use phase.

2. **The proposed modifications to the driveway approach will be subject to the Class 2 Driveway Approach requirements described in SRC Chapter 804. Please submit an application for a Class 2 DAP application and associated findings.**

Response: As mentioned above, a Class 2 driveway approach permit is requested. The revised narrative includes findings to demonstrate compliance with SRC Chapter 804 approval criteria.

3. **There is an existing property line that runs through one of the proposed buildings. The applicant shall submit evidence that this line has been or is intended to be removed.**

Response: As mentioned above, a property line adjustment (PLA22-09 and PLA 22-10) has been approved by the city on April 15, 2022, to relocate the property line that exists through the building footprint. The property line adjustment will be surveyed, monumented, and have legal descriptions recorded, per SRC 205.055(f) and (g) with Marion County. See Exhibit 56 – PLA Documentation. The final PLA plans are currently in review with the city.

Sincerely,

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Mike Towle, PE
Project Manager