

6/9/2022

Pamela Cole

Re: **Permit Number: 22 101953 00 NR, 21 106129 00 RP, 21 106130 00 ZO**

These are responses to your comments in the plan review dated May 17, 2022

Planning
Pamela Cole – pcole@cityofsalem.net
(503) 540-2309

Trip Generation Estimate Form

The original form indicated 189 apartments. The revised proposal indicates 201 apartments. Please upload a revised completed TGE form. <https://www.cityofsalem.net/CityDocuments/trip-generation-estimate-form.pdf>

Applicant Response: A revised Trip Generation Estimate with updated unit numbers has been uploaded to the PAC portal folder.

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.

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.

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 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.

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:

Prior to building permit issuance for Buildings 1, 2, and 10, record property line adjustment deeds eliminating the property lines that cross these buildings.

Applicant Response: Property line adjustment applications and exhibits are currently being prepared by the surveyor of record and will be submitted as soon as possible. We request to please continue preparing notice for the consolidated site plan, tree variance, and driveway approach permit at this time.

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.

Applicant Response: The site plan, Sheet A1.0 has been revised and labeled “LZ” to clearly show the two (2) proposed loading spaces and pedestrian crossing at La Jolla Drive NW.

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):

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).

Ground floor height applies to Building 1 on Wallace.

Separation of ground floor residential uses applies to Buildings 1, 5, 8, 9.

Building façade articulation applies to Building 1 on Wallace. Ground floor windows standard applies to Building 1 on Wallace.

Building entrances standard applies to Building 1 ground floor on Wallace.

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.

Applicant Response: See attached Elevations sheet.

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.

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:

808.045(d) Approval criteria. A tree variance shall be granted if either of the following criteria is met:

(1) Hardship.

(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

(B) The proposed variance is the minimum necessary to allow the otherwise lawful proposed development or activity; or

(2) Economical use.

(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;

Applicant Response: See revised written statement addressing the above tree variance criteria.

Written Statement.

Please provide a revised written statement demonstrating how each proposed adjustment meets the criteria:

250.005(d)(2) An application for a Class 2 adjustment shall be granted if all of the following criteria are met:

(A) The purpose underlying the specific development standard proposed for adjustment is:

(i) Clearly inapplicable to the proposed development; or
(ii) Equally or better met by the proposed development. (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.

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:

(1) Still required - Increase the maximum building setback adjacent to Wallace Road NW from 10 feet to 12 feet;

(2) No longer required - Increase the maximum setback adjacent to La Jolla Drive NW from 10 feet to approximately 37 feet;

(3) Still required, but modified because property boundary verifications are no longer allowed - Reduce building setbacks from 10 feet to 0 feet abutting internal property lines so that the buildings may cross existing internal property lines in anticipation of a future property boundary verification line adjustments;

(4) Still required - Reduce vehicle use area setbacks from 10 feet to 0 feet abutting existing internal property lines;

(5) No longer required because the proposed street will provide frontage - Reduce the street frontage requirement from 16 feet to 0 feet to allow development on 2501 Wallace Road NW, which is currently landlocked;

(6) Still required - Reduce the minimum required building frontage along Wallace Road NW from 50 percent to 0 percent.

Applicant Response: The proposed adjustment requests in the revised written statement have been updated and addressed based on the comment above.

If you have any questions or require additional information, please call me directly at 503-399-1090.

Signed,

A handwritten signature in black ink, appearing to read "Sam Thomas".

Sam Thomas
Lenity Architecture