



555 Liberty Street SE / Room 305 • Salem OR 97301-3503 • Phone 503-588-6213 • Fax 503-588-6025
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September 21, 2022

PLANNING REVIEW CHECKLIST

Subject Property: 3997 Carson Drive SE

Ref#: 22-117591-PLN (Type II)
Class 3 Site Plan Review, Class 2 Driveway Approach Permit,
& Property Line Adjustment

Applicant: Inderjet Dhaliwal
hkour@hotmail.com

Contact: Leonard Lodder for Studio 3 Architecture Inc.
leonard@studio3architecture.com

The above referenced applications were officially received on August 25, 2022. Prior to deeming your applications complete, modifications and/or additional information must be provided to address the following item(s):

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| Item: | |
| <u>Submittal Requirements</u> | <p>A checklist of all required application materials for a Property Line Adjustment application can be found here: https://www.cityofsalem.net/business/land-use-zoning/development-application-help/move-your-property-lines-property-line-adjustment</p> <p>Items missing from these checklists are identified below.</p> |
| Completed Application | <p>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 provided with your land use application.</p> <p>The current vesting deed provided indicates ownership of tax lot 10100 belonging to Avi LLC. Please provide Articles of Organization for Avi LLC.</p> |
| Signing Authority | <p>In addition, the two properties in question appear to be owned by separate entities, and the application will need to be signed by</p> |

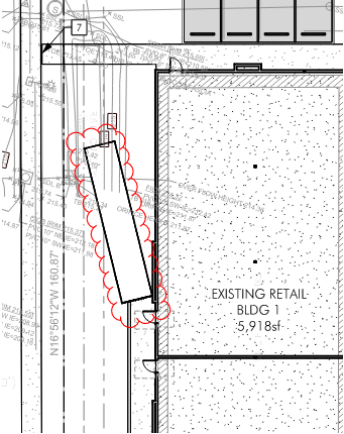


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| | both parties. However, per the comments from Public Works below, the properties cannot be consolidated as a single unit of land without first placing both under singular ownership. |
| Recorded Deed / Chain of Title | Survey is unable to determine the date of creation with the provided deed. Please provide a chain of title of historic deeds for the subject properties indicating when it was first established in its current configuration. A Chain-of-Title showing the subject properties in the same configuration today as it was prior to October 22, 1979 is required to determine lot legality. Alternatively, evidence showing the subject properties were established in compliance with appropriate city land-use laws after October 22, 1979 may be submitted to determine lot legality. |
| Tentative Plat | A plat prepared in accordance with SRC 205.030 and ORS 92 is required. Please provide a tentative plat map addressing all the items under SRC 205.030(a) . See also Public Works' Completeness Item #1. |
| PLA Deed | A copy of the draft property line adjustment deed(s) is required, containing the following information: <ul style="list-style-type: none"> • The names of the owners; • Legal descriptions of the adjusted properties and the transacted property prepared and sealed by an Oregon-registered Profession Land Surveyor; • References to original recorded deeds including the creation date and instrument used to lawfully establish each unit of land; • A place for the signatures of all parties, along with property notary acknowledgment. Please provide a copy of the draft property line adjustment deed including the information identified above. See also Public Works' Completeness Item #2. |
| Proof of Ownership | A preliminary title report not older than 30 days for each affected property is required. The property profiles submitted do not qualify as title reports and therefore do not comply with City code. Please submit a current title report for each of the subject properties. See also Public Works' Completeness Item #3. |
| Written Statement | Pursuant to SRC 300.210(a)(9), please provide a written statement addressing the approval criteria for a Property Line Adjustment as outlined in SRC 205.055(d) . Please also be sure to address the approval criteria for the Driveway Approach Permit, as outlined in SRC 804.025(d) . |

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

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| <u>Items of Concern</u> | Failure to address issues could result in denial of the application. |
|--------------------------------|---|
| Bike Parking | Please indicate bike rack details, including spacing dimensions and bike rack design, that illustrate compliance with the standards set forth in SRC 806.060 . |
| Landscape | <p>Pursuant to SRC 522.010(d), a minimum of 15 percent of the development site shall be landscaped, and required setbacks and vehicle use area shall meet the Type A¹ standard set forth in SRC Chapters 806 and 807. Landscape plans have not been made available to verify conformance with the Type A standard, but can be reviewed at the time of building permit.</p> <p>However, please include in your summary table, or in your written statement, how the development meets the minimum 5 percent interior landscaping standard in Table 806-5. It is not clear which areas are intended to be landscaped to verify conformance with this standard.</p> <p>In addition, there appears to be some type of structure being added to the existing retail building where there is existing landscape. Please identify what is proposed here and the square footage, and any plants that may be proposed to be removed as a result of its placement.</p>  <p>Please also note: the following items will be required and shall be included at the time of building permit review:</p> <ul style="list-style-type: none"> • Plant unit count, distribution, and density • Diameter at Breast height (DBH), species, and quantity for each tree. |

¹ Type A landscaping requires one plant unit per 20 square feet of landscaped area.



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| Public Works Comments | Please see Public Works completeness review comments below. The applicant may contact Laurel Christian in Public Works Development Services at 503-588-6211 with any questions. |
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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. **Tentative PLA Plan:** A site plan is required that meets the submittal criteria of SRC 205.055(c)(2)
2. **PLA Deeds:** A copy of the draft property line adjustment deed(s) is required at completeness per SRC 205.055(c)(5). Please see the attached template.
3. **Title Report:** Submit a current title report for the subject property for review by the Survey Section pursuant to SRC 205.030(b).
4. **Stormwater Management:** 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. Pursuant to PWDS 4E.7, the application shall include "the basis used for determining the proposed location and size of the stormwater facility." The tentative plan appears to utilize an existing stormwater facility. Based on the information submitted, it is unclear if the existing facility has the capacity to accommodate the additional runoff.

The following items are not listed in SRC as specific requirements for a complete application; however, the applicant should be aware that the following have been identified as items that will be considered by the Public Works Department while recommending conditions for the proposed development.

5. **Property Ownership:** The two subject properties are under separate ownership. As such, the properties cannot be consolidated as a single unit of land without first placing both under singular ownership.
6. **Lot Legality:** The applicant shall provide evidence that the subject property(s) is lawfully established.



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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 (February 21, 2022) from the date the application was first submitted to respond in one of the three ways listed above, or the application will be deemed void.

For questions regarding the above requirements, feel free to contact me directly by calling (503) 540-2328 or via email at jdonaldson@cityofsalem.net.

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

Sincerely,

Jamie Donaldson, Planner II

After recording, return to:

[INSERT NAME]

[INSERT ADDRESS LINE 1]

[INSERT ADDRESS LINE 2]

Send tax statements to:

[INSERT NAME]

[INSERT ADDRESS LINE 1]

[INSERT ADDRESS LINE 2]

EXAMPLE - Word Doc also attached

Property Line Adjustment Deed

[INSERT GRANTOR NAME], hereinafter called Grantor, [INSERT GRANTOR MAILING ADDRESS], is the owner of real property located in [INSERT COUNTY NAME], Oregon, referred to herein as Property A, and more particularly described on Exhibit A, which is attached hereto and by this reference incorporated herein. [INSERT GRANTEE NAME], hereinafter called Grantee, [INSERT GRANTEE MAILING ADDRESS], is the owner of real property located in [INSERT COUNTY NAME], Oregon, referred to herein as Property B, more particularly described on Exhibit B, which is attached hereto and by this reference incorporated herein.

The purpose of this Property Line Adjustment Deed (Deed) is to effect a property line adjustment between Property A and Property B such that Property A will be reduced in size by approximately [INSERT MEASUREMENT AND UNITS] and will hereafter consist of only the land described on Exhibit C, which is attached hereto and incorporated herein by this reference, and Property B will be increased in size by approximately [INSERT MEASUREMENT AND UNITS] and will hereafter consist of the land more particularly described on Exhibit D, which is attached hereto and incorporated herein by this reference.

NOW THEREFORE, in order to effect the property line adjustment and to create the reconfigured lots as described on Exhibits C and D, Grantor does hereby grant, transfer, and convey unto Grantee all of that certain real property situated in [INSERT COUNTY NAME] County, Oregon, described on Exhibit E, which is attached hereto and by this reference incorporated herein.

“BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON’S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301, AND 195.305 TO 195.336, AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS

INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301, AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.”

The true and actual consideration for this transfer, stated in terms of dollars is N/A; however, the actual consideration consists of other property or values which is the whole consideration. The purpose of this Deed is to effect a property line adjustment, and the two parcels are to remain separate and distinct.

[INSERT GRANTOR NAME]

By: _____
Grantor

Title

This instrument was acknowledged before me on _____, 20____, by _____, as _____ of _____.

By: _____
Grantee

This instrument was acknowledged before me on _____, 20____, by _____, as _____ of _____.

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Exhibit A: Original description of property being reduced in size.
Exhibit B: Original description of property being increased in size.
Exhibit C: Adjusted Exhibit A.
Exhibit D: Adjusted Exhibit B.
Exhibit E: Description of the property being conveyed.