

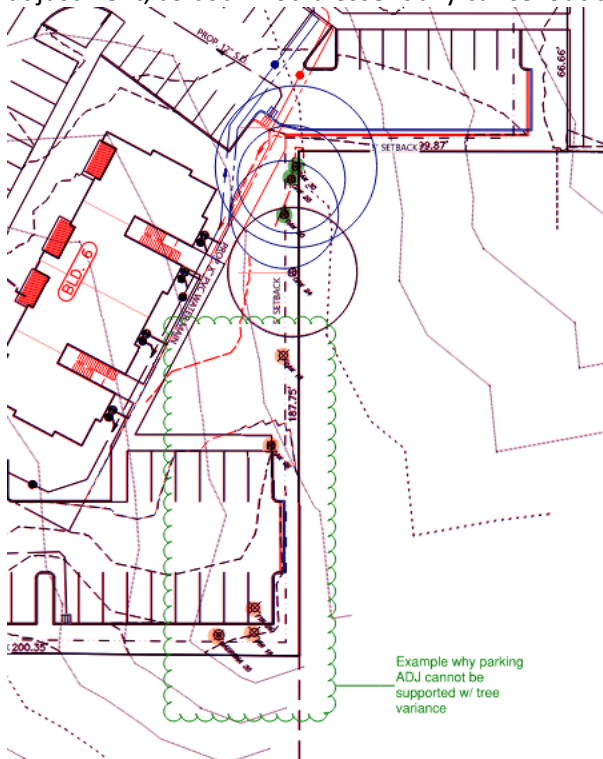
Jamie Donaldson

From: Jamie Donaldson
Sent: Tuesday, December 13, 2022 5:00 PM
To: 'Mark Lowen'
Cc: John Eld
Subject: RE: Tian Hill apartments 22 119071 00
Attachments: Incomplete Letter-markup.pdf; Tree Assessment-Ron Rhodehamel.pdf

Good morning,

I've attached a markup of the initial incomplete letter which indicates items that are still outstanding. In detail, they are as follows:

- There does not appear to be a new site layout uploaded for review of changes and conformance with the code, specifically for areas that were adjusted for trees, or parking areas where the minimum turnaround requirement was not being met. This may not hold up completeness, but an updated plan will be required for noticing and drafting of findings for the decision.
- There are still trees that appear to be designated for removal where parking is being provided. Because of your request for an increase to the maximum allowed parking, we cannot support the removal of these trees, or the adjustment, as both would essentially cancel out the approval criteria for the other.

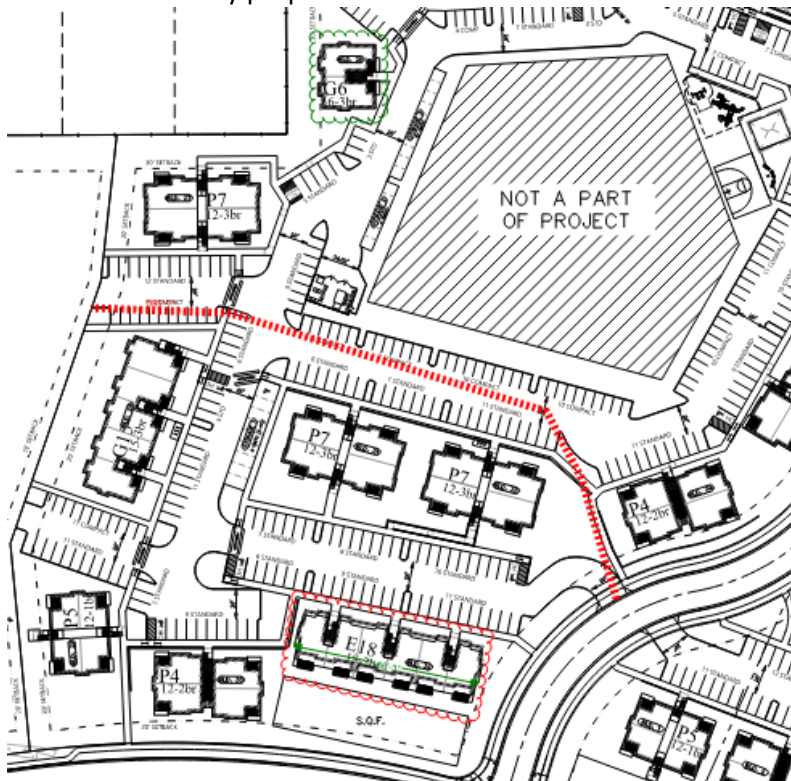


- In addition, please address the claims in the attached letter that there are trees reported incorrectly or not at all in the tree inventory. An inspection may be required by the Urban Forester to verify accuracy.
- It appears there are three adjustments being requested:
 1. Adjustment to the 150 ft building length maximum – please include specifics how the intent of the standard will be equally or bet met
 2. Adjustment to the 600 ft street spacing maximum – not required
 3. Adjustment to the maximum parking – not supported

The adjustment requests were not included with the initial application and still require payment. However, only the first adjustment appears to be acceptable at the moment; Adjustment #2 is not required and Adjustment #3

requires further information. In addition, there were no adjustments submitted for setbacks to RA/RS zoned property for buildings 26 & 27, nor the buildable width for Buildings 23 & 25 which is mention in the Design Review narrative. Staff recommends a meeting with the applicant's team to further discuss the trees and Alternative Street Spacing request, as outlined below. The number of adjustments will be confirmed during the meeting for appropriate fees to be billed.

- Adequate findings for the Alternative Street Standard item from Public Works were not provided. The criteria that needs to be addressed is under SRC 803.065(a) and adjustments to block length per SRC 803.030(b); the written statement submitted addresses adjustment criteria. In addition, staff is not generally supportive of the alternative street standard request, and have identified a preferred location where a street stub may be provided (red dotted line below). A street stub in this location would not only help to alleviate potential traffic from Landaggard property owners, but also provide street frontage for the land-locked parcel instead of the easement currently proposed.



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 first submitted to respond in one of the three ways listed above, or the application will be deemed void.

I have sent over some dates and times for us all to meet and discuss. Please let me know the best time and I can set up a Teams meeting with Staff. Please also feel free to contact me with any questions.

Thank you,

Jamie Donaldson

Planner II

City of Salem | Community Development Department

555 Liberty St SE, Suite 305, Salem OR 97301

JDonaldson@cityofsalem.net | 503-540-2328



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October 20, 2022

PLANNING REVIEW CHECKLIST




Subject Property: 2100 Block of Doaks Ferry Road NW
(Marion County Assessor's Map and Tax Lot No: 082W07C000200)



Ref#: 22-119071-PLN (Type II Application)
Subdivision / Urban Grown Preliminary Declaration / Class 3 Site
Plan Review / Tree Variance / Class 1 Design Review

Applicant: Titan Hill LLC
mdearmey@phelandevco.com

Contact: Mark Lowen
MLowen@livebsl.com

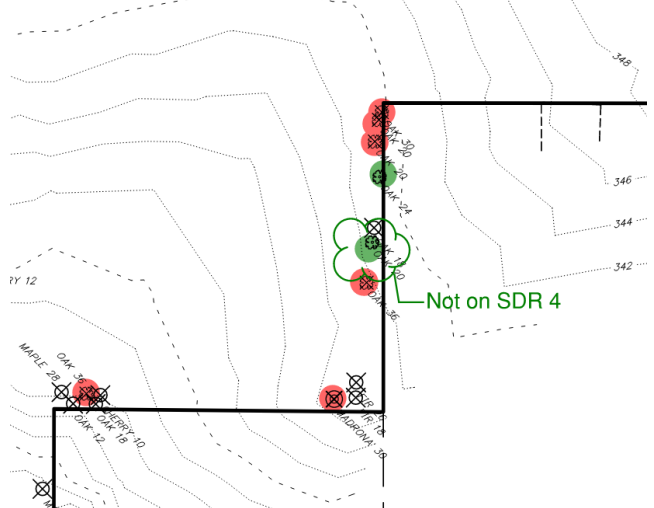
The above referenced applications were officially received on September 21, 2022. Prior to deeming your applications complete, modifications and/or additional information must be provided to address the following item(s):

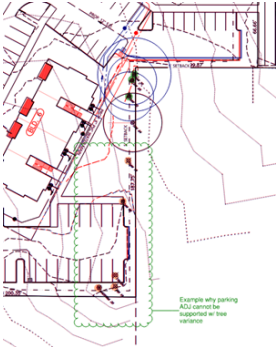
Item:	
<u>Submittal Requirements</u>	
TGE Form 	A Trip Generation Estimate (TGE) form must be completed by the applicant and submitted with the application. Please complete the required TGE form found here: https://www.cityofsalem.net/CityDocuments/trip-generation-estimate-form.pdf . Please also see completeness review comments from Public Works below.
Neighborhood Association Contact 	A copy of the required e-mail or letter to the neighborhood association, and a list of the e-mail or postal addresses to which the e-mail or letter was sent shall be submitted. Please upload the neighborhood association contact to the folder.
Written Statement(s) 	The written statement submitted for the UGA does not address the approval criteria under SRC 200.025 (d) & (e).

Class 2 Adjustment Application 3 ADJs? -Building length >150' ?-Street spacing >600' ?-Max parking	There are two separate documents that reference two adjustment requests. Both have similar cover sheets, but one references a request to the buildable width and the other is for an increase to the maximum allowed parking; however, no application was received for indicating the number of adjustments requested, and no fee has been paid. In addition, an adjustment to the building length of Building 11 is referenced in the Design Review written statement, with no supporting documentation. Please submit an application with the number of adjustments requested and please be aware that a written statement shall be provided how the proposal meets the criteria for each adjustment under SRC 250.005(d)(2) .
<u>Items of Concern</u>	Failure to address issues could result in denial of the application.
Title Report 	The title report lists several easements encumbering the subject property. These easements will need to be moved/removed if they conflict with the proposed plat. See also Public Works Comments below.
Plat 	The tentative plat submitted does not comply with all items listed under SRC 205.030(a) , as follows: <ul style="list-style-type: none"> • The width of existing streets and public accessways abutting the perimeter of the property; • The location of all existing and proposed easements.
<u>Subdivision Items</u>	
<div style="border: 2px solid red; border-radius: 50%; padding: 10px; display: inline-block;"> Street Spacing & Connectivity </div> ADJ not required - address SRC 803 sections	As discussed in the pre-application conference for this property (Pre-Ap22-69), street spacing between Doaks Ferry Rd and Landaggard Dr NW exceeds the maximum spacing of 600 feet and a street stubbed to the southern property (Lot 6) should be provided to the adjoining undeveloped property for eventual connection with the existing street system. In addition, there appears to be some language in the subdivision written statement regarding the block length adjustment that references a different case (PAR19-12); therefore, there is no justification that any of the conditions exist under SRC 803.030 or 803.035(a) to allow such an adjustment.
<u>Site Plan Review Items</u>	
Off-Street Parking No new site layout submitted	There are multiple areas of the development site that do not meet the minimum turnaround requirement under Table 806-7; please adjust.

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AT YOUR SERVICE
**Community Development
Planning Division**

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	In addition, please include bumper guards or wheel barriers in all areas abutting walkways or required landscaping so that no portion of a vehicle will overhang or project into required setbacks and landscaped areas, pedestrian accessways, streets or alleys, or abutting property.
Solid Waste Service Area ✓	Please provide dimensions and design details for the proposed trash enclosure(s) to verify conformance with SRC 800.055 .
Bicycle Parking Condition - does not meet standard (Figure 806-11)	Please also provide spacing dimensions and bike rack design details for the proposed bicycle racks that illustrate compliance with the standards set forth in SRC 806.060 .
<u>Design Review Items</u>	
Adjustment Requests No payment - # of ADJ under review	The written statement references several adjustments to design review standards, with no application or written statement submitted regarding the approval criteria.
<u>Tree Variance Items</u>	
Tree Inventory Comments from neighbor regarding accuracy	<p>The individual section SDR4 is missing a tree indicated on the overall tree plan (Page 201) in the area below:</p>  <p>In addition, there are 3 Fir trees indicated for preservation on the property not part of the project (2090 Landaggard). Please be sure that these are not included in the number of total trees and adjust the count as necessary. Please also indicate the Critical Root Zone of these 3 Fir trees to ensure that nearby grading will not affect the health of trees on the adjacent property.</p>

<p>Grading Plan</p> 	<p>There are a number of significant trees proposed for removal that appear near the edges of the property and where grading may not affect them. For instance, it seems reasonable that if one Oak in the above location can be saved (or 2 based on the discrepancy), then the other 3 can be saved as well, particularly with the use of a retaining wall as the elevation for the oak grove is relatively the same.</p> <p>Please provide the Critical Root Zone for Trees #2-5, 37-39, 43-45, and 47-48. Currently, these trees are in review for conditioning preservation and require more information.</p>
<p>Miscellaneous</p>	
<p>Parking Increase Adjustment</p>	<p>Please be aware that the adjustment for an increase in the maximum allowed parking for this property will likely not be supported for two reasons:</p> <ol style="list-style-type: none"> 1. The property has a trip cap in place from Condition 1 of CPC-NPC-ZC21-06. As such, it does not meet the criteria of equally or better meeting the purpose of the standard when there is a limiting factor for vehicle trips already imposed on the property. 2. There are areas, specifically at the edges of the property, where significant trees are proposed to be removed due to grading for a parking lot. The request for additional parking outside of the maximum allowed by code means that these trees are not justified for removal based on a hardship because that parking is in excess of what is required, and is not the minimum necessary to allow the lawful development of the site. <u>Please note:</u> it is recommended that areas of excess parking near any area that would allow any number of significant trees to be preserved, should be removed and the adjustment withdrawn.
<p>Historic and Cultural Resources Protection Zone</p>	<p>The subject property is within the Historic and Cultural Resources Protection Zone. Please contact the Historic Preservation Program Manager, Kimberli Fitzgerald, at kfitzgerald@cityofsalem.net or at (503) 540-2397, to discuss applicable regulatory requirements.</p> <p>The City of Salem Historic and Cultural Resources Protection Zone Lookup map can be found at: https://www.cityofsalem.net/Pages/protecting-salem-historic-and-cultural-resources.aspx.</p>

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. Landslide Hazard:** The document submitted and labeled as "*Titan Hill – Geotechnical Report – Exhibit 74*" does not contain the information required for a geological assessment or geotechnical report required under SRC 810.030. The document also does not reflect the current proposal for the property. The applicant shall submit a geological assessment from a licensed engineering geologist per SRC 205.030(d) and SRC Chapter 810.
- ✓ **2. TGE Form:** A Trip Generation Estimate (TGE) is required as part of the submittal packet pursuant to SRC 205.030(j)(1).

Condition 3. Easements: The submitted site plan does not include existing easements. The applicant shall include all existing and proposed easements located on the site pursuant to SRC 205.030(a)(7).

- 4. Alternative Street Standard:** The applicant is proposing a street design that does not conform to city street standards (street grade, block length, horizontal and vertical alignments). The application shall include findings for alternative street standards pursuant to SRC 803.065(a) and adjustments to block length per SRC 803.030(b). The written statement does not address all standards being adjusted. Comments on the proposed street design will be sent directly to the applicant's engineer. PW staff would like to discuss street improvements and comments at the meeting scheduled with the applicant on 10/26.

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.

- 1. TSP Amendment:** The applicants written statement indicates a request is being made to change mapped street alignments in the Salem Transportation System Plan (TSP). Approval for an amendment to the TSP will be recommended as a condition of approval for the application. The applicant is advised to submit an application to Public Works Transportation Planning to begin the process as soon



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as possible. Please contact Julie Warncke at jwarncke@cityofsalem.net or 503-588-6211 ext. 7338.

2. **Stormwater Design:** The tentative plan shows two “tracts” for stormwater. The city does not permit the use of “tracts”. If the stormwater facilities will be public, they need to be on their own lots. In addition, despite multiple references to appendices, none are attached to the report. Please include relevant appendices when available for review.
3. **Tentative Plan:** The tentative plan does not comply with SRC 205.030(a), as indicated above.
4. **Right-of-way Retracement:** The right-of-way of Doaks Ferry Road NW is not accurately shown on the tentative plan. The east boundary of the plat should be updated to reflect the right-of-way approved through VUL21-04. Additionally, there may be ROW existing over portions of Tax Lot 400, south of Tax Lot 1100, that was established by V. 145, P. 538, PCDR. A vacation may be necessary. Please contact Blake Whelchel, Deputy City Surveyor, for additional information (BWhelchel@cityofsalem.net, 503-588-6211 ext. 7745).

Public Works staff performed a cursory technical review of the applicant’s tentative plan. Those comments are being forwarded to the design engineer under separate cover as a courtesy.

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- (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 first submitted (March 20, 2023) 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.



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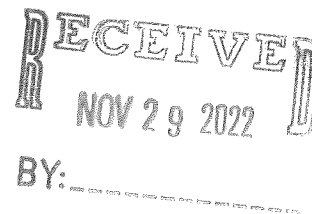
The Salem Revised Code may be accessed online at the following location:

<https://www.cityofsalem.net/Pages/salem-revised-code.aspx>

Sincerely,

A handwritten signature in blue ink, appearing to read "Jamie Donaldson", with a stylized flourish at the end.

Jamie Donaldson, Planner II



November 29, 2022

Jamie Donaldson
Planning Division
City of Salem

RE: MWSH Titan Hill Property LLC
Request for Tree Variance, Submitted October 4, 2022
Errors and Omissions Discovered

Ms Donaldson:

Thanks to your recent email, I have obtained full scale drawings (1 inch to 30 feet) of the recent tree preservation plans submitted by the developer for City site plan review. Plans are dated October 2019. I very soon discovered serious discrepancies. Starting from the east corner of our property, with a 100' cloth tape I measured 300' along our property line, and 100' south along our neighbor's property line. Both properties are certified farms by Polk County, where we reside.

Specifically, for distances along our east-west boundary measured toward the west:

114	Hugh Oak near line not shown
140	Huge Oak near line not shown
160	Oak near line not shown
170'	Fir 15' left, Oak near there not shown
175'	huge Oak near line not shown
180 to 195'	Four oaks, some not shown left
211'	huge Oak near line not shown
237'	large Oak near line not shown
257'	No fir tree close to line exists
272'	huge Oak near line not shown

Neighbor's farm immediately southwest along the south-north boundary measured south:

At 52' and 60', there are two big Oaks, near line, with a small maple tree set back in between
One Oak is marked #46

The drawings show them all to be maples. Huge difference..

As I understand it, you are reviewing the documents for adequacy and City comments.

But if the documents are flawed, then the developer has more work to do first. Tree summaries and variance texts are likewise impacted. The developer can ask for any variance, but I also think you have an interest in preserving many of the large old white oak trees located on or near the boundary lines. Preservation could be accomplished by minor changes and level of efforts required for the developer.

From this limited review, I can only conclude the plan and narrative for tree variance may have other serious flaws, in particular along the boundary lines with numerous large Oaks. I would like the line of communication to be kept open between us and would prefer my name and address not be disclosed to the developer or his engineering consultants at this time. Please contact me if you have any questions or comments.

Ronald D Rhodehamel, 2488 Emerald Dr NW