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February 9, 2023

PLANNING REVIEW CHECKLIST

Subject Property: 1717 Freeway Court NE

Ref#: 22-125164-PLN (Class 3 Site Plan Review)

Applicant/Owner: 35M LLC
2262 McGilchrist St SE, Suite 200
Salem, OR 97302

Contact: Ron Ped
rjp@rktect.com

The Class 3 Site Plan Review application was officially received on January 12, 2023. 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>	
Complete 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 application indicates the application was submitted by 35M LLC. An operating agreement was provided for the LLCs listed on the deeds, but please also provide a list of LLC members for the applicant, 35M LLC.</p>
Neighborhood Association Contact	<p>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, is required. Pursuant to SRC 300.310(c), the contact shall be sent to the chair(s) and land use chair(s) of the applicable neighborhood association(s), and contain a conceptual site plan. The neighborhood association contact submitted only included the contact information. Please revise the neighborhood association contact to comply with the standards under SRC 300.310.</p>

<u>Items of Concern:</u>	*Failure to address issues could result in denial of the application
Written Statement (CU)	<p>The written statement provided for the Conditional Use Permit does not adequately address the criteria. More specifically, it does not address how the proposed use will be reasonably compatible with and have minimal impact on the livability or appropriate development of surrounding property. In addition, there do not appear to be any proposals to minimize likely adverse impacts of the use on the immediate neighborhood. Please revise the written statement to provide further detail as to how the development meets the criteria, as outlined in SRC 240.005(d), and should be allowed as a conditional use in the MU-III zone.</p>
Written Statement (SPR)	<p>The written statement provided only addresses criteria for non-conforming development and not the standards of the MU-III zone. A Conditional Use Permit is a Type III land use procedure which requires discretion or legal judgement, and conditions of approval may be imposed to mitigate the impacts and ensure compliance with the UDC and Salem Area Comprehensive Plan. Non-conforming development may not continue to operate as non-conforming through a type III procedure, and the development will likely be conditioned to provide the necessary improvements to bring the development into conformance with current zoning standards. Please revised the written statement describing the proposal and how it meets the standards of the UDC, including the development standards of the MU-III zone, as outlined in SRC 220.005(f)(3).</p>
Pedestrian-oriented Design	<p>The following standards for the MU-III zone shall be addressed to provide a development in conformance with the current zoning code:</p> <p>(3) <i>Outdoor storage</i>. Outdoor storage of merchandise located within 50 feet of the right-of-way shall be screened with landscaping or a site-obscuring fence or wall.</p> <ul style="list-style-type: none"> ▪ The proposed chain-link fence does not meet this standard, and does not provide an ideal aesthetic for the development or meeting approval criteria. <p>(5) <i>Ground-floor windows</i>. For buildings within the maximum setback abutting a street, ground floor building facades facing that street shall include transparent windows on a minimum of 50 percent of the ground floor facade. The windows shall not be mirrored or treated in such a way as to block visibility into the building. The windows shall have a minimum visible transmittance (VT) of 37 percent.</p>

Site Plan / Landscaping	<p>The proposed site plan appears to alter and/or remove many existing landscape planters; this will not be supported as part of the development. A Conditional Use Permit shall be granted if likely adverse impacts of the use on the immediate neighborhood can be minimized through the imposition of conditions, including mitigation and beautifying measures like landscape. Please revise the plans to preserve all existing landscape planters. Additional plant units for existing planters will likely be a condition of approval.</p>
Landscaping	<p>Pursuant to SRC 535.015(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. Please indicate how the development meets the minimum 15 percent requirement for the development site if there are proposed changes to the existing landscape.</p> <p>Please note: It is recommended that you provided the following items for review prior to the public hearing, which shall be required 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. <p>In addition, pursuant to SRC 807.015(d)(1), when existing trees, are proposed for removal from within required setbacks or more than 75 percent of the trees on site, two new trees shall be planted for each tree removed. Replanted trees shall be of either a shade or evergreen variety with a minimum 1.5-inch caliper. Please indicate the existing trees on site and whether any are planned for removal.</p>
Off-Street Parking	<p>Some parking spaces appear to be compact. Please indicate how many compact spaces are part of the required parking designations.</p> <p>In addition, the plans as proposed do not illustrate conformance with SRC 806.035(f)(2) and the required turnaround area where a drive aisle terminates at a dead-end (see Figure 806-9). A parking space will need to be designated as providing the appropriate turnaround area, and may not be used towards the parking count.</p>
Public Works Comments	<p>Please see Public Works completeness review comments below. For questions on the Public Works items listed, the applicant may contact Laurel Christian in Development Services at 503-588-6211 or by email at LChristian@cityofsalem.net.</p>

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

Public Works has completed a preliminary "Completeness" review of the application submitted for the above-mentioned project. 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. **Special Setback:** The property is subject to a special setback equal to 48-feet from the centerline of Hawthorne Avenue NE. The applicant is advised to show the special setback on the site plan.
2. **Public Utilities:** There are public water and sewer mains on the subject property. The applicant is advised that pursuant to Public Works Design Standards, year-round access to public mains for maintenance and repair is required. The applicants tentative plan shows fencing around the entirety of the property, which would prohibit access to the public mains. The applicant is advised to work with the Public Works department to ensure adequate access to the public mains is provided. Conditions of approval may restrict fencing or require a revocable license.

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 (July 11, 2023) from the date the application was first submitted (January 12, 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.

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