



## COMPLETENESS REVIEW COMMENT RESPONSE

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May 15, 2023

Aaron Panko  
City of Salem – Planning Department  
555 Liberty Street SE  
Salem, Oregon 97301-3505

PROJECT NAME  
COZY RESIDENTIAL

CASE NO.  
23-101981-PLN

The following is our response to Completeness Review comments, received April 26, 2023.

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### **SUBMITTAL REQUIREMENTS:**

- **SRC 300.210(a)(1)(G) – Owner Signature Required.** Please provide an updated land use application form including a signature from the authorized property owner.

**RESPONSE:** An updated land use application, including signature from the authorized property owner, is provided with resubmittal materials as required.

- **SRC 300.210(a)(6) – Neighborhood Association Contact.** For applications requiring neighborhood association contact under SRC 300.310, 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.

**RESPONSE:** The neighborhood association contacts for SCAN are Victor Dodier, Chair, and Roz Shirack, Land Use Chair. They were initially contacted on February 7, 2023, via e-mail ([vjdodier@teleport.com](mailto:vjdodier@teleport.com) and [rozshirack7@gmail.com](mailto:rozshirack7@gmail.com)), a copy of this email is included with the resubmittal materials along with the a copy of ARCH-SP-1 SITE PLAN & FIRST FLOOR PLAN and ARCH SP-3 LANDSCAPING PLAN which are drawings that were part of the original submittal package. As noted in the previous submission, a presentation at the March 8, 2023 SCAN meeting was made and the response from attendees was positive. A subsequent email from the land use chair, noted that they are supportive of the proposal.

- **SRC 220.005(e)(1)(A)(viii) – Existing Conditions Plan.** The existing conditions plan and site plan shall include the species and diameter of all existing trees on the subject property with an indication of which trees will be protected or removed.

Any tree to be protected shall include the critical root zone per SRC 808.046.

**RESPONSE:** Currently there are 4 existing trees on site: a walnut with a 15" dbh, being removed to accommodate stormwater facilities; an oak with an 11" dbh, and 2 maples both with 11" dbh being removed to accommodate widening of the alley which has a current width of 12'. The widening of the alley will necessitate the removal of an existing street tree, a 19" birch. A tree removal permit, through Public Works, will be requested prior to building permitting as suggested by Public Works.

- **SRC 300.210(a)(14)** – *Payment of Application Fees.* An estimated project valuation is required to correctly calculate the Site Plan Review fee.

An indication of the number of Adjustments being requested is required to correctly calculate the Class 2 Adjustment fee.

**RESPONSE:** The project valuation is \$9,000,000.00, this information is also included on the land use application form. The development proposal is seeking 6 Class 2 adjustments:

1. A reduction to minimum building heights for buildings in the MUI Zone, for the single-story leasing/management office SRC 533.015(d).
2. How building frontage is met on corner lots SRC 533.015(d), to allowing the 75% building frontage on Bush Street (lower street classification) with 40% on Commercial Street.
3. Reduction to minimum ground floor height on primary streets for the single-story leasing/management office building which has a proposed height of 15-feet.
4. Building setbacks to streets in the Saginaw Street Overlay, SRC 625.015(a), allowing the single-story leasing/management office building to be within 5-feet of the street property line which is consistent with standards in the underlying MU-I Zone.
5. An increase to fence height and opacity for fences that are located in yards abutting streets SRC 800.050(a)(1)(A)(i) for the 5-foot high combination masonry wall/decorative metal fence located adjacent to Commercial Street.
6. Allow some of the required bike parking to be placed within the public ROW, SRC 806.050.

#### ADDITIONAL ITEMS

##### **MU-I Zone SRC Chapter 533 – Minimum Height Requirement**

Table 533-5 provide that new buildings in the MU-I zone shall have a minimum height requirement of 20 feet. The proposed office building is approximately 13 feet in height, less than the minimum standard.

An adjustment is needed to reduce the minimum height allowance for this building.

- Pursuant to SRC 806.035(e), off-street parking areas shall conform to the minimum dimensions set forth in Table 806-6. Preliminary measurements of the standard off-street parking stalls appear to be below the minimum 9' foot width requirement, resting at roughly 8'feet- 8-inches. The applicant will need to ensure that the proposed off-street parking meets the minimal dimensional standards set forth in this section. Additionally, the stall to curb dimension for the standard sized off-street parking appear to be below the minimum 19' foot requirement, resting at roughly 17'feet- 6"-inches.

**RESPONSE:** Standard noted, an adjustment to the standard is requested. It has been added to the application form and included within the Written Statement Narrative.

##### **MU-I Zone SRC Chapter 533 – Weather Protection**

Table 533-6 provides that weather protection is required in the form of canopies or awnings along building ground floors adjacent to a street for a minimum of 75 percent of the building façade. Awnings or canopies shall have a minimum clearance height above the sidewalk or ground surface of 8 feet.

The proposed office building does not comply with this standard, adjacent to Bush Street SE. An adjustment is needed to reduce or remove this standard.

**RESPONSE:** The building has a building height of 15-feet with a 3-foot deep overhang providing needed weather protection at building. If this method of providing weather protection is not acceptable an awning similar to the awnings on the mixed-use building for a consistent design between buildings.

*Saginaw Street Overlay Zone – SRC Chapter 625 – Tree Preservation*

##### **Saginaw Street Overlay Zone – SRC Chapter 625 – Tree Preservation**

*SRC 625.015(f) provides that trees within a dbh of ten inches or greater shall be preserved wherever possible. Please provide a statement addressing how the site layout complies with this requirement.*

**RESPONSE:** The Existing Conditions Plan has been updated to include existing tree information. The development site is limited to 4 trees, unfortunately there is no way to preserve any due to their location and proposed improvements. The 3 located along the property line abutting the alley will be removed to allow for alley widening as its current width is just 12-feet. The other tree, a 15" walnut, will need to be removed to accommodate the green stormwater facilities. In addition to the trees located within the development site, a single tree located within the public ROW will also be removed as part of the alley widening. A tree removal permit will be pursued as required. The trees being removed are identified on the conceptual Landscape Plan, Sheet. None of the trees being removed are Heritage or Significant Trees. As a means to mitigate the loss of these trees we anticipated that at least 12 trees will be planted on the parcel where trees are being removed.

#### ***Off-Street Parking, Loading, and Driveways - SRC Chapter 806***

*The proposed vehicle use area setback to Commercial Street SE is approximately 8 feet.*

**RESPONSE:** Revisions to the Site Plan, have increased parking setbacks. Current proposal provides a setback from the current street property line of approximately 12-feet and the special setback/ROW dedication by 9-feet, 3-inches. Please refer to Delta 1, on the Site Plan & First Floor Plan, Sheet SP-1, for parking setback dimension.

#### ***Vehicle Use Area Setback***

*SRC 806.035(c)(2) provides the minimum setback adjacent to a street is 10 feet, however, the setback may be reduced to six feet as provided by SRC 806.035(c)(2)(D). The applicant indicates that method D will be used, including a minimum three-foot tall wall between the vehicle use area and Commercial Street SE, however, the application materials indicate the use of a six-foot tall fence.*

*Please clarify. An adjustment may be needed to reduce the vehicle use area setback if the requirements of Method D cannot be met.*

**RESPONSE:** Currently the plan notes a 30-inch wall, topped with a 30-inch decorative metal fence. The 30-inch wall height was selected based on SRC 800.050(a)(1)(B)(i) which restricts wall height to 30-inches when within 10-feet for the street property line. However, if SRC 806.035(c)(2) requiring a wall with a minimum height of 3-feet applies it is acceptable to the applicant to increase the wall height to 3-feet to avoid adding additional adjustment requests.

#### ***Off-Street Parking, Loading, and Driveways - SRC Chapter 806 - Interior Parking Area Landscaping***

*The proposed site plan does not appear to comply with the minimum interior landscape. An approximate calculation indicates 12,760 square feet of parking area and 415 square feet of interior landscape area (3.2%), less than the minimum required. Please clarify how the minimum interior landscape for the site was determined.*

**RESPONSE:** The conceptual Landscape Plan has been revised and includes updated information related to the amount of interior off-street parking, which is 9,218 square feet, the public alley is not included in this calculation as it is public ROW. The plan does show a change in parking layout and identify property lines to assist in defining the development site area.

#### ***Off-street Parking, Loading, and Driveways - SRC Chapter 806 - Off-Street Parking Area Access and Maneuvering***

*The proposed vehicle use area does not comply with the turnaround requirement in SRC 806.035(f), Figure 806-9. Please revise the layout to comply with the requirements of SRC Chapter 806.*

**RESPONSE:** The parking has been revised to provide the maneuvering space required. Please see revised Site Plan & First Floor Plan, Sheet SP-1, for compliance with the SRC 806.035(f), Figure 806-9.

***Off-Street Parking, Loading, and Driveways – SRC Chapter 806 - Bicycle Parking.***

*SRC 806.050 provides that bicycle parking shall be located on the same development site as the use or activity it serves.*

*Required bicycle parking spaces are indicated as being provided in the right-of-way. Permission to locate bicycle parking spaces needs to be provide from the Public Works Department. In addition, an adjustment to SRC 806.050 is needed to provide required bicycle parking spaces in a location other than the development site.*

**RESPONSE:** Public Works was contacted and informed the applicant's team that the applicant will need to purchase bike racks and deliver them to City of Salem Public Works Shops for installation by Public Works. A request for an adjustment to the standard has been added to the Consolidated Land Use Application as needed.

***Preservation of Trees and Vegetation – SRC Chapter 808 – Significant Tree***

*The applicant statement indicates that one significant tree is located on the subject property to be protected. Please indicate the location of the significant tree on the existing conditions plan and site plan, including the required critical root zone per SRC 808.046.*

**RESPONSE:** The applicant statement incorrectly identified one of the existing trees as significant. There are no trees meeting the definition of "Significant tree" on the development site. Please see the revised Existing Conditions Plan, Sheet C1.0, for information regarding existing trees.

Thank you,

Gretchen Stone  
Land Use Coordinator