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December 28, 2023

**LAND USE APPLICATION
 COMPLETENESS REVIEW**

Subject Property: 2561 Center Street NE

Ref#: 23-123424-PLN

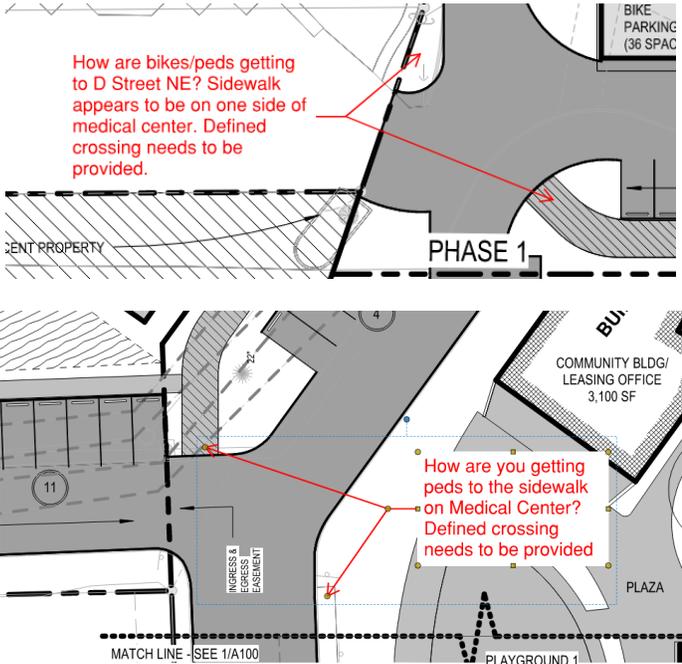
Applicant: Steve Kay
 Cascadia Planning and Development Services
 PO Box 1920
 Silverton, OR 97381
steve@cascadiapd.com

Contact: Tim Lawler
 3050 SE Division Street, Suite 270
 Portland, OR 97202
tim@gl-dev.com

An application for a Class 3 Site Plan Review, Tentative Partition, Class 2 Adjustment, Class 2 Driveway Approach Permit, and Tree Removal Permit was officially received on December 5, 2023. Prior to deeming your applications complete, modifications and/or additional information must be provided to address the following item(s):

Completeness Items – Submittal Requirements	
SRC 300.210(a)(1)(G) – Signature of Property Owners	A complete application form signed by all property owners authorizing the filing of the application is required. Signature authorizing the filing of this application from the City of Salem is required.
Vision Clearance (SPR Submittal Item)	It is unclear from the plans submitted whether or not the proposed structures meet vision clearance standards established in SRC 805. The applicant shall show the vision clearance area on the site plan. If an alternative vision clearance standard is requested, the applicant shall demonstrate how the adjustment criteria SRC 805.015 and SRC 250 are met.

<p>Right-of-way Dedication – Radius (SPR and Partition Submittal Item)</p>	<p>As a condition of building permit approval, the applicant is required to dedicate right-of-way equal to 18-feet from centerline along Center Street NE as well as a 30-foot radius at the corner of Center Street NE and 23rd Street NE. The applicant shall show the radius dedication on the site plan to ensure compliance with setback requirements. Based on the plans submitted, it is unclear if the building at the corner of Center Street NE and 23rd Street NE will encroach into the required dedication area.</p>
<p>Alternative Street Standard (SPR Submittal Item)</p>	<p>The applicant is proposing a street design that does not conform to SRC Chapter 803 for street standards. The application shall include findings for alternative street standards pursuant to SRC 803.065(a).</p> <ul style="list-style-type: none"> Street spacing and connectivity standards of SRC 803.030 and SRC 803.035(a) are not met. The applicant is proposing to construct a 10-foot wide shared use path through the development site and dedicate an easement

	<p>for the path. Staff is supportive of this approach; however, written findings addressing the approval criteria are required. In addition, the plans do not address how connections will be made to existing sidewalks along the northern and southern portions of Medical Center Drive NE. See images below.</p> <ul style="list-style-type: none"> • Curbline Sidewalks along 23rd Street SE and elimination of the required planter strip, please see comments under the “Street Tree Removal” section of this letter. Staff is not supportive of this alternative street standard. 
<p>Title Report (Partition Submittal Item)</p>	<p>Submit a current title report for the subject properties for review by the Survey Section pursuant to SRC 205.030(b).</p>
<p>Land Division Application Type</p>	<p>According to the Survey Division: The applicant has applied for a three-parcel partition over two single and discrete units of land. Per ORS 92.010, you cannot move a property line with a partition. The applicant can apply for a two-parcel partition for tax lot 4000, then a property line adjustment to get the desired configuration between tax lots 3900 and 4000.</p>
<p>Sewer Capacity & UGA</p>	<p>As identified during the pre-application conference, there are known sanitary sewer basin capacity issues in the system the applicant shows connection to in Center Street NE. Public Works Utility Planning and Engineering has provided</p>

comments on the applicant's utility plans. Modifications may be necessary to address sanitary sewer capacity issues in the basin. The plans should be modified to serve as much of the northern portion of the property as possible with a new 8-inch public sanitary sewer main in 23rd Street SE to Monitor 511 Basin per comments on the plans.

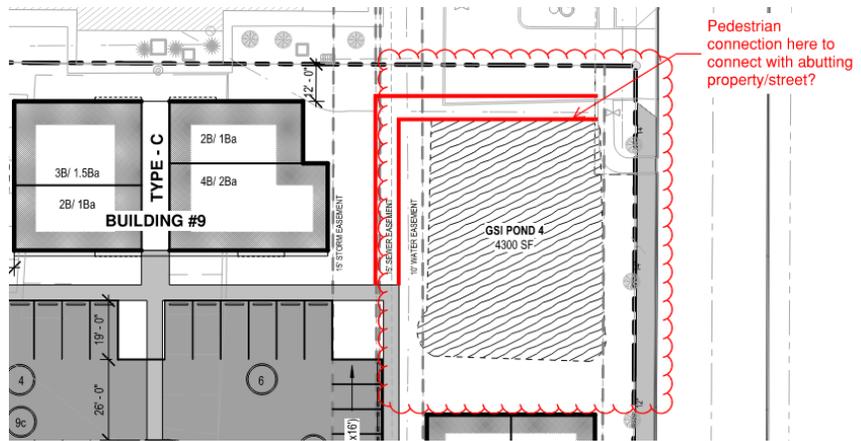
The applicant is encouraged to contact Keith Garlinghouse, Utilities Engineer, to discuss potential designs (KGARLINGHOUSE@cityofsalem.net). If the design results in a requirement for off-site sanitary sewer construction, an Urban Growth Preliminary Declaration (UGA) would be required to be submitted as part of the application package.

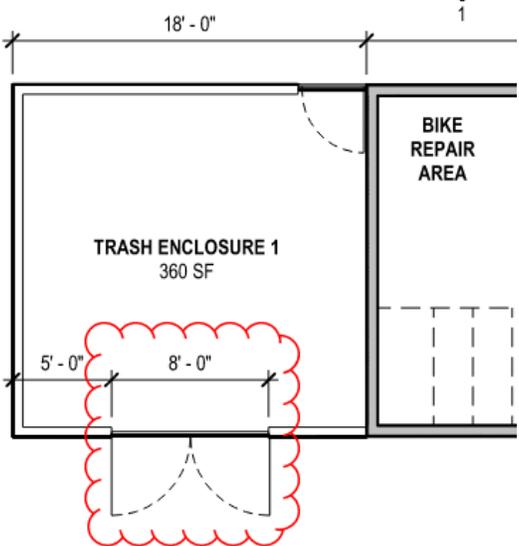
The following additional items are not "completeness" items but are advisories, which could result in conditions of approval or denial of applications.

**Building Setback
 Abutting a Street – SRC
 Chapter 533**

Pursuant to Table 533-3, the maximum setback does not apply to a new building if another building exists between a minimum of 50 percent of the street-facing façade of the new building and the street. A GSI facility is proposed in the northeast corner of the property, a building does not exist between Building 9 and 23rd Street NE. Staff recommends moving Building 9 closer to 23rd Street NE if possible and moving the GSI facility.

Pedestrian access should also be improved in this area, ideally connecting to the existing sidewalk at the shared driveway access.

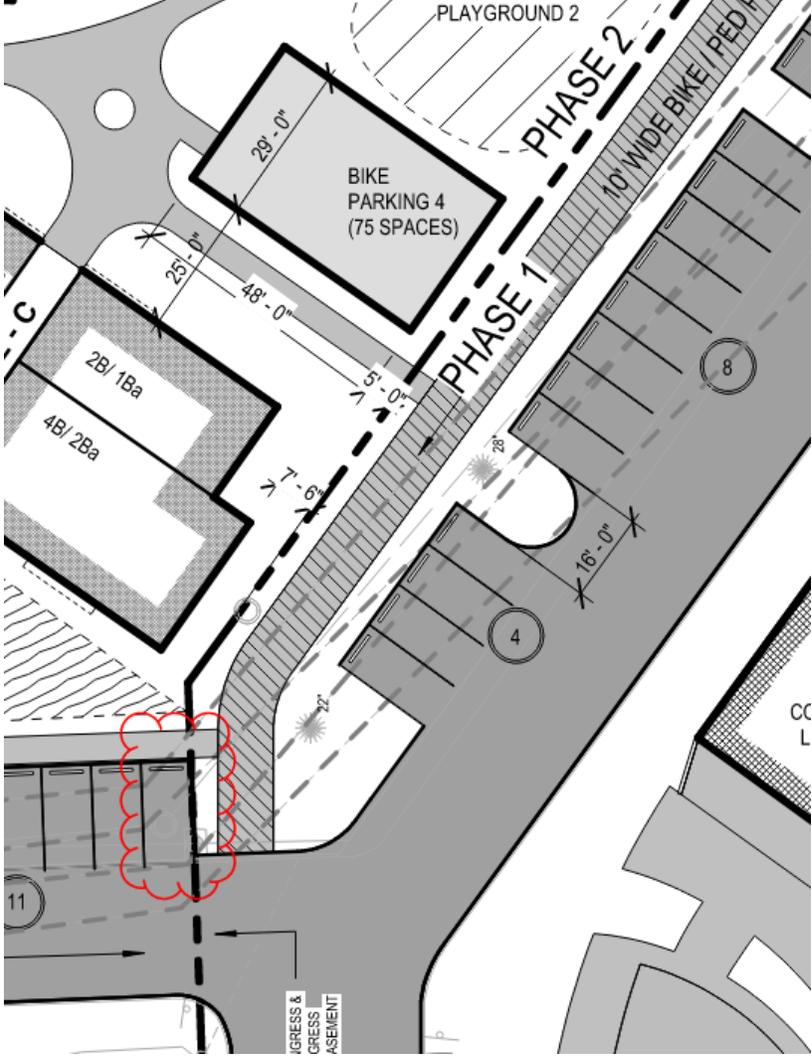


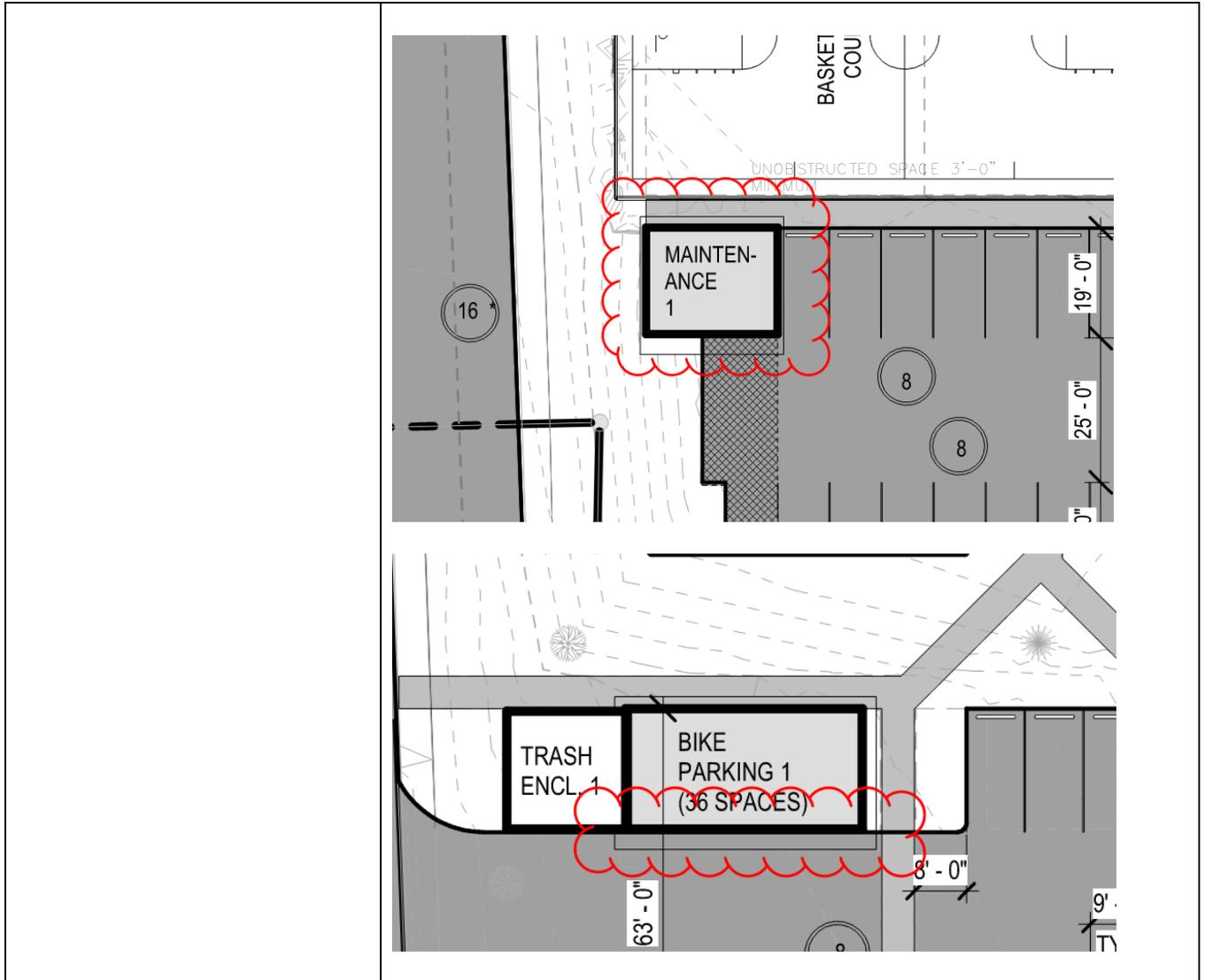
<p>Solid Waste Service Area Standards – SRC Chapter 800</p>	<p>Proposed trash enclosures do not appear to comply with the development standards of SRC 800.055.</p> <ol style="list-style-type: none"> 1) Receptacle size is not indicated. 2) Pursuant to SRC 800.055(b), please indicate the surface material and thickness. 3) Please indicate whether a drop box or compactor will be used. 4) Pursuant to SRC 800.055(e)(1), the front opening of the enclosure shall be unobstructed and shall be a minimum of 12 feet in width. Pursuant to SRC 800.055(e)(2), the plans shall show measures to prevent damage to the enclosure. Pursuant to SRC 800.055(e)(3), enclosure gates for openings less than 15 feet in width shall open to a minimum 120 degrees. The proposed enclosure does not appear to comply with these standards. <div style="text-align: center;">  </div> <ol style="list-style-type: none"> 5) Depending on the size of receptacle, the site plan may not be in compliance with the solid waste service area vehicle access standards of SRC 800.055(f).
<p>Pedestrian Access Standards – SRC Chapter 800</p>	<p>Pursuant to SRC 800.065(a)(5), whenever a vehicular connection is provided from a development site to an abutting property, a pedestrian connection shall also be provided. Pedestrian access should be extended along Franzen Street NE to connect to abutting vacant property.</p>

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 AT YOUR SERVICE
**Community Development
 Planning Division**

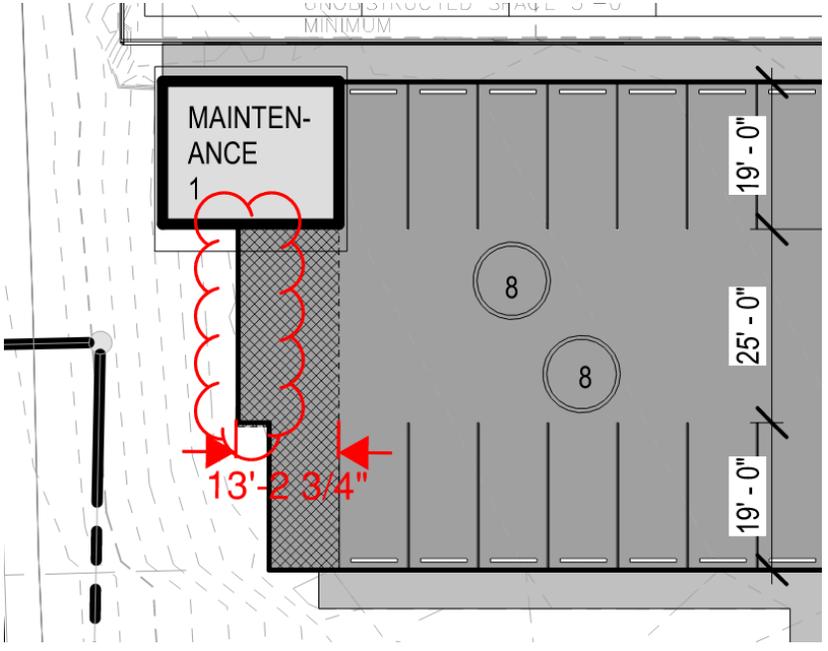
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<p>Electric Vehicle Charging Spaces – SRC Chapter 806</p>	<p>Pursuant to SRC 806.015(d), for any newly constructed building with five or more dwelling units on the same lot, including buildings with a mix of residential and nonresidential uses, a minimum of 40 percent of the off-street parking spaces provided on the site for the building shall be designated as spaces to serve electrical vehicle charging. In order to comply with this subsection, such spaces shall include provisions for electrical service capacity, as defined in ORS 455.417.</p> <p>Please revise the site plan to indicate where required electric vehicle parking spaces will be provided.</p>
<p>Vehicle Use Area Setback Adjacent to an Interior Property Line – SRC Chapter 806</p>	<p>Pursuant to SRC 806.035(c)(3), unless a greater setback is required elsewhere within the UDC, off-street parking and vehicle use areas abutting an interior front, side, or rear property line shall be setback a minimum of five feet.</p>

	 <p>Please revise the site plan to comply with the minimum standard.</p>
<p>Vehicle Use Area Setback Adjacent to a Building or Structure – SRC Chapter 806</p>	<p>Pursuant to SRC 806.035(c)(4), where an off-street parking or vehicular use area is located adjacent to a building or structure, the off-street parking or vehicular use area shall be setback from the exterior wall of the building or structure by a minimum five-foot-wide landscape strip or by a minimum five-foot-wide paved pedestrian walkway.</p> <p>Proposed maintenance buildings and bicycle storage buildings are placed throughout the off-street parking/vehicle use area without the minimum required setback. Please revise the site plan to comply with the minimum standard.</p>

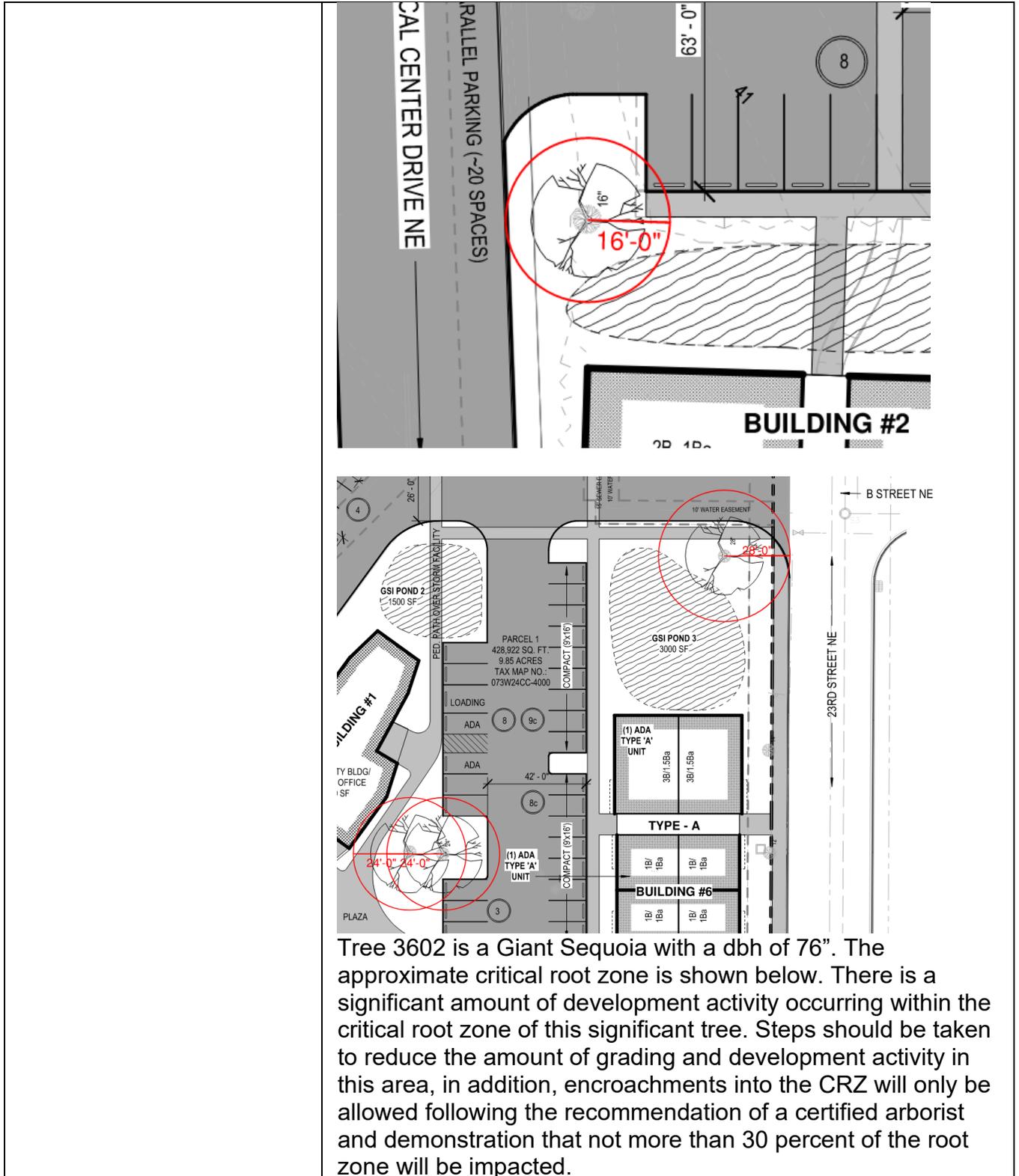


<p>Vehicle Use Area Maneuvering Requirements – SRC Chapter 806</p>	<p>Pursuant to SRC 806.035(f)(2), Where a drive aisle terminates at a dead-end, include a turnaround area as shown in Figure 806-9. The turnaround shall conform to the minimum dimensions set forth in Table 806-6.</p>

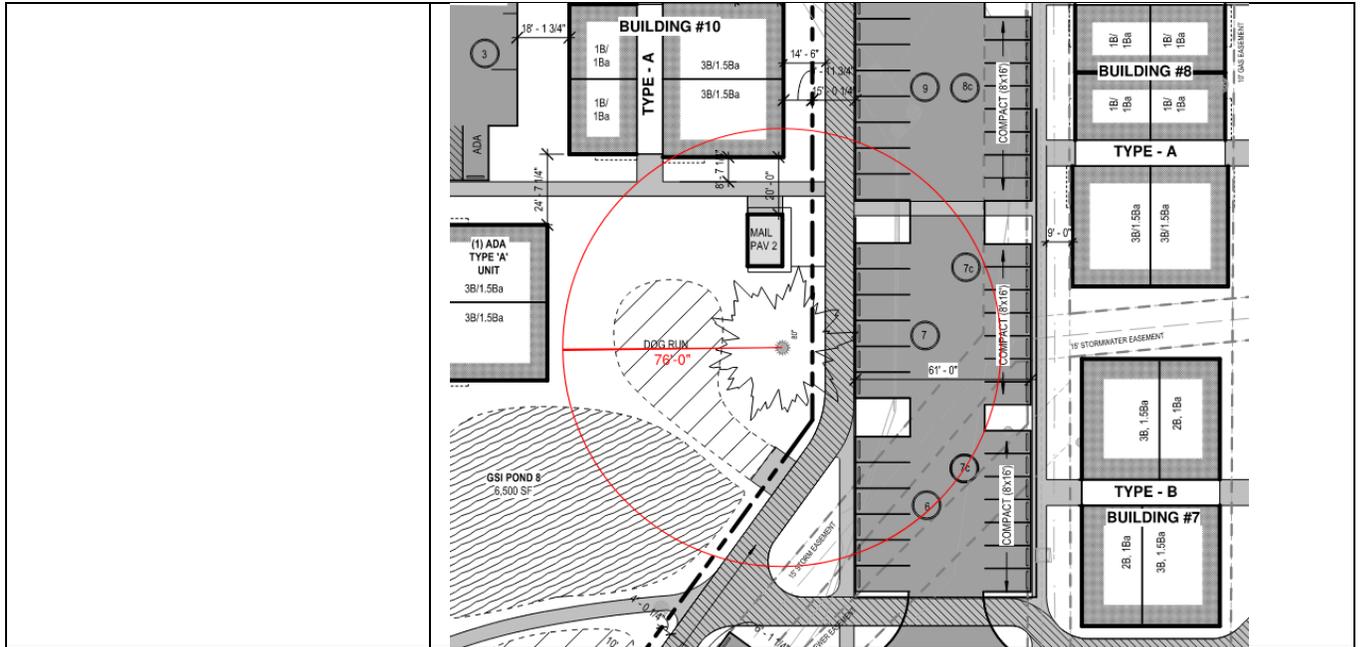
	<p>The maneuvering area provided near Maintenance Building 1 does not comply with the minimum dimensions of Figure 806-9. Please revise the site plan to comply with the minimum standard.</p> 
<p>Landscape Plan and Tree Replanting – SRC Chapter 807</p>	<p>Several trees are proposed for removal from a setback area, and the total number of trees removed from the development site, as calculated under SRC 807.015(d)(2) may exceed 75%, requiring additional replanting of trees.</p> <p><i>Tree replanting requirements.</i> In addition to the landscaping required under this chapter are proposed for removal from within required setbacks or from a development site, replanting shall be required as provided in this subsection. The provisions of this subsection do not apply to lots used for single family uses, two family uses, three family uses, four family uses, or cottage clusters.</p> <p>(1) <i>Removal of trees within required setbacks.</i> When an existing tree or trees within a required setback are proposed for removal, 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.</p>

	<p>(2) <i>Removal of trees from development site.</i> When more than 75 percent of the existing trees, as defined under SRC <u>chapter 808</u>, on a development site are proposed for removal, two new trees shall be planted for each tree removed in excess of 75 percent. Replanted trees shall be of either a shade or evergreen variety with a minimum 1.5 inch caliper. For purposes of this section, existing trees within vision clearance areas, or within areas to be cleared for required roads, utilities, sidewalks, trails, or stormwater facilities, shall not be counted in the total percentage of trees removed from the development site.</p> <p>The preliminary planting plan (Sheet L20) indicates that the multi-family design review guidelines and standards of SRC Chapter 702 were used to evaluate the landscaping requirements for the proposed development, however, the landscaping standards of SRC Chapter 702 are not applicable to this project. The proposed development is subject to the landscaping requirements for perimeter setbacks in SRC Chapter 533 and the landscaping requirements for vehicle use areas in SRC Chapter 806, the landscape planting summary table should be updated to demonstrate conformance with applicable standards.</p>
<p>Tree Identification – SRC Chapter 808</p>	<p>The existing tree inventory table includes several trees with a dbh of less than 10 inches. These do not meet the definition of tree under the SRC and should be removed from the inventory.</p> <p>Several trees have a dbh listed with multiple trunks, examples include 8,12, or 3x16. Per SRC Chapter 111, when a fork in the trunk occurs at or above 4.5 feet, the dbh is the smallest diameter at 4.5 feet or below. When the fork occurs below 4.5 feet, or the tree splits into multiple stems at ground level, each stem is considered a separate tree trunk and is measured accordingly.</p> <p>To ensure accuracy in the inventory, preservation and replanting requirements, please update the tree inventory for these trees so it is clear whether the fork occurs above or below 4.5 feet above grade.</p>
<p>Significant Tree Removal – SRC Chapter 808</p>	<p>SRC 808.030(d)(5) provides that significant trees may be removed when necessary for development upon a finding that:</p> <p>(A) Without approval of the tree removal permit the proposed development cannot otherwise meet the applicable</p>

	<p>development standards of the UDC without a variance or adjustment.</p> <p>(B) There are no reasonable design alternatives that would enable preservation of the trees.</p> <p>One factor in determining whether there are no reasonable design alternatives is if removal is necessary due to the location of proposed utilities that cannot be relocated to an alternative location.</p> <p>The site plan shows a GSI facility near the western property boundary, and the applicant statement indicates that removal of the three significant trees is necessary due to grading and construction of the GSI facility. However, staff does not have enough information available to first determine if (1) without approval of the tree removal permit the proposed development would not be able to comply with all applicable standards of the UDC without a variance or adjustment, and (2) why the GSI facility needs to be placed in this location and why it can't be relocated to an alternative location.</p> <p>Please update the findings for the Tree Removal Permit request to address these items.</p>
<p>Tree Protection Measures During Construction/Critical Root Zones – SRC Chapter 808</p>	<p>The protective fencing is not shown on the proposed grading plans or site plan (Sheets C20, C21, C22, A10, or A11) and the tree protection and removal plans do not encompass all of the critical root zone for protected trees (Sheets L10 and L11).</p> <p>The critical root zone is the circular area beneath a tree established to protect the tree's trunk, roots, branches, and soil to ensure the health and stability of the tree. The critical root zone measures one-foot in radius for every one-inch of dbh of the tree or, as an alternative for non-significant trees, may be specifically determined by an arborist.</p> <p>Plans shall be updated to comply with the requirements of SRC 808.046. If encroachments to the critical root zone are proposed, the applicant shall provide a statement demonstrating compliance with SRC 808.046(a)(3).</p> <p>The following protected trees have encroachments into the critical root zones:</p>



Tree 3602 is a Giant Sequoia with a dbh of 76". The approximate critical root zone is shown below. There is a significant amount of development activity occurring within the critical root zone of this significant tree. Steps should be taken to reduce the amount of grading and development activity in this area, in addition, encroachments into the CRZ will only be allowed following the recommendation of a certified arborist and demonstration that not more than 30 percent of the root zone will be impacted.



Curbside Sidewalk along 23rd Street SE

The application is proposing the removal of at least 15 City-owned trees along 23rd Street SE in order to place curbside sidewalks along 23rd Street SE. The Salem Transportation System Plan standard cross section for a collector street requires a minimum 6-foot-wide planter strip with sidewalks placed behind the planter strip. Staff is not supportive of removal of the City owned trees along 23rd Street or an alternative standard to allow curbside sidewalk.

Staff recommends that the sidewalk be placed behind a planter strip of appropriate width that can accommodate the existing trees and additional trees to be planted along 23rd Street SE and provide a pedestrian oriented environment, which is intended within the Mixed-use Zones. A public access easement will be required for the sidewalk to be placed on private property.

Street Tree Removal

If the applicant does not modify the plans, the applicant is advised that a street tree removal application is required for the trees proposed for removal, along with a Reasonable Alternatives Analysis in accordance with [Salem Administrative Rule 109-500 Section 2.4.](#)

If the Street Tree Removal Permit is not approved, modifications to the Site Plan approval may be required.



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<p>Existing Easements for Public Utilities</p>	<p>There are existing easements on the subject property for public infrastructure. The applicant is advised that no new structures are permitted within existing or required easements. Existing unused public utility easements on the site may be quitclaimed or vacated, as necessary.</p> <p>Conditions of approval require dedication of new and existing easements to meet current Public Works Design Standards (PWDS) for minimum easements widths.</p> <p>Please review the easement Section (1.8) from our Public Works Design Standards for reference. Staff recommends revising the plans to show easements that meet current minimum widths as there appear to be building conflicts with the requirement for easements that meet current PWDS.</p>
<p>Site Plan Comments</p>	<p>Development Services will provide preliminary technical review comments on the applicant's site and utility plans directly to the applicant's engineer.</p>
<p>Development Services Comments</p>	
<p>For questions on the Development Services Division items listed, the applicant may contact Laurel Christian in Development Services at 503-588-6211 or by email at LChristian@cityofsalem.net.</p>	

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 (June 2, 2024) from the date the application was first submitted (December 5, 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) 540-2356 or via email at apanko@cityofsalem.net.

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



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

Sincerely,

A handwritten signature in blue ink, appearing to read "Aaron Panko", is written in a cursive style.

Aaron Panko, Planner III

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