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June 5, 2024

LAND USE APPLICATION - COMPLETENESS REVIEW

Project Information

Subject Property:	2390 Commercial Street SE
Reference Number:	24-110382-PLN
Application Type:	Class 3 Site Plan Review
Date Application Accepted:	May 15, 2024
Applicant:	Ron Ped rjp@rktect.com

Staff Contact

Land Use Planner:	Peter Domine, Planner II pdomine@cityofsalem.net / 503-540-2311
Infrastructure Planner:	Laurel Christian, Utility Planner II lchristian@cityofsalem.net / 503-584-4632

Land Use Review Comments

Prior to deeming your applications complete, modifications and/or additional information must be provided to address items detailed below.

Applicant should provide a response in the last column for each item or indicate if the item is not being provided. Items not addressed or provided may result in conditions of approval or denial of the land use application.

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 (May 10, 2024) from the date the application was first submitted (November 6, 2024) to respond in one of the three ways listed above, or the application will be deemed void.

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

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

<u>Completeness Review Items</u>		
Submittal Requirements – The following items have been identified as required material to be provided by the application(s) prior to deeming the application “complete”:		
Submittal Requirement	Description	Applicant Response <i>i.e., Written Response, Submitted, Not Providing</i>
Signed land use application	A signed land use application by the owner or duly authorized representative	
Class 2 Driveway Approach Permit (May be required – see comments)	<p>The applicant’s plans show the driveway approach onto Judson Street SE is 19-feet in width, which does not accommodate 2-way vehicle circulation. The applicant shall demonstrate the existing driveway approach meets the standards or shall widen the driveway approach to meet the minimum standards in SRC 804.050.</p> <p>If widening of the driveway approach is necessary, The proposed driveway approach will be subject to the Class 2 Driveway Approach requirements described in SRC 804.025. The applicant shall submit the applicable application and fee.</p>	Driveway is around 25ft in width. This was drawn incorrectly in the base drawing and has been corrected.

<u>Advisory Comments</u>		
Items of Concern - The following items are not listed in the SRC as specific requirements for a complete application; however, are advisories that address areas of concern on the application. Failure to address advisory comments could result in condition of approval or denial of the application(s).		
Item	Description	Applicant Response <i>i.e., Written Response, Submitted, Not Providing</i>
Chapter 535 – MU-III		
Setbacks 535.015(c)	<p>Setbacks Abutting a Street</p> <p>The lot is a double frontage lot but also has frontage on a third street, Judson St, and the maximum setback abutting this street applies. The new car wash bay is exempt from the max setback on the Commercial St side because the proposed coffee stand is between it and the street; the West Nob Hill St side is exempt because the setback applies to the higher street class (Commercial St) for double frontage lots, but the new car wash bay is outside the allowed max setback to Judson St to the south. The exemption is only for the double frontage street sides, not the side street. An Adjustment would be needed to allow the building outside the max setback.</p> <p>The coffee kiosk and seating area is also abutting a street to the Judson St side and the max setback standards would apply, requiring:</p>	<p>Our understanding of this section is that all streets other than the higher class street are exempt from the max setback. The code in table 535-3 states "For double frontage lots, the setback abutting a street shall <u>only</u> apply to the street with the highest street classification..."</p>

	<ul style="list-style-type: none"> The first 10 feet of the setback area can be used exclusively for pedestrian amenities; At least 50 percent of the remaining setback area must be landscaped. <p>Interior Setbacks</p> <p>Based on the submitted deed, the tax lot is comprised of four separate platted lots, lots 7, 8, 9, 10 Block 3 of the Walnut Grove Addition. Please provide a survey or evidence as to whether the historic property lines are still in existence. If yes, setbacks to interior property lines would apply and further land consolidation would likely be needed (e.g., property line adjustments or a replat).</p>	<p>See above comment about the applicability, however if it is deemed applicable proven by the code, the current design is conforming as at least 50% (closer to 100% of the setback is landscaped. There is no requirement for pedestrian amenities, just that if there is a use, it needs to be for pedestrians.</p> <p>Our understanding is the interior lot lines were abandoned during previous developments. We could apply to Validate the Property Boundaries indicating as such.</p>
<p>535.015(g)(5) Ground-Floor Windows</p>	<p>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 façade. 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> <p>The street facing façade of the coffee shop does not meet 50% window façade coverage on either the Commercial St or Judson St side.</p>	<p>The coffee shop facade facing Commercial has been modified to include roughly 50% glazing with a minimum height of 6 ft, as measured linearly along the facade.</p> <p>The south/Judson St facing facade is now almost all glazing.</p>
<p>Chapter 800 – General Standards</p>		
<p>Pedestrian Access SRC 800.065</p>	<p>The building additions trigger pedestrian connections on the site. The new car wash bay is exempt because it is not meant for human occupancy, but the existing building contains an office space, requiring a connection to all three streets, per 800.065(a)(1).</p> <p>A connection is also required between the coffee shop and the existing office building, per SRC 800.065(2)</p>	<p>The existing building on site does not have a space that previously was used as an office and/or storage, however the current use is nothing, and it is not ever intended to be used, therefore we classify it as a service/storage space, not requiring pedestrian connections.</p>
<p>Special Setbacks</p>	<p>The property is subject to special setbacks per SRC 800.040. Setbacks for the proposed development shall be measured from the special setback line. The applicant shall show the special setback on the site plan to ensure setback requirements can be met.</p> <p>The following special setbacks apply:</p> <ul style="list-style-type: none"> 48-feet from centerline along Commercial Street SE. 30-feet from centerline along Judson Street SE. 30-feet from centerline along West Nob Hill Drive SE. <p>The applicant is advised that new structures are not permitted within the special setback area and that any parking and circulation areas necessary for the coffee shop within the special setback area will require a removal agreement per SRC 800.040. The coffee stand circulation may not be able to be retained if right-of-way is acquired for future street widening projects within the special setback.</p>	<p>The special setbacks have been added with dimensions on SPR-1. No buildings lay within the special setbacks. The only portion of the vehicle circulation that lays within the special setback is the very southernmost 6" of asphalt along the south curb, which does not impact the on site circulation patterns if it is removed in the future.</p>

<p>Additional Advisory Comments</p>	<p>The Assistant City Traffic Engineer has reviewed the plans submitted and has concerns as to whether or not enough vehicle queuing is being provided for the proposed coffee shop.</p> <p>Additionally, the Assistant City Traffic Engineer recommends running turning templates on the internal circulation of the site to ensure that there is adequate maneuvering space on-site.</p>	<p>Based on other similar coffee shops in Salem, the available queuing should suffice.</p> <p>Turning templates have been used, and are shown on SPR-6 to exemplify adequate maneuvering space on site.</p>
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