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September 20, 2024

## LAND USE APPLICATION - COMPLETENESS REVIEW

### Project Information

<b>Subject Property:</b>	890 Commercial Street NE
<b>Reference Number:</b>	24-118303-PLN
<b>Application Type:</b>	Class III Site Plan Review
<b>Date Application Accepted:</b>	August 28, 2024
<b>Applicant:</b>	Brandon Fahlman <a href="mailto:bfahlman@gmail.com">bfahlman@gmail.com</a>
<b>Contact:</b>	Same as applicant

### Staff Contact

<b>Land Use Planner:</b>	Quincy Miller, Planner I <a href="mailto:qmillier@cityofsalem.net">qmillier@cityofsalem.net</a> / 503-584-4676
<b>Infrastructure Planner:</b>	Aaron Panko, Planner III <a href="mailto:apanko@cityofsalem.net">apanko@cityofsalem.net</a> / 503-588-2356

### 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 (March 17, 2025) from the date the application was first submitted (August 28, 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/government/laws-rules/salem-revised-code>

### Completeness Review Items

**Submittal Requirements** – The following items have been identified as required material to be provided by the application(s) prior to deeming the application “complete”:

<b>Submittal Requirement</b>	<b>Description</b>	<b>Applicant Response</b> <i>i.e. Written Response, Submitted, Not Providing</i>
<b>Site Plan Materials</b> <a href="#">220.005(e)</a>	<p>Pursuant to SRC 220.005(e), please add the following items to your site plan review submission:</p> <ul style="list-style-type: none"> <li>• A tree plan (SRC 220.005(e)(1)(C) showing right-of-way dedication and street trees</li> <li>• Building elevation drawings (SRC 220.005(e)(1)(F)</li> <li>• Map showing the zoning, comprehensive plan, and land uses for adjacent properties (SRC 220.005(e)(2)(B)</li> <li>• Geological Assessment (SRC 220.005(e)(2)(H) meeting the standards outlined in <a href="#">SRC 810.030(a)</a></li> <li>• Identify floodplain, floodway, and existing vegetation on existing conditions plan</li> </ul>	
<b>Written Statement (SPR)</b>	<p>Please include a written statement clarifying the quantity, type, and square footage of each dwelling unit (such as number of studio apartments per building and the square footage per studio). Please also discuss the layout of the attached garage for each building—if the attached parking will be individual garage stalls, please state the number and square footage of each.</p>	
<b>Chain of Title</b>	<p>Based on the information currently available it's not clear whether the property is a lawfully established unit of land. To determine whether the property was legally established, a chain of title report for the property is needed tracing back its creation to the first deed that established it in its current configuration. Staff will then be able to use the dates from those deeds to determine what land division requirements were in place at that time and whether the properties were created in conformance with those requirements.</p>	
<b>Signing Authority</b>	<p>Marion County assessor records indicate the property is owned by the “Endless Summer Trust.” Please provide documentation of the trust agreement to establish the applicant has applicable signing authority.</p>	

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<b>Driveway Approach</b>	<p>Commercial Street SE is under the jurisdiction of the Oregon Department of Transportation (ODOT). The proposed site plan was shared with ODOT, and they are not supportive of the request to widen the existing approach from 31’ to 43’. Based on traffic volumes, the appropriate access width would be between 24’-32’ (ODOT Highway Design Manual). ODOT is supportive of increasing the width to a maximum of 32’.</p> <p>For additional questions, please contact Brion Scott, PE at <a href="mailto:brion.scott@odot.oregon.gov">brion.scott@odot.oregon.gov</a>.</p>	
<b>Floodplain Development</b>	<p>In accordance with <a href="#">SRC 220.005(e)(1)(B)(iv)</a> the applicant shall show the regulatory floodplain on the subject property. Development within the floodplain requires a floodplain development permit subject to the requirements of SRC 601 at time of Building Permit.</p>	
<b>Stormwater Management and/or Design Exception</b>	<p>The application does not provide sufficient details to identify how the site is compliant with <a href="#">SRC 71</a>, specifically the requirements for Green Stormwater Infrastructure (GSI) pursuant to <a href="#">Public Works Design Standards (PWDS) Appendix 4E</a>. The applicant shall provide a storm drainage system that provides treatment and flow control as required by the 2014 PWDS.</p>	
<b>Easements</b>	<p>The applicant shall include all easements located on the site pursuant to <a href="#">SRC 220.005(e)(2)(C)</a>.</p>	
<b>Grading Plan</b>	<p>A preliminary grading plan is required when grading of the subject property is necessary to accommodate the proposed development per <a href="#">SRC 220.005(e)(1)(D)</a>.</p>	
<b>Landslide Hazards</b>	<p>City records show the proposed development is located in a moderate landslide hazard risk. The applicant shall either:</p> <ul style="list-style-type: none"> <li>a) Submit a geological assessment as required by SRC <a href="#">220.005(b)(3)(B)</a> and pursuant to <a href="#">SRC 810.025</a>; or</li> </ul> <p>Submit a certification from an engineering geologist or a geotechnical engineer that landslide risk on the site is low, and that there is no need for further landslide risk assessment pursuant to <a href="#">SRC 220.005(e)(2)(H)</a>.</p>	

<b><u>Advisory Comments</u></b>		
<b>Items of Concern</b> - 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. <b>Failure to address advisory comments could result in condition of approval or denial of the application(s).</b>		
Item	Description	Applicant Response <i>i.e. Written Response, Submitted, Not Providing</i>
<b>Chapter 230 – Historic Preservation</b>		
<b>Historic and Cultural Resources</b>	The property appears to be within the Cultural Resources Protection Zone (HCRP). Please contact Kimberli Fitzgerald to confirm potential impacts at (503) 540-2397. More information on the HCRP can be found <a href="#">here</a> .	
<b>Chapter 524 – Central Business District</b>		
<b>Floor Area Ratio <a href="#">SRC 524.010(b)</a></b>	The Central Business District has a minimum Floor Area Ratio (FAR) of 2.0 for all uses. According to the <i>Existing Conditions Plan</i> , the “buildable area” on the lot is approximately 13,077 square feet to the top of the bank of Mill Creek. The site plan shows Building A is 1,765 square feet per floor and two stories tall, and Building B is 1,630 square feet per floor and two stories tall. Therefore, the total floor area for all buildings (6,790 square feet) divided by the total buildable area (13,077 square feet) means the current proposal has a FAR of 0.52. If you plan on seeking a Class II adjustment, please demonstrate how the proposed development will meet the approval criteria ( <a href="#">SRC 250.005</a> ).	
<b>Setbacks <a href="#">SRC 524.010(c)</a></b>	For buildings abutting the street, buildings are required to have a 0’ setback OR a maximum 10’ setback if a public outdoor space is provided between the building and street right-of-way. Portions of buildings greater than 25’ in height may be setback up to ten additional feet from the street right-of-way. The current site plan shows an approximately 25.5’ setback between Building A and the public right-of-way. If you plan on seeking a Class II adjustment, please demonstrate how the proposed development will meet the approval criteria ( <a href="#">SRC 250.005</a> ).	
<b>Building Frontage <a href="#">SRC 524.010(d)</a></b>	Buildings in the CB Zone are required to have a minimum building frontage of 90%. Building A has an approximate street frontage of 28.5’, which is a building frontage of approximately 47%. If you plan on seeking a Class II adjustment, please demonstrate how the proposed development will meet the approval criteria ( <a href="#">SRC 250.005</a> ).	
<b>Design <a href="#">SRC 524.010(f)</a></b>	Elevation drawings should show compliance to the design standards set forth in <a href="#">SRC 524.010(f)</a> . Please include elevation drawings.	

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Item	Description	Applicant Response <i>i.e. Written Response, Submitted, Not Providing</i>
<b>Chapter 800 – General Standards</b>		
<b>Special Setback</b>	The property is subject to a special setback equal to 60’ from the centerline of Commercial Street NE, per <a href="#">SRC 800.040</a> . 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.	
<b>Solid Waste Service Areas</b> <a href="#">SRC 800.055</a>	All solid waste receptacles shall be placed at grade on a concrete pad that is a minimum of 4” thick, or on an asphalt pad that is a minimum of 6” thick. No indication is given on the site plan if the trash receptacle pad meets this requirement.	
<b>Pedestrian Access</b> <a href="#">SRC 800.065</a>	<ul style="list-style-type: none"> <li>• SRC 800.065(a)(1) requires an on-site pedestrian connection between the primary building entrance of each building on the development site and each adjacent street. The existing pedestrian connection seems to be restricted to tenants/residents with a gate/door, restricting pedestrian access from the street to Building B.</li> <li>• There is a mapped Transportation System Plan (TSP) off-street shared use path along Mill Creek identified on the subject property. Pursuant to <a href="#">SRC 800.065(a)(4)</a> the applicant shall dedicate a minimum 20’ easement for the path beginning at top of bank. The easement is not identified on the site plan. Proposed buildings and trash enclosure cannot encroach into this easement.</li> <li>• SRC 800.065(a)(5) The existing shared access easement provides vehicular access to adjacent lots, therefore, a pedestrian connection between these lots must also be provided. Please show this on the site plan.</li> <li>• SRC 800.065(c) Show location of lights for the on-site pedestrian circulation on the site plan.</li> </ul>	

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<b>Chapter 802 – Public Improvements</b>		
<b>Open Channel/Drainage Easements</b>	<p>Pursuant to <a href="#">SRC 802.030</a> and <a href="#">Public Works Design Standards (PWDS) 1.8(d)</a>, the application is subject to open channel drainage easements to be dedicated along the creek, allowing for access and maintenance. The easement width shall be either the 100-year floodway boundary, 15’ from the channel centerline, or 10’ from the top of the recognized bank, whichever is greatest. The applicant is advised to show the required easement on the site plan.</p>	
<b>Existing Easements for Public Utilities</b>	<p>There are existing easements on the subject property for public infrastructure. The applicant is advised that no new structures are permitted within existing/proposed easements.</p> <p>A minimum 20’ easement is required for a public 8” sanitary line. It appears there is an existing 10’ easement over the 8” line that would need to be widened to meet the standard. The existing public 6” sanitary line requires a 15’ easement.</p> <p>Conditions of approval may require dedication of new easements to meet current <a href="#">Public Works Design Standards (PWDS)</a> for minimum easements widths pursuant to <a href="#">SRC 802.020</a>.</p>	

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<b>Chapter 806 – Off-Street Parking, Loading, and Driveways</b>		
<b>Amount of Off-Street Parking</b> <a href="#">SRC 806.015</a>	<ul style="list-style-type: none"> <li>Per Table 806-1, the number of off-street parking spaces is limited by the number of dwelling units and square footage of office space. A maximum of 1.2 spaces per studio dwelling, 1.75 spaces for all other dwelling units, and one space per 250 square feet of office space apply. Please state the number and type of dwelling units and total number of parking spaces on the site plan.</li> <li>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% of the off-street parking spaces provided on the site for the building shall be designated as spaces to serve electrical vehicle charging. To comply with this subsection, such spaces shall include provisions for electrical service capacity, as defined in <a href="#">ORS 455.417</a>. For the seven off-street parking spaces shown on the site plan, please show a minimum of three electric vehicle charging spaces or electrical infrastructure per ORS 455.417.</li> </ul>	
<b>Off-Street Parking Development Standards</b> <a href="#">SRC 806.035</a>	<ul style="list-style-type: none"> <li>Per 806.035(c)(3) the off-street parking area must be landscaped to Type A standards set in Chapter 807 when adjacent to a lot. Please show this landscaping on the site plan.</li> <li>Per 806.035(c)(4), off-street parking areas must be setback from adjacent buildings by a minimum 5' wide landscape strip (Type A) or with a minimum 5' wide sidewalk. Measurements of the site plan appear to have the sidewalk less than 5' wide. Please show measurements and adjust the site plan to meet the standard if necessary.</li> <li>Per 806.035(f), please show a turnaround area on the site plan that meets the standard.</li> </ul>	
<b>Bicycle Parking</b> <a href="#">SRC 806.045</a>	<ul style="list-style-type: none"> <li>Per Table 806-9, a minimum of one bicycle parking space per dwelling unit and four bicycle parking spaces for office use less than 14,000 square feet total is required. There are only four bicycle parking spaces shown on the site plan – please show the location of additional bicycle parking or state how the standard will be met in a written statement.</li> </ul>	



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<b>Item</b>	<b>Description</b>	<b>Applicant Response</b> <i>i.e. Written Response, Submitted, Not Providing</i>
<b>Chapter 809 – Wetlands</b>		
<b>Wetlands and/or Hydric Soils</b>	There are Salem-Keizer Local Wetland Inventory linear channel wetlands and/or hydric soils mapped on the subject property. The applicant is required to verify mapped wetland area(s). Once the application is deemed complete, Wetlands Notice to the Department of State Lands, as required by <a href="#">SRC 809.025</a> .	