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September 23, 2024

LAND USE APPLICATION - COMPLETENESS REVIEW

Project Information

Subject Property:	2230 Commercial Street NE
Reference Number:	24-118099-PLN
Application Type:	Class 3 Site Plan Review, Class 2 Adjustment, Replat Tentative Plan
Date Application Accepted:	August 26, 2024
Applicant:	Britany Randall, Brand Land Use britany@brandlanduse.com

Staff Contact

Land Use Planner:	Peter Domine, Planner II pdomine@cityofsalem.net / 503-540-2311
Infrastructure Planner:	Laurel Christian, Infrastructure Planner III apanko@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 (February 22, 2025) from the date the application was first submitted (August 26, 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”:

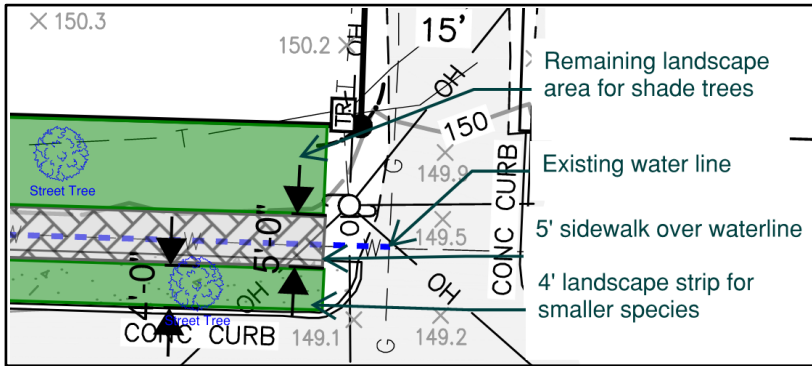
Submittal Requirement	Description	Applicant Response <i>i.e., Written Response, Submitted, Not Providing</i>
Signed land use application	A signed land use application by the owner or duly authorized representative, per SRC 300.210(a)(1).	
Written Statement	A written statement addressing each applicable approval criterion and standard, per SRC 300.210(a)(9).	
Adjustments	Please provide a written statement addressing the approval criteria applicable to the requested adjustments, per SRC 250.005(c) > SRC 300.210(a)(9). Please Note: The plans indicate five separate adjustments are requested; four have been applied for and paid. Additional adjustment(s) and fee(s) will be added upon confirmation from the applicant.	
Stormwater Management and/or Design Exception (SPR Submittal Item)	The application does not provide sufficient details to identify how the site is compliant with SRC 71, specifically the requirements for Green Stormwater Infrastructure (GSI) pursuant to Public Works Design Standards (PWDS) Appendix 4E. The applicant shall provide a storm drainage system that provides treatment and flow control as required by the 2014 PWDS. Notes: The applicant has not provided a 10% calculation or a stormwater management report. In addition, the stormwater infrastructure shown on the utility plan does not match what was previously discussed with Development Services staff. Please provide the updated utility plan with stormwater design discussed 08/22/24.	
Vesting Deed (Replat Submittal)	The current vesting deed is required at completeness for all properties.	
Title Report (Replat Submittal Item)	The title report has an effective date of November, 2022 and is considered expired. Additionally, the title report submitted does not reflect the current owner. Please submit a current title report for the subject property for review by the Survey Section pursuant to SRC 205.030(b) .	
Lot Legality (Replat Submittal Item)	Survey is not able to determine lot legality at this time. The applicant shall submit chain of title or other evidence that the property is lawfully established. - Tax lot 3100 is a portion of Lot 5, Block 8, Compton's First Addition to the City of Salem, recorded in Volume 2, Page 9, Marion County Book of Town Plats. - Chain of title is required to verify when the northerly 5 FT of Lot 5 was first excepted out of the deed description.	

	• Tax Lot 3200 is two single and discrete units of land being portions of Lot 5, and Lot 6 Block 8, Compton's First Addition to the City of Salem, recorded in Volume 2, Page 9, Marion County Book of Town Plats. ◦ Chain of title will be required to verify legality. • Tax lot 3300 is three single and discrete units of land being described as a portion of Lot 6, Lot 7 and Lot 8, Block 8, Compton's First Addition to the City of Salem, recorded in Volume 2, Page 9, Marion County Book of Town Plats. ◦ Chain of title is required to verify when the northerly 13.4 FT of Lot 6 was included into the deed description. • Tax Lot 3400 is a single and discrete lawful unit of land described as Lot 8, Block 13, Riverview Park Addition, recorded in Volume 2, Page 39, Marion County Book of Town Plats.	
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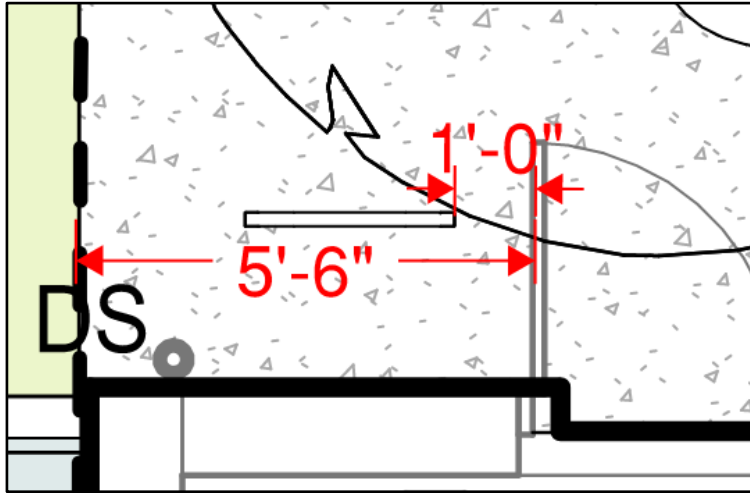
Advisory Comments

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 76 – Streets, Sidewalks, and Other Public Ways		
Right-of-way Encroachments	The applicant's site plan shows the building footprint is 1.5-feet from the property line. The building elevations show The roof will extend 3-feet from the building along Grove Street NE, resulting in a 1.5-foot encroachment of the roof. Additionally, the applicants plan shows a sign attached to the building in this area that extends into the right-of-way. These encroachments are NOT permitted in the public right-of-way. Plans should be revised to clearly demonstrate the roof and signage for the buildings does not project into the right-of-way or this would be a condition of approval. Required awnings, when covering pedestrian areas, are generally allowed to extend into the right-of-way when not a structural element of the building. However, awnings encroaching into the right-of-way will require Public Works Director approval through a Revocable License to Encroach into the right-of-way.	
Chapter 533 – Mixed Use I Zone		
Pedestrian-Oriented Design Standards	The plans indicate adjustments are requested to SRC 533.015(h), Table 533-6 to: 1) Reduce the ground floor height from 14 to 10 feet. 2) To only provide a landscaped 5-foot setback abutting the street without private open space or plaza.	

	3) Reduce ground floor window coverage from 65 percent to varying percentages for different areas of the building. 4) Reduce the minimum 75% weather protection in the form of canopies/awnings to 37% total along Commercial St side. Please note, this standard applies to <i>both</i> street facing facades. As noted above, please clarify in the written statement how the requested adjustments meet the approval criteria.	
Building façade articulation	Standard does not appear to be met for the middle façade facing Commercial Street. Per Table 533-6, changes are to be incorporated a minimum of every 50 feet (e.g., minimum 2-foot recesses).	
Chapter 800 – General Development Standards		
Solid Waste Service Area	It appears receptables will be wheeled out to the alley for servicing. Please clarify size of receptacles and how the proposal meets the standards of SRC 800.055.	
Pedestrian Connections	There does not appear to be any lighting for the on-site pedestrian connections, per SRC 800.065(c). Plans indicate lighting will be provided later. This can be conditioned.	
Chapter 803 – Streets and Right-of-Way Improvements		
Alternative Street Standards	The applicant requests an alternative sidewalk location along Grove Street NE. There is an existing public water main that runs within the landscape strip along Grove Street NE. Street trees cannot be planted directly above public water mains. As such, staff is generally supportive of an alternative sidewalk alignment along Grove Street NE that would place the sidewalk over the public water main and allow for two landscape planters on either side of the sidewalk. Staff recommends a 4-foot planter between the Grove Street NE curb, a 5-foot sidewalk centered on the water main, and an 8-foot planter between the sidewalk and property line. The applicant is advised to please consult staff if there are concerns with this Alternative Street Design. 	
Chapter 804 – Driveway Approaches		
Driveway Closure	Plans should be updated to show closure of all unused driveway approaches.	

Chapter 806 – Off-street Parking

Setbacks	The setback to the north side does not include wheel stops to prevent parked vehicles from overhanging into the required setback, per SRC 806.035(j).	
EV Charging Spaces	40% of the off-street parking spaces are required to be EV ready, per SRC 806.015(d).	
Bicycle Parking	Per SRC 806.060(c), Table 806-10, for wall mounted vertical spaces, a minimum 1.5-foot space is permitted, provided the racks are staggered a minimum 8-inches in height. Plans for the bicycle storage rooms indicate 1.5-foot spaces, but do not specify staggered height.	
	The racks on the north end of the walkway do not meet the dimensional requirements. If bikes are parked there, they will obstruct the door. These racks also do not meet the locational standards of being within 50-feet of and clearly visible from a primary entrance. They are not necessarily required – there are more than enough long-term spaces. While not required, these could possibly be relocated to the front side by the entrance. 	

Chapter 808 – Trees

Tree Removal Permit	Plans indicate one 40-inch dbh walnut located off the alley is proposed for removal. The tree is considered a Significant tree, and will require a tree removal permit, per SRC 808.015.	
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