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December 9, 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, Class 2 Adjustment
Date Application Accepted:	November 22, 2024
Applicant:	Ron Ped rjp@rktect.com Trevor Bednarz trevor@rktect.com

Staff Contact

Land Use Planner:	Peter Domine, Planner II pdomine@cityofsalem.net / 503-540-2311
Infrastructure Planner:	Laurel Christian, Infrastructure Planner III 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 21, 2025) from the date the application was first submitted (November 22, 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>
Updated Plans	The submitted plans do not match the plans submitted with the building permit, currently in review under permit no. 24-122436-BP. Plans under the BP show a bathroom on the north side of the coffee kiosk building and a building addition over the new car wash bay. Please submit corrected plans.	plans updated
Written Statement	Please update the written statement to reflect the updated proposal, per SRC 300.210.	Updated written statement included.
Neighborhood Association Contact	Please provide updated neighborhood association contact for the updated proposal, per SRC 300.100, Table 300-2.	Revised email contact included.

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 250 – Adjustments	
Approval criteria	Please clarify how the requested adjustment meets the approval criteria, per SRC 250.005(d)(1)(A)(i) or (ii).	Adjustment letter updated.
	Chapter 535 – MU-III	
Setbacks 535.015(c)	<p>Setbacks Abutting a Street</p> <p>The coffee kiosk building is abutting a street to the Judson St side and the minimum 5 to maximum 30-foot setback standards would apply, requiring:</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>The enclosed seating area is 14 feet from the special setback line. Due to the existing sign at the corner, an Adjustment would likely be needed to exceed the first 10-feet without pedestrian amenities.</p>	<p>The coffee kiosk sits within the required setback range from Judson St. The wording of this section specifies that the first 10 feet of the setback area can be used for pedestrian amenities, but does not restrict it from being just landscaped. The phrasing gives the meaning that vehicle use areas, buildings, and other such structures are not allowed, but that landscaping is not restricted here. Similar codes in places like Portland specify "landscaped OR pedestrian use"</p>

	Interior Setbacks 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).	While the property has been used as a single lot for many years, we are requesting that a replat be a condition of occupancy (as opposed to a condition of approval).
Chapter 800 – General Standards		
Special Setbacks	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.	Noted, however the only elements within the special setback are ground level concrete walks. If the ROW is expanded in the future, it simply eliminates these extensions.