



## **Adjustment Written Statement Rev 02 – 12.26.24**

2390 Commercial St SE, Salem OR 97302

Ref # 24-110382-00-PLN

### **Adjustment #1 – Building setback from Judson St**

*SRC 535.015(c) Table 535-3*

*Abutting Street → All Other Uses → Min. 5ft, Max 30ft.*

I am writing to request an adjustment to the above-mentioned standard, specifically regarding the building setback from Judson St. As outlined in SRC 535.015(c), Table 535-3, the standard stipulates a minimum setback of 5ft and a maximum of 30ft for all new buildings abutting a street. We seek permission to place the new car wash structure further than 30 ft from Judson St.

*SRC250.005(d) Criteria.*

*(2) An application for a Class 2 adjustment shall be granted if all of the following criteria are met:*

*(A) The purpose underlying the specific development standard proposed for adjustment is:*

- (i) Clearly inapplicable to the proposed development; or*
- (ii) Equally or better met by the proposed development.*

The new carwash is an addition to an existing building, and because of this it lies outside of the required setback limits, requiring this adjustment. Furthermore, the usage is allowed as a continued use in this zone, while the coffee kiosk along Commercial street better suites the intent of the zone. Because of this, we believe its better to prioritize the coffee kiosk and its pedestrian friendly design as the frontage of the lot on both Commercial and Judson.

*(B) If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.*

While adjacent to, the proposed development is not located in a residential zone, ensuring no negative impact on residential livability or appearance.

### **Adjustment #2 – Pedestrian amenity in coffee kiosk setback from Judson St**

Per table 535-3: Setbacks, under abutting street/all other uses, the limitations and qualifications state that the first 10 feet of the setback area can be used exclusively for pedestrian amenities. This area currently has a single sign and landscaping. Because the sign is not considered a “pedestrian amenity” we are requesting an adjustment to allow this limited use in the first 10- feet, with no other improvements besides some landscaping in this area.

*SRC250.005(d) Criteria.*

*(2) An application for a Class 2 adjustment shall be granted if all of the following criteria are met:*

*(A) The purpose underlying the specific development standard proposed for adjustment is:*

*(i) Clearly inapplicable to the proposed development; or*

*(ii) Equally or better met by the proposed development.*

The purpose of this section is to require development of pedestrian amenities along street facing facades. The coffee kiosk in question has its major facade towards commercial street, with the short side facing Judson. With the existing sign, landscaping, and the proposed orientation of the coffee kiosk, we believe that the proposed design adequately satisfies the nature of this code requirement.

*(B) If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.*

While adjacent to, the proposed development is not located in a residential zone, ensuring no negative impact on residential livability or appearance.