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December 26, 2024

## LAND USE APPLICATION - COMPLETENESS REVIEW

### Project Information

<b>Subject Property:</b>	2390 Commercial Street SE
<b>Reference Number:</b>	24-110382-PLN
<b>Application Type:</b>	Class 3 Site Plan Review, Class 2 Adjustment
<b>Date Application Accepted:</b>	November 22, 2024
<b>Applicant:</b>	Ron Ped <a href="mailto:rjp@rktect.com">rjp@rktect.com</a>  Trevor Bednarz <a href="mailto:trevor@rktect.com">trevor@rktect.com</a>

### Staff Contact

<b>Land Use Planner:</b>	Peter Domine, Planner II <a href="mailto:pdomine@cityofsalem.net">pdomine@cityofsalem.net</a> / 503-540-2311
<b>Infrastructure Planner:</b>	Laurel Christian, Infrastructure Planner III <a href="mailto:lchristian@cityofsalem.net">lchristian@cityofsalem.net</a> / 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>
<b>Updated Plans Addressed</b>	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.	
<b>Written Statement Addressed</b>	Please update the written statement to reflect the updated proposal, per SRC 300.210.	
<b>Neighborhood Association Contact Unresolved</b>	Please provide updated neighborhood association contact for the updated proposal, per SRC 300.100, Table 300-2.  * Previous response indicates this was submitted, but it is not in the permit folder or written statement.	Email uploaded with this response.
<b>Stormwater Management</b>	It is unclear from the submitted plans whether or not the proposal meets the definition of a large project pursuant to <a href="#">SRC 70.005</a> . The applicant shall submit a written finding regarding the definition of large project and new/replaced impervious surfaces pursuant to <a href="#">SRC 70.005</a> . If the proposal meets the definition of a large project the applicant shall provide a storm drainage system that provides treatment and flow control as required by the <a href="#">PWDS</a> .  <b>Note:</b> SRC Chapter 70 and 71 were updated recently to include new definitions of new/replaced impervious surfaces and to reduce the trigger for GSI to 5,000 sq. ft of new or replaced impervious surface. This code change became effective November 1 <sup>st</sup> . The application was accepted on November 22 <sup>nd</sup> , so the applicant shall utilize the new definitions and square footage trigger this determination.	The maximum proposed new/replaced impervious surface is roughly 3,000 sf if counting the carwash, aprons, and coffee kiosk area. This is under the 5k sf limit and is not considered a large project.

### 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>
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### Chapter 535 – MU-III

<p><b>Setbacks 535.015(c)</b></p> <p><b>Unresolved</b></p>	<p><b>Setbacks Abutting a Street</b></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"> <li>• The first 10 feet of the setback area can be used exclusively for pedestrian amenities;</li> <li>• At least 50 percent of the remaining setback area must be landscaped.</li> </ul> <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><b>* Not addressed</b></p> <p><b>Interior Setbacks</b></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><b>* Not addressed</b> Response requested a replat as a condition of occupancy as opposed to a condition of approval. This is not supported.</p>	<p>revised adjustment letter uploaded with this response.</p> <p>If a replat is not allowed as a condition of occupancy, then we will file a replat under a separate permit, so that this land use app can be completed expediently.</p>
<p><b>Chapter 800 – General Standards</b></p>		
<p><b>Special Setbacks</b></p> <p><b>Addressed</b></p>	<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>	