

NOTICE OF DECISION

PLANNING DIVISION
planning@cityofsalem.net



Si necesita ayuda para comprender esta información, por favor llame

503-588-6173

DECISION OF THE PLANNING ADMINISTRATOR

REPLAT TENTATIVE PLAN CASE NO.: REP25-06

APPLICATION NO.: 25-110648-PLN

NOTICE OF DECISION DATE: July 25, 2025

REQUEST: A Tentative Replat Plan to consolidate four existing lots into one parcel to accommodate additions to an existing drive-through car wash facility. The subject property is 0.42-acres in size, zoned MU-III (Mixed Use III) and located at 2390 Commercial Street SE (Marion County Assessor's Map and Tax Lot Number 073W34CA / 3900).

APPLICANT: Barker Surveying, on behalf of RMH Properties, LLC (Miriam and Richard Hoach)

LOCATION: 2390 Commercial St SE, Salem OR 97302

CRITERIA: Salem Revised Code (SRC) Chapter 205.025(d) – Tentative Replat

FINDINGS: The findings are in the attached Decision dated July 25, 2025.

DECISION: The **Planning Administrator APPROVED** Replat Tentative Plan Case No. REP25-06 subject to the following conditions of approval:

The rights granted by the attached decision must be exercised, or an extension granted, by August 12, 2027, or this approval shall be null and void.

Application Deemed Complete:	<u>July 7, 2025</u>
Notice of Decision Mailing Date:	<u>July 25, 2025</u>
Decision Effective Date:	<u>August 12, 2025</u>
State Mandate Date:	<u>November 4, 2025</u>

Case Manager: Peter Domine, pdomine@cityofsalem.net, (503) 540-2311

This decision is final unless written appeal and associated fee (if applicable) from an aggrieved party is filed with the City of Salem Planning Division, in person at 440 Church St SE, Salem OR 97312, by mail P.O. Box 14300 Salem, OR 97309, or by email at planning@cityofsalem.net, no later than 5:00 p.m., Monday, August 11, 2025. The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapter 205. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Planning Commission will review the appeal at a public hearing. After the hearing, the Planning Commission may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

The complete case file, including findings, conclusions and conditions of approval, if any, is available for review by contacting the case manager, or at the Planning Desk in the Permit Application Center, 440 Church St SE, Salem, during regular business hours.

<http://www.cityofsalem.net/planning>

BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM

DECISION

IN THE MATTER OF APPROVAL OF) FINDINGS AND ORDER
CASE NO. REP25-06)
2390 COMMERCIAL STREET SE) JULY 25, 2025

In the matter of the application for a Replat Tentative Plan submitted by the applicant, RMH Properties, LLC, represented by Barker Surveying, the Planning Administrator, having received and reviewed evidence and the application materials, makes the following findings and adopts the following order as set forth herein.

REQUEST

Summary: A replat to consolidate four lots into one property.

Request: A Tentative Replat Plan to consolidate four existing lots into one parcel to accommodate additions to an existing drive-through car wash facility. The subject property is 0.42-acres in size, zoned MU-III (Mixed Use III) and located at 2390 Commercial Street SE (Marion County Assessors Map and Tax Lot Number 073W34CA / 3900).

A vicinity map illustrating the location of the property is attached hereto and made a part of this staff report (**Attachment A**).

PROCEDURAL FINDINGS

1. Background

On May 27, 2025, a consolidated application for a Tentative Replat was submitted for the proposed development. After additional information was requested and provided, on July 7, 2025, the application was deemed complete for processing. The 120-day state mandated decision deadline for this consolidated application is November 4, 2025.

The applicant's proposed replat plan is included as **Attachment B**. The applicant's written statement addressing the approval criteria can be found online, as indicated below.

SUBSTANTIVE FINDINGS

2. Summary of Record

The following items are submitted to the record and are available: 1) all materials and testimony submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, stormwater reports, and; 2) materials, testimony, and comments from public agencies, City Departments, neighborhood associations, and the public. All application materials are available on the City's online Permit Application Center at <https://permits.cityofsalem.net>. You may use the search function without registering and enter the permit number listed here: 25 110648.

3. Neighborhood and Public Comments

The subject property is located within the boundaries of the South Central Association of Neighbors (SCAN) and adjacent to the Southwest Association of Neighbors (SWAN).

Applicant Neighborhood Association Contact: SRC 300.310 requires an applicant to contact the neighborhood association(s) whose boundaries include, and are adjacent to, property subject to specific land use application requests. Pursuant to SRC 300.310(b)(1), this land use application request does not require neighborhood association contact.

Neighborhood Association Comment: Notice of the application was provided to the Neighborhood Association pursuant to SRC 300.620(b)(2)(B)(v), which requires notice to be sent to any City-recognized neighborhood association whose boundaries include, or are adjacent to, the subject property. As of the date of this decision, no comments were received from the neighborhood association.

Public Comments: Notice was also provided, pursuant to SRC 300.620(b)(2)(B)(iii), (vi), & (vii), to all property owners and tenants within 250 feet of the subject property. As of the date of this decision, no comments were received during the comment period.

4. City Department and Public Agency Comments

Development Services: Reviewed the proposal and provided findings which are incorporated into this decision.

Building and Safety: Review the proposal and indicated no concerns.

Fire Department: Reviewed the proposal and indicated no concerns.

5. Public Agency Comments

Notice to public agencies was sent on July 7, 2025, and no comments were received.

DECISION CRITERIA FINDINGS

6. Criteria for Granting a Tentative Replat

Pursuant to SRC 205.025(a), a replat is required to reconfigure lots or parcels and public easements in a recorded partition or subdivision plat, to increase or decrease the number of lots in a subdivision, or where multiple property line adjustments require a replat.

SRC 205.025(d) establishes the approval criteria which must be met in order for a replat to be approved. The following subsections are organized with approval criteria shown in ***bold italic***, followed by findings of fact evaluating the proposal for conformance with the criteria. Lack of compliance with the following approval criteria is grounds for denial of the tentative plan or for the issuance of conditions of approval to satisfy the criteria.

SRC 205.025(d)(1): The tentative replat does not propose to vacate any public street or road, or any recorded covenants or restrictions.

Finding: The purpose of the proposed replat is to consolidate four existing units of land, consisting of Lots 7 through 10 of Block 3 of the Walnut Grove Addition into one parcel, in order to accommodate future development. The replat does not propose to vacate any of the public streets that abut the property or any recorded covenants or restrictions. This criterion is met.

SRC 205.025(d)(2): The tentative replat will not create non-conforming units of land or non-conforming development, or increase the degree of non-conformity in existing units of land or development.

Finding: The proposed parcel is located within the MU-III (Mixed Use III) zone and are required to meet the standards of that zone. Per SRC 535.015(a). The lot standards of the zone are as follows:

TABLE 554-2. LOT STANDARDS		
Requirement	Standard	Limitations & Qualifications
Lot Area		
All uses	None	
Lot Width		
All uses	None	
Lot Depth		
All uses	None	
Street Frontage		
All other uses other than single-family	Min. 16 ft	

As shown on the replat tentative plan (**Attachment B**), the proposed parcel will be approximately 18.195 square feet in size with more than 16 feet of street frontage along Commercial Street SE and Judson Street SE. The proposed replat will not result in either the creation of non-conforming units of land or non-conforming development and will not increase the degree of non-conformity in existing units of land or development. This approval criterion is met.

SRC 205.025(d)(3): The tentative replat complies with the standards of this Chapter and with all applicable provisions of the UDC.

Finding: As proposed and conditioned, the proposed replat meets all applicable provisions of the UDC as outlined below.

SRC Chapter 200 – Urban Growth Management

SRC Chapter 200 (Urban Growth Management) requires issuance of an Urban Growth Preliminary Declaration (UGA) prior to development of property located outside the City's Urban Service Area.

Finding: The subject property is located inside the Urban Service Area and adequate facilities are available. No Urban Growth Area permit is required.

SRC Chapter 601 – Floodplain

Development in the floodplain shall be regulated to preserve and maintain the capability to the floodplain to convey the flood water discharges and to minimize danger to life and property.

Finding: The Floodplain Administrator has reviewed the Flood Insurance Study and Flood Insurance Rate Maps and has determined that no floodplain or floodway areas exist on the subject property.

SRC Chapter 802 – Public Improvements

SRC 802.015 requires development to be served by City utilities designed and constructed according to all applicable provisions of the Salem Revised Code and Public Works Design Standards (PWDS).

The existing conditions of public infrastructure available to serve the subject property are described in the following table:

Utilities	
Type	Existing Conditions
Water	Water Service Level: S-1
	A 12-inch water main is located in Commercial Street SE.
	A 10-inch water main is located in West Nob Hill Street SE.
Sanitary Sewer	A 10-inch sanitary sewer main is located in Judson Street SE.
	An 8-inch sanitary sewer main is located in West Nob Hill Street SE.
Storm Drainage	A 24-inch storm main is located in Commercial Street SE.
	An 8-inch storm main is located in Judson Street SE.

Finding: Development Services has reviewed the proposal for compliance with the City's public facility plans pertaining to the provision of water, sewer, and storm drainage facilities and determined that such facilities are available and appear to be adequate to serve the subject property in conformance with the requirements of SRC Chapter 802 (Public Improvements).

SRC Chapter 803 – Street and Right-of-way Improvements

The existing conditions of streets abutting the subject property are described in the following table:

Streets			
Street Name		Right-of-way Width	Improvement Width
Commercial St SE (Major Arterial)	Standard:	96-feet	68-feet
	Existing Condition:	85-feet	72-feet
	Special Setback:	48-feet from Centerline	
Judson St SE (Local)	Standard:	60-feet	30-feet
	Existing Condition:	50-feet	34-feet
	Special Setback:	30-feet from Centerline	
West Nob Hill St SE (Local)	Standard:	60-feet	30-feet
	Existing Condition:	40-feet	24-feet
	Special Setback:	30-feet from Centerline	

Finding: Pursuant to SRC Chapter 803.040, replat applications do not trigger boundary street improvements or right-of-way dedications. Development Services has reviewed the proposal for compliance with the City's public facility plans pertaining to the provision of streets and determined that such facilities are available and appear to be adequate to serve the subject property in conformance with SRC Chapter 803 (Streets and Right-of-Way Improvements).

SRC Chapter 809 – Wetlands

Grading and construction activities within wetlands are regulated by the Oregon Department of State Lands (DSL) and US Army Corps of Engineers. State and Federal wetlands laws are also administered by the DSL and Army Corps, and potential impacts to jurisdictional wetlands are addressed through application and enforcement of appropriate mitigation measures. SRC Chapter 809 establishes requirements for notification of DSL when an application for development is received in an area designated as a wetland on the official wetlands map.

Finding: According to the Salem-Keizer Local Wetland Inventory (LWI) the subject property does not contain any wetland areas or hydric soils.

SRC Chapter 810 – Landslide Hazards

The City's landslide hazard ordinance (SRC Chapter 810) establishes standards and requirements for the development of land within areas of identified landslide hazard susceptibility.

Finding: According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are no mapped landslide hazard areas on the subject property. Pursuant to the City's landslide hazard ordinance (SRC Chapter 810), a geologic assessment is therefore not required in conjunction with this the replat application.

SRC 205.025(d)(4): The tentative replat complies with all applicable provisions of ORS Chapter 92.

Finding: The applicant shall provide the required field survey and subdivision replat as per Statute and Code requirements outlined in the *Oregon Revised Statutes* (ORS) and the SRC. If said documents do not comply with the requirements outlined in ORS and SRC, and pursuant to SRC 205.035, the approval of the replat plat by the City Surveyor may be delayed or denied based on the non-compliant violation. The City Surveyor will confirm ORS 92 compliance as part of the final plat mylar review.

SRC 205.025(d)(5): The tentative replat is not prohibited by any existing City land use approval or previous condition of approval, affecting one or both of the units of land.

Finding: The proposed replat is necessary to accommodate a new building for a drive-through coffee kiosk and building additions to the existing car wash, as approved under land use Case SPR-ADJ25-02. The replat was a condition of approval for that proposed development. There are no other past land use decisions, or conditions of approval associated with any past land use decisions, affecting the subject property that prohibit the proposed replat. This approval criterion is met.

SRC 205.025(d)(6): The tentative replat does not adversely affect the availability of, or access to, City infrastructure or public or private utilities or streets.

Finding: Development Services has reviewed the applicant's preliminary plan for this site. The water, sewer, and storm infrastructure are existing, and appear to be adequate to serve the proposed replat. Public streets abutting the subject property are available to provide adequate street access to the replat application. This criterion is met.

8. Conclusion

Based upon review of SRC Chapters 205, the applicable standards of the Salem Revised Code, the findings contained herein, and due consideration of comments received, the application complies with the requirements for an affirmative decision.

IT IS HEREBY ORDERED

Final approval of Replate Tentative Plan Case No. REP25-06 is hereby **APPROVED** subject to SRC Chapters 205 and the applicable standards of the Salem Revised Code and conformance with the approved site plan included as **Attachment B**.



Peter Domine, Planner II



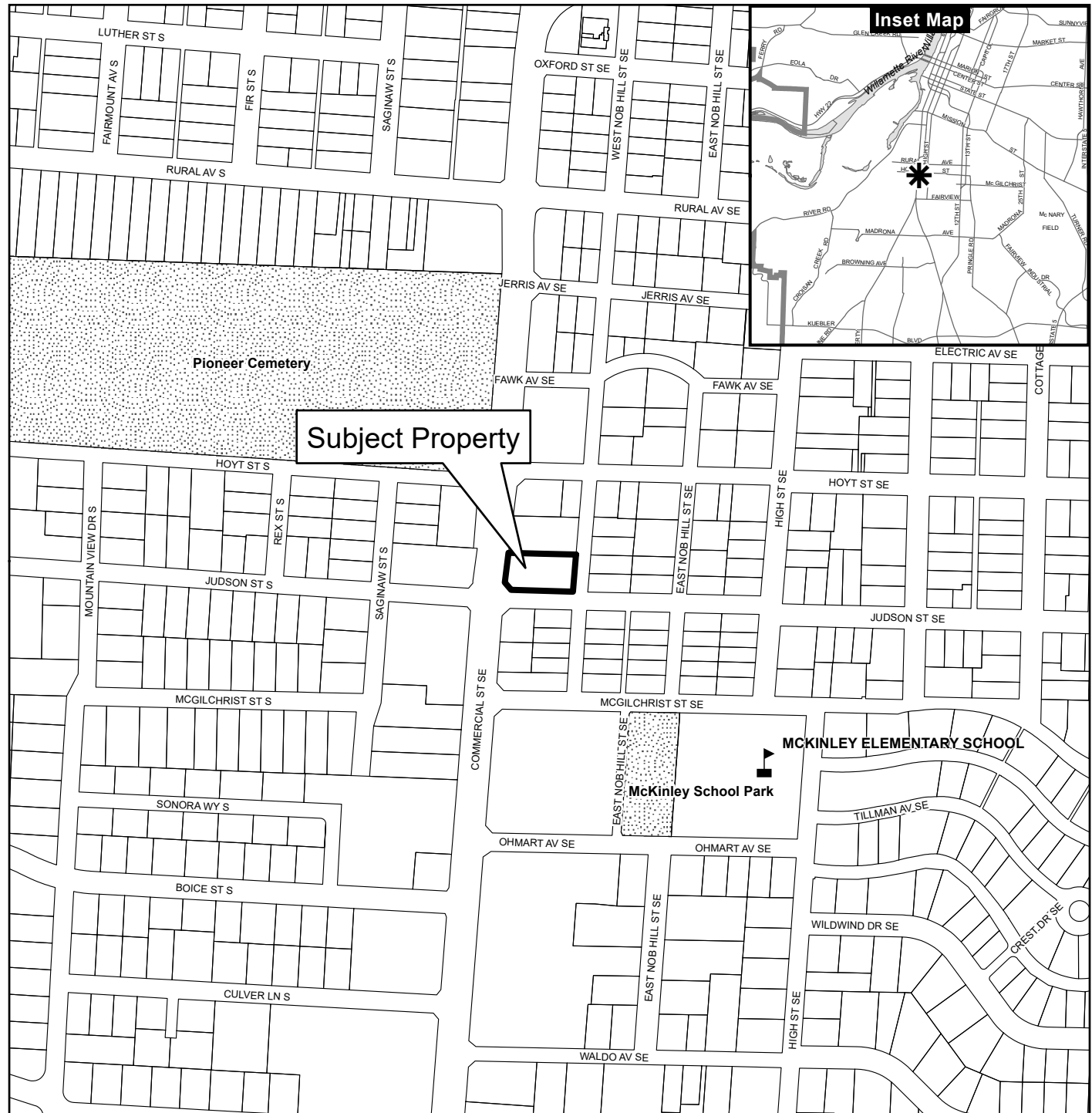
Laurel Christian, Infrastructure Planner III

On behalf of Lisa Anderson-Ogilvie, AICP
Planning Administrator








Attachments: A. Vicinity Map
 B. Tentative Replat Plan

Vicinity Map

2390 Commercial Street SE



Legend

-  Taxlots
-  Urban Growth Boundary
-  City Limits
-  Outside Salem City Limits
-  Historic District
-  Schools
-  Parks

0 100 200 400 Feet

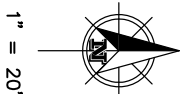
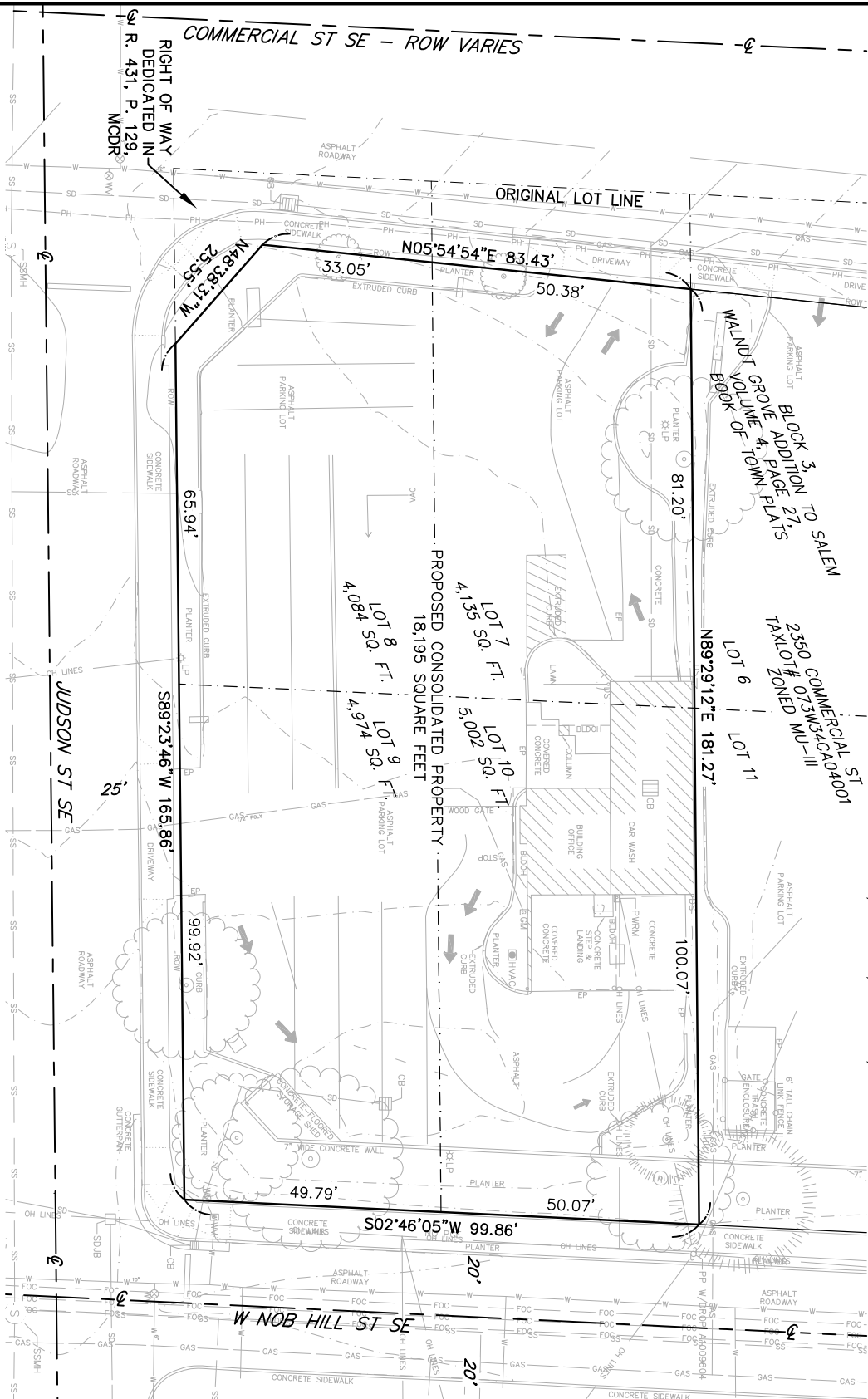


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Community Planning and Development

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PROPOSED REPLAT

A PROPOSED CONSOLIDATION OF LOTS 7, 8, 9, AND 10 OF THE WALNUT GROVE ADDITION TO THE CITY OF SALEM
LOCATED IN SW 1/4 SECTION 34, T. 7 S., R. 3 W., W.M.



1" = 20'

LOCATION:
2390 COMMERCIAL ST SE
TAXLOT 073W34CA03900

DEED:
INSTRUMENT NO. 2023-6232

FLOOD:
PROPERTY IS OUTSIDE
500-YEAR FLOODPLAIN PER
FIRM 41047C0341H
PUBLISHED 1/2/2003

ZONING:
MU-III (MIXED USE)

SURVEYOR:
Brad R Harris, PLS
BARKER SURVEYING
3657 KASHMIR WAY S.E.
SALEM, OR 97317
(503) 588-8800 EXT. 6
BRAD@BARKERWILLSON.COM



BARKER
SURVEYING