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February 7, 2024

LAND USE APPLICATION COMPLETENESS REVIEW

Subject Property: 1441 45th Ave NE

Ref#: 24-101905-PLN

Applicant: Nature's Kick Corporation (Glenn and Jennie Peters),
ga.honeystix@gmail.com

Contact: Lindsey King (Brand Land Use)
lindsey@brandlanduse.com
Britany Randall (Brand Land Use)
britany@brandlanduse.com

The Class 3 Site Plan Review and Class 2 Adjustments application were officially received on January 19, 2024. Prior to deeming your applications complete, modifications and/or additional information must be provided to address the following item(s):

Item:	
<u>Submittal Requirements</u>	
Site Plan	Please submit a revised site plan indicating the following: <ul style="list-style-type: none">• Loading areas, if included with proposed development• Identification of vehicle, pedestrian, and bicycle parking and circulation areas, including handicap spaces. Specifically, please indicate the location of any existing and proposed bicycle and off-street parking spaces.• Indicate on the site plan the use of each building on the site.
Preliminary Grading Plan	A preliminary utility plan shall be submitted depicting proposed site conditions following completion of the proposed development, when grading of the subject property will be necessary to accommodate the proposed development.
The following additional items are not "completeness" items but are advisories, which could result in conditions of approval or denial of applications.	

Chapter 250 - Adjustments	
Adjustment Findings -	<p>The application indicated that the proposed development seeks two adjustments to reduce the zone to zone setback along the eastern property line from 30 to 11.5 feet and eliminate the landscaping required within the 30-foot setback.</p> <p>On review of the adjustment requests for the reduction of the setback and elimination of the required setback landscaping, it has been determined that the request cannot be supported as proposed. The proposal should clearly show an effort to equally or better meet the standard with specific improvements on the property within the affected area. Identifying that the adjacent properties have existing structures setback from the property line and is not equally or better meeting the standard.</p> <p>Furthermore, stating that the exterior operations will be mitigated by enclosing operations within a structure is not a reasonable justification as the Minor Comprehensive Plan Map Amendment, Neighborhood Plan Map Amendment, and Zone Change from RA to IC (CPC-NPC-ZC19-09) conditioned that any storage of material or equipment shall not be allowed within required setbacks for this property.</p>
Chapter 800 – General Standards	
Pedestrian Access Standards	<p>Pursuant to SRC 800.065, pedestrian connections are required for the development site. A pedestrian connection meeting the design standards of SRC 800.065 (b) is required between each building and any abutting street. In this case, a pedestrian connection is required to be provided connecting the existing and proposed buildings to each other and to 45th Ave NE.</p>
Chapter 806 – Off-Street Parking	
Bicycle Parking	<p>The written statement identifies that four bicycle spaces shall be installed on the site to meet the minimum four bicycle parking spaces for a General Manufacturing use. Please indicate on the site plan the location of the proposed off-street parking spaces with the spaces meeting the development standards of SRC 806.060.</p>
Loading Zones	<p>Per SRC 806.070, a minimum of one loading space is required for a manufacturing use with a total floor area between 5,000 and 100,000 square feet. Please update the site plan to show the location of a</p>



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	loading space meeting the minimum dimensions of SRC 806.070 and development standards of SRC 806.080
Miscellaneous	
<u>Historic and Cultural Resources Protection Zone</u>	<p>The subject property is within the Historic and Cultural Resources Protection Zone. If it has not been done already, please be sure to contact the Historic Preservation Program Manager, Kimberli Fitzgerald, at kfitzerald@cityofsalem.net or at, to discuss applicable regulatory requirements.</p> <p>The City of Salem Historic and Cultural Resources Protection Zone Lookup map at https://www.cityofsalem.net/Pages/protecting-salem-historic-and-cultural-resources.aspx indicates that the site is within the Historic and Cultural Resources Protection Zone.</p>
Development Services Comments	
Please see <u>Development Services completeness review comments below</u> . For questions on the Public Works items listed, the applicant may contact Shelby Guizar in Development Services at 503-588-6211 ext. 7349 or by email at SGuizar@cityofsalem.net	
<u>Submittal Requirements</u> - The following items have been identified as required material to be provided by the applicant prior to accepting the application as "Complete":	
Utility Plan	The application shall include a preliminary utility plan pursuant to SRC 220.005(e)(2)(F).
Easements	<p>The submitted site plan does not include existing easements. The applicant shall include all easements located on the site pursuant to SRC 220.005(e)(2)(C).</p> <ul style="list-style-type: none"> • Storm and Drainage easement along West Fork Little Pudding River. • Sewer easement along the western property line.
Existing Conditions Plan	<p>The existing conditions plan does not appear to match current conditions. Based on current aerial imagery, there was pavement added to the site between 2022-2023 which appears to have been placed without permits in a City easement for drainage. The existing conditions plan should also show existing easements.</p> <p>Development Services recommends adding this pavement area to the current Site Plan Review approval to memorialize allowance of the encroachment into the city-easement.</p>
Stormwater Management	When considering the unpermitted asphalt pavement and new structures, it is unclear from the submitted plans whether or not the proposal meets the definition of a large project pursuant to SRC 70.005. The applicant shall submit a written finding regarding the definition of large project and new/replaced impervious surfaces



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	pursuant to SRC 70.005. 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 2014 PWDS.
Items of Concern - The following items are not listed in SRC as specific requirements for a complete application; however, the applicant should be aware that the following have been identified as items that will be considered by the Public Works Department while recommending conditions for the proposed development:	
Wetlands and Hydric Soils	<p>There are Salem-Keizer Local Wetland Inventory linear channel wetlands and hydric soils mapped on the subject property. The applicant shall contact the Oregon Department of State Lands to verify if any permits are required for future development. The applicant is required to verify mapped wetland area(s). Once the application is deemed complete, Public Works will send Wetlands Notice to the Department of State Lands, as required by SRC 809.025.</p> <p>It should be noted that the additional pavement area added to the site is directly adjacent to the top of bank of the West Fork Little Pudding River. As such, retroactive permits with the Oregon Department of State Lands may be required.</p>

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 (July 17, 2024) from the date the application was first submitted (January 19, 2024) to respond in one of the three ways listed above, or the application will be deemed void.

For questions regarding the above requirements, feel free to contact me directly by calling (503) 540-2347 or via email at jrbrown@cityofsalem.net.

The Salem Revised Code may be accessed online at the following location:
<https://www.cityofsalem.net/Pages/salem-revised-code.aspx>

Sincerely,



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A handwritten signature in blue ink that reads "Jacob Brown". The signature is written in a cursive, flowing style.

Jacob Brown, Planner I

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