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February 29, 2024

Julie Morrow 1300 S Meridian Ave Suite 400 Oklahoma City, OK 73108

RE: Land Use Verification Letter, 24-104307-PLN, for 2560 Boone Road SE– 97306 (Marion County Tax Assessor's Map and Tax Lot Number: 083W11D002600)

<u>Comprehensive Plan Designation and Zoning</u>: The property is designated "Commercial" on the Salem Area Comprehensive Plan map and zoned between CR (Retail Commercial). The use and development standards of the CR zone are found in Salem Revised Code (SRC) <u>522</u>.

Overlay Zone: The property is not located in an Overlay Zone.

<u>Land Use</u>: The property is developed and used as an restaurant, which is classified as *Eating and Drinking Establishment* use, per SRC 400.045.

Adjacent properties zoning designation:

North: Across Kuebler BV SE, MU-I (Mixed Use I) and RM2 (Multifamily Residential)

East: CR (Retail Commercial)

South: CR (Retail Commercial) and CO (Commercial Office)

West: CR (Retail Commercial)

<u>Land Use History</u>:

CPC/ZC94-07– A Comprehensive Plan Amendment and Zone Change to change the Comprehensive Plan Designation from "Developing Residential" to Commercial and change the zoning from Marion County UT-10 (Urban Transition-10 acres) to CO (Commercial Office).

UGA01-11— A Preliminary Declaration for Urban Growth Area Development Permit to determine the public facilities required by the Urban Growth Management Program to develop the property which laid outside of the Urban Service Area (USA).

ZC09-03 – To change the zoning district from CO (Commercial Office) and RA (Residential Agriculture) to CR (Commercial Retail) and CO (Commercial Office) for property approximately 9.96 acres in size and located on the east side of Battle Creek

Road SE between Kuebler Boulevard SE and Boone Road SE (Marion County Assessor's map and tax lot number 083W11D 00600 and 083W12C 00702).

See <u>HERE</u> for a link to the decision and application materials.

PLA12-03– A property line adjustment to relocate the common property line between two properties equal to a combined size of approximately 7.5 acres that will result in properties that are approximately 5.0 acres and 2.5 acres, on property zoned CO (Commercial Office) and CR (Retail Commercial), and located in the 2500 block of Boone Road SE 97306 (Marion County Assessor Map and Tax Lot Number 083W11D 00600 and 083W12C 00702).

See <u>HERE</u> for a link to the decision and application materials.

PLA12-04— A property line adjustment to relocate the common property line between two properties equal to a combined size of approximately 7.5 acres that will result in properties that are approximately 2.6 acres and 4.9 acres, on property zoned CO (Commercial Office) and CR (Retail Commercial), and located in the 2500 block of Boone Road SE 97306 (Marion County Assessor Map and Tax Lot Number 083W11D 00600 and 083W12C 00702).

See <u>HERE</u> for a link to the decision and application materials.

TRP12-02– A request to remove 15 percent of existing trees prior to development on contiguous parcels approximately 1,236,114 square feet (28 acres) in area, pursuant to Salem Revised Code 68.070 and 68.090, on property zoned CR (Retail Commercial), and located at 2541 Boone Road SE 97306 (Marion County Assessor Map and Tax Lot Numbers 083W12C / 00702, 01800, 01900, 02000, and 02100 and 083W11D / 00600).

See <u>HERE</u> for a link to the decision and application materials.

SPR-UGA12-11– Consolidated UGA Permit to determine the required public facilities for office and retail development and Type II Site Plan Review to develop a 15,000 square foot medical office building and 23,100 square foot medical office building on properties approximately 7.5 acres in size that lie outside the Urban Service Area (USA), are zoned CO (Commercial Office) and CR (Retail Commercial), and are located in the 2500 Block of Boone Road SE 97306 (Marion County Assessor Map and Tax Lot 083W11D 00600 and 083W12C 00702). The Type II Site Plan Review also includes construction of an accessway on an abutting property approximately 7.5 acres in size, zoned CR (Retail Commercial), and located at 2541 Boone Road SE 97306 (Marion County Assessor Map and Tax Lot 083W12C 01900).

See <u>HERE</u> for a link to the decision and application materials.

SUB14-01– A subdivision to divide 7.32 acres into 6 lots ranging in size from approximately 0.795 acres (34,630 square feet) to approximately 2.35 acres (102,192 square feet), with a Class 2 Adjustment to:

1) Allow the number of flag lots within the subdivision to exceed 15 percent;

- 2) Allow more than 4 lots to be served by a flag lot accessway; and
- 3) Allow the length of the flag lot accessway to exceed 400 ft. The property is zoned CO (Commercial Office) and CR (Commercial Retail) and is located at 2521 and 2531 Boone Road SE (Marion County Assessor's Map and Tax Lot Numbers: 083W11D/600 and 083W12C/702).

See <u>HERE</u> for a link to the decision and application materials.

AVAR22-05– An Airport Overlay Zone Height Variance to allow a flagpole within the Kuebler Gateway shopping center to be constructed to a maximum of 404 feet above mean sea level, exceeding the building height limit in the horizontal surface area of the Airport Overlay Zone by approximately 41 feet. The subject properties are approximately 2.84 acres in size, zoned CR (Retail Commercial), and located at 2520 Kuebler Boulevard SE 97306 (Marion County Assessors Map and Tax Lot numbers: 083W11D / 2400 and 2500). See <u>HERE</u> for a link to the decision and application materials.

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SUB14-01– A subdivision to divide 7.32 acres into 6 lots ranging in size from approximately 0.795 acres (34,630 square feet) to approximately 2.35 acres (102,192 square feet), with a Class 2 Adjustment to:

- 1) Allow the number of flag lots within the subdivision to exceed 15 percent;
- 2) Allow more than 4 lots to be served by a flag lot accessway; and
- 3) Allow the length of the flag lot accessway to exceed 400 ft. The property is zoned CO (Commercial Office) and CR (Commercial Retail) and is located at 2521 and 2531 Boone Road SE (Marion County Assessor's Map and Tax Lot Numbers: 083W11D/600 and 083W12C/702).

See HERE for a link to the decision and application materials.

SPR-DAP18-15– A Class 3 Site Plan Review for construction of a new retail shopping center, including four proposed retail shell buildings, a 168,550 square foot building for Costco Wholesale, and a retail fueling station with up to 30 pump positions, and a Class 2 Driveway Approach permit for proposed driveway access to Boone Road SE and 27th Avenue SE, for property approximately 20.6 acres in size, zoned CR (Retail Commercial), and located in the 2500-2600 Block of Boone Road SE - 97306 (Marion County Assessors Map and Tax Lot numbers: 083W12C / 01800, 01900, 02000, and 02100, also 083W11D / 02400, 02500, 02600, and 02700).

See <u>HERE</u> for a link to the decision and application materials.

Code Violations:

There are no known outstanding code violations on record for this property.

Conclusion:

This information is based on our review of zoning regulations and land use case history. No site visit was conducted as part of this confirmation. The above information is current, but zoning regulations change over time; these changes may affect the use and/or development of the property.

You may access the Salem Revised Code on the internet at: https://www.cityofsalem.net/government/laws-rules/salem-revised-code

Please contact me at 503-540-2347 or <u>JRBrown@cityofsalem.net</u> if you have additional questions.

Sincerely,

Jacob Brown Planner I

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