



Planning Division * 503-588-6173
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Class 2 Site Plan Review
Case No. 17-119894-RP

December 8, 2017

Subject Property: 2979 Market Street NE

Applicant: Daniel R Fiden
BP West Coast Products LLC
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Chicago IL 60606
Daniel.fiden@bp.com

Agent: Joshua Harlan
Barghausen Consulting Engineers Inc
18215 72nd Avenue South
Kent WA 98032
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Zone: CR (Retail Commercial)
Comp. Plan: COM (Commercial)
Overlay: None

REQUEST

Class 2 Site Plan Review for reconfiguration of existing parking lot striping and pedestrian walkways on a 1.12-acre property zoned CR (Retail Commercial) and located at 2979 Market Street NE (Marion County Assessor Map and Tax Lot 073W24AC01600). A site plan is included as Attachment A.

FINDINGS

The purpose of Site Plan Review is to provide a unified, consistent, and efficient means to review for development activity that requires a building permit, to ensure that such development meets all applicable standards of the UDC, including, but not limited to, standards related to access, pedestrian connectivity, setbacks, parking areas, external refuse storage areas, open areas, landscaping, and transportation and utility infrastructure.

Pursuant to SRC 220.005(b)(2), Class 2 Site Plan Review is required for any development that requires a building permit, other than development subject to Class 1

Site Plan Review, and that does not involve a land use decision or limited land use decision, as those terms are defined in ORS 197.015.

1. Class 2 Site Plan Review Approval Criteria

SRC 220.005(f)(2) provides that an application for Class 2 Site Plan Review shall be granted if:

- a) Only clear and objective standards which do not require the exercise of discretion or legal judgment are applicable to the application.

Finding: Only clear and objective standards apply to the proposed development.

- b) The application meets all the applicable standards of the UDC.

Finding: The following is a summary of the applicable development standards of the UDC.

Land Use

The subject property is zoned CR (Retail Commercial). Development of the property is subject to the use and development standards of the CR zone (SRC Chapter 522). The proposed development includes restriping a parking lot and providing accessibility improvements including pedestrian walkways for an existing gasoline service station, which is classified as Motor Vehicle Services and permitted in the CR zone per SRC Chapter 522, Table 522-1.

CR Zone Development Standards

- a. Lot Standards (SRC 522.010(a)):
There is no minimum lot area, lot width, or lot depth. The minimum street frontage requirement is 16 feet.

Finding: The property has street frontage of more than 200 feet on Childs Avenue NE, 270 feet on Market Street NE, and 130 feet on Commercial Street SE. The lot meets applicable lot standards.

- b. Setbacks (SRC 522.010(b)):
Setbacks within the CR zone shall be provided as set forth in Tables 522-3 and 522-4.

Abutting Street

West: The subject property is adjacent to Childs Avenue NE. There is a minimum 5 foot building setback adjacent to a street. Vehicle use areas are required to be set back a minimum of 6-10 feet.

Finding: The building footprint is not changing. The existing parking lot is approximately 6 feet from the property line at its closest point, which is legally nonconforming with respect to the required setback of 6 to 10 feet. The parking lot pavement in that area is not being removed and replaced or expanded. The proposal meets applicable standards.

East: The subject property is adjacent to Lansing Avenue NE. There is a minimum 5 foot building setback adjacent to a street. Vehicle use areas are required to be set back a minimum of 6-10 feet.

Finding: The building footprint is not changing. The existing parking lot is approximately 10 feet from the property line at its closest point, which is conforming with respect to the required setback of 6 to 10 feet. The pavement in that area is not being removed and replaced or expanded. The proposal meets applicable standards.

South: The subject property is adjacent to Market Street NE. There is a minimum 5 foot building setback adjacent to a street. Vehicle use areas are required to be set back a minimum of 6-10 feet.

Finding: The building footprint is not changing. The existing parking lot is approximately 7 feet from the property line at its closest point, which is legally nonconforming with respect to the required setback of 6 to 10 feet. The pavement in that area is not being removed and replaced or expanded. The proposal meets applicable standards.

Interior Side and Rear

North: The subject property is adjacent to a CO zone and RM2 zone. There is no building setback and there is a minimum 5-foot vehicle use area setback abutting a CO zone. There is a minimum building setback and vehicle use area setback of 15 feet abutting the RM2 zone.

Finding: The building footprint is approximately 19 feet from the RM2 zone and 70 feet from the CO zone is not changing. The existing parking lot is approximately 18 feet from the RM2 zone and 5 feet from the CO zone. The parking lot pavement is not being removed and replaced or expanded. The proposal meets applicable standards.

- c. Lot Coverage, Height (SRC 522.010(c)):
In the CR zone there is no maximum lot coverage. The maximum height for all uses is 50 feet.

Finding: The proposed parking lot restriping and accessibility improvements do not affect lot coverage, and there are no new structures proposed.

- d. Landscaping (SRC 522.010(d)):

- 1) Setbacks. Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC Chapter 807.
- 2) Vehicle Use Areas. Vehicle use areas shall be landscaped as provided under SRC Chapter 806 and SRC Chapter 807.
- 3) Development Site. A minimum of 15 percent of the development site shall be landscaped. Landscaping shall meet the Type A standard set forth in SRC Chapter 807. Other required landscaping under the UDC, such as landscaping required for setbacks or vehicle use areas, may count towards meeting this requirement.

Finding: The proposal meets the requirements for landscaping as described below.

(1) The building footprint is not changing. The existing building is located more than 5 feet from both streets, and landscaped setbacks are provided. The setbacks to parking and vehicle use areas are conforming or legally nonconforming and are not being reduced.

(2) The setbacks to parking and vehicle use areas abutting the streets and the interior property lines are conforming in most areas and legally nonconforming in some areas. The proposed parking lot restriping and accessibility improvements will be within the existing paved area and will not reduce the existing landscaped setbacks. Interior parking lot landscaping is conforming and is not being reduced.

(2) The proposed parking lot restriping and accessibility improvements will be within the existing paved area and will not reduce the existing landscaping, except for a small area in the west setback that will be paved as a sidewalk. Sidewalks are allowed in landscaped areas. The existing landscaped area is approximately 9,500 square feet, exceeding the minimum of 7,300 square feet required to meet the 15% standard for the development site and is not being reduced.

Off-Street Parking, Loading, and Driveways SRC 806

SRC 806.005 - Off-Street Parking; When Required.

Off-street parking shall be provided and maintained for any intensification, expansion, or enlargement of a use or activity.

SRC 806.010 - Proximity of Off-Street Parking to Use or Activity Served.

Required off-street parking shall be located on the same development site as the use or activity it serves or within commercial, mixed-use, public and industrial and employment zones, other than the CB and SWMU zones, required off street parking may be located within 500 feet of the development site containing use or activity it serves.

SRC 806.015 - Amount of Off-Street Parking.

- a) *Minimum Required Off-Street Parking.* The minimum number of off-street parking spaces required for a gasoline service station use per Table 806-1 is 1 space per 900 square feet.
- b) *Compact Parking.* Up to 75 percent of the minimum off-street parking spaces required under this Chapter may be compact parking spaces.
- c) *Carpool and Vanpool Parking.* New developments with 60 or more required off-street parking spaces shall designate a minimum of 5 percent of their total off-street parking spaces for carpool or vanpool parking.
- d) *Maximum Off-Street Parking.* Unless otherwise provided under the UDC, off-street parking shall not exceed the amounts set forth in Table 806-2.

Finding: The proposal will not intensify, expand or enlarge the existing use. No additional off-street parking spaces are required for the proposed development. The gasoline service station building is approximately 2,800 square feet, requiring 3 parking spaces. The site plan indicates 15 spaces, which exceeds the maximum of 8 spaces that would be allowed under the current requirements ($3 \times 2.5 = 8$). The excess spaces are legally nonconforming and may remain. The proposed number of spaces is adequate. Up to 2 of the 3 required spaces may be designated as compact spaces. The site plan indicates 14 standard spaces and one ADA space.

SRC 806.035 - Off-Street Parking Area Development Standards.

The off-street parking and vehicle use area development standards of SRC 806.035 for uses or activities other than single family and two family are applicable to (1) development of new off-street parking and vehicle use areas; (2) expansion of existing off-street parking and vehicle use areas, where additional paved surface is added; (3) alteration of existing off-street parking and vehicle use areas, where the existing paved surface is replaced with a new paved surface; and (4) paving of an un-paved area.

Finding: The development standards of SRC 806.035 (perimeter setbacks and landscaping, 5-foot setbacks adjacent to buildings and structures, interior landscaping, grade, surfacing, drainage, bumper guards or wheel barriers, striping, marking and signage, lighting, and screening) are not applicable to the proposed restriping of the existing parking and vehicle use area within the existing paved area. The proposed spaces appear to meet the required dimensions for 90-degree ADA-accessible and standard spaces: minimum dimensions of 9 feet in width and 19 feet in length and minimum two-way drive aisle width of 24 feet for standard spaces. The minimum dimensions for compact spaces are 8 feet in width and 15 feet in length with a minimum two-way drive aisle width of 22 feet for compact spaces. The proposal meets applicable standards.

SRC 806.040 - Driveway Development Standards.

The driveway development standards of SRC 806.040 apply for uses or activities other than single family or two family. SRC 806.040(a) requires that off-street parking and vehicle use areas shall have either separate driveways for ingress and egress, a single driveway for ingress and egress with an adequate turnaround that is always available, or a loop to the single point of access, and that the driveway approaches to the driveways shall conform to SRC Chapter 804. SRC 806.040(b) states that driveways shall not be located within required setbacks except where the driveway provides direct access to the street, alley, or abutting property or the driveway is a shared driveway located over the common lot line and providing access to two or more uses. SRC 806.040(c) states that perimeter setbacks and landscaping are not required where the driveway provides direct access to the street, alley, or abutting property or the driveway is a shared driveway located over the common lot line and providing access to two or more uses. SRC 806.040(d) requires a minimum width of 12 feet for a one-way driveway or 22 feet for a two-way driveway. SRC 806.040(e) and (f) require driveways to be paved with a hard surface material meeting Public Works Design Standards and designed, graded, and drained according to Public Works Design Standards or approval of the Public Works Director. SRC 806.040(g) requires one "no parking" sign for every 60 feet of driveway length, but in no event shall less than 2 signs be posted.

Finding: The existing development has three driveways approximately 33 feet in width, with one on each street. The proposal includes no new driveways onto the street or within the parking area. The driveway onto Childs Avenue NE would be narrowed so that a pedestrian sidewalk can be provided on the north side of the driveway, leaving a driveway width of approximately 25 feet. The existing and proposed driveways exceed the minimum width for a two-way driveway. The proposal meets the applicable standards.

Bicycle Parking

SRC 806.045 - General Applicability.

Bicycle parking shall be provided and maintained for any intensification, expansion, or enlargement of a use or activity.

Finding: The proposal will not intensify, expand or enlarge the existing use. No additional bicycle parking is required for the proposed development.

Off-Street Loading Areas

SRC 806.065 - General Applicability.

Off-street loading areas shall be provided and maintained for any intensification, expansion, or enlargement of a use or activity.

Finding: The proposed development does not result in an expansion or intensification of the existing use that would require additional loading spaces.

Landscaping and Screening (SRC Chapter 807)

All building permit applications for development on lots subject to landscaping requirements shall include landscape and irrigation plans. All required landscape areas shall be planted with a minimum of 1 plant unit per 20 square feet of landscape area. The owner and tenant shall be jointly and severally responsible for maintaining all landscaping material in good condition so as to present a healthy, neat and orderly appearance. Unhealthy or dead plant materials shall be replaced in conformance with the approved landscape plan.

Finding: Landscape and irrigation plans are not required for this application because no new landscaped areas are proposed or required.

Historic Property Status

The subject property is not listed as a historic resource.

Previous Land Use Actions

ZC92-10 affected the subject property and includes no conditions that would affect the proposal.

City Department Comments

The Building and Safety Division, Fire Department, and Public Works Department reviewed the application and indicated no concerns.

2. Conclusion

Based on conformance with the preceding requirements, the Planning Administrator finds that the proposed site plan for property located at 2979 Market Street NE complies with approval criteria provided in SRC 220.005(f)(2) for a Class 2 Site Plan Review.

DECISION

Final approval of the attached site plan is hereby GRANTED subject to SRC Chapter 220 and the applicable standards of the Salem Revised Code and providing compliance occurs with any applicable items noted above.

Please Note: Findings included in this decision by the direction of the Salem Fire Department are based on non-discretionary standards. Fire Code related findings are intended to inform the applicant of the clear and objective Fire Prevention Code standards of SRC Chapter 58 that will apply to this development proposal on application for building permit(s). Additional or different Fire Prevention Code standards may apply based on the actual building permit application submitted.

If a building permit application has not already been submitted for this project, please submit a copy of this decision with your building permit application for the work proposed.

Site Plan Review Class 2

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If you have any questions regarding items in this site plan review, please contact Pamela Cole at 503-540-2309 or by email at pcole@cityofsalem.net.

PL

Attachments: A. Site Plan

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SHEET INDEX:

VICINITY MAP

1. 14th Street

TOTAL AREA OF DISTURBANCE:	3,320 SF
EXISTING PERVIOUS AREA:	0 SF
EXISTING IMPERVIOUS AREA:	3,129 SF
NEW PERVIOUS AREA:	0 SF
NEW IMPERVIOUS AREA:	0 SF
NET REPLACEMENT IMPERVIOUS AREA:	745 SF
NET MAINTENANCE IMPERVIOUS AREA:	1,630 SF

THE CONTRACTOR SHALL CONDUCT THEIR OWN SITE INVESTIGATION, INCLUDING HORIZONTAL AND VERTICAL MEASUREMENTS TO CONFIRM THE VARIABILITY OF THE WORK SHOWN BASED ON THE ACTUAL SITE AND BUILDING CONDITIONS. THE CONTRACTOR SHALL HAVE ANY ASSESSMENTS NECESSARY TO IMPLEMENT THE DESIGN AND STANDARD OF THE WORK PLAN WHILE REMAINING COMPLIANT WITH APPLICABLE ACCESSIBILITY CODES AND STATUTES. BARHAWSEN CONSULTING ENGINEERS, INC. CAN PROVIDE ADVICE TO THE CONTRACTOR ON PROPOSED ASSESSMENTS NECESSARY TO IMPLEMENT THE DESIGN INTENT OF THE WORK PLAN IF AUTHORIZED BY BIP PRODUCTS NORTH AMERICA.

UTILITY NOTIFICATION NOTE:
ATTENTION: OREGON LAW REQUIRES YOU TO FOLLOW THE RULES ADOPTED BY THE OREGON UTILITY NOTIFICATION CENTER. THOSE RULES ARE SET FORTH IN THE CAR 952-001-0010 THROUGH 952-001-0090. YOU MAY OBTAIN COPIES OF THE RULES BY CALLING THE CENTER (NOTE: THE TELEPHONE NUMBER FOR THE OREGON UTILITY NOTIFICATION CENTER IS (503) 232-1387).



ACCESSIBLE PARKING

A1 REMOVE EXISTING ACCESSIBLE PARKING SIGN AND POST.

A2 CONSTRUCT ASPHALT CONCRETE OVERLAY AS REQUIRED TO FACILITATE CONSTRUCTION OF TRANSITION ZONE AND TRANSITION ZONE BORDERS. TRANSITION ZONE BORDERS SHALL BE LOCATED TO PROVIDE 10' MINIMUM CLEARANCE FROM PARKING STALL AND ASSOCIATED ACCESSIBLE PARKING SIGN. TRANSITION ZONE BORDERS SHALL BE CONSTRUCTED TO MEET THE REQUIREMENTS OF THE MANHOLE TO DRAINAGE GRADE.

A3 PROVIDE ACCESSIBLE PARKING STALL WITH ALL APPLICABLE SIGNAGE AND WHEEL STOP PER SECTION 205.05. PROVIDE 10' MINIMUM CLEARANCE FROM PARKING STALL AND ASSOCIATED ACCESSIBLE PARKING SIGN TO TRANSITION ZONE BORDERS IN ALL DIRECTIONS.

B1	SAW OUT AND REMOVE EXISTING SIDEWALK, ASPHALT, AND RAMP TO FACILITATE REPLACEMENT, TYPICAL
B2	CONSTRUCT VARYING WIDTH CONCRETE WALKWAY PER SHEET D-2. CONFIRM ALL RUNNING SLOPES DO NOT EXCEED 5% AND CROSS SLOPES DO NOT EXCEED 2%.
B3	RECONSTRUCT EXISTING CONCRETE LANDING AT ENTRY DOOR TO CONFORM WITH ACCESSIBILITY

ADJACENT CONCRETE WALKWAY, TYPICAL.

B5 CONSTRUCT FULL-DEPTH ASPHALTIC CONCRETE PATCH AS REQUIRED TO FACILITATE REPLACEMENT EXISTING CONCRETE PAVING, TYPICAL.

B6 CONSTRUCT NEW PERPENDICULAR CURB RAMP PER SHEET D-2. TRANSITION FROM ASPHALTIC

87 CONSTRUCT NEW HALF PARALLEL CURVE RAMP SIMILAR TO SHEET D-2. TRANSITION FROM ASPHALTIC CONCRETE PAVING TO RASSED SIDEWALK HEIGHT WITH MAXIMUM RUNNING SLOPE OF 2.2% AND MAXIMUM DROG SLOPE OF 2% PROVIDE LANDING CONSTRUCTION WITH ACCESSIBILITY REQUIREMENTS.

88 CONSTRUCT ASPHALTIC CONCRETE OVERLAY AS REQUIRED TO FACILITATE CONSTRUCTION OF

B9 CONSTRUCT ASPHALTIC CONCRETE OVERLAY PER SHEET 0-2 AS REQUIRED TO FACILITATE CONSTRUCTION OF ACCESSIBLE ROUTE TO RIGHT-OF-WAY WITH 2% MAXIMUM CROSS SLOPE AND 5% MAXIMUM RUNNING SLOPE. CONTRACTOR TO DETERMINE OVERLAY LIMITS BASED ON SITE SURVEY. OVERLAY SHALL BE CONSTRUCTED TO MAINTAIN EXISTING CROSS SLOPE AND TO MAINTAIN EXISTING RUNNING SLOPE. TRANSITION OVERLAY BEYOND LIMITS OF ACCESSIBLE ROUTE AT 10% MAXIMUM TO EXISTING GRADE.

B10 INSTALL WHEEL STOP PER SHEET D-2 (TYPICAL OF 3).

cf INTERIOR RELATED ITEMS

21. SUED TO ENURE A.D. FOR ALL INTERIOR ACCESSORY ATTACHMENTS

EXHUSION CONTROL NOTES:

1. INSTALL SILT SACK INLET PROTECTION CITY OF SALEM STANDARD PLAN NO. 9-13.
2. INSTALL CONCRETE MANAGEMENT FACILITY PER CITY OF SALEM STANDARD PLAN NO. 9-17.

NEEDED TO FACILITATE CONSTRUCTION. STABILIZE AS REQUIRED.

811
Know what's below.
Call before you dig.
Dial 811
