

NOTICE OF DECISION

PLANNING DIVISION
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PLANNING ADMINISTRATOR DECISION FOR SITE PLAN REVIEW

CASE TYPE: Class 1 Site Plan Review
AMANDA NO.: 22-111181-RP
DATE OF DECISION: July 1, 2022
PROPERTY LOCATION: 1940 Fairground Road NE
APPLICANT: Salem Clinic
ZONE: CR (Retail Commercial)
COMPREHENSIVE PLAN: COM (Commercial)
OVERLAY: None

REQUEST

Class 1 Site Plan Review for a tenant improvement and change of use to an medical clinic (Outpatient medical services) in an existing single-tenant building on a site approximately 1.17 acres in size, zoned CR (Retail Commercial) and located at 1940 Fairgrounds Road NE (Marion County Assessor Map and Tax Lot 073W23BA / 1400).

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)(1), Class 1 Site Plan Review is required for any development that requires a building permit, that does not involve a land use decision or limited land use decision, as those terms are defined in ORS 197.015, and that involves a change of use or change of occupancy where only construction or improvements to the interior of the building or structure are required.

1. Approval Criteria

SRC 220.005(f)(1) provides that an application for Class 1 Site Plan Review shall be granted if:

- a) The application involves only a change of use or a change of occupancy, and there is no pending application for an associated land use decision or limited land use decision;

Finding: The applicant is requesting interior only tenant improvements and changes of use. There are no associated land use or limited land use decisions with this request.

- b) Only construction or improvements to the interior of the building or structure will be made;

Finding: The scope of work for the project only includes interior improvements to the existing building.

- c) The new use or occupancy will not require exterior improvements to the building or structure or alteration to existing parking, landscaping, or bufferyards;

Finding: Modification to the exterior of the site is not in the scope of work for the proposed change of use.

- d) Only clear and objective standards which do not require the exercise of discretion or legal judgment are applicable to the site plan review application; and

Finding: Only clear and objective standards apply to the proposed development. Complete findings are included in section e below.

- e) The application meets all applicable standards of the SRC.

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

Land Use

The subject property is zoned CR (Retail Commercial) and development of the property is subject to the provisions of the CR zoning district (SRC Chapter 522). Salem Zoning Code Chapter 400 establishes a framework for the classification of land uses based upon common functional, product, or physical characteristics, and to provide the basis for assignment of land uses to zones and overlay zones. The proposed use, an eye clinic, classified as an Outpatient medical services and laboratories use. This use is permitted in the CR zone. Class 1 Site Plan Review is required to establish new suites and uses or change the use of an existing area within a building.

Off-Street Parking and Loading

- i. **Parking Spaces:**
SRC 806.005(a)(2) states that off-street parking shall be provided and maintained for each proposed new use or activity; or any change of use or activity, when such change of use or activity results in a parking ratio requiring a greater number of spaces than the previous use or activity; or any intensification, expansion, or enlargement of a use or activity.

Finding: In accordance with SRC Chapter 806, the previously approved uses of Outpatient medical services required one off-street parking space per 500 square feet of floor area, equaling a total of 20 spaces for the building ($6,811 / 350 = 19.46$).

The existing and proposed uses on site require 50 parking spaces, satisfying the required number of parking spaces for all uses sharing the parking.

ii. Bike Spaces:

SRC Chapter 806 states that bicycle parking shall be provided and maintained for each proposed new use or activity; any change of use or activity; or any intensification, expansion, or enlargement of a use or activity.

Finding: In accordance with SRC Chapter 806, the bicycle parking requirement for the proposed Outpatient medical services and laboratories use is the greater of 4 spaces or 1 space per 3,500 square feet. The applicant is providing four bicycle parking spaces meeting the requirements of SRC 806. Rack type will be verified at building permit.

iii. Loading Spaces:

SRC Chapter 806 states that off-street loading shall be provided and maintained for each proposed new use or activity; any change of use or activity or any change of use or activity, when such change of use or activity results in a greater number of required off-street loading spaces than the previous use or activity; or any intensification, expansion, or enlargement of a use or activity.

Finding: The loading space requirements for Outpatient medical use is one space for. No additional off-street loading spaces are required for the proposed change of use.

Historic Property Status

The subject property is not an historic resource and is not within an historic overlay zone.

Previous Land Use Actions

The previous land use actions do not include any conditions that would affect or preclude the proposed change of use.

2. Conclusion

Based on conformance with the preceding requirements, the Planning Administrator finds that the proposed site plan for property located at 1940 Fairgrounds Road NE complies with approval criteria provided in SRC 220.005(f)(1).

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. This decision is final a final land use decision.

If you have any questions regarding items in this site plan review, please contact Olivia Dias at 503-540-2343 or by email at odias@cityofsalem.net.



Olivia Dias, Current Planning Manager, on behalf of
Lisa Anderson-Ogilvie, AICP
Planning Administrator

Application Deemed Complete:	<u>July 1, 2022</u>
Decision Mailing Date:	<u>July 1, 2022</u>
State Mandated Decision Date:	<u>October 29, 2022</u>