

NOTICE OF DECISION

PLANNING DIVISION
555 LIBERTY ST. SE, RM 305
SALEM, OREGON 97301
PHONE: 503-588-6173
FAX: 503-588-6005



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503-588-6173*

PLANNING ADMINISTRATOR DECISION FOR SITE PLAN REVIEW

CASE TYPE: Class 1 Site Plan Review
AMANDA NO.: 22-117016-PLN
DATE OF DECISION: September 22, 2022
PROPERTY LOCATION: 2920 Commercial Street SE
APPLICANT: Mark Stec
ZONE: CR (Retail Commercial)
COMPREHENSIVE PLAN: Commercial
OVERLAY: None

REQUEST

A Class 1 Site Plan Review to change the use for an urgent care medical office, for property zoned CR (Retail Commercial), in a building formerly used as a restaurant at 2920 Commercial Street SE – 98433 (Marion County Assessor's Map and Tax Lot number: 073W34CD / 2700).

FINDINGS

The purpose of site plan review is to provide a unified, consistent, and efficient means to review 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 an interior only tenant improvement and is establishing a new 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 use establishment.

- 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 proposed development includes establishing a new use for the building address 2920 Commercial Street SE. The proposed use is outpatient medical services and laboratory, which is a permitted use in the CR (Commercial Retail) Zone.

Off-Street Parking and Loading

- i. Vehicle Parking Spaces:

SRC 806.005(a)(2) states that off-street parking shall be provided and maintained for 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.

Finding: Outpatient medical services and laboratory uses require one parking stall per 350 square feet of gross floor area per SRC Table 806-1. The previous Restaurant and eating establishment use required one parking stall per 250 square feet per SRC Table 806-1. No additional off-street parking is required for the proposed change of use.

- 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.

When bicycle parking is required to be added to an existing bicycle parking area that has a nonconforming number of spaces, the number of spaces required under this chapter for any new use or activity, any change of use or activity, or any intensification, expansion, or enlargement of a use or activity shall be provided, in addition to the number of spaces required to remedy the existing deficiency.

Finding: Outpatient medical services and laboratory uses require the greater of four bike spaces or one bike space per 3,500 square feet per Table 806-9. The applicant has provided a site plan that indicates four bicycle parking spaces will be provided for the 3,329 SF property, meeting the standard.

The applicant's site plan indicates the location and size of each bicycle space meets the standard of SRC 806, although the type of rack is not provided. To ensure the proposal meets the standard the applicant will provide details of the bicycle parking at building permit to verify compliance with the Code.

iii. Loading Spaces:

SRC Chapter 806 states that off-street loading shall be provided and maintained for 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.

Finding: The proposal does not increase the floor area of the existing building; therefore, no additional loading spaces are required for the proposed change of use.

Historic Property Status

The subject property is not listed as a historic resource.

Previous Land Use Actions

LLA98-17: Adjusted the common lot line between Tax Lot 2700 and portions of Fairview Drive SE abandoned by the City.

2. Conclusion

Based on conformance with the preceding requirements, the Planning Administrator finds that the proposed site plan for the property located at 2920 Commercial Street SE 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 a final land use decision.

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



Jeronimo Roldan, Planner I, on behalf of
Lisa Anderson-Ogilvie, AICP
Planning Administrator

Application Deemed Complete:	<u>September 22, 2022</u>
Decision Mailing Date:	<u>September 22, 2022</u>
State Mandated Decision Date:	<u>November 19, 2022</u>