

NOTICE OF DECISION

PLANNING DIVISION
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*Si necesita ayuda para comprender esta información, por favor llame
503-588-6173*

PLANNING ADMINISTRATOR DECISION FOR SITE PLAN REVIEW

CASE TYPE: Class 1 Site Plan Review
AMANDA NO.: 22-124700-PLN
DATE OF DECISION : December 30, 2022
PROPERTY LOCATION: 1311 Lancaster Dr NE
APPLICANT: Ron Ped
ZONE: MU-III (Mixed Use III)
COMPREHENSIVE PLAN: Mixed Use
OVERLAY: None

REQUEST

A Class 1 Site Plan Review for a change of use from *Financial services* to *Office* within an existing building zoned MU-III (Mix Use II) and located at 1311 Lancaster Dr NE - 97301 (Marion County Assessor's Map and Tax Lot 072W19CB / 04600).

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 a change of use only. There are no pending applications for an associated land use decision or limited land use decision.

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

Finding: There are no building permits associated with the application.

- 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 UDC.

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

Land Use

The subject property is zoned MU-III. Development in the MU-III zone is subject to the standards in SRC Chapter 535 and all other applicable provisions of the Salem Revised Code. The previous use at this address was *Financial services*. The proposed use is *Office*, which is a permitted use in the MU-III zone according to SRC Sec. 535.005.

Off-Street Parking and Loading

- i. 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: The building is 5,250 square feet gross floor area with 15 parking spaces on site. The previous use designation for this property was *Financial services*, which requires 1 parking space per 500 square feet of building square footage, or 11 spaces ($5,250 / 500 = 10.5$). The proposed *Office* use requires 1 parking space per 350 square feet of building square footage, or 15 spaces ($5,250 / 350 = 15$), therefore the required off-street parking requirement is met.

- 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: The previous *Financial services* use requires the greater of 4 spaces or 1 space per 3,000 square feet. The proposed *Office* use requires the greater of 4 spaces; or 1 per 3,500 sq. ft. for first 50,000 sq. ft.; plus 1 per 7,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 14,000 sq. ft. for remaining square footage over 100,000 sq. ft. The existing building is 5,250 square feet gross floor area, therefore, a total of 4 bicycle parking spaces is required. There are 4 bicycle parking spaces on site, therefore, the requirement is met.

- 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: No additional off-street loading spaces are required for the proposed new use.

Historic Property Status

The subject property is not listed as a historic resource.

Previous Land Use Actions

SPR10-05: a Type II Site Plan Review to construct a new two-story mixed-use building.

City Department Comments

The Building and Safety Division reviewed the proposal and indicated no concerns.

The Fire Marshal reviewed the proposal 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 1311 Lancaster Dr 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.

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.

If you have any questions regarding items in this site plan review, please contact Peter Domine at 503-540-2311 or by email at pdomine@cityofsalem.net.



Peter Domine, Planner I, on behalf of
Lisa Anderson-Ogilvie, AICP
Planning Administrator

Application Deemed Complete:	<u>December 28, 2022</u>
Decision Mailing Date:	<u>December 30, 2022</u>
State Mandated Decision Date:	<u>April 29, 2023</u>