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**PLANNING ADMINISTRATOR DECISION
FOR SITE PLAN REVIEW**

CASE TYPE: Class 1 Site Plan Review
AMANDA NO.: 23-102488-PLN
DATE OF DECISION: February 13, 2023
PROPERTY LOCATION: 2540 Kuebler Boulevard SE, Suite 100
APPLICANT: Sand Point Studios
ZONE: CR (Retail Commercial)
COMPREHENSIVE PLAN: COM (Commercial)
OVERLAY: Airport Overlay Zone

REQUEST

A Class 1 Site Plan Review to establish a retail sales use – Pet Supplies for a tenant space in an existing shell building approximately 4,000 square feet , located within a shopping center, on a development site zoned CR (Retail Commercial) and located at 2540 Kuebler Boulevard SE, Suite 100 – 97306 (Marion County Assessor’s Map and Tax Lot number: 083W11D/2500).

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 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 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 proposed development includes establishing a retail sales use as a first-time tenant in a newly constructed shell building at 2540 Kuebler Boulevard SE, Suite 100. Allowed uses within the CR zone are identified under SRC 522.005(a), Table 522-1. Pursuant to the City's Use Classification Chapter SRC. 400.045(b), the proposed use is classified as *retail sales*- Pet Supplies. The proposed use is permitted use in the CR (Retail Commercial) 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: The proposal is for the establishment of a retail sales use in a portion of an existing shell building, within an existing shopping center, approximately 184,420 rentable square footage. Parameters of the minimum required off-street parking was established under SPR-DAP18-15. The following is a summary of the parking requirements for the development site:

Proposed/Use	Address	Suite	Floor Area	Off-Street Parking Ratio	Minimum Parking
Retail Sales, Costco	4885 27th Ave SE		168,765 square feet		675

Eating and drinking establishment, Starbucks	2520 Kuebler Blvd SE	----	4,060 square feet	1 per 250 square feet	16
Eating and drinking establishment, Chic-fil-A	2560 Kuebler Blvd SE	----	4,995 square feet		20
Eating and drinking establishment, Killer Burger	2540 Kuebler Blvd SE	150	2,600 square feet		10
Retail Sales, Pet Supply	2540 Kuebler Blvd SE	100	4,000 square feet		16 (4,000/250=16)
Minimum off-street parking:				737	
Maximum off-street parking:				1,290 (62 x 1.75 = 1,289.75)	
Total Provided:				1,008	

Submitted materials indicate that 1,008 off-street parking spaces will be provided on the overall development site, with six dedicated compact spaces. The proposed tenant space will occupy 4,000 square feet of the 6,600 square feet of shell building. Establishment of this use will capture 16 of the required off-street parking stalls (4,000/250=16); therefore, this standard is met.

ii. Bike Spaces:

SRC 806.045(a) - General Applicability.

Bicycle parking shall be provided and maintained for each proposed new use or activity, any change of use or activity, when such change of use or activity results in a bicycle 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: The proposal is for the establishment of a retail sales use in a portion of an existing shell building, within an existing shopping center, approximately 184,420 rentable square footage. Parameters of the minimum required bicycle parking was established under SPR-DAP18-15. The following is a summary of the parking requirements for the development site:

Proposed/Use	Address	Suite	Floor Area	Bicycle Parking Ratio	Minimum Parking
Retail Sales, Costco	4885 27th Ave SE		168,765 square feet	The greater of the following:	

Retail Sales, Pet Supply	2540 Kuebler Blvd SE	100	4,000 square feet	4 spaces; or 1 per 10,000 sq. ft. for first 50,000 sq. ft.; plus 1 per 20,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 30,000 sq. ft. for remaining square footage over 100,000 sq. ft.	10
Eating and drinking establishment, Starbucks	2520 Kuebler Blvd SE	----	4,060 square feet	1 space per 1,000 square feet.	12
Eating and drinking establishment, Chic-fil-A	2560 Kuebler Blvd SE	----	4,995 square feet		
Eating and drinking establishment, Killer Burger	2540 Kuebler Blvd SE	150	2,600 square feet		
Minimum bicycle parking:				22	
Total Provided:				22	

Review of submitted materials, including 22-102414-BP, indicated 26 dedicated bicycle parking spaces; therefore, this standard 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 use beyond what was already approved under SPR-DAP18-15. Establishment of this use does not result in a change requiring a greater number of off-street loading spaces, nor does it result in the intensification, expansion, or enlargement of the use or activity; therefore, this standard is not applicable.

Historic Property Status

The subject property is not located within a historic district and is not individually listed as a historic resource.

Previous Land Use Actions

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.

PBV21-01: A Property Boundary Verification (PBV) to establish the outside boundary of 4 units of land as the property line for purposes of the application of the building code.

AVAR22-03: An airport overlay zone height variance associated with two new commercial buildings in the Kuebler Gateway shopping center.

ZC09-03: Zone change from CO (Commercial Office) and RA (Residential Agriculture) to CR (Commercial Retail) and CO (Commercial Office)

UGA01-11: To determine the public facilities required by the Urban Growth Management Program to develop the subject property that lies outside the Urban Service Area (USA).

CPC/ZC94-07: Annexation of property to City of Salem.

2. Conclusion

Based on conformance with the preceding requirements, the Planning Administrator finds that the proposed site plan for property located at 2540 Kuebler Boulevard 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 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 Hugo Agosto at 503-540-2313 or by email at hagosto@cityofsalem.net



Hugo Agosto, Planner II, on behalf of

Lisa Anderson-Ogilvie, AICP
Planning Administrator

Application Deemed Complete:	<u>February 8, 2023</u>
Decision Mailing Date:	<u>February 13, 2023</u>
State Mandated Decision Date:	<u>June 8, 2023</u>

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