

NOTICE OF DECISION

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



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

DECISION OF THE PLANNING ADMINISTRATOR

CLASS 1 SITE PLAN REVIEW

APPLICATION NO.: 23-109967-PLN

NOTICE OF DECISION DATE: July 6, 2023

REQUEST: A Class 1 Site Plan Review to establish an Eating and Drinking Establishment use with associated interior tenant improvements within an existing building, the subject property is 13,760 square feet in size, zoned CB (Central Business District) and located at 354 Center Street NE (Marion County Assessor Map and Tax Lot073W22DC/5000).

APPLICANT: Ronald Ped

LOCATION: 354 CENTER STREET NE

FINDINGS: The findings are in the attached Decision dated July 6, 2023

DECISION: The **Planning Administrator APPROVED** the application based upon the submitted materials and the findings as presented in the decision.

The rights granted by the attached decision, which are effective as of the date of this decision, must be exercised by July 6, 2027, or this approval shall be null and void.

Case Manager: Abigail Pedersen, Planner I, apedersen@cityofsalem.net, 503-540-2309

This decision is final; there is no local appeal process. Any person with standing may appeal this decision by filing a "Notice of Intent to Appeal" with the Land Use Board of Appeals, 775 Summer St NE, Suite 330, Salem OR 97301, **not later than 21 days after July 6, 2023**. Anyone with questions regarding filing an appeal with the Oregon Land Use Board of Appeals should contact an attorney.

The following items are submitted to the record: 1) All materials and evidence submitted by the applicant, including any applicable professional studies; and 2) All materials, evidence, and comments from City Departments and public agencies. The application materials are available on the City's online Permit Application Center at <https://permits.cityofsalem.net>. To view the materials without registering, you may use the search function and enter the permit number listed here: 23-109967-PLN.

<http://www.cityofsalem.net/planning>

BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM

DECISION

IN THE MATTER OF APPROVAL OF) FINDINGS & ORDER
CLASS 1 SITE PLAN REVIEW)
23-109967 -PLN)
354 CENTER STREET NE) JULY 6, 2023

In the matter of the application for a Class 1 Site Plan Review, the Planning Administrator, having received and reviewed the evidence and application materials, makes the following findings and adopts the following order as set forth herein.

REQUEST

REQUEST: A Class 1 Site Plan Review to establish an Eating and Drinking Establishment use with associated interior tenant improvements within an existing building, the subject property is 13,760 square feet in size, zoned CB (Central Business District) and located at 354 Center Street NE (Marion County Assessor Map and Tax Lot073W22DC/5000). A vicinity map of the subject property is included as **Attachment A**.

PROCEDURAL FINDINGS

1. On May 16, 2023, an application for a Class 1 Site Plan Review was submitted for property located at 354 Center Street NE.
2. After additional requested information was provided by the applicant, the application was deemed complete on June 29, 2023.

SUBSTANTIVE FINDINGS

1. Proposal

A Class 1 Site Plan Review to establish occupancy and interior tenant improvements for a new Eating and Drinking Establishment use within an existing building, the subject property is 13,760 square feet in size, zoned CB (Central Business District) and located at 354 Center Street NE (Marion County Assessor Map and Tax Lot073W22DC/5000). The proposed development plans are included as **Attachment B**.

DECISION CRITERIA FINDINGS

2. Analysis of Class 1 Site Plan Review Approval Criteria

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.

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 to establish an Eating and Drinking Establishment use with associated interior tenant improvements 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 buffer yards.

Finding: Modification to the exterior of the site is not in the scope of work for the proposed new Eating and Drinking Establishment 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 subject property is zoned CB (Central Business District). Development of the property is therefore subject to the use and development standards of the CB zone (SRC Chapter 524) and all other applicable standards of the UDC. The proposal conforms to SRC Chapter 524 and all other applicable development standards of the UDC as follows:

Development Standards – CB (Central Business District) Zone:

SRC 524.005(a) – Uses:

The permitted (P), special (S), conditional (C), and prohibited (N) uses in the MU-III zone are set forth in Table 524-1.

Finding: The proposed development includes interior tenant improvements and establishing an Eating and Drinking Establishment use within an approximately 1,000 square foot suite in

an existing building. According to SRC Sec. 524.005, an *Eating and drinking establishment* use is a permitted use in the CB zone.

Off-Street Parking and Driveways

SRC 806.005(a) – Off-Street Parking; When Required.

Off-street parking shall be provided and maintained as required under SRC Chapter 806 for each proposed new use or activity; 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.

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.

SRC 806.015 – Amount of Off-Street Parking.

- (a) Minimum Required Off-Street Parking.*** Unless otherwise provided under the UDC, off-street parking shall be provided in amounts not less than those set forth in Table 806-1.
- (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 and falling within the Public Services and Industrial use classifications, and the Business and Professional Services use category, 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 in the SRC, off-street parking shall not exceed the amounts set forth in Tables 806-2A or 806-2B.

Finding: The development site is within the Downtown Parking District off-street parking is not required. This criterion is not applicable.

Bicycle Parking

SRC 806.045 – General Applicability.

- (a) Bicycle parking*** shall be provided as required under this chapter for each proposed new use or activity, any change of use or activity, or any intensification, expansion, or enlargement of a use or activity.
- (b) Applicability to change of use of existing building in Central Business District (CB) zone.*** Notwithstanding any other provision of this chapter, the bicycle parking requirements for a change of use of an existing building within the CB zone shall be met if there are a minimum of eight bicycle parking spaces located within the public right-of-way of the block face adjacent to the primary entrance of the building. If the minimum number of required bicycle parking spaces are not present within the block face, the applicant shall be required to obtain a permit to have the required number of spaces installed. For purposes of this subsection, "block face" means the area within the public street right-of-way located along one side of a block, from intersecting street to intersecting street.
- (c) Applicability to nonconforming bicycle parking area.*** 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.

SRC 806.050 – Proximity of Bicycle Parking to use or Activity Served.

Bicycle parking shall be located on the same development site as the use or activity it serves.

SRC 806.055 – Amount of Bicycle Parking.

Unless otherwise provided under the UDC, bicycle parking shall be provided in amounts not less than those set forth in Table 806-9.

SRC 806.060 – Bicycle Parking Development Standards

Unless otherwise provided under the UDC, bicycle parking areas shall be developed and maintained as set forth in this section.

(a) Location.

(1) *Short-term bicycle parking.* Short-term bicycle parking shall be located outside a building within a convenient distance of, and clearly visible from, the primary entrance. In no event shall bicycle parking be located more than 50 feet from the primary building entrance, as measured along a direct pedestrian access route.

(b) *Access.* Bicycle parking areas shall have direct and accessible access to the public right-of-way and the primary building entrance that is free of obstructions and any barriers, such as curbs or stairs, which would require users to lift their bikes in order to access the bicycle parking area.

(c) *Dimensions.* Except as provided in subsection (f) of this section, bicycle parking areas shall meet the following dimension requirements:

(1) *Bicycle parking spaces.* Bicycle parking spaces shall be a minimum of six feet in length and one and half feet in width when the proposed bicycle racks are side-by-side. For horizontal spaces, the bike rack shall be centered along the long edge of the bicycle parking space.

(2) *Access aisles.* Bicycle parking spaces shall be served by a minimum four-foot-wide access aisle. Access aisles serving bicycle parking spaces may be located within the public right-of-way.

(d) *Surfacing.* Where bicycle parking is located outside a building, the bicycle parking area shall consist of a hard surface material, such as concrete, asphalt pavement, pavers, or similar material, meeting the Public Works Design Standards.

(e) *Bicycle Racks.* Where bicycle parking is provided in racks, the racks may be floor, wall, or ceiling racks. Bicycle racks shall meet the following standards.

(1) Racks must support the bicycle frame in a stable position, in two or more places a minimum of six inches horizontally apart, without damage to wheels, frame, or components.

(2) Racks must allow the bicycle frame and at least one wheel to be locked to the rack with a high security, U-shaped shackle lock;

(3) Racks shall be of a material that resists cutting, rusting, and bending or deformation; and

(4) Racks shall be securely anchored.

(5) Examples of types of bicycle racks that do, and do not, meet these standards are shown in Figure 806-10.

Finding: The proposal requires a minimum of eight bicycle parking spaces located within the public right-of-way of the block face adjacent to the primary entrance of the building. If the

minimum number of required bicycle parking spaces are not present within the block face, the applicant shall be required to obtain a permit to have the required number of spaces installed per Sec. 806.045 (b). Public Works has worked with the applicant to coordinate a plan to bring the block up to the minimum eight within the public right-of-way. Traffic has approved the locations proposed by the applicant. Approved bike rack locations are attached as **Attachment C**.

Off-Street Loading Areas

SRC 806.065 – General Applicability.

Off-street loading areas 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 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.

SRC 806.070 – Proximity of Off-Street Loading Areas to use or Activity Served.

Off-street loading shall be located on the same development site as the use or activity it serves.

SRC 806.075 – Amount of Off-Street Loading.

Unless otherwise provided under the UDC, off-street loading shall be provided in amounts not less than those set forth in Table 806-11.

Finding: No off-street loading space requirement for Eating and Drinking Establishment for floor areas less than 5,000 sq. ft. in size. The proposed use does not result in a ratio requiring a greater number of off-street loading spaces than the previous use, therefore, no additional off-street loading spaces are required.

3. Conclusion

Based on the conformance with the preceding requirements the Planning Administrator certifies that the proposed Class 1 Site Plan Review is in conformance with the UDC and the approval criteria provided in SRC 220.005(f)(1), provided 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.

IT IS HEREBY ORDERED

The proposed Class 1 Site Plan Review is consistent with the provisions of SRC Chapter 220 and is hereby **APPROVED** subject to the applicable standards of the Salem Revised Code and the findings contained herein.

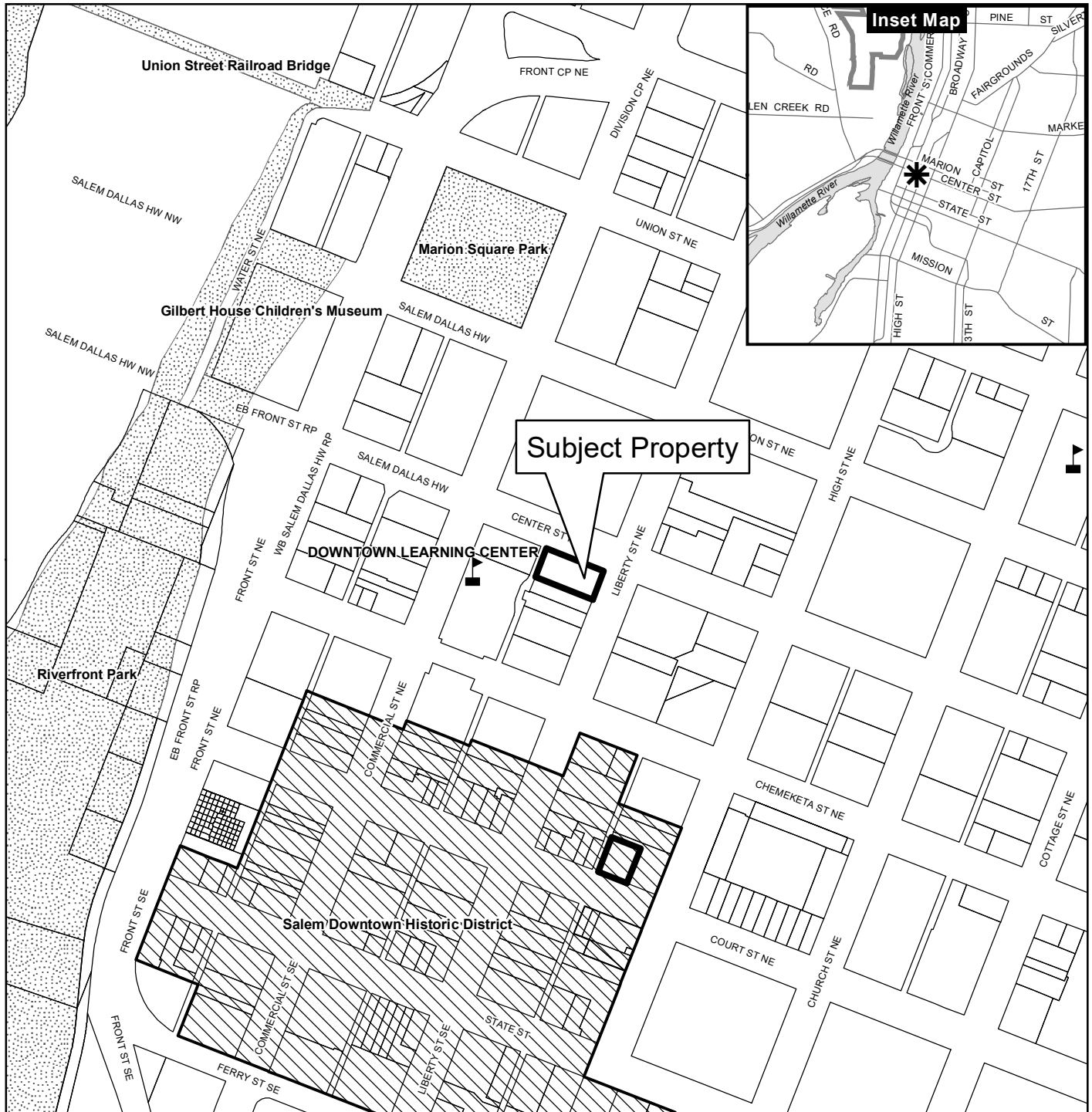


Abigail Pedersen, Planner I, on
behalf of Lisa Anderson-Ogilvie,
AICP Planning Administrator

Attachments: A. Vicinity Map
 B. Applicant's Site Plan
 C. Approved Bike Rack Location

Vicinity Map

354 Center Street NE



Legend

- Taxlots
- Urban Growth Boundary
- City Limits
- Outside Salem City Limits
- Historic District
- Schools
- Parks

0 100 200 400 Feet



CITY OF Salem
AT YOUR SERVICE
Community Development Dept.

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CODE SUMMARY

CODE: 2022 O66C
EXISTING OCC: B
PROPOSED OCC: B
CONST: III-B (EXISTING CONSTRUCTION AS III-N PER 1988 O66C)

ALLOW AREA: 17,000# (PER 1988 O66C)
ACTUAL AREA: 7,848# <22,950# OK
AREA INCREASE: PER SEC 505.12 1988 O66C, 3 YARDS IN EXCESS OF 34'-0"
2.5X17=35% (17,000+35%=5,950#)
17,000#+5,950#=22,950#

NOTE: BUILDING AREA TO REMAIN AS CONSTRUCTED

SPRINKLERS: NO
BUILDING AREA: 7,849##
NUMBER OF STORIES: 1

DESCRIPTION OF WORK: ADDING KITCHEN FOR COFFEE SHOP

EGRESS WIDTH REQUIRED: 42 OCCUPANTS
TOTAL OCCUPANTS: 42
REQUIRED SIZING: 42x0.2 = 8.4" REQ'D PER 1005.3.2

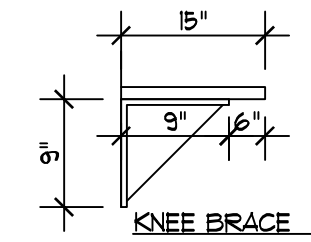
EGRESS WIDTH PROVIDED: (36/0.2)= 180"
(1) 36" DOORS
TOTAL PROVIDED= 180" > 8.4" REQ'D OK

SYMBOL KEY

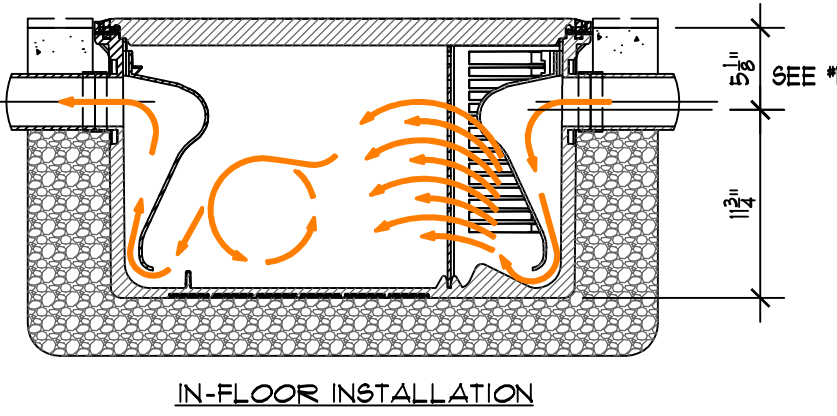
- PROPOSED
- FIRE EXTINGUISHER (1 PER 3000#) (1) REQ'D KIDDE DRY CHEMICAL FIRE EXTINGUISHER UL CLASSIFICATION 2A-10BC (906 SF/3000 #1 REQ'D) TOP OF EXTINGUISHER 48" AFF
 - EXIT LIGHT - COMBO WITH BATTERY BACKUP LITHONIA QUANTUM 150 DC 6 - EXIT-UNIT COMBO BACK MOUNT WITH BATTERY BACKUP
 - EGRESS LIGHT - WITH BATTERY BACKUP LITHONIA QUANTUM 150 DC 6 - EXIT-UNIT COMBO BACK MOUNT WITH BATTERY BACKUP
 - EGRESS LIGHT - WITH BATTERY BACKUP LITHONIA QUANTUM 150 DC 6 - EXIT-UNIT COMBO BACK MOUNT WITH BATTERY BACKUP
- EXISTING
- EXISTING EXIT LIGHT - COMBO WITH BATTERY BACKUP
 - EXISTING EXIT LIGHT - WITH BATTERY BACKUP
 - EXISTING EGRESS LIGHT - WITH BATTERY BACKUP
 - EXISTING FIRE EXTINGUISHER

WALL SCHEDULE

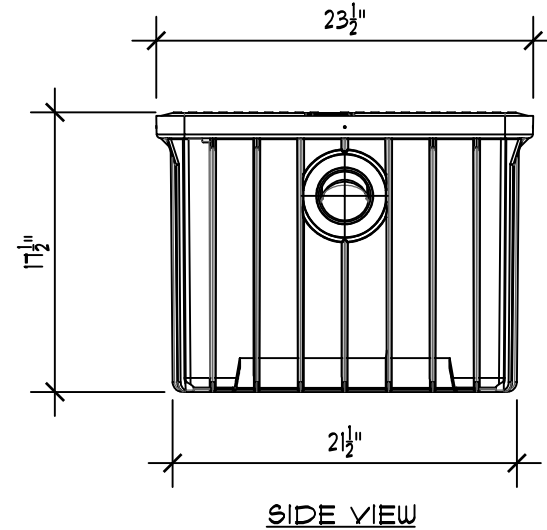
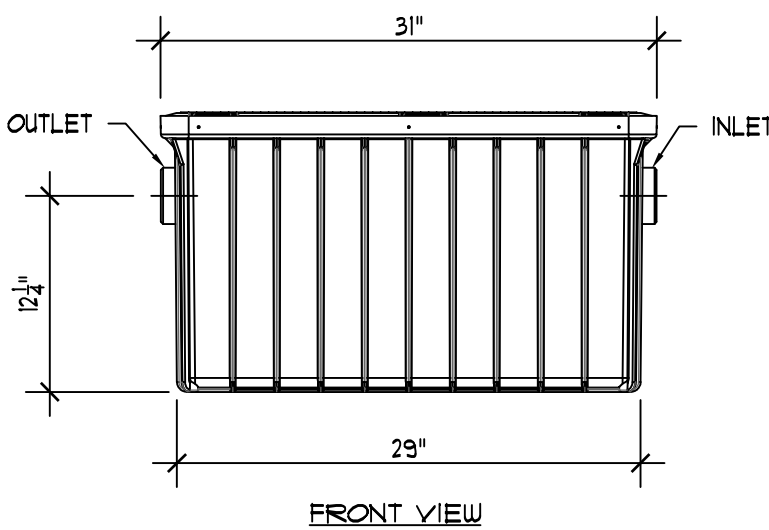
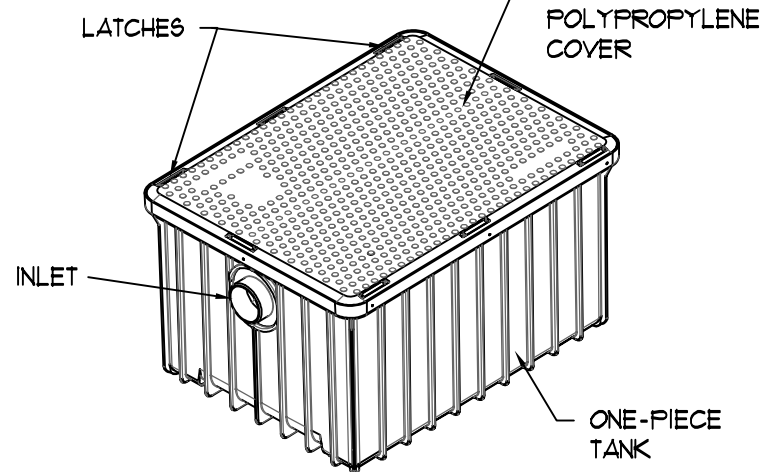
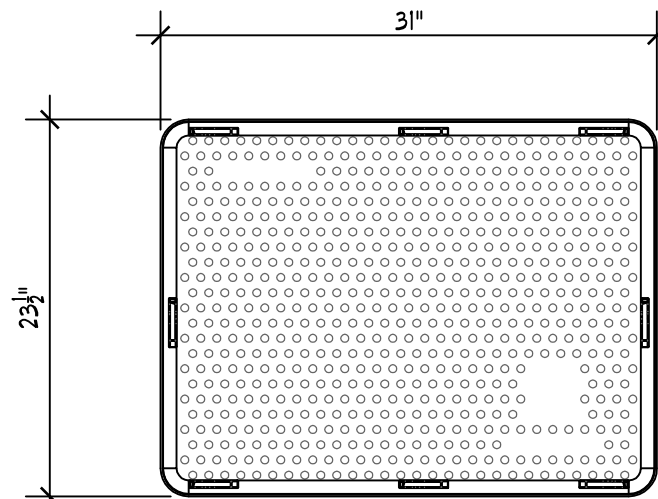
- PROPOSED WALL
- EXST. WALL
- DEMO WALL



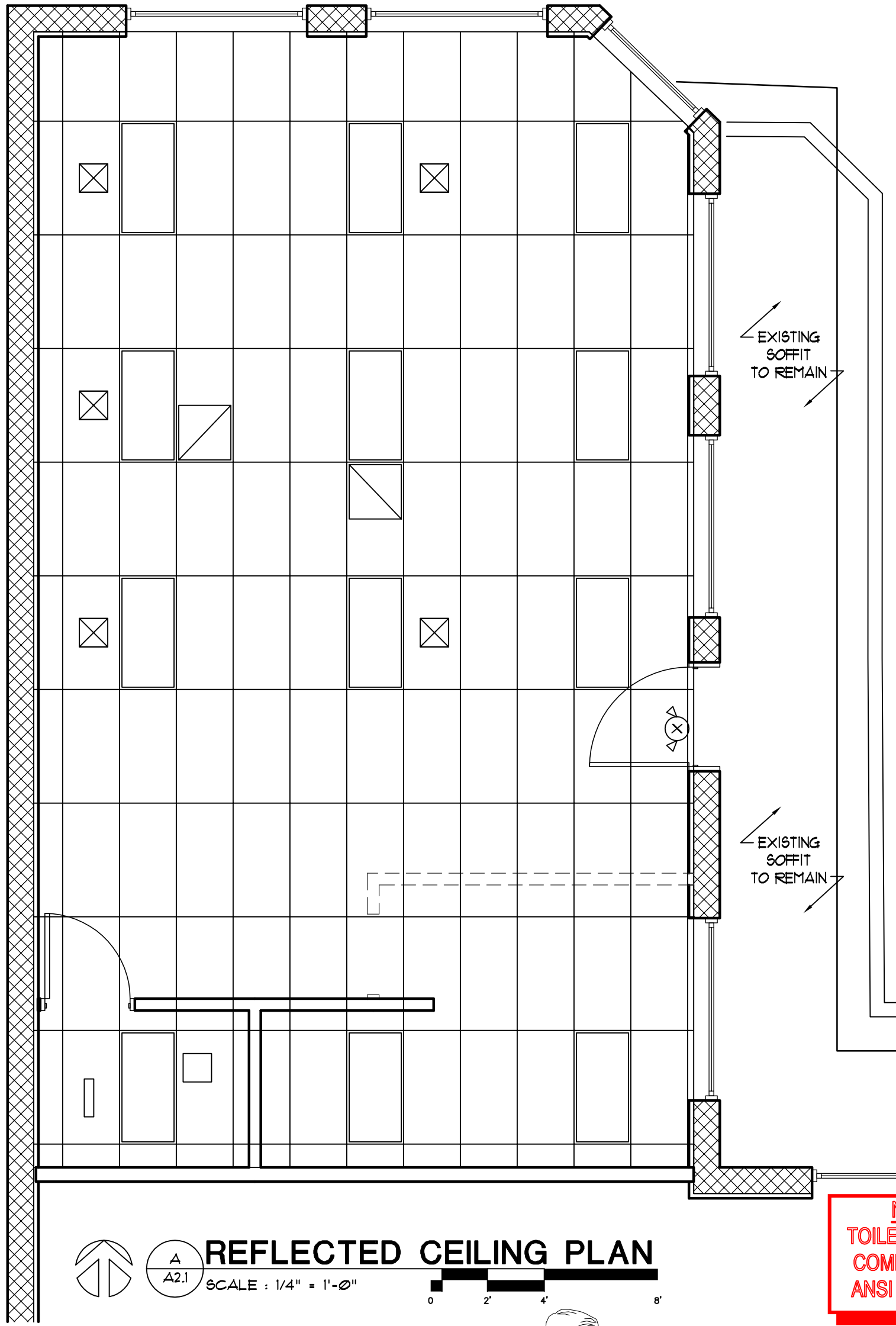
KNEE BRACE
ARCHITECTURAL KNEE BRACE (NON-STRUCTURAL)
SCALE: 1/4" = 1'-0"



- NOTE:
- FINISH TO FLOOR LEVEL ACCOMMODATING REQUISITE MATERIALS E.G. TILE, MORTAR, ETC.
 - ACCESSIBLE FLOW CONTROL DEVICE (FCD) IS SUPPLIED FOR INSTALLATION UPSTREAM OF THE GREASE INTERCEPTOR (GI) -- 3" INLET/OUTLET
 - MODULAR EXTENSION RISER (3335AX6) AVAILABLE MAX. 3 FOR INSTALL (OPTIONAL)

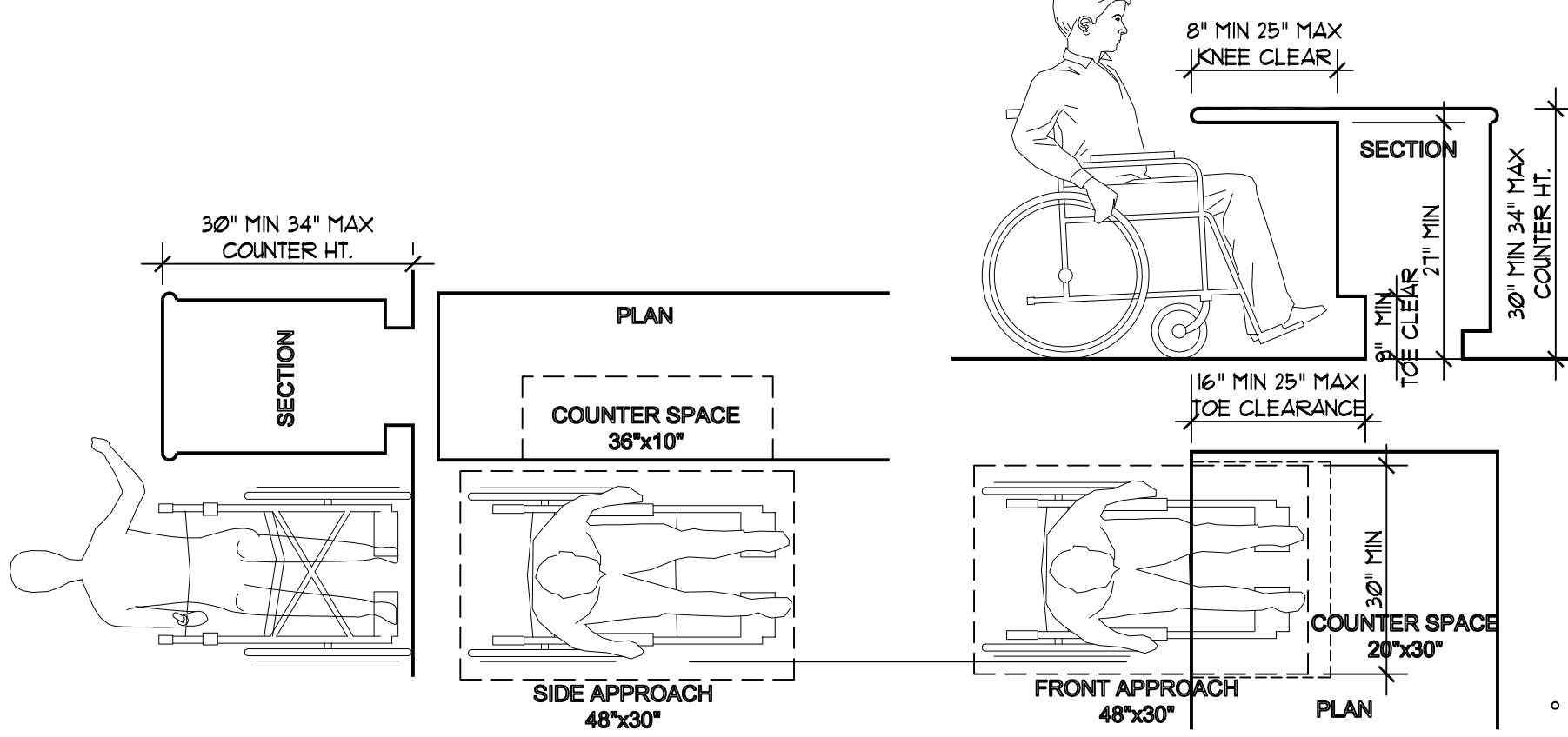


50GPM GREASE INTERCEPTOR
CANPLAS-PART NO. 3950A03
SCALE: 1"=1'-0"

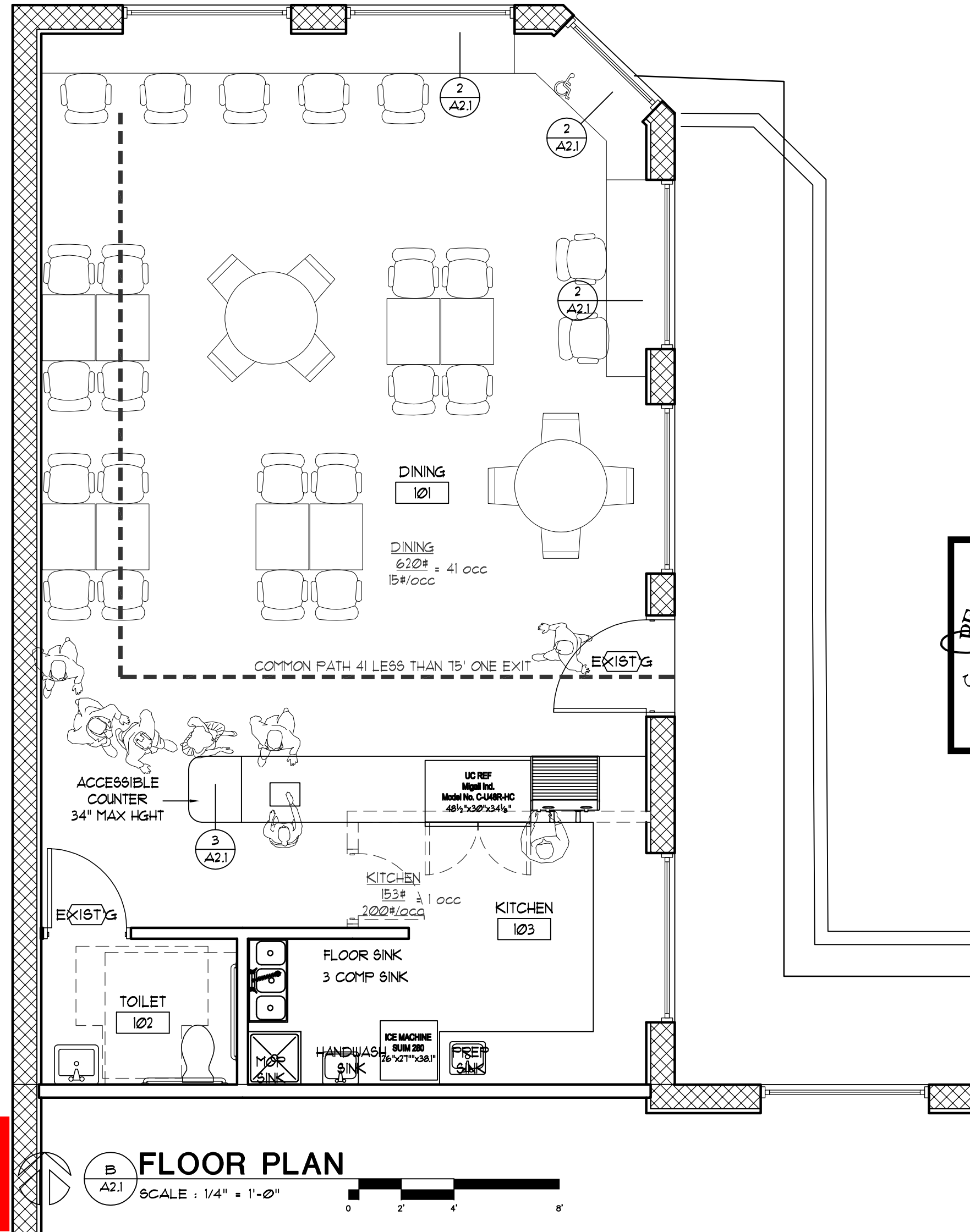


REFLECTED CEILING PLAN
SCALE: 1/4" = 1'-0"

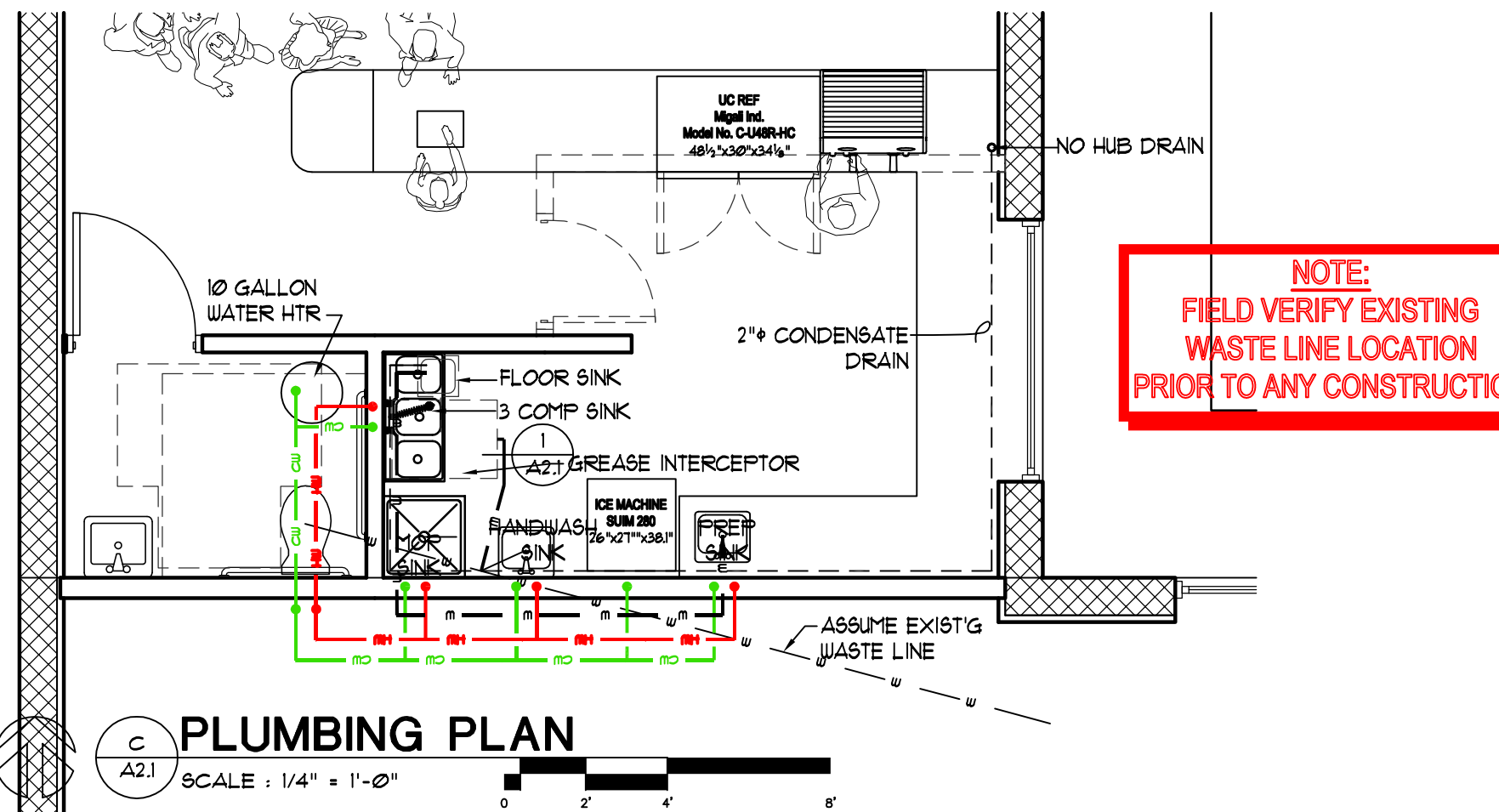
NOTE:
TOILET ROOM IS
COMPLIANT W/
ANSI 117.1 2017



SERVICE COUNTER CLEARANCES
FOR ACCESSIBILITY
SCALE: 1/2" = 1'-0"



FLOOR PLAN
SCALE: 1/4" = 1'-0"



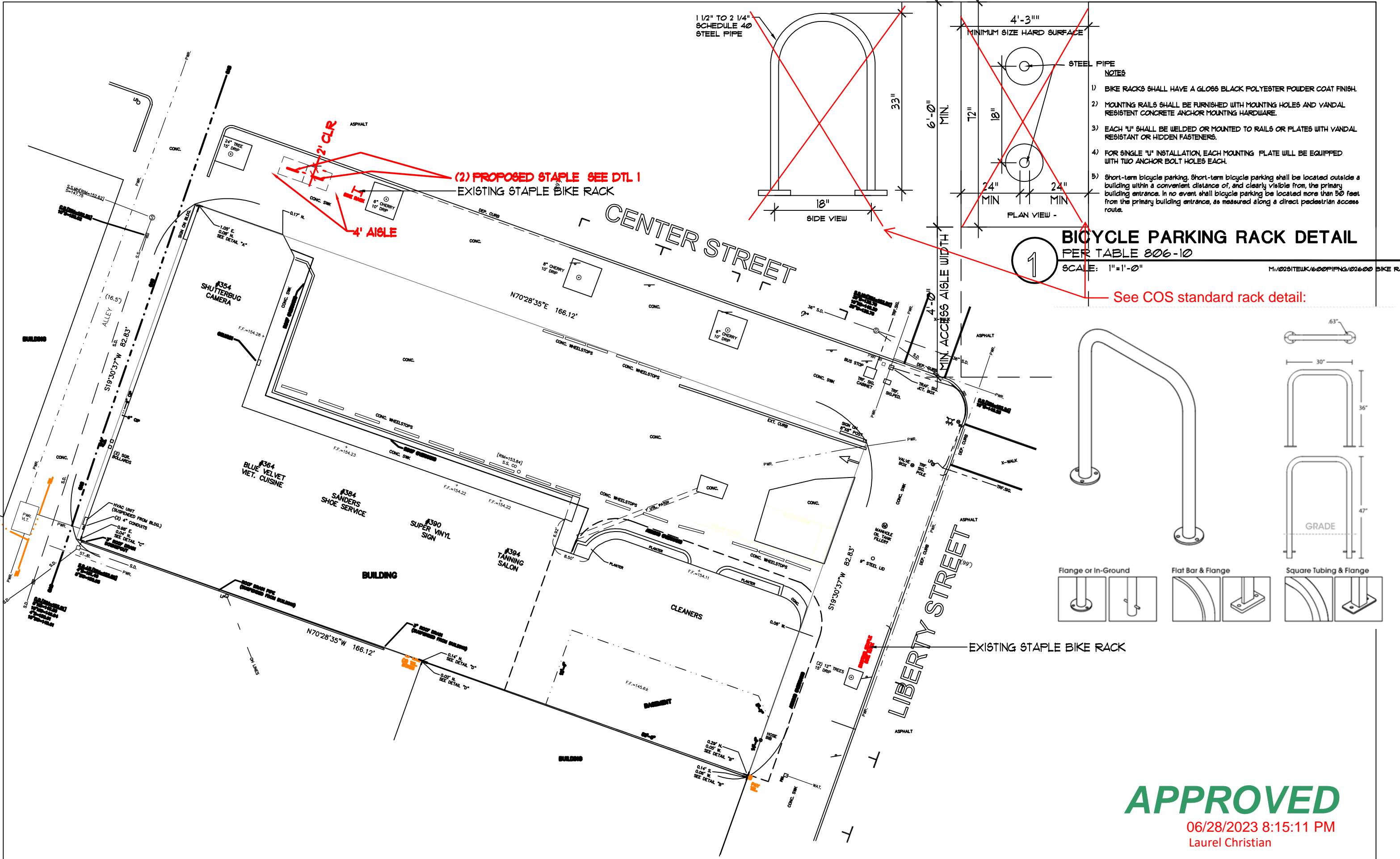
PLUMBING PLAN
SCALE: 1/4" = 1'-0"

NOTE:
FIELD VERIFY EXISTING
WASTE LINE LOCATION
PRIOR TO ANY CONSTRUCTION



TENANT IMPROVEMENT FOR:
KINGDOM BREW
354 CENTER ST NE, SALEM, OR 97301

DATE: 8 MAY 2023
DRAWN:
JOB NO. 2337
A2.1



APPROVED

06/28/2023 8:15:11 PM
Laurel Christian



THE STAPLE

The ever-classic "Staple" style
bike rack is Portland City
Code approved. Lock it up!

CONSTRUCTION/ MATERIAL OPTIONS

- ✓ **2" Sch. 40 Round Steel Pipe**
(shown)
- 2" x 2" Square Steel Tubing
(Pipecutter Proof)
- 5/8" x 2 1/2" Steel
Flat Bar (Pipecutter Proof)
- Steel Flanges (Varies)

DIMENSIONS

- 30" Length
- 5.5" Width
- 36" Height
- Custom Size Height/Length

MOUNTING OPTIONS

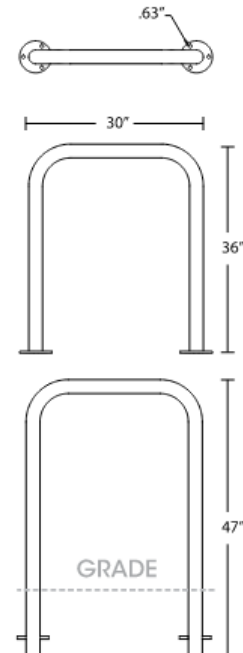
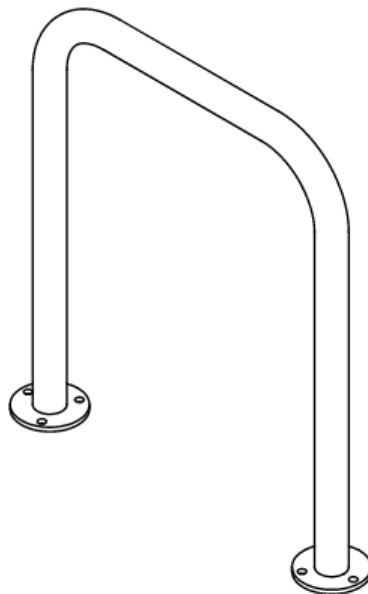
- ✓ **Flange Mount (Shown)**
(6) .63" Mounting Holes
- In-Ground
- 11" Leg Extensions

FINISH OPTIONS

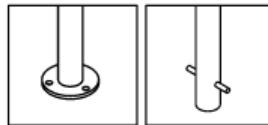
- T304 Stainless Steel
- #4 Satin Finish
- Hot Dipped Galvanized
- ✓ **Powder Coating**
Black
- Thermoplastic Coating
- #

ADDITIONAL OPTIONS

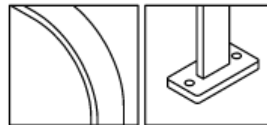
- Flange Cover (available at
additional cost on round
pipe only)



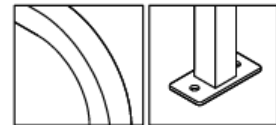
Flange or In-Ground



Flat Bar & Flange



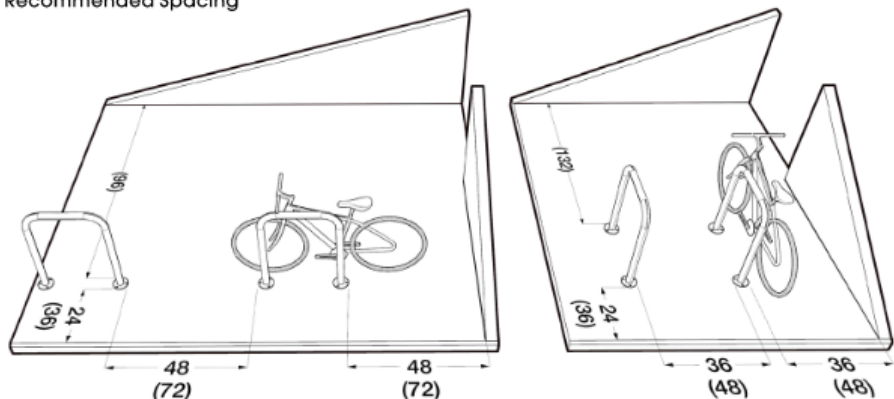
Square Tubing & Flange



RECOMMENDED LAYOUT

NOTES:

- "Bike" is 70"
- # Minimum Spacing
- (#) Recommended Spacing



CONTRACTOR:

JOB:

NOTES: