

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.: 25-104798-PLN

NOTICE OF DECISION DATE: March 14, 2025

REQUEST: A Class 1 Site Plan Review to establish uses for four buildings to Indoor Commercial Entertainment, General Wholesaling, Warehousing and Distribution and a Vocational Trade School. The subject property is 10.78 acres in size, zoned IG (General Industrial) located at 1885 22nd Street SE (Marion County Assessors Map and Tax Lot number: 073W35DB / 4500).

APPLICANT: Michael Junge on behalf of the owner Nathan Levin

LOCATION: 1885 22nd Street SE

FINDINGS: The findings are in the attached Decision dated March 14, 2025.

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 March 14, 2029, 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 **MARCH 14, 2025**. 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: 25 104798.

<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)
25-104798-PLN)
1885 22ND STREET SE) MARCH 14, 2025

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

A Class 1 Site Plan Review to establish uses for four buildings to Indoor Commercial Entertainment, General Wholesaling, Warehousing and Distribution and a Vocational Trade School. The subject property is 10.78 acres in size, zoned IG (General Industrial) located at 1885 22nd Street SE (Marion County Assessors Map and Tax Lot number: 073W35DB / 4500).

PROCEDURAL FINDINGS

1. On February 27, 2025, an application for a Class 1 Site Plan Review was submitted for property located at 1885 22nd Street SE.
2. After additional requested information was provided by the applicant, the application was deemed complete on March 11, 2025.

SUBSTANTIVE FINDINGS

1. Proposal

The proposed Class 1 Site Plan Review affects properties located at 1885 22nd Street SE (**Attachment A**). The Class 1 Site Plan Review proposes an Indoor Commercial Entertainment, General Wholesaling Warehousing and Distribution and a Vocational Trade School use in four existing 14,000 square feet building (**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 application is for a change 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 does not include exterior work 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: The scope of work for the project does not include exterior work to the existing building. No changes to the building, parking or landscaping are proposed.

(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 IG (General Industrial). Development of the property is therefore subject to the use and development standards of the IG zone (SRC Chapter 554) and all other applicable standards of the UDC. The proposal conforms to SRC Chapter 554 and all other applicable development standards of the UDC as follows:

Development Standards – IG (General Industrial) Zone:

SRC 554.005(a) – Uses:

The permitted (P), special (S), conditional (C), and prohibited (N) uses in the IG zone are set forth in Table 554-1.

Finding: The proposed development includes changes of use for four buildings with suites. The proposed uses include Commercial Entertainment- Indoor, General Wholesaling, Warehousing and Distribution and Post-secondary and Adult Education -Vocational Trade School which are all permitted uses in the IG zone per SRC Chapter 554, Table 554-1. A summary of all proposed uses in the four buildings are included in the table below.

Proposed Uses

Building Number	Suite Number	Square Footage	Use Classification
1845	150	7,000	Commercial Entertainment- Indoor
1845	180	7,000	General Wholesaling
1855	N/A	14,000	General Wholesaling
1875	N/A	14,000	General Wholesaling
1885	110	7,000	Warehousing and Distribution
1885	130	7,000	Post-secondary and Adult Education - Vocational Trade School

Off-Street Parking and Driveways

SRC 806.015 – Amount Off-Street Parking.

Off-street parking shall not exceed the amounts set forth in Table 806-1.

Finding: The buildings and vehicle use areas were approved in SPR-ADJ-DAP22-41. There are no proposed changes to the approved parking area; therefore, the development standards relating to off-street parking areas in this section are 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), West Salem Central Business District (WSCB), Mixed Use-I (MU-I), Mixed Use-II (MU-II), Mixed Use-III (MU-III), Mixed Use-Riverfront (MU-R), and Edgewater/Second Street Mixed-Use Corridor (ESMU) zone. Notwithstanding any other provision of this chapter, the bicycle parking requirements for a change of use of an existing building within the CB, WSCB, MU-I, MU-II, MU-III, MU-R, and ESMU zones where at least 75 percent of the width of the lot at the front setback line is occupied by existing buildings 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.

Finding: A summary of all proposed uses in the four buildings and bicycle parking requirements are included in the table below.

Bicycle Proposed Uses

Building Number	Suite Number	Square Footage	Use Classification	Bicycle Parking Requirement for Use	Bicycle Parking Required
1845	150	7,000	Commercial Entertainment-Indoor	The greater of 4 spaces or 1 space per 500 sq. ft.	14
1845	180	7,000	General Wholesaling	1 per 15,000 sq. ft.	0
1855	N/A	14,000	General Wholesaling	1 per 15,000 sq. ft.	1
1875	N/A	14,000	General Wholesaling	1 per 15,000 sq. ft.	1
1885	110	7,000	Warehousing and Distribution	The greater of the following: 4 spaces; or: 1 per 10,000 sq. ft. for first 50,000 sq. ft.	4
1885	130	7,000	Post-secondary and Adult Education - Vocational Trade School	The greater of the following: 4 spaces; or 1 per 3,500 sq. ft. for first 50,000 sq. ft.	4

The proposal 13 includes installing staple racks that provide two bicycle parking spaces per rack, which would provide 26 bicycle parking spaces (**Attachment B**). The proposal meets this criterion.

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 building 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.* All 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.

Finding: The proposed bicycle parking is shown on the site plan (**Attachment B**) to be 50 feet from a primary entrance meeting this standard.

(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.

Finding: The site plan includes details for bicycle parking and access (**Attachment B**) showing that the proposed bicycle parking spaces meet the minimum dimension requirements of Table 806-10, meeting this standard.

(d) Surfacing. Where bicycle parking is located outside a building, the bicycle parking area shall consist of a hard surface material.

Finding: The site plan includes details for bicycle parking and access (**Attachment B**) showing that the proposed bicycle parking spaces are proposed on a hard surface material.

(e) Bicycle racks. Where bicycle parking is provided in racks, the racks may be horizontal or vertical racks mounted to the ground, floor, or wall. Bicycle racks shall meet the following standards:

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

- (B) For vertical racks, the rack must support the bicycle in a stable vertical position in two or more places without damage to the 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 806-11.

Finding: The site plan includes details for bicycle parking and access (**Attachment B**) showing that the proposed bicycle parking spaces shall be provided by a staple rack that meet the standard.

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: SPR-ADJ-DAP22-41 approved six loading spaces and no other loading spaces are required for the proposed uses.

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. Site Plan

G:\CD\PLANNING\CASE APPLICATION Files 2011-On\SITE PLAN REVIEW Type 1 (Class 1 and Class 2)
\2025\25-104798-PLN Decision.arp.docx