

NOTICE OF DECISION

PLANNING DIVISION
555 LIBERTY ST. SE, RM 305
SALEM, OREGON 97301
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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.: 25-107103-PLN

NOTICE OF DECISION DATE: April 17, 2025

REQUEST: A Class 1 Site Plan Review for a change of use to *outpatient medical services and laboratories* for a new suite within an existing 11,211 square foot office complex. The subject property is 1.2 acres in size, zoned MU-III (Mixed Use-III), and located at 4093 Commercial Street SE, Suite 120 (Marion County Assessor's Map and Tax Lot number: 083W10AB/ 1600).

APPLICANT: Blake Bural, AC+Co Architecture, on behalf of Jeff Christensen

LOCATION: 4093 Commercial Street SE, Suite 120

FINDINGS: The findings are in the attached Decision dated April 17, 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 April 17, 2029, or this approval shall be null and void.

Case Manager: Quincy Miller, Planner I, gmill@cityofsalem.net, (503) 584-4676

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 April 17, 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 107103.

<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)
25-107103-PLN)
4093 COMMERCIAL STREET SE) APRIL 17, 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 for a change of use to *outpatient medical services and laboratories* for a new suite within an existing 11,211 square foot office complex. The subject property is 1.2 acres in size, zoned MU-III (Mixed Use-III), and located at 4093 Commercial Street SE, Suite 120 (Marion County Assessor's Map and Tax Lot number: 083W10AB/1600).

PROCEDURAL FINDINGS

1. On April 3, 2025, an application for a Class 1 Site Plan Review was submitted for property located at 4093 Commercial Street SE.
2. On April 10, 2025, the application was deemed complete.

SUBSTANTIVE FINDINGS

1. Proposal

The proposed Class 1 Site Plan Review affects property located at 4093 Commercial Street (**Attachment A**). The Class 1 Site Plan Review proposes interior tenant improvements, including a change of use for one tenant space to an *outpatient medical services and laboratories* use, within an existing seven-tenant office complex with a total floor area of 11,211 square feet. 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 an interior only tenant improvement and 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 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 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 the section below.

(e) The application meets all applicable standards of the SRC.

Finding: The subject property is zoned MU-III (Mixed Use-III). Development of the property is therefore subject to the use and development standards of the MU-III zone (SRC Chapter 535) and all other applicable standards of the UDC. The proposal conforms to SRC Chapter 535 and all other applicable development standards of the UDC as follows:

Development Standards – MU-III (Mixed-Use III) Zone:

SRC 535.010(a) – Uses.

The permitted (P), special (S), conditional (C), and prohibited (N) uses in the MU-III zone are set forth in Table 535-1.

Finding: The proposed development includes interior tenant improvements and a change of use for a 1,353 square foot tenant space to an *outpatient medical services and laboratories* use. This is within an existing seven-suite 11,211 square foot office complex containing various other commercial uses, which are permitted uses in the MU-III zone per SRC

Chapter 535, Table 535-1. The proposed development plans are included as **Attachment B**. A summary of all uses in the building are included in the table below.

Suite	Square Footage	Use Classification	Table 535-1
4093 Commercial St	11,932 sf total		
Suite 110	2,391 sf	Postal Services and Retail Financial Services	Permitted Use
Suite 120	1,353 sf	Outpatient Medical Services and Laboratories	Permitted Use
Suite 130	2,315 sf	Outpatient Medical Services and Laboratories	Permitted Use
Suite 140	1,589 sf	Retail Sales	Permitted Use
Suite 150	1,189 sf	Eating and Drinking Establishment	Permitted Use
Suite 160	933 sf	Office	Permitted Use
Suite 170	1,441 sf	Office	Permitted Use

Off-Street Parking and Driveways

SRC 806.015 – Amount Off-Street Parking.

- (a) *Maximum Off-Street Parking.* Except as otherwise provided in this section, and unless otherwise provided under the UDC, off-street parking shall not exceed the amounts set forth in Table 806-1. For the purposes of calculating the maximum amount of off-street parking allowed, driveways shall not be considered off-street parking spaces.

Finding: No modification to the existing off-street parking area is proposed for the development. Therefore, this standard 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.

Finding: As the proposed development includes a change of use, the bicycle parking standards of SRC 806.045 apply. Per Table 806-9 in SRC 806.055, an *office complex* requires the greater of four spaces or one space per 3,500 square feet for the first 50,000 square feet. For the 11,211 square foot office complex, this requires a minimum of four bicycle parking spaces. The applicant's site plan indicates six bicycle parking spaces are located on the development site, meeting the standard.

Off-Street Loading Areas

SRC 806.065 – General Applicability.

- (a) 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.
- (b) *Applicability to nonconforming off-street loading area.* When off-street loading is required to be added to an existing off-street loading 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 806.070 – 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 additional off-street loading spaces are required for the proposed change of use.

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.

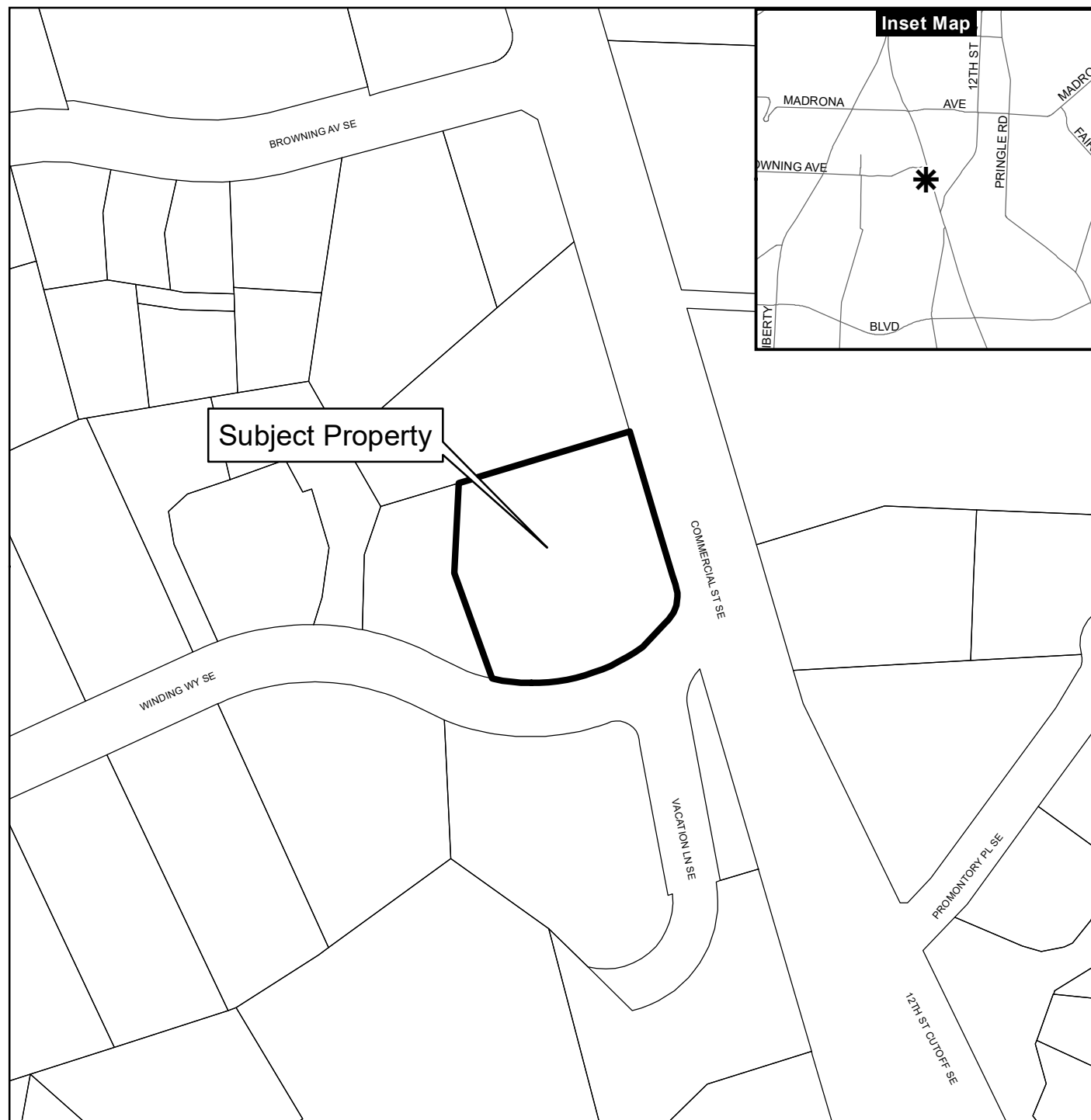


Quincy Miller, Planner I, on behalf of
Lisa Anderson-Ogilvie, AICP
Planning Administrator

Attachments: A. Vicinity Map
 B. Proposed Site Plan

Vicinity Map

4093 Commercial Street SE



Legend

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

Parks

CITY OF Salem
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Community Planning and Development

0 100 200 400 Feet



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WINDING WAY COURT CHANGE OF USE SITE PLAN

4093 COMMERCIAL ST SE
SALEM, OR 97302

DESIGN TEAM

ARCHITECT:
AC + CO ARCHITECTURE | COMMUNITY
1100 LIBERTY ST. SE., SUITE 200
SALEM, OREGON 97302
PH: 503-581-4114
FAX: 503-581-3655
CONTACT: BLAKE BURAL, AIA
EMAIL: bbural@acccac.com

OWNER:
WINDING WAY COURT LLC
2837 22ND ST SE #155
SALEM OR 97302

CODE SUMMARY

PROJECT INFORMATION:

PROJECT NUMBER: 2025.0019.000
PRINCIPLE ARCHITECT: BLAKE BURAL, AIA
CODE: 2022 OSSC, AMENDMENTS BASED ON 2021 IBC
PROJECT DESCRIPTION: FIRST TIME USER IN SUITE 120

ZONING CODE

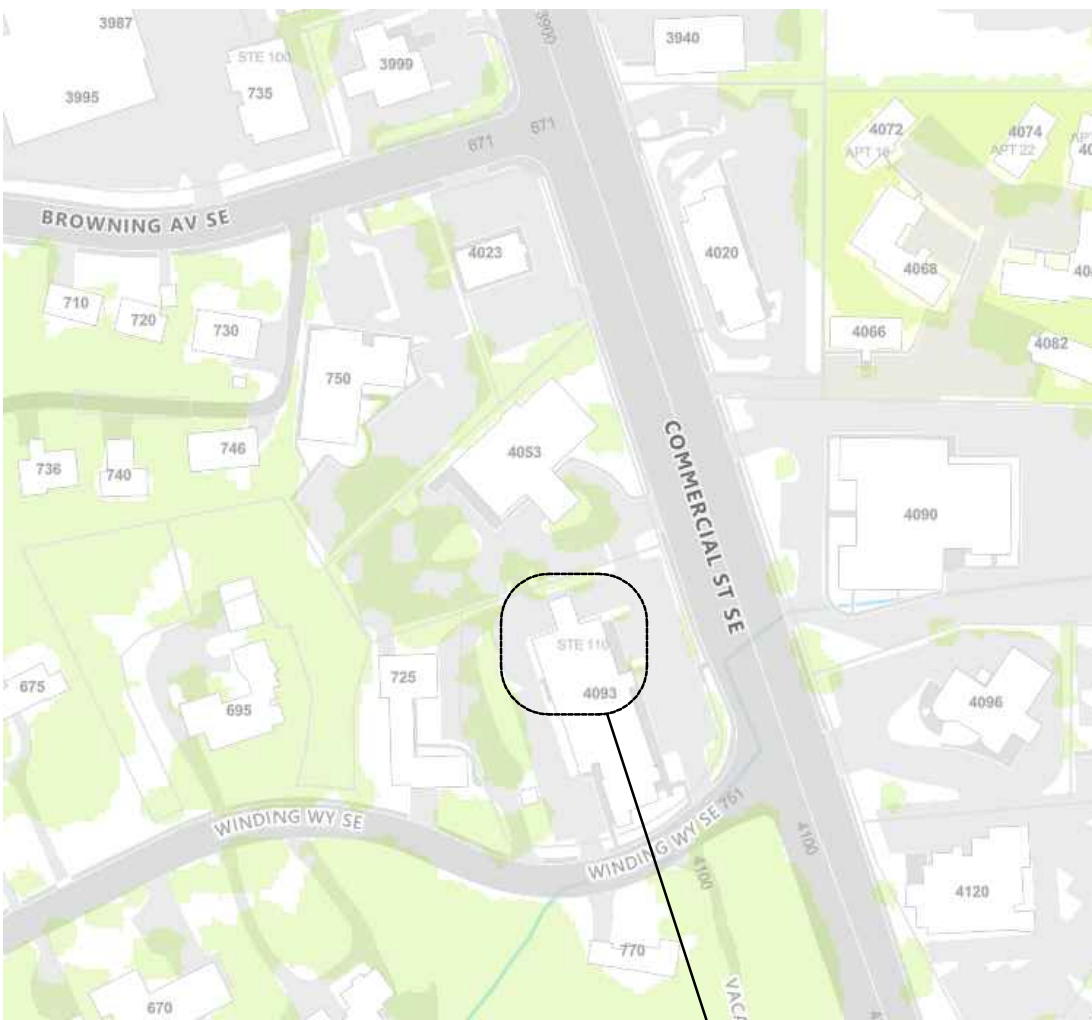
USE: SEE TABLE BELOW
LISTED ZONE: MU-III MIXED USE III
DEVELOPMENT STANDARDS:
LOT AREA: 1.2 AC (52,435 SF)
OFF-STREET PARKING:
PARKING: 47- EXISTING
HANDICAP PARKING: 2 - EXISTING
BICYCLE: 6 BICYCLE STALLS - EXISTING

SUITE	RATIO	PARKING MAX.	PER SEC. 806.015
110	1/350 SF	2,391	= 6.8
120	1/250 SF	1,353	= 5.4
130	1/250 SF	2,315	= 9.2
140	1/200 SF	1,589	= 7.9
150	1/175 SF	1,189	= 6.8
160	1/250 SF	933	= 3.7
170	1/250 SF	1,441	= 5.7

TOTAL PARKING MAX: 45.5

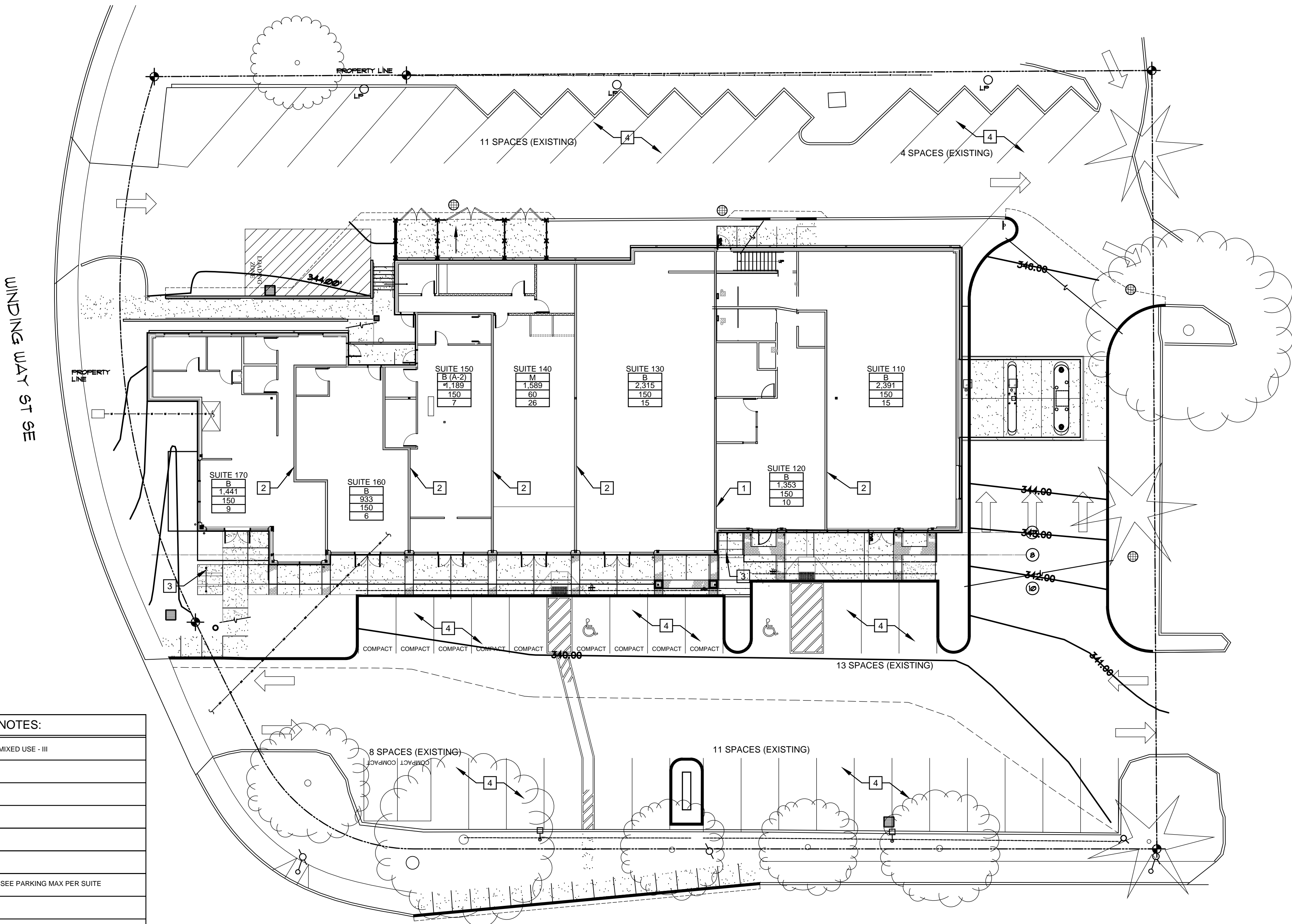
TOTAL EXISTING: 47

VICINITY MAP



SITE SUMMARY:		NOTES:
ZONING DESIGNATION	= MU-III	MIXED USE - III
BUILDING USE	= RETAIL BUILDING	
TOTAL SITE AREA	= 29,735 SF	
GROSS FLOOR AREA	= 11,211 SF	
BUILDING HEIGHT	= 16'-4"	
AERIAL FIRE ACCESS	= NA	
PARKING		SEE PARKING MAX PER SUITE
FULL	= 10 + 15 = 35	
COMPACT	= 10	
HANDICAP	= 2	REQ.
TOTAL	= 47	
LOADING ZONE	= NA	NO DELIVERIES OVER 8000 LB. USE PARKING SPACES 25' OF FRONT DOORS
BIKE PARKING REQ.	= 4 MIN	SHOPPING CENTER 1 PER 5,000 SF; OR 4 MIN
BIKE PARKING PROVIDED	= 6	EXISTING
FLOOR AREA RATIO (FAR)	= NA	

1 SITE PLAN - EXISTING CONDITIONS
SCALE: 1/32" = 1'-0"



REFERENCE NOTES:

- EXISTING 2 HOUR AREA SEPARATION WALL TO REMAIN
- EXISTING PARTITION TO REMAIN
- EXISTING BIKE RACK TO REMAIN
- EXISTING PARKING SPACES TO REMAIN



In the event conflicts are discovered between the original signed and sealed documents prepared by the Architects and/or their Consultants, and any copy of the documents transmitted by mail, fax, electronically or otherwise, the original signed and sealed documents shall govern.

JOB NO.: 2025.0019

DATE: MARCH 25, 2025

DRAWN: KEC

REVISIONS:



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SHEET

A0.1