

# 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 MODIFICATION

**APPLICATION NO.:** 25-109070-PLN

**NOTICE OF DECISION DATE:** May 1, 2025

**REQUEST:** A Modification of a Class 1 Site Plan Review (24-105070-PLN) to establish additional suites for a salon on the second floor of the Forge building. The subject property is 20,640 square feet in size, zoned CB (Central Business District) and located at 285 Liberty Street NE (Marion County Assessor Map and Tax Lot 073W22DC / 7200).

**APPLICANT:** Britany Randal of Brand Land Use, on behalf of Clutch Industries

**LOCATION:** 285 Liberty Street NE

**FINDINGS:** The findings are in the attached Decision dated May 1, 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 May 1, 2029, or this approval shall be null and void.

Case Manager: Peter Domine, Planner II [pdomine@cityofsalem.net](mailto:pdomine@cityofsalem.net), 503-540-2311

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 May 1, 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 109070.

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

**BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM**

**DECISION**

**IN THE MATTER OF APPROVAL OF ) FINDINGS & ORDER**  
**MODIFICATION OF CLASS 1 )**  
**SITE PLAN REVIEW (24-105070) )**  
**CASE NO. 25-109070-PLN )**  
**285 LIBERTY STREET NE ) MAY 1, 2025**

In the matter of the application for a Modification to an existing 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 Modification of a Class 1 Site Plan Review (24-105070-PLN) to establish additional suites for a salon on the second floor of the Forge building. The subject property is 20,640 square feet in size, zoned CB (Central Business District) and located at 285 Liberty Street NE (Marion County Assessor Map and Tax Lot 073W22DC / 7200).

**PROCEDURAL FINDINGS**

1. On March 14, 2024, an application for a Class 1 Site Plan Review (24-105070-PLN) was approved for a change of use and interior tenant improvements to establish a new eating and drinking establishment and salon spaces within an existing building, creating Suites 200, 220, 230, and 240.
2. On April 29, 2025, an application for a Modification of Class 1 Site Plan Review was submitted to establish additional suites for additional tenant suites for salon spaces in the building.
3. On May 1, 2025, the application was deemed complete.

**SUBSTANTIVE FINDINGS**

**1. Proposal**

The proposed Class 1 Site Plan Review affects the property located at 285 Liberty Street NE (**Attachment A**). The Modification to the Class 1 Site Plan Review proposes the creation of additional suites for the establishment of additional tenant suites for salon spaces on the second floor of the building. The applicant's proposed site plan is included as **Attachment B**, and the original approval being modified is included as **Attachment C**.

**2. City Department Comments**

Development Services – Reviewed the proposal and indicated no concern.

Building and Safety – Reviewed the proposal and indicated no concerns. Individual occupancy permits will be required for each suite created.

Salem Fire Department – Reviewed the proposal and indicated no concerns.

### **DECISION CRITERIA FINDINGS**

#### **3. Analysis of a Modification of Class 1 Site Plan Review Approval Criteria**

Pursuant to Salem Revised Code (SRC) 220.010, a site plan review approval may be modified after its effective date if the proposed modification meets the criteria in this section. Proposed modifications that do not meet the criteria in this section require submittal of a new application for site plan review. Modification of a Class 1 or Class 2 site plan review approval is processed as a Type I procedure under SRC Chapter 300. The following subsections are organized with approval criteria, followed by findings of fact upon which the decision is based. Lack of compliance with the following criteria is grounds for denial or for the issuance of conditions of approval to satisfy the criteria.

***SRC 220.010(d)(1): Modification of a Class 1 Site Plan Review shall be granted if all of the following criteria are met:***

***(A) The proposed modification does not change the class of site plan review of the original application;***

**Finding:** The applicant has requested a modification to an existing Class 1 Site Plan Review that originally approved interior tenant improvements for the establishment of Suites 200, 230, and 240 for multiple tenant suite for new salons (a *personal services* use) and Suite 220 for a café (an *eating and drinking establishment* use). The applicant is requesting to create additional suites on the second floor of the building for additional salon spaces. The proposed development plans include additional new suites numbered 200; 202; 204; 206; 208; 210; 212; 214; 216; 218; 222; 250; 252; 254; 256; 258; 260; 262; 264; 266; 268; 270; and 272.

The additional suites for the proposed *personal services* uses are permitted uses within the zone, and as discussed below, the proposed modification to add more suites does not substantially change the original approval, and complies with this approval criterion. This approval criterion is met.

***(B) The proposed modification meets all the applicable standards of the UDC;***

**Finding:** The application is for the modification of a Class 1 Site Plan Review. 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 proposing interior tenant improvements for the establishment of new suites for salon spaces only. 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 includes only a interior improvements and the establishment of new uses within the existing building. The proposed development plans include additional new suites numbered 200; 202; 204; 206; 208; 210; 212; 214; 216; 218; 222; 250; 252; 254; 256; 258; 260; 262; 264; 266; 268; 270; and 272 for future tenants.

***(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 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:

*SRC 524.005(a) – Uses*

The permitted, special, conditional, and prohibited uses in the CB zone are set forth in Table 524-1.

**Finding:** The proposal includes the creation of additional suites for additional salon spaces on the second floor within an existing building. The proposed development plans include additional new suites numbered 200; 202; 204; 206; 208; 210; 212; 214; 216; 218; 222; 250; 252; 254; 256; 258; 260; 262; 264; 266; 268; 270; and 272 for the proposed *personal services* uses, which is a permitted use within the CB zone. This standard is met.

*Off-Street Parking and Driveways*

*SRC 806.015 – Amount of 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:** There are no parking minimums required and no additional off-street parking spaces are proposed with the development; therefore, the standards in SRC 806.015-806.040 are not applicable to the proposed development.

### *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:** SRC 806.045(b) provides that 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. There are eight bicycle parking spaces in the form of four existing staple-style bicycle racks in the right-of-way along the block face of the existing building within the CB zone. These standards are met.

### *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 additional off-street loading spaces are required for the proposed uses.

#### **4. Conclusion**

Based on the conformance with the preceding requirements the Planning Administrator certifies that the proposed Class 1 Site Plan Review Modification is in conformance with the UDC and the approval criteria provided in SRC 220.010(d)(1), provided compliance occurs with any applicable items noted above.

Building permits are required for the proposed development.

**Next steps:** Please submit building permits or other development permits for this project with the Building and Safety Division. Please submit a copy of this decision or this application file number with your building permit application for the work proposed.

#### **IT IS HEREBY ORDERED**

The proposed Class 1 Site Plan Review Modification 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.



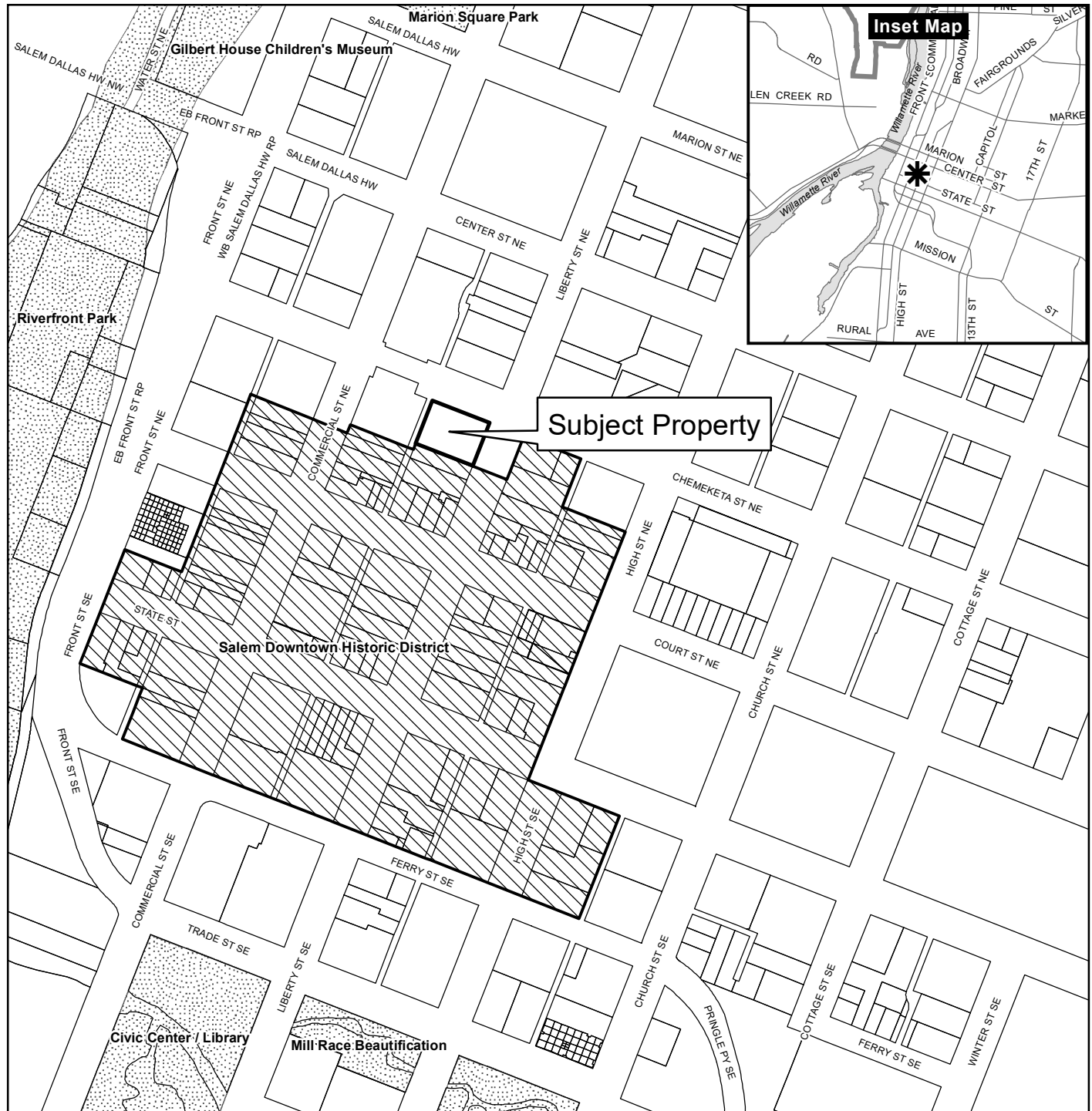
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Peter Domine, Planner II, on behalf of  
Lisa Anderson-Ogilvie, AICP  
Planning Administrator

Attachments:   A. Vicinity Map  
                      B. Modified Site Plan  
                      C. Original 24-105070-PLN Decision

# Vicinity Map

## 285 Liberty Street NE



### Legend

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

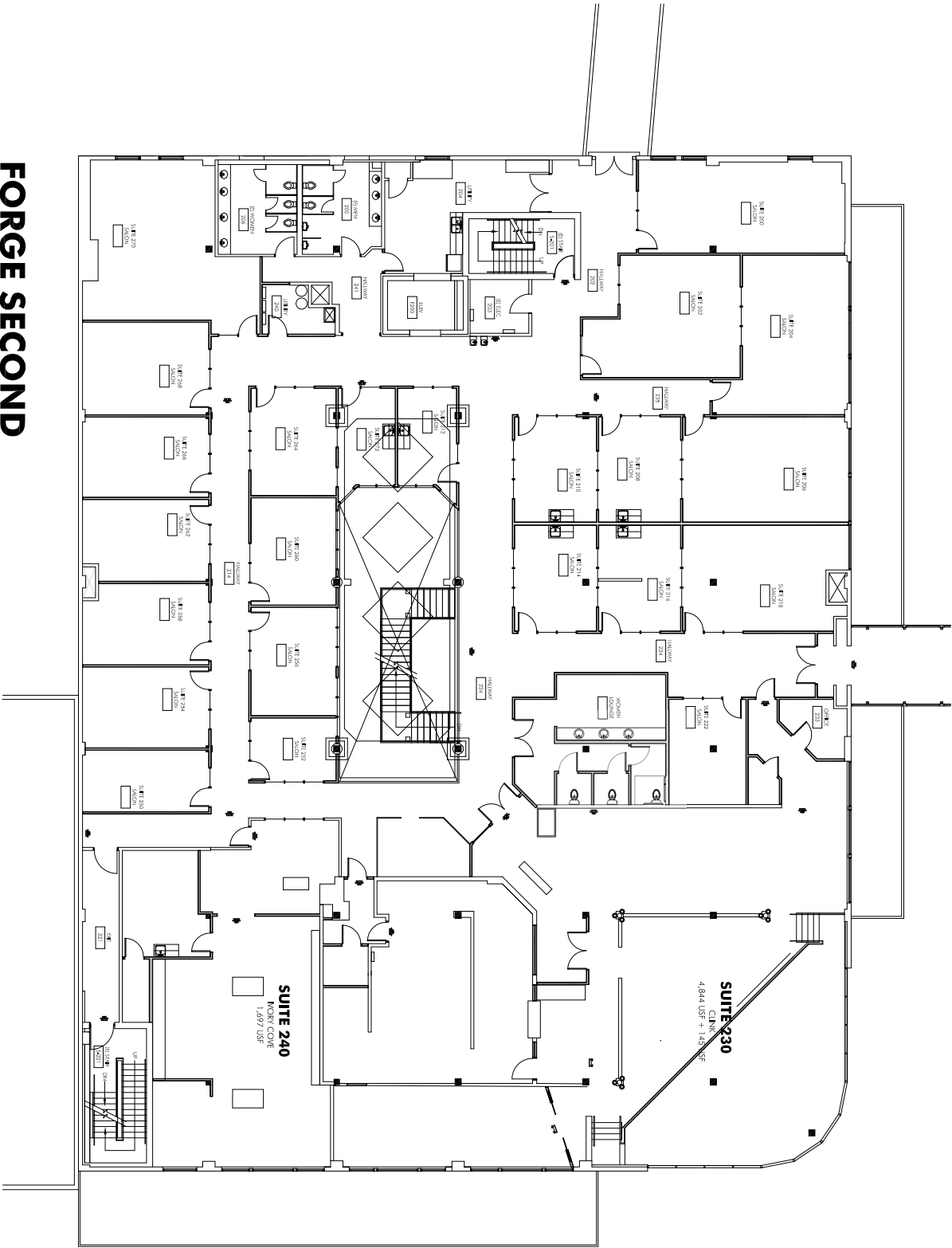
Parks

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AT YOUR SERVICE  
Community Development Dept.

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0 100 200 400 Feet





**FORGE SECOND**  
**FLOOR PLAN**

$\frac{1}{8}'' = 1'-0'' @ 22 \times 34$  28 APRIL 2025



*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.:** 24-105070-PLN

**NOTICE OF DECISION DATE:** March 14, 2024

**REQUEST:** A Class 1 Site Plan Review for a change of use to a personal services use and eating and drinking establishment use with associated interior tenant improvements. The subject property is 20,640 square feet in size, zoned CB (Central Business District) and located at 285 Liberty Street NE (Marion County Assessor Map and Tax Lot 073W22DC / 7200).

**APPLICANT:** Studio 3 Architecture, Gene Bolante

**LOCATION:** 285 Liberty Street NE

**FINDINGS:** The findings are in the attached Decision dated March 14, 2024.

**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, 2028, or this approval shall be null and void.

Case Manager: Abigail Pedersen, Planner I, [apedersen@cityofsalem.net](mailto: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, 2024**. 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: 24 105070.

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

# NOTICE OF DECISION

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



**BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM**

**DECISION**

<b>IN THE MATTER OF APPROVAL OF</b>	<b>) FINDINGS &amp; ORDER</b>
<b>CLASS 1 SITE PLAN REVIEW</b>	<b>)</b>
<b>24-105070-PLN</b>	<b>)</b>
<b>285 LIBERTY STREET NE</b>	<b>) March 14, 2024</b>

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 a personal services use and eating and drinking establishment use with associated interior tenant improvements. The subject property is 20,640 square feet in size, zoned CB (Central Business District) and located at 285 Liberty Street NE (Marion County Assessor Map and Tax Lot 073W22DC / 7200).

**PROCEDURAL FINDINGS**

1. On February 28, 2024, an application for a Class 1 Site Plan Review was submitted for property located at 285 Liberty Street NE.
2. After additional requested information was provided by the applicant, the application was deemed complete on March 14, 2024.

**SUBSTANTIVE FINDINGS**

**1. Proposal**

The proposed Class 1 Site Plan Review affects property located at the 285 Liberty Street NE, Suites 200 and 220 (**Attachment A**). The Class 1 Site Plan Review proposes establishing a personal services use and an eating and drinking establishment use with interior tenant improvements to a portion of the second floor of the existing building including creating several salon spaces with communal space in suite 200 and a café in suite 220 (**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 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 CB zone are set forth in Table 524-1.

**Finding:** The proposed development includes renovations to portions of the second floor, including a personal services use and eating and drinking establishment use, which are both

permitted uses in the CB zone per SRC Chapter 524, Table 524-1. The proposed development plans are included as **Attachment B**.

## **Off-Street Parking and Driveways**

### *SRC 806.015 – Amount of 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 off-street parking spaces are proposed on the subject property; therefore, the standards in SRC 806.015-806.040 are not applicable to the proposed development.

## **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:** SRC 806.045(b) provides that 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. There is evidence of four existing bike racks in the right-of-

way along the block face of the existing building within the CB zone, thereby providing eight bicycle parking spaces and meeting 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:** 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.

A handwritten signature in blue ink, appearing to read 'Abigail Pedersen', is positioned above a horizontal line.

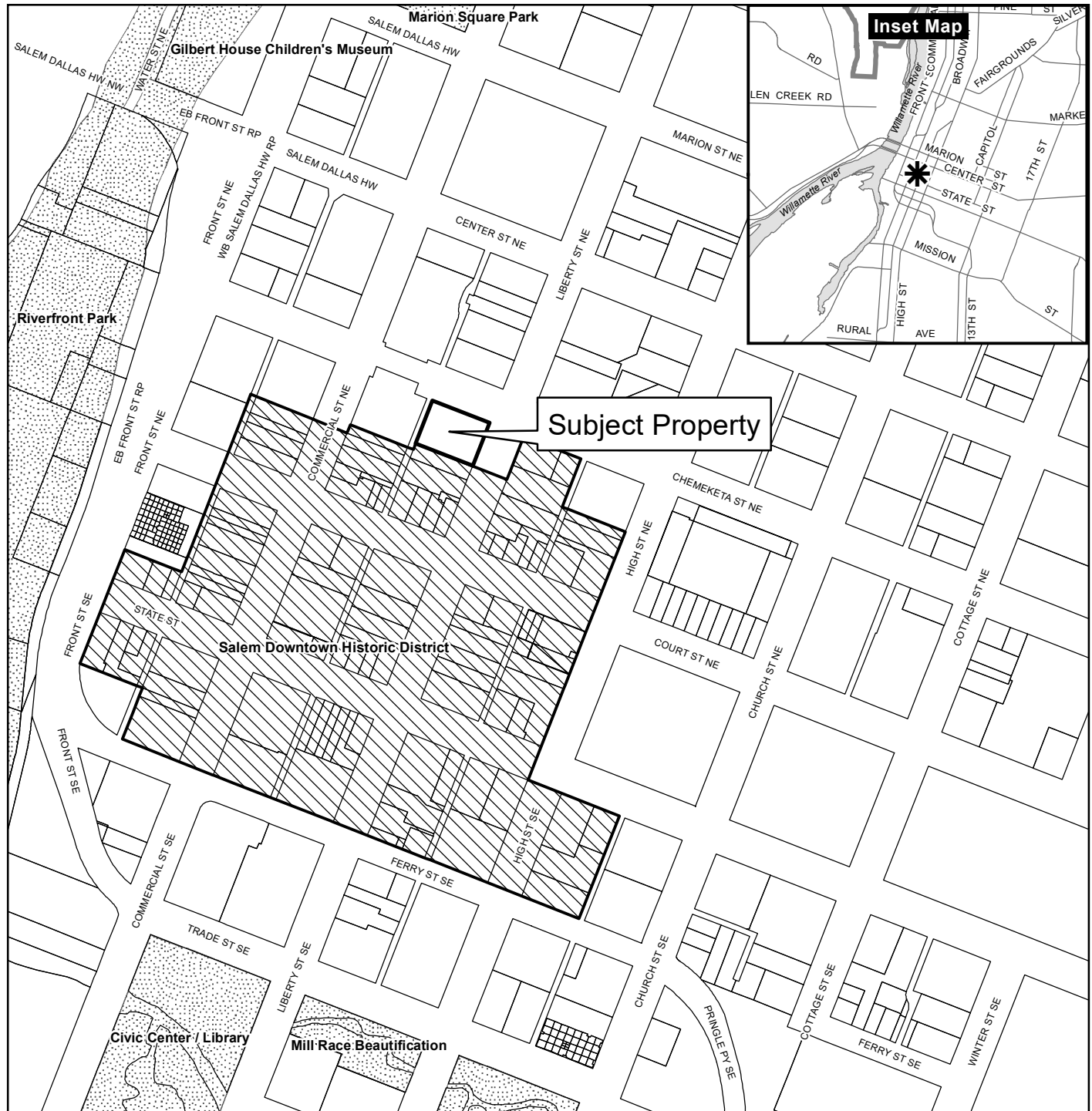
Abigail Pedersen, Planner I, on behalf  
of Lisa Anderson-Ogilvie, AICP  
Planning Administrator

Attachments:       A. Vicinity Map  
                      B. Interior Plans

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# Vicinity Map

## 285 Liberty Street NE



### Legend

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

Parks

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