

**SALEM HEARINGS OFFICER MINUTES**  
**May 9, 2019**

**Hearings Officer**  
Jim Brewer

**Staff Present**  
Bryce Bishop, Planner II  
Pamela Cole, Planner II  
Kirsten Straus, Recorder

Hearings Officer Jim Brewer called the meeting to order at 5:30 p.m. City of Salem staff members present were Bryce Bishop – Planner II, Pamela Cole – Planner II, and Kirsten Straus – Recorder.

**1. PUBLIC HEARING ON A VALIDATION OF UNIT OF LAND CASE**

- **VUL19-05 for property located at 3800 Block of Dogwood Dr S; 19-106390-LD**

**Request:** An application to validate and lawfully establish a unit of land that was unlawfully created by sale through the recording of a deed in 1983 without receiving required land use approval. The unit of land proposed to be lawfully established through the validation process is approximately 6,269 square feet (0.14 acres) in size, zoned RS (Single Family Residential), and located in the 3800 Block of Dogwood Drive S (Marion County Assessor's Map and Tax Lot Number: 083W04CB04900).

Mr. Brewer read the applicable criteria into the record. No objection to jurisdiction was raised and the public hearing was opened at 5:33 p.m.

Case Manager Bryce Bishop entered the staff report, all attachments, and the presentation into the record and proceeded with the presentation.

**RECOMMENDATION**

Based upon the application and information presented in this staff report, and the facts and findings contained herein, staff recommends the Hearings Officer APPROVE the request to validate and lawfully establish a unit of land that was unlawfully created by sale through the recording of a deed in 1983 without receiving required land use approval; for property approximately 6,269 square feet (0.14 acres) in size, zoned RS (Single Family Residential), and located in the 3800 Block of Dogwood Drive S (Marion County Assessor's Map and Tax Lot Number: 083W04CB04900).

At this time the Hearings Officer had no questions for Staff.

**PERSONS TESTIFYING:**

Applicant: Brandie Dalton, Multi/Tech Engineering, 1155 SE 13<sup>th</sup> ST, applicant's representative

Neighborhood Association: None

Support: None

Oppose: None

Neutral: None

Evidence Received From:

Support: None

Oppose: None

Neutral: None

Rebuttal: None

At this time the applicant waived the additional 7 day period for written argument.

With no further questions or testimony to present, the Hearings Officer closed the public hearing at 5:38 p.m.

## **2. PUBLIC HEARING ON NONCONFORMING USE / SITE PLAN REVIEW / ADJUSTMENT CASE**

- **NC-SPR-ADJ19-01 for property located at 3000 BLOCK OF PRINGLE RD SE; 19-106402- ZO, 19-106403-RP, and 19-106405- ZO**

**Request:** Consolidated Nonconforming Use, Class 3 Site Plan Review, and Class 2 Adjustment applications to expand the nonconforming uses allowed on an existing private 30-foot-wide access easement through property zoned RM2 (Multiple Family Residential 2); to construct a new multi-tenant building with parking lot, landscaping, and other site improvements; and two class two adjustments to:

- 1) Reduce the required 30-foot setback to the west property line to approximately 20-feet 8-inches and
- 2) Reduce the required 30-foot setback to the south property line to approximately 17-feet 6-inches

For property approximately 1.05 acres in size, zoned IP (Industrial Park), located at the 3000 Block of Pringle Road SE, adjacent to the west of 3224 Pringle Road SE 97302 (Marion County Assessor's Map 083W02BA / 1805). Mr. Brewer read the applicable criteria into the record. No objection to jurisdiction was raised and the public hearing was opened at 5:44 p.m.

Mr. Brewer read the applicable criteria into the record. No objection to jurisdiction was raised and the public hearing was opened at 5:39 p.m.

For the record, Pamela Cole, Planner II, filled in for Case Manager Britney Randall.

Pamela Cole entered the staff report, all attachments, and her presentation into the record and proceeded with her presentation.

### **RECOMMENDATION**

Based on the Facts and Findings contained in this staff report, staff recommends that the Hearings Officer APPROVE the applicant's request subject to the following conditions of approval:

- Condition 1:** The applicant shall provide an existing conditions plan which identifies the species of trees on the subject site for the record.
- Condition 2:** At the time of building permit application, a revised site plan shall be submitted which identifies trees to be preserved. A tree removal permit is required for any significant tree proposed for removal.
- Condition 3:** At the time of building permit application, the applicant shall provide evidence that the proposed solid waste service area will comply with the standards of SRC 800.055.
- Condition 4:** At the time of building permit application, the applicant shall provide a revised site plan depicting no more than the maximum off-street parking allowance of 10 spaces -OR- prior to building permit application, the applicant shall apply for and obtain approval for a Class 2 Adjustment to the maximum allowed parking.
- Condition 5:** At the time of building permit application, the applicant shall provide a revised site plan providing 4 bicycle parking spaces which meet the development standards of SRC Chapter 806.060.
- Condition 6:** Provide a water pipeline easement along the southwest corner of the subject property in a width and alignment in conformance with the Public Works Design Standards (PWDS).
- Condition 7:** Design and construct a storm drainage system at the time of development in compliance with Salem Revised Code (SRC) Chapter 71 and PWDS.

At this time the Hearings Officer had no questions for Staff.

### **PERSONS TESTIFYING:**

Applicant: Jeffery Tross of Tross Consulting, Inc., 1720 Liberty St SE, applicant's representative

At this time, the Hearings Officer had questions for the applicant.

Neighborhood Association: None

Support: None

Oppose: None

Neutral: None

Evidence Received From:

Support: None

Oppose: None

Neutral: None

Rebuttal: None

At this time the applicant waived the additional 7 day period for written argument.

With no further questions or testimony to present, the Hearings Officer closed the public hearing at 6:01 p.m.

For the record, the last case on the original agenda, a public hearing for the appeal of the revocation of UGA Preliminary Declaration Case No. UGA18-01 was cancelled after the applicant withdrew the appeal. See Amanda Number 18-107978-LD.

The Hearings Officer adjourned the meeting at 6:01 p.m.

*Prepared by: Kirsten Straus, May 9, 2019*

*Approved: May 10, 2019*

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