

SALEM HEARINGS OFFICER MINUTES
December 18, 2019

Hearings Officer
Jim Brewer

Staff Present
Pamela Cole, Planner II
Aaron Panko, Planner III
Kirsten Straus, Recorder

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

1. PUBLIC HEARING ON A SIGN VARIANCE CASE

- **CASE NO. VAR-SI19-05; 640 Hawthorne Dr SE**

Request: A Sign Variance to allow a vehicle directional sign with a display surface of 52.625 square feet and a height of six feet where SRC 900.210(b)(5) allows a display surface not exceeding eight square feet and a height not exceeding four feet, for a hotel property located at the end of an access easement in the IBC (Industrial Business Campus) zone at 640 Hawthorne Avenue SE 97301 (Marion County Assessor Map and Tax Lot 073W36A00800).

Mr. Brewer read the applicable criteria into the record. No objection to jurisdiction was raised and the public hearing was opened at 5:35 p.m.

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

RECOMMENDATION

Based on the Facts and Findings presented in this staff report, staff recommends the Hearings Officer APPROVE the request for a Sign Variance and Sign Permit to allow a vehicle directional sign with a display surface of 52.625 square feet and a height of six feet where SRC 900.210(b)(5) allows a display surface not exceeding eight square feet and a height not exceeding four feet, for a hotel property located at the end of an access easement in the IBC (Industrial Business Campus) zone at 640 Hawthorne Avenue SE.

At this time the Hearings Officer had questions for Staff.

PERSONS TESTIFYING:

Applicant: Savana Meyer, Electric Signs, 1400 SE Township Rd, Canby OR

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 5:43 p.m.

**2. PUBLIC HEARING ON CONDITIONAL USE / CLASS 3 SITE PLAN REVIEW /
CLASS 2 DRIVEWAY APPROACH PERMIT / CLASS 2 ADJUSTMENT CASE /
CLASS 1 ADJUSTMENT**

• **CASE NO. CU-SPR-ADJ-DAP19-08; 4700 Block of Liberty Rd S**

Request: A Conditional Use Permit and Class 3 Site Plan Review request for a proposed mixed-use development with three new buildings, including 26 multi-family residential units and approximately 10,242 square feet of retail floor area, a Class 2 Adjustment request to eliminate the required interior setback for the off-street parking area, and a Class 1 Adjustment to reduce the minimum driveway spacing requirement, for property approximately 1.47 acres in size, zoned CR (Retail Commercial) and CO (Commercial Office), and located at the 4700 Block of Liberty Road S - 97302 (Marion County Assessors Map and Tax Lot numbers: 083W09DB / 00400, 00500, 00600, and 01000).

Mr. Brewer read the applicable criteria into the record. No objection to jurisdiction was raised and the public hearing was opened at 5:51 p.m.

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

An email from Jill McCabe received on December 18th was also entered into the record.

RECOMMENDATION

Based upon the Facts and Findings contained in this staff report, staff recommends that the Hearings Officer APPROVE the request for a conditional use, site plan review, adjustment and driveway approach permit applications for the proposed mixed-use development with three buildings, including 26 multi-family residential units, and approximately 10,242 square feet of retail floor area, for property located at the 4700 Block of Liberty Road S subject to the following conditions of approval:

CONDITIONAL USE:

Condition 1: Along the eastern property line, the applicant shall incorporate into the landscape design a minimum of 1 conifer tree, not less than 1-1/2 inches in caliper, for every 30 lineal feet of abutting property width.

Condition 2: The multi-family use shall contain no more than 26-dwelling units.

SITE PLAN REVIEW:

Condition 3: Prior to building permit issuance, where a proposed building crosses over existing property lines, either (1) pursuant to SRC 205.065, a property boundary verification shall be recorded, or (2) the property lines shall be adjusted or removed.

Condition 4: Development of the solid waste service area shall conform to all applicable standards of SRC Chapter 800.

Condition 5: A minimum six-foot tall sight-obscuring fence, wall, or hedge shall be provided to screen the off-street parking area from abutting residentially zoned properties to the south and east.

Condition 6: If the proposed uses for the development site will require a delivery vehicle which exceeds a maximum combined vehicle and load rating of 8,000 pounds, then the applicant shall find an alternative location for the off-street loading space meeting the requirements of SRC Chapter 806, and which does not conflict with the use of off-street parking spaces.

Condition 7: Prior to building permit issuance, convey land for dedication to equal a half-width right-of-way of 48 feet on the development side of Liberty Road S. The half-width shall be measured from the engineered centerline of Liberty Road S.

Condition 8: Prior to building permit issuance, convey land for dedication to equal a half-width right-of-way of 30 feet on the development side of Hrubetz Road SE, and a 30-foot radius at the intersection of Hrubetz Road SE and Liberty Road S.

Condition 9: Construct a half-street improvement along the frontage of Hrubetz Road SE to Collector street standards as specified in the Public Works Design Standards and consistent with the provisions of SRC Chapter 803, and curb ramps at the intersection of Hrubetz Road SE and Liberty Road S.

Condition 10: Construct the incomplete portions of a half-street improvement along the frontage of Liberty Road S as specified in the Public Works Design Standards and consistent with the provisions of SRC Chapter 803, which may include but not be limited to property line sidewalk, street trees, and street lights.

Condition 11: Close existing driveways along the frontage of Liberty Road S pursuant to SRC 804.060(a)(4).

Condition 12: The existing well on the property shall be abandoned per Department of Environmental Quality standards or a RP assembly must be installed pursuant to Public Works Design Standards.

Condition 13: Obtain City approval for quitclaim of existing sewer easements located on the subject property and abandon any existing public sewer mains on the subject property.

Condition 14: Design and construct a storm drainage system at the time of development in compliance with Salem Revised Code (SRC) Chapter 71 and Public Works Design Standards (PWDS).

ADJUSTMENTS:

Condition 15: The adjusted interior setback and driveway spacing requirements, as approved in this zoning adjustment, shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to all applicable development requirements, unless adjusted through a future land use action.

At this time the Hearings Officer had questions for Staff.

PERSONS TESTIFYING:

Applicant:

- Jim Iverson, 1995 Cuttingham, Salem
- Gene Bolante, Architect, 275 Court St NE

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

Neighborhood Association: None

Support: None

Oppose: None

Neutral: Bonnie Giles, 2941 Inland Dr S

At this time, the Hearings Officer had questions for Bonnie Giles.

Evidence Received From:

Support: None

Oppose: None

Neutral: None

Rebuttal:

- Gene Bolante, Architect
- Jim Iverson, Applicant

At this time, the applicant asked for an additional 7-day period for written argument.

Comments will be due back to the Planning office by December 26, 2019 at 5:00 P.M.

With no further questions or testimony to present, the Hearings Officer closed the public hearing at 6:17 p.m.

Prepared by: Kirsten Straus, December 18, 2019

Approved: December 23, 2019

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