



# HEARING NOTICE

## LAND USE REQUEST AFFECTING THIS AREA

### *Audiencia Pública*

*Si necesita ayuda para comprender esta informacion, por favor llame 503-588-6173*

<b>CASE NUMBER:</b>	Conditional Use, Partition, Urban Growth Preliminary Declaration, Site Plan Review, Adjustment, Driveway Approach Permit Case No. CU-PAR-UGA-SPR-ADJ-DAP19-01
<b>AMANDA APPLICATION NO:</b>	19-105556-ZO, 19-105563-LD, 19-105567-RP, 19-105571-ZO, 19-105566-LD, 19-105569-ZO
<b>HEARING INFORMATION:</b>	<u>Hearings Officer, Wednesday, April 24, 2019, 5:30 P.M., Council Chambers, Room 240, Civic Center, 555 Liberty Street SE, Salem, OR 97301</u>
<b>PROPERTY LOCATION:</b>	4910 Turner Rd SE, Salem OR 97317
<b>OWNER(S):</b>	JC Compton Company
<b>APPLICANT / AGENT(S):</b>	Blake Bural of AC+CO on behalf of Jon Taylor of Valley Roofing
<b>DESCRIPTION OF REQUEST:</b>	<p>Summary: A conditional use, partition, urban growth area preliminary declaration, site plan review, adjustment and driveway approach permit application to create two parcels, construct two new buildings, vehicle use area, and gravel storage area for a contractor's office.</p> <p>Description: A consolidated applications including a Conditional Use permit to allow a gravel storage yard within the IC zone; a Partition resulting two parcels approximately 1.05 acres in size and 1.65 acres in size; an Urban Growth Preliminary Declaration; a Class 3 Site Plan Review for a proposed 12,000 square foot building, a 3,800 square foot steel building over, new vehicle use area and gravel storage yard to be located on the newly created 1.65 acre parcel; and two Class 2 Adjustments for: 1) a proposed reduction to the setback abutting a street for 63 feet, near the southerly property line, abutting Turner Road and 2) a proposed reduction for the minimum 15 percent development site landscape standard to 12 percent. The subject property is 2.7 acres in size, zoned IC (Industrial Commercial), and located in the 4900 block of Turner Rd SE - 97317 (Marion County Assessor Map and Tax Lot 082W07 / 501).</p>
<b>CRITERIA TO BE CONSIDERED:</b>	<p><b><u>CONDITIONAL USE</u></b> Pursuant to SRC 240.005(d), an application for a CONDITIONAL USE PERMIT shall be granted if the following criteria are met:</p> <ol style="list-style-type: none"><li>1. The proposed use is allowed as a conditional use in the zone;</li><li>2. The reasonably likely adverse impacts of the use on the immediate neighborhood can be minimized through the imposition of conditions; and</li><li>3. The proposed use will be reasonably compatible with and have minimal impact on the livability or appropriate development of surrounding property.</li></ol> <p><b><u>PARTITION</u></b> Pursuant SRC 205.005(d), a tentative partition plan shall be approved if all of the following criteria are met:</p> <ol style="list-style-type: none"><li>(1) The tentative partition plan complies with the standards of this Chapter and with all applicable provisions of the UDC, including, but not limited to the following:<ol style="list-style-type: none"><li>(A) Lot standards, including, but not limited to, standards for lot area, lot width and depth, lot frontage, and designation of front and rear lot lines;</li><li>(B) City infrastructure standards; and</li><li>(C) Any special development standards, including, but not limited to floodplain development, special setbacks, geological or geotechnical analysis, and vision clearance.</li></ol></li></ol>

- (2) The tentative partition plan does not impede the future use or development of the property or adjacent land.
- (3) Development within the tentative partition plan can be adequately served by City infrastructure.
- (4) The street system in and adjacent to the tentative partition plan conforms to the Salem Transportation System Plan.
- (5) The street system in and adjacent to the tentative partition plan is designed so as to provide for the safe, orderly, and efficient circulation of traffic into, through, and out of the partition.
- (6) The tentative partition plan takes into account the topography and vegetation of the site so the need for variances is minimized to the greatest extent practicable.
- (7) The layout, size, and dimensions of the parcels within the tentative partition plan take into account the topography and vegetation of the site, such that the least disruption of the site, topography, and vegetation will occur from the reasonable development of the parcels.
- (8) When the tentative partition plan is for property located more than 300 feet from an available sewer main, and the property will not connect to City water and sewer:
  - (A) The property is zoned residential;
  - (B) The property has received a favorable site evaluation from the county sanitarian for the installation of an on-site sewage disposal system; and
  - (C) The proposed parcels are at least 5 acres in size and, except for flag lots, have no dimension that is less than 100 feet.

#### **URBAN GROWTH PRELIMINARY DECLARATION (UGA Permit)**

Pursuant to SRC 200.025(d) and (e), the Director shall review a completed application for an Urban Growth Preliminary Declaration in light of the applicable provisions of the Master Plans and the Area Facility Plans and determine:

- (1) The required facilities necessary to fully serve the development;
- (2) The extent to which the required facilities are in place or fully committed.

The Urban Growth Preliminary Declaration shall list all required facilities necessary to fully serve the development and their timing and phasing which the developer must construct as conditions of any subsequent land use approval for the development.

#### **CLASS 3 SITE PLAN REVIEW**

Pursuant to SRC 220.005(f)(3), an application for a CLASS 3 SITE PLAN REVIEW shall be granted if:

- A. The application meets all applicable standards of the UDC;
- B. The transportation system provides for the safe, orderly, and efficient circulation of traffic into and out of the proposed development, and negative impacts to the transportation system are mitigated adequately;
- C. Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians; and
- D. The proposed development will be adequately served with City water, sewer, stormwater facilities, and other utilities appropriate to the nature of the development.

#### **CLASS 2 ADJUSTMENT**

Pursuant to SRC 250.005(d)(2), an application for a CLASS 2 ADJUSTMENT shall be granted if all the following criteria are met:

- A. The purpose underlying the specific development standard proposed for adjustment is:
  - (i) Clearly inapplicable to the proposed development; or
  - (ii) Equally or better met by the proposed development.
- B. If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.
- C. If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone.

#### **CLASS 2 DRIVEWAY APPROACH PERMIT**

Pursuant to SRC 804.025(d), an application for a CLASS 2 DRIVEWAY APPROACH PERMIT shall be granted if:

- (1) The proposed driveway approach meets the standards of this Chapter and the

Public Works Design Standards;

- (2) No site conditions prevent placing the driveway approach in the required location;
- (3) The number of driveway approaches onto an arterial are minimized;
- (4) The proposed driveway approach, where possible:
  - (A) Is shared with an adjacent property; or
  - (B) Takes access from the lowest classification of street abutting the property;
- (5) The proposed driveway approach meets vision clearance standards;
- (6) The proposed driveway approach does not create traffic hazards and provides for safe turning movements and access;
- (7) The proposed driveway approach does not result in significant adverse impacts to the vicinity;
- (8) The proposed driveway approach minimizes impact to the functionality of adjacent streets and intersections; and
- (9) The proposed driveway approach balances the adverse impacts to residentially zoned property and the functionality of adjacent streets.

**HOW TO PROVIDE TESTIMONY:**

Any person wishing to speak either for or against the proposed request may do so in person or by representative at the Public Hearing. Written comments may also be submitted at the Public Hearing. Include case number with the written comments. Prior to the Public Hearing, written comments may be filed with the Salem Planning Division, Community Development Department, 555 Liberty Street SE, Room 305, Salem, Oregon 97301. Only those participating at the hearing, in person or by submission of written testimony, have the right to appeal the decision.

**HEARING PROCEDURE:**

The hearing will be conducted with the staff presentation first, followed by the applicant's case, neighborhood organization comments, testimony of persons in favor or opposition, and rebuttal by the applicant, if necessary. The applicant has the burden of proof to show that the approval criteria can be satisfied by the facts. Opponents may rebut the applicant's testimony by showing alternative facts or by showing that the evidence submitted does not satisfy the approval criteria. Any participant may request an opportunity to present additional evidence or testimony regarding the application. A ruling will then be made to either continue the Public Hearing to another date or leave the record open to receive additional written testimony.

Failure to raise an issue in person or by letter prior to the close of the Public Hearing with sufficient specificity to provide the opportunity to respond to the issue, precludes appeal to the Land Use Board of Appeals (LUBA) on this issue. A similar failure to raise constitutional issues relating to proposed conditions of approval precludes an action for damages in circuit court.

Following the close of the Public Hearing a decision will be issued and mailed to the applicant, property owner, affected neighborhood association, anyone who participated in the hearing, either in person or in writing, and anyone who requested to receive notice of the decision.

**CASE MANAGER:**

**Olivia Glantz, Planner III**, City of Salem Planning Division, 555 Liberty Street SE, Room 305, Salem, Oregon 97301. Telephone: 503-540-2343; E-mail: [OGlantz@cityofsalem.net](mailto:OGlantz@cityofsalem.net).

**NEIGHBORHOOD ORGANIZATION:**

Southeast Mill Creek Association (SEMCA), Cory Poole, Land Use Chair; Phone: 503-363-7717; Email: [robosushi@robosushi.com](mailto:robosushi@robosushi.com).

**DOCUMENTATION AND STAFF REPORT:**

Copies of the application, all documents and evidence submitted by the applicant are available for inspection at no cost at the Planning Division office, City Hall, 555 Liberty Street SE, Room 305, during regular business hours. Copies can be obtained at a reasonable cost. The Staff Report will be available seven (7) days prior to the hearing, and will thereafter be posted on the Community Development website:

<https://www.cityofsalem.net/Pages/planning-notices-decisions.aspx>

**ACCESS:**

The Americans with Disabilities Act (ADA) accommodations will be provided on request.

NOTICE MAILING DATE: || April 4, 2019

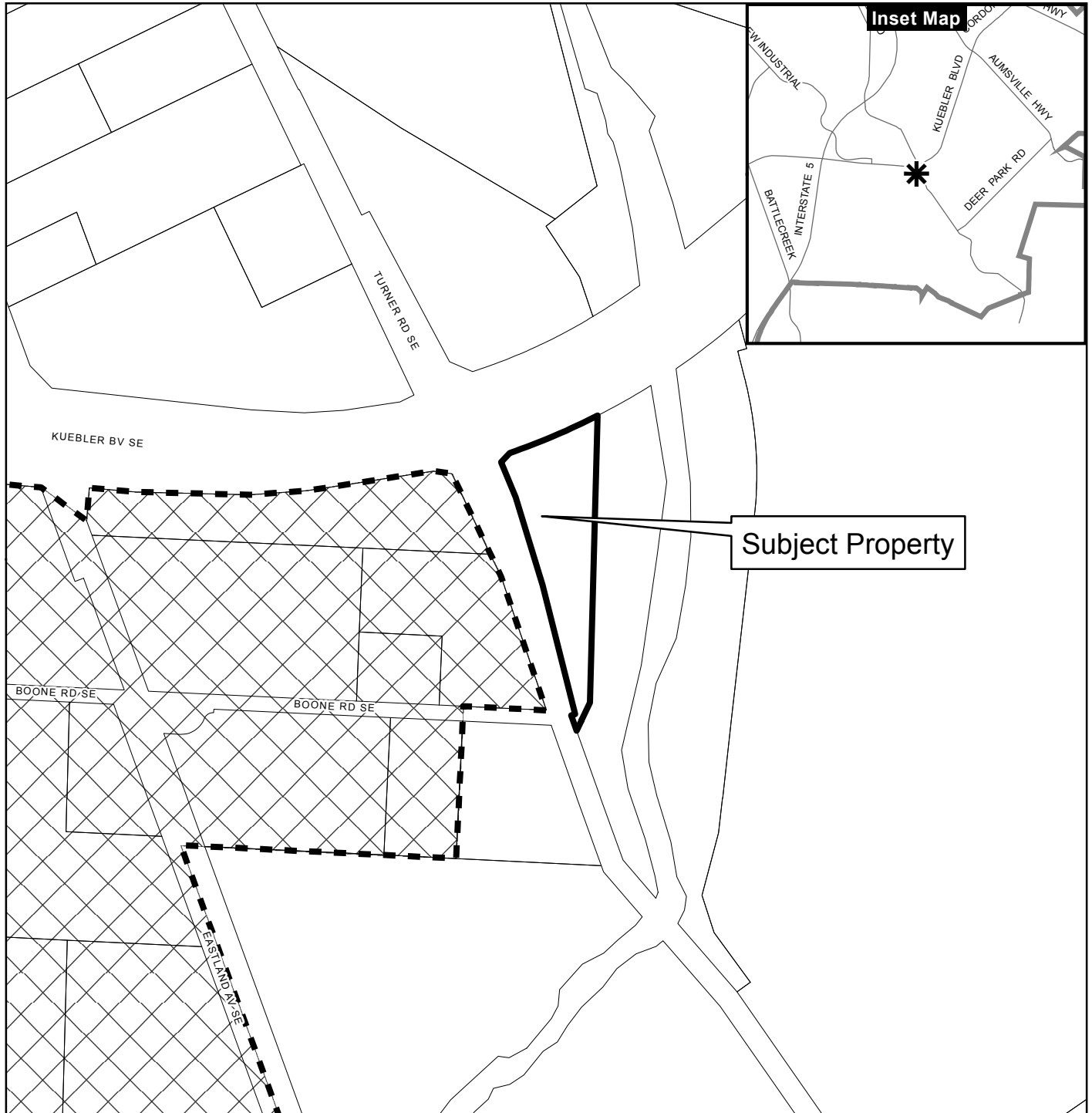
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**PLEASE PROMPTLY FORWARD A COPY OF THIS NOTICE TO ANY OTHER OWNER, TENANT OR LESSEE.**  
**For more information about Planning in Salem:**  
<http://www.cityofsalem.net/planning>








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*It is the City of Salem's policy to assure that no person shall be discriminated against on the grounds of race, religion, color, sex, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, gender identity and source of income, as provided by Salem Revised Code Chapter 97. The City of Salem also fully complies with Title VI of the Civil Rights Act of 1964, and related statutes and regulations, in all programs and activities. Disability-related modification or accommodation, including auxiliary aids or services, in order to participate in this meeting or event, are available upon request. Sign language and interpreters for languages other than English are also available upon request. To request such an accommodation or interpretation, contact the Community Development Department at 503-588-6173 at least three business days before this meeting or event. TTD/TTY telephone 503-588-6439 is also available 24/7*

# Vicinity Map 4900 Block Turner Road SE



### Legend

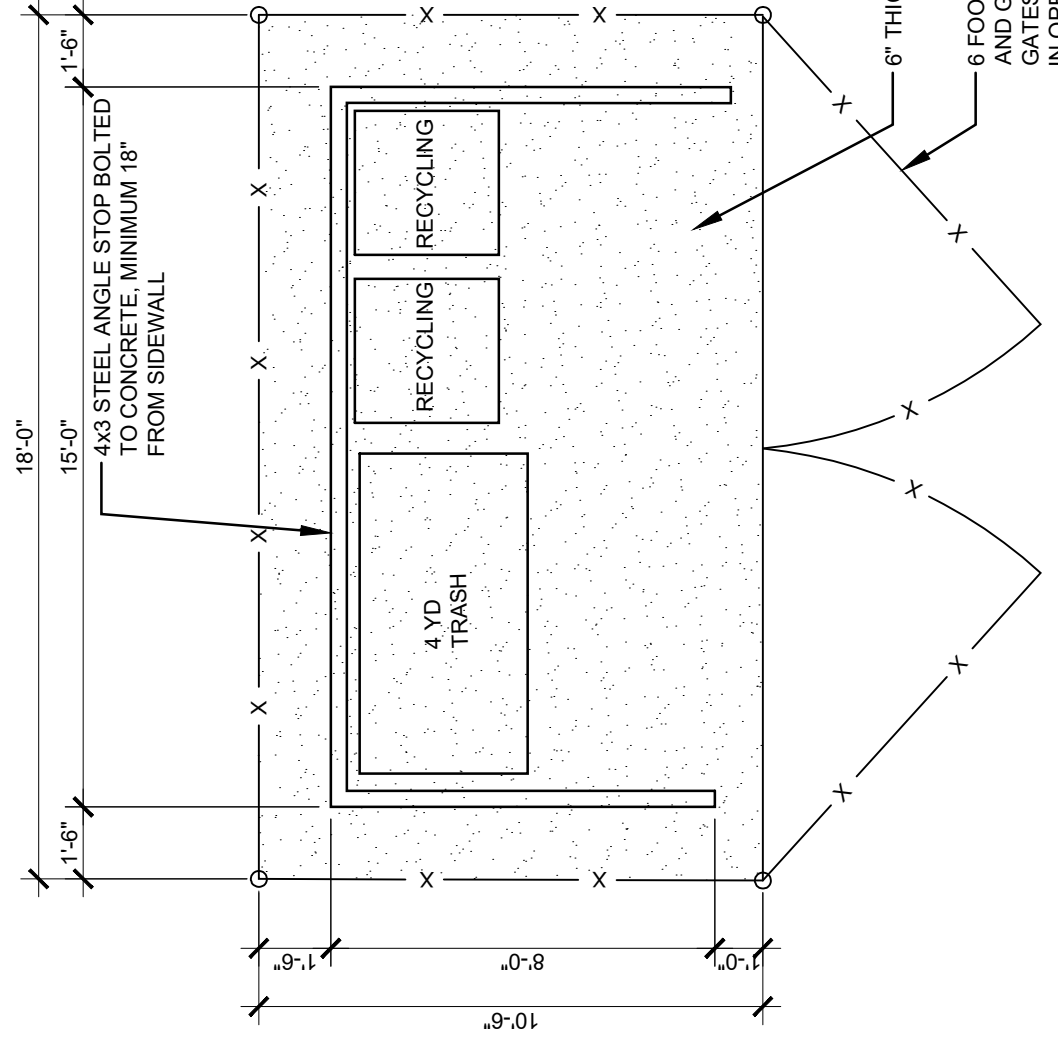
-  Taxlots
-  Urban Growth Boundary
-  City Limits
-  Outside Salem City Limits
-  Historic District
-  Schools
-  Parks

  
**CITY OF Salem**  
 AT YOUR SERVICE  
 Community Development Dept.

0 100 200 400 Feet



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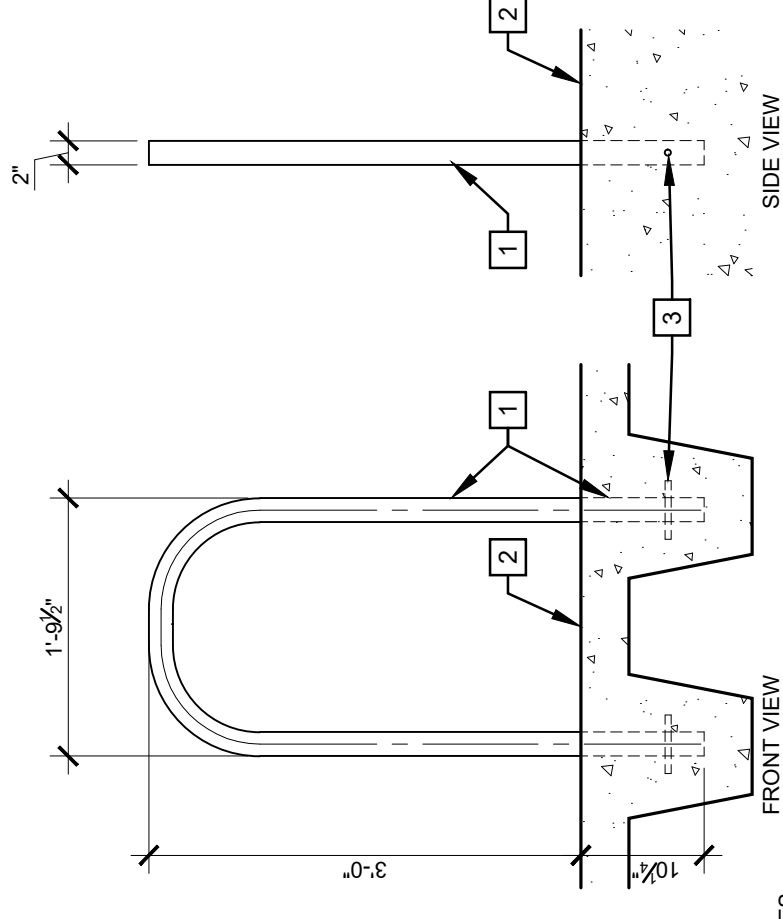


**2** ENLARGED TRASH

SCALE: 1/4" = 1'-0"

1811-A11-02

6 FOOT TALL CHAINLINK FENCE AND GATES WITH PRIVACY SLATS. GATES TO INCLUDE RESTRAINTERS IN OPEN AND CLOSED POSITIONS.



**3** BIKE RACK ANCHORAGE DETAIL

SCALE: 3/4" = 1'-0"

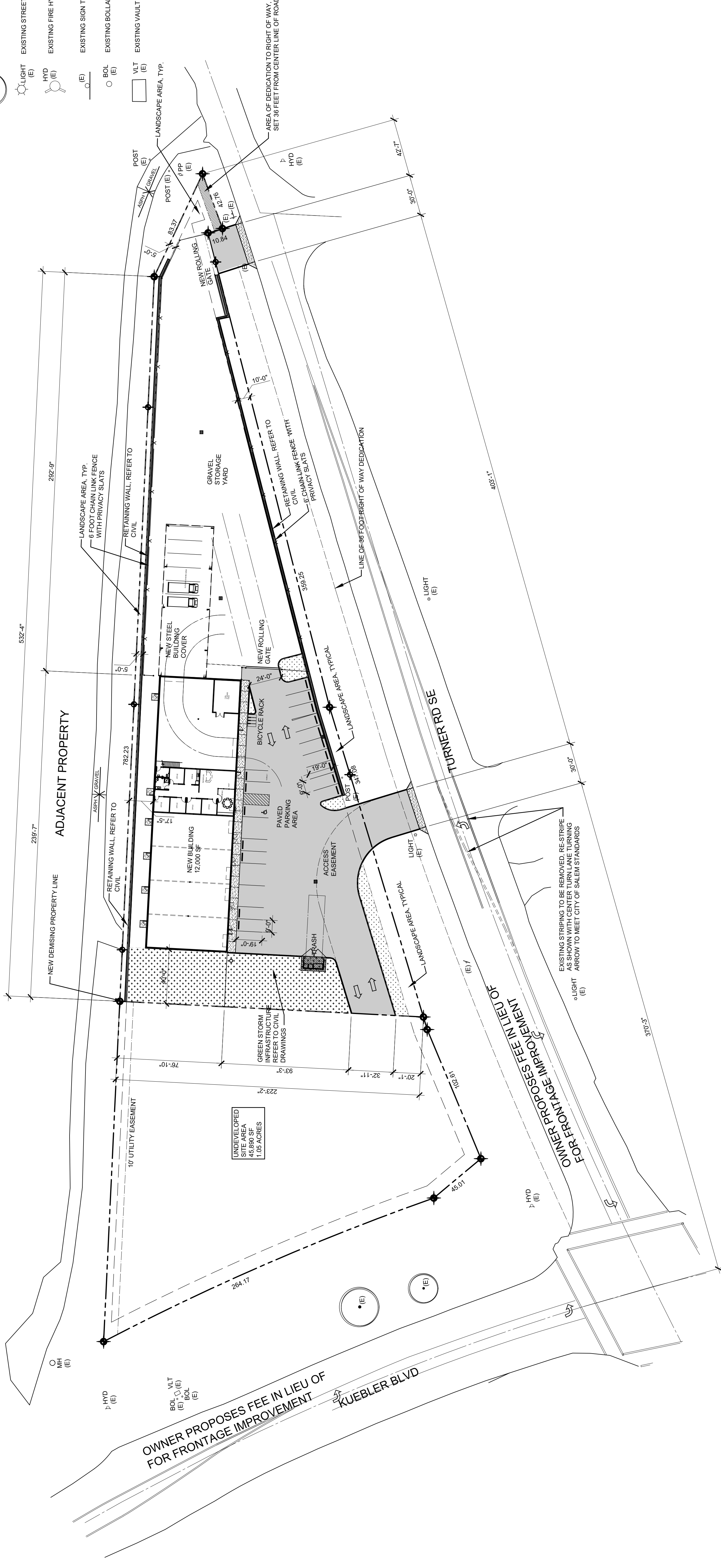
1811-A1.1-03(2)

NOTES:  
1 2" DIA. SCHEDULE 40 PIPE WITH EMBEDDED ANCHOR MOUNT, POWDER COAT FINISH  
2 CONCRETE SLAB ON GRADE, REFER TO CIVIL DRAWINGS  
3 1/2" DIA. REBAR

- SITE SUMMARY:**
- = IC
  - = 72,996 SF (1.68 ACRES)
  - = 12,000 SF (USE IS CONSTRUCTION CONTRACTING)
  - = LESS THAN 50 FEET
  - = 15 FULL SIZE STALL
  - = 1 STALLS
  - = 4 BICYCLE STALLS PROPOSED
  - = 18,072 SF
  - = 14,012 SF
  - = 19%
  - = 10%
  - = 1,831 SF
  - = 54,833 SF (PARKING LOT, BLDG, GRAVELLOT)
  - = 76%
- ZONING DESIGNATION:**
- = IC
- TOTAL SITE AREA**
- GROSS FLOOR AREA**
- BUILDING HEIGHT:**
- PARKING:**
- HANDICAP PARKING**
- BICYCLE PARKING**
- GROSS PARKING AREA**
- TOTAL LOT LANDSCAPE AREA**
- PERCENTAGE**
- INT. PARKING LOT LANDSCAPE**
- PERCENTAGE**
- TOTAL LOT COVERAGE**
- PERCENTAGE**

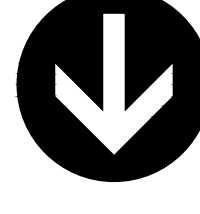
**GENERAL NOTES:**

- GENERAL NOTES APPLY TO ALL DRAWINGS.
  - DIMENSIONS ARE TO FACE OF STUDS, FACE OF MASONRY AND FACE OF CONCRETE UNLESS OTHERWISE NOTED. (CLEAR DIMENSION IS TO FACE OF FINISHED SURFACE).
  - DRAWINGS ARE DIAGRAMMATIC ONLY AND SHOULD NOT BE SCALED. NOTIFY ARCHITECT IMMEDIATELY FOR CLARIFICATION PRIOR TO PROCEEDING WITH AREA OF REQUIRED WORK.
- SYMBOL LEGEND:**
- EXISTING (OR PROPOSED) PROPERTY LINE, REFER TO SURVEY DRAWINGS
  - SETBACK LINE
  - NEW PARKING LOT LANDSCAPE AREA (SITE LANDSCAPE AREAS NOT HATCHED, REFER TO NOTES SHOWING LOCATIONS)
  - CONCRETE SIDEWALK AND/OR PAVEMENT, REFER TO CIVIL DRAWINGS
  - ASPHALT PAVING, REFER TO CIVIL DRAWINGS
  - NEW CHAIN LINK FENCE, HEIGHT PER PLAN
  - EXISTING CONCRETE CURB, REFER TO CIVIL DRAWINGS
  - EXISTING MANHOLE TO REMAIN, REFER TO CIVIL DRAWINGS
  - EXISTING POWER POLE TO REMAIN, REFER TO CIVIL DRAWINGS
  - EXISTING TREE TO REMAIN, PROTECT AT ALL TIMES, REFER TO LANDSCAPE DRAWINGS
  - EXISTING STREET LIGHT TO REMAIN, REFER TO CIVIL DRAWINGS
  - EXISTING FIRE HYDRANT TO REMAIN, REFER TO CIVIL DRAWINGS
  - EXISTING SIGN TO REMAIN
  - EXISTING BOLLARD TO REMAIN
  - EXISTING VAULT TO REMAIN, REFER TO CIVIL DRAWINGS
  - LANDSCAPE AREA, TYP.
  - VT (E)
  - BOL (E)
  - BOL (E)
  - EXISTING VAULT TO REMAIN, REFER TO CIVIL DRAWINGS
  - LANDSCAPE AREA, TYP.



**1** OVERALL SITE PLAN

SCALE: 1" = 40'-0"



THE PRINTED WORK SHALL BE CONSIDERED VALID ONLY IF IT IS IDENTICAL TO THE ORIGINAL WORK. ANY CHANGES TO THE ORIGINAL WORK SHALL BE INDICATED BY A REVISION OR A DATE. THE ORIGINAL WORK SHALL BE KEPT ON FILE. THE ORIGINAL WORK SHALL BE KEPT ON FILE.

JOB NO. 2018.0011

DATE MARCH 12, 2019

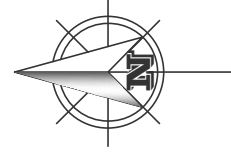
DRAWN BB

REVISIONS



VALLEY INDUSTRIAL PARK

TENTATIVE PARTITION PLAT



SCALE: 1" = 50'  
DATE: 2/20/2019

OWNER:  
JSRE INVESTMENTS LLC  
5340 CAPLINGER RD SE  
SALEM, OR 97317

ZONE:  
IC

TOTAL AREA:  
2.72 AC

TAX LOT:  
082107 00501

SURVEYOR:  
GREG WILSON

BARKER SURVEYING  
3657 KASHMIR WAY S.E.  
SALEM, OR 97317  
(503) 598-8800  
GREG@BARKERWILSON.COM

NOTE:  
1) A LOMR-F WAS SUBMITTED  
IN 2018 FOR SUBJECT  
PROPERTY TO REMOVE IT  
FROM THE FLOOD ZONE.

2) UTILITIES LOCATES ARE  
BASED ON FIELD  
OBSERVATIONS  
OBTAINED WITH THE CITY  
OF SALEM AS-BUILTS.

CURVE TABLE				
CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING & DISTANCE
C1	264.39'	1872.95'	08°05'17"	N66°30'14"E 264.17'

