



HEARING NOTICE

LAND USE REQUEST AFFECTING THIS AREA

Audiencia Pública

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

CASE NUMBER:	Conditional Use and Class 3 Site Plan Review Case No. CU-SPR19-04
AMANDA APPLICATION NO:	19-112993-ZO, 19-113179-RP
HEARING INFORMATION:	<u>Hearings Officer, Wednesday, August 14, 2019, 5:30 P.M., Council Chambers, Room 240, Civic Center, 555 Liberty Street SE, Salem, OR 97301</u>
PROPERTY LOCATION:	3625 Portland Rd NE, Salem, OR 97301
OWNER(S):	Flynn Case
APPLICANT / AGENT(S):	ESDE Building and Construction, LLC (Erik Scholtes), for KSB Holdings, LLC (Kelly Bence)
DESCRIPTION OF REQUEST:	<p>Summary: Conversion of an existing medical marijuana grow site to a facility for production of recreational marijuana, a conditional use in the IC (Industrial Commercial) zone.</p> <p>Request: A Conditional Use Permit and Class 3 Site Plan Review for a change of use within an existing building from a medical marijuana production facility to a proposed recreational marijuana production facility, for property approximately 1.61 acres in size, zoned IC (Industrial Commercial), within the Portland Fairgrounds Overlay zone, and located at 3625 Portland Road NE - 97301 (Marion County Assessors Map and Tax Lot Number: 073W12CC / 00200).</p>
CRITERIA TO BE CONSIDERED:	<p><u>CONDITIONAL USE</u> 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">1. The proposed use is allowed as a conditional use in the zone;2. The reasonably likely adverse impacts of the use on the immediate neighborhood can be minimized through the imposition of conditions; and3. The proposed use will be reasonably compatible with and have minimal impact on the livability or appropriate development of surrounding property. <p><u>CLASS 3 SITE PLAN REVIEW</u> Pursuant to SRC 220.005(f)(3), an application for a CLASS 3 SITE PLAN REVIEW shall be granted if:</p> <ol style="list-style-type: none">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; andD. The proposed development will be adequately served with City water, sewer, storm water facilities, and other utilities appropriate to the nature of the development.

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:

Hayley Feightner, Planner I, City of Salem Planning Division, 555 Liberty Street SE, Room 305, Salem, Oregon 97301. Telephone: 503-540-2315; E-mail: hfeightner@cityofsalem.net.

NEIGHBORHOOD ORGANIZATION:

Northgate Neighborhood Association, Frank Pack, Land Use Chair; Phone: 503-364-7353; Email: frankpack@gmail.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-notice-decisions.aspx>

ACCESS:

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

NOTICE MAILING DATE:

July 25, 2019

**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>

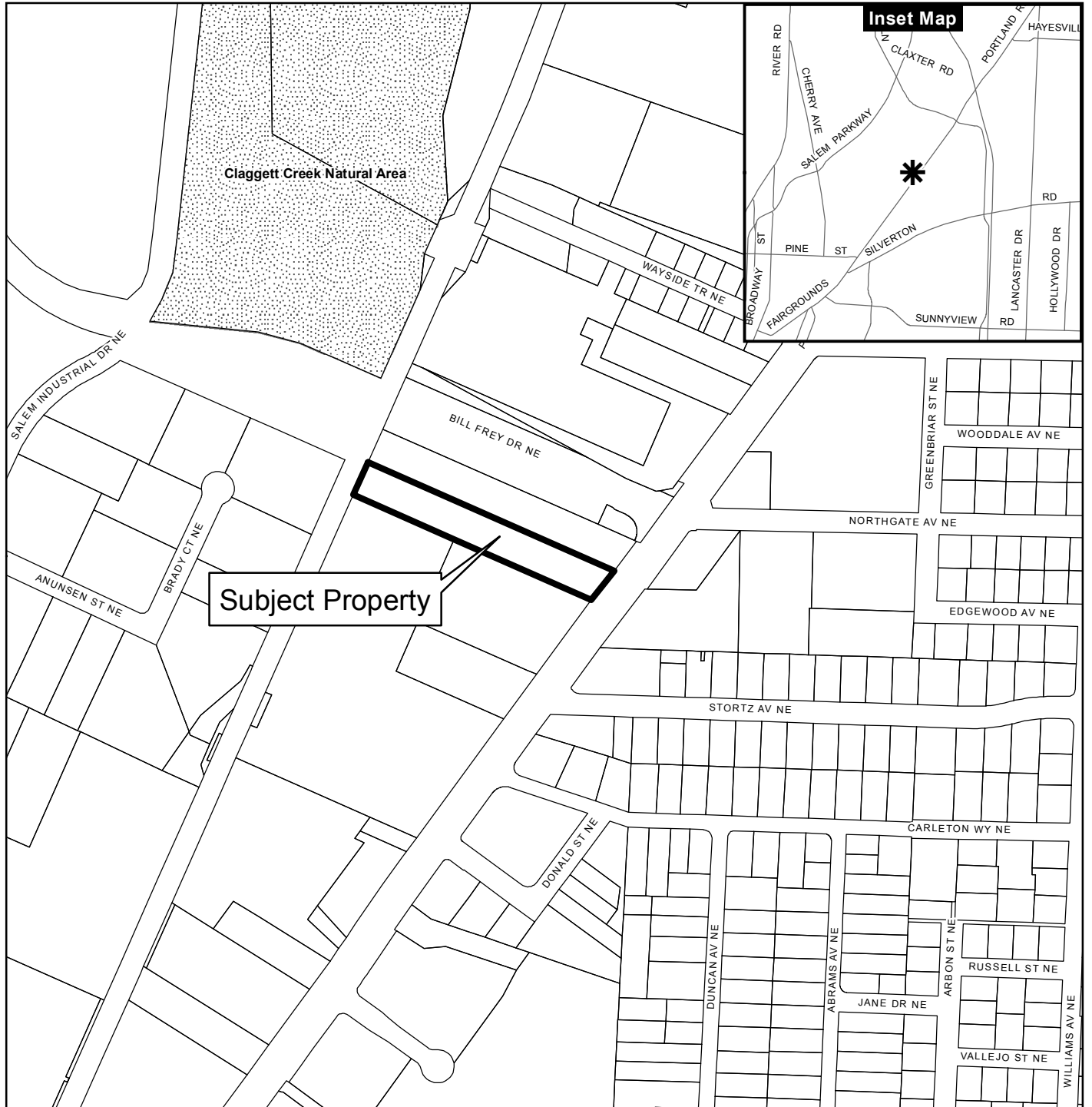
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It is the City of Salem's policy to assure that no person shall be discriminated against on the grounds of race, religion, color, sex, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, gender 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 3625 Portland Road NE



Legend

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

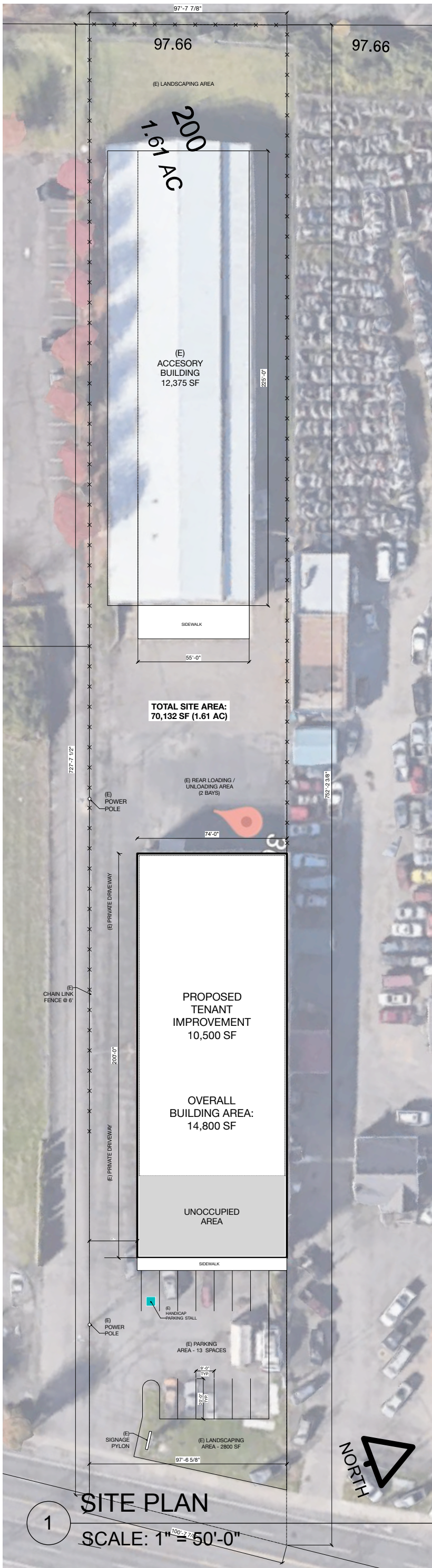

CITY OF Salem
 AT YOUR SERVICE
 Community Development Dept.

0 100 200 400 Feet



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SITE / EXISTING CONDITIONS PLAN



WRITTEN STATEMENT:

Overview:

KSB Holdings is represented by Kelly Bence and David Wilbourn, a local area couple who have lived for a combined total of 15 years in the Salem area.

Kelly has run multiple business in Salem, and has expertise in the local and larger Oregon cannabis markets. David is an electrician who found a joy for gardening in his discovery of a natural green thumb many years ago. Together, they are excited at the possibility of building a local business and creating local jobs as a Salem-owned and operated family-run business together.

Build-out:

The tenant improvement will have a net neutral impact on the building and site, as the proposed development is interior focused. Electrical service upgrades will occur to the building, but be positioned at its rear (dock) facade, out of sightlines to the main traffic corridor. Exterior building lighting will be updated and maintained as an aspect of occupancy. Kelly and David both intend to make clean-up and general overall improvements to the building exterior / landscaping over the duration of their lease.

Compliance / Good Neighbor Diligence:

Commercial grade carbon filtration systems will be used to eliminate odor to the outside -- this has worked to great success in the Tier 2 project that this facility is templated after. (a block away from OLCC headquarters in Milwaukie OR, without any filed complaints in the 2 years the facility has been in operation).

Transportation System:

Employment at this facility will be standard working hours (9am-5pm), with only minimal arrival and departure trips generated by regular staff during weekdays. A single employee will work during evenings and weekends to ensure proper operation/maintenance. The overall comparative traffic load will be much less than when compared to more traditional IC allowances, such as retail, which would typically generate greater unique traffic trips to and from the site over the course of a week.

Parking:

There shall be no adverse impact on parking, as the estimated number of daily employees is estimated will at no more than 9-10, with additional parking area available in the rear of the building adjacent the 2 loading dock doors.

Utilities:

Power consumption is being worked through in partnership with PGE, and the current water service to the building will be sufficient based on flow rates and average estimated consumption.

All required backflow and/or anti-siphon devices will be installed per current code requirements. Wastewater will consist of the already existing restrooms on site. Greywater will consist of condensation from AC units and dehumidifiers, as well as grow table water run-off, and will only contain safe plant nutrients. All plant nutrients used pass all required testing and/or meet the requirements required by the OLCC for cannabis cultivation.

We are not changing the paving, or the roofop percentages on site, and will thus not have a negative impact on stormwater collection.