

SALEM HEARINGS OFFICER MINUTES
November 18, 2020

Hearings Officer
Jim Brewer

Staff Present
Pamela Cole, Planner II
Brandon Pike, Planner I
Zachery Cardoso, Recorder

Hearings Officer Jim Brewer called the meeting to order at 5:31p.m and explained the procedures of the night's hearing. City of Salem staff members present were Pamela Cole, Planner II; Brandon Pike, Planner I; and Zachery Cardoso, Recorder.

CONDITIONAL USE / VARIANCE

• **CASE NO. CU-VAR20-07 for 4195 Aumsville Hwy SE**

Summary: An application for conditional use to allow a future multi-family development and a variance to allow a driveway on Joseph Street SE.

Request: A consolidated Conditional Use application to allow a future multi-family development and Variance application to allow driveway access from the portion of Joseph Street SE within the Urban Growth Boundary for a 15 acre property located in an IC (Industrial Commercial) zone at 4195 Aumsville Highway SE 97317 (Marion County Assessor Map and Tax Lot 082W0800110).

Mr. Brewer read the applicable criteria into the record. No objection to jurisdiction was raised and the public hearing was opened at 5:37 p.m.

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

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 and DENY the request for a variance subject to the following conditions of approval:

CONDITIONAL USE:

Condition 1: Along the southern property line, the applicant shall construct a minimum six-foot tall, decorative, sight-obscuring fence or wall. The fence or wall shall be constructed of materials commonly used in the construction of fences and walls, such as wood, stone, rock, brick, or other durable materials. Chain-link fencing with slats shall not be allowed to satisfy this requirement.

Condition 2: The multi-family use shall contain no more than 294 dwelling units.

At this time the Hearings Officer had questions for Staff.

PERSONS TESTIFYING:

Applicant: Brandie Dalton, Multi Tech Engineering 1155 SE 13th St, on behalf of the applicant, Alan Rasmussen

At this time the Hearings Officer had for the applicant.

Neighborhood Association: None

Support: None

Oppose: None

Neutral: None

Evidence Received From:

Support: None

Oppose: None

Neutral: None

Rebuttal: None

The Hearings Officer had no additional questions for staff.

With no further questions or testimony to present, the Hearings Officer closed the public hearing at 6:09 p.m.

CONDITIONAL USE

- **CASE NO. CU20-08 for 4195 Aumsville Hwy**

Summary: A proposal for the development of a new mixed-use building at an existing commercial development.

Request: A conditional use permit application to allow the development of a new mixed-use building, including approximately 15,000 square feet of commercial space and 71 apartment units, at an existing commercial development site. The subject property is zoned CR (Retail Commercial), within the South Gateway Overlay Zone, and located at 5775 Commercial Street SE (Marion County Assessor map and tax lot number(s): 083W14CD / 300, 400, 700, and 1000).

Mr. Brewer read the applicable criteria into the record. No objection to jurisdiction was raised and the public hearing was opened at 6:14 p.m.

Case Manager Brandon Pike entered the staff report, all attachments, the presentation, and comments submitted by the public into the record and proceeded with the presentation.

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 Permit for the development of a new mixed-use building at an existing commercial development, subject to the following conditions of approval:

Condition 1: The *multiple family* use shall contain no more than 71 dwelling units.

Condition 2: Open space of 3,408 square feet, or 48 square feet times the number of dwelling units proposed, shall be provided in the following form(s):

- a. Private balconies;
- b. Common open space within the building;
- c. Roof top garden; or
- d. Any combination of the above listed forms that equals 3,408 square feet, or 48 square feet times the number of dwelling units proposed.

Condition 3: Windows shall be provided in all habitable rooms of the dwellings, other than bathrooms, on each wall that faces common open space, parking areas, and pedestrian paths.

Condition 4: An offset of at least 4 feet in depth shall be provided along all exterior walls greater than 75 feet in length or width at 40-foot intervals, but shall not be required on the first floor.

Condition 5: No off-street parking shall be located between the mixed-use building and Waln Creek.

Condition 6: Weather protection in the form of awnings or canopies shall be provided along the ground floor building façade for a minimum of 75 percent of the length of the building façade for any wall which includes entrances for non-residential uses. Awnings or canopies shall have a minimum clearance height above the sidewalk or ground surface of 8 feet.

At this time the Hearings Officer had questions for Staff.

PERSONS TESTIFYING:

Applicant: Brandie Dalton, Multi Tech Engineering 1155 SE 13th St, on behalf of the applicant, Bo Rushing

Mark Grenz, Multi Tech Engineering on behalf of the applicant, Bo Rushing

Lori Souza on behalf of the applicant, Bo Rushing

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

Brandon Pike provided additional clarification on the application procedure.

The Hearings Officer had no additional questions for staff.

With no further questions or testimony to present, the Hearings Officer closed the public hearing at 6:49 p.m.

The meeting ended at 6:50 P.M.

Prepared by: Zachery Cardoso, November 18, 2020

Approved: November 19, 2020

G:\CD\PLANNING\MINUTES\HO MINUTES\2020\HO DRAFT MINUTES 11.18.2020.DOCX