



# NOTICE of FILING

## LAND USE REQUEST AFFECTING THIS AREA

*There is a development proposal for the property listed in this notice and shown on the attached map. The City is seeking input from neighbors on the proposal. If you have questions or comments about the proposal, contact the case manager.*

*Esta carta es un aviso sobre una propuesta de desarrollo para la propiedad enumerada y que se muestra en el mapa adjunto. La ciudad está buscando la opinión de los vecinos sobre la propuesta. Si tiene preguntas o comentarios sobre la propuesta, póngase en contacto con nosotros al 503-588-6213.*

<b>CASE NUMBER:</b>	Class 3 Site Plan Review / Class 2 Adjustment Case No. SPR-ADJ24-14
<b>PROPERTY LOCATION:</b>	1441 45 <sup>th</sup> Ave NE, Salem OR 97301
<b>NOTICE MAILING DATE:</b>	April 22, 2024
<b>PROPOSAL SUMMARY:</b>	A Class 3 Site Plan Review with Class 2 Adjustments for a proposed storage building.
<b>COMMENT PERIOD:</b>	<b>All written comments must be submitted to City Staff no later than 5:00 p.m., Monday, May 6, 2024. Please direct any questions and/or comments to the Case Manager listed below. Comments received after the close of the comment period will not be considered. Note: Comments submitted are <u>public record</u>. This includes any personal information provided in your comment such as name, email, physical address and phone number.</b>
<b>CASE MANAGER:</b>	<b>Jacob Brown, Planner I</b> , City of Salem Planning Division, 555 Liberty Street SE, Room 305, Salem, Oregon 97301. Telephone: 503-540-2347; E-mail: <a href="mailto:jrbrown@cityofsalem.net">jrbrown@cityofsalem.net</a>
<b>NEIGHBORHOOD ASSOCIATION:</b>	<i>Neighborhood associations are volunteer organizations of neighbors coming together to make neighborhoods the best they can be. They receive notice of land use applications within their boundaries, and they often submit comments on the applications to the City. Neighborhood association meetings are open to everyone. Contact your neighborhood association to get involved:</i>  East Lancaster Neighborhood Association (ELNA), Susann Kaltwasser, Land Use Chair; Phone: 503-363-3998; Email: <a href="mailto:skaltwasser@salemneighbors.org">skaltwasser@salemneighbors.org</a> .
<b>ACCESS:</b>	The Americans with Disabilities Act (ADA) accommodations will be provided on request.
<b>CRITERIA TO BE CONSIDERED:</b>	Salem Revised Code (SRC) Chapters 220.005(f)(3) – Class 3 Site Plan Review; 250.005(d) – Class 2 Adjustment  Salem Revised Code (SRC) is available to view at this link: <a href="http://bit.ly/salemorcode">http://bit.ly/salemorcode</a> . Type in the chapter number(s) listed above to view the applicable criteria.

<b>PROPERTY OWNER(S):</b>	Jennie Peters
<b>APPLICANT(S):</b>	Jennie Peters
<b>PROPOSAL REQUEST:</b>	<p>A Class 3 Site Plan Review for development of a new building containing an existing general manufacturing use, Nature's Kick Original Honeystix, with three Class 2 Adjustment requests:</p> <ol style="list-style-type: none"> <li>1) Reduce the zone-to-zone setback along the eastern property boundary from 30 feet to 11.5 feet (SRC 551.010(b)Table 551-4);</li> <li>2) Eliminate the requirement to provide landscaping within the zone-to-zone setback along the eastern property boundary (SRC 551.010(b) Table 551-4); and</li> <li>3) Eliminate the requirement to provide a pedestrian connection to one adjacent street, 45<sup>th</sup> Ave NE (SRC 800.065(a)(1));</li> </ol> <p>The subject property is 3.25-acres in size, zoned IC (Industrial Commercial), and located at 1441 45th Avenue NE (Marion County Assessor's Map and Tax lot number: 072W19DB00100).</p>
<b>APPLICATION PROCESS:</b>	<p>Following the close of the Public Comment Period, a decision will be issued and mailed to the applicant, property owner, affected neighborhood association, anyone who submitted written comments, and anyone who received notice of the land use request.</p> <p>Failure to raise an issue in writing prior to the close of the Public Comment Period 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.</p>
<b>MORE INFORMATION:</b>	<p>All documents and evidence submitted by the applicant are available on the City's online Permit Application Center at <a href="https://permits.cityofsalem.net">https://permits.cityofsalem.net</a>. You can use the search function without registering and enter the permit number listed here: 24 101905. Paper copies can be obtained for a reasonable cost.</p>

**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>

*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

# REQUEST FOR COMMENTS

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

**REGARDING:** Class 3 Site Plan Review / Class 2 Adjustment Case No. SPR-ADJ24-14

**PROJECT ADDRESS:** 1441 45<sup>th</sup> Ave NE, Salem OR 97301

**AMANDA Application No.:** 24-101905-PLN

**COMMENT PERIOD ENDS:** Monday, May 6, 2024, at 5:00 p.m.

**SUMMARY:** A Class 3 Site Plan Review with Class 2 Adjustments for a proposed storage building.

**REQUEST:** A Class 3 Site Plan Review for development of a new building containing an existing general manufacturing use, Naturefts Kick Original Honeystix, with three Class 2 Adjustment requests:

- 1) Reduce the zone-to-zone setback along the eastern property boundary from 30 feet to 11.5 feet (SRC 551.010(b) Table 551-4);
- 2) Eliminate the requirement to provide landscaping within the zone-to-zone setback along the eastern property boundary (SRC 551.010(b) Table 551-4); and
- 3) Eliminate the requirement to provide a pedestrian connection to one adjacent street, 45th Ave NE (SRC 800.065(a)(1));

The subject property is 3.25-acres in size, zoned IC (Industrial Commercial), and located at 1441 45<sup>th</sup> Avenue NE (Marion County Assessor’s Map and Tax lot number: 072W19DB00100).

The Planning Division is interested in hearing from you about the attached proposal. Staff will prepare a Decision that includes consideration of comments received during this comment period. We are interested in receiving pertinent, factual information such as neighborhood association recommendations and comments of affected property owners or residents. The complete case file, including all materials submitted by the applicant and any applicable professional studies such as traffic impact analysis, geologic assessments, and stormwater reports, are available upon request.

**Comments received by 5:00 p.m., Monday, May 6, 2024,** will be considered in the decision process. Comments received after this date will be not considered. *Comments submitted are public record. This includes any personal information provided in your comment such as name, email, physical address and phone number. Mailed comments can take up to 7 calendar days to arrive at our office. To ensure that your comments are received by the deadline, we recommend that you e-mail your comments to the Case Manager listed below.*

**CASE MANAGER:** Jacob Brown, Planner I, City of Salem, Planning Division; 555 Liberty St SE, Room 305, Salem, OR 97301; Phone: 503-540-2347; E-Mail: [jrbrown@cityofsalem.net](mailto:jrbrown@cityofsalem.net).

For information about Planning in Salem, please visit: <http://www.cityofsalem.net/planning>

**PLEASE CHECK THE FOLLOWING THAT APPLY:**

- 1. I have reviewed the proposal and have no objections to it.
- 2. I have reviewed the proposal and have the following comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name/Agency: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Email: \_\_\_\_\_  
 Date: \_\_\_\_\_

**IMPORTANT: IF YOU MAIL COMMENTS, PLEASE FOLD AND RETURN THIS POSTAGE-PAID FORM**



NO POSTAGE  
NECESSARY  
IF MAILED  
IN THE  
UNITED STATES

**BUSINESS REPLY MAIL**  
FIRST-CLASS MAIL PERMIT NO. 1508 SALEM, OR

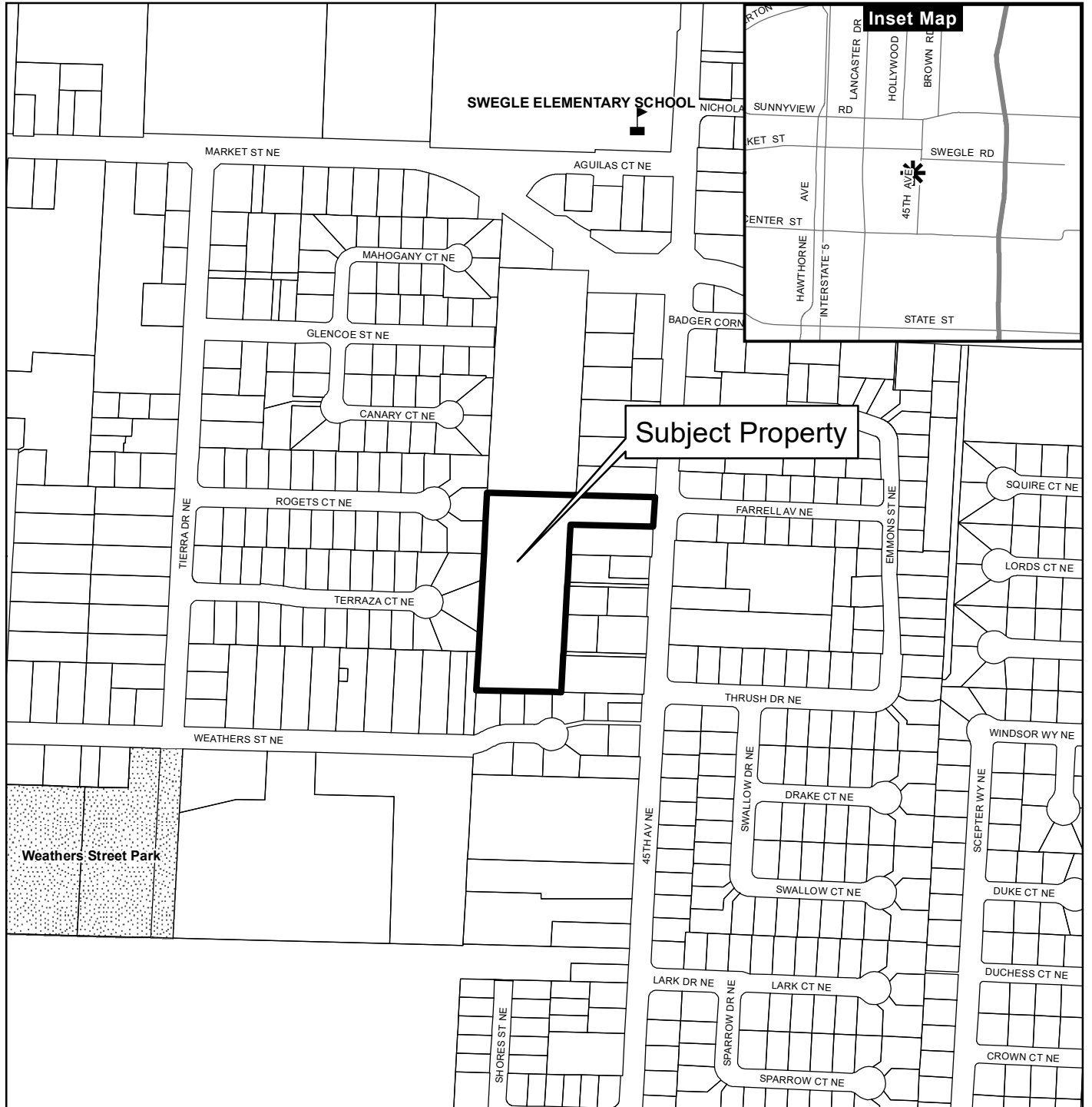
POSTAGE WILL BE PAID BY ADDRESSEE

PLANNING DIVISION  
CITY OF SALEM RM 305  
555 LIBERTY ST SE  
SALEM OR 97301-9907










# Vicinity Map

## 1441 45th Ave NE



### Legend

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



0 100 200 400 Feet

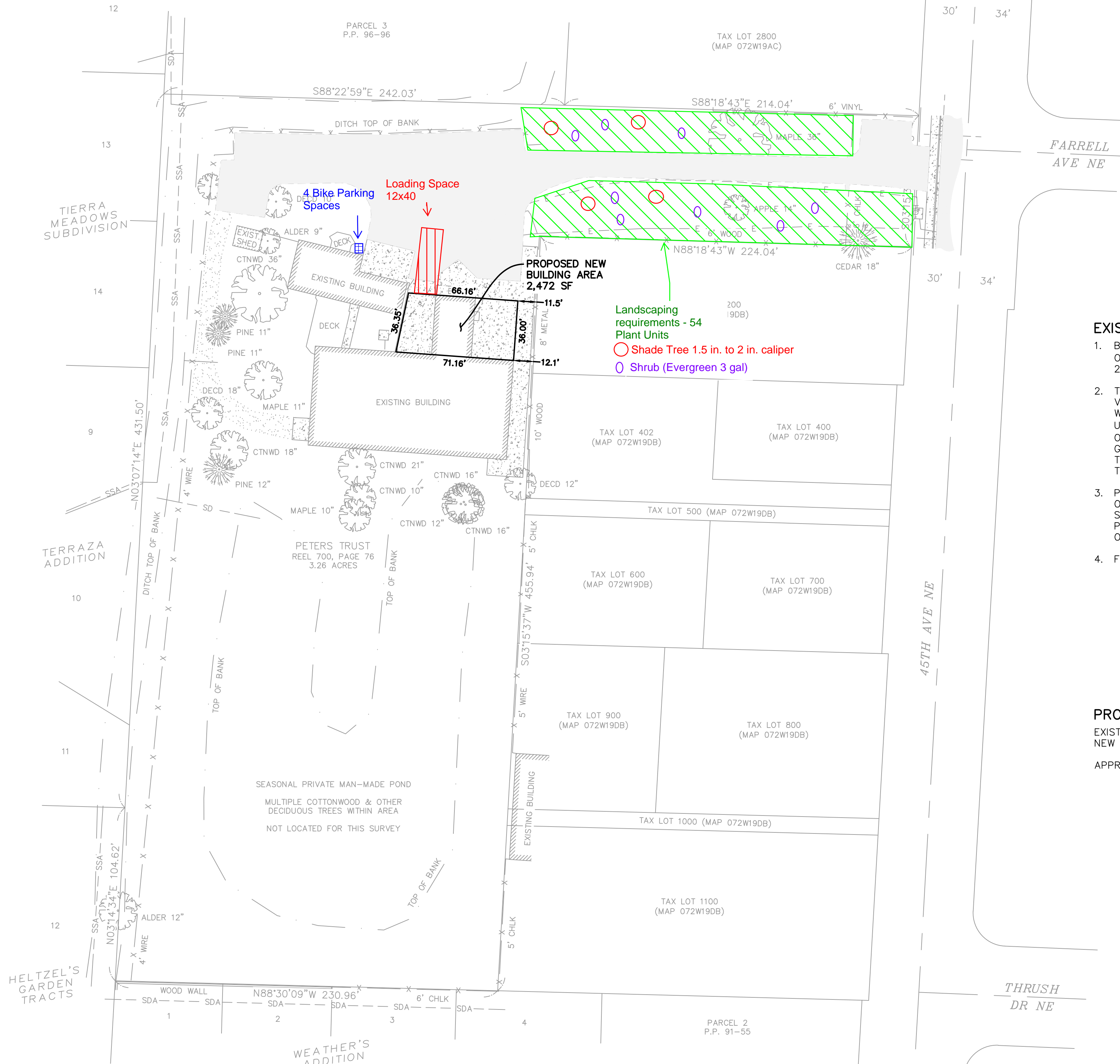
This product is provided as is, without warranty. In no event is the City of Salem liable for damages from the use of this product. This product is subject to license and copyright limitations and further distribution or resale is prohibited.



0' 40' 80'  
SCALE: 1 INCH = 40 FEET

**LEGEND**

- FOUND MONUMENT
- SB STORM JUNCTION BOX
- > CULVERT
- ⊙ SANITARY SEWER MANHOLE
- CO CLEANOUT
- WM WATER METER
- EB ELECTRICAL BOX
- PM POWER METER
- ETP ELECTRICAL TRANSFORMER
- U UTILITY POLE
- GUY GUY WIRE
- US UTILITY STUB UP
- UV UTILITY VAULT
- ACU AIR CONDITIONING UNIT
- CR COMMUNICATION RISER
- POST MISC. POST
- GTP GATE POST
- GLM GAS LINE MARKER
- CONCRETE
- GRAVEL
- ASPHALT
- # DECIDUOUS TREE & TRUNK SIZE
- # CONIFEROUS TREE & TRUNK SIZE
- SD STORM LINE UNDERGROUND
- G GAS LINE UNDERGROUND
- E ELECTRICAL LINE UNDERGROUND
- OH OVERHEAD POWER LINE
- X FENCE LINE
- SDA STORM LINE ASBUILT DATA
- SSA SEWER LINE ASBUILT DATA
- C&G CURB & GUTTER
- CONC CONCRETE



**EXISTING CONDITIONS NOTES**

1. BASIS OF BEARINGS AND COORDINATE SYSTEM IS BASED ON OREGON STATE PLANE NORTH ZONE 3601, NAD83(2011), EPOCH 2010.00. ALL DISTANCES SHOWN HEREON ARE GROUND DISTANCES.
2. THE LOCATION OF UTILITIES SHOWN HEREON ARE FROM OBSERVED VISIBLE EVIDENCE OF ABOVE GROUND APPURTENANCES ALONG WITH SURFACE UTILITY MARKINGS BY OTHERS. ALL UNDERGROUND UTILITIES SHOWN WERE MARKED ON THE SURFACE BY AN "OREGON ONE-CALL NOTIFICATION CENTER" REQUEST. SURVEYOR MAKES NO GUARANTEE AS TO THE ACCURACY OF SAID MARKINGS, HOWEVER, THEY ARE LOCATED AS ACCURATELY AS THEY ARE MARKED ON THE GROUND.
3. PER ORS 209.150, ANY SURVEY MONUMENT REMOVED, DISTURBED OR DESTROYED SHALL BE REPLACED BY A PROFESSIONAL LAND SURVEYOR WITHIN 90 DAYS AT THE EXPENSE OF THE PERSON OR PUBLIC AGENCY RESPONSIBLE FOR SAID REMOVAL, DISTURBANCE OR DESTRUCTION.
4. FIELD SURVEYED OCTOBER, 2023.

**PROPOSED CONDITIONS NOTES**

EXISTING BUILDING AREA: 9,861 SF  
NEW BUILDING AREA: 2,472 SF  
APPROXIMATE LANDSCAPING: 11,662 SF



7230 3rd Street SE #145, Turner, OR 97392  
P: (503) 558-3330 E: info@ffnsurveying.com

**PROPOSED IMPROVEMENTS FOR: NATURE'S KICK CORP.**

IN THE SE 1/4 OF SECTION 19, T.7S., R.2W., W.M.  
CITY OF SALEM, MARION COUNTY, OREGON

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON 2017  
SEPTEMBER 12, 2017  
STEVEN L. HOWELL  
91569

RENEWS: 6-30-2025

NO.	DATE	DESCRIPTION
0	22NOV23	INITIAL RELEASE

JOB NO. 23-460