

**MINUTES**  
**SALEM HEARINGS OFFICER MEETING**  
**January 10, 2018**

**Hearings Officer**  
Jim Brewer

**Staff Present**  
Aaron Panko, Planner III  
Tony Martin, Public Works  
Sally Long, Recorder

Hearings Officer Jim Brewer called the meeting to order at 5:30 p.m. City of Salem staff members present were Aaron Panko, Planner III, Tony Martin, Public Works and Sally Long, Recorder.

**1. PUBLIC HEARING ON AN APPEAL OF CLASS 3 SITE PLAN REVIEW / CLASS 2 ADJUSTMENT / CLASS 2 DRIVEWAY APPROACH PERMIT CASE**

**1.1 SPR-ADJ-DAP17-26 for 500 Block Glen Creek Rd NW & 500-600 Block 9<sup>th</sup> St NW**

Appeal of the Planning Administrator's decision of November 22, 2017, **approving** the request for a Class 3 Site Plan Review and Class 2 Driveway Approach Permit for development of three new retail/office buildings approximately 16,807 square feet, 5,054 square feet and 6,156 square feet in size, with a Class 2 Adjustment request to:

- a) To eliminate the off-street loading space requirement for the development and allow use of one on-street loading space on 9th Street NW,
- b) To reduce the vehicle use area setback adjacent to 9th Street NW from 10 feet to 6 feet, with 3 foot tall shrubs instead of a 3 foot tall fence.

For property approximately 3.03 acres in size, zoned CG (General Commercial), and located at the 500 Block of Glen Creek Road NW and the 500-600 Block of 9th Street NW - 97304 (Polk County Assessor's Map and Tax Lot numbers: 073W21AD / 06300, 06302, 06303, 06304, 06400, 06500, 06603, 06701, 07100, 07200, 07201, and 07300).

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, Aaron Panko, entered the staff report, presentation, additional testimony received after the staff report was issued, and all attachments into the record and proceeded with his presentation.

Based upon the Facts and Findings contained in this staff report, staff recommends that the Hearings Officer **AFFIRM** the decision of the Planning Administrator approving the proposed redevelopment of existing property, including removing existing buildings and development of three new retail/office buildings and parking area for property approximately 3.03 acres in size, zoned CG (General Commercial) and located at the 500 Block of Glen Creek Road NW and the 500-600 Block of 9<sup>th</sup> Street NW – 97304.

## **PERSONS TESTIFYING:**

### Applicant:

- Ryan Schera, Applicant, DD West Salem One, LLC; 901 NE Glisan St, Portland
- Diego Arguea, Kittelson & Associates, Inc., Senior Engineer, 851 SW 6<sup>th</sup> Ave, Portland

At this time, Tony Martin, City of Salem Traffic Engineer, clarified a question the Hearings Officer had for Mr. Arguea.

### Neighborhood Association:

- Steve Anderson, West Salem N. A., 3240 Gahler Rd NW, Salem

Support: None

### Oppose:

- Linda Bierly, 2308 Ptarmigan St NW, Salem
- Herbert E. Shaw, 1930 Wallace Rd NW, Salem
- Kathleen Dewoina, PO Box 2134, Salem
- E.M. Easterly, 775 Fir Gardens St NW, Salem
- Chris Wilhelm, 2487 Ian Ave NW, Salem

Neutral: None

At this time the applicant asked for a 5 minute recess. The Hearings Officer granted the request at 6:48 P.M.

The hearing was continued at 6:54 P.M. and proceeded into rebuttal testimony.

### Rebuttal:

- Mark Shipman, Attorney for Applicant, 250 Church St SE, Salem
- Steve Ward, Principal, Westech Engineering, 3841 Fairview Industrial Drive SE, Salem
- Diego Arguea, Kittelson & Associates, Inc., Senior Engineer, 851 SW 6<sup>th</sup> Ave, Portland

At this time Mr. Shipman requested the record be held open to review new testimony that was submitted by the West Salem N.A. that evening. The request was granted.

First 7 day period for anyone to submit new testimony: January 17, 2018 at 5:00 P.M.

Second 7 day period for anyone to rebut: January 24, 2018, 5:00 P.M.

Final Argument for applicant only: January 31, 2018, 5:00 P.M.

The applicant will provide an extension to the 120 day state mandated date if necessary.

With no further questions or testimony to present, the Hearings Officer closed the public hearing at 7:12 P.M. with the record remaining open (see above).

*Prepared by: Sally Long, January 10, 2018*

*Approved: January 11, 2018*