



Salem Hearings Officer

May 13, 2020

Special Hearing Procedures During COVID-19 Pandemic

- **No Public Testimony** will be accepted this evening.
- **Written Comments** on the proposal may be submitted by **May 20, 2020 at 5 p.m.**
(7 days following this hearing)
- Submit written comments to:
Pamela Cole, Planner II (Case Manager)
E-mail: pcole@cityofsalem.net
Mail: City of Salem Planning Division, 555 Liberty Street SE, Room 305, Salem, OR 97301
(NOTE: Comments received after extended comment deadline will **NOT** be considered)
- Questions After Hearing? – Please contact **Case Manager**



Nonconforming Use Substitution - Site Plan Review Case No. 20-01

650 2nd Street NW

Before the Salem Hearings Officer
Pamela Cole, Planner II
May 13, 2020

2

Good evening. I am Pamela Cole, Planner II in Community Development, Planning Division. I would request that the presentation, staff report, all attachments, and all documents be submitted into the record.

Request

- Expansion of Nonconforming Use
- Class 3 Site Plan Review

To substitute self-service storage for the existing nonconforming use of warehousing and distribution in a building within a 3.97-acre development site

3

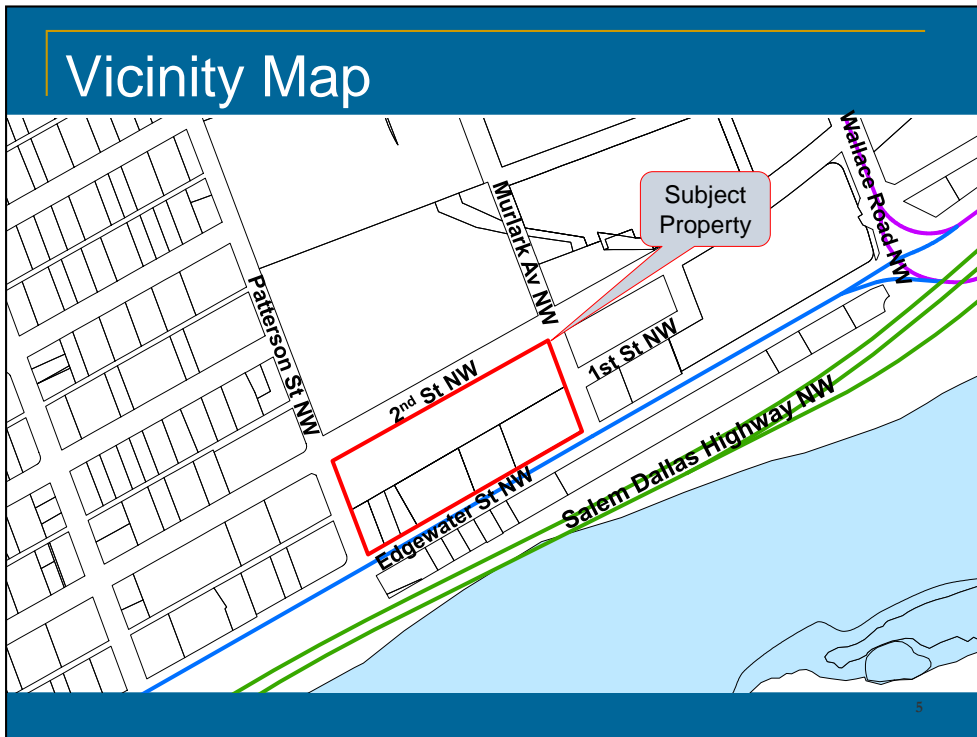
The applicant is requesting...

Application History

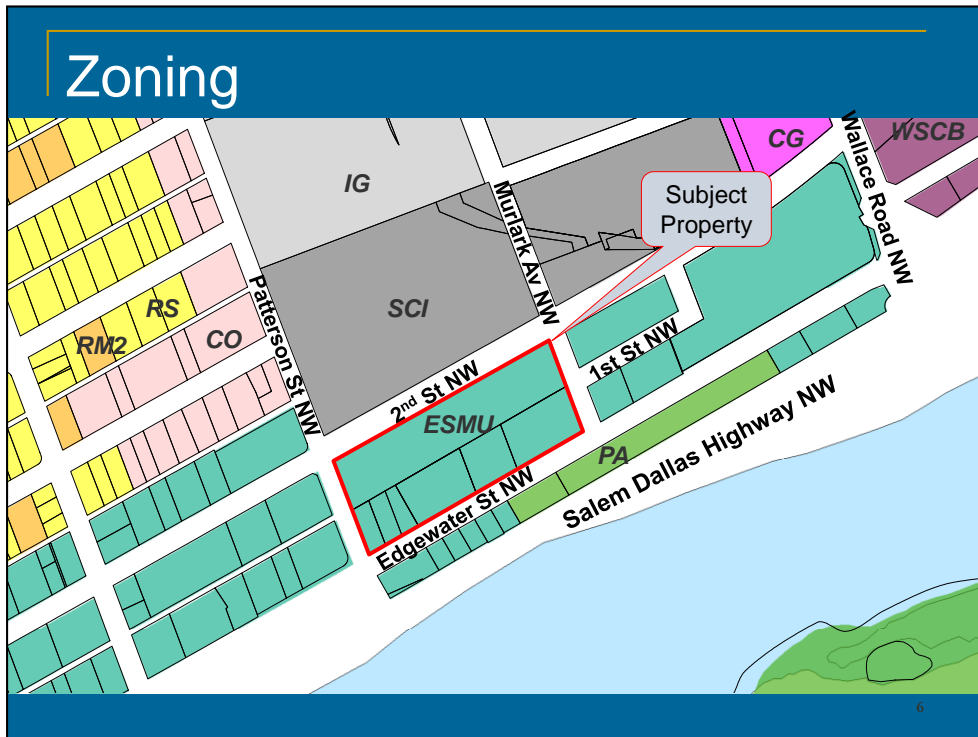
- October 18 and 22, 2019
Applications Received
- March 12, 2020
Applications Deemed Complete
- August 1, 2020
120-day State Mandated Decision Date
(extended 30 days due to COVID-19)

4

The application was received in October, 2019, before the nonconforming warehousing and distribution use had been vacant for a year.

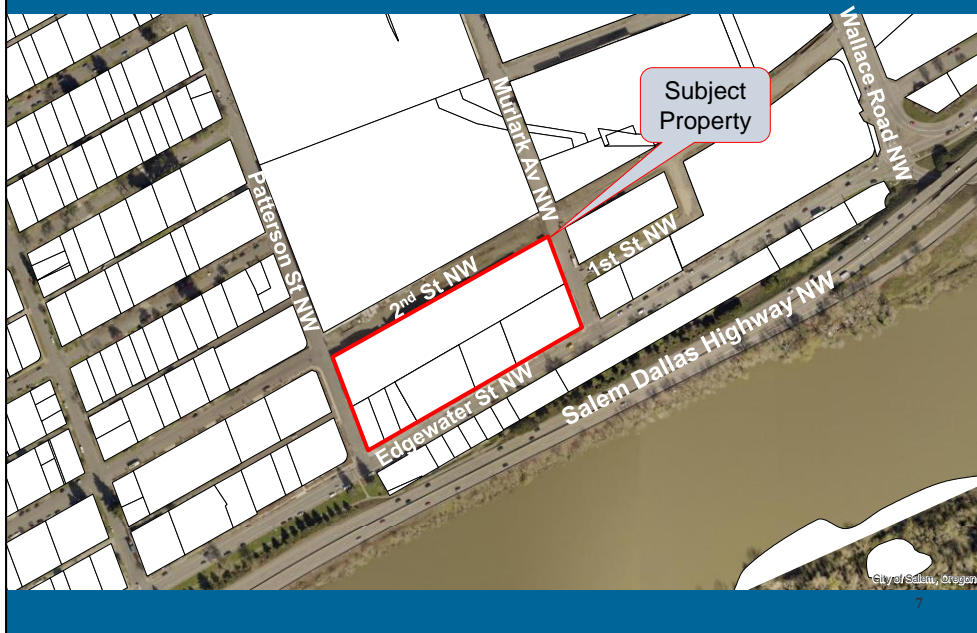


The property is bounded by 2nd Street NW right-of-way on the north, Murlark Av NW on the east, Edgewater Street NW on the south, and Patterson St NW on the west.

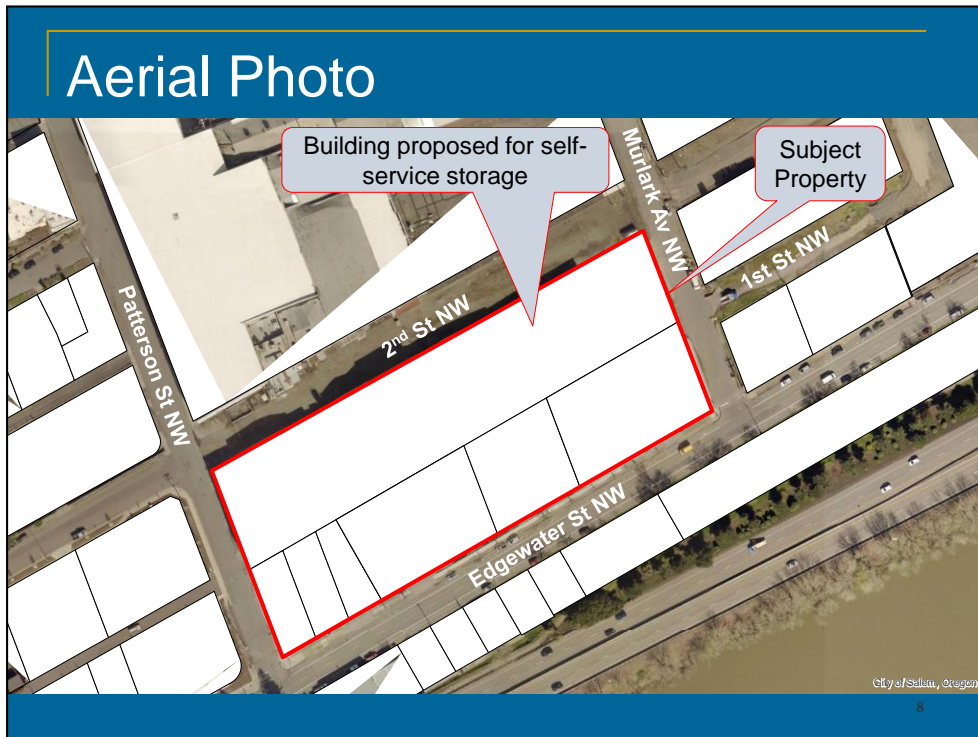


The property is in the Edgewater / Second Street Mixed Use Corridor zone. Other zones nearby are Second Street Craft Industrial Corridor, Public Amusement, and Commercial Office.

Aerial Photo

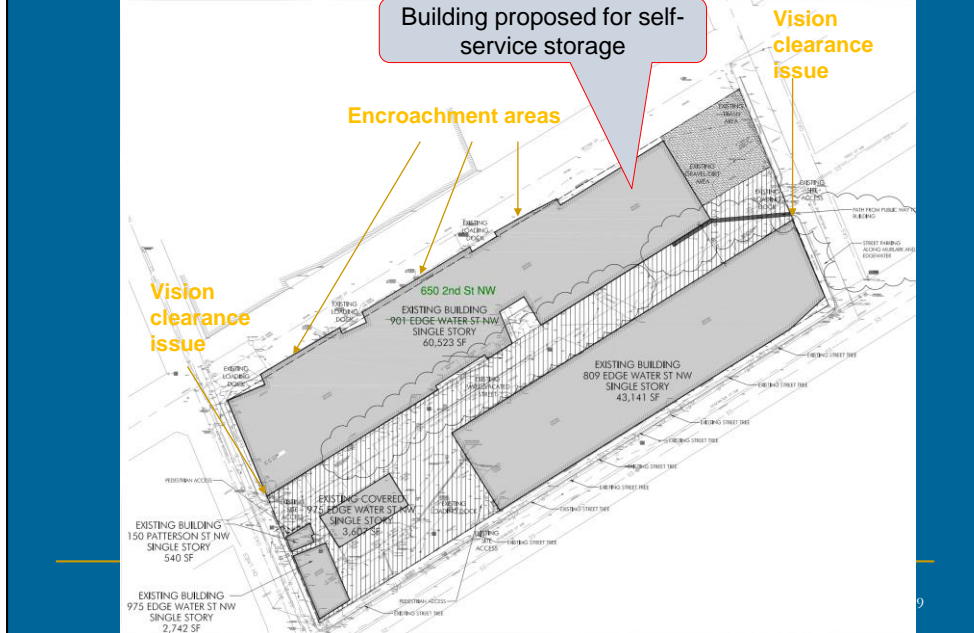


The property is almost entirely covered by buildings, pavement, or gravel. The 2nd St NW right-of-way is not currently improved, but a Capital Improvements project will be completing the street from Patterson to Wallace Road NW within the next few years.



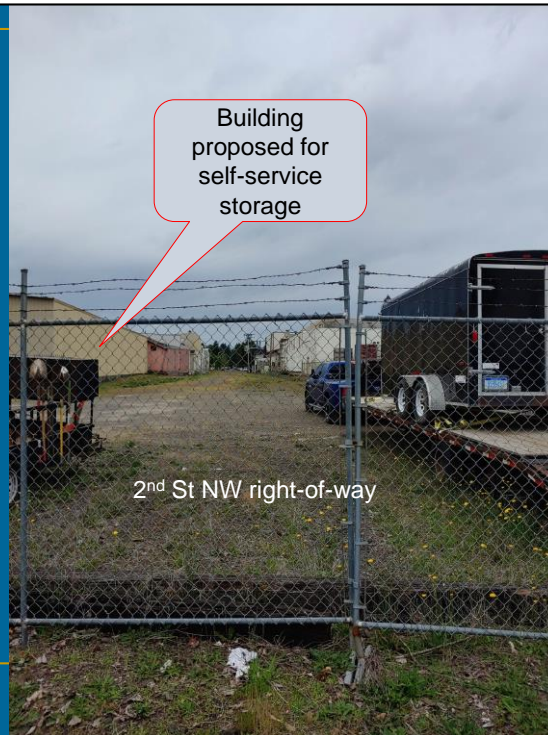
The paved area running through the center of the property is vacated right-of-way of 1st St NW.

Site Plan



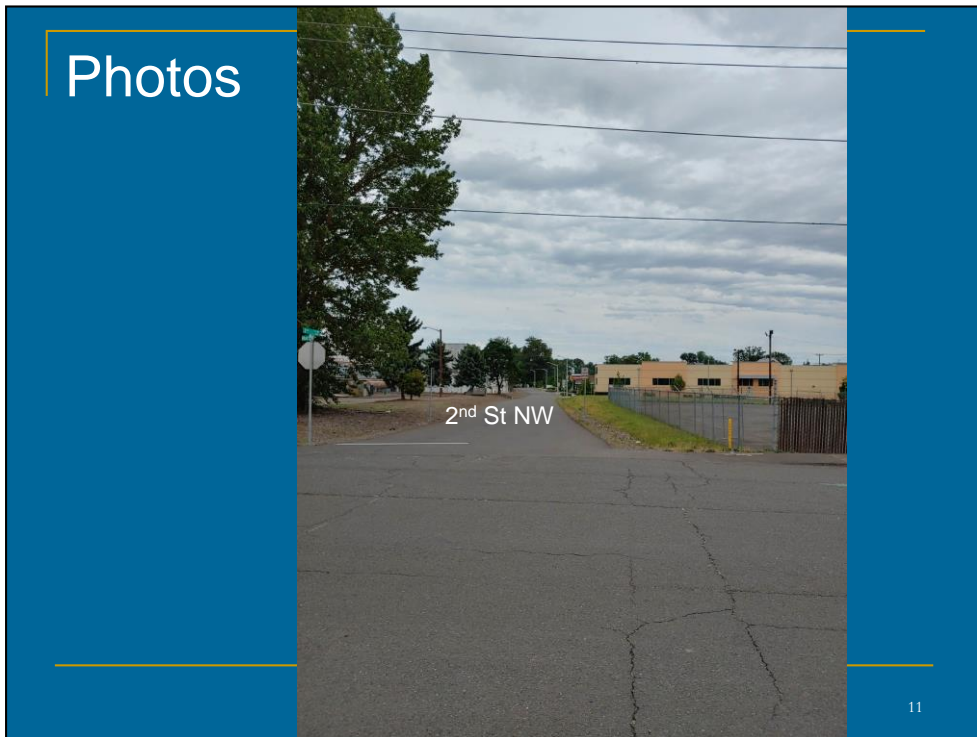
The applicant is proposing no changes to the exterior of the building and no off-street parking. The applicant is proposing a pedestrian connection from on-street parking on Murlark across the existing vehicle use area to the building, and staff is recommending a condition specifying the width and materials for the connection. Portions of the building encroach into the 2nd Street NW right-of-way, and staff has recommended conditions requiring that the encroachments must be removed or a license to encroach shall be obtained; the removal must occur before the street improvements are constructed. Public Works recommended that the existing driveway onto Patterson Street NW be made one-way into the property because the existing building at 650 2nd St NW creates a vision clearance issue for traffic turning onto Patterson. Because the existing building at 809 Edgewater creates a vision clearance issue for traffic exiting onto Murlark, Public Works recommended that the applicant either remove a portion of the building or relocate the driveway to the north.

Photos

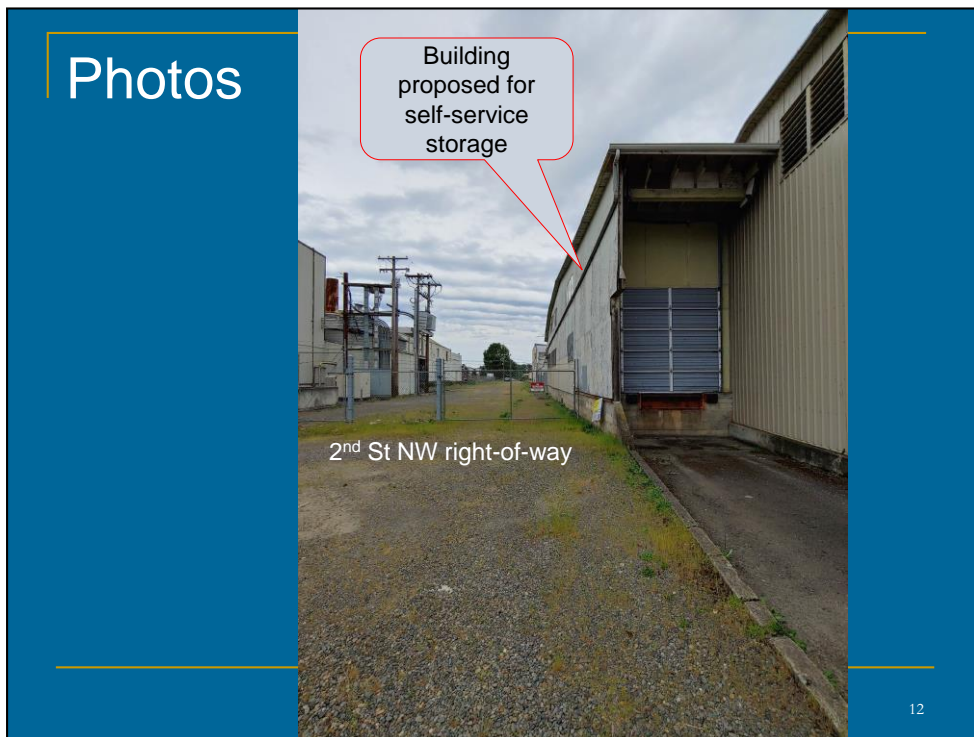


10

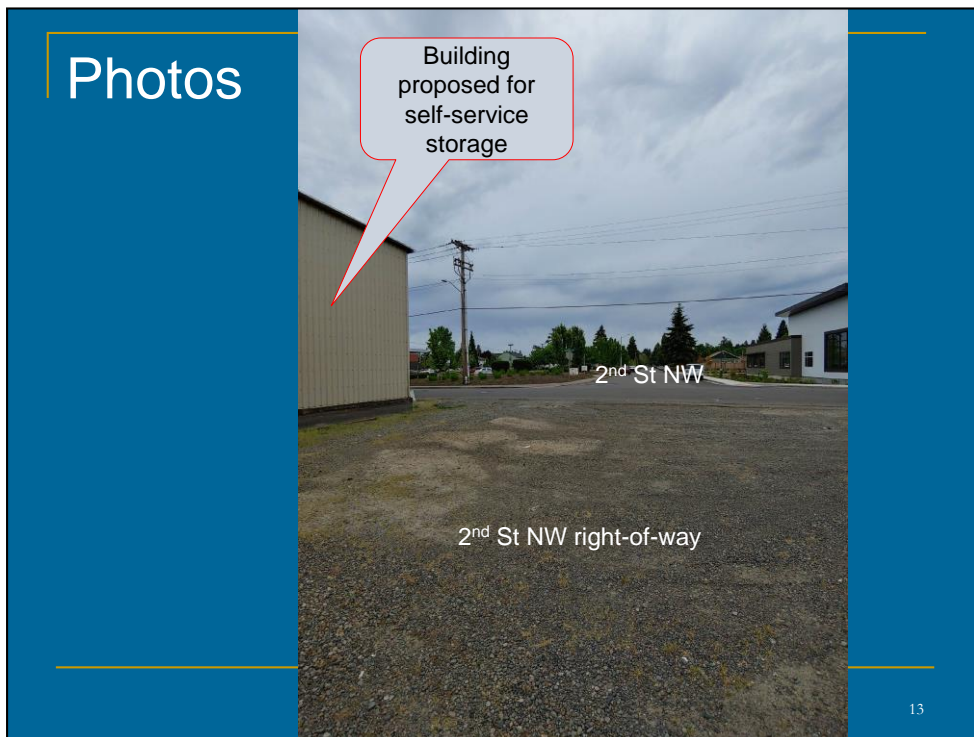
View from Murlark west toward the building



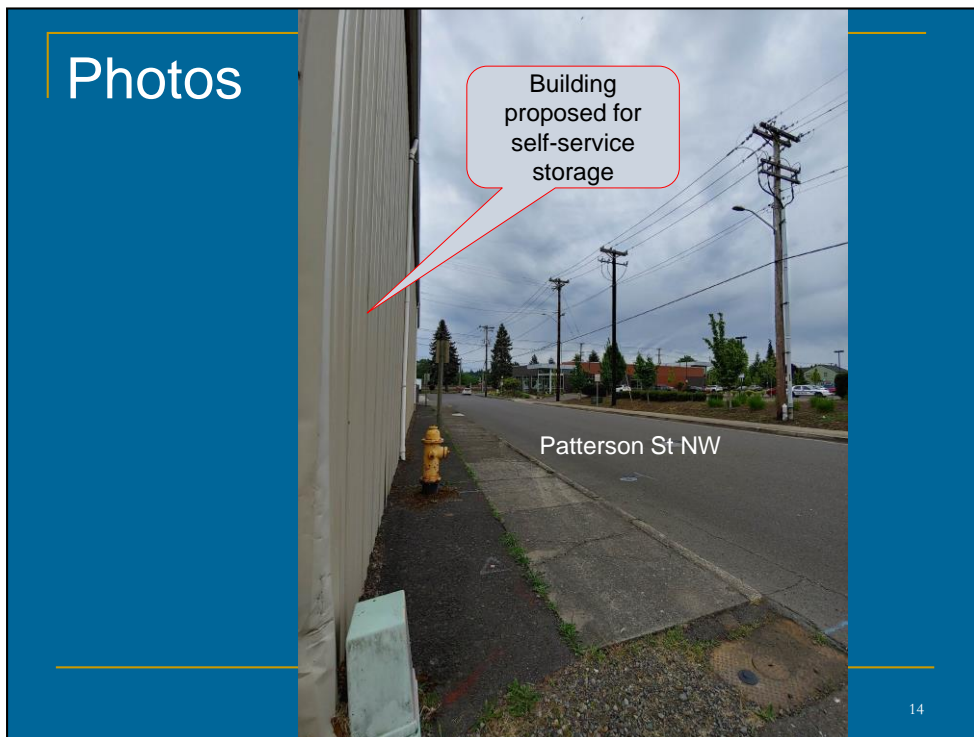
View from the property east across Murlark toward the Goodwill store



View from Patterson east toward the subject property



View from the subject property west to a parking area and outpatient medical services use



View from 2nd St NW south toward Edgewater St NW toward another outpatient medical services use

Photos



15

Retail and personal services uses on Edgewater St NW

Photos

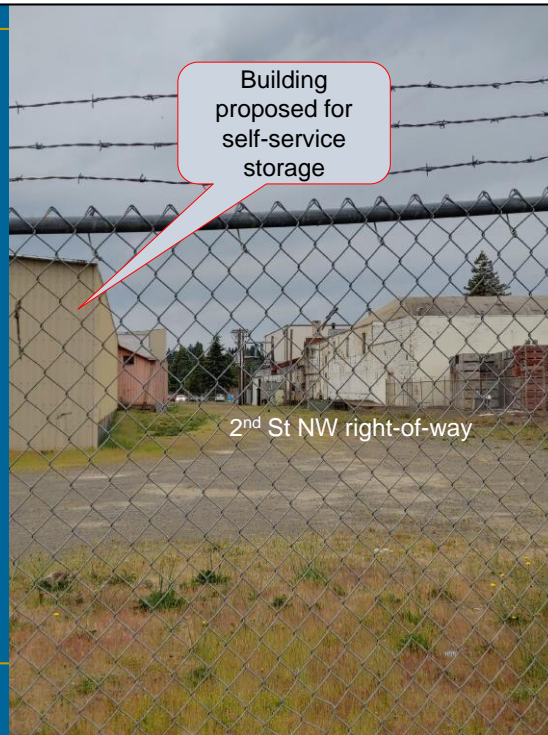


Edgewater St NW

16

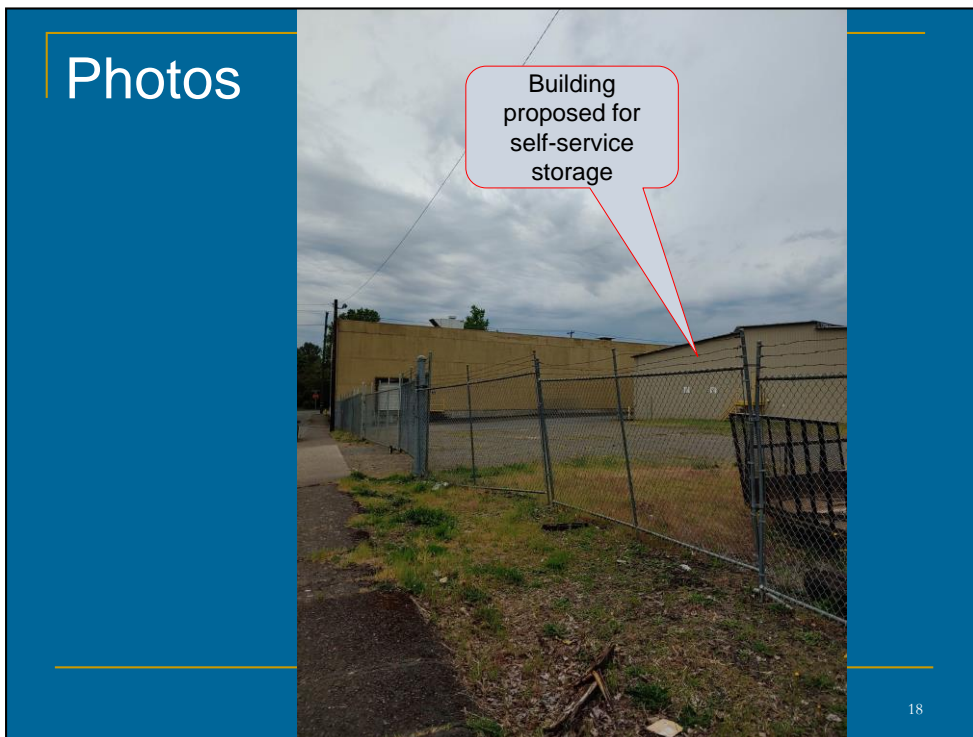
Another retail use on Edgewater Street NW

Photos



Another view from Murlark toward the building

Photos



View from 2nd street right-of-way toward the building. This gravel area is not approved for or proposed for off-street parking and does not currently meet development standards for parking or driveways.

Photos

Building
proposed for
self-service
storage

19

View from Murlark Av NW toward the building. The proposed pedestrian connection would be located in this area.

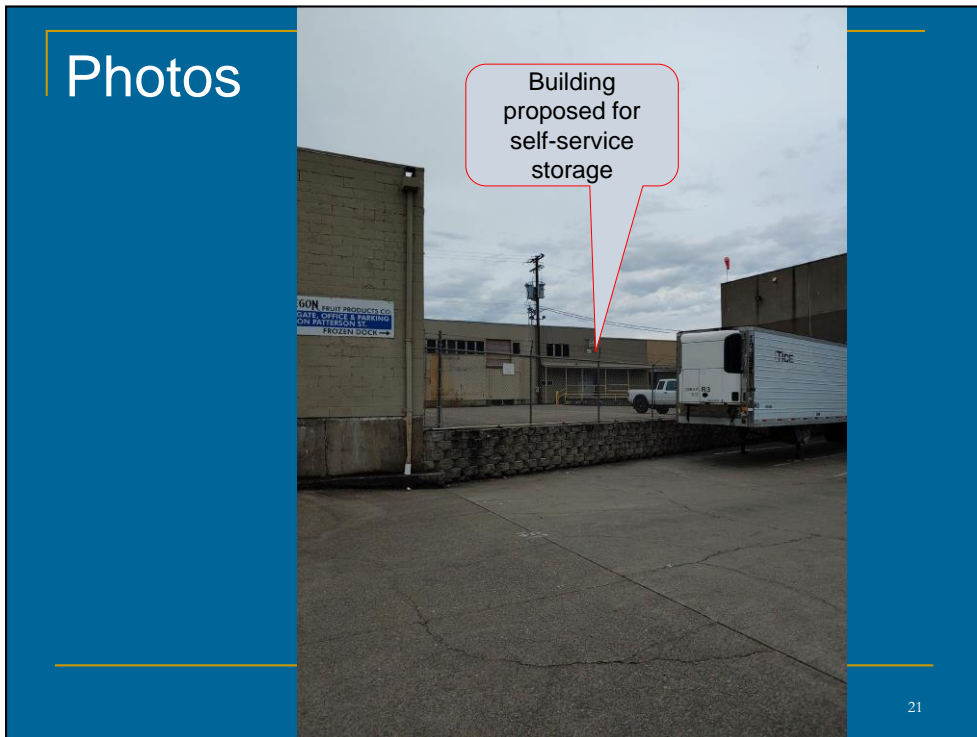
Photos



20

View of the existing driveway approaches on Murlark.

Photos



View from Edgewater Street north toward the building

Photos



22

View from Patterson Street NW toward the building.

Criteria - Nonconforming Use

- 1) The proposed extension, alteration, enlargement, or substitution of use is consistent with the general development character of the surrounding area;
- 2) The degree of noise, vibration, dust, odor, fumes, glare, or smoke detectable at the property line will not be increased by the proposed extension, alteration, enlargement, or substitution of use;
- 3) The number and kinds of vehicular trips will not exceed the maximums typical for the zoning district within which the nonconforming use is located;

Criteria - Nonconforming Use

- 4) The amount and nature of outside storage, loading, and parking will not be increased or altered by the proposed extension, alteration, enlargement, or substitution of use so as to cause further impacts;
- 5) The hours of operation for the proposed extension, alteration, enlargement, or substitution of use will not be altered or increased beyond those of the existing nonconforming use; and
- 6) If the proposal includes the alteration or enlargement of a building or structure, the alteration or enlargement complies with the applicable development standards of the UDC and all other applicable laws, ordinances, and regulations.

Criteria - Site Plan Review

- 1) The application meets all applicable standards of the UDC;
- 2) 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;
- 3) Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians; and
- 4) The proposed development will be adequately served with City water, sewer, stormwater, and other utilities appropriate to the nature of the development.

Comments Received

- Citizens & Neighborhood Association

- West Salem Neighborhood Association

- Comments Received

- Structures on 2nd Street
 - Uses in ESMU zone
 - Adjacent uses in SCI zone
 - Future 2nd Street project

- Property Owners and Tenants

- No Comments Received

26

Staff received comments from the West Salem Neighborhood, which are attached to the staff report.

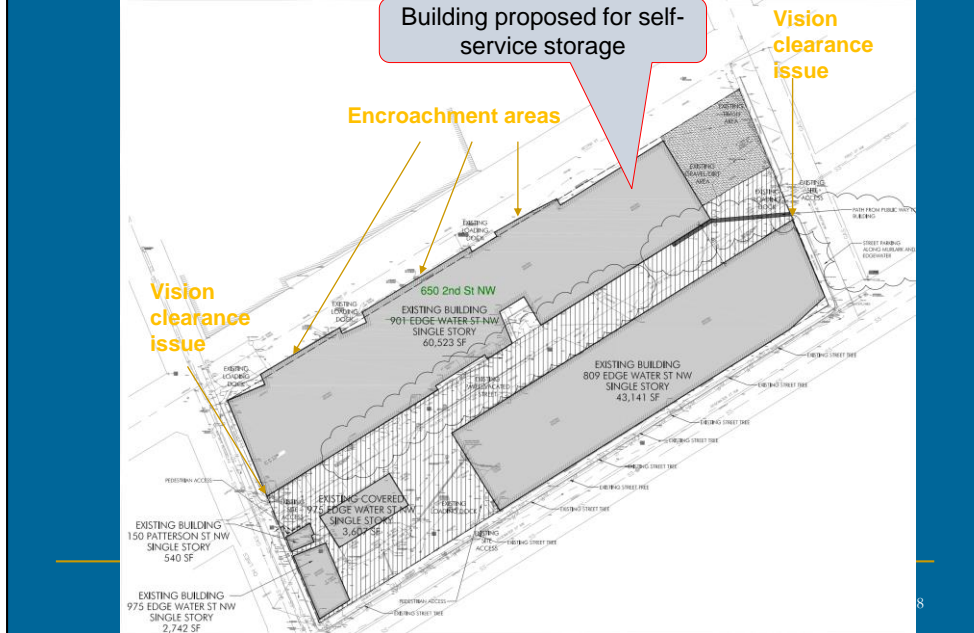
Recommendation

- Approve the consolidated application subject to the recommended conditions of approval.

27

Staff recommends approval subject to recommended conditions.

Site Plan



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