

SALEM HEARINGS OFFICER MEETING WEDNESDAY, JUNE 24, 2020, 5:30 P.M. REMOTE VIA GOTO MEETING

This regular meeting of the Salem Hearings Officer will take place online. If you are interested in attending, you can digitally attend the meeting using any computer, tablet, or smart phone. You can also call in to the meeting using any phone with the information provided below.

Staff Reports and presentations for this meeting will be available at this link:
<https://www.cityofsalem.net/Pages/hearings-officer.aspx>

DIGITAL MEETING INFORMATION

To view and listen to this hearing, you may visit this link with any computer, tablet, or smart phone:
<https://www.gotomeet.me/SalemPlanning/hearings-officer-june-24-2020>

You can also dial in using your phone.
United States: +1 (646) 749-3112 Access Code: 662-238-101

The City of Salem thanks you for your support in slowing the spread of COVID-19 by attending this public meeting digitally.

For any questions or concerns about the above information, please contact Kirsten Straus, Staff Assistant at kstraus@cityofsalem.net or 503-540-2347.

THE STATEMENT OF CRITERIA WILL BE READ BEFORE EACH HEARING

PUBLIC HEARING ON CONDITIONAL USE / SITE PLAN REVIEW / ZONING ADJUSTMENT / DRIVEWAY APPROACH PERMIT

a. CU-SPR-ADJ-DAP20-04 for 1163 D Street NE

Summary: A proposal to construct four tennis courts and associated parking.

Request: A consolidated Conditional Use, Class 3 Site Plan Review, Class 2 Zoning Adjustment, and Class 2 Driveway Approach Permit, for the development of tennis courts and associated parking on a property approximately 1.75 acres (including alley and 12th street right-of-way), zoned RM-II (Multi-Family Residential-II) and PE (Public and Private Education Services) zones and designated Multiple Family Residential in the Salem Comprehensive Plan. The subject property is located at 1163 D Street NE (Marion County Assessor Numbers 073W23CA / 7200, 073W23CA / 7100, 073W23CA / 8100, 073W23CA / 8200, 073W23CA / 8300) and City right of way.

The request includes five Class 2 Adjustments for the following:

- 1) To increase the height of the fence within the RM-II zone to six feet along E Street and eight feet for the remainder of the proposal.
- 2) Reduce the driveway spacing on a minor arterial to 270 feet.
- 3) Eliminate the setback for a vehicle use area abutting 12th Street NE.
- 4) Eliminate the setback for a vehicle use area abutting D Street NE.
- 5) Eliminate the 5-foot setback abutting a property line for a vehicle use area for property lines on the southern portion of the development site.

GRANT NEIGHBORHOOD ASSOCIATION
NORTHEAST NEIGHBORS (NEN)

Olivia Dias
odias@cityofsalem.net

HEARINGS OFFICER MEETINGS ORDER OF PROCEEDINGS

THE HEARING WILL BE CONDUCTED with the staff presentation first, followed by the applicant's case, and questions from the Hearings Officer. Due to the Covid-19 pandemic, testimony from neighborhood organizations, persons in favor or opposition, and rebuttal by the applicant will be limited to written testimony. The record will be held open to allow for additional written testimony. Please direct any additional comments to the Case Manager.

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 that the hearing be continued or that the record be left open for submission of additional evidence or testimony.

HEARINGS OFFICER DECISIONS are based on the criteria contained in the Salem Revised Code. Applicable criteria for each case, referenced in the public hearing notice and staff report, can be found in the Salem Revised Code. Applications may be approved, conditionally approved, or denied on the basis of conformity with the applicable criteria. Conditions of approval may be placed on an approval to ensure the proposal complies with all applicable portions of the Salem Revised Code.

ALL ISSUES MUST BE RAISED AT THE HEARING. Failure to raise an issue, accompanied by statements or evidence sufficient to afford the parties an opportunity to respond to the issue, precludes an appeal to the Land Use Board of Appeals (LUBA) on that issue. A similar failure to raise constitutional issues relating to any proposed conditions of approval precludes an action for damages in Circuit Court.

Salem Revised Code (SRC) and other informative documents may be accessed online at:
<http://www.cityofsalem.net/Departments/Legal/Pages/SalemRevisedCodes.aspx>

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

