

**MINUTES**  
**SALEM HEARINGS OFFICER MEETING**  
**July 11, 2018**

**Hearings Officer**  
Jim Brewer

**Staff Present**  
Olivia Glantz, Planner II  
Pamela Cole, Planner II  
Aaron Panko, Planner III  
Sally Long, Recorder

Hearings Officer Jim Brewer called the meeting to order at 5:30 p.m. City of Salem staff members present were Oliva Glantz - Planner II, Pamela Cole - Planner II, Aaron Panko - Planner III and Sally Long - Recorder.

**1. PUBLIC HEARING ON A CONDITIONAL USE / CLASS 3 SITE PLAN REVIEW CASE**

• **CU-SPR18-04 for property located at 1351 Wilbur Street SE**

Summary: An application to change the use of a building to a recreational marijuana grow site.

Request: Conditional Use and Class 3 Site Plan Review for conversion of an existing building and an addition of a 200 square foot building for storage, for recreational marijuana growing, on property approximately 0.21 acres in size, zoned IC (Industrial Commercial) and located at 1351 Wilbur St SE - 97302 (Marion County Assessors Map and Tax Lot number: 073W35BB / 10500).

Mr. Brewer read the applicable criteria into the record. No objection to jurisdiction was raised and the public hearing was opened at 5:31 p.m.

Case Manager, Olivia Glantz, entered the staff report, case file, and all attachments into the record and proceeded with her 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 for a recreational marijuana production facility for property located at 1351 Wilbur Street SE subject to the following conditions of approval:

**Condition 1:** Marijuana production shall be conducted indoors.

**Condition 2:** The marijuana production facility shall utilize an air filtration system to ensure that odor impacts upon neighboring properties are minimized.

**Condition 3:** Prior to issuance of building permit, the applicant shall relocate the parking area to not conflict with the existing anchor, down guy, and power pole or provide evidence of relocation of the anchor and down guy approval from PGE.

**Condition 4:** The setback area between the proposed vehicle use area and the east and west property lines shall be landscaped meeting the Type A standard set forth in SRC Chapter 807.

**Condition 5:** There shall be a minimum of 24-feet of paved maneuvering area behind any parking spaces accessing from the alley.

**Condition 6:** Construct a minimum 12-foot-wide driveway improvement within the alley right-of-way from the eastern boundary of the vehicle use area on the subject property to 13th Street SE where the existing alley is not paved.

**PERSONS TESTIFYING:**

Applicant: None

Neighborhood Association:

Support: None

Oppose:

- Linda Nishioka, 735 Tillman Ave SE, Salem

Neutral: None

Evidence Received From:

Support: None

Oppose: None

Neutral: None

Rebuttal:

- Jeremy Keisling, Applicant, 1351 Wilbur St SE, Salem

With no further questions or testimony to present, the Hearings Officer closed the public hearing at 5:50 p.m. The applicant waived the additional 7 day period for written argument.

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**2. PUBLIC HEARING ON A CONDITIONAL USE / CLASS 3 SITE PLAN REVIEW / DRIVEWAY APPROACH PERMIT CASE**

- **CU-SPR-DAP18-05 for property located at 4227 Lone Oak Road SE**

Summary: A conditional use, site plan review, and driveway approach permit application for building additions, removal of a driveway, modification of a driveway, and reconfiguration of parking areas for a religious assembly.

Request: Conditional Use, Class 3 Site Plan Review, and Class 2 Driveway Approach Permit applications for construction of additions to the north and south elevations of a church structure, removal of a driveway, modification of a driveway, addition of parking areas, and reconfiguration of existing parking areas serving an existing religious assembly, on an 8.5-acre property in the RM2 (Multiple Family Residential) zone, at 4227 Lone Oak Road SE 97302 (Marion County Assessor Map and Tax Lot 083W10BB06200).

Mr. Brewer read the applicable criteria into the record. No objection to jurisdiction was raised and the public hearing was opened at 5:57 p.m.

Case Manager, Pamela Cole, entered the staff report, case file, and all attachments into the record and proceeded with her 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, site plan review, and driveway approach permit for construction of additions to the north and south elevations of a church structure, removal of a driveway, modification of a driveway, addition of parking areas, and reconfiguration of existing parking areas serving an existing religious assembly on property located at 4227 Lone Oak Road SE subject to the following conditions of approval:

**Condition 1:** The development shall be in substantial conformance with the site plan included as Attachment C of the staff report, as modified by conditions of approval.

**Condition 2:** Provide a landscaped setback of at least 15 feet between the new parking lot pavement and the north property line, landscaped with a minimum of one plant unit per 20 square feet and screened with a minimum 6-foot-tall sight-obscuring fence, wall, or hedge.

**Condition 3:** Remove the proposed triangular planting areas in the reconfigured south parking lot.

**Condition 4:** The eight new parking spaces in the northern row of the expanded north parking lot shall be designated as compact spaces.

**Condition 5:** The 20-foot-wide “Fire Lane” depicted on the site plan between the north and south parking areas shall **either** be widened to a minimum of 22 feet to accommodate two-way traffic **or designated and marked for one-way traffic.**

**Condition 6:** Bumper guards or wheel barriers shall be installed in the eight new parking spaces in the northern row of the expanded parking lot and all of the parking spaces abutting the proposed sidewalk that is oriented east to west through the reconfigured area of the southern parking lot.

**Condition 7:** Construct street lights, street trees, sidewalks, and curb ramps along the entire frontages of Lone Oak Road SE and Friendship Avenue SE where not compliant with Public Works Design Standards.

**Condition 8:** Design and construct a storm drainage system for the new and replaced impervious surfaces in compliance with SRC Chapter 71.

**PERSONS TESTIFYING:**

Applicant:

- Gretchen Stone, CB Two Architects, 500 Liberty St SE #100, Salem

Neighborhood Association: None

Support: None

Oppose: None

Neutral: None

Evidence Received From:

Support: None

Oppose: None

Neutral: None

Rebuttal: None

With no further questions or testimony to present, the Hearings Officer closed the public hearing at 6:10 p.m. The applicant waived the additional 7 day period for written argument.

**3. PUBLIC HEARING ON A CONDITIONAL USE / CLASS 3 SITE PLAN REVIEW CASE**

- **CU-SPR18-06 for property located at 220 15<sup>th</sup> Street SE**

Summary: A request for a proposed non-profit youth shelter serving up to 10 individuals for ages 11-18.

Request: A Conditional Use Permit and Class 3 Site Plan Review to change the use of an existing residential care facility to a non-profit youth shelter serving up to 10 individuals for ages 11-18, for property approximately 0.19 acres in size, zoned RM-II (Multi-Family Residential), and located at 220 15th Street SE - 97302 (Marion County Assessor's Map and Tax Lot number: 073W26BD / 12000).

Mr. Brewer read the applicable criteria into the record. No objection to jurisdiction was raised and the public hearing was opened at 6:11 p.m.

Case Manager, Aaron Panko, entered the staff report, case file, and all attachments into the record and proceeded with his 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 and Class 3 Site Plan Review to allow a proposed change of use from an existing residential care facility to a non-profit youth shelter serving up to 10 individuals for ages 11-18 subject to the following condition of approval:

**Condition 1:** The existing building is located within the regulatory floodway and requires a floodplain development permit subject to the requirements of SRC Chapter 601. If the proposed development is a substantial improvement as defined in SRC 601.005, then the entire building will need to be brought into compliance with current requirements of SRC Chapter 601.

### **PERSONS TESTIFYING:**

#### Applicant:

- Sam Thomas, Lenity Architecture, 3150 Kettle Court SE, Salem

Neighborhood Association: None

Support: None

#### Oppose:

- Brad Bahr, 1545 Ferry Street SE, Salem
- Arnold Gogan, 260 15<sup>th</sup> St NE, Salem

Neutral: None

#### Evidence Received From:

Support: None

Oppose: None  
Neutral: None

Rebuttal:

- Sam Thomas, Lenity Architecture, 3150 Kettle Court SE, Salem
- Cyndi Leinassar, Deputy Director, MWVCAA, 2475 Center St NE, Salem

With no further questions or testimony to present, the Hearings Officer closed the public hearing at 6:39 p.m. The applicant was granted an additional 7 day period for written argument until 5:00 p.m., Wednesday, July 18, 2018.

*Prepared by: Sally Long, July 11,, 2018*

*Approved: July 12, 2018*