



# HEARING NOTICE

## LAND USE REQUEST AFFECTING THIS AREA

### *Audiencia Pública*

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

<b>CASE NUMBER:</b>	Conditional Use and Class 3 Site Plan Review Case No.CU-SPR19-03
<b>AMANDA APPLICATION NO:</b>	19-109246-ZO / 19-110133-RP
<b>HEARING INFORMATION:</b>	<u>Hearings Officer, Wednesday, July 10, 2019, 5:30 P.M., Council Chambers, Room 240, Civic Center, 555 Liberty Street SE, Salem, OR 97301</u>
<b>PROPERTY LOCATION:</b>	3850 Mainline Dr NE, Salem OR 97301
<b>OWNER(S):</b>	Scott Martin
<b>APPLICANT / AGENT(S):</b>	Patrick Bickler, Architect, on behalf of LOJCO, LLC (Paul Vettrus)
<b>DESCRIPTION OF REQUEST:</b>	<p>Summary: A request for a Conditional Use Permit and Site Plan Review to allow a hemp and essential oil extraction use, classified as heavy manufacturing, within an existing building.</p> <p>Description: Conditional Use and Class 3 Site Plan Review for a proposed change of use of an existing building to an industrial hemp and essential oil extraction facility, a heavy manufacturing use, located on a 0.63-acre property at 3850 Mainline Drive NE / 97301 (Marion County Assessor Map and Tax Lot 073W12B / 4200) that is zoned IG (General Industrial). The conditional use application is required for the heavy manufacturing use.</p>
<b>CRITERIA TO BE CONSIDERED:</b>	<p><b><u>CONDITIONAL USE</u></b> Pursuant to SRC 240.005(d), an application for a CONDITIONAL USE PERMIT shall be granted if the following criteria are met:</p> <ol style="list-style-type: none"><li>1. The proposed use is allowed as a conditional use in the zone;</li><li>2. The reasonably likely adverse impacts of the use on the immediate neighborhood can be minimized through the imposition of conditions; and</li><li>3. The proposed use will be reasonably compatible with and have minimal impact on the livability or appropriate development of surrounding property.</li></ol> <p><b><u>CLASS 3 SITE PLAN REVIEW</u></b> Pursuant to SRC 220.005(f)(3), an application for a CLASS 3 SITE PLAN REVIEW shall be granted if:</p> <ol style="list-style-type: none"><li>A. The application meets all applicable standards of the UDC;</li><li>B. 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;</li><li>C. Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians; and</li><li>D. The proposed development will be adequately served with City water, sewer, storm water facilities, and other utilities appropriate to the nature of the development.</li></ol>
<b>HOW TO PROVIDE TESTIMONY:</b>	<p>Any person wishing to speak either for or against the proposed request may do so in person or by representative at the Public Hearing. Written comments may also be submitted at the Public Hearing. Include case number with the written comments. Prior to the Public Hearing, written comments may be filed with the Salem Planning Division, Community Development Department, 555 Liberty Street SE, Room 305, Salem, Oregon 97301. Only those participating at the hearing, in person or by submission of written testimony, have the right to appeal the decision.</p>

**HEARING PROCEDURE:**

The hearing will be conducted with the staff presentation first, followed by the applicant's case, neighborhood organization comments, testimony of persons in favor or opposition, and rebuttal by the applicant, if necessary. 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 an opportunity to present additional evidence or testimony regarding the application. A ruling will then be made to either continue the Public Hearing to another date or leave the record open to receive additional written testimony.

Failure to raise an issue in person or by letter prior to the close of the Public Hearing 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.

Following the close of the Public Hearing a decision will be issued and mailed to the applicant, property owner, affected neighborhood association, anyone who participated in the hearing, either in person or in writing, and anyone who requested to receive notice of the decision.

**CASE MANAGER:**

**Hayley Feightner, Planner I**, City of Salem Planning Division, 555 Liberty Street SE, Room 305, Salem, Oregon 97301. Telephone: 503-540-2315; E-mail: [hfeightner@cityofsalem.net](mailto:hfeightner@cityofsalem.net).

**NEIGHBORHOOD ORGANIZATION:**

Northgate Neighborhood Association, Frank Pack, Land Use Chair; Phone: 503-364-7353; Email: [frankpack@gmail.com](mailto:frankpack@gmail.com).

**DOCUMENTATION AND STAFF REPORT:**

Copies of the application, all documents and evidence submitted by the applicant are available for inspection at no cost at the Planning Division office, City Hall, 555 Liberty Street SE, Room 305, during regular business hours. Copies can be obtained at a reasonable cost. The Staff Report will be available seven (7) days prior to the hearing, and will thereafter be posted on the Community Development website:

<https://www.cityofsalem.net/Pages/planning-notices-decisions.aspx>

**ACCESS:**

The Americans with Disabilities Act (ADA) accommodations will be provided on request.

**NOTICE MAILING DATE:**

June 20, 2019

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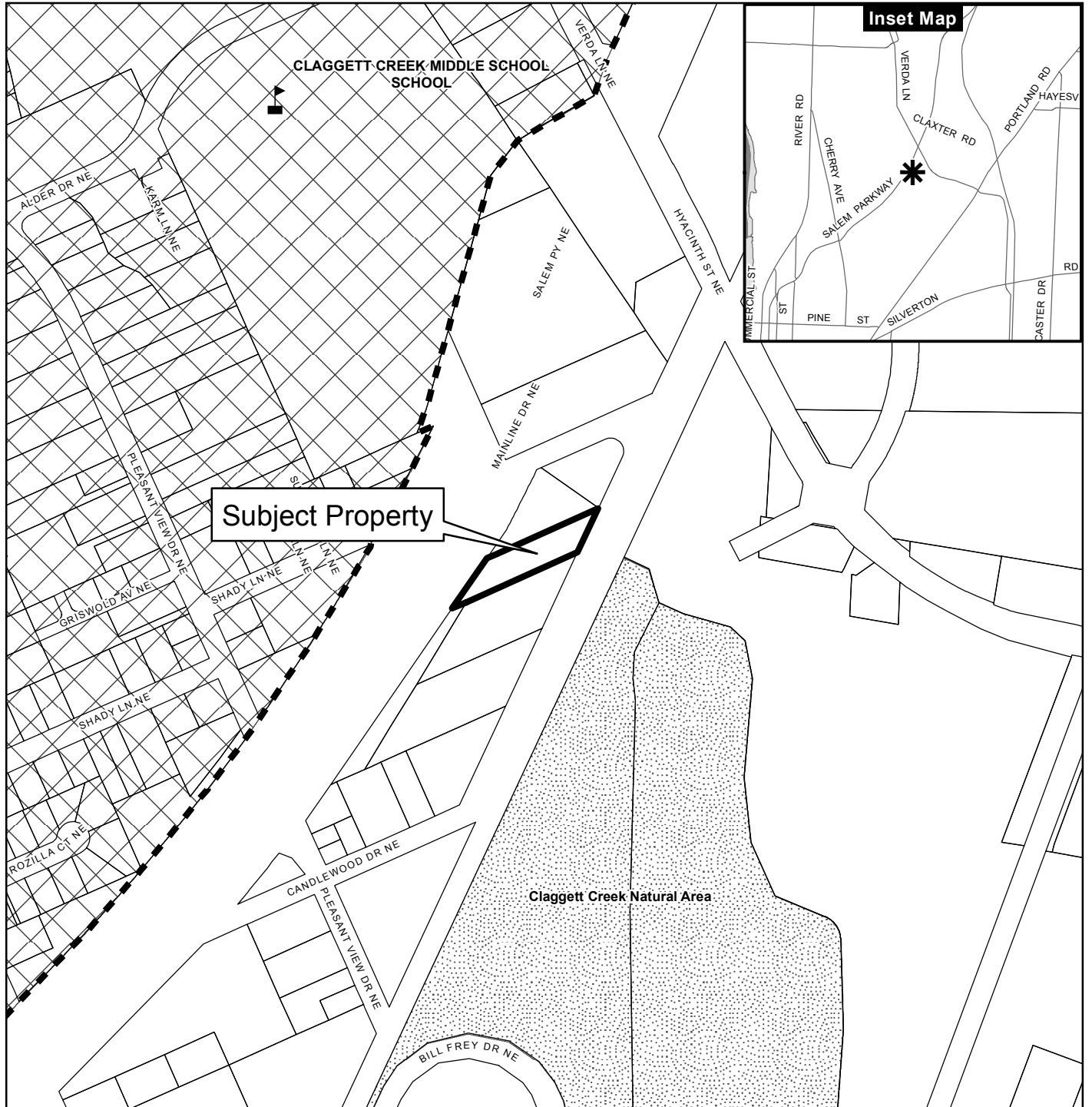
***PLEASE PROMPTLY FORWARD A COPY OF THIS NOTICE TO ANY OTHER OWNER, TENANT OR LESSEE.  
For more information about Planning in Salem:  
<http://www.cityofsalem.net/planning>***

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*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*

# Vicinity Map

## 3850 Mainline Drive NE



### Legend

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

**CITY OF Salem**  
 AT YOUR SERVICE  
 Community Development Dept.

0 100 200 400 Feet



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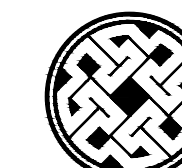
PRELIMINARY  
DRAWINGS  
DO NOT USE  
FOR CONSTRUCTION

NCARB CERTIFIED  
MEMBER OF THE AMERICAN INSTITUTE OF ARCHITECTS

PROJECT:

LOJCO LLC  
EXTRACTION &  
PROCESSING FACILITY

3850 MAINLINE DR. NE.  
SALE, OREGON



ARCHITECT:  
PATRICK BICKLER, LLC

1313 Mill St. SE, Ste. 201  
Salem, Oregon 97301  
503.588.7046  
architectpatrickbickler.com

PROJECT NO.:

1911

DRAWN:

CHECKED:

SHEET TITLE:

SITE PLAN

DATE: 04/29/2019

REVISIONS:

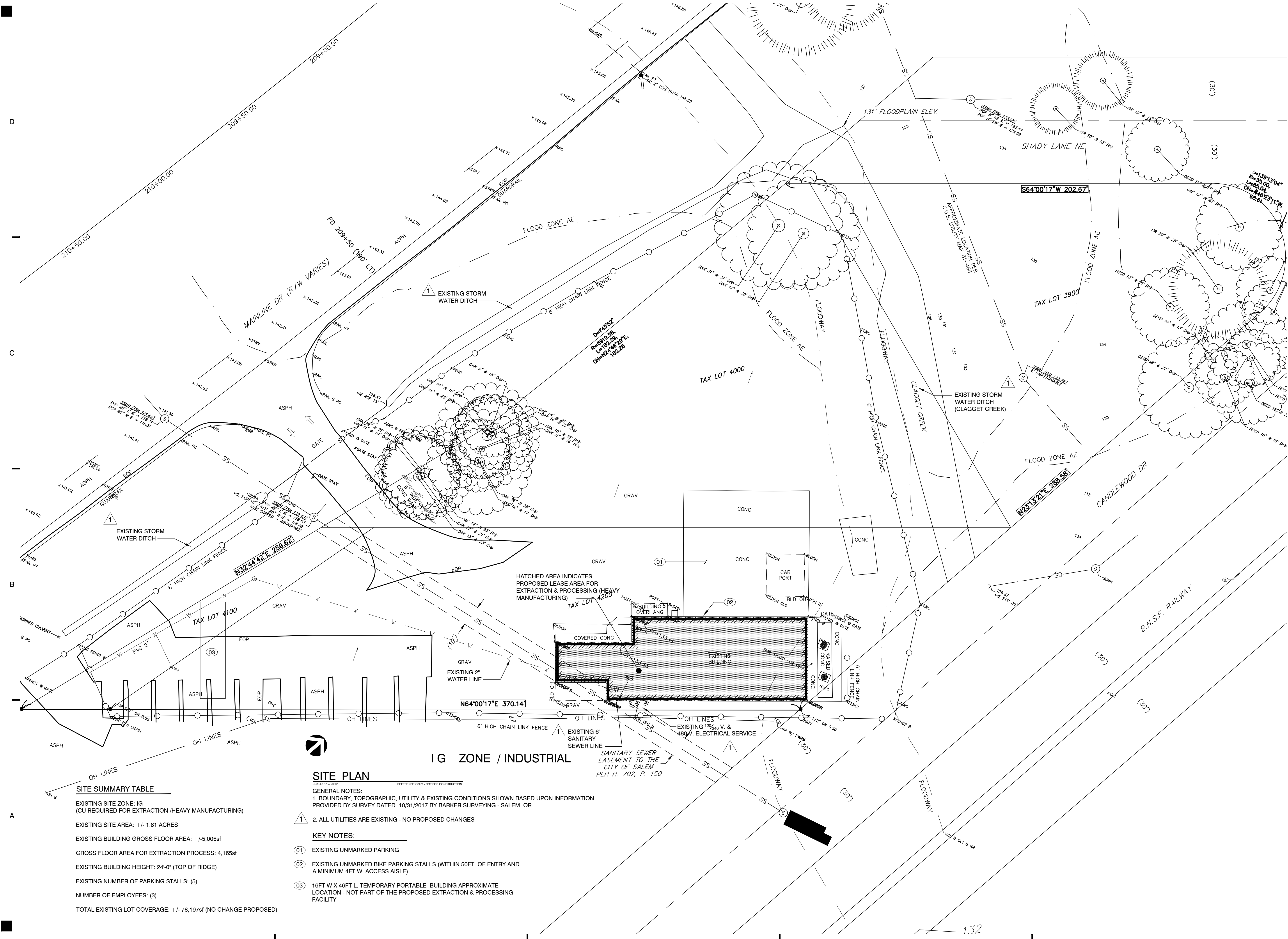
05/21/2019

NOTICE:

All drawings and written material appearing herein constitute the original and unpublished work of the Architect and may not be duplicated, used or disclosed without the prior written consent of the Architect.

SHEET: 02

OF: 02



**SITE PLAN**

SCALE: 1"=20'-0"  
GENERAL NOTES:  
1. BOUNDARY, TOPOGRAPHIC, UTILITY & EXISTING CONDITIONS SHOWN BASED UPON INFORMATION PROVIDED BY SURVEY DATED 10/31/2017 BY BARKER SURVEYING - SALEM, OR.

2. ALL UTILITIES ARE EXISTING - NO PROPOSED CHANGES

**KEY NOTES:**

- 01 EXISTING UNMARKED PARKING
- 02 EXISTING UNMARKED BIKE PARKING STALLS (WITHIN 50FT. OF ENTRY AND A MINIMUM 4FT W. ACCESS AISLE).
- 03 16FT W X 46FT L. TEMPORARY PORTABLE BUILDING APPROXIMATE LOCATION - NOT PART OF THE PROPOSED EXTRACTION & PROCESSING FACILITY

**SITE SUMMARY TABLE**

EXISTING SITE ZONE: IG (CU REQUIRED FOR EXTRACTION /HEAVY MANUFACTURING)
EXISTING SITE AREA: +/- 1.81 ACRES
EXISTING BUILDING GROSS FLOOR AREA: +/-5,005sf
GROSS FLOOR AREA FOR EXTRACTION PROCESS: 4,165sf
EXISTING BUILDING HEIGHT: 24'-0" (TOP OF RIDGE)
EXISTING NUMBER OF PARKING STALLS: (5)
NUMBER OF EMPLOYEES: (3)
TOTAL EXISTING LOT COVERAGE: +/- 78,197sf (NO CHANGE PROPOSED)

IG ZONE / INDUSTRIAL

SANITARY SEWER EASEMENT TO THE CITY OF SALEM PER R. 702, P. 150



ARCHITECT: PATRICK BICKLER, LLC  
1313 MILL STREET SE • SUITE 201 • SALEM OR 97301 • TEL 503 588 7046 • WWW.ARCHITECTPATRICKBICKLER.COM

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City of Salem  
Planning Division  
555 Liberty St. SE. Rm. 320  
Salem, Oregon 97301-3503

April 16, 2019

RE: Conditional Use Application / Narrative  
Industrial Hemp Processing & Extraction Facility for LOJCO, LLC  
3850 Mainline Drive NE  
Salem, Oregon 97301

**Project Description:**

The applicant proposes a manufacturing use within an existing 5,005sf building located at 3850 Mainline Drive NE.. The project site is within an IG zone. The business will involve drying of raw industrial hemp material in addition to other botanical plants such as mint and oregano. The process will then involve the supercritical CO2 extraction of those plants' essential oils. Salem Revised Code (SRC) section 400 classifies this type of processing as heavy manufacturing subsequently the site's IG zone requires a conditional use permit.

**General Considerations:**

The business is well-located in an industrial park setting with no residential dwellings within 250ft. of the existing building. The site is bounded on the south by a large towing and salvage lot, on the east by a public right of way (Candlewood Drive) and B.N.S.F. railway , on the north by a public right of way (Shady Lane NE) and to the west by a public right of way (Mainline Drive NE) and then Salem Parkway NE. No significant impacts on adjacent properties due to dust, fumes, smoke, noxious odors, noise or vibration will result from the proposed use. The processing and extraction of industrial hemp is not inherently dangerous and does not emit pollutants.

Supercritical extraction CO2 extraction has many benefits that include; a non-flammable, low temperature process and does not damage heat sensitive plant molecules. Moreover the process involves moderate noise levels and occurs within a closed loop environment to eliminate strong odors. The process does not involve toxic, caustic or dangerous solvents. Supercritical CO2 extraction is environmentally friendly and generally recognized as being safe by the FDA. There is almost nothing in CO2 processing that resembles typical "heavy industrial" use.



ARCHITECT: PATRICK BICKLER, LLC  
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The extraction and processing portion of the building has an insulated exterior envelope finished with metal roofing and siding which will provide a durable building for this use. Spent botanical trim will be collected by a service hauler as organic waste akin to yard debris.

Use of the outdoor areas is limited to periodic loading and unloading with minimal vehicular traffic. The facility will operate 24/7 with 2 to 3 employees. The interior space will be compartmentalized by sound attenuated partitions and all penetrations will be sealed. Additional site compatibility is achieved by the existing building setbacks which include public right of ways on 3 of the 4 sides of the property. More than adequate parking and truck circulation space exist on the industrial site.

Respectfully,

*Patrick C. Bickler*

Patrick C. Bickler, AIA, NCARB

Principal Architect