



SALEM PLANNING COMMISSION COMMUNITY DEVELOPMENT DEPARTMENT

Si necesita ayuda para comprender esta información, por favor llame 503-588-6173.

Special accommodations are available, upon request, for persons with disabilities or those needing sign language interpretation, or languages other than English. To request accommodations or services, please call 503-588-6173 (TTD/TTY 503-588-6439) at least two business days in advance.

SALEM PLANNING COMMISSION

Commission Members

Dan Augustyn
Chane Griggs, President
Lisa Heller
Casey Kopcho
Ian Levin
Brian McKinley, Vice President
Joshlene Pollock
Ashley Schweickart
Michael Slater

City Staff

Bryce Bishop, Planner III
Lisa Anderson-Ogilvie, AICP, Deputy
Director and Planning Administrator
Olivia Dias, Current Planning Manager
Shelby Guizar, Admin Analyst
Thomas Cupani, Deputy City Attorney

Next Meeting: April 20, 2021

<http://www.cityofsalem.net/Pages/salem-planning-commission.aspx>

****Declare potential or actual conflicts of interest prior to each item on the agenda.**

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, the Americans with Disabilities Act of 1990, and related statutes and regulations, in all programs and activities.

DIGITAL MEETING AGENDA

Tuesday, April 6, 2021

5:30 PM – 7:30 PM

ONLINE

Staff Reports and presentations for this meeting will be available at this link, see "Agendas and Meeting Minutes":

<https://www.cityofsalem.net/Pages/salem-planning-commission.aspx>

DIGITAL MEETING ACCESS:

To view this meeting LIVE on YouTube, please visit this link with your computer, tablet, or smartphone by clicking this link:

<https://bit.ly/planningpublicmeetings>

TO PROVIDE WRITTEN TESTIMONY AT THIS MEETING: Email written testimony to the Case Manager or mail to City of Salem Planning Division, 555 Liberty Street SE, Room 305, Salem, Oregon 97301. We recommend you email comments to ensure receipt before the public hearing.

TO SIGN UP TO PROVIDE IN-PERSON TESTIMONY: You may provide testimony digitally at the public hearing. To sign up to provide live testimony during a public hearing, please email sguizar@cityofsalem.net or call 503-540-2315 by April 6, 2021 at 3:00 p.m.

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

To submit written comments for items not on the agenda please contact Shelby Guizar, Administrative Analyst I, at sguizar@cityofsalem.net or 503-540-2315.

MEETING AGENDA
SALEM PLANNING COMMISSION

Tuesday, April 6, 2021

5:30 PM – 7:30 PM

ONLINE

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC COMMENT (agenda items other than public hearings, deliberations, and the merits of land use issues that are reviewable by the Planning Commission at public hearings)

Please contact Shelby Guizar at sguizar@cityofsalem.net, 503-540-2315, or City of Salem Planning, Attn: Shelby Guizar, 555 Liberty St SE Rm 305, Salem OR 97301 to provide written testimony or sign up to provide in-person testimony.

4. CONSENT CALENDAR (includes approval of minutes, adoption of routine items requiring Commission action)

4.1 Approval of Minutes: February 9, 2021 Minutes (Levin)

Recommended Action: Approve

4.2 Resolutions: None

4.3 Action Items: None

5. PUBLIC HEARINGS (hearings begin no earlier than 5:30 p.m. unless otherwise noted. The statement of criteria will be read at the beginning of the hearings):

5.1 Class 3 Design Review, Conditional Use Permit, Class 3 Site Plan Review, and Class 2 Adjustment Case No. DR-CU-SPR-ADJ21-02 for 220 Cottage Street NE; Ward 1 – Central Area Neighborhood Development Organization (CAN-DO); Olivia Dias, Odias@cityofsalem.net

SUMMARY: A consolidated application for a proposed new building and vehicle use area serving 34-unit multiple family development.

REQUEST: A proposed new building and vehicle use area serving 34-unit multiple family development, including the following applications: 1) A Class 3 Design Review for the proposed new building; 2) A Conditional Use Permit for 34-unit Multiple Family development; 3) A Class 3 Site Plan review for the proposed development; and 4) A Class 2 Adjustment to:

- a) Allow portions of the proposed building adjacent to Court Street NE, and Cottage Street NE to be setback less than five-feet as required under SRC 522.010(b);
- b) Reduce the minimum 10-foot vehicle use area setback required to zero feet, pursuant to SRC 806.035(c)(2) to the south property line abutting Court Street NE;
- c) Reduce the minimum vehicle use area setback abutting the north property line from 10-feet to three-feet and reduce setback from ten feet to four feet to the east property line pursuant to SRC 522.010(b).
- d) Reduce the minimum building setback abutting the north property line from ten-feet to five feet pursuant to SRC 522.010(b).
- e) Reduce the driveway width for from 22-feet to 20-feet, pursuant to SRC 804.
- f) To allow the proposed building to be located within the Vision Clearance of the northeast corner of Cottage Street SE and Court Street SE.
- g) Reduce opening of proposed solid waste service area from 12-feet to 8-feet.

The subject property is approximately 0.33 acres in size, zoned CR (Retail Commercial) within the General Retail/Office Overlay Zone and located at 220 Cottage Street NE (Marion County Assessor Map and Tax Lot Number: 073W27AA / 400).

Recommended Action: Adopt Report

- 5.2 Class 3 Design Review, Class 3 Site Plan Review, South Waterfront Mixed-Use Zone Development Phasing Plan Modification, Class 2 Adjustment, and Class 2 Driveway Approach Permit Case No. DR-SPR-SWMUDPP-ADJ-DAP21-01 for 295 Commercial Street SE; Ward 1 – Central Area Neighborhood Development Organization (CAN-DO); Bryce Bishop, bbishop@cityofsalem.net

SUMMARY: An application for a proposed new four-story mixed-use building consisting of a 72-bed post-acute rehabilitation facility and approximately 3,940 square feet of ground floor commercial space at the corner of Commercial Street SE and Front Street SE.

REQUEST: A consolidated application for a proposed new four-story mixed-use building consisting of a 72-bed post-acute rehabilitation facility and approximately 3,940 square feet of ground floor commercial space. The application includes the following:

- 1) A Class 3 Design Review and Class 3 Site Plan Review for the proposed development;
- 2) A modification to the South Waterfront Mixed-Use (SWMU) Zone Development Phasing Plan approved for the property allowing the mix of Household Living and Non-Household Living uses required for the development site under the SWMU zone to be met in phases;
- 3) A Class 2 Driveway Approach Permit for the proposed replacement of the existing driveway onto Commercial Street SE; and
- 4) A Class 2 Adjustment to:
 - a) Eliminate the minimum 5-foot parking and vehicle use area setback required between the proposed parking spaces and loading area located on the northern portion of the site and the adjacent north property line (SRC 806.035(c)(3) & SRC 806.080(b)(2)); and
 - b) Reduce the minimum 370-foot spacing required between both the proposed driveway onto Commercial Street SE and Front Street SE and between the proposed driveway onto Commercial Street SE and the nearest driveway to the south (SRC 804.035(d)).

The subject property is approximately 1.14 acres in size, zoned SWMU (South Waterfront Mixed-Use) and located at 295 Commercial Street SE (Marion County Assessor Map and Tax Lot Number: 073W27BA03100).

Recommended Action: Adopt Report

6. SPECIAL ORDERS OF BUSINESS: None
7. INFORMATION REPORTS: None
8. PUBLIC COMMENT (other than agenda items)
9. PLANNING ADMINISTRATOR’S REPORT
10. COMMISSIONER COMMENTS FOR THE GOOD OF THE ORDER
11. ADJOURNMENT

**SALEM PLANNING COMMISSION
FUTURE AGENDA ITEMS**

NOTE: *This schedule is tentative and subject to change.*

April 20, 2021

- **Appeal** of Variance and Class 2 Driveway Approach Permit Case No. VAR-DAP21-01 for 1355 Mildred Lane SE; Summary: A request for a Variance and Class 2 Driveway Approach Permit to allow a driveway approach onto Mildred Lane SE, a Minor Arterial Street, where a driveway is not allowed for a single-family residential use. (Sally Long, Slong@cityofsalem.net)

**SALEM PLANNING COMMISSION
PUBLIC HEARING PROCEDURES**

THE PROCESS FOR THE PUBLIC HEARING will begin with the staff presentation, followed by the applicant's case presentation (*limited to a total of 15 minutes*), neighborhood organization comments (*limited to a total of 10 minutes*), testimony of persons either in favor or opposition (*limited to 5 minutes each, discretionary*), and a rebuttal opportunity for the applicant (*limited to 5 minutes*), should opposition be raised. The public testimony portion will then be closed and Commission deliberation follows.

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. The Commission may continue the hearing to another date and time, or leave the record open to receive additional evidence or written testimony.

PLANNING COMMISSION 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>.

Planning Commission agendas and reports online can be found at: <https://www.cityofsalem.net/Pages/salem-planning-commission.aspx>.