



HEARING NOTICE

LAND USE REQUEST AFFECTING THIS AREA

There is a development proposal for the property listed in this notice and shown on the attached map. The City is seeking input from neighbors on the proposal. If you have questions or comments about the proposal, contact the case manager.

Esta carta es un aviso sobre una propuesta de desarrollo para la propiedad enumerada y que se muestra en el mapa adjunto. La ciudad está buscando la opinión de los vecinos sobre la propuesta. Si tiene preguntas o comentarios sobre la propuesta, póngase en contacto con nosotros al 503-588-6213

CASE NUMBER:	Conditional Use / Class 3 Site Plan Review Case No. "CU-SPR23-01"
PROPERTY LOCATION:	1290 12th St SE, Salem OR 97302
SUMMARY:	Conversion of an existing building to a marijuana production use.
HEARING INFORMATION:	<p><u>HEARINGS OFFICER WILL BE MEETING IN-PERSON ONLY, MEETINGS WILL NO LONGER BE HELD OVER ZOOM</u></p> <p>Meetings can still be viewed on YouTube at: http://bit.ly/planningpublicmeetings</p> <p><u>Hearings Officer, on March 8, 2023 at 5:30 pm in Council Chambers, Room 240, Civic Center, 555 Liberty Street SE, Salem, OR 97301</u></p>
HOW TO PROVIDE TESTIMONY:	Any person wishing to speak either for or against the proposed request may do so in person or by representative at the Public Hearing. Prior to the Public Hearing, written comments should be directed to the case manager listed below. Staff recommends emailing to ensure receipt before the public hearing. Only those participating by submitting written testimony, or by testifying at the hearing, have the right to appeal the decision. Comments submitted are public record. This includes any personal information provided in your comment such as name, email, physical address and phone number.
CASE MANAGER:	Aaron Panko, Planner III , City of Salem Planning Division, 555 Liberty Street SE, Room 305, Salem, OR 97301. Telephone: 503-540-2356; E-mail: APanko@cityofsalem.net .
NEIGHBORHOOD ASSOCIATION:	<p><i>Neighborhood associations are volunteer organizations of neighbors coming together to make neighborhoods the best they can be. They receive notice of land use applications within their boundaries, and they often submit comments on the applications to the City. Neighborhood association meetings are open to everyone. Contact your neighborhood association to get involved:</i></p> <p>South East Salem Neighborhood Association (SESNA), Jeff Leach, Land Use Co-Chair; Phone 503-508-5499; Email: landuse.sesna@gmail.com.</p>
STAFF REPORT:	<p>The Staff Report will be available seven (7) days prior to the hearing and will thereafter be posted on the Hearing Body's website under Agendas and Minutes:</p> <p>https://www.cityofsalem.net/government/boards-commissions/hearings-officer</p>
ACCESS:	The Americans with Disabilities Act (ADA) accommodations will be provided on request.
CRITERIA:	<p>Salem Revised Code (SRC) Chapter(s) 240.005(d) – Conditional Use; and 220.005(f)(3) – Class 3 Site Plan Review</p> <p>Salem Revised Code (SRC) is available to view at this link: www.cityofsalem.net/src. Type in the chapter number(s) listed above to view the applicable criteria.</p>

OWNER(S):	MJLeisten LLC (Michael Leisten)
APPLICANT / AGENT(S):	Danny Kim, YAK, Inc.
PROPOSAL / REQUEST:	A Conditional Use Permit and Class 3 Site Plan Review request for a change of use within an existing building from a motor vehicle repair and retail sales use to a marijuana production facility, for property approximately 0.25 acres in size, zoned IC (Industrial Commercial), and located at 1290 12th Street SE - 97302 (Marion County Assessor Map and Tax Lot number: 073W35BB / 09900).
HEARING PROCEDURE:	<p>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. A hearing is not a venue to ask questions of staff, the applicant, or the decision maker(s) on this case but rather an opportunity to provide testimony to the decision maker(s) on the merits of the land use case; questions about the application, the recommended conditions of approval, or the Planning Administrator's recommendation, should be directed to the Case Manager prior to the hearing.</p> <p>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.</p> <p>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 virtually or in writing, and anyone who requested to receive notice of the decision.</p>
MORE INFORMATION:	All documents and evidence submitted by the applicant are available on the City's online Permit Application Center at https://permits.cityofsalem.net . You can use the search function without registering and enter the permit number listed here: 22 124807. Paper copies can be obtained for a reasonable cost.
NOTICE MAILING DATE:	February 16, 2023

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>

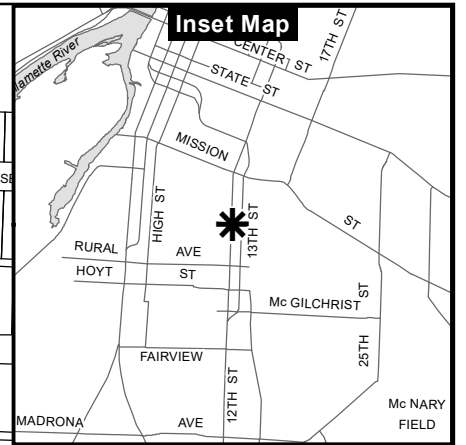
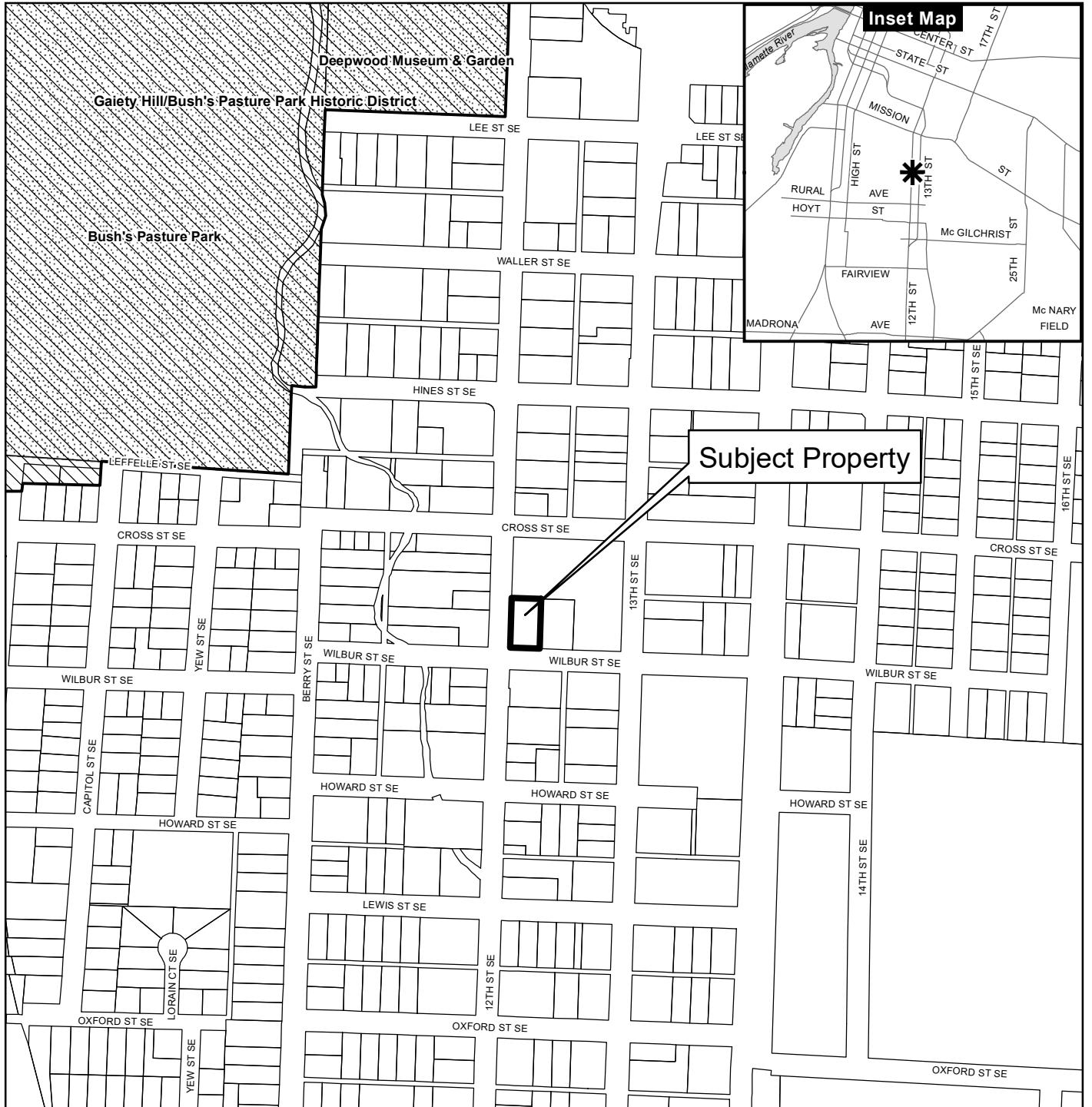
It is the City of Salem's policy to assure that no person shall be discriminated against on the grounds of race, religion, color, sex, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, gender identity and source of income, as provided by Salem Revised 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

1290 and 1292 12th Street SE



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



This product is provided as is, without warranty. In no event is the City of Salem liable for damages from the use of this product. This product is subject to license and copyright limitations and further distribution or resale is prohibited.

Conditional Use Permit: 1290 12th. St. SE Existing Conditions

50 ft



Bo
Ca

ross St SE

13th St SE

13th St SE

13th St SE

13th St SE

13th St S

12th St SE

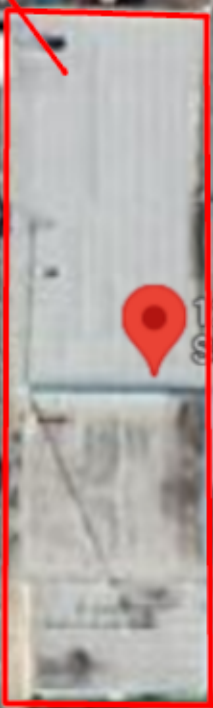
12th St SE

12th St SE

12th St SE

12th St S

Subject Building



1290 12th St SE,
Salem, OR 97302

1220

Habitat for
Humanity of the Mid...

Habitat for Humanity

Habitat For
Humanity ReStore

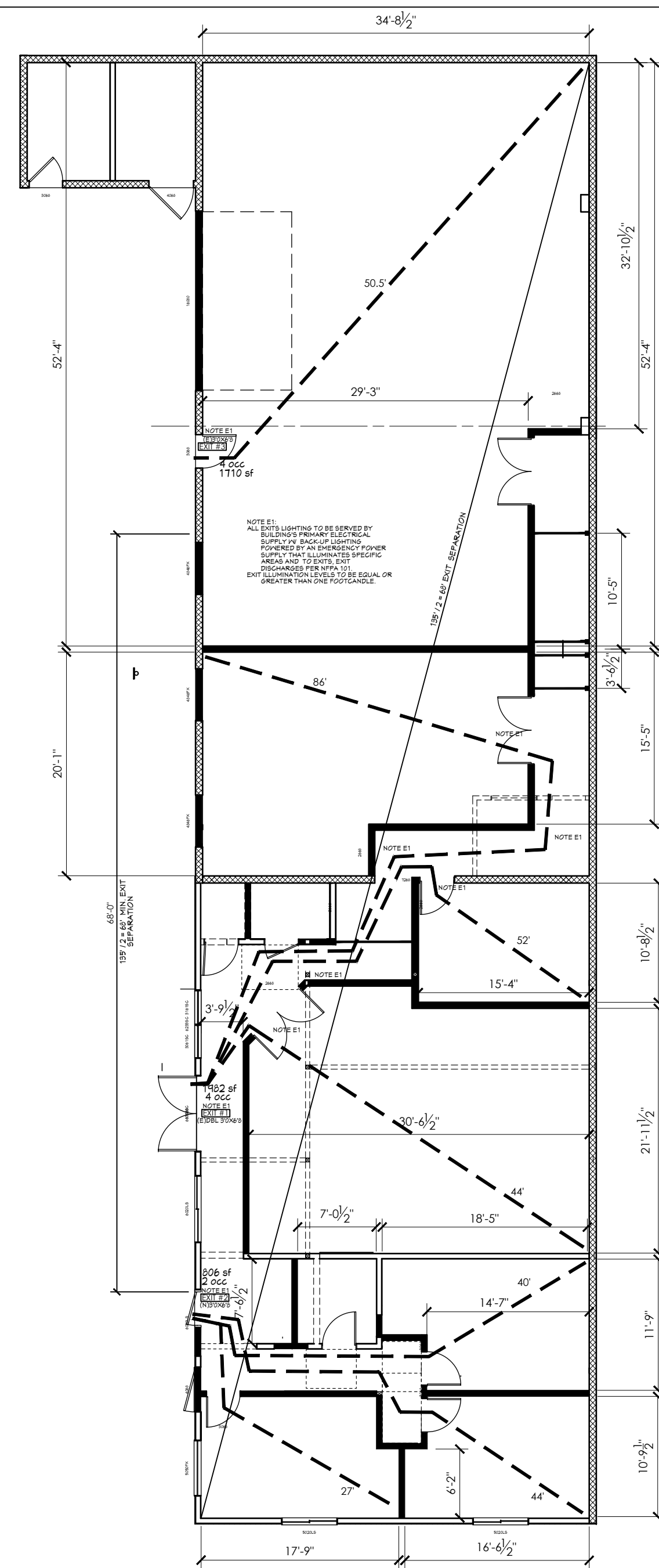
1245

Wilbur St SE

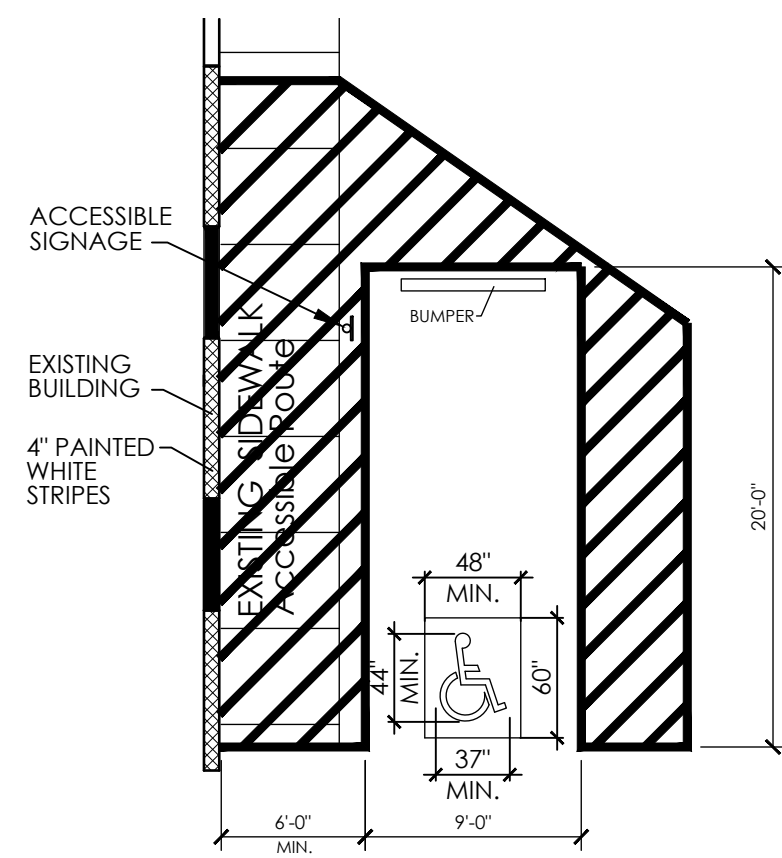
Wilbur St SE

Wilbur St SE

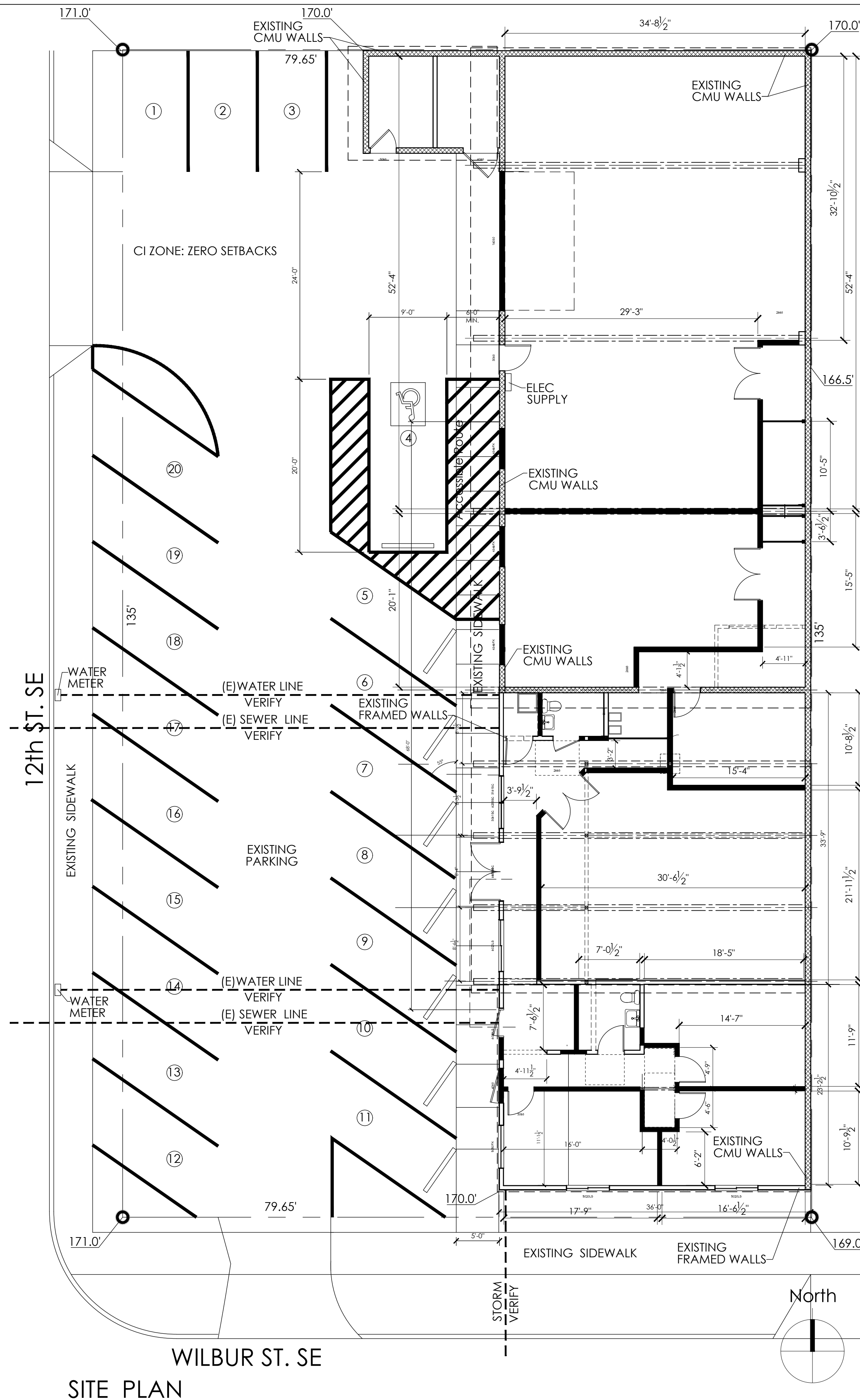
Wilbur St SE



EXISTING PLAN
SCALE: 1" = 10' 0"



ACCESSIBLE PARKING SPACE
SCALE: 1/8" = 1' 0"



SITE PLAN
SCALE: 1/8" = 1' 0"

EXISTING PLAN
SCALE: 1" = 10' 0"

GENERAL BUILDING INFORMATION

BUILDING 10 YEAR LEASE:

PROPERTY OWNER: MJLEISTEN LLC
MIKE LEISTEN, 5914 BALLEMEADE ST SE, SALEM, OR 97306
503-585-4759

PERMIT APPLICANT: CSK CONSTRUCTION
17799 SW SHASTA TRAIL,
TUALATIN, OR 97062
Seung (KC) Choi
503-888-8498

ATTN: Clinton Pearson Mobile: 971-570-1606
11076 SW Eschman Way, Tigard, OR 97223

ARCHITECT: by Architect

STRUCTURAL: by Architect

PROJECT ADDRESS: 1290 12TH ST. SE SALEM, OR 97302

LEGAL DESCRIPTION: Taxlot # 073W35BB09900, Tax Account: 596807, Acres: 0.25 AC
ZONING: IC COMMERCIAL, CMLSE LAT: 44.92510 LONG: -123.03030

APPLICABLE CODES

2022 OREGON STRUCTURAL SPECIALTY CODE (OSSC)
(BASED ON 2021 IBC)

2021 OREGON ENERGY EFFICIENCY SPECIALTY CODE
(OEESC)(BASED ON ASHRAE Standard 90.1-2019)

2022 OREGON FIRE CODE (OFC)

2022 OREGON MECHANICAL SPECIALTY CODE (OMSC)

2021 OREGON PLUMBING SPECIALTY CODE (OPSC)

2021 OREGON ELECTRICAL SPECIALTY CODE (OESC)

2017 ICC A117.1-2017 ACCESSIBLE & USABLE BUILDINGS...
NATIONAL FIRE PROTECTION ASSOCIATION (NFPA)

PROPERTY & BUILDING NARRATIVE & INFO + FLS CODE SUMMARY

CONVERT EXISTING AUTOMOTIVE REPAIR CENTER TO A CANNABIS GROWING OPERATION (NOT DISPENSARY OR PROCESSING). SITE AREA = 10,752.75 SF; BUILDING FOOTPRINT 4,925 SF. INTERIOR 4540 SF.

OCCUPANCY & USE (chapter 3): Marijuana Grow Facilities (Greenhouse) F-1 Occupancy per 306.2.

BUILDING HEIGHT & AREAS (chapter 5): Type Vb 15'<40' allow per Table 504.3; F-1 NS 8,500 Type Vb 4,925 sf < 8,500 sf OK per Table 506.2; No Sprinklers req'd. One Story.

CONSTRUCTION (chapter 6): Type Vb= 0 Hours all elements. Section 602 fire separation based on distance. x<5' = 2 hrs. See 706.1.1 Party walls.

FIRE & SMOKE PROTECTION FEATURES & LIFE SAFETY FEATURES (chapter 7): Existing to remain, except where door & windows are removed. Safety glazing at new door Exit # 2.

INTERIOR FINISHES (chapter 8)
NonSprinklered Wall & Ceiling finishes: Exit passage ways Class B finishes Enclosed Rooms & Spaces, Class C finishes.

MEANS OF EGRESS (chapter 10)
OCCUPANT LOAD (chapter 10) SUM TABLE 1004.1.2
WAREHOUSES 500 SF GROSS / OCC 4540 sf / 500 sf per occ = 10 OCCUPANTS; Per Section 1008 Provide exit illumination. Illumination powered by building electrical system at Exit passageways, Vestibules, and Exit landings. Per 1008.3.3 Electrical equipment rooms, Generator rooms, Public Restrooms to automatically illuminated for not less than 90 minutes with emergency power.

ACCESSIBILITY (chapter 11)
Per 1102.1.2.5 Door opening force 8.5 lbs exit doors, 5 lbs interior doors.
Per 1104 Accessible route provided except per 1104.4 exception 7.
Per 1106 Provide 1 accessible stall w/ Surface identification and signage as req'd.
Per 1109 Provide at least 1 accessible drinking fountain.

INTERIOR ENVIRONMENT (chapter 12)
Per 1202 provide natural or mechanical ventilation equivalent to 4% of floor area including restrooms.
Per 1204 provide artificial lighting of 10 footcandles min. at 30" above except where cannabis and tissue culture requirements require otherwise.
Per 1209 provide restroom compartment door requirements & fixture clearances.

ENERGY EFFICIENCY & EXTERIOR WALLS (chapters 13 & 14)
Provide insulation r-21 min. & wall assembly materials & flashing at new infill window & door wall infill locations. HVAC system as required separate permit.
New door U-0.20, New windows U-0.30 (0.65 max).
Per 1405.1.3 Provide fireblocking at 10' max. distance in tall walls.

STRUCTURAL DESIGN (chapter 16-23):
See attached structural calculations.

GLASS & GLAZING (chapter 24)
Per 2406 provide safety glazing at new doors and at windows if adjacent.

ELECTRICAL, MECHANICAL, PLUMBING (chapters 27, 28, & 29) under separate permit.

PAGES

- A0 SITE PLAN & PROJECT INFORMATION & CODE SUMMARY
- A1 FLOOR PLAN
- A2 ELEVATIONS
- A3 SECTIONS
- STRUCTURAL CALCULATIONS

CLINTON
PEARSON
ARCHITECT

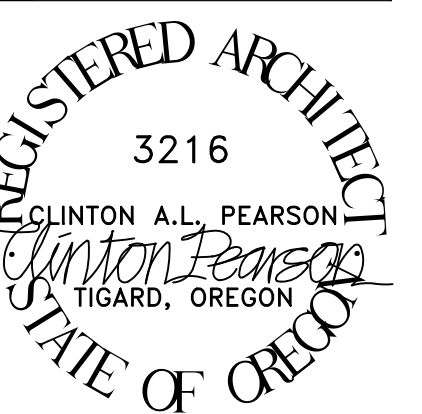
STREET ADDRESS :
11076 SW ESCHMAN WAY
TIGARD, OREGON 97223

PHONE: 971 - 570 - 1606

Cannabis Growing Facility
1290 12th St. SE, Salem, OR 97302

PERMIT SET: 30 NOV 2022

DRAWN BY: CAL
SCALE:
FILE NAME:

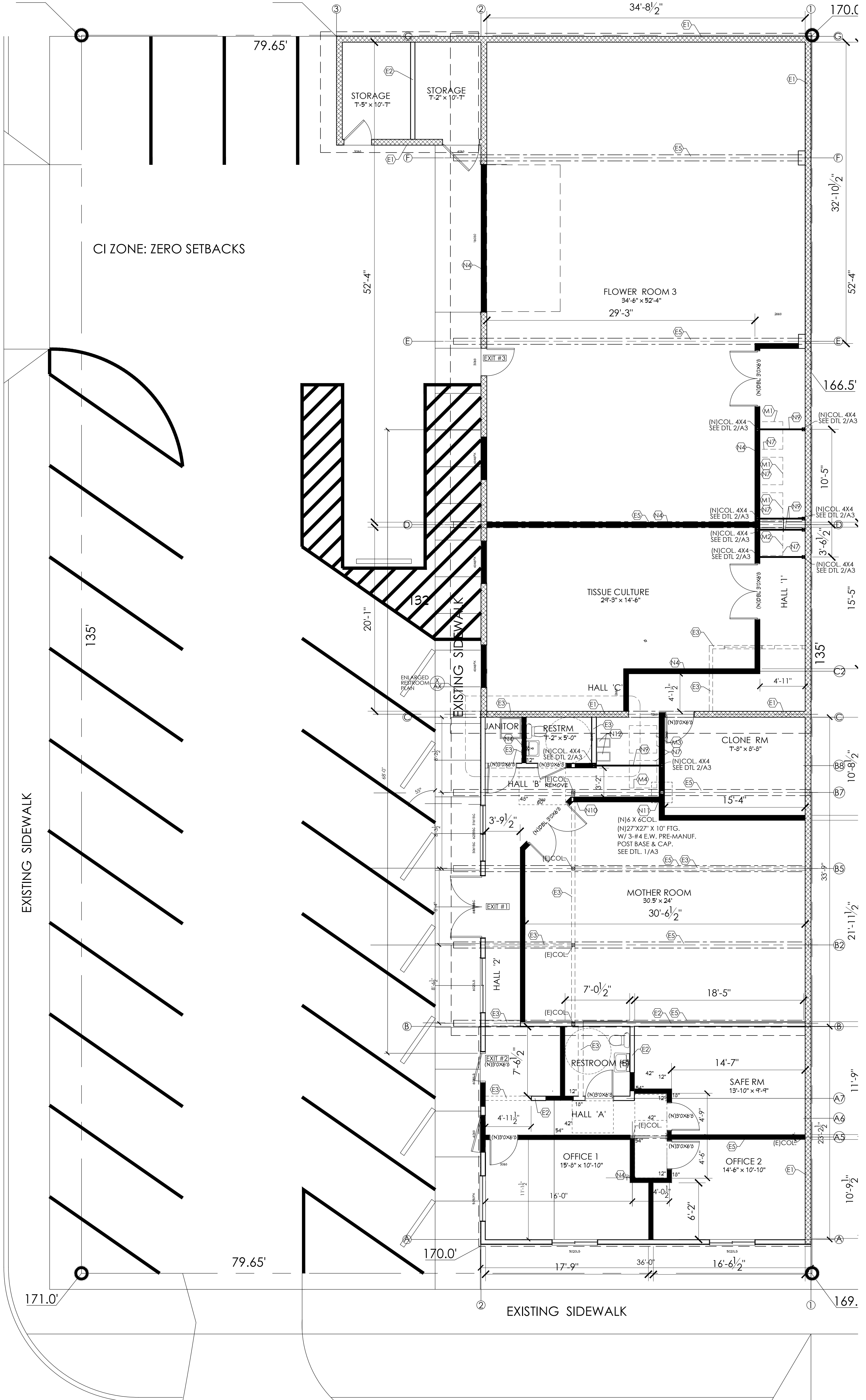


22412
SHEET NO. A0

OF

12th ST. SE

EXISTING SIDEWALK



CI ZONE: ZERO SETBACKS

WILBUR ST. SE

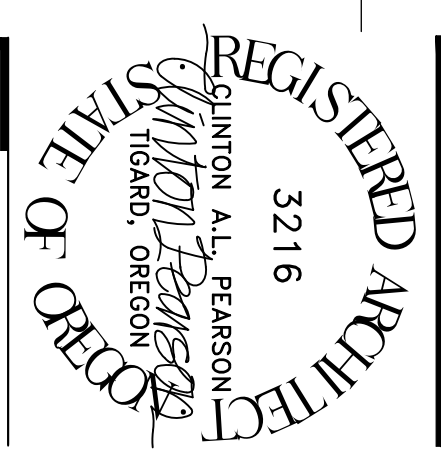
FLOOR PLAN SCALE: 3/16" = 1' - 0"

NOTE: ARCHITECT IS NOT RESPONSIBLE FOR ANY AGREEMENT BETWEEN LEASEE AND OWNER, OR RESULTS OF THIS REMODEL PER THAT AGREEMENT, OR FOR ANY WORK HEREIN, OR FOR EXISTING OR NEW CONDITIONS, OR ASSUMPTIONS REGARDING EXISTING CONDITIONS.

MECHANICAL NOTES
M1 3 UNITS X 10 TONS EA. @ FLOWER RM.
M2 1 UNIT X 6 TONS @ TISSUE CULTURE RM.
M3 1 UNIT X 3 TONS @ CLONE RM.
M4 1 UNIT X 10 TONS @ MOTHER RM.
M5 1 UNIT X 3 TONS @ SAFE RM.
NOTE: SEE DETAIL X/X FOR STRUCTURAL SUPPORT TYP. PROVIDE MANUFACTURER CLEARANCES.

NOTES: (X)
E1. EXISTING CMU WALL TO REMAIN.
E2. EXISTING FRAMED WALL TO REMAIN.
E3. EXISTING WALL TO BE REMOVED.
N4a. NEW WALL W/ DEFLECTION ATTACHMENT ABOVE TYP.
12" = 12" MIN. DIM. ON PUSH SIDE / 18" ON PULL SIDE AT DOORS.
N4b. PROVIDE ACCESSIBLE FLOOR CLEARANCES SHOWN.
E5. EXISTING STRUCTURAL BEAM TO REMAIN.
(E)COL = EXISTING STRUCTURAL COLUMN TO REMAIN.
[EXIT] = EXIT W/ ILLUMINATION & HARDWARE AS REQ'D.
R6. REMOVE EXISTING FIXTURES.
(N10)x6'9" = NEW DOOR PER SIZE SHOWN.
N7. NEW ROOFTOP EQUIPMENT LOCATION. SEE NOTE N9 & STRUCTURAL CALCULATIONS.
N8. CONVERT WINDOW IN TO DOORWAY.
N9. NEW 4X8 BEAM UNDER EXISTING JOISTS TO SUPPORT ROOF-TOP MECH UNITS W/ 4X4 COLUMNS EACH END, W/ 12" X 12" X 8' CONCRETE FOOTING PIN TO SLAB, SAWCUT CONTROL JOINT IN SLAB, PRE-MANF. POST BASES CAPS. SEE DETAIL 2/A3

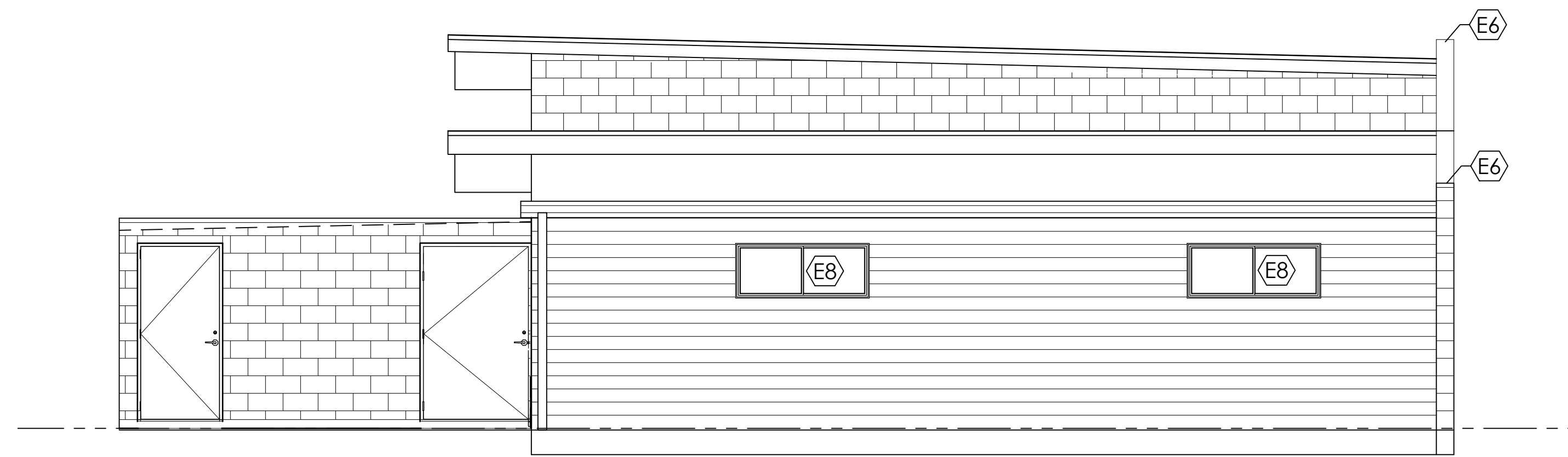
N10. VERIFY IF EXISTING BEAM IS CONTINUOUS, REPORT TO ARCHITECT. IF CONTINUOUS MAY REPLACE HALL COLUMN TO LOCATION AT NOTE N11, WITH NEW COLUMN & FOOTING.
N11. NEW COLUMN & FOOTING: 6X6 COL. W/ 27X27X10" FOOTING W/ 3-#4 BAR EA. WAY, W/ PRE-MANUF. POST CAP & BASE. SEE DETAIL 1/A3.



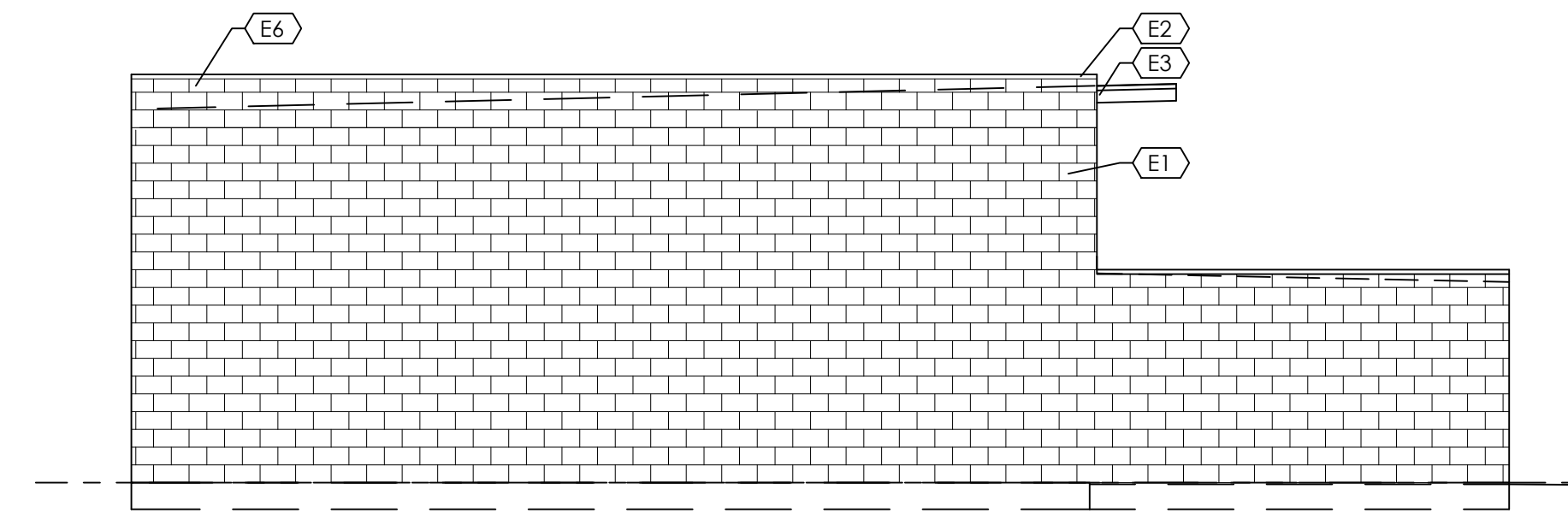
DATE: 30 NOV 2022
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SCALE: AS SHOWN
SHEET NO. A1

Cannabis Growing Facility
1290 12th St. SE, Salem, OR 97302

CLINTON PEARSON ARCHITECT
STREET ADDRESS : 11076 SW ECHMAN WAY TIGARD, OREGON 97223
PHONE: 971-570-1606

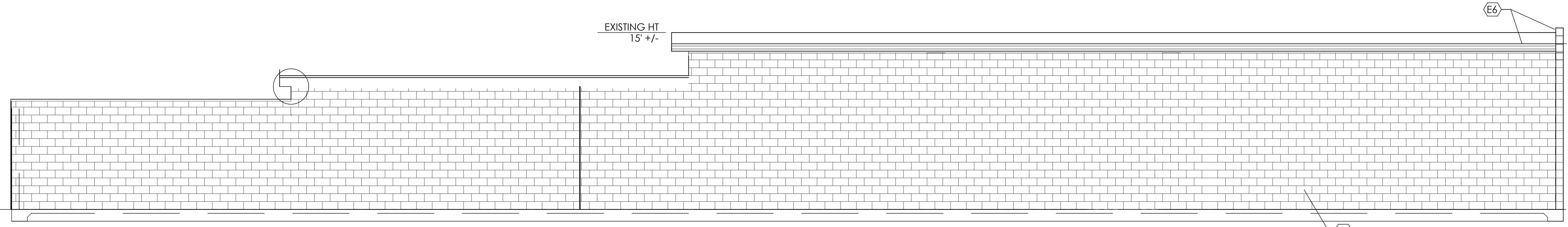


SOUTH ELEVATION
SCALE 1/4" = 1'-0"

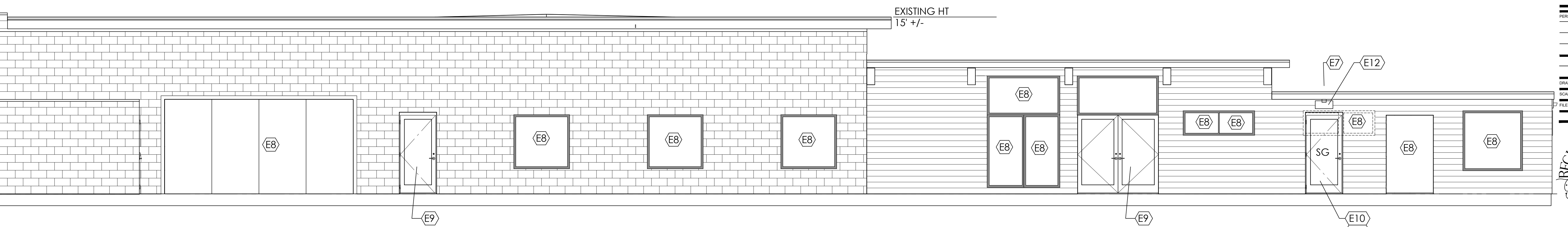


NORTH ELEVATION
SCALE 1/4" = 1'-0"

- LEGEND
- E1- EXISTING CMU WALLS.
 - E2- EXISTING FLASHING.
 - E3- EXISTING WOOD FASCIA PAINTED.
 - E4- FIBER CEMENT SOFFIT TYP. W/ CONT. VENT.
 - E5- EXISTING SIDING.
 - E6- EXISTING PARAPET
 - E7- NEW LIGHTING AS REQ'D.
 - E8- NEW INFILL WALLS W/ FIBERCEMENT FINISH.
 - E9- EXISTING FIREMANHUF, DOOR & WINDOW SYSTEMS TO REMAIN.
 - E10- NEW FIREMANHUF, DOOR & WINDOW SYSTEMS PER ENERGY CODE W/ SAFETY GLAZING
 - E11- SG = SAFETY GLAZING
 - E12- ADDRESS NUMBERS AS REQ'D.



EAST ELEVATION
SCALE 1/4" = 1'-0"



WEST ELEVATION
SCALE 1/4" = 1'-0"

Cannabis Growing Facility
1290 12th St. S.E., Salem, OR 97302

PERMIT SET: 30 NOV 2022

DRAWN BY: CAL

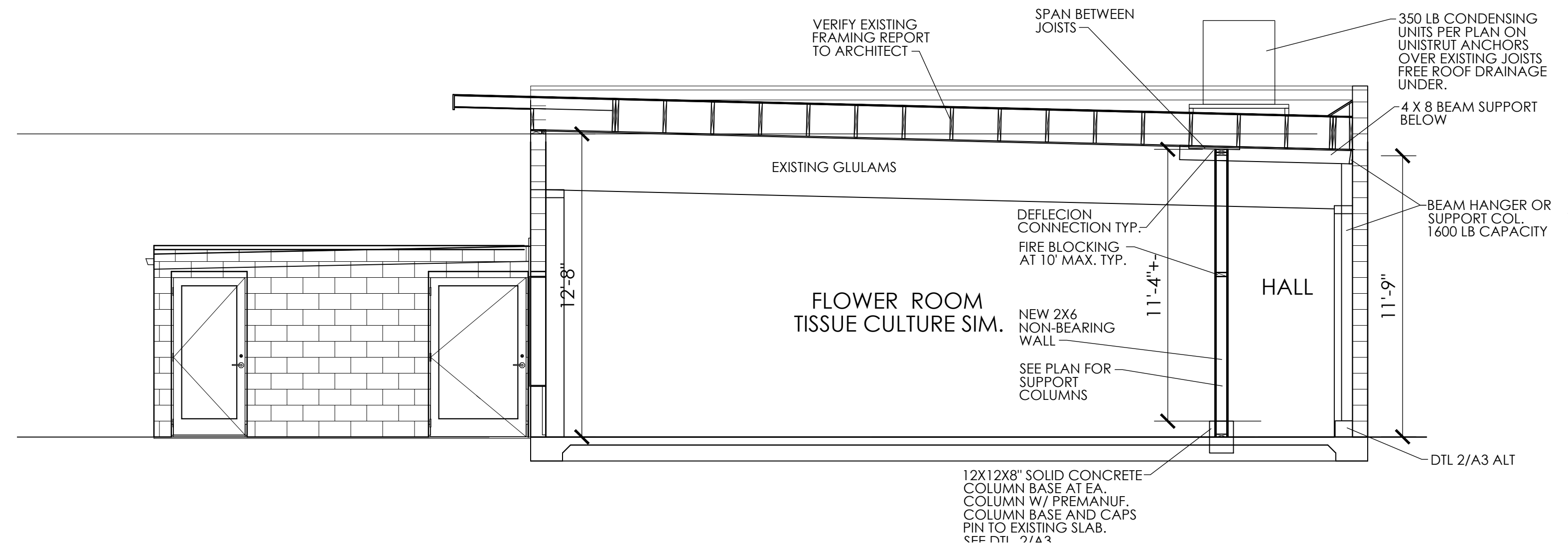
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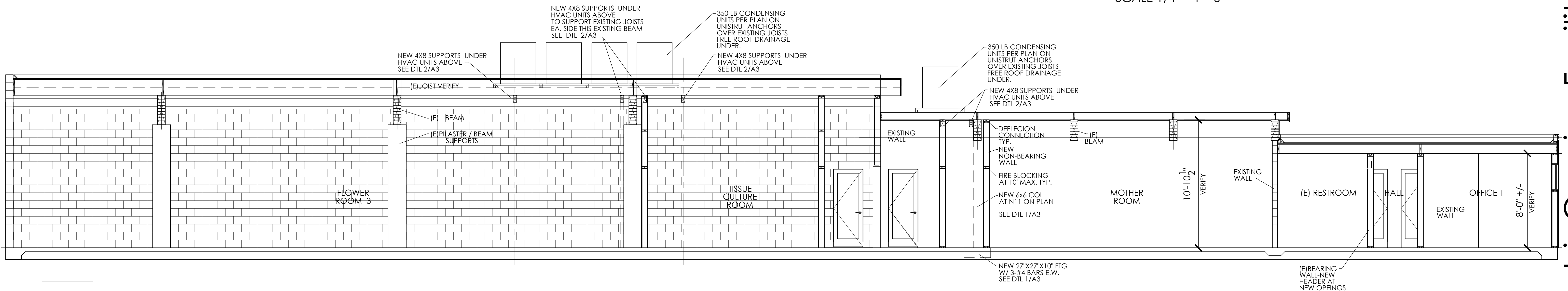


22412
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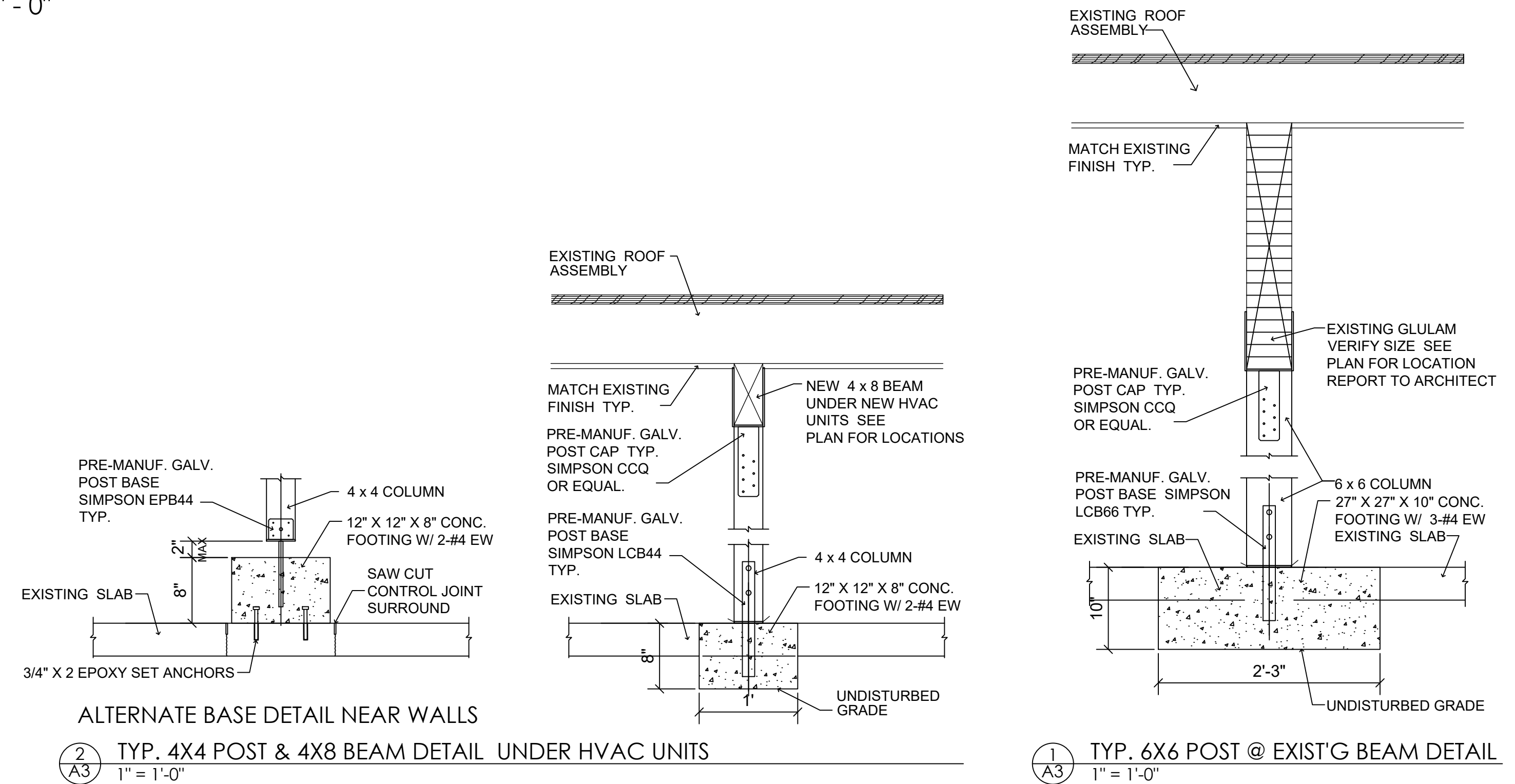
OF A2



SECTION BB
SCALE 1/4" = 1'-0"

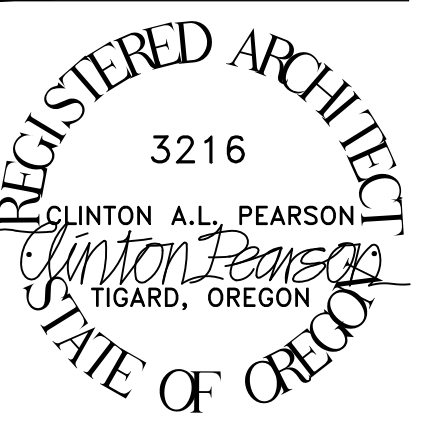


SECTION AA
SCALE 1/4" = 1'-0"



PERMIT SET: 30 NOV 2022

DRAWN BY: CAL
SCALE:
FILE NAME:



22412
SHEET NO. A3
OF

Written Statement - CU

The purpose of this conditional use permit application to convert the site located at 1290 12th St. SE to a licensed recreational marijuana production operation. The site is an existing warehouse structure (formerly with addresses of 1290 and 1292 12th St. SE), the exterior of which, including landscaping, parking, etc., will remain unchanged. The site is zoned IC, in which recreational marijuana production is a conditional use. (See Table 551-1). No overlay zones apply. The adjacent structure, 1215 Wilber St. SE, is also a licensed recreational marijuana production facility, having gone through a similar conditional use process.

The proposed use, being substantially similar to the existing use, will have no different impact on parking or traffic. Because this is not a retail location, but simply a producer, both foot and vehicle traffic will remain minimal. Additionally, there should be no adverse impact on the surrounding businesses. Despite the foregoing, if any adverse impact does exist, it can be mitigated via imposed conditions, if necessary, such as an odor filtration system. Security procedures will already be in place pursuant to OLCC requirements.

Finally, because of the foregoing, the proposed use should have minimal impact on livability or development of surrounding property. The nearest properties are also zoned either IC or CG, so their uses should be substantially similar to the proposed use of this site. Again, the neighboring facility is also a licensed recreational marijuana production facility. The nearest residential area is at least a block away. But because this is simply an indoor agricultural operation, it should have little (if any) impact on surrounding property.

- Class 3 SPR

In addition to the foregoing, this site complies with the UDC. The IC zone generally allows “retail, office, heavy commercial, light manufacturing, and warehousing activities.” (See 551.001). Marijuana production is among the conditional uses listed for this zone. Lot standards, setbacks, lot coverage restrictions, landscaping, and other regulations on structures in this zone are not at issue because the existing structure will remain unchanged.

Transportation will be minimal. While this is a warehouse, the proposed use is essentially agricultural, but without heavy equipment. Commercial transportation will be limited to moving product for testing and sales purposes and will occur only during harvest seasons. Transportation will be subject to regulation by the OLCC, requiring among other things, a written manifest, security, and strict schedule. Negative impacts to the transportation system should be limited – even more so than other uses allowed in this zone.

Parking will remain unchanged, but is already designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians. On-site parking is already available (see existing site plan conditions). The proposed development will be served by the City of Salem for water sewer, storm drainage, and street lighting. Water usage should be equivalent to about 11,000 gallons per month, which is well within range of the current water consumption at this site and within a reasonable range of other allowed uses in the IC zone.