

# SALEM HEARINGS OFFICER MINUTES

June 14, 2023

## Hearings Officer

David Coulombe

## Staff Present

Bryce Bishop, Planner III

Zachery Cardoso, Recorder

Hearings Officer David Coulombe called the meeting to order at 5:30 p.m. and explained the procedures of the night's hearings. City of Salem staff members present were Bryce Bishop, Planner III; and Zachery Cardoso, Recorder.

## 1. **CONDITIONAL USE / CLASS 3 SITE PLAN REVIEW / CLASS 2 ADJUSTMENT / CLASS 2 DRIVEWAY APPROACH PERMIT / PROPERTY LINE ADJUSTMENT**

### • **CU-SPR-ADJ-DAP-PLA23-05PLA23-11 for 2908 Market St NE**

**Request:** A consolidated application for the proposed redevelopment of an existing automotive dealership, including demolition of the existing sales building, construction of a new approximate 25,256 square-foot vehicle dealership, and redevelopment of the existing off-street parking and vehicle sales/display areas. The application includes:

- 1) A Conditional Use Permit for the proposed motor vehicle sales and service use in the MU-III (Mixed-Use-III) zone;
- 2) A Class 3 Site Plan Review for the proposed development;
- 3) A Class 2 Adjustment to:
  - a) Allow the proposed new vehicle dealership building to be located more than the maximum allowed 30-foot setback from Market Street NE and Park Avenue NE (SRC 535.015(c));
  - b) Allow the ground building façade of the proposed new vehicle dealership building facing Park Avenue NE to include less than the minimum required 50 percent transparent windows (SRC 535.015(g)(5));
  - c) Allow the proposed pedestrian connection from the primary entrance of the new vehicle dealership building to Market Street NE to be located more than the maximum allowed 20 feet from the proposed new transit stop on Market Street (SRC 800.065(a)(1)(B));
  - d) Allow a driveway approach for the proposed development onto Market Street NE (a major arterial street) although the property abuts a collector street (SRC 804.035(a)(2));
  - e) Allow the proposed development, which is located on a corner lot abutting a collector street, to take access to Market Street NE (the street with the higher street classification) rather than solely to Park Avenue NE (the street with the lower street classification) (SRC 804.035(c)(2)); and
  - f) Allow the proposed driveway approach onto Market Street NE to be located less than the minimum required 370-foot spacing from the nearest driveway to the east of the subject property on Market Street (SRC 804.035(d)).
- 4) A Class 2 Driveway Approach Permit for the proposed driveway approaches serving the development onto Market Street NE and Park Avenue NE; and
- 5) Two Property Line Adjustments to eliminate the interior property lines between three individual units of land included in the subject property (Marion County Tax Numbers: 073W24BD08800, 073W24BD08900, and 073W24AC02700) and consolidate them into one lot to accommodate the proposed development.

The subject property totals approximately 3.35 acres in size, is zoned MU-III (Mixed-Use-III), and located at 2908 Market Street NE (Marion County Assessor Map and Tax Lot Numbers: 073W24BD08800, 073W24BD08900, 073W24AC02700, and 073W24AC04701).

The Hearings Officer read the applicable criteria into the record. No objection to jurisdiction was raised and the public hearing was opened at 5:33 p.m.

Case Manager Bryce Bishop entered the staff report, all attachments, the presentation, and comments submitted by the public into the record and proceeded with the presentation.

**RECOMMENDATION:**

Based upon the Facts and Findings contained in the staff report, staff recommends that the Hearings Officer **APPROVE** the requested Conditional Use Permit, Class 3 Site Plan Review, Class 2 Adjustment, Class 2 Driveway Approach Permit, and two Property Line Adjustments for property located at 2908 Market Street NE, subject to the following conditions of approval:

**CONDITIONAL USE:**

**Condition 1:** The vehicle service and parts and accessory sales components of the proposed use shall be operated as part of the auto dealership.

**SITE PLAN REVIEW:**

**Condition 2:** Prior to approval of final occupancy for the proposed development, the property line adjustment deeds and record of surveys for both property line adjustments shall be recorded with the County.

**Condition 3:** At the time of building permit review, the applicant shall provide a full landscaping plan in conformance with the minimum plant unit density requirements of SRC Chapter 535 and SRC Chapter 807.

**Condition 4:** The proposed trash enclosure/collection area shall conform to the solid waste service area standards of SRC 800.055.

**Condition 5:** Convey land for dedication to equal a half-width right-of-way of 48 feet on the development side of Market Street NE, including sufficient right-of-way to accommodate public infrastructure at the property corners.

**Condition 6:** Convey land for dedication to equal a half-width right-of-way of 30 feet on the development side of Park Avenue NE, including sufficient right-of-way to accommodate public infrastructure at the property corners.

**Condition 7:** Install street trees to the maximum extent feasible along Market Street NE and Park Avenue NE.

**Condition 8:** The applicant shall coordinate with Cherriots to locate and construct a transit stop conforming to applicable Salem Area Mass Transit District standards on Market Street NE.

**Condition 9:** Design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and the Public Works Design Standards (PWDS).

**CLASS 2 ADJUSTMENT:**

**Condition 10:** The existing sidewalk along the Market Street NE frontage of the property shall be removed and replaced with a new property line sidewalk as shown on the approved site plan.

**Condition 11:** The vehicle display area located between the new vehicle dealership building and Market Street NE shall be limited to the display of no more than 10 vehicles and the vehicles shall only be displayed in the locations identified on the approved site plan.

**Condition 12:** The adjusted development standards shall only apply to the specific development proposal shown in the approved site plan. Any future development, beyond what is shown in the approved site plan, shall conform to all applicable development standards of the Unified Development Code, unless adjusted through a future land use action

At this time the Hearings Officer had questions for Staff.

**PERSONS TESTIFYING:**

Applicant: Britany Randall, 12150 Jefferson Hwy 99E  
Michael Jung, 3095 River Road N

At this time the Hearings Officer had questions for the applicant.

Neighborhood Association: None

Support: None

Oppose: None

Neutral: None

Rebuttal from Applicant: None

The Hearings Officer had no additional questions for staff.

At this time the applicant waived their final written testimony.

With no further questions or testimony to present, the Hearings Officer closed the public hearing at 6:16 p.m.

The meeting ended at 6:16 P.M.  
*Prepared by: Zachery Cardoso, June 14, 2023*  
*Approved: June 15, 2023*