

SALEM HEARINGS OFFICER MINUTES
January 9, 2019

Hearings Officer
Jim Brewer

Staff Present
Olivia Glantz, Planner III
Kirsten Straus, Recorder

Hearings Officer Jim Brewer called the meeting to order at 5:33 p.m. City of Salem staff members present were Olivia Glantz – Planner III and Kirsten Straus – Recorder.

1. PUBLIC HEARING ON A CONDITIONAL USE AND SITE PLAN REVIEW CASE

- **CU-SPR18-12 for property located at 1715 Capitol Street**

Request: Conditional Use and Class 3 Site Plan Review to allow a religious assembly where the subject property and existing development does not meet the special use standards in SRC 700.050, at 1715 Capital Street NE 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 5:39 p.m.

Case Manager, Olivia Glantz, entered the staff report, all attachments, and her presentation 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 consolidated conditional use and site plan review ~~to modify an existing parking area and associated landscaping and screening~~ for a religious assembly for property located at 1715 Capital Street NE subject to the following modified conditions of approval:

- Condition 1:** The proposed development shall be in substantial conformance with the approved site plan included as Attachment B.
- Condition 2:** Existing landscape area, along the west property line, shall be planted with a minimum of 1 plant unit per 20 square feet of landscape area. A minimum of 40 percent of the required number of plant units shall be a combination of shade trees, evergreen/conifer trees, or ornamental trees.
- Condition 3:** The applicant shall install a sight-obscuring fence, wall, or hedge, along the west property line, that complies with the vision clearance standards of SRC Chapter 805 and screening standards of SRC

807.015(e), and the minimum height of 6 feet shall be measured from grade..

At this time the Hearings Officer had questions for Staff.

PERSONS TESTIFYING:

Applicant: Michael Junge for Carlson Veit Architects, 3095 River Road S, Salem, Oregon 97313

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

Neighborhood Association: Sadie Carney, Grant Neighborhood Association Land-Use Chair, 1595 15th St NE, Salem, OR 97301

At this time the Hearings Officer had questions for the Neighborhood Association.

Support:

- Ian Levin, Owner, 695 Commercial St SE, Ste. 006
- Kim Ogern, 1632 Berndt Hill Dr S, Salem 97302

Oppose: None

Neutral:

- Susan Friesen, 960 Jefferson St SE, Salem, OR 97301

Evidence Received From:

Support: None

Oppose: None

Neutral: None

Rebuttal: None

At this time the applicant had a comment regarding leaving the record open.

Staff responded to this question.

At this time the applicant waived the additional 7 day period for written argument.

With no further questions or testimony to present, the Hearings Officer closed the public hearing at 6:13 p.m.

At this time the Hearings Officer had questions for staff.

2. PUBLIC HEARING ON A VALIDATION OF UNITS OF LAND CASE

- **VUL18-02 for property located east of 4826 Battle Creek Road SE**

Request: The request is to lawfully establish a tax lot created by Kuebler Boulevard right of way acquisition that was later sold to a third party creating the subject unit of land. The sale effectively divided the parent parcel into two separate units of land, without a land use approval. The applicant is requesting to validate property known as Marion County Tax Assessor s number 083W11D / 601. The subject unit of land is approximately 1.45 acres in size, zoned RA (Residential Agriculture), and located east of 4826 Battle Creek Road SE (Marion County Assessor Map and Tax Lot Number: 083W11D / 601).

Mr. Brewer read the applicable criteria into the record. No objection to jurisdiction was raised and the public hearing was opened at 6:20 p.m.

Case Manager, Olivia Glantz, entered the staff report, all attachments, and her presentation into the record and proceeded with her presentation.

RECOMMENDATION

Based on the application and information presented in the staff report, staff recommends that the Hearings Officer adopt the Facts and Findings of the staff report and APPROVE the request to validate one unit of land that was created through sale rather than through an approved subdivision or partition plat process, for property zoned IG (General Industrial) and located at the 2500 Block of Kuebler Bv S.

At this time the Hearings Officer had no questions for Staff.

PERSONS TESTIFYING:

Applicant:

- Brandi Dalton, MultiTech Engineering, 1155 13th St SE, Salem, OR 97302, Applicant Representative

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

Neighborhood Association: None

Support:

- Robert Nunn, 841 Gaines St #606, Portland, OR 97329, Owner

Oppose: None

Neutral: None

Evidence Received From:

Support: None

Oppose: None

Neutral: None

Rebuttal: None

At this time the applicant waived the additional 7 day period for written argument.

With no further questions or testimony to present, the Hearings Officer closed the public hearing at 6:25 p.m.

3. PUBLIC HEARING ON A VALIDATION OF UNITS OF LAND CASE

- **VUL18-03 for property located at 4145 Homestead Rd S**

Request: The request is to lawfully establish a tax lot created by deed in 1987, when tax lot 401 was described separately than tax lots 400 and 402, which are located outside of the City Limits. The sale effectively divided the parent parcel into three separate units of land, without a land use approval. The applicant is requesting to validate property zone RA (Residential Agriculture) known as Marion County Tax Assessor's number 083W08B / 401. The subject unit of land is approximately 15.51 acres in size, zoned RA (Residential Agriculture), and located at 4145 Homestead Road S (Marion County Assessor Map and Tax Lot Number: 083W08B / 401).

Mr. Brewer read the applicable criteria into the record. No objection to jurisdiction was raised and the public hearing was opened at 6:28 p.m.

Case Manager, Olivia Glantz, entered the staff report, all attachments, and her presentation into the record and proceeded with her presentation.

RECOMMENDATION

Based on the application and information presented in the staff report, staff recommends that the Hearings Officer adopt the Facts and Findings of the staff report and APPROVE the request to validate one unit of land that was created through sale rather than through an approved subdivision or partition plat process, for property zoned RA (Residential Agriculture) and located at 4000 Block of Homestead Road (083W08B / 401). Staff made a recommended modification to condition number 3.

At this time the Hearings Officer had questions for Staff.

PERSONS TESTIFYING:

Applicant:

- Arash Afshar, SSJH, LLP, 693 Chemeketa St NE, Salem OR 97301, Applicant Representative
- Dewey Whilton, Applicant Representative, 199 Ankeny Hill Rd SE, Jefferson, OR

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

At 6:44 p.m. the Hearing Officer recessed the meeting for five minutes.

The Hearing Officer reconvened the meeting at 6:50 p.m.

Neighborhood Association: None

Support: None

Oppose:

- Allison Houck, Board member of SWAN, 2612 Gray Oak Lane S., Salem 97302
- Mariann Workman, 2551 Gray Oak Lane S, Salem

Neutral: None

Evidence Received From:

Support: None

Oppose: None

Neutral: None

Rebuttal:

- Arash Afshar, SSJH, LLP, 693 Chemeketa St NE, Salem OR 97301, Applicant Representative

The applicants waived the additional 7 day period for written argument.

With no further questions or testimony to present, the Hearings Officer closed the public hearing at 6:56 p.m.

Prepared by: Kirsten Straus, January 9, 2019

Approved: January 10, 2019

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