

**HEARINGS OFFICER**

PLANNING DIVISION  
555 LIBERTY ST. SE/ROOM 305  
SALEM, OREGON 97301  
PHONE: 503-588-6173  
FAX: 503-588-6005



**ISSUE:** Specific Conditional Use Case No. 09-4

**DATE OF DECISION:** October 27, 2009

**APPLICANT:** Gerald Warren, 901 Capitol LLC

**PURPOSE OF REQUEST:**

To allow a law office as a Specific Conditional Use in a historically significant building per SRC 117 and SRC 118.300 for property designated as a Local Historic Landmark, approximately 0.22 acres in size, in an RM2 (Residential Multiple Family) zone, and located at 901 Capitol Street NE.

**ACTION:**

The Hearings Officer GRANTS the request to allow a law office as a Specific Conditional Use in a historically significant building per SRC 117 and SRC 118.300 for property designated as a Local Historic Landmark, approximately 0.22 acres in size, in an RM2 (Residential Multiple Family) zone, and located at 901 Capitol Street NE.

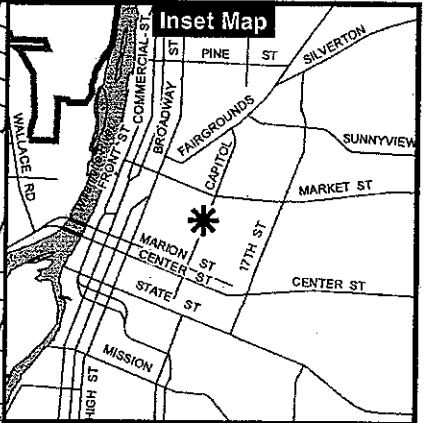
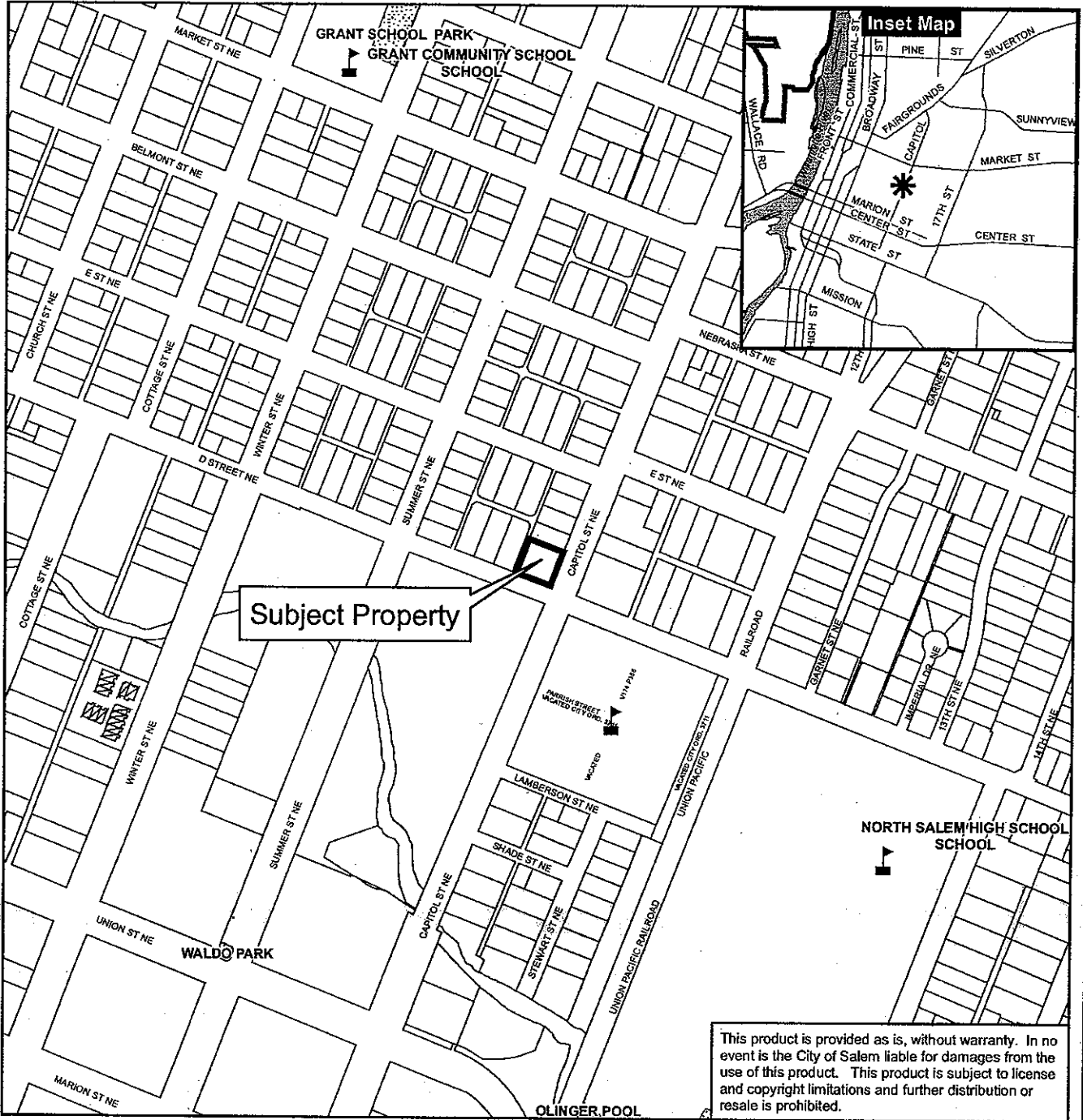
The rights granted by this decision must be exercised by October 27, 2010, or this approval shall be null and void.

Application Completion Date: September 3, 2009  
Decision Mailing Date: October 27, 2009  
State Mandated Decision Date: January 1, 2010

This decision is final unless written appeal from an aggrieved party is filed with the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem OR 97301, no later than November 12, 2009. The appeal must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapter 115. The appeal must be filed in duplicate with the City of Salem Planning Division. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Salem City Council will review the appeal at a public hearing. After the hearing, the City Council may amend, rescind, or affirm the action, or refer the matter to staff for additional information.







*LA-0*  
Case Planner: Lisa Anderson-Ogilvie, Associate Planner; [lmanderson@cityofsalem.net](mailto:lmanderson@cityofsalem.net)

# Vicinity Map 901 Capitol Street NE



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### Legend

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



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

## SUMMARY OF ACTION

1. **Case:** Specific Conditional Use No. 09-4; 901 Capitol Street NE
2. **Summary of Issue(s):** To allow a law office as a Specific Conditional Use in a historically significant building per SRC 117 and SRC 118.300 for property designated as a Local Historic Landmark, approximately 0.22 acres in size, in an RM2 (Residential Multiple Family) zone, and located at 901 Capitol Street NE.
3. **Staff Recommendation:** Staff recommended that the Hearings Officer GRANT the requested Specific Conditional Use
4. **Neighborhood Association:** Grant Neighborhood Association  
**Testimony:** Grant Neighborhood Association reviewed the proposal and submitted a letter stating that they voted unanimously to support the request.
5. **Interested Parties:**  
**Testimony:** The applicant testified in favor of the proposal. One neighbor testified in support of the application.
6. **Decision:** The Hearings Officer Granted the conditional use permit.
7. **Basis of Decision:** The Hearings Officer's decision was based upon finding that the proposed use conforms to the applicable goals and policies of the comprehensive plan; the use will preserve the integrity of the dwelling; the existing transportation system will not be impacted; the applicant has provided adequate parking; and the proposal meets all of the applicable criteria. The structure has previously been used by two other businesses and there is adequate parking on the property. The applicant testified that he will not be making any alterations to the building. The property is at the intersection of a Collector and a Major Arterial, and surrounding uses include the State Archives, Parrish Middle School, and a massage center in a historical home. The nature of the business (representing public entities in law suits) and the number of staff (1 attorney and 3-4 staff) should not have a negative impact on the neighborhood.

Note: This summary statement is for information only and is not a part of the official record or finding of the case.

Case Planner: Lisa Anderson-Ogilvie, Associate Planner; <sup>JA</sup>[lmmanderson@cityofsalem.net](mailto:lmmanderson@cityofsalem.net)