

HEARINGS OFFICER

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



ISSUE: Zone Change Case No. 07-3

DATE OF DECISION: July 10, 2007

APPLICANT: Ken Dalke, Dalke Construction Co.

PURPOSE OF REQUEST:

To change the zoning designation from IP (Industrial Park) to IG (Industrial General) for property located in the 1500 block of Sunnyview Road NE. This is to allow offices, a warehouse, and equipment storage for Dalke Construction Company. The change is required to allow general contractors which are prohibited in the IP zone. General contractors are a permitted use within the IG zone but the IP and the IG zone implement the applicable "Industrial" Salem Area Comprehensive Plan designation.

ACTION:

The Hearings Officer GRANTS the request to change the zoning designation from IP (Industrial Park) to IG (Industrial General) for property located in the 1500 block of Sunnyview Road NE, subject to the following condition:

- 1) The limits for above-ground tank and bulk plants for flammable liquids (SRC 58.190) and limits for bulk storage of liquified petroleum gas (SRC 58.200) shall apply to the subject property.

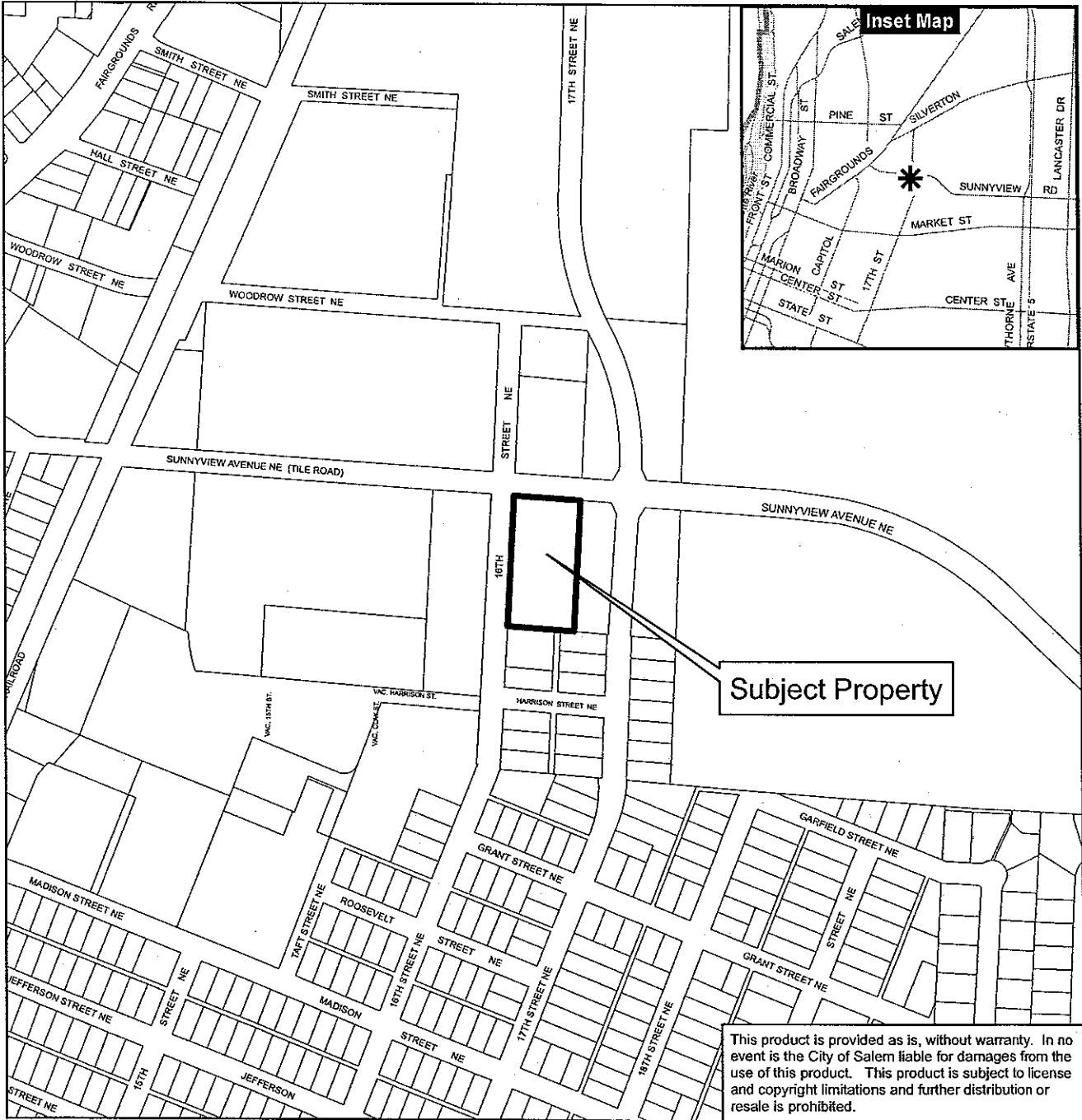
Application Completion Date: May 24, 2007
State Mandated Decision Date: September 21, 2007
Decision Effective Date: July 26, 2007

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 July 25, 2007, 5:00 p.m. The appeal must state where the decision failed to conform to the provisions of the applicable code section SRC Chapter 113. 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.

Case Planner: Garrett Stephenson, Associate Planner, Ph. 503.588.6173 ext 7556; email: gstephenson@cityofsalem.net

Vicinity Map

SE Corner of Sunnyview Road NE and 16th Street NE 073W14DD01100



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.

Legend

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

0 100 200 400 Feet



ATTACHMENT 1

SUMMARY OF ACTION

1. **Case:** Zone Change Case No. 07-3
2. **Summary of Issue(s):** To change the zoning designation from IP (Industrial Park) to IG (General Industrial) for property located in the 1500 block of Sunnyview Road NE (Marion County Assessor's Map 073W14DD, tax lot 01100).
3. **Staff Recommendation:** Staff recommended that the Hearings Officer GRANT the requested zone change, subject to the following condition:

Condition 1: The limits for aboveground tank and bulk plants for flammable liquids (SRC 58.190), and the limits for bulk storage of liquefied petroleum gas (SRC 58.200) shall apply to the subject property.
4. **Neighborhood Assoc:** Property is located within the Northeast Neighbors Neighborhood Association.

Testimony: None.
5. **Interested Parties:** All property owners within 250 feet of the subject property were notified of the proposal. Public hearing notice was also posted on the property.

Testimony: Comments were received from an employee of the Oregon Department of Administrative Services suggesting that an opaque and durable wall be provided along the east line of the subject property in order to provide a degree of buffering from any future redevelopment of the fairgrounds property, if and when it occurs.

Staff Response: This testimony more directly applies to another associated land use action, Variance 07-4. A condition of approval requiring such a fence or wall was proposed as part of the conditions of approval of this associated action.
4. **Decision:** The Hearings Officer GRANTED Zone Change Case No. 07-3 based on finding that the proposal complies with the zone change criteria contained under SRC Chapter 114.
5. **Basis of Decision:** Based upon the Facts and Findings as provided by staff and the information provided at the public hearing, the Hearings Officer granted the Zone Change. The Hearings Officer's decision was based on the approval criteria for zone changes contained within the zoning code including: conformance with all applicable criteria imposed in the zoning code and the applicable goals and policies of the Comprehensive Plan, a change in the social, economic, or demographic patterns of the neighborhood or community, and the effect of the proposal 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: Garrett Stephenson [gstephenson@cityofsalem.net]