

BEFORE THE CITY COUNCIL OF THE CITY OF SALEM

IN THE MATTER OF AFFIRMING) ORDER NO. 2007-13-CPC/ZC
THE DECISION OF THE PLANNING)
COMMISSION IN CPC/ZC CASE NO.) Comprehensive Plan Change and
07-3 FOR PROPERTY LOCATED AT) Zone Change, CASE NO. 07-3
5800 COMMERCIAL ST. SE AND 1821)
WILTSEY ROAD SE, SALEM, OR)

This matter coming regularly for hearing before the City Council of the City of Salem, Oregon, at its September 10, 2007 meeting, and the City Council, having received evidence and heard testimony, makes the following Findings, and adopts the following Order, in affirming the decision of the Planning Commission in CPC/ZC Case No. 07-3.

FINDINGS:

- (a) On April 6, 2007 the applicant submitted a Comprehensive Plan Change and Zone Change to the Community Development Department. A Planning Commission public hearing was held on July 3, 2007, at which the Planning Commission voted to approve the application with conditions as reflected in PC Resolution NO. 07-6; and
- (b) On August 13, 2007 the City Council voted to initiate review of the Planning Commission decision; and
- (c) On September 10, 2007, after due notice was given, the City Council held a public hearing to review the Planning Commission decision pursuant to SRC 114.200; and
- (d) The City Council finds that adequate vehicle and pedestrian access, including adequate "Cherrylift" access, to the front door of the commercial businesses developed on the subject property is necessary to comply with the relevant criteria; and
- (e) After receiving evidence and hearing testimony, and upon consideration of the staff report and recommendation, and being fully advised, the City Council finds that the application in Comprehensive Plan Change and Zone Change Case No. 07-3 complies with the relevant criteria as determined by the Planning Commission's decision and as conditioned by this Order; and
- (f) The Facts and Findings contained in the staff report dated July 3, 2007 as adopted by the Planning Commission and the Facts and Findings contained in the staff report dated September 10, 2007 are hereby adopted as findings for affirming the Planning Commission decision.

ORDER:

The City of Salem Planning Commission decision on application Comprehensive Plan Change and Zone Change Case No. 07-3, as proposed and with conditions of approval, is

hereby affirmed with the following condition; that the applicant provide sufficient Cherrylift pedestrian and vehicle access that meets Americans with Disabilities Administration (ADA) standards and guidelines to the front door of the commercial businesses developed on the subject property.

This order constitutes the final land use decision on Comprehensive Plan Change and Zone Change Case No. 07-3 and any appeal hereof must be filed with the Oregon Land Use Board of Appeals within 21 days of the date that notice of this decision is mailed to persons with standing to appeal.

ADOPTED by the Council this _____ day of _____, 2007.

ATTEST:

City Recorder