



# HEARING NOTICE

## LAND USE REQUEST AFFECTING THIS AREA

### *Audiencia Pública*

*Si necesita ayuda para comprender esta informacion, por favor llame 503-588-6173*

<b>CASE NUMBER:</b>	Conditional Use / Class 3 Site Plan Review / Class 2 Adjustment Case No.CU-SPR-ADJ17-11
<b>AMANDA APPLICATION NO:</b>	17-112931-ZO, 217-114818-RP & 17-114821-RP
<b>HEARING INFORMATION:</b>	Hearings Officer, Wednesday, August 23, 2017, 5:30 P.M. Council Chambers, Room 240, Civic Center, 555 Liberty St SE, Salem, OR 97301
<b>PROPERTY LOCATION:</b>	1885 Fisher Road NE, Salem, OR 97305
<b>OWNER(S):</b>	Serenity Lane Health Services
<b>APPLICANT / AGENT(S):</b>	KSD Properties LLC ( Jeff Koehnke)
<b>DESCRIPTION OF REQUEST:</b>	<p>Summary: A conditional use, site plan review, and adjustment application for development of a paved vehicle storage area.</p> <p>Request: A Conditional Use Permit, Class 3 Site Plan Review, and Class 2 Adjustment request to allow an approximately 7,300 square foot paved vehicle storage area for an auto dealership on a property approximately 0.22 acres in size, zoned CR (Retail Commercial), and located at 1885 Fisher Road NE 97301 (Marion County Assessor's Map and Tax Lot number: 072W19BB06200). The adjustment is required to reduce the width of the landscaped area adjacent to the north property line from 15 feet to 5 feet.</p>
<b>CRITERIA TO BE CONSIDERED:</b>	<p>Pursuant to SRC 240.005(d), an application for a <i>CONDITIONAL USE PERMIT</i> shall be granted if the following criteria are met:</p> <ol style="list-style-type: none"><li>1. The proposed use is allowed as a conditional use in the zone;</li><li>2. The reasonably likely adverse impacts of the use on the immediate neighborhood can be minimized through the imposition of conditions; and</li><li>3. The proposed use will be reasonably compatible with and have minimal impact on the livability or appropriate development of surrounding property.</li></ol> <p>Pursuant to SRC 220.005(f)(3), an application for a <i>CLASS 3 SITE PLAN REVIEW</i> shall be granted if:</p> <ol style="list-style-type: none"><li>A. The application meets all applicable standards of the UDC;</li><li>B. The transportation system provides for the safe, orderly, and efficient circulation of traffic into and out of the proposed development, and negative impacts to the transportation system are mitigated adequately;</li><li>C. Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians; and</li><li>D. The proposed development will be adequately served with City water, sewer, storm water facilities, and other utilities appropriate to the nature of the development.</li></ol> <p>Pursuant to SRC 250.005(d)(2), an application for a <i>CLASS 2 ADJUSTMENT</i> shall be granted if all the following criteria are met:</p> <ol style="list-style-type: none"><li>A. The purpose underlying the specific development standard proposed for adjustment is:<ol style="list-style-type: none"><li>1. Clearly inapplicable to the proposed development; or</li><li>2. Equally or better met by the proposed development.</li></ol></li><li>B. If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.</li><li>C. If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone.</li></ol>
<b>HOW TO PROVIDE</b>	

**TESTIMONY:**

Any person wishing to speak either for or against the proposed request may do so in person or by representative at the Public Hearing. Written comments may also be submitted at the Public Hearing. Include case number with the written comments. Prior to the Public Hearing, written comments may be filed with the Salem Planning Division, Community Development Department, 555 Liberty Street SE, Room 305, Salem, Oregon 97301. Only those participating at the hearing, in person or by submission of written testimony, have the right to appeal the decision.

**HEARING PROCEDURE:**

The hearing will be conducted with the staff presentation first, followed by the applicant's case, neighborhood organization comments, testimony of persons in favor or opposition, and rebuttal by the applicant, if necessary. The applicant has the burden of proof to show that the approval criteria can be satisfied by the facts. Opponents may rebut the applicant's testimony by showing alternative facts or by showing that the evidence submitted does not satisfy the approval criteria. Any participant may request an opportunity to present additional evidence or testimony regarding the application. A ruling will then be made to either continue the Public Hearing to another date or leave the record open to receive additional written testimony.

Failure to raise an issue in person or by letter prior to the close of the Public Hearing with sufficient specificity to provide the opportunity to respond to the issue, precludes appeal to the Land Use Board of Appeals (LUBA) on this issue. A similar failure to raise constitutional issues relating to proposed conditions of approval precludes an action for damages in circuit court.

Following the close of the Public Hearing a decision will be issued and mailed to the applicant, property owner, affected neighborhood association, anyone who participated in the hearing, either in person or in writing, and anyone who requested to receive notice of the decision.

**CASE MANAGER:**

**Pamela Cole, Case Manager**, City of Salem Planning Division, 555 Liberty Street SE, Room 305, Salem, Oregon 97301. Telephone: 503-540-2309; E-mail: pcole@cityofsalem.net.

**NEIGHBORHOOD ORGANIZATION:**

North East Salem Community Association (NESCA), Ian Johnson, Land Use Chair; Phone: (503) 990-4460; Email: [johnson.ian.patrick@gmail.com](mailto:johnson.ian.patrick@gmail.com) Lansing Community Action Association (LCAA), Donna Dickson, Land Use Chair; Phone: (509) 999-1010; Email: [secondpage@comcast.net](mailto:secondpage@comcast.net).

**DOCUMENTATION AND STAFF REPORT:**

Copies of the application, all documents and evidence submitted by the applicant are available for inspection at no cost at the Planning Division office, City Hall, 555 Liberty Street SE, Room 305, during regular business hours. Copies can be obtained at a reasonable cost. The Staff Report will be available seven (7) days prior to the hearing, and will thereafter be posted on the Community Development website: [www.cityofsalem.net/notices](http://www.cityofsalem.net/notices)

**ACCESS:**

The Americans with Disabilities Act (ADA) accommodations will be provided on request.

**NOTICE MAILING DATE:**

August 3, 2017

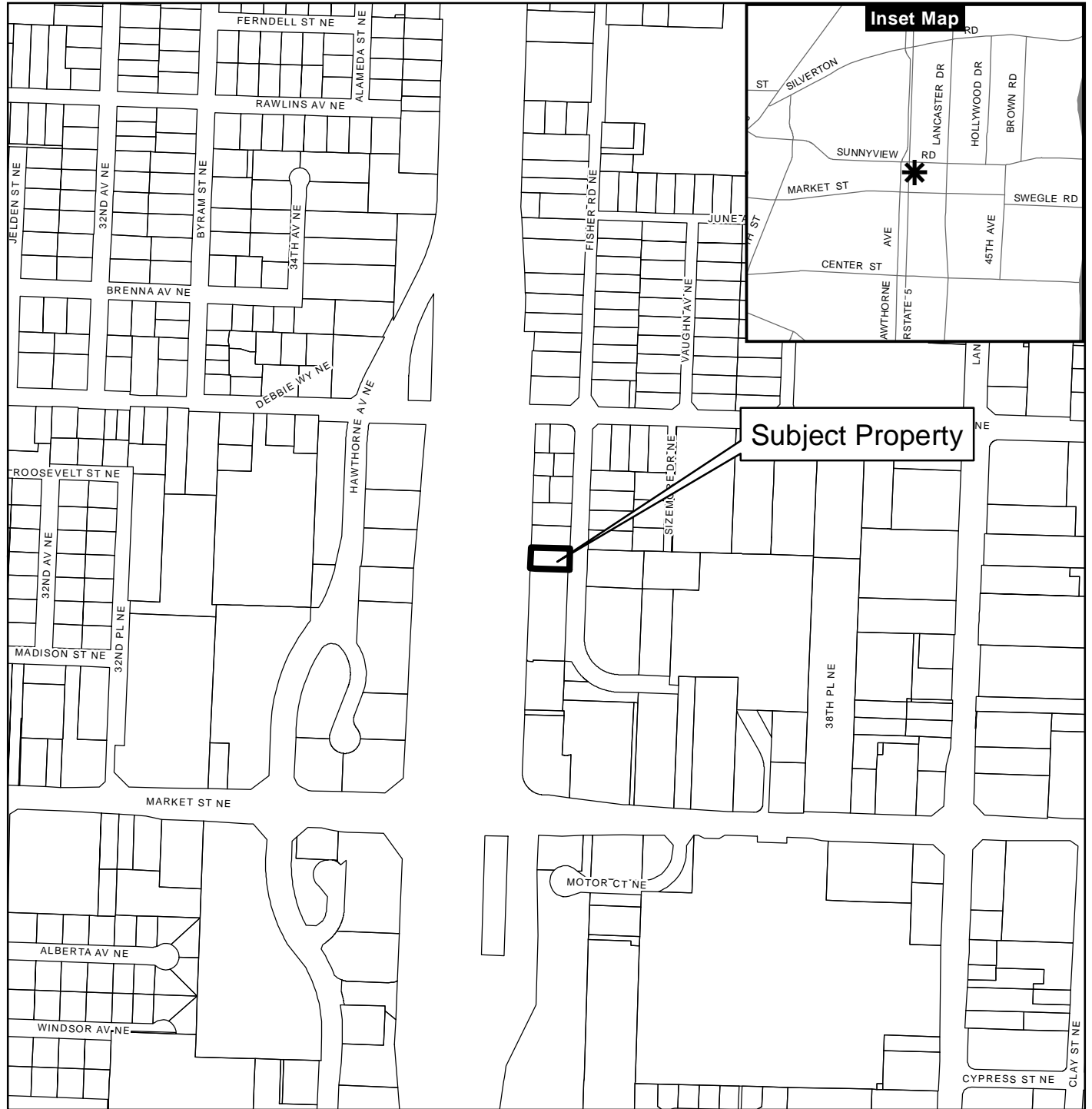
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*PLEASE PROMPTLY FORWARD A COPY OF THIS NOTICE TO ANY OTHER OWNER, TENANT OR LESSEE.  
For more information about Planning in Salem:*  
<http://www.cityofsalem.net/planning>

*It is the City of Salem's policy to assure that no person shall be discriminated against on the grounds of race, religion, color, sex, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, gender identity and source of income, as provided by Salem Revised Code Chapter 97. The City of Salem also fully complies with Title VI of the Civil Rights Act of 1964, and related statutes and regulations, in all programs and activities. Disability-related modification or accommodation, including auxiliary aids or services, in order to participate in this meeting or event, are available upon request. Sign language and interpreters for languages other than English are also available upon request. To request such an accommodation or interpretation, contact the Community Development Department at 503-588-6173 at least three business days before this meeting or event.*

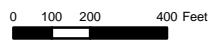
TTD/TTY telephone 503-588-6439 is also available 24/7

# Vicinity Map 1885 Fisher Road NE

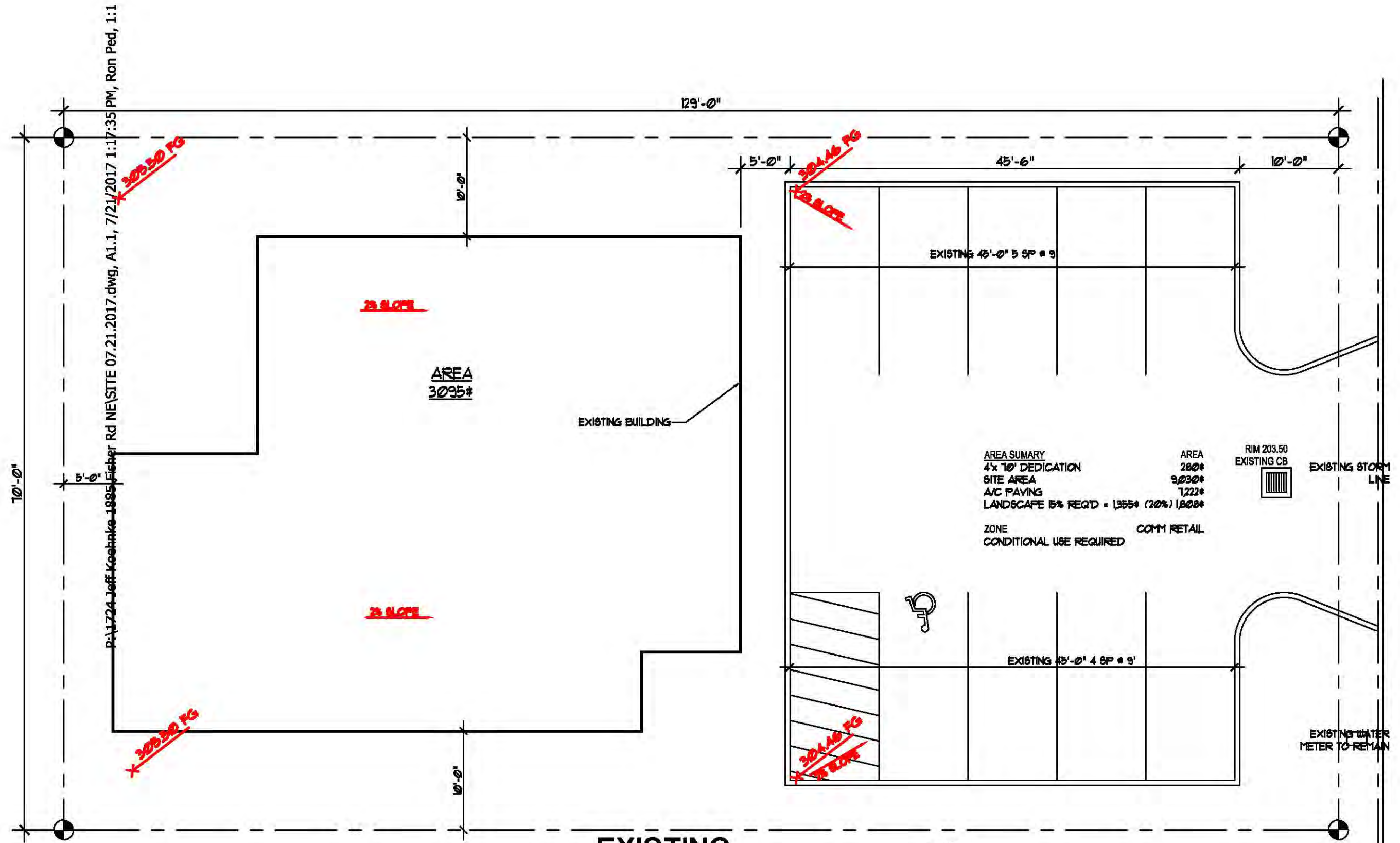


**Legend**

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



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AREA SUMMARY		AREA
4x 10' DEDICATION		200'
SITE AREA		9,030'
A/C PAVING		7,222'
LANDSCAPE 15% REQ'D = 1,355' (20%)		1,800'
ZONE		COMM RETAIL
CONDITIONAL USE REQUIRED		



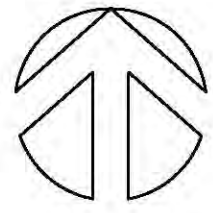
EXISTING STORY LINE

EXISTING WATER METER TO REMAIN

**EXISTING SITE PLAN**

A  
A1.1

SCALE: 1" = 10'-0"



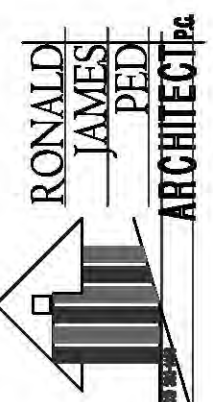
**1885 FISHER ROAD NE**

**KSD PROPERTIES LLC**

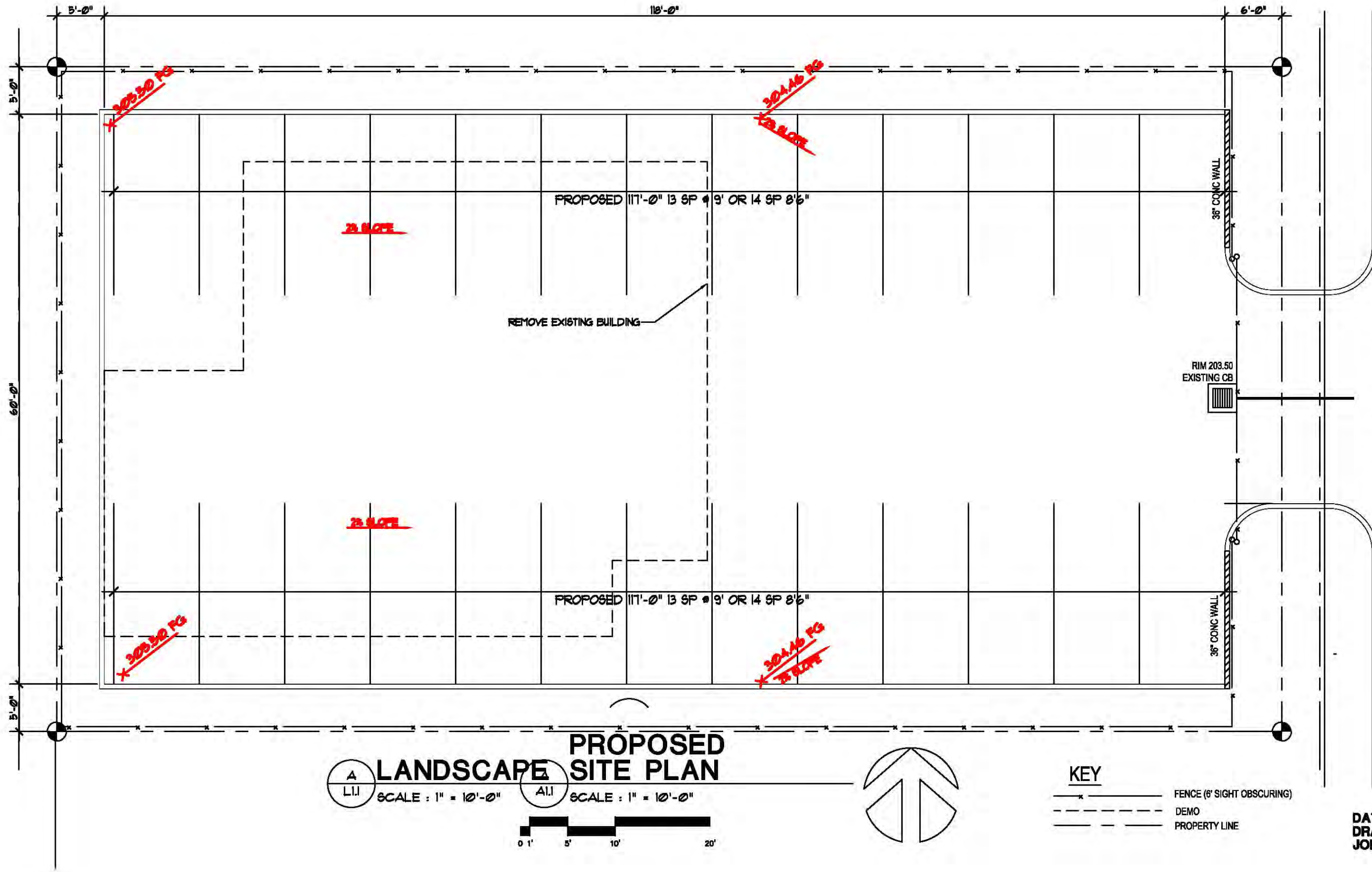
1885 Fisher Rd. NE

DATE: 08-May-2017  
 DRAWN: glm  
 JOB NO.: 1724

**A1.1**







RONALD  
JAMES  
PED  
ARCHITECT PC

1885 FISHER ROAD NE

SITE PLAN  
KSD Properties LLC  
1885 Fisher Rd. NE

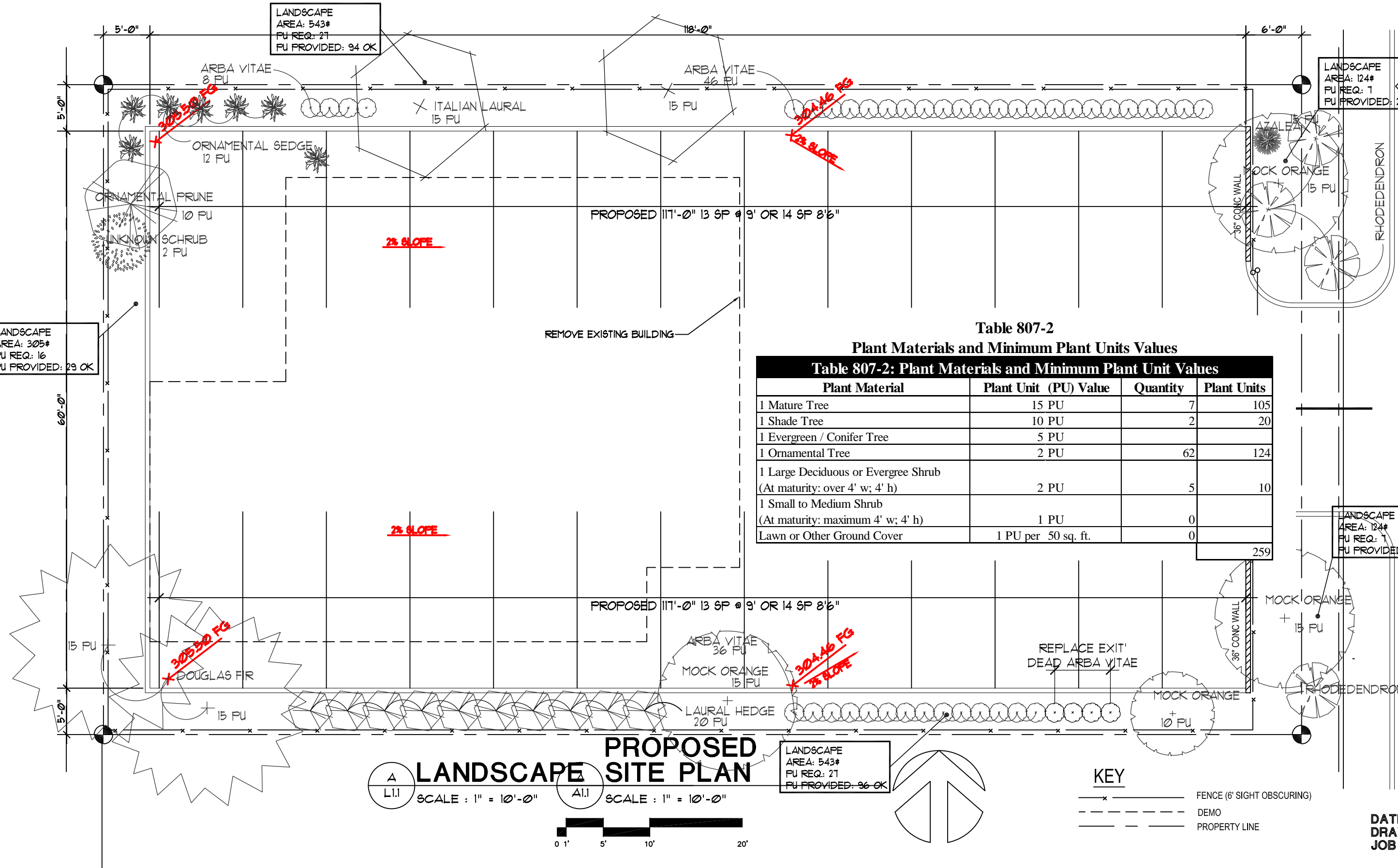
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A1.2

P:\1724 Jeff Koehnke 1885 Fisher Rd NE\SITE 07.21.2017.dwg, L1.1, 7/21/2017 1:15:37 PM, Ron Ped, 1:1

RONALD  
JAMES  
PED  
ARCHITECT.PC.

1885 FISHER ROAD NE  
KSD PROPERTIES LLC  
1885 Fisher Rd. NE



LANDSCAPE  
AREA: 543#  
PU REQ: 27  
PU PROVIDED: 94 OK

LANDSCAPE  
AREA: 124#  
PU REQ: 1  
PU PROVIDED: 23 OK

LANDSCAPE  
AREA: 305#  
PU REQ: 16  
PU PROVIDED: 29 OK

LANDSCAPE  
AREA: 124#  
PU REQ: 1  
PU PROVIDED: 11 OK

**Table 807-2  
Plant Materials and Minimum Plant Units Values**

Plant Material	Plant Unit (PU) Value	Quantity	Plant Units
1 Mature Tree	15 PU	7	105
1 Shade Tree	10 PU	2	20
1 Evergreen / Conifer Tree	5 PU		
1 Ornamental Tree	2 PU	62	124
1 Large Deciduous or Evergreen Shrub (At maturity: over 4' w; 4' h)	2 PU	5	10
1 Small to Medium Shrub (At maturity: maximum 4' w; 4' h)	1 PU	0	
Lawn or Other Ground Cover	1 PU per 50 sq. ft.	0	
			259

**PROPOSED LANDSCAPE SITE PLAN**

SCALE : 1" = 10'-0"

SCALE : 1" = 10'-0"

LANDSCAPE AREA: 543#  
PU REQ: 27  
PU PROVIDED: 96 OK

**KEY**

- x — FENCE (6' SIGHT OBSCURING)
- - - DEMO
- — — PROPERTY LINE

DATE: 08-May-2017  
DRAWN: glm  
JOB NO.: 1724

**A1.2**