

City of Salem Hearings Officer

Community Planning and Development Department

May 13, 2026

5:30 PM – 8:30 PM

First Floor Conference Room, Parkway Building, City of Salem Planning
440 Church St SE

Si necesita ayuda para comprender esta información, por favor llame 503-588-6178

AGENDA

1. Variance Case No. VAR26-01

a. VAR26-01 for 4625 Mill Creek Dr SE

Summary: A Variance application to modify Condition 2(b) of the Subdivision Tentative Plan Approval for the Mill Creek Corporate Center Subdivision (SUB08-05MOD02).

Request: A Variance application to modify Condition 2(b) of the Subdivision Tentative Plan Approval for the Mill Creek Corporate Center Subdivision (SUB08-05MOD02) to allow the required sidewalk to be constructed not on the development side of the street for the entire length of the frontage. The applicant proposes to construct sidewalk along Deer Park Drive SE along the property frontage of Marion County Map and Tax Lot no. 082W080000400, then provide a mid-block pedestrian crossing with the sidewalk continuing along the Corban University side of the roadway to Aumsville Highway SE.

The subject property is 54.18 acres in size, zoned EC (Employment Center), and located at 4625 Mill Creek Drive SE (Marion County Assessors Map and Tax Lot no: 082W080000400).

Staff Report: ([Click here to view](#))

Case Manager: Laurel Christian, Infrastructure Planner III, lchristian@cityofsalem.net

2. Class 2 Willamette Greenway Development Permit, Replat Tentative Plan, Class 3 Site Plan Review, Class 2 Floodplain Development Permit, Class 2 Adjustment, Class 1 Adjustment, Class 2 Driveway Approach Permit Case No. WGP-REP-SPR-FDP-ADJ-DAP26-01

a. WGP-REP-SPR-FDP-ADJ-DAP26-01 for 901 Front Street NE

Summary: Development of two new buildings for an assisted living facility and memory care facility on a vacant lot.

Request: An application for a Class 2 Willamette Greenway Development Permit and Class 3 Site Plan Review for the development of two new buildings for an assisted living facility and memory care facility with associated site improvements for a shared off-street parking area. The consolidated application includes a Tentative Replat Plan to reconfigure the underlying lot lines into two new parcels approximately 2.31 and 2.13 acres in size, one Class 2 Driveway Approach Permit for access onto Front Street NE, and Class 1 and Class 2 Adjustments to:

- 1) Exceed the maximum 10-foot building setback abutting the street of the assisted living facility,

- per SRC 536.015(c);
- 2) Not provide pedestrian amenities within the building setback abutting the street for the memory care facility, per SRC 536.015(c);
- 3) Eliminate the minimum five-foot vehicle use area setback along the new lot line between the shared parking area for the southern lot; per SRC 536.015(c);
- 4) Eliminate the minimum five-foot vehicle use area setback along the new lot line between the shared parking area for the northern lot; per SRC 536.015(c);
- 5) Reduce the minimum 20-foot building height for the memory care facility, per SRC 536.015(d);
- 6) Reduce the minimum 50 percent building frontage for the assisted living facility to approximately 20 percent, per SRC 536.015(d);
- 7) Reduce the minimum 50 percent building frontage for the memory care facility to approximately 47 percent, per SRC 536.015(d);
- 8) Provide only one pedestrian access between the street and the riverfront where two accesses would be required at 400-foot intervals, per SRC 536.015(g);
- 9) Not provide building facade articulation between the ground floor and middle floors of the assisted living facility, per SRC 536.015(g);
- 10) Reduce the minimum 65 percent ground floor windows facing a primary street and along the riverfront for the assisted living facility, per SRC 536.015(g);
- 11) Reduce the minimum 65 percent ground floor windows facing a primary street and along the riverfront for the memory care facility, per SRC 536.015(g);
- 12) Not provide a primary building entrance located on the primary street for the assisted living facility, per SRC 536.015(g);
- 13) Not provide a primary building entrance located on the primary street for the memory care facility, per SRC 536.015(g);
- 14) Not provide a primary building entrance on the riverfront side of the memory care facility, per SRC 536.015(g)(3);
- 15) Eliminate the weather protection required along 75 percent of the ground floor adjacent to the street and along the riverfront for the assisted living facility, per SRC 536.015(g);
- 16) Eliminate the weather protection required along 75 percent of the ground floor adjacent to the street and along the riverfront for the memory care facility, per SRC 536.015(g);
- 17) Reduce the minimum 370-foot spacing between the new driveway approach onto Front Street NE and an existing approach on the adjacent property; per SRC 804.035(d);
- 18) Provide an alternative vision clearance standard for the driveway approach onto Front Street NE, per SRC 805.005(b)(1)(B);
- 19) Reduce the minimum amount of bicycle parking spaces for the assisted living facility from 20 to 18, per SRC 806.055;
- 20) Locate the required bicycle parking for both buildings to more than 50 feet from a primary entrance; per SRC 806.060(a).

The subject property is a vacant lot approximately 3.88-acres in size, zoned MU-R (Mixed-Use Riverfront), within the Willamette Greenway Boundary and Compatibility Review Boundary, and located along the 900 Block of Front Street NE (Marion County Assessor's Map and Tax Lot Number 073W22AC / 1900).

Staff Report: ([Click here to view](#))

Case Manager: Peter Domine, Planner II, pdomine@cityofsalem.net

DIGITAL MEETING ACCESS

To view this meeting LIVE on YouTube, please visit this link with your computer, tablet, or smartphone by clicking this link: <https://bit.ly/planningpublicmeetings>

TO PROVIDE WRITTEN TESTIMONY ON A PUBLIC HEARING ITEM: Email written testimony to the Case Manager or mail to City of Salem Planning Division, PO Box 14300, Salem, Oregon 97309. We recommend you email comments to ensure receipt before the public hearing.

To submit written comments for items not on the agenda please contact Olivia Dias, Current Planning Manager, at ODias@cityofsalem.net or 503-540-2343

Staff Reports and presentations for this meeting will be available at this link, see "Agendas and Meeting Minutes": <https://www.cityofsalem.net/government/boards-commissions/hearings-officer>

Special accommodations are available, upon request, for persons with disabilities or those needing sign language interpretation, or languages other than English. To request accommodations or services, please call 503-540-2371 (TTD/TTY 503-588-6439) at least two business days in advance.

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 97. The City of Salem also fully complies with Title VI of the Civil Rights Act of 1964, Americans with Disabilities Act of 1990, and related statutes and regulations, in all programs and activities.

**HEARINGS OFFICER
PUBLIC HEARING PROCEDURES**

THE STATEMENT OF CRITERIA WILL BE READ BEFORE EACH HEARING

THE HEARING WILL BE CONDUCTED with the staff presentation first, followed by the applicant's case presentation (limited to a total of 15 minutes), the appellant's arguments (limited to a total of 10 minutes), neighborhood organization comments (limited to a total of 10 minutes), testimony of persons either in favor or opposition (limited to 5 minutes each, discretionary), and a rebuttal opportunity for the applicant (limited to 5 minutes), should opposition be raised. The Hearings Officer may ask questions between or after presentations/testimony. The public testimony portion will then be closed.

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 that the hearing be continued or that the record be left open for submission of additional evidence or testimony.

HEARINGS OFFICER DECISIONS are based on the criteria contained in the Salem Revised Code. Applicable criteria for each case, referenced in the public hearing notice and staff report, can be found in the Salem Revised Code. Applications may be approved, conditionally approved, or denied on the basis of conformity with the applicable criteria. Conditions of approval may be placed on an approval to ensure the proposal complies with all applicable portions of the Salem Revised Code.

ALL ISSUES MUST BE RAISED AT THE HEARING. Failure to raise an issue, accompanied by statements or evidence sufficient to afford the parties an opportunity to respond to the issue, precludes an appeal to the Land Use Board of Appeals (LUBA) on that issue. A similar failure to raise constitutional issues relating to any proposed conditions of approval precludes an action for damages in Circuit Court.

Salem Revised Code (SRC) and other informative documents may be accessed online at:
<https://www.cityofsalem.net/business/land-use-zoning>