



SALEM PLANNING COMMISSION COMMUNITY DEVELOPMENT DEPARTMENT

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SALEM PLANNING COMMISSION

Commission Members

Stephen Elzinga
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Brandon Smith
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City Staff

Lisa Anderson-Ogilvie, AICP, Deputy
Director and Planning Administrator
Natasha Zimmerman, Deputy City Attorney
Bryce Bishop, Planner II
Angela Williamson, Staff Assistant

Next Meeting: February 26, 2019

<http://www.cityofsalem.net/Pages/salem-planning-commission.aspx>

*****Declare potential or actual conflicts of interest prior to each item on the agenda.***

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, the Americans with Disabilities Act of 1990, and related statutes and regulations, in all programs and activities.

MEETING AGENDA

Tuesday, February 12, 2019

5:30 PM – 7:30 PM

City Hall, Council Chambers
555 Liberty St SE, Room 240

1. CALL TO ORDER
2. COMMUNICATIONS FROM THE COUNCIL, BOARDS, COMMISSIONS, AND AGENCIES
3. FIRST OPPORTUNITY FOR APPEARANCE OF INTERESTED CITIZENS: This time is available for interested citizens to comment on specific agenda items other than public hearings, deliberations and the merits of land use issues that are reviewable by the Planning Commission at public hearings. Each person’s comments will be limited to three minutes.
4. CONSENT CALENDAR (includes approval of minutes, adoption of routine items requiring Commission action)
 - 4.1 Approval of Minutes:

January 29, 2019 Minutes (Commissioner Elzinga)
Recommended Action: Approve
 - 4.2 Consent Calendar

None

5. ADDITIONAL AGENDA ITEMS

None

6. PUBLIC HEARINGS: Hearings begin no earlier than 5:30 p.m. unless otherwise noted. The statement of criteria will be read at the beginning of the hearings.

6.1 Deliberations on Class 3 Design Review / Class 3 Site Plan Review / Replat / Property Line Adjustment / Class 2 Adjustment / Class 2 Driveway Approach Permit Case No.: DR-SPR-REP-PLA-ADJ-DAP18-08 for property located on a portion of the former Fairview Training Center site generally located between Strong Rd. SE and Lindburg Rd SE – Ward 3 – Morningside N.A.; (Bryce Bishop; BBishop@cityofsalem.net)

*****PLEASE NOTE*** The public hearing is closed and no testimony will be taken at the Planning Commission meeting. The record, however, has been reopened and written evidence or testimony may be submitted prior to February 12, 2019, at 5:00 p.m. for inclusion in the record.**

Summary: A consolidated application for a proposed 180-unit multiple family development on approximately 9.51 acres of the former Fairview Training Center site. The application includes the following:

- 1) A Class 3 Design Review and Class 3 Site Plan review for the proposed multiple family development;
- 2) A Replat to consolidate Lots 8 and 9 of the Lindburg Green subdivision plat into one lot, and consolidate and reconfigure Lots 6 and 7 of the Lindburg Green subdivision plat and Parcel 3 of Partition Plat No. 2014-03, in order to reconfigure existing lot boundaries within the subject property in order to accommodate the proposed development; and
- 3) A Property Line Adjustment to eliminate the property line between proposed consolidated Lot 8 and 9 of the Lindburg Green subdivision plat and the abutting property to the west in order to accommodate the proposed development;
- 4) A Class 2 Driveway Approach Permit for the proposed driveway onto Lindburg Road SE; and
- 5) A Class 2 Adjustment to:
 - a) Allow Lot 6 of the proposed replat to fall below the minimum lot width and exceed the maximum lot depth required under the refinement plan.
 - b) Allow the remainder of Parcel 3 as shown on the proposed replat to exceed the maximum lot depth required under the refinement plan;
 - c) Allow the consolidated 6.8 acre portion of the subject property located west of Heritage Street to fall below the minimum lot width and exceed the maximum lot depth required under the refinement plan;
 - d) Allow less than 70 percent of the lot/street frontage of the portion of the property within the VC (Village Center) area of the refinement plan along Lindburg Road and proposed Village Center Loop to be occupied by buildings placed at the minimum setback line as required under the refinement plan;
 - e) Allow the minimum required floor-area-ratio (lot coverage) of the portion of the property within the VC (Village Center) area of the refinement plan north of Lindburg Road and west of proposed Village Center Loop to be less than the minimum 0.75 FAR required under the refinement plan;
 - f) Allow upper floor building articulation and building eaves to project into the minimum 10-foot setback abutting a street required under the refinement plan;

- g) Allow Building No. 1, 2, 8, 14, and 17 to be setback beyond the maximum 20-foot setback abutting a street required under the refinement plan.
- h) Allow Building No. 17 to be setback less than the minimum required 10-foot setback abutting a street required under the refinement plan;
- i) Allow a proposed driveway approach onto Lindburg Road SE, which is designated as a collector street, where SRC 804.030(b)(2) requires corner lots which abut only local or collector streets to provide access to the street with the lower street classification;
- j) Allow the driveway approaches onto the proposed private streets within the development to exceed the maximum driveway approach widths required under the refinement plan;
- k) Allow five driveway approaches onto the private streets on the western portion of the subject property and three driveway approaches onto the private streets on the eastern side of the subject property where a maximum of two driveway approaches per parcel are allowed onto private streets under the refinement plan; and
- l) Allow the proposed parking lot located south of Building No. 17 to be setback from the eastern edge of the private street easement less than the minimum required 20 feet under the refinement plan.

The subject property is approximately 9.51 acres in size, zoned FMU (Fairview Mixed-Use), and located in the 2100 to 2300 Blocks of Lindburg Road SE and Strong Road SE (generally north of Lindburg Road SE, South of Strong Road SE, and west of Reed Road SE) (Marion County Assessor Map and Tax Lot Numbers: 083W11A00600, 700, 800, 900, & 1002; and 083W1100100).

Recommended Action: Adopt Order

- 7. SECOND OPPORTUNITY FOR APPEARANCE OF INTERESTED CITIZENS: (Other than agenda items.)
- 8. PLANNING ADMINISTRATOR’S REPORT
- 9. COMMISSIONER COMMENTS FOR THE GOOD OF THE ORDER

SALEM PLANNING COMMISSION FUTURE AGENDA ITEMS

NOTE: This schedule is tentative and subject to change.

February 26, 2019

- Comprehensive Plan Map Change / Zone Change Case No.: CPC-ZC19-01 for property located at 5821 Liberty Road S – Ward 4 – Sunnyslope and South Gateway N.A.; (Pamela Cole; PCole@cityofsalem.net)
Request: A minor comprehensive plan map amendment from DR "Developing Residential" to MF "Multi-Family Residential" and quasi-judicial zone change from RA (Residential Agriculture) to RM1 (Multiple Family Residential 1) for a 2.65-acre property located at 5821 Liberty Road S 97306 (Marion County Assessor Map and Tax Lot 083W16CD00600).
- Planned Unit Development / Class 2 Adjustment Case No.: PUD-ADJ19-01 for property located at 2990 Boone Road SE – Ward 4 – South Gateway N.A.; (Aaron Panko; APanko@cityofsalem.net)
Summary: An application for development of a new 140-unit, four-story senior living facility and 18 senior living cottage units arranged in six triplex buildings.

Request: A Planned Unit Development request for construction of a 140-unit, four-story independent senior living facility in Phase 1, and 18 senior living cottage units, arranged in six triplex buildings for Phase 2, with a Class 2 Adjustment request to:

- 1) Increase the maximum height allowance for the four-story senior living facility from 35 feet to 50 feet, and
- 2) Decrease the minimum parking requirement for the 140-unit senior living facility from 285 parking spaces to 165 parking spaces.

For property approximately 8.8 acres in size, zoned RS (Single Family Residential), RM-I and RM-II (Multi-Family Residential), and located at 2990 Boone Road SE - 97306 (Marion County Assessor's Map and Tax Lot number: 083W13BA / 00101).

- Code Amendment Case No. CA19-01; (Bryce Bishop; bbishop@cityofsalem.net; Eunice Kim; ekim@cityofsalem.net) – Public hearing for amendments updating the Unified Development Code (UDC).

March 5

- North Gateway URA Maximum Indebtedness Increase (Kristin Retherford; KRetherford@cityofsalem.net; Sara Long, Urban Development Dept.; slong@cityofsalem.net)

**SALEM PLANNING COMMISSION
PUBLIC HEARING PROCEDURES**

THE PROCESS FOR THE PUBLIC HEARING will begin with the staff presentation, followed by the applicant's case presentation (*limited to a total of 15 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. If attendance should warrant, the Chair may direct that a warning light on the podium be illuminated when there is one minute remaining in the allotted time. The public testimony portion will then be closed and Commission deliberation follows.

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. The Commission may continue the hearing to another date and time, or leave the record open to receive additional evidence or written testimony.

PLANNING COMMISSION 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 <http://www.cityofsalem.net/Departments/Legal/Pages/SalemRevisedCodes.aspx>.

Planning Commission agendas and reports online can be found at <http://www.cityofsalem.net/Departments/CommunityDevelopment/Planning/PlanningCommission/Pages/default.aspx>.