



## SALEM PLANNING COMMISSION COMMUNITY DEVELOPMENT DEPARTMENT

Si necesita ayuda para comprender esta información, por favor llame 503-588-6173.

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 503-588-6173 (TTD/TTY 503-588-6439) at least two business days in advance.

### SALEM PLANNING COMMISSION

#### Commission Members

Stephen Elzinga  
Chane Griggs, President  
Casey Kopcho  
Ian Levin  
Brian McKinley, Vice President  
Joshlene Pollock  
Ashley Schweickart  
Brandon Smith  
Drew Wright

#### City Staff

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

**Next Meeting:** September 3, 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, August 20, 2019  
5:30 PM – 7:30 PM  
City Hall, Council Chambers  
555 Liberty St SE, Room 240

1. CALL TO ORDER
2. ROLL CALL
3. PUBLIC COMMENT: 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:
 

August 6, 2019 Minutes (Commissioner McKinley)  
**Recommended Action:** Approve
  - 4.2 Resolutions
 

None
  - 4.3 Action Items
 

None

5. 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.

5.1 Comprehensive Plan Change Neighborhood Plan Change / Zone Change Case No. CPC-NPC-ZC19-09 for property located at 1443 45<sup>th</sup> Avenue NE; Ward 6 – ELNA Neighborhood Associations; (Bryce Bishop; [bbishop@cityofsalem.net](mailto:bbishop@cityofsalem.net)):  
**Summary:** A Minor Comprehensive Plan Map Amendment, Neighborhood Plan Map Amendment, and Zone Change from RA (Residential Agriculture) to IC (Industrial Commercial).

**Request:** A consolidated Minor Comprehensive Plan Map Amendment from Single Family Residential to Industrial Commercial, Minor Neighborhood Plan Map Amendment from Single Family to Industrial Commercial, and Zone Change from RA (Residential Agriculture) to IC (Industrial Commercial) for property approximately 3.25 acres in size and located at 1443 45th Avenue NE (Marion County Assessor Map and Tax Lot Number: 072W19DB00100).

**Recommended Action:** Adopt Report

6. SPECIAL ORDERS OF BUSINESS

7. INFORMATION REPORTS

8. PUBLIC COMMENT: (Other than agenda items.)

9. PLANNING ADMINISTRATOR’S REPORT

10. COMMISSIONER COMMENTS FOR THE GOOD OF THE ORDER

11. ADJOURNMENT

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**SALEM PLANNING COMMISSION  
FUTURE AGENDA ITEMS**

*NOTE: This schedule is tentative and subject to change.*

**September 3**

- **CONTINUED HEARING** - Comprehensive Plan Change / Zone Change Case No. CPC- ZC19-07 for property located at 4696 Center Street NE and 592 Hile Lane NE; Ward 6 – ELNA Neighborhood Associations; (Pamela Cole; [pcole@cityofsalem.net](mailto:pcole@cityofsalem.net)): **DELIBERATIONS ONLY**  
**Summary:** A request for a comprehensive plan change to Multi-Family Residential and zone change to RM2 (Multiple Family Residential 2) concurrent with a proposed petitioner-initiated, voter-exempt annexation of property at 4696 Center St NE and 592 Hile Lane NE.

**Description:** A comprehensive plan change from Developing Residential to Multi-Family Residential and zone change from Marion County UD (Urban Development) to RM2 (Multiple Family Residential 2), concurrent with a petitioner-initiated voter-exempt annexation and withdrawal from the Marion County Fire District #1, for multiple properties with combined area of 5.04 acres, designated Developing Residential and Multi-Family Residential in the SACP, zoned Marion County UD (Urban Development), and located at 4696 Center St NE and 592 Hile Lane NE 97301 (Marion County Assessor Map and Tax Lots 072W29BB03100, 072W29BB03200, 072W29BC03801, and 072W29BC03600).

- APPEAL HEARING – Sign Variance / Sign Permit Case No. VAR-SI19-01 for property located at 5090 Commercial Street SE; Ward 4 – South Gateway Neighborhood Associations; (Hayley Feightner; [hfeightner@cityofsalem.net](mailto:hfeightner@cityofsalem.net)):**

**Summary:** Appeal of the Hearings Officer's July 19, 2019 decision denying a request for two sign permits and a sign variance to allow construction of two freestanding vehicle viewing signs 13.7 square feet in size.

**Request:** Appeal of the Hearings Officer's July 19, 2019 decision denying a Sign Variance and two Sign Permit requests Case Number VAR-SI19-01 to allow two additional vehicle viewing signs permitted under SRC 900.200(b)(6) for use as pre-sell menu boards in the drive-through lanes of an existing eating and drinking establishment. The subject property is approximately .95 acres in size, zoned CR (Retail Commercial) and located within the South Gateway Overlay Zone, and located at 5090 Commercial Street SE / 97306 (Marion County Assessor's Map and Tax lot number: 083W14BB / 01703).
- Comprehensive Plan Change / Zone Change / Zone Change Case No. CPC-ZC-ZC19-10 for property located at 2499, 2501, 2519 Wallace Rd NW & 1221 Riverbend Rd NW; Ward 8 – West Salem Neighborhood Associations; (Pamela Cole; [pcole@cityofsalem.net](mailto:pcole@cityofsalem.net)):**

**Summary:** An application to change the Comprehensive Plan Map designation from "Single-Family Residential" and "Multi-Family Residential" to "Mixed Use" and zoning from RS (Single Family Residential) and RD (Duplex Residential) to MU-II (Mixed Use 2); the Comprehensive Plan Map designation from "Single-Family Residential" to "Commercial" and zoning from RS (Single Family Residential) to CR (Retail Commercial); and zoning from CO (Commercial Office) to CR (Retail Commercial).

**Request:** A consolidated application to change:

  - (1) The Comprehensive Plan Map designation from "Single-Family Residential" to "Mixed Use" and zoning from RS (Single Family Residential) to MU-II (Mixed Use 2) for approximately 6.2 acres located at 2499 Wallace Rd NW (Polk County Assessor Map and Tax Lot 073W09CD01000), 2501 Wallace Rd NW (Polk County Assessor Map and Tax Lot 073W09CD00900), and 2519 Wallace Rd NW (Polk County Assessor Map and Tax Lot 073W09CD01101) and
  - (2) The Comprehensive Plan Map designation from "Multi-Family Residential" to "Mixed Use" and zoning from RD (Duplex Residential) to MU-II (Mixed Use 2) for approximately 1.3 acres (Polk County Assessor Map and Tax Lot 073W09CD01301) for a future mixed-use multi-family and commercial development in Phase 2 of the Riverbend Mixed Use Neighborhood Center and change
  - (3) The Comprehensive Plan Map designation from "Single-Family Residential" to "Commercial" and zoning from RS (Single Family Residential) to CR (Retail Commercial) for a 0.15-acre property located at 2465 Wallace Road NW 97304 (Polk County Assessor Map and Tax Lot 073W16BA09900) and
  - (4) The zoning from CO (Commercial Office) to CR (Retail Commercial) for a 1.582-acre portion of a property located at 1221 River Bend Road NW 97304 (Polk County Assessor Map and Tax Lot Number 073W16BA10000) for a future commercial development in Phase 1 of the Riverbend Mixed Use Neighborhood Center.

### **September 17**

- Comprehensive Plan Change / Zone Change / Planned Unit Development / Subdivision Case No. CPC-ZC-PUD-SUB19-08 for property located at 255 Cordon Road NE, 4800-4900 Block of State Street, and**

4700-4800 Block of Auburn Road NE; Ward 3 – ELNA Neighborhood Associations; (Aaron Panko; [apanko@cityofsalem.net](mailto:apanko@cityofsalem.net)):

**Request:** An application for a 670-unit Planned Unit Development/Subdivision to be completed in six phases, a Minor Comprehensive Plan Map Amendment and Zone Change from CR (Retail Commercial) to RM-II (Multi-Family Residential) for approximately 2.11 acres, and from IP (Industrial Park) to RS (Single Family Residential) for approximately 3.25 acres, and a Tree Conservation Plan to remove 218 of the 233 existing trees on the subject property, including removal of 27 significant trees.

For property approximately 122 acres in size, zoned RS (Single Family Residential), RM-I and RM-II (Multi-Family Residential), CR (Retail Commercial), and IP (Industrial Park), and located at 255 Cordon Road NE, 4800-4900 Block of State Street, and 4700-4800 Block of Auburn Road NE - 97301 (Marion County Assessor's Map and Tax Lot numbers: 072W29B / 00200, 00201, 00300, and 00400, 072W29C / 00100, 00101, 00199, 00200, 00300, and 00400).

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## **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: <https://www.cityofsalem.net/Pages/salem-planning-commission.aspx>.