

LAND USE APPLICATION

Application Type: Conditional Use

APPLICANT INFORMATION

(Check one box below for designated contact person regarding this application)

☐ Applicant Name: Bo Rushing; Rushing Group Daytime Phone: 503-588-8500
Mailing Address: 4336 Commercial St. SE, Suite 140 Fax Number: _____
City/State: Salem, OR Zip: 97302 Email: Bo@RushingGroup.com

☒ Agent: Project Delivery Group, LLC; Brian Vinson Daytime Phone: 503-364-4004
Mailing Address: 3150 22nd Street SE Fax Number: _____
City/State: Salem, OR Zip: 97302 Email: brianv@pdgnw.com

PROPERTY INFORMATION

1252 23rd Street SE 2.9 acres 073W35AD / 00800
(Street Address or Location of Subject Property) (Total Size of Subject Property) (Assessor Tax Lot Numbers)

Existing parking, curb and sidewalk, vacant land IC Industrial Commercial
(Existing Use, Structures, and/or Other Improvements On Site) (Zoning) (Comp Plan Designation)

PROPOSED PROJECT INFORMATION

96 dwelling unit apartment complex (6, 3-story buildings)

(Describe the Proposed Use or Development of Subject Property)

NEIGHBORHOOD ASSOCIATION: Southeast Salem Neighborhood Association **CONTACTED?** ☒ Yes ☐ No

The City of Salem recognizes, values, and supports the involvement of residents in land use decisions affecting neighborhoods across the city and strongly encourages anyone requesting approval for any land use proposal to contact the affected neighborhood association(s) as early in the process as possible.

Neighborhood Association meeting on September 22nd, 2015

9/22/2015

(Describe Contact with the Affected Neighborhood Association)

Date Contacted

SALEM - KEIZER TRANSIT CONTACTED? ☐ Yes ☒ No

NA

(Describe Contact with Salem - Keizer Transit)

Date Contacted

AUTHORIZATION BY PROPERTY OWNER(s) / APPLICANT

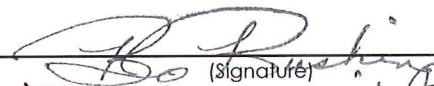
**If the applicant and/or property owner is a Limited Liability Company (LLC), please also provide a list of all members of the LLC with your land use application.*

(Property owners and contract purchasers are required to authorize the filing of this application and must sign below)

① All signatures represent that they have full legal capacity to and hereby do authorize the filing of this application and certify that the information and exhibits herewith submitted are true and correct.

② I (we) hereby grant consent to the City of Salem and its officers, agents, employees, and/or independent contractors to enter the property identified above to conduct any and all inspections that are considered appropriate by the City to process this application.

③ I (we) hereby give notice of the following concealed or unconcealed dangerous conditions on the property: _____

 Bo Rushing 12/14/15
(Signature) (Print Name) (Date)

4336 Commercial St. SE Salem OR 97302
(Address - Include Zip)

(Signature) (Print Name) (Date)

(Address - Include Zip)

STAFF USE ONLY - DO NOT WRITE BELOW - STAFF USE ONLY

Received By: _____ Date: _____ Receipt No. _____

Application Packet: Conditional Use

PURPOSE

A Conditional Use is a use which is similar to other uses permitted outright in a zone, but because of the manner in which the use may be conducted, or the manner in which land and buildings might be developed for the use, a public hearing and review are required to determine whether the imposition of conditions is necessary to minimize the negative impacts on uses in the surrounding area.

In addition to applying to applications for new Conditional Uses, Conditional Use review also applies to the expansion or relocation of an existing Conditional Use, the change of a Conditional Use to another Conditional Use, or the structural alteration or enlargement a building or structure devoted to a Conditional Use. Conditional Use review shall not be required, however, for interior construction or tenant improvements that involve no change of use, or for alterations required to address a building code violation or to comply with the Americans with Disabilities Act.

Requirements pertaining to Conditional Uses are contained in Salem Revised Code (SRC) Chapter 240.

PROCEDURE TYPE

An application for Conditional Use is processed as a **Type III procedure** under SRC Chapter 300.

PROCESS

Most decisions are issued within 80 days of application submittal (*State Law requires the City to issue a decision within 120 days of the date the application is deemed complete*).

- Pre-Application Conference. A required pre-application conference is the first step in the Conditional Use process. Pre-application conference request forms are available in the Permit Application Center;
- Applicant submits Conditional Use application (including all items in the attached checklist) to Permit Application Center (Room 320);
- Staff reviews Conditional Use application for completeness. If the application is not complete, the applicant will be notified as to what information is missing and allowed 180 days to submit the additional information;
- Applicant may track the status of their application online at the City of Salem permit tracking webpage: <https://splash.cityofsalem.net>
- After all required information is submitted and the application is deemed complete, staff sets date for public hearing with the Hearings Officer and sends notice of hearing to the applicant, property owner, neighborhood association, and property owners within 250 ft. (*notification list of property owners within 250 ft. is prepared by staff*);
- Staff prepares posting sign(s) and sends notice of posting requirements to applicant;
- Applicant posts sign(s) along street frontage(s) of property 10-14 days prior to hearing;
- Hearings Officer holds public hearing. Staff presents staff report, followed by testimony from applicant, neighborhood association representative, proponent(s), opponent(s), and rebuttal;

- Hearings Officer renders decision based upon whether the proposal meets the applicable criteria for a Conditional Use under SRC 240.005(d);
- Staff sends copy of decision (*noting 15-day appeal period*) to applicant and property owner, neighborhood association, and anyone who submitted testimony for the record prior to the close of the public hearing;
- If no appeal is filed, and the City Council does not initiate review of the application, the Conditional Use decision becomes effective.

NOTE: This packet is supplemental to the Salem Revised Code (SRC). In the event of a conflict between a statement in this document and the SRC applicable to a particular development, the SRC shall apply. The full version of the SRC is available online at www.cityofsalem.net, under "Revised Codes".

APPLICATION CHECKLIST

An application for a Conditional Use shall contain the following:

- ☒ **COMPLETED APPLICATION FORM.** The application form must be signed by the applicant(s), property owner(s), and/or duly authorized representative(s). If the applicant and/or property owner is a Limited Liability Company (LLC), please also provide a list of all members of the LLC with your land use application.
- ☒ **APPLICATION FEE.** The application fee must be paid at the time of filing your application.
- ☒ **RECORDED DEED/LAND SALES CONTRACT WITH LEGAL DESCRIPTION.** A copy of the recorded deed/land sales contract of the total contiguous ownership of the applicant.
- ☒ **PRE-APPLICATION WRITTEN SUMMARY.** Conditional use permits require a pre-application conference. Please submit a copy of the written summary of the conference that the Planning Division sent to you after the conference, or a copy of the pre-application conference waiver, if granted.
- NA ☐ **COMPLETED TRIP GENERATION ESTIMATE (TGE) FORM.** A Trip Generation Estimate (TGE) form must be completed by the applicant and submitted to the Department of Public Works, Traffic Engineering Section, Room 325, to determine whether or not a Transportation Impact Analysis (TIA) is required for the application.
- NA ☐ **TRANSPORTATION IMPACT ANALYSIS (TIA).** If required for the development, a TIA shall be provided in the format, and based on thresholds, specified in standards established by the Director of Public Works.
- ☒ **WRITTEN STATEMENT.** A written statement shall be submitted describing the proposal and how it conforms to the following approval criteria for a Conditional Use (SRC 240.005(d)):
 - The proposed use is allowed as a Conditional Use in the zone;
 - The reasonably likely adverse impacts of the use on the immediate neighborhood can be minimized through the imposition of conditions; and
 - The proposed use will be reasonably compatible with and have minimal impact on the livability or appropriate development of surrounding property.
- ☒ **SITE PLAN.** Two copies of a site plan shall be submitted. One copy must be reproducible (*not more than 11 in. x 17 in., and not less than 8.5 in. by 11 in.*) and the other copy must be to a standard scale. The site plan must include the following information:
 - Title Block: Type of application (i.e., "Conditional Use Application"), date, applicant's name, location of subject property, scale, directional (north) arrow;
 - Total site area, dimensions, and orientation relative to north ;

- Location of proposed primary and accessory structures and other improvements, including fences, walls, and driveways, indicating distance to such structures from property lines and adjacent on-site structures;
- Loading areas, if included with proposed development;
- All proposed landscape areas on the site, with an indication of square footage and as a percentage of site area;
- Location, height, and material of fences, buffers, berms, walls, and other proposed screening as they relate to required buffer yards and landscaping;
- Location of all trees and vegetation required to be protected pursuant to SRC Chapter 68; and
- Identification of vehicle, pedestrian, and bicycle parking and circulation areas, including handicapped parking stalls, disembarking areas, accessible routes of travel, and proposed ramps.

EXISTING CONDITIONS PLAN. Two copies of an existing conditions plan shall be submitted. One copy must be reproducible (*not more than 11 in. x 17 in., and not less than 8.5 in. by 11 in.*) and the other copy must be to a standard scale. The existing conditions plan must include the following information:

- Title Block: Type of application (i.e., "Conditional Use Application"), date, applicant's name, location of subject property, scale, directional (north) arrow;
- Total site area, dimensions, and orientation relative to north;
- Location of existing structures and other improvements on the site, including accessory structures, fences, walls, and driveways, noting distance from property lines and whether they are to be removed;
- Location of 100-year flood plain, if applicable; and
- The location of drainage patterns and drainage courses, if applicable.