




MEMORANDUM

COMMUNITY DEVELOPMENT DEPARTMENT

TO: Lisa Anderson-Ogilvie, Planning Administrator, AICP
Aaron Panko, Planner III, Case Manager
Curtis Pellatz, Public Works Department
Alan Kessler, GIS Analyst
Helen Beckman, PC Staff Liaison

FROM: Sally Studnar, Staff Assistant 

DATE: March 29, 2016

SUBJECT: Appeal of Conditional Use Case No. CU16-01
For property located at 1700-1800 Block of 23rd St SE

Conditional Use Case No. CU16-01 has been appealed by Bo Rushing with Rushing Real Estate Inc. The appeal has been scheduled for a Planning Commission public hearing on April 19, 2016.

Attachment: Letter of Appeal



LAND USE APPEAL APPLICATION

1. **GENERAL DATA REQUIRED** [to be completed by the appellant]

CU16-01

March 8, 2016

Case # Being Appealed

Decision Date

1700-1800 Block of 23rd Street SE

Address of Subject Property

4336 Commercial Street SE, Suite 140, Salem, OR 97302

Appellants Mailing Address with zip code

bo@rushinggroup.com

503-588-8500

Appellant's E-mail Address

Day-time Phone / Cell Phone

Appellant's Representative or Professional to be contacted regarding matters on this application, if other than appellant listed above:

Project Delivery Group, LLC; Brian Vinson

3150 22nd Street SE Salem, OR 97302

Name

Mailing Address with ZIP Code

brianv@pdgnw.com

503-364-4004

E-Mail Address

Day-time Phone / Cell Phone

2. **SIGNATURES OF ALL APPELLANTS**

Signature:



Date:

3/21/16

Printed Name: Bo Rushing

Signature:

Date:

Printed Name:

3. **REASON FOR APPEAL** Attach a letter, briefly summarizing the reason for the Appeal. Describe how the proposal does not meet the applicable criteria as well as verification establishing the appellants standing to appeal the decision as provided under SRC 300.1010

FOR STAFF USE ONLY

Received By:



Date:

3/23/2016

Receipt No:

15-121963-20
46-10327331

Appeal Deadline:

5:00 pm 3/23/2016

Case Manager:

Amanda Poyko



March 22, 2016

City of Salem
Attention: City Council
555 Liberty Street SE
Salem, OR 97302

RE: CU16-01 Denial Appeal

City Council,

Pursuant to SRC 300.1010, the applicant, Bo Rushing of Rushing Real Estate, Inc., has engaged Project Delivery Group to assist with the preparation and presentation of the appeal for case number CU16-01 (application no. 15-121963-ZO). This Conditional Use Permit application was denied by the Hearings Officer on March 8, 2016.

The conditional use approval criteria set forth in SRC 240.005(d) is as follows:

- 1) The proposed use is allowed as a conditional use in the zone;
- 2) The reasonably likely adverse impacts of the use on the immediate neighborhood can be minimized through the imposition of conditions; and
- 3) The proposed use will be reasonably compatible with and have minimal impact on the livability or appropriate development of surrounding property.

The applicant has demonstrated compliance with the approval criteria listed above and based on this, the denial is being appealed.

Additional information will be provided in the presentation before the City of Salem Council.

Sincerely,
Project Delivery Group, LLC

Britany Randall
Land Use Planner