



HEARING NOTICE

LAND USE REQUEST AFFECTING THIS AREA

There is a development proposal for the property listed in this notice and shown on the attached map. The City is seeking input from neighbors on the proposal. If you have questions or comments about the proposal, contact the case manager.

Esta carta es un aviso sobre una propuesta de desarrollo para la propiedad enumerada y que se muestra en el mapa adjunto. La ciudad está buscando la opinión de los vecinos sobre la propuesta. Si tiene preguntas o comentarios sobre la propuesta, póngase en contacto con nosotros al 503-588-6213

CASE NUMBER:	Variance / Class 3 Site Plan Review / Class 2 Adjustment Case No. VAR-SPR-ADJ22-02
PROPERTY LOCATION:	5775 Commercial Street SE, Salem OR 97306
SUMMARY:	Proposed development of a new mixed-use building containing 71-dwelling units and 11,998 square feet of retail commercial floor area.
HEARING INFORMATION:	<u>Hearings Officer on Wednesday September 28, 2022 at 5:30 pm held virtually via Zoom</u> To view the meeting LIVE on YouTube please visit this link with any computer, tablet, or smart phone: http://bit.ly/planningpublicmeetings
HOW TO PROVIDE TESTIMONY:	Both written and oral testimony will be accepted on this case. Only those participating by submitting written testimony, or by testifying virtually at the hearing, have the right to appeal the decision. To provide written testimony: Direct written comment to the case manager listed below. Staff recommends emailing your comments to ensure receipt before the public hearing. <i>Note: Comments submitted are <u>public record</u>. This includes any personal information provided in your comment such as name, email, physical address and phone number.</i> To provide testimony digitally at the public hearing: Sign up by contacting Zachery Cardoso at zcardoso@cityofsalem.net or 503-540-2304 by <u>the date of the hearing at 3:00 p.m.</u> to receive instructions.
CASE MANAGER:	Aaron Panko, Planner III , City of Salem Planning Division, 555 Liberty Street SE, Room 305, Salem, OR 97301. Telephone: 503-540-2356; E-mail: APanko@cityofsalem.net .
NEIGHBORHOOD ASSOCIATION:	<i>Neighborhood associations are volunteer organizations of neighbors coming together to make neighborhoods the best they can be. They receive notice of land use applications within their boundaries, and they often submit comments on the applications to the City. Neighborhood association meetings are open to everyone. Contact your neighborhood association to get involved:</i> South Gateway Neighborhood Association, Glenn Baly, Land Use Co-Chair; Phone: 503-588-6924; Email: glennbaly12345@gmail.com
STAFF REPORT:	The Staff Report will be available seven (7) days prior to the hearing and will thereafter be posted on the Hearing Body's website under Agendas and Minutes: https://www.cityofsalem.net/government/boards-commissions/hearings-officer
ACCESS:	The Americans with Disabilities Act (ADA) accommodations will be provided on request.
CRITERIA:	Salem Revised Code (SRC) Chapter(s) 245.005(d) – Variances; 220.005(f)(3) – Class 3 Site Plan Review; and 250.005(d)(2) – Adjustments. Salem Revised Code (SRC) is available to view at this link: www.cityofsalem.net/src. Type in the chapter number(s) listed above to view the applicable criteria.

OWNER(S):	Rushing Commercial Crossing, LLC (Bo Rushing)
APPLICANT / AGENT(S):	Brandie Dalton, Multi-Tech Engineering, on behalf of Bo Rushing
PROPOSAL / REQUEST:	A Variance request to remove Condition 4 from CU20-08 which requires an offset of at least four feet along the exterior wall of the proposed building, and a Class 3 Site Plan Review for a proposed mixed-use development including 71 multi-family residential units and approximately 11,998 square feet of retail commercial floor area, with the following Adjustments to: 1) Increase the maximum building height from 50 feet, per Table 522-5, to 50 feet and 10 inches. 2) Eliminate the requirement to provide pedestrian pathways connecting between other existing buildings on the development site per SRC 800.065(a)(2). For property approximately 2.95 acres in size, zoned CR (Retail Commercial), and located at 5775 Commercial Street SE - 97306 (Marion County Assessors Map and Tax Lot number: 083W14CD / 00700).
HEARING PROCEDURE:	The hearing will be conducted with the staff presentation first, followed by the applicant's case, neighborhood organization comments, testimony of persons in favor or opposition, and rebuttal by the applicant, if necessary. 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. A hearing is not a venue to ask questions of staff, the applicant, or the decision maker(s) on this case but rather an opportunity to provide testimony to the decision maker(s) on the merits of the land use case; questions about the application, the recommended conditions of approval, or the Planning Administrator's recommendation, should be directed to the Case Manager prior to the hearing. Any participant may request an opportunity to present additional evidence or testimony regarding the application. A ruling will then be made to either continue the Public Hearing to another date or leave the record open to receive additional written testimony. Failure to raise an issue in person or by letter prior to the close of the Public Hearing with sufficient specificity to provide the opportunity to respond to the issue, precludes appeal to the Land Use Board of Appeals (LUBA) on this issue. A similar failure to raise constitutional issues relating to proposed conditions of approval precludes an action for damages in circuit court. Following the close of the Public Hearing a decision will be issued and mailed to the applicant, property owner, affected neighborhood association, anyone who participated in the hearing, either virtually or in writing, and anyone who requested to receive notice of the decision.
MORE INFORMATION:	All documents and evidence submitted by the applicant are available on the City's online Permit Application Center at https://permits.cityofsalem.net . You can use the search function without registering and enter the permit number listed here: 22 116638. Paper copies can be obtained for a reasonable cost.
NOTICE MAILING DATE:	September 9, 2022

PLEASE PROMPTLY FORWARD A COPY OF THIS NOTICE TO ANY OTHER OWNER, TENANT OR LESSEE.

For more information about Planning in Salem:

<http://www.cityofsalem.net/planning>

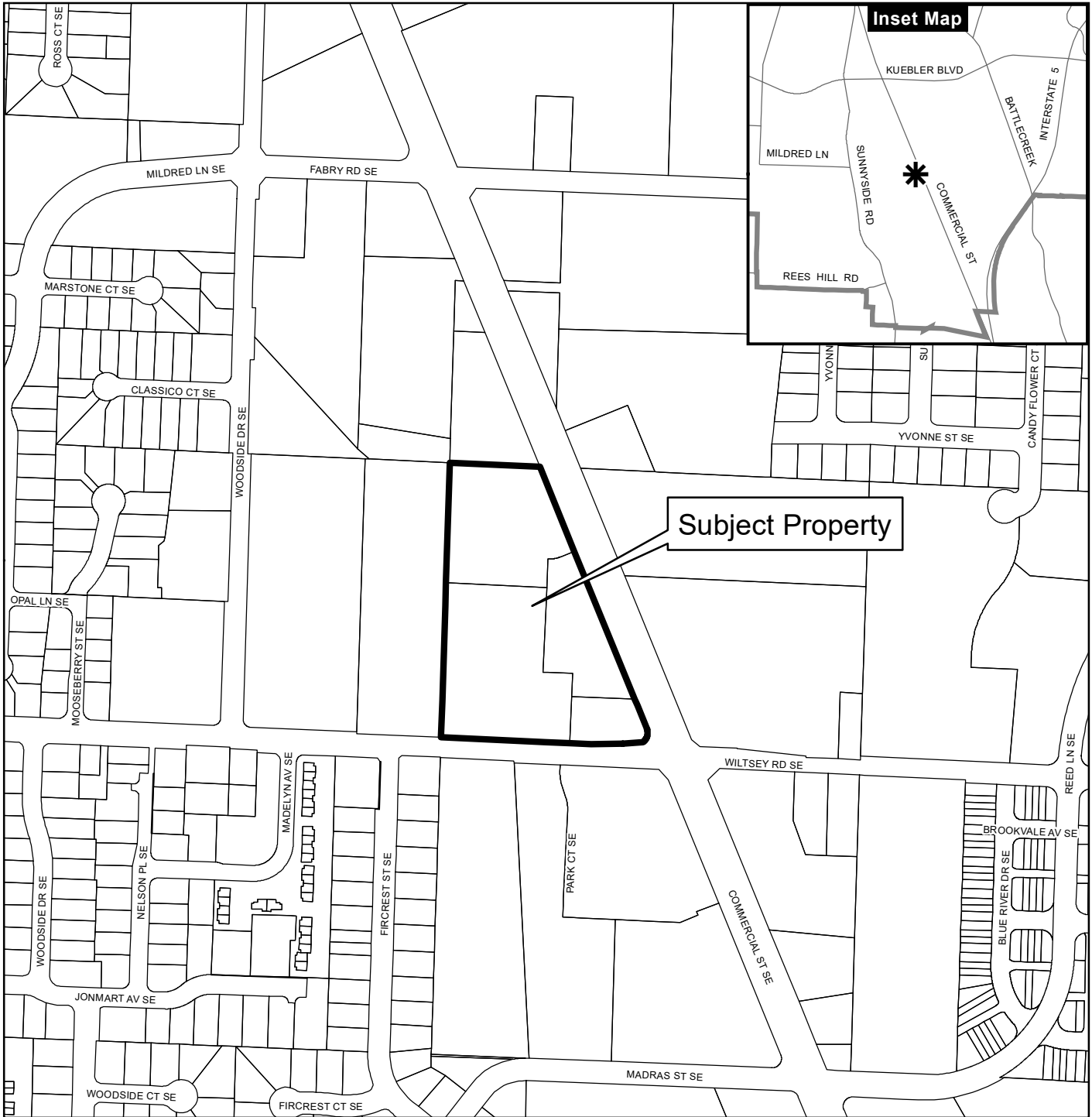
It is the City of Salem's policy to assure that no person shall be discriminated against on the grounds of race, religion, color, sex, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, gender identity and source of income, as provided by Salem Revised Code Chapter 97. The City of Salem also fully complies with Title VI of the Civil Rights Act of 1964, and related statutes and regulations, in all programs and activities. Disability-related modification or accommodation, including auxiliary aids or services, in order to participate in this meeting or event, are available upon request. Sign language and interpreters for languages other than English are also available upon request. To request such an accommodation or interpretation, contact the Community

Development Department at 503-588-6173 at least three business days before this meeting or event.

TTD/TTY telephone 503-588-6439 is also available 24/7

Vicinity Map

5775 Commercial Street SE



Legend

- Taxlots
- Urban Growth Boundary
- City Limits
- Outside Salem City Limits
- Historic District
- Schools

- Parks

CITY OF Salem
 AT YOUR SERVICE
 Community Development Dept.

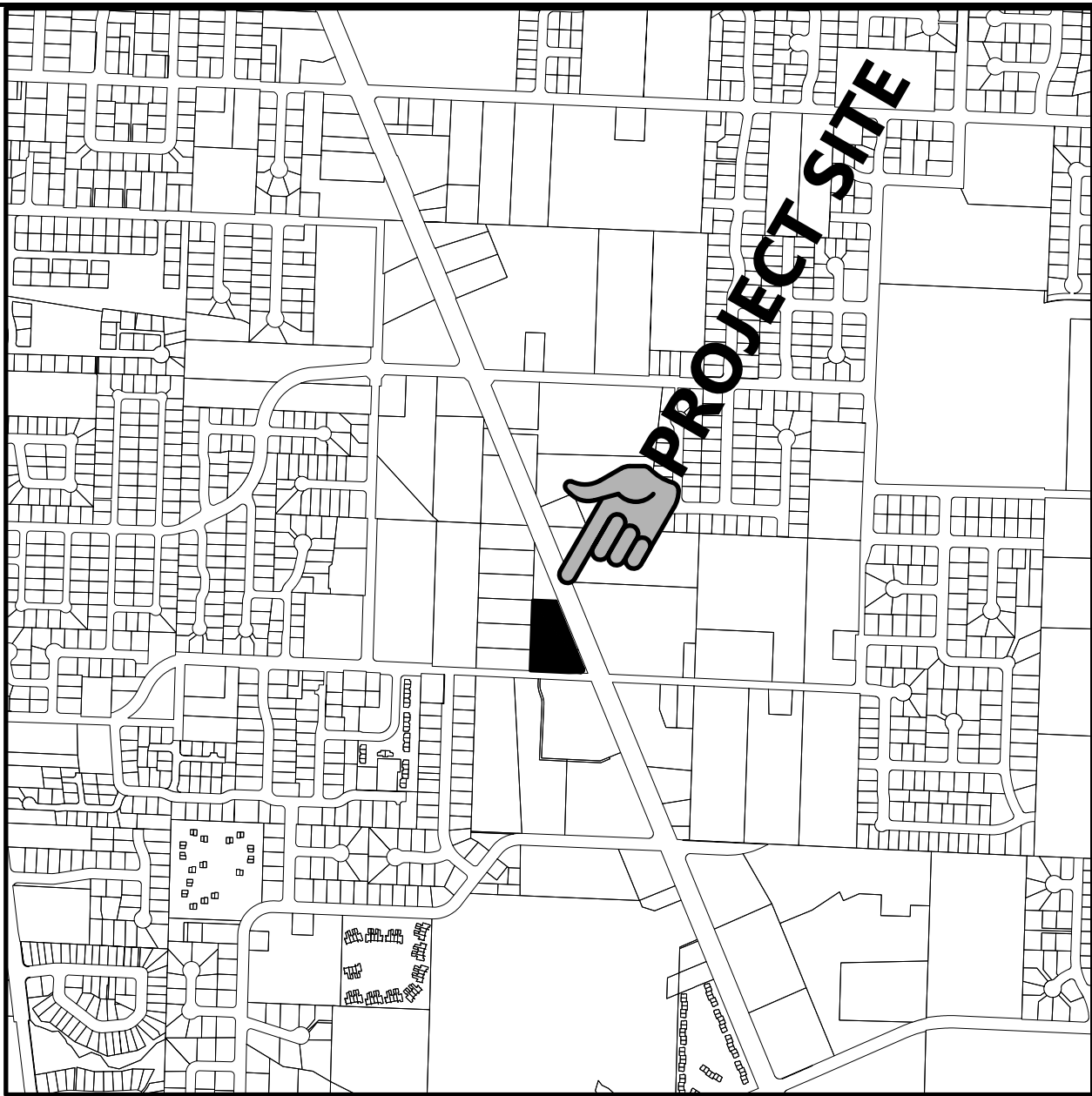
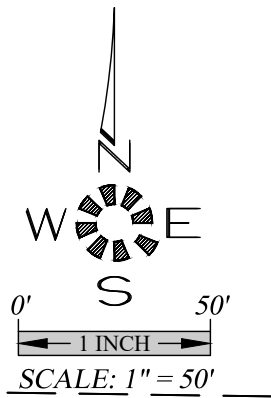
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0 100 200 400 Feet



ANTHONY'S PLACE

SEC. 14, T. 8 S., R. 3 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON



VICINITY MAP

Owner / Developer:

BO RUSHING

4336 COMMERCIAL ST. S.E.
SALEM, OREGON 97302

T.B.M. 402.51

MARION COUNTY MONUMENT, U161, A
BRASS DISC LOCATED ON THE EAST SIDE OF
COMMERCIAL AVE S.E. NEAR IT'S
INTERSECTION WITH FAIRWAY AVE. S.E.

MULTI//TECH

ENGINEERING SERVICES, INC.
11555 13th St., S.E. SALEM, OR, 97302
PH: (503) 363 - 9227 FAX (503) 364-1260
www.mtechengineering.net office@mtechengineering.net

COVER SHEET

ANTHONY'S PLACE

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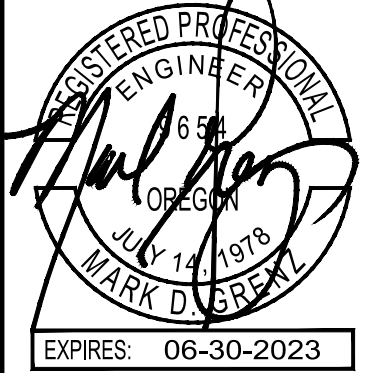
DIMENSIONS & NOTES TAKE
PRECEDENCE OVER
GRAPHICAL REPRESENTATION.

SHEET INDEX

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SDR3 SITE PLAN
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SDR5 GRADING PLAN
SDR6 TREE CONSERVATION PLAN

- L1.1 SCHEMATIC LANDSCAPE PLAN NORTH
L1.2 SCHEMATIC LANDSCAPE PLAN SOUTH
L1.3 SCHEMATIC LANDSCAPE NOTES AND DETAILS

98379 1-COV-21
Design: M.D.G.
Drawn: C.F.S./A.R.T.
ProjMgr: B.M.G.
Date: MAY-22
Scale: AS SHOWN
As-Built:

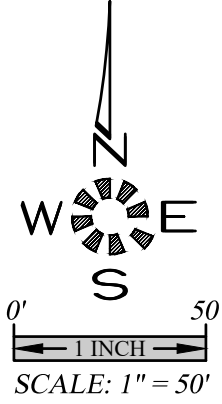


JOB # 6837

SDR1

Owner / Developer:
BO RUSHING
4336 COMMERCIAL ST. S.E.
SALEM, OREGON 97302

ANTHONY'S PLACE
SEC. 14, T. 8 S., R. 3 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON



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PH: (503) 363 - 9227 FAX (503) 364-1260
www.mtengineering.net office@mtengineering.net

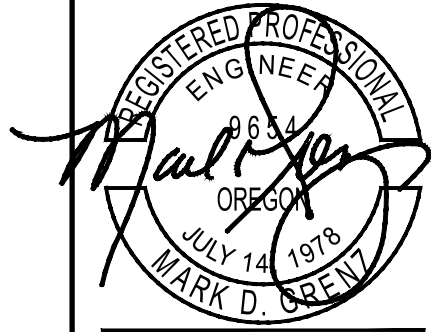
**EXISTING
CONDITIONS**

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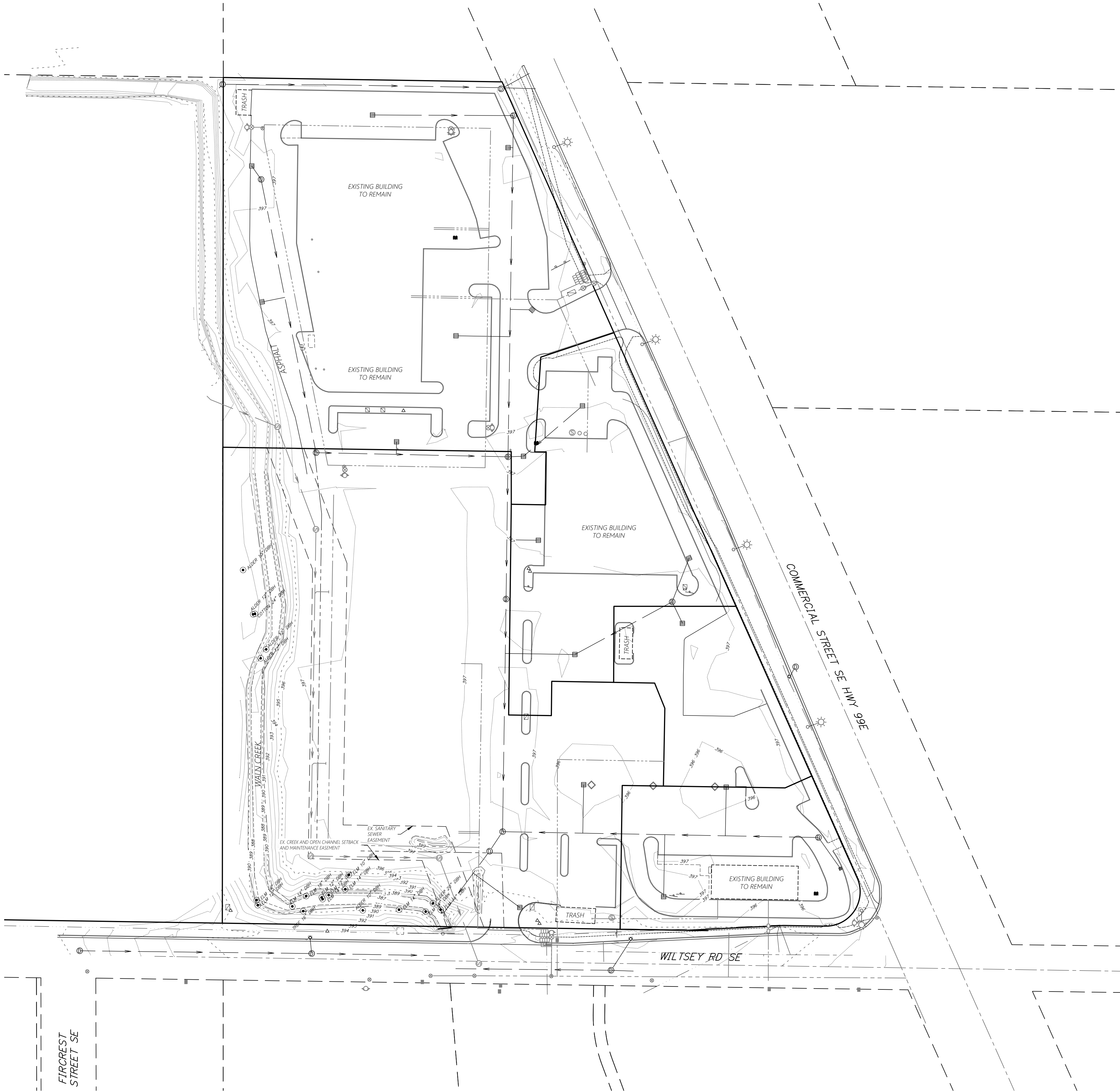
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DRAWN: A.R.T.
PROJ/MGR: B.M.G.
DATE: MAY-22
SCALE: AS SHOWN
AS-BUILT:

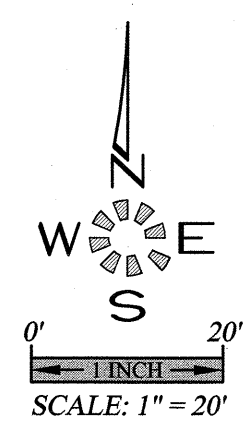
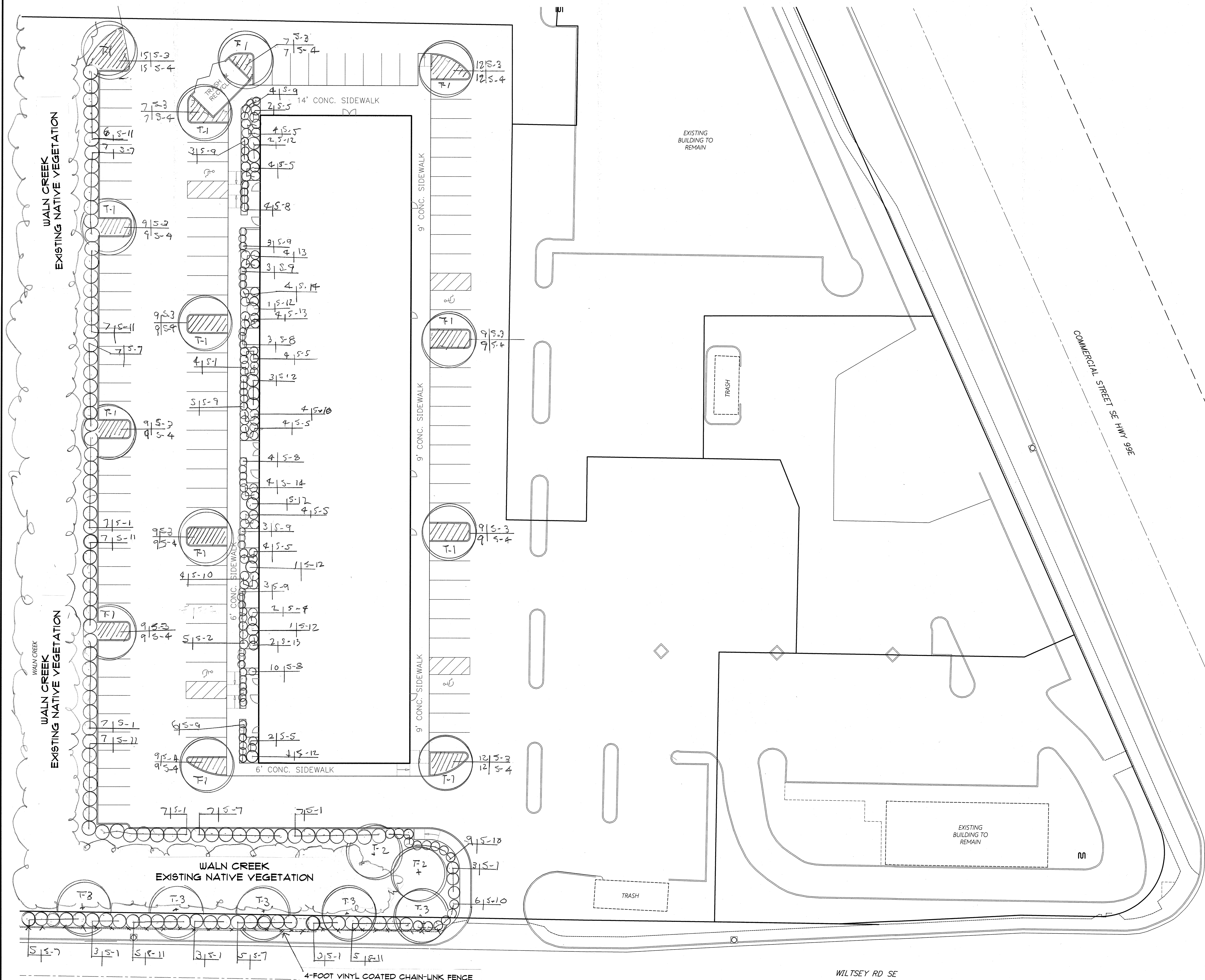


EXPIRES: 06-30-2023

JOB # 6837

SDR2





MULTI/TECH
ENGINEERING SERVICES, INC.
1155 13th ST. S.E. SALEM, OR. 97302
PH. (503) 563 - 9227 FAX (503) 564-1560
www.multitecheng.com office@multitecheng.com

SCHEMATIC LANDSCAPE PLAN

ANTHONY'S PLACE

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Drawn: C.F.S.
Proj/Mgr: B.M.G.
Date: JULY 2019
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As-Built:



EXPIRES: 06-30-2023
JOB # 6837

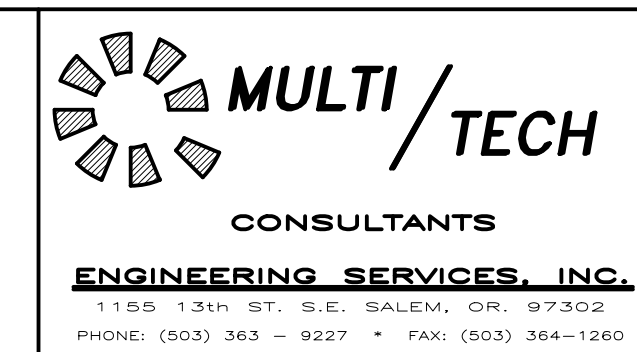
L1.1

LANDSCAPE & IRRIGATION DESIGN BY:
**LANDSCAPE DESIGN
&
CONSULTANTS LLC**
Doing business since 1985
620 WORMWOOD ST. S.E. SALEM, OR. 97306 PHONE: (503) 551-8590



ANTHONY'S PLACE
APARTMENTS

BUILDING
ELEVATIONS

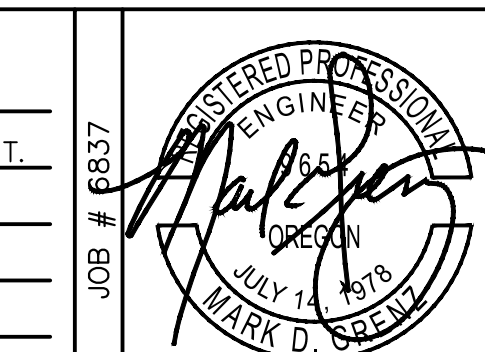


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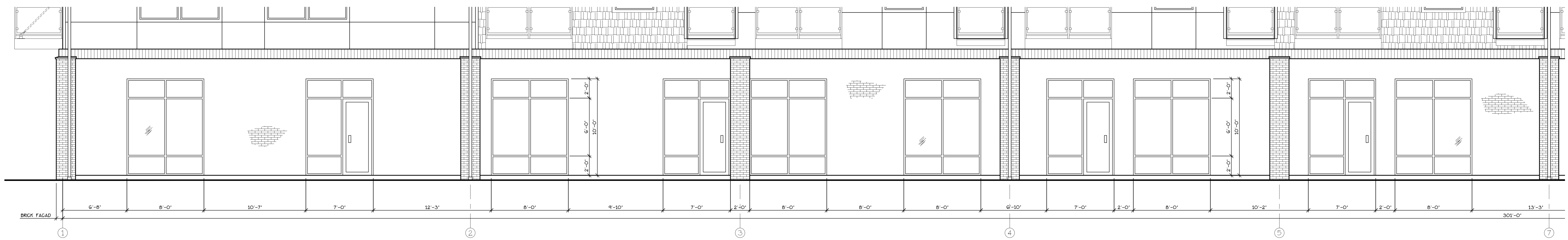
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BUILDING/PROJECT
A2.00/ELEV

Design: P.L.M.
Drawn: G.I.D./A.R.T.
Checked: M.D.G.
Date: Feb-22
Scale: AS SHOWN

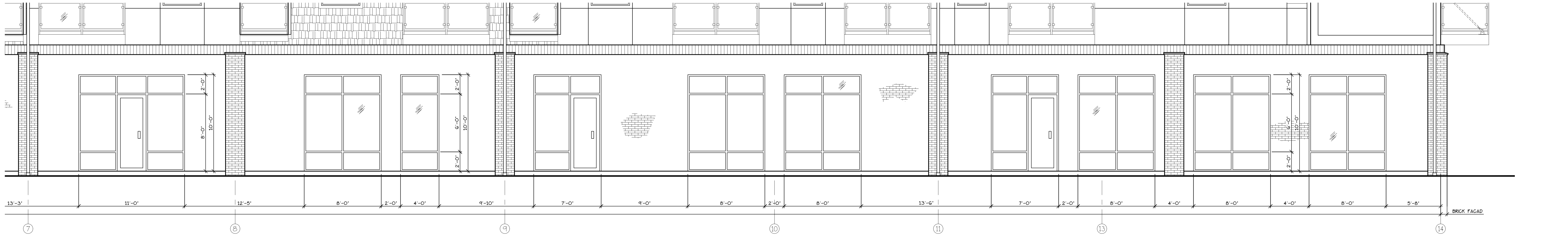


A2.00



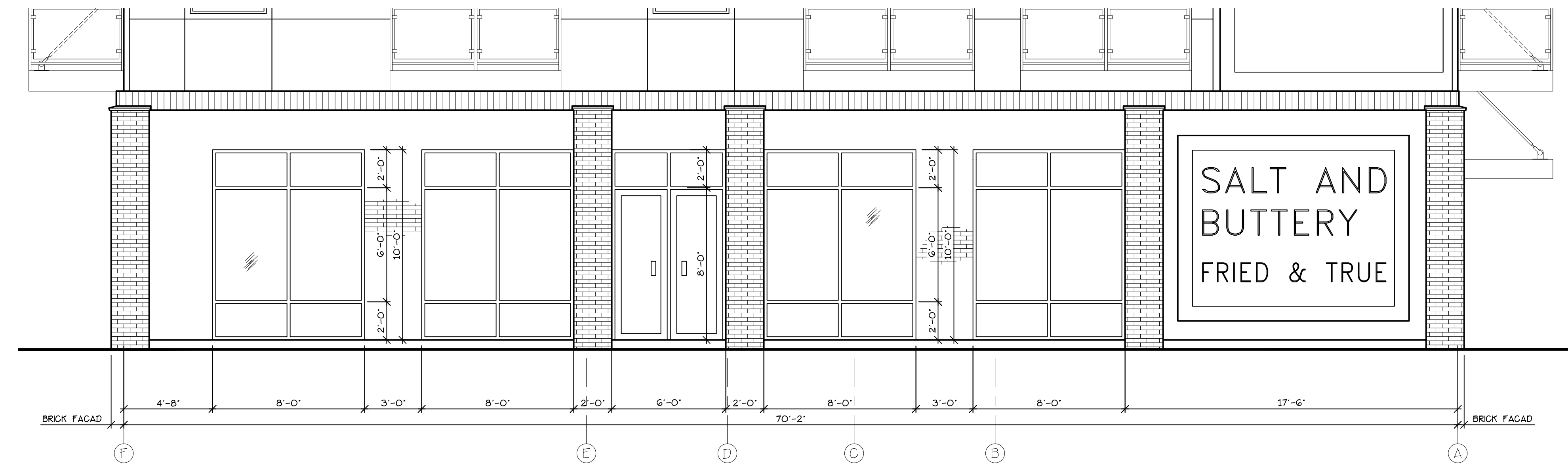
EAST ELEVATION STOREFRONT GLASS

SCALE: 1/4" = 1'-0"



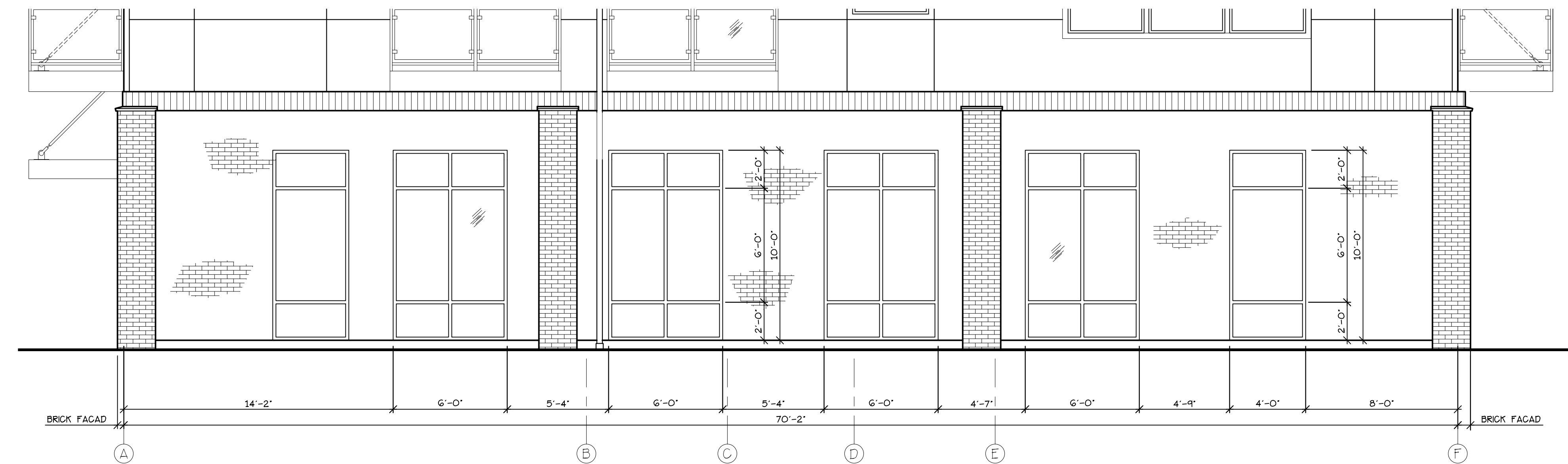
EAST ELEVATION STOREFRONT GLASS

SCALE: 1/4" = 1'-0"



NORTH ELEVATION STOREFRONT GLASS

SCALE: 1/4" = 1'-0"

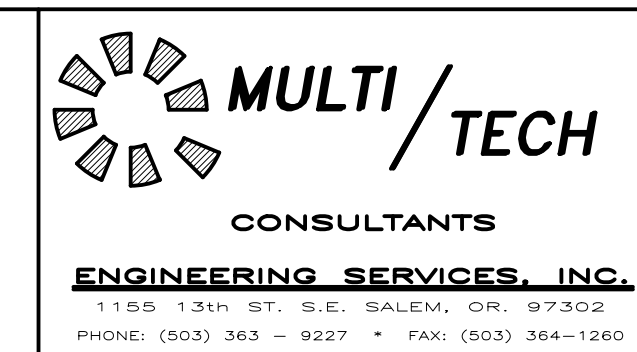


SOUTH ELEVATION STOREFRONT GLASS

SCALE: 1/4" = 1'-0"

ANTHONY'S PLACE
APARTMENTS

STOREFRONT GLASS
LAYOUT PLAN



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BUILDING/PROJECT: AZ10GLASS

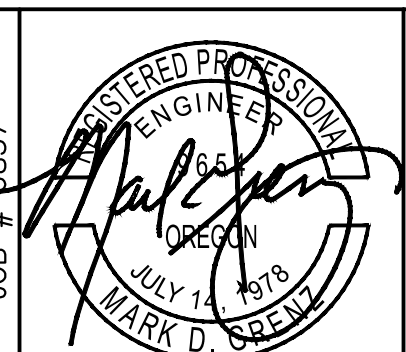
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Checked: M.D.G.

Date: Feb-22

Scale: AS SHOWN



A2.10