



555 Liberty Street SE / Room 305 • Salem OR 97301-3503 • Phone 503-588-6213 • Fax 503-588-6005
www.cityofsalem.net/planning • www.cityofsalem.net

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

September 9, 2022

Owner / Applicant:

Bo Rushing, Rushing Commercial Crossing, LLC
1252 23rd St SE, Suite 120
Salem OR 97302

Representative:

Brandie Dalton, Multi-Tech Engineering Inc.
1155 13th St SE
Salem OR 97302

- I. TYPE OF LAND USE CASE: Variance / Class 3 Site Plan Review / Class 2 Adjustment; Case No. VAR-SPR-ADJ22-02; Application No. 22-116638-PLN / 22-107794-RP / 22-107795-ZO
- II. DATE APPLICATION DEEMED COMPLETE: September 6, 2022
- III. LOCATION OF SUBJECT PROPERTY: 5775 Commercial St SE, Salem OR 97306
- IV. SUMMARY: Proposed development of a new mixed-use building containing 71-dwelling units and 11,998 square feet of retail commercial floor area.

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 Assessor's Map and Tax Lot number: 083W14CD / 00700).

- V. REVIEW PROCESS: Your completed application has been received. The following are key dates you should consider during the continuing review process.
 - a. Twenty (20) days prior to the public hearing, the notices, stating your request and the date of the public hearing, will be mailed to the list of property owners within the notification area.
 - b. THIS HEARING WILL BE HELD VIRTUALLY. This is your opportunity to appear and testify before the Hearing Body, who will make the decision on your request. You may present digitally during the Public Hearing, if you need assistance please contact the case manager.
 - c. Hearing Authority: **HEARINGS OFFICER**

Day and time of hearing: **WEDNESDAY, SEPTEMBER 28, 2022 at 5:30 PM**

This hearing will be shared LIVE on YouTube for public viewing. The forthcoming agenda will contain the YouTube link. As the applicant/owner/representative, you will need the Zoom link below in order to participate in the public hearing:

Please visit this Zoom link with any computer, tablet, or smart phone:
<https://us02web.zoom.us/j/88366949589>

Meeting ID: 883 6694 9589

If you do not have access to a computer, tablet or smart phone, you may call 253-215-8782 to access the meeting. IF YOU PLAN TO CALL IN TO THE MEETING, please let staff know so they can coordinate access via phone number.

- VI. POSTING PROCEDURE: The subject property must be POSTED no sooner than September 14 and no later than September 18.
- a. Please pick up **2** POSTING SIGNS at the PAC Desk, Room 320, Civic Center. Attachment A (Hearing Notice) and Attachment B (Site Plan or Photo), must be inserted into the plastic protector on each sign. **Please use tape at the bottom of the plastic sleeve to keep the paper in.**
 - b. The SIGNED AND NOTARIZED AFFIDAVIT must be returned to the Civic Center, Room 305 within five days of the date of original posting. Posting SIGNS MUST BE RETURNED within seven days after the close of the Public Hearing or comment period.
 - c. Posting is required on each street frontage. This is your responsibility as the applicant in this case. IF THE SUBJECT PROPERTY IS NOT PROPERLY POSTED 10 DAYS PRIOR TO THE HEARING, THE HEARING MAY NOT BE HELD.

If you have any questions, please contact Aaron Panko, Planner III, at this office:

City of Salem Planning Division
Civic Center, 555 Liberty Street SE/Room 305
503-540-2356, E-mail: APanko@cityofsalem.net

AFFIDAVIT OF POSTING NOTICE

I, _____, being first duly sworn; say that I am over 21 years of age and that I posted the notice(s) as follows: (Describe location of notice(s)).

That I posted said notice in the manner at the location(s) described above on the ____ day of _____, 20____, and in a conspicuous place.

That I have personal knowledge of all facts set forth and all statements herein are just and true.

Signature and Date

-----NOTARY PUBLIC-----

STATE OF OREGON)
County of MARION) ss.

This instrument was acknowledged before me on this ____ day of _____,
20____, by _____.

Notary Public for Oregon
My Commission Expires: _____

Correct Sign Set-Up:

- Attachment "A" and "B" are placed in the correct location
- The plan/photo was printed in color
- The papers were inserted into the plastic sleeves and taped at the bottom.
- The sign(s) were posted on each street frontage abutting the property
- The *notarized* Affidavit of Posting was returned to the Case Manager (notaries are available in the Planning office)
- The sign(s) were returned to the PAC desk within seven days after the public hearing or the close of the comment period



Attachment A
(Hearing or
Filing Notice)

Attachment B
(Site Plan or
Photo)



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

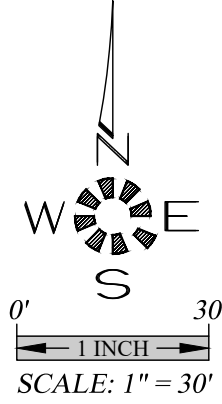
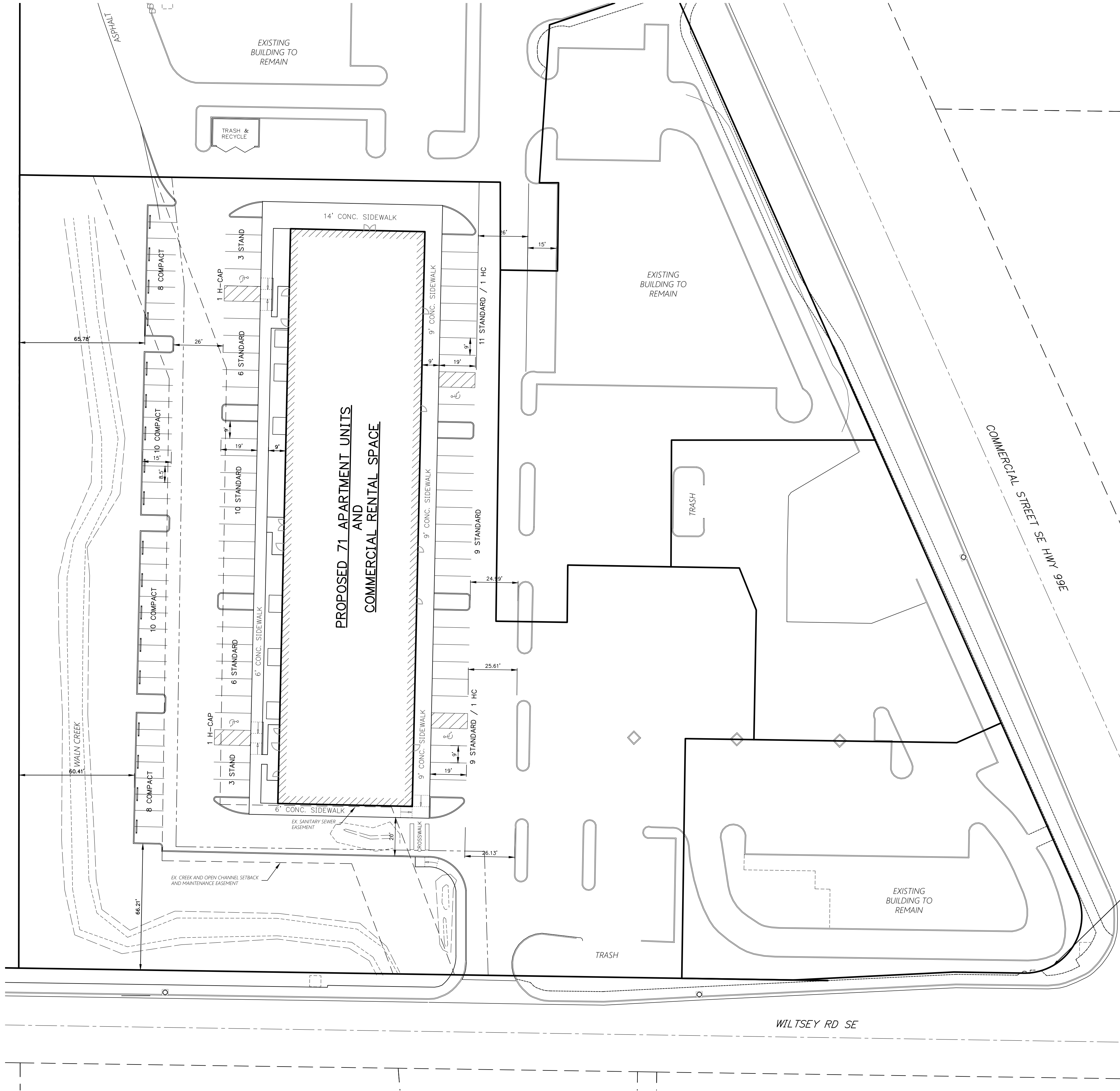
CASE NUMBER:	Variance / Class 3 Site Plan Review / Class 2 Adjustment Case No. VAR-SPR-ADJ22-02
PROPERTY LOCATION:	5775 Commercial Street SE, Salem OR 97306
SUMMARY:	Proposed development of a new mixed-use building containing 71-dwelling units and 11,998 square feet of retail commercial floor area.
HEARING INFORMATION:	<p><u>Hearings Officer on Wednesday September 28, 2022 at 5:30 pm held virtually via Zoom</u></p> <p>To view the meeting LIVE on YouTube please visit this link with any computer, tablet, or smart phone: http://bit.ly/planningpublicmeetings</p>
HOW TO PROVIDE TESTIMONY:	<p>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.</p> <p>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.</p> <p><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></p> <p>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.</p>
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:	<p><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></p> <p>South Gateway Neighborhood Association, Glenn Baly, Land Use Co-Chair; Phone: 503-588-6924; Email: glennbaly12345@gmail.com</p>
STAFF REPORT:	<p>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</p>
ACCESS:	The Americans with Disabilities Act (ADA) accommodations will be provided on request.
CRITERIA:	<p>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.</p> <p>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.</p>

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71 TOTAL APARTMENT UNITS
10 STUDIO UNITS
14 1-Bd. UNITS
47 2-Bd. UNITS

107 TOTAL PARKING STALLS
56 STANDARD STALLS
47 COMPACT STALLS
4 HANDICAP STALLS

SITE PLAN
1 TRASH / RECYCLE



MULTI/TECH ENGINEERING EXEMPT FROM
LIABILITY IF NOT STAMPED APPROVED
**NOT FOR
CONSTRUCTION
UNLESS STAMPED
APPROVED HERE**

NO CHANGES, MODIFICATIONS
OR REPRODUCTIONS TO BE
MADE TO THESE DRAWINGS
WITHOUT WRITTEN
AUTHORIZATION FROM THE
DESIGN ENGINEER.
DIMENSIONS & NOTES TAKE
PRECEDENCE OVER
GRAPHICAL REPRESENTATION.

6837p 3-SITE
Design: M.D.G.
Drawn: A.R.T.
ProjMgr: B.M.G.
Date: May-22
Scale: AS SHOWN
As-Built: _____



EXPIRES: 06-30-2023

JOB # 6837

SDR3