



Land Use Application

Planning/Permit Application Center

City Hall / 555 Liberty St. SE / Room 320 / Salem, OR 97301-3513

503-588-6173 * planning@cityofsalem.net

If you need the following translated in Spanish, please call 503-588-6256.

Si usted necesita lo siguiente traducido en español, por favor llame 503-588-6256.

(For office use only)

Permit #:

Application type

Please describe the type of land use action requested:

Airport Overlay Variance / Type I - Sec 602.025

Work site location and information

Street address or location of subject property	3200 Block of Boone Rd & 36th Ave SE
Total size of subject property	74.76 Acres
Assessor tax lot numbers	083W13A 00100- 00200-00300
Existing use structures and/or other improvements on site	Agricultural Use + 1 SFR on Tax Lot 300
Zoning	IC - Industrial Commercial
Comprehensive Plan Designation	IC- Industrial Commercial
Project description	Request Type I Airport Overlay Variance to comply with FAA requirements and City of Salem development conditions

People information

	Name	Full Mailing Address	Phone Number and Email address
Applicant	MWSH Boone Road Property LLC	3425 Boone Rd SE Salem, OR 97317	503-586-4104 mlowen@livebsl.com
Agent			
Paid By			

Project information

Project Valuation for Site Plan Review	
Neighborhood Association	Southeast Mill Creek Association
Have you contacted the Neighborhood Association?	<input checked="" type="radio"/> Yes <input type="radio"/> No
Date Neighborhood Association contacted	12/20/2021
Describe contact with the affected Neighborhood Association (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.)	Contacted Association Chair and Land Use Chair with preliminary development information
Have you contacted Salem-Keizer Transit? planning@cherriots.org	<input type="radio"/> Yes <input checked="" type="radio"/> No
Date Salem-Keizer Transit contacted	
Describe contact with Salem-Keizer Transit	
Type the name and address of the Homeowners Association (If none, type "N/A".)	N/A

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 application.**

Copyright release for government entities: I hereby grant permission to the City of Salem to copy, in whole or part, drawings and all other materials submitted by me, my agents, or representatives. This grant of permission extends to all copies needed for administration of the City's regulatory, administrative, and legal functions, including sharing of information with other governmental entities.

Authorizations: Property owners and contract purchasers are required to authorize the filing of this application and must sign below.

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

Electronic signature certification: By attaching an electronic signature (whether typed, graphical or free form) I certify herein that I have read, understood and confirm all the statements listed above and throughout the application form.

Authorized Signature:  _____

Print Name: Kelley Hamilton Date: 5/24/22

Address (include ZIP): 3425 Boone Road SE, Salem, OR 97317

Authorized Signature: _____

Print Name: _____ Date: _____

Address (include ZIP): _____

(For office use only)		
Received by	Date:	Receipt Number:

Not using Internet Explorer?
Save the file to your computer and email to planning@cityofsalem.net.

MWSH BOONE ROAD PROPERTY LLC

Salem, Oregon

A Land Use Application for:
Boone Road Industrial Park Subdivision

Airport Overlay Zone Height Variance
Type I – SRC 602.025(c):

Applicant:
MWSH Boone Road Property LLC

Submitted:
May 25, 2022

Prepared by:
MWSH Boone Road Property LLC

Applicant & Property Owner

MWSH Boone Road Property LLC

3425 Boone Road SE

Salem, OR 97317

Contact: Mark D. Lowen

503-480-3151 - o

503-586-4104 – c

MLowen@liveBSL.com

Contact: John Eld

503-373-3161 - o

jeld@liveBSL.com

Civil Engineering

Multi/Tech Engineering Services, Inc.

1155 SE 13th Street

Salem, Oregon 97302

Contact: Mark Grenz

503-363-9227

mgrenz@mtengineering.net

Tax Lot Information:

Tax Map: 083W13A-00100 / 083W13A-00200 / 083W13A-0300

Lot Area:

79.07 acres

Current Zoning District:

IC (Industrial Commercial)

**Current Comprehensive Plan
Designation**

IC (Industrial Commercial)

Attachements :

(50) Land Use Application – Type I – SRC 602.025(c)

(54) Application Narrative

(56) Email correspondence with the Salem Airport Manager

(66) Airport Overlay Map

(67) Site Coordinates

(75) FAA Hazard Determination Letter (2022-ANM-2645-OE)

Boone Road Industrial Park Airport Overlay Variance

Airport Overlay Zone Height Variance

SRC 602.025(c): Submittal Requirements:

(1) A statement of the specific height limitation for which the variance is requested, and the amount of the variance; and

Findings: The subject property appears to lay within the Horizontal Surface Area of the Salem Airport as referenced in the FAA Determination letter. The proposal is for a 12-lot Industrial / Commercial, Multi-unit residential housing subdivision / development.

Per Table 551-5, the maximum height allowed on the site is 70-feet. All proposed Flex Industrial, Self-Storage and Multi-family dwellings within this site will meet this height requirement. Height compliance will be reviewed at the time of building permit submittal. Therefore, the height of the dwellings will not have an impact on the Airport Overlay Height.

(2) A determination from the FAA that the proposed variance will not create a hazard to air navigation.

Findings: The FAA has been notified by the applicant of the proposal. FAA Determination is required for all new construction within the Airport Overlay Zone The FAA Determination letter (Aeronautical Study Number 2022-ANM-2645-OE) dated April 26, 2022 has been provided to the city. Prior to subdivision approval, the applicant also notified the Salem Airport Manager, John Paskell. John's email dated May 4, 2022, is attached.

Mark Lowen

From: John Paskell <JPaskell@cityofsalem.net>
Sent: Wednesday, May 4, 2022 9:46 AM
To: Mark Lowen
Subject: RE: 3600 Boone Rd SE - Airport Overlay Variance

Hi Mark:

Thanks for letting me know. I have no issue or comments on the proposed development. Please send me a copy of the FAA's Letter of Determination when you receive it.

Best regards,

John

John Paskell, C.M.
Airport Manager
City of Salem | Salem Municipal Airport
2990 25th Street SE, Salem OR 97302
jpaskell@cityofsalem.net | 503-588-6314

From: Mark Lowen <MLowen@livebsl.com>
Sent: Wednesday, May 4, 2022 9:41 AM
To: John Paskell <JPaskell@cityofsalem.net>
Subject: 3600 Boone Rd SE - Airport Overlay Variance

Good morning Mr. Paskell,

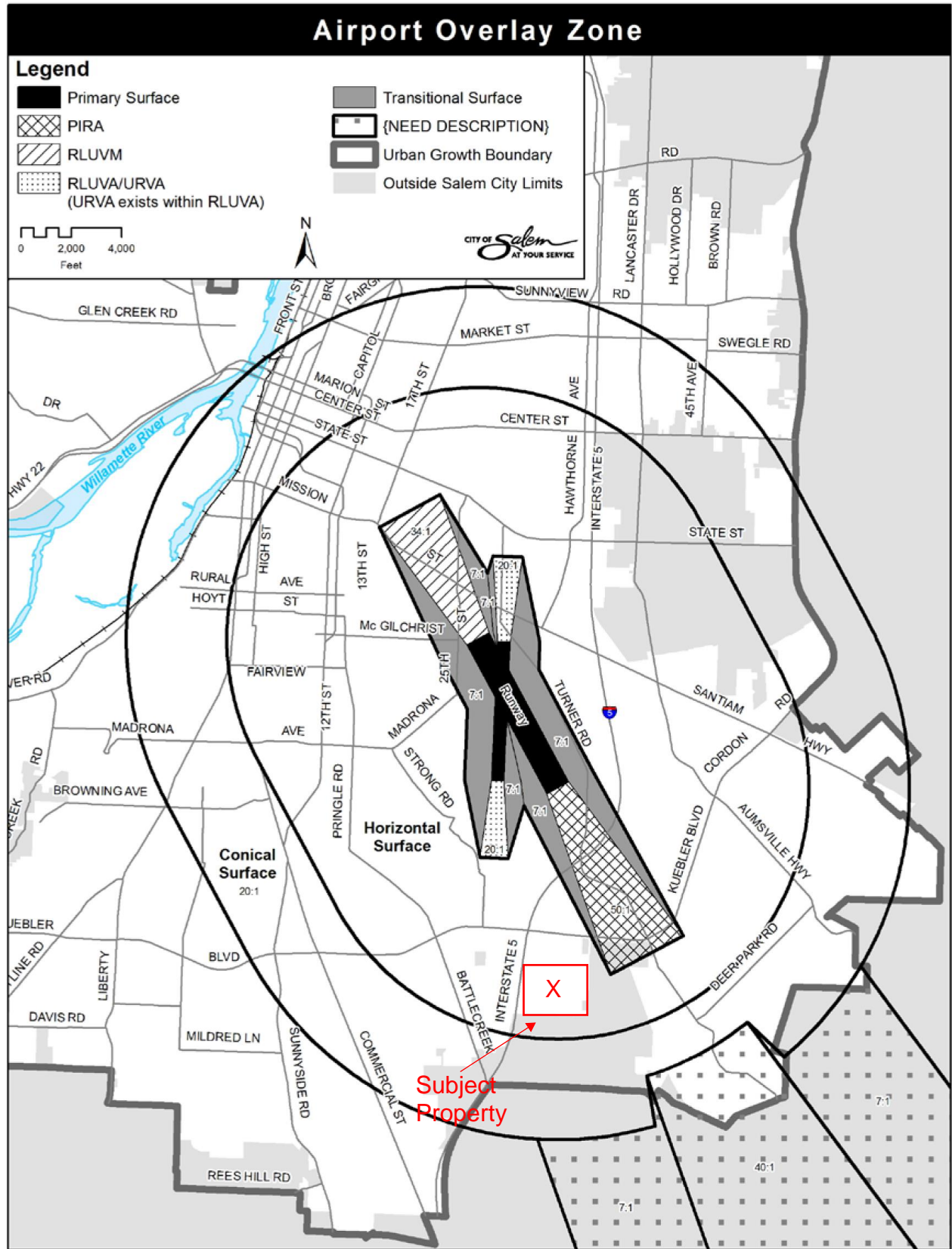
We have submitted applications for a 12-lot subdivision for property located at the 3600 Block of Boone Road SE (083W13A-00100 / 083W13A-00200 / 083W13A-0300).

This site is within the Horizontal Surface Area for Salem Airport. Therefore, we are required to apply for and an Airport Overlay Height Variance. At this point we are awaiting the FAA processing of our FAA 7460-1. I wanted to make you aware of our pending application and request any input or comments you have at this time.

Thank you,

Mark Lowen
Project Manager

Bonaventure®
BonaventureSenior.com
3425 Boone Road SE | Salem, OR 97317
C: 503-586-4104 / W: 503 480 3151
mlowen@livebsl.com
[LINKEDIN](#) | [FACEBOOK](#) | [TWITTER](#) | [PINTEREST](#) | [YOUTUBE](#)





February 22, 2022

To FAA,

In regard to Boone Road and 36th Ave. Property Airport Overlay Variance, per Google Earth Mapping.

Northwest property Corner 44°52'56.72" 122°59'51.57" Ground Elevation 298

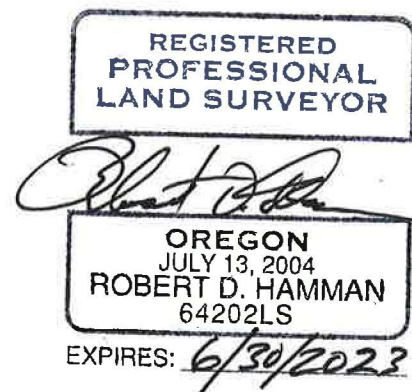
Northeast property Corner 44°52'57.54" 122°59'20.07" Ground Elevation 227

Southeast property Corner 44°52'43.78" 122°59'20.00" Ground Elevation 233

High Point on the South Property Line 44°52'43.88" 122°59'50.36" Ground Elevation 377

Southwest property corner 44°52'43.69" 122°59'55.18" Ground Elevation 402

Note site has 100' tall trees on the Southwest boundary, Oaks and Firs.





Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2022-ANM-2645-OE

Issued Date: 04/26/2022

Mark Lowen
BC Salem Property LLC
3425 Boone Rd SE
Salem, OR 97317

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Multi-unit Housing Multi - Family residential
Location:	Salem, OR
Latitude:	44-52-57.00N NAD 83
Longitude:	122-59-20.00W
Heights:	277 feet site elevation (SE) 40 feet above ground level (AGL) 317 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

____ At least 10 days prior to start of construction (7460-2, Part 1)
__X__ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M.

This determination expires on 10/26/2023 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (816) 329-2525, or natalie.schmalbeck@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2022-ANM-2645-OE.

Signature Control No: 520956031-526165916

(DNE)

Natalie Schmalbeck

Technician

Attachment(s)

Map(s)

