



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 informacion, por favor llame 503-588-6173***

February 28, 2023

Owner(s):  
AVI LLC  
2433 Broadway St NW  
Albany, OR 97321

Applicant(s):  
Leonard Lodder  
275 Court St NE  
Salem, OR 97301-3442

Harender Dhaliwal  
417 Main St E  
Monmouth, OR 97361

Inderjet Dhaliwal  
3997 Carson Dr SE  
Salem, OR 97317

- I. TYPE OF LAND USE CASE: Conditional Use / Class 3 Site Plan Review; Case No. CU-SPR23-02; Application No. 23-102368-PLN
- II. DATE APPLICATION DEEMED COMPLETE: February 28, 2023
- III. LOCATION OF SUBJECT PROPERTY: 3997 Carson Dr SE and 4005 Hagers Grove Rd SE, Salem OR 97317
- IV. Summary: New oil-change facility and residential units in the CR (Retail Commercial) zone.

Request: A Conditional Use Permit to add a drive-through oil change facility to the existing development at 3997 Carson Drive SE (Marion County Assessor Map and Tax Lot 082W06AB / 10100); in conjunction with a Class 3 Site Plan Review to construct three residential units above a retail building on the abutting property at 4005 Hagers Grove Road SE (Marion County Assessor Map and Tax Lot 082W06AB / 10000). The subject properties are approximately 1.5 acres in size and zoned CR (Retail Commercial)."

- 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. The PUBLIC HEARING is scheduled for **Wednesday, March 22, 2023 at 5:30 p.m.**, in the Council Chambers, Room 240, Civic Center. This is your opportunity to appear and testify before the Hearings Officer, who will make the decision on your request. Reminder, the meeting is streamed LIVE on YouTube for the public.
- VI. POSTING PROCEDURE: The subject property must be POSTED no sooner than **March 8, 2023** and no later than **March 12, 2023**.
  - a. Please pick up **4** 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.**

**CU-SPR23-02**

- 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 Jamie Donaldson, Planner II, at this office:

City of Salem Planning Division  
Civic Center, 555 Liberty Street SE/Room 305  
503-540-2328, E-mail: [jdonaldson@cityofsalem.net](mailto:jdonaldson@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*

<b>CASE NUMBER:</b>	Conditional Use / Class 3 Site Plan Review Case No. CU-SPR23-02
<b>PROPERTY LOCATION:</b>	3997 Carson Dr SE and 4005 Hagers Grove Rd SE, Salem OR 97317
<b>SUMMARY:</b>	New oil-change facility and residential units in the CR (Retail Commercial) zone.
<b>HEARING INFORMATION:</b>	<b><u>Hearings Officer, March 22, 2023 at 5:30 PM Council Chambers, Room 240, Civic Center, 555 Liberty Street SE, Salem, OR 97301</u></b>  To view the meeting LIVE on YouTube please visit this link with any computer, tablet, or smart phone: <a href="http://bit.ly/planningpublicmeetings">http://bit.ly/planningpublicmeetings</a>
<b>HOW TO PROVIDE TESTIMONY:</b>	Any person wishing to speak either for or against the proposed request may do so in person or by representative at the Public Hearing. Prior to the Public Hearing, written comments should be directed to the case manager listed below. Staff recommends emailing to ensure receipt before the public hearing. Only those participating by submitting written testimony, or by testifying at the hearing, have the right to appeal the decision. <u>Comments submitted are public record. This includes any personal information provided in your comment such as name, email, physical address and phone number.</u>
<b>CASE MANAGER:</b>	<b>Jamie Donaldson, Planner II</b> , City of Salem Planning Division, 555 Liberty Street SE, Room 305, Salem, OR 97301. Telephone: 503-540-2328; E-mail: <a href="mailto:jdonaldson@cityofsalem.net">jdonaldson@cityofsalem.net</a> .
<b>NEIGHBORHOOD ASSOCIATION:</b>	<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>  Southeast Mill Creek Association (SEMCA), Alan Rasmussen, Land Use Chair; Phone: 503-930-1968; Email: <a href="mailto:arasmussen@modernbuildingsystems.com">arasmussen@modernbuildingsystems.com</a> .
<b>STAFF REPORT:</b>	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:  <a href="https://www.cityofsalem.net/government/boards-commissions/hearings-officer">https://www.cityofsalem.net/government/boards-commissions/hearings-officer</a>
<b>ACCESS:</b>	The Americans with Disabilities Act (ADA) accommodations will be provided on request.
<b>CRITERIA:</b>	Salem Revised Code (SRC) Chapter(s) 240.005(d) – Conditional Use; 220.005(f)(3) – Class 3 Site Plan Review  Salem Revised Code (SRC) is available to view at this link: <a href="http://www.cityofsalem.net/src">www.cityofsalem.net/src</a> . Type in the chapter number(s) listed above to view the applicable criteria.



SITE PLAN GENERAL NOTES:

- THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVES. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.
- REFER TO CIVIL DRAWINGS FOR GRADING. SITE IS REQUIRED TO MEET THE LAWS OF FHA AND ADA. ACCESSIBLE ROUTES SHALL NOT EXCEED 5% (1 IN 20) OR CROSS SLOPES SHALL NOT EXCEED 2% (1 IN 50). ALL AT GRADE SIDEWALKS ARE ACCESSIBLE ROUTES.
- JOINTS IN CONCRETE WALKS NOTED AS E.J. ARE TO BE CONSTRUCTED AS EXPANSION JOINTS. ALL OTHER JOINTS SHOWN, TO BE TOOLED CONTROL JOINTS, SEE CIVIL.
- PROVIDE CONSTRUCTION FENCING AS REQUIRED TO SECURE SITE AND BUILDING DURING CONSTRUCTION.
- SEE LANDSCAPE DRAWINGS FOR LANDSCAPE AND IRRIGATION ELEMENTS.
- EXTREME CARE SHOULD BE TAKEN TO PRESERVE EXISTING ROOTS OF TREES TO REMAIN.
- SEE ELECTRICAL DRAWINGS FOR SITE LIGHTING.

SITE DEVELOPMENT CODE REVIEW:

SITE AREA: 67,798.91 sf = 1.5564ac	BIKE PARKING:
ZONING: CR Commercial Retail	1 SPACES PER 3,500 sf, or MINIMUM 4 SPACES
COMPREHENSIVE PLAN: COM	THEREFORE PROVIDE 4 BIKE PARKING SPACES.
BUILDING AREAS:	LOADING SPACES:
• BLDG 1 RETAIL: 5,918 sf	FOR BUILDINGS BETWEEN 5,000 sf TO 60,000 sf
• BLDG 2 RETAIL: 4,390 sf	PROVIDE 1 SPACE:
• BLDG 3 FUEL CASHIER: 252 sf	LOADING SPACE SIZE: 12'-0" x 40'-0" WITH ACCESS TO STREET OR ALLEY.
• BLDG 4 OIL CHANGE: 1,888 sf	LOADING SPACE IS COINCIDENT WITH AREA SET ASIDE FOR SOLID WASTE VEHICULAR ACCESS AND MANAGED TO ENSURE TWICE WEEKLY WASTE REMOVAL ACCESS.
• TRASH ENCLOSURE: 448 sf	
PARKING:	MAXIMUM BUILDING HEIGHT:
• COMMERCIAL USES: 1/250th REQ'D	PER S.R.C. TABLE 522.5, MAX BUILDING HT IS 50ft.
• MOTOR VEHICLE SERVICES: 1/900th REQ'D	NO STRUCTURE ON THE SITE EXCEEDS 50FT IN HEIGHT.
• BLDG 1 RETAIL: @ 5,918sf/250sf = 23.672spaces	EXISTING RETAIL BUILDING REACHES 28ft. NEW STRUCTURES ARE NOT YET FULLY DETERMINED BUT WILL BE LESS THAN 28ft IN HEIGHT.
• Star Container: @ 320sf/250sf = 1.28spaces	
• BLDG 2 RETAIL: @ 4,390sf/250sf = 17.56spaces	
• BLDG 3 CASHIER: @ 252sf/900sf = 0.280spaces	
• BLDG 4 OIL: @ 1,888sf/900sf = 2.098spaces	
• FUEL CANOPY: @ 2,820sf/900sf = 3.133spaces	
Total Parking Req'd: 48 spaces.	
Total Parking Provided: 48 spaces.	
20 spaces are Compact, and indicated as such.	
28 spaces are Full Size.	

SITE AREA CALCULATIONS

DESCRIPTION	AREA sf	PERCENT	REMARKS
BUILDINGS	12,690.00	18.72%	
LANDSCAPING	14,889.00	21.96%	
ASPHALT PAVING	28,907.72	42.64%	
ACCESSORY STRUCTURES	448.00	0.66%	TRASH ENCLOSURE
CONCRETE SIDEWALKS	6,446.01	9.51%	
CONCRETE CURBS	713.38	1.05%	
CONCRETE RE-FUELING PAD	4,024.80	5.94%	
MISCELLANEOUS	-320.00	-0.47%	Landscape under Raised Storage Container
8	67,798.91	100.00%	

CANOPY AREA CALCULATIONS

COVER DESCRIPTION	COVER AREA sf	PERCENT	COVER REMARKS
RE-FUELING CANOPY	2,820.00	91.21%	
BUILDING OVERHANGS	271.88	8.79%	
2	3,091.88	100.00%	

SITE PLAN NOTES:

- PROPERTY LINE
- RIGHT OF WAY DEDICATION
- BUILDINGS SETBACK LINE
- VEHICLE USE AREA SETBACK LINE
- NEW DRIVEWAY PERMIT, LEFT OUT, LEFT IN, ONLY.
- DRIVEWAY PERMIT, WIDEN DRIVEWAY TO 36'-0" WIDTH TO PROVIDE LEFT AND RIGHT OUT LANES.
- PEDESTRIAN CONNECTION POINT TO NEW OR EXISTING CITY SIDEWALK.
- 45' x 15'W x 14'H SOLID WASTE VEHICLE OPERATION AREA.
- 30' x 12'W x 14'H LOADING SPACE SHOULD BE COINCIDENT WITH SOLID WASTE VEHICLE OPERATION AREA, BUT CITY PLANNERS CANT SEEM TO SEE HOW THAT IS PERMITTED BY THE DEVELOPMENT CODE.
- 4 EXISTING BICYCLE PARKING SPACES.
- 4 NEW BICYCLE PARKING SPACES.
- EXISTING PROPERTY LINE BETWEEN TAX LOT 10,000 AND TAX LOT 10,100 TO REMAIN
- PARALLEL PARKING SPACES NECESSITATED BY CITY OF SALEM ADDITIONAL SETBACK FOR VEHICLE USE AREAS.
- STORAGE SHIPPING CONTAINER FOR EXISTING C-STORE, MOUNTED ON STEEL FRAME ABOVE EXISTING LANDSCAPING AT WEST RAISED ACCESS WALK. AREA UNDER WILL HAVE 5 TO 7 FEET CLEAR HT.
- EXISTING TRANSFORMER LOCATION
- INSTALL BOLLARDS, PER DETAIL, TO PROTECT TRANSFORMER.