



**Revised**

# 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-SPR23-06
<b>PROPERTY LOCATION:</b>	3737 Liberty Rd S, Salem OR 97302
<b>SUMMARY:</b>	An application for a Conditional Use permit to establish a new child day care center within Westminster Presbyterian Church.
<b>HEARING INFORMATION:</b>	<p>Hearings Officer, <del>August 17</del>, August 23, 2023 at 5:30 PM <b><u>Council Chambers, Room 240, Civic Center, 555 Liberty Street SE, Salem, OR 97301</u></b></p> <p>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></p>
<b>HOW TO PROVIDE TESTIMONY:</b>	<p>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></p>
<b>CASE MANAGER:</b>	<b>Peter Domine, Planner I</b> , City of Salem Planning Division, 555 Liberty Street SE, Room 305, Salem, OR 97301. Telephone: (503) 540-2311; E-mail: <a href="mailto:pdomine@cityofsalem.net">pdomine@cityofsalem.net</a> .
<b>NEIGHBORHOOD ASSOCIATION:</b>	<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>Southwest Association of Neighbors (SWAN), John Lattimer, Land Use Chair; Phone: 503-551-7999; Email: <a href="mailto:jnlattimer@gmail.com">jnlattimer@gmail.com</a></p>
<b>STAFF REPORT:</b>	<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: <a href="https://www.cityofsalem.net/government/boards-commissions/hearings-officer">https://www.cityofsalem.net/government/boards-commissions/hearings-officer</a></p>
<b>ACCESS:</b>	The Americans with Disabilities Act (ADA) accommodations will be provided on request.
<b>CRITERIA:</b>	<p>Salem Revised Code (SRC) Chapter(s) 240.005(d) – Conditional Use; 220.005(f)(3) – Class 3 Site Plan Review</p> <p>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.</p>

<b>OWNER(S):</b>	Westminister Presbyterian Church
<b>APPLICANT / AGENT(S):</b>	Vik Schaaf
<b>PROPOSAL / REQUEST:</b>	A consolidated application for a Conditional Use permit and Class 3 Site Plan Review to establish a new Child Day Care Center use within an existing Religious Assembly use on property 5.87 acres in size, zoned RM-II, and located at 3737 Liberty Rd S (Marion County Assessors Map and Tax Lot Number 083W04DA / 8100).
<b>HEARING PROCEDURE:</b>	<p>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.</p> <p>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.</p> <p>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 in person or in writing, and anyone who requested to receive notice of the decision.</p>
<b>MORE INFORMATION:</b>	All documents and evidence submitted by the applicant are available on the City's online Permit Application Center at <a href="https://permits.cityofsalem.net">https://permits.cityofsalem.net</a> . You can use the search function without registering and enter the permit number listed here: 23 111686. Paper copies can be obtained for a reasonable cost.
<b>NOTICE MAILING DATE:</b>	<del>August 3, 2023</del> <u>August 16, 2023</u>

***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>**

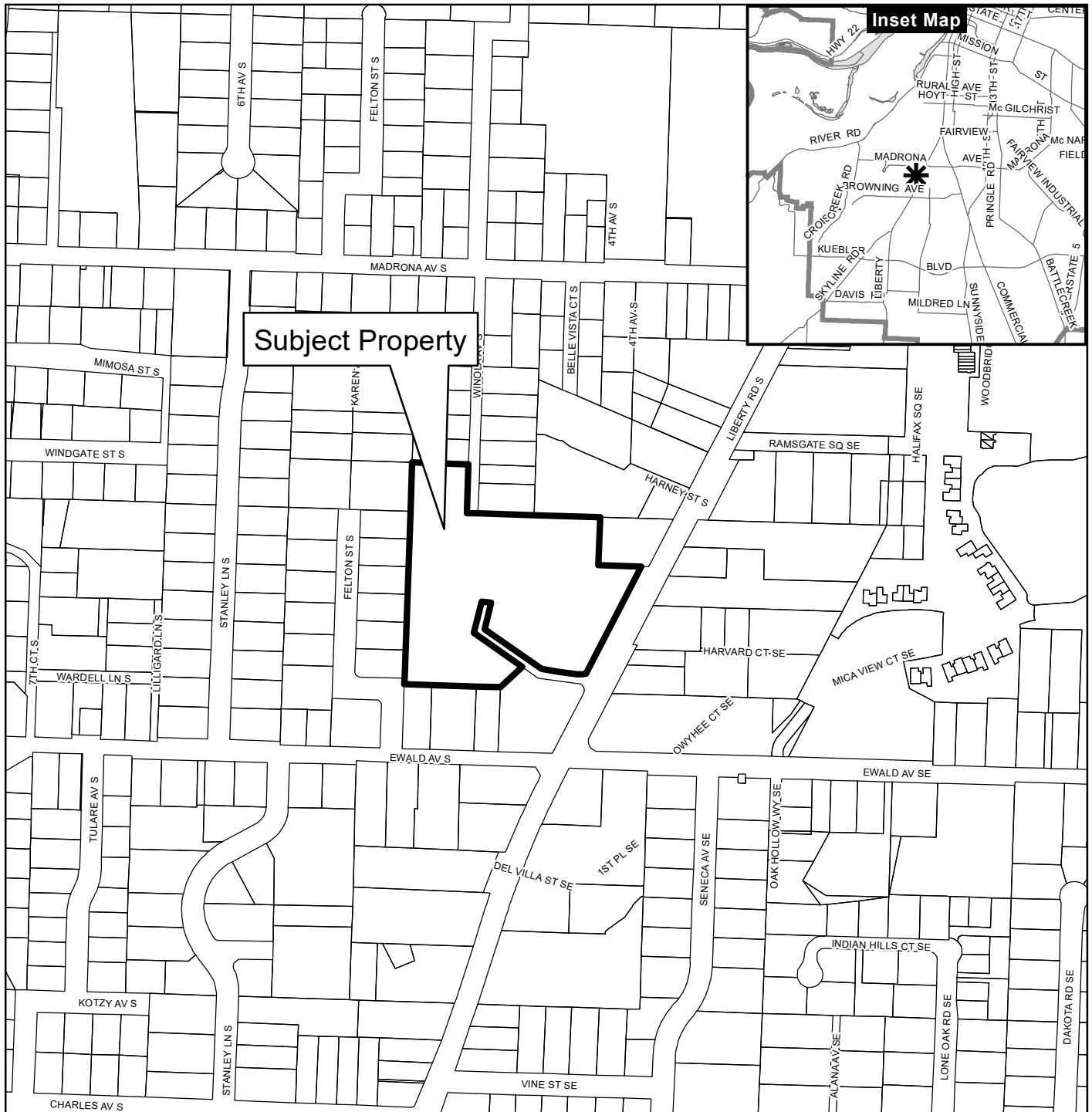
*It is the City of Salem's policy to assure that no person shall be discriminated against on the grounds of race, religion, color, sex, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, gender identity and source of income, as provided by Salem 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

## 3737 Liberty Rd S



### Legend

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

-  Parks

**CITY OF Salem**  
AT YOUR SERVICE  
Community Development Dept.

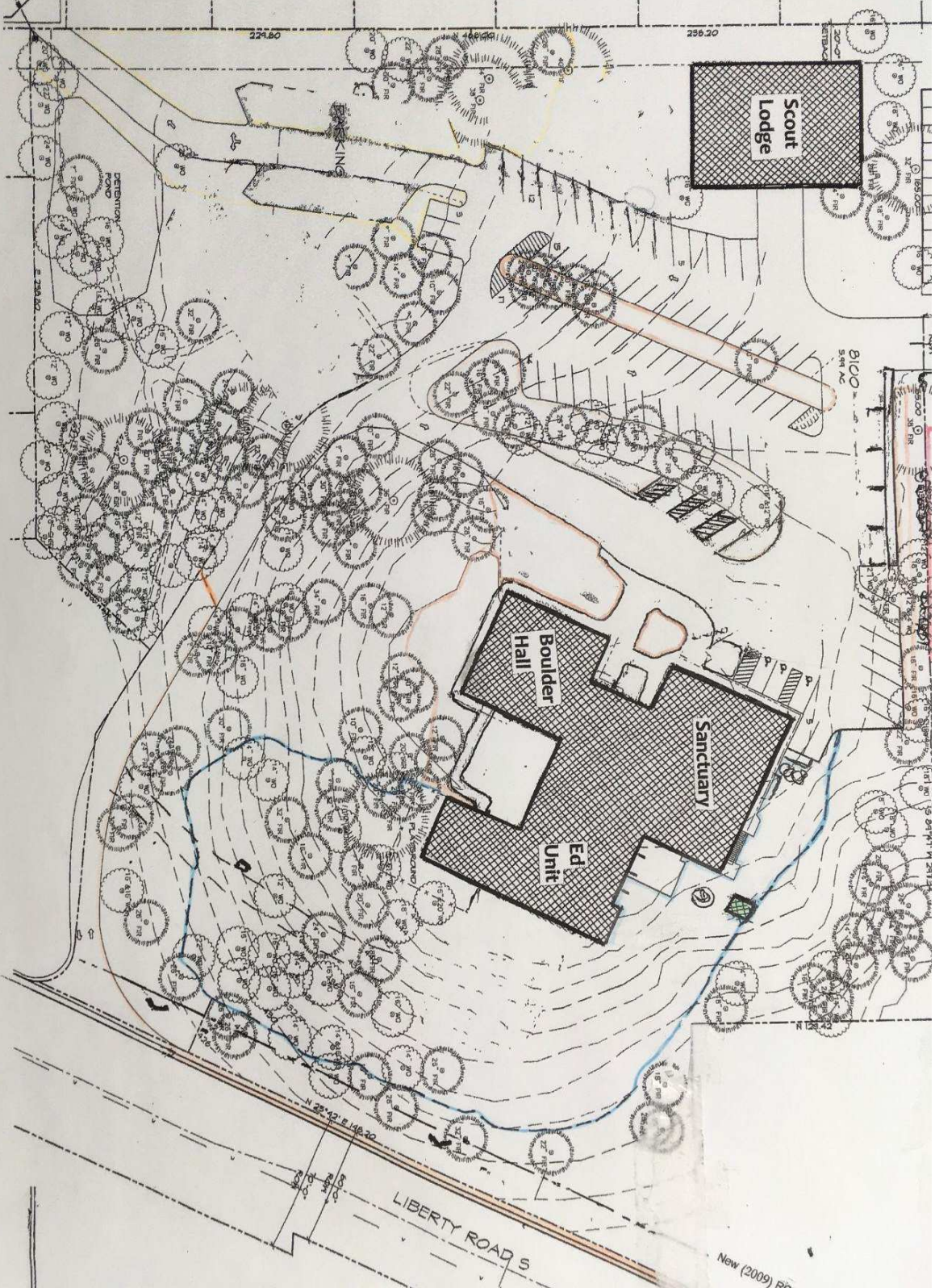
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0 100 200 400 Feet





FELTON STREET



New (2009) R