

Revisions to the Agenda

City Council

Tuesday, November 12, 2019

6:00 PM

Council Chambers

6.a. [19-511](#)

The applicant has withdrawn their appeal (Attachment 3).

This application has been appealed by Site Enhancement Services (Applicant) and will be reviewed by the Planning Commission unless review is initiated by City Council.

Hearings Officer Decision - A sign variance to allow construction of an extra drive-through sign. - Denied.

Sign Variance Case No. VAR-SI19-02 - Site Enhancement Services on behalf of McDonalds Corporation - 3995 Rickey St SE.

Ward(s): 3
Councilor(s): Nanke
Neighborhood(s): SEMCA

Revised - Report Revised (Version 2).

6.c. [19-518](#)

The applicant has withdrawn their appeal (Attachment 3).

This application has been appealed by Site Enhancement Services (Applicant) and will be reviewed by the Planning Commission unless review is initiated by City Council.

Hearings Officer Decision - A sign variance to allow construction of an extra drive-thru sign. - Denied.

Sign Variance Case No. VAR-SI19-04 - Site Enhancement Services on behalf of McDonald's Corporation - 1112 Center St NE.

Ward(s): 1
Councilor(s): Kaser
Neighborhood(s): CANDO

Revised - Report Revised (Version 2).

6.d. [19-519](#)

The applicant has withdrawn their appeal (Attachment 3).

This application has been appealed by Site Enhancement Services (Applicant) and will be reviewed by the Planning Commission unless review is initiated by City Council.

Hearings Officer Decision - A sign variance to allow construction of an extra drive-thru sign.- Denied.

Sign Variance Case No. VAR-SI19-03 - Site Enhancement Services on behalf of McDonald's USA, LLC (Corporation Service Company, Jerome Krulewitch, Marcy Miller, Denise Horne, Kevin Ozan, Catherine Martin, Robert Switzer) - 1598 Hawthorne Ave NE.

Ward(s): 6

Councilor(s): Hoy

Neighborhood(s): NESCA

Revised - Report Revised (Version 2).

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Break



Staff Report

File #: 19-511

Version: 2

Date: 11/12/2019

Item #: 6.a.

TO: Mayor and City Council

THROUGH: Steve Powers, City Manager

FROM: Norman Wright, Community Development Director

SUBJECT:

The applicant has withdrawn their appeal (Attachment 3).

~~This application has been appealed by Site Enhancement Services (Applicant) and will be reviewed by the Planning Commission unless review is initiated by City Council.~~

Hearings Officer Decision - A sign variance to allow construction of an extra drive-through sign. - Denied.

Sign Variance Case No. VAR-SI19-02 - Site Enhancement Services on behalf of McDonalds Corporation - 3995 Rickey St SE.

Ward(s): 3

Councilor(s): Nanke

Neighborhood(s): SEMCA

RECOMMENDATION:

Information Only.

Hayley Feightner
Planner I

Attachments:

1. Land Use Decision VAR-SI19-02
2. Appeal Application
3. Appeal Withdrawal

10/23/2019

November 12, 2019



VIA ELECTRONIC MAIL: LMAnderson@cityofsalem.net & planning@cityofsalem.net

Lisa Anderson-Ogilvie
Deputy Director & Planning Administrator
City of Salem Planning Division
555 Liberty Street SE, Room 320
Salem, OR 97301

RE: Withdrawal of Sign Variance Appeal(s)
3995 Rickey St SE Your Case Nos. VAR-SI 19-02
1598 Hawthorne Ave NE VAR-SI 19-03
1112 Center St NE VAR-SI 19-04
Our File No: PENDING

Dear Lisa:

My firm represents McDonald's Corporation, the "**Applicant**" and "**Appellant**" in the Appeal of the City of Salem's Hearings Officer's Decisions for Case Nos. VAR-SI 19-02, VAR-SI 19-03 and VAR-SI 19-04. Applicant requested (consolidated) sign permit and variance requests for to allow for construction of an additional freestanding vehicle viewing sign approximately 20 square feet in size (herein the "**Applications**").

The Applications were denied by the City of Salem's Hearings Officer on October 22- 23, 2019, respectively (collectively the "**Decisions**"). Applicant filed an appeal of the Decisions on or about November 1, 2019, (the "**Appeals**"). Since the Appeals were filed, the Applicant has retained my firm for guidance in continuing with the Appeals or withdrawing the Appeals and Applications. City Staff recently contacted Applicant's Co-Counsel regarding the scheduling of today, November 12, 2019, City Council Appeal Hearing date.

In light of the upcoming hearing today and deadline for the Planning Division to send out public notice, Applicant hereby withdraws the Appeals and Applications and intends to work directly with your department with the goal of adopting a code amendment to allow the pre-sell signs at drive-thru locations as soon as time allows.

Park Place, Suite 200
250 Church Street SE
Salem, Oregon 97301

Post Office Box 470
Salem, Oregon 97308

tel 503.399.1070
fax 503.371.2927

Lisa Anderson-Ogilvie

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November 12, 2019

Please feel free to contact me if you have any questions.

Sincerely,



MARK D. SHIPMAN
mshipman@sglaw.com
Voice Message #310

MDS:hst

cc: Olivia Glantz
Jacob Steinfink
Todd Langeland
Steve Hultberg
David Ratliff
Amanda O'Hara
Courtney Hoy
Jeffrey Beam
Jeffrey Angres
Client

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Staff Report

File #: 19-518

Version: 2

Date: 11/12/2019

Item #: 6.c.

TO: Mayor and City Council

THROUGH: Steve Powers, City Manager

FROM: Norman Wright, Community Development Director

SUBJECT:

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Hearings Officer Decision - A sign variance to allow construction of an extra drive-thru sign. - Denied.

Sign Variance Case No. VAR-SI19-04 - Site Enhancement Services on behalf of McDonald's Corporation - 1112 Center St NE.

Ward(s): 1

Councilor(s): Kaser

Neighborhood(s): CANDO

RECOMMENDATION:

Information Only.

Hayley Feightner
Planner I

Attachments:

1. Land Use Decision VAR-SI19-04
2. Appeal Application
3. Appeal Withdrawal

10/24/2019

November 12, 2019



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mshipman@sglaw.com
Voice Message #310

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Ward(s): 6
Councilor(s): Hoy
Neighborhood(s): NESCA

RECOMMENDATION:

Information Only.

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Planner I

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3. Appeal Withdrawal

10/24/2019

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