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503-588-6173*

## DECISION OF THE HEARINGS OFFICER

**SIGN VARIANCE CASE NO.:** VAR-SI19-05

**APPLICATION NO.:** 19-117566-SA

**NOTICE OF DECISION DATE:** JANUARY 21, 2020

**SUMMARY:** A request to increase the height and display surface of a vehicle directional sign.

**REQUEST:** A Sign Variance to allow a vehicle directional sign with a display surface of 52.625 square feet and a height of six feet where SRC 900.210(b)(5) allows a display surface not exceeding eight square feet and a height not exceeding four feet, for a hotel property located at the end of an access easement in the IBC (Industrial Business Campus) zone at 640 Hawthorne Avenue SE 97301 (Marion County Assessor Map and Tax Lot 073W36A00800).

**APPLICANT:** Savana Meyer, Rudnick Electric Signs, LLC (Steven Rudnick, Falin Rudnick)

**LOCATION:** 640 Hawthorne Ave SE

**CRITERIA:** Salem Revised Code (SRC) Chapter 900.040 – Sign Variance

**FINDINGS:** The findings are in the attached Decision dated January 17, 2020.

**DECISION:** The **Hearings Officer APPROVED** Sign Variance Case VAR-SI19-05 based upon the application materials deemed complete on November 15, 2019 and the findings as presented in this report.

The rights granted by the attached decision must be exercised, or an extension granted, by February 6, 2022 or this approval shall be null and void.

Application Deemed Complete:	<u>November 15, 2019</u>
Public Hearing Date:	<u>December 18, 2020</u>
Notice of Decision Mailing Date:	<u>January 21, 2020</u>
Decision Effective Date:	<u>February 6, 2020</u>
State Mandate Date:	<u>March 14, 2020</u>

Case Manager: Pamela Cole, [pcole@cityofsalem.net](mailto:pcole@cityofsalem.net), 503-540-2309

This decision is final unless written appeal from an aggrieved party is filed with the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem OR 97301, no later than 5:00 p.m., Wednesday, February 5, 2020. The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapter(s) 900. The appeal must be filed in duplicate with the City of Salem

# NOTICE OF DECISION

PLANNING DIVISION  
555 LIBERTY ST. SE, RM 305  
SALEM, OREGON 97301  
PHONE: 503-588-6173  
FAX: 503-588-6005



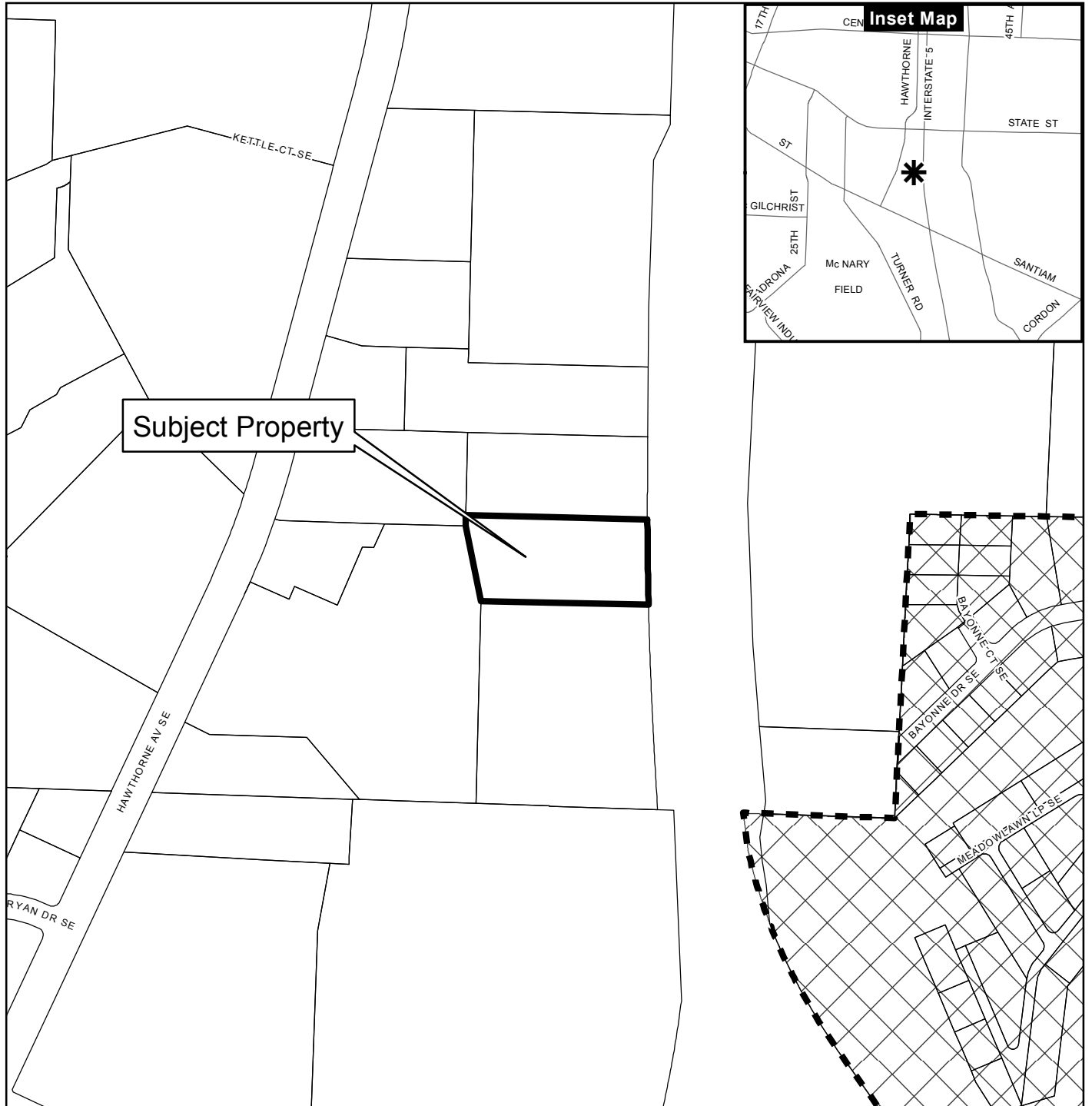
Planning Division. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Planning Commission will review the appeal at a public hearing. After the hearing, the Planning Commission may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

The complete case file, including findings, conclusions and conditions of approval, if any, is available for review at the Planning Division office, Room 320, City Hall, 555 Liberty Street SE, during regular business hours.

<http://www.cityofsalem.net/planning>

# Vicinity Map

## 640 Hawthorne Avenue SE



### Legend

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

- Parks

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

0 100 200 400 Feet



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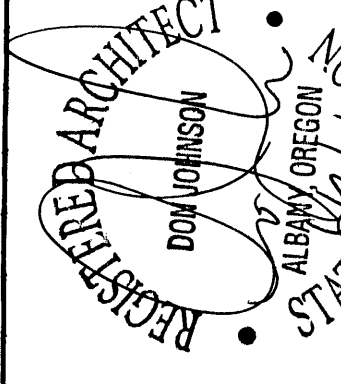
PROJECT NAME:

A NEW  
MARRIOTT  
RESIDENCE  
INN

FOR  
A. WAYNE SCOTT  
AND  
SUMMIT GROUP

PROJECT LOCATION:

SALEM, OREGON



Summit Group



Copyright Don R. Johnson 1999

Issue Date: 5/15/00

Revisions

No. Date Description

1 06/30/00 MINOR REVISIONS

Project Number: 99059

Drawn: DRJ

Checked: DRJ



COMMERCIAL • INDUSTRIAL • RETAIL

201 First St NW, Suite B

Phone (503) 928-5955 FAX (503) 928-9001

DATE: MAY 15, 2000 TIME: 3:37 PM

SITE PLAN

A1.1

SITE AREA ANALYSIS

BUILDING AREA:

GATE HOUSE: 6,317 SQ FT

GUEST WING: 19,400 SQ FT

TOTAL: 25,717 SQ FT (24%)

LANDSCAPE AREA:

39,549 SQ FT (36%)

PAVED AREA INCLUDING

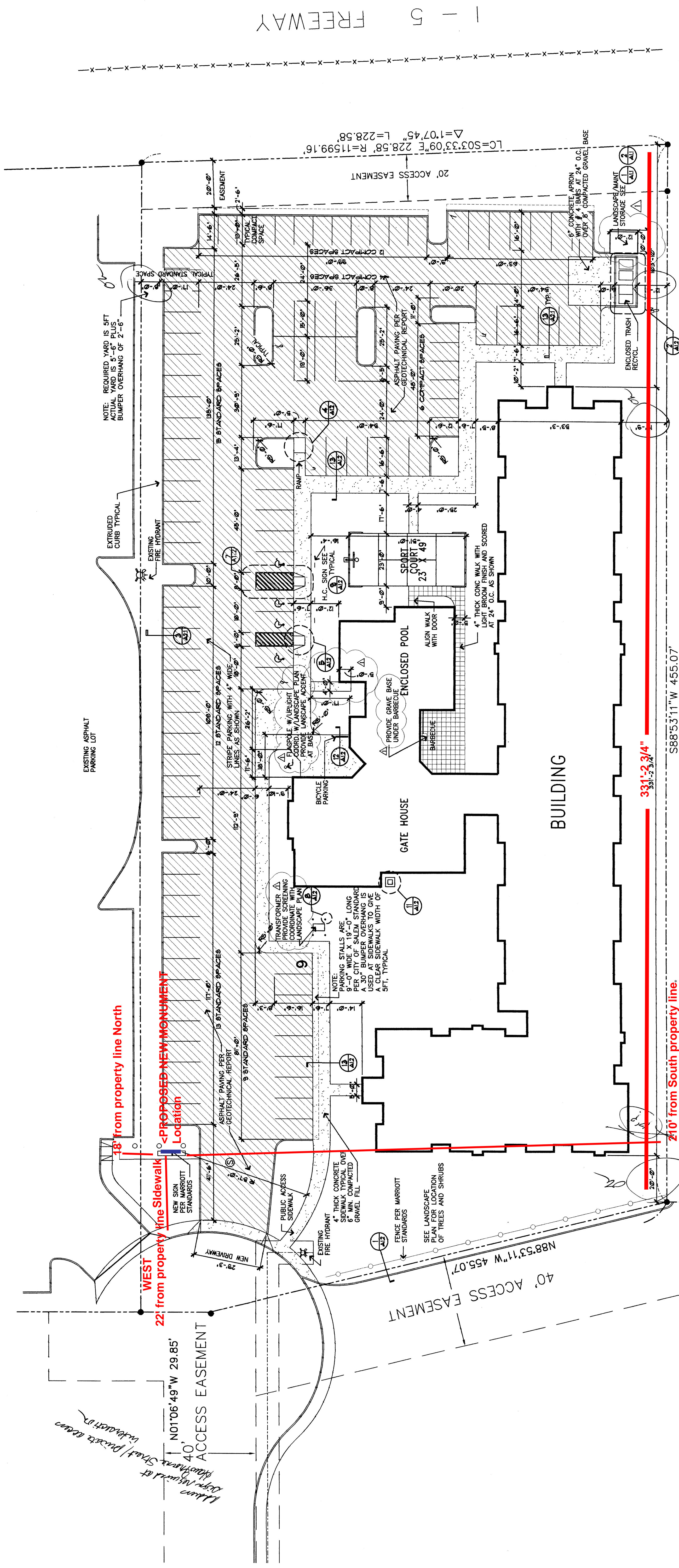
SIDEWALKS AND SPORT COURT:

43,720 SQ FT (40%)

TOTAL SITE AREA:

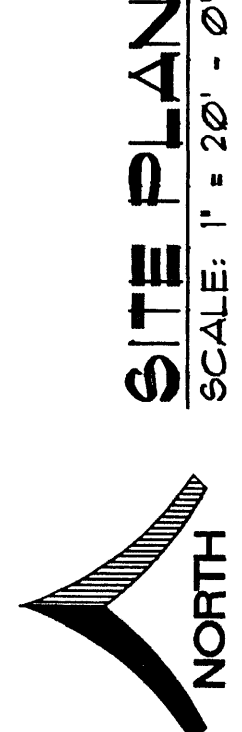
108,986 SQ FT (2.5 ACRE)

City of Salem  
Approved  
Eng & Study, Inc.

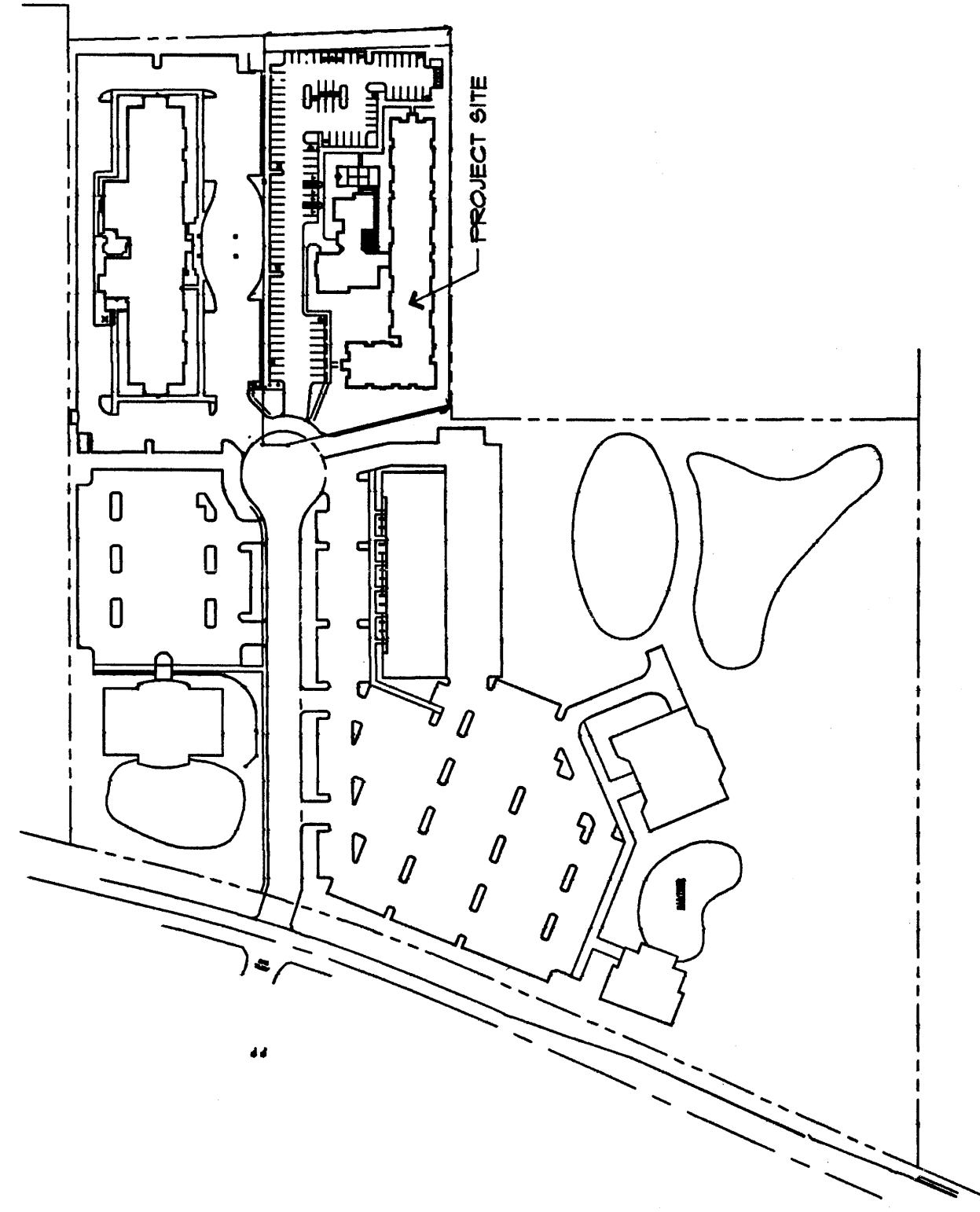


STATE OF OREGON  
DEPT. OF TRANS.

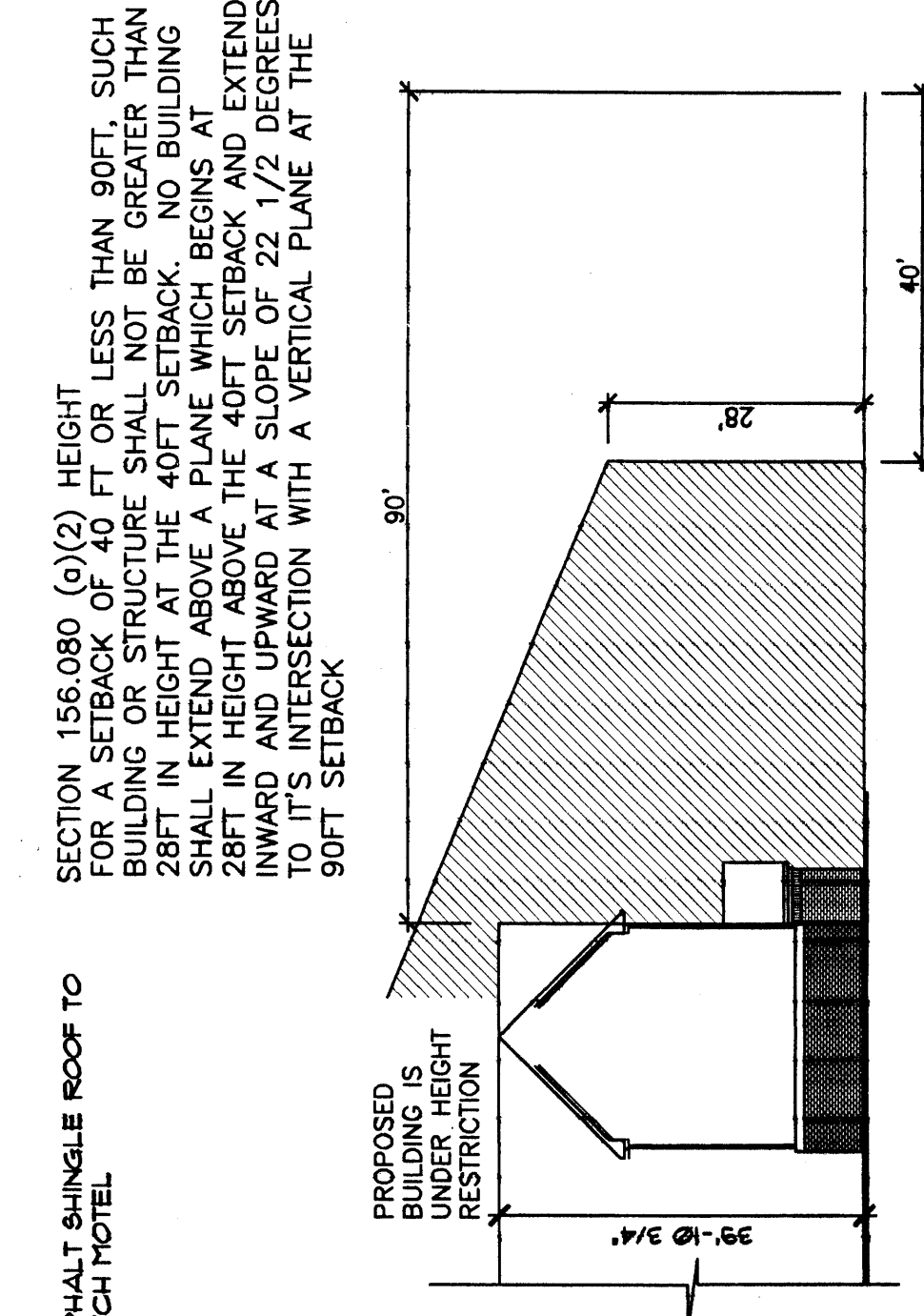
DETERENTION  
POND



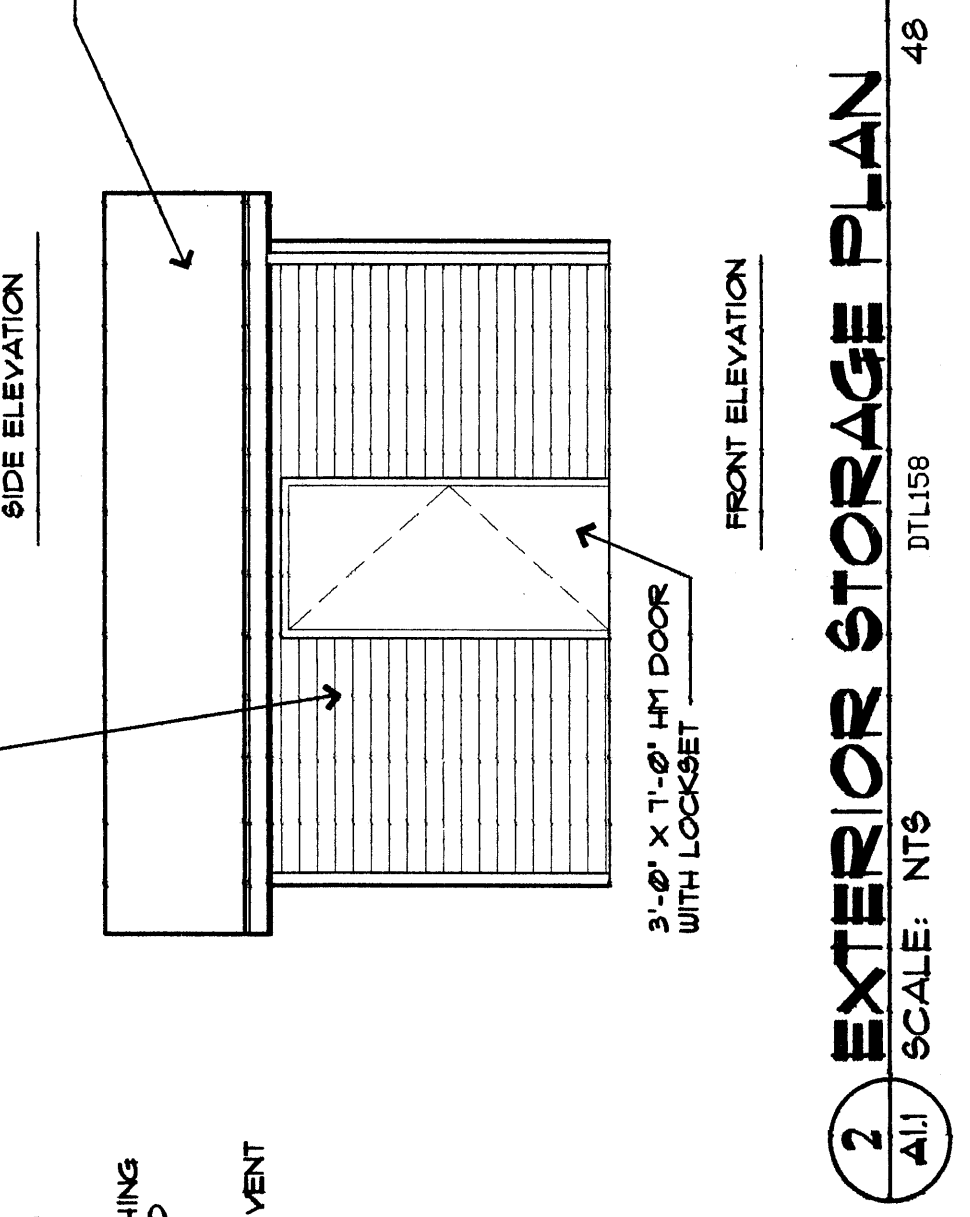
SITE PLAN  
SCALE: 1" = 20' - 0"



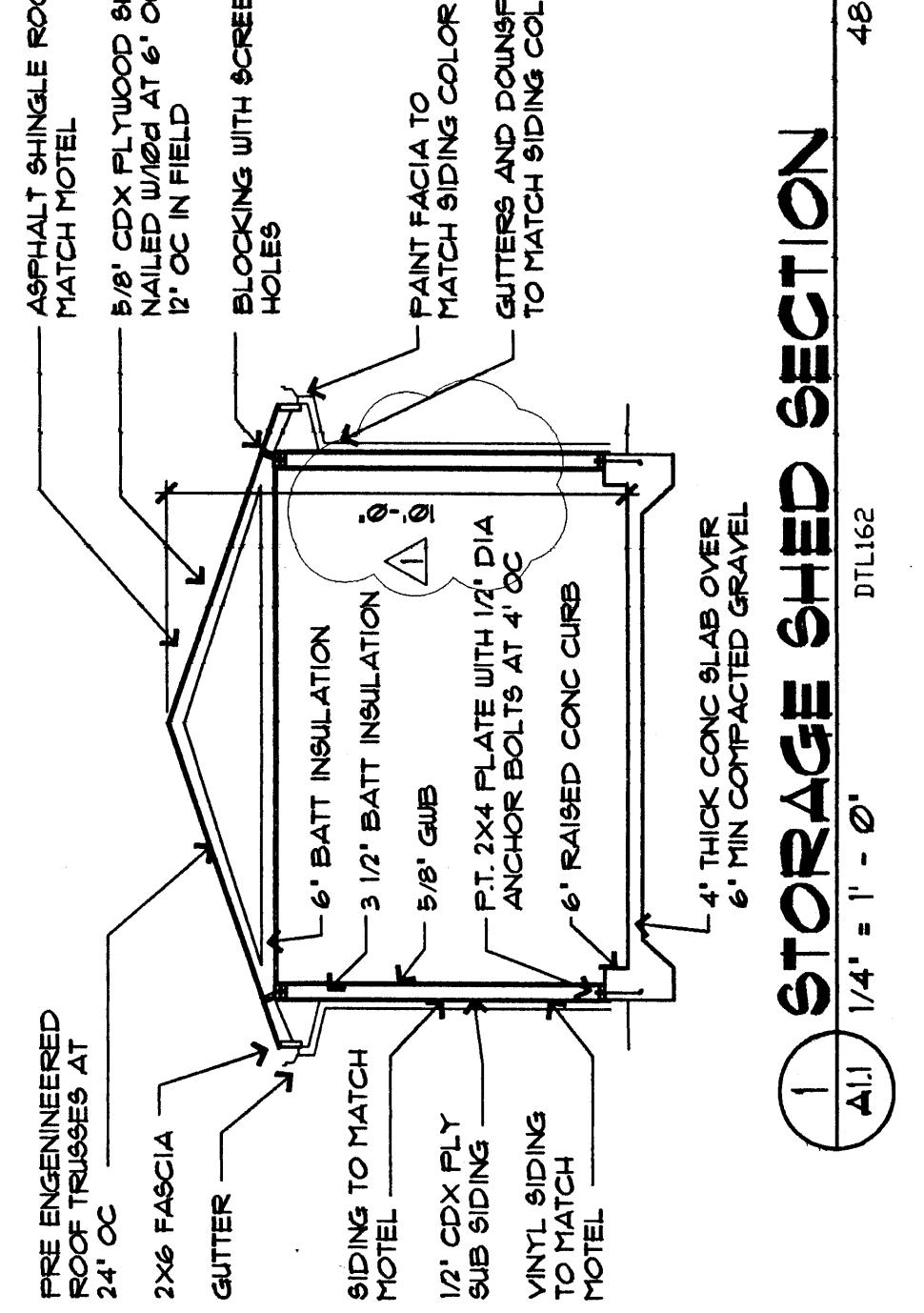
SITE AREA PLAN  
SCALE: NTS



BUILDING HEIGHT CHECK



2 EXTERIOR STORAGE PLAN  
SCALE: NTS



1 STORAGE SHED SECTION  
SCALE: 1/4" = 1' - 0"



GENERAL

- ALL MATERIALS AND WORK SHALL CONFORM TO THE REQUIREMENTS OF THE 2012 INTERNATIONAL BUILDING CODE (IBC).
- CONSTRUCTION METHODS AND PROJECT SAFETY: DRAWINGS AND SPECIFICATIONS REPRESENT THE FINISHED STRUCTURE AND DO NOT INDICATE METHODS, PROCEDURES, OR SEQUENCE OF CONSTRUCTION. TAKE NECESSARY PRECAUTIONS TO MAINTAIN AND ENSURE THE INTEGRITY OF THE STRUCTURE DURING CONSTRUCTION. THE EOR WILL NOT ENFORCE SAFETY MEASURES OR REGULATIONS. THE CONTRACTOR SHALL DESIGN, CONSTRUCT, AND MAINTAIN ALL SAFETY DEVICES AND SHALL BE SOLELY RESPONSIBLE FOR CONFORMING TO ALL LOCAL, STATE, AND FEDERAL SAFETY AND HEALTH STANDARDS, LAWS, AND REGULATIONS.
- VERIFY ALL DIMENSIONS, ELEVATIONS AND SITE CONDITIONS PRIOR TO THE START OF CONSTRUCTION AND NOTIFY THE ENGINEER IMMEDIATELY OF ANY DISCREPANCIES OR INCONSISTENCIES THAT ARE FOUND. NOTED DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS. DO NOT SCALE DRAWINGS.
- ALL OMISSIONS AND/OR CONFLICTS BETWEEN THE VARIOUS ELEMENTS OF THE WORKING DRAWINGS AND SPECIFICATIONS SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER AND FIELD INSPECTOR. THE ENGINEER SHALL PROVIDE A SOLUTION PRIOR TO PROCEEDING WITH ANY WORK AFFECTED BY THE CONFLICT OR OMISSION.
- WHERE NO CONSTRUCTION DETAILS ARE SHOWN OR NOTED FOR ANY PART OF THE WORK, USE THOSE FOR OTHER SIMILAR WORK.
- WHEN A DETAIL IS IDENTIFIED AS TYPICAL, APPLY IN ESTIMATING AND CONSTRUCTION TO EVERY LIKE CONDITION WHETHER OR NOT THE REFERENCE IS REPEATED IN EVERY INSTANCE.
- CHANGES TO THE DRAWINGS: OBTAIN PRIOR WRITTEN APPROVAL.
- WORK PERFORMED IN CONFLICT WITH THE DRAWINGS OR APPLICABLE BUILDING CODE REQUIREMENTS SHALL BE CORRECTED AT THE EXPENSE OF THE CONTRACTOR.

DESIGN CRITERIA

- STRUCTURE IS DESIGNED IN ACCORDANCE WITH ASCE 7-10: MINIMUM DESIGN LOADS FOR BUILDINGS AND OTHER STRUCTURES.
- WIND LOAD:  
BASIC WIND SPEED,  $V_{ULT}$  = 110 MPH  
RISK CATEGORY: II EXPOSURE: C
- SNOW LOAD:  
IMPORTANCE FACTOR,  $I_s$  = 1.0  
SURFACE ROUGHNESS: - EXPOSURE: ---  
GROUND 10 PSF  
ROOF -- PSF
- ROOF LIVE LOAD: -- PSF

STEEL

- STEEL SHAPES SHALL CONFORM TO THE FOLLOWING (U.N.O.):  
RND. HSS ASTM A500, GR B  $F_y=42$  KSI MIN.  
SQ./RECT. HSS ASTM A500, GR B  $F_y=46$  KSI MIN.  
THREADED ROD ASTM A36  $F_y=36$  KSI MIN.  
STEEL PLATE ASTM A36  $F_y=36$  KSI MIN.  
ANGLE & CHANNEL ASTM A36  $F_y=36$  KSI MIN.  
STD. PIPE ASTM A53, GR B  $F_y=35$  KSI MIN.  
STRUCT. PIPE ASTM A500, GR B  $F_y=46$  KSI MIN.
- MACHINE BOLTS SPECIFIED AS "A307" SHALL CONFORM TO ASTM A307 w/ NUTS PER ASTM A563A & WASHERS PER ASTM F844 (U.N.O.). THREADED PARTS, NUTS, AND WASHERS SHALL BE HDG OR ZP AS DEFINED HEREIN.
- STRUCTURAL BOLTS SHALL CONFORM TO ASTM F3125 GRADES A325 OR A490 AS SPECIFIED ("A325" OR "A490") w/ NUTS PER ASTM A563DH & WASHERS PER ASTM F436.  
A. WHERE DESIGNATED AS "-X", CARE MUST BE TAKEN TO ENSURE THREADS ARE EXCLUDED FROM THE SHEAR PLANE(S).  
B. WHERE DESIGNATED AS "-N" OR IF NO DESIGNATION IS NOTED, THREADS MAY BE INCLUDED IN THE SHEAR PLANE(S).  
C. WHERE SPECIFIED, "A325" MAY BE HDG OR ZP AS DEFINED HEREIN.  
D. GRADE "A490" SHALL NOT BE HDG OR ZP AS DEFINED HEREIN.
- ANCHORS CAST IN CONCRETE SHALL CONFORM TO ASTM F1554 GR. 36 (U.N.O.) w/ NUTS TO ASTM A563 AND WASHERS TO ASTM F436. PARTS SHALL BE HOT-DIP GALVANIZED (HDG) OR ZINC (MECHANICAL) PLATED (ZP). PARTS EMBEDDED ENTIRELY IN CONCRETE MAY BE PLAIN STEEL.
- WHERE SPECIFIED FOR STEEL THREADED PARTS, NUTS, AND WASHERS, HOT-DIP GALVANIZING (HDG) SHALL CONFORM TO ASTM F2329 AND ZINC (MECHANICAL) PLATING (ZP) TO CLASS 55 PER ASTM B695.
- PLAIN STEEL FASTENERS ARE NOT TO BE USED UNLESS SPECIFIED.
- ZINC ELECTRO-PLATED FASTENERS PER ASTM F1941 MAY BE SUBSTITUTED FOR INTERIOR APPLICATIONS, BUT ARE OTHERWISE NOT TO BE USED UNLESS SPECIFIED.
- NUTS AND WASHERS SHALL HAVE THE SAME COATING AS THE CORRESPONDING THREADED PART.
- WHERE SPECIFIED, IRON AND STEEL HARDWARE SHALL BE HOT-DIP GALVANIZED PER ASTM A153.
- STAINLESS STEEL (SS) BOLTS, STUDS, AND THREADED ROD SHALL CONFORM TO ASTM F593 AND BE ALLOY 304 OR 316 w/ NUTS TO ASTM F594. NUTS AND WASHERS SHALL MATCH THE ALLOY OF THE THREADED PART.
- WELDING:  
A. WELD STRUCTURAL STEEL IN COMPLIANCE WITH AWS D1.1 AND AISC SPECIFICATION, CHAPTER J. WELDERS SHALL BE CERTIFIED AS REQUIRED BY THE LOCAL BUILDING AUTHORITY. WELDING SHALL BE DONE BY ELECTRIC ARC PROCESS USING LOW-HYDROGEN ELECTRODES WITH SPECIFIED TENSILE STRENGTH NOT LESS THAN 70 KSI UNLESS NOTED OTHERWISE.  
B. UNLESS A LARGER WELD SIZE IS INDICATED, PROVIDE MINIMUM WELD PER AISC SPECIFICATION, SECTION J2, TABLE J2.4.

ALUMINUM

- FABRICATE AND ERECT ALUMINUM IN COMPLIANCE WITH THE 2010 ALUMINUM DESIGN MANUAL (ADM1), THE SPECIFICATIONS FOR ALUMINUM SHEET METAL WORK (ASM35), AND CHAPTER 20 OF THE BUILDING CODE.
- ALUMINUM SHAPES SHALL CONFORM TO THE FOLLOWING:  
PIPE & TUBE 6061-T6 ASTM B429  $F_y=35$  KSI MIN.  
STRUCT. PROFILES 6061-T6 ASTM B308  $F_y=35$  KSI MIN.  
SHEET & PLATE 6061-T6 ASTM B209  $F_y=35$  KSI MIN.  
STAPLE TUBE 6063-T5 ASTM B221  $F_y=16$  KSI MIN.
- ALL SHOP AND FIELD WELDS SHALL BE PERFORMED BY AN AISC

QUALITY CERTIFIED FABRICATOR.

- UNLESS A LARGER WELD SIZE IS INDICATED, PROVIDE MINIMUM WELD PER ADM 1.
- FILLER SHALL BE 5556 ALLOY REGARDLESS OF MEMBER THICKNESS. NO OTHER FILLER ALLOY SHALL BE USED UNLESS NOTED OTHERWISE.

CONCRETE & REINFORCEMENT

- MINIMUM 28-DAY COMPRESSIVE STRENGTH ( $f_c$ ) SHALL BE 2,500 PSI.
- REINFORCEMENT TO BE ASTM A615 GR 60,  $F_y=60$  KSI UNO.
- CALCIUM CHLORIDE OR ADDED CHLORIDE IS NOT PERMITTED.
- ALL REINFORCED CONCRETE SHALL BE CONSOLIDATED WITH MECHANICAL VIBRATORS.
- MINIMUM CONCRETE COVER:  
CAST AGAINST & EXPOSED TO EARTH 3"  
EXPOSED TO EARTH OR WEATHER 2"
- CHAIRS AND SPACERS: AS REQUIRED TO MAINTAIN COVER.
- SIGN MAY BE INSTALLED ON FOUNDATION AFTER A MINIMUM CURING TIME OF (14) DAYS PROVIDED CURING PROCESS IS PROPERLY MAINTAINED PER ACI 318.
- GROUT SHALL BE NON-SHRINK AND NON-METALLIC WITH A MINIMUM COMPRESSIVE STRENGTH OF 5,000 PSI AT (1) DAY. MIX AND PLACE IN ACCORDANCE WITH MANUFACTURER INSTRUCTIONS.

FOUNDATIONS

- DESIGN BEARING PRESSURES ARE PER IBC CLASS 4 PRESUMPTIVE VALUES (NO SPECIAL INSPECTION REQUIRED):  
LATERAL BEARING: 150 PSF/FT  
VERTICAL BEARING: 2,000 PSF

EXISTING CONDITIONS

- ENGINEER WILL NOT BE PERFORMING ON-SITE INSPECTIONS OR VERIFICATIONS. IT IS THE RESPONSIBILITY OF THE INSTALLER AND OWNER(S) TO IDENTIFY EXISTING CONDITIONS AND CONTACT ENGINEER WITH ANY DISCREPANCIES OR CONCERNS.
- EXISTING INFORMATION HAS BEEN FURNISHED BY THE ENTITY WHOM THIS DOCUMENT WAS PREPARED FOR. ENGINEER IN NO WAY CERTIFIES THIS INFORMATION AS "AS-BUILT".
- FEATURES OF WORK ANNOTATED AS "VERIFY" (OR SIMILAR) MUST BE INSPECTED, VERIFIED AS SUCH, AND DOCUMENTED PRIOR TO FABRICATION AND INSTALLATION.
- IF THERE IS ANY REASON TO BELIEVE THE EXISTING CONDITIONS DETAILED HEREIN ARE NOT ACCURATE, CONTRACTOR SHALL CEASE WORK AND NOTIFY ENGINEER IMMEDIATELY.
- CONTRACTOR SHALL INSPECT AND CONFIRM THE QUALITY OF EXISTING STRUCTURE AS "IN GOOD REPAIR". STRUCTURE SHALL BE FREE OF CORROSION, DECAY, AND ANY OTHER MATERIAL FABRICATION, ASSEMBLY, OR INSTALLATION DEFECT. IF THERE ARE ANY INDICATIONS THAT THIS IS NOT THE CASE, CONTRACTOR SHALL CEASE WORK IMMEDIATELY AND NOTIFY ENGINEER.

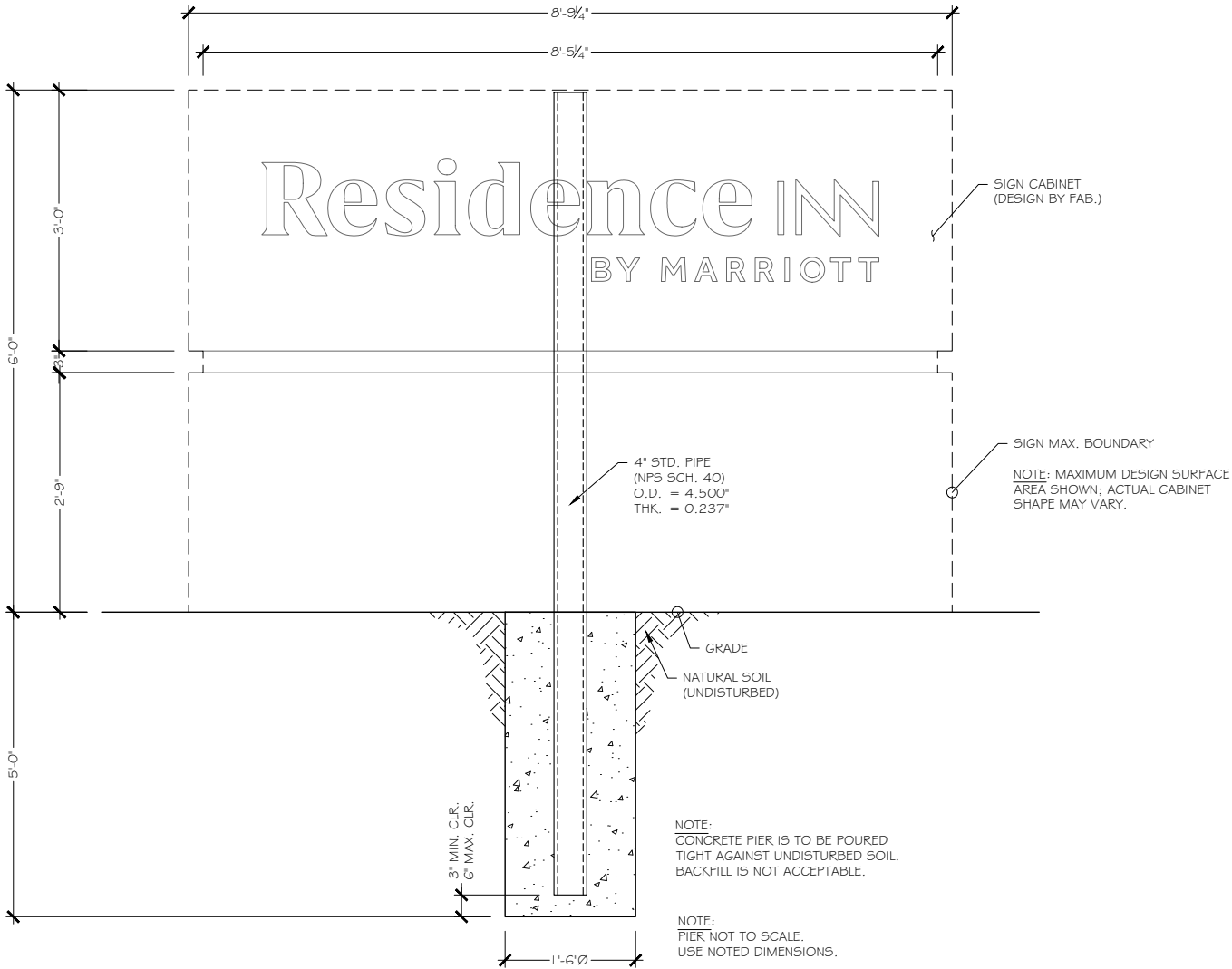
PRODUCT EVALUATION REPORT SCHEDULE

WHERE APPLICABLE, ANCHORS SHALL CONFORM TO AND BE INSTALLED PER THEIR RESPECTIVE EVALUATION REPORT(S) AS FOLLOWS:

ANCHOR TYPE (REPORT NAME)	ICC-ESR #	LARR #
HILTI KBT2 MASONRY ANCHORS	3785	26057
HILTI KB3 MASONRY ANCHORS	1385	25577
HILTI KB3 CONCRETE ANCHORS	2302	25901
HILTI KBT2 ANCHORS IN CONCRETE	1917	25701
HILTI HIT-HY 200 ADHESIVE ANCHORS IN CONCRETE	3187	25964
HILTI HIT-HY 200 ADHESIVE ANCHORS IN MASONRY	3963	26077
TAPCON ANCHORS [IN MASONRY]	1671	----
TAPCON ANCHORS [IN CONCRETE]	2202	----
TAPCON+ SCREW ANCHORS AND SAMMY'S THREADED ROD ANCHORS [IN CONCRETE]	3699	----
ITW BUILDEX TEKS SD5	1975	2591
SIMPSON TITEN HD SCREW ANCHORS [MASONRY]	1056	25560
SIMPSON TITEN HD SCREW ANCHORS [CONCRETE]	2713	25741
SIMPSON STRONG-BOLT 2 WEDGE ANCHORS [CONC.]	3037	25705

ABBREVIATIONS

ABV.	ABOVE	HDG.	HOT DIP GALVANIZED
ADD'L.	ADDITIONAL	HOR.	HORIZONTAL
APF	ABOVE FINISHED FLOOR	OC.	ON CENTER
ALT.	ALTERNATE	LOC.	LOCATION
ALUM.	ALUMINUM	MAX.	MAXIMUM
AOR.	ARCHITECT OF RECORD	MIN.	MINIMUM
ARCH.	ARCHITECTURAL	(N)	NEW
BTM.	BOTTOM	NTE	NOT TO EXCEED
BLK'G.	BLOCKING	o/	OVER
CIRC.	CIRCLE/CIRCULAR	OD.	OUTSIDE DIAMETER
CONC.	CONCRETE	OPT.	OPTIONAL
CONN.	CONNECTION	PENE.	PENETRATION
CONT.	CONTINUOUS	REINF.	REINFORCEMENT
CTR.	CONTRACTOR	RND.	ROUND
DIA.	DIAMETER	SIM.	SIMILAR
DET.	DETAILER	SS.	STAINLESS STEEL
(E)	EXISTING	STD.	STANDARD
EXIST.	EXISTING	SUPP.	SUPPLEMENTAL
EA.	EACH	SQ.	SQUARE
E.W.	EACH WAY	T/O	TOP OF
ELEV.	ELEVATION	TYP.	TYPICAL
EMBED.	EMBEDMENT	THK.	THICKNESS
EOR.	ENGINEER OF RECORD	UNO.	UNLESS NOTED OTHERWISE
FAB.	FABRICATOR/FABRICATION	VERT.	VERTICAL
FDN.	FOUNDATION	VIF.	VERIFY IN FIELD
FRM'G.	FRAMING	w/	WITH
FTG.	FOOTING	w/o	WITHOUT
GC.	GENERAL CONTRACTOR	ZP.	ZINC (MECHANICAL) PLATED



1 SIGN A ELEVATION

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**REVERENCE**  
**ENGINEERING**

www.reverenceengineering.com  
(619) 354-1152  
600 B STREET, STE 300  
SAN DIEGO, CA 92101

PREPARED FOR:

CHANDLER SIGNS

RESIDENCE INN  
MONUMENT

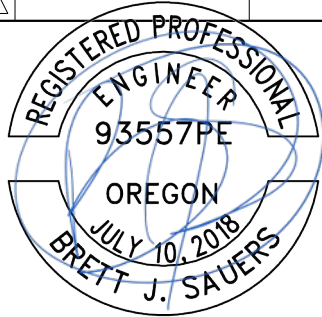
640 HAWTHORNE  
SALEM, OR

PROJECT TITLE:

PROJECT #:

1909070

No.	Issue/Revision:	Date:
----	Initial Submittal	9-23-2019
1		
2		
3		
4		



EXPIRES: 6-30-2020

ENGINEER:	BJS
DWG TITLE:	STRUCTURAL
SHEET:	S.1
SIZE:	B

**CITY OF SALEM  
BEFORE THE HEARINGS OFFICER**

A CONSOLIDATED REQUEST INCLUDING A	}	VAR-SI19-05
SIGN VARIANCE AND SIGN PERMIT TO		
ALLOW A VEHICLE DIRECTIONAL SIGN	}	FINDINGS OF FACT, CONCLUSIONS, AND DECISION
WITH A DISPLAY SURFACE OF 52.625		
SQUARE FEET AND A HEIGHT OF SIX FEET	}	
WHERE SRC 900.210(B)(5) ALLOWS A		
DISPLAY SURFACE NOT EXCEEDING EIGHT	}	
SQUARE FEET AND A HEIGHT NOT		
EXCEEDING FOUR FEET, FOR A HOTEL	}	
PROPERTY LOCATED AT THE END OF AN		
ACCESS EASEMENT IN THE IBC	}	
(INDUSTRIAL BUSINESS CAMPUS) ZONE AT		
640 HAWTHORNE AVENUE SE 97301	}	
(MARION COUNTY ASSESSOR MAP AND		
TAX LOT 073W36A00800).	}	

**DATE AND PLACE OF HEARING:**

December 18, 2019, Salem City Council Chambers, Room 240, Civic Center,  
555 Liberty Street SE, Salem, Oregon.

**APPEARANCES:**

Staff: Pamela Cole, Planner II

Neighborhood Association: None

Proponents: Savana Meyer, on behalf of Steven Rudnick and  
Falín Rudnick, Rudnick Electric Signs, LLC

**SUMMARY OF THE APPLICATION AND HEARING  
BACKGROUND**

The City of Salem held a duly authorized and noticed public hearing on December 18, 2020, regarding a request for a Sign Variance and Sign Permit to allow a vehicle directional sign with a display surface of 52.625 square feet and a height of six feet where SRC 900.210(b)(5) allows a display surface not exceeding eight square

feet and a height not exceeding four feet, for a hotel property located at the end of an access easement in the IBC (Industrial Business Campus) zone at 640 Hawthorne Avenue SE.

During the hearing, Pamela Cole requested the Staff Report be entered into the Record, and the Hearings Officer granted the request. Prior to the close of the public hearing, the applicant waived the additional 7-day period for additional testimony.

The Staff Report, and Staff presentation stated, observed, noted and alleged the following:

### **FINDINGS OF FACT AND CONCLUSIONS**

#### **1. Salem Area Comprehensive Plan (SACP) designation**

The Salem Area Comprehensive Plan (SACP) map designation for the subject property is "Industrial." The subject property is within the Urban Growth Boundary and is located inside the Urban Service Area.

#### **2. Zoning and Surrounding Land Uses**

The subject property is currently zoned IBC (Industrial Business Campus).

The zoning of surrounding properties is described as follows:

North: IBC (Industrial Business Campus) – Hotel

South: IBC (Industrial Business Campus) – Office Complex

East: Across Interstate 5, CG (General Commercial) – Future auto dealership

West: IC (Industrial Business Campus) – Office Complex

#### **3. Site Analysis**

The subject property is approximately 2.5 acres in size. It has no street frontage. The property is located at the eastern end of an access easement that connects to Hawthorne Avenue SE. The eastern property line abuts Interstate 5. In the Salem Transportation System Plan (TSP), Hawthorne Avenue SE is designated as a Major Arterial Street and Interstate 5 is a freeway, which does not meet the definition of a street. The proposed sign would replace an existing sign located at the vehicle entrance from the access easement into the hotel property. The City has no record of a prior action authorizing the existing sign.

#### **4. Neighborhood and Citizen Comments**

Notice of the application was sent to the Southeast Salem Neighborhood Association (SESNA) and all property owners of record and tenants within 250

feet of the subject property. At the time of the staff report, the City had received no comments from SESNA or surrounding property owners. Neither SESNA nor surrounding property owners provided any comments at the public hearing.

The Hearings Officer agrees with City Staff and adopts the findings in paragraphs 1-4, above.

## **5. City Department and Public Agency Comments**

The Building and Safety Division reviewed the proposal and indicated no concerns.

Portland General Electric reviewed the proposal and commented that relocation of existing PGE facilities, if needed to accommodate the customer's project, will be at the customer's expense.

## **6. Sign Variance Applicability – SRC Chapter 900**

SRC 900.040(a) provides that sign variances may be granted to the height and display surface standards, to increase the number of allowed signs, to allow relocation of a sign, and to allow structural alterations to a sign.

A sign variance shall not provide for any of the following:

- a) To allow a sign prohibited by SRC 900.020 (Prohibited Signs).
- b) To decrease a setback or special setback.
- c) To allow placement of a sign in a vision clearance area.
- d) To allow structural alterations to a non-conforming or non-complying sign.
- e) To authorize a sign not otherwise permitted on the property for which the variance is sought.
- f) To allow any sign other than those specifically allowed by this Chapter.
- g) To modify the display and brightness regulations for electronic display signs established by SRC 900.090.

SRC 900.210(b)(5) allows a permanent business in the IBC zone to have a freestanding vehicle directional sign with a display surface not exceeding eight square feet and a height not exceeding four feet at each motor vehicle entrance to or exit from the premises. The applicant is requesting a variance to the height and display surface standards to allow a sign with a display surface of 52.625 square feet and a height of six feet.

## **7. Analysis of Sign Variance Criteria – SRC Chapter 900**

Pursuant to SRC 900.040(d), an application for a sign variance shall be granted if the following criteria are met:



Criterion 1:

Compliance with the applicable standard would create an unnecessary hardship due to unique or unusual physical conditions of the property over which the applicant has no control, such as topography and lot shape, which are not present on other properties in the vicinity that have the same zone designation; the hardship does not result from actions of the applicant, owner, or previous owners of the property; and the sign variance is limited to the minimum reasonably necessary to alleviate the problem created by the unique or unusual physical conditions.

The Hearings Officer notes that the subject property is approximately 2.5 acres in size. The Hearings Officer finds that the property has unique or unusual physical conditions of the property are that it has no street frontage and that it is located at the eastern end of an accessway lined on both sides with trees. The vehicle entrance to the subject property is approximately 550 feet from Hawthorne Avenue NE.

Because the property has no street frontage, it is not allowed to have a freestanding sign under SRC 900.210(b)(1)(B) that would be allowed for a property with street frontage in the IBC zone. Other IBC-zoned properties in the vicinity (510 Hawthorne Avenue SE and 520 Hawthorne Avenue SE) have street frontage and would be allowed a freestanding sign with height and display surface based on the amount of street frontage.

The eastern end of the accessway is shaped like a cul-de-sac bulb. If the accessway were a street, the subject property would have approximately 90 feet of street frontage on the cul-de-sac bulb. For a property with that amount of street frontage, SRC 900.210(b)(1)(B) would allow a maximum freestanding sign height of 20 feet and a freestanding sign area of 90 feet.

SRC 210(b)(5) allows a permanent business in the IBC zone to have a freestanding vehicle directional sign with a display surface not exceeding eight square feet and a height not exceeding four feet at each motor vehicle entrance to or exit from the premises. The proposed illuminated vehicle directional sign is approximately 52.625 square feet in display surface area and six feet in height. While the proposed sign has approximately 7 times the allowed display surface area and 1.5 times the allowed height for a freestanding directional sign, these dimensions are the minimum reasonably necessary to allow the sign to be visible from Hawthorne Avenue SE. As staff and the applicant noted, the property has had a larger freestanding sign for an undetermined amount of time, without the City receiving any complaints or concerns.

In summary, the applicant has adequately addressed how the subject property features unique conditions that create a hardship in complying with the applicable standard. The Hearings Officer finds that there are unusual or unique

conditions of the lot that necessitate the larger sign; therefore, this criterion is met.

Criterion 2:

The sign variance is necessary to permit signage comparable with other properties in the vicinity that have the same zone designation.

The Hearings officer notes that the properties in the vicinity are zoned IBC (Industrial Business Campus) and IC (Industrial Commercial).

The applicant's written statement did not provide an analysis of signage present at other properties in the vicinity. The Staff report provided the Hearing Officer with an analysis that indicates that other properties in the vicinity and in the same zone, such as the office building at 610 Hawthorne Avenue SE and hotel at 630 Hawthorne Avenue SE, have similarly sized freestanding signs at their vehicle entrances.

The applicant has adequately demonstrated how the sign variance is necessary to permit signage comparable with other properties in the vicinity that have the same zone designation, therefore the Hearings Officer finds that this criterion is met.

Criterion 3:

The sign variance will not adversely affect the function or appearance of the development and use of the property and surrounding properties.

The Hearings Officer notes that the proposed sign will replace an existing non-conforming sign located on the subject property. The applicant has indicated that the sign is being updated to corporate standards. The height and aggregate display surface size of the proposed sign will decrease from the existing signage.

The size of vehicle entrance signs permitted in SRC Chapter 900 is limited, in order to prevent typical properties with the expected street frontage from having excessive or obstructive signage. The applicant is asking to replace an existing non-conforming sign that is larger than the proposed sign, which would decrease the aggregate display surface of the vehicle entrance signs present on the property. As staff and the applicant noted, the property has had a freestanding sign for an undetermined amount of time, without the City receiving any complaints or concerns. Because the proposed sign will have less impact than the existing signs, the Hearings Officer finds that the variance will not adversely affect the function or appearance of the development and use of the property and surrounding properties. The Hearings Officer finds that this criterion is met.

Criterion 4:

The sign variance will not impose limitations on other properties and signage in the area, including signage that would be allowed on adjacent properties.

The Hearings Officer notes that the application is for a sign variance to allow construction of one vehicle directional sign, as permitted by SRC Chapter 900.

The Hearings Officer finds that granting the application would not limit allowed signage for adjacent properties. The Hearings Officer finds that this criterion is met.

## **8. Analysis of Sign Permit Approval Criteria – SRC Chapter 900**

SRC Chapter 900.025(d) provides that an application for a sign permit shall be granted if the following criteria are met:

### Criterion 1:

The sign meets the requirements of SRC Chapter 56.

The Hearings Officer notes that freestanding signs that are under 7 feet in height do not require a building permit. The proposed vehicle directional sign is approximately 6 feet in height. Building permits and engineering are not required for the proposed sign. The Hearings Officer finds that this criterion is satisfied.

### Criterion 2:

The sign is allowed in the zone.

The Hearings Officer notes that one vehicle directional sign is permitted at each vehicle entrance for a business in the IBC zone. The variance request is to exceed the height and display surface area of the allowed vehicle directional sign permitted under SRC 900.210(b)(5). The Hearings Officer finds that this criterion is satisfied.

### Criterion 3:

The sign will not interfere with the use of any public right-of-way, other public easements, or other publicly owned property.

The Hearings Officer notes that no evidence has been presented that the sign will interfere with use of the public right-of-way, public easements or other publicly owned property. The Hearings Officer notes that given the location of the property and proposed location for the sign, the proposed sign is unlikely to interfere with the use of any property that the public has an interest in. The Hearings Officer finds that this criterion is satisfied.

### Criterion 4:

The sign conforms to all the applicable standards in this Chapter.

The Hearings Officer notes that SRC 900.210(b)(5) allows a vehicle directional sign with a display surface not exceeding eight square feet and a height not exceeding four feet. As proposed, the variance request will allow a display surface



of 52.625 square feet and a height of six feet. If approved, the applicant will be required to submit an electrical permit for the proposed sign. No electrical permits have been submitted to date. The Hearings Officer finds that the proposed vehicle directional sign complies with all other standards of SRC Chapter 900.

No participant objected to or challenged the testimony or evidence presented in the staff report and hearing. Based on the Record and testimony, the Hearings Officer finds this criterion met.

### **DECISION**

The Hearings Officer **APPROVES** the request for a Sign Variance and Sign Permit to allow a vehicle directional sign with a display surface of 52.625 square feet and a height of six feet where SRC 900.210(b)(5) allows a display surface not exceeding eight square feet and a height not exceeding four feet, for a hotel property located at the end of an access easement in the IBC (Industrial Business Campus) zone at 640 Hawthorne Avenue SE - 97301.

DATED: January 17, 2020

A handwritten signature in black ink, appearing to read "James K. Brewer", written over a horizontal line.

James K. Brewer, Hearings Officer