



# HEARING NOTICE

## LAND USE REQUEST AFFECTING THIS AREA

### *Audiencia Pública*

*Si necesita ayuda para comprender esta información, por favor llame 503-588-6173.*

<b>CASE NUMBER:</b>	City Council Review of Planning Administrator's Decision on Subdivision / Class 2 Adjustment Case No. SUB-ADJ19-03
<b>AMANDA SEQUENCE NO.:</b>	18-124777-LD & 19-105127-ZO
<b>HEARING INFORMATION:</b>	City Council, Monday, June 24, 2019 at 6:00 p.m., in the Council Chambers, Room 240, Civic Center, 555 Liberty Street SE, Salem, OR 97301
<b>PROPERTY LOCATION:</b>	600 Block of Mildred Ln SE / 97306
<b>OWNER / APPLICANT:</b>	LP Holdings, LLC (Don Lulay)
<b>REPRESENTATIVE(S):</b>	Willamette Engineering, Inc. (Gerald Horner)
<b>DESCRIPTION of REQUEST</b>	<p>City Council review of the Planning Administrator's May 6, 2019 decision <b>approving</b> a tentative subdivision plan (Springwood Estates) to divide approximately 9.63 acres into 48 lots ranging in size from 4,428 square feet to 11,492 square feet including. The application includes an "Alternative Street Standard" request to increase the street grade from 12% to 15% for five street intervals and 50-foot right-of-way, where 60-feet is required; and a Zoning Adjustment to re-designate the front property lines for Lots 8, 19, 34, 43 and 44 to allow dwellings to be built without further requests.</p> <p>The subject property is approximately 9.63 acres in size, zoned RA (Residential Agriculture), and located at the 600 Block of Mildred Lane SE (Marion County Assessor Map and Tax Lot Number 083W15C / 900).</p>
<b>CRITERIA TO BE CONSIDERED:</b>	<p><b><u>SUBDIVISIONS</u></b></p> <p>Pursuant to SRC 205.010(d), a tentative subdivision plan shall be approved if all of the following criteria are met:</p> <ol style="list-style-type: none"><li>(1) The tentative subdivision plan complies with the standards of this Chapter and with all applicable provisions of the UDC, including, but not limited to, the following:<ol style="list-style-type: none"><li>(A) Lot standards, including, but not limited to, standards for lot area, lot width and depth, lot frontage and designation of front and rear lot lines.</li><li>(B) City infrastructure standards.</li><li>(C) Any special development standards, including, but not limited to, floodplain development, special setbacks, geological or geotechnical analysis, and vision clearance.</li></ol></li><li>(2) The tentative subdivision plan does not impede the future use or development of the property or adjacent land.</li><li>(3) Development within the tentative subdivision plan can be adequately served by City infrastructure.</li><li>(4) The street system in and adjacent to the tentative subdivision plan conforms to the Salem Transportation System Plan.</li><li>(5) The street system in and adjacent to the tentative subdivision plan is designed so as to provide for the safe, orderly, and efficient circulation of traffic into, through, and out of the subdivision.</li><li>(6) The tentative subdivision plan provides safe and convenient bicycle and</li></ol>

pedestrian access from within the subdivision to adjacent residential areas and transit stops, and to neighborhood activity centers within one-half mile of the development. For purposes of this criterion, neighborhood activity centers include, but are not limited to, existing or planned schools, parks, shopping areas, transit stops, or employment centers.

- (7) The tentative subdivision plan mitigates impacts to the transportation system consistent with the approved Traffic Impact Analysis, where applicable.
- (8) The tentative subdivision plan takes into account the topography and vegetation of the site so the need for variances is minimized to the greatest extent practicable.
- (9) The tentative subdivision plan takes into account the topography and vegetation of the site, such that the least disruption of the site, topography, and vegetation will result from the reasonable development of the lots.
- (10) When the tentative subdivision plan requires an Urban Growth Preliminary Declaration under SRC Chapter 200, the tentative subdivision plan is designed in a manner that ensures that the conditions requiring the construction of on-site infrastructure in the Urban Growth Preliminary Declaration will occur, and, if off-site improvements are required in the Urban Growth Preliminary Declaration, construction of any off-site improvements is assured.

### **CLASS 2 ADJUSTMENT**

Pursuant to SRC 250.005(d)(2), an application for a CLASS 2 ADJUSTMENT shall be granted if all the following criteria are met:

- A. The purpose underlying the specific development standard proposed for adjustment is:
  - (i) Clearly inapplicable to the proposed development; or
  - (ii) Equally or better met by the proposed development.
- B. If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.
- C. If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone.

### **HOW TO PROVIDE TESTIMONY:**

Any person wishing to speak either for or against the proposed request may do so in person or by representative at the Public Hearing. Written comments may also be submitted at the Public Hearing. Include case number with the written comments. Prior to the Public Hearing, written comments may be filed with the City Recorder, 555 Liberty Street SE, Room 205, Salem, OR 97301.

### **HEARING PROCEDURE:**

The hearing will be conducted with the staff presentation first, followed by the proponent's case, neighborhood organization comments, persons opposed, other interested persons, rebuttal and surrebuttal. 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.

Failure to raise an issue prior to the close of the Public Hearing in person or in writing, or failure to provide statements or evidence with sufficient specificity to provide the applicant and Review Authority 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.

Following the close of the Public Hearing, a decision will be issued and mailed to the applicant, property owner, affected neighborhood associations, anyone who participated in the hearing, either in person or in writing, and anyone who requested to receive notice of the decision.

**CASE MANAGER**

**Olivia Glantz, Planner III**, City of Salem Planning Division, 555 Liberty Street SE, Room 305, Salem, Oregon 97301; Telephone: 503-540-2343; E-mail: [OGlantz@cityofsalem.net](mailto:OGlantz@cityofsalem.net).

**NEIGHBORHOOD ORGANIZATION**

South Gateway Neighborhood Association Glenn Baly, Co-Chair; Phone: 503-588-6924; Email: [glennbaly12345@gmail.com](mailto:glennbaly12345@gmail.com); South Gateway Neighborhood Association TJ Sullivan, Co-Chair; Phone: 503-585-2211; Email: [tj@huggins.com](mailto:tj@huggins.com).

**DOCUMENTATION AND STAFF REPORT**

Copies of the application and all documents and evidence submitted as part of the proceeding are available for inspection at no cost at the Planning Division office during regular business hours. Copies can be obtained at a reasonable cost.

The Staff Report with recommendation to City Council will be available for inspection at no cost, and copies will be provided at reasonable cost, at least 7 days prior to the hearing at the Community Development Department, 555 Liberty Street SE, Room 305, Salem, Oregon 97301.

The staff report will be posted on the City Council agenda website no later than 5:00 p.m. on **June 21, 2019** at: <https://salem.legistar.com/Calendar.aspx>

**ACCESS**

The Americans with Disabilities Act (ADA) accommodations will be provided on request upon 48 hours notice.

**NOTICE MAILING DATE**

**June 4, 2019**

**PLEASE PROMPTLY FORWARD A COPY OF THIS NOTICE TO ANY OTHER OWNER, TENANT OR LESSEE.  
For more information about Planning in Salem:**

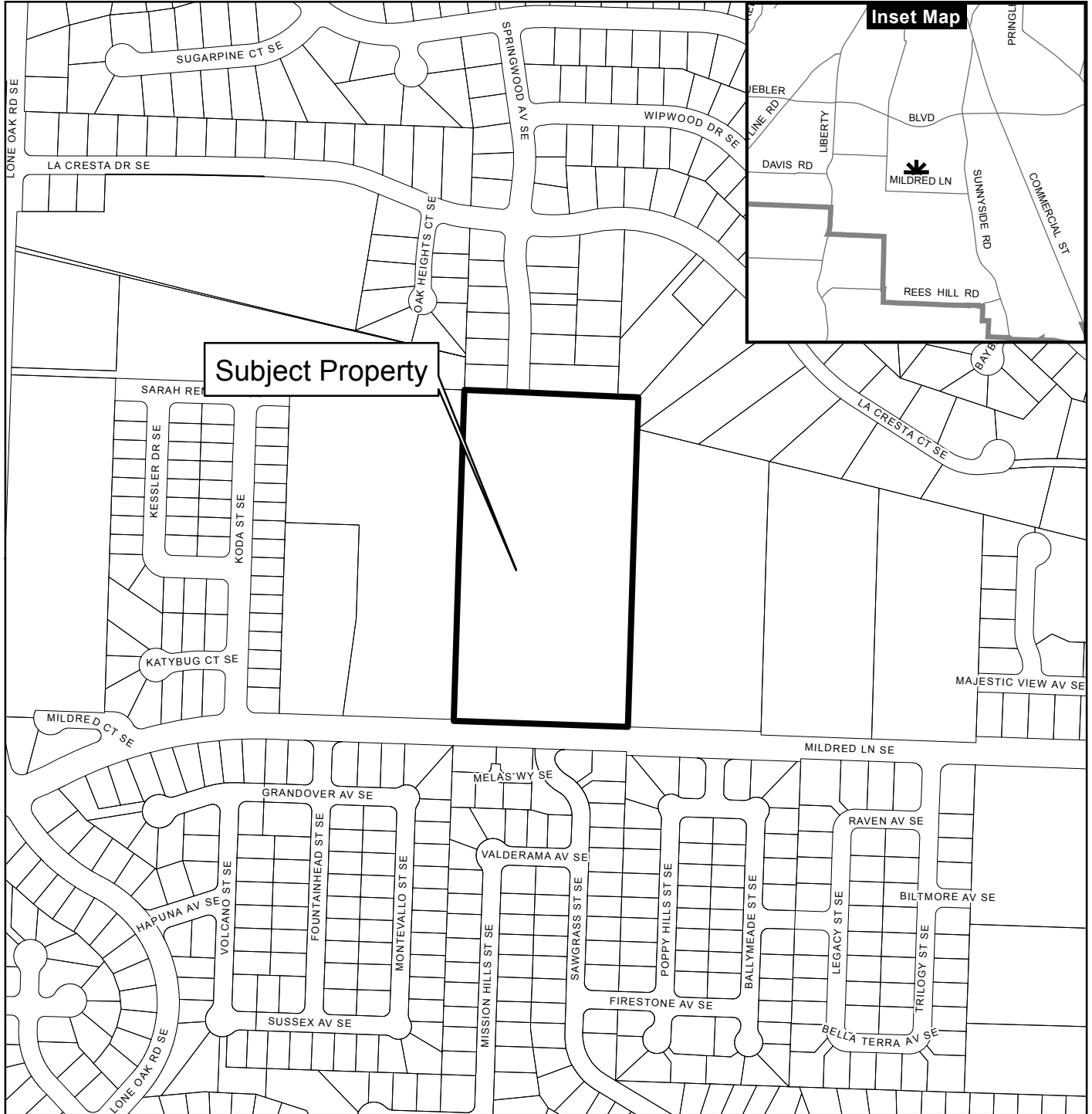
<http://www.cityofsalem.net/planning>

 [@Salem\\_Planning](https://twitter.com/Salem_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, the Americans with Disabilities Act of 1990, and related statutes and regulations, in all programs and activities. Special accommodations are available, upon request, for persons with disabilities or those needing sign language interpretation, or languages other than English. To request such an accommodation or services, please call 503-588-6173 at least two business days in advance.*

TTD/TTY telephone 503-588-6439 is also available 24/7

# Vicinity Map 600 Block Mildred Lane SE



Subject Property

Inset Map

### Legend

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



This product is provided as is, without warranty. In no event is the City of Salem liable for damages from the use of this product. This product is subject to license and copyright limitations and further distribution or resale is prohibited.



**DEVELOPER**  
 DON LULAY HOMES  
 2055 MISSION ST. SE.  
 SALEM, OR. 97302

**SUBDIVISION DATA:**  
 SW 1/4 SEC. 15,  
 T.8S. R.3W. W.M.  
 TAX LOT 900,  
 MAP 83W15C00900  
 MARION COUNTY

**LOT DATA:**  
 LOTS - 48  
 AVERAGE S.F. - 5,918 S.F.  
 LOTS/ACRE - 7.36  
 TOTAL ACREAGE (AFTER ROW  
 DEDICATIONS) - 9.57 ACRES  
 TOTAL ACREAGE (BEFORE ROW  
 DEDICATION) - 9.63 ACRES

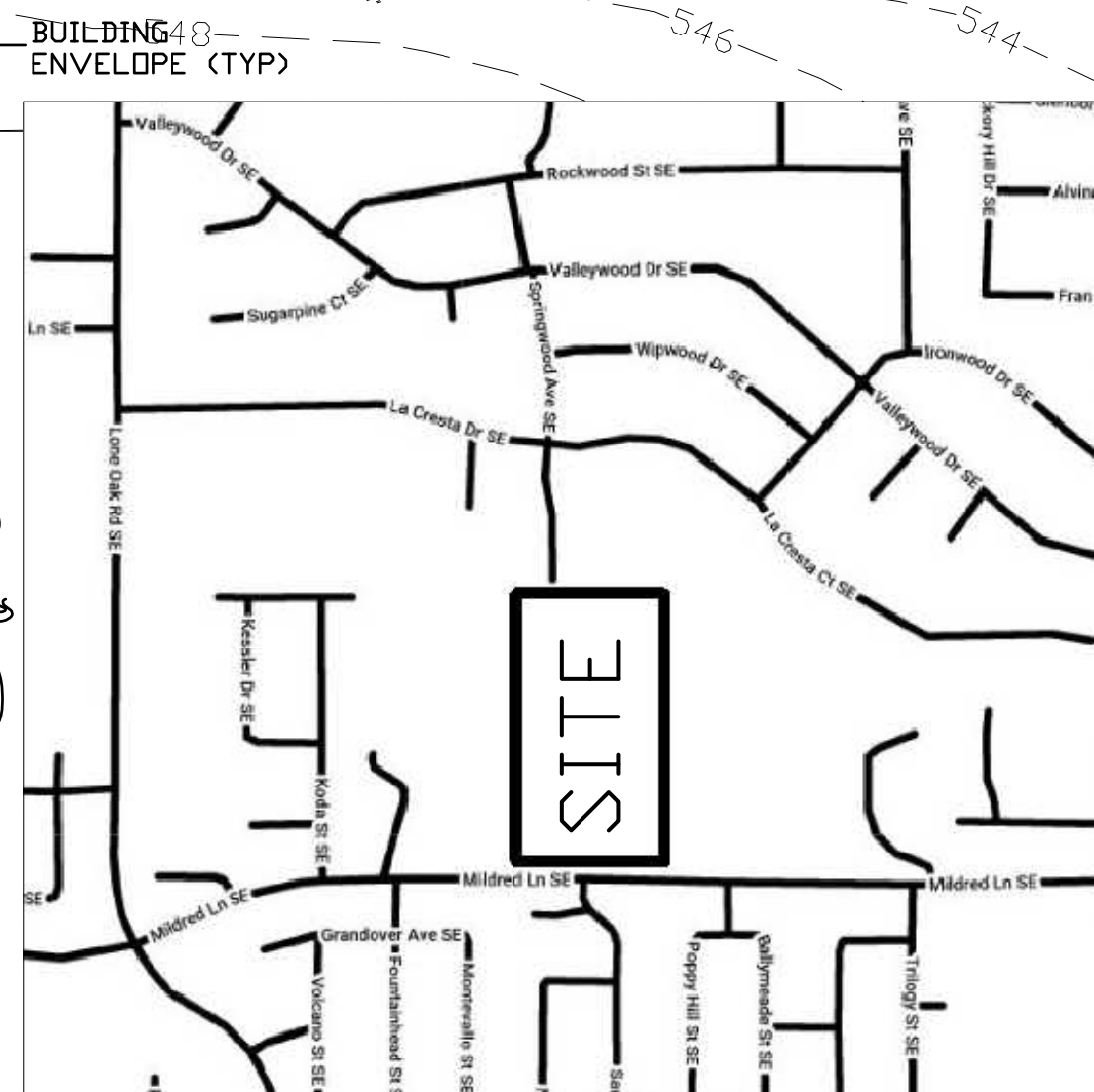
**BENCHMARK DATUM:**  
 BENCHMARK IS A 2" ALUMINUM CAP SET IN A CONCRETE  
 CURB AT THE SE CORNER OF THE INTERSECTION OF  
 MILDRED LN SE AND SAWGRASS LN SE, AT THE BEGIN DROP  
 OF ADA RAMP, 6' W IF HYDRANT, 8' N OF CB, 37' SE OF  
 MANHOLE. CITY OF SALEM DESIGNATION PID - 8400. NGVD  
 29 ELEVATION - 541.24

**TENTATIVE SUBDIVISION PLAN**

SCALE 1"=40' FOR 22" x 34" PAPER  
 SCALE 1"=80' FOR 11" x 17" PAPER

**SYMBOLS:**

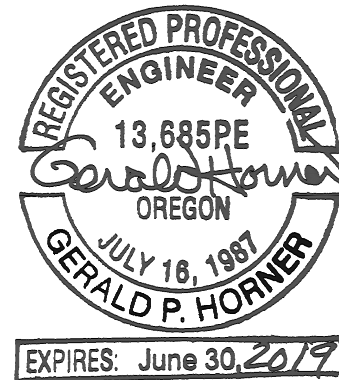
- BLDV OFF ASSY. EXISTING
- BLDV OFF ASSY. PROPOSED
- CATCH BASIN
- CATCH BASIN
- CATCH BASIN CLEANOUT EXISTING
- CATCH BASIN CLEANOUT PROPOSED
- CLEANOUT EXISTING
- CLEANOUT PROPOSED
- FIRE HYDRANT EXISTING
- FIRE HYDRANT PROPOSED
- ⊗ GATE VALVE EXISTING
- ⊗ GATE VALVE PROPOSED
- ⊗ GAS VALVE
- ⊗ MANHOLE STORM DRAIN EXISTING
- ⊗ MANHOLE STORM DRAIN PROPOSED
- ⊗ MANHOLE SAN. SEWER EXISTING
- ⊗ MANHOLE SAN. SEWER PROPOSED
- ▽ REDUCER/INCREASER
- ⊕ STREET LIGHT EXISTING
- ⊕ STREET LIGHT PROPOSED
- 3/4"-1" WATER METER EXISTING
- 3/4"-1" WATER METER PROPOSED
- UTILITY/POWER POLE
- CENTER LINE
- EASEMENT LINE
- ELECTRICAL LINE
- G GAS MAIN
- SS SANITARY SEWER
- SD STORM DRAIN
- T TELEPHONE
- WM WATER MAIN
- ▽ THRUST BLOCK



VICINITY MAP

**ABBREVIATIONS:**

- AC - ASPHALTIC CONCRETE
- AD - ALGEBRAIC DIFFERENCE
- ALOSP - ALUMINIZED CORRUGATED STEEL PIPE
- ASSY - ASSEMBLY
- BVCE - BEGINNING V.C. ELEVATION
- BVCS - BEGIN V.C. STATION
- BO - BLOW OFF
- BFV - BUTTERFLY VALVE
- CB - CATCH BASIN
- CUB - CENTRAL BOX UNIT
- CHDPE - CORRUGATED HIGH DENSITY POLYPROPYLENE
- CL - CENTERLINE
- CO - CORRUGATED METAL PIPE
- CO - CLEANOUT
- CONC - CONCRETE
- COSSD - CITY OF SALEM STANDARD DRAWING
- CUL - CULVERT
- DI - DUCTILE IRON
- DS - DOWN SPOUT
- DWG - DRAWING
- E - EXISTING
- EG - EXISTING GROUND/GRADE
- EP - EDGE OF PAVEMENT
- ELEC - ELECTRIC
- EL - ELEVATION
- ER - ENTERING RADIUS
- EVCE - ENDING V.C. ELEVATION
- EVCS - ENDING V.C. STATION
- EX - EXISTING
- FT - FEET
- FF - FINISH FLOOR
- FG - FINISH GRADE
- FH - FIRE HYDRANT
- FM - FORCE MAIN
- GR BK - GRADE BREAK
- GV - GATE VALVE
- INT - INTERSECTION
- INV - INVERT
- K - DESIGN CONSTANT
- L - LENGTH LINE
- LP - LIGHT POLE
- NTS - NOT TO SCALE
- MC - MARION COUNTY
- MH - MANHOLE
- M - METER
- MJ - MECHANICAL JOINT
- ML - MEGALUG JOINT
- P - PROPOSED
- PEO - PEDESTAL
- PVC - POLYVINYL CHLORIDE
- PP - POWER POLE
- PL - PROPERTY LINE
- R - RADIUS
- RD - ROOF DRAIN
- ROW - RIGHT-OF-WAY
- SS - SANITARY SEWER
- S - SLOPE
- SCH - SCHEDULE
- ST - STATION
- ST - STREET
- STD - STANDARD
- SD - STORM DRAIN
- SVC - SERVICE
- TC - TOP OF CURB
- TEL - TELEPHONE
- TYP - TYPICAL
- VC - VERTICAL CURVE
- WM - WATER MAIN
- PC - POINT OF CURVE
- PT - POINT OF TANGENT
- PERF - PERFORATED



REV.	DATE	BY	DESCRIPTION
0	12-12-18	GPH	ISSUED FOR TENTATIVE SUBDIVISION APPLICATION

**ENGINEER:**  
 WILLAMETTE ENGINEERING INC.  
 P.O. BOX 9032  
 SALEM, OREGON 97305  
 PH: 503-304-0905  
 FAX: 503-304-9512

**TENTATIVE  
 SUBDIVISION  
 SITE PLAN**

**SPRINGWOOD ESTATES  
 TAX LOT 900  
 MAP 83W15C0900  
 SALEM, OREGON 97301**

DESIGNED BY: GPH  
 DRAWN BY: RW  
 DATE: 12-12-18  
 JOB NO.: 2018-34  
 CLIENT NO.:  
 DRAWING NO.:  
 REV.



PRELIMINARY  
 NOT FOR CONSTRUCTION