

TO: Planning Commission

FROM: Lisa Anderson-Ogilvie, AICP, Deputy Community Development Director and Planning Administrator

STAFF: Pamela Cole, Planner II

HEARING DATE: May 18, 2021

APPLICATION: Comprehensive Plan Change / Zone Change Case No. 21-01

LOCATION: 681 Rees Hill Road SE

SIZE: Approximately 16 acres – see Attachment A

REQUEST: A Comprehensive Plan Change from "Developing Residential" to "Parks, Open Space, and Outdoor Recreation" and Zone Change from Marion County UT-10 (Urban Transition - 10 Acre) to City of Salem PA (Public Amusement) for land east of the center line of the future extension of Lone Oak Road SE within a territory approximately 18.05 acres in size including 0.57 acres of Devon Avenue SE right-of-way and 17.47 acres of City-owned property at 681 Rees Hill Road SE 97306 (Marion County Assessor Map and Tax Lot Number 083W22C00400), concurrent with a proposed petitioner-initiated, voter-exempt annexation and a withdrawal of the territory from the Salem Suburban Rural Fire District.

APPLICANT/OWNER: City of Salem

REPRESENTATIVE: Toni Whitler, City of Salem Public Works

APPROVAL CRITERIA: Comprehensive Plan and Zoning Designation for Proposed Annexation: Salem Revised Code, Ch. 260.045(b)(1)-(4)

RECOMMENDATION: Adopt the findings of this report and recommend approval of Comprehensive Plan Change – Zone Change 21-01 to City Council

APPLICATION PROCESSING

Subject Application

On December 4, 2019, Toni Whitler, on behalf of the applicant and property owner, City of Salem, filed an application for a Comprehensive Plan Change and Zone Change for the subject property (**Attachment A**), which is under consideration to be annexed to the City of Salem.

The consolidated application was deemed complete for processing on November 16, 2020. The public hearing on the application is scheduled for May 18, 2021.

Salem Revised Code (SRC) Chapter 260 contains annexation procedures. SRC 260.045, Land Use Designations, provides that territory annexed into the city shall be automatically given the city comprehensive plan designation and zoning designation that is the equivalent to the applicable county zoning designations, as set forth in Table 260-1, unless one or more of the following apply: (1) the petitioner requests a new comprehensive plan designation, or zone designation other than the equivalent city designation in Table 260-1, in the petition for annexation; (2) the Council proposes a new comprehensive plan designation, or zone designation other than the equivalent city designation in Table 260-1, in the resolution initiating the annexation; or (3) the equivalent city designation in Table 260-1 is inconsistent with the Salem Area Comprehensive Plan.

In Table 260-1, the equivalent city zoning designation for the Marion County UT-10 (Urban Transition – 10 Acre) zoning designation would be RA (Residential Agriculture) with a comprehensive plan designation of “Developing Residential.” The applicant is requesting zoning of PA (Public Amusement). Therefore, the petitioner is requesting a zone designation other than the equivalent city designation in Table 260-1.

To ensure that the comprehensive plan designation and city zoning designation are consistent if the annexation is approved, the applicant is also requesting a change in the comprehensive plan designation from “Developing Residential” to “Parks, Open Space, and Outdoor Recreation” along with the request for a city zoning designation of PA (Public Amusement).

In accordance with Section 300.720(b) of the Salem Revised Code, notice of the proposed comprehensive plan change and zone change was submitted to the Oregon Department of Land Conservation and Development on April 13, 2021, mailed on April 28, 2021, and posted on the subject property on May 4, 2021.

Annexations where a new comprehensive plan map designation or zoning designation is proposed require a public hearing before the Planning Commission. Pursuant to SRC 260.045(b), upon holding a public hearing, the Planning Commission shall make a recommendation to the City Council whether to adopt the proposed designation, the equivalent designation, or a different designation regarding the proposed Comprehensive Plan and zoning designations. Staff forwards the Planning Commission’s recommendation to the City Council as part of the staff report for the annexation public hearing. The public hearing before City Council regarding annexation of the subject property has not been scheduled at this time. The Council has the authority in SRC 260.060(d) to adopt, modify, or reject the Planning Commission’s recommendation for land use designations.

Appeals:

The Planning Commission’s decision is a recommendation to the City Council regarding the future Comprehensive Plan map designation and Salem zoning of the subject property upon annexation and is reviewed by the City Council in its consideration of the application.

120-Day Requirement

Amendments to an acknowledged Comprehensive Plan are not subject to the 120-day rule (Oregon Revised Statutes [ORS] 227.178). Pursuant to ORS 227.178(7) and ORS 227.178(10), the consolidated Minor Comprehensive Plan Map Amendment and Quasi-Judicial Zone Change request shall not be subject to the 120-day period set forth in ORS 227.178.

Public Notice

1. Pursuant to SRC 300.320(f), when an open house is required for a land use application, an applicant may elect to present at a neighborhood association meeting in-lieu of arranging and attending an open house. On November 12, 2020, the applicant's representative attended the South Gateway Neighborhood Association Meeting, held virtually, to present the proposal. A summary of the comments provided at the neighborhood association meeting is included as **Attachment B**. The applicant has demonstrated adherence with the requirements of SRC 300.320(f).
2. Notice of the consolidated proposal was distributed to City departments, neighborhood associations and public and private service providers on April 26, 2021.
3. Notice of the public hearing was mailed to the owners and tenants of all property within 250 feet of the subject property on April 28, 2021.
4. The property was posted in accordance with the posting provisions outlined in SRC 300.720(b)(2).
5. State law (ORS 197.610) and SRC 300.720(b)(1) require the City to provide the Oregon Department of Land Conservation and Development (DLCD) a minimum 35-day notice when an applicant or the City proposes an amendment to an acknowledged Comprehensive Plan or land use regulation or to adopt a new land use regulation. The City sent notice of this proposed Minor Comprehensive Plan Map Amendment and Zone Change to DLCD on April 13, 2021.

Summary of Record

The following items are submitted to the record and are available upon request: All materials submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, and stormwater reports; any materials and comments from public agencies, City departments, neighborhood associations, and the public; and all documents referenced in this report.

BACKGROUND INFORMATION

Proposal

The applicant is requesting a zone change from Marion County UT-10 (Urban Transition - 10 Acre) to City of Salem PA (Public Amusement) upon annexation of approximately 16 acres of land generally east of the center line of the future extension of Lone Oak Road SE to allow for

future development of parks and recreation facilities on the subject site. A map of the area subject to the proposed zone change is included as **Attachment C**. The zone change requires a corresponding amendment to the Salem Area Comprehensive Plan (SACP) Map to change the Comprehensive Plan Map designation of the property from “Developing Residential” to “Parks, Open Space, and Outdoor Recreation,” a designation which is implemented by the PA zone. A map of the area subject to the proposed comprehensive plan map change is included as **Attachment D**.

The applicant's written statements summarizing the request and addressing compliance with the required approval criteria are included as **Attachment E**. The applicant states that the western area of the subject property will be separated by the planned extension of Lone Oak Road SE from the eastern area. In the western area, retaining the “Developing Residential” designation in the comprehensive plan map and applying the corresponding RA zoning upon annexation will not exclude future park uses, but will preserve greater flexibility for future use.

Existing Conditions

The subject property, owned by the City of Salem, is approximately 17.48 acres and occupied by a single-family dwelling and accessory structures. The subject property has approximately 1,095 feet of frontage on Rees Hill Road SE and 615 feet of frontage on Devon Avenue SE.

The city limits line forms the northern boundary of the subject property. The Urban Growth Boundary forms the southern boundary of the subject property. The applicant submitted an annexation request concurrent with this Comprehensive Plan Map and Zone Change. A preliminary map of the annexation territory, which includes right-of-way in Devon Avenue SE, was prepared by the City Surveyor's office and is included as **Attachment F**.

SRC Chapter 808, Trees. The City's tree preservation ordinance protects Heritage Trees, Significant Trees (including Oregon White Oaks with diameter-at-breast-height of 24 inches or greater), trees and native vegetation in riparian corridors, and trees on lots and parcels greater than 20,000 square feet. No riparian corridors are present. Any Significant Trees on the property would be subject to the protections of SRC Chapter 808 upon annexation.

Wetlands and Waterways. The City geographic information system indicates no wetlands or waterways on the subject property.

Salem Area Comprehensive Plan (SACP) Designation

The Salem Area Comprehensive Plan (SACP) map designates the subject property as "Developing Residential."

The Comprehensive Plan designations of surrounding properties include:

North: “Developing Residential”
South: Outside Urban Growth Boundary
West: “Developing Residential”
East: Across Devon Avenue SE, “Developing Residential”

Components of the Comprehensive Plan

The Salem Area Comprehensive Plan is the long-range plan for guiding development in the Salem urban area. The overall goal of the plan is to accommodate development in a timely, orderly, and efficient arrangement of land uses and public facilities and services that meets the needs of present and future residents of the Salem urban area. Many different documents and maps, when taken together, comprise the Salem Area Comprehensive Plan.

The *Water System Master Plan*, *Wastewater Management Master Plan*, and *Stormwater Master Plan* provide the outline for facilities adequate to serve the proposed zone.

Salem Transportation System Plan (TSP): The TSP uses a Street Classification System to determine the functional classification of each street within the City's street system. Rees Hill Road SE, classified as a Collector street, abuts the southern boundary of the subject property and is located outside of the Urban Growth Boundary. Devon Avenue SE, classified as a Local street, abuts the eastern boundary of the subject property. A future extension of Lone Oak Road SE, classified as a collector, is proposed through the subject property.

Zoning and Surrounding Land Use

The subject property is zoned Marion County UT-10 (Urban Transition - 10 Acre). Surrounding properties are zoned and used as follows:

- North: RS (Single Family Residential); tentatively approved 88-lot phased subdivision SUB21-01
- South: Marion County SA (Special Agriculture); farms, forestland, and single family dwellings
- West: Marion County UT-10 (Urban Transition – 10 Acre); forestland, single family dwelling
- East: Across Devon Avenue SE, Marion County UT-10 (Urban Transition – 10 Acre); single family dwellings

Relationship to the Urban Service Area

The subject property is located outside the Urban Service Area, and extension of required public facilities would be the obligation of the development. Future development may require an Urban Growth Area (UGA) Preliminary Declaration to address linking and boundary facilities required to serve subject property under the standards and requirements of SRC Chapter 200. Uses established and conducted by the City, such as City parks, are not considered development for the purposes of SRC Chapter 200. Site-specific infrastructure requirements will be addressed in the Site Plan Review process in SRC Chapter 220.

Infrastructure

Public Infrastructure Plan: The Water System Mater Plan, Wastewater Management Master Plan, and Stormwater Master Plan provide the outline for facilities adequate to serve the subject property.

Water: The subject property is located within the S-3 and S-4 water service levels.

The nearest public water main is a 16-inch S-3 main located in Rees Hill Road SE. There is no existing S-4 water system. Subdivision Case No. SUB21-01 shows an S-4 water pump station proposed at the northwest corner of the park site, west of the proposed Lone Oak Road SE extension.

Sewer: The subject property is split into two sewage drainage basins, partially toward the west line and partially toward the east.

The nearest adequate linking facility for the west basin appears to be an existing 8-inch sewer line northwest of the property in Lone Oak Road SE. The nearest adequate linking facility for the east basin appears to be an existing 8-inch sewer line northeast of the property. The east basin may be able to receive service from the existing sewer main in Lone Oak Road SE.

Storm Drainage: No public storm mains are adjacent to the site.

Streets: Rees Hill Road SE, under Marion County jurisdiction and located outside of the Urban Growth Boundary, has an approximate 20-foot improvement within a 42-foot-wide right-of-way abutting the subject property. This street is designated as a Collector street in the Salem TSP. The standard for this street classification is a 34-foot-wide improvement within a 60-foot-wide right-of-way.

Devon Avenue SE has an approximate 26-foot improvement within a 40-foot-wide right-of-way abutting the subject property. This street is designated as a Local street in the Salem TSP. The standard for this street classification is a 30-foot-wide improvement within a 60-foot-wide right-of-way.

Lone Oak Road SE is designated as a Collector street in the Salem TSP. The Salem TSP depicts the future extension of Lone Oak Road SE to be located within the subject property. This street currently terminates near Sahalee Drive SE northwest of the subject property. The standard for this street classification is a 34-foot-wide improvement within a 60-foot-wide right-of-way.

Transportation Planning Rule: A Transportation Planning Rule (TPR) Analysis in consideration of the requirements of the TPR (OAR 660-012-0060) is needed to demonstrate that the proposed Comprehensive Plan Change/Zone Change (CPC/ZC) will not have a significant effect on the transportation system as defined by OAR 660-012-0060. The Assistant City Traffic Engineer has reviewed this proposal and recommends that this criterion has been met.

Public and Private Agency Review

Salem Public Works Department – The Public Works Department, Development Services Section, reviewed the proposal and submitted comments (**Attachment G**).

Salem Fire Department – The Salem Fire Department submitted comments indicating no concerns with the proposed Comprehensive Plan and Zone change.

Salem Community Development Department, Building and Safety Division – The Building and Safety Division submitted comments indicating no concerns with the proposed Comprehensive Plan and Zone change.

Oregon Department of Land Conservation and Development (DLCD) – No comments have been received.

Neighborhood Association and Public Comments

The subject property is located within the boundaries of the South Gateway Neighborhood Association (SGNA).

Required Open House/Neighborhood Association Meeting. Prior to application submittal, SRC 300.320 requires the applicant for a proposed minor amendment to the City's comprehensive plan map to either arrange and conduct an open house or present their proposal at a regularly scheduled meeting of the neighborhood association the property is located within. On November 12, 2020, the applicant's representative attended the SGNA meeting, held virtually, to present their proposal. A summary of the comments provided at the neighborhood association meeting is included as **Attachment B**.

Neighborhood Association Comment

The City provided a notice of filing and request for comments to the South Gateway Neighborhood Association pursuant to SRC 300.720(b)(2)(A)(i)(ee), which requires notice to be sent to any City-recognized neighborhood association whose boundaries include, or are adjacent to, the subject property.

No comments were received from the South Gateway Neighborhood Association.

Public Comment

Notice was also provided, pursuant to SRC 300.720(b)(2)(A)(i) (ff) and (gg), to all property owners and tenants within 250 feet of the subject property. Posted notice signs for the public hearing were placed visible from each street frontage of the subject property and remained in place through the day of the public hearing as required by SRC 300.720(b)(3).

As of the date of completion of this staff report, comments have been received from one individual and are included as **Attachment H**. The comments, in summary, express support for the proposal.

Homeowners Association

The subject property is not located within a Homeowners Association.

Applicant Submittal Information:

Requests for Minor Comprehensive Plan Changes and zone changes must include a statement addressing each applicable approval criterion and standard. The applicant submitted such statements and proof, which are included in their entirety as **Attachment E** to this staff report. Staff utilized the information from the applicant's statements to evaluate the applicant's proposal and to compose the facts and findings within the staff report.

FINDINGS APPLYING THE APPLICABLE SALEM REVISED CODE CRITERIA FOR A COMPREHENSIVE PLAN CHANGES AND ZONE CHANGES WITH ANNEXATION

Salem Revised Code, Chapters 260.045(b) and 260.060(c)(5) provide the criteria for the approval of Comprehensive Plan Changes and Zone Changes with annexation applications. The only difference between these two code sections is the reference to the decision-making group, either the Planning Commission (260.045(b)) or the City Council (260.060(c)(5)). The applicable criteria are stated below in ***bold italic*** print. Following each criterion are staff findings relative to the changes requested.

Criterion 1: Whether the comprehensive plan and zone designation provides for the logical urbanization of land;

Staff Finding: The surrounding area is largely residential within the city and agricultural outside of the city. The Parks, Open Space, Outdoor Recreation designation and PA zoning can be found dispersed throughout the city and are used to support recreational facilities for residential uses. West and northwest of the subject property, approximately 50 acres of land lie outside of the city but inside the Urban Growth Boundary (UGB); east of the subject property, approximately 120 acres of land lie outside of the city but inside the UGB. These areas outside the UGB are currently designed "Developing Residential" and will potentially be developed with additional housing in the future.

The subject property is moderately sloped, largely open with established trees along the northern boundary, and adjacent to a collector street (Rees Hill Road SE), local street (Devon Avenue SE), and future extension of another collector street (Lone Oak Road SE), making it easily accessible for park and recreation activities for residents of the existing and future developments.

Logical urbanization requires the provision of adequate City infrastructure. The subject property is capable of being served through extension of public water, sewer, and stormwater mains as conditioned in Subdivision Case No. SUB21-01 to the boundary of the property as specified in existing infrastructure master plans.

The subject property is located within both the S-3 and S-4 water service level areas. S-3 water infrastructure is available in Rees Hill Road SE and appears to be adequate to serve future development. Subdivision Case No. SUB21-01 shows an S-4 water pump station on the subject property west of the future Lone Oak Road SE Collector street. The property will

be served by sewer and stormwater systems as conditioned in Subdivision Case No. SUB21-01.

The property is currently bordered on the south and east by Rees Hill Road SE and Devon Avenue SE, respectively. The existing configuration of Rees Hill Road SE does not meet the standard for a Collector street according to the *Salem TSP*. The existing configuration of Devon Avenue SE does not meet the standard for a Local street according to the *Salem TSP*. Lone Oak Road SE is a future Collector street according to the Salem TSP and its construction is conditioned upon land use case number SUB21-01. The tentative plan of SUB21-01 shows Lone Oak Road SE extending through the subject property to Rees Hill Road SE. The zone change proposal does not include the area west of the future Collector street. Boundary street improvements including additional right-of-way along the frontage of the property will be addressed in the Site Plan Review process in SRC Chapter 220.

The exact alignment of the planned extension of Lone Oak Road SE is not known at this time. In order to establish the western boundary of the area subject to the proposed change in land use designations, the following condition is recommended:

Condition 1: The proposed legal description of the boundary between the PA (Public Amusement Zone) and RA (Residential Agriculture) zone shall be submitted to the Planning Administrator for review and approval within one year of the effective date of the annexation or at the time of final approval of public construction plans for the extension of Lone Oak Road SE, whichever is later.

The proposed Comprehensive Plan Change from "Developing Residential" to "Parks, Open Space, and Outdoor Recreation" and Zone Change from Marion County UT-10 (Urban Transition - 10 Acre) to City of Salem PA (Public Amusement) constitutes a downgrade of use. The net result of the changes proposed is a reduction in the potential traffic that could be generated. Therefore, the proposed CPC/ZC will not have a significant impact on the transportation system as defined by OAR 660-012-0060. The Assistant City Traffic Engineer has reviewed this proposal and recommends that this criterion has been met.

Future development may require an Urban Growth Area (UGA) Preliminary Declaration to address linking and boundary facilities required to serve subject property under the standards and requirements of SRC Chapter 200. Site-specific infrastructure requirements will be addressed in the Site Plan Review process in SRC Chapter 220.

With the recommended condition of approval, the proposal meets this criterion.

Criterion 2: Whether the comprehensive plan and zone designation is compatible with development patterns in the nearby vicinity;

Staff Finding: The Parks, Open Space, and Outdoor Recreation Comprehensive Plan designation and PA zoning allow development of a wide variety of both public and private parks, open spaces, and outdoor recreation sites. The proposed designations are compatible with the existing residential development to the north, east, and west, the existing farms and forestlands to the south, and the continuing development of residential properties to the north, east, and west of the subject property.

The proposal meets this criterion.

Criterion 3: Whether the social, economic, or demographic patterns of the nearby vicinity have so altered that the current designations are no longer appropriate; and

Staff Finding: Staff concurs with the applicant's statement that the surrounding area is shifting away from agricultural zoning to residential zoning. Increasing population and demographic changes requiring more housing also lead to an increase in demand for parks and open space.

The proposal meets this criterion.

Criterion 4: Whether it is in the public interest that the proposed change be made.

Findings: The proposed Comprehensive Plan Map amendment from "Developing Residential" to "Parks, Open Space, and Outdoor Recreation" and zone change to PA are in the public interest and would be of general benefit because they would allow a Community Park that will serve the needs of the expanding population in the South Salem area. The Community Park will be developed with input from the public and focused on providing active and passive recreational activities for all age levels. The proposed change in land use designation is consistent with the location and character of the property, with adjacent land use designations, and with the transportation facilities which serve the property.

The proposal meets this criterion.

CONCLUSION

Based on the facts and findings presented herein, staff concludes that the proposed Comprehensive Plan Map Amendment and Zone Change satisfy the applicable criteria contained under SRC 260.045(b) for approval.

RECOMMENDATION

Staff recommends that the Planning Commission adopt the facts and findings of the staff report and make the following recommendation to the City Council for the subject property consisting of approximately 16 acres of land generally east of the center line of the future extension of Lone Oak Road SE within a territory approximately 18.05 acres in size including 0.57 acres of Devon Avenue SE right-of-way and 17.47 acres of City-owned property at 681 Rees Hill Road SE 97306 (Marion County Assessor Map and Tax Lot Number 083W22C00400):

- A. That the Salem Area Comprehensive Plan Map Change from "Developing Residential" to "Parks, Open Space, and Outdoor Recreation" be GRANTED and
- B. That the zone change request from Marion County UT-10 (Urban Transition - 10 Acres) to City of Salem PA (Public Amusement) be applied upon annexation of the property, contingent on approval of the "Parks, Open Space, and Outdoor Recreation" Comprehensive Plan Map designation, and subject to the following condition:

Condition 1: The proposed legal description of the boundary between the PA (Public Amusement Zone) and RA (Residential Agriculture) zone shall be submitted to the Planning Administrator for review and approval within one year of the effective date of the annexation or at the time of final approval of public construction plans for the extension of Lone Oak Road SE, whichever is later.

Attachments:

- A. Vicinity Map
- B. Summary of South Gateway Neighborhood Association Meeting
- C. Map of Area Subject to Proposed Zone Change
- D. Map of Area Subject to Proposed Comprehensive Plan Change
- E. Applicant's Written Statement
- F. Annexation Territory Map
- G. Public Works Department Memo
- H. Public Comments

Prepared by Pamela Cole, Planner II

Vicinity Map 681 Rees Hill Road SE



Legend

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



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Pamela Cole

From: Toni Whitler
Sent: Monday, November 16, 2020 7:55 AM
To: Pamela Cole
Cc: Robin Dalke
Subject: SGNA Meeting and Rees Hill Road Annexation/CP/ZC

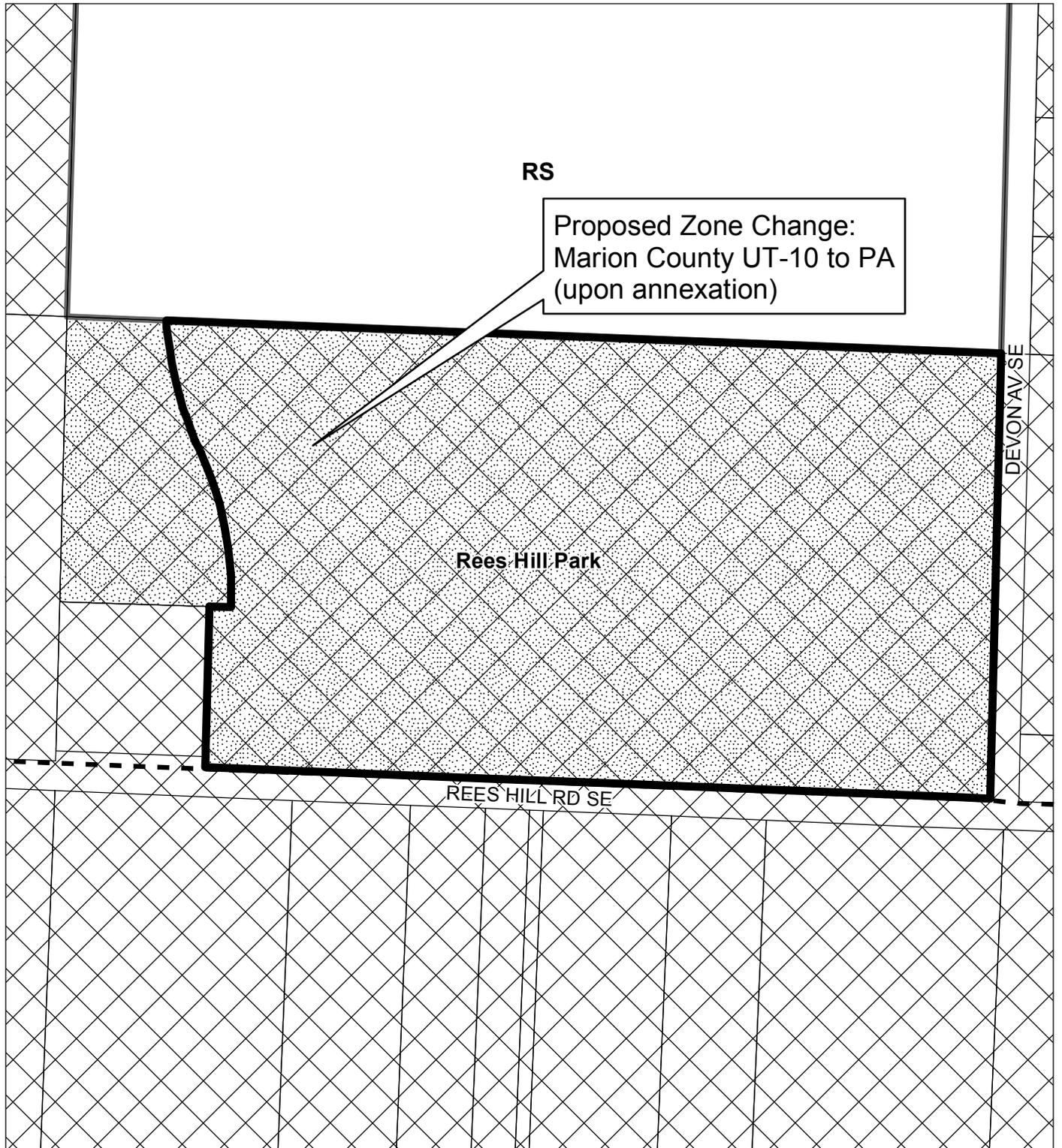
Hi Pamela,

The SGNA meeting went well. With the exception of one, all questions were with regard to master planning and development of the park. There was no issue with the annexation. There was a question regarding the expansion of Lone Oak Road SE and whether it would cut through the park. Robin Dalke was available for questions and she responded that Lone Oak is anticipated to impact the western boundary of the park property to Rees Hill Road SE.

Sincerely,

Toni Whitler
Park Planner II
City of Salem | Public Works Department
555 Liberty Street SE, Suite 325, Salem OR 97301-3513
twhitler@cityofsalem.net | 503-588-6211

Proposed Zone Change - 681 Rees Hill Rd SE



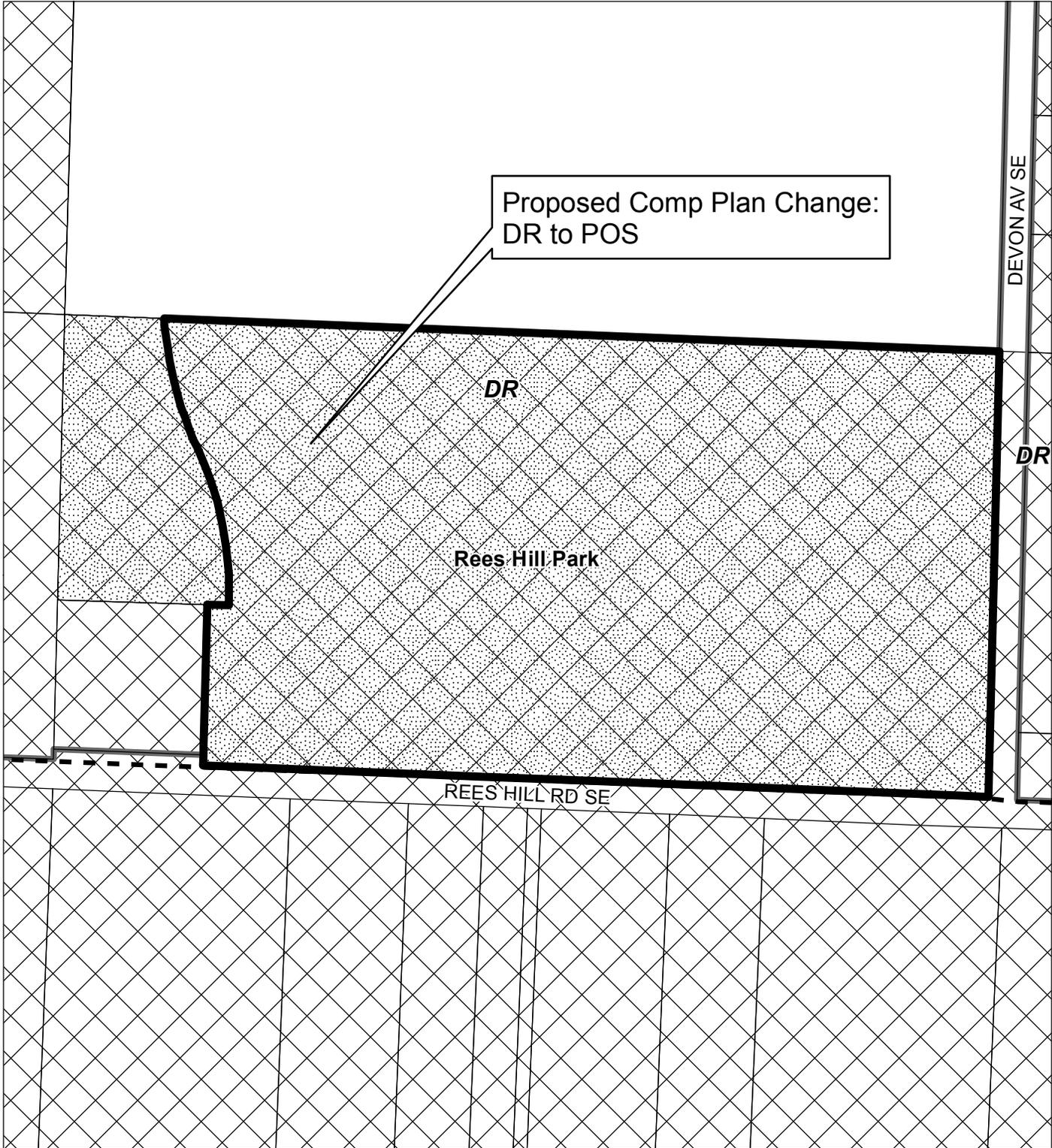
Legend

- RS Base Zoning
- Urban Growth Boundary
- Outside Salem City Limits
- Taxlots
- Parks
- Schools



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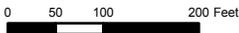
Proposed Comprehensive Plan Change - 681 Rees Hill Rd SE



Legend

-  Comprehensive Plan
-  Urban Growth Boundary
-  Outside Salem City Limits
-  Taxlots
-  Parks
-  Schools

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Property: Rees Hill Road Park Property – 681 Rees Hill Road

Proposed findings demonstrating why comprehensive plan and zone designation criteria are met (SRC 260.060(c)(5)).

A. The comprehensive plan and zone designation provides for the logical urbanization of land;

Overall, the property has moderate slopes, with no waterways or wetlands. There are established trees along the northern boundary. Access is provided by Rees Hill Road SE, the future expansion of Lone Oak Road, and Devon Avenue making it accessible for park and recreation activities. The comprehensive plan designation of Parks, Open Space and Outdoor Recreation, and zone change to Public Amusement will allow for a variety of recreation opportunities for the expanding residential population.

B. The comprehensive plan and zone designation is compatible with development patterns of the nearby vicinity;

The proposed Comprehensive Plan and Zone Change designation is compatible with the current increase in residential development of Single-Family homes to the north, northeast, and northwest of the property.

C. Social, economic, or demographic patterns in the nearby vicinity have so altered that the current designations are no longer appropriate.

The surrounding area is shifting away from agricultural and industrial zoning to residential zoning for single family and multi-family. Increasing population and demographic changes requiring more housing has resulted in the need to provide additional park and open space.

D. It is in the public interest that the proposed change be made.

The proposed Comprehensive Plan/Zone Change will allow a Community Park to serve the needs of the expanding population in the south Salem area. Rees Hill Park is classified as a Community Park and will be developed with input from the public and focused on providing active and passive recreational activities for all age levels.

TO: Pamela Cole, Planner
Community Development Department

FROM: Rob Romanek, Parks Planner
Public Works Department

DATE: April 12, 2021

SUBJECT: **Request to Modify Comprehensive Plan Change and Zoning Change for 681 Rees Hill Rd SE**

The City of Salem Public Works Department is requesting a modification to the City's annexation, comprehensive plan change, and zone change application for property located 681 Rees Hill Rd SE. The modification is being requested to exclude an approximately 1.8-acre portion of the subject property from the proposed comprehensive plan change and zone change. A map depicting the requested modification is attached.

The intent of excluding this area is to preserve flexibility for future use. Public Works Parks Planning staff has determined that a planned extension of Lone Oak Road SE will fragment the subject property, separating this portion from the remainder of the property. While not excluding future park uses, retaining the current Developing Residential SACPD Designation and applying City of Salem RA (Residential Agriculture) zoning preserves greater flexibility for future use.

A zone change from Marion County UT-10 to City of Salem PA (Public Amusement) and comprehensive plan change to POS (Parks, Open Space, and Outdoor Recreation) is still requested over the remainder of the site concurrent with the annexation.

Please contact me if you have any questions or concerns related to this request. I can be reached at roamenk@cityofsalem.net.

[RR]:B:\PARKS\Parks Planning\PARKS\Rees Hill Road\Annexation\rees_hill_park_split_designation_split_zoning_request_memo.docx

Attachment:

Split Designation & Split Zoning Location Map

cc: Lisa Anderson-Ogilvie, AICP, Deputy Community Development Director
Olivia Dias, Current Planning Manager
Patricia Farrell, Park and Natural Resources Planning Manager
Toni Whittler, Parks Planner
Don Whitehurst, PE, Construction Engineer
Glenn Davis, PE, Chief Development Engineer
Curt Pellatz, Senior Program Manager
File: Rees Hill Park Annexation File

Split Designation & Split Zoning Location Map

681 Rees Hill Rd SE



Legend

-  Taxlots
-  Park Boundary / Subject Property
-  Retain as Developing Residential SACP Designation and apply City of Salem RA (Residential Agriculture) Zoning

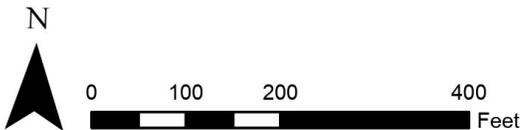


Exhibit Not to Scale



NOW EXISTING CITY LIMITS LINE

Reel 4132
Page 350

P.O.B.

Basis of Bearing -- S 89°58'18" E 1340.32'

DEVON AVE.

N 00°19'29" W 396.93'

N 89°53'19" W
208.72'

Partition Plat
1994-106
Parcel 2

N 00°19'29" W
222.71'

AREA TO BE ANNEXED

Partition Plat 1994-106
Parcel 1
Reel 4209
Page 195

S 00°35'24" E 621.61'

REES HILL RD

N 89°53'19" W 1,134.49'

Urban Growth Boundary

NOTE: BASIS OF BEARINGS -
North Line of Partition Plat 94-106

TOWNSHIP 8 SOUTH, RANGE 3 WEST, SECTION 22,
WILLAMETTE MERIDIAN

P.O.B. = Point of Beginning



Property in Marion
County



PROPERTY PROPOSED
TO BE ANNEXED INTO CITY

EXHIBIT MAP

**CITY OF SALEM, OREGON
PUBLIC WORKS DEPARTMENT**

681 Rees Hill Road SE

CITY OF SALEM ORDINANCE NO. _____

ANNEXED: _____

CONTAINING 18.05 Acres

ADJACENT TO WARD 4

CASE NO. C-739

TRACT NO. _____



MEMO

TO: Pamela Cole, Planner II
Community Development Department

FROM: Glenn J. Davis, PE, CFM, Chief Development Engineer 
Public Works Department

DATE: May 11, 2021

**SUBJECT: PUBLIC WORKS RECOMMENDATIONS
CPC-ZC21-01 (19-125038-AN, 19-125043-ZO, and 19-125044-ZO)
681 REES HILL ROAD SE
ANNEXATION WITH CPC/ZC (ANXC-739)**

PROPOSAL

A Comprehensive Plan Change from "Developing Residential" to "Parks, Open Space, and Outdoor Recreation" and Zone Change from Marion County UT-10 (Urban Transition - 10 Acre) to City of Salem PA (Public Amusement) for land east of the center line of the future extension of Lone Oak Road SE within a territory approximately 18.05 acres in size including 0.57 acres of Devon Avenue SE right-of-way and 17.47 acres of City-owned property at 681 Rees Hill Road SE 97306 (Marion County Assessor Map and Tax Lot Number 083W22C 00400).

SUMMARY OF FINDINGS

The proposed development meets applicable criteria related to Public Works infrastructure.

FACTS

Public Infrastructure Plan—The *Water System Master Plan*, *Wastewater Management Master Plan*, and *Stormwater Master Plan* provide the outline for facilities adequate to serve the proposed zone.

Transportation Planning Rule—A Transportation Planning Rule (TPR) Analysis in consideration of the requirements of the TPR (OAR 660-012-0060) is needed to demonstrate that the proposed Comprehensive Plan Change/Zone Change (CPC/ZC) will not have a significant effect on the transportation system as defined by OAR 660-012-0060. The Assistant City Traffic Engineer has reviewed this proposal and recommends that this criterion has been met.

Streets

1. Rees Hill Road NE

- a. Standard—This street is under Marion County jurisdiction and is located outside of the Urban Growth Boundary. It is designated as a Collector street in the Salem TSP. The standard for this street classification is a 34-foot-wide improvement within a 60-foot-wide right-of-way.
- b. Existing Condition—This street has an approximate 20-foot improvement within a 42-foot-wide right-of-way abutting the subject property.

2. Devon Avenue SE

- a. Standard—This street is currently under Marion County jurisdiction and is designated as a Local street in the Salem TSP. The standard for this street classification is a 30-foot-wide improvement within a 60-foot-wide right-of-way.
- b. Existing Condition—This street has an approximate 26-foot improvement within a 40-foot-wide right-of-way abutting the subject property.

3. Lone Oak Road SE

- a. Standard—This street is designated as a Collector street in the Salem TSP. The standard for this street classification is a 34-foot-wide improvement within a 60-foot-wide right-of-way.
- b. Existing Condition—The Salem TSP depicts the future extension of Lone Oak Road SE to be located within the subject property. This street currently terminates near Sahalee Drive SE northwest of the subject property.

Storm Drainage

1. Existing Condition

- a. No public storm mains are adjacent to the site.

Water

2. Existing Conditions

- a. The subject property is located in the S-3 and S-4 water service levels.

- b. The nearest public water main is a 16-inch S-3 main located in Rees Hill Road SE. Mains of this size generally flow 3,800 to 8,800 gallons per minute.
- c. There is no existing S-4 water system. An S-4 water system pump station is proposed at the northwest corner of the park site, west of the proposed Lone Oak Road SE extension.

Sanitary Sewer

1. Existing Condition

- a. The property is split into two sewage drainage basins, partially toward the west line and partially toward the east.
- b. The nearest adequate linking facility for the west basin appears to be an existing 8-inch sewer line northwest of the property in Lone Oak Road SE.
- c. The nearest adequate linking facility for the east basin appears to be an existing 8-inch sewer line northeast of the property. The east basin may be able to receive service from the existing sewer main in Lone Oak Road SE.

Natural Resources

1. Wetlands—The Salem-Keizer Local Wetland Inventory (LWI) shows that there are no hydric soils and/or linear wetland area(s) mapped on the property.
2. Floodplain—No mapped floodplain or floodway is located on the subject property.
3. Landslide Hazards—City records show there may be category 2-point landslide hazard areas mapped on the subject property.

CRITERIA AND FINDINGS

SRC 260.045(b)(1)—Whether the comprehensive plan and zone designation provides for the logical urbanization of land.

Finding: Logical urbanization requires the provision of adequate City infrastructure. The subject property is capable of being served through extension of public water, sewer, and stormwater mains as conditioned in Land Use Case SUB21-01 to the boundary of the property as specified in existing infrastructure master plans.

The subject property is located within both the S-3 and S-4 water service level areas. S-3 water infrastructure is available in Rees Hill Road SE and appears to be adequate to serve future development. Land use Case SUB21-01 shows an S-4 water pump station on the subject property west of the future Lone Oak Road SE Collector street. The property will be served by sewer and stormwater systems as conditioned in Land Use Case SUB21-01.

The property is currently bordered on the south and east by Rees Hill Road SE and Devon Avenue SE, respectively. The existing configuration of Rees Hill Road SE does not meet the standard for a Collector street according to the Salem TSP. The existing configuration of Devon Avenue SE does not meet the standard for a Local street according to the Salem TSP. Lone Oak Road SE is a future Collector street according to the Salem TSP and its construction is conditioned upon land use case number SUB21-01. The tentative plan of SUB21-01 shows Lone Oak Road SE extending through the subject property to Rees Hill Road SE. The zone change proposal does not include the area west of the future Collector street. Boundary street improvements including additional right-of-way along the frontage of the property will be addressed in the Site Plan Review process in SRC Chapter 220.

The proposed Comprehensive Plan Change from "Developing Residential" to "Parks, Open Space, and Outdoor Recreation" and Zone Change from Marion County UT-10 (Urban Transition - 10 Acre) to City of Salem PA (Public Amusement) constitutes a downgrade of use. The net result of the changes proposed is a reduction in the potential traffic that could be generated. Therefore, the proposed CPC/ZC will not have a significant impact on the transportation system as defined by OAR 660-012-0060. The Assistant City Traffic Engineer has reviewed this proposal and recommends that this criterion has been met.

Future development may require an Urban Growth Area (UGA) Preliminary Declaration to address linking and boundary facilities required to serve subject property under the standards and requirements of SRC Chapter 200. Site-specific infrastructure requirements will be addressed in the Site Plan Review process in SRC Chapter 220.

Prepared by: Jennifer Scott, Program Manager
cc: File

Pamela Cole

From: Joni Brewer <jonibrewer11@gmail.com>
Sent: Saturday, May 1, 2021 11:42 AM
To: Pamela Cole
Subject: Case No. CPC-ZC21-01, 681 Rees Hill Rd. SE, Salem

Hi,

This is written testimony for the upcoming land use request.

I'm in favor of the plan change and the zone change that's being proposed. With all of the new families that will be moving in it will be essential for them to have a place to play, stretch and move.

Thank you,

Joni Brewer
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Do not look back on happiness, or dream of it in the future. You are only sure of today, do not let yourself be cheated out of it. ~Henry ward Beecher