

TO: PLANNING COMMISSION

**FROM: LISA ANDERSON-OGILVIE, AICP
DEPUTY COMMUNITY DEVELOPMENT DIRECTOR AND
PLANNING ADMINISTRATOR**

**SUBJECT: MINOR COMPREHENSIVE PLAN MAP AMENDMENT & ZONE CHANGE
CASE NO. CPC-ZC22-04; FOR PROPERTY LOCATED AT 3821 IBEX
STREET NE (AMANDA APPLICATION NO. 22-105174-ZO; 22-105175-ZO)**

REQUEST

A petitioner-initiated, voter-exempt annexation of territory approximately 1.99 acres in size, located at 3821 Ibex Street NE (Marion County Assessor Map and Tax Lot Number 072W07BB02900), currently designated "Multi-Family Residential" in the Salem Area Comprehensive Plan (SACP) and zoned Marion County UD (Urban Development), with a concurrent Comprehensive Plan Change to "Parks, Open Space, and Outdoor Recreation" and Zone Change to City of Salem PA (Public Amusement). A vicinity map is included as **Attachment A**.

APPLICANT: City of Salem Public Works

OWNER: City of Salem

REPRESENTATIVE: Toni Whittler

RECOMMENDATION

Based upon the Facts and Findings contained in this staff report, staff recommends that the Planning Commission adopt the facts and findings of the staff report and make the following recommendation to the City Council:

- A. That the Salem Area Comprehensive Plan Map Change from "Multi-Family Residential" to "Parks, Open Space, and Outdoor Recreation" be APPROVED and
- B. That the zone change request from Marion County UD (Urban Development) to City of Salem PA (Public Amusement) be APPROVED and applied upon annexation of the property, contingent on approval of the "Parks, Open Space, and Outdoor Recreation" Comprehensive Plan Map designation.

PROCEDURAL FINDINGS

1. On February 28, 2022, Toni Whittler of City of Salem Public Works filed an application for an Annexation, Comprehensive Plan Change, and Zone Change on behalf of the applicant and property owner, City of Salem. The application requests to change the Comprehensive Plan Map designation of the property from "Multi-Family Residential" to "Parks, Open Space, and Outdoor Recreation" and the zoning of the property from

Marion County UD (Urban Development) to City of Salem PA (Public Amusement) upon annexation. After additional requested information was provided by the applicant, the application was deemed complete for processing on March 15, 2022.

2. When multiple land use applications are consolidated into a single application and one or more of the applications involved include a requirement for an open house and the other applications require a combination of neighborhood association contact or no neighborhood association contact, the entire consolidated application shall require an open house (see SRC 300.320[b][2]). 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 January 20, 2022 the applicant presented at a virtual neighborhood association meeting. A summary of the materials provided, notice given, and minutes of the neighborhood association meeting are attached (**Attachment B**). The applicant has demonstrated compliance with the requirements of SRC 300.320(f).
3. Notice of the consolidated proposal was distributed to City departments, neighborhood associations and public and private service providers on May 26, 2022.
4. Public notice of the proposal was provided pursuant to Salem Revised Code (SRC) requirements, on June 1, 2022.
5. Public notice was posted on the property by the applicant's representative on June 10, 2022.
6. The applicant has indicated that the property is not within a Homeowners Association (HOA).
7. DLCD Notice. State law (ORS 197.610) and SRC 300.620(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. Required notice of the proposed Comprehensive Plan Change and Zone Change application was provided to DLCD on May 17, 2022.
8. The public hearing on the application is scheduled for June 21, 2022.
9. 120-Day Rule. Pursuant to Oregon Revised Statutes (ORS) 227.128, amendments to an acknowledged Comprehensive Plan are not subject to the 120-day rule. In addition, the requested Quasi-Judicial Zone Change included with the application is similarly not subject to the 120-day rule because, pursuant to ORS 227.178(10), the zone change has been filed concurrently, and is being considered jointly, with the proposed comprehensive plan amendment.
10. 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.

SUMMARY OF RECORD

The following items are submitted to the record and are available: 1) all materials and testimony submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, stormwater reports, and; 2) materials, testimony, and comments from public agencies, City Departments, neighborhood associations, and the public. All application materials are available on the City's online Permit Application Center at <https://permits.cityofsalem.net>. You may use the search function without registering and enter the permit number listed here: 22 105174.

BACKGROUND

Proposal

The subject property of 1.99 acres at 3821 Ibex Street NE (**Attachment A**) is owned by the City of Salem, currently designated "Multi-Family Residential" on the Salem Area Comprehensive Plan Map, zoned Marion County UD (Urban Development), and undeveloped. The subject property adjoins the City limits and Fisher Road Park on its western boundary and has frontage on Ibex Street NE on its eastern boundary.

The City purchased the property in order to expand Fisher Road Park, which is zoned PA (Public Amusement), currently designated "Multi-Family Residential" on the Salem Area Comprehensive Plan Map, and proposed for "Parks, Open Space, and Outdoor Recreation" in the Our Salem project.

The applicant is requesting a zone change from Marion County UD (Urban Development) to City of Salem PA (Public Amusement) upon annexation of the subject property. 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 designation of the property from "Multi-Family 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 statement summarizing the request and addressing compliance with the required approval criteria are included as **Attachment E**.

Subject Application

Salem Revised Code (SRC) Chapter 260 contains annexation procedures. The application is subject to the provisions of SRC Chapter 260 that were in effect prior to the most recent UDC amendment effective March 16, 2022. SRC 260.045(a), 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.

At the time of the application submittal, Table 260-1 indicated that the equivalent city zoning would be RA (Residential Agriculture) or RS (Single Family Residential) for Marion County UD (Urban Development) zoning with a comprehensive plan designation of “Developing Residential” or RS (Single Family Residential) for Marion County UD (Urban Development) zoning with a comprehensive plan designation of “Single Family Residential.” Table 260-1 prescribed no equivalent city zoning designation for a combination of Marion County UD (Urban Development) zoning and “Multi-Family Residential” comprehensive plan designation. The equivalent city zoning designation of RA (Residential Agriculture) or RS (Single Family Residential) for the current county zoning designation is inconsistent with the Salem Area Comprehensive Plan designation of “Multi-Family Residential”.

The applicant is requesting a change in the comprehensive plan designation from “Multi-Family Residential” to “Parks, Open Space, and Outdoor Recreation” along with the request for a zone change from Marion County UD (Urban Development) to a city zoning designation of PA (Public Amusement). The requested changes would be consistent with the current PA (Public Amusement) zoning and proposed “Parks, Open Space, and Outdoor Recreation” Salem Area Comprehensive Plan Map designations of the existing Fisher Road Park.

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 designations, the equivalent designation, or different 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.

FACTS AND FINDINGS

1. Salem Area Comprehensive Plan (SACP)

The Salem Area Comprehensive Plan is the long-range plan for guiding growth and development in the Salem urban area. The overall goal of the plan is to accommodate growth and 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. The comprehensive plan consists of several different documents and maps that, 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.

Comprehensive Plan Map: The Salem Area Comprehensive Plan Map designates the subject property as “Multi-Family Residential.”

The comprehensive plan map designations of surrounding properties include:

North: Multi-Family Residential (*in Marion County*)
South: Multi-Family Residential (*in Marion County*)
East: Multi-Family Residential (*in Marion County*)
West: Multi-Family Residential (*proposed for Parks, Open Space, and Outdoor Recreation in Our Salem*)

Neighborhood Plan: The subject property is located within the Northgate Neighborhood Association. Northgate does not have an adopted neighborhood plan.

Salem Transportation System Plan (TSP): The Salem Transportation System Plan (TSP) is the City's transportation master plan that establishes the goals, objectives, policies, projects, and programs needed to meet the City's mobility needs for the next 25 years. In order to achieve this, the TSP utilizes a Street Classification System to determine the functional classification of each street within the City's street system. The subject property has frontage on Ibox Street NE, which is designated as a Local street under the TSP.

Urban Service Area: The Urban Service Area is that territory within City where all required public facilities (*streets, water, sewer, storm water, and parks*) necessary to serve development are already in place or fully committed to be extended. Property located outside the City's Urban Service Area is required to obtain an Urban Growth Preliminary Declaration prior to development to identify those public facilities identified in the City's public facility plans that are needed to serve the property.

The subject property lies within the City's Urban Service Area. No Urban Growth Preliminary Declaration would be required for further development of the subject property.

2. Zoning

The subject property is zoned Marion County UD (Urban Development). The zoning and uses of surrounding properties are as follows:

North: Marion County RM (Multiple Family Residential) – apartments
South: Marion County UD (Urban Development) – apartments
East: Marion County RS (Single Family Residential) and Marion County UD (Urban Development) – single family dwellings
West: PA (Public Amusement) – park

3. Existing Conditions

The subject property, owned by the City of Salem, is approximately 1.99 acres and vacant. The subject property has approximately 30 feet of frontage on Ibox Street NE.

The city limits line forms the western boundary of the subject property.

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 20

inches or greater and most other trees with diameter-at-breast-height of 30 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. The property contains many trees. Any Significant Trees on the property would be subject to the protections of SRC Chapter 808 upon annexation and upon development.

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

Landslide Hazards: City records show that there may be category 2- to 3-point landslide hazard areas mapped on the subject property.

Infrastructure

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 subject property.

Water: The subject property is located within the G-0 water service levels. A 6-inch water main is located in Lancaster Drive NE

Sewer: An 8-inch sewer main is located in Ibex Street NE.

Storm Drainage: There are no public storm mains in the vicinity of the subject property.

Streets: Ibex Street NE is designated as a Local street in the TSP. The standard for this street classification is a 30-foot-wide improvement within a 60-foot-wide right-of-way. The street has an approximate 25-foot improvement within a 30-foot-wide right-of-way abutting the subject property.

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

4. Public and Private Agency Review

Notice of the proposal was provided to City Departments, public agencies, and to public & private service providers. The following comments were received:

- A. City of Salem Building and Safety Division - Reviewed the proposal and indicated no comments.
- B. City of Salem Fire Department - Reviewed the proposal and indicated no concerns with the proposed comprehensive plan amendment and zone change. Items including fire department access and water supply will be required at the time of development.

- C. City of Salem Public Works Department - Reviewed the proposal and provided comments that are included as **Attachment F**.

5. Neighborhood Association and Public Comments

The subject property is located within the Northgate Neighborhood Association.

Required Open House/Neighborhood Meeting

SRC 300.320 requires the applicant for a proposed minor amendment to the City's comprehensive plan map to either arrange and attend an open house or present their proposal at a regularly scheduled meeting of the neighborhood association the property is located within. On January 20, 2022, the applicant's representative attended a regularly scheduled meeting of the Northgate Neighborhood Association to present the proposal. Minutes of the meeting are included in **Attachment B**.

Neighborhood Association Comments

Notice of the application was provided to the Northgate Neighborhood Association pursuant to SRC 300.620(b)(2)(B)(vii), which requires notice to be sent to any City-recognized neighborhood association whose boundaries include, or are adjacent to, the subject property. Northgate submitted comments indicating that they support the map amendment, zone change, and enlargement of the park.

Public Comments

In addition to providing notice to the neighborhood association, notice was also provided, pursuant to SRC 300.620(b)(2)(B)(iii), (viii), & (ix), to all property owners and tenants within 250 feet of the subject property. As of the date of completion of this staff report no comments have been received from area property owners, tenants, or other interested parties.

Homeowners Association

SRC 300.620(b)(2)(B)(vi) requires notice to be provided to any active and duly incorporated Homeowners' Association (HOA) applicable to the property. The subject property is not located within a Homeowners' Association.

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

6. Land Use Designations for Territory Proposed for 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.

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

Staff Finding: The surrounding area is largely developed with multi-family residential uses within the city and Marion County. Several large properties southwest and south of the property are zoned for additional multi-family development. The Parks, Open Space, Outdoor Recreation designation and PA zoning are dispersed throughout the city and are used to support recreational facilities for residential uses.

The site is flat with less than two percent slope, and it has established trees. Annexation and development of the subject property would add approximately 1.99 acres to the existing 4.86-acre Fisher Road Park, a Neighborhood Park that is abutting at the western property line. The existing park has vehicular access from Fisher Road NE, and the expanded park would have pedestrian access from Ibex Street NE and Fisher Road NE, 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.

Public sewer infrastructure is available adjacent to the subject property and appears to be adequate to serve the existing and future tenants or proposed development. Open ditches are available in Ibex Street NE and Lancaster Drive NE to accommodate stormwater from the proposed development. The property is capable of being served by public water through an extension of the public water main in Lancaster Drive NE approximately 450-feet east of the subject property. Site-specific infrastructure requirements will be addressed in the site plan review process in SRC Chapter 220.

Ibex Street NE does not meet the minimum right-of-way width or improvement width for a parkway according to the Salem TSP. At time of development, improvements to Ibex Street NE may be required pursuant to SRC 803.040. Site-specific street improvement requirements will be addressed in the site plan review process in *Salem Revised Code* (SRC) Chapter 220.

The Assistant City Traffic Engineer has reviewed the proposal and finds that the 1.99-acre parcel would be expected to generate 263 daily trips under the “Multi-Family” Comprehensive Plan Designation and RM-2 Zoning, and under the proposed “Parks” Comprehensive Plan Designation and Public Amusement Zoning, the parcel would be expected to generate 27 daily trips. The proposed CPC/ZC does not have a significant effect on the transportation system and therefore complies with the Transportation Planning Rule OAR 660-012-0060.

The proposal meets this criterion.

SRC 260.045(b)(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 park, the existing residential development to the north, south, and east, and the future development of multi-family residential properties to the north, southwest, and south.

The proposal meets this criterion.

SRC 260.045(b)(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 increasing population and demographic changes requiring more housing have resulted in the need to provide additional parks and open space. Areas outside the city limits along Fisher Road NE and south of the subject property have recently been annexed for multi-family development. Annexation applications have been submitted for properties with existing or proposed multi-family development west and north of the existing Fisher Road Park. To meet the needs of the growing population, parks and open space must be increased. The proposed comprehensive plan and zoning designations will allow development of additional park land to serve the expanding population in the immediate area.

The proposal meets this criterion.

SRC 260.045(b)(4): Whether it is in the public interest that the proposed change be made.

Findings: The proposed Comprehensive Plan Map amendment from “Multi-Family Residential” to “Parks, Open Space, and Outdoor Recreation” and zone change to PA (Public Amusement) are in the public interest and would be of general benefit because they would allow expansion of a Neighborhood Park that will serve the needs of the expanding population in the northeast area. The Neighborhood Park has a one-half mile service area. The expansion of the park on the subject property will serve the growing population within one-half mile. During the park master planning process, the City will seek input from the public and with a focus on ways to provide 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.

FINDINGS OF COMPLIANCE WITH STATEWIDE PLANNING GOALS AND SALEM AREA COMPREHENSIVE PLAN

7. Compliance with Statewide Planning Goals and Salem Area Comprehensive Plan

The proposed land use designations are consistent with applicable Statewide Planning Goals and Salem Area Comprehensive Plan as demonstrated by the following findings.

A. Statewide Planning Goals applicable to the proposed annexation, comprehensive plan change, and zone change are:

(1) GOAL 8. Recreational Needs. Goal 8 requires local governments to plan for the recreation needs of their residents and visitors. Goal 8 states that local park providers may prepare local park master plans, and local governments may amend acknowledged comprehensive plans and zoning ordinances pursuant to the requirements and procedures of ORS 197.610 to 197.625 in order to implement such local park plans. If a local government decides to adopt a local park plan as part of the local comprehensive park plan, the adoption shall include a plan map designation, as necessary, to indicate the location and boundaries of the local park; and appropriate zoning categories and map designations, including objective land use and siting review criteria, in order to authorize the existing and planned park uses described in the local park master plan. The City has an adopted Comprehensive Park System Master Plan and has identified the need for a Neighborhood Park to serve residential development near the territory. The proposed annexation and land use designations will increase the city's inventory of lands suitable for park development. The location is in close proximity to existing and proposed residential development and is appropriate to provide recreational facilities for such housing. The proposed annexation is consistent with Goal 8.

(2) GOAL 10. Housing. Goal 10 requires provisions for housing to meet the needs of residents. The proposed annexation, comprehensive plan change to "Parks, Open Space, and Outdoor Recreation," and zone change to PA (Public Amusement) will remove approximately two acres of land from the "Multi-Family Residential" comprehensive plan map designation. The City's Housing Needs Analysis and Buildable Lands Inventory indicates a need for more land for multifamily development. To address the shortfall, the City has recently adopted new codes allowing middle housing options of two or more units on land zoned for single-family development, and the City's Our Salem project has identified needed multifamily and mixed use land and initiated conversion of that land. The subject property has been identified as needed park land, and the proposed Comprehensive Plan change to "Parks, Open Space, and Outdoor Recreation" and Zone Change to PA (Public Amusement) would allow the property to be developed with a needed park that will serve existing and future residential development near the territory. The proposed annexation is consistent with Goal 10.

In summary, the proposed annexation is consistent with the applicable Statewide Goals.

B. Salem Area Comprehensive Plan (SACP) goals, policies and intent statements applicable to the proposed annexation are:

(1) SACP Chapter II (Definitions and Intent Statements), Section A (Land Use Map), Subsection 3 (Plan Map Designations), Part g (Parks, Open Space, and Outdoor Recreation) (SACP pages 9-10): The "Parks, Open Space, and Outdoor Recreation" designation is characterized by a wide variety of parks, open spaces, and outdoor recreation sites.

The future use of these areas is primarily for parks and open space facilities to be managed by the city, such as neighborhood parks, large urban parks, and

connector trails; open space which is incorporated into the design of a development, such as Capitol Mall and the grounds of the State Fair; open space which is maintained, at least in part, by natural conditions which limit more intensive use, such as Pringle Creek, Mill Creek, and agricultural land within the floodplain; and outdoor recreation uses such as golf courses. The City's PA (Public Amusement) zone implements this Plan map designation by providing additional land for uses classified as commercial entertainment (other than camps and recreational vehicle parks), major event entertainment, recreational and cultural community services, parks and open space, marinas, agriculture (other than marijuana production), and forestry.

The subject property abuts an existing City park and is suitable for expansion of that park. The uses allowed under the proposed PA zoning would provide recreational opportunities for the residents of the surrounding residential zones and developments. The proposed designations are consistent with the above SACP provision.

(2) SACP Chapter IV (Salem Urban Area Goals and Policies), Section K (Open Space, Parks and Recreation), Subsection 1 (Parks Acquisition and Development) (SACP page 44): Public parks shall be acquired and developed as recommended by the Comprehensive Park System Master Plan. Early acquisition of park sites shall be considered in anticipation of future needs and to minimize land costs as described in the Urban Growth Management Program.

The proposed annexation and land use designations affect a parcel the City purchased for future development of a park. Development of the park will be according to the Comprehensive Park System Master Plan, which has identified the need for a Neighborhood Park to serve residential development near the territory.

In summary, the proposed annexation is consistent with the applicable provisions of the SACP.

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 1.99 acres of land at 3821 Ibex Street NE (Marion County Assessor Map and Tax Lot Number 072W07BB02900):

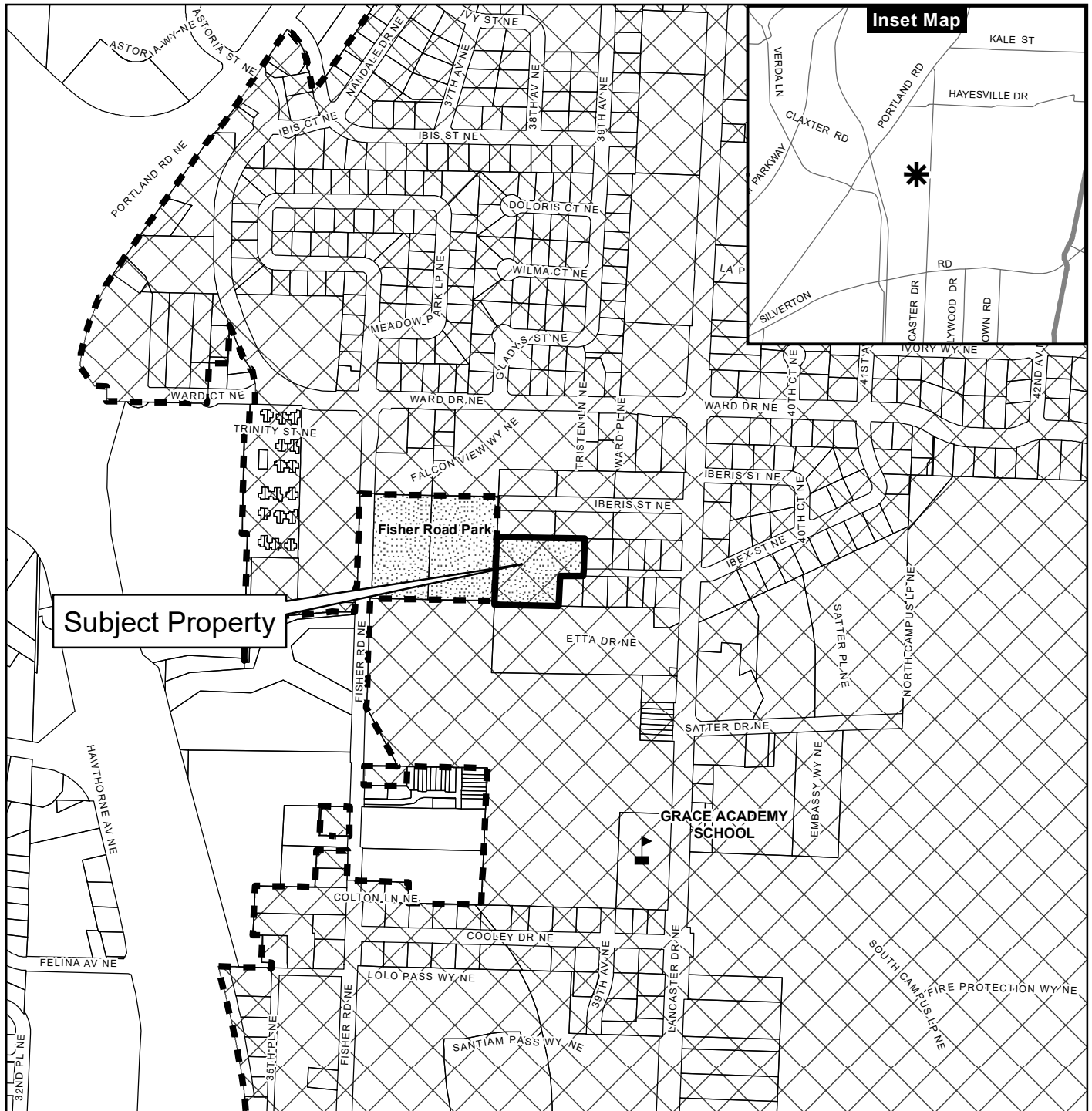
- A. That the Salem Area Comprehensive Plan Map Change from "Multi-Family Residential" to "Parks, Open Space, and Outdoor Recreation" be APPROVED and

- B. That the zone change request from Marion County UD (Urban Development) to City of Salem PA (Public Amusement) be APPROVED and applied upon annexation of the property, contingent on approval of the "Parks, Open Space, and Outdoor Recreation" Comprehensive Plan Map designation.

- Attachments:
- A. Vicinity Map
 - B. Neighborhood Association Meeting Documents
 - C. Map of Proposed Zone Change
 - D. Map of Proposed Comprehensive Plan Map Amendment
 - E. Applicant's Written Statement
 - F. Public Works Department Memorandum






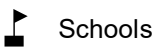

Prepared by Pamela Cole, Planner II

Vicinity Map 3821 IbeX Street NE



Subject Property

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, December 27, 2021 10:21 AM
To: beebalmbees@gmail.com; Kaethe Mentrum; Don Jensen
Cc: Pamela Cole; Irma Dowd; Patricia Farrell
Subject: Formal Notice to Northgate Neighborhood Association re: 3821 Ibex Street NE
Attachments: Map of Fisher Road Park Addition.pdf; North-Gateway-Meeting-Sign-2021-12-20.pdf

Thank you for adding me to the January 20 agenda for the Northgate Neighborhood Association meeting. I will be attending via Zoom and will provide a PowerPoint presentation to the neighbors. I will also provide this presentation via pdf file following the meeting so you can send out to the neighborhood association network.

To comply with Salem Revised Code (SRC) 300.320(f)(3)(B) Neighborhood Association meeting in lieu of open house

Written notice shall include:

- (i) The name, telephone number, and e-mail address of the applicant:
City of Salem, Public Works, Park Planning
503-588-6211
Toni Whitler, Parks Planner, twhitler@cityofsalem.net
- (ii) The address of the subject property: **3821 Ibex Street NE**
- (iii) A map of the subject property: **attached**
- (iv) The date, time, and location of the neighborhood association meeting:
Appearing to Northgate Neighborhood Association on January 20, 2022, 6:00 p.m. via Zoom
- (v) A summary of the proposal:
The City is submitting a land use application for Annexation, Comprehensive Plan and Zone Change for the 1.9 acre property adjacent to Fisher Road Park located at 3821 Ibex Street NE
- (vi) A conceptual site plan, if applicable, that includes the proposed development: **No proposal at this time. This is additional property for Fisher Road Park, an undeveloped park classified as a Neighborhood Park in the Comprehensive Park System Master Plan 2013.**

To comply with (SRC) 300.320(f)(4)(A)(B)

A sign with all pertinent information including a bit.ly link to the Northgate Neighborhood Association Zoom meeting will be posted at the entrance to the Ibex property on Ibex Street NE a minimum of seven days prior to the neighborhood association meeting. (Attached)

Toni Whitler

Park Planner II

City of Salem | Public Works Department

555 Liberty Street SE, Suite 325, Salem OR 97301-3513

twhitler@cityofsalem.net

Office: 503-588-6211

[Facebook](#) | [Twitter](#) | [YouTube](#) | CityofSalem.net

Fisher Road Park Addition



NORTHGATE NEIGHBORHOOD ASSOCIATION

Land Use Proposal

**Annexation / Comprehensive Plan
& Zone Change to Allow Public Park Development**

VIRTUAL MEETING

JANUARY 20, 2022 - 6:00 P.M.

Property Address

3821 Ibex St. NE

Contact

Toni Whitler, Park Planner

503-588-6211 / twhitler@cityofsalem.net

**Zoom Meeting Link:
bit.ly/NNA-Land-Use**

Si necesita ayuda para comprender esta información, por favor llame 503-588-6211. Servicios razonables de alojamiento y accesibilidad se facilitarán por petición.
If you need help understanding this information, please call 503-588-6211. Reasonable accommodation and accessibility services will be provided upon request.



Minutes of the Meeting
Of
January 20th, 2022 at Northgate Wesleyan Church Annex, Salem, OR

Executive Board Members Present: Bayard Mentrum, Chair; Flora Morales, Community Outreach; Kaethe Mentrum, Secretary/Park Chair

Board Members present: Pennie Morley; Becca Strieper; Jess Cruz; Mike Hoselton; Timothy Beck; Joann Barnhart; Ross Black; Pedro Mayoral

Members: Vincente Coria; "Spiderman"

Absent with an excuse: Don Jensen, Land Use Chair

Absent City Liaison Coordinator: Irma Dowd

Absent: Speaker Shannon BJ Valdez

Present Speaker: Jose Gonzalez, Councilor

Present Guest Speakers: Courtney Knox Busch, Strategic Initiatives; Toni Whitler, Parks Planner

Present Guest Speakers: Rob Kellar, Aaron Edelman from City of Salem (Water and Sewer Lines)

1. Flora helped to start the meeting while Bayard and Kaethe had to go back home to retrieve something. The meeting started with introductions being made at around 6:05 p.m. When Bayard and Kaethe returned around 6:10 p.m., Bayard took over the meeting.
2. Bayard asked to approve the November, 2021 meeting. **Pennie made a motion for a vote to approve the minutes of the meeting of November 18th, 2021. It was seconded by Flora Morales. Everyone was in favor and the minutes was voted in.**
3. a. Jose Gonzalez, our Councilor, said the matter of street bumps for residential roads are in the plans. Although it will take a while, he believes this could happen and is a matter of time. He was feeling optimistic about it. He sounded positive and explained how the city works. He said he was trying new ways to speed up the process.

Michael asked about fining people for litter in their property. Jose said it's difficult to get citations on people because it's hard to take anyone's property away and by the time the city gets to them, it's probably cleaned up anyway. He **suggested Mike to write a letter suggesting a way to get it cleaned up faster. Pennie made a motion to vote to write a letter seconded by Flora. All voted "Aye."**

Spiderman (one of the members on zoom) said there should be a new law where an agreement ought to be made between police and owner so that it would enable the police to forgo all the red tape to remove unmanaged encampment from a private property.

Bayard suggested if people are struggling to keep up their property and paying taxes, maybe there is a way to work it out, wherein the City helps the owner by offering to buy the property. That way, it's not sitting there wasting away. It would be a win-win.

Pennie showed her frustration about all the filth piling up in the city. **She talked about DQ area on Lancaster St. She suggested writing to the owner. Kaethe made a motion to vote, seconded by Becca and Flora. All voted "Aye."**

4. a. Courtney Knox Busch, Strategic Initiatives, was the invited speaker. She showed a pie chart with percentages of all the \$300 Million and asked for ideas on how to use it. Bayard said he didn't think bike paths and sidewalk improvements are not that important right now. We should be spending the money, half the budget on other things that are more critical, such as 24/7 open drug, alcohol, and mental treatment facility. Then she said we don't spend money on staff salaries, only on buildings. Then Bayard said what about the City to build the building and work with Marion in a joint venture to have the county pay the employees who work there and other billings. Bayard also said in Portland they have wonderful bike paths but potholed roads and hoped Salem doesn't follow suit. Bayard also talked about a permanent place for the homeless to be able to go. He called on Toni Whitler, who is experienced in annexation of City properties with Marion County if she is willing to inform Gretchen Bennett, City Advocate for the Homeless, how to get annexations to be made to expand city limits and possibly use certain properties for the homeless. Bayard said a roofed flat property with hot shower stalls/restrooms be made using part of the infrastructure so that the unmanaged homeless will have a permanent place to go. Maintenance can be shared by different nonprofits.

Jose said who came up with the pie chart saying it's ridiculous. Bayard agreed.

- b. Toni Whitler, Parks Planner: She was focusing on Fisher Road and Ibex Park. Still working on the annexations and that will take about a year of a half. The property was donated by an owner who wanted to keep it natural. Toni talked about keeping the trees as they are. Neighbors chimed in and said they have issues with people camping there after hours. Bayard asked about the sign posted about the hours. One member said no and the other said maybe, and Toni will check into it. She said parks are open into three different categories: Neighborhood, Community and Regional. Neighborhoods don't get as much service because the City thinks people live around there so they don't need bathrooms. The other two get more service. We talked about Northgate Park improved or upgraded to Community and she said maybe. Toni said that parks with splash pads are considered Community. Bayard mentioned we have great utilization last summer and at Halloween, with hundreds of people there but Toni did not respond.

4. Executive Board Member Reports:

a. Don Jensen has an excused absence.

b. Flora Morales, Community Outreach, said she has nothing to offer. She was busy taking care of the timing of the meeting, taking down attendance of members, communicating with members on screen via chat, etc. Becca also helped greatly in the zoom aspect. She was able to get the big screen going.

c. Kaethe Mentrum, Park Chair, said:

Northgate Park: Kaethe applied in Spring 2021 for the concreted bench which was funded by Salem Parks Foundation last year. It was to be installed by the east side of the playground, near a bouncy rider so a parent can watch the bouncing toddler closely. She has not received any responses from Director of City Parks and Maintenance Director. She assumed due to homeless in the parks they are being kept too busy to respond.

Kaethe spoke as Secretary and said Irma told her Affordable Towing Inc. was very helpful in removing abandoned RVs and other homeless vehicles for free of charge. The driver, Jack Conwell, who is also owner even helped block more homeless vehicles from coming in which delighted the surrounding residents. Irma suggested a framed certificate be awarded to this driver. **(The board voted to buy the frame online in December, 2021).** After Kaethe called his wife Kathy to inform of the date and time of the awarding ceremony, she found out that both Jack and Kathy were married 41 years ago at the very same church NGNA will be meeting. Several people from the City have been invited to celebrate this happy event. Jack and Kathy have retired last December 31, 2021.

d. Michael Hoselton made a brief report on the survey results made in Northgate. One was for metal detectors for which most people thought it was a good idea, a few thought the funds should come from donated money. As for the survey about whether the homeless pods should be only at Northgate already with 5 shelters, or to be spread about evenly and fairly with other parts of Salem where they have "0", 100% wanted the pods to be spread out evenly in Salem and not just all remain in Northgate.

5. Bayard mentioned State-owned old DMV building on Portland Road NE sheltering will end after contract expires on March 15th. Gretchen brought up five, but later turned into four as one of the properties sold, and they are:

- Central Salem, Peace Plaza, 555 Liberty Street
- South Salem, 2410 Turner Road SE
- Central Salem, NW Corner of Front and Hood Streets NE
- Central Salem, private owned property at 1280 Center St. NE

Bayard said he watched the city council session about the above. He said he heard Councilor Chris Hoy didn't think it was safe for the homeless to cross the street to go take a shower from 555 Liberty, then Councilor Tom Anderson didn't like the children having to deal with the homeless at the library, and our councilor Gonzalez just objected use of 555 Liberty as he went through other properties. Then, He said strong opposition was shown to use of 555 Liberty by both Pennie and Marlayne echoed by Kaethe at a zoom meeting that Gretchen hosted January 19th.

It seems the state street property is across from Safeway. Bayard told them about what happened to the Safeway store which was in front of a managed shelter in Portland. That it went bankrupt after all the stealing and had to close.

Bayard offered Gretchen an idea about how to get the county commissioners to use the annexation method to get some land from the county for the city to annex to it but to be sure she uses a land use lawyer. He later asked Toni Whitler, who is experienced in annexation of property with the county, to help Gretchen if she is interested in acquiring new property from Marion County through the annexation method. Bayard said, as an architect, he knew of one incident where Marion County was willing to annex with Salem if water and sewer improvements could be made.

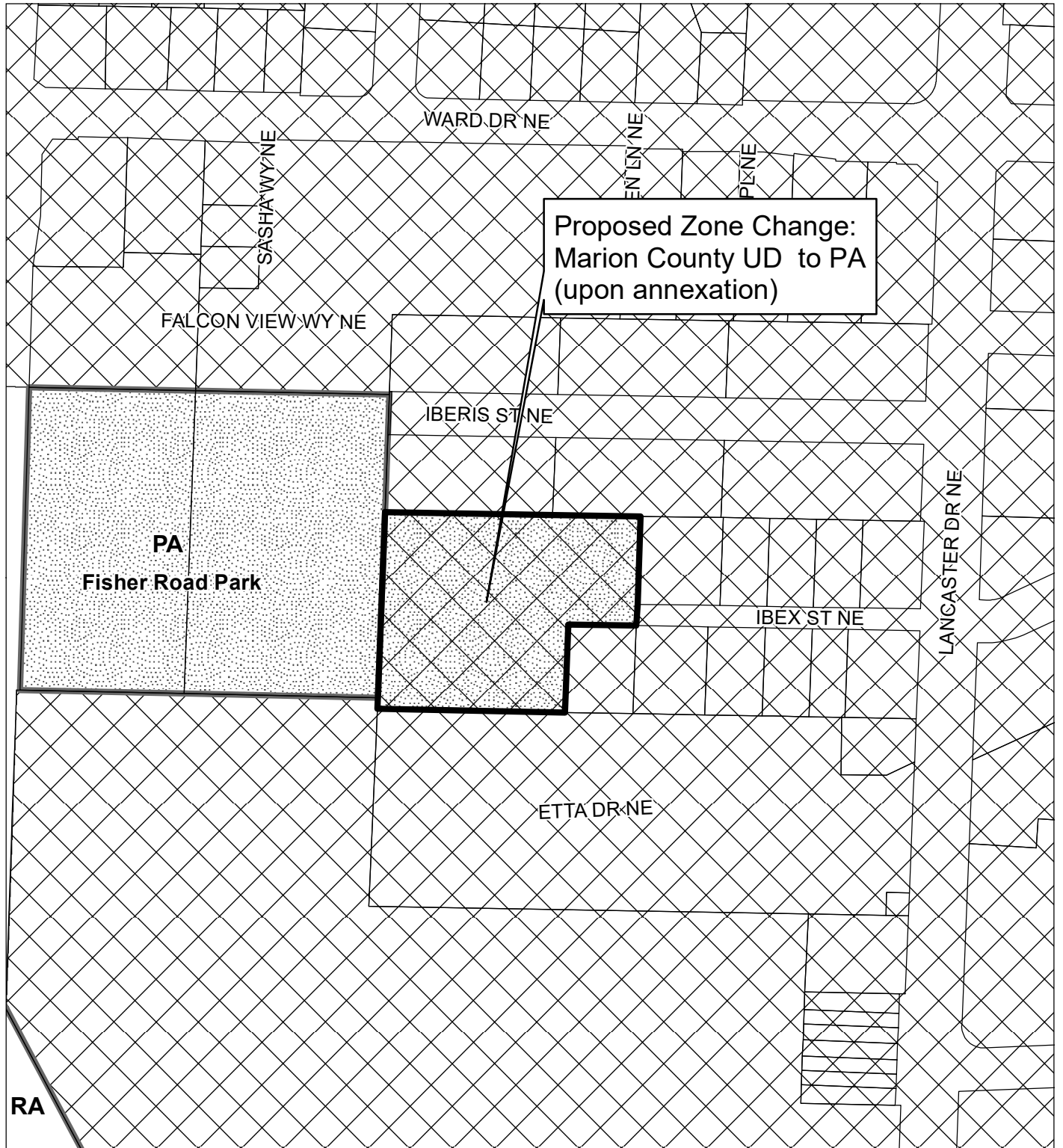
Pennie moved to adjourn the meeting, seconded by Kaethe and all was in favor.

The meeting adjourned around 7:35 p.m. The next meeting will be February 17th at 6 p.m.

Note, on-line voting:

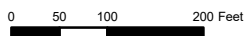
- **Voted on 12/13/21 - Irma Dowd to purchase a frame for Affordable Towing Inc.**
- **Voted on 01/07/22 – For Michael Hoselton to start the survey with NG community re a) metal detectors in schools...how they feel about it. b) does the community want the managed homeless shelters to be dispersed around Salem or do they mind all to be in Northgate.**
- **Voted on 01/17/22 – Letter from NGNA board members to the Mayor, City Manager and City Councilors re 555 Liberty not to be used for managed homeless pods, plan for 24/7 open treatment center for the addicted homeless and mentally ill and asking for a permanent place for the homeless to live in the outskirts of Salem.**

Proposed Zone Change - 3821 Ibox Street NE



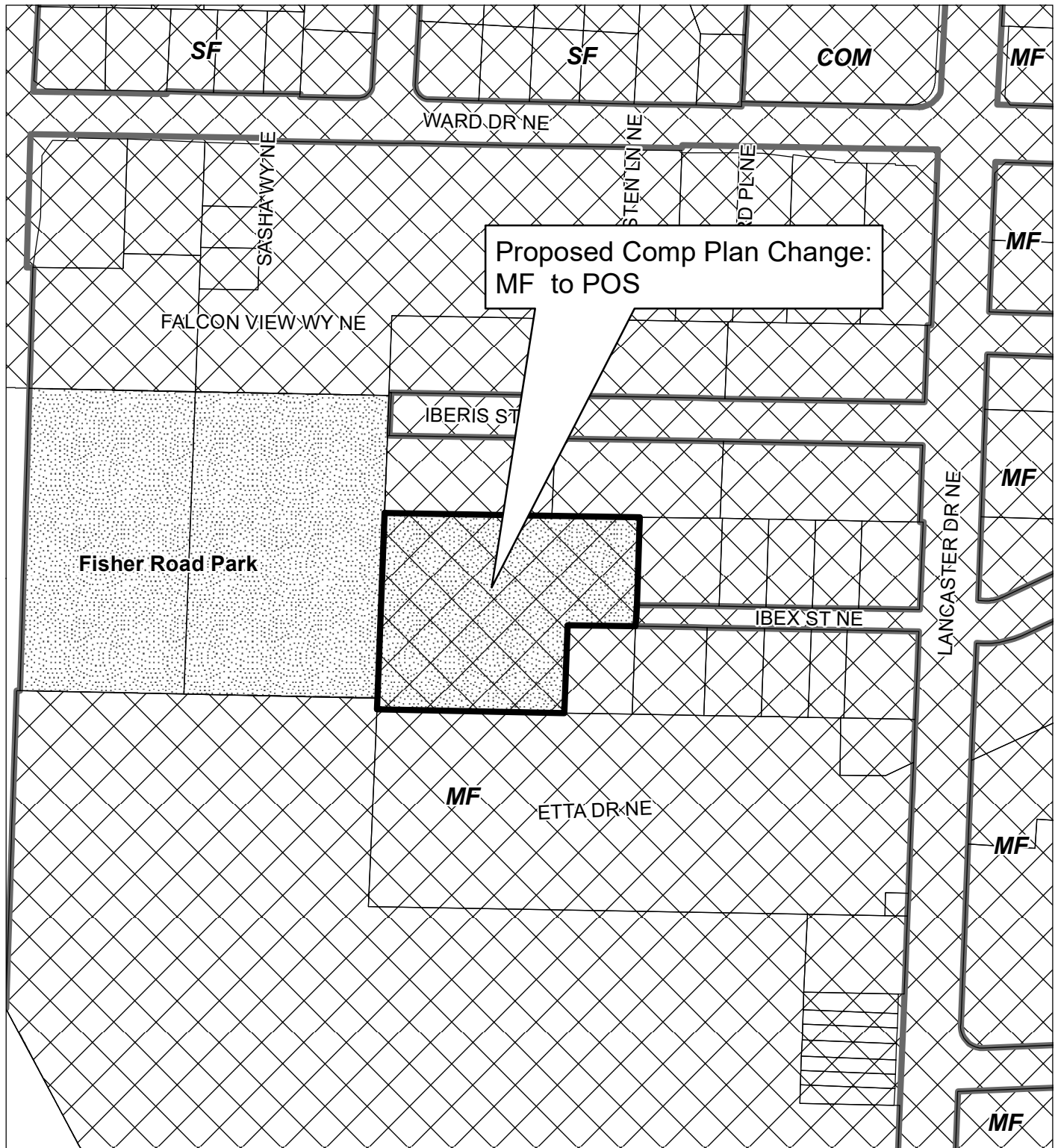
Legend

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









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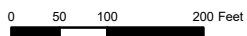
Proposed Comprehensive Plan Change - 3821 Ibox St NE



Legend

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

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Property: Ibex Street Property – 3821 Ibex Street NE

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;

The subject property is an addition of 1.98 acres to the existing 4.86-acre Fisher Road Park, a Neighborhood Park adjacent to the west. The subject property is flat with less than two percent slope. There are established trees on the site. Pedestrian access is provided from Ibex Street NE and from Fisher Road Park off of Fisher Road NE. The Comprehensive Plan designation of Parks, Open Space and Outdoor Recreation, and Zone Change to Public Amusement allows for a variety of public recreation opportunities.

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 Multi-Family homes to the north, west, and south of the subject property.

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

Increasing population and demographic changes requiring more housing has resulted in the need to provide additional park and open space. The surrounding area just outside the city limits along Fisher Road NE is either currently being annexed or has been recently annexed into the City to provide more multi-family housing for Salem's growing population in the northeast; however, to meet those expanding needs, park space also needs to expand. Changing the Comprehensive Plan designation to Parks, Open Space and Outdoor Recreation and Zoning to Public Amusement will provide amenities for expanding population numbers in the immediate area.

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

The proposed Comprehensive Plan/Zone Change will allow a Neighborhood Park to serve the needs of the expanding population in the vicinity of the park. Fisher Road Park is classified as a Neighborhood Park in the Comprehensive Park System Master Plan. A Neighborhood Park has a one-half mile service area. The addition of the subject property acreage to the Fisher Road Park will serve the immediate growing area within the one-half mile service area. Through the park master planning process input from the public will be sought and focused on ways to provide active and passive recreational activities for all age levels.



MEMO

TO: Pamela Cole, Planner II
Community Development Department

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

DATE: June 9, 2022

**SUBJECT: PUBLIC WORKS RECOMMENDATIONS
CPC-ZC22-04 (22-105174; 22-22-105175)
3821 IBEX STREET NE
CPC/ZC FOR PARK ANNEXATION**

A handwritten signature in blue ink, likely belonging to Glenn J. Davis, the Chief Development Engineer mentioned in the memo.

PROPOSAL

Comprehensive plan change to "Parks, Open Space, and Outdoor Recreation" and zone change to Public Amusement (PA) for future expansion of Fisher Road Park on property at 3821 Ibex Street NE that is proposed for annexation (22-104861-AN).

SUMMARY OF FINDINGS

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

Urban Growth Area (UGA) Development Permit—The subject property is located inside the Urban Service Area and adequate facilities are available. No UGA permit is required.

Streets

1. Ibex Street NE
 - a. Standard—This street is designated as a local street in the Salem Transportation System Plan (TSP). The standard for this street classification is a 30-foot-wide improvement within a 60-foot-wide right-of-way.
 - b. Existing Conditions—This street has an approximate 25-foot improvement within a 30-foot-wide right-of-way abutting the subject property.

Storm Drainage

1. Existing Conditions
 - a. There are no public storm mains in the vicinity of the subject property.

Water

1. Existing Conditions
 - a. The subject property is located in the G-0 water service level.
 - b. A 6-inch water main is located in Lancaster Drive NE.

Sanitary Sewer

1. Existing Conditions
 - a. An 8-inch sewer main is located in Ibex Street NE.

Natural Resources

1. Landslide Hazards—City records show there may be category 2- to 3-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: Public sewer infrastructure is available adjacent to the subject property and appears to be adequate to serve the existing and future tenants or proposed development. Open ditches are available in Ibex Street NE and Lancaster Drive NE to accommodate stormwater from the proposed development. The property is capable of

being served by public water through an extension of the public water main in Lancaster Drive NE approximately 450-feet east of the subject property. Site-specific infrastructure requirements will be addressed in the site plan review process in SRC Chapter 220.

Ibex Street NE does not meet the minimum right-of-way width or improvement width for a parkway according to the Salem TSP. At time of development, improvements to Ibex Street NE may be required pursuant to SRC 803.040. Site-specific street improvement requirements will be addressed in the site plan review process in *Salem Revised Code* (SRC) Chapter 220.

The Assistant City Traffic Engineer has reviewed the proposal and finds that the 1.99-acre parcel would be expected to generate 263 daily trips under the "Multi-Family" Comprehensive Plan Designation and RM-2 Zoning, and under the proposed "Parks" Comprehensive Plan Designation and "Public Amusement" Zoning, the parcel would be expected to generate 27 daily trips. The proposed CPC/ZC does not have a significant effect on the transportation system and therefore complies with the Transportation Planning Rule OAR 660-012-0060.

Prepared by: Laurel Christian, Program Coordinator
cc: File