



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us

NOTICE OF ADOPTED AMENDMENT

February 14, 2007



TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Salem Plan Amendment
DLCD File Number 023-06

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office. This amendment was submitted without a signed ordinance.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: March 2, 2007

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Matthew Crall, DLCD Transportation Planner
Jason Locke, DLCD Regional Representative
Kevin Russell, City of Salem

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NOTICE OF ADOPTION

THIS FORM **MUST BE MAILED** BY DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18

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DEPT OF

FEB 09 2007

LAND CONSERVATION
AND DEVELOPMENT
For DLCD Use Only

Jurisdiction: City of Salem Local File Number: CPC/ZC 06-17
Date of Adoption: February 6, 2007 Date Mailed: February 8, 2007
Date this Notice of Proposed Amendment was mailed to DLCD: December 1, 2006

- | | |
|--|--|
| ☐ Comprehensive Plan Text Amendment | ☒ Comprehensive Plan Map Amendment |
| ☐ Land Use Regulation Amendment | ☒ Zoning Map Amendment |
| ☐ New Land Use Regulation | ☐ Other: _____ |

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached."

Changed the Salem Area Comprehensive Plan designation from "Multi Family Residential" to "Commercial" and changed the zoning designation from RM2 (Multiple Family Residential) to CR (Retail Commercial)

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "SAME." If you did not give notice for the Proposed Amendment, write "N/A."

Same

Plan Map Changed from: Multi Family Residential to: Commercial

Zone Map Changed from: RM2 (Multiple Family Residential) to: CR (Retail Commercial)

Location: 4059 Market Street NE Acres Involved: 1.84 acres

Specify Density: Previous: _____ New: _____

Applicable Statewide Planning Goals:

Was an Exception Proposed: ☐ YES ☒ NO

Did the Department of Land Conservation and Development receive a Notice of Proposed Amendment.....

Forty-five (45) days prior to first evidentiary hearing?

If no, do the statewide planning goals apply?

If no, did Emergency Circumstances require immediate adoption?

☒ Yes	☐ No
☐ Yes	☐ No
☐ Yes	☐ No

Affected State of Federal Agencies, Local Governments or Special Districts:

Local Contact: Kevin Russell, Associate Planner Phone: (503) 588-6173 Extension: 7597

Address: 555 Liberty Street SE, Room 305 City: Salem

Zip: 97301 E-Mail Address: krussell@cityofsalem.net

DLCD File No: 023-06 (15733)

RESOLUTION NO.: PC 07-2

COMPREHENSIVE PLAN CHANGE/ZONE CHANGE 06-17

WHEREAS, a petition for a Comprehensive Plan change from "Multi-Family Residential" to "Commercial,"

and zone change from RM2 (Multiple Family Residential) to CR (Retail Commercial)

for property located at 4059 Market Street NE

was filed by Bible Center Fellowship

with the Planning Commission of the City of Salem, and

WHEREAS, after due notice, a public hearing on the proposed changes was held before the Planning Commission on February 6, 2007, at which time witnesses were heard and evidence received; and

WHEREAS, the Planning Commission having carefully considered the entire record of this proceeding including the testimony presented at the hearing, after due deliberation and being fully advised; NOW THEREFORE

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SALEM, OREGON:

Section 1. FINDINGS:

The Planning Commission hereby adopts as its findings of fact the staff report(s) on this matter dated February 6, 2007, herewith attached and by this reference incorporated herein.

Section 2. ORDER:

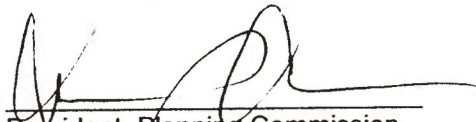
Based upon the foregoing findings and conclusions, it is hereby ordered:

(a) The proposed Comprehensive Plan change in this matter from "Multi-Family Residential" to "Commercial" be granted;

(b) The zone change from RM2 (Multiple Family Residential) to CR (Retail Commercial) for the above defined area be granted, subject to the following condition:

1. Future uses established on the parcel shall not exceed 429 Average Daily Trips (ADTs) unless the street system is found capable of handling a greater volume of traffic from this property.

ADOPTED by the Planning Commission this 6th day of February 2007.

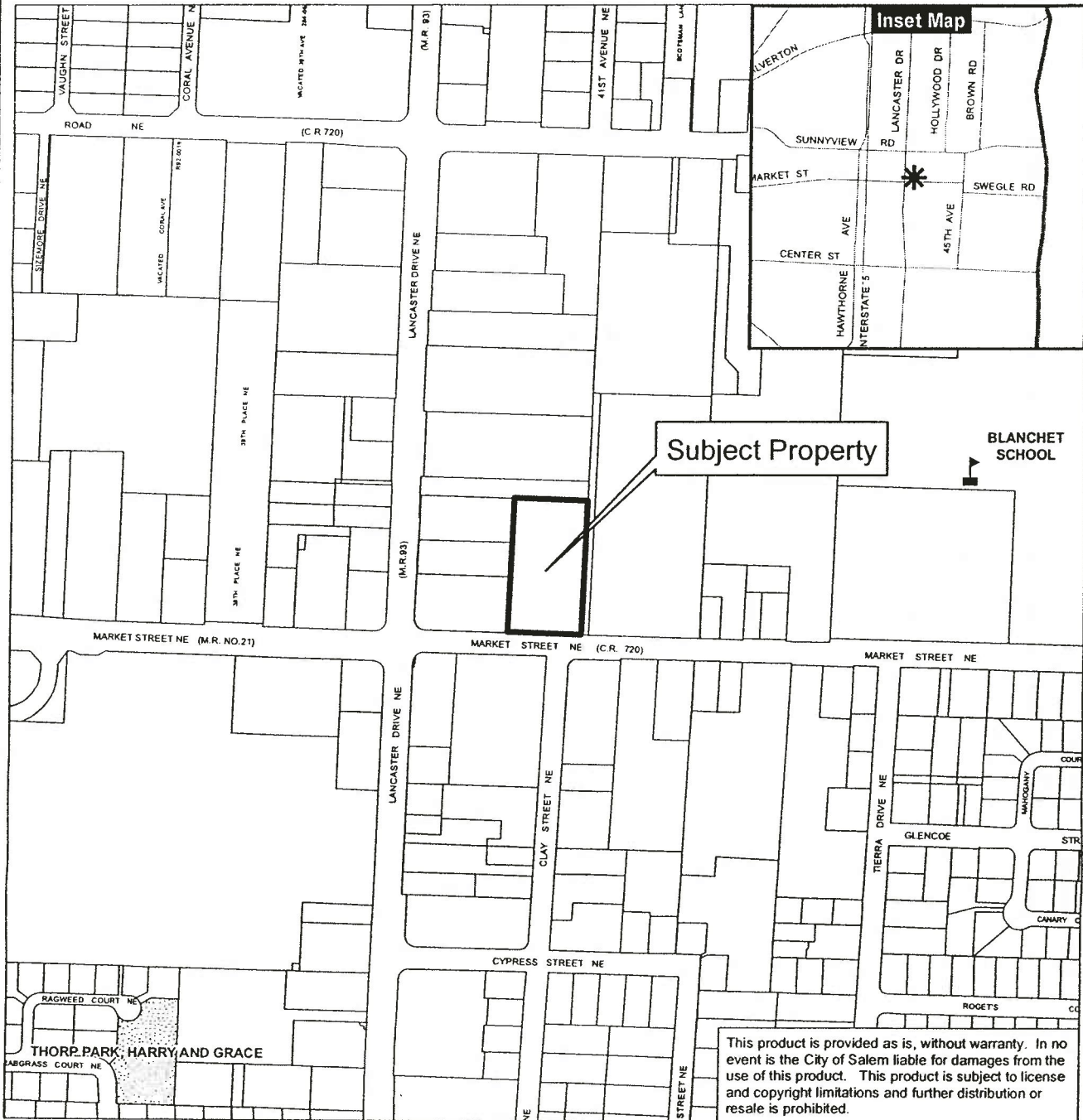

President, Planning Commission

APPEAL PERIOD ENDS: February 23, 2007

Copies of the staff report containing the Facts and Findings adopted by the Planning Commission are available upon request at Room 305, Civic Center, during City business hours, 8:00 a.m. to 5:00 p.m.

Planning Commission Vote: Yes 7 No 0

Vicinity Map 4059 Market Street NE



Legend

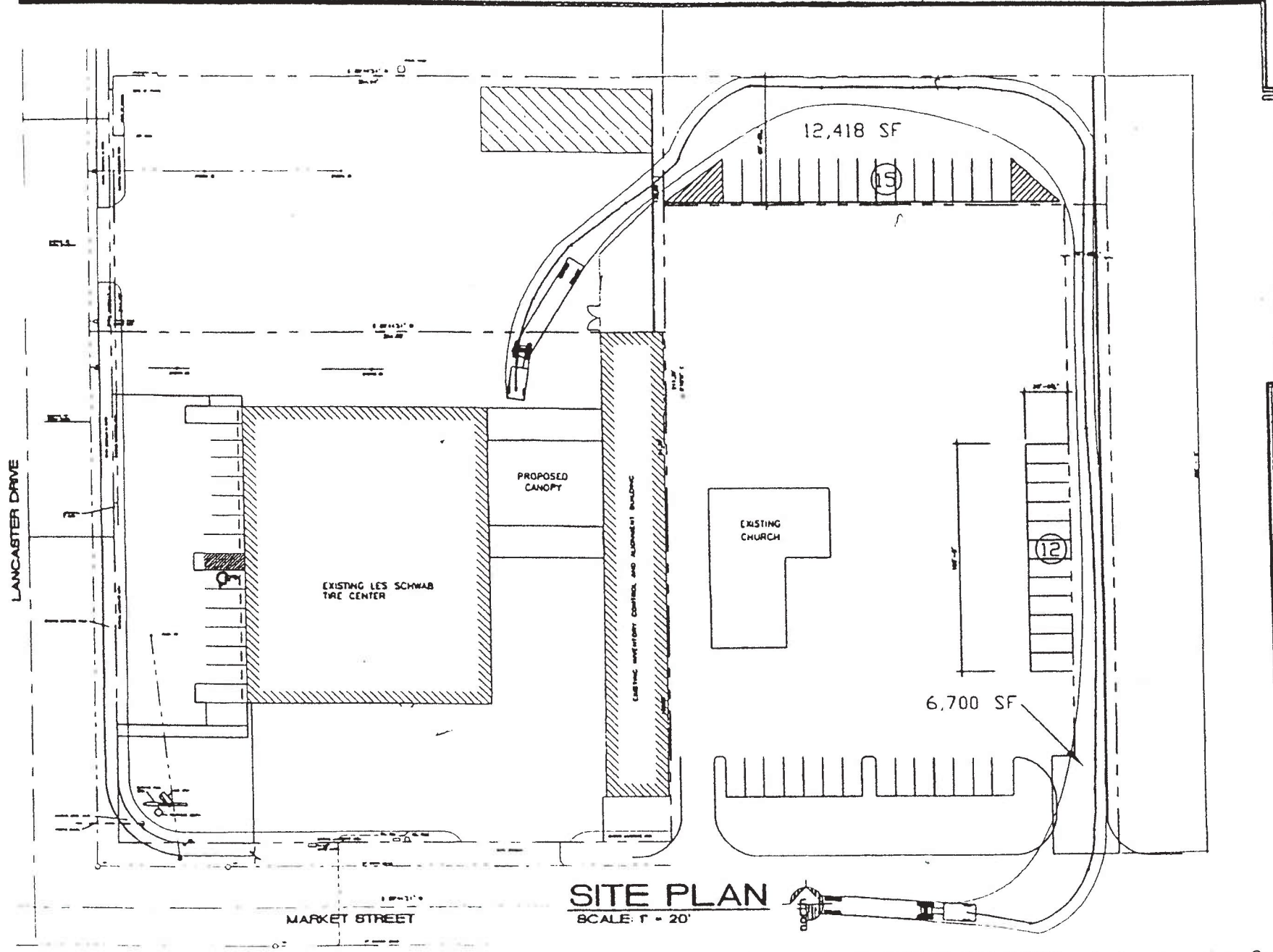
- Outside Salem City Limits
- Urban Growth Boundary
- Schools
- Parks
- Taxlots

0 100 200 400 Feet



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

EXHIBIT 2



LES SCHWAB TIRE CENTERS LS Construction Co

DESIGNED BY: LS
DRAWN BY: LS
DATE: 5/2/06
TILE DATE:

REVISIONS

PRE

PRELIMINARY
SITE PLAN

SALEM LANCASTER, OR

TRES LES SCHWAB
PRINEVILLE, OREGON
541-416-5162 541-416-5133
WITH TIRE CENTERS LOCATED IN:
OREGON-WASHINGTON-IDAHO
CALIFORNIA-MONTANA-NEVADA

Largest
Independent
Tire

CERTIFICATION OF MAILING

STATE OF OREGON)

CITY OF SALEM)

I, Judy Copeland, do hereby certify that I, on the 8th day of February 2007 caused to be sent interoffice to the Department of Land Conservation and Development Notice of Adoption for CPC/ZC 06-17

A copy of which is filed in the case file.

DATED at Salem, Oregon, this 6th day of February 2007



Judy Copeland, Staff Assistant