



Oregon

Theodore R. Kubongski, 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

3/16/2010

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Salem Plan Amendment
DLCD File Number 001-10

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.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Monday, March 29, 2010

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. 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 Acknowledgment or 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. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Pamela Cole, City of Salem
Gloria Gardiner, DLCD Urban Planning Specialist
Steve Oulman, DLCD Regional Representative
Bill Holmstrom, DLCD Transportation Planner
Angela Lazarean, DLCD Urban Planner

<paa> YA



FORM 2

DLCD

Notice of Adoption

In person electronic mailed

DATE **DEPT OF**

ST **MAR 09 2010**

LAND CONSERVATION

LAND DEVELOPMENT

P For Office Use Only

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

Jurisdiction: **City of Salem**

Local file number: **CPC/ZC 09-10**

Date of Adoption: **3/2/2010**

Date Mailed: **3/5/2010**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: 1/15/2010

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 (SACP) map designation for the subject property from "Single Family Residential" to "Multi-Family Residential" and changed the zone for approximately 3.5 acres in the western area of the subject property from RA (Residential Agriculture) to RM2 (Multiple Family Residential) and changed the zone for approximately 3.5 acres in the central area of the subject property from RA (Residential Agriculture) to RM1 (Multiple Family Residential).

Does the Adoption differ from proposal? Yes, Please explain below:

Based on recommendations of the South Gateway Neighborhood Association and staff, the applicant revised the request so that the change in zone district to RM2 (Multiple Family Residential) would apply to approximately 3.5 acres in the most westerly area, adjacent to Liberty Road S, and a change in zone district to RM1 (Multiple Family Residential) would apply to the remainder of the 7.1-acre property subject to the change.

Plan Map Changed from: **Developing Residential** to: **Multi-Family Residential**

Zone Map Changed from: **Residential Agriculture** to: **RM1 (Multiple Family Residential)**
RM2 (Multiple Family Residential)

Location: **5782 & 5792 Liberty Rd S**

Acres Involved: **7.1**

Specify Density: Previous:

New: 8-14 dwelling units/acre for RM1
12-28 dwelling units/acre for RM2

Applicable statewide planning goals:

1 **2** **3** **4** **5** **6** **7** **8** **9** **10** **11** **12** **13** **14** **15** **16** **17** **18** **19**

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

DLCD File No. 001-10 (18071) [16040]

45-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD file No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Local Contact: **Pamela Cole, Associate Planner**

Phone: 503-588-6173 Extension: **7509**

Address: **555 Liberty St SE, Rm 305**

Fax Number: 503-588-6005

City: **Salem**

Zip: **97301-**

E-mail Address: **pcole@cityofsalem.net**

PC



RESOLUTION NO.: PC 10-3

COMPREHENSIVE PLAN CHANGE/ZONE CHANGE NO. 09-10

WHEREAS, a petition for a Comprehensive Plan change from "Developing Residential" to "Multi-Family Residential", and zone change from RA (Residential Agriculture) to RM2 (Multiple Family Residential) for approximately 7.1 acres of a property located at 5782 and 5792 Liberty Road S was filed by Rainier Estates, LLC (George R. Suniga and Linda S. Suniga) 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 March 2, 2010, 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 on this matter dated March 2, 2010, herewith attached and by this reference incorporated herein.

Section 2. ORDER:

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

- (a) That the Salem Area Comprehensive Plan (SACP) map designation change for the subject property from "Single Family Residential" to "Multi-Family Residential" be GRANTED.
- (b) That the zone change for approximately 3.5 acres in the western area of the subject property from RA (Residential Agriculture) to RM2 (Multiple Family Residential) and the zone change for approximately 3.5 acres in the central area of the subject property from RA (Residential Agriculture) to RM1 (Multiple Family Residential) be GRANTED, subject to the following conditions:

Zone Change Conditions

- Condition 1:** Development shall comply with the provisions of the Preliminary Declaration for Urban Growth Area Development Permit No. 06-13.
- Condition 2:** No vehicular access to the subject property shall be permitted from Rainier Drive SE.
- Condition 3:** At the time of development, the applicant shall construct a public street along their southern boundary as shown on the applicant's site plan dated December 12, 2009. The street shall be 30 feet in width with curb on both sides, sidewalk along the development side and "NO PARKING" signs installed on the southern side of the street.
- Condition 4:** At the time of building permit, the applicant shall provide separate legal descriptions for the property zoned RM1 (Multiple Family Residential) and RM2 (Multiple Family Residential).

ADOPTED by the Planning Commission this 2nd day of March, 2010.

President, Planning Commission

Appeal of a Planning Commission decision is to the Salem City Council (Council), as set forth in Section 114.200 of the Salem Revised Code (SRC). Written notice of an appeal and the applicable fee shall be filed with the Planning Administrator within fifteen days after the record date of the decision. Salem Revised Code 114.210 states that whether or not an appeal is filed, the Council may, by majority vote, initiate review of a Planning Commission decision by resolution filed with the City Recorder. Such a review shall be initiated prior to the adjournment of the first regular Council meeting following Council notification of the Planning Commission decision. Review shall proceed according to SRC Section 114.200.

APPEAL PERIOD ENDS: March 17, 2010

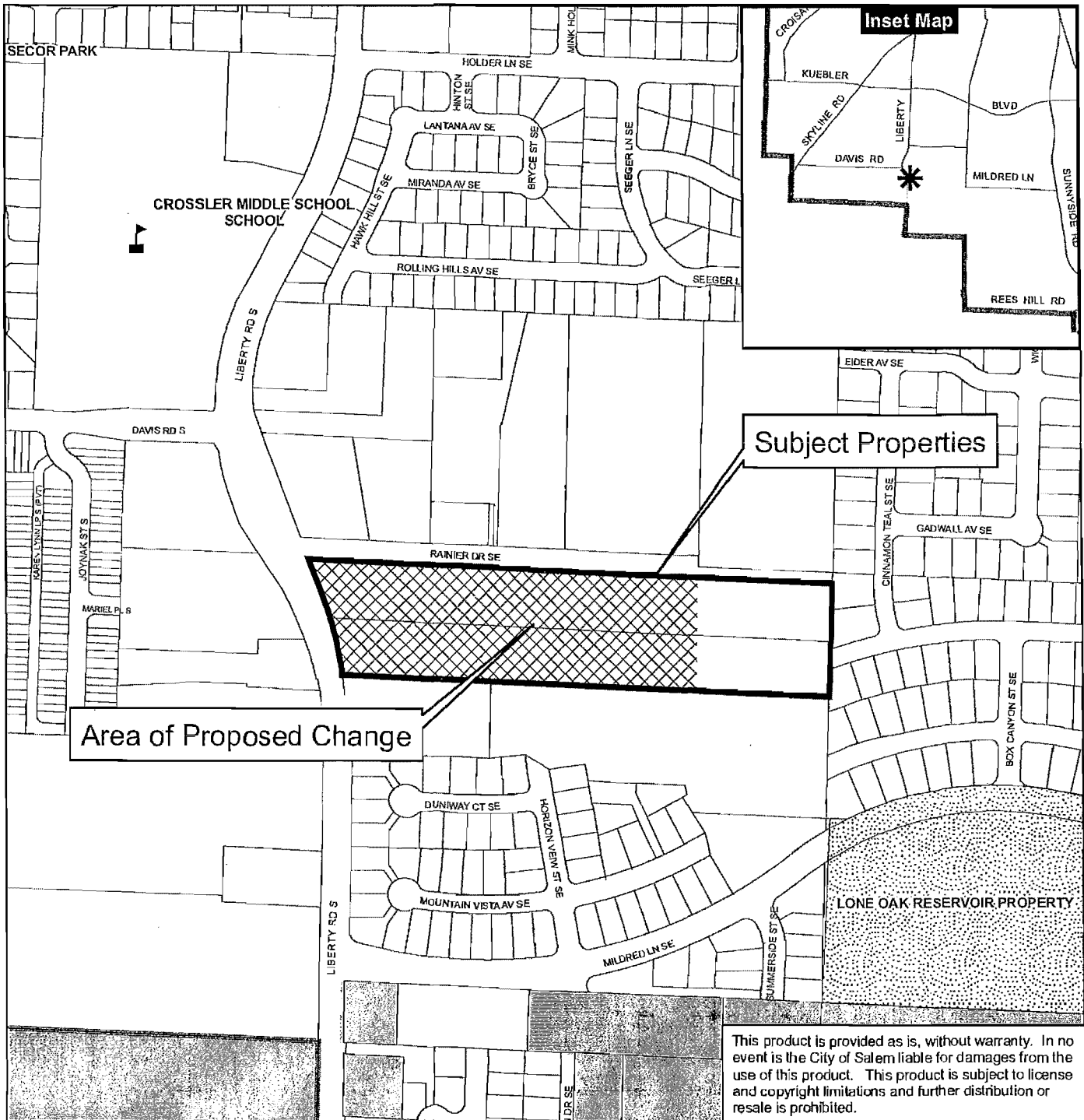
Copies of the staff report containing the Facts and Findings adopted by the Planning Commission are available upon request at Room 305, Civic Center, during City business hours, 8:00 a.m. to 5:00 p.m.

Planning Commission Vote:

5 Yes 0 No 1 Absent (Levin)

Vicinity Map

5782 & 5792 Liberty Road S



Legend

- Outside Salem City Limits
- Historic District
- Area of Proposed Change
- Urban Growth Boundary
- Schools
- Parks
- Taxlots

0 100 200 400 Feet

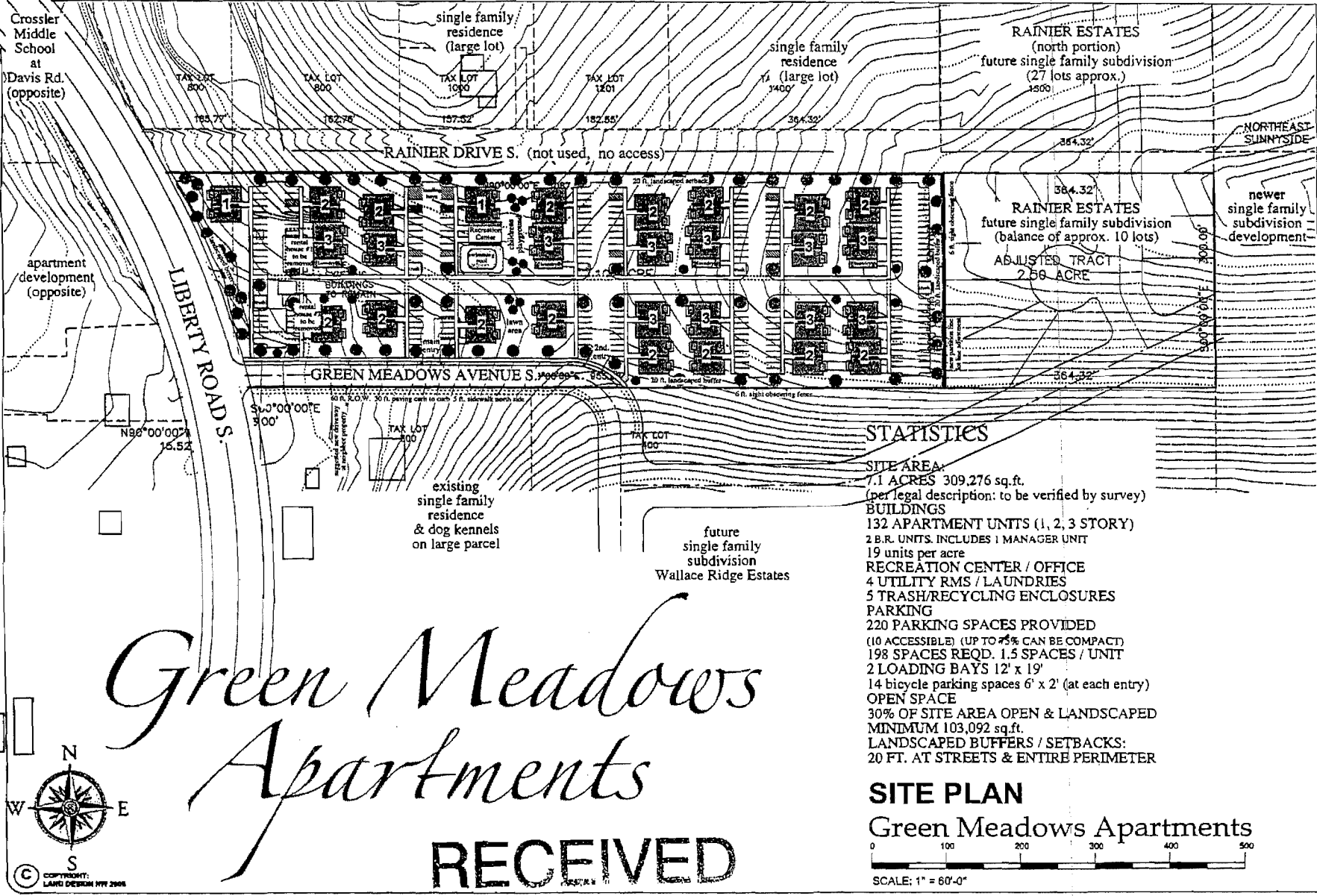


This product is provided as is, without warranty. In no event is the City of Salem liable for damages from the use of this product. This product is subject to license and copyright limitations and further distribution or resale is prohibited.

CITY OF Salem

 AT YOUR SERVICE

 Community Development Dept.



REVISIONS	DATE

LandDesignNW
 DESIGN & PLANNING
 503-931-4120
 503-363-8602 FAX
 land-design@comcast.net
 www.LandDesignNW.com

RAINIER ESTATES (north portion)
 future single family subdivision
 (27 lots approx.)
 1500'

RAINIER ESTATES
 future single family subdivision
 (balance of approx. 10 lots)
 ADJUSTED TRACT
 2.56 ACRE

newer single family subdivision development
 NORTHEAST SUNNYSIDE

CADD 09-02-01-A-1
 DATE: 12-15-09
 SCALE: AS SHOWN
 DRAWN BY: GCL
 PROJECT: 990201

SHEET NUMBER:
A-1
 OF

STATISTICS

- SITE AREA: 7.1 ACRES 309,276 sq.ft. (per legal description: to be verified by survey)
- BUILDINGS: 132 APARTMENT UNITS (1, 2, 3 STORY); 2 B.R. UNITS, INCLUDES 1 MANAGER UNIT; 19 units per acre; RECREATION CENTER / OFFICE; 4 UTILITY RMS / LAUNDRIES; 5 TRASH/RECYCLING ENCLOSURES
- PARKING: 220 PARKING SPACES PROVIDED (10 ACCESSIBLE) (UP TO 75% CAN BE COMPACT); 198 SPACES REQD. 1.5 SPACES / UNIT; 2 LOADING BAYS 12' x 19'; 14 bicycle parking spaces 6' x 2' (at each entry)
- OPEN SPACE: 30% OF SITE AREA OPEN & LANDSCAPED; MINIMUM 103,092 sq.ft.
- LANDSCAPED BUFFERS / SETBACKS: 20 FT. AT STREETS & ENTIRE PERIMETER

SITE PLAN

Green Meadows Apartments
 0 100 200 300 400 500
 SCALE: 1" = 60'-0"

Green Meadows Apartments
RECEIVED

Crossler Middle School at Davis Rd. (opposite)

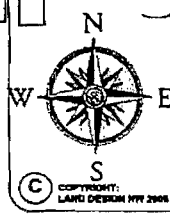
apartment development (opposite)

single family residence (large lot)

single family residence (large lot)

existing single family residence & dog kennels on large parcel

future single family subdivision Wallace Ridge Estates



DEC 15 2009

COMMUNITY DEVELOPMENT

State

CITY OF SALEM
PLANNING DIVISION
555 LIBERTY ST. SE ROOM 305
SALEM, OR 97301-3503

ATTN: Plan Amendment Specialist

DEPT. OF LAND CONSERVATION & DEV.
635 CAPITOL ST NE, SUITE 200
SALEM OR 97301-2540