

Pre-Application Report

Community Development Department Planning Division 555 Liberty Street SE/Room 305 Phone: 503-588-6173 www.cityofsalem.net/planning

Case Number / AMANDA No.PRE-AP23-101934-PAConference DateFebruary 6, 2023ApplicantLarry TokarskiRepresentativeBrandie Dalton
Nulti/Tech Engineering
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Salem, OR 97302
bdalton@mtengineering.netCase ManagerBryce Bishop

Mandatory Pre-Application Conference: Yes No

Project Descri	otion & Property Information
Project Description	Proposed 15-lot subdivision
Property Address	700 to 800 Blocks of Creekside Drive SE
Assessor's Map and Tax Lot Number	083W22BA00100 and 07000
Property Size	Approximately 13.7 acres
Existing Use	Part of Creekside Golf Course
Comprehensive Plan Map Designation	Developing Residential; Single Family Residential
Zoning	RA – Residential Agriculture
Overlay Zone(s) / Historic Districts	None
Urban Service Area	The roughly eastern half of the property is located inside the City's Urban Service Area. The roughly western half of the property fronting on Creekside Drive SE, however, is located outside the Urban Service Area.
Urban Renewal Area	None

Planning Division Comments

<u>Proposal</u>

Pre-application conference to discuss a proposed 15-lot subdivision of property totaling approximately 13.7 acres in size. The property is zoned RA (Residential Agriculture) and located in the 700 to 800 Blocks of Creekside Drive SE (Marion County Assessors Map and Tax lot numbers: 083W22BA00100 and 07000).

Past Land Use Decisions

Staff reviewed the Planning Division's records to determine if there were any prior land use approvals for the subject property. In review of those records, the following past land use decisions were found:

- Urban Growth Preliminary Declaration Case No UGA90-09: To determine the major public facilities required by the Urban Growth Management (UGM) Program prior to development. The proposal is to develop 264.41 acres. Approximately 120 acres is proposed for residential development at approximately four dwelling units per acre and the remainder is proposed for the development of a golf course. The subject property is located in the 6200 Block of Sunnyside Road SE, 700 Block of Mildred Lane SE, and the 6200 Block of Lone Oak Road SE.
- Planned Unit Development Case No. PUD93-01: The second phase of Golf Club Estates at Creekside proposing 13 residential lots for a density of 2.59 units per acre. The proposed lot sizes range from 7,160 square feet to 9,000 square feet. The proposal includes 0.9 acres of open space which abuts the northern line of Creekside Drive SE for property located in the 700 to 800 block of Creekside Drive SE.

A copy of the recorded plat for this second phase of the PUD is attached for reference.

Legal Status of Property

The subject property is comprised of a strip of land platted as "Open Area" within the plat of Golf Club Estates at Creekside Phase 2 and the remainder of the property is non-platted land surrounded by previously recorded platted subsequent phases of the Creekside development.

At the pre-application conference staff raised the potential concern that the existing fairway on the north side of Creekside Drive which is included in the subject property might not have ever been legally separated from the rest of the golf course property to the south of Creekside Drive. However, upon subsequent review of the recorded PUD/subdivision plats that surround the property, private street right-of-way for Creekside Drive SE was platted with the plat for Fairview One at Creekside. The private street right-of-way was platted through this phase and to the west boundary of Golf Club Estates at Creekside Phase 2. The platted private street right-of-way which is now under the ownership of the Creekside Estates Homeowners' Association separates the portion of the golf course fairway on the north side of Creekside Drive from the remainder of the golf course property located south of Creekside Drive. As such, the remainder of the golf course property located to the south of Creekside Drive is a separate unit of land and is therefore not required to be included in the PUD/Subdivision application.

Required Land Use Applications

The land use applications checked in the table below have been preliminarily identified as being required for development of the subject property based upon the information provided by the applicant at the time of the pre-application conference. Additional land use applications may be required depending on the specific proposal at the time of future development.

	Required Land	Use A	opplications
Zonin	g	Site	Plan Review
	Conditional Use (SRC 240.005)		Class 1 Site Plan Review (SRC 220.005)
	Comprehensive Plan Change (SRC 64.020)		Class 2 Site Plan Review (SRC 220.005) (Applicable if the development will meet the triggers for Class 2 Site Plan Review under SRC 220.005(b)(2)).

	Required Land	Use A	oplications		
			Class 3 Site Plan Rev	view ((SRC 220.005)
	Zone Change (SRC 265.000)		(Applicable if the dev triggers for Class 3 S 220.005(b)(3)).		nent will meet the an Review under SRC
	Temporary use Permit – Class 1 (SRC 701.010)	Desi	gn Review		
	Temporary Use Permit – Class 2 (SRC 701.010)		Class 1 Design Revie	ew (S	RC 225.005)
	Non-Conforming Use Extension, Alteration, Expansion, or Substitution (SRC 270.000)		Class 2 Design Revie	ew (S	RC 225.005)
	Manufactured Dwelling Park Permit (SRC 235.010)		Class 3 Design Revie	ew (S	RC 225.005)
Land	Divisions	Hist	oric Design Review (S	SRC 2	230.020)
\boxtimes	Property Line Adjustment (SRC 205.055)		Major Commercial		Minor Commercial
	Replat (SRC 205.025)		Major Public		Minor Public
	Partition (SRC 205.005)		Major Residential		Minor Residential
	Subdivision (SRC 205.010)	Wire	less Communication	Facil	lities
	Phased Subdivision (SRC 205.015)		Class 1 Permit (SRC	703.0	020)
	Planned Unit Development Tentative Plan (SRC 210.025)		Class 2 Permit (SRC	703.0	020)
	Manufactured Dwelling Park Subdivision (SRC 205.020)		Class 3 Permit (SRC	703.0	020)
	Middle Housing Land Division (SRC 205.051)		Temporary (SRC 703	8.100)	
	Validation of Unit of Land (SRC 205.060)		Adjustment (SRC 703	3.090)
Relief					
⊠	Adjustment – Class 1 (SRC 250.005) (Applicable when a proposed deviation from standards is within 20 percent of the standard)	Othe	er		
	Adjustment – Class 2 (SRC 250.005) (Applicable when a proposed deviation from standards exceeds 20 percent of the standard)		Annexation – Voter A	.ppro\	val (SRC 260.035)
	Variance (SRC 245.005)		Annexation – Voter E	xemp	ot (SRC 260.035)
Natura	al Resources		Sign Adjustment (SR	C 900	0.035)
	Tree Conservation Plan (SRC 808.035)		Sign Conditional Use	(SRC	C 900.045)
	Tree Conservation Plan Adjustment (SRC 808.040)		Sign Variance (SRC	900.0	40)
	Tree Removal Permit (SRC 808.030)		SWMU Zone Develop (SRC 531.015)	omen	t Phasing Plan
	Tree Variance (SRC 808.045)		Urban Growth Prelim	inary	Declaration
	Willamette Greenway Permit – Class 1 (SRC 600.015)		(SRC 200.020)	n iai y	

Required Land	Use A	pplications
Willamette Greenway Permit – Class 2 (SRC 600.015)		Historic Clearance Review- High Probability Archaeological Zone (SRC 230.100)
		Fairview Refinement Plan Minor Amendment (SRC 530.035)
		Fairview Refinement Plan Major Amendment (SRC 530.035)
		Class 2 Driveway Approach Permit (SRC 804.025)
Staff C	omme	nts

Required Land Use Applications

 Planned Unit Development/Subdivision: As can be seen on the recorded plat for Golf Club Estates at Creekside Phase 2, the property proposed to be further subdivided includes a 0.9 acre strip of land within the PUD identified as "Open Area," as well as property located within the existing fairway that is not platted and located outside the boundary of the approved PUD.

Because a portion of the property proposed to be further divided is located within the PUD and because this portion of the property was created as open area, a Planned Unit Development/Subdivision will be required. A modification of the PUD would not be applicable in this case because, pursuant to SRC 210.035(a) & (b), a modification to an approved tentative plan or final plan of a PUD can only be approved if the modification does not substantially change the original approval and does not result in significant changes to the appearance of the development , use of the site, and impacts on surrounding properties. The proposed further division of the identified open space area would result in a substantial change to the original approval and will result in a significant change to the use and appearance of the site. As such, the proposal would not qualify as a modification to the PUD. Per SRC 210.035(a)(1) & (b)(1), a modification that does not meet the applicable approval criteria for a modification requires the submittal of a new PUD tentative plan or final plan.

In order for a Planned Unit Development to be approved it must meet the applicable standards of SRC Chapter 210 and the PUD approval criteria included under SRC 210.025(d). One of those criteria includes the provision of common open space. SRC 210.025(d)(2) specifically requires that PUD tentative plans provide one or more of the following:

- (A) Common open space that will be improved as a recreational amenity and that is appropriate to the scale and character of the PUD considering its size, density, and the number and types of dwellings proposed. Examples of recreational amenities include, but are not limited to, swimming pools, golf courses, ball courts, children's play areas, picnic and barbeque facilities, and community gardens;
- (B) Common open space, which may be landscaped and/or left with natural tree cover, that is permanently set aside for the passive and/or active recreational use of the residents of the PUD and that is appropriate to the scale and character of the PUD considering its size, density, and the number and types of dwellings proposed. Examples of passive and/or active recreational use include, but are not limited to, community gardens, commons, and private parks;
- (C) Common open space that will preserve significant natural or cultural features; or
- (D) Unique or innovative design concepts that further specific identified goals and policies in the Salem Area Comprehensive Plan.

With the further division of the open space area identified under the original PUD, it will be important to demonstrate how the proposed subdivision will meet the open space requirements for the new PUD.

PUD Pre-Application Conference. SRC 210.020 requires a PUD pre-application conference when property is proposed to be developed as a PUD. Per SRC 210.020(b), within seven days after the pre-application conference City staff is required to notify the neighborhood association with the details of the proposed PUD.

As discussed at the pre-application conference, because the proposed development will require a PUD, a separate PUD pre-application conference will be required with further fleshed out details of the proposal. Subsequent to the pre-application conference, staff will then provide required notice to the neighborhood association as required under SRC 210.020(b).

 Property Line Adjustment: Because the proposal includes both land located within an existing PUD and non-platted land located outside the PUD, a property line adjustment will be required in conjunction with the PUD to relocate the property line between tax lots 083W22BA00100 and 083W22BA07000 if the remainder of the existing golf course fairway that is not proposed to be further divided isn't intended to be included within the boundary of the new PUD.

Required Land Use Applications

Adjustment: If the portion of the existing golf course fairway that will not be further divided will not be included in the PUD/Subdivision, an adjustment to the maximum lot depth for this lot will be required because the depth of the lot shown on the proposed plan exceeds the maximum lot depth of the zone based on its width. If the existing fairway is instead included within the PUD/Subdivision, an adjustment to maximum lot depth would not be required because there are no minimum or maximum lot dimension requirements for PUDs.

Online Application Submittal Packets

The City has electronic application submittal guides for the applications identified above. The webpages include a summary of the review procedure, submittal requirements, and approval criteria. The submittal guides can be found on the City's website at the following location:

Planned Unit Development:

https://www.cityofsalem.net/business/land-use-zoning/development-application-help/apply-for-plannedunit-development

Subdivision:

https://www.cityofsalem.net/business/land-use-zoning/development-application-help/subdivide-your-land-into-four-or-more-lots

Adjustment:

https://www.cityofsalem.net/business/land-use-zoning/development-application-help/seek-anadjustment-to-land-use-standards

Tree Conservation Plan:

https://www.cityofsalem.net/community/household/home-improvement/can-you-remove-trees-on-your-property

Land Use Application Fees

The applicable land use application fees for these applications can be found on the City's website at the location below. Land use application fees and descriptions start on **page 25** of the document.

https://www.cityofsalem.net/home/showpublisheddocument/1124/637931465466030000

Consolidated Land Use Application Procedures

When multiple land use applications are required or proposed for a development, the City's land use procedures ordinance (SRC Chapter 300) provides alternatives methods for how such applications may be processed.

The applications may be processed individually in sequence, concurrently, or consolidated into a single application. Where multiple applications proposed to be consolidated include an application subject to review by the Historic Landmarks Commission, the application subject to Historic Landmarks Commission review may be processed individually in sequence or concurrently.

Multiple land use applications consolidated into a single application shall be accompanied by the information and supporting documentation required for each individual land use action. Review of the application shall be according to the highest numbered procedure type and the highest Review Authority required for any of the land use applications proposed to be consolidated.

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Multiple applications processed concurrently require the filing of separate applications for each land use action. Each application shall be reviewed separately according to the applicable procedure type and Review Authority, and processed simultaneously.

<u>Zoning</u>

The zoning of the subject property has been identified in the table below. For specific requirements of the applicable zone(s), click on the zone(s) in the table.

	Ba	se Zo	ones
	EFU – Exclusive Farm Use (SRC 500.000)		MU-II – Mixed Use II (SRC 534.000)
\boxtimes	RA – Residential Agriculture (SRC 510.000)		MU-III – Mixed Use III (SRC 535.000)
	RS – Single Family Residential (SRC 511.000)		MU-R – Mixed Use Riverfront (SRC 536.000)
	RM-I – Multiple Family Residential (SRC 513.000)		EMSU – Edgewater/Second Street Mixed-Use Corridor (SRC 537.000)
	RM-II – Multiple Family Residential (SRC 514.000)		PA – Public Amusement (SRC 540.000)
	RM-III – Multiple Family Residential (SRC 515.000)		PC – Public/Private Cemetery (SRC 541.000)
	CO – Commercial Office (SRC 521.000)		PE – Public/Private Education (SRC 542.000)
	CR – Retail Commercial (SRC 522.000)		PH – Public/Private Health Services (SRC 543.000)
	CG – General Commercial (SRC 523.000)		PS – Public Service (SRC 544.000)
	CB – Central Business District (SRC 524.000)		PM – Capitol Mall (SRC 545.000)
	WSCB – West Salem Central Business District (SRC 525.000)		EC – Employment Center (SRC 550.000)
	FMU – Fairview Mixed-Use (SRC 530.000)		IC – Industrial Commercial (SRC 551.000)
	SWMU – South Waterfront Mixed-Use (SRC 531.000)		IBC – Industrial Business Campus (SRC 552.000)
	NH – Neighborhood Hub (SRC 532.000)		IP – Industrial Park (SRC 553.000)
	MU-I – Mixed Use I (SRC 533.000)		IG – General Industrial (SRC 554.000)
	Ove	rlay 2	Zones
	Willamette Greenway (SRC 600.000)		Oxford-West Nob Hill (SRC 622.000)
	Floodplain (SRC 601.000)		Oxford-Hoyt (SRC 623.000)
	Airport (SRC 602.000)		Hoyt-McGilchrist (SRC 624.000)
	Portland Fairgrounds Road (SRC 603.000)		Saginaw Street (SRC 625.000)
	Chemawa-I-5 Northeast Quadrant Gateway (SRC 618.000)	\boxtimes	McNary Field (SRC 629.000)
	Superior-Rural (SRC 621.000)		
	Staff	Com	ments
 Au 	tomatic Zone Change of Property from RA to R	з тн	ne property is currently zoned RA (Residential

<u>Automatic Zone Change of Property from RA to RS.</u> The property is currently zoned RA (Residential Agriculture). However, pursuant to SRC 265.015(a)(2)(A), the zoning of the property will automatically change from RA to RS (Single Family Residential) once the final plat for the subdivision is recorded with the county. As such, the proposed PUD/Subdivision will be reviewed for conformance with the applicable standards of the RS zone and any subsequent development on the proposed lots will be subject to the standards of the RS zone.

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Development Standards

The proposed development will be primarily subject to the requirements of the RS zone, the PUD ordinance (SRC Chapter 210), and the provisions of the chapters identified in the table below. For specific requirements, click on chapters in the table.

	Develo	opme	ent Standards
	Multiple Family Design Review Guidelines and Standards (SRC 702.000)		Off-Street Parking, Loading and Driveways (SRC 806.000)
\boxtimes	General Development Standards	\boxtimes	Landscaping and Screening (SRC 807.000)
	(SRC 800.000)		
⊠	Public Improvements (SRC 802.000)		Preservation of Trees and Vegetation
			(SRC 808.000)
Ø	Streets and Right-Of-Way Improvements (SRC 803.000)		Wetlands (SRC 809.000)
⊠	Driveway Approaches (SRC 804.000)	⊠	Landslide Hazards (SRC 810.000)
\boxtimes	Vision Clearance (SRC 805.000)		Sign Code (SRC 900.000)
	St	aff C	omments

Based upon review of the proposed plan, the following items have been identified concerning the proposed development's conformance with applicable Salem Revised Code standards:

- Maximum Lot Depth: It appears the depth of the proposed lot for the remainder of the fairway will exceed the maximum allowed lot depth of the RS Zone. The maximum allowed lot depth is 300 percent (or 3 times) the average lot width. A zoning adjustment to maximum lot depth will be required if this lot will not be included in the PUD/Subdivision. If the lot is instead included in the PUD/Subdivision an adjustment will not be required because there are no minimum or maximum lot size or dimension requirements for PUDs.
- <u>Dwelling Unit Density</u>: Properties subdivided that are 5 acres or greater in size are required to have a minimum residential density of 5.5 dwelling units per acre. A minimum of 15 percent of the dwelling units that will be constructed on the lots are required to be middle housing. Accessory dwelling units may be counted toward meeting the minimum density standard.
- <u>Private Lane</u>: As discussed at the pre-application conference, the proposed private lane can be developed as a private street or alley. If the private lane is developed as an alley, the front lot line designation for the proposed lots will be the south property line abutting Creekside Drive, all of the lots will be required to be addressed off Creekside Drive, and the front entrances to the homes will need to be from Creekside Drive.

If the proposed private lane is instead developed as a private street, the proposed lots will be double frontage lots and the front lot line designation for the lots can be the north lot line abutting the new proposed private street with the rear of the lots abutting Creekside Drive, similar to how the homes to the west of the property on Inverness Drive SE and Inverness Court SE are configured.

As discussed at the pre-application conference, the private street will need to be designed to accommodate fire department access, on-street parking, landscape strips, and a sidewalk on at least one side of the street *(which could be the side of the street abutting the golf course fairway)*.

Natural Resources

Trees (SRC Chapter 808): The City's tree preservation ordinance (SRC Chapter 808) protects Heritage Trees; Significant Trees (including Oregon White Oaks with diameter-at-breast-height *(dbh)* of 20 inches or greater and any other tree with a dbh of 30 inches or greater, with the exception of tree of heaven, empress tree, black cottonwood, and black locust); trees and native vegetation in riparian corridors; and trees on lots or parcels 20,000 square feet or greater. The tree preservation ordinance defines "tree" as, "any living woody plant that grows to 15 feet or more in height, typically with one main stem called a trunk, which is 10 inches or more dbh, and possesses an upright arrangement of branches and leaves."

Based on review of aerial photos, there are trees on the property but it is unclear if any of the trees are 10 or greater in dbh. If there are trees on the property that are 10 inches or greater in dbh, a tree conservation plan will be required.

Pursuant to <u>SRC 808.035</u>, a tree conservation plan is required in conjunction with subdivisions creating lots for single family uses, two family uses, three family uses, four family uses, or cottage clusters. Under the City's tree preservation ordinance, tree conservation plans are required to preserve all heritage trees, significant trees, trees and native vegetation within riparian corridors, and a minimum of 30 percent of the overall trees on the property. If less than 30 percent of the trees on a property are proposed for preservation or if significant trees and/or trees or native vegetation within a riparian corridor are proposed for removal, the applicant must show that there are no reasonable design alternatives to enable preservation of those trees.

When a tree conservation plan proposes to preserve less than 30 percent of the trees on the property, the applicant must meet the mitigation measures included under SRC 808.035(e) which require the applicant to provide certain mitigation measures for each tree removed in excess of 70 percent.

<u>Tree Protection Measures:</u> <u>SRC 808.046</u> requires the protection of the critical root zone of all trees required to be preserved or protected under the UDC. Protection measures include the installation of an above ground silt fence, or its equivalent, around 100 percent of the critical root zone of the tree. The critical root zone measures **one-foot in radius for each one-inch of dbh of the tree**. In the case of non-significant trees, the critical root zone may alternatively be determined by a certified arborist through submittal of an arborist repot.

Within the critical root zone, the tree's trunk, roots, branches, and soil shall be protected to ensure the health and stability of the tree; and there shall be no grading, placement of fill, storage of building materials, or parking of vehicles. Up to 30 percent of the critical root zone of a tree may be disturbed in order to accommodate development of a property but only in conjunction with the submittal of a report from a certified arborist documenting that such disturbance will not compromise the long-term health and stability of the tree and all recommendations included in the report to minimize any impacts to the tree are followed.

As discussed at the pre-application conference, there are existing trees proposed to be preserved on the eastern portion of the site adjacent to proposed Lot 14 in proximity to Creekside Drive and the abutting existing single-family home to the east. If these trees are 10 inches or greater in dbh, the location of the proposed private lane may need to be adjusted to ensure that the critical root zones of these trees will fall outside the boundaries of the proposed street improvement and the critical roots zones will not be disturbed.

Wetlands (SRC Chapter 809):

According to the Salem-Keizer Local Wetland Inventory (LWI) there are no wetlands or waterways located on the subject property.

Landslide Hazard Susceptibility (SRC Chapter 810):

According to the City's adopted landslide hazard susceptibility maps, the subject property is mapped with areas of two landslide hazard susceptibility points and pursuant to SRC Chapter 810 there are three activity points associated with planned unit developments and subdivisions. The cumulative total of five

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points indicates a moderate landslide hazard susceptibility risk. A Geologic Assessment and potentially a Geotechnical Report is therefore required in conjunction with the proposed PUD/Subdivision.

Open House / Neighborhood Association Contact Information

Applicants are required to contact the applicable neighborhood association for certain types of land use applications prior to application submittal. For a limited number of application types, an open house or presentation at a neighborhood association meeting is required. This allows the neighborhood association to be involved early in the process and helps to identify any potential issues that might arise.

The table below indicates if the proposed development must meet either the neighborhood association contact requirement or open house/neighborhood association meeting requirement prior to application submittal. For specific requirements, see <u>SRC 300</u>.

Pre-Sub	omitta	al Requirement
Neighborhood Association Contact (SRC 300.310)		Open House (SRC 300.320)
St	aff C	omments
eighborhood Association Contact is require fer to <u>SRC 300.310</u> for requirements for conta		Planned Unit Developments and Subdivisions. Please the neighborhood association(s).

When a land use application requires neighborhood association contact, the applicant must contact the City-recognized neighborhood association(s) whose boundaries include, and are adjacent to, the subject property via e-mail or letter.

The e-mail or letter must be sent to **both** the Neighborhood Association Chair(s) and Land Use Chair(s) of the applicable neighborhood association and contain the following information:

- 1) The name, telephone number, and e-mail address of the applicant;
- 2) The address of the subject property;
- 3) A summary of the proposal;
- 4) A conceptual site plan, if applicable, that includes the proposed development; and
- 5) The date on which the e-mail or letter is being sent.

Note: Land use applications requiring neighborhood association contact will not be accepted unless they are accompanied by a copy of the e-mail or letter that was sent to the neighborhood.

Neighborhood Association Information

For your convenience, contact information for the neighborhood association(s) is provided below. Please note that the identified neighborhood association chair(s) and land use chair(s), and their corresponding contact information, is current as of the date of the pre-application conference, but this information is subject to change if the chair(s) or their contact information has changed subsequent to the date of the pre-application conference.

Up-to-date contact information for neighborhood representatives may also be obtained by visiting the City's website at the following location:

https://www.cityofsalem.net/community/neighborhoods/neighborhood-associations

Applicable Neighborhood Association(s):	Meeting Date, Time, & Location	Neighborhood Association Chair(s) & Land Use Chair(s)
		Chair(s)
South Gateway	Meetings are held the second Thursday of each month at 6:45 pm.	Dynee Medlock findthepattern@icloud.com
Neighborhood Association	*Note: Please check the calendar	Land Use Chair(s)
	here for specific meeting information.	Glenn Baly glennbaly12345@gmail.com

Salem Revised Code Available Online

The entire Salem Revised Code can be accessed online through the City's website at:

https://www.cityofsalem.net/government/laws-rules/salem-revised-code



PLS 1823" (= N * monument). O.....Set N* monument.

().....Record data from GOLF CLUB ESTATES AT CREEKSIDE P.U.D.--PHASE 1. S.D.E...Storm Drain Easement, to The City of Salem.

S.S.F...Sanitary Sewer Easement. to The City of Salem.

P.U.E...Public Utilities Easement. to The City of Salem.

W.L.E...Water Line Easement. to The City of Salem.

N.G.S...National Geodetic Survey.

W.C.....Witness Corner—true corner falls in fire hydrant. RL..... Reel

PG.... Page

NARRATIVE

This subdivision is basically an extension of my survey of GOLF CLUB ESTATES AT CREEKSIDE P.U.D. -- PHASE 1, done in June, 1992. I used the survey control network from that original project and thus show the same data along the westerly boundary of PHASE 1.

SURVEYOR'S CERTIFICATE

I, Theodore J. Langton, a Registered Professional Land Surveyor in the State of Oregon, hereby depose and say that I did accurately survey and mark with proper monuments the land represented on the attached map of GOLF CLUB ESTATES AT CREEKSIDE P.U.D. -- PHASE 2, the boundary of which is described as follows:

A portion of that certain tract conveyed to Hawaii Northwest Ventures per Reel 866, Page 191, Marion County Deed Records, lying in the North half of Section 22, T8S, R3W, W.M., Marion County, Oregon, being more particularly described as follows:

Beginning at a 5/8" iron rod at the Northwest corner of Lot 32, GOLF CLUB ESTATES AT CREEKSIDE P.U.D.——PHASE 1, a subdivision in the City of Salem, in the Northeast corner of Section 22, T8S, R3W, W.M., Marion County, Oregon; thence along the westerly boundary of said subdivision S 4°29'00"W 166.65 feet to a 5/8" iron rod on the southerly right-of-way line of Creekside Drive; thence along said right—of—way S 85°31'00"E 49.46 feet to a 5/8" iron rod at the Northwest corner of Lot 31; thence S 4°29'00"W 100.00 feet to a 5/8" iron rod at the Southwest corner of said Lot 31; thence leaving said subdivision boundary N 85°31'00"W 320.00 feet to a 5/8" iron rod; thence N 85°40'18"W 80.00 feet to a 5/8" iron rod; thence N 87°55'41"W 80.00 feet to a 5/8" iron rod; thence S 89°09'08"W 80.00 feet to a 5/8" iron rod; thence S 86°13'58"W 80.00 feet to a 5/8" iron rod; thence N 88°52'15"W 80.61 feet to a 5/8" iron rod; thence S 87°26'34"W 80.16 feet to a 5/8" iron rod; thence N 88°18' 20"W 80.75 feet to a 5/8" iron rod; thence S 88°40'44"W 95.34 feet to a 5/8" iron rod; thence \$ 88°40'44"W 71.50 feet to a 5/8" iron rod; thence N 72°10'24"W 36.94 feet to a 5/8" iron rod; thence N 6°08'05"W 135.00 feet to a 5/8" iron rod; thence N 81°06'25"E 415.60 feet to a 5/8" iron rod; thence N 87°50'32"E 330.20 feet to a 5/8" iron rod; thence S 85°31' 00"E 122.10 feet to a 5/8" iron rod; thence N 87°13'47"E 22.54 feet to a 5/8" iron rod; thence N 77°41'12"E 159.51 feet to a 5/8" iron rod; thence S 85°31'00"E 27.30 feet to the point of beginning, containing 5.02 acres of land, more or less.

GOLF CLUB ESTATES AT CREEKSIDE P.U.D.--PHASE 2

in the N 1/2 of SECTION 22, T8S, R3W, W.M. CITY OF SALEM MARION COUNTY, OREGON

FEBRUARY 23, 1994

DECLARATION

CURVE RADIUS LENGTH DELTA CHORD & BEARING 1730.00' 320.60' 10**°37'05'** 320.15 1700.00' 315.04' 10°37'05" 314.59' S 89°10'27"W 2254.00' 27.71' 0°42'16" 27.71' N 85°52'08"W 2254.00' 85.13' 2°09'50" 85.12' N 87°18'11"W 2254.00' 85.23' 2°09'59" 85.22' 2254.00 85.40' 2°10'15" 85.39' S 88°21'48"W 81.76' S 86°14'20"W 2254.00' 81.76' 2°04'42" 2254.00' 52.49' 1°20'04" 8 52.49' S 84°31'58"W

Know all people by these presents that Hawaii Northwest Ventures, an Oregon limited partnership, is the recorded owner of the lands represented on this subdivision plat and more particularly described in the accompanying Surveyor's Certificate, and has caused same to be surveyed and platted into lots as shown on the attached plat and to be dedicated "GOLF CLUB ESTATES AT CREEKSIDE P.U.D.——PHASE 2". We hereby dedicate Creekside Drive to be a private street. All easements laid out through and upon said land as shown, or noted, on the attached

plat are hereby dedicated to said use for the parties as shown thereon.

There are no water rights appurtenent to this property.

- thener thereing James Hoover

Managing Partner, Hawaii Northwest Ventures

ACKNOWLEDGEMENT

STATE OF OREGON) S.S. COUNTY OF MARION)

This is to certify that on this $\underline{\checkmark}^{*}$ th day of $\underline{\square_{MCC+}}$, 199 $\underline{\cancel{}}$, before me, a Notar Public in and for said State and County, did personally appear James Hoover, Managing _, 199<u>4</u>, before me, a Notary Partner of Hawaii Northwest Ventures, an Oregon Limited Partnership, who has proven to me to be the identical persons named in the foregoing instrument, and that said instrument was executed on behalf of said partnership, and acknowledged to me that he executed said instrument freely and voluntarily.

Juk & Chenz Notary Public for the State of Oregon My Commission Expires

SUBDIVISION PLAT CONSENT

Bank of Salem, Beneficiary of that certain trust deed recorded in Reel 1089, Page 315, Deed Records of Marion County, does hereby consent and agree to the conditions of and the subdivision of said land described in the above referenced trust deed and recorded as GOLF CLUB ESTATES AT CREEKSIDE P.U.D. -- PHASE 2 in Marion County Book of Town Plats Reel

Poge _____. P.C. Vrontakis

President, Bank of Salem

ACKNOWLEDGEMENT

STATE OF OREGON)

S.S. COUNTY OF MARION)

This is to certify that on this _____th day of ______ , 199_, before me, a Notary Public in and for said State and County, did personally appear P.C. Vrontakis, who has proven to me to be the identical person named in the foregoing instrument, and that said instrument was executed on behalf of Bank of Salem, and acknowledged to me that he executed said instrument freely and voluntarily.

Notary Public for the State of Oregon

My Commission Expires 🔝 🐔 👘

40-94

S 89°10'28"W

N 89°28'05"W





LOT AREAS (in Sq Ft) LOT # AREA LOT # AREA LOT # AREA 8,335 7,789 61 8,000 66 8,000 71 72 73 74 75 62 63 67 9,000 8,089 68 69 8,000 8,319 7,160 64 65 7,600 7,311 8,000 8,446 70 8,000 8,669

APPROVALS

The attached plat is hereby approved & Declaration accepted:

<u>P.U.D. 93-1</u>	
City of Salem Planning File No.	
aure miller	Apr. 1 11, 1994
President) Salem Planning Commission PUD 93-1	Date
Salem City Surveyor Marion County Assessor	APR.L 7,1994
Salem City Surveyor /	Date
Souplan Dana lan China Stelester	415-94
Marion County Assessor	Date
Taxes have been paid to this date: Jure	
Marion County Tax Collector	Date
Ken Rowey Burt by Rev M- M Marion County Tax Collector CHAIR/VICE CHAIR, MARION COUNTY COMMISSION R.M.	11-15-94
CHAIR/VICE CHAIR, MARTON COUNTY COMMISSION R.M.	Date
Homeowners Association Bylaws are recorded ir Page43, Marion County Reco	n Reel, ords.
STATE OF OREGON) S.S.	
COUNTY OF MARION)	
hereby certify that the attached subdivision for record on the <u>15+4</u> day of <u>APR</u> <u>4.'05</u> o'clock <u>P</u> M. and recorded in M "Book of Town Plats, Volume <u>40</u> , Pag Marion County Deed Records, Reel <u>159</u> , 1	∠, 199 4, at Marion County Records in ne <u>9</u> ⊈. Also referenced in
Alan D ayid son, Marion County Clerk	

Deputy County Clerk



FAIRWAY ONE AT CREEKSIDE P.U.D.

in the NW 1/4 of SECTION 22, T8S, R3W, W.M. CITY OF SALEM MARION COUNTY, OREGON

JUNE 28, 1994

SHEET 2 OF 2

NARRATIVE

This subdivision is an extension of my previous surveys, GOLF CLUB ESTATES AT CREEKSIDE P.U.D.--PHASE 1 and PHASE 2, done in June, 1992, and February, 1994, and CS 33327, done in May, 1994. I used the survey control network from those projects. Thus I show the same data around the perimeter of this map as I did for CS 33327. I set iron pipe monuments at several points on the R/W of Creekside Drive where another monument had to be set nearby to help prevent confusion about what position the monument represents.

SURVEYOR'S CERTIFICATE

I. Theodore J. Lanaton, a Registered Professional Land Surveyor in the State of Oregon, hereby depose and say that I have correctly surveyed and marked with proper monuments the land represented on the attached map of FAIRWAY ONE AT CREEKSIDE P.U.D., the boundary of which is described as follows:

A tract of land lying in the Northwest Quarter of Section 22, T8S, R3W, W.M., City of Salem, Marion County, Oregon, being a portion of that tract conveyed to Hawaii Northwest Ventures per Reel 866, Page 191, Deed Records of Marion County, and being more specifically described as follows:

Beginning at a 5/8" iron rod at the Northwest corner of Lot 75, GOLF CLUB ESTATES AT CREEKSIDE P.U.D. -- PHASE 2, being on the southerly right-of-way line of Creekside Drive, a private street; thence along said right-of-way line S 83°51'55"W 132.63 feet to a 5/8" iron rod; thence on the arc of a 336.92 foot radius curve right (Long Chord: N 87°31'30"W 100.87) 101.25 feet to a 5/8" iron rod; thence on the arc of a 252.25 foot radius curve left (Long Chord: N 80°14°32"W 11.67 feet) 11.67 feet to a 5/8" iron rod; thence leaving said right—of—way line S 11°59°22"E 77.91 feet to a 5/8" iron rod; thence S 78°00'38"W 150.80 feet to a 5/8" iron rod; thence N 74°48'07"W 797.03 feet to a 5/8" iron rod; thence N 73°09'22"W 352.71 feet to a 5/8" iron rod; thence N 64°24'35"W 52.61 feet to a 5/8" iron rod; thence N 76°15' 53"W 52.08 feet to a 5/8" iron rod; thence N 75°02'58"W 156.62 feet to a 5/8" iron rod; thence N 68°23'54"W 22.31 feet to a 5/8" iron rod; thence N 13°02' 28"W 88.66 feet to a 5/8" iron rod; thence N 27°35'33"W 70.60 feet to a 5/8" iron rod; thence N 85°00'15"W 64.45 feet to a 5/8" iron rod; thence along the arc of a 384.00 foot radius curve left (Long Chord: N 46°21'08"E 84.97 feet) 85.15 feet to a 5/8" iron rod; thence N 40°00'00"E 87.52 feet to a 5/8" iron rod; thence S 44°55'07"E 190.91 feet to a 5/8" iron rod; thence S 73°09'22"E 223.50 feet to a 5/8" iron rod; thence along the arc of a 220.83 foot radius curve right (Long Chord: S 62°32'11"E 81.39 feet) 81.86 feet to a 5/8" iron rod; thence along the arc of a 220.83 foot curve left (Long Chord: S 62°32' 11"E 81.39 feet) 81.86 feet to a 5/8" iron rod; thence S 73°09'22"E 162.06 feet to a 5/8" iron rod; thence S 74°48'07"E 349.88 feet to a 5/8" iron rod; thence along the arc of a 338.00 foot radius curve right (Long Chord: S 72° 30'41"E 27.02 feet) 27.02 feet to a 5/8" iron rod; thence along the arc of a 288.00 foot radius curve left (Long Chord: S 72°30'41"E 23.02 feet) 23.03 feet to a 5/8" iron rod; thence S 74°48'07"E 325.72 feet to a 5/8" iron rod; thence S 88°59'40"E 94.03 feet to a 5/8" iron rod; thence N 85°32'10"E 7.83 feet to a 5/8" iron rod; thence S 4°15'46"E 0.39 feet to a 1" iron pipe; thence along the arc of a 302.25 foot curve right (Long Chord: S 86°24'26"E 78.80 feet) 79.03 feet to a 5/8" iron rod; thence along the arc of a 286.95 foot radius curve left (Long Chord S 87°31'32"E 85.91 feet) 86.23 feet to a 5/8" iron rod; thence N 83°51'55"E 132.62 feet to a 5/8" iron rod on the west line of said GOLF CLUB ESTATES AT CREEKSIDE P.U.D.--PHASE 2, said rod also being on the northerly right-of-way line of said Creekside Drive; thence S 6° 08'05"E 50.00 feet to the point of beginning; containing 6.18 acres, more or less.

Homeowners Association bylaws are recorded in Reel <u>982</u>. Page <u>273</u>. Marion County Records, Modified Feb. 17, 1994 in Reel 1144, Page 300, and Modified a Second Time May 6, 1994 in Reel 1:63, Page, 784, Marion County Records.

City of Salem Planning Commission Conditions of Approval are recorded in Reel 1183, Page 646, Marion County Records.

DECLARATION

Know all people by these presents that Hawaii Northwest Ventures, an Oregon Limited Partnership, and RAK Development are the recorded owners of the lands represented on this subdivision plat and more particularly described in the accompanying Surveyor's Certificate, and have caused same to be surveyed and platted into lots as shown on the attached plat and to be dedicated "FAIRWAY ONE AT CREEKSIDE P.U.D."

We hereby dedicate Creekside Drive to be a private street. A Public Utility Easement, for water, sanitary sewer and storm drain, lies within the right-of-way of the street.

All easements laid out through and upon said land as shown, or noted, on the attached plat are hereby dedicated to said use for the parties as shown thereon.

There are no water rights appurtenent to this property.

folder letter James Hoover

Managing Partner, Hawaii Northwest Ventures

'ull, Rudy Kàdlub,

President, RAK Development

ACKNOWLEDGEMENT

STATE OF OREGON) S.S. COUNTY OF MARION)

This is to certify that on this ______th day of August_____, 1994, before me, a Notary Public in and for said State and County, did personally appear James Hoover, Managing Partner of Hawaii Northwest Ventures, who has proven to me to be the identical persons named in the foregoing instrument, and that said instrument was executed on behalf of said Partnership, and acknowledged to me that he executed said instrument freely and voluntarily.

Mall Notary Public for the State of Oregon

My Commission Expires ______

This is to certify that on this $\underline{//2}$ th day of <u>August</u>, 199<u>4</u>, before me, a Notary Public in and for said State and County, did personally appear Rudy Kadlub, President of RAK Development, who has proven to me to be the identical persons named in the foregoing instrument, and that said instrument was executed on behalf of said RAK Development, and acknowledged to me that he executed said instrument freely and voluntarily.

Notary Public for the State of Oregon

My Commission Expires ____

SUBDIVISION PLAT CONSENT

Bank of Salem, Beneficiary of that certain trust deed recorded in Reel 1089, Page 315, Deed Records of Marion County, does hereby consent and agree to the conditions of and the subdivision of said land described in the above referenced trust deed

P.C. Vrontakis

President, Bank of Salem

ACKNOWLEDGEMENT

STATE OF OREGON) S.S. COUNTY OF MARION)

This is to certify that on this $\frac{16^{44}}{10}$ th day of $\frac{110}{100}$, $\frac{1997}{100}$, before me, a Notary Public in and for said State and County, did personally appear P.C. Vrontakis, who has proven to me to be the identical person named in the foregoing instrument, and that said instrument was executed on behalf of Bank of Salem, and acknowledged to me that he executed said instrument freely and voluntarily. Mulle Mary

Notary Public for the State of Oregon

My Commission Expires _______

40 - 113







POST MONUMENTATION STATEMENTS

As per O.R.S. 92.070 (2), the post monumentation of the interior monuments within this subdivision will be accomplished within 90 calendar days following completion of the paving improvements or one year following the original plat recordation, whichever occurs

first in accordance with O.R.S. 92.060. Theodore J. Langton

Oregon Registered Land Surveyor No. 1823

In accordance with O.R.S. 92.070, the interior corners of this subdivision have been correctly set with proper monuments. An affadavit has been prepared regarding the setting of said monuments and is recorded in Reel <u>1313</u>, Page <u>83</u>, Marion County Deed Records.

5-28-1996 Marion County Surveyor

APPROVALS

The attached plat is hereby approved & Declaration accepted:

President, Salem Planning Commission	V Date
in the state	
Salem City Surveyor	Date
Marina Sama Laker	
Marion County Assessor	Date
Taxes have been paid to this date: $\hat{\epsilon} = 3$	r-95
Ker Roudy bish by:	
Mulle meridia	×-36-44. Late
Marion County Tax Collector	Stadai
Chainson / San Chainson	X X MC
Chairperson / Vice-Chairperson Marion County Board of Commissioners	Date
,	
STATE OF OREGON)	
S.S.	
COUNTY OF MARION)	
for record on the <u>30 th</u> day of <u>the</u> <u></u>	Marion County Recor ge <u>333</u> . Also refer
<u>4:54</u> o'clock <u>P</u> M. and recorded in M "Book of Town Plats, Volume <u>40</u> , Pag Marion County Deed Records, Reel <u>169</u> , Alan Davidson, Marion County Clerk	Marion County Recor ge <u>333</u> . Also refer
<u>H:54</u> o'clock <u>P</u> M. and recorded in M "Book of Town Plats, Volume <u>HC</u> , Pag Marion County Deed Records, Reel <u>HC</u> , Alan Davidson, Marion County Clerk	Marion County Recor ge <u>333</u> . Also refer
<u>H:54</u> o'clock <u>P</u> M. and recorded in M "Book of Town Plats, Volume <u>40</u> , Pag Marion County Deed Records, Reel <u>169</u> , Alan Davidson, Marion County Clerk	Marion County Recor ge <u>333</u> . Also refer
<u>H:54</u> o'clock <u>P</u> M. and recorded in M "Book of Town Plats, Volume <u>40</u> , Pag Marion County Deed Records, Reel <u>46</u> , Alan Davidson, Marion County Clerk	Marion County Recor ge <u>333</u> . Also refer
<u>H:54</u> o'clock <u>P</u> M. and recorded in M "Book of Town Plats, Volume <u>40</u> , Pag Marion County Deed Records, Reel <u>46</u> , Alan Davidson, Marion County Clerk	Marion County Recor ge <u>333</u> . Also refer
<u>H:54</u> o'clock <u>P</u> M. and recorded in M "Book of Town Plats, Volume <u>40</u> , Pag Marion County Deed Records, Reel <u>169</u> , Alan Davidson, Marion County Clerk	Marion County Recor ge <u>333</u> . Also refer
H: 54 o'clock P.M. and recorded in N "Book of Town Plats, Volume How Pace, Pace Marion County Deed Records, Reel How Pace Alan Davidson, Marion County Clerk How Pace by: SM How Pace Deputy County Clerk How Pace REGISTERED REGISTERED	Marion County Recor ge <u>333</u> . Also refer
<u>H: 54</u> o'clock <u>P</u> M. and recorded in N "Book of Town Plats, Volume <u>FC</u> , Pac Marion County Deed Records, Reel <u>FC</u> , Alan Davidson, Marion County Clerk by: <u>SM</u> <u>Registered</u> Deputy County Clerk REGISTERED PROFESS IONAL	Marion County Recor ge <u>333</u> . Also refer
H: 54 o'clock P.M. and recorded in N "Book of Town Plats, Volume How Pace, Pace Marion County Deed Records, Reel How Pace Alan Davidson, Marion County Clerk How Pace by: SM How Pace Deputy County Clerk How Pace REGISTERED REGISTERED	Marion County Recor ge <u>333</u> . Also refer
H: 54 o'clock <u>P</u> M. and recorded in M "Book of Town Plats, Volume <u>C</u> , Pac Marion County Deed Records, Reel <u>C</u> , Alan Davidson, Marion County Clerk by: <u>S</u> M <u>RCIAC</u> Deputy County Clerk REGISTERED PROFESS IONAL	Marion County Recor ge <u>333</u> . Also refer
H: 54 o'clock P.M. and recorded in N "Book of Town Plats, Volume A., Pac Marion County Deed Records, Reel A., Alan Davidson, Marion County Clerk by: S.M. Registered Deputy County Clerk REGISTERED PROFESS IONAL LAND SURVEYOR MONTA Constant OREGON	Marion County Recor ge <u>333</u> . Also refer
H: 54 o'clock <u>P</u> .M. and recorded in M "Book of Town Plats, Volume <u>P</u> . Pac Marion County Deed Records, Reel <u>P</u> . Alan Davidson, Marion County Clerk by: <u>S</u> <u>P</u> . Deputy County Clerk REGISTERED PROFESS I ONAL LAND SURVEYOR JULY 13, 1976 THEODORE JAMES LANGTON	Marion County Recor ge <u>333</u> . Also refer
H: 54 o'clock P.M. and recorded in N "Book of Town Plats, Volume Pac Marion County Deed Records, Reel, Alan Davidson, Marion County Clerk by: REGISTERED Deputy County Clerk REGISTERED PROFESS I ONAL LAND SURVEYOR MOME GON JULY 13, 1979 THECOORE JAMES LANGTON 1823	Marion County Recor ge <u>333</u> . Also refer
H:54 o'clock P.M. and recorded in N "Book of Town Plats, Volume A., Pac Marion County Deed Records, Reel A., Alan Davidson, Marion County Clerk by: S.M. Read Deputy County Clerk REGISTERED PROFESS I ONAL LAND SURVEYOR MONTANA OREGON JULY 13, 1970 THEODORE JAMES LANGTON	Marion County Recor ge <u>333</u> . Also refer
REGISTERED PROFESSIONAL LAND SURVEYOR Marion County Clerk by: SM Read Deputy County Clerk	Marion County Recor ge <u></u> Also refer Page <u></u>
4:54 o'clock P.M. and recorded in N "Book of Town Plats, Volume Page Marion County Deed Records, Reel Page Alan Davidson, Marion County Clerk by: S Deputy County Clerk PROFESS I ONAL LAND SURVEYOR OREGON JULY 13, 1976 THEODORE JAMES LANGTON 1823	YING, INC.