

NOTICE OF DECISION

PLANNING DIVISION
555 LIBERTY ST. SE, RM 305
SALEM, OREGON 97301
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*Si necesita ayuda para comprender esta información, por favor llame
503-588-6173*

DECISION OF THE PLANNING ADMINISTRATOR

PLANNED UNIT DEVELOPMENT FINAL PLAN CASE NO.: PUD24-01

APPLICATION NO.: 24-101393-PLN

NOTICE OF DECISION DATE: September 16, 2024

SUMMARY: A Planned Unit Development Final Plan for Phase 5 of East Park Estates including 429 128 lots, and common open space areas, and a 36-unit multi-family residential development. The Planning Commission previously approved Planned Unit Development Tentative Plan (CPC-ZC-PUD-SUB-ADJ19-08) for this proposal.

REQUEST: An application for a Planned Unit Development Final Plan for Phase 5 of East Park Estates which includes 429 128 lots, and common open space areas, and a 36-unit multi-family residential development, for property approximately 122 acres in size, zoned RS (Single Family Residential), RM-I and RM-II (Multi-Family Residential) and CR (Retail Commercial), and located at 255 Cordon Road NE, 4800-4900 Block of State Street and 4700-4800 Block of Auburn Road NE - 97301 (Marion County Assessors Map and Tax Lot numbers: 072W29B / 014000 and 072W29C / 00100, 00101, 00199, 00200, 00300 and 00400).

APPLICANT: Brandie Dalton

LOCATION: 255 Cordon Road NE, 4800-4900 Block of State Street and 4700-4800 Block of Auburn Road NE, Salem OR 97301

CRITERIA: Salem Revised Code (SRC) Chapters 210.030(d) – Planned Unit Development

FINDINGS: The findings are in the attached Decision dated September 16, 2024.

DECISION: The **Planning Administrator APPROVED** Planned Unit Development Final Plan Case No. PUD24-01.

The rights granted by the attached decision must be exercised, or an extension granted, by September 16, 2026, or this approval shall be null and void.

Application Deemed Complete:	<u>January 26, 2024</u>
Notice of Decision Mailing Date:	<u>September 16, 2024</u>
Decision Effective Date:	<u>September 16, 2024</u>
State Mandate Date:	<u>October 25, 2024</u>

Case Manager: Aaron Panko, APanko@cityofsalem.net, 503-540-2356

This decision is final; there is no local appeal process. Any person with standing may appeal this decision by filing a "Notice of Intent to Appeal" with the Land Use Board of Appeals, 775 Summer St NE, Suite 330, Salem OR 97301-1283, not later than 21

days after the decision date. Anyone with questions regarding filing an appeal with the Oregon Land Use Board of Appeals should contact an attorney.

The complete case file, including findings, conclusions and conditions of approval, if any, is available for review by contacting the case manager, or at the Planning Desk in the Permit Application Center, Room 305, City Hall, 555 Liberty Street SE, during regular business hours.

<http://www.cityofsalem.net/planning>

BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM

DECISION

IN THE MATTER OF THE)	FINDINGS AND ORDER
APPROVAL OF THE PLANNED UNIT)	
DEVELOPMENT FINAL PLAN)	
CASE NO. PUD24-01)	
255 CORDON ROAD NE,)	
4800-4900 BLOCK OF STATE STREET,)	
AND 4700-4800 BLOCK OF AUBURN)	
ROAD NE - 97301)	SEPTEMBER 16, 2024

REQUEST

Summary: A Planned Unit Development Final Plan for Phase 5 of East Park Estates including ~~429~~ 128 lots, ~~and~~ common open space areas, and a 36-unit multi-family residential development. The Planning Commission previously approved Planned Unit Development Tentative Plan (CPC-ZC-PUD-SUB-ADJ19-08) for this proposal.

Request: An application for a Planned Unit Development Final Plan for Phase 5 of East Park Estates which includes ~~429~~ 128 lots, ~~and~~ common open space areas, and a 36-unit multi-family residential development, for property approximately 122 acres in size, zoned RS (Single Family Residential), RM-I and RM-II (Multi-Family Residential) and CR (Retail Commercial), and located at 255 Cordon Road NE, 4800-4900 Block of State Street and 4700-4800 Block of Auburn Road NE - 97301 (Marion County Assessors Map and Tax Lot numbers: 072W29B / 014000 and 072W29C / 00100, 00101, 00199, 00200, 00300 and 00400).

PROCEDURAL FINDINGS

On December 14, 2018, an application for a Planned Unit Development (PUD), consolidated with a Comprehensive Plan Map Amendment, Zone Change, and Subdivision (CPC-ZC-PUD-SUB-ADJ19-08) was submitted for the development of the subject property (**Attachment A**) as a planned unit development consisting of 659 single family dwelling units and a 36-unit multi-family complex, for a total of 695 units for property approximately 122 acres in size.

On September 17, 2019, the Planning Commission held a public hearing on the consolidated applications, received testimony, closed the public hearing and left the written record open. On October 15, 2019, the Planning Commission conducted deliberations and voted to approve the consolidated application subject to recommended conditions.

On March 10, 2021, the Planning Administrator issued a final decision approving the Final PUD for Phase 1 of the East Park Estates PUD (PUD20-01).

On July 21, 2022, the Planning Administrator issued a decision approving a third modification of the Tentative Phased Subdivision decision for East Park Estates (CPC-ZC-PUD-SUB-ADJ19-08MOD3).

On August 31, 2022, the Planning Administrator issued a final decision approving the Final PUD for Phase 2 of the East Park Estates PUD (PUD22-01).

On May 2, 2023, the Planning Administrator issued a final decision approving the Final PUD for Phase 3 of the East Park Estates PUD (PUD23-01).

On June 6, 2023, the Planning Administrator issued a final decision approving the Final PUD for Phases 2A and 2B (also known as Northwest Estates at East Park P.U.D.), of the East Park Estates PUD (PUD23-02).

On October 16, 2023, the Planning Administrator issued a final decision approving the Final PUD for Phase 4 of the East Park Estates PUD (PUD23-03).

On January 4, 2024, an application for PUD Final Plan approval for Phase 5 of the East Park Estates PUD was submitted by the applicant as required for Planned Unit Developments under SRC 210.030. The PUD Final Plan application was deemed complete on January 29, 2024. The applicant's proposed PUD Final Plan is included as **Attachment B** and the applicant's written statement addressing the approval criteria applications can be found in the record, accessible online as indicated below.

Time Extensions:

- 1) A 30-day time extension was granted per email dated April 19, 2024 extending the deadline from May 28, 2024 to June 27, 2024.
- 2) A 60-day time extension granted by applicant per email dated May 24, 2024, extending deadline from June 27, 2024 to August 26, 2024.
- 3) A 30-day time extension granted by applicant per email dated August 6, 2024, extending deadline from August 26, 2024 to September 25, 2024.
- 4) A 30-day time extension granted by applicant per email dated September 3, 2024, extending deadline from September 25, 2024 to October 25, 2024.

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 can use the search function without registering and enter the permit number listed here: 24 101393.

SUBSTANTIVE FINDINGS

1. Salem Area Comprehensive Plan (SACP) Designation

The Salem Area Comprehensive Plan (SACP) map designation for the subject property is "Single Family Residential" and "Multiple Family Residential". The subject property is within the Urban Growth Boundary and is located outside of the Urban Service Area.

Urban Growth Area Preliminary Declaration Case No. UGA09-07MOD1 sets forth the public facilities that are required to serve the subject property prior to development.

2. Zoning and Surround Land Uses

The East Park Estates Planned Unit Development and phased subdivision consists of property zoned RS (Single Family Residential), RM-I and RM-II (Multiple Family Residential), and includes six phases of development. The proposed PUD Final Plan for Phase 5 includes a total of 128 lots for development of single-family dwellings and common open space. Phase 5 of the PUD is located within the RS, and RM-II zones.

Zoning designations for surrounding properties is as follows:

North: Across Auburn Street NE – RS (Single Family Residential) and Marion County UT-5 (Urban Transitional)
South: Across State Street – RL (Limited Multiple-Family Residential), RM (Multiple Family Residential), and UD (Urban Development) – Single Family Dwellings
East: Across Cordon Road NE – Marion County I (Industrial), P (Public), and AR (Acreage Residential); Marion County Fire Department, vehicle equipment and storage, landscape supply, residential uses
West: Marion County RM (Multiple Family Residential) – Mobile Home Parks

3. Proposed Development

The proposed PUD Final Plan application is for Phase 5 of the PUD, containing approximately 19 acres and consisting of 128 lots for development of single-family residential uses, common open space, and development of 36 multi-family residential units in three buildings **(Attachment B)**.

4. Neighborhood and Citizen Comments

The subject property is located within the boundaries of the East Lancaster Neighborhood Association (ELNA).

Applicant Neighborhood Association Contact. SRC 300.310 requires an applicant to contact the neighborhood association(s) whose boundaries include, and are adjacent to, property subject to specific land use application requests. Pursuant to Table 300-2, the proposed PUD Final Plan approval included in this proposed land use application request does not require neighborhood association contact.

Neighborhood Association Comments

Notice of the proposed PUD Final Plan approval was provided to the East Lancaster Neighborhood Association (ELNA) pursuant to SRC 300.520(b)(1)(B)(v), which requires notice to be sent to any City-recognized neighborhood association whose boundaries include, or are adjacent to, the subject property.

No comments were received from the ELNA.

Public Comments

All property owners and tenants within 250 feet of the subject property were mailed notification of the proposed PUD Final Plan approval. One public comment was received indicating

objections to the proposed development occurring in the area due to adverse impacts on property values, increase in taxes, and a hinderance to true single-family community living.

Staff Response: The subject property has previously received tentative approval for development of the East Park Planned Unit Development by the Salem Planning Commission. The requested PUD Final Plan application process helps ensure that the Planned Unit Development is ultimately developed in a manner consistent with the tentative approval. Included in the findings of this decision is an analysis of how the proposed PUD Final Plan is in substantial conformance with the tentative development plans that have been previously approved for the subject property.

5. City Department and Public Agency Comments

Building and Safety Division - Reviewed the proposal and indicated no objections.

Fire Department - Reviewed the proposal and indicated Fire Department access and water supply are required per the Oregon Fire Code as adopted by SRC Chapter 58.

Development Services Division - Reviewed the proposal and provided a memo included as **Attachment C**.

Salem-Keizer Public Schools – Reviewed the proposal and provided a memo dated February 8, 2024, and which is included in the record. In summary, the property is served by Mary Eyre and Auburn Elementary Schools, Houck Middle School, and South/North Salem High Schools. Students are within the walk zone for Auburn Elementary School and Houck Middle School. Students are eligible for transportation for Mary Eyre Elementary School and North and South Salem High Schools. Each school, with the exception of South Salem High School, is found to have adequate capacity for the anticipated number of students added by the proposed development.

Cherriots – Reviewed the proposal and commented that some required transit stops have been constructed on the south side of Auburn Road between the entrance to Salem Greene Estates and Greencrest Street, and on Greencrest Street near the intersection with Pietro Street. Additional transit stops are still required on the east side of Greencrest Street, 75 feet north of the crosswalk at the intersection with State Street, and on the north side of State Street just west of the intersection with Greencrest Street.

Staff Response: The transit stop on Greencrest north of the crosswalk at the intersection with State Street will be installed with the future multi-family residential development (CU-SPR-ADJ-DR23-04). The transit stop on the north side of State Street west of the intersection with Greencrest Street will be complete with Phase 4 improvements which are currently under construction (21-119257-PC).

DECISION CRITERIA FINDINGS

6. Analysis of Planned Unit Development (PUD) Final Plan Approval Criteria.

SRC 210.030(d) sets forth the following criteria that must be met before approval can be granted to the final plan of a Planned Unit Development. The following subsections are organized with approval criteria shown in ***bold italic***, followed by findings evaluating the

planned unit development final plan/plat for conformance with the criteria. Lack of compliance with the following criteria is grounds for denial of the planned unit development final plan, or for the issuance of certain conditions to ensure the criteria are met.

(1) Substantial Conformance.

(A) The PUD final plan is in substantial conformance with the PUD tentative plan.

Substantial conformance for the following specific components of the PUD final plan exists when a comparison of the approved PUD tentative plan with the PUD final plan shows that:

(i) The number of dwelling units is within 10 percent of the number of dwelling units shown on the PUD tentative plan, but in no case shall the number of dwelling units exceed the limits set forth this Chapter;

Finding: Phase 5 of the PUD Tentative Plan calls for development of 129-single family residential lots and 36 multi-family residential units. The proposed PUD Final Plan indicates that 128 single family residential lots and 36 multi-family residential units are proposed, a difference of less than one percent. The number of dwelling units proposed on the PUD Final Plan is within 10 percent of dwelling units approved by the PUD Tentative Plan and is therefore consistent with this approval criterion.

(ii) Setbacks, and distances between main buildings, are within 10 percent of those shown on the PUD tentative plan, but in no case shall the setbacks and distances be reduced below the minimums set forth in this Chapter;

Finding: The PUD Tentative Plan approval did not include building locations for the proposed single-family dwellings. Conformance with the setback and development standards of the PUD will be verified at the time of plan review for the individual dwelling units.

For the multi-family residential use, setbacks and distances between main buildings shown on the final plan are within 10 percent of those identified on the PUD Tentative Plan. Conformance with the setback and development standards of the PUD will be further verified at the time of plan review for the 36-unit multi-family residential portion of the PUD. The proposed PUD Final Plan is consistent with this approval criterion.

(iii) Building sizes do not exceed the building sizes shown on the PUD tentative plan by more than 10 percent.

Finding: The tentative PUD approval did not include building sizes for the proposed single-family dwellings. Conformance with all applicable development standards of the PUD will be verified at the time of plan review for the individual dwelling units.

The multi-family residential buildings approved under the PUD Tentative Plan were three stories in height with each building containing 12 dwelling units. The PUD Final Plan shows buildings that are similar in size, height, and contain the same number of dwelling units as those identified in the PUD Tentative Plan. The proposed PUD Final Plan is consistent with this approval criterion.

(iv) Building locations do not depart by more than 10 percent from the building locations shown on the tentative PUD plan;

Finding: The PUD Tentative Plan approval did not include building locations for the proposed single-family dwellings. Conformance with the setback and development standards of the PUD will be verified at the time of plan review for the individual dwelling units.

For the multi-family residential use, building locations shown on the PUD Final Plan are within 10 percent of those identified on the PUD Tentative Plan. Conformance with the setback and development standards of the PUD will be further verified at the time of plan review for the 36-unit multi-family residential portion of the PUD. The proposed PUD Final Plan is consistent with this approval criterion.

(v) Common open space within the PUD final plan conforms to the following:

- (aa) If the common open space is to be improved as a recreational amenity, the area designated as common open space has not been reduced by more than 10 percent.**
- (bb) If the common open space is to be permanently set aside for passive and/or active recreational use, the area designated as common open space has not been reduced by more than 10 percent.**
- (cc) If the common open space is to preserve significant natural feature, the area designated as common open space has not been reduced by more than 5 percent.**
- (dd) If the common open space is to preserve a significant cultural feature, the area designated as common open space is identical to that shown on the PUD tentative plan; and**

Finding: The PUD tentative plan included approximately 1.92 acres of common open space between three tracts and the multi-family residential development with Phase 5. The amount of common open space area provided with the PUD Final Plan is equal to the amount provided on the PUD Tentative Plan and is therefore in substantial conformance with the PUD Tentative Plan.

(vi) If unique or innovative design concepts are employed, the final design conforms with the unique or innovative design concepts as approved in the PUD tentative plan.

Finding: The PUD tentative plan did not include any unique or innovative design concepts in its approval, this criterion is not applicable to the PUD final plan approval.

(B) Nothing in subparagraph (1)(A) of this paragraph shall be deemed to prohibit a reduction in the number of dwelling units or an increase in the amount of common open space. If the PUD is constructed in phases, the number of dwelling units reduced in one phase shall not be used to increase the number of dwelling units in any subsequent phase; and an increase in common open space in one phase shall not be used to reduce the amount of common open space in any subsequent phase.

Finding: The adjustments in the number of dwelling units and open space area provided between the PUD tentative plan and PUD final plan is within the acceptable range provided in this chapter. The final PUD plan is in substantial conformance with the PUD tentative plan and is in compliance with this approval criterion.

(C) Notwithstanding the changes allowed under subparagraph (1)(A) of this paragraph, a PUD final plan is not in substantial conformance with the PUD tentative plan if the cumulative effect of the changes made pursuant to subparagraph (1)(A) of this paragraph results in a significant modification to the approved PUD tentative plan.

Finding: As identified in the findings above, the PUD final plan is in substantial conformance with the PUD tentative plan approval.

(2) Except as allowed under paragraph (1) of this subsection, the conditions of approval on the PUD tentative plan have been met.

Finding: The PUD tentative plan was subject to conditions of approval that apply to the zone change and all phases of development (Conditions 1-18), and three conditions of approval that apply specifically to Phase 5 (Conditions 51-53). The conditions of approval applicable to Phase 5 of the proposed PUD have been met, as required by the criterion, as follows:

CONDITIONS APPLICABLE TO ZONE CHANGE:

Condition 1: The transportation impacts from the 122-acre site shall be limited to a maximum cumulative total of 14,157 average daily vehicle trips as required by Order No. 10-C-689.

FINDING: *The East Park Estates PUD project's current Average Daily Trip (ADT) calculations are as follows:*

- *Phase 1: 147-lot Single Family – 1,388 (ADT)*
- *Phase 2: 79-lot Single Family – 746 (ADT)*
- *Phase 3: 104-lot Single Family – 981 (ADT)*
- *The "Northwest Estates at East Park PUD": 26-lot Single Family – 245 (ADT)*
- *Phase 4: 81-lot Single Family – 764 (ADT)*
- *EAST PARK APARTMENTS (Phase 1 [CU-SPR-ADJ-DAP-DR21-05 - 291-dwelling units]; Phase 2 [CU-SPR-ADJ-DR23-04 - 42-dwelling units]; and, Phase 5 PUD [36-dwelling units]) Total 369 Units – 2,487 (ADT)*

The subject development (Phase 5) will create 128 new Single Family detached dwelling lots. The Average Daily Trips created by this Phase will be 1,207 trips.

Total ADT after current development completion will be 7,818 ADT. This condition is met.

Condition 2: The requirements of land use case number UGA 09-07 and UGA09-07MOD1 may be completed incrementally with each specific phase as indicated in the conditions of approval.

FINDING: *The requirements of the mentioned UGA permits will be reviewed and completed with each appropriate Phase of the development.*

CONDITIONS APPLICABLE TO ALL PHASES:

Condition 3: Prior to final plat approval of any phase, the applicant shall either 1) demonstrate that tax lot 072W29C00199 was a legally created unit of land, or 2) the unit of land shall be validated through the validation process provided in SRC 205.060.

FINDING: The Applicant was granted approval for the Validation of Unit of Land through the Community Development Department (Case No. VUL20-01). The Final Partition Plat was recorded with Marion County Clerk on October 22, 2020 as Partition 2020-61 and recorded in Deed Records in Reel 4399, Page 414. This Condition is met.

Condition 4: Adequate Fire Department access and water supply shall be required for each phase of development.

FINDING: Each phase of the development will be reviewed and approved by the City of Salem Engineering Department and the Fire Marshal for adequate access and water supply. This Condition is met.

Condition 5: Contrasting building materials and colors shall be incorporated into the design for the proposed multi-family buildings.

FINDING: Design aspects of the multi-family buildings are reviewed with the Building Permit applications. This Condition will be met with the Building Permit application.

Condition 6: Prior to final PUD plan/plat approval, the applicant shall submit a Homeowners Association Agreement and Covenants, Conditions, and Restrictions (CC&R) document for review and approval by the City Attorney providing for the perpetual maintenance and operation of all common properties and facilities within the development including, but not limited to: private streets, private utilities, open spaces, common facilities, and community areas. The articles of the Homeowners Association shall conform to the provisions of SRC 210.055(b).

FINDING: Homeowner's Association and CC&R documents have been approved by the City's Legal Department. Final Version of those documents are attached to City Permit No.: 20-114739-LD. An Amendment to the CC&R document was previously approved with Phase 4 of the PUD. This Condition is met.

Condition 7: The PUD Final Plan shall demonstrate that the off-street parking area complies with the minimum interior parking area landscaping requirements of SRC Chapter 806.

FINDING: This Condition will be met with the Building Permit application for the multi-family development.

Condition 8: The PUD Final Plan shall demonstrate that a minimum of 4 bicycle parking spaces will be provided for the proposed multi-family residential use in compliance with the development standards of SRC 806.060.

FINDING: This Condition will be met with the Building Permit application for the multi-family development.

Condition 9: All significant trees on the subject property shall be protected and preserved through development unless the removal is approved through SRC Chapter 808.

FINDING: The Applicant has obtained approval of a Tree Conservation Plan through Planning. The Applicant shall comply with the requirements of TCP19-15 (City Permit No. 18-124475-NR). This Condition was originally met for Phase 1.

Condition 10: Prior to commencing work in any mapped wetland area, obtain state/federal wetland permits.

FINDING: Oregon Department of State Lands Permit No. 62644-RF was issued September 1, 2020, for Phases 1 and 2 of the East Park Development. Oregon Department of State Land Permit No. 63399-RF covers work within Phases 3-6. The US Army Corp of Engineers Permit No. NWP-2020-197 was issued for Phases 1 and 2, while Permit No. NWP-2020-293 covers the remaining Phases. This Condition is met.

Condition 11: Construct all internal private streets with property line sidewalks with minimum 4-foot landscape strip to accommodate street trees.

FINDING: Plans approved with City Permit No. 22-104143-PC demonstrate all internal streets to be constructed with property line sidewalks and 4-foot planter strips as required by this condition. This Condition is met.

Condition 12: Provide access and utility easements (to be shown on the plat) for all private streets and public utilities located within private streets pursuant to PWDS.

FINDING: The proposed Phase 5 Final Plat demonstrates access and utility easements as needed. The City Surveyor and Public Works Engineering Division will review the easements with the Final Plat. This Condition will be met.

Condition 13: Provide a 10-foot public utility easement along the street frontage of all internal streets.

FINDING: The proposed Final Plat demonstrates a 10-foot public utility easement along all interior street frontages. This Condition is met.

Condition 14: Extend City infrastructure to adjacent parcels pursuant to PWDS.

FINDING: Public Construction plans approved with City Permit No. 22-104143-PC demonstrate City infrastructure to adjacent parcels as applicable. This Condition is met.

Condition 15: Construct water, stormwater, and sewer systems to serve each lot.

FINDING: Public Construction plans approved with City Permit No. 22-104143-PC demonstrate all potential single-family lots within Phase 5 will be served with water, stormwater, and sewer services. This Condition is met.

Condition 16: Design and construct stormwater facilities as needed to accommodate future impervious surfaces on all proposed lots within each phase pursuant to PWDS. Additional capacity built in earlier phases can be used to serve impervious surfaces in later phases.

FINDING: Public Construction plans approved with City Permit No. 22-104143-PC demonstrate stormwater facility accommodations for future impervious surfaces for all lots within Phase 5. This Condition is met.

Condition 17: Prior to commencing work within the Critical Tree Zone (CTZ) (including removal) of any trees on City-owned property, the applicant shall obtain a Street Tree Permit pursuant to SRC Chapter 86.

FINDING: Prior to commencing work within any CTZ, the Applicant is required to obtain the appropriate Street Tree Permit. This Condition will be met with each Phase of the Development.

Condition 18: Provide a minimum 25-foot access easement from the abutting cul-de-sac at Puma Street NE, and a utility easement (Sanitary Sewer and Water), to the neighboring property (Marion County Assessor's Map and Tax Lot number 072W30DA / 00199). Make provisions to collect the surface water runoff from the southeast corner of said tax lot, at the present low point.

FINDING: This Condition was met with Phase 1.

CONDITIONS APPLICABLE TO PHASE 1:

FINDING: Conditions 19 through 28 were completed with the recording of the Phase 1 Final Plat.

CONDITIONS APPLICABLE TO PHASE 2:

FINDING: Conditions 29 through 35 were complete with the recording of the Phase 2 Final Plat.

CONDITIONS APPLICABLE TO PHASE 2A and 2B (Also known as "NORTHWEST ESTATES AT EAST PARK P.U.D.):

FINDING: Conditions 36 through 40 were complete with the recording of the Phase "NORTHWEST ESTATES AT EAST PARK PUD" Final Plat.

CONDITIONS APPLICABLE TO PHASE 3:

FINDING: Conditions 41 through 45 were complete with the recording of the Phase 3 Final Plat.

CONDITIONS APPLICABLE TO PHASE 4:

FINDING: Conditions 46 through 50 were complete with the recording of the Phase 4 Final Plat.

CONDITIONS APPLICABLE TO PHASE 5:

Condition 51: Construct a traffic signal at the intersection of (future) Greencrest Street NE and State Street as specified in the TIA, and provide an interconnect to the signal at the intersection of Cordon Road and State Street.

FINDING: Public Construction plans issued with City Permit 22-104143-PC include design for the construction of the required traffic signal, with interconnect facilities, at the Greencrest Street NE and State Street intersection. The Applicant has provided a performance security in the form of a Construction & Maintenance Bond and Improvement Agreement to guarantee the construction of this improvement. This Condition is met.

Condition 52: Construct improvements at the intersection of Cordon Road and State Street for a traffic signal to provide dual eastbound-to-northbound left turn lanes as specified in the TIA, and construct improvements on Cordon Road NE to accommodate receiving lanes as approved by Marion County Public Works.

FINDING: Public Construction plans issued with City Permit 22-104143-PC include the required State Street dual left turn lanes and Cordon Road receiving lanes. Approved plans also include traffic signal improvements for the intersection. Marion County has issued a Conditional Acceptance Letter of the Signal improvements and executed a "Construction and One-Year Maintenance Bond" as performance security for the signal improvements. This Condition is met.

Condition 53: Construct a multi-modal multi-use pedestrian/bicycle path along the Phase 5 frontage of Cordon Road NE as specified in the TIA and approved by Marion County Public Works. Pedestrian pathways shall be provided connecting the sidewalk on Panther Street NE to the multi-modal path along Cordon Road NE at intervals not less than 600 feet.

FINDING: The required multi-modal multi-use path along the Cordon Road frontage of Cordon Road is approved by Marion County public works and is currently under construction. The Applicant has provided a performance security for the improvement in the form of an Improvement Agreement.

The Applicant is providing two pedestrian pathway access points from Reno Street (formerly known as Panther) to the Cordon Road multi-modal pathway. One is located at the southern boundary of the subject property on Lot 472, and the second is located approximately 577-feet north on Lot 533. Although the interval of the connecting pathway is less than 600-feet, as mentioned in this Condition, the designed location of the pedestrian connection on Lot 533 aligns with the ADA ramp at the intersection of Dilling Avenue and follows the intent of the street connectivity standards (SRC803.035) of a connection no greater than 600-feet. This Condition is met.

CONDITIONS APPLICABLE TO PHASE 6:

FINDING: Conditions 54 through 57 will be completed with recording of future phase 6 of development.

(3) The articles of the homeowners' association satisfy the standards set forth in SRC 210.055(b).

Finding: The applicant had previously submitted the Homeowners Association Agreement and Covenants, Conditions, and Restrictions (CC&R) documents to the City Attorney for review with the first phase of this PUD. An amendment to the CC&Rs was previously submitted with Phase 4. The documents were found to meet the requirements as conditioned and are in compliance with the provisions of SRC 210.055(b) and are applicable to each phase of development.

- (4) For planned unit developments with a land division, SRC 205.035(c)(6) has been met. If the PUD does not include a land division, the City Engineer has determined that each building or structure on the PUD final plan can be adequately served by the following City infrastructure and private improvements:**
- (A) A domestic water supply;**
 - (B) A sanitary sewage disposal system;**
 - (C) Streets improved to the extent that adequate paved access is provided to each building or structure;**
 - (D) A storm water discharge system; and**
 - (E) Fire hydrants installed to fire code standards.**

Finding: A land division is included with this Planned Unit Development. Pursuant to SRC 205.035(c)(6), easements shall be shown on the plat in accordance with SRC 205.080.

- (5) The owner has entered into an improvement agreement with the City providing that any improvements required to be constructed which are not complete at the time of submission of the PUD final plan will be completed within 18 months of PUD final plan approval, and the owner has furnished sufficient performance security, as provided in SRC 110.100, to ensure completion of the improvements. The time within which the improvements must be completed may be extended for one additional 6-month period, subject to prior written approval from the Director.**

Finding: The required public/private improvements are secured with Improvement Agreements recorded in Marion County on August 10, 2023, as Instrument No. 2023-24311. The applicant has also provided the appropriate tangible performance guarantees for the boundary street improvements.

- (6) If applicable, the applicant has executed a fee-in-lieu agreement pursuant to SRC 200.400 through 200.420.**

Finding: No fee in lieu agreements are warranted or applicable to this phase of the PUD.

7. Conclusion

Based upon review of SRC 210.030(d), the findings contained under section 6 of this decision, and the comments described, the PUD final plan, complies with the requirements for an affirmative decision.

IT IS HEREBY ORDERED

The Planned Unit Development Final Plan for Phase 5 of East Park Estates which includes 128 lots, common open space area, and a 36-unit multi-family residential development for property approximately 122 acres in size, zoned RS (Single Family Residential), RM-I and RM-

II (Multi-Family Residential) and CR (Retail Commercial), and located at 255 Cordon Road NE, 4800-4900 Block of State Street and 4700-4800 Block of Auburn Road NE - 97301 (Marion County Assessors Map and Tax Lot numbers: 072W29B / 014000 and 072W29C / 00100, 00101, 00199, 00200, 00300 and 00400) is hereby **APPROVED** subject to SRC Chapter 210.



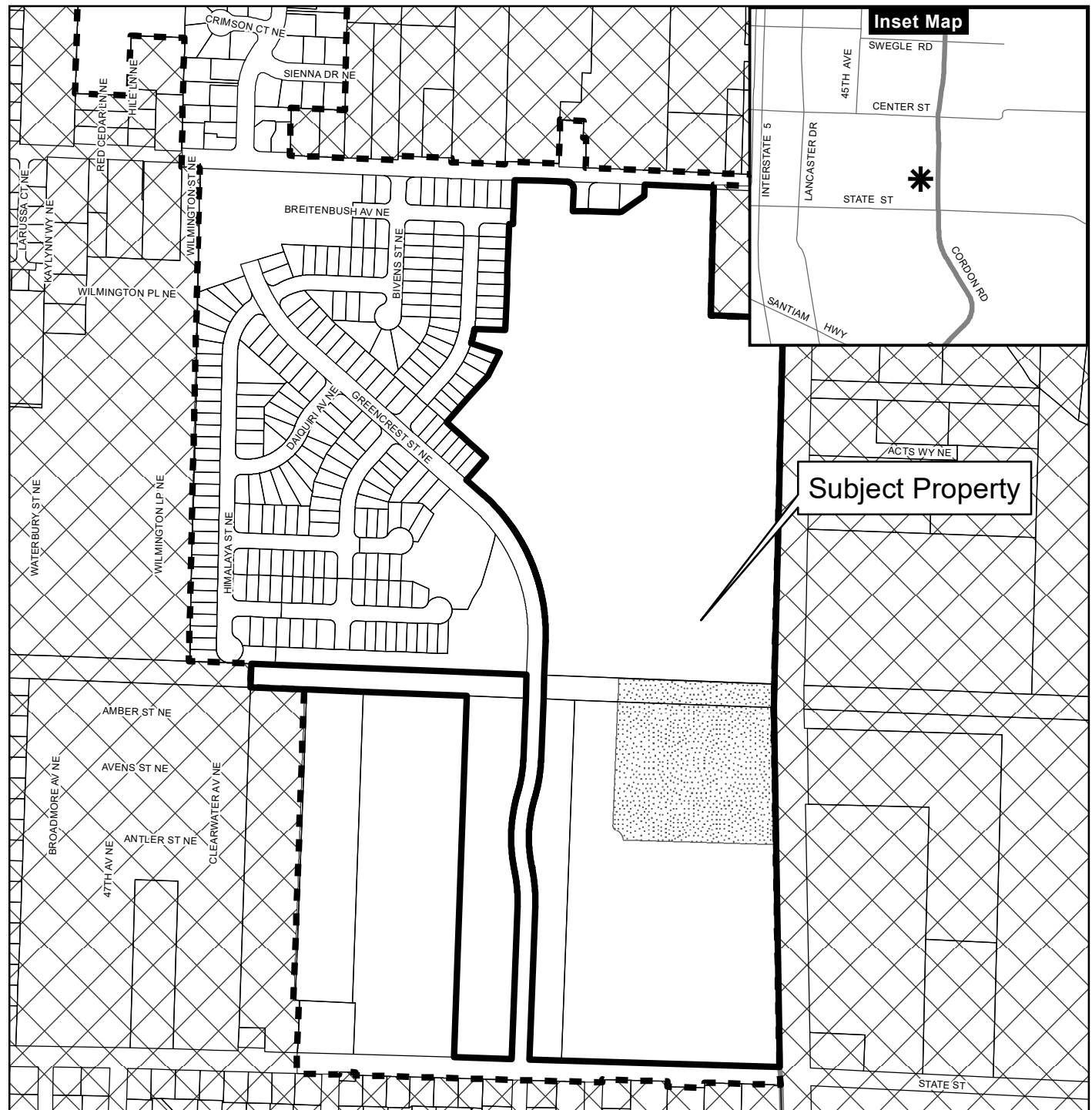
Aaron Panko, Planner III, on behalf of
Lisa Anderson-Ogilvie, AICP,
Planning Administrator

Attachments: A. Vicinity Map
B. PUD-Subdivision Final Plan
C. Development Services Memo Dated September 5, 2024

\\allcity\CDGroup\CD\PLANNING\CASE APPLICATION Files 2011-On\PUD Final Plan\2024\Planner Docs\PUD24-01.amp.docx

Vicinity Map

255 Cordon Road NE, 4800-4900 Block of State Street and 4700-4800 Block of Auburn Road NE



Legend

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

- Parks

CITY OF Salem
AT YOUR SERVICE
Community Development Dept.

0 100 200 400 Feet

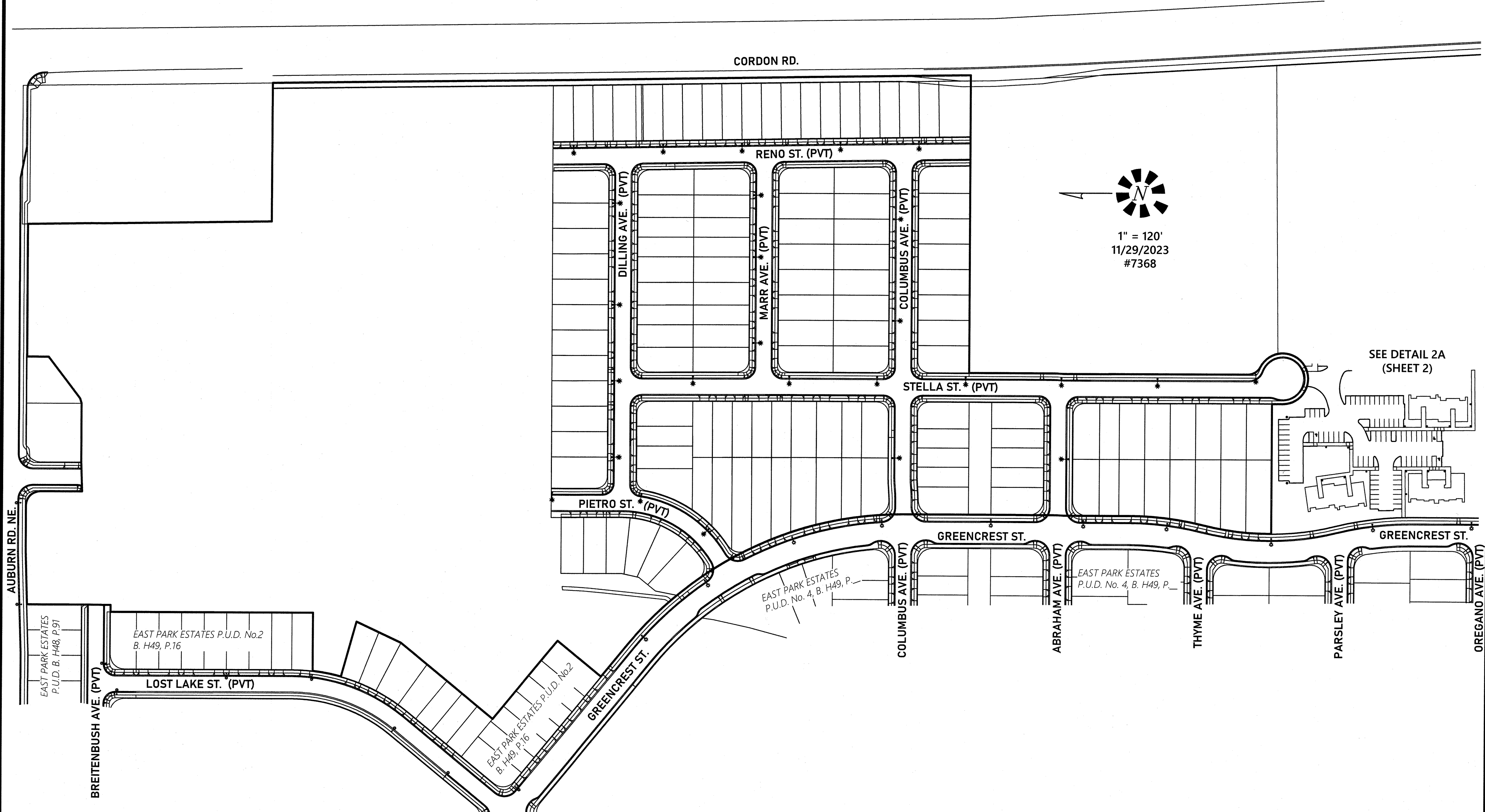


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EAST PARK ESTATES P.U.D. No. 5

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IN THE SW 1/4 & NW 1/4 OF SEC. 29, T. 7 S., R. 2 W., W.M.
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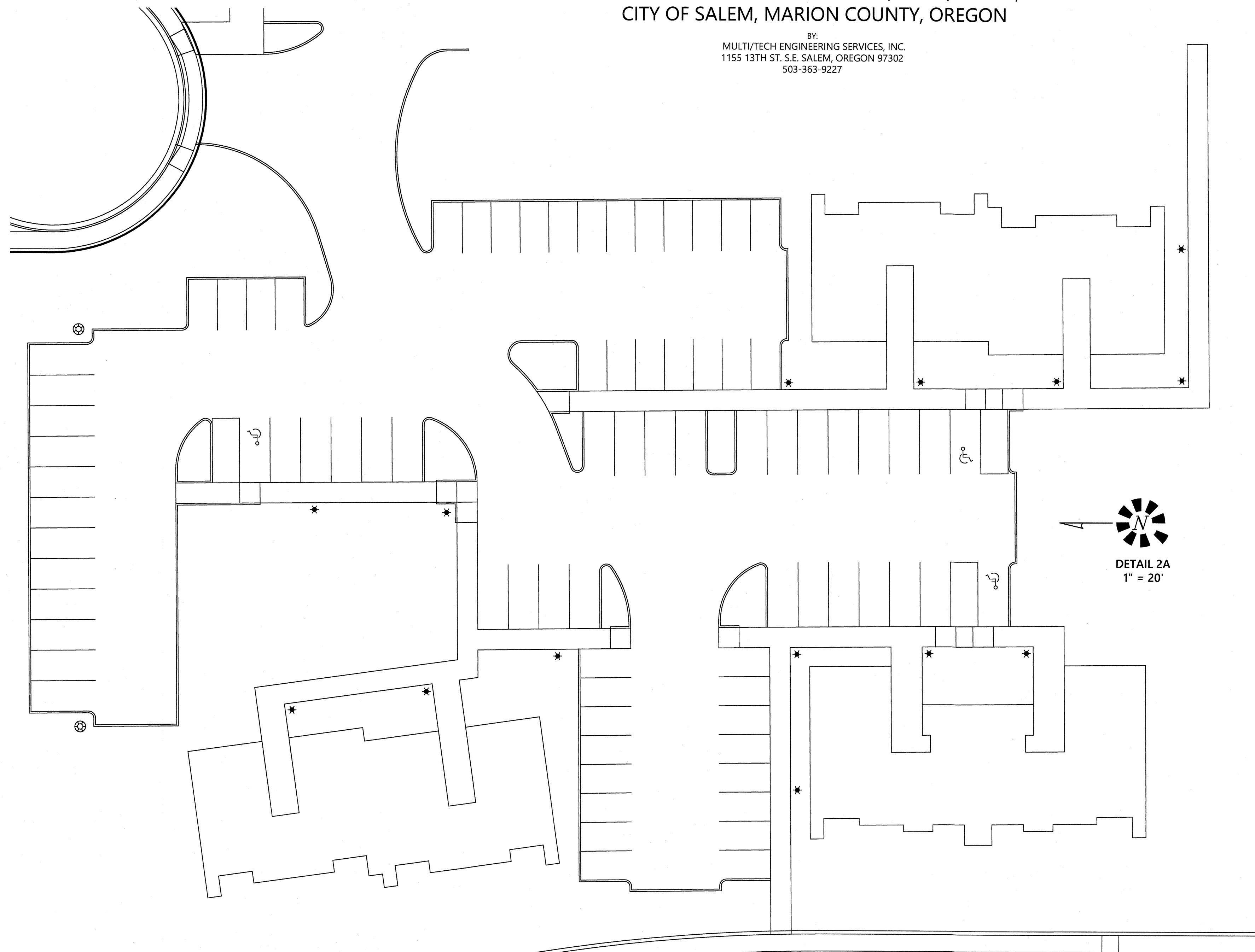
BY:
MULTI/TECH ENGINEERING SERVICES, INC.
1155 13TH ST. S.E. SALEM, OREGON 97302
503-363-9227



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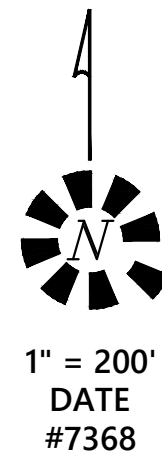
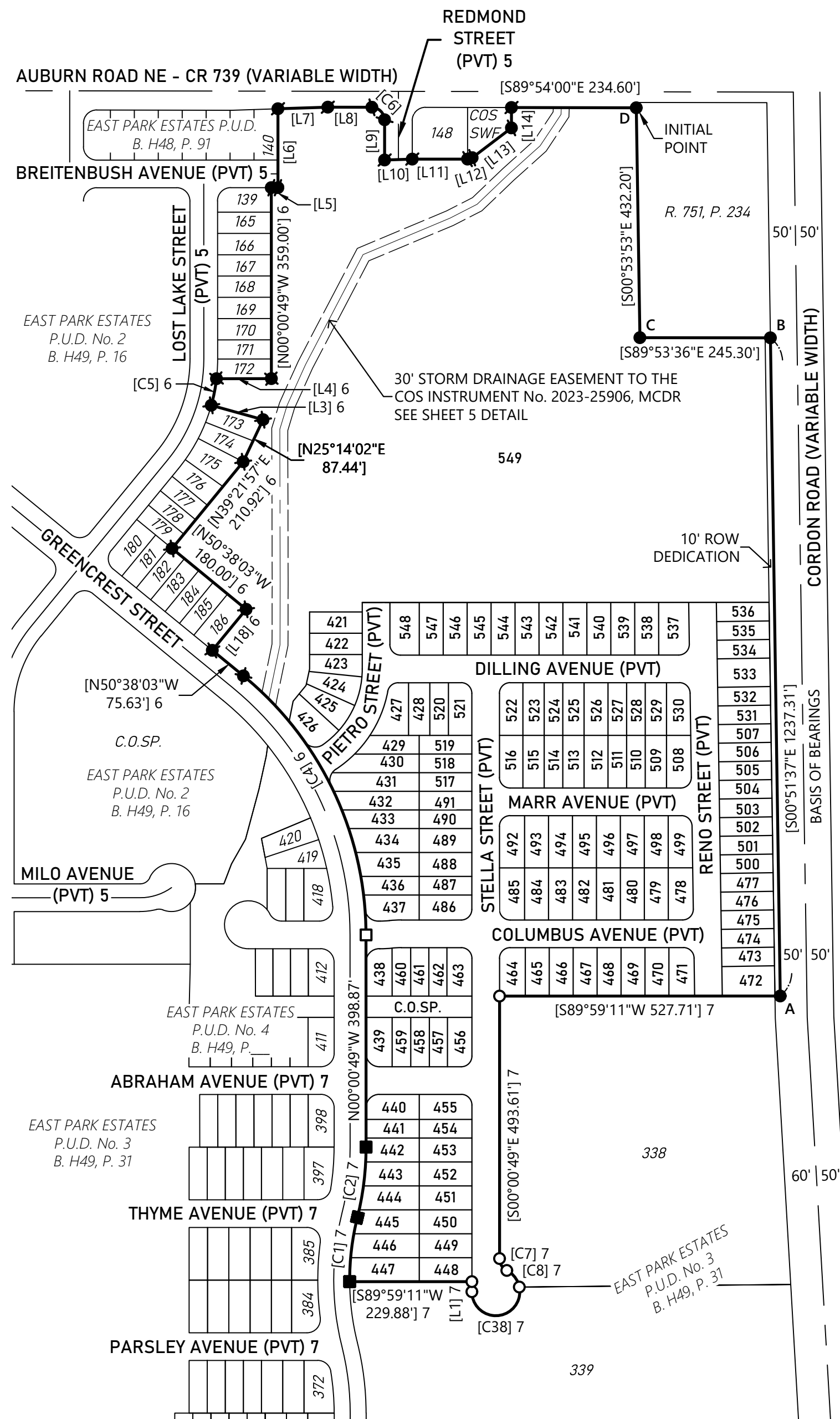


DETAIL 2A
1" = 20'

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LEGEND:

MCDR = MARION COUNTY DEED RECORD
MCSR = MARION COUNTY SURVEY RECORD
BOTP = BOOK OF TOWN PLATS
W/YPC = WITH YELLOW PLASTIC CAP
ROW = RIGHT-OF-WAY
PUE = PUBLIC UTILITY EASEMENT
RAD = RADIUS
IP = IRON PIPE
IR = IRON ROD
P. = PAGE
V. = VOLUME
R. = REEL
COS = CITY OF SALEM
SWF = STORM WATER FACILITY
PVT = PRIVATE
C.O.SP. = COMMON OPEN SPACE
[] = RECORD AND MEASURED DATA PER 5 UNLESS NOTED OTHERWISE
() = RECORD PER SURVEY NOTED
● = FOUND MONUMENT AS NOTED
● = FOUND MONUMENT PER EAST PARK V. 48, P. 91, BOTP
■ = FOUND MONUMENT PER EAST PARK NO. 2, V. 49, P. 16, BOTP
■ = FOUND MONUMENT PER EAST PARK NO. 3, V. 49, P. 31, BOTP
○ = SET 5/8" X 30" IR, W/YPC SCRIBED "MULTI/TECH ENG."
□ = SET 5/8" X 30" IR, WITH ALUMINUM CAP SCRIBED "MULTI/TECH ENG." TO BE POST-MONUMENTED
⊙ = SET 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP SCRIBED "MULTI/TECH ENG." TO BE POST-MONUMENTED
⊗ = 5/8" IR, W/YPC SCRIBED "MULTI/TECH ENG" PER 7, LOST DURING CONSTRUCTION
⊠ = 5/8" IR, WITH ALUMINUM CAP SCRIBED "MULTI/TECH ENG." PER 6 LOST DURING CONSTRUCTION

REFERENCE SURVEYS :

1. MCSR 36837
2. MCSR 39457
3. MCSR 39510
4. P.P. 2020-61
5. EAST PARK P.U.D. B. H48, P. 91
6. EAST PARK P.U.D. No. 2, B. H49, P. 16
7. EAST PARK P.U.D. No. 3, B. H49, P. 31
8. EAST PARK P.U.D. No. 4, B. H49, P. 31

MONUMENT TABLE:

- A. 5/8" IR, W/YPC SCRIBED "DLT & ASSOC. PLS 1362", PER MCSR 31002, LDC
- B. 1/2" IP, WITH UNREADABLE YELLOW PLASTIC CAP, PER MCSR 29413
- C. 1/2" IP, PER MCSR 29413
- D. 3/4" IP, TIED IN MCSR 36837

NOTES:

1. ALL MONUMENTS FOUND IN GOOD CONDITION AND WITHIN 0.2' OF THE SURFACE OF THE GROUND UNLESS OTHERWISE NOTED.
2. ALL MONUMENTS SET FLUSH WITH THE SURFACE OF THE GROUND UNLESS OTHERWISE NOTED.

LINE TABLE		
Line#	Direction	Length
[L1] 7	N00°00'49"W	19.00'
[L3] 6	N74°26'46"W	101.00'
[L4] 6	N89°59'11"E	103.16'
[L5]	N89°59'11"E	12.50'
[L6]	N00°00'49"W	148.33'
[L7]	N88°11'27"E	93.76'
[L8]	S89°54'00"E	81.83'
[L9]	S00°00'49"E	74.11'
[L10]	N88°06'40"E	52.03'
[L11]	N89°59'11"E	104.00'
[L12]	N73°47'19"E	9.08'
[L13]	N52°43'43"E	92.63'
[L14]	N00°06'00"E	38.27'
L18	N39°21'57"E	100.00'

CURVE DATA					
CURVE	RADIUS	DELTA	ARC LENGTH	CHORD BEARING	DIST.
[C1] 7	483.58'	14°26'31"	121.89'	N06°51'07"E	121.57'
[C2] 7	543.58'	14°05'12"	133.64'	N07°01'47"E	133.31'
[C4] 6	630.00'	50°37'14"	556.60'	N25°19'26"W	538.68'
[C5] 6	326.00'	8°58'15"	51.04'	N11°04'06"E	50.99'
[C6]	25.00'	89°53'11"	39.22'	S44°57'25"E	35.32'
[C7] 7	25.00'	62°47'50"	27.40'	S31°24'44"E	26.05'
[C8] 7	45.00'	51°30'42"	40.46'	S37°03'13"E	39.11'
[C38] 7	45.00'	191°16'59"	150.23'	S84°20'37"W	89.56'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 13, 2004
ROBERT D. HAMMAN
64202LS
EXPIRES: 6-30-2025

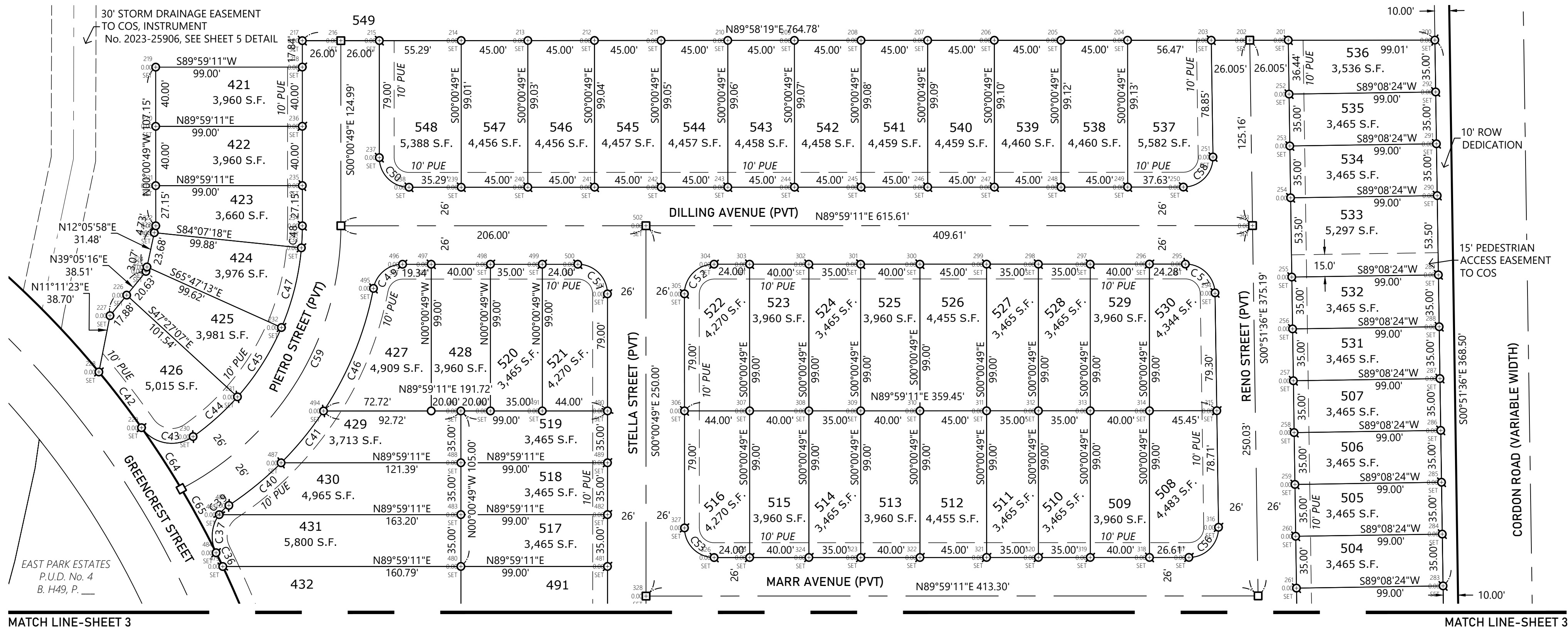
SHEET INDEX

SHEET 1 - OVERALL BOUNDARY, MONUMENT TABLE, LOTS 422 - 551, CURVE TABLE, LINE TABLE, LEGEND, REFERENCE SURVEYS
SHEET 2 - NORTH LOT DETAIL, CURVE TABLE
SHEET 3 - CENTRAL LOT DETAIL, CURVE TABLE, LINE TABLE
SHEET 4 - SOUTH LOT DETAIL, CURVE TABLE
SHEET 5 - STORM DRAIN EASEMENT DETAIL, LOT 551
SHEET 6 - NARRATIVE, CERTIFICATE, PLAT NOTES,
SHEET 7 - SIGNATURE PAGE

EAST PARK ESTATES P.U.D. No. 5

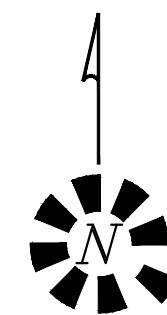
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503-363-9227



CURVE DATA					
CURVE	RADIUS	DELTA	ARC LENGTH	CHORD BEARING	DIST.
C36	630.00'	0°56'32"	10.36'	N25°51'42"W	10.36'
C37	25.00'	62°01'47"	27.07'	S04°40'56"W	25.76'
C39	25.00'	20°54'30"	9.12'	S46°09'04"W	9.07'
C40	226.00'	11°32'58"	45.56'	S50°49'50"W	45.48'
C41	226.00'	11°29'23"	45.32'	S39°18'40"W	45.24'
C42	630.00'	4°18'37"	47.39'	N37°26'05"W	47.38'
C43	25.00'	89°53'24"	39.22'	S80°13'28"E	35.32'
C44	174.00'	13°16'15"	40.30'	N48°11'42"E	40.21'
C45	174.00'	18°20'05"	55.68'	N32°23'33"E	55.44'
C46	226.00'	22°48'09"	89.94'	S22°09'54"W	89.35'
C47	174.00'	18°20'05"	55.68'	N14°03'28"E	55.44'
C48	174.00'	4°54'14"	14.89'	N02°26'18"E	14.89'

CURVE DATA					
CURVE	RADIUS	DELTA	ARC LENGTH	CHORD BEARING	DIST.
C49	20.00'	79°13'22"	27.65'	S50°22'30"W	25.50'
C50	20.00'	90°00'00"	31.42'	N45°00'49"W	28.28'
C51	20.00'	90°00'00"	31.42'	N45°00'49"W	28.28'
C52	20.00'	90°00'00"	31.42'	S44°59'11"W	28.28'
C53	20.00'	90°00'00"	31.42'	S45°00'49"E	28.28'
C56	20.00'	90°50'47"	31.71'	N44°33'47"E	28.49'
C57	20.00'	89°09'13"	31.12'	N45°26'13"W	28.07'
C58	20.00'	90°50'47"	31.71'	S44°33'47"W	28.49'
C59	200.00'	62°33'08"	218.35'	S31°15'45"W	207.66'
C64	630.00'	4°28'25"	49.19'	N33°02'34"W	49.18'
C65	630.00'	4°28'23"	49.18'	N28°34'10"W	49.17'



1" = 50'
DATE
#7368

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OREGON
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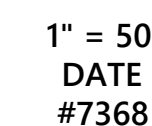
MATCH LINE-SHEET 2

MATCH LINE-SHEET 2



MATCH LINE-SHEET 4

CURVE DATA					
CURVE	RADIUS	DELTA	ARC LENGTH	CHORD BEARING	DIST.
C34	630.00'	3°23'32"	37.30'	N20°13'09"W	37.30'
C35	630.00'	3°28'31"	38.21'	N23°39'11"W	38.21'
C54	20.00'	90°00'00"	31.42'	S44°59'11"W	28.28'
C55	20.00'	89°09'13"	31.12'	N45°26'13"W	28.07'
C63	226.00'	5°43'55"	22.61'	N87°07'13"E	22.60'
C66	630.00'	4°17'02"	47.10'	S02°20'15"E	47.09'
C67	200.00'	5°43'55"	20.01'	S87°07'13"W	20.00'
C68	200.00'	5°43'55"	20.01'	S87°07'13"W	20.00'



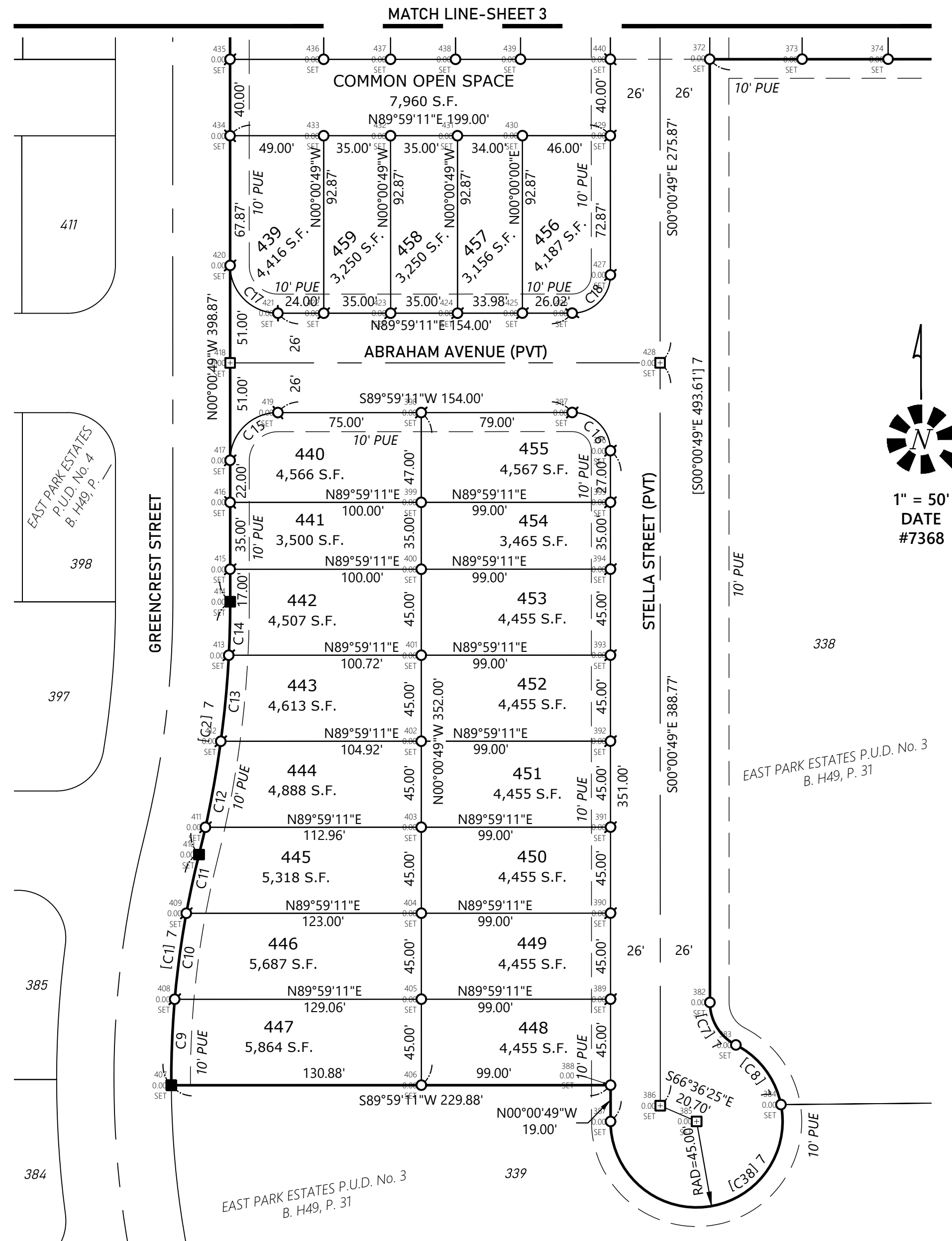
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CURVE DATA					
CURVE	RADIUS	DELTA	ARC LENGTH	CHORD BEARING	DIST.
[C1] 7	483.58'	14°26'31"	121.89'	N06°51'07"E	121.57'
[C2] 7	543.58'	14°05'12"	133.64'	N07°01'47"E	133.31'
[C7] 7	25.00'	62°47'50"	27.40'	S31°24'44"E	26.05'
[C8] 7	45.00'	51°30'42"	40.46'	S37°03'13"E	39.11'
C9	483.58'	5°20'17"	45.05'	N02°18'00"E	45.04'
C10	483.58'	5°22'55"	45.42'	N07°39'35"E	45.41'
C11	483.58'	3°43'20"	31.42'	N12°12'43"E	31.41'
C12	543.58'	4°49'11"	45.73'	N10°06'50"E	45.71'
C13	543.58'	4°45'55"	45.21'	N05°19'18"E	45.20'
C14	543.58'	2°57'09"	28.01'	N01°27'46"E	28.01'
C15	25.00'	90°00'00"	39.27'	S44°59'11"W	35.36'
C16	20.00'	90°00'00"	31.42'	N45°00'49"W	28.28'
C17	25.00'	90°00'00"	39.27'	S45°00'49"E	35.36'
C18	20.00'	90°00'00"	31.42'	N44°59'11"E	28.28'
[C38] 7	45.00'	191°16'59"	150.23'	S84°20'37"W	89.56'

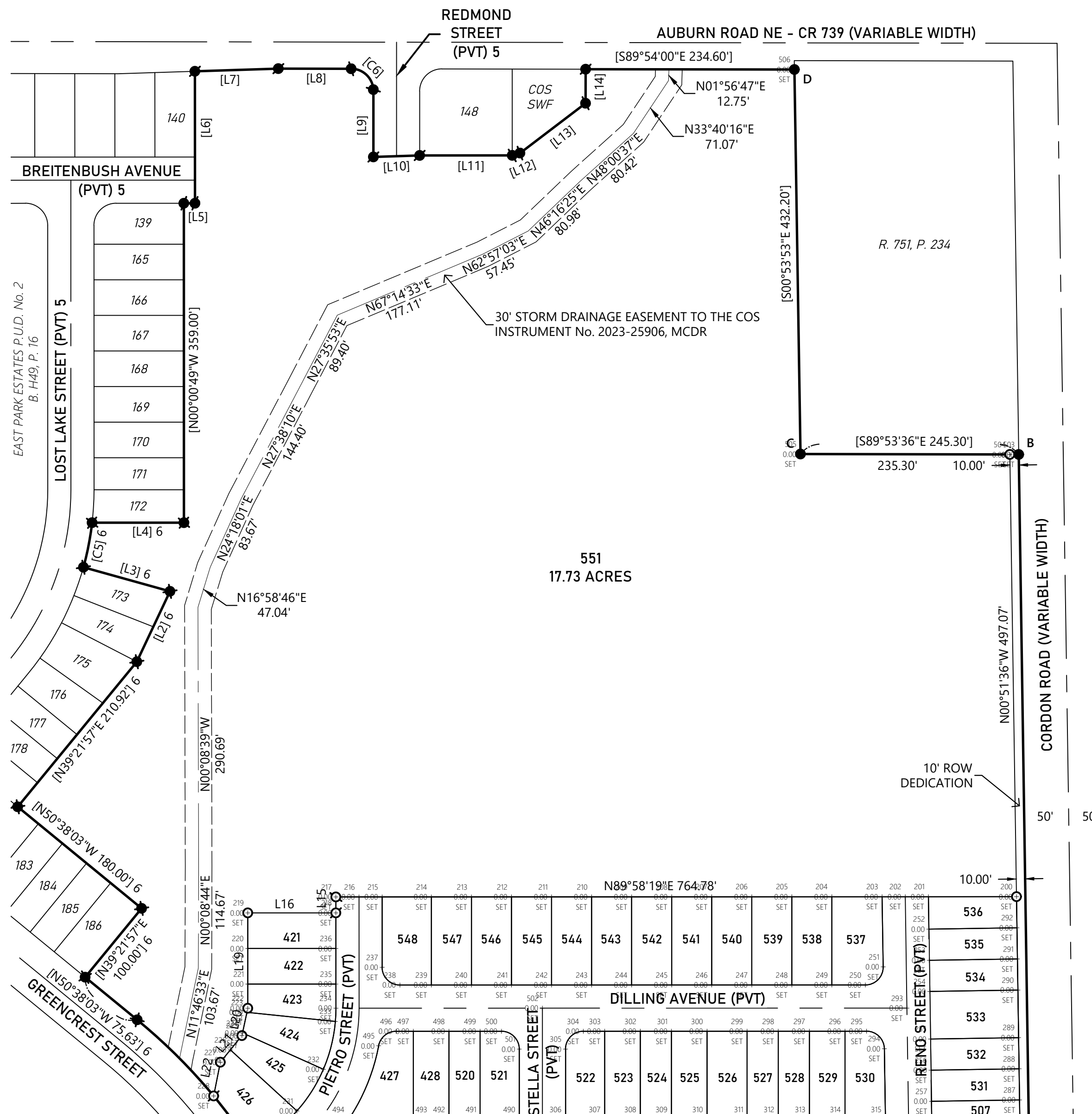
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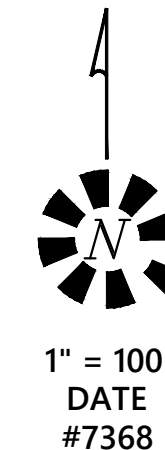
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LINE TABLE		
Line#	Direction	Length
[L2] 6	N25°14'02"E	87.44'
[L3] 6	N74°26'46"W	101.00'
[L4] 6	N89°59'11"E	103.16'
[L5]	N89°59'11"E	12.50'
[L6]	N00°00'49"W	148.33'
[L7]	N88°11'27"E	93.76'
[L8]	S89°54'00"E	81.83'
[L9]	S00°00'49"E	74.11'
[L10]	N88°06'40"E	52.03'
[L11]	N89°59'11"E	104.00'
[L12]	N73°47'19"E	9.08'
[L13]	N52°43'43"E	92.63'
[L14]	N00°06'00"E	38.27'
L15	S00°00'49"E	17.84'
L16	S89°59'11"W	99.00'
L19	N00°00'49"W	107.15'
L20	N12°05'58"E	31.48'
L21	N39°05'16"E	38.51'
L22	N11°11'23"E	38.70'

CURVE DATA					
CURVE	RADIUS	DELTA	ARC LENGTH	CHORD BEARING	DIST.
[C5] 6	326.00'	8°58'15"	51.04'	N11°04'06"E	50.99'
[C6]	25.00'	89°53'11"	39.22'	S44°57'25"E	35.32'



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SURVEYOR'S CERTIFICATE

I, ROBERT D. HAMMAN, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON, HEREBY CERTIFY THAT I HAVE SURVEYED AND MARKED WITH PROPER MONUMENTS THE LAND SHOWN HEREON AS EAST PARK ESTATES P.U.D. No. 3, THE BOUNDARY OF WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT A 3/4" IRON PIPE BEING THE INITIAL POINT AT THE NORTHEASTERLY CORNER OF LOT 230, EAST PARK ESTATES P.U.D. No. 2 AS RECORDED IN VOLUME H49, PAGE 16, MARION COUNTY BOOK OF TOWN PLATS, LOCATED IN THE SOUTHWEST AND NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 7 SOUTH, RANGE 2 WEST, OF THE WILLAMETTE MERIDIAN, CITY OF SALEM, MARION COUNTY, OREGON, THENCE SOUTH 00°53'53" EAST 432.20 FEET TO A 1/2" IRON PIPE; THENCE SOUTH 89°53'36" EAST 245.30 FEET TO A 1/2" IRON PIPE ON THE WESTERLY RIGHT-OF-WAY LINE OF CORDON ROAD; THENCE ALONG SAID RIGHT-OF-WAY LINE SOUTH 00°51'37" EAST 1237.31 FEET TO A 5/8" IRON ROD AT THE NORTHEAST CORNER OF LOT 338, EAST PARK P.U.D. No. 3 VOLUME H49, PAGE 31, MARION COUNTY BOOK OF TOWN PLATS; THENCE ALONG THE LINE OF SAID LOT THE FOLLOWING FOUR CALLS: SOUTH 89°59'11" WEST 527.71 FEET TO A 5/8" IRON ROD; SOUTH 00°00'49" EAST 493.61 FEET TO A 5/8" IRON ROD; 27.40 FEET ALONG A 25.00 FOOT RADIUS CURVE TO THE LEFT (THE CHORD OF WHICH BEARS SOUTH 31°24'44" EAST 26.05 FEET) TO A 5/8" IRON ROD, 40.46 FEET ALONG A 45.00 FOOT RADIUS CURVE TO THE RIGHT (THE CHORD OF WHICH BEARS SOUTH 37°03'13" EAST 39.11 FEET) TO A 5/8" IRON ROD ON THE NORTHERLY LINE OF LOT 339, EAST PARK ESTATES P.U.D. No. 3, VOLUME H49, PAGE 31, MARION COUNTY BOOK OF TOWN PLATS; THENCE 150.23 FEET ALONG A 45.00 FOOT RADIUS CURVE TO THE RIGHT (THE CHORD OF WHICH BEARS SOUTH 84°20'37" WEST 89.56 FEET) TO A 5/8" IRON ROD; THENCE NORTH 00°00'49" WEST 19.00 FEET TO A 5/8" IRON ROD; THENCE SOUTH 89°59'11" WEST 229.88 FEET TO A 5/8" IRON ROD ON THE EASTERLY RIGHT-OF-WAY LINE OF GREENCREST STREET; THENCE ALONG SAID RIGHT-OF-WAY FOLLOWING FIVE CALL: 121.89 FEET ALONG A 483.58 FOOT RADIUS CURVE TO THE RIGHT (THE CHORD OF WHICH BEARS NORTH 06°51'07" EAST 121.57 FEET) TO A 5/8" IRON ROD; 133.64 FEET ALONG A 543.58 FOOT RADIUS CURVE TO THE RIGHT (THE CHORD OF WHICH BEARS NORTH 07°01'47" EAST 133.31 FEET) TO A 5/8" IRON ROD; NORTH 00°00'49" WEST 398.87 FEET TO A 5/8" IRON ROD; 556.60 FEET ALONG A 630.00 FOOT RADIUS CURVE TO THE LEFT (THE CHORD OF WHICH BEARS NORTH 25°19'26" WEST 538.68 FEET) TO A 5/8" IRON ROD; NORTH 50°38'03" WEST 75.63 FEET TO A 5/8" IRON ROD ON THE SOUTHWESTERLY CORNER OF LOT 186, EAST PARK ESTATES P.U.D. No. 2 VOLUME H49, PAGE 16, MARION COUNTY BOOK OF TOWN PLATS; THENCE ALONG THE EASTERLY LINE OF OF SAID PLAT THE FOLLOWING ELEVEN CALLS: NORTH 39°21'57" EAST 100.00 FEET TO A 5/8" IRON ROD; NORTH 50°38'03" WEST 180.00 FEET TO A 5/8" IRON ROD; NORTH 39°21'57" EAST 210.92 FEET TO A 5/8" IRON ROD; NORTH 25°14'02" EAST 87.44 FEET TO A 5/8" IRON ROD; NORTH 74°26'46" WEST 101.00 FEET TO A 5/8" IRON ROD; 51.04 FEET ALONG A 326.00 FOOT RADIUS CURVE TO THE LEFT (THE CHORD OF WHICH BEARS NORTH 11°04'06" EAST 50.99 FEET) TO A 5/8" IRON ROD; NORTH 89°59'11" EAST 103.16 FEET TO A 5/8" IRON ROD; NORTH 00°00'49" WEST 359.00 FEET TO A 5/8" IRON ROD; NORTH 89°59'11" EAST 12.50 FEET TO A 5/8" IRON ROD; NORTH 00°00'49" WEST 148.33 FEET TO A 5/8" IRON ROD ON THE SOUTHERLY RIGHT-OF-WAY LINE OF AUBURN ROAD NORTHEAST; THENCE ALONG SAID RIGHT-OF-WAY LINE FOLLOWING 3 CALLS: NORTH 88°11'27" EAST 93.76 FEET TO A 5/8" IRON ROD, SOUTH 89°54'00" EAST 81.83 FEET TO A 5/8" IRON ROD, 39.22 FEET ALONG A 25.00 FOOT RADIUS CURVE TO THE RIGHT (THE CHORD OF WHICH BEARS SOUTH 44°57'25" EAST 35.32 FEET) TO A 5/8" IRON ROD ON THE WESTERLY RIGHT-OF-WAY LINE OF REDMOND STREET; THENCE ALONG SAID LINE SOUTH 00°00'49" EAST 74.11 FEET TO A 5/8" IRON ROD; THENCE NORTH 88°06'40" EAST 52.03 FEET TO A 5/8" IRON ROD ON THE EASTERLY RIGHT-OF-WAY LINE OF REDMOND STREET, ALSO BEING THE SOUTHWEST CORNER OF LOT 148, EAST PARK ESTATES P.U.D. No. 2, VOLUME H49, PAGE 16, MARION COUNTY BOOK OF TOWN PLATS; THENCE NORTH 89°59'11" EAST 104.00 FEET TO A 5/8" IRON ROD; THENCE NORTH 73°47'19" EAST 9.08 FEET TO A 5/8" IRON ROD; THENCE NORTH 52°43'43" EAST 92.63 FEET TO A 5/8" IRON ROD; THENCE NORTH 00°06'00" EAST 38.27 FEET TO A 5/8" IRON ROD ON THE SOUTHERLY RIGHT-OF-WAY LINE OF AUBURN ROAD NORTHEAST; THENCE ALONG SAID LINE SOUTH 89°54'00" EAST 234.60 FEET TO THE POINT OF BEGINNING AND CONTAINING 36.08 ACRES MORE OR LESS.

ROBERT D. HAMMAN, PLS 64202LS

PER O.R.S. 92.070 (2), I HEREBY CERTIFY THAT THE REMAINING MONUMENTS WITHIN THIS SUBDIVISION WILL BE SET WITHIN 90 CALENDAR DAYS FOLLOWING THE COMPLETION OF THE PAVING OF IMPROVEMENTS, OR WITHIN ONE YEAR FOLLOWING THE ORIGINAL PLAT RECORDATION, WHICHEVER COMES FIRST, IN ACCORDANCE WITH O.R.S. 92.060.

NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO SUBDIVIDE LOT 230, EAST PARK ESTATES P.U.D. No. 2 AS RECORDED IN VOLUME H49, PAGE 16, MARION COUNTY BOOK OF TOWN PLATS, AND LOT 337, EAST PARK ESTATES P.U.D. NO. 3 AS RECORDED IN VOLUME H49, PAGE 31, MARION COUNTY BOOK OF TOWN PLATS, AS ALLOWED BY THE CITY OF SALEM PLANNING DEPARTMENT SUBDIVISION CASE NUMBER CPC-ZC-PUD-SUB-ADJ19-08MOD4.

THE BOUNDARY WAS ESTABLISHED IN EAST PARK ESTATES P.U.D. MASTER PLAN, USING THE ORIGINAL CONTROL THAT CREATED THE PLATS, PARTITIONS AND SURVEYS WERE CHECKED ALONG WITH THE EXISTING MONUMENTS SET IN THE AFOREMENTIONED PLATS AND DEEDS THE BASIS OF BEARING WAS HELD ALONG THE WESTERLY RIGHT-OF-WAY LINE OF CORDON ROAD.

THE SOUTHERN BOUNDARY OF THIS PLAT WAS ESTABLISHED IN EAST PARK ESTATES P.U.D. No. 3, VOLUME H49, PAGE 31, MARION COUNTY BOOK OF TOWN PLATS.

THE EASTERN BOUNDARY OF THIS PLAT WAS ESTABLISHED IN EAST PARK ESTATES P.U.D. No. 2, VOLUME H49, PAGE 16, MARION COUNTY BOOK OF TOWN PLATS.

THE NORTHERN BOUNDARY OF THIS PLAT WAS ESTABLISHED IN EAST PARK ESTATES P.U.D., VOLUME H48, PAGE 91, MARION COUNTY BOOK OF TOWN PLATS.

THE WESTERN BOUNDARY OF THIS PLAT WAS ESTABLISHED IN EAST PARK ESTATES P.U.D. No. 2, VOLUME H49, PAGE 16, MARION COUNTY BOOK OF TOWN PLATS AND EAST PARK ESTATES P.U.D. No. 3, VOLUME H49, PAGE 31, MARION COUNTY BOOK OF TOWN PLATS.

PLAT NOTES:

ALL EASEMENTS GRANTED OR CONVEYED TO THE CITY BY THIS PLAT ARE TO BE GOVERNED BY THE TERMS AND CONDITIONS FOUND IN SRC 205.080.

ALL PRIVATE STREETS ARE SUBJECT TO WATER, STORM, AND SANITARY SEWER EASEMENTS TO THE CITY OF SALEM.

SUBJECT TO THE MARION COUNTY INFRASTRUCTURE IMPROVEMENT AGREEMENT RECORDED IN REEL 3282, PAGE 365, MARION COUNTY DEED RECORDS; PRIVATE DEVELOPMENT AGREEMENT RECORDED IN REEL 4645, PAGE 494, MARION COUNTY DEED RECORDS.

CITY OF SALEM IMPROVEMENT AGREEMENT RECORDED IN REEL 4469, PAGE 473, MARION COUNTY DEED RECORDS.

SUBJECT TO THE PLANNING DECISIONS RECORDED IN REEL 4482, PAGE 84, AND REEL 4644, PAGE 374, MARION COUNTY DEED RECORDS.

SUBJECT TO THE SUBORDINATION AGREEMENTS RECORDED IN REEL 4307, PAGE 47, AND REEL 4648, PAGE 403, MARION COUNTY DEED RECORDS.

SUBJECT TO CITY OF SALEM IMPROVEMENT AGREEMENTS RECORDED IN: REEL 4326, PAGE 201, MARION COUNTY DEED RECORDS; AMENDMENT RECORDED IN REEL 4546, PAGE 453, MARION COUNTY DEED RECORDS; ADDITIONAL AMENDMENT RECORDED IN REEL 4266, PAGE 215, MARION COUNTY DEED RECORDS; REEL 4571, PAGE 374, MARION COUNTY DEED RECORDS; REEL 4686, PAGE 386; MARION COUNTY DEED RECORDS; REEL 4698, PAGE 28, MARION COUNTY DEED RECORDS.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 13, 2004
ROBERT D. HAMMAN
64202LS

EXPIRES: 6-30-2025

A RE-PLAT OF LOT 230, EAST PARK ESTATES P.U.D. No. 2, AND
 LOT 337, EAST PARK ESTATES P.U.D. No. 3
 IN THE SW 1/4 & NW 1/4 OF SEC. 29, T. 7 S., R. 2 W., W.M.
 CITY OF SALEM, MARION COUNTY, OREGON

BY:
MULTI/TECH ENGINEERING SERVICES, INC.
1155 13TH ST. S.E. SALEM, OREGON 97302
503-363-9227

CITY OF SALEM PLANNING ADMINISTRATOR
SUBDIVISION CASE NUMBER CPC-ZC-PUD-SUB-ADJ19-08MOD4

CITY OF SALEM SURVEYOR

DATE

ALL TAXES, FEES, ASSESSMENTS AND OTHER CHARGES AS PROVIDED BY ORS 92.095 HAVE BEEN PAID THROUGH: DATE _____.

MARION COUNTY TAX COLLECTOR _____ DATE _____

MARION COUNTY ASSESSOR _____ DATE _____

CHAIRPERSON OR VICE-CHAIRPERSON	DATE
MARION COUNTY BOARD OF COMMISSIONERS	

STATE OF OREGON }
COUNTY OF MARION } S.S.

I DO HEREBY CERTIFY THAT THE ATTACHED SUBDIVISION PLAT WAS
RECEIVED FOR RECORDING ON THE _____ DAY OF _____, 2024,
AT _____ O'CLOCK _____ AND RECORDED IN THE MARION COUNTY BOOK OF
TOWN PLATS, VOLUME _____, PAGE _____. IT IS RECORDED IN THE
MARION COUNTY DEED RECORDS IN INSTRUMENT NO. _____.
BILL BURGESS, MARION COUNTY CLERK

BY: DEPUTY COUNTY CLERK

IN ACCORDANCE WITH O.R.S. 92.070, THE INTERNAL AND CENTERLINE MONUMENTS OF THIS SUBDIVISION HAVE BEEN CORRECTLY SET WITH PROPER MONUMENTS. AN AFFIDAVIT HAS BEEN PREPARED REGARDING THE SETTING OF SAID MONUMENTS AND IS RECORDED IN INSTRUMENT NUMBER _____, OF THE MARION COUNTY DEED RECORDS.

MARION COUNTY SURVEYOR _____ DATE _____

KNOW ALL MEN BY THESE PRESENTS THAT EAST PARK LLC., AN OREGON LIMITED LIABILITY COMPANY, BEING THE OWNER OF THE LAND DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON, AND DESIRING TO DISPOSE OF THE SAME INTO LOTS, COMMON OPEN SPACE, AND PUBLIC AND PRIVATE STREETS, HAS CAUSED THE SAME TO BE SURVEYED AND PLATTED THE NAME TO BE KNOWN AS EAST PARK ESTATES P.U.D. No. 5. I HEREBY GRANT THE ACCESS, UTILITY, PUBLIC UTILITY, STORM, AND SEWER EASEMENTS AND ACKNOWLEDGE THE PLAT NOTES SHOWN HEREIN.

KIRIL IVANOV, MEMBER
EAST PARK LLC., AN OREGON LIMITED LIABILITY COMPANY

STATE OF OREGON }
COUNTY OF MARION } S.S.

ON THIS _____ DAY OF _____, 2024, KIRIL IVANOV, MEMBER, EAST PARK LLC., AN OREGON LIMITED LIABILITY COMPANY, PERSONALLY APPEARED BEFORE ME, A NOTARY PUBLIC FOR OREGON, WHO ACKNOWLEDGED THE FOREGOING INSTRUMENT TO BE HIS VOLUNTARY ACT AND DEED.

NOTARY SIGNATURE

NOTARY PUBLIC - OREGON

COMMISSION NO. _____

MY COMMISSION EXPIRES: _____



MEMO

TO: Aaron Panko, Planner III
Community Development Department

FROM: Curt Pellatz, Development Services Manager II
Development Services, Community Development Department

DATE: September 5, 2024

SUBJECT: DEVELOPMENT SERVICES ANALYSIS
CASE NO. CPC-ZC-PUD-SUB-ADJ19-08MOD3 (22-111267-LD)
CASE NO. CPC-ZC-PUD-SUB-ADJ19-08MOD2 (21-107584-LD)
CASE NO. CPC-ZC-PUD-SUB-ADJ19-08MOD1 (20-117240-LD)
CASE NO. CPC-ZC-PUD-SUB-ADJ19-08 (18-124472-LD)
255 CORDON ROAD NE

CP Pellatz

SUMMARY OF FINDINGS

As described below, the proposed development meets the criteria for East Park Estates Phase 4 P.U.D. final plan approval pursuant to SRC 210.030(d) as it relates to public works infrastructure.

FINDINGS FOR PUD FINAL PLAN APPROVAL

Request: An application for a 695-unit Planned Unit Development and Subdivision to be completed in six phases, a Minor Comprehensive Plan Map Amendment and Zone Change from CR (Retail Commercial) to RM-II (Multi-Family Residential) for approximately 2.11 acres, and from IP (Industrial Park) to RS (Single Family Residential) for approximately 3.25 acres, and a Class 2 Adjustment to reduce the amount of required off-street parking spaces for the 36-unit multi-family portion of the PUD from 77 spaces (2.14 per unit) to 64 spaces (1.77 spaces per unit).

A third modification to a previously approved phased Planned Unit Development and Subdivision (Case No. CPC-ZC-PUD-SUB-ADJ19-08, CPC-ZC-PUD-SUB-ADJ19-08MOD1, and CPC-ZC-PUD-SUB-ADJ19-08MOD2), resulting in a change to the phasing schedule for the subdivision, for property approximately 122 acres in size, zoned RS (Single Family Residential), RM-I and RM-II (Multi-Family Residential) and CR (Retail Commercial), and located at 255 Cordon Road NE, 4800-4900 Block of State Street and 4700-4800 Block of Auburn Road NE - 97301 (Marion County Assessors Map and Tax Lot numbers: 072W29B / 00200, 00201, 00300 and 00400 and 072W29C / 00100, 00101, 00199, 00200, 00300 and 00400).

Request: An application for a 695-unit Planned Unit Development and Subdivision to be completed in six phases, a Minor Comprehensive Plan Map Amendment and Zone Change from CR (Retail Commercial) to RM-II (Multi-Family Residential) for approximately 2.11 acres, and from IP (Industrial Park) to RS (Single Family Residential) for approximately 3.25 acres, and a Class 2 Adjustment to reduce the amount of required off-street parking spaces for the 36-unit multi-family portion of the PUD from 77 spaces (2.14 per unit) to 64 spaces (1.77 spaces per unit).

A third modification to a previously approved phased Planned Unit Development and Subdivision (Case No. CPC-ZC-PUD-SUB-ADJ19-08, CPC-ZC-PUD-SUB-ADJ19-08MOD1, and CPC-ZC-PUD-SUB-ADJ19-08MOD2), resulting in a change to the phasing schedule for the subdivision, for property approximately 122 acres in size, zoned RS (Single Family Residential), RM-I and RM-II (Multi-Family Residential) and CR (Retail Commercial), and located at 255 Cordon Road NE, 4800-4900 Block of State Street and 4700-4800 Block of Auburn Road NE - 97301 (Marion County Assessors Map and Tax Lot numbers: 072W29B / 00200, 00201, 00300 and 00400 and 072W29C / 00100, 00101, 00199, 00200, 00300 and 00400).

Summary: All conditions of approval for **EAST PARK ESTATES P.U.D. No. 5**, have been satisfied as described below:

Condition 1: Street improvements along Greencrest Street NE shall include an area for future transit stops in locations consistent with PWDS.

FINDING: Public Construction plans issued for the Greencrest Street NE improvements (20-113122-PC and 20-118530-PC) demonstrate the required transit stops. This Condition is met.

Condition 2: Prior to recording of the final plat for Phase 3 of the subdivision, the applicant shall provide evidence that Marion County PLA Case No. 21-024 and 21-047 have been recorded.

FINDING: The Applicant has provided Marion County recorded Record of Surveys (Nos. MCSR 39457 and MCSR 39510) to satisfy this Condition. This Condition is met.

Condition 3: Conditions of approval from the original subdivision (CPC-ZC-PUD-SUB-ADJ19-08) shall be modified as follows:

All phases:

Condition 1: The transportation impacts from the 122-acre site shall be limited to a maximum cumulative total of 14,157 average daily vehicle trips as required by Order No. 10-C-689.

FINDING: The East Park Estates PUD project's current Average Daily Trip (ADT) calculations are as follows:

- Phase 1: 147-lot Single Family - 1,388 (ADT).
- Phase 2: 79-lot Single Family - 746 (ADT).
- Phase 3: 104-lot Single Family - 981 (ADT).
- The "Northwest Estates at East Park PUD": 26-lot Single Family – 245 (ADT).
- Phase 4: 81-lot Single Family – 764 (ADT)
- EAST PARK APARTMENTS (Phase 1 & 2): 369 Units – 2,487 (ADT)

The subject development (Phase 5) will create 128 new Single Family detached dwelling lots. The Average Daily Trips created by this Phase will be 1,207 trips.

Total ADT after current development completion will be 7,818 ADT. This Condition is met.

Condition 2: The requirements of land use case number UGA 09-07 and UGA09-07MOD1 may be completed incrementally with each specific phase as indicated in the conditions of approval.

FINDING: The requirements of the mentioned UGA permits will be reviewed and completed with each appropriate Phase of the development.

Condition 3: Prior to final plat approval of any phase, the applicant shall either 1) demonstrate that tax lot 072W29C00199 was a legally created unit of land, or 2) the unit of land shall be validated through the validation process provided in SRC 205.060.

FINDING: The Applicant was granted approval for the Validation of Unit of Land through the Community Development Department (Case No. VUL20-01). The Final Partition Plat was recorded with Marion County Clerk on October 22, 2020, as Partition 2020-61 and recorded in County Deed Records in Reel 4399, Page 414. This Condition is met.

Condition 4: Adequate Fire Department access and water supply shall be required for each phase of development.

FINDING: Each phase of the development will be reviewed and approved by the City of Salem Engineering Department and the Fire Marshal for adequate access and water supply. This Condition is met.

Condition 5: Contrasting building materials and colors shall be incorporated into the design for the proposed multi-family buildings.

FINDING: Design aspects of the Multi-Family buildings are reviewed with the Building Permit applications. This Condition will be met with the Building Permit application.

Condition 6: Prior to final PUD plan/plat approval, the applicant shall submit a Homeowners Association Agreement and Covenants, Conditions, and Restrictions (CC&R) document for review and approval by the City Attorney providing for the perpetual maintenance and operation of all common properties and facilities within the development including, but not limited to: private streets, private utilities, open spaces, common facilities, and community areas. The articles of the Homeowners Association shall conform to the provisions of SRC 210.055(b).

FINDING: Homeowner's Association and CC&R documents have been approved by the City's Legal Department. Final Version of those documents are attached to City Permit No: 20-114739-LD. The Applicant has provided an Amendment to the CC&R document to include this subject Phase of the PUD. This Condition is met.

Condition 7: The PUD Final Plan shall demonstrate that the off-street parking area complies with the minimum interior parking area landscaping requirements of SRC Chapter 806.

FINDING: This Condition will be met with the Building Permit application for the Multi-Family development. The Mul

Condition 8: The PUD Final Plan shall demonstrate that a minimum of 4 bicycle parking spaces will be provided for the proposed multi-family residential use in compliance with the development standards of SRC 806.060.

FINDING: This Condition is met with the Building Permit application for the Multi-Family development. The City has issued Site Plan Review Decisions for Phase 1 and Phase 2 of the Multi-Family development as Case Nos. CU-SPR-ADJ-DAP-DR21-05 and CU-SPR-ADJ-DR3-04.

Condition 9: All significant trees on the subject property shall be protected and preserved through development unless the removal is approved through SRC Chapter 808.

FINDING: The Applicant has obtained approval of a Tree Conservation Plan through Planning. The Applicant shall comply with the requirements of TCP19-15 (City Permit No. 18-124475-NR). This Condition is met.

Condition 10: Prior to commencing work in any mapped wetland area, obtain state/federal wetland permits.

FINDING: Oregon Department of State Lands Permit No. 62644-RF was issued September 01, 2020, for Phases 1 and 2 of the East Park Development. Oregon Department of State Land Permit No. 63399-RF covers work within Phases 3-6. The US Army Corp of Engineers Permit No. NWP-2020-197 was issued for Phases 1 and 2, while Permit No. NWP-2020-293 covers the remaining Phases. This Condition is met.

Condition 11: Construct all internal private streets with property line sidewalks with minimum 4-foot landscape strip to accommodate street trees.

FINDING: Plans approved with City Permit No. 22-104143-PC demonstrate all internal streets to be constructed with property line sidewalks and 4-foot landscape strips as required by this Condition. This Condition is met.

Condition 12: Provide access and utility easements (to be shown on the plat) for all private streets and public utilities located within private streets pursuant to PWDS.

FINDING: The proposed Phase 5 Final Plat demonstrates access and utility easements as needed. The City Surveyor and Public Works Engineering Division will review the easements with the Final Plat. This Condition will be met.

Condition 13: Provide a 10-foot public utility easement along the street frontage of all internal streets.

FINDING: The proposed Final Plat demonstrates a 10-foot public utility easement along all interior street frontages. This Condition is met.

Condition 14: Extend City infrastructure to adjacent parcels pursuant to PWDS.

FINDING: Public Construction plans approved with City Permit No. 22-104143-PC demonstrate City infrastructure to adjacent parcels as applicable. This Condition is met.

Condition 15: Construct water, stormwater, and sewer systems to serve each lot.

FINDING: Public Construction plans approved with City Permit No. 22-104143-PC demonstrate all potential single-family lots within Phase 5 will be served with water, stormwater, and sewer services. This Condition is met.

Condition 16: Design and construct stormwater facilities as needed to accommodate future impervious surfaces on all proposed lots within each phase pursuant to PWDS. Additional capacity built in earlier phases can be used to serve impervious surfaces in later phases.

FINDING: Public Construction plans issued with City Permit No. 21-119257-PC demonstrate stormwater facility accommodations for future impervious surfaces for all lots within Phase 4. This Condition is met.

Condition 17: Prior to commencing work within the Critical Tree Zone (CTZ) (including removal) of any trees on City-owned property, the applicant shall obtain a Street Tree Permit pursuant to SRC Chapter 86.

FINDING: Prior to commencing work within any CTZ, the Applicant is required to obtain the appropriate Street Tree Permit. This Condition will be met with each Phase of the Development.

Condition 18: Provide a minimum 25-foot access easement from the abutting cul-de-sac at Puma Street NE, and a utility easement (Sanitary Sewer and Water), to the neighboring property (Marion County Assessor's Map and Tax Lot number 072W30DA / 00199). Make provides to collect the surface water runoff from the southeast corner of said tax lot, at the present low point.

FINDING: This Condition was met with Phase 1.

Phase 1:

FINDING: Conditions 19 through 28 were completed with the recording of the Phase 1 Final Plat.

Phase 2:

FINDING: Conditions 29 through 35 were completed with the recording of the Phase 2 Final Plat.

Phase 2A:

FINDING: Conditions 36 through 40 were completed with the recording of the "NORTHWEST ESTATES AT EAST PARK PUD" Final Plat.

Phase 3:

FINDING: Conditions 41 through 45 were completed with the recording of the Phase 3 Final Plat.

Phase 4:

FINDING: Conditions 46 through 50 were completed with the recording of the Phase 4 Final Plat.

Phase 5:

Condition 51: Construct a traffic signal at the intersection of (future) Greencrest Street NE and State Street as specified in the TIA and provide an interconnect to the signal at the intersection of Cordon Road and State Street.

FINDING: Public Construction plans issued with City Permit 22-104143-PC include design for the construction of the required traffic signal, with interconnect facilities, at the Greencrest Street NE and State Street intersection. The Applicant has provided a performance security in the form of a Construction & Maintenance Bond and Improvement Agreement to guarantee the construction of this improvement. This Condition is met.

Condition 52: Construct improvements at the intersection of Cordon Road and State Street for a traffic signal to provide dual eastbound-to-northbound left turn lanes as specified in the TIA, and construct improvements on Cordon Road NE to accommodate receiving lanes as approved by Marion County Public Works.

FINDING: Public Construction plans issued with City Permit 22-104143-PC include the required State Street dual left turn lanes and Cordon Road receiving lanes. Approved plans also include traffic signal improvements for the intersection. Marion County has issued a Conditional Acceptance Letter of the Signal improvements and executed a "Construction and One-Year Maintenance Bond" as performance security for the signal improvements. This Condition is met.

Condition 53: Construct a multi-modal multi-use pedestrian/bicycle path along the Phase 5 frontage of Cordon Road NE as specified in the TIA and approved by Marion County Public Works. Pedestrian pathways shall be provided connecting the sidewalk on Panther Street NE to the multi-modal path along Cordon Road NE at intervals not less than 600 feet.

FINDING: The required multi-modal multi-use path along the Cordon Road frontage of Cordon Road is approved by Marion County public works and is currently under construction. The Applicant has provided a performance security for the improvement in the form of an Improvement Agreement.

The Applicant is providing two pedestrian pathway access points from Reno Street (formerly known as Panther) to the Cordon Road multi-modal pathway. One is located at the southern boundary of the subject property on Lot 472, and the second is located approximately 577-feet north on Lot 533. Although the interval of the connecting pathway is less than 600-feet, and mentioned in this Condition, the designed location of the pedestrian connection on Lot 533 aligns with the ADA ramp at the intersection of Dilling Avenue and follows the intent of the street connectivity standards (SRC803.035) of a connection no greater than 600-feet. This Condition is met.

Phase 6:

FINDING: Conditions 54 through 57 will be completed with the future Phase 6 Final Plat.

Prepared By: Curt Pellatz, Development Program Manager II
cc: File