



NOTICE of FILING

LAND USE REQUEST AFFECTING THIS AREA

There is a development proposal for the property listed in this notice and shown on the attached map. The City is seeking input from neighbors on the proposal. If you have questions or comments about the proposal, contact the case manager.

Esta carta es un aviso sobre una propuesta de desarrollo para la propiedad enumerada y que se muestra en el mapa adjunto. La ciudad está buscando la opinión de los vecinos sobre la propuesta. Si tiene preguntas o comentarios sobre la propuesta, póngase en contacto con nosotros al 503-588-6213.

CASE NUMBER:	Validation of Units of Land Case No. VUL25-02
PROPERTY LOCATION:	1500 to 1700 block of Cordon Road SE, Salem OR 97317
NOTICE MAILING DATE:	February 3, 2025
PROPOSAL SUMMARY:	A validation of unit of land for property unlawfully established.
COMMENT PERIOD:	All written comments must be submitted to City Staff no later than <u>5:00 p.m., Tuesday, February 18, 2025</u>. Please direct any questions and/or comments to the Case Manager listed below, or submit comments online at https://egov.cityofsalem.net/PlanningComments. Comments received after the close of the comment period will not be considered. Note: Comments submitted are <u>public record</u>. This includes any personal information provided in your comment such as name, email, physical address and phone number.
CASE MANAGER:	Abigail Pedersen, Planner I , City of Salem Planning Division, 555 Liberty Street SE, Room 305, Salem, Oregon 97301. Telephone: 503-540-2309; E-mail: apedersen@cityofsalem.net
NEIGHBORHOOD ASSOCIATION:	<i>Neighborhood associations are volunteer organizations of neighbors coming together to make neighborhoods the best they can be. They receive notice of land use applications within their boundaries, and they often submit comments on the applications to the City. Neighborhood association meetings are open to everyone. Contact your neighborhood association to get involved:</i> Southeast Mill Creek Association (SEMCA), Cory Poole, Land Use Chair; Phone: 503-806-0956; Email: robotopdx@gmail.com
ACCESS:	The Americans with Disabilities Act (ADA) accommodations will be provided on request.
CRITERIA TO BE CONSIDERED:	Salem Revised Code (SRC) Chapter 205.060(d) – Validation of Units of Land Salem Revised Code (SRC) is available to view at this link: http://bit.ly/salemorcode . Type in the chapter number(s) listed above to view the applicable criteria.

PROPERTY OWNER(S):	Harrison Industries LLC (Kenneth and Kevin Harrison)
APPLICANT(S):	Brandie Dalton, Multi/Tech Engineering
PROPOSAL REQUEST:	A validation of unit of land for property unlawfully established without land use approval. The subject properties are 10.46 acres in size, zoned IC (Industrial Commercial) and located at 1500 to 1700 block of Cordon Road SE (Marion County Assessor's Map and Tax Lot Number: 082W0500 / 0401 / 0200).
APPLICATION PROCESS:	<p>Following the close of the Public Comment Period, a decision will be issued and mailed to the applicant, property owner, affected neighborhood association, anyone who submitted written comments, and anyone who received notice of the land use request.</p> <p>Failure to raise an issue in writing prior to the close of the Public Comment Period with sufficient specificity to provide the opportunity to respond to the issue, precludes appeal to the Land Use Board of Appeals (LUBA) on this issue. A similar failure to raise constitutional issues relating to proposed conditions of approval precludes an action for damages in circuit court.</p>
MORE INFORMATION:	All documents and evidence submitted by the applicant 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 119840. Paper copies can be obtained for a reasonable cost.

***PLEASE PROMPTLY FORWARD A COPY OF THIS NOTICE TO ANY OTHER OWNER, TENANT OR LESSEE
For more information about Planning in Salem:***

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

It is the City of Salem's policy to assure that no person shall be discriminated against on the grounds of race, religion, color, sex, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, gender identity and source of income, as provided by Salem Revised Code Chapter 97. The City of Salem also fully complies with Title VI of the Civil Rights Act of 1964, and related statutes and regulations, in all programs and activities. Disability-related modification or accommodation, including auxiliary aids or services, in order to participate in this meeting or event, are available upon request. Sign language and interpreters for languages other than English are also available upon request. To request such an accommodation or interpretation, contact the Community Development Department at 503-588-6173 at least three business days before this meeting or event.

TTD/TTY telephone 503-588-6439 is also available 24/7

REQUEST FOR COMMENTS

Si necesita ayuda para comprender esta información, por favor llame 503-588-6173

REGARDING: Validation of Units of Land Case No. VUL25-02

PROJECT ADDRESS: 1500 to 1700 block of Cordon Road SE, Salem OR 97317

AMANDA Application No.: 24-119840-PLN

COMMENT PERIOD ENDS: February 18, 2025, at 5:00 p.m.

SUMMARY: A validation of unit of land for property unlawfully established.

REQUEST: A validation of unit of land for property unlawfully established without land use approval. The subject properties are 10.46 acres in size, zoned IC (Industrial Commercial) and located at 1500 to 1700 block of Cordon Road SE (Marion County Assessor's Map and Tax Lot Number: 082W0500 / 0401 / 0200).

The Planning Division is interested in hearing from you about the attached proposal. Staff will prepare a Decision that includes consideration of comments received during this comment period. We are interested in receiving pertinent, factual information such as neighborhood association recommendations and comments of affected property owners or residents. The complete case file, including all materials submitted by the applicant and any applicable professional studies such as traffic impact analysis, geologic assessments, and stormwater reports, are available upon request.

Comments received by 5:00 p.m., Tuesday, February 18, 2025, will be considered in the decision process. Comments received after this date will be not considered. *Comments submitted are public record. This includes any personal information provided in your comment such as name, email, physical address and phone number. Mailed comments can take up to 7 calendar days to arrive at our office. To ensure that your comments are received by the deadline, we recommend that you e-mail your comments to the Case Manager listed below, or submit comments online at <https://egov.cityofsalem.net/PlanningComments>*

CASE MANAGER: Abigail Pedersen, Planner I, City of Salem, Planning Division; 555 Liberty St SE, Room 305, Salem, OR 97301; Phone: 503-540-2309; E-Mail: apedersen@cityofsalem.net.

For information about Planning in Salem, please visit: <http://www.cityofsalem.net/planning>

PLEASE CHECK THE FOLLOWING THAT APPLY:

- ☐ 1. I have reviewed the proposal and have no objections to it.
- ☐ 2. I have reviewed the proposal and have the following comments: _____

Name/Agency: _____

Address: _____

Phone: _____

Email: _____

Date: _____

IMPORTANT: IF YOU MAIL COMMENTS, PLEASE FOLD AND RETURN THIS POSTAGE-PAID FORM

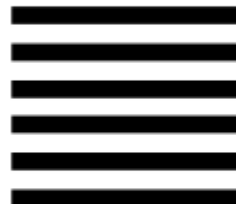
BUSINESS REPLY MAIL
FIRST-CLASS MAIL PERMIT NO. 1508 SALEM, OR

POSTAGE WILL BE PAID BY ADDRESSEE

PLANNING DIVISION
CITY OF SALEM RM 305
555 LIBERTY ST SE
SALEM OR 97301-9907

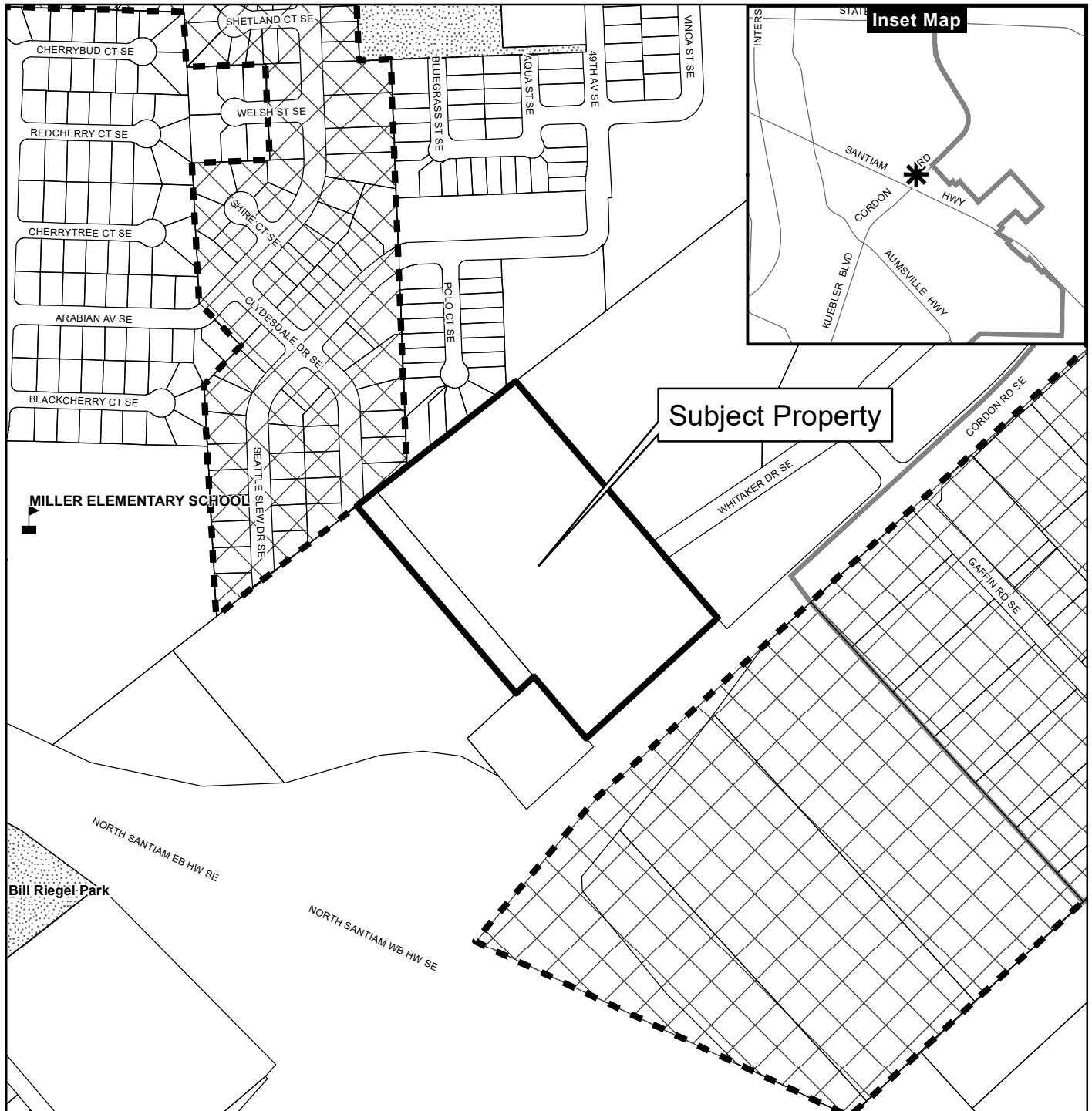


NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES



Vicinity Map

1500 to 1700 Block of Cordon Road SE



Legend

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

0 100 200 400 Feet



CITY OF Salem
AT YOUR SERVICE
Community Development Dept.

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

PARTITION PLAT No. 2025-
FOR THE PURPOSE OF LAND VALIDATION
IN THE NW 1/4 SEC. 5, T. 8 S., R. 2 W., & SW 1/4 SEC. 32, T. 7 S., R. 2 W., W.M.
CITY OF SALEM, MARION COUNTY, OREGON



1" = 100'
DATE
#7314

GPS NORTH HELD FOR BASIS OF BEARINGS.

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

MONUMENT TABLE:

- A = 5/8" IRON ROD W/YPC SCRIBED "MULTI/TECH ENG.", PER #5.
B = 1/2" IRON PIPE, DOWN 0.2', PER #3.
C1 = 5/8" IRON ROD W/YPC SCRIBED "OSHD", DOWN 0.3', PER #4.
C2 = 5/8" IRON ROD W/YPC SCRIBED "OSHD", LOCATED 0.70' S45°35'15"W FROM CORNER, PER #4.
D1 = 5/8" IRON ROD W/YPC SCRIBED "MULTI/TECH ENG.", PER #5.
D2 = 5/8" IRON ROD W/YPC SCRIBED "MULTI/TECH ENG.", LOCATED 0.10' N76°07'36"E FROM CORNER, PER #5.
D3 = 5/8" IRON ROD W/YPC SCRIBED "MULTI/TECH ENG.", LOCATED 0.21' N44°03'34"E FROM CORNER, PER #5.
E = 1/2" IRON ROD, LOCATED 0.21' N36°51'33"E FROM CORNER, PER #5.
F = 1/2" IRON PIPE, PER #1.
G = 1/2" IRON PIPE, PER #1.
H = 1/2" IRON PIPE, PER #2.
J = 5/8" IRON ROD W/YPC SCRIBED "BARKER PLS 636, PER #16.
K = 1/2" IRON PIPE, DOWN 0.4', LOCATED 0.53' N11°59'19"W FROM CORNER, PER #6.
M1 = 1/2" IRON PIPE, LOCATED 0.30' S46°40'56"E FROM CORNER, CALLED 0.42' S41°E FROM CORNER IN #3, PER #1.
M2 = 1/2" IRON PIPE, LOCATED 0.49' N00°34'42"E FROM CORNER, PER #6.
N = IRON ROD W/RPC SCRIBED "MULTI/TECH ENG.", LOCATED 0.23' N08°04'32"W, FROM CORNER, PER #6.
P# = 5/8" IRON ROD WITH UNREADABLE PLASTIC CAP, PER #7.
Q1 = 5/8" IRON ROD W/RPC SCRIBED "MULTI/TECH ENG.", LOCATED 0.23' N08°04'32"W, FROM CORNER, PER #7.
Q2 = 5/8" IRON ROD W/RPC SCRIBED "MULTI/TECH ENG.", LOCATED 0.36' S05°29'18"E, FROM CORNER, PER #7.
R = 5/8" IRON ROD, LOCATED 0.36' S05°29'18"E FROM CORNER, PER #7.

REFERENCE DOCUMENTS:

- #1 MCSR 24936
#2 MCSR 26300
#3 MCSR 30038
#4 MCSR 33593
#5 PP 2015-18
#6 MACLEAY ESTATES NO. 3, V. 33, P. 16, BOTP.
#7 WILLBURG ESTATES, V. 42, P. 66, BOTP.
#8 R. 4583, P. 227, MCDR. - VESTING DEED
#9 R. 160, P. 1915, MCDR.
#10 R. 779, P. 069, MCDR.
#11 R. 869, P. 240, MCDR.
#12 R. 891, P. 024, MCDR.
#13 R. 1684, P. 479, MCDR.
#14 R. 2551, P. 351, MCDR.
#15 CITY OF SALEM NOTICE OF DECISION, APPLICATION NO.: 22-104460-ZO, & CLASS 1 DESIGN REVIEW CASE NO.: CPC-ZC-CU-UGA-SPR-ADJ-DR23-01
#16 CHERRYWOOD ESTATES - PHASE 2, V. 43, P. 46, BOTP.
#17 R. 3679, P. 497, MCDR.

LEGEND:

- MCSR = MARION COUNTY SURVEY RECORD
MCDR = MARION COUNTY DEED RECORDS
BOTP = BOOK OF TOWN PLATS
W/YPC = WITH YELLOW PLASTIC CAP
W/RPC = WITH RED PLASTIC CAP
W/AC = WITH ALUMINUM CAP
IP = IRON PIPE
IR = IRON ROD
P. = PAGE
V. = VOLUME
R. = REEL
PP = PARTITION PLAT
NO. = NUMBER
LT. = LEFT
() = RECORD DATA PER SURVEY NOTED
[] = MEASURED AND RECORD DATA PER SURVEY NOTED
{ } = CALCULATED DATA PER SURVEY NOTED
< > = MEASURED AND CALCULATED DATA PER SURVEY NOTED
● = FOUND MONUMENT AS NOTED - SEE MONUMENT TABLE
○ = SET 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP SCRIBED "MULTI/TECH ENG."
X = CALCULATED POINT
▲ = CALCULATED POINT BY TRANSLATED COORDINATES PER MCSR 33593.

GENERAL NOTES:

1. GPS NORTH HELD FOR ROTATION. MEASUREMENTS GATHERED WITH TRIMBLE R10 MODEL 2 GNSS SYSTEM WITH A HORIZONTAL RESOLUTION OF ±0.02' +1 PPM. GPS COORDINATES BASED ON OREGON COORDINATE REFERENCE SYSTEM (OCRS) SALEM ZONE NAD83(2011), OREGON 3601 NORTH.
2. ALL MONUMENTS FOUND WITHIN 0.20' OF THE SURFACE OF THE GROUND UNLESS OTHERWISE NOTED.
3. ALL MONUMENTS SET FLUSH WITH THE SURFACE OF THE GROUND UNLESS OTHERWISE NOTED.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 13, 2004
ROBERT D. HAMMAN
64202LS

EXPIRES: 6-30-2025

SHEET INDEX:

- SHEET 1 - OVERALL LAYOUT, LEGEND, MONUMENT TABLE, REFERENCE DOCUMENTS, & GENERAL NOTES.
SHEET 2 - DETAIL 2A, MEASURED LINE TABLE, RECORD LINE TABLE, NARRATIVE, & SURVEYOR'S CERTIFICATE.
SHEET 3 - CITY AND COUNTY APPROVALS, DEDICATION, RECORDING INFORMATION, AND PLAT NOTES.

*PARTITION PLAT No. 2025-*_____

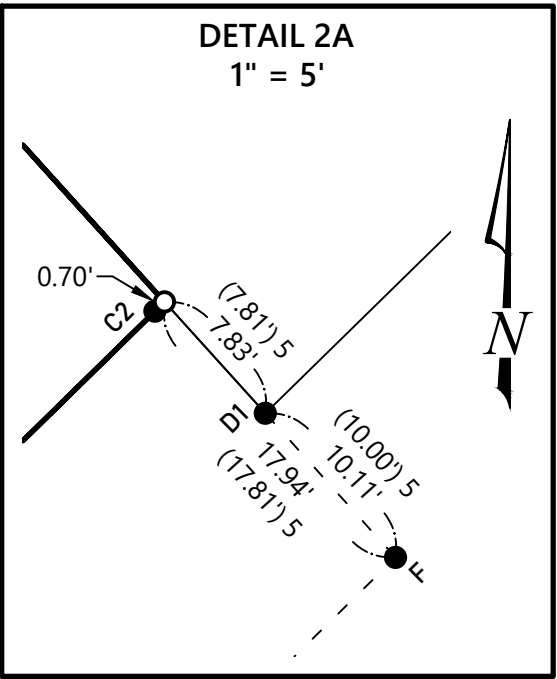
FOR THE PURPOSE OF LAND VALIDATION
IN THE NW 1/4 SEC. 5, T. 8 S., R. 2 W., & SW 1/4 SEC. 32, T. 7 S., R. 2 W., W.M.
CITY OF SALEM, MARION COUNTY, OREGON

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

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, DESCRIBED IN INSTRUMENT NUMBER 2022-2538, AS PARCEL 3, RECORDED IN MARION COUNTY DEED RECORDS. THE BOUNDARY OF WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT THE INITIAL POINT, BEING A 5/8" IRON ROD, LOCATED AT THE MOST WESTERLY CORNER OF PARCEL 1, PARTITION PLAT 2015-18, MARION COUNTY BOOK OF PARTITION PLATS; THENCE ALONG THE SOUTHWESTERLY BOUNDARY OF SAID PLAT, SOUTH 42°06'10" EAST 870.99 FEET TO A 5/8" IRON ROD AT A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF CORDON ROAD; THENCE ALONG SAID RIGHT-OF-WAY LINE, SOUTH 45°35'15" WEST 480.39 FEET TO A 5/8" IRON ROD; THENCE LEAVING SAID RIGHT-OF-WAY, ALONG THE NORTHEASTERLY LINE OF THE PROPERTY DESCRIBED AS PARCEL 1 IN INSTRUMENT NUMBER 2022-2538, RECORDED IN MARION COUNTY DEED RECORDS, NORTH 42°08'30" WEST 248.34 FEET TO A 5/8" IRON ROD; THENCE ALONG THE NORTHWESTERLY LINE OF SAID DEED, SOUTH 45°34'50" WEST 65.81 FEET, TO A 5/8" IRON ROD; THENCE ALONG THE NORTHEASTERLY LINE OF THE PROPERTY DESCRIBED AS PARCEL 2 IN THE AFOREMENTIONED DEED, NORTH 42°05'32" WEST 665.23 FEET TO A 1/2" IRON PIPE ON THE SOUTHEASTERLY LINE OF MACLEAY ESTATES NO. 3, RECORDED AS VOLUME 33, PAGE 16, IN MARION COUNTY BOOK OF TOWN PLATS; THENCE ALONG SAID SOUTHEASTERLY LINE AND ITS EXTENSION, NORTH 50°03'17" EAST 546.21 FEET TO THE POINT OF BEGINNING AND CONTAINING 10.81 ACRES, MORE OR LESS.



ROBERT D. HAMMAN, 64202LS

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 13, 2004
ROBERT D. HAMMAN
64202LS

EXPIRES: 6-30-2025

NARRATIVE:

THE PURPOSE OF THIS PARTITION IS TO VALIDATE A UNIT OF LAND PER CONDITION 3 OF CITY OF SALEM NOTICE OF DECISION, APPLICATION NO.: 22-104460-ZO, AND CLASS 1 DESIGN REVIEW CASE NO.: CPC-ZC-CU-UGA-SPR-ADJ-DR23-01.

GPS NORTH WAS HELD FOR THE BASIS OF BEARINGS.

I HELD MONUMENTS "A", "D1", AND "F" FOR THE SOUTHWESTERLY BOUNDARY OF PARTITION PLAT 2015-18, BOPP.

I HELD MONUMENTS "C1" AND "C2" FOR THE NORTHWESTERLY RIGHT-OF-WAY LINE OF CORDON ROAD. I EXTENDED THIS LINE NORTHEAST TO THE SOUTHWESTERLY BOUNDARY OF PARCEL 3, PARTITION PLAT 2015-18, BOPP, TO LOCATE THE MOST EASTERLY CORNER OF THE SUBJECT PROPERTY. THE NORTHEASTERLY LINE OF THE SUBJECT PROPERTY IS BETWEEN THE MOST EASTERLY CORNER AND MONUMENT "A".

I HELD MONUMENTS "A", "P1", "P2", AND "B" FOR THE NORTH LINE OF THE SUBJECT PROPERTY; THE SOUTHWESTERLY EXTENSION OF WHICH, FIT MONUMENT "J".

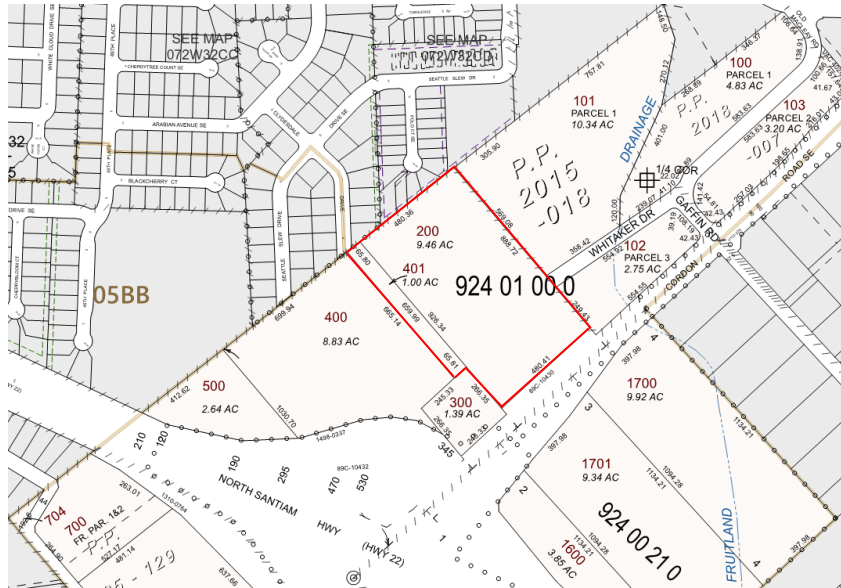
I HELD MONUMENTS "H", "C1", AND "G" FOR CORNERS OF THE PROPERTY DESCRIBED AS PARCEL 1 IN INSTRUMENT NUMBER 2022-2538 OF MARION COUNTY DEED RECORDS. I USED COORDINATES FROM MARION COUNTY SURVEY NUMBER 33593 TO CALCULATE THE LOCATION OF THE MOST SOUTHERLY CORNER OF SAID PARCEL 1. USING THESE MONUMENTS AND THE CALCULATED POINT, I PROJECTED LINES AT RECORD DISTANCES, TO LOCATE THE MOST NORTHERLY CORNER OF SAID PARCEL 1.

HOLDING MONUMENT "B", I PROJECTED A LINE SOUTHEASTERLY TO A POINT ON THE NORTHWESTERLY LINE OF SAID PARCEL 1, RECORD DISTANCE FROM MONUMENT "H", THEREBY LOCATING THE REMAINDER OF THE SOUTHWESTERLY LINE OF THE SUBJECT PROPERTY.

MEASURED LINE TABLE					
LINE #	DIRECTION	LENGTH			
L1	S50°03'17"W	54.78'			
L2	N50°03'17"E	19.31'			
L3	N50°03'17"E	46.36'			
L3	N50°03'17"E	46.36'	RECORD LINE TABLE PER #7		
L4	N50°03'17"E	101.93'	LINE #	DIRECTION	LENGTH
L5	N50°03'17"E	80.46'	L5	S50°17'42"W	80.34'
L6	N50°03'17"E	55.40'	L6	S50°17'42"W	55.35'
L7	N50°03'17"E	74.98'	L7	S50°17'42"W	75.00'
L8	N50°03'17"E	99.45'	L8	S50°17'42"W	99.58'
L9	N50°03'17"E	31.76'	L9	S50°17'42"W	31.56'
L10	N50°03'17"E	36.55'			

Validation of Unit of Land

September 13, 2024



Background:

ON April 6, 2023, CPC-ZC-CU-UGA-SPR-ADJ-DAP-DR23-01 was approved to allow a 396-unit multi-family residential development. The subject property is about 23.3 acres in size and identified as 082W05Tax Lots 200, 300, 400, 401, and 500.

Condition No. 3 of the approval requires the following:

Condition 3: Prior to building permit approval, the existing individual properties which make up the subject property shall either be reconfigured or consolidated in a manner to conform to the applicable standards of the Salem Revised Code.

Per conversations with staff, it was determined that Tax Lots 200, 400, 401, and 500 were not legal created lots.

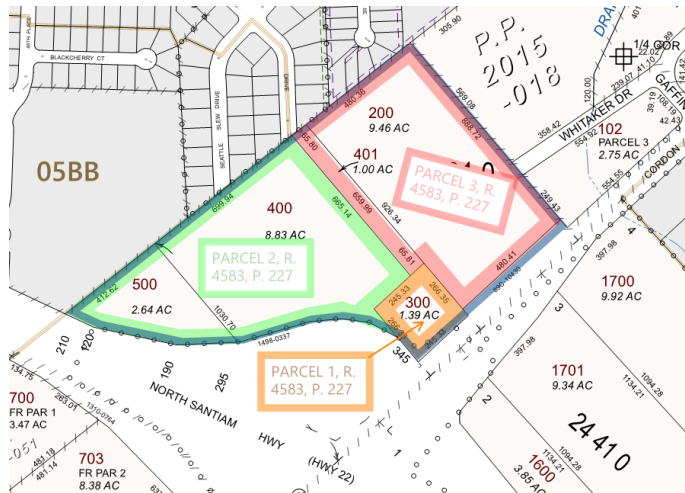
Criteria SRC 205.060(d)

1. ***The unit of land is not a lawfully established unit of land;***

Findings: The subject properties are identified as (082W05/Tax Lots 200 and 401). It has been determined by staff that the subject properties were not a unit of land that was awfully established. Therefore, in order to lawfully establish the subject properties as a legal unit of land, the applicant is requesting a Validation of Unit of Land review and approval.

2. ***The unit of land was created through sale by deed or land sales contract executed and recorded before January 1, 2007;***

Findings: In 1945, the subject properties as shown above were created as portions of the division of the J.B. Ashby Estate as outlined in MCSR 10020 and MCSR 6545a. Reel 4583, Page 227, a deed recorded in Marion County, describes Tax Lots 200 and 401 (Parcel 3 below).



***1945 and 1975:** Tax Lot 200 was created as a portion of Parcel 3 (Reel 4583, Page 227) in 1945 by MCSR 10020. The southwesterly line of Tax lot 200 was created in 1975 by MCSR 24936. However, the surveys did not meet the requirements of Marion County's established process and therefore, was not recognized as being legally established.

***1945:** Tax Lot 401 was created as a portion of Parcel 3 (Reel 4583, Page 227) in 1945 by MCSR 10020.

3. ***The unit of land could have complied with applicable criteria for the creation of the unit of land in effect when the unit of land was sold; and***

Findings: The subject property was originally created in 1945 via MCSR 10020 and MCSR 6545. Tax Lot 200 was created in 1945 AND 1975 through surveys (#10020 and #24936) that was determined not to have gone through Marion County's process to be established. The subject properties were zoned IC in 1975 and are currently zoned IC. This units of land currently are in compliance with the applicable IC criteria and were in compliance with the IC zone in 1975. Therefore, concluding that the site was in compliance with the Code requirements was it was established.

IC Zone Requirements-Current

Lot Area:

Required: None Existing: 9.46 acres (Tax Lot 200)
1.00 acre (Tax Lot 401)

Lot Width:

Required: None Existing: 480.41 feet (Tax Lot 200)
65.30 feet (Tax Lot 401)

Lot Depth:

Required: None Existing: 888.72 feet (Tax Lot 200)
665.99 feet (Tax Lot 401)

Street Frontage:

Required: 16 feet Existing: 480.41 feet (Tax Lot 200 frontage on Cordon Road)
30 feet (Tax Lot 401 frontage on Clydesdale Drive)

4. ***The plat complies with SRC 205.035 and ORS 92. Development with the tentative partition plan can be adequately served by City infrastructure.***

Findings: The plat has been prepared by a certified Survey and is in compliance with the requirements of SRC 205.035 and ORS 92. See the attached plat. City serves are available adjacent to the site. The subject property can be adequately served by City infrastructure.