



COMMUNITY DEVELOPMENT DEPARTMENT

555 Liberty St. SE / Room 305 • Salem, OR 97301-3503 • (503) 588-6173 • (503) TTY 588-6353 • (503) Fax 588-6005

June 2, 2010

Terry Kelly and Mary Rentfro
4676 Commercial Street SE, PMB 261
Salem, OR 97302

Nathan K. Boderman
P.O. Box 470
Salem, OR 97308

RE: Property Line Adjustment No. 10-12 for 6161 Commercial Street SE

REQUEST

A property line adjustment to adjust the common boundary between two parcels, with resultant Parcel 1 (Marion County Assessor's Map and Tax Lot Number 083W23B 00100) consisting of approximately 12.73 acres and resultant Parcel 2 (Marion County Assessor's Map and Tax Lot Number 083W23B 00200) consisting of approximately 25.28 acres for property that is zoned PA (Public Amusement), RS (Single Family Residential), RM1 (Multiple Family Residential), and CR (Commercial Retail) and is addressed as 6161 Commercial Street SE.

FINDINGS

Based on conformance with the following requirements, the proposal to move the common property line between the two units of land (Attachment 2) has been found to comply with the applicable Salem Revised Code (SRC) standards, including the requirements of SRC Chapter 63.147 pertaining to Property Line Adjustments as stated below:

A. Subdivision Code Compliance

1. SRC Chapter 63.147(a) provides that:

A property line adjustment relocates one common property line between two abutting units of land. Property line adjustments shall not be used to create an additional unit of land, and may not reduce an existing unit of land below the minimum size allowed under the zoning code. Property line adjustments shall only be used to relocate common property lines between units of land which were created through partition, subdivision, deed, or other legal instrument which has been recorded.

2. The proposed property line adjustment relocates the common property line between two abutting units of land (Attachment 2).
3. The proposed property line adjustment does not create an additional unit of land.

4. The proposed property line adjustment does not reduce an existing unit of land below the minimum size allowed under the Salem Zoning Code.

B. Zoning Code Compliance

1. The subject properties are zoned PA (Public Amusement), RS (Single Family Residential), RM1 (Multiple Family Residential), and CR (Commercial Retail). Development of the properties is subject to the provisions of the PA (Public Amusement), RS (Single Family Residential), RM1 (Multiple Family Residential), and CR (Commercial Retail) zones, respectively, and all other applicable provisions of the Salem Revised Code. The property line adjustment does not affect zone boundaries.
2. The adjusted parcels meet the minimum lot dimension and area requirements of the applicable zones.

C. City Department Comments

1. The Building and Safety Division of the Community Development Department reviewed the proposal and indicated no objections.
2. The Public Works Department, Development Review Section reviewed the proposal and indicated no objections.
3. The Public Works Department, Engineering and Survey Section reviewed the proposal and commented that the applicant shall prove that the tax lots proposed for adjustment are lawfully established units of land as defined in ORS 92.010(3)(a); ORS 92.010(3)(B); and ORS 92.176.

CONCLUSION

Based upon the requirements of SRC 63.147, the property line adjustment requests were reviewed for compliance with applicable code criteria. The Planning Administrator certifies that the property line adjustment is in conformance with the code, providing compliance occurs with any applicable items noted above.

City Surveyor's Review of Property Line Adjustment Survey and Legal Descriptions: The applicant is required to have a field survey and legal descriptions prepared and recorded per Oregon Revised Statutes (ORS) 92.060(7). Prior to recording the survey and legal descriptions at the appropriate county, the applicant must first submit to the City of Salem Public Works Department, the survey and copies of the proposed legal descriptions for review and approval by the City Surveyor.

Please submit the survey and copy of proposed legal descriptions to the Public Works Development Services Section, located at the Permit Application Center, Room 320, City Hall, 555 Liberty Street SE, Salem, OR 97301. There is a \$406.00 fee for this review. Once reviewed and approved by the City Surveyor, the surveyor of record may pick up the approved survey and legal descriptions and take them to the appropriate county for recording. Please note that it is the owner/developer's responsibility to record all necessary documentation with the appropriate county.

To expedite any future land use applications or building permits, submit a copy of the recorded survey and deed with your application(s).

If you have any questions regarding items in this letter, please contact Lisa Anderson-Ogilvie at 503-588-7163 ext. 7581 or by email at lmanderson@cityofsalem.net.

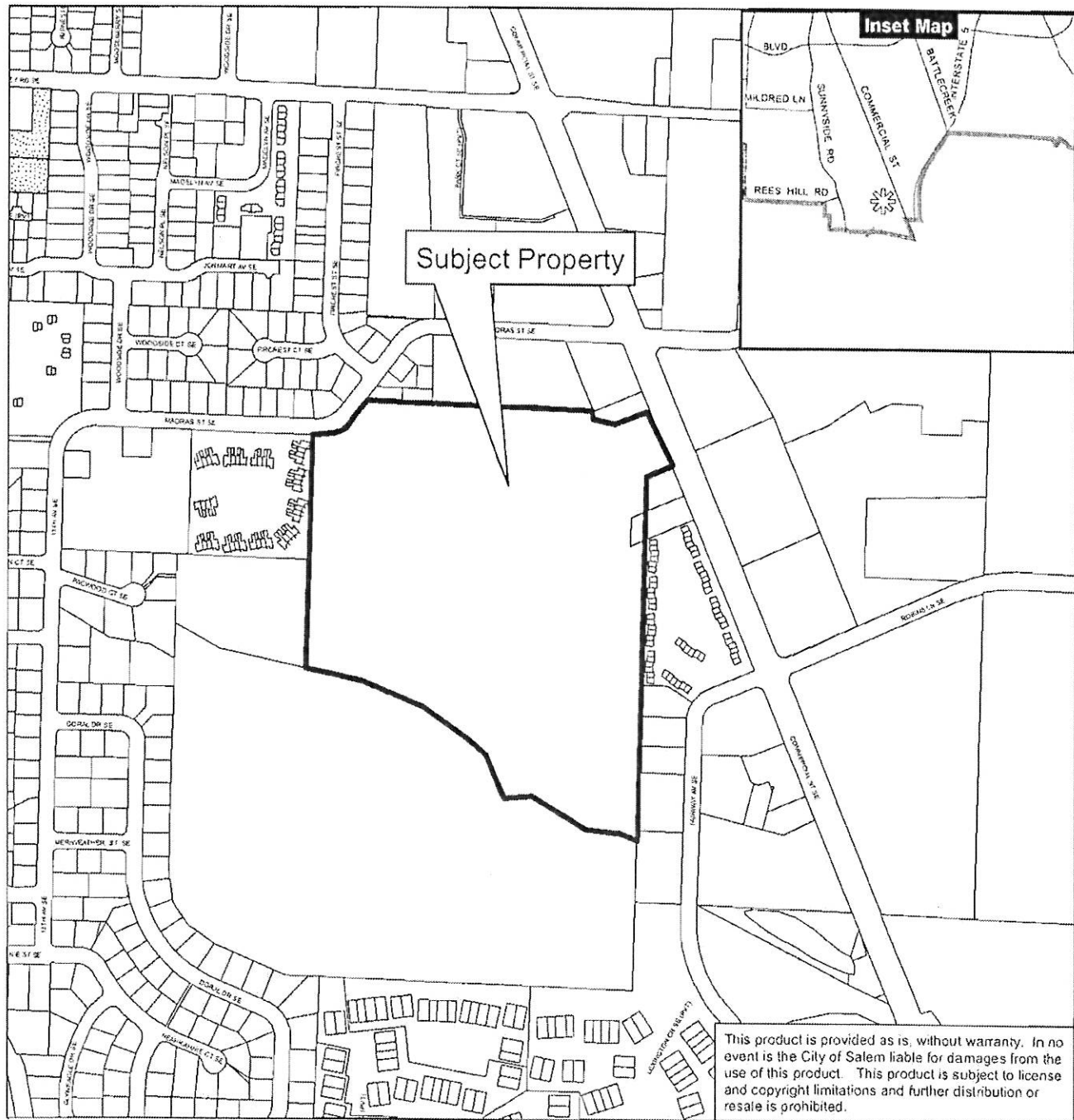
LA-5

Attachments: 1. Vicinity Map
2. Proposed Property Line Adjustment Site Plan
3. Proposed legal descriptions

cc: File
Gerry Pappe, Public Works Department

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Vicinity Map 6161 Commercial Street SE



Legend

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

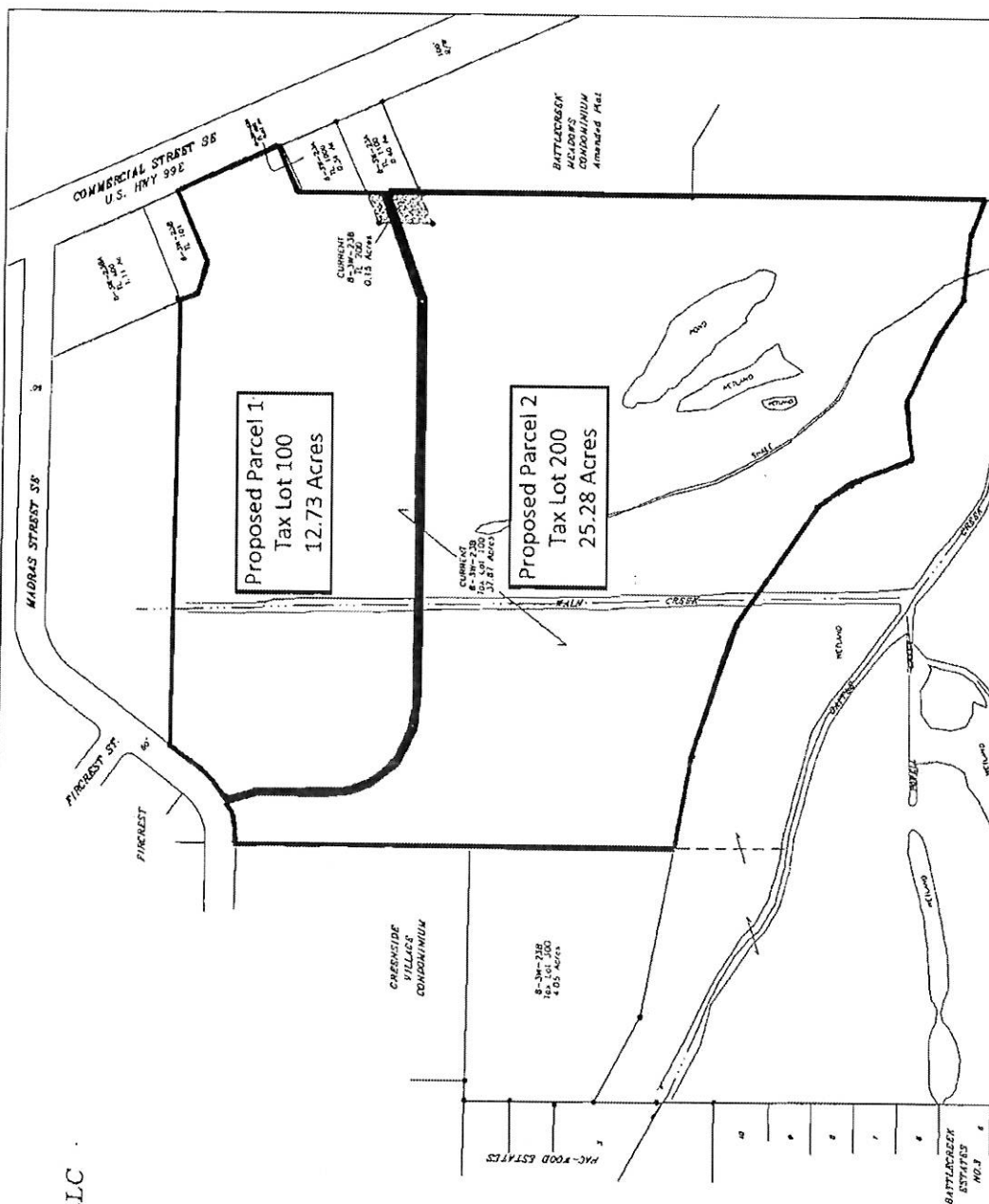
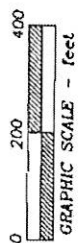
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ATTACHMENT 1

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

PROPERTY LINE ADJUSTMENT PLAN
for
BATTLECREEK GOLF COURSE, LLC
in
N 1/2 & SW 1/4 of SECTION 23
T 8 S, R 3 W, W.M.
CITY OF SALEM
MARION COUNTY, OREGON
APRIL 15, 2010



NORTHSTAR SURVEYING, INC.
720 N.W. 4th Street
Corvallis, Oregon 97330
Phone: 541-757-8050
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ATTACHMENT 2

EXHIBIT

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