



NOTICE of FILING

LAND USE REQUEST AFFECTING THIS AREA

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

CASE NUMBER:	Modification of Phased Subdivision / Class 2 Adjustment Case No. SUB07-13A2-ADJ
AMANDA APPLICATION NO:	19-107670-LD & 19-109427-ZO
NOTICE MAILING DATE:	May 6, 2019
PROPERTY LOCATION:	4400 – 5200 Blocks of Kale Street NE / 97305
OWNER / APPLICANT(S):	Northstar Communities, LLC (Karl Ivanov)
REPRESENTATIVE(S):	Multi Tech Engineering Services, Inc.
DESCRIPTION OF REQUEST:	REQUEST: Modification of the amended approval of tentative subdivision plan SUB07-13A (Northstar subdivision) to reconfigure the boundaries between segments in the tentative subdivision plan, reconfiguration of several lots including a Class 2 Adjustment to allow lots greater than 300% of the lot width, reduce amount of lots created from 729 lots to 660 lots, realignment of street layout, elimination of condition 7 and 8, and clarification of remaining Conditions of Approval. The previous modification of SUB07-13A modified previous conditions of the original subdivision. The original subdivision granted approval to divide approximately 148.74 acres into multi-family and single family residential lots, with six alternative subdivision layouts resulting in up to approximately 729 lots and concurrent variances to allow townhouse lots on the portion of the subject property zoned RM-2 (Multiple Family Residential). The requested modification does not change the street layout or number or configuration of single family residential lots within the subdivision. Urban Growth Preliminary Declaration UGA07-01 was granted in association with the subdivision and, pursuant to SRC 200.025(g)(1), remains in effect as long as SUB07-13A remains valid. The subject property is approximately 148.74 acres in size, zoned RS (Single Family Residential) and RM-1 and RM-2 (Multiple Family Residential), and located in the 4400-5200 blocks of Kale Road NE (Marion County Assessor's Map and Tax Lot Numbers 062W32C 00200; 00800; 00900; 1000; and 062W32D 00701 and 01100).
CRITERIA TO BE CONSIDERED:	<u>MODIFICATION OF TENTATIVE PHASED SUBDIVISION PLAN APPROVAL</u> Pursuant to SRC 205.070(d), an application for modification of a <i>Tentative Phased Subdivision Plan</i> shall be approved if all of the following criteria are met: (1) The proposed modification is not substantially inconsistent with the conditions of the original approval; and (2) The proposed modification will not result in significant changes to the physical appearance of the development, the use of the site, and the impacts on surrounding properties.

CLASS 2 ZONING ADJUSTMENT CRITERIA

Pursuant to SRC 250.005(d)(2), an application for a *CLASS 2 ADJUSTMENT* shall be granted if all of the following criteria are met:

- (A)** The purpose underlying the specific development standard proposed for adjustment is:
 - (i)** Clearly inapplicable to the proposed development; or
 - (ii)** Equally or better met by the proposed development.
- (B)** If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.
- (C)** If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone.

PUBLIC COMMENT PERIOD:

All written comments must be submitted to City Staff no later than 5:00 p.m., May 20, 2019. Comments received after the close of the Comment Period will not be considered.

TO SUBMIT COMMENTS:

Any person wishing to express support or opposition to the proposed request may do so by submitting written comments **during the Public Comment Period**. Include case number with the written comments. Written comments may be filed with the Case Manager, Planning Division, 555 Liberty Street SE, Room 305, Salem, Oregon 97301, or by email at the address listed below.

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.

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.

CASE MANAGER:

Olivia Glantz, Planner III, City of Salem Planning Division, 555 Liberty Street SE, Room 305, Salem, Oregon 97301. Telephone: 503-540-2343; E-mail: OGlantz@cityofsalem.net

NEIGHBORHOOD ORGANIZATION:

Northgate Neighborhood Association, Frank Pack, Land Use Chair; Phone: (503) 364-7353; Email: frankpack@gmail.com.

DOCUMENTATION MATERIALS:

Copies of the application, all documents and evidence submitted by the applicant are available for inspection at no cost at the Planning Division office, City Hall, 555 Liberty Street SE, Room 305, during regular business hours. Copies may be obtained at a reasonable cost. Please contact the Case Manager.

ACCESS:

The Americans with Disabilities Act (ADA) accommodations will be provided on request.

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 informacion, por favor llame 503-588-6173

REGARDING: Modification of Phased Subdivision / Class 2 Adjustment Case No. SUB07-13A2-ADJ

PROJECT ADDRESS: 4400 – 5200 Blocks of Kale Street NE, Salem, OR 97305

AMANDA Application No. 19-107670-LD

COMMENT PERIOD ENDS: May 20, 2019

REQUEST: Modification of the amended approval of tentative subdivision plan SUB07-13A (Northstar subdivision) to reconfigure the boundaries between segments in the tentative subdivision plan, reconfiguration of several lots including a Class 2 Adjustment to allow lots greater than 300% of the lot width, reduce amount of lots created from 729 lots to 660 lots, realignment of street layout, elimination of condition 7 and 8, and clarification of remaining Conditions of Approval.

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Urban Growth Preliminary Declaration UGA07-01 was granted in association with the subdivision and, pursuant to SRC 200.025(g)(1), remains in effect as long as SUB07-13A remains valid.

The subject property is approximately 148.74 acres in size, zoned RS (Single Family Residential) and RM-1 and RM-2 (Multiple Family Residential), and located in the 4400-5200 blocks of Kale Road NE (Marion County Assessor's Map and Tax Lot Numbers 062W32C 00200; 00800; 00900; 1000; and 062W32D 00701 and 01100).

Attached is a copy of the proposal and any related maps. 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. A decision for this proposal will be prepared by the planning staff from information available to staff. You are invited to respond with information relating to this property and this request. We are interested in receiving pertinent, factual information such as neighborhood association recommendations and comments of affected property owners or residents.

Comments received by 5:00 P.M., May 20, 2019, will be considered in the decision process. Comments received after this date will be not considered. 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 or hand deliver your comments to the Case Manager listed below.

SEND QUESTIONS OR COMMENTS TO: Olivia Glantz, Planner III, City of Salem, Planning Division; 555 Liberty St SE, Room 305, Salem, OR 97301; Phone: 503-540-2343; Fax: 503-588-6005; E-Mail: OGlantz@cityofsalem.net; <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: _____

___ 3. Other: _____

Name: _____

Address: _____

Agency: _____

Phone: _____

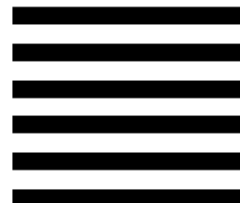
Date: _____



POSTAGE WILL BE PAID BY ADDRESSEE
PLANNING DIVISION
CITY OF SALEM
555 LIBERTY ST SE
SALEM OR 97301-9907

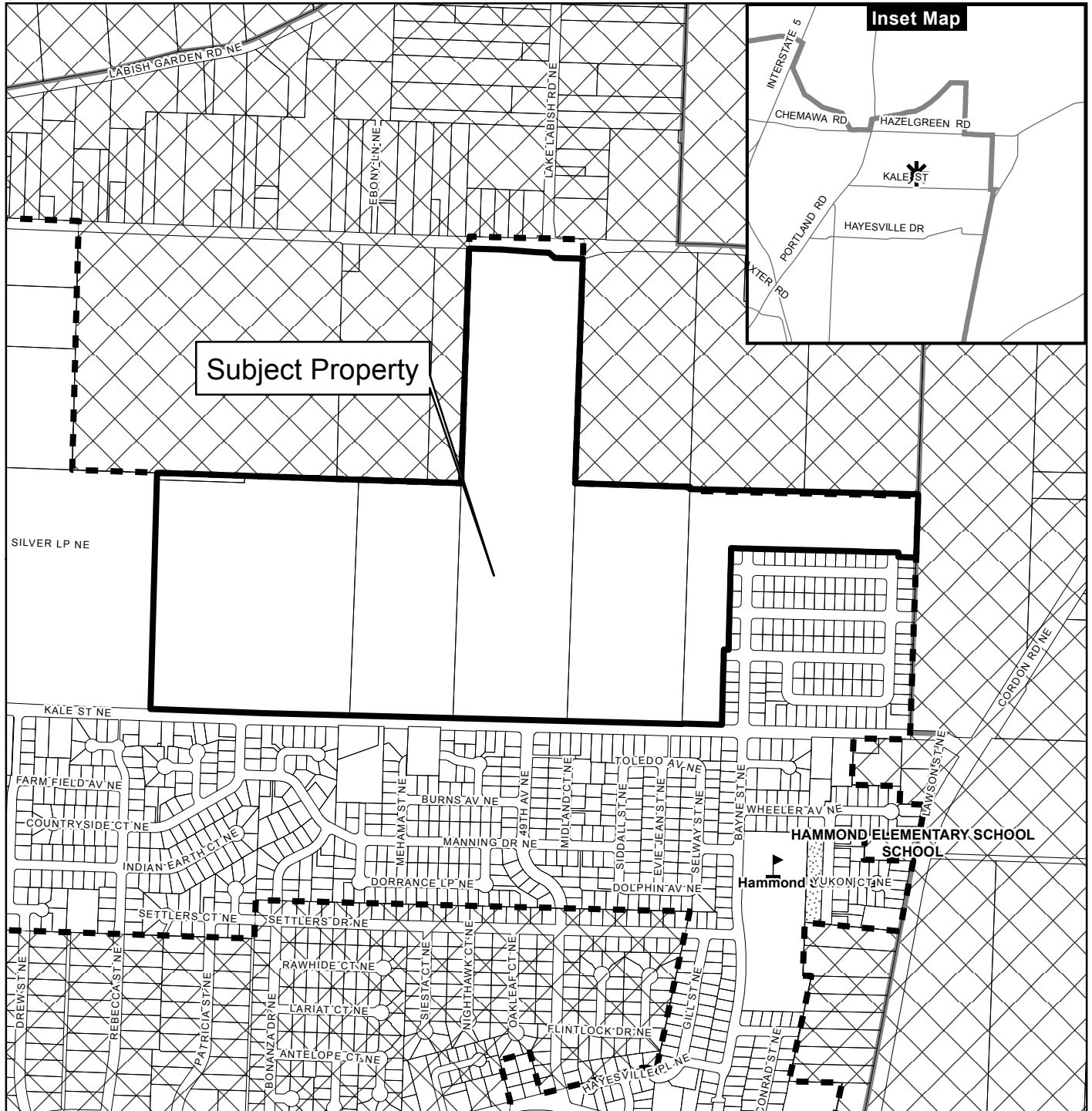


NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES



Vicinity Map

4485 Kale Street 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.

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Owner / Developer:

Northstar Communities L.L.C.

9550 S.E. CLACKAMAS Rd.

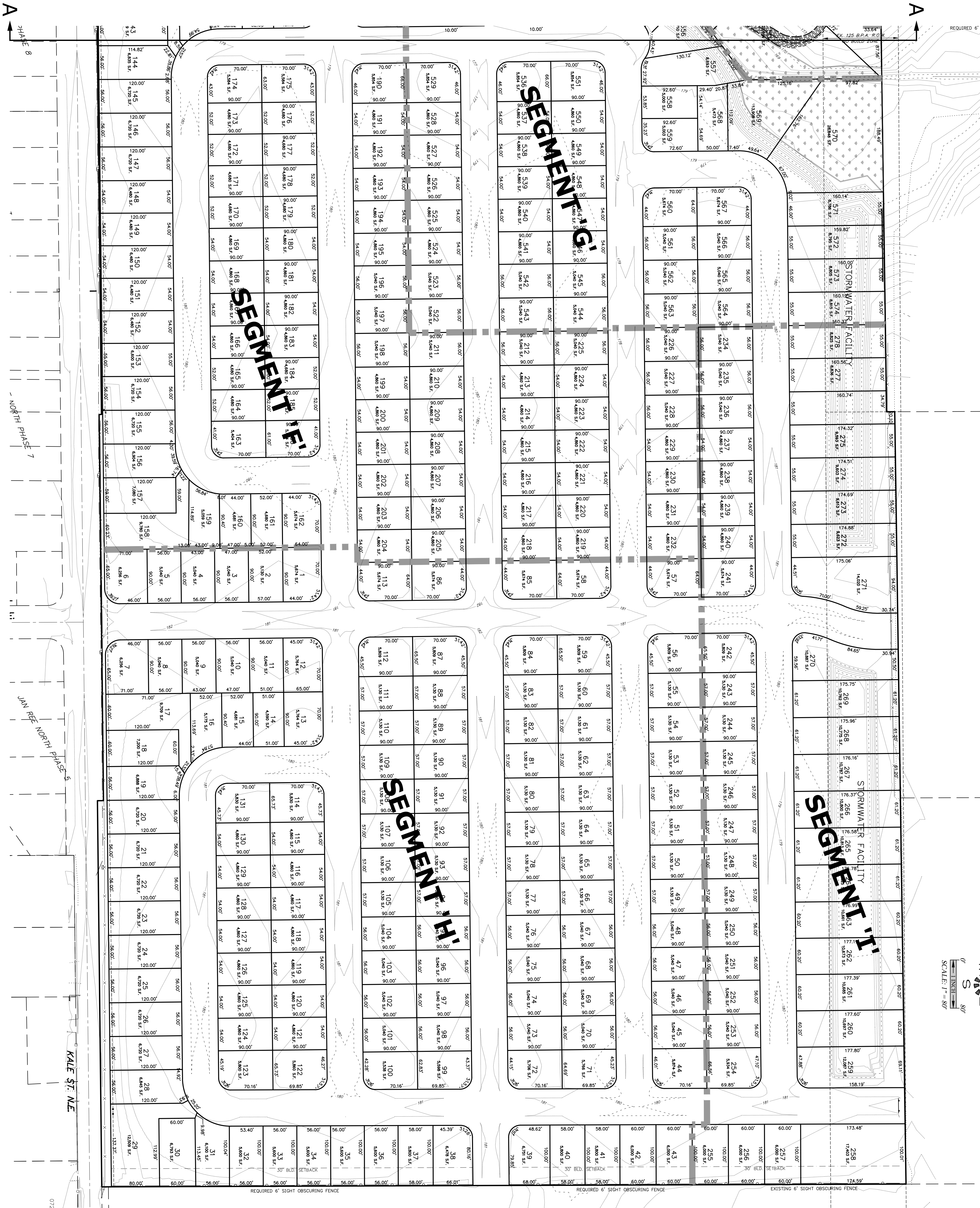
CLACKAMAS, OREGON 97015

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.

CITY OF SALEM

MARION COUNTY, OREGON

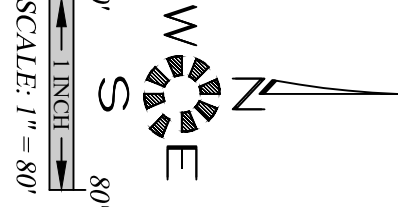
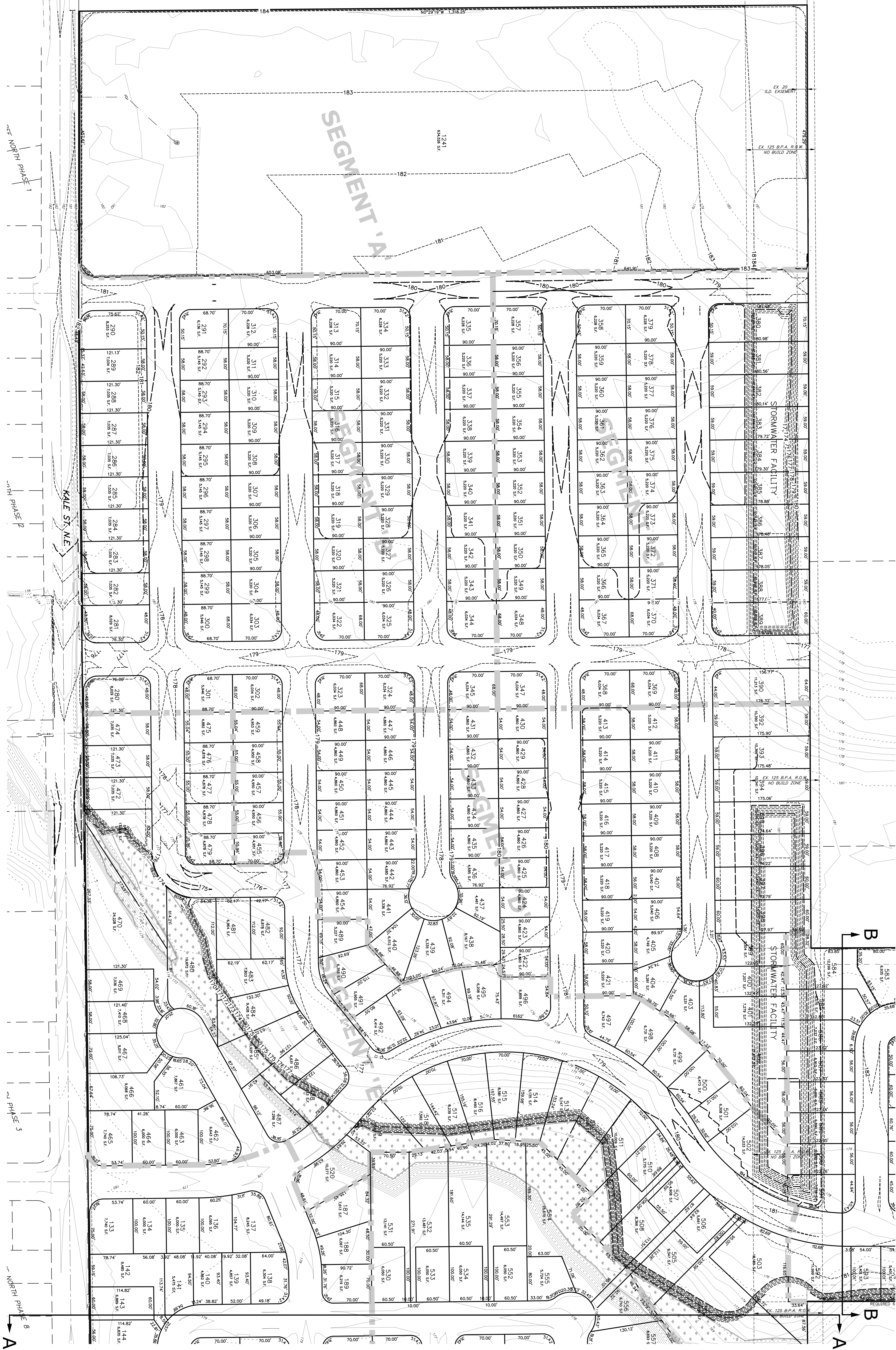


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NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON



MULTI/TECH
ENGINEERING SERVICES, INC.
1155 13th ST. S.E. SALEM, OR. 97302
PH. (503) 363 - 9227 FAX (503) 364-1260
www.mtengineering.net office@mtengineering.net

PRELIMINARY PLAN

**PROPOSED
MODIFICATION**

MULTI/TECH ENGINEERING EXEMPT FROM
LIABILITY IF NOT STAMPED APPROVED

**NOT FOR
CONSTRUCTION
UNLESS STAMPED
APPROVED HERE**

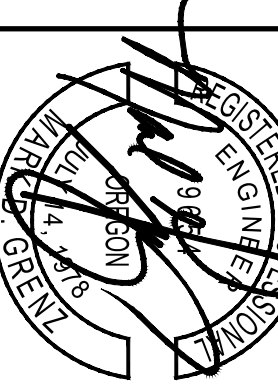
NO CHANGES, MODIFICATIONS
OR REPRODUCTIONS TO BE
MADE TO THESE DRAWINGS
WITHOUT WRITTEN
AUTHORIZATION FROM THE
DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE
PRECEDENCE OVER
GRAPHICAL REPRESENTATION.

6610_SubP02 3 of 7

Design: M.D.G.
Drawn: C.F.S.
ProjMgr: J.J.G.
Date: FEB. 2019
Scale: AS SHOWN

As-Built: ----



EXPIRES: 06-30-2019

NORTHSTAR

**SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON**



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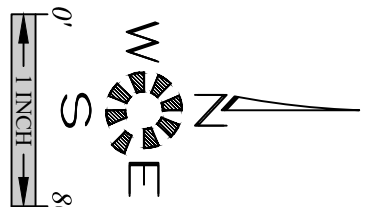
Professional Engineer Seal for Oregon, No. 9864, signed by David L. Greiner, expires 06-30-2019.

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CLACKAMAS, OREGON 97015

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UTILITY PLAN

PROPOSED
MODIFICATION

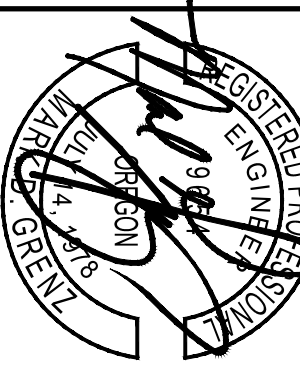
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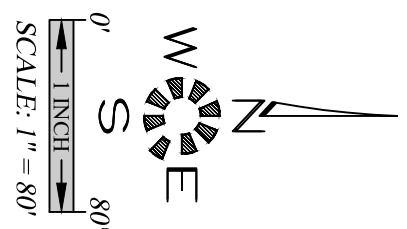
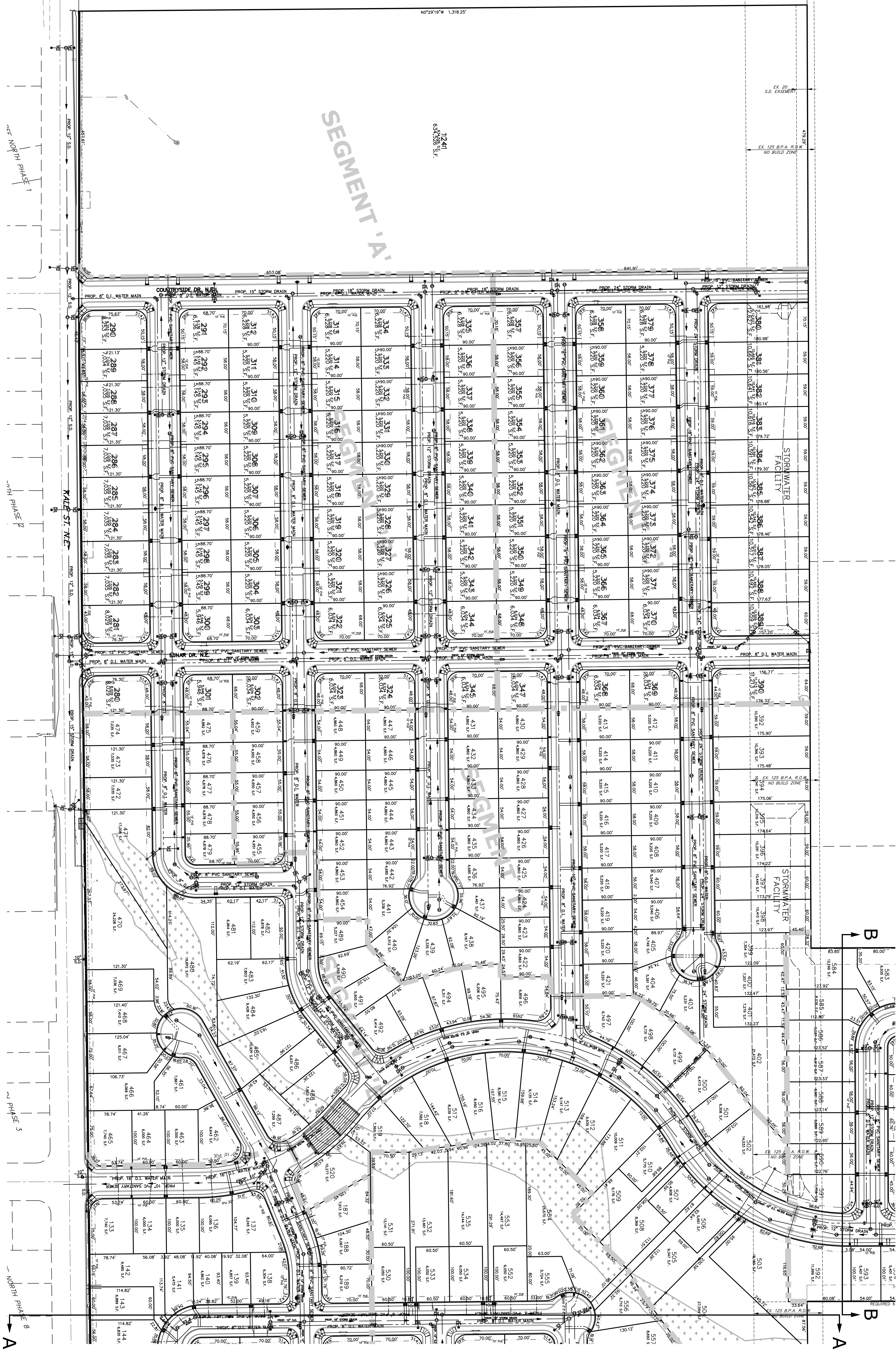


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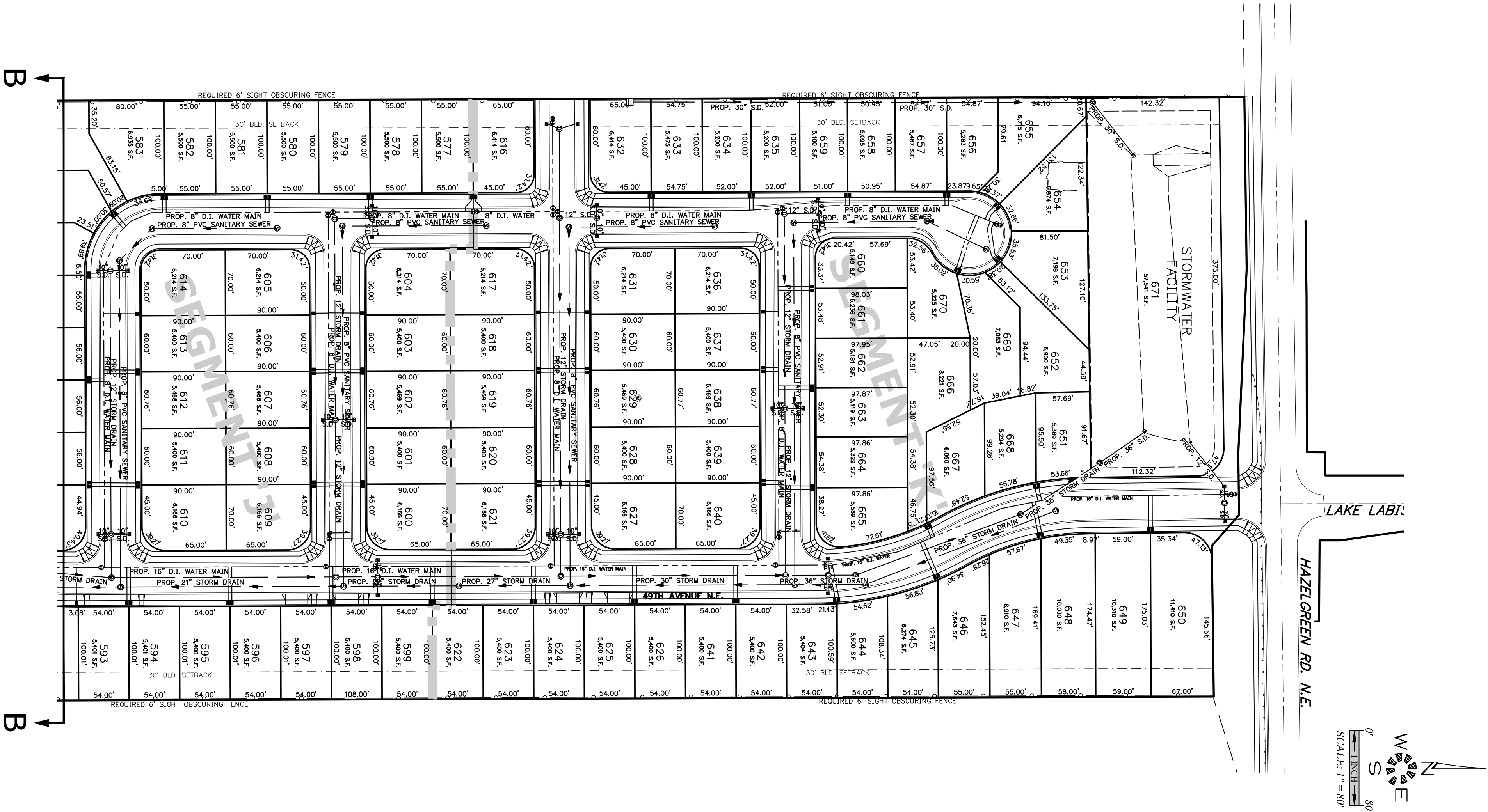
EXPIRES: 06-30-2019
JOB # 6610

Owner / Developer:

Northstar Communities L.L.C.
9550 S.E. CLACKAMAS Rd.
CLACKAMAS, OREGON 97015

NORTHSTAR

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