



# NOTICE of FILING

## LAND USE REQUEST AFFECTING THIS AREA

*Si necesita ayuda para comprender esta informacion, 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:	<p><b>REQUEST:</b> 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.</p> <p>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.</p> <p>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.</p> <p>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).</p>
CRITERIA TO BE CONSIDERED:	<p><b><u>MODIFICATION OF TENTATIVE PHASED SUBDIVISION PLAN APPROVAL</u></b></p> <p>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:</p> <ol style="list-style-type: none"><li>(1) The proposed modification is not substantially inconsistent with the conditions of the original approval; and</li><li>(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.</li></ol>

## **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](mailto:OGlantz@cityofsalem.net)

### **NEIGHBORHOOD ORGANIZATION:**

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

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).

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](mailto: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.

SUB07-13A2-ADJ Request for Comments

   2. I have reviewed the proposal and have the following comments: \_\_\_\_\_

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   3. Other: \_\_\_\_\_

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Name: \_\_\_\_\_

Address: \_\_\_\_\_

Agency: \_\_\_\_\_

Phone: \_\_\_\_\_

Date: \_\_\_\_\_



NO POSTAGE  
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UNITED STATES

**BUSINESS REPLY MAIL**

FIRST-CLASS MAIL PERMIT NO. 1508 SALEM, OR

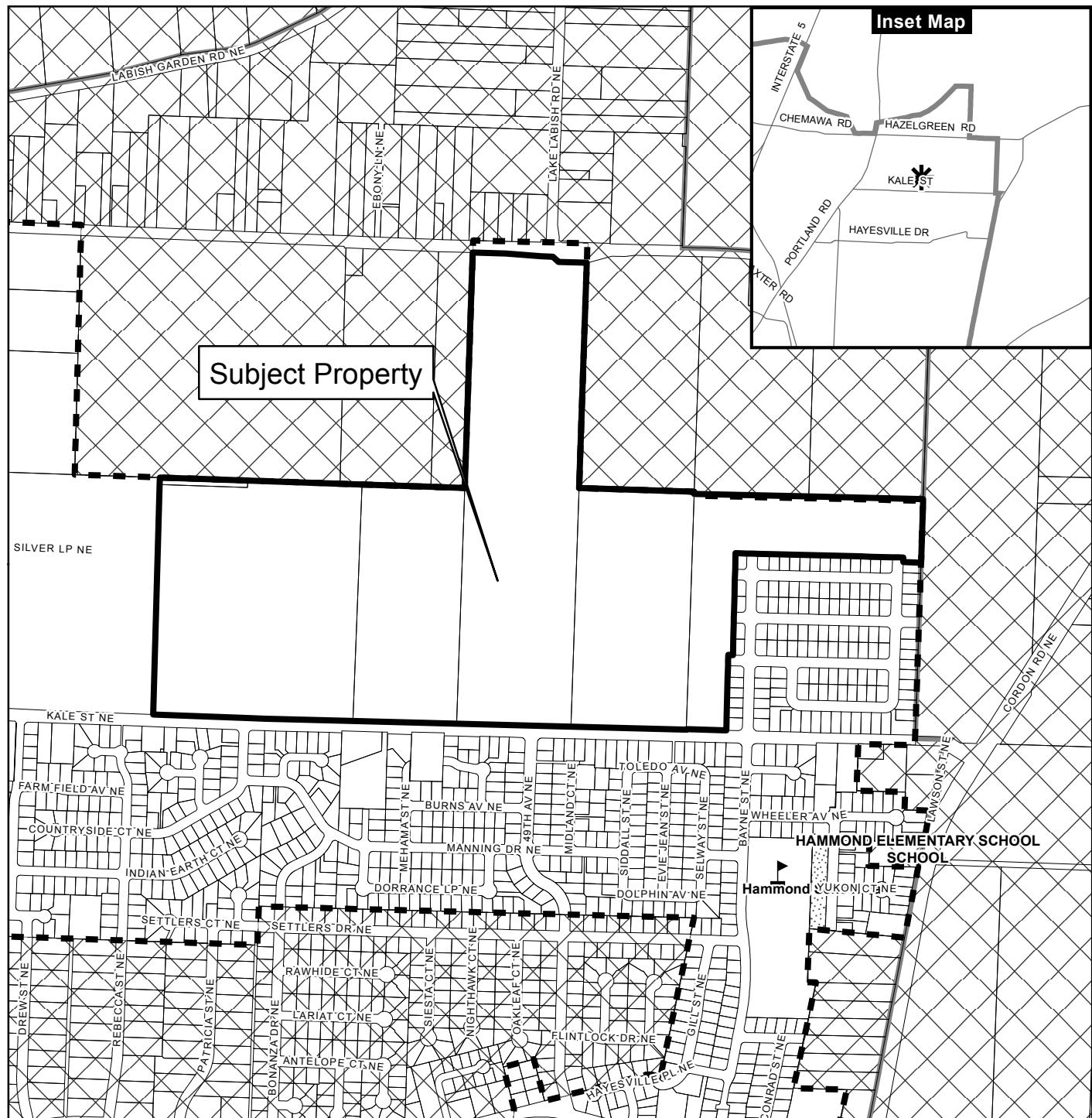
POSTAGE WILL BE PAID BY ADDRESSEE

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



# 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.

0 100 200 400 Feet

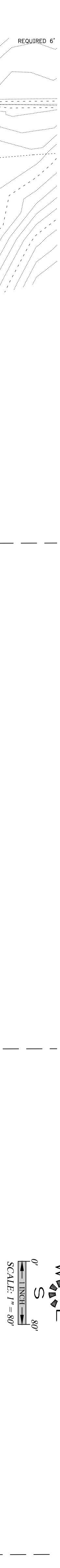


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Owner / Developer:

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

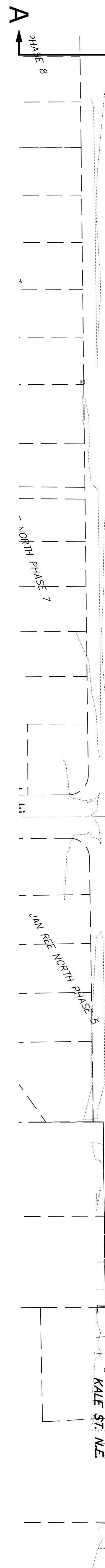
**NORTHSTAR**  
SEC. 32, T. 6 S., R. 2 W., W.M.  
CITY OF SALEM  
MARION COUNTY, OREGON



W  
S  
E  
N  
0'  
SCALE: 1" = 80'

**PRELIMINARY PLAN**

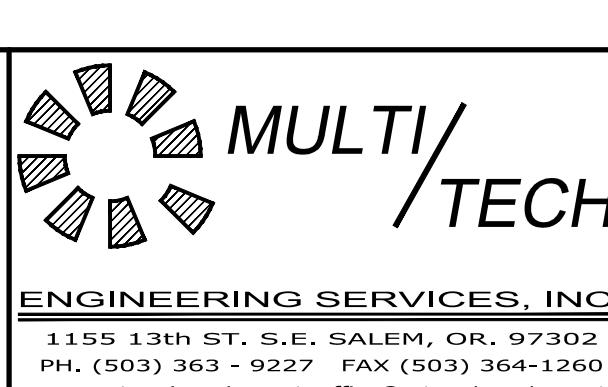
**PROPOSED MODIFICATION**



6610_SubMod 2 of 7	
Design: M.D.G.	C.F.S.
Drawn: J.J.G.	
ProjMgr: J.J.G.	
Date: FEB. 2019	
Scale: AS SHOWN	
As-Built: -----	

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.

MULTI/TECH ENGINEERING EXEMPT FROM LIABILITY IF NOT STAMPED APPROVED  
NOT FOR CONSTRUCTION UNLESS STAMPED APPROVED HERE



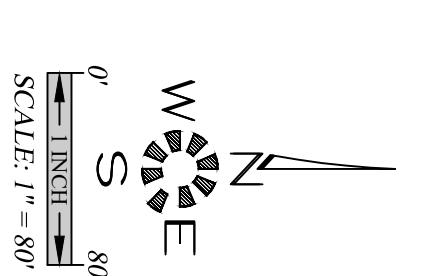
Owner / Developer:

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CLACKAMAS, OREGON 97015

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

**CITY OF SALEM**  
**MARION COUNTY, OREGON**

**NORTHSTAR**



**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**

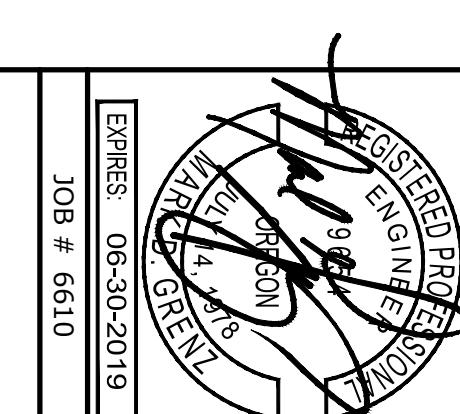
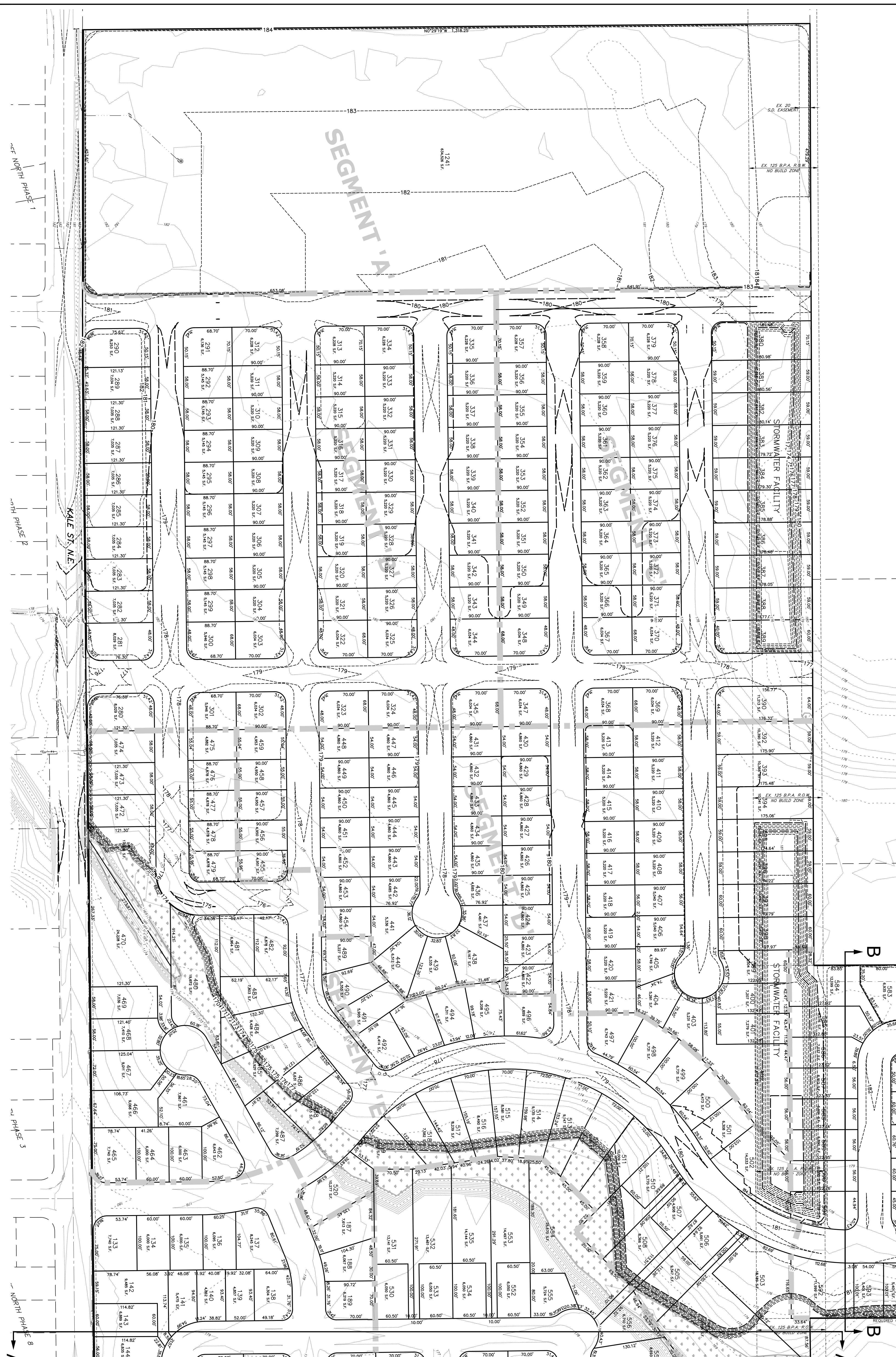
**PROPOSED MODIFICATION**

NOT FOR CONSTRUCTION UNLESS STAMPED APPROVED HERE

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6610\_SubMod 3 of 7  
Design: M.D.G.  
Drawn: C.F.S.  
ProjMgr: J.J.G.  
Date: FEB. 2019  
Scale: AS SHOWN  
As-Built: -----



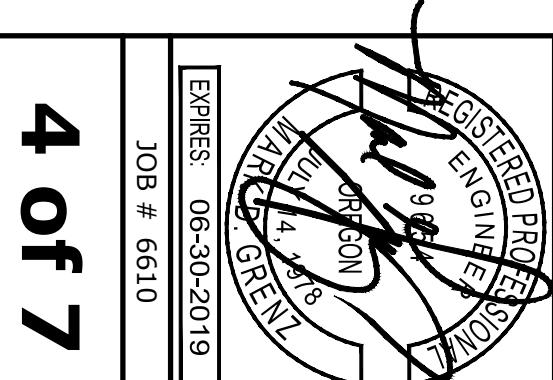
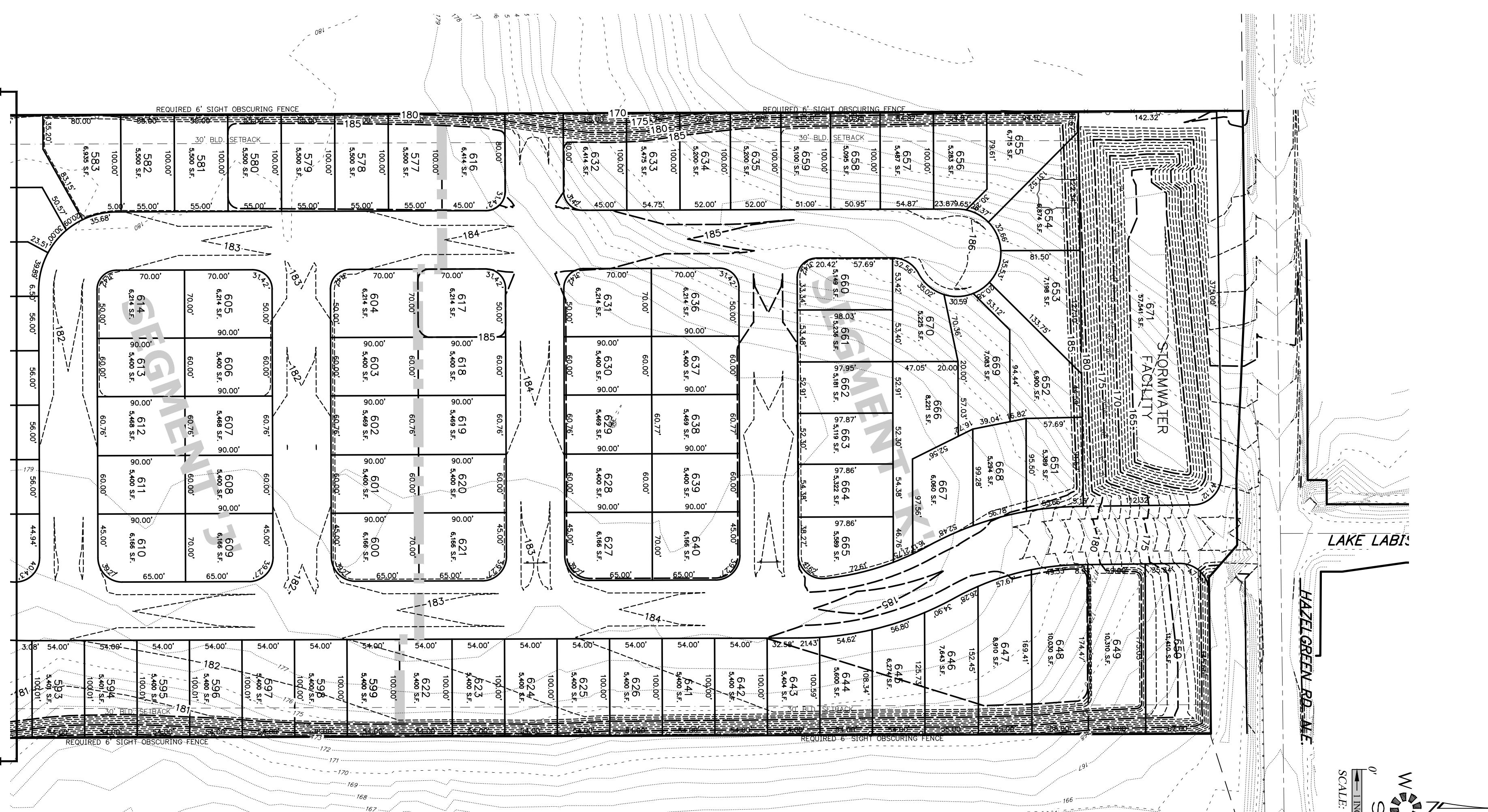
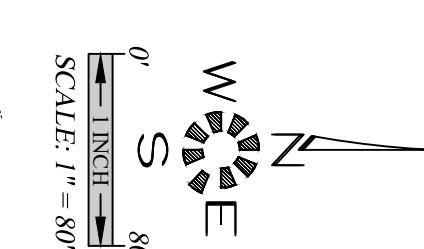
EXPIRES  
06-30-2019  
JOB # 6610

3 of 7

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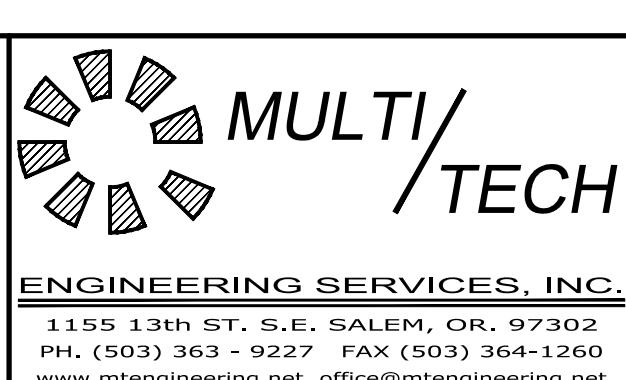
6610\_SubMod 4 of 7  
Design: M.D.G.  
Drawn: C.F.S.  
ProjMgr: J.J.G.  
Date: FEB. 2019  
Scale: AS SHOWN  
As-Built: -----

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**PROPOSED MODIFICATION**

**PRELIMINARY PLAN**

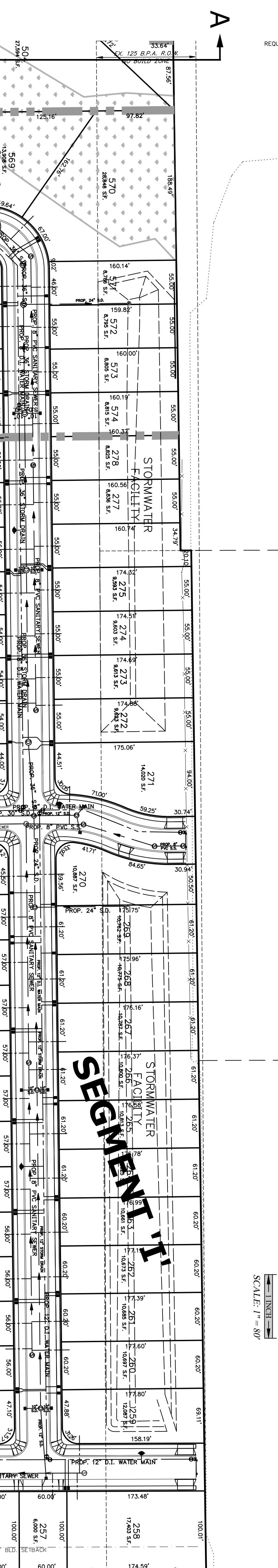
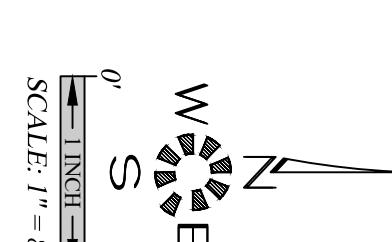


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CLACKAMAS, OREGON 97015

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

REQUIRED 6'



EXISTING 6' SIGHT OBSCURING FENCE

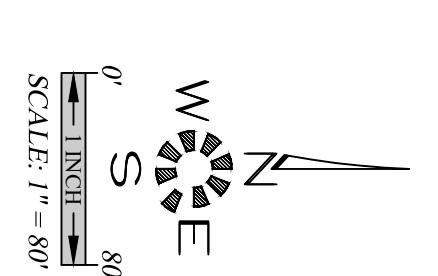
REQUIRED 6' SIGHT OBSCURING FENCE

0.00' 10.00' 20.00' 30.00' 40.00' 50.00' 60.00' 70.00' 80.00' 90.00' 100.00' 110.00' 120.00' 130.00' 140.00' 150.00' 160.00' 170.00' 180.00' 190.00' 200.00' 210.00' 220.00' 230.00' 240.00' 250.00' 260.00' 270.00' 280.00' 290.00' 300.00' 310.00' 320.00' 330.00' 340.00' 350.00' 360.00' 370.00' 380.00' 390.00' 400.00' 410.00' 420.00' 430.00' 440.00' 450.00' 460.00' 470.00' 480.00' 490.00' 500.00' 510.00' 520.00' 530.00' 540.00' 550.00' 560.00' 570.00' 580.00' 590.00' 600.00' 610.00' 620.00' 630.00' 640.00' 650.00' 660.00' 670.00' 680.00' 690.00' 700.00' 710.00' 720.00' 730.00' 740.00' 750.00' 760.00' 770.00' 780.00' 790.00' 800.00' 810.00' 820.00' 830.00' 840.00' 850.00' 860.00' 870.00' 880.00' 890.00' 900.00' 910.00' 920.00' 930.00' 940.00' 950.00' 960.00' 970.00' 980.00' 990.00' 1000.00' 1010.00' 1020.00' 1030.00' 1040.00' 1050.00' 1060.00' 1070.00' 1080.00' 1090.00' 1100.00' 1110.00' 1120.00' 1130.00' 1140.00' 1150.00' 1160.00' 1170.00' 1180.00' 1190.00' 1200.00' 1210.00' 1220.00' 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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



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

**UTILITY PLAN**

**PROPOSED MODIFICATION**

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.  
As-Built: -----

6610\_SubMod 6 of 7  
Design: M.D.G.  
Drawn: C.F.S.  
ProjMgr: J.J.G.  
Date: FEB. 2019  
Scale: AS SHOWN

EX 20  
S.D. EASEMENT

EX 125 B.P.A. P.O.W.  
NO BUILD ZONE

161.48' 300' 10.95' 10.56' 3.61' 3.82' 3.83' 3.84' 3.85' 3.86' 3.87' 3.88' 3.89' 157.20'

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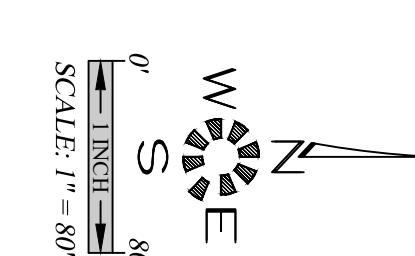
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12.62' 55' 10.6

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



LAKE LABI  
HAZELGREEN RD. N.E.

W S E N  
SCALE: 1' = 80'

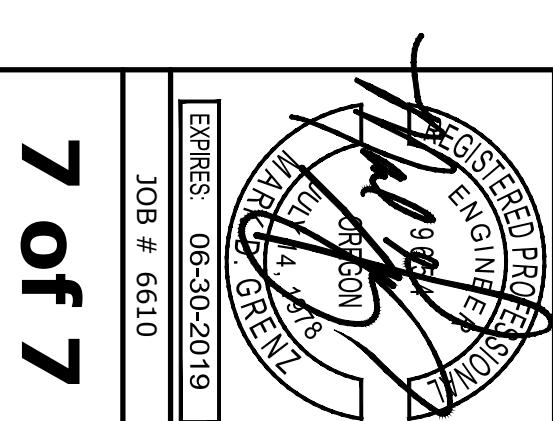
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Design: M.D.G.  
Drawn: C.F.S.  
ProjMgr: J.J.G.  
Date: FEB. 2019  
Scale: AS SHOWN  
As-Built: -----

B  
B



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EXPRES 06-30-19  
JOB # 6610  
**7 of 7**