

OCT 18 2019

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

#6437
Brandie
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NOTICE OF DECISION

PLANNING DIVISION
555 LIBERTY ST. SE, RM 305
SALEM, OREGON 97301
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CITY OF Salem
AT YOUR SERVICE

DECISION OF THE PLANNING COMMISSION

**COMPREHENSIVE PLAN CHANGE / ZONE CHANGE / PLANNED UNIT
DEVELOPMENT / SUBDIVISION / CLASS 2 ADJUSTMENT CASE NO.: CPC-ZC-
PUD-SUB-ADJ19-08**

**APPLICATION NO.: 18-124473-ZO / 18-124474-ZO / 18-124468-LD / 18-124472-
LD / 19-118029-ZO**

NOTICE OF DECISION DATE: OCTOBER 16, 2019

SUMMARY: An application for a Planned Unit Development and Subdivision for 659 single family units and a 36-unit multi-family residential use, for a total of 695 units, for property approximately 122 acres in size.

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).

For property approximately 122 acres in size, zoned RS (Single Family Residential), RM-I and RM-II (Multi-Family Residential), CR (Retail Commercial), and IP (Industrial Park), and located at 255 Cordon Road NE, 4800-4900 Block of State Street, and 4700-4800 Block of Auburn Road NE - 97301 (Marion County Assessor's Map and Tax Lot numbers: 072W29B / 00200, 00201, 00300, and 00400, 072W29C / 00100, 00101, 00199, 00200, 00300, and 00400).

APPLICANT: Mark Grenz, Multi-Tech Engineering, on behalf of East Park, LLC (Randy Myers, Kiril Ivanov)

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

CRITERIA: Salem Revised Code (SRC) Chapters 64.025(e)(2), 265.005(e), 205.010(d), 210.025(d), 250.005(d)(2)

FINDINGS: The findings are in the attached Decision dated October 16, 2019.

DECISION: The Planning Commission **APPROVED** Comprehensive Plan Change / Zone Change / Planning Unit Development / Subdivision / Class 2 Adjustment Case No. CPC-ZC-PUD-SUB-TCP19-08 subject to the following conditions of approval:

A. APPROVE Minor Comprehensive Plan Map Amendment from "Industrial" to "Single Family Residential" and "Commercial" to "Multiple Family Residential".

B. APPROVE Zone Change from IP (Industrial Park) to RS (Single Family Residential) and from CR (Retail Commercial) to RM-II (Multi-Family Residential), subject to the following conditions of approval:

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.

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.

C. APPROVE Planned Unit Development Tentative Plan and Subdivision Tentative Plan, subject to the following conditions of approval:

All phases:

Condition 3: Prior to final plat approval of any phase, the applicant shall either 1) demonstrate that taxlot 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.

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

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

Condition 6: Prior to final PUD plan/plat approval, the applicant shall submit a Home Owners 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 Home Owners Association shall conform to the provisions of SRC 210.055(b).

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.

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.

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.

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

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

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.

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

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

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

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.

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.

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.

Phase 1:

Condition 19: Construct a 24-inch water main in Cordon Road from the existing main near Gaffin Road SE to Auburn Road NE.

Condition 20: Construct a 12-inch water main in Auburn Road NE from Cordon Road NE to the west line of Phase 1.

Condition 21: Construct a 12-inch water main in (future) Greencrest Street NE through a portion of Phase 2 from Auburn Road NE to south line of Phase 1.

Condition 22: As required by UGA09-07MOD1, construct Auburn Sewer Pump Station (SPS) along Auburn Road NE and an 8-inch sewer force main from Auburn SPS to the East Salem Interceptor consistent with the Salem Wastewater Management Master Plan and PWDS.

Condition 23: Construct a 15-inch public sewer main from the future Auburn SPS through portions of future phases to the future intersection of Ruby Avenue NE and Cougar Street

NE as shown on the applicant's preliminary utility plan. (UGA 9)

Condition 24: Convey land for dedication of right-of-way to equal a half-width of 30 feet from centerline along the Phase 1 frontage of Auburn Road NE.

Condition 25: Construct a minimum 29-foot-wide three-quarter-street improvement along the Phase 1 frontage of Auburn Road NE.

Condition 26: Construct Greencrest Street NE within Phase 1 to Collector B standards.

Condition 27: Construct a westbound-to-southbound left turn lane at the intersection of Auburn Road NE and (future) Bobcat Street NE (private). Convey additional right-of-way to accommodate the improvement, if needed.

Condition 28: Obtain City Council approval for an amendment to the Salem TSP to modify the alignment of (future) Greencrest Street NE.

Phase 2:

Condition 29: Construct a 12-inch water main in Auburn Road NE to the west property line pursuant to PWDS.

Condition 30: As required by Condition 3 of UGA09-07, the applicant shall enter into an agreement with Marion County for street improvements and right-of-way dedication for Cordon Road.

Condition 31: Construct a traffic signal at the intersection of Auburn Road NE and Cordon Road NE, and an eastbound-to-southbound right-turn lane, as specified by the TIA and as approved by Marion County Public Works. Convey additional right-of-way to accommodate the improvement, if needed.

Condition 32: Convey land for dedication of right-of-way to equal a half-width of 30 feet from centerline along the Phase 1 frontage of Auburn Road NE.

Condition 33: Construct a minimum 29-foot-wide three-quarter-street improvement along the Phase 2 frontage of Auburn Road NE to the western boundary of the subject property.

Condition 34: Construct Greencrest Street NE within Phase 2 to Collector B standards.

Condition 35: Construct westbound-to-southbound and eastbound-to-northbound left turn lanes at the intersection of (future) Greencrest Street NE and Auburn Road NE, as specified in the TIA. Convey additional right-of-way to accommodate the improvement, if needed.

Phase 3:

Condition 36: Construct a 12-inch water main in (future) Greencrest Street NE to State Street.

Condition 37: Construct Greencrest Street NE to State Street to Collector B standards.

Condition 38: Construct eastbound-to-northbound and westbound-to-southbound left turn lanes at the intersection of (future) Greencrest Street NE and State Street, as specified in the TIA.

Phase 4:

Condition 39: Construct a 12-inch water main along the Phase 4 frontage of State Street to the western boundary of the subject property pursuant to PWDS.

Condition 40: Construct a 15-inch sewer main to the State Street Pump Station.

Condition 41: Convey land for dedication of right-of-way to equal 48 feet from centerline along the Phase 4 frontage of State Street.

Condition 42: Align the intersection of Cougar Street NE (private) at State Street with Cougar Court SE in accordance with PWDS.

Condition 43: Construct a minimum 46-foot-wide three-quarter-street improvement along the Phase 4 frontage of State Street.

Condition 44: Construct eastbound-to-northbound and westbound-to-southbound left turn lanes at the intersection of (future) Cougar Street NE (private) and State Street, as required by the TIA.

Phase 5:

Condition 45: Construct a 12-inch water main along the Phase 5 frontage of State Street.

Condition 46: 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.

Condition 47: 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.

Condition 48: Convey land for dedication of right-of-way to equal 48 feet from the centerline along State Street from the eastern boundary of Phase 4 to Cordon Road NE.

Condition 49: Construct a minimum 46-foot-wide three-quarter-street improvement along the State Street frontage from the eastern boundary of Phase 4 to Cordon Road NE.

Condition 50: 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.

Phase 6:

Condition 51: Convey land for dedication of right-of-way to equal 30 feet from centerline along the Phase 6 frontage of Auburn Road NE.

Condition 52: Construct a minimum 29-foot-wide three-quarter-street improvement along the Phase 6 frontage of Auburn Road NE.

Condition 53: Provide right-of-way for a future Local street connection from (future) Lynx Street NE (private) to the neighboring property at the southwest corner of the intersection of Auburn Road NE at Cordon Road NE (Marion County Assessor's Map and Tax Lot 072W29B 00100). Provide grading for the future street except as prohibited under state/federal wetland fill permits.


Condition 54: Construct a multi-modal multi-use pedestrian/bicycle path along the Phase 6 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.

D. APPROVE Class 2 Adjustment to Lot Standards and Street Connectivity, subject to the following condition of approval:

Condition 55: The adjusted off-street parking requirement, as approved in this zoning adjustment, shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to all applicable off-street parking requirements, unless adjusted through a future land use action.

VOTE:

Yes 7 No 0 Absent 1 (Levin)



Chane Griggs, President
Salem Planning Commission

Application Deemed Complete:	<u>June 12, 2019</u>
Public Hearing Date:	<u>September 17, 2019</u>
Notice of Decision Mailing Date:	<u>October 16, 2019</u>
Decision Effective Date:	<u>November 1, 2019</u>

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

This decision is final unless written appeal from an aggrieved party is filed with the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem OR 97301, no later than 5:00 p.m., Thursday, October 31, 2019. Any person who presented evidence or testimony at the hearing may appeal the decision. The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapter(s) 64, 265, 205, 210 and 250. The appeal must be filed in duplicate with the City of Salem Planning Division. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The City Council will review the appeal at a public hearing. After the hearing, the City Council may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

The complete case file, including findings, conclusions and conditions of approval, if any, is available for review at the Planning Division office, Room 305, City Hall, 555 Liberty Street SE, during regular business hours.

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

