

Applicant: Stafford Homes & Land, LLC
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Request: Type I Administrative Review
Property Line Adjustment
2 - Lot Consolidation

Address 3771 Village Center Dr SE
3791 Village Center Dr SE
Salem, OR 97302

Nearest Intersection: Village Center Dr SE / Audubon Avenue SE

Tax Lots 08 3W 02DB 00900
08 3W 02DB 01000

Size: Lot 121 - 9,148 sq ft
Lot 122 - 8,712 sq ft

Zoning: Fairview Mixed Use

Comprehensive Plan: Mixed Use

Current Use: Residential Land - Vacant

Pre-Application Conference: Not Applicable

I. Request

This application requests a Type I, non-discretionary administrative review for a property line adjustment to consolidate Lot 121 and Lot 122 of the plat of Pringle Community into a single lot of record.

II. Description of Existing Conditions

The subject properties are located at 3791 and 3771 Village Center Dr SE. (the “**Property**”). The nearest intersection is Village Center Drive SE and Audubon Avenue SE. The Property is generally described as Tax Lots 00900 and 01000 of Marion County Assessor’s Map Township 5, Range 1 West, Section 18 C. The combined area of the Property contains

approximately 0.41 acre. Deeds that document Applicant's ownership of the Property are attached as **Exhibit 1**. A site plan and map of the Property is attached as **Exhibit 2**.

The Property is zoned FMU (Fairview Mixed Use). It is located in Area 8 of the Pringle Creek Community Refinement Plan, and is within the AU (Adaptive Use) overlay zone.

Both parcels are presently vacant and unimproved.

No development activities are proposed with this application.

III. Review Criteria

SRC 205.055(a) provides that a property line adjustment is required to relocate or eliminate all or a portion of a common property line between two abutting units of land that were lawfully established, as defined by ORS 92.010(3)(a). Property line adjustments may not be used to create an additional unit of land, or to create units of land that are nonconforming.

SRC 205.055(d) establishes the following approval criteria which must be met for a property line adjustment to be approved:

- (1) *The property line adjustment will not create an additional unit of land;*
- (2) *The property line adjustment will not create nonconforming units of land or nonconforming development, or increase the degree of nonconformity in existing units of land or existing development;*
- (3) *The property line adjustment involves only units of land that were lawfully established, where the instruments creating the units of land have been properly recorded;*
- (4) *The property line adjustment is not prohibited by any existing City land use approval, or previous condition of approval, affecting one or both of the units of land;*
- (5) *The property line adjustment does not involve the relocation or elimination of any public easement or right-of-way; and*
- (6) *The property line adjustment does not adversely affect the availability or access to public and private utilities or streets.*

Analysis of Property Line Adjustment Approval Criteria

The property line adjustment will not create an additional unit of land.

Applicant's Response: This application requests to remove an existing property line and consolidate two existing lots of record into a single lot of record. The property line adjustment/lot consolidation will not create an additional unit of land.

The property line adjustment will not create nonconforming units of land.

Applicant's Response: Lot 121 and Lot 122 are subject to development standards set by the Pringle Creek Community Refinement Plan, with an approval date of November, 2005.

Lot 121 and Lot 122 are within Area 8 of the Pringle Creek Community. The following excerpt from the Pringle Creek Community Refinement Plan describes development standards for Area 8:

Area 8

Area 8 is the largest primarily residential area in the development. It has been planned to accommodate a mix of the following land uses:

Primary Use – residential units including but not limited to attached, detached, accessory dwelling units and coach lane houses, Dwelling unit are allowed to have detached garages. Mixed-use retail with residential, multi-family residential units.

Secondary use – multi-family residential units and live/work units. Alley access to an internal service and parking area will be required and must integrate an open space park area for all residents.

Required Elements

Area 8 Required Elements		
Lot and building requirements	Residential min/max	Non-residential min/max
Lot area	src 143/none	none/none
coverage	none/none	none/none
depth	50'/none	16'/none
width	16'/none	16'/none
building setbacks		
front/street	2'/10'	2'/10'
interior/side	0'/20'	0'/20'
interior rear to ROW @ alley	na/na	na/na
building frontage per unit	16'/none	16'/none
building height	none/45'	none/45'

The combined lot area of Lot 121 and Lot 122 will be approximately 17,724 square feet, which exceeds the minimum lot size set by the Refinement Plan. The Refinement Plan does not set a maximum allowable lot area.

The average depth of the combined lots is approximately 133 feet, which exceeds the 50-foot minimum lot depth set by the Refinement Plan. The Refinement Plan does not set a maximum allowable lot depth.

The average width of the combined lot is approximately 133 feet, which exceeds the 16-foot minimum lot width set by the Refinement Plan. The Refinement Plan does not establish a maximum allowable lot width.

No building activities are proposed with this application.

The property line adjustment will not create nonconforming units of land because the resulting combined lot will comply with the lot area and lot dimension standards for Area 8 that are prescribed in the Refinement Plan.

The property line adjustment involves only units of land that were lawfully established.

Applicant's Response: Lot 121 and Lot 122 were legally established through the recording of the plat of Pringle Community (See city of Salem replat Case No. REP07-05) and a subsequent lot line adjustment approved by the city of Salem, PLA 20-25.

The property line adjustment is not prohibited by any existing City land use approval, or previous condition of approval, affecting one or both of the units of land.

Applicant's Response: The requested property line adjustment is not prohibited by 1) Preliminary Declaration for Urban Growth Area Development Permit No. 04-10 issued September 30, 2004; 2) Order Approving the Formation the Sustainable Fairview Development District (Application No. DD/01-05); 3) Decision approving Pringle Creek Community Subdivision Plat No. 06-06; 4) The Pringle Creek Community Refinement Plan adopted November 2005; or 5) Property Line Adjustment No. PLA 20-25.

The property line adjustment does not involve the relocation or elimination of any public easement or right-of-way.

Applicant's Response: Eliminating the shared property line between Lot 121 and Lot 122 will not encroach upon nor adversely affect previously established public easements granted to the city of Salem for water and sanitary sewer services or public utility easements granted for franchise utility services. The property does not abut a public right-of-way.

The property line adjustment does not adversely affect the availability of or access to public and private utilities and streets.

Applicant's Response: The consolidation of Lot 121 and Lot 122 into a single lot of record will not change or in any way affect the resulting combined property's access to private streets, water and sanitary sewer services provided by the city of Salem, or other public franchise utility services that are available within existing platted public utility easements.

Attached Exhibits:

Exhibit 1	Existing Deeds
Exhibit 2	Site Plan
Exhibit 3	Preliminary Title Report
Exhibit 4	Proposed Property Line Adjustment Deed