



# HEARING NOTICE

## LAND USE REQUEST AFFECTING THIS AREA

### *Audiencia Pública*

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

<b>CASE NUMBER:</b>	Council Review of the Planning Administrator's decision on Subdivision / Class 2 Adjustment Case No. SUB-ADJ17-09
<b>AMANDA APPLICATION NO:</b>	17-111999-LD & 17-120000-LD
<b>HEARING INFORMATION:</b>	City Council, Monday, December 4, 2017, 6:00 P.M., Council Chambers, Room 240, Civic Center
<b>PROPERTY LOCATION:</b>	3700 & 3800 Blocks of Dogwood Drive S
<b>APPLICANT / OWNER(S):</b>	Dogwood Drive, LLC (Eric Jensen)
<b>AGENT(S):</b>	Brandie Dalton for Multi-Tech Engineering Services, Inc.
<b>DESCRIPTION OF REQUEST:</b>	<p>Council Review of the Planning Administrator's decision on a consolidated application for a 46-lot phased subdivision ("Dogwood Heights") containing the following requests:</p> <ol style="list-style-type: none"><li>1) A phased subdivision tentative plan to divide approximately 14.14 acres into 46 lots as follows:<ol style="list-style-type: none"><li>a) Phase 1 containing 20 lots ranging in size from 4,577 square feet to 11,169 square feet;</li><li>b) Phase 2 containing 11 lots ranging in size from 6,061 square feet to 6,939 square feet;</li><li>c) Phase 3 containing 4 lots ranging in size from 10,825 square feet to 11,571 square feet; and</li><li>d) Phase 4 containing 11 lots ranging in size from <del>17,982</del> <u>12,979</u> square feet to 34,793 square feet.</li></ol></li><li>2) Class 2 Adjustments to:<ol style="list-style-type: none"><li>a) Increase the maximum allowed grade of Hillside Court S, a local street, from 12 percent, as required under SRC 803.035(c), to 15 percent; and</li><li>b) Increase the maximum length of the flag lot accessway serving Lots 36-39 from 400 feet, as required pursuant to SRC 800.025(c), to 500 feet.</li></ol></li></ol> <p>The subject property is approximately 14.14 acres in size, zoned RS (Single Family Residential), and located on the 3700 &amp; 3800 Blocks of Dogwood Drive S (Marion County Assessor's Map and Tax Lot Numbers: 083W04CB03200; 04200; 04300; 04400; 04500; 04600; 04900; 05000; and 083W04C00100 and 00200).</p>
<b>CRITERIA TO BE CONSIDERED:</b>	<p><b><u>SUBDIVISIONS</u></b> Pursuant to SRC 205.010(d), a tentative subdivision plan shall be approved if all</p>

of the following criteria are met:

- (1) The tentative subdivision plan complies with the standards of this Chapter and with all applicable provisions of the UDC, including, but not limited to, the following:
  - (A) Lot standards, including, but not limited to, standards for lot area, lot width and depth, lot frontage and designation of front and rear lot lines.
  - (B) City infrastructure standards.
  - (C) Any special development standards, including, but not limited to, floodplain development, special setbacks, geological or geotechnical analysis, and vision clearance.
- (2) The tentative subdivision plan does not impede the future use or development of the property or adjacent land.
- (3) Development within the tentative subdivision plan can be adequately served by City infrastructure.
- (4) The street system in and adjacent to the tentative subdivision plan conforms to the Salem Transportation System Plan.
- (5) The street system in and adjacent to the tentative subdivision plan is designed so as to provide for the safe, orderly, and efficient circulation of traffic into, through, and out of the subdivision.
- (6) The tentative subdivision plan provides safe and convenient bicycle and pedestrian access from within the subdivision to adjacent residential areas and transit stops, and to neighborhood activity centers within one-half mile of the development. For purposes of this criterion, neighborhood activity centers include, but are not limited to, existing or planned schools, parks, shopping areas, transit stops, or employment centers.
- (7) The tentative subdivision plan mitigates impacts to the transportation system consistent with the approved Traffic Impact Analysis, where applicable.
- (8) The tentative subdivision plan takes into account the topography and vegetation of the site so the need for variances is minimized to the greatest extent practicable.
- (9) The tentative subdivision plan takes into account the topography and vegetation of the site, such that the least disruption of the site, topography, and vegetation will result from the reasonable development of the lots.
- (10) When the tentative subdivision plan requires an Urban Growth Preliminary Declaration under SRC Chapter 200, the tentative subdivision plan is designed in a manner that ensures that the conditions requiring the construction of on-site infrastructure in the Urban Growth Preliminary Declaration will occur, and, if off-site improvements are required in the Urban Growth Preliminary Declaration, construction of any off-site improvements is assured.

**PHASED SUBDIVISION:**

Pursuant to SRC 205.015(d), a tentative phased subdivision plan shall be approved if all of the

following criteria are met:

- (1) The tentative phased subdivision plan meets all of the criteria for tentative subdivision plan approval set forth in SRC 205.010(d).
- (2) Connectivity for streets and City utilities between each phase ensures the orderly and efficient construction of required public improvements among all phases.
- (3) Each phase is substantially and functionally self-contained and self-sustaining with regard to required public improvements.
- (4) Each phase is designed in such a manner that all phases support the infrastructure requirements for the phased subdivision as a whole.

## **CLASS 2 ADJUSTMENT**

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.

### **HOW TO PROVIDE TESTIMONY:**

Any person wishing to speak either for or against the proposed request may do so in person or by representative at the Public Hearing. Written comments may also be submitted at the Public Hearing. Include case number with the written comments. Prior to the Public Hearing, written comments may be filed with the City Recorder, 555 Liberty Street SE, Room 205, Salem, OR 97301.

### **HEARING PROCEDURE:**

The hearing will be conducted with the staff presentation first, followed by the proponent's case, neighborhood organization comments, persons opposed, other interested persons, rebuttal and surrebuttal. The applicant has the burden of proof to show that the approval criteria can be satisfied by the facts. Opponents may rebut the applicant's testimony by showing alternative facts or by showing that the evidence submitted does not satisfy the approval criteria. Failure to raise an issue prior to the close of the Public Hearing in person or in writing, or failure to provide statements or evidence with sufficient specificity to provide the applicant and Review Authority 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. Following the close of the Public Hearing, a decision will be issued and mailed to the applicant, property owner, affected neighborhood associations, anyone who participated in the hearing, either in person or in writing, and anyone who requested to receive notice of the decision.

### **CASE MANAGER:**

**Chris Green, Case Manager**, City of Salem Planning Division, 555 Liberty Street SE, Room 305, Salem, Oregon 97301. Telephone: 503-540-2326; E-mail: [CGreen@cityofsalem.net](mailto:CGreen@cityofsalem.net).

### **NEIGHBORHOOD ORGANIZATION:**

Southwest Association of Neighbors, Leonard Nelson, Land Use Co-Chair; Phone: 503-581-5195; Garey Price, Land Use Co-Chair; Phone: 503-580-3364

### **DOCUMENTATION AND STAFF REPORT:**

Copies of the application and all documents and evidence submitted as part of the proceeding are available for inspection at no cost at the Planning Division office during regular business hours. Copies can be obtained at a reasonable cost.

The Staff Report with recommendation to City Council will be available for inspection at no cost, and copies will be provided at reasonable cost, at least 7 days prior to the hearing at the Community Development Department, 555 Liberty Street SE, Room 305, Salem, Oregon 97301.

The staff report will be posted on the City Council agenda website no later than 5:00 p.m. on December 1, 2017 at: <https://salem.legistar.com/Calendar.aspx>

**ACCESS:**

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

**NOTICE MAILING DATE:**

November 14, 2017

---

***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>**

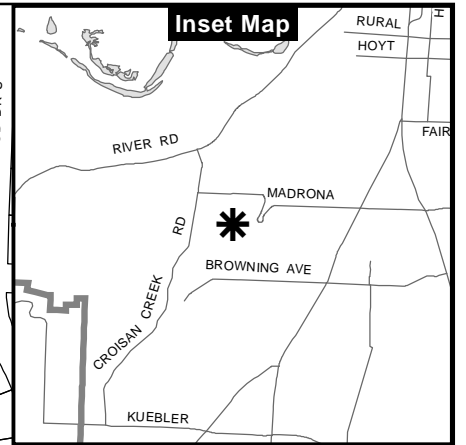
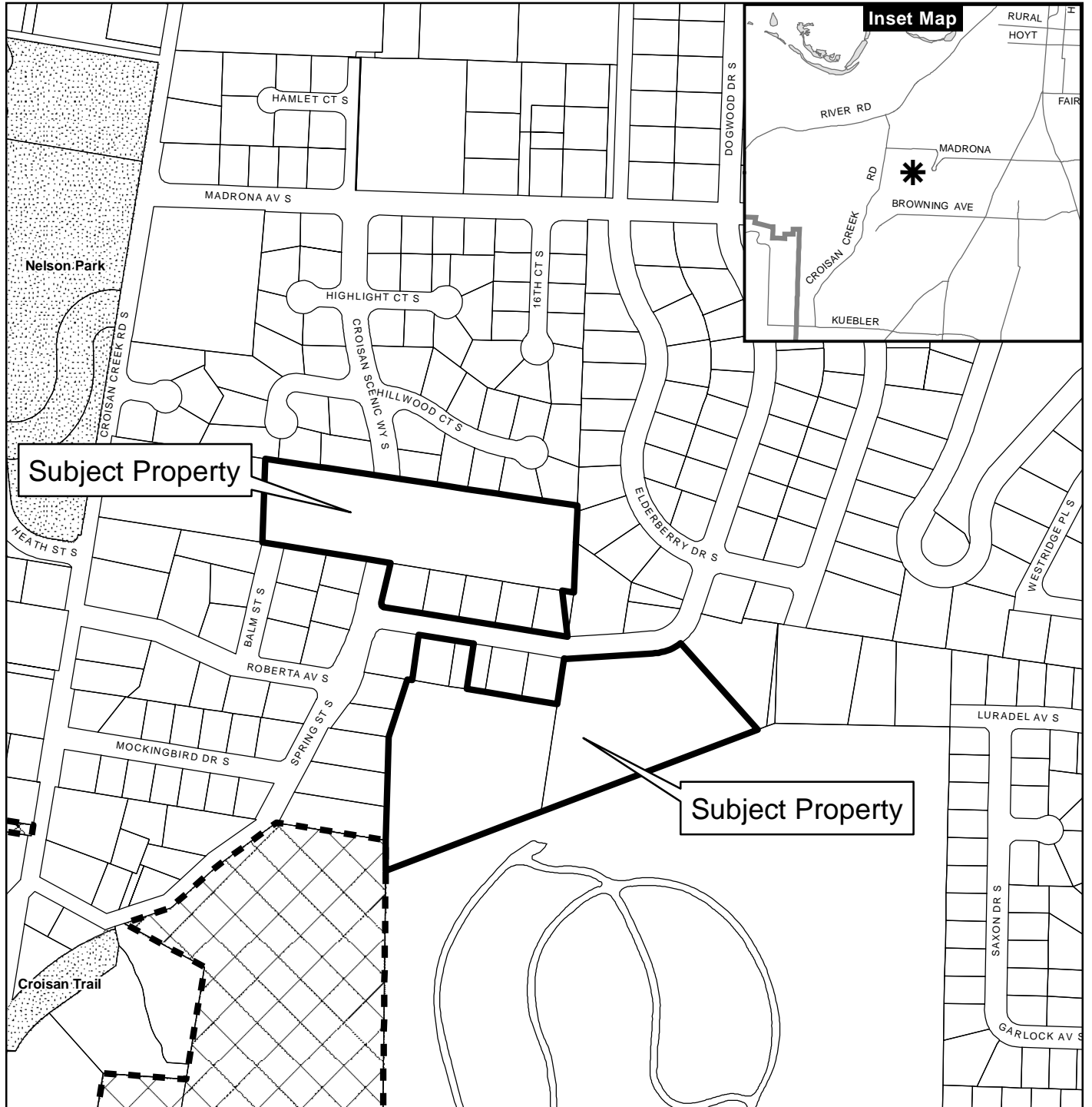
*It is the City of Salem's policy to assure that no person shall be discriminated against on the grounds of race, religion, color, sex, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, gender identity and source of income, as provided by Salem 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.*

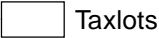




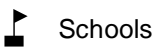

*TTD/TTY telephone 503-588-6439 is also available 24/7*

# Vicinity Map

## 3700 & 3800 Blocks of Dogwood Drive S



### 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



This product is provided as is, without warranty. In no event is the City of Salem liable for damages from the use of this product. This product is subject to license and copyright limitations and further distribution or resale is prohibited.



# DOGWOOD HEIGHTS

SEC. 4 & SEC. 5, T. 8 S., R. 3 W., W.M.  
CITY OF SALEM,  
MARION COUNTY, OREGON  
45 LOTS - 14,146 ACRES

ABBREVIATIONS	
A.C.	ASPHALTIC CONCRETE
ACMP	ALUMINIZED CMP
ASSY.	ASSEMBLY
B.O.	BLOW OFF
B.F.V.	BUTTERFLY VALVE
C & G	CURB & GUTTER
CATV	CABLE TELEVISION
C.B.	CATCH BASIN
C.B.C.O.	CATCH BASIN CLEANOUT
C.B.I.	CATCH BASIN INLET
C.L.	CENTERLINE
CMP	CORRUGATED METAL PIPE
C.O.	CLEANOUT
CONC.	CONCRETE
CONST.	CONSTRUCT
D.I.	DUCTILE IRON
DIA.	DIAMETER
DWG.	DRAWING
EASMT.	EASEMENT
E.G.	EXIST. GRADE / GROUND
EOP, E.P.	EDGE OF PAVEMENT
ELEC.	ELECTRIC
ELEV. or EL.	ELEVATION
EX. or EXIST.	EXISTING
FT.	FEET
F.F.	FINISH FLOOR
F.G.	FINISH GRADE
F.H.	FIRE HYDRANT
F.M.	FORCE MAIN
GUT. or GTR.	GUTTER
G.V.	GATE VALVE
IMP.	IMPROVEMENT
INST.	INSERT
INV. or I.	INVERT
L.	LENGTH, LINE
L.P.	LIGHT POLE
M.	METER MAIN
M.H.	MANHOLE
MTL.	METAL
O.H.	OVERHEAD
P.C.	POINT OF CURVE
PCC	POINT OF CONTINUING CURVE
PED.	PEDESTAL
PRC.	POINT OF REVERSE CURVE
PROP.	PROPOSED
PT	POINT OF TANGENCY
PUB.	PUBLIC
PUE	PUBLIC UTILITY EASMT.
PVC	POLYVINYL CHLORIDE
PVT.	PRIVATE
P.P.	POWER POLE
R.L.	PROPERTY LINE
R.	RADIUS
R.	RIM
RD	ROAD
R.O.W.	RIGHT OF WAY
SAN.S. or S.S.	SANITARY SEWER
S	SLOPE
STA.	STATION
STD.	STANDARD
STL.	STEEL
STM.DRN. or S.D.	STORM DRAIN
SVC.	SERVICE
SW	SEWER
T.C.	TOP OF CURB
TEL.	TELEPHONE
TYP.	TYPICAL
U.G.	UNDERGROUND
VLT.	VAULT
W.M.	WATER MAIN

SYMBOLS			
EXIST. PROP.	EXIST. PROP.		
○	BLOW OFF ASSY.	○	MANHOLE SAN. SEWER
□	CATCH BASIN	○	MANHOLE STORM DRAIN
□	CATCH BASIN CLEANOUT	○	2" DIA. C.O. / M.H.
□	CATCH BASIN INLET	○	MANHOLE TELEPHONE
□	CATV PED. / BOX	○	MANHOLE WATER
○	CLEANOUT	○	REDUCER / INCREASER
○	ELEC. PED. / BOX	○	TEL. PED. / BOX
○	FIRE HYDRANT	○	TRAFFIC PED. / BOX
○	GAS LOCATION MARKER	○	UTILITY / POWER POLE
○	GAS VALVE	○	WATER METER
○	MAIL BOX	○	WATER VALVE
---	CABLE TELEVISION	---	SANITARY SEWER EXIST.
---	CENTERLINE	---	SANITARY SEWER PROP.
---	DITCH C.L.	---	STORM DRAIN EXIST.
---	ELECTRICAL LINE	---	STORM DRAIN PROP.
---	GAS MAIN	---	WATER MAIN EXIST.
---	TELEPHONE LINE	---	WATER MAIN PROP.

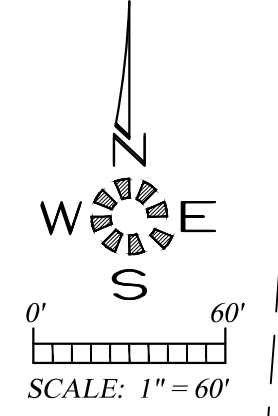
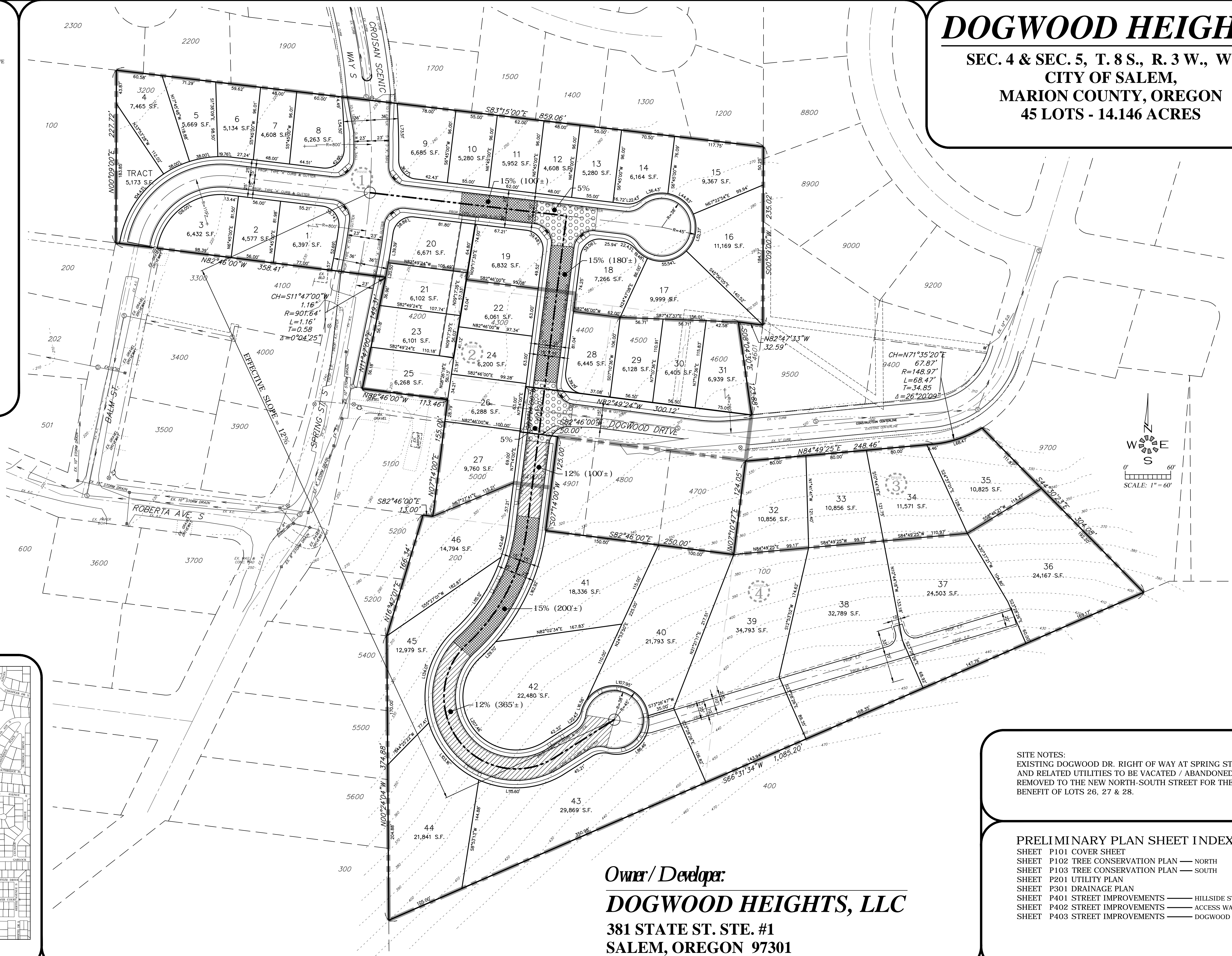
PARCEL SIZE:  
DEVELOPABLE AREA — 14,136 Ac.  
NUMBER OF UNITS — 46  
DENSITY — 3.25 UNITS/ACRE  
LARGEST — 34,793 S.F.  
SMALLEST — 4,577 S.F.  
AVERAGE — 10,588 S.F.

EXISTING ZONE — SF  
COMPREHENSIVE DESG. — SFR

UTILITIES:  
CABLE — COMCAST CABLE SERVICES  
POWER — P.G.E.  
PHONE — CENTURY LINK  
GAS — N.W. NATURAL  
STORM DRAIN, SANITARY SEWER, WATER — CITY OF SALEM



VICINITY MAP



5.	REVISED PER DEVELOPER.	P.H.S.	10/17/2017
4.	REVISED PER DEVELOPER.	P.H.S.	09/02/2017
3.	REVISED PER DEVELOPER.	P.H.S.	08/01/2017
2.	REVISED PER DEVELOPER.	P.H.S.	06/05/2017
1.	REVISED PER DEVELOPER.	P.H.S.	05/30/2017

SITE NOTES:  
EXISTING DOGWOOD DR. RIGHT OF WAY AT SPRING STREET AND RELATED UTILITIES TO BE VACATED / ABANDONED / REMOVED TO THE NEW NORTH-SOUTH STREET FOR THE BENEFIT OF LOTS 26, 27 & 28.

PRELIMINARY PLAN SHEET INDEX

SHEET P101	COVER SHEET
SHEET P102	TREE CONSERVATION PLAN — NORTH
SHEET P103	TREE CONSERVATION PLAN — SOUTH
SHEET P201	UTILITY PLAN
SHEET P301	DRAINAGE PLAN
SHEET P401	STREET IMPROVEMENTS — HILLSIDE ST.
SHEET P402	STREET IMPROVEMENTS — ACCESS WAY
SHEET P403	STREET IMPROVEMENTS — DOGWOOD DR.

Owner/ Developer:  
**DOGWOOD HEIGHTS, LLC**  
381 STATE ST. STE. #1  
SALEM, OREGON 97301

**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

NOT FOR CONSTRUCTION UNLESS STAMPED APPROVED HERE

REGISTERED PROFESSIONAL ENGINEER  
MARI G. BRENN  
EXPIRES: 06-30-2019

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.

Design: M.D.G.  
Drawn: P.H.S.  
Checked: M.D.G.  
Date: MAY 2017  
Scale: AS SHOWN  
As-Built:

**DOGWOOD HEIGHTS**

PRELIMINARY PLAN COVER SHEET

Project Number **6427**  
Sheet Number **P101**