



Legislation Details (With Text)

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File created: 6/17/2019 **In control:** City Council

On agenda: 7/8/2019 **Final action:** 7/8/2019

Title: City Council review of the Planning Commission May 8, 2019 decision approving a consolidated application to change the Comprehensive Plan Map designation and Zoning of an approximately 15.8-acre property located at 5187 Liberty Road S from "Developing Residential" with RA (Residential Agriculture) zoning to "Multifamily Residential" with RM-2 (Multiple Family Residential) zoning.

Ward(s): Ward 4
 Councilor(s): Leung
 Neighborhood(s): Sunnyslope Neighborhood Association
 Result Area(s): Welcoming and Livable Community

Sponsors:

Indexes:

Code sections:

Attachments: 1. Vicinity-Map, 2. CPC-ZC19-03 Decision, 3. Street System Map, 4. Public Comments received by 3:30 p.m. 7-8-19

Date	Ver.	Action By	Action	Result
7/8/2019	1	City Council	approved	Pass

TO: Mayor and City Council

THROUGH: Steve Powers, City Manager

FROM: Norman Wright, Community Development Director

SUBJECT:

City Council review of the Planning Commission May 8, 2019 decision approving a consolidated application to change the Comprehensive Plan Map designation and Zoning of an approximately 15.8-acre property located at 5187 Liberty Road S from "Developing Residential" with RA (Residential Agriculture) zoning to "Multifamily Residential" with RM-2 (Multiple Family Residential) zoning.

Ward(s): Ward 4
 Councilor(s): Leung
 Neighborhood(s): Sunnyslope Neighborhood Association
 Result Area(s): Welcoming and Livable Community

ISSUE:

Shall the City Council affirm, amend, or reverse the Planning Commission's decision for Comprehensive Plan Map change and Zone Change Case No. CPC-ZC19-03?

RECOMMENDATION:

Staff recommends that the City Council AFFIRM the May 8, 2019 Planning Commission's Decision.

SUMMARY:

The subject site is approximately 15.8 acres in size and located west of Liberty Road S approximately 275 feet north of Mildred Lane SE (**Attachment 1**). The Planning Commission approved the consolidated application for a Comprehensive Plan Map change and Zoning Map change application subject to conditions of approval (**Attachment 2**). City Council moved to call-up the decision for Council review.

FACTS AND FINDINGS:

Procedural Findings

1. On December 3, 2019, an application was submitted for a Comprehensive Plan Map change and Zone Change. On April 4, 2019, the application was deemed complete after additional requested materials were submitted.
2. On May 6, 2019, the Planning Commission held a public hearing and voted to approve the application subject to conditions of approval. On May 8, 2019, the Planning Commission issued a decision to approve the applications.
3. On May 28, 2019, at a regularly scheduled meeting, the City Council voted to initiate the review of the Planning Commission's decision. A public hearing before the City Council is scheduled for July 8, 2019.
4. The 120-day State mandated deadline for final decision is August 16, 2019, which includes an extension of 14-days.

Substantive Findings

1. The applicable criteria and considerations that must be satisfied for the approval of the Comprehensive Plan Map change in this case are included within SRC Chapter 64 under section 64.025(e)(2), and the Zone change (SRC Chapter 265) under section SRC 265.005.

Findings for the proposed Comprehensive Plan Map change and Zone change with the applicable approval criteria are included in the May 8, 2019 decision, which is included as **Attachment 2** to this report and incorporated by reference.

2. Equally or Better Suited Designation

The Planning Commission approved the applications after review of the applicable decision criteria and found that the site is equally or better suited as multi-family. The site is surrounded by streets, Liberty Road S, a Major Arterial and future local streets, Joynak Street and Big Mountain Avenue. An existing Major Arterial, Liberty Road S, runs north-south abutting the east property line of the site. A future Collector Street, Red Leaf Drive S is planned to run north-south through the abutting property to the west of the site. The subject property is well served by the arterial and collector street network in the vicinity. This existing and future street network provides efficient street capacity and access necessary to serve higher density development.

The proposed Multi-Family Residential designation is a logical extension of the existing Multi-Family Residential land surrounding the site to the north and west. The property abuts Liberty Road S to the east. As the South Salem neighborhood expands over time, a distinct land use pattern has developed in the vicinity that includes a multi-family or higher density uses near the intersection of Liberty Road S and Davis Road S, and then transitioning into single family residential neighborhoods farther south and east.

Multifamily development on the site would be subject to development standards adopted in the RM-2 zone (SRC Chapter 514), as well as Multiple Family Design Review Guidelines and Standards (SRC Chapter 702).

3. Housing Need Analysis (HNA)

The 2015 Housing Needs Analysis (HNA) identifies a projected deficit of approximately 207 acres of land designated for multifamily residential development. Although not adopted at this time, the HNA has been accepted by City Council and serves as the basis for a three-phase work plan adopted by the City to address the identified deficit of land for multifamily housing. The proposal to designate 15.8 acres from "Developing Residential" to "Multifamily Residential" addresses a housing need identified in the HNA and supported by recent studies showing the multifamily vacancy rate as less than 2.5 percent.

The proposal is consistent with the range of existing and planned housing unit types in the immediate vicinity, which includes a mix of Single Family Residential and Multifamily Residential designations. The access to existing arterial streets support the applicant's contention that the site is equally or better suited for multifamily residential development than most other vacant properties in the vicinity.

4. Street System

There are several planned or existing streets stubbed to the subject property which shall be extended through the development site. The following are planned and existing streets which must be extended through the property (**Attachment 3**):

- Joynak Street S: The existing Local Street is stubbed to the north line of the subject property. This street shall be extended into or through the subject property at the time of future development pursuant to SRC 803.035(a).

- Future Street from Davis to TL 101: Pursuant to CPC-NPC-ZC12-03 includes a condition to provide a Local street connection from Davis Road S to the southern boundary of Map and Tax Lot Number 083W16C / 101. The applicant shall be required to extend a Local street stub to the north line of the subject property abutting Map and Tax Lot Number 083W16C / 101 in an alignment that accommodates future extension through the neighboring property and its steep topography.
- Honey Bee Street S: CPC-ZC19-01 includes a north-south Local street extension of Honey Bee Street S to the north line of the subject property abutting Map and Tax Lot Number 083W16CD00600. The extension of this street into or through the subject property will be addressed in conjunction with the Site Plan Review application.
- Fire Cloud Avenue: SUB06-20AMOD1 includes an east-west Local street extension of Fire Cloud Avenue S within Map and Tax Lot 083W16CC / 1500 to the west line of the subject property. The applicant shall be required to extend a Local street stub to the west line of the subject property connecting to proposed Fire Cloud Avenue S within Map and Tax Lot Number 083W16CC / 1500.
- Eagle Dance Street and Big Mountain Avenue: Two existing Local streets extend to the south line of the subject property-Eagle Dance Street S and Big Mountain Avenue S. These streets shall be extended through subject property at the time of future development pursuant to SRC 803.035(a).

In addition, Marion County Tax Lot Number 083W16C / 800 abuts the southeast corner of the subject property. Pursuant to 803.035(a), the proposed development is required to provide connectivity to underdeveloped adjacent properties. The applicant shall be required to provide access to Map and Tax Lot Number 083W16C / 800 through the Local street system within the proposed development.

These streets provide a network for pedestrians, bicycles, and vehicles. The proposed street system in this area will provide circulation and access to the site and to the surrounding area. These street connections are conditions 3 and 4 of the Planning Commission decision **(Attachment 2)**.

The applicant has submitted a Traffic Impact Analysis (TIA), which identified the need for traffic signals at the intersection of Liberty Road S and Davis Road S and Liberty Road S and Mildred Land SE. The signalization of the two intersections are conditions 1 and 2 of the Planning Commission decision **(Attachment 2)**.

5. Additional Comments Received

Comments were received regarding traffic, school overcrowding, and objections to the density.

The Planning Commission responded to the objection through the findings in the May 8th decision. In summary, the Planning Commission found that the traffic concerns were

addressed by the Transportation Planning Rule (TPR) analysis, which included a TIA which mitigates the impact of the amendment to avoid further degradation to the performance of the facility as specified in the conditions of approval.

The Planning Commission found that the Salem-Keizer School District did not provide comments and according to the school district's Boundary Adjustment Task Force data, Crossler Middle School is under capacity without the use of portables. The school is also on the list for upgrades for the recent Bond approved. Additionally, school capacity is not an approval criterion for this application.

The Planning Commission found that the density of RM-II is needed to address the 2015 Housing Needs Analysis (HNA) which identified a deficit of approximately 207 acres of land designated for multifamily residential development. Although not adopted at this time, the HNA has been accepted by City Council and serves as the basis for a three-phase work plan adopted by the City to address the identified deficit of land for multifamily housing. The proposal to designate 15.8 acres from "Developing Residential" to "Multifamily Residential" addresses a housing need identified in the HNA and supported by recent studies showing the multifamily vacancy rate as less than 2.5 percent.

The proposal is consistent with the range of existing and planned housing unit types in the immediate vicinity, which includes a mix of Single Family Residential and Multifamily Residential designations. The access to existing arterial streets support the applicant's contention that the site is equally or better suited for multifamily residential development than most other vacant properties in the vicinity.

Olivia Glantz
Planner III

Attachments:

1. Vicinity Map
2. Planning Commission Decision
3. Street Connections