



# NOTICE of FILING

## LAND USE REQUEST AFFECTING THIS AREA

*There is a development proposal for the property listed in this notice and shown on the attached map. The City is seeking input from neighbors on the proposal. If you have questions or comments about the proposal, contact the case manager.*

*Esta carta es un aviso sobre una propuesta de desarrollo para la propiedad enumerada y que se muestra en el mapa adjunto. La ciudad está buscando la opinión de los vecinos sobre la propuesta. Si tiene preguntas o comentarios sobre la propuesta, póngase en contacto con nosotros al 503-588-6213.*

<b>CASE NUMBER:</b>	Subdivision Tentative Plan / Validation of Units of Land Case No. SUB-VUL24-06
<b>PROPERTY LOCATION:</b>	2441 Evergreen Ave NE, Salem OR 97301
<b>NOTICE MAILING DATE:</b>	October 23, 2024
<b>PROPOSAL SUMMARY:</b>	A validation of unit of land for one property, then a subdivision to divide the area to create seven townhouse lots and open space.
<b>COMMENT PERIOD:</b>	<b>All written comments must be submitted to City Staff no later than 5:00 p.m., Wednesday, November 6, 2024. Please direct any questions and/or comments to the Case Manager listed below, or submit comments online at <a href="https://egov.cityofsalem.net/PlanningComments">https://egov.cityofsalem.net/PlanningComments</a>. Comments received after the close of the comment period will not be considered. Note: Comments submitted are <u>public record</u>. This includes any personal information provided in your comment such as name, email, physical address and phone number.</b>
<b>CASE MANAGER:</b>	<b>Jacob Brown, Planner II</b> , City of Salem Planning Division, 555 Liberty Street SE, Room 305, Salem, Oregon 97301. Telephone: 503-540-2347; E-mail: <a href="mailto:jrbrown@cityofsalem.net">jrbrown@cityofsalem.net</a>
<b>NEIGHBORHOOD ASSOCIATION:</b>	<i>Neighborhood associations are volunteer organizations of neighbors coming together to make neighborhoods the best they can be. They receive notice of land use applications within their boundaries, and they often submit comments on the applications to the City. Neighborhood association meetings are open to everyone. Contact your neighborhood association to get involved:</i>  North Lancaster Neighborhood Association (NOLA), Dennis Will, Land Use Chair; Phone 503-931-2105; Email: <a href="mailto:elephant2@comcast.net">elephant2@comcast.net</a> .
<b>ACCESS:</b>	The Americans with Disabilities Act (ADA) accommodations will be provided on request.
<b>CRITERIA TO BE CONSIDERED:</b>	Salem Revised Code (SRC) Chapters 205.010(d) – Subdivision Tentative Plan; 205.060(d) – Validation of Unit of Land  Salem Revised Code (SRC) is available to view at this link: <a href="http://bit.ly/salemorcode">http://bit.ly/salemorcode</a> . Type in the chapter number(s) listed above to view the applicable criteria.

<b>PROPERTY OWNER(S):</b>	Jose Gonzalez, Tu Casa Real Estate
<b>APPLICANT(S):</b>	Nicholas Rhoten
<b>PROPOSAL REQUEST:</b>	A consolidated application to validate one unit of land unlawfully created by deed and a tentative subdivision to divide approximately .73 acres to create seven townhouse parcels and open space.
<b>APPLICATION PROCESS:</b>	<p>The subject property is approximately .73 acres in size, zoned RS (Single Family Residential), and located at the 2441 Evergreen Avenue NE – 97301 (Marion County Assessor’s Map and Tax Lot number: 073W13CD1/ 0100/ 0101/ 0000).</p> <p>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.</p> <p>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.</p>
<b>MORE INFORMATION:</b>	All documents and evidence submitted by the applicant are available on the City’s online Permit Application Center at <a href="https://permits.cityofsalem.net">https://permits.cityofsalem.net</a> . You can use the search function without registering and enter the permit number listed here: 24 107821. Paper copies can be obtained for a reasonable cost.

**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 información, por favor llame 503-588-6173*

**REGARDING:** Subdivision Tentative Plan / Validation of Units of Land Case No. SUB-VUL24-06

**PROJECT ADDRESS:** 2441 Evergreen Ave NE, Salem OR 97301

**AMANDA Application No.:** 24-107821-PLN

**COMMENT PERIOD ENDS:** Wednesday, November 6, 2024, at 5:00 p.m.

**SUMMARY:** A validation of unit of land for one property, then a subdivision to divide the area to create seven townhouse lots and open space.

**REQUEST:** A consolidated application to validate one unit of land unlawfully created by deed and a tentative subdivision to divide approximately .73 acres to create seven townhouse parcels and open space.

The subject property is approximately .73 acres in size, zoned RS (Single Family Residential), and located at the 2441 Evergreen Avenue NE – 97301 (Marion County Assessor’s Map and Tax Lot number: 073W13CD1/ 0100/ 0101/ 0000).

The Planning Division is interested in hearing from you about the attached proposal. Staff will prepare a Decision that includes consideration of comments received during this comment period. We are interested in receiving pertinent, factual information such as neighborhood association recommendations and comments of affected property owners or residents. 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.

**Comments received by 5:00 p.m., Wednesday, November 6, 2024**, will be considered in the decision process. Comments received after this date will be not considered. *Comments submitted are public record. This includes any personal information provided in your comment such as name, email, physical address and phone number. 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 your comments to the Case Manager listed below, or submit comments online at <https://egov.cityofsalem.net/PlanningComments>*

**CASE MANAGER:** Jacob Brown, Planner II, City of Salem, Planning Division; 555 Liberty St SE, Room 305, Salem, OR 97301; Phone: 503-540-2347; E-Mail: [jbrown@cityofsalem.net](mailto:jbrown@cityofsalem.net).

For information about Planning in Salem, please visit: <http://www.cityofsalem.net/planning>

**PLEASE CHECK THE FOLLOWING THAT APPLY:**

- 1. I have reviewed the proposal and have no objections to it.
- 2. I have reviewed the proposal and have the following comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Name/Agency: \_\_\_\_\_

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

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

Email: \_\_\_\_\_

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

**IMPORTANT: IF YOU MAIL COMMENTS, PLEASE FOLD AND RETURN THIS POSTAGE-PAID FORM**



NO POSTAGE  
NECESSARY  
IF MAILED  
IN THE  
UNITED STATES

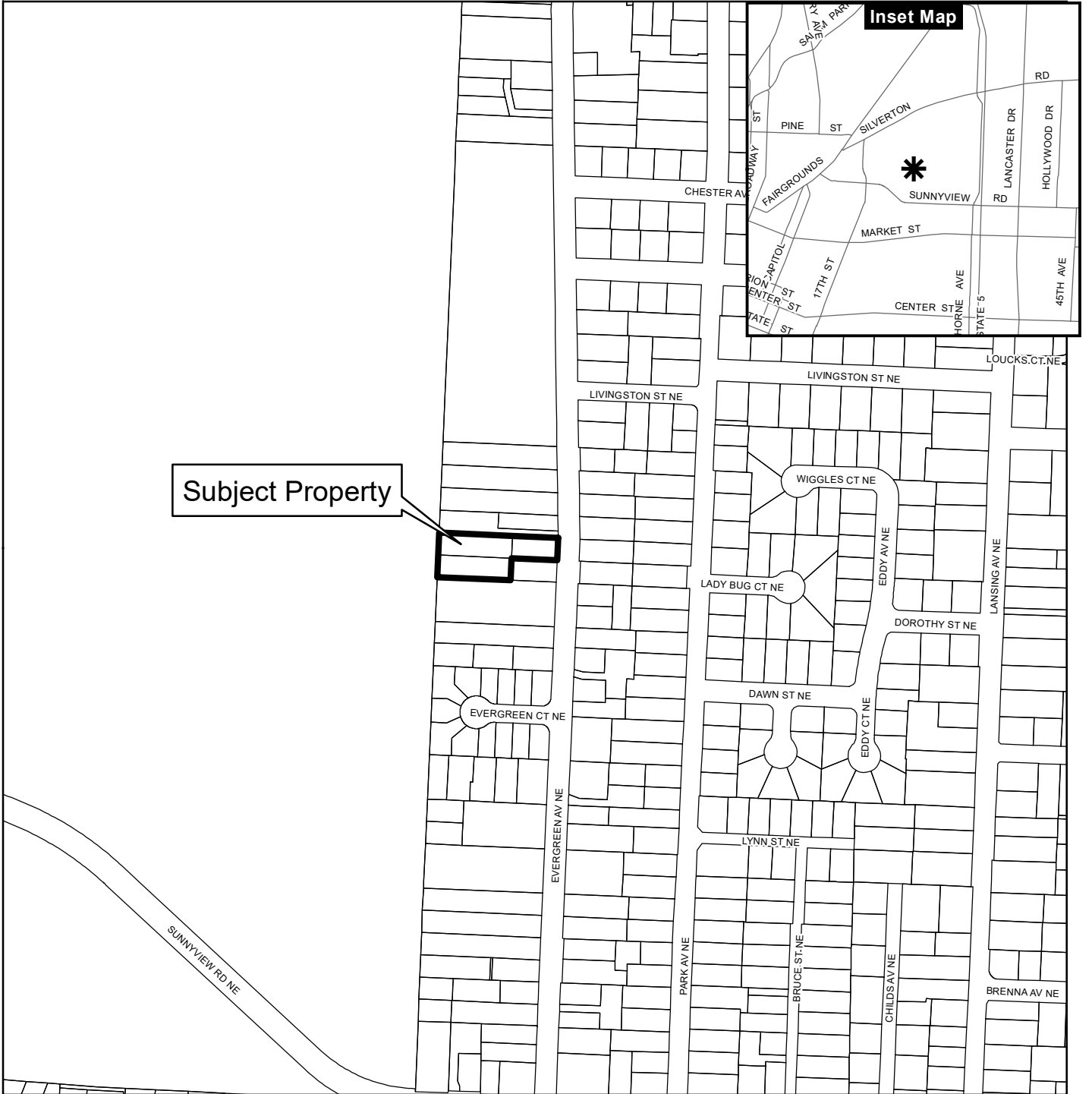
**BUSINESS REPLY MAIL**  
FIRST-CLASS MAIL PERMIT NO. 1508 SALEM, OR

POSTAGE WILL BE PAID BY ADDRESSEE

PLANNING DIVISION  
CITY OF SALEM RM 305  
555 LIBERTY ST SE  
SALEM OR 97301-9907



# Vicinity Map 2441 Evergreen Avenue NE



Subject Property

### Legend



Taxlots



Urban Growth Boundary



City Limits



Outside Salem City Limits



Historic District



Schools



Parks



Community Planning and Development

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.





FOR  
**JOSE GONZALEZ**  
 PART OF LOT 0 OF GARDEN ROAD FRUIT TRACTS  
 IN THE SW 1/4 OF SECTION 13, T. 7 S., R. 3 W., W.M.  
 SALEM, MARION COUNTY, OREGON  
 JUNE 15, 2023

LEGEND

- = Found Monument as noted, flush with ground surface and in good condition unless otherwise noted
- = Set 5/8"X30" Iron Rod with Yellow Plastic Cap Marked "AZIMUTH SURVEYING"
- ( ) = Data of Record
- { } = Data Computed from one or more Record Sources as noted
- [ ] = Surveyor, File Number for survey in which monument probably originated
- I.R. = Iron Rod
- x-x- = Fence



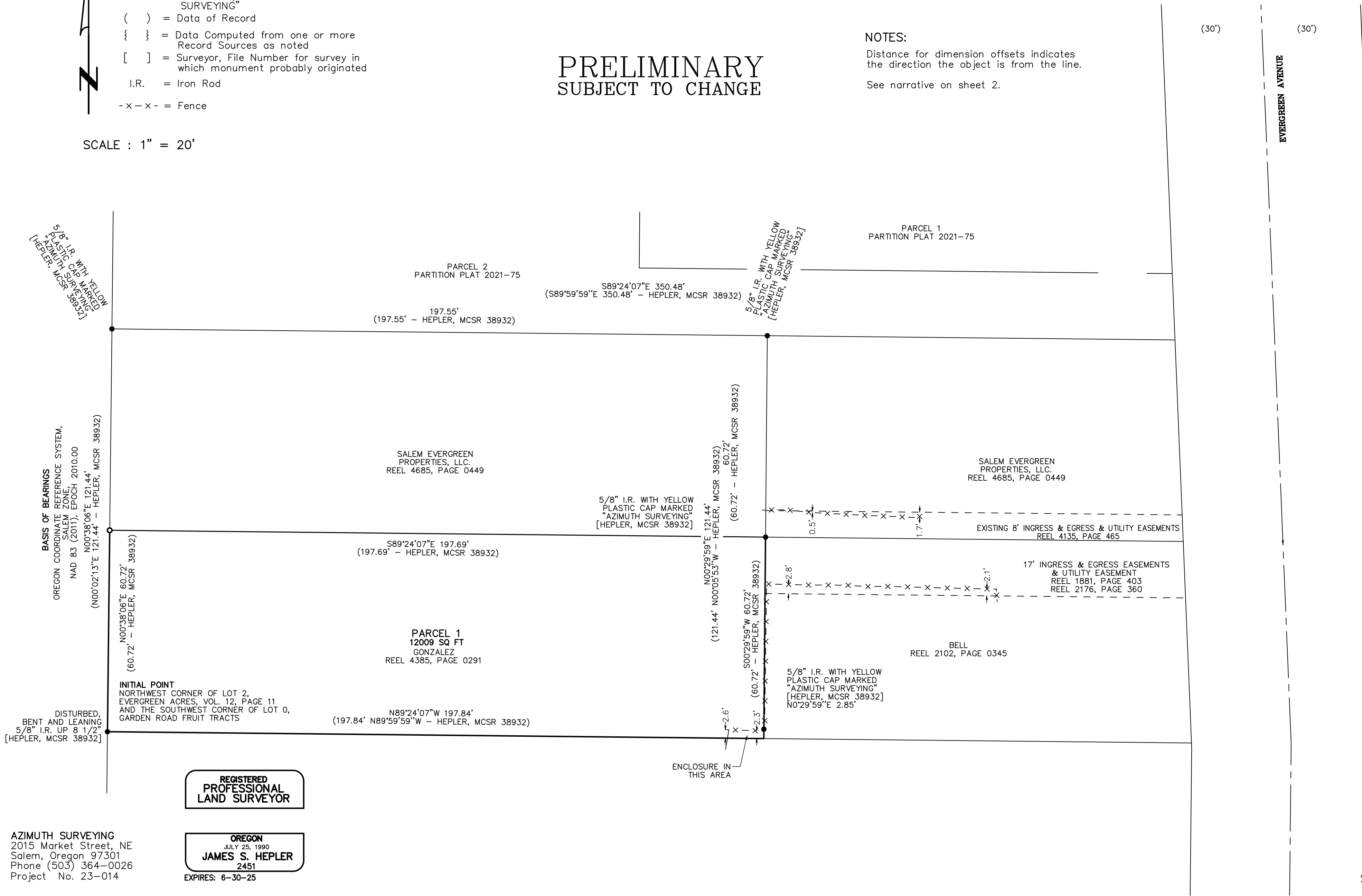
SCALE : 1" = 20'

**PRELIMINARY  
 SUBJECT TO CHANGE**

NOTES:

Distance for dimension offsets indicates the direction the object is from the line.

See narrative on sheet 2.



**REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR**

**OREGON**  
 JULY 25, 1990  
**JAMES S. HEPLER**  
 2451  
 EXPIRES: 6-30-25

**AZIMUTH SURVEYING**  
 2015 Market Street, NE  
 Salem, Oregon 97301  
 Phone (503) 364-0026  
 Project No. 23-014