



Community Dev. & Planning

117 N Molalla Avenue

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Notice of Hearing for Re-zoning Property

Date of Notice: December 4, 2014

Date of Hearing: January 7th, 2015 6:30 P.M.

Location of Hearing: 117 N. Molalla Ave., Molalla, OR 97038

File No.: P44-2014

Legal Description: Township 5 South, Range 2 East, Section 07 AA, Tax Lot 2700 & 2800

Address: 1118 Toliver Rd.

Applicant: Frank Walker & Associates

Owner: Donald R. Itschner Trust

Proposal: Amend the comprehensive plan map, and re-zone the property from R-1 Low Density Residential to R-3 High Density Residential for the property located at 1118 Toliver Rd.

Current Use: One single-family residence, one shop building

This application is to re-zone two adjacent and abutting properties from R-1 low density residential to R-3 high density residential. The applicant's intention is to consolidate the two properties into one, and then develop the parcel with high-density housing. Pursuant to subsection 17.08.020 (R-3) permitted uses include, but are not limited to: single-family, duplex, multifamily, group homes, group facilities and parks. A full list of permitted, accessory and conditional uses can be found in the Molalla Development Code at www.qcode.us/codes/molalla/.

The application will be reviewed based on criteria set forth by the MDC section 19.28.030:

1. Approval of the request is consistent with the Statewide Planning Goals;
2. Approval of the request is consistent with the Comprehensive Plan;
3. The property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided in the planning period; and
4. The change is in the public interest with regard to neighborhood or community conditions, or corrects a mistake or inconsistency in the comprehensive plan or land use district map regarding the property which is the subject of the application; and

5. The amendment conforms to applicable administrative rules of the Oregon Land Conservation and Development Commission, including the transportation planning rules. (Ord. 2010-15 §1; Ord. 2010-04 §1)

Additional information about this application can be found by:

1. Visiting Molalla City Hall, 117 N. Molalla Ave., Molalla OR 97038
2. Contacting Community Planner Nicolas Lennartz, 503-759-0219, nlennartz@cityofmolalla.com (email is preferred to reduce car trips and save on paper)

Failure of an issue to be raised in a hearing, in person or by letter, or failure to provide statements or evidence sufficient to afford the decision maker an opportunity to respond to the issue precludes appeal to LUBA based on that issue.

A copy of the application, all documents and evidence submitted by or on behalf of the applicant and applicable criteria are available for inspection at no cost and will be provided at a reasonable cost.

A copy of the staff report will be available for inspection at no cost at least 7 days prior to the hearing. Copies shall be provided at a reasonable cost upon request.

You may attend, offer testimony or seek information at the hearing. Any correspondence received in advance of the meeting will be forwarded to the hearing body.

Written testimony will be received by the City of Molalla until the day of the hearing, and should be addressed or emailed to: Nicolas Lennartz, 117 N. Molalla Ave, Molalla OR, 97038, nlennartz@cityofmolalla.com; note that email is preferred. Please ensure your name and address are included in the written testimony.

Oral testimony may be offered during the hearing. The Planning Commission may set reasonable time limits for oral presentations and may limit or exclude cumulative, repetitious, irrelevant or personally derogatory testimony or evidence. Oral testimony will not be accepted after the close of the public hearing. Written testimony may be received after the close of the public hearing as allowed by the Planning Commission.

Site characteristics:

The site in total is 5.28 acres residing in NW Molalla, with frontage along Toliver Road to the North and Molalla Forest Road to the West. Currently the site has one single family residence and one shop building on the north side of taxlot 2700 with access off of Toliver Rd. The site is relatively level, yet there is a small creek running through the center of both properties, with a potentially jurisdictional wetland occupying a portion of both properties. The surrounding areas are zoned and used as follows:

North: R-1 (Low Density Residential) across from Toliver Rd.

South: R-1 (Low Density Residential)

East: PSP (Public and Semi-Public)

West: M-1 (Light Industrial) across from Molalla Forest Rd.

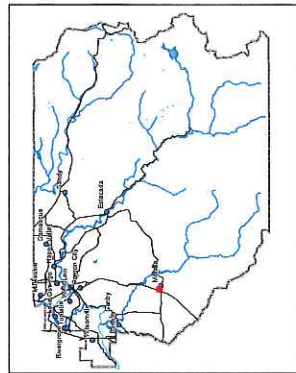
Map on following page:

5 2 E 07 AA

N.E. 1/4 N.E. 1/4 SEC. 7 T.5S. R.2E. W.M.
Clackamas County
1" = 100'

Cancelled Taxlots
2500
2501
2502
2503
2504

- Parcel Boundary
- Private Road ROW
- Historical Boundary
- Railroad Centeline
- Tax Code Lines
- Map Index
- Water Lines
- Land Use Zoning
- Plats
- Water
- Corner
- Section Center
- 1/16th Line
- Govt Lot Line
- DLC Line
- Meander Line
- PLSS Section Line
- Historic Corridor 40'
- Historic Corridor 20'



THIS MAP IS FOR ASSESSMENT
PURPOSES ONLY



5 2 E 07 AA

