

NOTICE OF DECISION

PLANNING DIVISION
555 LIBERTY ST. SE, RM 305
SALEM, OREGON 97301
PHONE: 503-588-6173
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*Si necesita ayuda para comprender esta informacion, por favor llame
503-588-6173*

DECISION OF THE PLANNING ADMINISTRATOR

SUBDIVISION / CLASS 2 ADJUSTMENT / CLASS 1 ADJUSTMENT CASE NO.:
SUB-ADJ20-01

APPLICATION NO.: 19-120764-LD / 20-101161-ZO / 20-101162-ZO

NOTICE OF DECISION DATE: MARCH 6, 2020

SUMMARY: A tentative subdivision plan to divide approximately 5.7 acres into 45 lots.

REQUEST: A tentative subdivision plan to divide approximately 5.7 acres into 45 lots ranging in size from 4,000 to 7,810 square feet in size. The applicant is requesting an alternative street standard to allow landscape and water quality features for the proposed cul-de-sacs, and Adjustments for the following standards:

- 1) Class 2 Adjustment to increase the number of lots served by a flag lot accessway from 4 lots to 8 lots;
- 2) Class 2 Adjustment to reduce the street frontage requirement for lot 16 from 30 feet to approximately 21 feet; and
- 3) Class 1 Adjustment to reduce the lot depth requirement for double frontage lots 15 and 16.

For property approximately 5.7 acres in size, zoned RS (Single-Family Residential), and located at 2600 Center Street NE - 97301 (Marion County Assessors Map and Tax Lot number: 073W24C / 00100).

APPLICANT: Mountain West Investment Corporation

LOCATION: 2575 Center St NE

CRITERIA: Salem Revised Code (SRC) Chapters: Subdivision SRC 205.010(d), Class 2 Adjustment SRC 250.005(d)(2), Class 1 Adjustment SRC 250.005(d)(1).

FINDINGS: The findings are in the attached Decision dated March 6, 2020.

DECISION: The **Planning Administrator APPROVED** Subdivision / Class 2 Adjustment / Class 1 Adjustment Case No. SUB-ADJ-ADJ20-01 subject to the following conditions of approval:

Condition 1: Prior to the recording of a final plat for the proposed subdivision the final subdivision plats approved by SUB-UGA17-05 and CPC-ZC-SUB-ADJ19-02 shall be recorded.

Condition 2: "NO PARKING—FIRE LANE" signs shall be posted on both sides of the segments of the proposed flag lots accessways that are fire apparatus roadways and "NO PARKING" signs shall be posted on both sides of the remainder of the accessways.

Condition 3: Complete applicable requirements of land use case number CPC-ZC-SUB19-02 as follows:

- a. Condition 8 (D Street Improvements): Construct half-street improvements along D Street NE from 25th Street NE to Park Avenue NE.
- b. Condition 9 (Park Avenue Improvements): Construct half-street improvements along Park Avenue NE abutting the subject property (Lot 1 of CPC-ZC-SUB19-02)
- c. Condition 12 (TIA Mitigation):
 - i. Condition 3 (D Street NE and 23rd Street NE Intersection) – This condition shall be required at the time cumulative transportation impacts exceed 2,380 average daily trips within the property approved under SUB-UGA17-05.
 - ii. Condition 4 (Center Street NE and 17th Street NE) – The proportional share for future improvements to the Center Street NE and 17th Street NE intersection shall be \$133 per ADT, to be paid at the time of building permit issuance. This fee amount shall be adjusted annually based on the December to December Engineering News Record Averaged Rates for Los Angeles, Seattle, and San Francisco.

Condition 4: Design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.

Condition 5: Streets internal to the subdivision shall be privately owned and maintained. Prior to final plat, the applicant shall have recorded covenants, conditions, and restrictions in accordance with SRC 803.020(b)(3).

Condition 6: Driveway access for proposed Lot 16 shall be provided on the private alley, not the private cul-de-sac.

Condition 7: The adjusted development standards, as approved in this zoning adjustment, shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to all applicable development standards of the UDC, unless adjusted through a future land use action.

The rights granted by the attached decision must be exercised, or an extension granted, by March 24, 2022 or this approval shall be null and void.

Application Deemed Complete:	<u>January 10, 2020</u>
Notice of Decision Mailing Date:	<u>March 6, 2020</u>
Decision Effective Date:	<u>March 24, 2020</u>
State Mandate Date:	<u>May 9, 2020</u>

Case Manager: Aaron Panko, APanko@cityofsalem.net, 503-540-2356

This decision is final unless written appeal from an aggrieved party is filed with the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem OR 97301, no later than 5:00 p.m., Monday, March 23, 2020. The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapter(s) 205 and 250. The appeal must be filed in duplicate with the City of Salem Planning Division. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Planning Commission will review the appeal at a public hearing. After the hearing, the Planning Commission may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

The complete case file, including findings, conclusions and conditions of approval, if any, is available for review at the Planning Division office, Room 320, City Hall, 555 Liberty Street SE, during regular business hours.

<http://www.cityofsalem.net/planning>

**BEFORE THE PLANNING ADMINISTRATOR
OF THE CITY OF SALEM
(TENTATIVE SUBDIVISION AND ADJUSTMENT CASE NO. 20-01)**

*Si necesita ayuda para comprender esta información, por favor llame 503-588-6173
<http://www.cityofsalem.net/planning>*

IN THE MATTER OF THE)	FINDINGS AND ORDER
APPROVAL OF TENTATIVE SUBDIVISION)	
AND ADJUSTMENT CASE NO. 20-01;)	
2600 CENTER STREET NE)	MARCH 6, 2020

REQUEST

Summary: A tentative subdivision plan to divide approximately 5.7 acres into 45 lots.

Request: A tentative subdivision plan to divide approximately 5.7 acres into 45 lots ranging in size from 4,000 to 7,810 square feet in size. The applicant is requesting an alternative street standard to allow landscape and water quality features for the proposed cul-de-sacs, and Adjustments for the following standards:

- 1) Class 2 Adjustment to increase the number of lots served by a flag lot accessway from 4 lots to 8 lots;
- 2) Class 2 Adjustment to reduce the street frontage requirement for lot 16 from 30 feet to approximately 21 feet; and
- 3) Class 1 Adjustment to reduce the lot depth requirement for double frontage lots 15 and 16.

For property approximately 5.7 acres in size, zoned RS (Single-Family Residential), and located at 2600 Center Street NE - 97301 (Marion County Assessors Map and Tax Lot number: 073W24C / 00100).

DECISION

The tentative subdivision plan is APPROVED subject to the applicable standards of the Salem Revised Code, the findings contained herein, and the following conditions of final plat approval, unless otherwise indicated:

- Condition 1:** Prior to the recording of a final plat for the proposed subdivision the final subdivision plats approved by SUB-UGA17-05 and CPC-ZC-SUB-ADJ19-02 shall be recorded.
- Condition 2:** "NO PARKING—FIRE LANE" signs shall be posted on both sides of the segments of the proposed flag lots accessways that are fire apparatus roadways and "NO PARKING" signs shall be posted on both sides of the remainder of the accessways.

- Condition 3:** Complete applicable requirements of land use case number CPC-ZC-SUB19-02 as follows:
- a. Condition 8 (D Street Improvements): Construct half-street improvements along D Street NE from 25th Street NE to Park Avenue NE.
 - b. Condition 9 (Park Avenue Improvements): Construct half-street improvements along Park Avenue NE abutting the subject property (Lot 1 of CPC-ZC-SUB19-02)
 - c. Condition 12 (TIA Mitigation):
 - i. Condition 3 (D Street NE and 23rd Street NE Intersection) – This condition shall be required at the time cumulative transportation impacts exceed 2,380 average daily trips within the property approved under SUB-UGA17-05.
 - ii. Condition 4 (Center Street NE and 17th Street NE) – The proportional share for future improvements to the Center Street NE and 17th Street NE intersection shall be \$133 per ADT, to be paid at the time of building permit issuance. This fee amount shall be adjusted annually based on the December to December Engineering News Record Averaged Rates for Los Angeles, Seattle, and San Francisco.
- Condition 4:** Design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.
- Condition 5:** Streets internal to the subdivision shall be privately owned and maintained. Prior to final plat, the applicant shall have recorded covenants, conditions, and restrictions in accordance with SRC 803.020(b)(3).
- Condition 6:** Driveway access for proposed Lot 16 shall be provided on the private alley, not the private cul-de-sac.
- Condition 7:** The adjusted development standards, as approved in this zoning adjustment, shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to all applicable development standards of the UDC, unless adjusted through a future land use action.

PROCEDURAL FINDINGS

1. On October 15, 2019, an application for a Tentative Subdivision Plan was filed proposing to divide a 5.7 acre portion of property into 45-lots located at the 2600 Block of Center Street NE (**Attachment A**).
2. Class 2 and Class 1 Adjustment applications were submitted on January 2, 2020.

3. The applications were deemed complete for processing on January 10, 2020. Notice to surrounding property owners and tenants was mailed pursuant to Salem Revised Code on January 10, 2020. The state-mandated local decision deadline is May 9, 2020.

SUBSTANTIVE FINDINGS

1. Background

The property was formerly the North Campus of the Oregon State Psychiatric Hospital. In 2012, the hospital vacated the property and consolidated all their operations to a newly rebuilt facility across Center Street NE to the south. Several former hospital buildings on the east side of the subject property were demolished in early 2017, leaving the eastern part of the property, east of 25th Street, clear of structures and ready for future redevelopment. There are two former hospital buildings remaining on the property - Dome Building near the southwest corner of the site and Yaquina Hall near the middle of the western half of the property. Dome Building is currently being used as administrative offices for a state agency. The Salem Housing Authority is in the process of acquiring Yaquina Hall for a planned conversion of the former nurse's dormitory into 50 affordable housing units.

The property has been state owned land used for institutional purposes for over one hundred years. The southern half of the subject property was annexed into the City of Salem in 1909 and the northern half was annexed in 1946, but the site is not within the City's Urban Service Area. The surrounding land to the north and east is developed primarily with single family dwellings on individual lots mostly built in the mid twentieth century.

2. Proposal

The tentative plan proposes to divide the property into 45 lots for residential development (**Attachment B**), with lots ranging in size from 4,000 square feet to 7,810 square feet. Access for each of the proposed 45-lots will be by internal private street, private alley or accessway, none of the lots will have direct driveway access to D Street NE or Park Avenue NE.

The applicant has not proposed any specific phasing for the subdivision or residential development. The applicant's written statement is included as **Attachment C**.

3. Existing Conditions

Site and Vicinity

A subdivision was approved to divide the former North Campus property into five lots (SUB-UGA17-05). A second subdivision (CPC-ZC-SUB-ADJ19-02) was granted to further divide proposed Lot 5 from SUB-UGA17-05 into four lots. The current subdivision request is to further divide proposed Lot 1 of CPC-ZC-SUB-ADJ19-02 which is approximately 5.7 acres in size, into 45 single family residential lots.

Prior to the recording of a final plat for the proposed 45-lot subdivision, the two previous subdivision plats need to be recorded.

Condition 1: Prior to the recording of a final plat for the proposed subdivision the final subdivision plats approved by SUB-UGA17-05 and CPC-ZC-SUB-ADJ19-02 shall be recorded.

Salem Area Comprehensive Plan (SACP) Designation

Urban Growth Policies: The subject property is located inside of the Salem Urban Growth Boundary and inside the corporate city limits.

Comprehensive Plan Map: The subject property is designated “Single Family Residential” on the Salem Area Comprehensive Plan (SACP) Map. The surrounding properties are designated as follows:

- North: Across D Street NE – Single Family Residential
- South: Multiple Family Residential, and CSH – Community Services – Hospital
- East: Across Park Avenue NE – Multiple Family Residential
- West: Multiple Family Residential, and CSH – Community Service – Hospital

Urban Growth Policies: The subject property is located inside of the Salem Urban Growth Boundary and inside the corporate city limits.

Growth Management: The subject property is located outside of the City’s Urban Service Area.

Zoning and Surrounding Land Use

The subject property is zoned RS (Single Family Residential) and is currently occupied by a single-family residence. The surrounding properties are zoned and used as follows:

- North: Across D Street NE – RS (Single Family Residential); single family dwellings
- South: RM-II (Multiple Family Residential); proposed 246-unit apartment complex and PH (Public and Private Health Services); vacant
- East: Across Park Avenue NE – RD (Duplex Residential); single family dwellings

West: RM-II (Multiple Family Residential); proposed 246-unit apartment complex and Across 25th Street NE - PH (Public and Private Health Services); future city park

Natural Features

The subject property is approximately 204-208 feet above mean sea level and is essentially flat, with less than 4 feet of total elevation change. The subject property does not contain any heritage or riparian trees, one significant tree (Oregon white oak greater than 24-inches in diameter) is located adjacent to the subject property in the right-of-way near the intersection of proposed 25th Street NE and D Street NE, this tree is designated as protected on the applicant's tree conservation plan.

According to the Salem-Keizer Local Wetland Inventory (LWI), there are no wetland areas mapped on the subject property. Public Works staff has reviewed the Flood Insurance Study and Flood Insurance Rate Maps and has determined that no floodplain or floodway areas exist on the subject property.

Relationship to Urban Service Area

The subject property is located outside of the City's Urban Service Area. An Urban Growth Area Preliminary Declaration (SUB-UGA17-05) has been granted to determine the public facilities required for the subject property.

Infrastructure

Water: The subject property is located within the G-0 water service level. A 24-inch steel water line is located within an easement on the west side of 23rd Street NE, a 24-inch steel water line is located in D Street NE, and a 10-inch water line is located in Park Avenue NE.

Sewer: A 4-inch sewer line is located in Park Avenue NE and a 10-inch sewer line is located in D Street NE. The North Campus site is currently served by a private sewer system that is combined with the discharge for the South Campus site.

Storm Drainage: A 6-inch storm line is located in Park Avenue NE and a 12-inch storm line is located in D Street NE. An abandoned 6-inch storm line bisects the property. The pipe remains in place but is no longer in service.

Streets: D Street NE abuts the northern boundary of the subject property, and is designated as a Minor Arterial in the Salem Transportation System Plan (TSP).

- The standard for this street classification is a 46-foot improvement within a 72-foot right-of-way.

- The abutting portion of D Street NE has an approximate 40-foot improvement within 50-foot-wide right-of-way abutting the subject property.

Park Avenue NE abuts the eastern boundary of the subject property and is designated as a collector street in the TSP.

- The standard for this street classification is a 34-foot-wide improvement within a 60-foot-wide right-of-way.
- The abutting portion of Park Avenue NE has an approximate 30-foot-wide improvement within a 40-foot-wide right-of-way, with the exception of the improved intersection at Park Avenue NE and Center Street NE.

25th Street NE abuts the western boundary of the subject property, and is designated as a future local street in the TSP.

- This street has a variable 16 to 20-foot-wide improvement on private property abutting the subject property and will be improved to meet the Local street standard in conjunction with land use case SUB-UGA17-05.

4. Land Use History

- **Tentative Subdivision and Urban Growth Area Preliminary Declaration Case No. SUB-UGA17-05:** To divide approximately 47 acres of the former North Campus of the Oregon State Hospital into 5 lots, ranging in size from 1.78 acres to 25.18 acres.
- **Minor Comprehensive Plan Amendment, Zone Change, Tentative Subdivision, and Class 2 Adjustment Case No. CPC-ZC-SUB-ADJ19-02:** To change the map designations for a portion of the North Campus from “Community Services – Health” to “Single Family Residential” and “Multiple Family Residential”, changing the zoning from PH (Public and Private Health Services) to RS (Single Family Residential) and RM-II (Multiple Family Residential), and a subdivision to further divide Lot 5 of SUB-UGA17-05.
- **Class 3 Design Review, Class 3 Site Plan Review, Class 2 Adjustment, and Class 2 Driveway Approach Permit Case No. DR-SPR-ADJ-DAP19-11:** Development of a 246-unit multiple family residential apartment complex.

5. Public and Private Agency Review

Public Works Department – The City of Salem Public Works Department, Development Services Section, reviewed the proposal and has provided a memo included as **Attachment D**.

Fire Department – The Salem Fire Department reviewed the proposal and commented that water supply is not shown on the site plan. All portions of the dwellings are required to be within 600 feet of a fire hydrant, as measured along an approved route.

Building and Safety Division – The Building and Safety Division has reviewed the proposal and indicated no concerns.

Salem-Keizer School District – No comments.

Cherriots – No comments.

6. Neighborhood Association Comments

The subject property is not located within the boundaries of a neighborhood association, however, the North Campus property is adjacent to two neighborhoods, Northeast Neighbors (NEN) and Northeast Salem Community Association (NESCA). Notice of the application was provided to the neighborhood association, pursuant to SRC 300.620(b)(2)(B)(v), which requires public notice to be sent to “any City-recognized neighborhood association whose boundaries include, or are adjacent to, the subject property.” No comments were received from NEN or NESCA.

7. Public Comments

All property owners and addresses within 250 feet of the subject property were mailed notification of the proposed subdivision. Prior to the comment deadline, three public comments were received objecting to the proposal. The concerns raised, and a staff response, are summarized below:

- Comments expressed concern that the proposal will result in increased traffic.

Staff Response: The proposed subdivision will result in boundary street improvement requirements for D Street NE, Park Avenue NE and 25th Street NE along the frontage of the subject property. Because the proposed development will not generate traffic volumes sufficient to require a traffic impact analysis (TIA) under SRC 803.015, off-site mitigation to the existing transportation system is not warranted as a condition of the proposed development. However, a TIA was previously done for the subject property and the proposed subdivision is required to comply with all application conditions of approval relating to traffic improvements identified by previous land use decisions. The Assistant City Traffic Engineer has had an opportunity to review the proposal and has indicated that as proposed, the street network will provide for safe, orderly, and efficient circulation of traffic into, through, and out of the subdivision.

- Loss of park land, wildlife habitat.

Staff Response: The subject property has not been identified as a significant wildlife habitat by state wildlife management agencies or by the City. The subject property is located within the Urban Growth Boundary and incorporated limits of the City of Salem, and has been designated on the City of Salem Comprehensive Plan Map as “Single Family Residential,” which anticipates existing or future residential development similar to the subdivision proposed by the applicant. Loss of wildlife habitat that has not been identified as significant is not a criterion under the Salem Revised Code for granting or denying a tentative subdivision approval.

In regards to impacts on open space, the Salem Area Comprehensive Plan has adopted goals, policies, and plan map designations to protect identified open space areas. The subject property has not been identified as a natural open space area. The Comprehensive Plan Map designates the subject property as “Single Family Residential.” While currently undeveloped, the subject property is located within an already developed residential area within the corporate limits of the City of Salem, and changes to the landscape from future residences in the proposed subdivision are not expected to exceed what would occur from the presumed development of land within the City zoned for single family residential development.

- Comments expressed that flag lots should not be permitted for this subdivision.

Staff Response: Two of the 45 proposed lots (proposed lots 12 and 13) are considered flag lots by definition. SRC 800.025(e) provides that within a subdivision, up to 15 percent of the lots may be flag lots. The two proposed flag lots account for 4.4 percent of the total lots in the subdivision, less than the maximum code allowance. The applicant is requesting an Adjustment to increase the maximum number of lots that can be served by a flag lot accessway to a total of 8. This configuration allows for driveway access to be provided interior to the subdivision, away from view of the surrounding existing neighborhood. Findings for the Adjustment are included in Section 9 of this report.

8. Criteria for Granting a Tentative Subdivision

The Salem Revised Code (SRC), which includes the Unified Development Code (UDC), implements the Salem Area Comprehensive Plan land use goals, and governs development of property within the city limits. The subdivision process reviews development for compliance with City standards and requirements contained in the UDC, the Salem Transportation System Plan (TSP), and the Water, Sewer, and Storm Drain System Master Plans. A second review occurs for the created lots at the time of site plan review/building permit review to assure compliance with the UDC. Compliance with conditions of approval to satisfy the UDC is checked prior to city staff signing the final subdivision plat.

SRC Chapter 205.010(d) sets forth the criteria that must be met before approval can be granted to a subdivision request. The following subsections are organized with approval criteria shown in bold, followed by findings of fact upon which the Planning Administrator's decision is based. The requirements of SRC 205.010(d) are addressed within the specific findings which evaluate the proposal's conformance with the applicable criteria. Lack of compliance with the following criteria is grounds for denial of tentative plan or for the issuance of conditions of approval to more fully satisfy the criteria.

SRC 205.010(d)(1): The tentative subdivision complies with all 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.

SRC Chapter 511 (Single Family Residential): The proposed subdivision would divide the subject property, proposed Lot 1 from CPC-ZC-SUB-ADJ19-02, which is approximately 5.7-acres in size into 45 lots. The subject property is zoned RS (Single Family Residential). The minimum lot area requirements of the RS zone are established under SRC 511.010(a) as follows:

Lot Standards for RS zone (see SRC Chapter 511, Table 511-2)

Requirement	Minimum Standard
Lot Area (Single Family)	4,000 square feet
Lot Width	40 feet
Lot Depth (Single Family)	70 feet, 120 feet applicable to double frontage lots
Street Frontage	40 feet, 30 feet applicable to lots fronting on the turnaround of a cul-de-sac street

Proposed lots in the subdivision range from approximately from 4,000 square feet to 6,896 square feet in size. The proposed lots exceed minimum lot area, dimension, and frontage requirements and therefore conform to the applicable standards. The proposed lots within the subdivision are also of sufficient size and dimension to permit future development of uses allowed within the zone.

SRC 511.010(a) establishes a minimum lot depth of 120 feet for double frontage lots. Proposed lots 15 and 16 are double frontage lots, with frontage and D Street NE and an unnamed cul-de-sac. Lots 15 and 16 are approximately 114 feet in depth, less than the minimum standard. The applicant has requested a Class 1 Adjustment to reduce the lot depth requirement for lots 15 and 16.

Setback Requirements: SRC Chapter 511 establishes the following setback standards for development within an RS (Single Family Residential) zone:

Front Yards and Yards Adjacent to Streets:

- Minimum 12 feet (minimum 20 feet when adjacent to a street designated 'Collector', 'Arterial', or 'Parkway')
- Minimum 20 feet for garages

Rear Yards:

- Minimum 14 feet (for any portion of a main building not more than one story in height); or
- Minimum 20 feet (for any portion of a main building greater than one story in height)

Interior Side Yards:

- Minimum 5 feet

Setback requirements for the proposed lots will be reviewed at the time of application for building permits on those individual parcels.

SRC Chapter 800 (General Development Standards):

SRC 800.015(a) (Buildings to be on a Lot): Pursuant to SRC 800.015(a), every building or structure shall be entirely located on a lot.

SRC 800.020 (Designation of Lot Lines): SRC 800.020 establishes front lot line designation requirements for corner lots, double frontage lots, flag lots, and all other lots. For lots that have frontage on a public street, other than corner lots, the front lot line shall be the property line that has frontage on the public street. Corner lots are lots located at the intersection of two streets, typically with street frontage on two sides. Proposed lots 6, 7, 10, 14, 28, 37 and 48 are corner lots. Per SRC 800.020(a)(2) the front lot line for a corner lot shall be the property line abutting a street designated by the building permit applicant; provided, however, that lot dimension standards are met. Based on the lot dimensions provided on the tentative subdivision plan, the front lot line for the proposed corner lots shall be designated as follows:

Corner Lots	Front Lot Line Designation
6	North
7	West
10	West
14	East

28	East
37	East
48	East

For double frontage lots, the front lot line shall be the property line abutting the street designated per SRC 800.020(a)(3), proposed lots 15 and 16 are double frontage lots. In this case, the front lot line for lots facing D Street and Park Avenue NE was determined by CPC-ZC-SUB-ADJ19-02. Per Condition 5:

Single family dwellings with frontage along D Street NE and Park Avenue NE shall not have driveway access to D Street NE or Park Avenue NE. Driveway access shall be provided by an internal street, accessway, or alley. Rear lot lines shall not abut D Street NE or Park Avenue NE.

The front lot line for proposed lots 15-27 shall be the north property line facing D Street NE. The front lot line for proposed lots 28-45 shall be the eastern property line facing Park Avenue NE.

For flag lots, the front lot line shall be the outside property line that is an extension of the flag lot accessway or the property line separating the flag portion of the lot from the lot between it and the street from which access is provided to the flag lot, unless the Planning Administrator otherwise directs, in which case the front lot line shall be set forth in the conditions of approval for the tentative plan. The front lot line for proposed lots 8 and 9 shall be the lot line facing 25th Street NE, and the front lot line for proposed lots 11-14 shall be the western lot line facing the flag lot accessway.

SRC 800.025 (Flag Lots): Proposed lots 12 and 13 are flag lots. Subsections (a) and (b) specify that minimum lot area and dimensions for a flag lot shall be calculated exclusively of the flag lot accessway. In addition, proposed lots 7, 8, 9, 10, 11, and 14 are served by a flag lot accessway. Per SRC 112.045, lot area for all lots is measured exclusive of any flag lot accessway. Proposed lots 7-14 exceed the minimum lot area and dimensions exclusive of the flag lot accessway.

Subsection (c) establishes standards for flag lots and flag lot accessways. Pursuant to SRC Chapter 800, Table 800-1, flag lot accessways serving 3-4 lots must have a minimum easement width of 25 feet and must be paved to a minimum width of 20 feet. A maximum of four lots may be served by a flag lot accessway. A total of eight lots are proposed to be served by a single flag lot accessway, which exceeds the maximum allowance. The applicant has requested a Class 2 Adjustment to increase the number of lots served by a flag lot accessway, findings for the Adjustment are included in Section 9 of this report.

Subsection (d) prohibits parking on flag lot accessways. In order to ensure that resident and emergency access remains unobstructed, the following condition shall apply:

Condition 2: "NO PARKING—FIRE LANE" signs shall be posted on both sides of the segments of the proposed flag lots accessways that are fire apparatus roadways and "NO PARKING" signs shall be posted on both sides of the remainder of the accessways.

Subsection (e) limits the maximum number of flag lots within a subdivision to 15 percent of the proposed lots. The proposed subdivision includes two flag lots (Lots 12 and 13), or 4.4% of the total proposed lots, therefore meeting the standard provided in SRC 800.025(e).

The proposal conforms to the requirements of SRC Chapter 800.

(B) City Infrastructure Standards.

The Public Works Department reviewed the proposal for compliance with the City's public facility plans pertaining to provision of water, sewer, and storm drainage facilities. While SRC Chapter 205 does not require submission of utility construction plans prior to tentative subdivision plan approval, it is the responsibility of the applicant to design and construct adequate City water, sewer, and storm drainage facilities to serve the proposed development prior to final plat approval without impeding service to the surrounding area.

SRC Chapter 200 (Urban Growth Management): The Urban Growth Management Program requires that an Urban Growth Area (UGA) Development Permit must be obtained prior to development of property outside the Salem Urban Service Area. The subject property is located outside of the Urban Service Area. An UGA permit has been approved for development of the subject property (SUB-UGA17-05) in conformance with the requirements of SRC Chapter 200.

SRC Chapter 802 (Public Improvements): Comments from the Public Works Department indicate that water and sewer infrastructure is available along the perimeter of the site and appears to be adequate to serve the proposed subdivision. Specifications for required public improvements are summarized in the Public Works Department memo (Attachment D).

SRC Chapter 803 (Streets and Right-of-Way Improvements):

SRC 803.015 (Traffic Impact Analysis): A TIA is not required as part of the proposed subdivision submittal, however, a Traffic Impact Analysis was submitted with a previous subdivision application (SUB-UGA17-05), and the proposed development is subject to all applicable conditions of the previous approval.

SRC 803.020 (Public and Private Streets): As conditioned, all internal streets within the subdivision are required to be private streets. Private streets shall conform to this chapter and the Public Works Design Standards, unless otherwise required by state law. Any subdivision that includes private streets shall have recorded covenants, conditions, and restrictions which provide that all common property owners shall be

members of a property owners' association. The covenants, conditions, and restrictions shall, at a minimum, require that the association be responsible for the perpetual maintenance and operation of all private streets and related facilities in the development, including, but not limited to, parking areas, private streets, privately owned pedestrian/bikeways, and landscape strips. Such association shall have the power to levy and assess against privately owned property in the development all necessary costs for maintenance and operation of the private streets and related facilities.

SRC 803.025 (Right-of-Way and Pavement Widths): The abutting portion of D Street NE is designated as a Minor Arterial in the TSP and has an approximate 40-foot-wide improvement within a 50-foot-wide right-of-way. As specified in SRC Chapter 803, Tables 803-1 and 803-2, the standard for a Minor Arterial street is a 46-foot-wide improvement within a 72-foot-wide right-of-way.

The abutting portion of Park Avenue NE is designated as a Collector Street in the TSP and has an approximate 30-foot-wide improvement within a 40-foot-wide right-of-way. As specified in SRC Chapter 803, Tables 803-1 and 803-2, the standard for a Collector Street is a 34-foot-wide improvement within a 60-foot-wide right-of-way.

The abutting portion of 25th Street NE is designated as a Local Street in the TSP and has an approximate 16 to 20-foot-wide improvement on private property. 25th Street NE will be improved to meet the Local street standard in conjunction with land use case SUB-UGA17-05.

SRC 803.030 (Street Spacing): The Salem Planning Commission has previously granted an Adjustment (CPC-ZC-SUB-ADJ19-02) to the street spacing requirement for the subject property, allowing for the cul-de-sac and private alley configuration shown on the tentative subdivision plan. Multi-use bike and pedestrian pathways providing east-west and north-south connectivity are provided on the subject property.

SRC 803.035 (Street Standards):

The applicant is proposing two alternative street standard cul-de-sacs under SRC 803.065 to be connected by a private alley for east-west connectivity. The cul-de-sac design does not conform with the requirements of SRC 803.025 because the center of the cul-de-sac is proposed to be landscaped. Although this design provides for safe, orderly, and efficient circulation of traffic into, through, and out of the subdivision, the proposed design does not conform with PWDS Section 6.1(a), "Objectives: The objectives of the street design standards include, but are not limited to: (5) Provide streets which are designed in a manner which allows economical future maintenance." Therefore, pursuant to SRC 803.065, the cul-de-sacs are approved as alternative streets; however, the applicant shall provide a private access easement for the cul-de-sacs to be constructed and maintained as private streets in conformance with PWDS Section 6.1(a)(5).

As proposed and conditioned, including conditions from previous subdivision decisions for the subject property, the proposed street system conforms to applicable street standards.

- Condition 3:** Complete applicable requirements of land use case number CPC-ZC-SUB19-02 as follows:
- a. Condition 8 (D Street Improvements): Construct half-street improvements along D Street NE from 25th Street NE to Park Avenue NE.
 - b. Condition 9 (Park Avenue Improvements): Construct half-street improvements along Park Avenue NE abutting the subject property (Lot 1 of CPC-ZC-SUB19-02)
 - c. Condition 12 (TIA Mitigation):
 - i. Condition 3 (D Street NE and 23rd Street NE Intersection) – This condition shall be required at the time cumulative transportation impacts exceed 2,380 average daily trips within the property approved under SUB-UGA17-05.
 - ii. Condition 4 (Center Street NE and 17th Street NE) – The proportional share for future improvements to the Center Street NE and 17th Street NE intersection shall be \$133 per ADT, to be paid at the time of building permit issuance. This fee amount shall be adjusted annually based on the December to December Engineering News Record Averaged Rates for Los Angeles, Seattle, and San Francisco.

SRC 803.040 (Boundary Streets): D Street NE, Park Avenue NE and 25th Street NE are boundary streets that abut the subject property. These streets currently do not meet the right-of-way or improvement width standards for their street classification. As a condition of previous subdivision decisions for the North Campus, these boundary streets will have to be improved in compliance with Public Works Design standards.

As conditioned by previous land use approvals for the subject property, the proposal conforms to applicable boundary street requirements.

(C) Any special development standards, including, but not limited to, floodplain development, special setbacks, geological or geotechnical analysis, and vision clearance.

SRC Chapter 808 (Preservation of Trees and Vegetation): The City's tree preservation ordinance protects Heritage Trees, Significant Trees (including Oregon White Oaks with diameter-at-breast-height of 24 inches or greater), trees and native vegetation in riparian corridors, and trees on lots and parcels greater than 20,000 square feet.

In addition, SRC 808.035(a) requires a Tree Conservation Plan for a development proposal involving the creation of lots or parcels to be used for the construction of single-family dwelling units, where trees are proposed for removal. A Tree Conservation Plan application was submitted in conjunction with the tentative subdivision plan on the

subject property which identifies a total of 44 trees on the subject property, with 13 trees to be preserved and 31 trees proposed for removal. In addition, there are 24 street trees identified in the public right-of-way for D Street NE and Park Avenue NE, three street trees are proposed for removal. There are no significant trees, heritage trees, or riparian corridors located on the subject property. The applicant is proposing to retain more than 25% of the trees on site.

As proposed, the tentative subdivision plan conforms to all applicable SRC Chapter 808 requirements.

SRC Chapter 809 (Wetlands): Grading and construction activities within wetlands are regulated by the Oregon Department of State Lands (DSL) and US Army Corps of Engineers. State and Federal wetlands laws are also administered by the DSL and Army Corps, and potential impacts to jurisdictional wetlands are addressed through application and enforcement of appropriate mitigation measures. SRC Chapter 809 establishes requirements for notification of DSL when an application for development is received in an area designated as a wetland on the official wetlands map.

According to the Salem-Keizer Local Wetland Inventory (LWI), there are no wetlands identified on the subject property.

SRC Chapter 810 (Landslide Hazards): City's landslide hazard ordinance (SRC Chapter 810) establishes standards and requirements for the development of land within areas of identified landslide hazard susceptibility. According to the City's adopted landslide hazard susceptibility maps, there are no areas of landslide susceptibility on the subject property. Subdivisions are assigned three activity points. A total of three points indicates a low landslide hazard risk, a geological assessment is not required.

SRC 205.010(d)(2): The tentative subdivision plan does not impede the future use or development of the property or adjacent land.

Finding: The proposed subdivision further divides a portion of property approximately 5.7-acre property into 45 lots, to be served by private cul-de-sacs and an internal private alley. Vehicular access to lots within the proposed subdivision is provided internally, per Condition 5 of CPC-ZC-SUB-ADJ 19-02, no direct driveway access will be allowed to D Street NE or Park Avenue NE. The subject property abuts a proposed 246-unit multi-family residential apartment complex to the south and west, the internal transportation system for this proposed single-family residential subdivision was developed in conjunction with the proposed apartment complex, with shared access for both uses provided by the private cul-de-sacs and internal private alley. Bicycle and pedestrian pathways provide north-south and east-west connectivity for the development site.

The lots within the proposed subdivision, as proposed and conditioned, are of sufficient size and dimensions to permit future single-family residential development, or development of other SRC Chapter 511 "permitted," "special," or "conditional" uses. There is no evidence that the subdivision and subsequent development of the lots will adversely affect public services to any surrounding properties. Approval of the

subdivision does not impede future use of the subject property or access to abutting properties. This criterion has been met.

SRC 205.010(d)(3): Development within the tentative subdivision plan can be adequately served by City infrastructure.

Finding: Water infrastructure is available along the perimeter of the site and appears to be adequate to serve the property as shown on the applicant's preliminary utility plan. Linking sewer and stormwater improvements are required as specified in SUB-UGA17-05.

The proposed development is subject to SRC Chapter 71 and the revised PWDS as adopted in Administrative Rule 109, Division 004. The applicant's engineer submitted a statement demonstrating compliance with Stormwater PWDS Appendix 004-E(4) and SRC Chapter 71. To demonstrate the proposed lots can meet PWDS, the applicant is required to provide an engineered tentative stormwater design to accommodate future impervious surface on all proposed lots. The applicant's engineer shall design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.

Condition 4: Design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.

All public and private City infrastructure proposed to be located in the public right-of-way shall be constructed or secured per SRC 205.035(c)(7)(B) prior to final plat approval. Any easements needed to serve the proposed Lots with City infrastructure shall be shown on the final plat.

The proposal meets this criterion.

SRC 205.010(d)(4): The street system in and adjacent to the tentative subdivision plan conforms to the Salem Transportation System Plan.

Finding: Streets abutting the subject property do not meet the improvement and right-of-way widths for their classification of street as shown in the Salem TSP. Boundary street improvements are required along all street frontages as required in SUB-UGA17-05.

The City of Salem Planning Commission approved an adjustment to the street connectivity standards for Lot 5 in CPC-ZC-SUB-ADJ19-02. Condition 10 of CPC-ZC-SUB-ADJ19-02 requires construction of interior transportation systems to provide multi-modal access from 25th Street NE to Park Avenue NE. The applicant is proposing two alternative street standard cul-de-sacs under SRC 803.065 to be connected by a private alley for east-west connectivity. The cul-de-sac design does not conform with the requirements of SRC 803.025 because the center of the cul-de-sac is proposed to be landscaped. Although this design provides for safe, orderly, and efficient circulation of traffic into, through, and out of the subdivision, the proposed design does not conform

with PWDS Section 6.1(a), "Objectives: The objectives of the street design standards include, but are not limited to: (5) Provide streets which are designed in a manner which allows economical future maintenance." Therefore, pursuant to SRC 803.065, the cul-de-sacs are approved as alternative streets; however, the applicant shall provide a private access easement for the cul-de-sacs to be constructed and maintained as private streets in conformance with PWDS Section 6.1(a)(5).

Condition 5: Streets internal to the subdivision shall be privately owned and maintained. Prior to final plat, the applicant shall have recorded covenants, conditions, and restrictions in accordance with SRC 803.020(b)(3).

The proposal meets this criterion.

SRC 205.010(d)(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.

Finding: The subdivision, as proposed and conditioned, is served with adequate transportation infrastructure. The proposed internal street system provides safe, orderly, and efficient circulation into, through, and out of the subdivision, and shall be privately owned and maintained. Prior to final plat, the applicant shall have recorded covenants, conditions, and restrictions in accordance with SRC 803.020(b)(3).

The proposal meets this criterion.

SRC 205.010(d)(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.

Finding: The Comprehensive Parks Master Plan Update shows that the subject property is served by developed parks. The subject property is served by Englewood Park to the northwest, Hoover Park to the northeast, and Geer Park to the south. A new park is being proposed on Lot 4 of SUB-UGA17-05. The existing street system and proposed interior multi-modal transportation system provides pedestrian connections from within the proposed subdivision to existing neighborhood activity centers. No off-site pedestrian improvements are warranted with this subdivision application.

The proposal meets this criterion.

SRC 205.010(d)(7): The tentative subdivision plan mitigates impacts to the transportation system consistent with the approved Traffic Impact Analysis, where applicable.

Finding: A traffic impact analysis (TIA) was submitted as part of land use case number SUB-UGA17-05 and mitigation required by the TIA was included as conditions of approval in SUB-UGA17-05. The proposed subdivision is subject to prior conditions of approval from SUB-UGA17-05. Condition 4 of SUB-UGA17-05 requires that future development shall pay a proportionate share of future improvements at the Center Street NE and 17th Street NE intersection. Condition 12ii of CPC-ZC-SUB-ADJ19-02 established a proportional share of \$133 per ADT based on the applicant's TIA as follows:

- The TIA estimates the Center Street NE and 17th Street NE intersection improvements to equal \$2,732,000.
- The TIA establishes that the subject property's proportionate share of those improvements is identified to equal 39 percent of the growth-related impacts.
- The TIA provides a reasonable worst case of 7,982 average daily trips (ADT).
- The proportional share shall be \$133 per ADT based on a calculation of \$2,732,000 multiplied by 39 percent and divided by 7,982 ADT. This fee amount shall be adjusted annually based on the December to December Engineering News Record Averaged Rates for Los Angeles, Seattle, and San Francisco.

SRC 200.010(d)(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.

Finding: The proposed subdivision has been reviewed to ensure that adequate measures have been planned to alleviate natural or fabricated hazards and limitations to development, including topography and vegetation of the site. The subject property is relatively flat, and no landslide hazard or wetland areas are identified on the subject property.

A tree conservation plan was submitted in conjunction with the tentative subdivision plan for the subject property. The tree conservation plan identifies a total of 44 trees on the subject property, with 31 trees proposed for removal and 13 trees to be preserved for a preservation rate of 29.5 percent. No heritage trees, riparian areas, or significant trees are proposed for removal on the tree conservation plan, and none are currently present on the subject property. There are a total of 24 street trees in the public right-of-way for D Street NE and Park Avenue NE bordering the subject property, with three of the street trees proposed for removal.

The proposal meets this criterion.

SRC 200.010(d)(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.

Finding: The relatively flat site and minimal vegetation present few potential disruptions to the reasonable development of the proposed lots within the subdivision or the internal street system. According to the Salem-Keizer Local Wetland Inventory (LWI), there are no wetland areas identified on the subject property.

A tree conservation plan was submitted in conjunction with the tentative subdivision plan for the subject property. The tree conservation plan identifies a total of 44 trees on the subject property, with 31 trees proposed for removal and 13 trees to be preserved for a preservation rate of 29.5 percent. No heritage trees, riparian areas, or significant trees are proposed for removal on the tree conservation plan, and none are currently present on the subject property. There are a total of 24 street trees in the public right-of-way for D Street NE and Park Avenue NE bordering the subject property, with three of the street trees proposed for removal.

The proposal meets this criterion.

SRC 200.010(d)(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.

Finding: An Urban Growth Preliminary Declaration was issued as part of the original subdivision (Land Use case number SUB-UGA17-05) to create Lot 5, of which the subject property is part. Because an Urban Growth Preliminary Declaration is already in effect for this site, no additional Urban Growth Preliminary Declaration was required for this tentative subdivision plan.

9. Criteria for Granting a Class 2 Adjustment

SRC Chapter 250.005(d)(2) provides that an applicant for a Class 2 Adjustment shall be granted if all of the following criteria are met:

Criterion 1:

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.

Finding: The applicant is requesting two Class 2 Adjustments to:

- 1) Class 2 Adjustment to increase the number of lots served by a flag lot accessway from 4 lots to 8 lots;

- 2) Class 2 Adjustment to reduce the street frontage requirement for lot 16 from 30 feet to approximately 21 feet; and

Adjustment to increase the number of lots served by a flag lot accessway from 4 lots to 8 lots:

The proposed subdivision includes a flag lot accessway that serves a total of 8 lots, lots 7-14 on the proposed tentative plan. The development standards for flag lot accessways are found in SRC Chapter 800. SRC 800.025(c)(1) limits the maximum number of lots served by a flag lot accessway to no more than four lots. The applicant indicates that due to access limits on D Street NE and 25th Street NE, all of the homes in the subdivision will take access to internal private streets, alleys and accessways.

The applicant indicates that the proposed accessway serving these lots will be designed to otherwise comply with all development standards for flag lot accessways, including maximum length, total width and paved width. Lot area and dimension standards for proposed lots 7-14 will also comply with all applicable standards. Adequate circulation and maneuvering are provided through the access easement to the proposed local street. The Fire Department has reviewed the proposal and indicated no concerns with emergency vehicle access to the proposed lots served by this flag lot accessway. The proposed flag lot accessway meets the purpose of this standard. This criterion is met.

Adjustment to reduce the street frontage requirement for lot 16 from 30 feet to approximately 21 feet:

Proposed lot 16 is a double frontage lot with street frontage along D Street NE and access to a proposed private cul-de-sac. SRC Chapter 511, Table 511-2 provides that the minimum street frontage requirement is 30 feet for single-family uses with frontage on the turnaround of a cul-de-sac. The applicant indicates that due to the shape of the lot and the location of required accessways, compliance with the minimum street frontage standard is difficult for this lot. The lot has 21.49 feet of street frontage and also has 23 feet of frontage onto the proposed private alley. To reduce vehicle conflicts, driveway access for proposed Lot 16 shall be provided on the alley side of this lot, not the private cul-de-sac.

Condition 6: Driveway access for proposed Lot 16 shall be provided on the private alley, not the private cul-de-sac.

As proposed and condition, the request to reduce the street frontage for Lot 16 meets the purpose of this standard. This criterion is met.

Criterion 2:

If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.

Finding: The subject property is located within a residential zone and is surrounded by an established single-family neighborhood. The applicant has worked with abutting neighborhood associations to develop a subdivision plan that preserves the integrity of established single-family residential neighborhood by limiting driveway access on surrounding public streets to not detract from the livability or appearance of the residential area. The proposed plan, with the requested Adjustments, helps to accomplish this goal. This criterion is met.

Criterion 3:

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.

Finding: Two separate Class 2 Adjustments have been requested with this development. Each of the adjustments has been evaluated separately for conformance with the Adjustment approval criteria. The cumulative impact of the adjustments results in an overall project which is consistent with the intent and purpose of the zoning code.

Any future development, beyond what is shown in the proposed plans, shall conform to all applicable development standards of the UDC, unless adjusted through a future land use action.

Condition 7: The adjusted development standards, as approved in this zoning adjustment, shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to all applicable development standards of the UDC, unless adjusted through a future land use action.

10. Criteria for Granting a Class 1 Adjustment

SRC Chapter 250.005(d)(1) provides that an applicant for a Class 1 Adjustment shall be granted if all of the following criteria are met:

Criterion 1:

The purpose underlying the specific development standard proposed for adjustment is:

- (i) Clearly inapplicable to the proposed development; or
- (ii) Clearly satisfied by the proposed development.

Finding: The applicant is requesting a Class 1 Adjustment to reduce the lot depth requirement for double frontage lots 15 and 16.

Adjustment to reduce the lot depth requirement for double frontage lots 15 and 16:

Double frontage lots are defined as a lot that has frontage on two streets that do not intersect at the lot's boundaries. Proposed lots 15 and 16 within the subdivision have frontage along the proposed new private cul-de-sac and D Street NE and are considered flag lots. SRC Chapter 511, Table 511-2 requires that double frontage lots have a minimum lot depth of 120 feet. Proposed lots 15 and 16 have a lot depth of approximately 115-117 feet, 3-5 feet less than the minimum requirement.

The applicant indicates that the purpose of the minimum lot depth standard is to ensure that each lot created is sufficient in size to comply with all applicable development standards, including minimum setbacks. In this case, the proposed lots have adequate depth to allow for development of new single-family dwellings that can comply with all applicable setback and development standards of the RS zone without requiring any future adjustments, and therefore the proposal satisfies the purpose of the development standard, this criterion is met.

Criterion 2:

The proposed adjustment will not unreasonably impact surrounding existing or potential uses or development.

Finding: The applicant indicates that future development of lots 15 and 16 will comply with the minimum setbacks and development standards of the RS zone and will therefore not have unreasonably impact the surrounding neighborhood. This criterion is met.

11. Conclusion

Based upon review of SRC Chapters 205 and 250, the findings contained above, and the comments described, the Tentative Subdivision Plan and Class 2 Adjustment applications comply with the requirements for an affirmative decision. Approval will not adversely affect the safe and healthful development and access to any adjoining lands.

IT IS HEREBY ORDERED

That Tentative Subdivision Plan and Class 2 Adjustment Case No. 20-01, for property zoned RS (Single Family Residential), and located at the 2600 Block of Center Street NE (Marion County Assessor Map and Tax Lot Number: 073W24C / 00100), is **APPROVED** subject to the applicable standards of the Salem Revised Code, the findings contained herein, and the conditions of approval listed below, which must be completed prior to final plat approval, unless otherwise indicated:

- Condition 1:** Prior to the recording of a final plat for the proposed subdivision the final subdivision plats approved by SUB-UGA17-05 and CPC-ZC-SUB-ADJ19-02 shall be recorded.
- Condition 2:** "NO PARKING—FIRE LANE" signs shall be posted on both sides of the segments of the proposed flag lots accessways that are fire apparatus

roadways and "NO PARKING" signs shall be posted on both sides of the remainder of the accessways.

- Condition 3:** Complete applicable requirements of land use case number CPC-ZC-SUB19-02 as follows:
- a. Condition 8 (D Street Improvements): Construct half-street improvements along D Street NE from 25th Street NE to Park Avenue NE.
 - b. Condition 9 (Park Avenue Improvements): Construct half-street improvements along Park Avenue NE abutting the subject property (Lot 1 of CPC-ZC-SUB19-02)
 - c. Condition 12 (TIA Mitigation):
 - i. Condition 3 (D Street NE and 23rd Street NE Intersection) – This condition shall be required at the time cumulative transportation impacts exceed 2,380 average daily trips within the property approved under SUB-UGA17-05.
 - ii. Condition 4 (Center Street NE and 17th Street NE) – The proportional share for future improvements to the Center Street NE and 17th Street NE intersection shall be \$133 per ADT, to be paid at the time of building permit issuance. This fee amount shall be adjusted annually based on the December to December Engineering News Record Averaged Rates for Los Angeles, Seattle, and San Francisco.
- Condition 4:** Design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.
- Condition 5:** Streets internal to the subdivision shall be privately owned and maintained. Prior to final plat, the applicant shall have recorded covenants, conditions, and restrictions in accordance with SRC 803.020(b)(3).
- Condition 6:** Driveway access for proposed Lot 16 shall be provided on the private alley, not the private cul-de-sac.
- Condition 7:** The adjusted development standards, as approved in this zoning adjustment, shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to all applicable development standards of the UDC, unless adjusted through a future land use action.



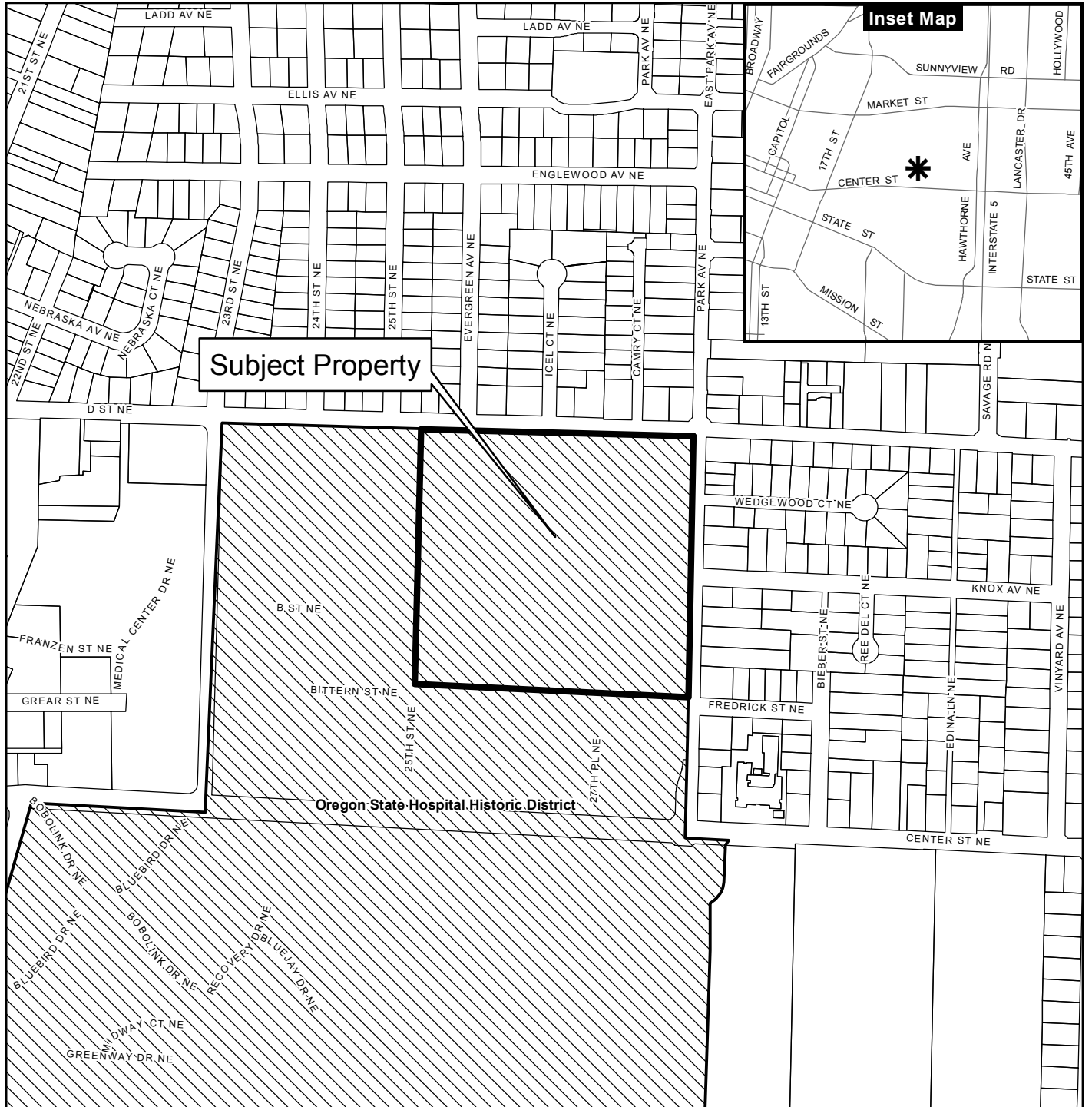
Aaron Panko, Planner III, on behalf of
Lisa Anderson-Ogilvie, AICP
Planning Administrator

SUB-ADJ20-01
March 6, 2020
Page 24

- Attachments:
- A. Vicinity Map
 - B. Tentative Subdivision Plan
 - C. Applicant's Written Statement
 - D. City of Salem Public Works Department Comments

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Vicinity Map 2600 Center Street NE



Legend

- Taxlots
- Urban Growth Boundary
- City Limits
- Outside Salem City Limits
- Historic District
- Schools
- Parks

0 100 200 400 Feet



CITY OF Salem
AT YOUR SERVICE
Community Development Dept.

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Owner / Developer:

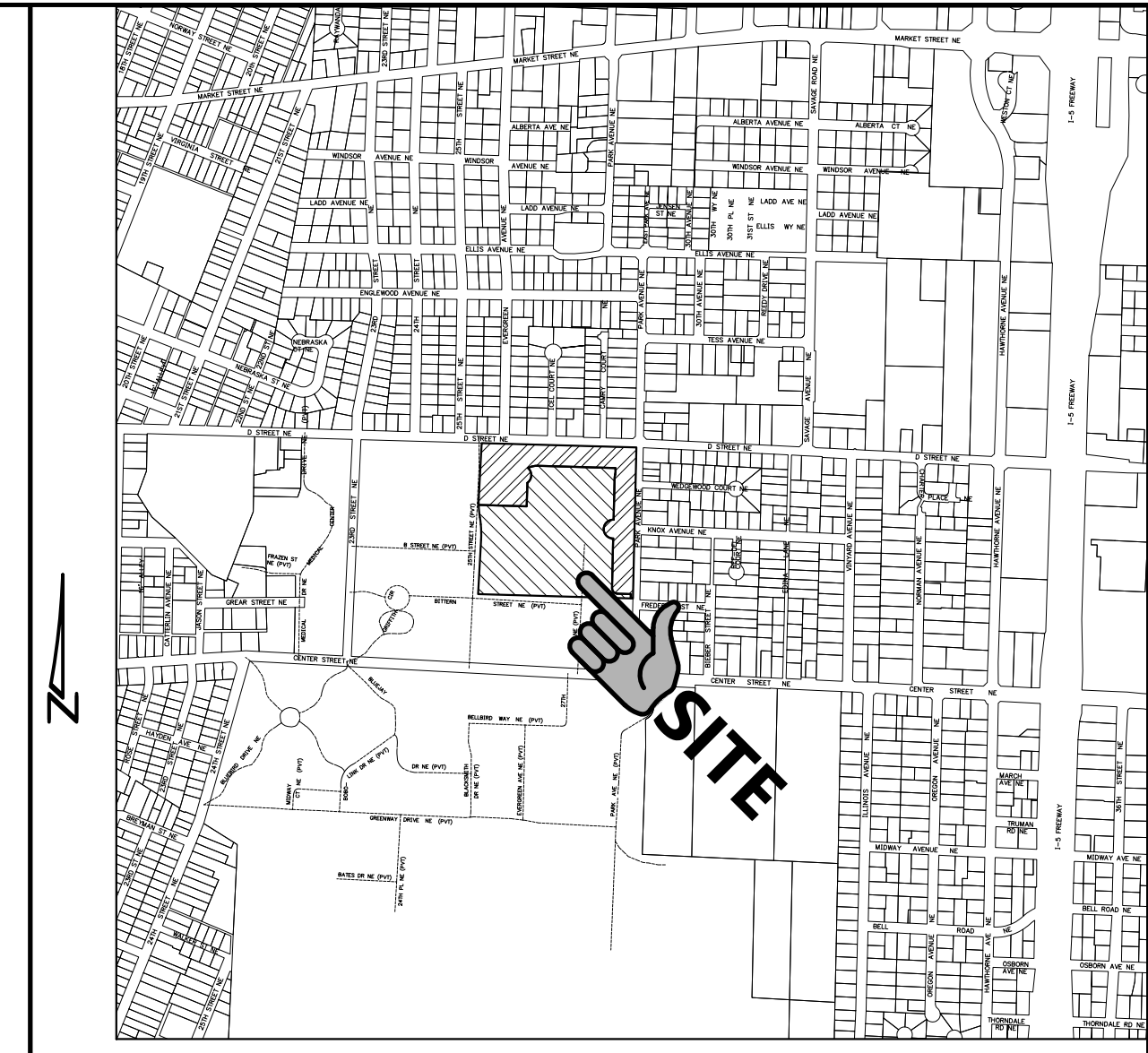
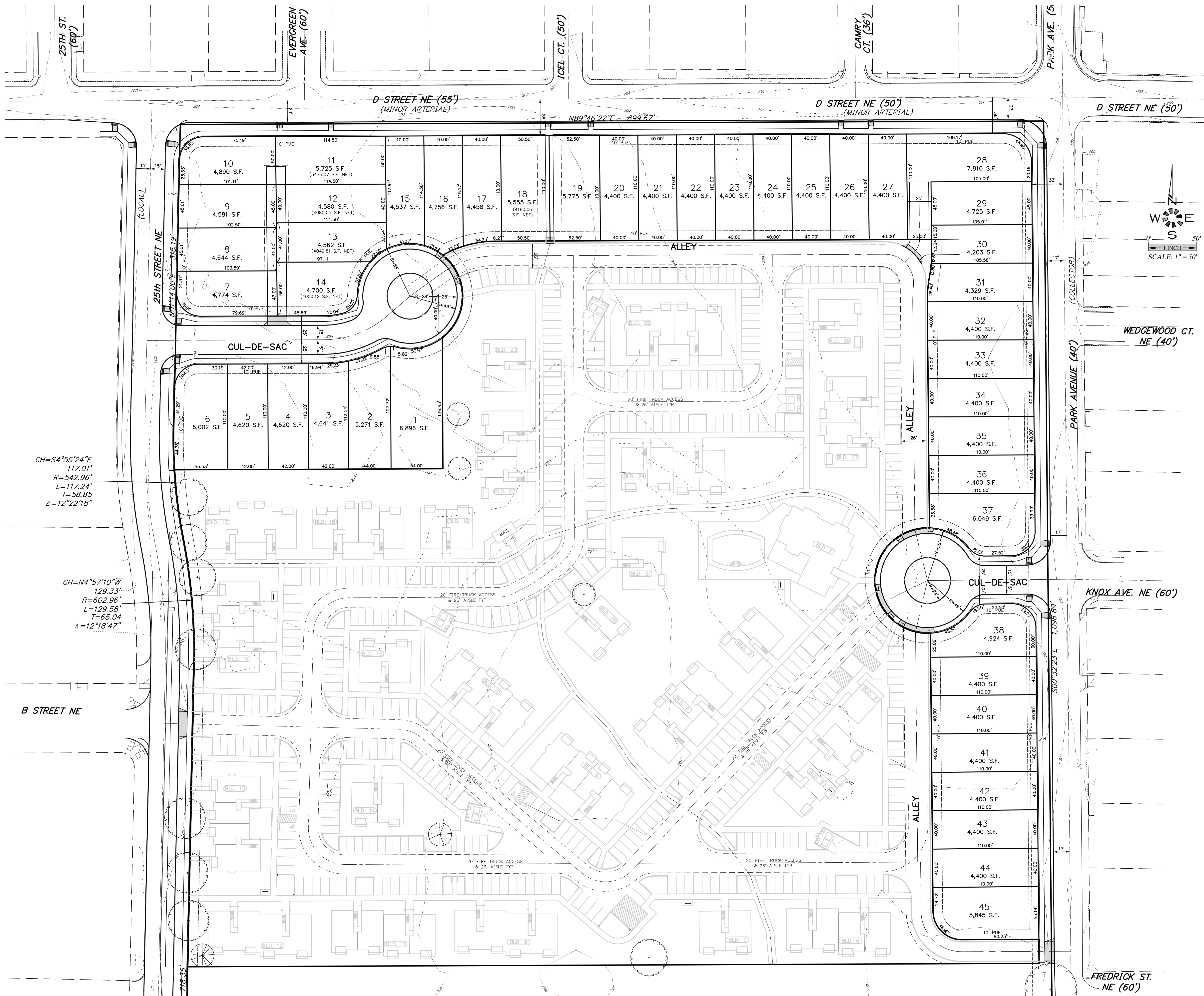
MT WEST INVESTMENT CORP

201 FERRY ST. S.E. SUITE 400
SALEM, OREGON 97301

NORTH CAMPUS

SEC. 24, T. 7 S., R. 3 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON

ATTACHMENT B



ABBREVIATIONS

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

SYMBOLS

	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 — 5.737 Ac.
 NUMBER OF UNITS — 45
 DENSITY — 7.84 UNITS/Ac.
 LARGEST LOT — 7,809.92 S.F.
 SMALLEST LOT — 4,202.81 S.F.
 AVERAGE — 4,823.87 S.F.

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

PRELIMINARY SUBDIVISION SHEET INDEX

SHEET PS101	COVER SHEET
SHEET PS201	OVERALL PUBLIC UTILITY PLAN
SHEET PS301	GRADING & DRAINAGE PLAN
SHEET PS401	TREE CONSERVATION PLAN

MULTI/TECH
 ENGINEERING SERVICES, INC.
 1155 13th St. S.E. Salem, OR, 97302
 PH: (503) 363-9227 FAX: (503) 364-1260
 www.mtechengr.com office@mtechengr.com

PRELIMINARY SUBDIVISION COVER SHEET

NORTH CAMPUS

NOT FOR CONSTRUCTION UNLESS STAMPED APPROVED HERE

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.
 ProjMgr: M.D.G.
 Date: FEB. 2019
 Scale: AS SHOWN
 As-Built: _____



PS101
 JOB # 6784

J:\1700-6784-NorthCampus\Map +18\Final\18/2019 44352 IM - Plowmatters

North Campus Subdivision

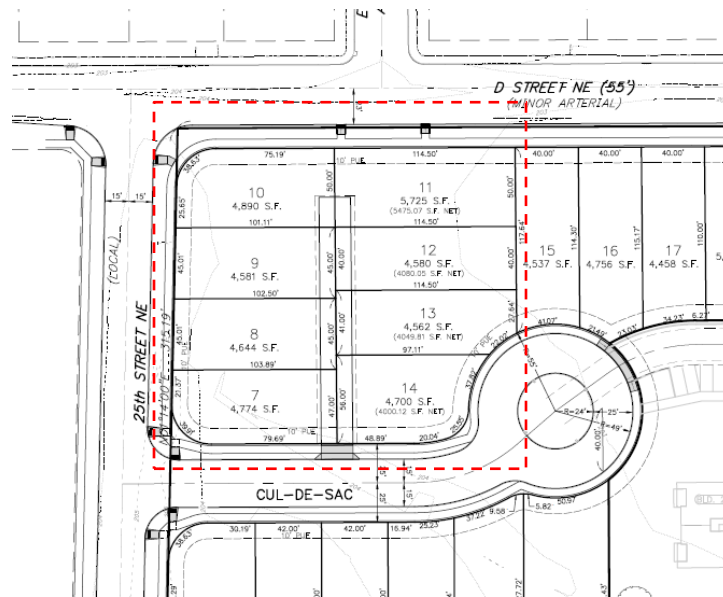
Adjustment Class-2 Application
Table 800-1

Proposal:

The subject property is about 5.73 acres in size and zoned RS (Single-Family Residential). The applicant is proposing to divide the subject property into 45 lots.

Table 800-1 only allows a maximum of 4 lots to have access off of a flag lot. Lots 7, 8, 9, 10, 11, 12, 13, and 14 all have street frontage, however, in order to provide safe access and avoid access onto D Street and 25th Street, all 8 lots will have access to the Cul-de-sac via the flag lot (access easement).

The applicant is requesting an adjustment to Table 800-1 to allow 8 lots to access the flag lot where 4 are allowed.



Adjustment Criteria-SRC 250.005(d)(2) Criteria

(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.

Applicant's Reasons:

- (A) The applicant is requesting a zoning adjustment to Table 800-1. Table 800-1 only allows a maximum of 4 lots to have access off a flag lot. Lots 7, 8, 9, 10, 11, 12, 13, and 14 all have street frontage, however, in order to provide safe access and avoid access onto D Street and 25th Street, all 8 lots will have access to the Cul-de-sac via the flag lot (access easement). Due to the existing streets and the odd shape of the property, these lots can only have access via the access easement. Without the adjustment, 4 of the lots will have to take direct access onto D Street to the north and/or 25th Street to the west. Since Public Works wants to limit access onto D Street and 25th Street, the adjustment to allow all 8 lots access onto a flag lot is necessary.

The proposed access easement will provide safe and adequate access and circulation to Lots 7, 8, 9, 10, 11, 12, 13, and 14. Therefore, the purpose of this requirement will be met through providing direct access via an access easement, providing adequate circulation and maneuvering area for all 8 lots.

- (B) The subject property is zoned RS and is located in a residential and public health service area. The RS zone allows for this property to be subdivided.

The proposal will have little to no impact on the surrounding neighborhood due to the existing uses. The proposed subdivision will provide street connections to the existing street network. These connections will have to provide safer and more efficient circulation throughout the subdivision. The connections will even help to spread vehicle use out and through adjacent neighborhoods.

Any conditions placed on the subdivision will require Code compliance, which will help ensure minimal to no impacts on the neighborhood.

- (C) The proposed adjustment will not affect surrounding existing or proposed development. The applicant is requesting more than one adjustment.

North Campus Subdivision

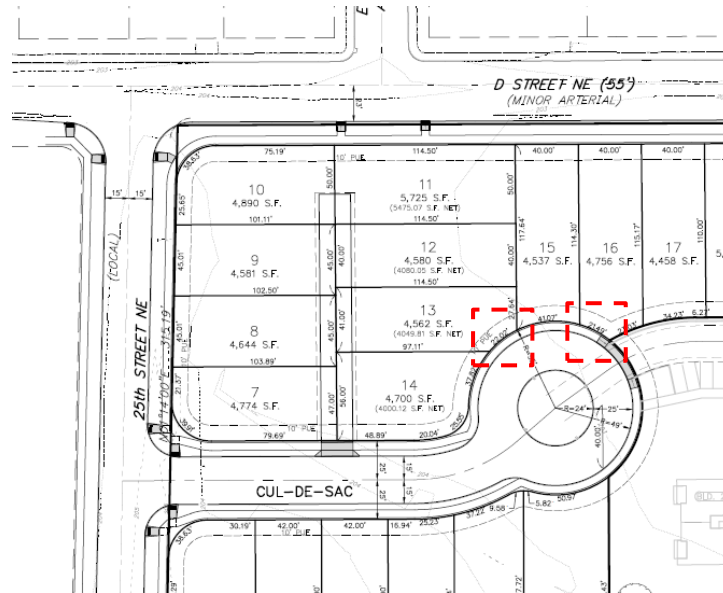
Adjustment Class-2 Application
Table 800-1

Proposal:

The subject property is about 5.73 acres in size and zoned RS (Single-Family Residential). The applicant is proposing to divide the subject property into 45 lots.

Section 511.010/Table 511-2 requires all lots along a cul-de-sac to have a minimum of 30 feet of street frontage. Lots 13 and 16 have less than 30 feet of street frontage along the cul-de-sac.

The applicant is requesting an adjustment to Table 511-2 to allow Lots 13 and 16 to have less than 30 feet of lot width along the cul-de-sac.



Adjustment Criteria-SRC 250.005(d)(2) Criteria

(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.

Applicant's Reasons:

- (A) The applicant is requesting a zoning adjustment to Table 511-2 (Lot Width). Section 511.010/Table 511-2 requires all lots along a cul-de-sac to have a minimum of 30 feet of street frontage. Lots 13 and 16 have less than 30 feet of street frontage along the cul-de-sac.

Due to the existing streets and the odd shape of the property, different means of access have to be provided for the lots. In order to meet all Code requirements, this requires the layout of the lots to be taken into consideration. In order to provide adequate access for all lots, Lots 13 and 16 do not meet the 30-foot lot width requirement.

Without the adjustment, the site will have to be redesigned and potentially provide access to the existing surrounding streets. The cul-de-sac helps to provide safe and efficient circulation for the lots. Since Public Works wants to limit access onto D Street and 25th Street, the cul-de-sac is needed.

Therefore, the purpose of this requirement will be met through providing a wide enough lot frontage and maneuvering area at the setback line as shown on the site plans.

- (B) The subject property is zoned RS and is located in a residential and public health service area. The RS zone allows for this property to be subdivided.

The proposal will have little to no impact on the surrounding neighborhood due to the existing uses. The proposed subdivision will provide street connections to the existing street network. These connections will have to provide safer and more efficient circulation throughout the subdivision. The connections will even help to spread vehicle use out and through adjacent neighborhoods.

All lots are of adequate size to accommodate a single-family dwelling and maneuvering area. Any conditions placed on the subdivision will require Code compliance, which will help ensure minimal to no impacts on the neighborhood.

- (C) The proposed adjustment will not affect surrounding existing or proposed development. The applicant is requesting more than one adjustment.

CLASS-1 ADJUSTMENT

The applicant is requesting a Class-1 Adjustment to Section 511.010 (Development Standards) Table 511-2, Lot Standards.

Lots 15 and 16 do not meet the minimum 120-foot lot depth requirement for double frontage lots. The adjustment is to allow Lot 15 to have a lot depth of about 117 feet and Lot 16 to have a lot depth of about 115 where 120 feet is required.

Adjustment Criteria-SRC 250.005(d)(1) Criteria

- (1) An application for a Class 1 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) Clearly satisfied by the proposed development.**
- (B) The proposed adjustment will not unreasonably impact surrounding existing or potential uses or development.**

Applicant Findings:

- (A)** The purpose of lot depth is to provide adequate room for a single-family dwelling and required setbacks. The applicant is requesting an adjustment to the lot depth requirement for double frontage lots, like Lots 15 and 16. As shown on the site plan, Lot 15 has a lot depth of about 117 feet and Lot 16 has a lot depth of about 115 feet. The lots have street frontage on D Street to the north and a cul-de-sac to the south. In order to provide setbacks and adequate distance from right-of-way, lot depth of 120 is required. However, Lots 15 and 16 are only asking for a 3 to 5-foot reduction in that lot depth. The lot depths provided for Lots 15 and 16 will still meet the purpose of the code by allowing for an adequate building envelope and setbacks. Therefore, there will be an adequate building envelope and setbacks for this lots. All setbacks will meet or exceed the requirements.


Therefore, the intent of the lot depth is equally meet by the proposed reduced lot depth.

- (B)** Adequate setbacks can be provided on Lots 15 and 16, because those two lots have a great lot depth that other lots within eh subdivision. The length of the lots will still provide adequate setbacks and landscaped area. Therefore, the adjustment to lot depth will have no effect on the surrounding uses.



MEMO

TO: Aaron Panko, Planner III
Community Development Department

FROM: Glenn J. Davis, PE, CFM, Chief Development Engineer
Public Works Department 

DATE: March 6, 2020

**SUBJECT: PUBLIC WORKS RECOMMENDATIONS
SUB-ADJ-ADJ20-01 (19-120764-LD; 20-101161-ZO; 20-101162-ZO)
2600 CENTER STREET NE
45-LOT SUBDIVISION**

PROPOSAL

A tentative subdivision plan to divide approximately 5.7 acres into 45 lots ranging in size from 4,202 to 7,809 square feet in size. The applicant is requesting an alternative street standard to allow landscape and water quality features for the proposed cul-de-sacs, and Adjustments for the following standards:

1. Class 2 Adjustment to increase the number of lots served by a flag lot accessway from 4 lots to 8 lots;
2. Class 2 Adjustment to reduce the street frontage requirement for lot 16 from 30 feet to approximately 21 feet; and
3. Class 1 Adjustment to reduce the lot depth requirement for double frontage lots 15 and 16.

For property approximately 5.7 acres in size, zoned RS (Single-Family Residential), and located at 2600 Center Street NE - 97301 (Marion County Assessors Map and Tax Lot number: 073W24C / 00100).

RECOMMENDED CONDITIONS OF APPROVAL

1. Complete applicable requirements of land use case number CPC-ZC-SUB19-02 as follows:
 - a. Condition 8 (D Street Improvements): Construct half-street improvements along D Street NE from 25th Street NE to Park Avenue NE.
 - b. Condition 9 (Park Avenue Improvements): Construct half-street improvements along Park Avenue NE abutting the subject property (Lot 1 of CPC-ZC-SUB19-02).

Code authority references are abbreviated in this document as follows: *Salem Revised Code* (SRC); *Public Works Design Standards* (PWDS); and *Salem Transportation System Plan* (Salem TSP).

- c. Condition 12 (TIA Mitigation):
 - i. Condition 3 (D Street NE and 23rd Street NE Intersection)—This condition shall be required at the time cumulative transportation impacts exceed 2,380 average daily trips within the property approved under SUB-UGA17-05.
 - ii. Condition 4 (Center Street NE and 17th Street NE)—The proportional share for future improvements to the Center Street NE and 17th Street NE intersection shall be \$133 per ADT, to be paid at the time of building permit issuance. This fee amount shall be adjusted annually based on the December to December Engineering News Record Averaged Rates for Los Angeles, Seattle, and San Francisco.
2. Streets internal to the subdivision shall be privately owned and maintained. Prior to final plat, the applicant shall have recorded covenants, conditions, and restrictions in accordance with SRC 803.020(b)(3).
3. Design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.

FACTS

Water

1. Existing Conditions
 - a. The subject property is located within the G-0 water service level.
 - b. A 24-inch steel water line is located within an easement on the west side of 23rd Street NE. Mains of this size generally convey flows of 8,500 to 19,700 gallons per minute.
 - c. A 24-inch steel water line is located in D Street NE. Mains of this size generally convey flows of 8,500 to 19,700 gallons per minute.
 - d. A 10-inch water line is located in Park Avenue NE. Mains of this size generally convey flows of 1,500 to 3,400 gallons per minute.

Sanitary Sewer

1. Existing Conditions
 - a. A 4-inch sewer line is located in Park Avenue NE.

- b. A 10-inch sewer line is located in D Street NE.
- c. The North Campus site is currently served by a private sewer system that is combined with the discharge for the South Campus site.

Storm Drainage

1. Existing Conditions

- a. A 6-inch storm line is located in Park Avenue NE.
- b. A 12-inch storm line is located in D Street NE.
- c. An abandoned 6-inch storm line bisects the property. The pipe remains in place, but is no longer in service.

Streets

1. 25th Street NE

- a. Standard—This street is designated as a future Local street in the Salem TSP. The standard for this street classification is a 30-foot-wide improvement within a 60-foot-wide right-of-way.
- b. Existing Condition—This street has a variable 16- to 20-foot-wide improvement on private property abutting the subject property and will be improved to meet the Local street standard in conjunction with land use case SUB-UGA17-05.

2. D Street NE

- a. Standard—This street is designated as a Minor Arterial street in the Salem TSP. The standard for this street classification is a 46-foot-wide improvement within a 72-foot-wide right-of-way.
- b. Existing Condition—This street has an approximate 40-foot improvement within 50-foot-wide right-of-way abutting the subject property.

3. Park Avenue NE

- a. Standard—This street is designated as a Collector street in the Salem TSP. The standard for this street classification is a 34-foot-wide improvement within a 60-foot-wide right-of-way.

- b. Existing Condition—This street has an approximate 30-foot improvement within a 40-foot-wide right-of-way abutting the subject property, with the exception of the improved intersection at Park Avenue NE and Center Street NE.

Parks

The subject property is served by Englewood Park to the northwest, Hoover Park to the northeast, and Geer Park to the south. A new park is being proposed on Lot 4 of SUB-UGA17-05.

CRITERIA AND FINDINGS

SRC 205.010(d)—Indicates the criteria that must be found to exist before an affirmative decision may be made. The applicable criteria and the corresponding findings are as follows:

SRC 205.010(d)(1)—The tentative subdivision plan complies with the standards of this Chapter and with all applicable provisions of the Unified Development Code, including, but not limited to the following:

1. 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;
2. City infrastructure standards; and
3. Any special development standards, including, but not limited to floodplain development, special setbacks, geological or geotechnical analysis, and vision clearance.

Findings—The applicant shall provide the required field survey and subdivision plat per Statute and Code requirements outlined in the *Oregon Revised Statutes* (ORS) and SRC. If said documents do not comply with the requirements outlined in ORS and SRC, and as per SRC Chapter 205, the approval of the subdivision plat by the City Surveyor may be delayed or denied. It is recommended the applicant request a pre-plat review meeting between the City Surveyor and the applicant's project surveyor to ensure compliance with ORS 672.005(2)(g)&(h), 672.007(2)(b), 672.045(2), 672.060(4), and *Oregon Administrative Rules* 850-020-0015(4)&(10), 820-020-0020(2), and 820-020-0045(5).

Public Works staff has reviewed the Flood Insurance Study and Flood Insurance Rate Maps and has determined that no floodplain or floodway areas exist on the subject property.

According to the Salem-Keizer Local Wetland Inventory (LWI), the subject property does not contain any wetland areas.

According to the application materials and SRC Chapter 810 (Landslide Hazards), the proposed development is a low landslide hazard risk and does not warrant additional requirements.

SRC 205.010(d)(3)—Development within the tentative subdivision plan can be adequately served by City infrastructure.

Findings—Water infrastructure is available along the perimeter of the site and appears to be adequate to serve the property as shown on the applicant's preliminary utility plan. Linking sewer and stormwater improvements are required as specified in SUB-UGA17-05.

The proposed development is subject to SRC Chapter 71 and the revised PWDS as adopted in Administrative Rule 109, Division 004. The applicant's engineer submitted a statement demonstrating compliance with Stormwater PWDS Appendix 004-E(4) and SRC Chapter 71. To demonstrate the proposed lots can meet PWDS, the applicant is required to provide an engineered tentative stormwater design to accommodate future impervious surface on all proposed lots. The applicant's engineer shall design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.

All public and private City infrastructure proposed to be located in the public right-of-way shall be constructed or secured per SRC 205.035(c)(7)(B) prior to final plat approval. Any easements needed to serve the proposed lots with City infrastructure shall be shown on the final plat.

SRC 205.010(d)(4) and SRC 205.0010(d)(5)—The street system in and adjacent to the tentative subdivision plan conforms to the *Salem Transportation System Plan*. 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.

Finding—Streets abutting the subject property do not meet the improvement and right-of-way widths for their classification of street as shown in the Salem TSP. Boundary street improvements are required along all street frontages as required in SUB-UGA17-05.

The City of Salem Planning Commission approved an adjustment to the street connectivity standards for Lot 5 in CPC-ZC-SUB-ADJ19-02. Condition 10 of CPC-ZC-SUB-ADJ19-02 requires construction of interior transportation systems to provide multi-modal access from 25th Street NE to Park Avenue NE. The applicant is proposing two alternative street standard cul-de-sacs under SRC 803.065 to be connected by a private alley for east-west connectivity. The cul-de-sac design does not conform with the requirements of SRC 803.025 because the center of the cul-de-sac is proposed to

be landscaped. Although this design provides for safe, orderly, and efficient circulation of traffic into, through, and out of the subdivision, the proposed design does not conform with PWDS Section 6.1(a), "Objectives: The objectives of the street design standards include, but are not limited to:...(5) Provide streets which are designed in a manner which allows economical future maintenance." Therefore, pursuant to SRC 803.065, the cul-de-sacs are approved as alternative streets; however, the applicant shall provide a private access easement for the cul-de-sacs to be constructed and maintained as private streets in conformance with PWDS Section 6.1(a)(5).

The proposed internal street system provides safe, orderly, and efficient circulation into, through, and out of the subdivision, and shall be privately owned and maintained. Prior to final plat, the applicant shall have recorded covenants, conditions, and restrictions in accordance with SRC 803.020(b)(3).

SRC 205.010(d)(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.

Findings—The Comprehensive Parks Master Plan Update shows that the subject property is served by developed parks. The subject property is served by Englewood Park to the northwest, Hoover Park to the northeast, and Geer Park to the south. A new park is being proposed on Lot 4 of SUB-UGA17-05. The existing street system and proposed interior multi-modal transportation system provides pedestrian connections from within the proposed subdivision to existing neighborhood activity centers. No off-site pedestrian improvements are warranted with this subdivision application.

SRC 205.010(d)(7)—The tentative subdivision plan mitigates impacts to the transportation system consistent with the approved Traffic Impact Analysis, where applicable.

Findings—A traffic impact analysis (TIA) was submitted as part of land use case number SUB-UGA17-05 and mitigation required by the TIA was included as conditions of approval in SUB-UGA17-05. The proposed subdivision is subject to prior conditions of approval from SUB-UGA17-05. Condition 4 of SUB-UGA17-05 requires that future development shall pay a proportionate share of future improvements at the Center Street NE and 17th Street NE intersection. Condition 12ii of CPC-ZC-SUB-ADJ19-02 established a proportional share of \$133 per ADT based on the applicant's TIA as follows:

- The TIA estimates the Center Street NE and 17th Street NE intersection improvements to equal \$2,732,000.

- The TIA establishes that the subject property's proportionate share of those improvements is identified to equal 39 percent of the growth-related impacts.
- The TIA provides a reasonable worst case of 7,982 average daily trips (ADT).
- The proportional share shall be \$133 per ADT based on a calculation of \$2,732,000 multiplied by 39 percent and divided by 7,982 ADT. This fee amount shall be adjusted annually based on the December to December Engineering News Record Averaged Rates for Los Angeles, Seattle, and San Francisco.

SRC 205.010(d)(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.

Findings—An Urban Growth Preliminary Declaration was issued as part of the original subdivision (Land Use case number SUB-UGA17-05) to create Lot 5, of which the subject property is part. Because an Urban Growth Preliminary Declaration is already in effect for this site, no additional Urban Growth Preliminary Declaration was required for this tentative subdivision plan.

Prepared by Jennifer Scott, Program Manager
cc: File