

NOTICE OF DECISION

PLANNING DIVISION
555 LIBERTY ST. SE, RM 305
SALEM, OREGON 97301
PHONE: 503-588-6173
FAX: 503-588-6005



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

REVISED DECISION OF THE PLANNING ADMINISTRATOR

**PHASED SUBDIVISION / URBAN GROWTH AREA PRELIMINARY
DECLARATION / CLASS 2 ADJUSTMENT CASE NO.: SUB-UGA-ADJ22-01**

APPLICATION NO.: 21-120366-LD / 21-120368-LD / 21-122241-ZO

NOTICE OF DECISION DATE: March 15, 2022

REQUEST: A phased subdivision tentative plan to divide approximately 41.62 acres into 178 single family lots ranging in size from 5,000 to 19,283 square feet in size, in three phases of development, an Urban Growth Area Preliminary Declaration to determine the necessary public facilities required to serve the proposed development, and a Class 2 Adjustment request to increase the average depth to width ratio from 300 percent to 346 percent for proposed lot 37. The applicant is requesting alternative street standards to:

- 1) Increase the maximum grade for Mistymorning Avenue and Ares Drive (Local Street) from 12 percent to 14.05 percent and 14.49 percent respectively;
- 2) Increase the street spacing and connectivity standards in SRC Chapter 803 to allow the following proposed streets to exceed the 600-foot block length and 600-foot street connectivity standards in SRC Chapter 803:
 - a) Northwesterly block of Mistymorning Avenue 740 feet
 - b) Southerly block of Ares Drive 740 feet
 - c) Ares Drive between Hermes Drive and Athene Drive 780 feet
 - d) Athena Drive between Mistymorning Drive and Zeus Avenue 761 feet
 - e) Athena Drive between Zeus Avenue and Ares Drive 762 feet
 - f) Zeus Avenue between Demeter Avenue and Ares Drive 710 feet

The subject property is approximately 41.62 acres in size, zoned RA (Residential Agriculture) and located at 2527 Robins Lane SE - 97306 (Marion County Assessor Map and Tax Lot numbers: 083W13 / 00201, and 083W24B / 02200 and 02300).

APPLICANT: Brandie Dalton, Multi-Tech Engineering Services on behalf of Mark Lowen, BC Salem Property LLC (Kelley Hamilton)

LOCATION: 2527 Robins Lane SE, Salem OR 97306

CRITERIA: Salem Revised Code (SRC) Chapters 205.015(d) – Phased Subdivision; 200.025(e) – Urban Growth Preliminary Declaration; 250.005(d)(2) – Class 2 Adjustment

FINDINGS: The findings are in the attached Decision dated March 15, 2022.

DECISION: The **Planning Administrator APPROVED** Tentative Phased Subdivision, Urban Growth Area Preliminary Declaration, and Class 2 Adjustment Case No. SUB-UGA-ADJ22-01 subject to the conditions of approval listed below, which must be completed prior to final plat approval, unless otherwise indicated:

Conditions applicable to all phases:

Condition 1: The front property lines for corner lots shall be designated as follows:

| Lot Number | Front Lot Designation |
|-------------------|---------------------------------------|
| 4 | South line facing Athena Drive |
| 14 | South line facing Athena Drive |
| 15 | South line facing Athena Drive |
| 16 | West line facing Zeus Avenue |
| 17 | East line facing Zeus Avenue |
| 18 | West line facing Demeter Avenue |
| 19 | East line facing Demeter Avenue |
| 20 | West line facing Artemis Avenue |
| 21 | East line facing Artemis Avenue |
| 22 | West line facing Mistymorning Avenue |
| 45 | South line facing Ares Drive |
| 47 | South line facing Ares Drive |
| 48 | South line facing Ares Drive |
| 51 | South line facing Ares Drive |
| 52 | South line facing Ares Drive |
| 58 | North line facing Mistymorning Avenue |
| 62 | North line facing Ares Drive |
| 72 | North line facing Ares Drive |
| 73 | North line facing Ares Drive |
| 75 | North line facing Ares Drive |
| 81 | East line facing Demeter Avenue |
| 82 | East line facing Demeter Avenue |
| 88 | East line facing Zeus Avenue |
| 89 | East line facing Demeter Avenue |
| 105 | West line facing Zeus Avenue |
| 113 | West line facing Zeus Avenue |
| 114 | West line facing Zeus Avenue |
| 126 | East line facing Hermes Drive |
| 136 | South line facing Athena Drive |
| 145 | West line facing Ares Drive |
| 158 | North line facing Ares Drive |
| 159 | South line facing Ares Drive |
| 162 | North line facing Athena Drive |
| 168 | West line facing Ares Drive |

Condition 2: All flag lot accessways shall be paved in accordance with the requirements of SRC 800.025(c), Table 800-1. "NO PARKING—FIRE LANE" signs shall be posted on both sides of that segment of the flag lot accessway that is a fire apparatus roadway and "NO PARKING" signs shall be posted on both sides of any remaining portion of the accessway.

- Condition 3:** Design and construct a storm drainage system at the time of development in compliance with Salem Revised Code (SRC) Chapter 71 and Public Works Design Standards (PWDS).
- Condition 4:** If common facilities will be privately owned, the applicant shall provide recorded covenants, conditions, and restrictions for the development prior to final plat approval that shall include a provision that such facilities and common property be perpetually operated and maintained by a property owners' association consistent with the requirements of SRC 205.035(f).
- Condition 5:** Dedicate a 10-foot public utility easement along the street frontage of all internal streets.
- Condition 6:** An Airport Overlay Zone Height Variance shall be obtained prior to building permit issuance for any building exceeding the height limits of the Airport Overlay Zone.
- Condition 7:** Replanting on each lot in the subdivision shall comply with SRC 808.050 except that each tree shall be a minimum of 2-inch caliper standard at the time of planting.
- Condition 8:** The applicant shall submit a list of species that will be used in the replanting; the list should include not less than five species authorized in the City's Tree and Vegetation Technical Manual. The list shall be submitted prior to or concurrently with the first residential permit.
- Condition 9:** Prior to recordation of a final subdivision plat, the applicant shall grant \$15,000 to the Salem City Tree Fund.
- Condition 10:** All necessary (existing and proposed) access and utility easements must be shown on the final plat and recorded on the deeds to individual lots affected by such easements.
- Condition 11:** Construct internal streets in the general alignments as shown in the application materials to Local street standards except as follows:
- a. Zeus Avenue shall be constructed as a Collector B street.
 - b. Mistymorning Avenue is approved to have an increased street grade, as specified in the application materials.
 - c. Construct either a local street stub or Mid-block Bike/Pedestrian Walkway to the south line of the subject property between Genesis Street and Demeter Avenue.
- Condition 12:** In accordance with Appendix F of the Salem Comprehensive Parks System Master Plan, construct predevelopment ~~improvements~~ standard amenities in the Open Space area and enter into an agreement with the City for conveying the Open Space area to the City after plat approval for future neighborhood park use.

Conditions applicable to Phase 1:

- Condition 13:** Construct a minimum 8-inch sewer main from Robins Lane through Phase 2 to serve Phase 1 as shown on the applicant's utility plan.
- Condition 14:** Extend the 8-inch sewer main from Zeus Avenue to the northern property line to serve undeveloped property to the north.
- Condition 15:** Extend a minimum 8-inch S-3 water main to the easterly terminus of Athena Drive as shown on the applicant's utility plan.
- Condition 16:** Construct Zeus Avenue to Collector B street standards within Phase 1.
- Condition 17:** Construct a Mid-Block Bike/Pedestrian Walkway between lots 10 and 11 according to Public Works Design Standards.
- Condition 18:** Construct either a local street stub or a Mid-block Bike/Pedestrian Walkway to the south line of the subject property between Genesis Street and Demeter Avenue.
- Condition 19:** To ensure that Phase 1 is served by City infrastructure:
- a. Construct sewer and stormwater facilities within Phase 2 needed to serve Phase 1 as shown on the applicant's utility plan.
 - b. Provide easements and access roads pursuant to PWDS for public infrastructure within Phase 2 needed to serve Phase 1.
 - c. Design all streets in Phase 2 in which public infrastructure is proposed to serve Phase 1 in sufficient detail to establish final street grades.
- Condition 20:** A construction entrance shall be constructed from Robins Lane SE as part of Phase 1, and all construction vehicles and equipment shall utilize this entrance for entering and leaving the site.

Conditions applicable to Phase 2:

- Condition 21:** Prior to final plat approval for Phase 2, the applicant shall modify the dimensions of lot 110 to comply with all applicable lot dimension standards.
- Condition 22:** Convey land for dedication to equal a half-width right-of-way of 30 feet on the development side of Robins Lane SE, including sufficient right-of-way to accommodate public infrastructure at the property corners.
- Condition 23:** Along the north side of Robins Lane SE from approximately the east right-of-way line of Robin Hood Street SE to the west line of the subject property, construct a 17-foot-wide half-street linking improvement to collector standards with a curb and gutter, but no sidewalk at this time because of insufficient right-of-way.

- Condition 24:** Along the north side of Robins Lane SE between the west line of the subject property and Zeus Avenue SE, construct a three-quarter-street improvement to collector standards.
- Condition 25:** Along Robins Lane SE between Zeus Avenue SE and the east line of the subject property, construct a three-quarter street improvement to local street standards.
- Condition 26:** Construct Zeus Avenue to Collector B street standards from Robins Lane to the north line of Phase 2. Configure the intersection of Robins Lane and Zeus Avenue as shown on the applicant's preliminary plan. The centerline radius may need to be modified to meet PWDS.

Conditions applicable to Phase 3:

- Condition 27:** Prior to final plat approval for Phase 3, the applicant shall modify the flag lot accessway serving proposed lots 174, 175 and 176 to comply with all applicable fire department access requirements and development standards of SRC Chapter 800.
- Condition 28:** Vehicular access to proposed lots 141 and 142 shall be provided by a flag lot accessway, driveway access shall not be allowed directly to the cul-de-sac.
- Condition 29:** Extend a minimum 8-inch S-3 water main to the northerly terminus of Ares Drive as shown on the applicant's utility plan.
- Condition 30:** Construct a Mid-Block Bike/Pedestrian Walkway between lots 129 and 130 according to Public Works Design Standards.

The rights granted by the attached decision must be exercised, or an extension granted, by April 1, 2024, or this approval shall be null and void.

Application Deemed Complete: January 13, 2022
Notice of Decision Mailing Date: March 15, 2022
Decision Effective Date: April 1, 2022
State Mandate Date: June 12, 2022

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

This decision is final unless written appeal and associated fee (if applicable) from an aggrieved party is filed with the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem OR 97301, or by email at planning@cityofsalem.net, no later than 5:00 p.m., Wednesday, March 30, 2022. 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, 200, and 250. 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 Salem City Council will review the appeal at a public hearing. After the hearing, the Salem City Council may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

All documents and evidence submitted by the applicant are available on the City's online Permit Application Center at <https://permits.cityofsalem.net>. You can use the search function without registering and enter the permit number listed here: 21 120366. Paper copies can be obtained for a reasonable cost.

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

**BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM
(SUBDIVISION PLAT NO. 22-01)**

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

| | |
|---|-----------------------------|
| IN THE MATTER OF THE |) FINDINGS AND ORDER |
| APPROVAL OF TENTATIVE |) |
| SUBDIVISION, URBAN GROWTH AREA |) |
| PRELIMINARY DECLARATION, CLASS 2 |) |
| ADJUSTMENT CASE NO. SUB-UGA-ADJ22-01 |) |
| 2527 ROBINS LANE SE |) MARCH 14, 2022 |

REQUEST

A phased subdivision tentative plan to divide approximately 41.62 acres into 178 single family lots ranging in size from 5,000 to 19,283 square feet in size, in three phases of development, an Urban Growth Area Preliminary Declaration to determine the necessary public facilities required to serve the proposed development, and a Class 2 Adjustment request to increase the average depth to width ratio from 300 percent to 346 percent for proposed lot 37. The applicant is requesting alternative street standards to:

- 1) Increase the maximum grade for Mistymorning Avenue and Ares Drive (Local Street) from 12 percent to 14.05 percent and 14.49 percent respectively;
- 2) Increase the street spacing and connectivity standards in SRC Chapter 803 to allow the following proposed streets to exceed the 600-foot block length and 600-foot street connectivity standards in SRC Chapter 803:
 - a) Northwesterly block of Mistymorning Avenue – 740 feet
 - b) Southerly block of Ares Drive – 740 feet
 - c) Ares Drive between Hermes Drive and Athene Drive – 780 feet
 - d) Athena Drive between Mistymorning Drive and Zeus Avenue – 761 feet
 - e) Athena Drive between Zeus Avenue and Ares Drive – 762 feet
 - f) Zeus Avenue between Demeter Avenue and Ares Drive – 710 feet

The subject property is approximately 41.62 acres in size, zoned RA (Residential Agriculture) and located at 2527 Robins Lane SE - 97306 (Marion County Assessor Map and Tax Lot numbers: 083W13 / 00201, and 083W24B / 02200 and 02300).

PROCEDURAL FINDINGS

1. On November 4, 2021, a consolidated application for a Phased Subdivision Tentative Plan, Urban Growth Area Preliminary Declaration and Class 2 Adjustment was filed for a proposal to divide an approximately 41.62 acres located at 2527 Robins Lane SE (Attachment A) into 178 single family lots in three phases of development.
2. After receiving missing information from the applicant, the consolidated application was deemed complete for processing on January 13, 2022. Notice to surrounding property owners was mailed pursuant to Salem Revised Code on January 13, 2022, and public

notice was posted on the subject property on January 14, 2022 pursuant to SRC 300.520(b)(2).

3. The 120-day state-mandated local decision deadline was extended by the applicant on February 22, 2022, requesting to extend the deadline for this consolidated application from May 13, 2022 by 30-days to June 12, 2022.

SUBSTANTIVE FINDINGS

1. Proposal

The tentative plan proposes to divide approximately 41.62 acres into 178 lots for residential development. The lots proposed for residential development range in size from approximately 5,000 square feet to approximately 19,283 square feet.

The applicant is requesting alternative street standards to increase the street spacing, connectivity, and development standards in SRC Chapter 803 to:

- 1) Increase the maximum grade for Mistymorning Avenue and Ares Drive (Local Street) from 12 percent to 14.05 percent and 14.49 percent respectively;
- 2) Increase the street spacing and connectivity standards in SRC Chapter 803 to allow the following proposed streets to exceed the 600-foot block length and 600-foot street connectivity standards in SRC Chapter 803:
 - a) Northwesterly block of Mistymorning Avenue – 740 feet
 - b) Southerly block of Ares Drive – 740 feet
 - c) Ares Drive between Hermes Drive and Athene Drive – 780 feet
 - d) Athena Drive between Mistymorning Drive and Zeus Avenue – 761 feet
 - e) Athena Drive between Zeus Avenue and Ares Drive – 762 feet
 - f) Zeus Avenue between Demeter Avenue and Ares Drive – 710 feet

The proposal includes two large open space areas. In Phase 1, an open space area approximately 2.88 acres in size is provide in the northwest corner of the property, and will be dedicated to the City of Salem as a future City park. In Phase 2, an open space area approximately 28,693 square feet in size and located at the southern end of the property adjacent to Robins Lane will be used primarily for stormwater detention.

2. Existing Conditions

Site and Vicinity

The subject property (Attachment A) contains three separate tax lots with a combined size of approximately 41.62 acres. The subject property abuts existing single-family residential subdivisions to the south (Genesis and Genesis 2) and to the west (Rockridge Estates No 3). The subject property abuts vacant property outside City limits to the north zoned UT-10, and properties to the east and west occupied by single family dwellings that are outside City limits zoned UT-5.

The subject property is sloped with the highest elevations occurring at approximately 500 feet near the western end of the subject property and approximately 520 feet at the northeast end of the property, then falling to approximately 430 feet near the southern end of the property adjacent to Robins Lane SE.

Salem Area Comprehensive Plan (SACP) Designation

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

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

- North: Developing Residential
- South: Across Robins Lane SE; Developing Residential
- East: Developing Residential
- West: Developing Residential

Zoning and Surrounding Land Use

The subject property is zoned RA (Residential Agriculture) and currently contains a single-family dwelling near Robins Lane SE but is mostly vacant. The surrounding properties are zoned and used as follows:

- North: Outside city limits, Marion County UT-10 (Urban Transition, 10 acres minimum lot size); vacant, agricultural use
- South: Across Robins Lane SE, RA (Residential Agriculture) and outside city limits, Marion County UT-5 (Urban Transition, 5 acres minimum lot size); single family dwellings
- East: Marion County UT-5 (Urban Transition, 5 acres minimum lot size); single family dwellings, Brentwood Drive SE and Interstate 5
- West: RA (Residential Agriculture) and outside city limits, Marion County UT-5 (Urban Transition, 5 acres minimum lot size); single family dwellings

Relationship to Urban Service Area

The subject property is located outside the City’s Urban Service Area. An Urban Growth Preliminary Declaration is required because the subject property is located outside the Urban Service Area in an area without required public facilities.

Infrastructure

Water: The subject property is within the S-2 and S-3 water service levels.

A S-2 12-inch water main is located in Robins Lane SE.

A S-2 8-inch water main is located in Genesis Street SE.

A S-2 8-inch water main is located in Mistymorning Avenue SE.

A S-3 8-inch water main is located in Mistymorning Avenue SE.

A S-2 16-inch water main is located in Brentwood Drive SE.

Sewer: A 10-inch sanitary sewer main is located in Robins Lane SE.

An 8-inch sewer main is located in Mistymorning Avenue SE.

Storm Drainage: A 10-inch storm main is located in Robins Lane SE approximately 100-feet west of the subject property.

A 10-inch storm main is located in Genesis Street SE.

A 54-inch storm main is located in Mistymorning Avenue SE.

Streets: Robins Lane SE abuts the subject property along the southern boundary and is designated as a collector street in the Salem Transportation System Plan (TSP).

- o The standard for this street classification is a 34-foot-wide improvement within a 60-foot-wide right-of-way.
- o This street currently has an approximate 20-foot improvement within a varied 40-to-50-foot-wide right-of-way abutting the subject property.

Mistymorning Avenue SE abuts the subject property at the western boundary and is designated as a local street in the Salem Transportation System Plan (TSP).

- o The standard for this street classification is a 30-foot-wide improvement within a 60-foot-wide right-of-way.
- o This street has an approximate 30-foot improvement within a 50-foot-wide right-of-way abutting the subject property.

Genesis Street SE abuts the subject property along the southwestern boundary and is designated as a local street in the Salem Transportation System Plan (TSP).

- o The standard for this street classification is a 30-foot-wide improvement within a 60-foot-wide right-of-way.

- o This street has an approximate 30-foot improvement within a 50-foot right-of-way abutting the subject property.

Parks: The proposed development is not currently served by a park. The tentative plan shows approximately 2.8 acres set aside for open space at the northwestern corner of the subject property.

3. Applicant's Plans and Statement

Land use applications must include a statement addressing the applicable approval criteria and be supported by proof they conform to all applicable standards and criteria of the Salem Revised Code. The written statement provided by the applicant summarizing the request and addressing the applicable approval criteria, as well as the tentative subdivision plan illustrating the proposed development on the property, are attached to this report as follows:

- Phased Tentative Subdivision Plan: **Attachment B**
- Applicant's Written Statement: **Attachment C**

4. Summary of Record

The following items are submitted to the record and are available upon request: 1) All materials submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, and stormwater reports; 2) any materials, testimony, and comments from public agencies, City Departments, neighborhood associations, and the public; and 3) all documents referenced in this report. All application materials are available on the City's online Permit Application Center at <https://permits.cityofsalem.net>. You can use the search function without registering and enter the permit number listed here: 21-120366-LD.

5. Land Use History

- **Annexation (Case No. ANXC-730):** A petitioner-initiated, voter-exempt annexation of approximately 47.323 acres of territory, including approximately 41.76 acres of private property and 5.563 acres of right-of-way, for property generally located at 2527 and 2547 Robins Lane SE.

6. Public and Private Agency Review

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

Fire Department – The Salem Fire Department has reviewed the proposal and indicated that the proposed two means of fire department access for Phase 1 (Mistymorning Avenue SE and Genesis Street SE) will be acceptable and that the proposed street grades over 12 percent but less than 15 percent are for short runs and are acceptable. The turnaround proposed on Lot 174 of Phase 3 does not meet fire department access requirements and will need to be modified.

Condition: Prior to final plat approval for Phase 3, the applicant shall modify the flag lot accessway serving proposed lots 174, 175 and 176 to comply with all applicable fire department access requirements and development standards of SRC Chapter 800.

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

Salem-Keizer Public Schools – Planning and Property Services staff for the Salem-Keizer School District reviewed the proposal and submitted comments included in full as **Attachment E**.

Marion County Public Works Department Schools – The Marion County Public Works Department has reviewed the proposal and indicated concern that homes directly across from the subject property on the south side of Robins Lane may have their driveway access impacted by the proposed realignment for Robins Lane and Zeus Avenue.

Staff Response: The existing driveway approaches may be realigned during final design of the Robins Lane SE and Zeus Avenue SE intersection. At that time, staff will review the driveway locations in relation to the final street design to ensure Public Works Design Standards and SRC requirements are met.

7. Neighborhood Association Comments and Public Comments

The subject property is located within the boundaries of the South Gateway Neighborhood Association (SGNA).

Applicant Neighborhood Association Contact. SRC 300.310 requires an applicant to contact the neighborhood association(s) whose boundaries include, and are adjacent to, property subject to specific land use application requests. Pursuant to SRC 300.310(b)(1), land use applications included in this proposed consolidated land use application request require neighborhood association contact. On October 5, 2021, the applicant contacted the SGNA Chair and Land Use Chair informing them of the proposed project.

Homeowners Association

The subject property is not located within a Homeowners Association.

Neighborhood Association and Public Comment: Notice of the application was provided to SGNA pursuant to SRC 300.520(b)(1)(B)(v), which requires notice to be sent to any City-recognized neighborhood association whose boundaries include, or are adjacent to, the subject property. Notice was provided, pursuant to SRC 300.520(b)(1)(B)(iii), (vi), & (vii), to all property owners and tenants within 250 feet of the subject property, posted notice was also provided on each street frontage during the comment period pursuant to SRC 300.520(b)(2). No comments were submitted from SGNA. Testimony was submitted by six

citizens during the public comment period, questions and concerns raised are summarized below followed by a response from staff.

- a) **Stormwater:** Comments submitted express concerns for flooding on adjacent property and timing of construction of the required stormwater management facilities.

Staff Response: City engineers have reviewed the proposed stormwater system. The stormwater treatment and flow control facility is located in Phase 2. The conditions of approval specify that the stormwater facility will need to be constructed in conjunction with Phase 1 or Phase 2, whichever comes first. Staff expects a reduction in the amount of runoff flowing through adjacent property, especially after completion of both Phases 1 and 2, as rooftop and street drainages are collected into pipes and transported to the stormwater facility rather than flowing overland onto adjacent property.

- b) **Traffic and Access:** Comments submitted expressed concerns for the ability of the existing street system to handle the traffic generated by the proposed development. Comments submitted also requested access be established through the under-improved Brentwood Drive right-of-way, which is under jurisdiction of Marion County.

Staff Response: The applicant submitted a Traffic Impact Analysis (TIA) that demonstrates the existing street system is adequate to serve the proposed development. Street improvements will be required as part of the proposed development and a construction only entrance from Robins Lane is recommended as a condition of approval for Phase 1. With Phase 2, the applicant will be required to develop a new internal collector street, Zeus Avenue, that will connect to Robins Lane SE and at full build out the proposed subdivision provides future connectivity options to the north.

Brentwood Drive is a frontage road that runs parallel to Interstate 5 and is under the jurisdiction of ODOT. This street is underimproved and barricaded at Robins Lane because of safety limitations at the intersection of Battle Creek Road, and the portion of Brentwood Drive abutting the subject property will likely be closed and vacated in the future, therefore no improvements to Brentwood Drive are required with this request.

- c) **Tree Removal:** Comments submitted expressed concerns regarding the removal of additional trees from this property.

Staff Response: The subject property was cleared of trees between April 2018 and June 2018, prior to annexation of the property into City limits. The applicant states that there are no longer any trees on the subject property that require removal. Because there are no longer any trees on the subject property that require removal in connection with this subdivision, a tree conservation plan is not required. However, if there are additional trees located on the property that require removal in connection with this subdivision, a tree conservation plan will be required.

DECISION CRITERIA

8. **Analysis of Subdivision Tentative Plan Approval Criteria**

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 approval of the final subdivision plat.

SRC 205.010(d) and 205.015(d) sets forth the criteria that must be met before approval can be granted for a phased subdivision tentative plan 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) and 205.015(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 510 (Residential Agriculture) and SRC Chapter 511 (Single Family Residential): The proposed subdivision would divide the 41.62-acre property in three phases with a total of 178 lots, a lot dedicated for water quality detention abutting Robins Lane, and an open space area for future dedication as a public park approximately 2.88 acres in size and located at the northwest corner of the subject property. The subject property is currently zoned RA (Residential Agriculture). SRC Chapter 265.015 provides that any land within an RA zone district that is subject to a subdivision approval shall automatically be re-classified to an RS zone district on the date the subdivision plat is recorded. Because the zoning of the subject property will be changed to RS with the recording of the final plat for each respective phase, the following analysis of the subdivision for conformance with the requirements of the UDC is based upon the property being rezoned to RS (Single Family Residential). The development standards of the RS zone are established under SRC 511.010 and are addressed as follows:

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

| Requirement | Standard |
|--------------------------|-------------------|
| Lot Area (Single Family) | 4,000 square feet |

| | |
|--|---|
| Lot Width | 40 feet |
| Lot Depth (Single family and two family) | Min. 70 feet, max. 300% of av. lot width |
| Lot Depth (Double frontage lots) | Min. 120 feet, max. 300% of av. lot width |
| Street Frontage | 40 feet, or 30 feet applicable to lots fronting a cul-de-sac or curved street. Not applicable to flag lots. |

Proposed lots in the subdivision range from approximately 5,003 square feet to 2.88 acres in size. The applicant is requesting an Adjustment to allow proposed lot 37 to have a lot depth that exceeds the maximum 300 percent of the lot width standard, findings for this Adjustment are included in Section 10 of this report. Proposed lot 110 does not meet the minimum street frontage requirement of 40 feet. This lot is on a curved street, but the street has a radius greater than 200 feet and the direction of change is less than 60 degrees, therefore the 30-foot standard does not apply to this lot.

Condition: Prior to final plat approval for Phase 2, the applicant shall modify the dimensions of lot 110 to comply with all applicable lot dimension standards.

Proposed lots 141 and 142 do not comply with the minimum 30-foot street frontage standard for lots on a cul-de-sac and need to be flag lots served by a flag lot accessway, driveway access will not be provided directly to the cul-de-sac.

Condition: Vehicular access to proposed lots 141 and 142 shall be provided by a flag lot accessway, driveway access shall not be allowed directly to the cul-de-sac.

As proposed and conditioned, the lots within the subdivision are of sufficient size and dimension to permit future development of uses allowed within the RS zone.

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 future development will be reviewed at the time of application for building permits on individual lots.

SRC Chapter 800 (General Development Standards):

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. Corner lots are lots located at the intersection of two or more streets, typically with street frontage on two sides. The following proposed lots are corner lots; due to the proposed lot configuration and dimensions, the front lot lines shall be designated as conditioned below. The lot numbers indicated in the condition are based on the applicant’s tentative plan, actual lot numbers may vary at the time of final plat.

Condition: The front property lines for corner lots shall be designated as follows:

| Lot Number | Front Lot Designation |
|-------------------|---------------------------------------|
| 4 | South line facing Athena Drive |
| 14 | South line facing Athena Drive |
| 15 | South line facing Athena Drive |
| 16 | West line facing Zeus Avenue |
| 17 | East line facing Zeus Avenue |
| 18 | West line facing Demeter Avenue |
| 19 | East line facing Demeter Avenue |
| 20 | West line facing Artemis Avenue |
| 21 | East line facing Artemis Avenue |
| 22 | West line facing Mistymorning Avenue |
| 45 | South line facing Ares Drive |
| 47 | South line facing Ares Drive |
| 48 | South line facing Ares Drive |
| 51 | South line facing Ares Drive |
| 52 | South line facing Ares Drive |
| 58 | North line facing Mistymorning Avenue |
| 62 | North line facing Ares Drive |
| 72 | North line facing Ares Drive |
| 73 | North line facing Ares Drive |
| 75 | North line facing Ares Drive |
| 81 | East line facing Demeter Avenue |
| 82 | East line facing Demeter Avenue |
| 88 | East line facing Zeus Avenue |
| 89 | East line facing Demeter Avenue |

| | |
|-----|--------------------------------|
| 105 | West line facing Zeus Avenue |
| 113 | West line facing Zeus Avenue |
| 114 | West line facing Zeus Avenue |
| 126 | East line facing Hermes Drive |
| 136 | South line facing Athena Drive |
| 145 | West line facing Ares Drive |
| 158 | North line facing Ares Drive |
| 159 | South line facing Ares Drive |
| 162 | North line facing Athena Drive |
| 168 | West line facing Ares Drive |

Provided that lot dimension standards are met, the front lot line for a corner lot shall be the property line abutting a street designated by the building permit applicant. Corner lots not identified in the table (including proposed lots 44, 57, 76, 104, 120, 121, and 137) may be designated at the time of building permit by the applicant.

Proposed lots 139, 140, 141, 142, 143, 144, 174, 175 and 176 are flag lots that take access from a flag lot accessway. For a flag lot, 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. The front lot line for proposed lots 139-144 shall be designated as the western most property line, with the rear yards the eastern line abutting Brentwood Drive. The front lot line for proposed lot 174 shall be the southernmost lot line, and the front lot line for proposed lots 175 and 176 shall be the eastern most lot line.

Proposed lots 148, 149, 150, 151 and 152 are double frontage lots. The front lot line for proposed lots 148-152 shall be the western lot line facing Ares Drive.

As proposed and conditioned, the phased subdivision tentative plan conforms to the requirements of SRC Chapter 800.

Flag Lots:

SRC 800.025 establishes the following development standards for flag lot accessways serving residentially zoned lots:

| Flag Lot Accessway Standards (Residential Zones) | | |
|---|---|--|
| | 1 to 2 Lots Served by Accessway | 3 to 4 Lots Served by Accessway |
| Length | 150 ft. Max. | 400 ft. Max. |
| Width | 20 ft. Min. | 25 ft. Min. |
| Paved Width | 15 ft. Min. | 20 ft. Min. |
| Parking | Not Allowed | Not Allowed |
| Turnaround | Required for flag lot accessways greater than 150 feet in length. | |

| | |
|--|--|
| | <i>(Unless the buildings served by the flag lot accessway are equipped with approved automatic fire sprinkler systems or where geographic features make it impractical and an alternative means of fire protection is provided and approved by the Fire Marshal)</i> |
|--|--|

Proposed lots 139, 140, 141, 142, 143, 144, 174, 175 and 176 are flag lots. As shown on the applicant's tentative subdivision plan, the flag lot accessway serving lots 139-141 is approximately 30 feet in width and 95 feet in length, and the flag lot accessway serving lots 142-144 is approximately 25 feet in width and 95 feet in length, in conformance with the standards for flag lot accessways serving 3-4 lots.

As indicated by the Fire Department, the accessway serving lots 174, 175, and 176 the turn will need to be modified to comply with all applicable standards.

In order to ensure each of the proposed flag lot accessways conform to the requirements of SRC 800.025(d), the following condition of approval shall apply:

Condition: All flag lot accessways shall be paved in accordance with the requirements of SRC 800.025(c), Table 800-1. "NO PARKING—FIRE LANE" signs shall be posted on both sides of that segment of the flag lot accessway that is a fire apparatus roadway and "NO PARKING" signs shall be posted on both sides of any remaining portion of the accessway.

SRC 800.025(e) provides that within a subdivision, up to 15 percent of the lots may be flag lots. The proposed phased subdivision tentative plan includes 178-lots with nine lots (5.1 percent) proposed to be a flag lot, less than the 15 percent maximum.

(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 71 (Stormwater): The proposed subdivision is subject to the stormwater requirements of SRC Chapter 71 and the revised Public Works Design Standards as adopted in Administrative Rule 109, Division 004. To demonstrate that the proposed parcels can meet the PWDS, the applicant shall submit a tentative stormwater design prior to final plat approval. For a tentative stormwater design, the applicant shall submit infiltration test results, the Simplified Method Form or Engineering Method Report as applicable, and a preliminary site plan showing the building envelope and tentative located of stormwater facilities.

As conditioned below, the proposal meets the requirements of SRC Chapter 71.

Condition: Design and construct a storm drainage system at the time of development in compliance with Salem Revised Code (SRC) Chapter 71 and Public Works Design Standards (PWDS).

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. An Urban Growth Preliminary Declaration is required because the subject property is located outside the Urban Service Area in an area without required facilities. Analysis of the development based on relevant standards in SRC Chapter 200 is found in Section 9 of this report.

SRC Chapter 205 (Land Division and Reconfiguration): SRC 205.035(f) provides that where facilities and common property, including but not limited to, private streets, parking areas, privately owned pedestrian walkways and bikeways, and landscape strips, are included within the development, the recorded covenants, conditions, and restrictions for the development shall include a provision that such facilities and common property be perpetually operated and maintained by a property owners' association.

The proposed subdivision includes two large open space areas: 1) a 2.88 acre open space area in Phase 1 at the north western end of the property to be dedicated to the City of Salem for use as a future City park; and 2) a 28,693 square foot open space area in Phase 2 at the southern end of the property abutting Robins Lane SE to be used for stormwater detention. Where these common facilities will be privately owned, the applicant shall include provisions for operation and maintenance of these facilities in compliance with SRC 205.035(f).

Condition: If common facilities will be privately owned, the applicant shall provide recorded covenants, conditions, and restrictions for the development prior to final plat approval that shall include a provision that such facilities and common property be perpetually operated and maintained by a property owners' association consistent with the requirements of SRC 205.035(f).

SRC Chapter 802 (Public Improvements): Comments from the Public Works Department indicate that water and sewer infrastructure is available in the area surrounding 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 802.015 requires development to be served by City utilities designed and constructed according to all applicable provisions of the Salem Revised Code and Public Works Design Standards. The Schematic Utility Plan included in the proposal shows that each lot can be served by City utilities designed and constructed according to the applicable provisions of the SRC and PWDS.

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

SRC 803.015 (Traffic Impact Analysis): The proposed 178-lot subdivision generates more than 1,000 average daily vehicle trips to the Collector street system. Therefore, a TIA was required as part of the proposed subdivision submittal. The applicant provided a TIA prepared by Enloe Consulting, LLC dated November 2021.

SRC 803.020 (Public and Private Streets): The applicant proposes for all internal streets within the subdivision to be public streets.

SRC 803.025 (Right-of-Way and Pavement Widths): Right-of-way width for streets shall conform to the standards set forth in Table 803-1.

Robins Lane SE and Brentwood Drive SE abut the subject property; both streets do not meet the current right-of-way or improvement width standards for a Collector street. In implementing boundary street requirements pursuant to SRC 803.040, conditions of approval require the applicant to dedicate additional right-of-way for Robins Lane where it abuts the property to the south. Because of safety limitations and the likelihood that Brentwood Drive be closed and vacated in the future, no right-of-way dedication or pavement improvements are required for Brentwood Drive.

Proposed internal local streets, Ares Drive, Artemis Avenue, Athena Drive, Demeter Avenue, Genesis Street, Hermes Drive, Johan Avenue, and Mistymorning Avenue comply with applicable standards for local street right-of-way and pavement width as specified in SRC 803.025. Zeus Avenue is a proposed internal collector street that will comply with applicable standards for right-of-way and pavement width standards.

SRC 803.030 (Street Spacing): The street spacing requirements specifies maximum block lengths of 600 feet along one axis, and between 120 feet minimum and 400 feet maximum along the other axis. Street spacing may be increased based on one or more of the conditions set forth in subsection (b).

The applicant is requesting alternative street standards for street spacing and connectivity as follows:

- 1) Along the northwesterly block of Mistymorning Avenue, approximately 740' between Pikes Pass Street SE and the northern boundary of the subject property, exceeds 600 feet.

A large open space area that will be dedicated as a future City Park approximately 2.88 acres in size is proposed along the north side of the extension of Mistymorning Avenue SE. Due to physical conditions of the land (topography) and future City Park use, an additional street connection through this area would be impractical, this alternative street standard request is consistent with 803.030(b)(1 and 2) and 803.035(a)(1 and 2).

- 2) Southerly block of Ares Drive, approximately 740' between Genesis Street SE and Demeter Avenue SE, exceeds 600 feet.

The applicant requested an alternative street standard be applied to this section of Ares Drive SE; however, staff does not see evidence that the request complies with SRC

803.030(b) or 803.035(a). Topography does not appear to create a hardship and a connection could be provided to the southern property line providing access to property located at 2447 Robins Lane SE. Because topography is not a limiting factor along this section of Ares Drive SE, the Planning Administrator does not approve this alternative street standard request and instead finds that a connection to the southerly property is possible and need. The applicant shall either provide a full street connection in the area around proposed lots 68-69, or the Planning Administrator will accept a bicycle and pedestrian pathway connection per SRC 803.030(b)(4).

- 3) Ares Drive SE, approximately 770' between Hermes Drive SE and Athena Drive SE, exceeds 600 feet.

Steep slopes all along Brentwood Drive SE make a street connection from Ares Drive SE to Brentwood difficult consistent with 803.030(b)(1) and 803.035(a)(1). Further, Brentwood Drive SE is not proposed to be updated and improved to City standards, therefore a connection here is not practical.

- 4) North block of Athena Drive SE, approximately 761' between Mistymorning Avenue and Zeus Avenue, exceeds 600 feet.

The applicant requested an alternative street standard be applied to this section of Athena Drive SE. The applicant is proposing a mid-block bicycle and pedestrian pathway, staff finds that strict application of the spacing requirements for this block would result in a street network that is no more beneficial to vehicular, pedestrian, or bicycle traffic than the proposed street network. Further, granting the alternative street standard request does not adversely impact emergency vehicle access throughout the proposed subdivision, this request is in compliance with SRC 803.030(b)(4).

- 5) North block of Athena Drive SE, approximately 762' between Zeus Avenue SE and Ares Drive SE, exceeds 600 feet.

Topography in this area make a street connection difficult, consistent with 803.030(b)(1) and 803.035(a)(1). Further, a street connection here would not provide much benefit to vehicles as the abutting lot to the north will have three street connections for future development. The applicant is proposing a mid-block bicycle and pedestrian pathway; however, due to topography the pathway may not be able to comply with ADA accessibility standards.

- 6) Zeus Avenue SE and Demeter Avenue SE south of Ares Drive SE, approximately 635-700', exceeds 600 feet.

The applicant is proposing a block length at the southern portion of Phase 2 to exceed the 600-foot standard with a varied length of 635-700 feet proposed. Staff finds that strict application of the spacing requirements for this block would result in a street network that is no more beneficial to vehicular, pedestrian, or bicycle traffic than the proposed street network. Further, granting the alternative street standard request does not adversely impact

emergency vehicle access throughout the proposed subdivision, this request is in compliance with SRC 803.030(b)(4).

SRC 803.035 (Street Standards): All public and private streets are subject to the street standards in this section.

Finding: Subsection (a) requires streets within the subdivision to provide connectivity to existing streets and undeveloped properties within the vicinity of the subject property. With the exception of alternative street standards granted for connectivity identified above, as proposed and conditioned the phased subdivision provides for adequate street connectivity in compliance with 803.035(a).

The tentative subdivision plat shows property line sidewalks for all proposed internal local streets, except for two cul-de-sac bulb areas where the sidewalk shifts to curblin, which is consistent with SRC 803.035(l). Generally, sidewalks along the frontage of lots platted for single family residential development are installed at the time of home construction. This allows eventual building permit applicants for single family dwellings to select driveway alignment and apron placement along the lot frontage prior to installing sidewalks.

The applicant is requesting an alternative street standard to increase the street grade for Mistymorning Avenue and Ares Drive from a maximum of 12% for a Local street to 14.05% and 14.49% respectively. Pursuant to SRC 803.065(a)(3), the Director may authorize the use of one or more alternate street standards where topography or other conditions make the construction that conforms to the standards impossible or undesirable. The alternative street standards requested are due to existing topography and other constraints on the subject property that would make compliance with the standard impossible or undesirable, meeting the criteria for approval of an alternative street standard.

A 10-foot-wide public utility easement is required along street frontages pursuant to SRC 803.035(n).

Condition: Dedicate a 10-foot public utility easement along the street frontage of all internal streets.

SRC 803.040 (Boundary Streets): Robins Lane SE and Brentwood Drive SE are boundary streets, running along the southern and eastern frontage of the subject property. Both streets do not meet the current standards for a Collector street. In implementing boundary street requirements pursuant to SRC 803.040, conditions of approval require the applicant to dedicate additional right-of-way and provide street improvements for Robins Lane where it abuts the property to the south. Because of safety limitations and the likelihood that Brentwood Drive be closed and vacated in the future, no right-of-way dedication or pavement improvements are required for Brentwood Drive.

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

SRC Chapter 601 (Floodplain Overlay Zone): The Public Works Department 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.

SRC Chapter 602 (Airport Overlay Zone): The subject property is located within the Conical Surface of the Airport Overlay Zone. Within the conical area, no building, structure, object, or vegetative growth shall have a height greater than that established by a plane sloping 20 feet outward for each one foot upward beginning at the periphery of the horizontal area, 150 feet above the airport elevation, and extending to a height of 350 feet above the airport elevation. The subject property is located approximately 1,900 feet from the horizontal area, per SRC 602.020(a)(7), the maximum height allowance for the subject property is 245 feet above airport elevation or an elevation of 455 feet. Some portions of the site exceed this allowance, per SRC 602.025(a) no building, structure, or object shall be erected or increased in height, and no vegetation shall be allowed to grow, to a height in excess of the height limitations of the Airport Overlay Zone unless a variance has been granted.

Condition: An Airport Overlay Zone Height Variance shall be obtained prior to building permit issuance for any building exceeding the height limits of the Airport Overlay Zone.

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 single-family or two-family uses where trees are proposed for removal.

The subject property was cleared of trees between April 2018 and June 2018, prior to annexation of the property into City limits. Because there are no longer any trees on the subject property that require removal in connection with this subdivision, a tree conservation plan is not required.

The timber harvest activity that occurred on the subject property is a permitted activity on properties both inside and outside of the City limits. However, the City's tree preservation ordinances require a 5-year delay on future development after a timber harvest in order to ensure sites aren't clear cut right before development is proposed. At the time of annexation (ANXC-730), the applicant agreed to delay recording the final subdivision plat until July 1, 2023, plus a condition of approval requiring replanted trees on individual lots to be larger than the minimum standard in Chapter 808 and requiring a diversity of trees to be planted within the subdivision area picked from species authorized in the City's Tree and Vegetation Manual. The applicant also agreed to grant \$15,000 to the Salem City Tree Fund prior to recording a final subdivision plat. To ensure compliance with the conditions of approval from ANXC-730 the following conditions of approval apply:

- Condition:** Replanting on each lot in the subdivision shall comply with SRC 808.050 except that each tree shall be a minimum of 2-inch caliper standard at the time of planting.
- Condition:** The applicant shall submit a list of species that will be used in the replanting; the list should include not less than five species authorized in the City's Tree and Vegetation Technical Manual. The list shall be submitted prior to or concurrently with the first residential permit.
- Condition:** Prior to recordation of a final subdivision plat, the applicant shall grant \$15,000 to the Salem City Tree Fund.

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.

The Salem-Keizer Local Wetland Inventory (LWI) shows that there are no wetland areas or hydric soils mapped on the 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 and SRC Chapter 810 (Landslide Hazards), there are mapped 2-point landslide hazard areas on the subject property. The proposed single-family residential subdivision adds 3 activity points to the proposal, which results in a total of 5 points. Therefore, the proposed development is classified as a moderate landslide risk and requires a geological assessment and/or geotechnical report.

A Geological Assessment, prepared by Redmond Geotechnical Services and dated October 28, 2016, was submitted with the subdivision application. This assessment demonstrates the subject property could be developed by implementing the mitigation measures provided in the report.

Final Plat:

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. The applicant is advised that the subject property appears to have several easements that shall be either shown on the final plat or the interest released prior to final plat. 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 based on the non-compliant violation. 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).

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 lots within the proposed subdivision, as proposed and conditioned, are of sufficient size and dimensions to permit future development of permitted, special, or conditional uses in the RS (Single Family Residential) zone SRC Chapter 511. 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.

As conditioned, the proposal meets this criterion.

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

Finding: Water, sewer, and stormwater infrastructure are available along the perimeter of the site and appear to be adequate to serve the property as shown on the applicant's preliminary partition plan. As specified in the conditions of approval, private water, sewer, and storm services shall be constructed to serve each lot as a condition of plat approval unless the applicant enters into an improvement agreement.

The proposed development is subject to SRC Chapter 71 and the revised PWDS as adopted in Administrative Rule 109, Division 004. To demonstrate the proposed parcels can meet the PWDS, the applicant shall submit a tentative stormwater design prior to final plat approval. For a tentative stormwater design, the applicant shall submit infiltration test results, the Simplified Method Form or Engineering Method Report as applicable, and a preliminary site plan showing the building envelope and tentative location of stormwater facilities.

Condition: Design and construct a storm drainage system at the time of development in compliance with Salem Revised Code (SRC) Chapter 71 and Public Works Design Standards (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 parcels with City infrastructure shall be shown on the final plat.

Condition: All necessary (existing and proposed) access and utility easements must be shown on the final plat and recorded on the deeds to individual lots affected by such easements.

A 10-foot-wide public utility easement is required along the new and existing street frontages pursuant to SRC 803.035(n).

Condition: Dedicate a 10-foot public utility easement along the street frontage of all internal streets.

As a condition of sewer service, all developments will be required to provide public sewers to adjacent upstream parcels. This shall include the extension of sewer mains in easements or rights-of-way across the property to adjoining properties, and across the street frontage of the property to adjoining properties when the main is located in the street right-of-way. The applicant's tentative plan shows a new 8-inch sewer main in Zeus Avenue SE to be constructed as part of the subdivision. The proposed sewer line terminates at the intersection of Zeus Avenue and Athena Drive. The applicant shall extend the public sewer main to the undeveloped property to the north.

Condition: Construct a minimum 8-inch sewer main from Robins Lane through Phase 2 to serve Phase 1 as shown on the applicant's utility plan.

Condition: Extend the 8-inch sewer main from Zeus Avenue to the northern property line to serve undeveloped property to the north.

The property is located within the S-2 and S-3 water service levels. Water service to the S-2 service area within the subject property is provided from the existing S-2 water system, and water service to the S-3 water service level within the subject property is provided from the existing S-3 water system. In accordance with the Salem Water System Master Plan, the applicant shall be required to extend watermains to adjoining undeveloped property to accommodate future development of adjacent parcels.

Condition: Extend a minimum 8-inch S-3 water main to the easterly terminus of Athena Drive as shown on the applicant's utility plan.

Condition: Extend a minimum 8-inch S-3 water main to the northerly terminus of Ares Drive as shown on the applicant's utility plan.

As conditioned above, 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: The proposed development connects to Mistymorning Avenue SE and Genesis Street SE in the western portion of the subject property. Mistymorning Avenue SE and Genesis Street SE are fully developed Local streets and meet the standard for Local streets according to the Salem TSP. Phase 1 will be served by Mistymorning Avenue and Genesis Street.

Brentwood Drive SE is adjacent to the eastern property line of the subject property. The Collector street in this vicinity is shown in the Salem TSP to be relocated onto Zeus Avenue through the development. This street is barricaded at Robins Lane because of safety limitations at the intersection of Battle Creek Road, and the portion of Brentwood Drive abutting the subject property will likely be closed and vacated in the future. Because lack of

intersection sight distance makes construction that conforms to the standards impossible, further improvement of this street is undesirable pursuant to SRC 803.065.

Robins Lane SE abuts south line of the subject property and does not meet the current standard for a Collector street according to the Salem TSP. Robins Lane SE along the frontage, and approximately 150-feet to the west of the subject property is under-improved. In order to provide safe and efficient traffic into the proposed subdivision, the applicant shall be required to improve Robins Lane SE approximately 150-feet west of the subject property and along the property frontage.

As identified in the conditions of approval, the applicant is required to improve Robins Lane SE to meet current PWDS and comply with SRC 803.040.

Condition: Convey land for dedication to equal a half-width right-of-way of 30 feet on the development side of Robins Lane SE, including sufficient right-of-way to accommodate public infrastructure at the property corners.

Condition: Along the north side of Robins Lane SE from approximately the east right-of-way line of Robin Hood Street SE to the west line of the subject property, construct a 17-foot-wide half-street linking improvement to collector standards with a curb and gutter, but no sidewalk at this time because of insufficient right-of-way.

Condition: Along the north side of Robins Lane SE between the west line of the subject property and Zeus Avenue SE, construct a three-quarter-street improvement to collector standards.

Condition: Along Robins Lane SE between Zeus Avenue SE and the east line of the subject property, construct a three-quarter street improvement to local street standards.

According to the Salem TSP, a Collector street is required to be constructed that connects Robins Lane SE to the north line of the subject property. Zeus Avenue SE is the internal street designated as a collector street.

Condition: Construct Zeus Avenue to Collector B street standards within Phase 1.

Condition: Construct Zeus Avenue to Collector B street standards from Robins Lane to the north line of Phase 2. Configure the intersection of Robins Lane and Zeus Avenue as shown on the applicant's preliminary plan. The centerline radius may need to be modified to meet PWDS.

On the applicant's tentative plan, internal streets are proposed to be constructed to Local street standards. The configuration of street stubs along the north line of the subject property does not meet maximum spacing standards of 600 feet between intersections. In lieu of providing additional street stubs to the north and south, the applicant has requested

an alternative street standard. The tentative plan shows mid-block pedestrian connections between lots 10 and 11 and between lots 129 and 130.

Condition: Construct a Mid-Block Bike/Pedestrian Walkway between lots 10 and 11 according to Public Works Design Standards.

Condition: Construct a Mid-Block Bike/Pedestrian Walkway between lots 129 and 130 according to Public Works Design Standards.

The configuration of the street stubs along the south line of the subject property also does not meet the maximum spacing standards of 600 feet between intersections. One connection is provided to Genesis Street SE and the Planning Administrator finds that either another street connection or pedestrian pathway can be accommodated through lots 68, or 69, to provide connectivity to neighboring property to the south.

Condition: Construct either a local street stub or a Mid-block Bike/Pedestrian Walkway to the south line of the subject property between Genesis Street and Demeter Avenue.

Pursuant to SRC 803.065(a), the Director may authorize the use of one or more alternate street standards: (1) where existing development or physical constraints make compliance with the standards set forth in this chapter impracticable; and (3) where topography or other conditions make the construction that conforms to the standards impossible or undesirable. The Public Works Director authorizes the alternate street standards because topography make the construction that conforms to the standards impossible.

All internal streets will be constructed to Local Street standards as specified in the TSP, with the exception of Zeus Avenue (Collector Street) and the following alternative street standards and design exceptions included as part of the land use application materials:

- 1) Increase the maximum grade for Mistymorning Avenue and Ares Drive (Local Streets) from 12 percent to 14.05 percent and 14.49 percent respectively;
- 2) Increase the street spacing and connectivity standards in SRC Chapter 803 to allow the following proposed streets to exceed the 600-foot block length and 600-foot street connectivity standards in SRC Chapter 803:
 - a. Northwesterly block of Mistymorning Avenue 740 feet;
 - b. Ares Drive between Hermes Drive and Athene Drive 780 feet;
 - c. Althena Drive between Mistymorning Drive and Zeus Avenue 761 feet;
 - d. Athena Drive between Zeus Avenue and Ares Drive 762 feet; and,
 - e. Zeus Avenue between Demeter Avenue and Ares Drive 710 feet.

The following requests for alternative street standards are NOT approved as existing topography and other features make construction of street stubs or a mid-block bike/pedestrian walkway feasible and beneficial.

- 1) Increase the street spacing and connectivity standards in SRC Chapter 803 to allow the following proposed streets to exceed the 600-foot block length and 600-foot street connectivity standards in SRC Chapter 803:
 - a. Southerly block of Ares Drive 740 feet; The applicant shall provide either a street stub or a mid-block bike/pedestrian walkway.

Based on the preceding analysis, staff recommends the following condition of approval:

Condition: Construct internal streets in the general alignments as shown in the application materials to Local street standards except as follows:

- a. Zeus Avenue shall be constructed as a Collector B street.
- b. Mistymorning Avenue is approved to have an increased street grade, as specified in the application materials.
- c. Construct either a local street stub or Mid-block Bike/Pedestrian Walkway to the south line of the subject property between Genesis Street and Demeter Avenue.

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: Conditions above implement required improvements to the street system in and adjacent to the subject property. The proposed network of boundary and internal streets serving the subdivision provides for direct access to all lots within the subdivision. The subdivision, as proposed and conditioned, is served with adequate transportation infrastructure. The street system adjacent to the subject property will conform to the Salem Transportation System Plan, and provide for safe, orderly, and efficient circulation of traffic into, through and out of the subdivision.

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 proposed development is not currently served by a park. The tentative plan shows approximately 2.8 acres set aside for open space at the northwestern corner of the subject property. The applicant shall reserve for dedication prior to development approval that property within the development site that is necessary for an adequate neighborhood

park, access to such park, and recreation routes, or similar uninterrupted linkages, based upon the Salem Comprehensive Parks System Master Plan.

The Salem Comprehensive Parks System Master Plan defines predevelopment standard amenities that may be provided by the developer, prior to parks dedication to the City. These improvements may include, but are not limited to, seeding and grading; construction of paths; installation of pet waste bag dispensers, waste receptacles, and park signage; installation of pedestrian ramps at the street frontage; and providing utility stubs to the property.

Condition: In accordance with Appendix F of the Salem Comprehensive Parks System Master Plan, construct predevelopment improvements standard amenities in the Open Space area and enter into an agreement with the City for conveying the Open Space area to the City after plat approval for future neighborhood park use.

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: The applicant submitted a Traffic Impact Analysis (TIA) that evaluated the street system adjacent to the proposed development, including the system connected to Robins Lane, Genesis Street and Mistymorning Avenue. The TIA demonstrates that the existing street system has sufficient capacity for the traffic generated by the proposed development at full build out. Additionally, improvements to Robins Lane SE are required as a condition of approval for the proposed development. The Assistant City Traffic Engineer has reviewed the submitted TIA and agrees with the key findings.

Phase 1 of the proposed development will be accessed through Mistymorning Avenue SE and Genesis Street SE, both Local streets according to the Salem TSP. Comments submitted by the public express concerns for traffic generated by the proposed development on the Local Street System. The TIA includes key findings that the existing street system can accommodate the traffic generated from the proposed development.

The proposal meets this criterion.

SRC 205.010(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 configuration of lots on the subject property makes logical use of developable land. As described in findings, the lot configuration proposed by the applicant meet applicable development standards minimizing the need for any variances. No existing conditions of topography or vegetation have been identified on the site which would necessitate variances during future development of the

property. The layout allows for reasonable development of all lots within the subdivision without variances from the UDC. The proposal meets this criterion.

SRC 205.010(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 tentative subdivision plan configures lots and streets to allow for residential development of the site while minimizing disruptions to topography. The City's tree preservation standards require that a minimum of 25 percent of existing trees with a diameter at breast height (dbh) of 10 inches or more be preserved. All of the trees on the subject property have been previously removed, there are no trees proposed for removal with this request. The proposal meets this criterion.

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.

Finding: Portions of the subject property are located outside of the Urban Service Area, and therefore; an Urban Growth Preliminary Declaration has been required. The conditions of the Preliminary Declaration are implemented within the phasing plan. As conditioned, the tentative subdivision plan can be designed to accommodate required on-site and off-site improvements.

SRC 205.015(d)(1): The tentative phased subdivision plan meets all of the criteria for tentative subdivision plan approval set forth in SRC 205.010(d).

Finding: The proposal includes three phases of development. As shown on the applicant's tentative plan, public sewer and storm infrastructure to serve Phase 1 will be provided from Robins Lane within Phase 2. In order to demonstrate this infrastructure is placed in the proper horizontal and vertical alignment within Phase 2, the applicant is required to submit street designs for Phase 2 prior to Final Plat Approval of Phase 1. Any easements needed to serve the proposed parcels with City infrastructure shall be shown on the final plat. In addition, the applicant will be required to provide a public roadway and utility access easement to ensure the City has access to utilities constructed within Phase 2 to serve Phase 1. With conditions discussed above, the tentative subdivision plan meets approval criteria of SRC 205.010(d).

Condition: To ensure that Phase 1 is served by City infrastructure:

- a. Construct sewer and stormwater facilities within Phase 2 needed to serve Phase 1 as shown on the applicant's utility plan.

- b. Provide easements and access roads pursuant to PWDS for public infrastructure within Phase 2 needed to serve Phase 1.
- c. Design all streets in Phase 2 in which public infrastructure is proposed to serve Phase 1 in sufficient detail to establish final street grades.

SRC 205.015(d)(2): Connectivity for streets and City utilities between each phase ensures the orderly and efficient construction of required public improvements among all phases.

Finding: Phase 1 includes Mistymorning Avenue, Genesis Street, Demeter Avenue, Zeus Avenue, Athena Drive, and Ares Drive. Phase 2 includes Demeter Avenue, Zeus Avenue, and Jonah Avenue. Phase 3 includes Hermes Drive, Ares Drive, and Athena Avenue. Public improvements can be constructed efficiently among all phase.

Because access to Phase 1 comes exclusively from Mistymorning Avenue and Genesis Street, construction vehicles for Phase 1 construction will be required to travel through existing neighborhoods. In order to better distribute construction vehicle traffic, staff recommends that all construction vehicles enter the development through Robins Lane SE, which is classified as a Collector according to the Salem TSP and will be improved as a condition of development.

Condition: A construction entrance shall be constructed from Robins Lane SE as part of Phase 1, and all construction vehicles and equipment shall utilize this entrance for entering and leaving the site.

SRC 205.015(d)(3): Each phase is substantially and functionally self-contained and self-sustaining with regard to required public improvements.

Finding: With recommended conditions, public improvements serving each phase are substantially and functionally self-contained within each phase.

SRC 205.015(d)(4): Each phase is designed in such a manner that all phases support the infrastructure requirements for the phased subdivision as a whole.

Finding: The subject property is located within the S-2 and S-3 water service levels. Water meters serving the S-2 water service level shall be connected to the S-2 water system, and water meters serving the S-3 water service level shall be connected to the S-3 water system, except as authorized by PWDS. The phasing plan allows for S-2 and S-3 water service to be taken from the appropriate service levels. All other infrastructure supports the phased subdivision as a whole.

9. Analysis of Urban Growth Preliminary Declaration

Salem Revised Code (SRC) 200.025(d) & (e) set forth the applicable criteria that must be met before an Urban Growth Preliminary Declaration may be issued. The following subsections are organized with approval criteria followed by findings identifying those

public facilities that are currently in place and those that must be constructed as a condition of the Urban Growth Preliminary Declaration in order to fully serve the development in conformance with the City's adopted Master Plans and Area Facility Plans.

An Urban Growth Preliminary Declaration is required because the subject property is located outside the Urban Service Area in an area without required facilities

A. *SRC 200.0025(d): The Director shall review a completed application for an Urban Growth Preliminary Declaration in light of the applicable provisions of the Master Plans and the Area Facility Plans and determine:*

(1) The required facilities necessary to fully serve the development;

(2) The extent to which the required facilities are in place or fully committed.

B. *SRC 200.025(e): The Urban Growth Preliminary Declaration shall list all required facilities necessary to fully serve the development and their timing and phasing which the developer must construct as conditions of any subsequent land use approval for the development.*

Analysis of the development based on relevant standards in SRC 200.055 through SRC 200.075 is as follows:

SRC 200.055—Standards for Street Improvements

Findings: An adequate linking street is defined as the nearest point on a street that has a minimum 60-foot-wide right-of-way with a minimum 30-foot improvement for local streets or a minimum 34-foot improvement for major streets (SRC 200.055(b)). All streets abutting the property boundaries shall be designed to the greater of the standards of SRC Chapter 803 and the standards of linking streets in SRC 200.055(b).

The subject property also has frontage on Brentwood Drive SE, which is a frontage road that runs adjacent to Interstate 5 and is under jurisdiction ODOT. This street is barricaded at Robins Lane because of safety limitations at the intersection of Battle Creek Road, and the portion of Brentwood Drive abutting the subject property will likely be closed and vacated in the future. Because lack of intersection sight distance makes construction that conforms to the standards impossible, further improvement of this street is undesirable pursuant to SRC 803.065.

The subject property has frontage on Mistymorning Avenue and Genesis Street SE which are fully improved local streets and adequate linking streets. Robins Lane SE along the frontage of the property will be developed as a three-quarter-street improvement to meet Collector Street Standards. Robins Lane SE west of the subject property will be improved as a half-street linking improvement pursuant to SRC 200.035.

Condition: Along the north side of Robins Lane SE from approximately the east right-of-way line of Robin Hood Street SE to the west line of the subject property, construct a 17-foot-wide half-street linking improvement to

collector standards with a curb and gutter, but no sidewalk at this time because of insufficient right-of-way.

Condition: Along the north side of Robins Lane SE between the west line of the subject property and Zeus Avenue SE, construct a three-quarter-street improvement to collector standards.

Condition: Along Robins Lane SE between Zeus Avenue SE and the east line of the subject property, construct a three-quarter street improvement to local street standards.

SRC 200.060—Standards for Sewer Improvements

Findings: The proposed development shall be linked to adequate facilities by the construction of sewer lines and pumping stations, which are necessary to connect to such existing sewer facilities (SRC 200.060). The nearest available sewer facilities are located in Robins Lane SE and Mistymorning Avenue SE adjacent to the subject property. The applicant shall construct the *Salem Wastewater Management Master Plan* improvements and link the site to existing facilities that are defined as adequate under 200.005(a). As a condition of sewer service, all developments will be required to provide public sewers to adjacent upstream parcels, discussed further below.

Condition: Construct a minimum 8-inch sewer main from Robins Lane through Phase 2 to serve Phase 1 as shown on the applicant's utility plan.

SRC 200.065—Standards for Storm Drainage Improvements

Findings: The proposed development shall be linked to existing adequate facilities by the construction of storm drain lines, open channels, and detention facilities which are necessary to connect to such existing drainage facilities. The nearest available public storm system appears to be located in Robins Lane SE, Mistymorning Avenue SE, and Genesis Street SE abutting the subject property. The applicant shall link the on-site system to existing facilities that are defined as adequate under SRC 200.005(a).

Condition: Design and construct a storm drainage system at the time of development in compliance with Salem Revised Code (SRC) Chapter 71 and Public Works Design Standards (PWDS).

SRC 200.070—Standards for Water Improvements

Findings: The proposed development shall be linked to adequate facilities by the construction of water distribution lines, reservoirs, and pumping stations that connect to such existing water service facilities (SRC 200.070). The applicant shall provide linking water mains consistent with the *Water System Master Plan* adequate to convey fire flows to serve the proposed development as specified in the Water Distribution Design Standards.

Condition: Extend a minimum 8-inch S-3 water main to the easterly terminus of Athena Drive as shown on the applicant's utility plan.

Condition: Extend a minimum 8-inch S-3 water main to the northerly terminus of Ares Drive as shown on the applicant's utility plan.

SRC 200.075—Standards for Park Sites

Findings: The proposed development is not currently served by a park. The tentative plan shows approximately 2.8 acres set aside for open space at the northwestern corner of the subject property.

Condition: In accordance with Appendix F of the Salem Comprehensive Parks System Master Plan, construct predevelopment improvements standard amenities in the Open Space area and enter into an agreement with the City for conveying the Open Space area to the City after plat approval for future neighborhood park use.

10. Analysis of Class 2 Adjustment Approval Criteria

Salem Revised Code (SRC) 250.005(d)(2) provides that an application for a Class 2 Adjustment shall be granted if the following criteria are met. The following subsections are organized with approval criteria, followed by findings of fact upon which the decision is based. Lack of compliance with the following criteria is grounds for denial or for the issuance of conditions of approval to satisfy the criteria.

SRC 250.005(d)(2)(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.**

Findings: The applicant is requesting a Class 2 Adjustment to increase the average depth to width ratio as provided in Table 511-2 from a maximum of 300 percent to 346 percent for proposed lot 37. Proposed lot 37 has an average width of approximately 56 feet and an average lot depth of approximately 194 feet.

The intent and purpose of the maximum lot depth standard is to ensure that each lot is buildable to the maximum extent feasible while maintaining space for minimum property line setbacks. The maximum lot depth is 300 percent of the average width of the lot, which prevents narrow lots which may not have adequate open space on the side yard, maintain side yard setback and to consider future development of potential lots.

The applicant indicates that the proposed Lot 37 is shaped the way it is after taking into consideration topographic constraints, required location of street connections, and the size and layout of the other lots proposed within this block of the subdivision. Proposed Lot 37 is a size and shape that can be developed for uses permitted in the RS zone and in compliance with all applicable development standards, the purpose underlying the lot depth standard is equally or better met by the proposed development. The requested adjustment satisfies this approval criterion.

250.005(d)(2)(B): If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.

Finding: The requested adjustment allows for the reasonable division and development of land. No further adjustments or variances to development standards, such as setbacks or lot coverage, are needed to further develop the subject property. The requested adjustment does not unreasonably impact the livability or appearance of existing or potential uses in the surrounding area, and therefore satisfy this approval criterion.

250.005(d)(2)(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.

Finding: Only one adjustment has been requested, therefore this approval criterion is not applicable.

CONCLUSION

Based upon review of SRC Chapters 205, 200, and 250, the applicable standards of the Salem Revised Code, the findings contained herein, and due consideration of comments received, the application complies with the requirements for an affirmative decision.

ORDER

Phased Subdivision Tentative Plan, Urban Growth Area Preliminary Declaration, and Class 2 Adjustment Case No. SUB-UGA-ADJ22-01 is hereby **APPROVED** subject to SRC Chapters 205, 200, and 250, 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:

Conditions applicable to all phases:

Condition 1: The front property lines for corner lots shall be designated as follows:

| Lot Number | Front Lot Designation |
|-------------------|--------------------------------------|
| 4 | South line facing Athena Drive |
| 14 | South line facing Athena Drive |
| 15 | South line facing Athena Drive |
| 16 | West line facing Zeus Avenue |
| 17 | East line facing Zeus Avenue |
| 18 | West line facing Demeter Avenue |
| 19 | East line facing Demeter Avenue |
| 20 | West line facing Artemis Avenue |
| 21 | East line facing Artemis Avenue |
| 22 | West line facing Mistymorning Avenue |
| 45 | South line facing Ares Drive |
| 47 | South line facing Ares Drive |

| | |
|-----|---------------------------------------|
| 48 | South line facing Ares Drive |
| 51 | South line facing Ares Drive |
| 52 | South line facing Ares Drive |
| 58 | North line facing Mistymorning Avenue |
| 62 | North line facing Ares Drive |
| 72 | North line facing Ares Drive |
| 73 | North line facing Ares Drive |
| 75 | North line facing Ares Drive |
| 81 | East line facing Demeter Avenue |
| 82 | East line facing Demeter Avenue |
| 88 | East line facing Zeus Avenue |
| 89 | East line facing Demeter Avenue |
| 105 | West line facing Zeus Avenue |
| 113 | West line facing Zeus Avenue |
| 114 | West line facing Zeus Avenue |
| 126 | East line facing Hermes Drive |
| 136 | South line facing Athena Drive |
| 145 | West line facing Ares Drive |
| 158 | North line facing Ares Drive |
| 159 | South line facing Ares Drive |
| 162 | North line facing Athena Drive |
| 168 | West line facing Ares Drive |

- Condition 2:** All flag lot accessways shall be paved in accordance with the requirements of SRC 800.025(c), Table 800-1. "NO PARKING—FIRE LANE" signs shall be posted on both sides of that segment of the flag lot accessway that is a fire apparatus roadway and "NO PARKING" signs shall be posted on both sides of any remaining portion of the accessway.
- Condition 3:** Design and construct a storm drainage system at the time of development in compliance with Salem Revised Code (SRC) Chapter 71 and Public Works Design Standards (PWDS).
- Condition 4:** If common facilities will be privately owned, the applicant shall provide recorded covenants, conditions, and restrictions for the development prior to final plat approval that shall include a provision that such facilities and common property be perpetually operated and maintained by a property owners' association consistent with the requirements of SRC 205.035(f).
- Condition 5:** Dedicate a 10-foot public utility easement along the street frontage of all internal streets.
- Condition 6:** An Airport Overlay Zone Height Variance shall be obtained prior to building permit issuance for any building exceeding the height limits of the Airport Overlay Zone.

- Condition 7:** Replanting on each lot in the subdivision shall comply with SRC 808.050 except that each tree shall be a minimum of 2-inch caliper standard at the time of planting.
- Condition 8:** The applicant shall submit a list of species that will be used in the replanting; the list should include not less than five species authorized in the City's Tree and Vegetation Technical Manual. The list shall be submitted prior to or concurrently with the first residential permit.
- Condition 9:** Prior to recordation of a final subdivision plat, the applicant shall grant \$15,000 to the Salem City Tree Fund.
- Condition 10:** All necessary (existing and proposed) access and utility easements must be shown on the final plat and recorded on the deeds to individual lots affected by such easements.
- Condition 11:** Construct internal streets in the general alignments as shown in the application materials to Local street standards except as follows:
- a. Zeus Avenue shall be constructed as a Collector B street.
 - b. Mistymorning Avenue is approved to have an increased street grade, as specified in the application materials.
 - c. Construct either a local street stub or Mid-block Bike/Pedestrian Walkway to the south line of the subject property between Genesis Street and Demeter Avenue.
- Condition 12:** In accordance with Appendix F of the Salem Comprehensive Parks System Master Plan, construct predevelopment improvements standard amenities in the Open Space area and enter into an agreement with the City for conveying the Open Space area to the City after plat approval for future neighborhood park use.

Conditions applicable to Phase 1:

- Condition 13:** Construct a minimum 8-inch sewer main from Robins Lane through Phase 2 to serve Phase 1 as shown on the applicant's utility plan.
- Condition 14:** Extend the 8-inch sewer main from Zeus Avenue to the northern property line to serve undeveloped property to the north.
- Condition 15:** Extend a minimum 8-inch S-3 water main to the easterly terminus of Athena Drive as shown on the applicant's utility plan.
- Condition 16:** Construct Zeus Avenue to Collector B street standards within Phase 1.

- Condition 17:** Construct a Mid-Block Bike/Pedestrian Walkway between lots 10 and 11 according to Public Works Design Standards.
- Condition 18:** Construct either a local street stub or a Mid-block Bike/Pedestrian Walkway to the south line of the subject property between Genesis Street and Demeter Avenue.
- Condition 19:** To ensure that Phase 1 is served by City infrastructure:
- a. Construct sewer and stormwater facilities within Phase 2 needed to serve Phase 1 as shown on the applicant's utility plan.
 - b. Provide easements and access roads pursuant to PWDS for public infrastructure within Phase 2 needed to serve Phase 1.
 - c. Design all streets in Phase 2 in which public infrastructure is proposed to serve Phase 1 in sufficient detail to establish final street grades.
- Condition 20:** A construction entrance shall be constructed from Robins Lane SE as part of Phase 1, and all construction vehicles and equipment shall utilize this entrance for entering and leaving the site.

Conditions applicable to Phase 2:

- Condition 21:** Prior to final plat approval for Phase 2, the applicant shall modify the dimensions of lot 110 to comply with all applicable lot dimension standards.
- Condition 22:** Convey land for dedication to equal a half-width right-of-way of 30 feet on the development side of Robins Lane SE, including sufficient right-of-way to accommodate public infrastructure at the property corners.
- Condition 23:** Along the north side of Robins Lane SE from approximately the east right-of-way line of Robin Hood Street SE to the west line of the subject property, construct a 17-foot-wide half-street linking improvement to collector standards with a curb and gutter, but no sidewalk at this time because of insufficient right-of-way.
- Condition 24:** Along the north side of Robins Lane SE between the west line of the subject property and Zeus Avenue SE, construct a three-quarter-street improvement to collector standards.
- Condition 25:** Along Robins Lane SE between Zeus Avenue SE and the east line of the subject property, construct a three-quarter street improvement to local street standards.
- Condition 26:** Construct Zeus Avenue to Collector B street standards from Robins Lane to the north line of Phase 2. Configure the intersection of Robins Lane and Zeus

Avenue as shown on the applicant's preliminary plan. The centerline radius may need to be modified to meet PWDS.

Conditions applicable to Phase 3:

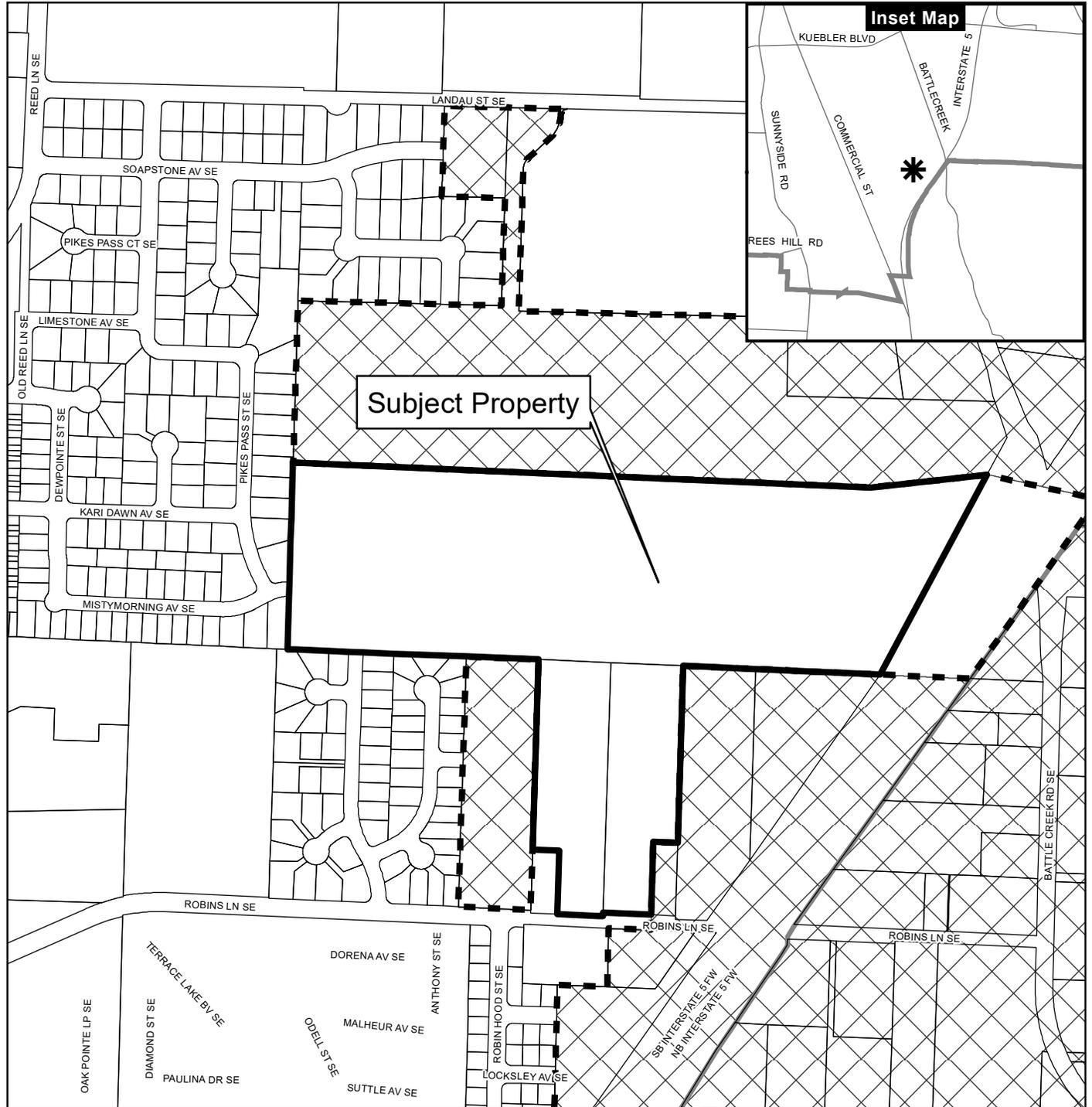
- Condition 27:** Prior to final plat approval for Phase 3, the applicant shall modify the flag lot accessway serving proposed lots 174, 175 and 176 to comply with all applicable fire department access requirements and development standards of SRC Chapter 800.
- Condition 28:** Vehicular access to proposed lots 141 and 142 shall be provided by a flag lot accessway, driveway access shall not be allowed directly to the cul-de-sac.
- Condition 29:** Extend a minimum 8-inch S-3 water main to the northerly terminus of Ares Drive as shown on the applicant's utility plan.
- Condition 30:** Construct a Mid-Block Bike/Pedestrian Walkway between lots 129 and 130 according to Public Works Design Standards.



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

- Attachments: A. Vicinity Map
B. Tentative Subdivision Plan
C. Applicant's Written Statement
D. City of Salem Public Works Department Memo
E. Salem-Keizer Public Schools Comments Dated January 27, 2022

Vicinity Map 2527 Robins Lane SE



Legend

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



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Owner / Developer:

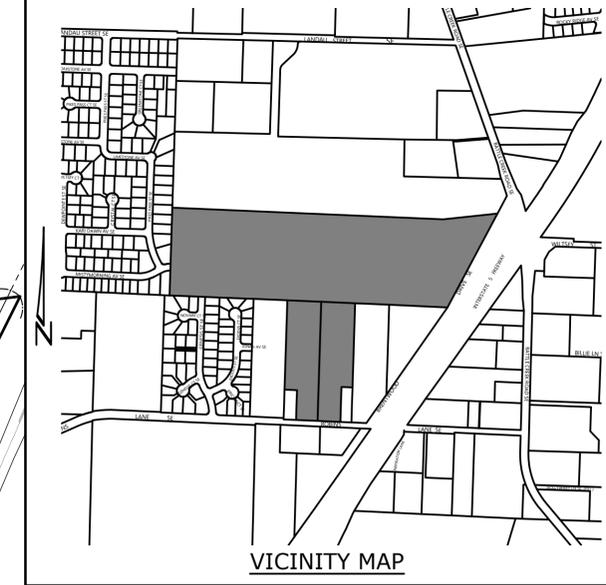
BC SALEM PROPERTY LLC

3425 BOONE ROAD SE
SALEM, OREGON 97317

WILLAMETTE VALLEY VIEW ESTATES

SEC. 24, T. 8 S., R. 3 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON

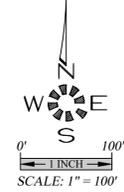
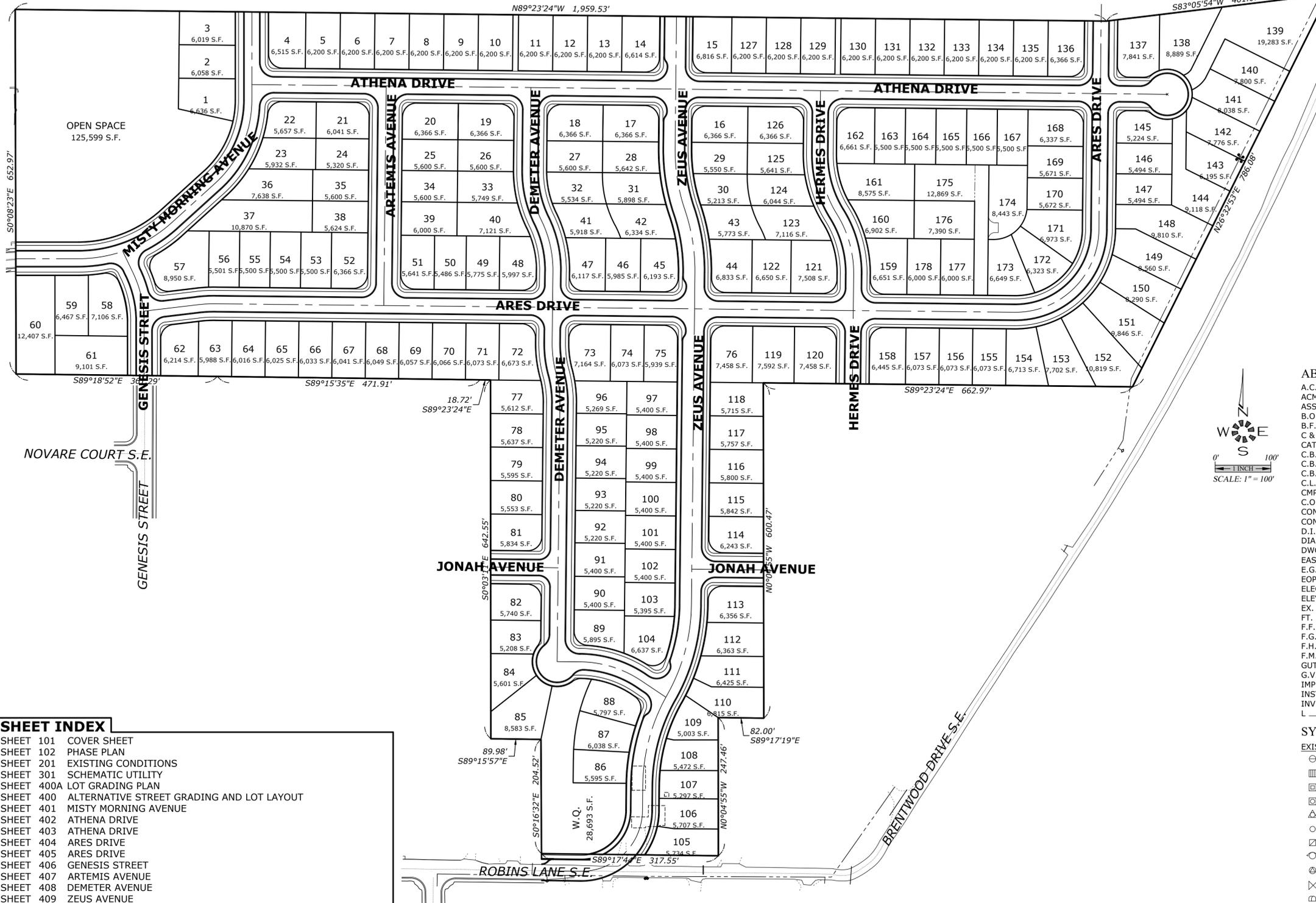
MULTI/TECH
ENGINEERING SERVICES, INC.
1155 13TH ST. SE, SALEM, OR, 97302
PH: (503) 363-9227 FAX: (503) 364-1260
www.mtengineering.net office@mtengineering.net



COVER SHEET

WILLAMETTE VALLEY
VIEW ESTATES

SURVEYOR: MULTI/TECH
ENGINEER: MULTI/TECH
DEVELOPER: BC SALEM PROPERTY LLC



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 | RIM | RIM |
| E.G. | EXIST. GRADE / GROUND | RD | ROOF DRAIN |
| EOP, E.P. | EDGE OF PAVEMENT | R.O.W. | RIGHT-OF-WAY |
| ELEC. | ELECTRIC | SAN.S. or S.S. | SANITARY SEWER |
| EV. or EL. | ELEVATION | S | SLOPE |
| EX. or EXIST. | EXISTING | STA. | STATION |
| FT. | 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 | VL. | VAULT |
| L | LENGTH, LINE | W.M. | WATER MAIN |

SYMBOLS

| | | | |
|--------------|--|--------------|---|
| EXIST. PROP. | <ul style="list-style-type: none"> ○ BLOW OFF ASSY. ▣ CATCH BASIN ▣ CATCH BASIN CLEANOUT ▣ CATCH BASIN INLET △ CATV PED. / BOX ○ CLEANOUT □ ELEC. PED. / BOX ● FIRE HYDRANT ⊙ GAS LOCATION MARKER ⊗ GAS VALVE ⊞ MAIL BOX --- CABLE TELEVISION --- CENTERLINE --- DTICH C.L. --- ELECTRICAL LINE --- GAS MAIN --- TELEPHONE LINE | EXIST. PROP. | <ul style="list-style-type: none"> ⊙ MANHOLE SAN. SEWER ⊙ MANHOLE STORM DRAIN ⊙ 2' DIA. C.O. / M.H. ⊙ MANHOLE TELEPHONE ⊙ MANHOLE WATER ⊙ REDUCER / INCREASER ⊙ TEL. PED. / BOX ⊙ TRAFFIC PED. / BOX ⊙ UTILITY / POWER POLE ⊙ WATER METER ⊙ WATER VALVE --- SANITARY SEWER EXIST. --- SANITARY SEWER PROP. --- STORM DRAIN EXIST. --- STORM DRAIN PROP. --- WATER MAIN EXIST. --- WATER MAIN PROP. |
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SHEET INDEX

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| SHEET 201 | EXISTING CONDITIONS |
| SHEET 301 | SCHEMATIC UTILITY |
| SHEET 400A | LOT GRADING PLAN |
| SHEET 400 | ALTERNATIVE STREET GRADING AND LOT LAYOUT |
| SHEET 401 | MISTY MORNING AVENUE |
| SHEET 402 | ATHENA DRIVE |
| SHEET 403 | ATHENA DRIVE |
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| SHEET 410 | HERMES DRIVE |
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| SHEET 412 | DEMETER AVENUE |
| SHEET 413 | ZEUS AVENUE |
| SHEET 414 | ZEUS AVENUE |
| SHEET 415 | JONAH AVENUE |

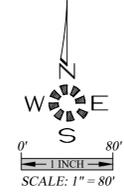
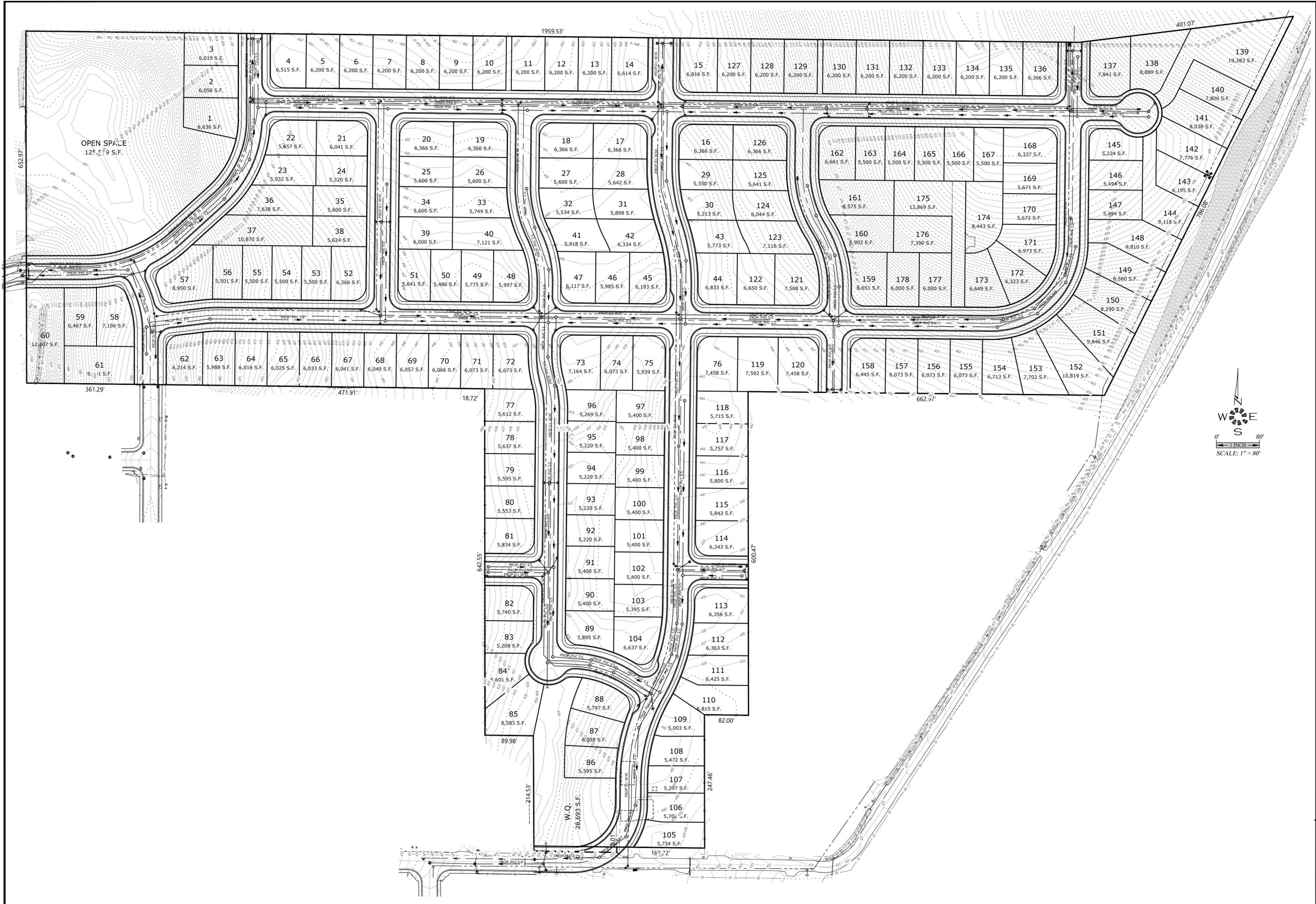
NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.
DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

Design: M.D.G.
Drawn: C.D.S.
Checked: M.D.G.
Date: JUNE 2021
Scale: AS SHOWN
As-Built: _____



JOB # 6653
101

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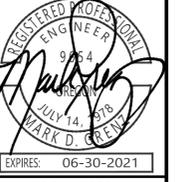


SCHEMATIC UTILITY & GRADING PLAN

WILLAMETTE VALLEY VIEW ESTATES

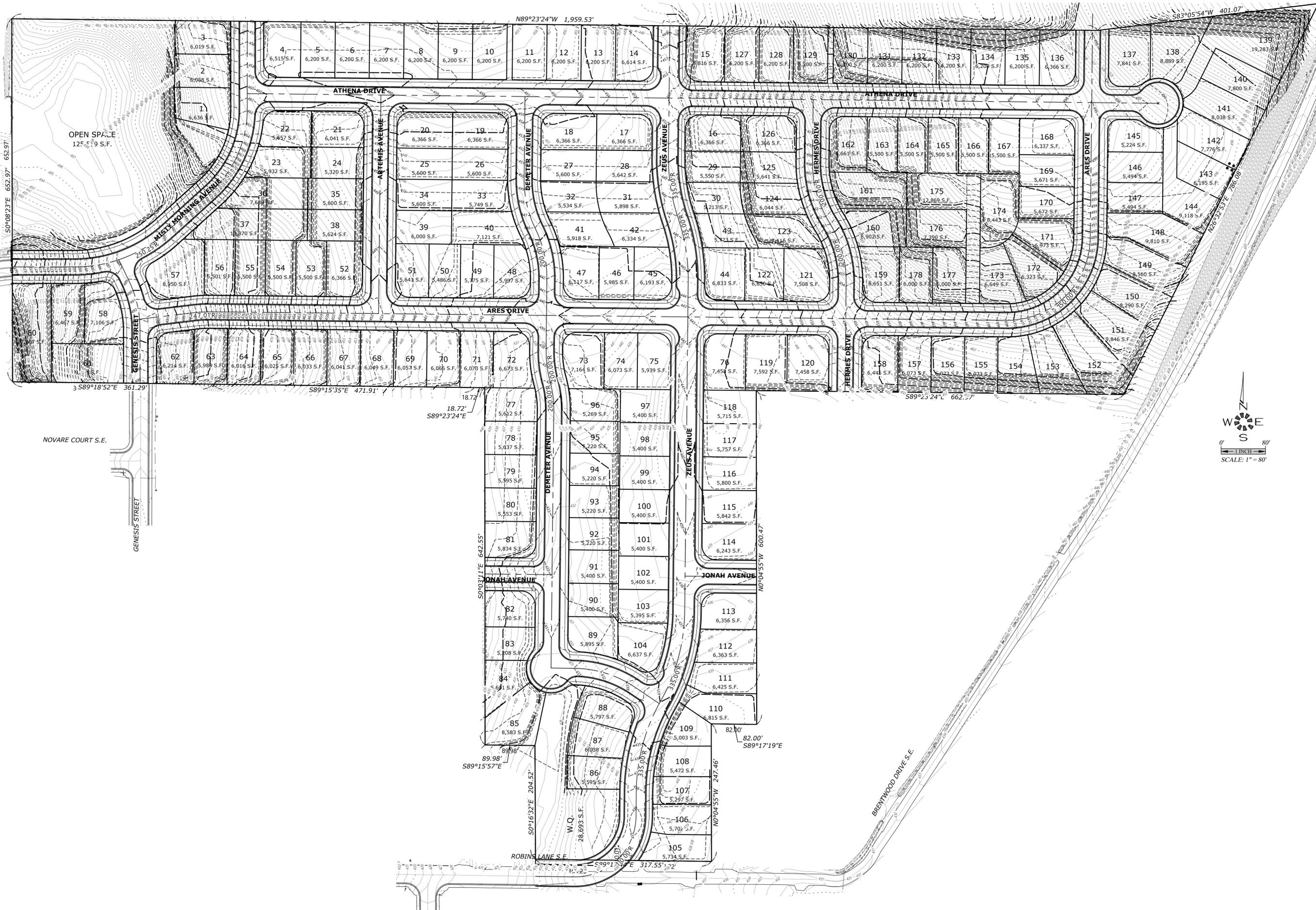
NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER. DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

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LOT GRADING PLAN

**WILLAMETTE VALLEY
VIEW ESTATES**

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AUTHORIZATION FROM THE
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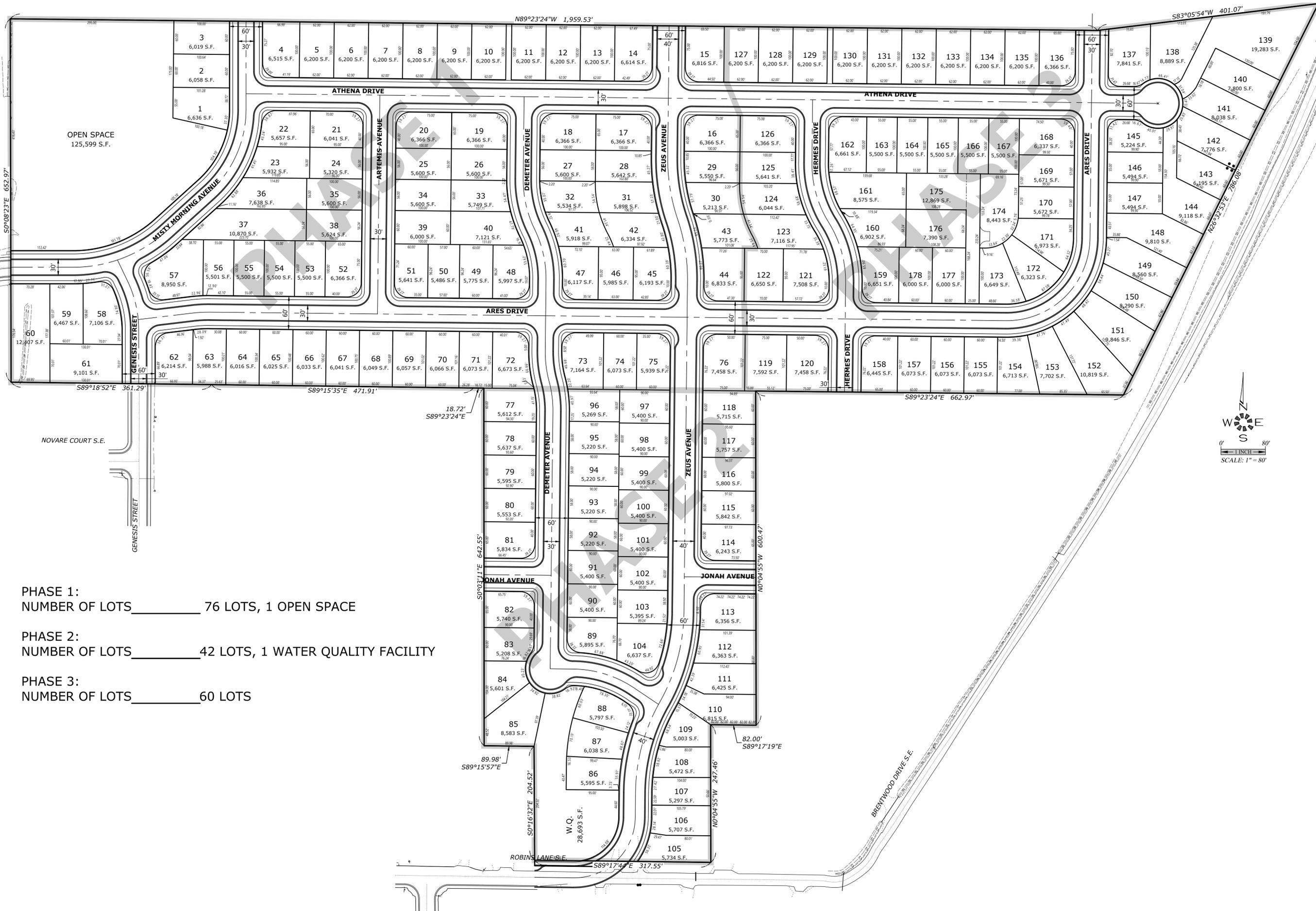
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Exhibit 69 REV 01 – Willamette Valley View Estates – Subdivision Phasing Plat



PHASE 1:
NUMBER OF LOTS _____ 76 LOTS, 1 OPEN SPACE

PHASE 2:
NUMBER OF LOTS _____ 42 LOTS, 1 WATER QUALITY FACILITY

PHASE 3:
NUMBER OF LOTS _____ 60 LOTS

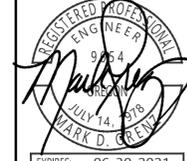


PHASE PLAN

WILLAMETTE VALLEY VIEW ESTATES

NO CHANGES, MODIFICATIONS
OR REPRODUCTIONS TO BE
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AUTHORIZATION FROM THE
DESIGN ENGINEER.
DIMENSIONS & NOTES TAKE
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Exhibit 54 REV01
Mount Olympus Estates – Application Narrative

BC SALEM PROPERTY LLC

Salem, Oregon

A Land Use Application for:

Type II Process
Subdivision Tentative Plan – SRC 205.010(d)
Phased Subdivision Tentative Plan – SRC 205.015(d)

Applicant:
BC Salem Property LLC

Submitted:
October 28, 2021
Revised:
January 7, 2022

Prepared by:
BC Salem Property LLC

Applicant & Property Owner

BC Salem Property LLC
3425 Boone Road SE
Salem, OR 97317
Contact: Mark D. Lowen
503-480-3151 - o
503-586-4104 – c
MLowen@liveBSL.com

Contact: John Eld
503-373-3161 - o
jeld@liveBSL.com

Civil Engineering

Multi/Tech Engineering Services, Inc.
1155 SE 13th Street
Salem, Oregon 97302
Contact: Brandie Dalton
503-363-9227
bdalton@mtengineering.net

Tax Lot Information:

Tax Map: 083W13-00201 / 083W24B-02200 / 083W24B-02300

Lot Area:

41.62 acres

Current Zoning District:

RA (Residential Agriculture)

Current Comprehensive Plan Designation

DR (Developing Residential)

Attachments:

- (50) Land Use Application - Type II / Subdivision Tentative Plat – SRC 265.010(e)**
- (51) Vesting Deed – BC Salem Property LLC**
- (52) LLC Operating Agreement – BC Salem Property LLC**
- (53) Current Title Report**
- (54) Application Narrative**
- (56) Pre-application**
- (57) Request for Alternate Block Length Adjustment**
- (58) Request for *lot width to depth ratio adjustment***
- (59) Memorandum of Understanding**
- (70) Alternate Street Grade Standard Request**
- (72) TIA Report - Pending**
- (74) Geotechnical Report**
- (75) Phase I – Environmental Report**
- (76) Wetlands Report**
- (81) Approved Subdivision Name - Pending**
- (82) Neighborhood Association Contact**

Civil Plans:

- (60) Preliminary Subdivision Plat**
- (61) Existing Conditions Map**
- (65) Schematic Utility and Grading Plan**
- (67) Lot Grading Plan**
- (69) Subdivision Phasing Plan**
- (85) Alternante Lay-out and Grading Plan**
- (86-100) Street Improvements**

PROPOSAL:

The applicant is proposing a phased subdivision project and the resulting RS zoning to subdivide 41.62 acres creating 178 single family residential lots, one tract for water quality and a park dedication to the City of Salem for approximately 2.5 acres.

SITE VICINITY and CHARACTERISTICS:

The subject property 41.62 acres consisting of 3 parcels identified as Marion County Tax Parcels 083W13-00201, 083W24B-02200 and 083W24B-0300. The sites primary street access will be from Robins Lane SE, its southerly boundary. The sites topography generally raises in elevation from south to north. This site is bordered on west by Brentwood Drive and Interstate 5. To the north by undeveloped RA land and to the west by a residential single-family development, a street connection to Mistymorning Drive is proposed in the NW portion of the site.

These three taxes lots were annexed into the City of Salem, March 21, 2021, Annexation C-730 / Ord 4-21. It is currently zoned RA with a DR (Developing Residential) Comprehensive Plan Designation The subject property is located within the Salem City limits and the Urban Growth Boundary.

The surrounding properties are zoned and used as follows:

North: UT - (Urban Transitional) Marion County.

East: Right of Way for Brentwood Drive surface roadway and Interstate.

South: Across Robins Lane, Marion County, AR - (Acreage Residential) and RA (Residential Agriculture) and RS (Single Family Residential) City of Salem.

West: Marion County - UT (Urban Transitional) and City of Salem RS (Single Family Residential)

CRITERIA AND APPLICANT'S REASONS ADDRESSING UDC 205.010(d)(1):

The intent of the subdivision code is providing for orderly development through the application of appropriate rules and regulations. Pursuant to the application of the current enabling statutes, these regulations are those cited in UDC 205.010(d) and UDC 205.015(d). The decision criteria for subdivisions without a concurrent variance under UDC 205.010(d) and UDC 205.015(d) must be found to exist before an affirmative decision may be made for a subdivision application.

(1) The tentative subdivision plan complies with the standards of this Chapter and with all applicable provisions of the UDC, including, but not limited to, the following:

Findings:

The Salem Revised Code (SRC), which includes the Salem Zoning Code, 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 Subdivision Code, Zoning Code, Salem TSP and the Water, Sewer and Storm Drain System Master Plans, and adopted design documents applicable to residential development. The proposed meets all applicable provisions of the Salem Revised Code.

(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 are met with the exception of the lots listed below.

Findings:

The following lot requires a variance to lot development standards specified in the Code due to topography and configuration that creates design and engineering limitations for this subdivision

Lot Depth Adjustment Table 511-2

Lot 46

(See Exhibit 58 - Request for lot width to depth ratio adjustment)

Minimum Lot Area and Dimensions:

The subject property is about 41.62 acres in size and zoned RA (Residential Agriculture) The applicant is proposing to divide 41.62 acre of the subject property into 180 single family residential lots.

Lots sizes vary from-5,002 sq.f.t. to 19,282sq.ft.

As shown on the site plan, all 180 lots meet the lot size (4,000 square feet) requirements within the RA zone and lot dimension (40' by 70') standards as required under UDC Chapters 510 and 511. The proposed lots range in size from 4,900 square feet to 19,283 square feet in size.

There are seven flag lots proposed within this subdivision (Lots 139, 140, 143, 144, 174, 175 and 176).

Additional reviews occur at the time of building permits to assure compliance with the zoning code. Compliance with conditions of approval to satisfy the subdivision ordinance is also checked prior to city staff signing the final subdivision plat.

The proposal can conform to applicable conditions imposed as necessary to ensure that development conforms to the standards of the subdivision code and with existing development and public facilities. The proposed subdivision is in compliance with lot standard requirements and required access.

Therefore, this criteria has been met.

(B) City infrastructure standards.

Findings:

This submission includes preliminary designs for water, sewer, storm drainage. Final design plans will be submitted to the Public Works Department for final plat and construction plan approval at the final plat stage. The tentative site plan illustrates the location of the public utility lines. The proposal meets applicable Salem Area Comprehensive Plan Residential Policies for properties within the Urban Growth Boundary. The proposal encourages the efficient use of developable residential land. Public facilities and services are or will be available to serve the site, including services such as water, sanitary and storm sewer, and fire/life/safety services.

Therefore, this criteria has been met.

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

Findings:

There are no wetlands or Floodplains located on the subject property (See exhibit 76 – Wetlands Determination Report)

The applicant has provided a geological assessment completed by Redmond Geotechnical Services as part of this application. The assessment outlines the nature, distribution of underlying geology, and the physical and chemical properties of existing soils. The opinion of the report confirms the existence of no geologic or landslide hazards on the site. (See exhibit 74 – Geotechnical Investigation Report)

This criteria has been met.

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

Findings:

The proposal is for the entire subject property and will be developed into 178 lots along with a 0.67 acre water quality tract and a 2.5-acre park land dedication. As shown on the subdivision site plan.

The abutting properties to the west and southwest are fully developed. The properties abutting on the north and west are undeveloped. Stub streets for future development have been provided to the north, west and south. Pedestrian / multi-modal walkways connecting the site to future development are included in the site design. All surrounding properties have direct access onto the existing internal street system. All 178 lots will have direct access onto the existing street system as well. This proposed subdivision does not impede the future use of the property or adjacent land.

Therefore, this criteria has been met.

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

Findings:

Water, sewer, storm drainage plans will be submitted to the Public Works Department for final plat and construction plan approval at the final plat stage. The preliminary subdivision plat and preliminary utility plan illustrates the location of the public utility lines and accommodation for parkland. The proposal meets applicable Salem Area Comprehensive Plan Residential Policies for properties within the Urban Growth Boundary. The proposal encourages the efficient use of developable residential land. Public facilities and services are or will be available to serve the site, including services such as water, sanitary and storm sewer and fire/life/safety services (See exhibit 62 – Preliminary Utility Plan)

Proposed Stormwater Management System:

Findings:

Stormwater quality and quantity are required for this development. An LID (low impact development) Stormwater technique will be used to mitigate the increase in pollutants contributed from development. This system may also be used to provide storage and

water quantity control. A tract location for storm water quality is included in the tentative site plan. The exact system will be determined at the time of design. Any proposed technique will meet City of Salem Stormwater Management standards in means and methods to provide all aspects of Stormwater management. (See exhibit 66 – Preliminary Stormwater Plan)

In conclusion, the location and design of the proposed subdivision allows for public sanitary sewer, water service, and storm drainage and a city park to be conveniently provided.

Therefore, this criterion has been satisfied.

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

Findings:

The major street system is in place due to prior development. Robins Lane SE is located abutting the south of the site and is designated as a ‘collector street’ in the Salem Transportation System Plan. Robins Lane provides primary access into the development. Additional access is available via, local streets (STSP), Mistymorning Avenue SE along the westerly boundary and Genesis Street SE, on the southwest corner of the proposed subdivision, Mistymorning Avenue and Genesis Street assist in providing circulation through the neighborhood, existing and proposed.

The existing and proposed street systems conform to the City’s Transportation Plan. All street design and improvements will be determined through the subdivision review process and regulated through the Conditions of Approval. The proposed internal streets will be designed to City street standards. Therefore, meeting the requirements of a subdivision.

The applicant is requesting Alternative Street Standards for the following:

Alternative Street Standard to allow the Mistymorning Avenue extension and Ares Drive, to exceed a 12-percent street grade

Street Grade: As shown on the street section provided, Mistymorning Ave SE will have a 14.05% street grade (See Exhibit 86) . Ares Drive will have a 14.49% street grade (See Exhibit 89). Due to the topography of the site and the proposed street alignments with existing streets, along with required stub street connections, these proposed streets within the subdivision exceed the street grade allowed. The applicant’s engineer has provided a detailed memo addressing the alternative street standard criteria. (See Exhibit 70 - Alternate Street Standard Request dated 10/25/21)

The intent of the maximum street grade is to allow vehicles to climb and descend the street safely in all conditions. The internal streets proposed will provide safe and efficient circulation throughout the subdivision. As shown on the street sections provided, there is only certain sections of each street that will exceed the allowed street grade. All streets within the proposed subdivision will be designed to provide safe and efficient conditions.

There are several access points, roadway and pedestrian pathways, provided throughout the proposed subdivision which provide alternative access options.

The intent of the standard is being met; therefore, the proposal equally meets the intent of the maximum street grade standard.

The major street network in the area has been established and is consistent with the Transportation System Plan which implements the Comprehensive Plan. As detailed in sections 5 below, a variance for alternative street standards is requested due to topographical conditions on the site. The applicant will work with the Public Works Department to address any applicable requirements for right-of-way conveyance that may be required as a result of developing this residential subdivision.

All 178 lots will have direct access onto the proposed street system. All seven proposed flag lots will have access onto the internal street system via a 20 to 25-foot-wide shared access easements as shown on the tentative site plan.

Therefore, the existing street system and proposed street improvements will be in compliance with the STSP.

Transportation Planning Rule Review:

The City of Salem's TPR encourages a reduction in automobile trips by capitalizing on transit opportunities and by creating an environment that encourages people to walk. The proposed subdivision is a "limited land use decision" pursuant to Oregon Revised Statute (ORS) 197.015 and has therefore been reviewed for consistency with the State's TPR multi-modal connectivity requirements.

The proposed development will provide bicycle and pedestrian facilities on-site to encourage people to walk and ride to reduce vehicle trips. The development on the property will allow residents to reduce vehicle usage, by the convenience of bicycle and pedestrian paths to and from the surrounding uses and existing roadway and sidewalk system. Therefore, the proposed subdivision is in compliance with the intent of the TPR to reduce vehicle usage and encourage other modes of transportation to and from the site.

(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.

Findings:

The subject property is located in a developed and developing area where improved streets and sidewalks exist and continue with new development. The local street system serving the development provides the necessary connections and access to the local streets and circulation system serving this residential neighborhood.

Block Length: Blocks shall be a maximum of 600 feet between street centerlines. The length of the blocks was taken into consideration at the time of design layout. There are more than enough street connections within the proposed development, therefore, block lengths are in compliance with code.

Topography and design restraints require alternate street design standard for the following blocks:

- Northwesterly block of Mistymorning – 740 feet
- Southerly block of Ares Drive (Lots 11-21) -740 feet
- Ares Drive (Between Hermes Drive and Athene Drive) – 780 feet
- Athena Drive (between Mistymorning drive and Zeus Avenue) - 761 feet
- Athena Drive (between Zeus Avenue and Ares Drive) - 762 feet
- Zeus Avenue (Between Demeter Avenue and Ares Drive) -710 feet

The applicant will be requesting an alternative street standard to accommodate this streets design, UDC 205.005(d)(2)

(See Exhibit 57 – Street Length Adjustment)

As shown on the tentative site plan, the proposed subdivision provides a safe and efficient circulation pattern throughout the development for vehicles and pedestrians. Additional pedestrian pathways have been added to the northerly perimeter of the site. Providing increased opportunities for public transportation, safe bicycle and pedestrian access to local schools, parks and enhancing access to this site and surrounding properties with a variety of routes, reducing automobile dependence and encouraging multimodal opportunities

Access to and within, the development must be consistent with applicable requirements of the Transportation Planning Rule Requirements (TPR) that requires that development provide connectivity between land uses and transportation. Under the Rule, developments are responsible for providing for the safe and efficient circulation of vehicles, bicycles, and pedestrians into, through, and out of a development. The proposal develops the subject property within an established residential area where local and

arterial streets exist. These facilities connect the transportation system to the surrounding residential neighborhoods.

The Public Works Department will address the level of street improvements that are roughly proportional to assure conformance to the development to subdivision code and applicable transportation system plan requirements. Completion of conditions of approval prior to the signing of the final plat will satisfy this criterion for the subdivision application.

In conclusion, the proposed street plan provides the best economic, safe, and efficient circulation of traffic possible under the circumstances. The proposed subdivision site plan demonstrates this review criterion can be met. Therefore, this criterion has been satisfied.

(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 subdivision is served with adequate transportation infrastructure and the street system adjacent the property conforms to the Transportation System Plan and provides for safe, orderly, and efficient circulation of traffic into, through, and out of the subject property on to the public street system.

Therefore, via streets and sidewalks, safe and convenient bicycle and pedestrian / multi-modal access will be provided to the site and adjacent neighborhoods. Therefore, this criteria has been met.

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

Findings:

The applicant will provide a TIA as a part of this submission package. The intent of the applicant is to mitigate impacts by providing adequate circulation for vehicle, multi-modal / pedestrian impacts to the transportation system as identified in the TIA and as prescribed in the conditions of approval. Therefore, this criterion will be met.

(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.

Findings:

All lots are in compliance with the UDC/SRC, except those listed below, due to the dimensional and topographic constraints of the site:

Lot 148 will require a lot depth adjustment - double frontage configuration

(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.

Findings:

The subdivision code requires City approval of lots be suitable for the general purpose for which they are likely to be developed. No lots can be of such a size or configuration that is detrimental to public health, safety, or welfare or sanitary needs of users of the parcel or lot.

The subdivision plan takes into consideration the topography and vegetation of the site. The proposed lots are of sufficient size and dimensions to permit future development. The lot dimensions are illustrated on the tentative site plan and are in conformance to the minimum standards in UDC 510 and 511. With the exception of those lots requiring adjustments as listed above. Final conformance to minimum lot size and buildable lot area will be confirmed when the final plat is submitted to the City for review and approval.

This site does not contain any trees, therefore no tree conservation or removal requested. The layout of the lots takes into consideration the topography and vegetation of the site. All lots are in compliance with the UDC, with the exception of those listed above. Therefore, this criteria has been met.

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:

The property and development are located inside the Urban Service Area (USA). An Urban Growth Preliminary Declaration is being requested concurrently with this tentative subdivision application, The applicant will adjust and accommodate tentative plan and infrastructure design based on the findings and determinations of the Urban Growth Declaration.

Therefore, this criterion will be met.

TREE CONSERVATION/REMOVAL PLAN

There are no trees located within the boundaries of the site. Therefore, there is not tree removal or tree preservation plan as a part of this submission

PROPOSAL:

The applicant is requesting to divide 41.62 acres into a three (3) Phase Subdivision consisting of 178-lots.

CRITERIA AND APPLICANT'S REASONS ADDRESSING UDC 205.015(D): PHASED SUBDIVISION TENTATIVE PLAN.

(1) The tentative phased subdivision plan meets all of the criteria for tentative subdivision plan approval set forth in SRC 205.010(d).

Findings:

The subject property is about 41.62 acres in size and zoned RA (Residential Agriculture). The subject property is located at the 2500 block of Robins Ave SE. The subject property is identified as 083W13-00201, 083W24B-02200 & 083W24B-02300 The applicant is proposing to divide the subject property into 178 single family residential lots with one 2.5-acre parcel park dedication and one tract designated for stormwater treatment and detention.

Proposed Phasing:

Phase 1: Lots 1-76

Phase 2: Lots 77-118

Phase 3: Lots 119-178

The proposed phased subdivision meets all the criteria for a tentative subdivision as outlined above under SRC 205.010(d).

(2) Connectivity for streets and City utilities between each phase ensures the orderly and efficient construction of required public improvements among all phases.

Findings:

The subject property is located in a developed and developing area where improved streets and sidewalks exist and continue with new development. The local street system serving the development provides the necessary connections and access to the local streets and circulation system serving this residential neighborhood.

Block Length: Except for one block, the block lengths within the subdivision do not exceed 600 feet in length. There are more than enough street connections within the proposed development. By providing these connections, block length and connectivity have been met.

The properties to the north, southeast and southwest have the potential to be developed. These parcels are currently located outside the City limits. Three street connections have been provided to the north, along with two pedestrian path connections. One street connection to the east, three street connections to the south. A street connection to the east onto Robins Lane has been provided, and a westerly connection to Mistymorning Ave. By providing these connections, block length and connectivity have been met. Due to the topography of the site and surrounding an additional street connection to the west is not feasible.

As shown on the preliminary subdivision plat, the proposed subdivision provides a safe and efficient circulation pattern for vehicles and pedestrians.

Access to, within, and from the development must be consistent with applicable requirements of the Transportation Planning Rule Requirements (TPR) that requires that development provide connectivity between land uses and transportation. Under the Rule, developments are responsible for providing for the safe and efficient circulation of vehicles, bicycles, and pedestrians into, through, and out of a development. The proposal develops the subject property within an established residential area where local and arterial streets and mass transit facilities exist. These facilities connect the transportation system to the surrounding residential neighborhoods.

The proposed phased subdivision will not impede the future development of other phases as shown on the site plan. All phases will have access to the internal street system and the existing street system.

Each phase will ensure the orderly and efficient construction of the required improvements as required by Conditions of Approval and Code compliance. Therefore, this criteria has been met.

(3) Each phase is substantially and functionally self-contained and self-sustaining with regard to required public improvements.

Findings:

Each phase is required to provide the needed improvements to accommodate that phase. Due to the required conditions of approval and City standards all three (3) Phases will be functionally self-contained and self-sustaining as shown on the site plans.

(4) Each phase is designed in such a manner that all phases support the infrastructure requirements for the phased subdivision as a whole.

Findings:

The applicant will be required to comply with conditions of approval that will be designed to ensure that the phases are developed to support the infrastructure requirements for each phase and the subdivision as a whole. See attached site plans.

Conclusion:

The applicant is requesting to divide 41.62 acres into a three (3) Phase Subdivision consisting of 178-lots.

Proposed Phasing:

- Phase 1: Lots 1-76
- Phase 2: Lots 77-118
- Phase 3: Lots 119-178

The applicant is also requesting Alternative Street Standards for the following:

- 1) Alternative Street Standard to allow the Mistymorning Ave and Ares Drive to exceed a 12-percent street grade.
- 2) Alternative Street Standard to exceed the maximum block length of 600 feet.

The applicant is requesting an adjustment to the lot design standards for double frontage lots to accommodate the topographic and design limitations.

The proposed subdivision is in compliance with all applicable Codes. The applicant will meet all conditions and requirements of approval for this proposed decision.

Conclusion:

The applicant requests approval of a Subdivision Tentative Plan (SRC 205.010) and a Phased Subdivision Tentative Plan (SRC 205.015) Type II Review with appropriate street and lot design adjustments. Providing justification in the form of plans, detailed reports, supporting documents and findings in support of the proposed application. This proposal does meet all applicable code provisions. As such, the applicant respectfully requests that the Type II review for Subdivision Tentative plan and Phased Subdivision Tentative Plan be approved as submitted.

Aaron Panko

From: Mark Lowen <MLowen@livebsl.com>
Sent: Friday, February 25, 2022 8:27 AM
To: Aaron Panko
Subject: Re: 2527 and 2547 Robins Lane SE - 21-120366-LD (Subdivision Phased) - Additional Findings

Aaron Panko
Planner III
City of Salem | Community Development Department
555 Liberty St SE, Room 305, Salem OR 97301

February 24, 2022

Re: 2527 and 2547 Robins Lane SE - 21-120366-LD (Subdivision Phased) - Additional Findings

Dear Aaron,

In regard to the discussion with staff on 2/22/22 we would like to provide this additional information in response to the following draft subdivision conditions:

“Construct a local street stub to the north line of the subject property between Demeter Avenue and Artemis Avenue and eliminate the proposed pedestrian accessway between lots 10 and 11”.

Findings:

The inclusion of this additional stub street does not improve the overall design or pedestrian access, it does however diminish valuable developable land for this subdivision and future development of the northerly parcel(s).

The proposed northern extension of Demeter Ave is west of Zeus Ave by only 260 feet center to center. It is expected, when developed, that an east west street will be located on the adjoining property approximately 130 feet north of the current property line. Adding this additional stub street will force the next property to create an ADA compliant intersection just west of the Zeus intersection. The close proximity of these intersections create challenges for street grading, as well as has impacts on lot access and overall grading.

This additional extension will add an additional 100 feet of street on our project and the same on the adjoining property that will need to be maintained by Public Works in the future.

The additional extension will add approximately 5,000 square feet of additional impervious area that will create surface runoff to be treated and stored, that will have to be maintained as part of the public Storm Water System.

It reduces the number of dwelling units that can be created on this site with a like impact on the adjoining property.

There is a fair amount of topography to the west of the proposed extension that will be affected in the grading of the adjoining property that cannot be quantified at this time but is an impact.

The goal to facilitate pedestrian access and travel can be achieved with the currently proposed walkway. The walkway will be ADA compliant as discussed. Walking should be encouraged for neighborhood access and connection over vehicular travel which would be more likely with a street.

Zeus is a collector street. Rather than add another local street for travel, traffic should be directed to the collector street.

In conclusion, the proposed street plan provides the best economic, safe, and efficient circulation of vehicle and pedestrian traffic possible under the circumstances. The proposed subdivision site plan demonstrates this review criterion can be met. Therefore, this criterion has been satisfied.

Thank you,

*Mark Lowen
Project Manager*

Bonaventure®

BonaventureSenior.com

3425 Boone Road SE | Salem, OR 97317

C: 503-586-4104 / W: 503 480 3151

mlowen@livebsl.com

[LINKEDIN](#) | [FACEBOOK](#) | [TWITTER](#) | [PINTEREST](#) | [YOUTUBE](#)



MEMO

TO: Aaron Panko, Planner III
Community Development Department

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

DATE: March 14, 2022

**SUBJECT: PUBLIC WORKS RECOMMENDATIONS
SUB-UGA-ADJ22-01 (21-120366; 21-120368; 21-122241)
2527 ROBINS LANE SE
178-LOT PHASED SUBDIVISION**

PROPOSAL

A phased subdivision tentative plan to divide approximately 41.62 acres into 178 single-family lots ranging in size from 5,000 to 19,283 square feet in size, in three phases of development, an Urban Growth Area Preliminary Declaration to determine the necessary public facilities required to serve the proposed development, and a Class 2 Adjustment request to increase the average depth to width ratio from 300 percent to 346 percent for proposed lot 37. The applicant is requesting alternative street standards to:

1. Increase the maximum grade for Mistymorning Avenue SE and Ares Drive SE (Local Street) from 12 percent to 14.05 percent and 14.49 percent respectively;
2. Increase the street spacing and connectivity standards in SRC Chapter 803 to allow the following proposed streets to exceed the 600-foot block length and 600-foot street connectivity standards in SRC Chapter 803:
 - a. Northwesterly block of Mistymorning Avenue SE 740 feet;
 - b. Southerly block of Ares Drive SE 740 feet;
 - c. Ares Drive SE between Hermes Drive SE and Athene Drive SE 780 feet;
 - d. Athena Drive SE between Mistymorning Drive SE and Zeus Avenue SE 761 feet;
 - e. Athena Drive SE between Zeus Avenue SE and Ares Drive SE 762 feet; and,
 - f. Zeus Avenue SE between Demeter Avenue SE and Ares Drive SE 710 feet.

The subject property is approximately 41.62 acres in size, zoned RA (Residential Agriculture) and located at 2527 Robins Lane SE - 97306 (Marion County Assessor Map and Tax Lot numbers: 083W13 / 00201, and 083W24B / 02200 and 02300).

RECOMMENDED CONDITIONS OF APPROVAL

As a condition of final plat approval for all phases:

1. Construct internal streets in the general alignments as shown in the application materials to Local street standards except as follows:
 - a. Zeus Avenue SE shall be constructed as a Collector B street.
 - b. Mistymorning Avenue SE is approved to have an increased street grade, as specified in the application materials.
 - c. Construct either a local street stub or Mid-block Bike/Pedestrian Walkway to the south line of the subject property between Genesis Street SE and Demeter Avenue SE.
2. Dedicate a 10-foot public utility easement along the street frontage of all internal streets.
3. Design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.
4. All necessary (existing and proposed) access and utility easements must be shown on the final plat and recorded on the deeds to individual lots affected by such easements.

As a condition of final plat approval for Phase 1:

5. Construct Zeus Avenue SE to Collector street standards within Phase 1.
6. Construct a Mid-Block Bike/Pedestrian Walkway between lots 10 and 11 according to PWDS.
7. Construct either a local street stub or a Mid-block Bike/Pedestrian Walkway to the south line of the subject property between Genesis Street SE and Demeter Avenue SE.
8. A construction entrance shall be constructed from Robins Lane SE as part of Phase 1, and all construction vehicles and equipment shall utilize this entrance for entering and leaving the site.

9. Construct a minimum 8-inch sewer main from Robins Lane SE through Phase 2 to serve Phase 1 as shown on the applicant's utility plan.
10. Extend the 8-inch sewer main from Zeus Avenue SE to the northern property line to serve undeveloped property to the north.
11. To ensure that Phase 1 is served by City infrastructure:
 - a. Construct sewer and stormwater facilities within Phase 2 needed to serve Phase 1 as shown on the applicant's utility plan.
 - b. Provide easements and access roads pursuant to PWDS for public infrastructure within Phase 2 needed to serve Phase 1.
 - c. Design all streets in Phase 2 in which public infrastructure is proposed to serve Phase 1 in sufficient detail to establish final street grades.
12. Extend a minimum 8-inch S-3 water main to the easterly terminus of Athena Drive SE as shown on the applicant's utility plan.
13. In accordance with Appendix F of the *Salem Comprehensive Parks System Master Plan*, construct predevelopment standard amenities in the Open Space area, and enter into an agreement with the City for conveying the Open Space area to the City after plat approval for future neighborhood park use.

As a condition of final plat approval for Phase 2:

14. Convey land for dedication to equal a half-width right-of-way of 30 feet on the development side of Robins Lane SE, including sufficient right-of-way to accommodate public infrastructure at the property corners.
15. Along the north side of Robins Lane SE from approximately the east right-of-way line of Robin Hood Street SE to the west line of the subject property, construct a 17-foot-wide half-street linking improvement to Collector standards with a curb and gutter, but no sidewalk at this time because of insufficient right-of-way.
16. Along the north side of Robins Lane SE between the west line of the subject property and Zeus Avenue SE, construct a three-quarter-street improvement to Collector standards.
17. Along Robins Lane SE between Zeus Avenue SE and the east line of the subject property, construct a three-quarter street improvement to Local street standards.
18. Construct Zeus Avenue SE to Collector street standards from Robins Lane SE to the north line of Phase 2. Configure the intersection of Robins Lane SE and Zeus

Avenue SE as shown on the applicant's preliminary plan. The centerline radius may need to be modified to meet PWDS.

As a condition of final plat approval for Phase 3:

19. Extend a minimum 8-inch S-3 water main to the northerly terminus of Ares Drive SE as shown on the applicant's utility plan
20. Construct a Mid-Block Bike/Pedestrian Walkway between lots 129 and 130 according to PWDS.

FACTS AND FINDINGS

Streets

1. Robins Lane SE
 - 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 20-foot improvement within a varied 40-to-50-foot-wide right-of-way abutting the subject property.
2. Mistymorning Avenue SE
 - a. Standard—This street is designated as a 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 an approximate 30-foot improvement within a 50-foot-wide right-of-way abutting the subject property.
3. Genesis Street SE
 - a. Standard—This street is designated as a 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 an approximate 30-foot improvement within a 50-foot-wide right-of-way abutting the subject property.
4. Brentwood Drive SE
 - a. Standard—This street is designated as a Collector street in the Salem TSP and is under jurisdiction of the Oregon Department of Transportation (ODOT). 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 15-to-24-foot improvement within a 250-foot-wide right-of-way abutting the subject property.

Water

1. Existing Conditions

- a. The subject property is located within the S-2 and S-3 water service levels.
- b. An S-2 12-inch water main is located in Robins Lane SE.
- c. An S-2 8-inch water main is located in Genesis Street SE.
- d. An S-2 8-inch water main is located in Mistymorning Avenue SE.
- e. An S-3 8-inch water main is located in Mistymorning Avenue SE.
- f. An S-2 16-inch water main is located in Brentwood Drive SE.

Sanitary Sewer

1. Existing Conditions

- a. A 10-inch sewer main is located in Robins Lane SE.
- b. An 8-inch sewer main is located in Mistymorning Avenue SE.

Storm Drainage

1. Existing Conditions

- a. A 10-inch storm main is located in Robins Lane SE approximately 100 feet west of the subject property.
- b. A 10-inch storm main is located in Genesis Street SE.
- c. A 54-inch storm main is located in Mistymorning Avenue SE.

Parks

The proposed development is not currently served by a park. The tentative plan shows approximately 2.8 acres set aside for open space at the northwestern corner of the subject property.

URBAN GROWTH PRELIMINARY DECLARATION FINDINGS

An Urban Growth Preliminary Declaration is required because the subject property is located outside the Urban Service Area in an area without required facilities. Analysis of the development based on relevant standards in SRC 200.055 through SRC 200.075 is as follows:

SRC 200.055—Standards for Street Improvements

Findings: An adequate linking street is defined as the nearest point on a street that has a minimum 60-foot-wide right-of-way with a minimum 30-foot improvement for Local streets or a minimum 34-foot improvement for Major streets (SRC 200.055(b)). All streets abutting the property boundaries shall be designed to the greater of the standards of SRC Chapter 803 and the standards of linking streets in SRC 200.055(b).

The subject property also has frontage on Brentwood Drive SE, which is a frontage road that runs adjacent to Interstate 5 and is under jurisdiction of ODOT. This street is barricaded at Robins Lane SE because of safety limitations at the intersection of Battle Creek Road SE, and the portion of Brentwood Drive SE abutting the subject property will likely be closed and vacated in the future. Because lack of intersection sight distance makes construction that conforms to the standards impossible, further improvement of this street is undesirable pursuant to SRC 803.065.

The subject property has frontage on Mistymorning Avenue SE and Genesis Street SE, which are fully improved Local streets and adequate linking streets. Robins Lane SE along the frontage of the property will be developed as a three-quarter-street improvement to meet Collector Street Standards. Robins Lane SE west of the subject property will be improved as a half-street linking improvement pursuant to SRC 200.035.

Condition: Along the north side of Robins Lane SE from approximately the east right-of-way line of Robin Hood Street SE to the west line of the subject property, construct a 17-foot-wide half-street linking improvement, including a curb, to Collector standards.

Condition: Along the north side of Robins Lane SE between the west line of the subject property and Zeus Avenue SE, construct a three-quarter-street improvement to Collector standards.

Condition: Along Robins Lane SE between Zeus Avenue SE and the east line of the subject property, construct a three-quarter street improvement to Local street standards.

SRC 200.060—Standards for Sewer Improvements

Findings: The proposed development shall be linked to adequate facilities by the construction of sewer lines and pumping stations, which are necessary to connect to such existing sewer facilities (SRC 200.060). The nearest available sewer facilities are located in Robins Lane SE and Mistymorning Avenue SE adjacent to the subject property. The applicant shall construct the *Salem Wastewater Management Master Plan* improvements and link the site to existing facilities that are defined as adequate under SRC 200.005(a). As a condition of sewer service, all developments will be required to provide public sewers to adjacent upstream parcels, discussed further below.

Condition: Construct a minimum 8-inch sewer main from Robins Lane SE through Phase 2 to serve Phase 1 as shown on the applicant's utility plan.

SRC 200.065—Standards for Storm Drainage Improvements

Findings: The proposed development shall be linked to existing adequate facilities by the construction of storm drain lines, open channels, and detention facilities, which are necessary to connect to such existing drainage facilities. The nearest available public storm system appears to be located in Robins Lane SE, Mistymorning Avenue SE, and Genesis Street SE abutting the subject property. The applicant shall link the on-site system to existing facilities that are defined as adequate under SRC 200.005(a).

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

SRC 200.070—Standards for Water Improvements

Findings: The proposed development shall be linked to adequate facilities by the construction of water distribution lines, reservoirs, and pumping stations that connect to such existing water service facilities (SRC 200.070). The applicant shall provide linking water mains consistent with the *Water System Master Plan* adequate to convey fire flows to serve the proposed development as specified in the Water Distribution Design Standards.

Condition: Extend a minimum 8-inch S-3 water main to the easterly terminus of Athena Drive SE as shown on the applicant's utility plan.

Condition: Extend a minimum 8-inch S-3 water main to the northerly terminus of Ares Drive SE as shown on the applicant's utility plan.

SRC 200.075—Standards for Park Sites

Findings: The proposed development is not currently served by a park. The tentative plan shows approximately 2.8 acres set aside for open space at the northwestern corner of the subject property.

Condition: In accordance with Appendix F of the *Salem Comprehensive Parks System Master Plan*, construct predevelopment standard amenities in the Open Space area and enter into an agreement with the City for conveying the Open Space area to the City after plat approval for future neighborhood park use.

SUBDIVISION CRITERIA AND FINDINGS

The following Code references indicate 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. The applicant is advised that the subject property appears to have several easements that shall be either shown on the final plat or the interest released prior to final plat. 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 based on the non-compliant violation. 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.

A 10-foot-wide public utility easement is required along the new and existing street frontages pursuant to SRC 803.035(n).

Condition: Dedicate a 10-foot public utility easement along the street frontage of all internal streets.

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

According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are mapped 2-point landslide hazard areas on the subject property. The proposed activity of a subdivision adds 3 activity points to the proposal, which results in a total of 5 points. Therefore, the proposed development is classified as a moderate landslide risk and requires a geological assessment and/or geotechnical report. A Geological Assessment, prepared by Redmon Geotechnical Services and dated October 28, 2016, was submitted to the City of Salem with the subdivision application. This assessment demonstrates the subject property could be developed by implementing the mitigation measures provided in the report.

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

Findings— Water, sewer, and stormwater infrastructure are available along the perimeter of the site and appear to be adequate to serve the property as shown on the applicant's preliminary partition plan. As specified in the conditions of approval, private water, sewer, and storm services shall be constructed to serve each lot as a condition of plat approval unless the applicant enters into an improvement agreement.

The proposed development is subject to SRC Chapter 71 and the revised PWDS as adopted in Administrative Rule 109, Division 004. To demonstrate the proposed parcels can meet the PWDS, the applicant shall submit a tentative stormwater design prior to final plat approval. For a tentative stormwater design, the applicant shall submit infiltration test results, the Simplified Method Form or Engineering Method Report as applicable, and a preliminary site plan showing the building envelope and tentative location of stormwater facilities.

Condition: 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.

Condition: All necessary (existing and proposed) access and utility easements must be shown on the final plat and recorded on the deeds to individual lots affected by such easements.

As a condition of sewer service, all developments will be required to provide public sewers to adjacent upstream parcels. This shall include the extension of sewer mains in easements or rights-of-way across the property to adjoining properties, and across the street frontage of the property to adjoining properties when the main is located in the street right-of-way. The applicants tentative plan shows a new 8-inch sewer main in Zeus Avenue SE to be constructed as part of the subdivision. The proposed sewer line

terminates at the intersection of Zeus Avenue SE and Athena Drive SE. The applicant shall extend the public sewer main to the undeveloped property to the north.

Condition: Construct a minimum 8-inch sewer main from Robins Lane SE through Phase 2 to serve Phase 1 as shown on the applicant's utility plan.

Condition: Extend the 8-inch sewer main from Zeus Avenue SE to the northern property line to serve undeveloped property to the north.

The property is located within the S-2 and S-3 water service levels. Water service to the S-2 service area within the subject property is provided from the existing S-2 water system, and water service to the S-3 water service level within the subject property is provided from the existing S-3 water system. In accordance with the *Salem Water System Master Plan*, the applicant shall be required to extend watermains to adjoining undeveloped property to accommodate future development of adjacent parcels.

Condition: Extend a minimum 8-inch S-3 water main to the easterly terminus of Athena Drive SE as shown on the applicant's utility plan.

Condition: Extend a minimum 8-inch S-3 water main to the northerly terminus of Ares Drive SE as shown on the applicant's utility plan.

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—The proposed development connects to Mistymorning Avenue SE and Genesis Street SE in the western portion of the subject property. Mistymorning Avenue SE and Genesis Street SE are fully developed Local streets and meet the standard for Local streets according to the Salem TSP. Phase 1 will be served by Mistymorning Avenue SE and Genesis Street SE.

Brentwood Drive SE is adjacent to the eastern property line of the subject property. The Collector street in this vicinity is shown in the Salem TSP to be relocated onto Zeus Avenue SE through the development. This street is barricaded at Robins Lane SE because of safety limitations at the intersection of Battle Creek Road SE, and the portion of Brentwood Drive SE abutting the subject property will likely be closed and vacated in the future. Because lack of intersection sight distance makes construction that conforms to the standards impossible, further improvement of this street is undesirable pursuant to SRC 803.065.

Robins Lane SE abuts south line of the subject property and does not meet the current standard for a Collector street according to the Salem TSP. Robins Lane SE along the frontage, and approximately 150 feet to the west of the subject property is

under-improved. In order to provide safe and efficient traffic into the proposed subdivision, the applicant shall be required to improve Robins Lane SE approximately 150 feet west of the subject property and along the property frontage.

As identified in the conditions of approval, the applicant is required to improve Robins Lane SE to meet current PWDS and comply with SRC 803.040.

Condition: Convey land for dedication to equal a half-width right-of-way of 30 feet on the development side of Robins Lane SE, including sufficient right-of-way to accommodate public infrastructure at the property corners.

Condition: Along the north side of Robins Lane SE from approximately the east right-of-way line of Robin Hood Street SE to the west line of the subject property, construct a 17-foot-wide half-street linking improvement to Collector standards with a curb and gutter, but no sidewalk at this time because of insufficient right-of-way.

Condition: Along the north side of Robins Lane SE between the west line of the subject property and Zeus Avenue SE, construct a three-quarter-street improvement to Collector standards.

Condition: Along Robins Lane SE between Zeus Avenue SE and the east line of the subject property, construct a three-quarter street improvement to Local street standards.

According to the Salem TSP, a Collector street is required to be constructed that connects Robins Lane SE to the north line of the subject property. Zeus Avenue SE is the internal street designated as a Collector street. The applicant's proposed alignment of Zeus Avenue SE shows a centerline radius that does not comply with PWDS, and a design exception has not been approved by the City Engineer to date.

Condition: Construct Zeus Avenue SE to Collector street standards within Phase 1.

Condition: Construct Zeus Avenue SE to Collector street standards from Robins Lane to the north line of Phase 2. Configure the intersection of Robins Lane SE and Zeus Avenue SE as shown on the applicant's preliminary plan. The centerline radius may need to be modified to meet PWDS.

On the applicant's tentative plan, internal streets are proposed to be constructed to Local street standards. The configuration of street stubs along the north line of the subject property does not meet maximum spacing standards of 600 feet between intersections. In lieu of providing additional street stubs to the north and south, the applicant has requested an alternative street standard. The tentative plan shows mid-block pedestrian connections between lots 10 and 11 and between lots 129 and 130. Staff recommends an additional mid-block pedestrian connection between lots 68

and 69 to the southern property line; this may also be constructed as a Local street stub.

Pursuant to SRC 803.065(a), the Director may authorize the use of one or more alternate street standards: (1) where existing development or physical constraints make compliance with the standards set forth in this chapter impracticable; and (3) where topography or other conditions make the construction that conforms to the standards impossible or undesirable. The Public Works Director authorizes the alternate street standards because topography make the construction that conforms to the standards impossible and undesirable.

All internal streets will be constructed to Local Street standards as specified in the TSP, with the exception of Zeus Avenue SE, and the following alternative street standards and design exceptions included as part of the land use application materials:

- 1) Increase the maximum grade for Mistymorning Avenue SE and Ares Drive SE (Local Street) from 12 percent to 14.05 percent and 14.49 percent respectively;
- 2) Increase the street spacing and connectivity standards in SRC Chapter 803 to allow the following proposed streets to exceed the 600-foot block length and 600-foot street connectivity standards in SRC Chapter 803:
 - a. Northwesterly block of Mistymorning Avenue SE 740 feet;
 - b. Ares Drive between Hermes Drive and Athene Drive SE 780 feet;
 - c. Athena Drive between Zeus Avenue SE and Ares Drive SE 762 feet; and,
 - d. Zeus Avenue SE between Demeter Avenue SE and Ares Drive SE 710 feet.
 - e. Athena Drive SE between Mistymorning Drive SE and Zeus Avenue SE 761 feet.

The following requests for alternative street standards are NOT approved as existing topography and other features make construction of street stubs feasible. Conditions requiring additional street connections are listed below.

- 1) Increase the street spacing and connectivity standards in SRC Chapter 803 to allow the following proposed streets to exceed the 600-foot block length and 600-foot street connectivity standards in SRC Chapter 803:
 - a. Southerly block of Ares Drive SE 740 feet.

Based on the preceding analysis, staff recommends the following condition of approval:

Condition: Construct internal streets in the general alignments as shown in the application materials to Local street standards except as follows:

- a. Zeus Avenue SE shall be constructed as a Collector B street.
- b. Mistymorning Avenue SE is approved to have an increased street grade, as specified in the application materials.
- c. Construct either a Local street stub or Mid-block Bike/Pedestrian Walkway to the south line of the subject property between Genesis Street SE and Demeter Avenue SE.

Condition: Construct Mid-Block Bike/Pedestrian Walkways between lots 10 and 11 and between lots 129 and 130 according to PWDS.

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 proposed development is not currently served by a park. The tentative plan shows approximately 2.8 acres set aside for open space at the northwestern corner of the subject property. The applicant shall reserve for dedication prior to development approval that property within the development site that is necessary for an adequate neighborhood park, access to such park, and recreation routes, or similar uninterrupted linkages, based upon the *Salem Comprehensive Parks System Master Plan*.

The *Salem Comprehensive Parks System Master Plan* defines predevelopment standard amenities that may be provided by the developer, prior to parks dedication to the City. These improvements may include, but are not limited to, seeding and grading; construction of paths; installation of pet waste bag dispensers, waste receptacles, and park signage; installation of pedestrian ramps at the street frontage; and providing utility stubs to the property.

Condition: In accordance with Appendix F of the *Salem Comprehensive Parks System Master Plan*, construct predevelopment standard amenities in the Open Space area and enter into an agreement with the City for conveying the Open Space area to the City after plat approval for future neighborhood park use.

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

Findings—The applicant submitted a Traffic Impact Analysis (TIA) that evaluated the street system adjacent to the proposed development, including the system connected to Robins Lane SE, Genesis Street SE, and Mistymorning Avenue SE. The TIA demonstrates that the existing street system has sufficient capacity for the traffic generated by the proposed development at full build out. Additionally, improvements to Robins Lane SE are required as a condition of approval for the proposed development, as discuss above. The Assistant City Traffic Engineer has reviewed the submitted TIA agrees with the key findings.

Phase 1 of the proposed development will be accessed through Mistymorning Avenue SE and Genesis Street SE, both Local streets according to the Salem TSP. As discussed below, comments submitted by the public express concerns for traffic generated by the proposed development on the Local Street System. The TIA includes key findings that the existing street system can accommodate the traffic generated from the proposed development.

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—Portions of the subject property are located outside of the Urban Service Area; therefore, an Urban Growth Preliminary Declaration has been required. The conditions of the Preliminary Declaration are implemented within the phasing plan. As conditioned, the tentative subdivision plan can is designed to accommodate required on-site and off-site improvements.

SRC 205.015(d)(1)— **The tentative phased subdivision plan meets all of the criteria for tentative subdivision plan approval set forth in SRC 205.010(d).**

Findings—The proposal includes three phases of development. As shown on the applicant's tentative plan, public sewer and storm infrastructure to serve Phase 1 will be provided from Robins Lane SE within Phase 2. In order to demonstrate this infrastructure is placed in the proper horizontal and vertical alignment within Phase 2, the applicant is required to submit street designs for Phase 2 prior to Final Plat Approval of Phase 1. Any easements needed to serve the proposed parcels with City infrastructure shall be shown on the final plat. In addition, the applicant will be required to provide a public roadway and utility access easement to ensure the City has access to utilities constructed within Phase 2 to serve Phase 1. With conditions discussed above, the tentative subdivision plan meets approval criteria of SRC 205.010(d).

Condition: To ensure that Phase 1 is served by City infrastructure:

- a. Construct sewer and stormwater facilities within Phase 2 needed to serve

Phase 1 as shown on the applicant's utility plan.

- b. Provide easements and access roads pursuant to PWDS for public infrastructure within Phase 2 needed to serve Phase 1.
- c. Design all streets in Phase 2 in which public infrastructure is proposed to serve Phase 1 in sufficient detail to establish final street grades.

SRC 205.015(d)(2)—Connectivity for streets and City utilities between each phase ensures the orderly and efficient construction of required public improvements among all phases.

Findings—Phase 1 includes Mistymorning Avenue SE, Genesis Street SE, Demeter Avenue SE, Zeus Avenue SE, Athena Drive SE, and Ares Drive SE. Phase 2 includes Demeter Avenue SE, Zeus Avenue SE, and Jonah Avenue SE. Phase 3 includes Hermes Drive SE, Ares Drive SE, and Athena Avenue SE. Public improvements can be constructed efficiently among all phases.

Because access to Phase 1 comes exclusively from Mistymorning Avenue SE and Genesis Street SE, construction vehicles for Phase 1 construction will be required to travel through existing neighborhoods. In order to better distribute construction vehicle traffic, staff recommends that all construction vehicles enter the development through Robins Lane SE, which is classified as a Collector according to the Salem TSP and will be improved as a condition of development.

Condition: A construction entrance shall be constructed from Robins Lane SE as part of Phase 1, and all construction vehicles and equipment shall utilize this entrance for entering and leaving the site

SRC 205.015(d)(3)—Each phase is substantially and functionally self-contained and self-sustaining with regard to required public improvements.

Findings—With recommended conditions, public improvements serving each phase are substantially and functionally self-contained within each phase.

SRC 205.015(d)(4)—Each phase is designed in such a manner that all phases support the infrastructure requirements for the phased subdivision as a whole.

Findings—The subject property is located within the S-2 and S-3 water service levels. Water meters serving the S-2 water service level shall be connected to the S-2 water system, and water meters serving the S-3 water service level shall be connected to the S-3 water system, except as authorized by PWDS. The phasing plan allows for S-2 and S-3 water service to be taken from the appropriate service levels. All other infrastructure supports the phased subdivision as a whole.

RESPONSE TO COMMENTS

1. **Stormwater**: Comments submitted express concerns for flooding on adjacent property and timing of construction of the required stormwater management facilities.

Response: City engineers have reviewed the proposed stormwater system. The stormwater treatment and flow control facility are located in Phase 2. The conditions of approval specify that the stormwater facility will need to be constructed in conjunction with Phase 1 or Phase 2, whichever comes first. Staff expects a reduction in the amount of runoff flowing through adjacent property, especially after completion of both Phases 1 and 2, as rooftop and street drainages are collected into pipes and transported to the stormwater facility rather than flowing overland onto adjacent property.

2. **Traffic and Access**: Comments submitted expressed concerns for the ability of the existing street system to handle the traffic generated by the proposed development. Comments submitted also requested access be established through the under-improved Brentwood Drive SE right-of-way, which is under jurisdiction of Marion County.

Response: As discussed above, the applicant submitted a Traffic Impact Analysis (TIA) that demonstrates the existing street system is adequate to serve the proposed development. Street improvements will be required as part of the proposed development and a construction only entrance from Robins Lane is recommended as a condition of approval for Phase 1.

3. **Driveway Approaches**: Marion County submitted comments regarding two driveway approaches for existing residences along the south side of Robins Lane SE, opposite of the proposed development.

Response: The existing driveway approaches may be realigned during final design of the Robins Lane SE and Zeus Avenue SE intersection. At that time, staff will review the driveway locations in relation to the final street design to ensure PWDS and SRC requirements are met.

Prepared by: Laurel Christian, Program Coordinator
cc: File

REQUEST FOR COMMENTS

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

REGARDING: Phased Subdivision / Urban Growth Area Preliminary Declaration / Class 2 Adjustment Case No. SUB-UGA-ADJ22-01
PROJECT ADDRESS: 2527 Robins Lane SE, Salem OR 97306
AMANDA Application No.: 21-120366-LD / 21-120368-LD / 21-122241-ZO
COMMENT PERIOD ENDS: Thursday, January 27, 2022 at 5:00 P.M.

REQUEST: A Phased Subdivision Tentative Plan to divide approximately 41.62 acres into 178 single family lots ranging in size from 5,000 to 19,283 square feet in size, in three phases of development, an Urban Growth Area Preliminary Declaration to determine the necessary public facilities required to serve the proposed development, and a Class 2 Adjustment request to increase the average depth to width ratio from 300 percent to 346 percent for proposed Lot 37. The applicant is requesting alternative street standards to:

- 1) Increase the maximum grade for Mistymorning Avenue and Ares Drive (Local Street) from 12 percent to 14.05 percent and 14.49 percent respectively;
2) Increase the street spacing and connectivity standards in SRC Chapter 803 to allow the following proposed streets to exceed the 600-foot block length and 600-foot street connectivity standards in SRC Chapter 803:
a) Northwesterly block of Mistymorning Avenue 740 feet
b) Southerly block of Ares Drive 740 feet
c) Ares Drive between Hermes Drive and Athene Drive 780 feet
d) Athena Drive between Mistymorning Drive and Zeus Avenue 761 feet
e) Athena Drive between Zeus Avenue and Ares Drive 762 feet
f) Zeus Avenue between Demeter Avenue and Ares Drive 710 feet

The subject property is approximately 41.62 acres in size, zoned RA (Residential Agriculture) and located at 2527 Robins Lane SE - 97306 (Marion County Assessor Map and Tax Lot numbers: 083W13 / 201, and 083W24B / 2200 and 2300).

The Planning Division is interested in hearing from you about the attached proposal. Staff will prepare a Decision that includes consideration of comments received during this comment period. We are interested in receiving pertinent, factual information such as neighborhood association recommendations and comments of affected property owners or residents. The complete case file, including all materials submitted by the applicant and any applicable professional studies such as traffic impact analysis, geologic assessments, and stormwater reports, are available upon request.

Comments received by 5:00 p.m., Thursday, January 27, 2022, will be considered in the decision process. Comments received after this date will be not considered. Comments submitted are public record. This includes any personal information provided in your comment such as name, email, physical address and phone number. Mailed comments can take up to 7 calendar days to arrive at our office. To ensure that your comments are received by the deadline, we recommend that you e-mail your comments to the Case Manager listed below.

CASE MANAGER: Aaron Panko, Planner III, City of Salem, Planning Division; 555 Liberty St SE, Room 305, Salem, OR 97301; Phone: 503-540-2356; E-Mail: APanko@cityofsalem.net.

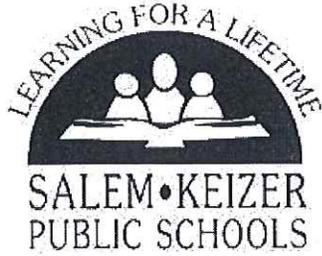
For information about Planning in Salem, please visit: http://www.cityofsalem.net/planning

PLEASE CHECK THE FOLLOWING THAT APPLY:

- 1. I have reviewed the proposal and have no objections to it.
[X] 2. I have reviewed the proposal and have the following comments: See attached

Name/Agency and Date:
Address: Salem-Keizer Public Schools, Planning and Property Services
3630 State Street, Salem OR 97301
Phone: David Fridenmaker, Manager
503-399-3335
Email:

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



DAVID FRIDENMAKER, Manager
 Facility Rental, Planning, Property Services
 3630 State Street, Bldg. C ● Salem, Oregon 97301-5316
 503-399-3335 ● FAX: 503-375-7847

Christy Perry, Superintendent

January 27, 2022

Aaron Panko, Planner
 Planning Division, City of Salem
 555 Liberty Street SE, Room 305
 Salem OR 97301

RE: Land Use Activity Case No. SUB-UGA-ADJ22-01 at 2527 Robins Ln SE

The City of Salem issued a Request for Comments for a Land Use Case as referenced above. Please find below comments on the impact of the proposed land use change on the Salem-Keizer School District.

IDENTIFICATION OF SCHOOLS SERVING THE SUBJECT PROPERTY

The School District has established geographical school attendance areas for each school known as school boundaries. Students residing in any residence within that boundary are assigned to the school identified to serve that area. There are three school levels, elementary school serving kindergarten thru fifth grade, middle school serving sixth thru eighth grade, and high school serving ninth thru twelfth grade. . The schools identified to serve the subject property are:

| School Name | School Type | Grades Served |
|-------------|-------------|---------------|
| Pringle | Elementary | K thru 5 |
| Judson | Middle | 6 thru 8 |
| South Salem | High | 9 thru 12 |

Table 1

SCHOOL CAPACITY & CURRENT ENROLLMENT

The School District has established school capacities which are the number of students that a particular school is designed to serve. Capacities can change based on class size. School capacities are established by taking into account core infrastructure (gymnasium, cafeteria, library, etc.) counting the number of classrooms and multiplying by the number of students that each classroom will serve. A more detailed explanation of school capacity can be found in the School District's adopted Facility Plan.

| School Name | School Type | School Enrollment | School Design Capacity | Enroll./Capacity Ratio |
|-------------|-------------|-------------------|------------------------|------------------------|
| Pringle | Elementary | 515 | 663 | 78% |
| Judson | Middle | 860 | 1,059 | 81% |
| South Salem | High | 2,258 | 2,248 | 100% |

Table 2

POTENTIAL ADDITIONAL STUDENTS IN BOUNDARY AREA RESULTING FROM APPROVAL OF LAND USE CASE

The School District anticipates the number of students that may reside at the proposed development based on the housing type, single family (SF), duplex/triplex/four-plex (DU), multi-family (MF) and mobile home park (MHP). The School District commissioned a study by the Mid-Willamette Valley Council of Governments in 2021 to determine an estimate of students per residence, for the Salem-Keizer area, in each of the four housing types. Since the results are averages, the actual number of students in any given housing type will vary. The table below represents the resulting estimates for the subject property:

| School Type | Qty. of New Residences | Housing Type | Average Qty. of Students per Residence | Total New Students |
|-------------|------------------------|--------------|--|--------------------|
| Elementary | 178 | SF | 0.168 | 30 |
| Middle | | | 0.098 | 17 |
| High | | | 0.144 | 26 |

Table 3

POTENTIAL EFFECT OF THIS DEVELOPMENT ON SCHOOL ENROLLMENT

To determine the impact of the new residential development on school enrollment, the School District compares the school capacity to the current enrollment plus estimates of potential additional students resulting from land use cases over the previous two calendar years. A ratio of the existing and new students is then compared with the school design capacity and expressed as a percentage to show how much of the school capacity may be used.

| School Name | School Type | School Enrollment | New Students During Past 2 yrs | New Student from this Case | Total New Students | School Design Cap. | Enroll./Cap. Ratio |
|-------------|-------------|-------------------|--------------------------------|----------------------------|--------------------|--------------------|--------------------|
| Pringle | Elem. | 515 | 50 | 30 | 80 | 663 | 90% |
| Judson | Mid. | 860 | 67 | 17 | 84 | 1,059 | 89% |
| South Salem | High | 2,258 | 162 | 26 | 188 | 2,248 | 109% |

Table 4

ESTIMATE OF THE EFFECT ON INFRASTRUCTURE – IDENTIFICATION OF WALK ZONES AND SCHOOL TRANSPORTATION SERVICE

Civic infrastructure needed to provide connectivity between the new residential development and the schools serving the new development will generally require roads, sidewalks and bicycle lanes. When developing within one mile of school(s), adequate pathways to the school should be provided that would have raised sidewalks. If there are a large number of students walking, the sidewalks should be wider to accommodate the number of students that would be traveling the

path at the same time. Bike lanes should be included, crosswalks with flashing lights and signs where appropriate, traffic signals to allow for safe crossings at busy intersections, and any easements that would allow students to travel through neighborhoods. If the development is farther than one mile away from any school, provide bus pullouts and a covered shelter (like those provided by the transit district). Locate in collaboration with the District at a reasonable distance away from an intersection for buses if the distance is greater than ½ mile from the main road. If the distance is less than a ½ mile then raised sidewalks should be provided with stop signs where students would cross intersections within the development as access to the bus stop on the main road. Following is an identification, for the new development location, that the development is either located in a school walk zone or is eligible for school transportation services.

| School Name | School Type | Walk Zone or Eligible for School Transportation |
|-------------|-------------|---|
| Pringle | Elementary | Eligible for School Transportation |
| Judson | Middle | Eligible for School Transportation |
| South Salem | High | Eligible for School Transportation |

Table 5

ESTIMATE OF NEW SCHOOL CONSTRUCTION NEEDED TO SERVE DEVELOPMENT

The School District estimates the cost of constructing new school facilities to serve our community. The costs of new school construction is estimated using the Rider Levett Bucknall (RLB) North America Quarterly Construction Cost Report and building area per student from Cornerstone Management Group, Inc. estimates. The costs to construct school facilities to serve the proposed development are in the following table.

| School Type | Number of Students | Estimate of Facility Cost Per Student* | Total Cost of Facilities for Proposed Development* |
|-------------|--------------------|--|--|
| Elementary | 30 | \$64,220 | \$1,926,600 |
| Middle | 17 | \$76,882 | \$1,306,994 |
| High | 26 | \$89,544 | \$2,328,144 |
| TOTAL | | | \$5,561,738 |

Table 6

*Cornerstone Management Group, Inc. estimates based on RLB cost index average, 2021 Third Quarter.

Sincerely,



David Fridenmaker, Manager
 Planning and Property Services

c: Robert Silva, Chief Operations Officer, David Hughes, Director – Custodial, Property and Auxiliary Services, T.J. Crockett, Director of Transportation