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503-588-6173*

## DECISION OF THE PLANNING ADMINISTRATOR

**SUBDIVISION / CLASS 2 ADJUSTMENT CASE NO.: SUB-ADJ21-07**

**APPLICATION NO.: 21-110128-LD, 21-110694-ZO**

**NOTICE OF DECISION DATE:** July 29, 2021

**REQUEST:** A tentative subdivision plan to divide approximately 7.35 acres into 36 lots ranging in size from approximately 4,700 square feet to 10,700 square feet including an Alternative Street Standards request to not provide a connection to the abutting undeveloped property and exceed the maximum block length to 800-feet; and a zoning adjustment to allow Lots 21 and 22 to exceed maximum depth.

The subject property is approximately 7.35 acres in size, zoned RA (Residential Agriculture), and located at the 500 Block of Mildred Lane SE (Marion County Assessor Map and Tax Lot Number 083W15C / 800).

**APPLICANT:** Gerald Horner, Willamette Engineering Inc., on behalf of Don Lulay Homes Inc.

**LOCATION:** 500 Block of Mildred Lane SE, Salem OR 97306

**CRITERIA:** Salem Revised Code (SRC) Chapters 205.010(d) – Subdivision; 250.005(d)(2) – Class 2 Adjustment

**FINDINGS:** The findings are in the attached Decision dated July 29, 2021.

**DECISION:** The **Planning Administrator APPROVED** Subdivision SUB-ADJ21-07 subject to the following conditions of approval:

- Condition 1:** Prior to Final Plat approval, the flag lot accessway serving Lots 9 and 22 shall be paved in accordance with the requirements of SRC 800.025(c), Table 800-1, for a residential flag lot accessway serving 1 to 2 lots.
- Condition 2:** "NO PARKING—FIRE LANE" signs shall be posted on both sides of the segments of the proposed flag lot accessway that are designated as fire apparatus roadways and "NO PARKING" signs shall be posted on both sides of any remaining portion of the accessway.
- Condition 3:** Design and construct stormwater facilities pursuant to SRC Chapter 71 and PWDS.
- Condition 4:** Extend sewer and stormwater services to the westerly neighbor as shown on the applicant's Composite Utility Plan. Obtain approval

**NOTICE OF DECISION**

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

**CITY OF Salem**  
**AT YOUR SERVICE**

from westerly neighbor (Parcel 2 of Partition Plat 2013-09; 083W15C / 801) to remove the well and septic systems serving the existing dwelling.

- Condition 5:** Construct internal streets to Local street standards pursuant to PWDS except as authorized through a Design Exception by the City Engineer. The alternative street standard for Evelyn Valley Street SE is approved as proposed to exceed maximum block length to 800 feet and not provide connectivity to the abutting undeveloped property.
- Condition 6:** Dedicate a 10-foot public utility easement (PUE) along the street frontage of all internal streets.
- Condition 7:** Convey land for dedication to equal a half-width right-of-way of 36 feet on the development side of Mildred Lane SE.
- Condition 8:** Construct half-street improvements along the entire frontage of Mildred Lane SE to Minor Arterial Street Standards.
- Condition 9:** Prior to issuance of occupancy for building permits on all 36 lot, trees required under SRC 808.050 (Tree Planting Requirements), Table 806-1 shall be two-inch caliper in size instead of 1.5-inch caliper.

The rights granted by the attached decision must be exercised, or an extension granted, by August 14, 2023, or this approval shall be null and void.

Application Deemed Complete:	<u>July 1, 2021</u>
Notice of Decision Mailing Date:	<u>July 29, 2021</u>
Decision Effective Date:	<u>August 14, 2021</u>
State Mandate Date:	<u>October 29, 2021</u>

Case Manager: Olivia Dias, [odias@cityofsalem.net](mailto:odias@cityofsalem.net), 503-540-2343

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](mailto:planning@cityofsalem.net), no later than 5:00 p.m. Friday, August 13, 2021. 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, 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 Planning Commission will review the appeal at a public hearing. After the hearing, the Planning Commission may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

The complete case file, including findings, conclusions and conditions of approval, if any, is available for review by contacting the case manager, or at the Planning Desk in the Permit Application Center, Room 305, City Hall, 555 Liberty Street SE, during regular business hours.

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

**BEFORE THE PLANNING ADMINISTRATOR  
OF THE CITY OF SALEM  
(SUBDIVISION PLAT AND ADJUSTMENT NO. 21-07)**

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

<b>IN THE MATTER OF THE</b>	)	<b>FINDINGS AND ORDER</b>
<b>TENTATIVE APPROVAL OF</b>	)	
<b>SUBDIVISION PLAT AND</b>	)	
<b>CLASS 2 ADJUSTMENT NO. 21-07;</b>	)	
<b>600 BLOCK MILDRED LANE SE</b>	)	<b>JULY 28, 2019</b>

**REQUEST**

A tentative subdivision plan to divide approximately 7.35 acres into 36 lots ranging in size from approximately 4,700 square feet to 10,700 square feet including an "Alternative Street Standards" request to not provide a connection to the abutting undeveloped property and exceed the maximum block length to 800-feet; and a zoning adjustment to allow Lots 21 and 22 to exceed maximum depth.

The subject property is approximately 7.35 acres in size, zoned RA (Residential Agriculture), and located at the 500 Block of Mildred Lane SE (Marion County Assessor Map and Tax Lot Number 083W15C / 800). (Attachment A)

**DECISION**

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

- Condition 1:** Prior to Final Plat approval, the flag lot accessway serving Lots 9 and 22 shall be paved in accordance with the requirements of SRC 800.025(c), Table 800-1, for a residential flag lot accessway serving 1 to 2 lots.
- Condition 2:** "NO PARKING—FIRE LANE" signs shall be posted on both sides of the segments of the proposed flag lot accessway that are designated as fire apparatus roadways and "NO PARKING" signs shall be posted on both sides of any remaining portion of the accessway.
- Condition 3:** Design and construct stormwater facilities pursuant to SRC Chapter 71 and PWDS.
- Condition 4:** Extend sewer and stormwater services to the westerly neighbor as shown on the applicant's Composite Utility Plan. Obtain approval from westerly neighbor (Parcel 2 of Partition Plat 2013-09; 083W15C / 801) to remove the well and septic systems serving the existing dwelling.

- Condition 5:** Construct internal streets to Local street standards pursuant to PWDS except as authorized through a Design Exception by the City Engineer. The alternative street standard for Evelyn Valley Street SE is approved as proposed to exceed maximum block length to 800 feet and not provide connectivity to the abutting undeveloped property.
- Condition 6:** Dedicate a 10-foot public utility easement (PUE) along the street frontage of all internal streets.
- Condition 7:** Convey land for dedication to equal a half-width right-of-way of 36 feet on the development side of Mildred Lane SE.
- Condition 8:** Construct half-street improvements along the entire frontage of Mildred Lane SE to Minor Arterial Street Standards.
- Condition 9:** Prior to issuance of occupancy for building permits on all 36 lot, trees required under SRC 808.050 (Tree Planting Requirements), Table 806-1 shall be two-inch caliper in size instead of 1.5-inch caliper.

### **PROCEDURAL FINDINGS**

1. On June 3, 2021, Willamette Engineering, on behalf of Don Lulay Homes Inc. (Don Lulay), filed an application for a Tentative Subdivision Plan proposing to divide a 7.35 acre property at the 500 Block Mildred Lane SE (Attachment B) into 36 lots.
2. After the applicant submitted additional required information, including a Class 2 Zoning Adjustment, the application was deemed complete for processing on July 1, 2021. Notice to surrounding property owners and tenants was mailed pursuant to Salem Revised Code on July 1, 2021.
3. The state-mandated local decision deadline is October 29, 2021.

### **SUBSTANTIVE FINDINGS**

#### **1. Salem Area Comprehensive Plan (SACP)**

##### Salem Area Comprehensive Plan (SACP) Designation

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

*Relationship to Urban Service Area:* The subject property is located outside of the Urban Service Area. However, comments from the Public Works Department indicate that the proposed subdivision does not precede construction of required facilities, and adequate utilities are available at the perimeter of the site. Therefore, an Urban Growth Area (UGA) permit is not required.

*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 Mildred Lane SE) Developing Residential
- East: Developing Residential
- West: Developing Residential

## 2. Zoning

### Zoning and Surrounding Land Use

The subject property is zoned RA (Residential Agriculture) and is currently vacant. The surrounding properties are zoned and used as follows:

- North: RA (Residential Agriculture); vacant
- South: (Across Mildred Lane SE) RS (Single Family Residential); single family dwellings
- East: RS (Single Family Residential); single family dwelling
- West: RA (Residential Agriculture) and RS (Single Family Residential); single family dwellings

## 3. Applicants 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:

- 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: All materials submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, and stormwater reports; any materials and comments from public agencies, City departments, neighborhood associations, and the public; and all documents referenced in this report.

## 5. Land Use History

**Annexation Case No. C-474 (1997):** Voter-approved annexation of the subject property into the City of Salem.

**Replat 12-04:** Reconfigure Parcels 1 and 2 of Partition Plan 98-20.

## 6. Public and Private Agency Review

**Public Works Department** - The City of Salem Public Works Department, Development Services Section, reviewed the proposal and has provided their comments and recommendation for plat approval. Their memorandum is included as **Attachment E**.

**Fire Department** - The Salem Fire Department submitted comments indicating that street grades do not appear to exceed 12%, and two approved means of Fire Department access are provided to the development. Fire hydrants are required to be within 600 feet of all portions of the structures.

**Building and Safety Department** - The Building and Safety Department reviewed the proposal and indicated no issues with the proposed subdivision.

**Salem-Keizer School District** – The Salem-Keizer School District reviewed the proposal and provided comments that are included in **Attachment F**. The School District indicates, in summary, that the property is served by Sumpter Elementary School, Crossler Middle School, and Sprague High School. The School District identifies sufficient existing school capacity at Crossler Middle School and Sprague High School to accommodate the projected increase in student enrollment resulting from the future development of the lots, but Sumpter Elementary School is overcapacity.

The School District indicates that students will be eligible for school provided transportation to Sumpter Elementary School and Sprague High School. Crossler Middle School is identified as within the 'Walk Zone'.

**Cherriots** – Cherriots reviewed the proposal and commented that sidewalks should be required throughout the development and across the frontage of Mildred Lane connection to the existing sidewalk network.

**Staff Response:** The proposed subdivision will have sidewalks throughout the development connecting to the existing subdivision to the east and will construct a half street improvement, including sidewalks, on Mildred Lane abutting the property.

## 7. Neighborhood Association and Public Comments

The subject property is located within the boundaries of the South Gateway Neighborhood Association and is located adjacent to 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 May 26, 2021, the applicant contacted the South Gateway Neighborhood Association to provide details about the proposal.

### Neighborhood Association Comments

Notice of the application was provided to the neighborhood association 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. No comments were received from the South Gateway Neighborhood Association.

### Public Comments

All property owners and tenants within 250 feet of the subject property were mailed notification of the proposed subdivision. Comments from seven property owners within the vicinity of the subject property, and members of the public at large, were submitted prior to the close of the public comment period deadline. Concerns and opposition received can be summarized into the following main categories:

- A. Traffic.** Comments indicate that a traffic along Mildred Lane SE is dangerous and additional development should not have access. Additional comments were submitted about not continuing dead-end streets (Sarah Renee ST).

**Staff Response:** The proposed subdivision will result in a boundary street improvement of Mildred Lane SE along the frontage of the subject property to minor arterial street standards and the extension of new local streets through the subdivision are in conformance with current standards for vehicle, pedestrian, and bicycle facilities. These streets will connect to existing streets and fill in gaps within the current street network. Because the proposed development will not generate traffic volumes sufficient to require a traffic impact analysis (TIA) under SRC 803.015, off-site mitigation to the existing transportation system is not warranted as a condition of the proposed development. Sarah Renee Street was stubbed to the subject property to provide connectivity through the subject property and the neighboring subdivision. The Salem Revised Code requires such connections to provide adequate pedestrian and vehicle circulation.

The Assistant City Traffic Engineer has had an opportunity to review the proposal and has indicated that as proposed, the street network will provide for safe, orderly, and efficient circulation of traffic into, through, and out of the subdivision.

- B. Loss of Wildlife Habitat and Open Space.** Comments received express concern regarding the loss of wildlife habitat and open space that will result from the clearing and development of the subject property.

**Staff Response:** In regards to impacts to wildlife habitat, the subject property has not been identified as a significant wildlife habitat by state wildlife management agencies or by the City. The subject property is located within the Urban Growth Boundary and incorporated limits of the City of Salem, and has been designated on the City of Salem Comprehensive Plan Map as "Single Family Residential," which anticipates existing or future residential

development similar to the subdivision proposed by the applicant. Loss of wildlife habitat that has not been identified as significant is not a criterion under the Salem Revised Code for granting or denying a tentative subdivision approval.

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

**C. Noise.** Comments submitted express concern related to additional noise.

**Staff Response:** Noise disturbances are prohibited by SRC Chapter 93, and construction activities are specifically limited to the hours of 7 a.m. to 10 p.m. by SRC 93.020(d). The level of allowable noise during construction activities is also limited by state law. SRC 93 also prohibits idling engines on motor vehicles in a manner that is plainly audible within any dwelling unit for more than 10 minutes between the hours of 10 p.m. and 7 a.m.

The subject property is located within an already developed area within the corporate limits of the City of Salem, and noise impacts from future residences in the proposed subdivision are not expected to exceed what would occur from the presumed development of land within the City zoned for single family residential development. Approval criteria for a tentative subdivision plan do not specifically address noise levels, and no evidence has been provided that would indicate that the proposed development in the vicinity would interfere with the safe and healthful use of neighboring properties.

SRC Chapter 51 also regulates noise levels, and the proposed development is subject to these regulations. Specifically, SRC 51.015 provides maximum sound levels based on the source and receiver of the sound. It is unlawful to exceed the maximum sound levels without an event sound permit. The Neighborhood Enhancement division of the Community Development Department enforces these noise regulations.

**D. Height of future dwellings and Views.** Requesting a limit on height for dwellings.

**Staff Response:** Views of adjacent property owners are not regulated or protected under the City of Salem zoning code. Future development will be reviewed for conformance with zoning requirements, including lot size and layout, maximum height, and minimum landscaping requirements.

**E. Property Line location.** Concerns were raised about the adequate location of property lines.

**Staff Response:** Property lines are not required to be professionally surveyed prior to construction activities; however, property lines are required to be clearly marked at the time

of inspection to determine compliance with minimum setbacks. If the location of the property line cannot be determined, a Professional Land Surveyor is the best choice to help determine the property line's correct location.

- F. Residential Density and duplex and triplex units.** Comments submitted expressed opposition to the proposed development based on the proposed residential density being too high. The comment explains, in summary, that the density of the development proposed with the application is even higher than that which has already been approved for adjacent properties. In addition, that anything more than a single-family dwelling shouldn't be allowed.

**Staff Response:** The subject property is zoned RS (Single Family Residential). Within the RS zone there is not a specific minimum or maximum residential density requirement, but there is, however, a minimum lot size requirement that contributes towards determining the number of lots that can be developed on a property. Within the RS zone the minimum lot area for single family lots is 4,000 square feet. As shown on the tentative subdivision plan (**Attachment B**), all of the proposed lots within the subdivision conform to the minimum lot area requirement. The RS zone allows for duplexes to be developed on corner lots 7,000 square feet or larger. The proposed corner lots are not 7,000 square feet in size. The Salem Revised Code allows Accessory Dwelling Units (ADU) and future amendments will permit additional dwelling types and densities.

- G. Adequate Notice.** Comments received express concern about adequate notice to affected residents.

**Staff Response:** Notice to surrounding property owners, tenants and South Gateway Neighborhood Association was mailed pursuant to Salem Revised Code on July 1, 2021. The subject property was posted pursuant to Salem Revised Code on July 3, 2021.

- H. Tree Removal.** Several comments received express concern regarding the removal of trees, which will be required to accommodate the proposed subdivision. Comments regarding preservation of trees on Lots 26 and 27, which are proposed for removal.

**Staff Response:** Tree preservation and removal in conjunction with proposed subdivisions is regulated under the City's tree preservation ordinance (SRC Chapter 808). The applicant submitted a revised tree plan on July 14, 2021 (**Attachment D**). As required under SRC Chapter 808, the applicant submitted a tree conservation plan in conjunction with the proposed subdivision that identifies a total of 15 trees on the property, with no significant oaks.

Of the 15 total trees existing on the property when the application was submitted. The applicant's tree plan indicated that all 15 trees will be removed from the property, which does not meet SRC 808. The revised tree plan submitted on July 14, 2021 indicates that a walnut tree was removed prior to approval and that four Fir trees will be preserved. The revised tree conservation plan now identifies four trees (25%) for preservation and 15 trees (75%) for removal.

The revised tree conservation plan preserves 25 percent of the existing trees on the property, therefore meeting the minimum 25 percent preservation requirement under SRC Chapter 808. Below, a condition of approval to plan two-inch caliper trees on each lot, instead of the 1.5-inch required by SRC 808.050 for each lot. The tree conservation plan is being reviewed by staff and, if approved, will be binding on the lots until final occupancy is granted for the construction of dwelling units on the lots.

### Homeowners Association

The subject property is not located within a Homeowners Association.

## **8. Criteria for Granting a Tentative Subdivision**

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

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

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

**(A) Lot standards, including, but not limited to, standards for lot area, lot width and depth, lot frontage, and designation of front and rear lot lines.**

SRC Chapter 511 (Single Family Residential): The proposed subdivision would divide the 7.35-acre property into 36 lots and street rights-of-way, with no remainder. 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 plat, 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 minimum lot area requirements of the RS zone are established under SRC 511.010(a) as follows:

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

<b>Requirement</b>	<b>Minimum Standard</b>
Lot Area (Single Family)	4,000 square feet
Lot Width	40 feet
Lot Depth (Single Family)	70 feet
Street Frontage	40 feet

Proposed lots in the subdivision range from approximately 4,700 square feet to 10,700 square feet in size. The proposed lots exceed minimum lot area, dimension, and frontage requirements, except for Lots 22 and 23 which exceed the maximum lot depth and are addressed below in Section 9. The remainder of the lots conform to the applicable standards. The proposed lots within the subdivision are also of sufficient size and dimension to permit future development of uses allowed within the zone.

**Street Frontage:** Except for flag lots, the RS zone, pursuant to SRC 511.010(a), Table 511-2, requires lots that will be used for the construction of single family dwellings to have a minimum of 40 feet of frontage on a street. SRC Chapter 800 (General Development Standards) allows lots to be created without the minimum required frontage on a street when they are developed in conformance with the flag lot development standards set forth in SRC 800.025.

As shown on the applicant's tentative subdivision plan, the proposed lots, with exception of the proposed flag lots (Lots 9 and 22), exceed the minimum 40-foot street frontage requirement. Proposed Lots 9 and 22 are flag lots without the minimum frontage on a street. These proposed lots conform to the flag lot standards of SRC 800.025.

**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

The property is currently vacant, setback requirements for future development on the proposed Lots will be reviewed at the time of application for building permits on those individual parcels.

The proposal meets the requirements of SRC Chapter 511.

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. For lots that have frontage on a public street, other than corner lots, the front lot line shall be the property line that has frontage on the public street. Corner lots are lots located at the intersection of two streets, typically with street frontage on two sides. Proposed Lots 1, 5, 6, 29 and 36 are corner lots. Provided that lot dimension requirements are met, the front lot line for a corner lot shall be the property line abutting a street designated by the building permit applicant.

In order to further clarify the front lot line designations for the proposed corner lots, flag lots and lots with adjustments within the subdivision, and to ensure that, based on the proposed lot configurations and location of existing structures, the proposed lots and future structures will meet applicable SRC requirements, except as otherwise may be allowed through a variance or adjustment, the following front lot line designations will apply:

- Lot 5: The front lot line shall be the north property line.
- Lot 6: The front lot line shall be the south property line.
- Lot 36: The front lot line shall be the east property line.

*SRC 800.025 (Flag Lots):* Proposed Lots 9 and 22 are flag lots. Subsections (a) and (b) specify that minimum lot area and dimensions for a flag lot shall be calculated exclusively of the flag lot accessway. All proposed flag lots exceed the minimum lot area and dimensions exclusive of the flag lot accessway. Lot 9 meets the minimum dimension for a Flag Lot accessway, and Lot 22 meets all lot standards with the exception of exceeding the maximum lot depth, which is addressed below.

Subsection (c) establishes standards for flag lots and flag lot accessways. Pursuant to SRC Chapter 800, Table 800-1, flag lot accessways serving one to two lots must be a minimum of 20 feet in overall width and must be paved to a minimum width of 15 feet. The accessway is proposed to serve Lots 9 and 22. The Fire Department has reviewed the proposal and indicate that access is required to be provided to within 150 feet of all portions of the structures. The tentative plan shows an easement width of at least 20-foot wide, however, plans do not indicated the paved width of each accessway. To ensure this standard is met, the following condition shall apply:

**Condition 1:** Prior to Final Plat approval, the flag lot accessway serving Lots 9 and 22 shall be paved in accordance with the requirements of SRC 800.025(c), Table 800-1, for a residential flag lot accessway serving 1 to 24 lots.

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

**Condition 2:** "NO PARKING—FIRE LANE" signs shall be posted on both sides of the segments of the proposed flag lot accessway that are designated as fire apparatus roadways and "NO PARKING" signs shall be posted on both sides of any remaining portion of the accessway.

Subsection (e) limits the maximum number of flag lots within a subdivision to 15 percent of the proposed lots. The proposed subdivision includes two flag lots (Lots 9 and 22), or approximately 6 percent of the total proposed lots, therefore meeting the standard provided in SRC 800.025(e).

As conditioned, the proposal conforms to the requirements of SRC Chapter 800.

**(B) City Infrastructure Standards.**

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

SRC Chapter 71 (Stormwater): The proposed partition is subject to the stormwater requirements of SRC Chapter 71 and the revised Public Works Design Standards (PWDS) as adopted in Administrative Rule 109, Division 004. The applicant submitted a stormwater report in compliance with PWDS in order to demonstrate that green stormwater infrastructure could be constructed to accommodate future impervious surfaces on the subject property. In order to ensure that stormwater infrastructure is implemented, the following condition shall apply:

**Condition 3:** Design and construct stormwater facilities pursuant to SRC Chapter 71 and PWDS.

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

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. Although the subject property is located outside of the Urban Service Area, comments from the Public Works Department indicate that the proposed subdivision does not precede construction of required facilities, and adequate utilities are available at the perimeter of the site. Therefore, a UGA permit is not required.

SRC Chapter 802 (Public Improvements): Comments from the Public Works Department indicate that water and sewer infrastructure is available along the perimeter of the site and appears to be adequate to serve the proposed subdivision. Specifications for required public improvements are summarized in the Public Works Department memo dated July 27, 2021 (**Attachment E**).

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 (PWDS). Water mains shall be located within the public right-of-way pursuant to PWDS; mains located outside of the right-of-way require a Design Exception approved by the City Engineer.

Developments are required to extend public utility services to serve upstream and neighboring properties. There is an existing well and septic system serving the neighboring property (Parcel 2 of Partition Plan 2013-09; 083W15C / 801). The applicant shall obtain approval from westerly neighbor prior to removing the well and septic systems serving the existing dwelling. The applicant shall extend sewer and stormwater services to the westerly neighbor as shown on the applicant's Composite Utility Plan. The conceptual water and sewer plan included in the application shows that each individual lot can be served by City utilities designed and constructed according to the applicable provisions of the SRC and PWDS.

**Condition 4:** Extend sewer and stormwater services to the westerly neighbor as shown on the applicant's Composite Utility Plan. Obtain approval from westerly neighbor (Parcel 2 of Partition Plat 2013-09; 083W15C / 801) to remove the well and septic systems serving the existing dwelling.

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.

The proposal meets the requirements of SRC Chapter 802.

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

*SRC 803.015 (Traffic Impact Analysis):* The proposed 36-lot subdivision generates less than 1,000 average daily vehicle trips to Mildred Lane SE, a minor arterial street. Therefore, a TIA is not required as part of the proposed subdivision submittal.

*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):* As part of the Springwood Estates subdivision, two stub streets (Sarah Renee Avenue and Evelynn Valley) is located along the eastern property line. The extension of Sarah Renee Avenue and Evelynn Valley both meet the required right-of-way and pavement widths.

*SRC 803.030 (Street Spacing):* The subject property is a 7.35-acre site that is bordered by existing single-family residential subdivisions to the north and east, vacant land to the west and Mildred Lane SE to the south. The proposed subdivision has provided street spacing at less than 600-foot intervals, except to the west. The existing subdivision to the east, currently streets that the proposed subdivision will continue. The subdivision does not provide a connection to the southwestern property. The provided findings state that the topography of the western portion of the property has a cross-slope of 16%-17% and the extension of the

east/west street is not feasible and meets SRC 803-035(a)(1). Therefore, the block length on Evelyn Valley Street SE is 800 feet. Due to the existing conditions of the previous subdivision to the west, location of the existing dwellings, and cross-slope of 16 percent, the proposal meets SRC 803.035(a)(1) and has a greater block length than 600-feet.

*SRC 803.035 (Street Standards):* Subsection (a) requires streets within the subdivision to provide connectivity to existing streets and undeveloped properties within the vicinity of the subject property. The subject property abuts a platted residential subdivision to the north with street connection to the subject property. The proposed subdivision plan provides internal street connectivity by extending Sarah Renee Avenue SE from its existing terminus across the interior of the subject property connecting to the western terminus. In addition, one connection to the east are provided; these internal streets provide a robust network points of connection to these existing boundary streets and the existing surrounding street system.

Subsection (b) requires that all street improvements, including sub-base, base, pavement, curbs, sidewalks, and surface drainage shall conform to all provisions of the Salem Revised Code and Public Works Design Standards (PWDS).

Pursuant to subsection (c), street grade for of a local street shall not exceed 12 percent. The applicant has provide street profiles and a written statement that all streets have been designed not to exceed 12 percent meeting this standard. The applicant does not need an alternative street standard for increased grade.

**Condition 5:** Construct internal streets to Local street standards pursuant to PWDS except as authorized through a Design Exception by the City Engineer. The alternative street standard for Evelyn Valley Street SE is approved as proposed to exceed maximum block length to 800 feet and not provide connectivity to the abutting undeveloped property.

Pursuant to subsection (n), public utility easements (PUEs) may be required for all streets. Comments from Portland General Electric, the franchise utility provider of electricity for the subject property, request a 10-foot-wide PUE on all street front lots. In order to ensure adequate access for the provision of electricity and other utilities, the following condition shall apply:

**Condition 6:** Dedicate a 10-foot public utility easement (PUE) along the street frontage of all internal streets.

As conditioned, the proposal conforms to applicable street standards.

*SRC 803.040 (Boundary Streets):* Mildred Lane SE abuts the property to the south and does not meet the current standard for a Minor Arterial Street. In order to ensure that boundary street improvements are implemented consistent with the Transportation System Plan and Public Works Design Standards, the following conditions shall apply:

**Condition 7:** Convey land for dedication to equal a half-width right-of-way of 36 feet on the development side of Mildred Lane SE

**Condition 8:** Construct a half-street improvements along the entire frontage of Mildred Lane SE to Minor Arterial Street Standards.

As conditioned, the proposal meets the requirements of SRC 803.040.

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

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

In addition, SRC 808.035(a) requires a Tree Conservation Plan for a development proposal involving the creation of lots or parcels to be used for the construction of single-family dwelling units, where trees are proposed for removal. A Tree Conservation Plan (TCP21-07) was submitted in conjunction with the subdivision tentative plan. The applicant has removed a walnut tree on the subject property prior to approval of the subdivision or tree conservation plan.

Tree preservation and removal in conjunction with proposed subdivisions is regulated under the City's tree preservation ordinance (SRC Chapter 808). The applicant submitted a revised tree plan on July 14, 2021 (**Attachment D**). As required under SRC Chapter 808, the applicant submitted a tree conservation plan in conjunction with the proposed subdivision that identifies a total of 15 trees on the property, with no significant oaks.

Of the 15 total trees existing on the property when the application was submitted. The applicant's tree plan indicated that all 15 trees will be removed from the property, which does not meet SRC 808. The revised tree plan submitted on July 14, 2021 indicates that a walnut tree was removed prior to approval and that four Fir trees will be preserved. The revised tree conservation plan now identifies four trees (25%) for preservation and 15 trees (75%) for removal.

The revised tree conservation plan preserves 25 percent of the existing trees on the property, therefore meeting the minimum 25 percent preservation requirement under SRC Chapter 808. Since the Walnut was removed prior to issuance of the tree conservation plan mitigation measures to plant larger trees under SRC 808.050 is conditioned below. A condition of approval to plant two-inch caliper trees on each lot, instead of the 1.5-inch required by SRC 808.050 for each lot. The tree conservation plan is being reviewed by staff and, if approved, will be binding on the lots until final occupancy is granted for the construction of dwelling units on the lots.

**Condition 9:** Prior to issuance of occupancy for building permits on all 36 lot, trees required under SRC 808.050 (Tree Planting Requirements), Table 806-1 shall be two-inch caliper in size instead of 1.5-inch caliper.

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) does not identify any wetlands on the subject property. As proposed, the tentative subdivision plan conforms to all applicable SRC Chapter 809 requirements.

SRC Chapter 810 (Landslide Hazards): City's landslide hazard ordinance (SRC Chapter 810) establishes standards and requirements for the development of land within areas of identified landslide hazard susceptibility. According to the City's adopted landslide hazard susceptibility maps, there are areas on the subject property assigned 2 landslide hazard susceptibility points. The proposed subdivision adds three activity points to the proposal, which results in a total of 5 points. Pursuant to SRC Chapter 810, Table 810-1E, the proposed subdivision is classified as a moderate landslide risk and requires a geologic assessment.

A geologic assessment, prepared by Branch Engineering and dated June 10, 2021, was submitted to the City of Salem. This assessment demonstrates that the site could be subdivided and developed without increasing the potential for slope hazards on the site or adjacent properties.

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

**Finding:** The proposed subdivision would divide a 7.35-acre property into 36 lots and rights-of-way for boundary and internal streets. Access to lots within the proposed subdivision is provided by new internal streets and improved boundary streets, with three lots near the southern edge of the site served by a flag lot accessway. The subject property abuts a built-out single family residential subdivision to the north, vacant land to the east and west. The proposal is providing two street connections to the east and west, which will provide access to undeveloped properties. The proposal would not limit, or interfere with, the established use or future redevelopment of these properties.

The lots within the proposed subdivision, as proposed and conditioned, are of sufficient size and dimensions to permit future development of one single family dwelling each, or development of other SRC Chapter 511 "permitted," "special," or "conditional" uses. The existing street network in the vicinity of the subject property and proposed streets within the subdivision are sufficient to provide access to each of the proposed lots. 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:** As described in findings above, although the subject property is located outside of the designated Urban Service Area, surrounding developments have brought water and sewer infrastructure to the perimeter of the site. Comments from the Public Works Department indicate that this infrastructure appears to be adequate to serve the property as shown on the applicant's preliminary utility plan. Developments are required to extend public utility services to serve upstream and neighboring properties; the tentative utility plan appears to meet that requirement. Conditions of approval require construction of green stormwater infrastructure to accommodate future impervious surfaces, and dedication of public and private utility easements to allow for installation and maintenance of private utility infrastructure.

The Public Works Department reviewed the proposal for consistency with the Comprehensive Parks Master Plan Update and found that the subject property is served by Bryan Johnston Park, a 14.6-acre neighborhood park which is less than one-half mile southeast of the proposed subdivision. No park-related improvements are required as a condition of development.

All public and private City infrastructure proposed to be located in the public right-of-way shall be constructed or secured pursuant to SRC 205.035(c)(6)(B) prior to final plat approval. Any easements needed to serve the proposed parcels with City infrastructure shall be shown on the final plat.

The proposal meets this criterion.

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

**Finding:** Mildred Lane SE abuts the subject property and does not meet the current standard for a minor arterial street. As identified in the conditions of approval, the applicant is required to dedicate right-of-way and construct half-street improvements, along the entire frontage of the subject property on Mildred Lane SE.

As described in findings above, the proposed streets will meet standards, except for the 600-foot block length for Evelyn Valley Street. Other internal streets will meet the Local Street standard with 60-foot-wide rights-of-way and 30-foot-wide improvements. The TSP Bicycle Map does not propose additional bike lanes within or adjacent to the subject property. As proposed and conditioned, the existing and future streets serving the subdivision conform to the TSP. The tentative plan meets this criterion.

**SRC 205.010(d)(5): The street system in and adjacent to the tentative subdivision plan is designed so as to provide for the safe, orderly, and efficient circulation of traffic into, through, and out of the subdivision.**

**Finding:** Conditions above implement required boundary street improvements along the abutting portions of Mildred Lane SE. In addition to the boundary improvement, internal

circulation would be provided by extensions to Springwood Street SE and proposed local streets.

The proposed network of boundary and internal streets serving the subdivision provides 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 subdivided 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 subdivision is situated within one-half mile of two neighborhood activity centers:

- Sumpter Elementary School, a public middle school located at 525 Rockwood Street SE, approximately 1,600 feet north of the closest lots within the proposed subdivision. Sumpter Park, a 3.66-acre park abuts the elementary school campus to the east.
- Bryan Johnston Park, a 14.6-acre neighborhood park is located approximately 1,700 feet southeast of the closest lots within the proposed subdivision, at 400 Mildred Lane SE.

The nearest transit service available to the subject property is on Mildred Lane at Sunnyside Street, by way of Salem Keizer Transit's Route 6 bus line. Direct and continuous sidewalk access is available between the subject the bus stop and Sumpter Elementary School and park.

The subject property will provide internal streets with safe and convenient bicycle and pedestrian access. Additionally, the development will provide boundary street improvements along the south boundary of the subject property, connecting existing multi-modal transportation facilities with the existing transportation system. Although the immediate vicinity of the subject property includes sloping topography and large undeveloped properties, existing bicycle and pedestrian access to neighborhood activity centers is safe and convenient. The bicycle and pedestrian network in the vicinity is likely to improve as development occurs on surrounding properties.

The proposal meets this criterion.

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

**Finding:** The Public Works Department has reviewed the proposal and finds that the 36-lot subdivision will generate less than 1,000 average daily vehicle trips to Mildred Lane SE, designated in the Transportation System Plan as a Minor Arterial. Accordingly, a Transportation Impact Analysis is not required as part of the review of the tentative subdivision plan.

**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 applicant has proposed a street network that allows designed street grades to meet City standards. The proposed streets will be typical of residential development in Salem in areas with relatively steep natural topography.

Despite constraints imposed by the sloping topography the layout allows for reasonable development of all lots within the subdivision without variances from the UDC. 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 200.010(d)(9): The tentative subdivision plan takes into account the topography and vegetation of the site, such that the least disruption of the site, topography, and vegetation will result from the reasonable development of the lots.**

**Finding:** The proposed configuration of lots and streets are designed to provide for efficient connection of utilities and other infrastructure. As described above, the proposal makes logical connections to the east and west at the perimeter of the subject property as well as connecting the existing streets.

As proposed and conditioned, the tentative subdivision plan meets all applicable approval criteria contained in SRC Chapter 205.

**SRC 200.010(d)(10): When the tentative subdivision plan requires an Urban Growth Preliminary Declaration under SRC Chapter 200, the tentative subdivision plan is designed in a manner that ensures that the conditions requiring the construction of on-site infrastructure in the Urban Growth Preliminary Declaration will occur, and, if off-site improvements are required in the Urban Growth Preliminary Declaration, construction of any off-site improvements is assured.**

**Finding:** The subject property is located outside of the Urban Service Area. However, as described in findings above, required facilities to serve the development have already been constructed. Therefore, an Urban Growth Area Preliminary Declaration is not required and this criterion does not apply.

## 9. Criteria for granting a Class 2 Adjustment

**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.**

**Finding:** The applicant is requesting a Class 2 Adjustment to exceed lot depth for Lots 21 and 22.

The intent and purpose of the maximum lot depth standard is to provide for future buildable lots, which can maintain 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 existing configuration of the parcel, the location of Mildred Lane and required street connections of the area makes it difficult to meet the required maximum lot depth standards for these two lots. Both Lots 21 and 22 are approximately 50-feet in width and are each approximately 168-feet in depth or 336 percent of the lots width. The configuration of Lots 21 and 22 would provide for a dwelling to be built on the property and provide more of a buffer from Mildred Lane. The lot are proposed to be greater than the minimum parcel size and provide for the single family residence to be located further away from a busy street (Mildred Lane), the proposed configuration of Lots 21 and 22 equally or better meets the intent of the code

**SRC 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:** As described above, the adjustments are to allow single family dwellings to be constructed on lots in a manner that would alleviate future need to reduce setbacks. The adjustment will allow the dwelling to be constructed in a similar matter and provide for a greater buffer from Mildred Lane, an Arterial Street. The adjustment would allow the lots to be developed in a similar way as the surrounding properties, meeting this criterion.

**SRC 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:** The adjustment requested by the applicant are to re-designate property lines for setbacks. The adjustment allows the subject property to be developed in a manner that is consistent with the remaining lots being proposed. The effect of the adjustment is to allow development which is consistent with the overall purpose of the RS (Single Family Residential) zone.

## 10. Conclusion

Based upon review of SRC 205.005, the findings contained under Section 8 above (SRC 250.005(d)(2), and the comments described, the tentative subdivision plan complies with the requirements for an affirmative decision. Approval will not adversely affect the safe and healthful development and access to any adjoining lands.

### IT IS HEREBY ORDERED

That Tentative Subdivision Plan and Adjustment Case No. 21-07, on property zoned RA (Residential Agriculture), and located at the 500 Block of Mildred Lane (Marion County Assessor Map and Tax Lot Numbers 083W15C / 800), is **APPROVED** subject to the applicable standards of the Salem Revised Code, the findings contained herein, and the conditions of approval listed below, which must be completed prior to final plat approval, unless otherwise indicated:

- Condition 1:** Prior to Final Plat approval, the flag lot accessway serving Lots 9 and 22 shall be paved in accordance with the requirements of SRC 800.025(c), Table 800-1, for a residential flag lot accessway serving 1 to 2 lots.
- Condition 2:** "NO PARKING—FIRE LANE" signs shall be posted on both sides of the segments of the proposed flag lot accessway that are designated as fire apparatus roadways and "NO PARKING" signs shall be posted on both sides of any remaining portion of the accessway.
- Condition 3:** Design and construct stormwater facilities pursuant to SRC Chapter 71 and PWDS.
- Condition 4:** Extend sewer and stormwater services to the westerly neighbor as shown on the applicant's Composite Utility Plan. Obtain approval from westerly neighbor (Parcel 2 of Partition Plat 2013-09; 083W15C / 801) to remove the well and septic systems serving the existing dwelling.
- Condition 5:** Construct internal streets to Local street standards pursuant to PWDS except as authorized through a Design Exception by the City Engineer. The alternative street standard for Evelyn Valley Street SE is approved as proposed to exceed maximum block length to 800 feet and not provide connectivity to the abutting undeveloped property.
- Condition 6:** Dedicate a 10-foot public utility easement (PUE) along the street frontage of all internal streets.
- Condition 7:** Convey land for dedication to equal a half-width right-of-way of 36 feet on the development side of Mildred Lane SE.
- Condition 8:** Construct half-street improvements along the entire frontage of Mildred Lane SE to Minor Arterial Street Standards.

**Condition 9:** Prior to issuance of occupancy for building permits on all 36 lot, trees required under SRC 808.050 (Tree Planting Requirements), Table 806-1 shall be two-inch caliper in size instead of 1.5-inch caliper.

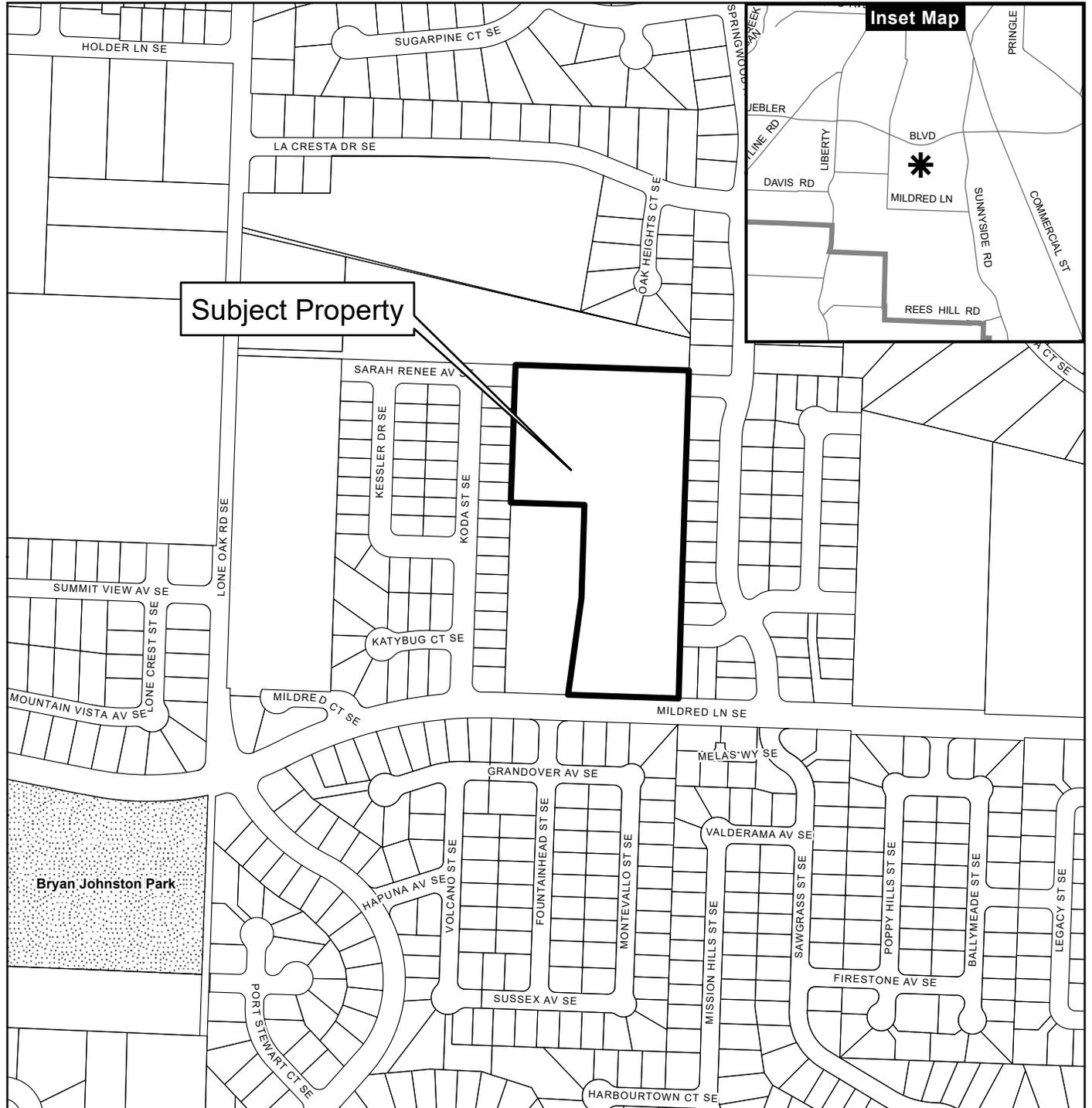


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Olivia Dias, Current Planning Manager, on behalf of  
Lisa Anderson-Ogilvie, AICP  
Planning Administrator

- Attachments:
- A. Vicinity Map
  - B. Tentative Subdivision Plan
  - C. Applicant's Written Statement
  - D. Revised Tree Conservation Plan
  - E. City of Salem Public Works Department Comments
  - F. Salem-Keizer School District Comments

# Vicinity Map 500 Block Mildred Lane SE

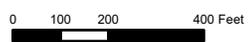


**Subject Property**

**Inset Map**

**Legend**

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



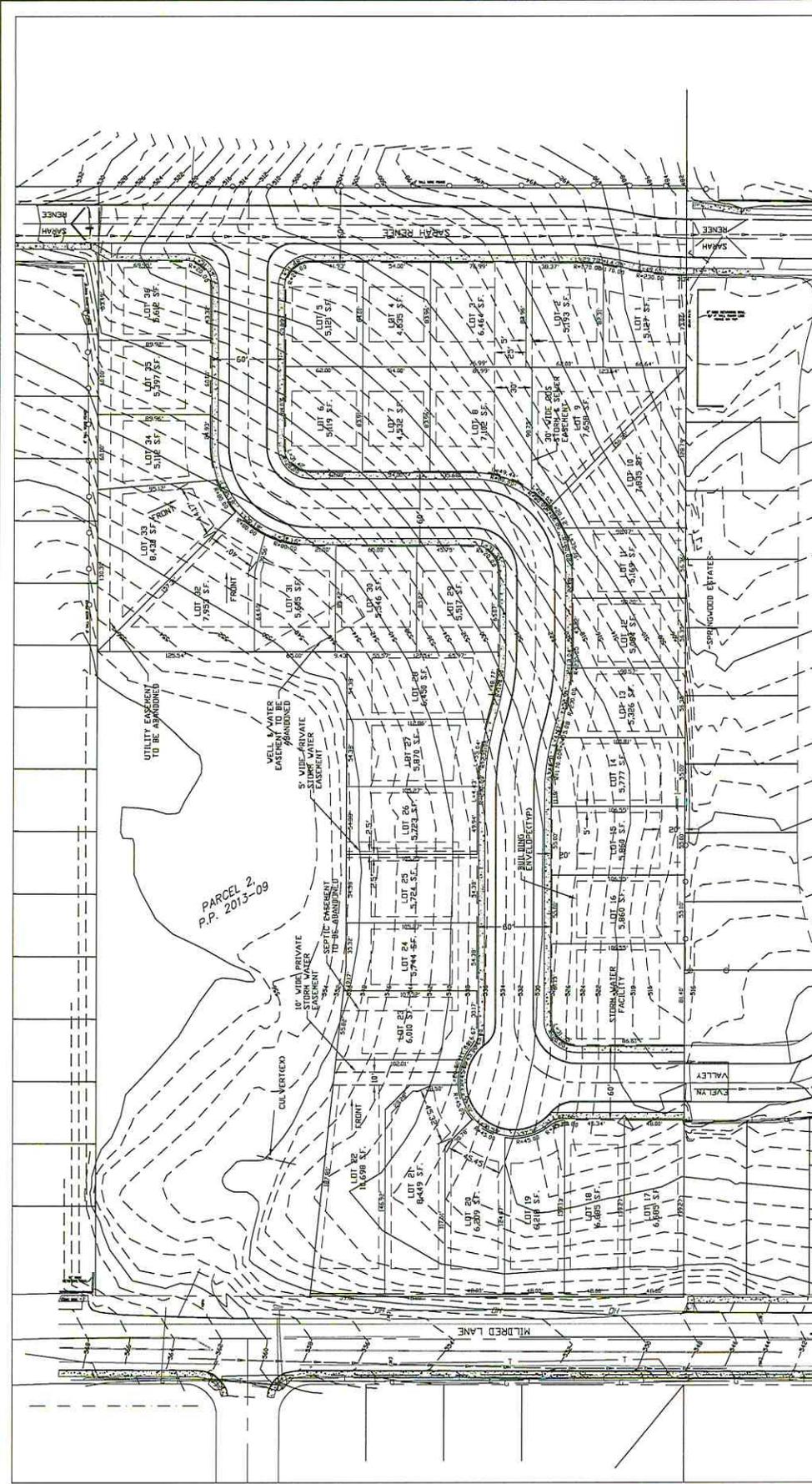
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ENGINEERS:  
WILLAMETTE ENGINEERING INC.  
P.O. BOX 9032  
SALEM, OREGON 97305  
PH: 503-304-0905  
FAX: 503-304-9512

SITE PLAN

500 BLOCK OF MILDRED LANE SE  
RINGWOOD ESTATES PH2  
MAP 835W15C800 / TAX LOT 800  
CASE: PRE-A-P20-11 / 20-11-19300-PA  
SALEM, OREGON 97306

DATE	05-23-21
BY	GPH
DESCRIPTION	ISSUED FOR PLAN CHECK
REV.	0



**SUBDIVISION PLAN**  
SCALE 1"=40' FOR 22" X 34" PAPER  
SCALE 1"=80' FOR 11" X 17" PAPER

**LOT DATA:**  
LOTS - 36  
TOTAL AREA - 716,440 SF.  
TOTAL AREA AFTER ROW - 614,400 SF.  
TOTAL AREA BEFORE ROW - 725 ACRES  
DEDICATION - 7.25 ACRES

**DEVELOPER:**  
EDM. LULLAY JONES, INC.  
SALEM, OR 97302

**SUBDIVISION DATA:**  
S. 1/2, SEC. 33, T. 14N, R. 33W, W. 1/4  
MAP 835W15C800  
MARION COUNTY

PRELIMINARY  
NOT FOR CONSTRUCTION

**PROPOSED SPRINGWOOD PHASE 2 SUBDIVISION APPLICATION  
TAX LOT 83W15C00800, LOCATED WEST OF SPRINGWOOD ESTATES  
SUBDIVISION AND THE WEST DEAD END OF SARAH RENEE ST SE  
DISCUSSION ON DEVELOPMENT STANDARDS**

Requirements of the SRC 205.010(d) have been considered in the preparation of this subdivision application.

1. The lot standards concerning minimum width, minimum depth, and minimum areas of the proposed lots meet City of Salem development standards.
2. Frontage requirements of the proposed lots also meet City of Salem development standards, except for lots 9, 10, and 22 which are being proposed as flag lots.
3. Most front and rear lot designations are obvious. However for clarification, the following lots with front direction is provided:
  - Lot 5 – North
  - Lot 9 – South
  - Lot 10 – West
  - Lot 22 – North
  - Lot 29 – North
  - Lot 32 – North
  - Lot 33 – East
  - Lot 36 – East
4. There are 3 flag lots of the proposed 36 lots for 8.3%, well below the allowed 15%.
5. Existing City infrastructure has been reviewed. There are two entrances to the proposed subdivision. The north entrance is Sarah Renee. The south entrance is Evelyn Valley.
6. The Salem water, sanitary, and storm water systems have capacity for the increased demands from the proposed residential subdivision.
6. A geological and geotechnical investigation is prepared and the requirements will be followed in the design and construction of the subdivision. There are no special setbacks or flood plain.
7. The tentative subdivision provides street extensions to the North. Future development is not impeded.
8. A pre-application meeting have been held with City of Salem Staff. All indications were that the proposed subdivision can be served by City of Salem infrastructure.
9. Generally speaking, the street system within the tentative subdivision and adjacent streets conform to the City of Salem Transportation System.
  - a. Standard 6.4.1 – the tentative subdivision new streets are connecting to Evelyn Valley and Sarah Renee Street, which connects to Koda Street NE to the undeveloped neighboring properties. This standard is met.

**REVISED FOR INCOMPLETENESS RESPONSE  
PROPOSED SPRINGWOOD PHASE 2 SUBDIVISION APPLICATION  
TAX LOT 83W15C00800, LOCATED WEST OF SPRINGWOOD ESTATES  
SUBDIVISION AND THE WEST DEAD END OF SARAH RENEE ST SE  
DISCUSSION ON DEVELOPMENT STANDARDS**

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2. Frontage requirements of the proposed lots also meet City of Salem development standards, except for lots 9 and 22 which are being proposed as flag lots.
3. Most front and rear lot designations are obvious. However for clarification, the following lots with front direction is provided:
  - Lot 5 – North
  - Lot 9 – West
  - Lot 10 – West
  - Lot 22 – North
  - Lot 29 – North
  - Lot 32 – North
  - Lot 33 – East
  - Lot 36 – East
4. There are 2 flag lots of the proposed 36 lots for 5.6%, well below the allowed 15%.
5. Existing City infrastructure has been reviewed. There are two entrances to the proposed subdivision. The north entrance is Sarah Renee. The south entrance is Evelyn Valley.
6. The Salem water, sanitary, and storm water systems have capacity for the increased demands from the proposed residential subdivision.
6. A geological and geotechnical investigation is prepared and the requirements will be followed in the design and construction of the subdivision. There are no special setbacks or flood plain.
7. The tentative subdivision provides street extensions to the North. Future development is not impeded.
8. A pre-application meeting have been held with City of Salem Staff. All indications were that the proposed subdivision can be served by City of Salem infrastructure.
9. Generally speaking, the street system within the tentative subdivision and adjacent streets conform to the City of Salem Transportation System.
  - a. Standard 6.4.1 – the tentative subdivision new streets are connecting to Evelyn Valley and Sarah Renee Street, which connects to Koda Street NE to the undeveloped neighboring properties. This standard is met.

- b. Standard 6.4.2 - the street arrangement follows the natural contours of the property. This standard is met.
- c. Standard 6.4.3 - each street has access to an accepted city street. This standard is met.
- d. Standard 6.4.4 - the street centerline spacings exceed 200'. This standard is met.
- e. Standard 6.4.5 – all street intersections meet Salem Public Works street intersection standards. This standard is met.
- f. Standard 6.4.6 – all street corners have a radius of 20' or more. This standard is met.
- g. Standard 6.4.7 – all street curvatures exceed a minimum radius of 150'. This standard is met.
- h. Standard 6.4.8 – street dead ends and cul-de-sac lengths. This standard does not apply.
- i. Standard 6.4.9 and 10 - street names match existing names. This standard is met.

Street Right of Way Width – standard right of way width is 60. All Streets are proposed to be 60' ROW widths.

- 10. Several meetings have been held with City of Salem Staff. All indications are the tentative subdivision plan will provide safe, orderly, and efficient circulation of traffic into, through, and out of the subdivision.
- 11. The streets and sidewalks on the tentative subdivision plan connect to the existing sidewalks and streets to the east at Evelyn Valley and Sarah Renee. These connections and the existing system provides safe and convenient bicycle and pedestrian access to existing residential areas and transit stops.
- 12. The main connection of the proposed subdivision is from Evelyn Valley and Sarah Renee which connect to Mildred Lane. The new generated trips of the subdivision is below the 1,000 requirement for connecting to an Arterial which would trigger a Traffic Impact Study. Therefore, a Traffic Impact Study is not required.
- 13. The tentative subdivision has taken into account the existing vegetation and topography to minimize variances. The street grades have been designed to not exceed 12%.
- 14. The site is a hilly terrain with grades up to 17%. This will require cuts and fills for the street and building lots. Salem Standards also have minimum street slope requirements at the ADA crossings. To accommodate these additional cuts and fills are required. However, every effort has been made in the tentative plan to incur the least disruption of the site, topography, and vegetation, while developing a residential subdivision.
- 16. An Urban Growth Preliminary Declaration is not required.
- 17. There are no Significant white oak trees 24" in diameter and larger.

18. Discussion on Connectivity. Connectivity is provided to the existing west and east subdivisions. Connections to Evelyn Valley and Sarah Renee provide connectivity to these two existing subdivisions.

Connectivity to the north property can be accomplished by constructing to the proposed Sarah Renee Street.

Connecting to westerly property of 549 Mildred was considered. Following is a brief analysis of developing at 549 Mildred development options.

- A) Extend Evelyn Valley into 549 Mildred with a cul-de-sac at 549 Mildred. This creates an intersection with 5% slopes for ADA. This arrangement cannot create a street that connects to Mildred Lane and meet Salem street standards. Therefore it is deemed unbuildable.
  - B) Extend Evelyn Valley to 541 Mildred and turn south to Mildred without an intersection. This creates an 8' deep cut at the west Springwood Estates 2 property line. This 8' cut creates difficulties developing the 541 Mildred property and connection to the existing house driveway and developing new lot. Therefore, this is deemed impractical and cost prohibitive. (See Attachment "A")
  - C) Create public street with cul-de-sac for 5 total lots, including the existing house. This arrangement fits existing contours and is the only feasible option. This shadow plat is shown on sheet C-1 – Site Plan.
19. Alternate Street Standard for the through street - The proposed length of the through street is 880' in length. The Salem standard is not to exceed 600' in length. Every attempt has been made to meet Salem street and development standards. However, the topography of the site combined with Salem street standards result in the presented street layout being the only arrangement that meets Salem street standards as well as providing a function subdivision for future residents. Other arrangements required excessive street excavation resulting in non-buildable lots.

- b. Standard 6.4.2 - the street arrangement follows the natural contours of the property. This standard is met.
- c. Standard 6.4.3 - each street has access to an accepted city street. This standard is met.
- d. Standard 6.4.4 - the street centerline spacings exceed 200'. This standard is met.
- e. Standard 6.4.5 – all street intersections meet Salem Public Works street intersection standards. This standard is met.
- f. Standard 6.4.6 – all street corners have a radius of 20' or more. This standard is met.
- g. Standard 6.4.7 – all street curvatures exceed a minimum radius of 150'. This standard is met.
- h. Standard 6.4.8 – street dead ends and cul-de-sac lengths. This standard does not apply.
- i. Standard 6.4.9 and 10 - street names match existing names. This standard is met.

Street Right of Way Width – standard right of way width is 60. All Streets are proposed to be 60' ROW widths.

- 10. Several meetings have been held with City of Salem Staff. All indications are the tentative subdivision plan will provide safe, orderly, and efficient circulation of traffic into, through, and out of the subdivision.
- 11. The streets and sidewalks on the tentative subdivision plan connect to the existing sidewalks and streets to the east at Evelyn Valley and Sarah Renee. These connections and the existing system provides safe and convenient bicycle and pedestrian access to existing residential areas and transit stops.
- 12. The main connection of the proposed subdivision is from Evelyn Valley and Sarah Renee which connect to Mildred Lane. The new generated trips of the subdivision is below the 1,000 requirement for connecting to an Arterial which would trigger a Traffic Impact Study. Therefore, a Traffic Impact Study is not required.
- 13. The tentative subdivision has taken into account the existing vegetation and topography to minimize variances. The street grades have been designed to not exceed 12%.
- 14. The site is a hilly terrain with grades up to 17%. This will require cuts and fills for the street and building lots. Salem Standards also have minimum street slope requirements at the ADA crossings. To accommodate these additional cuts and fills are required. However, every effort has been made in the tentative plan to incur the least disruption of the site, topography, and vegetation, while developing a residential subdivision.
- 16. An Urban Growth Preliminary Declaration is not required.
- 17. There are no Significant white oak trees 24" in diameter and larger.

18. Discussion on Connectivity. Connectivity is provided to the existing west and east subdivisions. Connections to Evelyn Valley and Sarah Renee provide connectivity to these two existing subdivisions.

Connectivity to the north property can be accomplished by constructing to the proposed Sarah Renee Street.

Connecting to westerly property of 549 Mildred was considered. Following is a brief analysis of developing at 549 Mildred development options.

- A) Extend Evelyn Valley into 549 Mildred with a cul-de-sac at 549 Mildred. This creates an intersection with 5% slopes for ADA. This arrangement cannot create a street that connects to Mildred Lane and meet Salem street standards. Therefore it is deemed unbuildable.
- B) Extend Evelyn Valley to 541 Mildred and turn south to Mildred without an intersection. This creates an 8' deep cut at the west Springwood Estates 2 property line. This 8' cut creates difficulties developing the 541 Mildred property and connection to the existing house driveway and developing new lot. Therefore, this is deemed impractical and cost prohibitive. (See Attachment "A")
- C) Create a private drive with 4 lots, including the existing house. This arrangement fits existing contours and is the only feasible option. This shadow plat is shown on sheet C-1 – Site Plan.

**Willamette Engineering, Inc.**

PO Box 9032, Salem, OR 97305 Ph (503) 304-0905 Fax (503) 304-9512

July 14, 2021

City of Salem  
Community Development Dept.  
555 Liberty St SE / Room 305  
Salem, Oregon 97301

Subject: **Springwood Estates Phase 2 Subdivision**  
**500 Block of Mildred Lane**  
**Map 8S3W15C800/Tax Lot 800**  
**Salem, Or**

Dear Salem Planning Department:

This letter is to address the position of preserving 25% of the existing site trees to meet City of Salem Development Code.

Following discussion with Salem Staff and receiving neighborhood input, our position has changed to where at least 25% the existing trees will be preserved. The grading plan will need to be adjusted as well as the available footprint for house construction will be reduced on two lots. These will be addressed in detailed design.

Following are the adjusted tree preservation numbers.

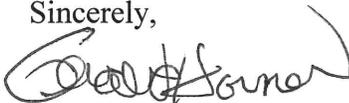
Proposed Tree Preservation

	TOTAL EXISTING	TOTAL REMOVED	TOTAL PRESERVED	% PRESERVED
W - WALNUT	1	1	0	0.00%
F - FIR	14	10	4	26.6%
TOTALS	15	11	4	26.6%

The site has no Significant White Oaks of 24” diameter and larger.

If you should have any questions, please contact me at phone number 503-304-0905.

Sincerely,



Gerald P. Horner, PE  
Project Engineer





# MEMO

**TO:** Olivia Dias, Current Planning Manager  
Community Development Department

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

**DATE:** July 28, 2021

**SUBJECT: PUBLIC WORKS RECOMMENDATIONS  
SUB-ADJ21-07 (21-110128-LD)  
500 BLOCK MILDRED LANE SE  
36-LOT SUBDIVISION**

## PROPOSAL

A tentative subdivision plan to divide approximately 7.35 acres into 36 lots ranging in size from approximately 4,700 square feet to 10,700 square feet including an Alternative Street Standards request to not provide a connection to the abutting undeveloped property and exceed the maximum block length to 800 feet; and a zoning adjustment to allow Lots 21 and 22 to exceed maximum depth. The subject property is approximately 7.35 acres in size, zoned RA (Residential Agriculture), and located at the 500 Block of Mildred Lane SE (Marion County Assessor Map and Tax Lot Number 083W15C 00800).

## RECOMMENDED SUBDIVISION CONDITIONS

1. Convey land for dedication to equal a half-width right-of-way of 36 feet on the development side of Mildred Lane SE.
2. Along the entire frontage of Mildred Lane SE, construct a half-street improvement to Minor Arterial street standards.
3. Construct internal streets to Local street standards pursuant to PWDS except as authorized through a Design Exception by the City Engineer. The alternative street standard for Evelyn Valley Street SE is approved as proposed to exceed maximum block length to 800 feet and not provide connectivity to the abutting undeveloped property.
4. Obtain approval from westerly neighbor (Parcel 2 of Partition Plat 2013-09) to remove the well and septic systems serving the existing dwelling. Extend sewer and stormwater services to the westerly neighbor as shown on the applicant's Composite Utility Plan.

5. Design and construct stormwater facilities pursuant to SRC Chapter 71 and PWDS.
6. Dedicate a 10-foot public utility easement along the street frontage of all internal streets.

## **FACTS**

### **Urban Growth Preliminary Declaration**

The subject property is located outside of the Urban Service Area. However, adequate facilities are available, so an Urban Growth Preliminary Declaration is not required.

### **Water**

#### 1. Existing Conditions

- a. The majority of the subject property is located within the S-3 water service level. The remainder is located within the S-2 water service level, but may be served by S-3 lines. However, pressure reduction on individual service lines may be necessary.
- b. A 12-inch S-3 water line is located in Mildred Lane SE. Mains of this size generally convey flows of 2,100 to 4,900 gallons per minute.
- c. An 8-inch S-3 water line is located in Evelyn Valley Street SE and in Sarah Renee Avenue SE (eastern boundary). Mains of this size generally convey flows of 900 to 2,200 gallons per minute.
- d. An 8-inch S-2 water line is located in Sarah Renee Avenue SE (western boundary). Mains of this size generally convey flows of 900 to 2,200 gallons per minute.

### **Sanitary Sewer**

#### 1. Existing Conditions

- a. An 8-inch sewer main is located within a City easement traversing the subject property west to east at the north end of the property. Public Works staff anticipates this main will be located in future right-of-way.
- b. An 8-inch sewer main is located in Evelyn Valley Street SE.

## Storm Drainage

### 1. Existing Conditions

- a. A 12-inch storm main is located within a City easement traversing the subject property west to east at the north end of the property. Public Works staff anticipates this main will be located in future right-of-way.
- b. A 10-inch storm main is located in Evelyn Valley Street SE.
- c. The abutting property to the west of the subject drains onto the subject property due to the current topography of the area.

## Parks

The property is currently served by Bryan Johnston Park.

## Streets

### 1. Mildred Lane SE

- a. Standard—This street is designated as a Minor Arterial street in the Salem TSP. The standard for this street classification is a 46-foot-wide improvement within a 72-foot-wide right-of-way.
- b. Existing Condition—This street has an approximate 40-foot improvement within a 70-foot-wide right-of-way abutting the subject property.

## CRITERIA AND FINDINGS

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

1. Lot standards, including, but not limited to, standards for lot area, lot width and depth, lot frontage, and designation of front and rear lot lines;
2. City infrastructure standards; and
3. Any special development standards, including, but not limited to floodplain development, special setbacks, geological or geotechnical analysis, and vision clearance.

**Findings**—The applicant shall provide the required field survey and subdivision plat per Statute and Code requirements outlined in the *Oregon Revised Statutes* (ORS) and SRC. If said documents do not comply with the requirements outlined in ORS and SRC, and as per SRC Chapter 205, the approval of the subdivision plat by the City Surveyor may be delayed or denied 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), *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 entire frontage of all internal streets pursuant to SRC 803.035(n).

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

According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are 2-point landslide susceptibility areas mapped on the subject property. The proposed subdivision adds three activity points to the proposal, which results in a total of 5 points. Therefore, the proposed subdivision is classified as a moderate landslide risk and requires a geologic assessment. A geotechnical investigation, prepared by Branch Engineering and dated June 10, 2021, was submitted to the City of Salem. This report demonstrates the subject property could be subdivided and developed with single-family dwellings without increasing the potential for slope hazard on the site or adjacent properties.

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

**Findings**—Water and sewer infrastructure are available within and along the perimeter of the site and are adequate to serve the property. Water mains shall be located within the public right-of-way pursuant to PWDS; mains located outside of the right-of-way require a Design Exception approved by the City Engineer. The well and septic systems serving the westerly neighbor (Parcel 2 of Partition Plat 2013-09) are located within the subject property. The applicant shall obtain approval from the westerly neighbor prior to removing the well and septic systems serving the existing dwelling. The applicant shall extend sewer and stormwater services to the westerly neighbor as shown on the applicant's Composite Utility Plan.

The proposed development is subject to SRC Chapter 71 and PWDS as adopted in Administrative Rule 109, Division 004. The applicant's tentative stormwater plan

accommodates for the upstream drainage in stormwater facilities within the future street system. The applicant's preliminary stormwater report shows the use of non-GSI facilities and may require a design exception from the City Engineer.

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.

**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.**

**Findings**—Mildred Lane SE abuts the subject property and does not meet the current standard for a Minor Arterial street. The applicant is required to convey land for dedication to equal a half-width right-of-way of 36 feet on the development side of Mildred Lane SE, and construct a half-street improvement along the entire frontage of Mildred Lane SE to Minor Arterial standards.

The applicant is requesting an alternate street standard to not provide a connection to the abutting undeveloped property and exceed the maximum block length to 800 feet. 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. All internal streets will be constructed to Local Street standards as specified in the Salem TSP, with the exception of the proposed Evelyn Valley Street SE on the applicant's tentative plan. This proposal is acceptable to Public Works staff because of topographic constraints.

**SRC 205.010(d)(6)—The tentative subdivision plan provides safe and convenient bicycle and pedestrian access from within the subdivision to adjacent residential areas and transit stops, and to neighborhood activity centers within one-half mile of the development. For purposes of this criterion, neighborhood activity centers include, but are not limited to, existing or planned schools, parks, shopping areas, transit stops, or employment centers.**

**Findings**—The Comprehensive Parks Master Plan Update shows that the subject property is served by developed parks. Bryan Johnston Park is a developed park less than one-half mile southwest of the proposed development; pedestrian sidewalk connections are available along the south side of Mildred Lane SE from the subject property to the park. No park-related improvements are recommended as a condition of development.

**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 proposed subdivision generates less than 1,000 average daily vehicle trips to Mildred Lane SE. Pursuant to SRC 803.015, a TIA is required for developments exceeding 1,000 average trips per day. Therefore, a TIA was not required as part of the proposed subdivision submittal.

Prepared by: Jennifer Scott, Program Manager  
cc: File



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

July 12, 2021

Olivia Dias, Current Planning Manager  
 Planning Division, City of Salem  
 555 Liberty Street SE, Room 305  
 Salem OR 97301

RE: Land Use Activity Case No. SUB-ADJ21-07, 500 Block of Mildred 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
Sumpter	Elementary	K thru 5
Crossler	Middle	6 thru 8
Sprague	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
Sumpter	Elementary	507	495	102%
Crossler	Middle	851	969	88%
Sprague	High	1,767	1,940	91%

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 2014 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	36	SF	0.194	7
Middle	36	SF	0.101	4
High	36	SF	0.143	5

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
Sumpter	Elem.	507	21	7	28	495	108%
Crossler	Mid.	851	20	4	24	969	90%
Sprague	High	1,767	37	5	42	1,940	93%

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
Sumpter	Elementary	Eligible for School Transportation
Crossler	Middle	Walk Zone
Sprague	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	7	\$60,840	\$425,880
Middle	4	\$72,735	\$290,940
High	5	\$84,630	\$423,150
<b>TOTAL</b>			<b>\$1,139,970</b>

Table 6

\*Cornerstone Management Group, Inc. estimates based on RLB cost index average, 2020 Second Quarter.

Sincerely,



David Fridenmaker, Manager  
 Planning and Property Services

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