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503-588-6173*

DECISION OF THE PLANNING ADMINISTRATOR

MODIFICATION OF PHASED SUBDIVISION CASE NO.: SUB-ADJ21-06MOD1

APPLICATION NO.: 22-118476-PLN

NOTICE OF DECISION DATE: December 2, 2022

SUMMARY: An application for the first modification of the tentative phased subdivision approval for Coburn Grand View Estates (Case No. SUB-ADJ21-06 & UGA17-03MOD1).

REQUEST: An application to modify phases A, B, C, and D of the approved Coburn Grand View Estates subdivision by reconfiguring the existing phase boundaries and reordering the phases. The proposed modification does not change the layout of the approved lots, open areas, or streets/alleys within the subdivision. The subject properties are approximately 32.5 acres, zoned RA (Residential Agriculture) and RM-II (Multiple Family Residential) and located on the 4400 Block of Battle Creek Road SE (Marion County Assessor Map and Tax Lot Numbers 083W12B / 1600 and 083W11D / 400, 601).

APPLICANT: Allison May, Westwood Homes LLC (Richard Todd Boyce, William Alan Wagoner)

LOCATION: 4400 Block of Battle Creek Road SE, Salem OR 97302

CRITERIA: Salem Revised Code (SRC) Chapters 205.070(d)(2) – Modification of Phased Subdivision Approval

FINDINGS: The findings are in the attached Decision dated December 2, 2022.

DECISION: The **Planning Administrator APPROVED** Modification of Phased Subdivision Case No. SUB-ADJ21-06MOD1 subject to the following conditions of approval:

Condition 1: The front property lines are designated below:

Corner Lot	Front Property Line
15	West Property line abutting 'N' Street
26	West Property line abutting 'N' Street
27	East Property line abutting 'N' Street
28	South Property line abutting 'J' Ave
33	South Property line abutting 'J' Ave
63	West Property line abutting 'H' Street
64	East Property line abutting 'G' Street
69	South Property line abutting 'I' Street
70	North Property line abutting 'I' Ave

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

71	North Property line abutting 'I' Ave
78	North Property line abutting 'I' Ave
81	East Property line abutting 'K' Street or West Property line abutting 'M' Street
82	East Property line abutting 'M' Street
107	West Property line abutting 'B' Street
108	West Property line abutting 'B' Street
110	South Property line abutting 'C' Ave
127	East Property line abutting 'G' Street
131	North Property line abutting 'C' Ave
139	North Property line abutting 'C' Ave
141	North Property line abutting 'C' Ave
153	South Property line abutting 'E' Ave
154	North Property line abutting 'E' Ave

- Condition 2:** Lots 107-109 shall take access from Street 'M' and the west property line is the designated the front property line. No access to the higher classified street shall be allowed.
- Condition 3:** Lots 92-94 shall take access from Street 'M' and the south property line is the designated the front property line.
- Condition 4:** Paved width of accessway shall be 20-feet wide within a minimum of a 25-foot-wide easement.
- Condition 5:** "NO PARKING—FIRE LANE" signs shall be posted on both sides of the segments of the proposed flag lot accessway that are fire apparatus roadways and "NO PARKING" signs shall be posted on both sides of any remaining portion of the accessway.
- Condition 6:** Prior to the issuance of building permits, the subject property shall have a favorable Airport Overlay zone height variance.
- Condition 7:** Prior to final plat, provide an engineered stormwater design pursuant to SRC 71 and PWDS to accommodate future impervious surface on all proposed lots, including stormwater facilities needed to serve new streets.
- Condition 8:** All streets within the proposed subdivision shall meet 12 percent grade; with the exception of the five street sections, identified on the proposed tentative plan, which shall not exceed 15 percent.
- Condition 9:** Construct internal streets to Local Street standards, including property line sidewalks and installation of street trees. Proposed Streets K, M and N shall be a minimum of 52-feet in width, which includes a four-foot planter to accommodate street trees and sidewalks adjacent to one foot from property line.
- Condition 10:** Dedicate a 10-foot-wide public utility easement (PUE) along the street frontage of all abutting and internal streets.

- Condition 11:** The 28-inch Fir Tree on the rear property line of Lot 110 and the two 40-inch Fir trees on Lot 108, near Strong Road shall be preserved, unless a Tree Conservation Plan Adjustment is approved.
- Condition 12:** All trees designated for preservation under the tree conservation plan shall be marked and protected with fencing under the dripline during all grading and construction activities. Any heritage tree or significant tree shall require that at least 70 percent of a circular area beneath the tree measuring one foot in radius for every one inch of dbh be protected by an above ground silt fence or its equivalent. Tree protection measures shall remain in place until the issuance of Notice of Final Completion for the Single-Family dwelling or Two-Family dwelling.
- Condition 13:** Trees proposed for removal that are located within the right-of-way abutting streets shall follow the procedures of SRC Chapter 86.
- Condition 14:** All lots within the S-1 service level shall be served by S-1 water mains, and all lots within the S-2 service level shall be served by S-2 water mains.
- Condition 15:** Construct Coburn Reservoir, Boone Road S-1 Pump Station, and S-1 connecting water mains as indicated in Water System Master Plan; or pay a Temporary Access Fee (TAF) pursuant to SRC 200.080(a). The TAF shall be \$12,000 per acre of land being developed within the S-1 service area as proportional payments within each section as specified below in each phase. (UGA17-03;4)
- Condition 16:** Dedicate a neighborhood park facility not less than 6.5 acres in size. (UGA17-03;5)
- Condition 17:** Demonstrate that the proposed subdivision conforms to the access requirements of the Oregon Fire Code by one of the following methods:
- (a) Provide written evidence from the Fire Marshal that the subdivision, as approved, does not exceed the maximum 30 dwelling units allowed to be served by a single fire apparatus road; or
 - (b) Provide written approval from the Fire Marshal allowing more than 30 dwelling units to be served by a single fire apparatus road subject to all of the dwelling units within the subdivision being equipped with an automatic sprinkler system; or
 - (c) The subdivision so that no more than 30 dwelling units will be served by a single fire apparatus road.
- Condition 18:** Demonstrate adequate Fire Department turn-arounds prior to final plat of each phase.
- Condition 19:** Prior to any plat, the applicant shall coordination with Salem-Keizer Cherriots for a transit stop and provide evidence of the location of a future transit stop or a letter from Salem-Keizer Cherriots that no stop is needed in the vicinity.

Condition 20: Obtain applicable State and Federal permits as indicated by the Department of State Lands (DSL).

Condition 21: ~~Section A~~ Section C shall be platted as Phase I.

Condition 22: Construct M Street SE from Battle Creek Road SE to N Street SE with Section A.

Prior to plat of Section C (Phase 1):

Condition 23: Construct a realigned intersection of Battle Creek Road SE and Reed Road SE to minor arterial standards pursuant to PWDS. Acquire and/or convey land for dedication of right-of-way as needed to construct the improvements. If off-site right-of-way is needed to construct the improvements and the applicant is unable to acquire the right-of-way from adjacent property owner(s), then the applicant shall follow the procedures established in SRC 200.050. The intersection shall include:

- A westbound to southbound left turn lane on Reed Road SE;
- A southbound to eastbound left turn lane on Battle Creek Road SE;
- A northbound to eastbound right turn lane on Battle Creek Road SE; and
- A pedestrian island on Battle Creek Road SE along the south side of the intersection. (UGA17-03;1)

Condition ~~23~~ 24: Construct a minimum 18-inch S-1 water main in Reed Road SE from Strong Road SE to J Avenue SE. (UGA17-03;4)

Condition ~~24~~ 25: Provide S-1 water to serve the development from one of the two following configurations:

- (a) Construct a minimum 18-inch S-1 water main in Section A from Reed Road/J Avenue SE to the westerly terminus of G Street SE and to the southerly Phase boundary in K Street SE; or
- (b) Construct a minimum 18-inch S-1 water main from the existing S-1 system in Marietta Avenue SE to Section C as specified in the Water System Master Plan.

Condition ~~25~~ 26: Convey land for dedication of right-of-way to equal a half-width of 30 feet from centerline along the entire frontage of Strong Road SE.

Condition ~~26~~ 27: Construct a 15-foot-wide half-street improvement on the development of centerline and a 15-foot-wide pavement widening on the opposite side of centerline along Strong Road SE.

Condition ~~27~~ 28: Construct a minimum 18-inch S-1 water main within Section C from its ~~terminus in Section A to the intersection of Strong and A Street.~~ east line of the subject property as specified in the Water System Master Plan. (UGA17-03;4)

Condition ~~44~~ 29: Pay ~~\$86,566~~ \$127,025 as the proportional amount of the water TAF. (UGA17-03;4)

Condition 30: Provide vehicular access to Section C through one of the following alignments:

- (a) Construct a minimum 24-foot-wide paved access through future streets of Section A to Section C in a temporary access easement to be terminated upon dedication of right-of-way; or
- (b) Construct a local street through Marion County Taxlot 083W12B001700 to 27th Avenue SE as shown on the applicants Alternative Access Proposal in a temporary access easement to be terminated upon dedication of right-of-way and close 27th Avenue SE to through traffic between the new local street intersection and Strong Road SE. The intersection of 27th Avenue SE and Strong Road SE shall be permanently closed to vehicular access by means approved by the Public Works Director.

Prior to plat of Section A (Phase 2):

Condition ~~24~~ 31: Construct Battle Creek Road from Reed Road to M Street SE to a 23-foot-wide half street improvement to Minor Arterial standards within a minimum 36-foot-wide half-width right-of-way. (UGA17-03;1)

Condition ~~25~~ 32: Construct Reed Road SE from Battle Creek Road SE to the north line of the subject property, at a minimum 23-foot-wide half street improvement to Minor Arterial standards within a minimum 36-foot-wide half-width right-of-way. The improvements shall include on-street parking and tapers. (UGA17-03;1)

Condition ~~26~~ 33: Construct Mid-block pedestrian access as shown on the tentative subdivision plan, which shall be dedicated to the public. Where topography requires mid-block walkways to be constructed with stairs, the facility shall be owned and maintained by the homeowners' association.

Condition ~~27~~ 34: The applicant shall provide mid-block pedestrian access along the west property lines of Lots 11 and 12 or on the abutting 'Storm Water Detention Facility #3'

Condition ~~30~~ 35: Construct a minimum 12-inch S-1 water main in Reed Road SE from J Avenue SE to Battle Creek Road SE and in Battle Creek Road SE to M Street SE.

Condition ~~34~~ 36: Construct a pedestrian access route along missing sections of sidewalk on the west side of Battle Creek Road SE from Reed Road SE to Forsythe Drive SE, or enter into a deferral agreement deferring the construction to a later time in conjunction with the Apartment Site project.

Condition ~~32~~ 37: Pay ~~\$191,849~~ \$179,195 as the proportional amount of the water TAF. (UGA17-03;4)

Prior to plat of Section B (Phase 3):

- Condition ~~33~~ 38:** Construct a minimum 18-inch water main in K Street SE within Section B from its terminus in Section A to the southern property line of lot 106.
- Condition ~~34~~ 39:** Pay ~~\$14,038~~ \$31,756 as the proportional amount of the water TAF. (UGA17-03;4)
- Condition ~~35~~ 40:** Pay a temporary access fee of \$13,680 as proportional mitigation toward the future signal and interconnect located at Reed Road SE and Battle Creek Road SE.
- Condition ~~36~~ 41:** Construct Mid-block pedestrian access as shown on the tentative subdivision plan, which shall be dedicated to the public. Where topography requires mid-block walkways to be constructed with stairs, the facility shall be owned and maintained by the homeowners' association.
- Condition ~~37~~ 42:** The applicant shall be required to convey lot 106 for future construction of Coburn Reservoir (UGA17-03;4)

Prior to plat of Section D (Phase 4):

- Condition ~~42~~ 43:** Pay ~~\$79,547~~ \$34,024 as the proportional amount of the water TAF. (UGA17-03;4)
- Condition ~~43~~ 44:** If off-site easements are needed because of topographic constraints and the applicant is unable to acquire easements from adjacent property owner(s), then the applicant shall follow the procedures established in SRC 200.050. (UGA17-03;2)

The rights granted by the attached decision must be exercised, or an extension granted, by December 20, 2024, or this approval shall be null and void.

Application Deemed Complete:	<u>October 12, 2022</u>
Notice of Decision Mailing Date:	<u>December 2, 2022</u>
Decision Effective Date:	<u>December 20, 2022</u>
State Mandate Date:	<u>February 9, 2023</u>

Case Manager: Jamie Donaldson, jdonaldson@cityofsalem.net, 503-540-2328

This decision is final unless written appeal and associated fee (if applicable) from an aggrieved party is filed with the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem OR 97301, or by email at planning@cityofsalem.net, no later than 5:00 p.m. Monday, December 19, 2022. The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapter(s) 205. 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

DECISION

IN THE MATTER OF THE) FINDINGS AND ORDER
MODIFICATION OF TENTATIVE)
PHASED SUBDIVISION PLAN)
& CLASS 2 ADJUSTMENT)
CASE NO. SUB-ADJ21-06MOD1;)
4400 BLOCK OF BATTLE CREEK RD SE) DECEMBER 2, 2022

REQUEST

Summary: An application for the first modification of the tentative phased subdivision approval for Coburn Grand View Estates (Case No. SUB-ADJ21-06 & UGA17-03MOD1).

Request: An application to modify phases A, B, C, and D of the approved Coburn Grand View Estates subdivision by reconfiguring the exiting phase boundaries and reordering the phases. The proposed modification does not change the layout of the approved lots, open areas, or streets/alleys within the subdivision.

The subject properties are approximately 32.5 acres, zoned RA (Residential Agriculture) and RM-II (Multiple Family Residential) and located on the 4400 Block of Battle Creek Road SE (Marion County Assessor Map and Tax Lot Numbers 083W12B / 1600 and 083W11D / 400, 601).

A vicinity map illustrating the location of the property is attached hereto and made a part of this staff report (**Attachment A**).

PROCEDURAL FINDINGS

1. Background

On June 7, 2021, the Planning Administrator approved tentative phased Subdivision Case no. SUB-ADJ21-06 for Coburn Grand View Estates, a proposal to divide the property into 177 lots for residential development, with lots ranging in size from 1,635 square feet to approximately 17,940 square feet. UGA17-03 was previously issued for single family development, with a modification (UGA17-03MOD1) granted on March 11, 2020.

On September 19, 2022, a subdivision modification application was submitted for review, and the application was deemed complete for processing on October 12, 2022. The applicant granted an extension of the 120-day state mandated deadline for the subdivision to February 9, 2023.

SUBSTANTIVE FINDINGS

2. Proposal

On June 7, 2021, tentative approval was issued for the Coburn Grand View Estates Subdivision (Subdivision Case No. SUB-ADJ21-06) to subdivide the subject property into 177 lots in four sections, Sections A-D, without any specific phasing for the subdivision.

The requested modification seeks to modify the boundary lines of the tentative phased subdivision plan sections, and reorder phases to the following sequence: Section C (Phase 1); Section A (Phase 2); Section B (Phase 3); and Section D (Phase 4).

The applicant's proposed site plan is included as **Attachment B** and the applicant's written statement addressing the approval criteria is included as **Attachment C**.

3. Summary of Record

The following items are submitted to the record and are available: 1) All materials and testimony submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, stormwater reports, and; 2) any materials, testimony, and comments from public agencies, City Departments, neighborhood associations, and the public. All application materials are available on the City's online Permit Application Center at <https://permits.cityofsalem.net>. You may use the search function without registering and enter the permit number listed here: 22 118476.

4. Neighborhood Association and Public Comments

The subject property is located within the boundaries of the Morningside Neighborhood Association.

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 March 18, 2021, the applicant contacted the Morningside Neighborhood Association to provide details about the proposal.

Neighborhood Association Comment: Notice of the application was provided to the Morningside 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 Morningside prior to the comment deadline.

Public Comments: Notice was also provided, pursuant to SRC 300.520(b)(1)(B)(iii), (vi), & (vii), to all property owners and addresses within 250 feet of the subject property. One comment was received indicating no objections to the proposal. No comments were received from the public prior to the comment deadline.

Homeowners Association: The subject property is not located within a Homeowners Association.

5. City Department Comments

Fire Department - Reviewed the proposal and indicated that an approved Fire Department turnaround is needed in section A near lot 53, section D near lot 163, and section B near lot 104 and lot 106, unless these streets continue through with approved Fire Department access.

Fire has indicated no other concerns with the proposed phasing. Additional items including fire department access and water supply will be required for future building construction.

Staff Response: The proposal has been conditioned below to construct a minimum 24-foot-wide paved access, approved by the Fire Department, through future streets of Section A (Phase 2) to Section C (Phase 1); therefore, the turnaround is not required with a secondary means of access.

Building and Safety Division - Reviewed the proposal and indicated no site concerns.

Public Works Department - Reviewed the proposal and provided a memo which is included as **Attachment D**.

6. Public Agency Comments

No Public or Private Agency comments were received.

DECISION CRITERIA FINDINGS

7. Analysis of Modification Approval Criteria:

Salem Revised Code (SRC) SRC 205.070(d) sets forth the following criteria that must be met before approval can be granted to a modification of a tentative phased subdivision plan approval. The following subsections are organized with approval criteria, followed by findings of fact upon which the decision is based. Lack of compliance with the following criteria is grounds for denial or for the issuance of conditions of approval to satisfy the criteria.

SRC 205.070(d)(1): The proposed modification is not substantially inconsistent with the conditions of the original approval.

Finding: The proposed modification is consistent with the conditions of the original approval. The modification proposes to change the phased boundary lines by changing the number of lots developed in section C from 37 to 56, and the number of lots developed in section D from 34 to 15. Furthermore, the proposed modification establishes the order of the phases as follows: Section C (Phase 1); Section A (Phase 2); Section B (Phase 3); and Section D (Phase 4). The proposed modification will not substantially alter the conditions of the original approval; however, the original conditions under Sections A-D (conditions 38-43) will be reorganized to reflect the revised phasing order.

Additionally, Staff recommends modifications to two conditions and one additional condition as part of Section C (Phase 1), as follows:

Modify Condition 29 to read: Provide S-1 water to serve the development from one of the two following configurations:

- (a) Construct a minimum 18-inch S-1 water main in Section A from Reed Road/J Avenue SE to the westerly terminus of G Street SE and to the southerly Phase boundary in K Street SE; or

- (b) Construct a minimum 18-inch S-1 water main from the existing S-1 system in Marietta Avenue SE to Section C as specified in the Water System Master Plan.

Modify Condition 40 to read: Construct a minimum 18-inch S-1 water main within Section C from Section A to the east line of the subject property as specified in the Water System Master Plan.

New Condition: Provide vehicular access to Section C through one of the following alignments:

- (a) Construct a minimum 24-foot-wide paved access through future streets of Section A to Section C in a temporary access easement to be terminated upon dedication of right-of-way; or
- (b) Construct a local street through Marion County Taxlot 083W12B001700 to 27th Avenue SE as shown on the applicants Alternative Access Proposal in a temporary access easement to be terminated upon dedication of right-of-way and close 27th Avenue SE to through traffic between the new local street intersection and Strong Road SE. The intersection of 27th Avenue SE and Strong Road SE shall be permanently closed to vehicular access by means approved by the Public Works Director.

The recommended conditions will satisfy the Fire Department's comments regarding turnaround access requirements and will ensure secondary fire access is provided to the proposed development. Additionally, the required secondary access allows traffic generated from the first phase of development to be dispersed to the south, rather than all being channeled onto Strong Road SE, which is underimproved.

Public Works Traffic Engineering has reviewed the proposed phase boundary changes and determined that the intersection of 27th Avenue SE and Strong Road SE cannot safely handle the additional traffic directed to Strong Road as a result of the proposed phasing plan. This section of 27th Avenue SE does not meet PWDS for a local street and has inadequate sight distance at the intersection. Public Works Traffic Engineering recommend this intersection be permanently closed as part of Phase 1 after construction of the secondary access through Marion County Tax Lot 083W12B001700 to 27th Avenue SE is complete. At the time of Phase 1 permit application, the applicant shall submit a plan to close the intersection of 27th Avenue SE and Strong Road SE, including public notice of the closure by either posting or mailing. The plan for closure may include street closure signage, jersey barriers, barricades, pavement removal, a curved street design rerouting 27th to the new local street constructed through Marion County Tax Lot 083W12B001700, or other means approved by the Public Works Director. The plan shall also include considerations for the existing dwellings that use this section of 27th Avenue SE for access. The proposed intersection plan shall be approved by the Director prior to issuance of Phase 1 construction permits.

Staff also recommends modifications to TAF conditions so that the fee for each phase will reflect the modified number of lots in that phase. The TAF for this area of the S-1 service area is based on approximately 9 million dollars of improvements needed to serve 750 acres of undeveloped land, totaling \$12,000 per acre. The total S-1 area for the subject property is 31.0 acres; therefore, the TAF shall be a total of \$372,000. The TAF has been apportioned to

each section based on the number of lots being created in the S-1 area as shown in the following table:

Section	S-1 Lots	Percentage	TAF Amount
C (Phase 1)	37 56	34.14	\$127,025
A (Phase 2)	79	48.17	\$179,195
B (Phase 3)	14	8.54	\$31,756
D (Phase 4)	34 15	9.15	\$34,024
TOTAL	164	100%	\$372,000

SRC 205.070(d)(2): The proposed modification will not result in significant changes to the physical appearance of the development, the use of the site, and the impacts on surrounding properties.

Finding: The proposed modification includes minor modifications that result in a reconfiguration of phase boundaries. With the recommended conditions, the proposed modification does not result in significant changes to the physical appearance of the development, the use of the site, or the impacts on surrounding properties. The proposal meets this criterion.

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

Finding: Because conditions will be reorganized to reflect the revised phasing order, City infrastructure is available to serve each parcel in a way that is functionally self-contained and self-sustaining no differently than for the original application. Conditions 23, 28, and 29 were moved from Section A to Section C because they relate to the first phase of development. Additional conditions have been added to ensure the first phase of development is adequately served by public infrastructure.

8. Effect on Expiration Period of Original Approval:

Pursuant to SRC 205.070(e), the effect of a modification upon the expiration period of the original approval, if any, shall be established in the modification decision.

Finding: The expiration date for the original subdivision is June 23, 2023. The expiration date will be extended again by a two-year period from the effective date of this decision to **December 20, 2024**. The applicant is permitted to apply for up to four further extensions of the expiration date, in two-year increments, with the final extension expiring no later than **December 20, 2032**.

Pursuant to SRC 200.025(g)(1), a UGA Preliminary Declaration issued in connection with a subdivision shall remain valid if the tentative subdivision approval remains valid. Therefore, UGA17-03MOD1 and its terms and conditions would remain in effect for the duration of the subject modification and any subsequent extensions.

9. Conclusion

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

IT IS HEREBY ORDERED

The requested modification of the tentative phased subdivision plan, Case No. SUB-ADJ21-06MOD1, is hereby **APPROVED** subject to the applicable standards of the Salem Revised Code, the findings contained herein, and the findings and conditions adopted in this decision.

Prior to final of subdivision plat:

Condition 1: The front property lines are designated below:

Corner Lot	Front Property Line
15	West Property line abutting 'N' Street
26	West Property line abutting 'N' Street
27	East Property line abutting 'N' Street
28	South Property line abutting 'J' Ave
33	South Property line abutting 'J' Ave
63	West Property line abutting 'H' Street
64	East Property line abutting 'G' Street
69	South Property line abutting 'I' Street
70	North Property line abutting 'I' Ave
71	North Property line abutting 'I' Ave
78	North Property line abutting 'I' Ave
81	East Property line abutting 'K' Street or West Property line abutting 'M' Street
82	East Property line abutting 'M' Street
107	West Property line abutting 'B' Street
108	West Property line abutting 'B' Street
110	South Property line abutting 'C' Ave
127	East Property line abutting 'G' Street
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Condition 2: Lots 107-109 shall take access from Street 'M' and the west property line is the designated the front property line. No access to the higher classified street shall be allowed.

Condition 3: Lots 92-94 shall take access from Street 'M' and the south property line is the designated the front property line.

- Condition 4:** Paved width of accessway shall be 20-feet wide within a minimum of a 25-foot-wide easement.
- Condition 5:** "NO PARKING—FIRE LANE" signs shall be posted on both sides of the segments of the proposed flag lot accessway that are fire apparatus roadways and "NO PARKING" signs shall be posted on both sides of any remaining portion of the accessway.
- Condition 6:** Prior to the issuance of building permits, the subject property shall have a favorable Airport Overlay zone height variance.
- Condition 7:** Prior to final plat, provide an engineered stormwater design pursuant to SRC 71 and PWDS to accommodate future impervious surface on all proposed lots, including stormwater facilities needed to serve new streets.
- Condition 8:** All streets within the proposed subdivision shall meet 12 percent grade; with the exception of the five street sections, identified on the proposed tentative plan, which shall not exceed 15 percent.
- Condition 9:** Construct internal streets to Local Street standards, including property line sidewalks and installation of street trees. Proposed Streets K, M and N shall be a minimum of 52-feet in width, which includes a four-foot planter to accommodate street trees and sidewalks adjacent to one foot from property line.
- Condition 10:** Dedicate a 10-foot-wide public utility easement (PUE) along the street frontage of all abutting and internal streets.
- Condition 11:** The 28-inch Fir Tree on the rear property line of Lot 110 and the two 40-inch Fir trees on Lot 108, near Strong Road shall be preserved, unless a Tree Conservation Plan Adjustment is approved.
- Condition 12:** All trees designated for preservation under the tree conservation plan shall be marked and protected with fencing under the dripline during all grading and construction activities. Any heritage tree or significant tree shall require that at least 70 percent of a circular area beneath the tree measuring one foot in radius for every one inch of dbh be protected by an above ground silt fence or its equivalent. Tree protection measures shall remain in place until the issuance of Notice of Final Completion for the Single-Family dwelling or Two-Family dwelling.
- Condition 13:** Trees proposed for removal that are located within the right-of-way abutting streets shall follow the procedures of SRC Chapter 86.
- Condition 14:** All lots within the S-1 service level shall be served by S-1 water mains, and all lots within the S-2 service level shall be served by S-2 water mains.

- Condition 15:** Construct Coburn Reservoir, Boone Road S-1 Pump Station, and S-1 connecting water mains as indicated in Water System Master Plan; or pay a Temporary Access Fee (TAF) pursuant to SRC 200.080(a). The TAF shall be \$12,000 per acre of land being developed within the S-1 service area as proportional payments within each section as specified below in each phase. (UGA17-03;4)
- Condition 16:** Dedicate a neighborhood park facility not less than 6.5 acres in size. (UGA17-03;5)
- Condition 17:** Demonstrate that the proposed subdivision conforms to the access requirements of the Oregon Fire Code by one of the following methods:
- (a) Provide written evidence from the Fire Marshal that the subdivision, as approved, does not exceed the maximum 30 dwelling units allowed to be served by a single fire apparatus road; or
 - (b) Provide written approval from the Fire Marshal allowing more than 30 dwelling units to be served by a single fire apparatus road subject to all of the dwelling units within the subdivision being equipped with an automatic sprinkler system; or
 - (c) The subdivision so that no more than 30 dwelling units will be served by a single fire apparatus road.
- Condition 18:** Demonstrate adequate Fire Department turn-arounds prior to final plat of each phase.
- Condition 19:** Prior to any plat, the applicant shall coordinate with Salem-Keizer Cherriots for a transit stop and provide evidence of the location of a future transit stop or a letter from Salem-Keizer Cherriots that no stop is needed in the vicinity.
- Condition 20:** Obtain applicable State and Federal permits as indicated by the Department of State Lands (DSL).
- Condition 21:** ~~Section A~~ Section C shall be platted as Phase I.
- Condition 22:** Construct M Street SE from Battle Creek Road SE to N Street SE with Section A.

Prior to plat of Section C (Phase 1):

- Condition 23:** Construct a realigned intersection of Battle Creek Road SE and Reed Road SE to minor arterial standards pursuant to PWDS. Acquire and/or convey land for dedication of right-of-way as needed to construct the improvements. If off-site right-of-way is needed to construct the improvements and the applicant is unable to acquire the right-of-way from adjacent property owner(s), then the applicant shall follow the procedures established in SRC 200.050. The intersection shall include:

- A westbound to southbound left turn lane on Reed Road SE;
- A southbound to eastbound left turn lane on Battle Creek Road SE;
- A northbound to eastbound right turn lane on Battle Creek Road SE; and
- A pedestrian island on Battle Creek Road SE along the south side of the intersection. (UGA17-03;1)

Condition ~~28~~ 24: Construct a minimum 18-inch S-1 water main in Reed Road SE from Strong Road SE to J Avenue SE. (UGA17-03;4)

Condition ~~29~~ 25: Provide S-1 water to serve the development from one of the two following configurations:

- (a) Construct a minimum 18-inch S-1 water main in Section A from Reed Road/J Avenue SE to the westerly terminus of G Street SE and to the southerly Phase boundary in K Street SE; or
- (b) Construct a minimum 18-inch S-1 water main from the existing S-1 system in Marietta Avenue SE to Section C as specified in the Water System Master Plan.

Condition ~~38~~ 26: Convey land for dedication of right-of-way to equal a half-width of 30 feet from centerline along the entire frontage of Strong Road SE.

Condition ~~39~~ 27: Construct a 15-foot-wide half-street improvement on the development of centerline and a 15-foot-wide pavement widening on the opposite side of centerline along Strong Road SE.

Condition ~~40~~ 28: Construct a minimum 18-inch S-1 water main within Section C from its terminus in Section A to the intersection of Strong and A Street. (UGA17-03;4) east line of the subject property as specified in the Water System Master Plan.

Condition ~~41~~ 29: Pay ~~\$86,566~~ \$127,025 as the proportional amount of the water TAF. (UGA17-03;4)

Condition 30: Provide vehicular access to Section C through one of the following alignments:

- (a) Construct a minimum 24-foot-wide paved access through future streets of Section A to Section C in a temporary access easement to be terminated upon dedication of right-of-way; or
- (b) Construct a local street through Marion County Taxlot 083W12B001700 to 27th Avenue SE as shown on the applicants Alternative Access Proposal in a temporary access easement to be terminated upon dedication of right-of-way and close 27th Avenue SE to through traffic between the new local street intersection and Strong Road SE. The intersection of 27th Avenue

SE and Strong Road SE shall be permanently closed to vehicular access by means approved by the Public Works Director.

Prior to plat of Section A (Phase 2):

- Condition ~~24~~ 31:** Construct Battle Creek Road from Reed Road to M Street SE to a 23-foot-wide half street improvement to Minor Arterial standards within a minimum 36-foot-wide half-width right-of-way. (UGA17-03;1)
- Condition ~~25~~ 32:** Construct Reed Road SE from Battle Creek Road SE to the north line of the subject property, at a minimum 23-foot-wide half street improvement to Minor Arterial standards within a minimum 36-foot-wide half-width right-of-way. The improvements shall include on-street parking and tapers. (UGA17-03;1)
- Condition ~~26~~ 33:** Construct Mid-block pedestrian access as shown on the tentative subdivision plan, which shall be dedicated to the public. Where topography requires mid-block walkways to be constructed with stairs, the facility shall be owned and maintained by the homeowners' association.
- Condition ~~27~~ 34:** The applicant shall provide mid-block pedestrian access along the west property lines of Lots 11 and 12 or on the abutting 'Storm Water Detention Facility #3'
- Condition ~~30~~ 35:** Construct a minimum 12-inch S-1 water main in Reed Road SE from J Avenue SE to Battle Creek Road SE and in Battle Creek Road SE to M Street SE.
- Condition ~~34~~ 36:** Construct a pedestrian access route along missing sections of sidewalk on the west side of Battle Creek Road SE from Reed Road SE to Forsythe Drive SE, or enter into a deferral agreement deferring the construction to a later time in conjunction with the Apartment Site project.
- Condition ~~32~~ 37:** Pay ~~\$191,849~~ \$179,195 as the proportional amount of the water TAF. (UGA17-03;4)

Prior to plat of Section B (Phase 3):

- Condition ~~33~~ 38:** Construct a minimum 18-inch water main in K Street SE within Section B from its terminus in Section A to the southern property line of lot 106.
- Condition ~~34~~ 39:** Pay ~~\$14,038~~ \$31,756 as the proportional amount of the water TAF. (UGA17-03;4)
- Condition ~~35~~ 40:** Pay a temporary access fee of \$13,680 as proportional mitigation toward the future signal and interconnect located at Reed Road SE and Battle Creek Road SE.

- Condition ~~36~~ 41:** Construct Mid-block pedestrian access as shown on the tentative subdivision plan, which shall be dedicated to the public. Where topography requires mid-block walkways to be constructed with stairs, the facility shall be owned and maintained by the homeowners' association.
- Condition ~~37~~ 42:** The applicant shall be required to convey lot 106 for future construction of Coburn Reservoir (UGA17-03;4)

Prior to plat of Section D (Phase 4):

- Condition ~~42~~ 43:** Pay ~~\$79,547~~ \$34,024 as the proportional amount of the water TAF. (UGA17-03;4)
- Condition ~~43~~ 44:** If off-site easements are needed because of topographic constraints and the applicant is unable to acquire easements from adjacent property owner(s), then the applicant shall follow the procedures established in SRC 200.050. (UGA17-03;2)

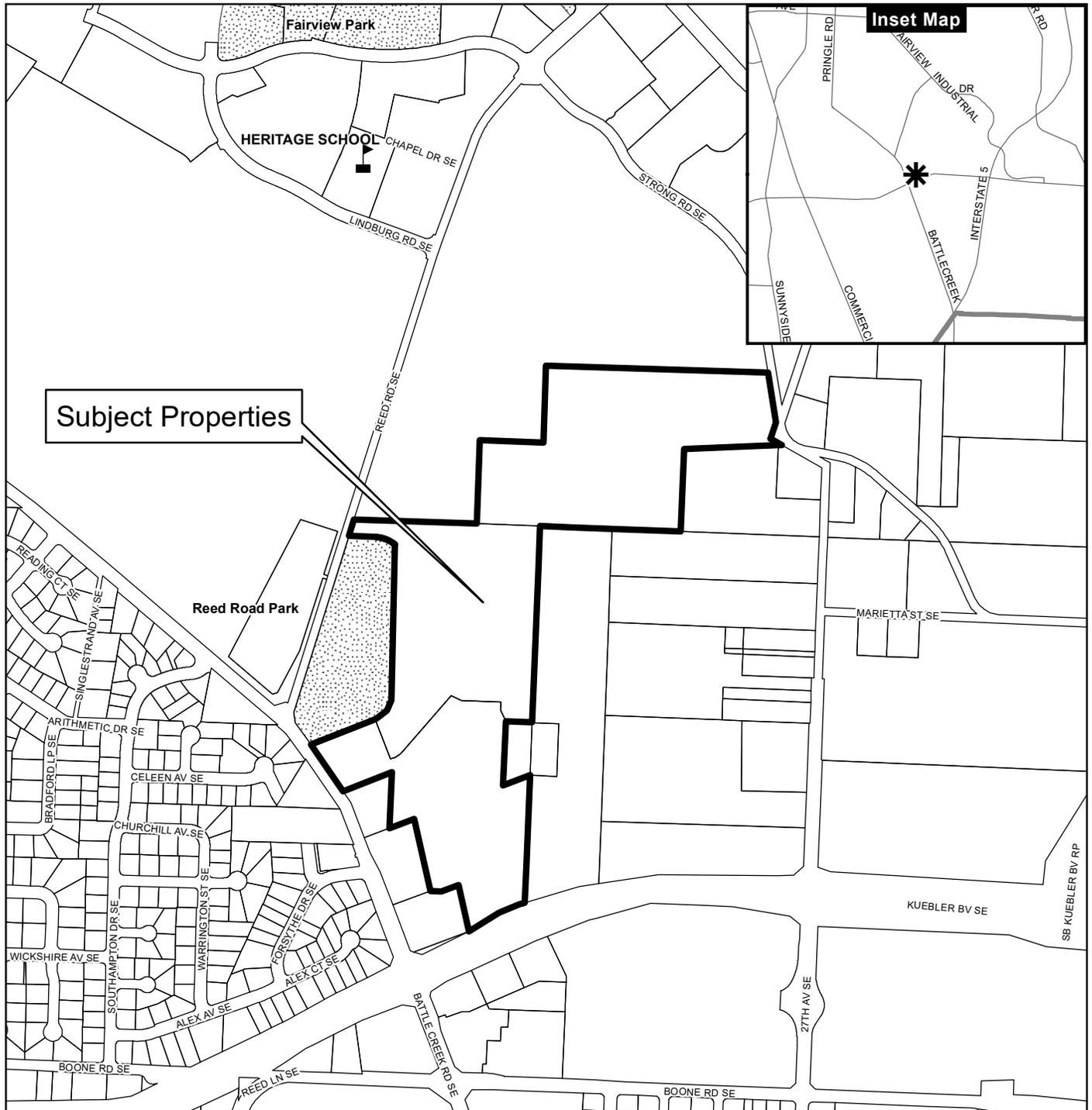


Jamie Donaldson, Planner II, on behalf of
Lisa Anderson-Ogilvie, AICP
Planning Administrator

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

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

Vicinity Map 4400 Block of Battle Creek Road SE



Legend

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



0 100 200 400 Feet



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COBURN GRAND VIEW ESTATES

T. 8 S., R. 3 W., Willamette Meridian
Sec. 11D Tax Lots 100, 200, 400 & 601 - Sec. 12B Tax Lot 1600
City Of Salem, Marion County, Oregon

Owner / Developer:

WESTWOOD HOMES LLC

12700 NW CORNELL RD.
PORTLAND, OREGON 97229

TOWNHOUSES:
DEVELOPABLE AREA — 2.711 AC.
NUMBER OF UNITS — 34
DENSITY — 12.54 UNITS/AC.
LARGEST LOT — 16,388 S.F.
SMALLEST LOT — 1,635 S.F.
AVERAGE — 3,031 S.F.

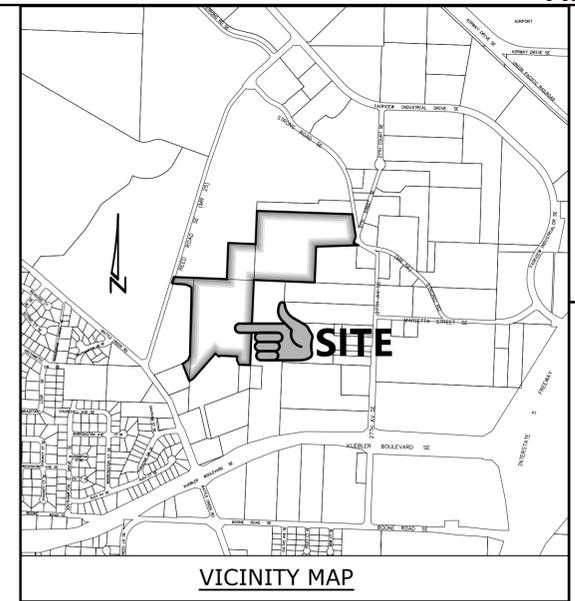
TOTAL PARCEL SIZE:
DEVELOPABLE AREA — 32.545 Ac.
NUMBER OF UNITS — 177
DENSITY — 5.439 UNITS/AC.
LARGEST LOT — 17,940 S.F.
SMALLEST LOT — 1,635 S.F.
AVERAGE — 5,545 S.F.

SECTION A:
DEVELOPABLE AREA — 13.492 Ac.
NUMBER OF UNITS — 82
DENSITY — 6.078 UNITS/AC.
LARGEST LOT — 10,658 S.F.
SMALLEST LOT — 1,635 S.F.
AVERAGE — 4,682 S.F.

SECTION B:
DEVELOPABLE AREA — 6.068 Ac.
NUMBER OF UNITS — 24
DENSITY — 3.96 UNITS/AC.
LARGEST LOT — 17,940 S.F.
SMALLEST LOT — 5,941 S.F.
AVERAGE — 5,941 S.F.

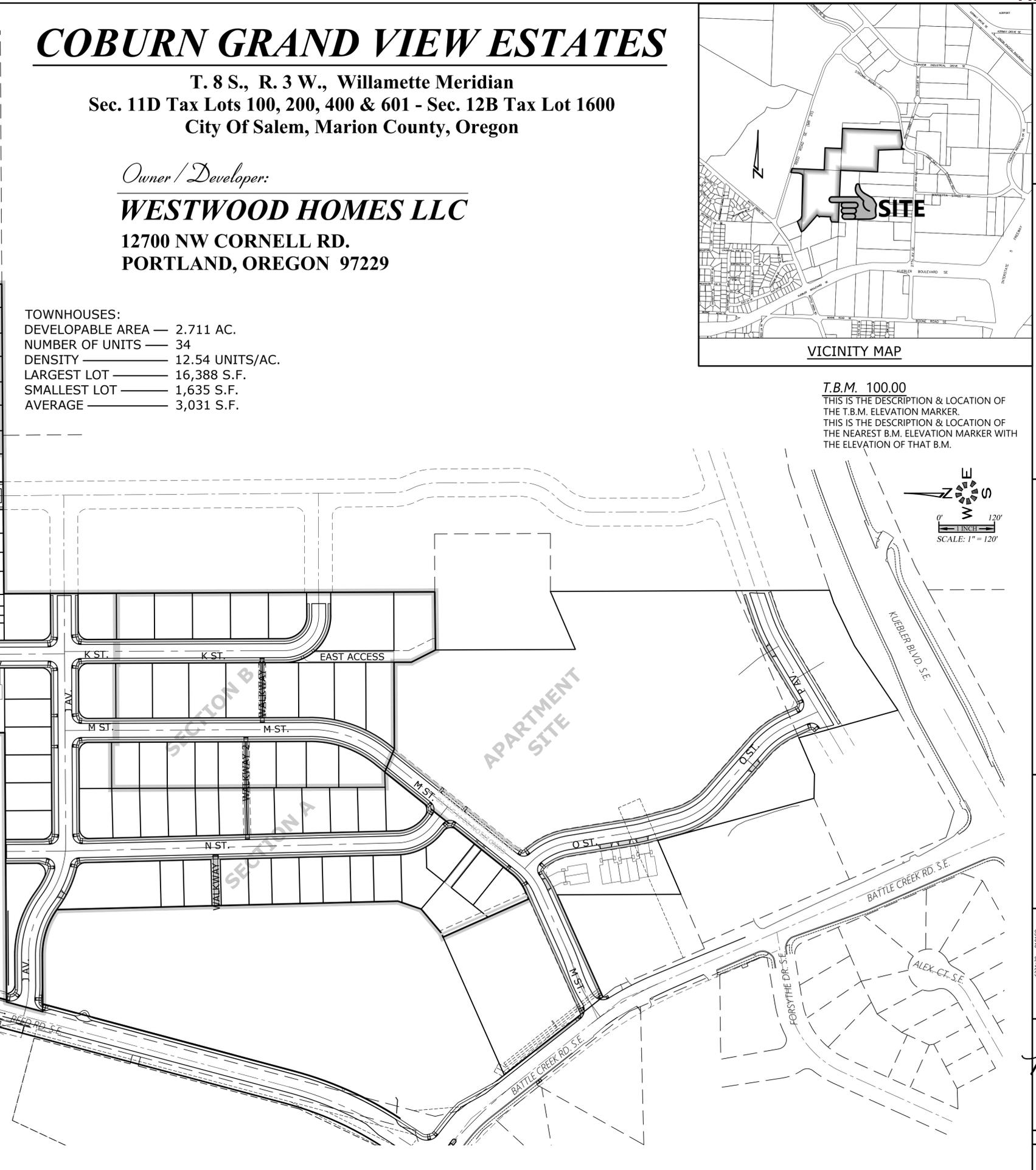
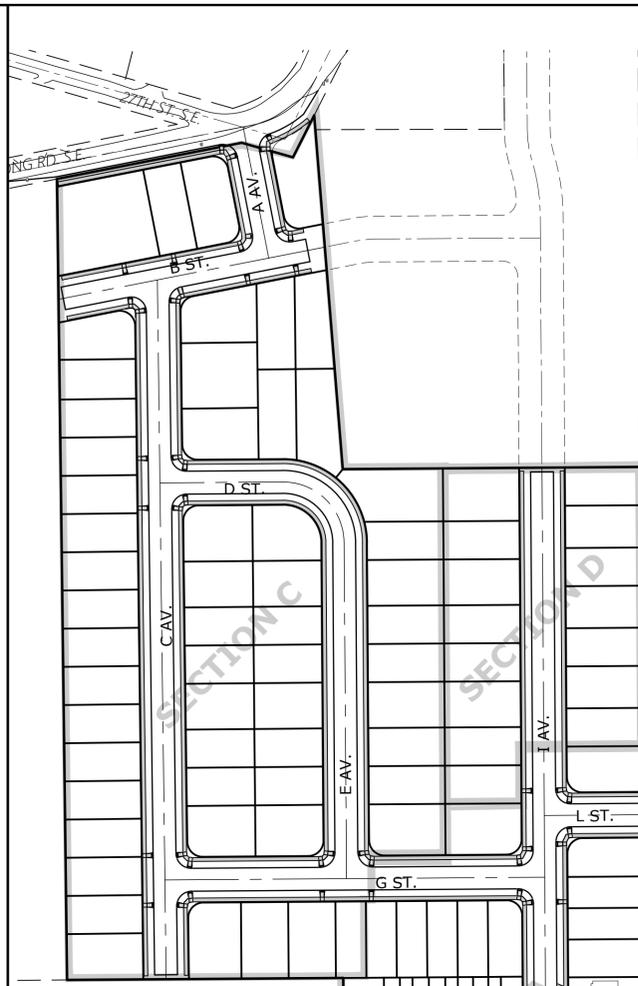
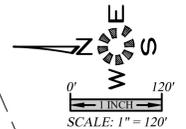
SECTION C:
DEVELOPABLE AREA — 7.099 Ac.
NUMBER OF UNITS — 56
DENSITY — 7.888 UNITS/AC.
LARGEST LOT — 8,579 S.F.
SMALLEST LOT — 4,001 S.F.
AVERAGE — 5522 S.F.

SECTION D:
DEVELOPABLE AREA — 1.843 Ac.
NUMBER OF UNITS — 15
DENSITY — 5.52 UNITS/AC.
LARGEST LOT — 8,353 S.F.
SMALLEST LOT — 4,470 S.F.
AVERAGE — 5,480 S.F.



VICINITY MAP

T.B.M. 100.00
THIS IS THE DESCRIPTION & LOCATION OF THE T.B.M. ELEVATION MARKER.
THIS IS THE DESCRIPTION & LOCATION OF THE NEAREST B.M. ELEVATION MARKER WITH THE ELEVATION OF THAT B.M.



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

PRELIMINARY SHEET INDEX	
P101	COVER SHEET
P102	EXISTING CONDITIONS PLAN
P201	SITE PLAN — NORTH
P202	SITE PLAN — CENTRAL
P203	SITE PLAN — SOUTH
P204	SLOPE EXCEPTION AREAS
P301	UTILITY PLAN — NORTH
P302	UTILITY PLAN — CENTRAL
P303	UTILITY PLAN — SOUTH
P401	TREE CONSERVATION PLAN — NORTH
P402	TREE CONSERVATION PLAN — CENTRAL
P403	TREE CONSERVATION PLAN — SOUTH
P404	TREE CONSERVATION PLAN — R.O.W. NORTH
P405	TREE CONSERVATION PLAN — R.O.W. SOUTH
P501	PUBLIC STREET IMPROVEMENTS — A AV. & B ST.
P502	PUBLIC STREET IMPROVEMENTS — C ST.
P503	PUBLIC STREET IMPROVEMENTS — E AV. & D ST.
P504	PUBLIC STREET IMPROVEMENTS — G ST. & H ST.
P505	PUBLIC STREET IMPROVEMENTS — I AV.
P506	PUBLIC STREET IMPROVEMENTS — J AV.
P507	PUBLIC STREET IMPROVEMENTS — K ST. & E. ACCESS
P508	PUBLIC STREET IMPROVEMENTS — L ST. 0+00 TO 12+00
P509	PUBLIC STREET IMPROVEMENTS — M ST. 0+00 TO 8+00
P510	PUBLIC STREET IMPROVEMENTS — M ST. 8+00 TO 15+00
P511	PUBLIC STREET IMPROVEMENTS — N ST.
P512	PUBLIC STREET IMPROVEMENTS — O ST.
P513	PUBLIC STREET IMPROVEMENTS — P ST.
P514	PUBLIC STREET IMPROVEMENTS — WALKWAY 1, 2 & 3
P515	TYPICAL STREET SECTIONS
P601	GRADING PLAN — NORTH
P602	GRADING PLAN — CENTRAL
P603	GRADING PLAN — SOUTH

SYMBOLS	
EXIST. PROP.	BLow OFF ASSY.
EXIST. PROP.	CATCH BASIN
EXIST. PROP.	CATCH BASIN CLEANOUT
EXIST. PROP.	CATCH BASIN INLET
EXIST. PROP.	CATV PED. / BOX
EXIST. PROP.	CLEANOUT
EXIST. PROP.	ELEC. PED. / BOX
EXIST. PROP.	FIRE HYDRANT
EXIST. PROP.	GAS LOCATION MARKER
EXIST. PROP.	GAS VALVE
EXIST. PROP.	MAIL BOX
EXIST. PROP.	CABLE TELEVISION
EXIST. PROP.	CENTERLINE
EXIST. PROP.	DITCH C.L.
EXIST. PROP.	ELECTRICAL LINE
EXIST. PROP.	GAS MAIN
EXIST. PROP.	TELEPHONE LINE
EXIST. PROP.	MANHOLE SAN. SEWER
EXIST. PROP.	MANHOLE STORM DRAIN
EXIST. PROP.	2' DIA. C.O. / M.H.
EXIST. PROP.	MANHOLE TELEPHONE
EXIST. PROP.	MANHOLE WATER
EXIST. PROP.	REDUCER / INCREASER
EXIST. PROP.	TEL. PED. / BOX
EXIST. PROP.	TRAFFIC PED. / BOX
EXIST. PROP.	UTILITY / POWER POLE
EXIST. PROP.	WATER METER
EXIST. PROP.	WATER VALVE
EXIST. PROP.	SANITARY SEWER EXIST.
EXIST. PROP.	SANITARY SEWER PROP.
EXIST. PROP.	STORM DRAIN EXIST.
EXIST. PROP.	STORM DRAIN PROP.
EXIST. PROP.	WATER MAIN EXIST.
EXIST. PROP.	WATER MAIN PROP.

MULTI/TECH
ENGINEERING SERVICES, INC.
1155 13th ST. S.E. SALEM, OR. 97302
www.mteengineering.net office@mteengineering.net

PRELIMINARY PLAN
COVER SHEET

COBURN GRAND VIEW
ESTATES

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

Design: M.D.G.
Drawn: P.H.S.
Checked: J.J.G.
Date: JUNE 2018
Scale: AS SHOWN
As-Built:

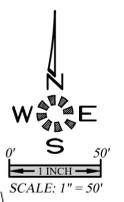


EXPIRES: 06-30-2023

JOB # 6234

P101

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**SITE PLAN
 - NORTH -**

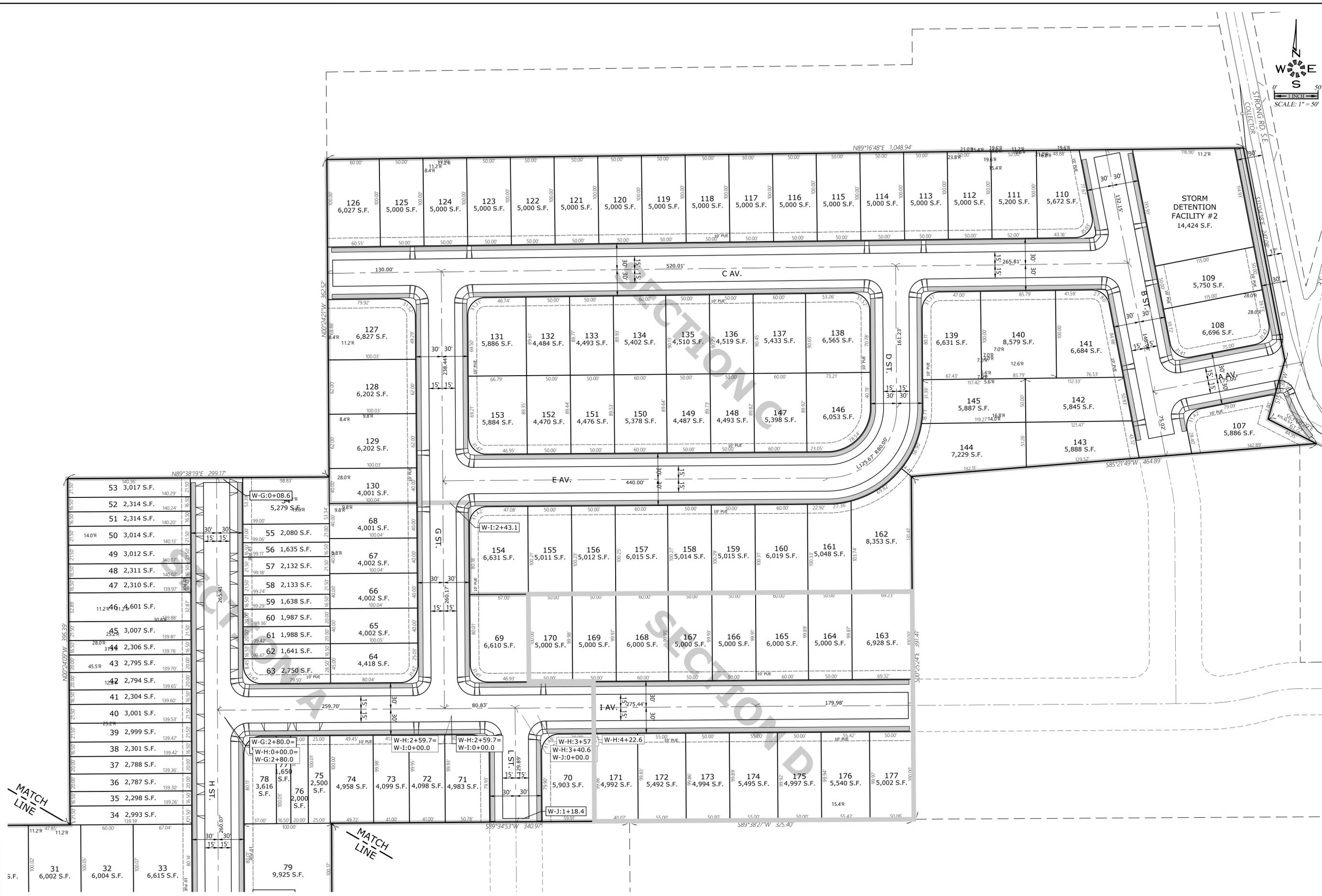
**COBURN GRAND VIEW
 ESTATES**

NO CHANGES, MODIFICATIONS
 OR REPRODUCTIONS TO BE
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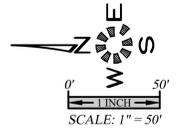
Design: M.D.G.
 Drawn: P.H.S.
 Checked: J.J.G.
 Date: JUNE 2018
 Scale: AS SHOWN
 As-Built: _____



EXP. 6-30-2023
 JOB # 6234
P201



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**SITE PLAN -
- CENTRAL -**

**COBURN GRAND VIEW
ESTATES**

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

6234p20 7/20/20P
Design: M.D.G.
Drawn: P.H.S.
Checked: J.J.G.
Date: JUNE 2018
Scale: AS SHOWN
As-Built: _____



EXPIRES: 06-30-2023
JOB # 6234

Subdivision-Modification

Revised-January 13, 2022

PROPOSAL:

The applicant is proposing the modification of SUB-ADJ21-06 approval.

Original Approval:

The subject property is about 32.55 acres in size and zoned RA (Residential Single Agriculture) and RM2 (Multi-Family Residential). The applicant is proposing to divide the modify the phase lines and sequence.

Section A: 82 Lots

Section B: 24 Lots

Section C: 37 Lots

Section D: 34 Lots

Proposed Modification:

The subject property is about 32.55 acres in size and zoned RA (Residential Single Agriculture) and RM2 (Multi-Family Residential). The applicant is proposing to divide the modify the phase lines and sequence.

Section C

Section A

Section B

Section D

The development is not subject to an HOA.

SITE VICINITY and CHARACTERISTICS:

The subject property is located on the northeast intersection of Kuebler Boulevard SE and Battle Creek Road. The subject property is identified as 083W11D/Tax Lots 100, 200, 400, and 601; 083W12B/Tax Lot 1600. The subject property is located within the City limits and the Urban Growth Boundary. UGA 17-03MOD1 was issued on November 21, 2019 for the subject property.

The surrounding properties are zoned and used as follows:

North: PH (Public Health); vacant land and existing single-family dwellings

East: RA (Residential Agriculture); vacant land and existing single-family dwellings

South: RA (Residential Agriculture); vacant land and existing single-family dwellings

West: Across Reed Road, FMU (Fairview Mixed-Use); vacant land and existing single-family dwellings

MODIFICATION CRITERIA-UDC 205-070(D)

Criteria. An application for modification pursuant to this section shall be approved if all of the following criteria are met:

- (1) The proposed modification is not substantially inconsistent with the conditions of the original approval; and***

Applicant Findings: The modification is in substantial conformance with the original conditions of approval. The modification will not revise or eliminate any of the Conditions of Approval for SUB-ADJ19-08 & UGA17-03MOD1 and SUB-ADJ21-06.

The subject property is about 32.55 acres in size and zoned RA (Residential Single Agriculture) and RM2 (Multi-Family Residential). The applicant is proposing to divide the modify the phase lines and sequence.

Section C: 56 Lots
Section A: 82 Lots
Section B: 24 Lots
Section D: 15 Lots

The applicant would like the potential for Section C to be built before Section A if needed.

Therefore, the modification is not and will not be inconsistent with conditions of original approval.

- (2) The proposed modification will not result in significant changes to the physical appearance of the development, the use of the site, and the impacts on surrounding properties.***

Applicant Findings: The proposed modification does not result in significant physical changes as shown on the site plan. The modification reduces the property size and reduces the number of lots involved. The number of Phases has also been reduced and the potential section sequence changed. The changes being made are a benefit to the site and surrounding properties by reducing density and potentially traffic.

The proposed modification is in compliance with all applicable Code and the original SUB-ADJ19-08 & UGA17-03MOD1 and SUB-ADJ21-06 Conditions of Approval. All Conditions of Approval will be met as specified in the, along with requirements of this proposed modified decision.

PHASED SUBDIVISION 205-015(D)

Criteria. A tentative phased subdivision plan shall be approved if all of the following criteria are met:

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

Applicant Findings: The subject property is about 32.55 acres in size and zoned RA (Residential Single Agriculture) and RM2 (Multi-Family Residential). The subject property is about 32.55 acres in size and zoned RA (Residential Single Agriculture) and RM2 (Multi-Family Residential). The applicant is proposing to divide the modify the phase lines and sequence.

Section C: 56 Lots
Section A: 82 Lots
Section B: 24 Lots
Section D: 15 Lots

The applicant would like the potential for Section C to be built before Section A if needed.

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

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

Applicant Findings: The major street system is in place due to prior and new development. Reed Road located to the west and Battle Creek Road located to the south of the site will provide access into the development. Both Reed Road and Battle Creek Road are designated as a 'minor arterial' on the Salem Transportation System Plan.

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

The phasing will not have any effect on street connections of utilities within each phase.

The major street network in the area has been established and is consistent with the Transportation System Plan which implements the Comprehensive Plan. Public Works Department will address any applicable requirements for right-of-way conveyance that might be required because of this subdivision.

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

Each phase will ensure the orderly and efficient construction of the required improvements as required by Conditions of Approval and Code compliance.

Therefore, this criteria has been met.

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

Applicant Findings: Each phase is required to provide the needed improvements to accommodate that phase. Due to the required conditions of approval and City standards all

four (4) Phases/Sections will be functionally self-contained and self-sustaining as shown on the site plans.

The subject property is about 32.55 acres in size and zoned RA (Residential Single Agriculture) and RM2 (Multi-Family Residential). The applicant is proposing to divide the modify the phase lines and sequence.

- Section C: 56 Lots
- Section A: 82 Lots
- Section B: 24 Lots
- Section D: 15 Lots

The applicant would like the potential for Section C to be built before Section A if needed.

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

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

TOTAL PARCEL SIZE: DEVELOPABLE AREA — 32.545 Ac. NUMBER OF UNITS — 177 DENSITY — 5.439 UNITS/Ac. LARGEST LOT — 17,940 S.F. SMALLEST LOT — 1,635 S.F. AVERAGE — 5,545 S.F.	
SECTION A: DEVELOPABLE AREA — 13.492 Ac. NUMBER OF UNITS — 82 DENSITY — 6.078 UNITS/Ac. LARGEST LOT — 10,658 S.F. SMALLEST LOT — 1,635 S.F. AVERAGE — 4,682 S.F.	
SECTION B: DEVELOPABLE AREA — 6.068 Ac. NUMBER OF UNITS — 24 DENSITY — 3.96 UNITS/Ac. LARGEST LOT — 17,940 S.F. SMALLEST LOT — 5,941 S.F. AVERAGE — 5,941 S.F.	
SECTION C: DEVELOPABLE AREA — 7.099 Ac. NUMBER OF UNITS — 56 DENSITY — 7.888 UNITS/Ac. LARGEST LOT — 8,579 S.F. SMALLEST LOT — 4,001 S.F. AVERAGE — 3,522 S.F.	
SECTION D: DEVELOPABLE AREA — 1.843 Ac. NUMBER OF UNITS — 15 DENSITY — 5.52 UNITS/Ac. LARGEST LOT — 8,353 S.F. SMALLEST LOT — 4,470 S.F. AVERAGE — 5,480 S.F.	

COMPLIANCE WITH THE SALEM AREA COMPREHENSIVE PLAN (SACP):

Citizen involvement is provided via the City of Salem notification process necessary for the subdivision application which allows public comment. The City's Plan is acknowledged to be in compliance with State Land Use Goals. The public notification process is implemented by the Planning Administrator with written notification to property owners. The published notice will identify the applicable criteria. Through the notification process all interested parties are afforded the opportunity to review the

Coburn Grand View Estates

Modification

Alternative Access proposal

Public Works Staff have proposed the following condition for the modification of phase sequences:

Condition: *Construct a minimum 24-foot-wide paved access, approved by the Fire Department, through future streets of Section A (Phase 2) to Section C (Phase 1) in a temporary access easement to be terminated upon dedication of right-of-way.*

This proposed condition is very expensive and would require the construction of the temporary access in a location that would be in the way of construction of the Segment "A" phase, adding to the costs this condition.

In lieu of the above proposed condition and construction of a temporary access roadway to Reed Road, we propose the following as an alternate to the condition above:

- Construct vehicular and pedestrian access through adjacent Coburn Terrace project (SUB-UGA22-06) located at 4345 27th Ave. SE to 27th Ave SE as shown on the attached exhibit.
- Either record an access easement to the City of Salem or dedicate right of way as shown on the attached exhibit.

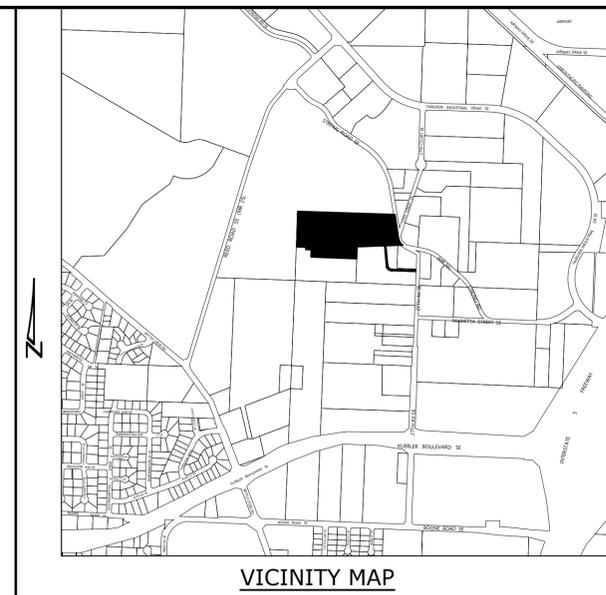
Owner / Developer:

WESTWOOD HOMES LLC

12700 NW CORNELL RD.
PORTLAND, OREGON 97229

COBURN GRAND VIEW ESTATES PHASE 1

SEC. 12, T. 8 S., R. 3 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON



MULTI/TECH
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SECONDARY ACCESS

COBURN GRAND VIEW ESTATES PHASE 1

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7391AC6552 ACZ

Design: M.D.G.
Drawn: T.N.S.
Checked: J.J.G.
Date: MARCH 2022
Scale: AS SHOWN
As-Built: _____



EXPIRES: 06-30-2023
JOB # 7391

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MEMO

TO: Jamie Donaldson, Planner II
Community Development Department

FROM: Laurel Christian, Development Services Planner II
Public Works Department 

DATE: December 2, 2022

**SUBJECT: PUBLIC WORKS RECOMMENDATIONS
SUB-ADJ21-06 MOD1 (22-118476)
4700 BATTLE CREEK ROAD SE
COBURN GRAND VIEW ESTATES MODIFICATION**

PROPOSAL

An application to modify phases A, B, C, and D of the approved Coburn Grand View Estates subdivision by reconfiguring the existing phase boundaries and reordering the phases. The proposed modification does not change the layout of the approved lots, open areas, or streets/alleys within the subdivision. The subject properties are approximately 32.5 acres, zoned RA (Residential Agriculture) and RM-II (Multiple Family Residential) and located on the 4400 Block of Battle Creek Road SE (Marion County Assessor Map and Tax Lot Numbers 083W12B / 1600 and 083W11D / 400, 601).

RECOMMENDED CONDITIONS OF MODIFICATION APPROVAL

The following conditions of approval are required as a condition of Final Plat Approval for Section C (Phase 1):

- SUB-ADJ21-06 Conditions 23, 28, 38, and 39 apply as written.
- Modify Condition 29 to read as follows: Provide S-1 water to serve the development from one of the two following configurations: (a) Construct a minimum 18-inch S-1 water main in Section A from Reed Road/J Avenue SE to the westerly terminus of G Street SE and to the southerly Phase boundary in K Street SE; or (b) Construct a minimum 18-inch S-1 water main from the existing S-1 system in Marietta Avenue SE to Section C as specified in the Water System Master Plan.
- Modify Condition 40 to read as follows: Construct a minimum 18-inch S-1 water main within Section C from Section A to the east line of the subject property as specified in the Water System Master Plan.
- Modify Condition 41 to read as follows: Pay ~~\$86,566~~ **\$127,025** as the proportional amount of the water Temporary Access Fee (TAF). (UGA17-03;4)

- New Condition: Provide vehicular access to Section C through one of the following alignments:
 - (a) Construct a minimum 24-foot-wide paved access through future streets of Section A to Section C in a temporary access easement to be terminated upon dedication of right-of-way; or
 - (b) Construct a local street through Marion County Tax Lot 083W12B001700 to 27th Avenue SE as shown on the applicants Alternative Access Proposal in a temporary access easement to be terminated upon dedication of right-of-way and close 27th Avenue SE to through traffic between the new local street intersection and Strong Road SE. The intersection of 27th Avenue SE and Strong Road SE shall be permanently closed to vehicular access by means approved by the Public Works Director.

The following conditions of approval are required as a condition of Final Plat Approval for Section A (Phase 2):

- SUB-ADJ21-06 Conditions 24, 25, 26, 27, 30, and 31.
- Modify Condition 32 to read as follows: Pay ~~\$191,849~~ **\$179,195** as the proportional amount of the water TAF (UGA17-03;4).

The following conditions of approval are required as a condition of Final Plat Approval for Section B (Phase 3):

- SUB-ADJ21-06 Conditions 33, 35, 36, and 37.
- Modify Condition 34 to read as follows: Pay ~~\$14,038~~ **\$31,756** as the proportional amount of the water TAF. (UGA17-03;4)

The following conditions of approval are required as a condition of Final Plat Approval for Section D (Phase 4):

- SUB-ADJ21-06 Condition 43.
- Modify Condition 42 revised to read as follows: Pay ~~\$79,547~~ **\$34,024** as the proportional amount of the water TAF. (UGA17-03;4)

CRITERIA AND FINDINGS

SRC 205.070(d) indicates the criteria that must be found to exist before an affirmative decision can be made. The applicable criteria and the corresponding findings are as follows:

SRC 205.070(d)(1)—The proposed modification is not substantially inconsistent with the conditions of the original approval:

Finding—The proposed modification will reconfigure phase boundaries, and reorder phases to the following sequence: Section C (Phase 1); Section A (Phase 2); Section B (Phase 3); and Section D (Phase 4). The proposed modification will not substantially alter the conditions of the original approval; however, conditions will be reorganized to reflect the revised phasing order.

Staff recommends the conditions:

- Modify Condition 29 to read as follows: Provide S-1 water to serve the development from one of the two following configurations: (a) Construct a minimum 18-inch S-1 water main in Section A from Reed Road/J Avenue SE to the westerly terminus of G Street SE and to the southerly Phase boundary in K Street SE; or (b) Construct a minimum 18-inch S-1 water main from the existing S-1 system in Marietta Avenue SE to Section C as specified in the Water System Master Plan.
- Modify Condition 40 to read as follows: Construct a minimum 18-inch S-1 water main within Section C from Section A to the east line of the subject property as specified in the Water System Master Plan.
- New Condition: Provide vehicular access to Section C through one of the following alignments:
 - Construct a minimum 24-foot-wide paved access through future streets of Section A to Section C in a temporary access easement to be terminated upon dedication of right-of-way; or
 - Construct a local street through Marion County Tax Lot 083W12B001700 to 27th Avenue SE as shown on the applicants Alternative Access Proposal in a temporary access easement to be terminated upon dedication of right-of-way and close 27th Avenue SE to through traffic between the new local street intersection and Strong Road SE. The intersection of 27th Avenue SE and Strong Road SE shall be permanently closed to vehicular access by means approved by the Public Works Director.

The recommended conditions will ensure secondary fire access is provided to the proposed development. Additionally, the required secondary access allows traffic generated from the first phase of development to be dispersed to the south, rather than all being channeled onto Strong Road SE, which is underimproved.

Public Works Traffic Engineering has reviewed the proposed phase boundary changes and determined that the intersection of 27th Avenue SE and Strong Road SE cannot safely handle the additional traffic directed to Strong Road as a result of the proposed phasing plan. This section of 27th Avenue SE does not meet PWDS for a local street

and has inadequate sight distance at the intersection. Public Works Traffic Engineering recommend this intersection be permanently closed as part of Phase 1 after construction of the secondary access through Marion County Tax Lot 083W12B001700 to 27th Avenue SE is complete. At the time of Phase 1 permit application, the applicant shall submit a plan to close the intersection of 27th Avenue SE and Strong Road SE, including public notice of the closure by either posting or mailing. The plan for closure may include street closure signage, jersey barriers, barricades, pavement removal, a curved street design rerouting 27th to the new local street constructed through Marion County Tax Lot 083W12B001700, or other means approved by the Public Works Director. The plan shall also include considerations for the existing dwellings that use this section of 27th Avenue SE for access. The proposed intersection plan shall be approved by the Director prior to issuance of Phase 1 construction permits.

Staff also recommends modifications to TAF conditions so that the fee for each phase will reflect the modified number of lots in that phase. The TAF for this area of the S-1 service area is based on approximately 9 million dollars of improvements needed to serve 750 acres of undeveloped land, totaling \$12,000 per acre. The total S-1 area for the subject property is 31.0 acres; therefore, the TAF shall be a total of \$372,000. The TAF has been apportioned to each section based on the number of lots being created in the S-1 area as shown in the following table:

Section	S-1 Lots	Percentage	TAF Amount
C (Phase 1)	56	34.14	\$127,025
A (Phase 2)	79	48.17	\$179,195
B (Phase 3)	14	8.54	\$31,756
D (Phase 4)	15	9.15	\$34,024
TOTAL	164	100%	\$372,000

SRC 205.070(d)(2)—The proposed modification will not result in significant changes to the physical appearance of the development, the use of the site, and the impacts on surrounding properties:

Finding—With recommended conditions, the proposed modification does not result in significant changes to the physical appearance of the development, the use of the site, or the impacts on surrounding properties.

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

Finding—Because conditions will be reorganized to reflect the revised phasing order, City infrastructure is available to serve each parcel in a way that is functionally self-contained and self-sustaining no differently than for the original application. Conditions 23, 28, and 29 were moved from Section A to Section C because they relate to the first phase of development. Additional conditions have been added to ensure the first phase of development is adequately served by public infrastructure.

Prepared by: Laurel Christian, Development Services Planner II

Jamie Donaldson, Planner II
November 30, 2022
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MEMO

cc: File