

NOTICE OF DECISION

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



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

DECISION OF THE PLANNING ADMINISTRATOR

MODIFICATION OF SUBDIVISION CASE NO.: CPC-ZC-PUD-SUB-ADJ19-08MOD3

APPLICATION NO.: 22-111267-LD

NOTICE OF DECISION DATE: July 21, 2022

SUMMARY: A third modification to the East Park Estates Planned Unit Development Subdivision resulting in an adjustment to the phasing schedule for the subdivision.

REQUEST: A third modification to a previously approved phased Planned Unit Development and Subdivision (Case No. CPC-ZC-PUD-SUB-ADJ19-08, CPC-ZC-PUD-SUB-ADJ19-08MOD1, and CPC-ZC-PUD-SUB-ADJ19-08MOD2), resulting in a change to the phasing schedule for the subdivision, for property approximately 122 acres in size, zoned RS (Single Family Residential), RM-I and RM-II (Multi-Family Residential) and CR (Retail Commercial), and located at 255 Cordon Road NE, 4800-4900 Block of State Street and 4700-4800 Block of Auburn Road NE - 97301 (Marion County Assessors Map and Tax Lot numbers: 072W29B / 00200, 00201, 00300 and 00400 and 072W29C / 00100, 00101, 00199, 00200, 00300 and 00400)."

APPLICANT: Joseph Schaefer on behalf of East Park LLC (Kiril Ivanov, Randy Myers)

LOCATION: 255 Cordon Rd NE, Salem OR 97301

CRITERIA: Salem Revised Code (SRC) Chapters 205.070(d) – Modification to Subdivision

FINDINGS: The findings are in the attached Decision dated July 21, 2022.

DECISION: The **Planning Administrator APPROVED** Modification of Subdivision, Case No. CPC-ZC-PUD-SUB-ADJ19-08MOD3 subject to the following conditions of approval:

All phases:

- Condition 11: Construct all internal private streets with property line sidewalks with minimum 4-foot landscape strip to accommodate street trees.
- Condition 12: Provide access and utility easements (to be shown on the plat) for all private streets and public utilities located within private streets pursuant to PWDS.
- Condition 13: Provide a 10-foot public utility easement along the street frontage of all internal streets.
- Condition 14: Extend City infrastructure to adjacent parcels pursuant to PWDS.

- Condition 15: Construct water, stormwater, and sewer systems to serve each lot.
- Condition 16: Design and construct stormwater facilities as needed to accommodate future impervious surfaces on all proposed lots within each phase pursuant to PWDS. Additional capacity built in earlier phases can be used to serve impervious surfaces in later phases.
- Condition 17: Prior to commencing work within the Critical Tree Zone (CTZ) (including removal) of any trees on City-owned property, the applicant shall obtain a Street Tree Permit pursuant to SRC Chapter 86.
- Condition 18: Provide a minimum 25-foot access easement from the abutting cul-de-sac at Puma Street NE, and a utility easement (Sanitary Sewer and Water), to the neighboring property (Marion County Assessor's Map and Tax Lot number 072W30DA / 00199). Make provides to collect the surface water runoff from the southeast corner of said tax lot, at the present low point.

Phase 1:

- Condition 19: Construct a 24-inch water main in Cordon Road from the existing main near Gaffin Road SE to Auburn Road NE.
- Condition 20: Construct a 12-inch water main in Auburn Road NE from Cordon Road NE to the west line of Phase 1.
- Condition 21: Construct a 12-inch water main in (future) Greencrest Street NE through a portion of Phase 2 from Auburn Road NE to south line of Phase 1.
- Condition 22: As required by UGA09-07MOD1, construct Auburn Sewer Pump Station (SPS) along Auburn Road NE and an 8-inch sewer force main from Auburn SPS to the East Salem Interceptor consistent with the Salem Wastewater Management Master Plan and PWDS.
- Condition 23: Construct a 15-inch public sewer main from the future Auburn SPS through portions of future phases to the future intersection of Ruby Avenue NE and Cougar Street NE as shown on the applicant's preliminary utility plan. (UGA 9)
- Condition 24: Convey land for dedication of right-of-way to equal a half-width of 30 feet from centerline along the Phase 1 frontage of Auburn Road NE.
- Condition 25: Construct a minimum 29-foot-wide three-quarter-street improvement along the Phase 1 frontage of Auburn Road NE.
- Condition 26: Construct Greencrest Street NE within Phase 1 to Collector B standards.
- Condition 27: Construct a westbound-to-southbound left turn lane at the intersection of Auburn Road NE and (future) Bobcat Street NE (private). Convey additional right-of-way to accommodate the improvement, if needed.

Condition 28: Obtain City Council approval for an amendment to the Salem TSP to modify the alignment of (future) Greencrest Street NE.

Phase 2:

Condition 29: Construct a 12-inch water main in Auburn Road NE to the west property line pursuant to PWDS.

Condition 30: As required by Condition 3 of UGA09-07, the applicant shall enter into an agreement with Marion County for street improvements and right-of-way dedication for Cordon Road.

Condition 31: ~~Construct a traffic signal at the intersection of Auburn Road NE and Cordon Road NE, and an eastbound-to-southbound right-turn lane, as specified by the TIA and as approved by Marion County Public Works. Convey additional right-of-way to accommodate the improvement, if needed.~~ Construct an eastbound-to-southbound right-turn lane at the intersection of Auburn Road NE and Cordon Road NE as specified by the TIA and as approved by Marion County Public Works. Convey additional right-of-way to accommodate the improvement, if needed.

Condition 32: Convey land for dedication of right-of-way to equal a half-width of 30 feet from centerline along the Phase 2A and Phase 2B frontages of Auburn Road NE.

Condition 33: Construct a minimum 29-foot-wide three-quarter-street improvement along the Phase 2A and Phase 2B frontages of Auburn Road NE to the western boundary of the subject property.

Condition 34: ~~Construct Greencrest Street NE within Phases 2 and 2A to Collector B standards.~~ Construct Greencrest Street NE to Collector B standards from Auburn Road NE to State Street.

Condition 35: Construct westbound-to-southbound and eastbound-to-northbound left turn lanes at the intersection of (future) Greencrest Street NE and Auburn Road NE, as specified in the TIA. Convey additional right-of-way to accommodate the improvement, if needed.

Phase 2A:

Condition 36: Construct a 12-inch water main in Auburn Road NE to the west property line pursuant to PWDS.

Condition 37: Convey land for dedication of right-of-way to equal a half-width of 30 feet from centerline along the Phase 2A and Phase 2B frontages of Auburn Road NE.

Condition 38: Construct a minimum 29-foot-wide three-quarter-street improvement along the Phase 2A and Phase 2B frontages of Auburn Road NE to the western boundary of the subject property.

- Condition 39: Construct Greencrest Street NE within Phase 2A to Collector B street standards.
- Condition 40: Construct westbound-to-southbound and eastbound-to-northbound left turn lanes at the intersection of (future) Greencrest Street NE and Auburn Road NE, as specified in the TIA. Convey additional right-of-way to accommodate the improvement, if needed.

Phase 3:

- Condition 41: Construct a 12-inch water main in (future) Greencrest Street NE to State Street.
- Condition 42: Construct Greencrest Street NE to State Street to Collector B standards.
- Condition 43: Construct eastbound-to-northbound and westbound-to-southbound left turn lanes at the intersection of (future) Greencrest Street NE and State Street, as specified in the TIA.
- Condition 44: Construct a 12-inch water main in State Street from the west line of Phase 3 to Cordon Road NE.
- Condition 45: Convey land for dedication of right-of-way to equal 48 feet from centerline along the Phase 3 and Phase 4 frontages of State Street.

Phase 4:

- Condition 46: Construct a 15-inch sewer main to the State Street Pump Station.
- Condition 47: Align the intersection of Cougar Street NE (private) at State Street with Cougar Court SE in accordance with PWDS.
- Condition 48: Construct a minimum 46-foot-wide three-quarter-street improvement along the Phase 3 and Phase 4 frontages of State Street.
- Condition 49: Construct eastbound-to-northbound and westbound-to-southbound left turn lanes at the intersection of (future) Cougar Street NE (private) and State Street, as required by the TIA.
- Condition 50: Construct a traffic signal at the intersection of Auburn Road NE and Cordon Road NE as specified by the TIA and as approved by Marion County Public Works. Convey additional right-of-way to accommodate the improvement, if needed.

Phase 5:

- Condition ~~50~~51: Construct a traffic signal at the intersection of (future) Greencrest Street NE and State Street as specified in the TIA, and provide an interconnect to the signal at the intersection of Cordon Road and State Street.
- Condition ~~54~~52: Construct improvements at the intersection of Cordon Road and State Street for a traffic signal to provide dual eastbound-to-northbound left turn lanes as specified in the TIA, and construct improvements on Cordon Road NE to accommodate receiving lanes as approved by Marion County Public Works.

Condition ~~5253~~5354: Construct a multi-modal multi-use pedestrian/bicycle path along the Phase 5 frontage of Cordon Road NE as specified in the TIA and approved by Marion County Public Works. Pedestrian pathways shall be provided connecting the sidewalk on Panther Street NE to the multi-modal path along Cordon Road NE at intervals not less than 600 feet.

Phase 6:

Condition ~~5354~~5455: Convey land for dedication of right-of-way to equal 30 feet from centerline along the Phase 6 frontage of Auburn Road NE.

Condition ~~5455~~5556: Construct a minimum 29-foot-wide three-quarter-street improvement along the Phase 6 frontage of Auburn Road NE.

Condition ~~5556~~5657: Provide right-of-way and grading for a future Local street connection from (future) Lynx Street NE (private) to the neighboring property at the southwest corner of the intersection of Auburn Road NE at Cordon Road NE (Marion County Assessor's Map and Tax Lot 072W29B 00100). Provide grading for the future street except as prohibited under state/federal wetland fill permits.

Condition ~~5657~~5758: Construct a multi-modal multi-use pedestrian/bicycle path along the Phase 6 frontage of Cordon Road NE as specified in the TIA and approved by Marion County Public Works. Pedestrian pathways shall be provided connecting the sidewalk on Panther Street NE to the multi-modal path along Cordon Road NE at intervals not less than 600 feet.

The rights granted by the attached decision must be exercised, or an extension granted, by August 9, 2024, or this approval shall be null and void.

Application Deemed Complete:	<u>June 23, 2022</u>
Notice of Decision Mailing Date:	<u>July 21, 2022</u>
Decision Effective Date:	<u>August 9, 2022</u>
State Mandate Date:	<u>October 21, 2022</u>

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

This decision is final unless written appeal and associated fee (if applicable) from an aggrieved party is filed with the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem OR 97301, or by email at planning@cityofsalem.net, no later than 5:00 p.m. Friday, August 5, 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
(CASE NO. CPC-ZC-PUD-SUB-ADJ19-08MOD3)**

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

IN THE MATTER OF THE MODIFICATION)	FINDINGS AND ORDER
OF TENTATIVE PHASED SUBDIVISION)	
PLAN CASE NO. CPC-ZC-PUD-SUB-ADJ)	
19-08MOD3)	
255 CORDON ROAD NE, 4800-4900 BLOCK)	JULY 21, 2022
OF STATE STREET, AND 4700-4800)	
BLOCK OF AUBURN ROAD NE)	

REQUEST

Summary: A third modification to the East Park Estates Planned Unit Development Subdivision resulting in an adjustment to the phasing schedule for the subdivision.

Request: A third modification to a previously approved phased Planned Unit Development and Subdivision (Case No. CPC-ZC-PUD-SUB-ADJ19-08, CPC-ZC-PUD-SUB-ADJ19-08MOD1, and CPC-ZC-PUD-SUB-ADJ19-08MOD2), resulting in a change to the phasing schedule for the subdivision, for property approximately 122 acres in size, zoned RS (Single Family Residential), RM-I and RM-II (Multi-Family Residential) and CR (Retail Commercial), and located at 255 Cordon Road NE, 4800-4900 Block of State Street and 4700-4800 Block of Auburn Road NE - 97301 (Marion County Assessors Map and Tax Lot numbers: 072W29B / 00200, 00201, 00300 and 00400 and 072W29C / 00100, 00101, 00199, 00200, 00300 and 00400).

BACKGROUND

The subject property is located generally at 255 Cordon Road NE, 4800-4900 Block of State Street and 4700-4800 Block of Auburn Road NE (**Attachment A**). On October 16, 2019 an application for a Planned Unit Development and Subdivision for 659 single family units and a 36-unit multi-family residential use, for a total of 695 units, was approved for the subject property. UGA09-07 was issued in connection with the phased tentative subdivision plan.

On December 29, 2020 a modification of the phased subdivision tentative plan approval (CPC-ZC-PUD-SUB-ADJ19-08MOD1) was granted which resulted in a slight adjustment to the northwestern property boundary but did not change the phasing or conditions of approval from the original decision.

On August 27, 2021, a second modification of the phased subdivision tentative plan approval (CPC-ZC-PUD-SUB-ADJ19-08MOD2) was granted which resulted in an adjustment to the southwestern property boundary and a change to the phasing schedule for the subdivision.

On June 6, 2022 a subdivision modification application was submitted for review, the application was deemed complete for processing on June 23, 2022. The 120-day state mandated deadline for this application is October 21, 2022.

SUBSTANTIVE FINDINGS

Proposal

An application for a third modification of phased subdivision tentative plan approval was received on June 6, 2022 proposing an adjustment to the phasing schedule for the subdivision. The application was deemed complete for processing on June 23, 2022. The applicant's proposed site plan is included in **Attachment B** and written statement addressing the approval criteria is included as **Attachment C**.

Summary of Record

The following items are submitted to the record and are available upon request: 1) All materials submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, and stormwater reports; 2) any materials, testimony, and comments from public agencies, City Departments, neighborhood associations, and the public; and 3) all documents referenced in this report. All application materials are available on the City's online Permit Application Center at <https://permits.cityofsalem.net>. You can use the search function without registering and enter the permit number listed here: 22-111267-LD.

City Department Comments

Salem Fire Department. The Fire Department has reviewed the proposal and commented that each phase shall comply with fire department access and water supply requirements. Fire department access roads over 150 feet in length that do not continue through shall have an approved turnaround. Development of over 30 dwelling units requires two separate means of fire department access unless all dwelling units have fire sprinklers. Fire hydrants are required within 600 feet of all portions of residential structures and 400 feet of commercial structures as measured along an approved route.

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

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

Public Agency and Private Service Provider Comments

Cherriots. Cherriots has reviewed the proposal and commented that they are in support of this modification to the previously approved phased Planned Unit Development and Subdivision and recognize that the resulting change to the phasing schedule may impact when the transit stops conditioned in the previous approval will be built. Cherriots has also indicated the approximate transit stop locations as agreed upon between Cherriots and the applicant in December 2021.

Marion County. Marion County Engineering Division has reviewed the proposal and indicated no objections.

Neighborhood Association Comments and Public Comments

The subject property is located within the boundaries of the East Lancaster Neighborhood Association (ELNA).

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 Table 300-2, the proposed phased subdivision tentative plan modification included in this proposed land use application request does not require neighborhood association contact.

Neighborhood Association Comments

Notice of the proposed modification of tentative phased subdivision plan approval was provided to the East Lancaster Neighborhood Association (ELNA) 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 ELNA.

Public Comments

All property owners and tenants within 250 feet of the subject property were mailed notification of the proposed modification of tentative phased subdivision plan approval. No public comments were received.

FINDINGS

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 205.070(a) provides that the approval of a tentative phased subdivision plan may be modified after its effective date if the proposed modification meets the criteria set forth in this section.

1. Analysis of Tentative Subdivision Modification Approval Criteria:

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 shown in ***bold italic***, followed by findings

evaluating the proposed modification for conformance with the criteria. Lack of compliance with the following criteria is grounds for denial of the modification.

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

Finding: As part of the application package, the applicant submitted a Traffic Impact Phasing Analysis which evaluated construction timing of the traffic signal at the intersection of Auburn Road NE and Cordon Road NE and other street improvements required within the development. The proposed modification will not substantially alter the conditions of the original approval; the modification changes the timing of conditions but does not modify the improvements required. Based on the Traffic Impact Phasing Analysis, staff recommends conditions be revised as listed above. The revised conditions substantially conform to the original conditions of approval as follows:

- Condition 31 is revised to read:

~~Condition 31 [Phase 2]: Construct a traffic signal at the intersection of Auburn Road NE and Cordon Road NE, and an eastbound-to-southbound right-turn lane, as specified by the TIA and as approved by Marion County Public Works. Convey additional right-of-way to accommodate the improvement, if~~
Needed. Construct an eastbound-to-southbound right-turn lane at the intersection of Auburn Road NE and Cordon Road NE as specified by the TIA and as approved by Marion County Public Works. Convey additional right-of-way to accommodate the improvement, if needed.

- Condition 34 is revised to read:

~~Condition 34 [Phase 2]: Construct Greencrest Street NE within Phases 2 and 2A to Collector B standards. Construct Greencrest Street NE to Collector B standards from Auburn Road NE to State Street. Construct eastbound-to-northbound and westbound-to-southbound left turn lanes at the intersection of Greencrest Street NE and State Street, as specified in the TIA.~~

- Conditions 42 and 43 are removed as Greencrest Street NE and the necessary turn lanes will be entirely constructed with Phase 1 and 2.

~~Condition 42 [Phase 3]: Construct Greencrest Street NE to State Street to Collector B standards.~~

~~Condition 43 [Phase 3]: Construct eastbound-to-northbound and westbound-to-southbound left turn lanes at the intersection of (future) Greencrest Street NE and State Street, as specified in the TIA.~~

- An additional condition is added to Phase 4:

Condition 50: Construct a traffic signal at the intersection of Auburn Road NE and Cordon Road NE as specified by the TIA and as approved by Marion County Public

Works. Convey additional right-of-way to accommodate the improvement, if needed.

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 a change in phase boundaries and timing of construction of certain improvements. 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.

Because the configuration of the subdivision is substantially similar to the original approval, and because no change is proposed to the previously approved uses for the property, the requested modification would not increase or otherwise change impacts on surrounding properties. The proposal meets this criterion.

SRC 205.015(e): Modification pursuant to final plat approval. If the approval of a final plat for a phase of a phased subdivision requires the change of a boundary of a subsequent phase, or a change to the conditions of approval, the tentative phased subdivision plan shall be modified prior to approval of the final plat.

Finding: The proposed modification includes a change to the phasing and phase boundaries. City infrastructure is available to serve individual phases in a way that is functionally self-contained and self-sustaining no differently than for the original application. The improvements for each phase will be constructed in such a manner that provides sufficient capacity to serve later phases. Conditions of approval have been modified to accommodate for changes proposed to the phase boundaries. No further modifications should be needed.

2. 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 phased subdivision tentative plan approval (CPC-ZC-PUD-SUB-ADJ19-08) is November 1, 2021. The previous modification did not change the expiration date for the subdivision. The proposed modification also does not change the expiration date for the consolidated application. The applicant is permitted to apply for up to four extensions of the expiration date, in two-year increments, with the final extension expiring no later than **November 1, 2029.**

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, UGA09-07MOD1 and its terms and conditions would remain in effect for the duration of the subject modification of phased subdivision tentative plan approval and any subsequent extensions.

DECISION

The requested modification of the tentative phased subdivision plan is **APPROVED** subject to the applicable standards of the Salem Revised Code, the findings contained herein, and the findings and conditions adopted in this decision.

Conditions of approval from CPC-ZC-PUD-SUB-ADJ19-08MOD2 shall be modified as follows:

All phases:

- Condition 11: Construct all internal private streets with property line sidewalks with minimum 4-foot landscape strip to accommodate street trees.
- Condition 12: Provide access and utility easements (to be shown on the plat) for all private streets and public utilities located within private streets pursuant to PWDS.
- Condition 13: Provide a 10-foot public utility easement along the street frontage of all internal streets.
- Condition 14: Extend City infrastructure to adjacent parcels pursuant to PWDS.
- Condition 15: Construct water, stormwater, and sewer systems to serve each lot.
- Condition 16: Design and construct stormwater facilities as needed to accommodate future impervious surfaces on all proposed lots within each phase pursuant to PWDS. Additional capacity built in earlier phases can be used to serve impervious surfaces in later phases.
- Condition 17: Prior to commencing work within the Critical Tree Zone (CTZ) (including removal) of any trees on City-owned property, the applicant shall obtain a Street Tree Permit pursuant to SRC Chapter 86.
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Phase 1:

- Condition 19: Construct a 24-inch water main in Cordon Road from the existing main near Gaffin Road SE to Auburn Road NE.
- Condition 20: Construct a 12-inch water main in Auburn Road NE from Cordon Road NE to the west line of Phase 1.
- Condition 21: Construct a 12-inch water main in (future) Greencrest Street NE through a portion of Phase 2 from Auburn Road NE to south line of Phase 1.

- Condition 22: As required by UGA09-07MOD1, construct Auburn Sewer Pump Station (SPS) along Auburn Road NE and an 8-inch sewer force main from Auburn SPS to the East Salem Interceptor consistent with the Salem Wastewater Management Master Plan and PWDS.
- Condition 23: Construct a 15-inch public sewer main from the future Auburn SPS through portions of future phases to the future intersection of Ruby Avenue NE and Cougar Street NE as shown on the applicant's preliminary utility plan. (UGA 9)
- Condition 24: Convey land for dedication of right-of-way to equal a half-width of 30 feet from centerline along the Phase 1 frontage of Auburn Road NE.
- Condition 25: Construct a minimum 29-foot-wide three-quarter-street improvement along the Phase 1 frontage of Auburn Road NE.
- Condition 26: Construct Greencrest Street NE within Phase 1 to Collector B standards.
- Condition 27: Construct a westbound-to-southbound left turn lane at the intersection of Auburn Road NE and (future) Bobcat Street NE (private). Convey additional right-of-way to accommodate the improvement, if needed.
- Condition 28: Obtain City Council approval for an amendment to the Salem TSP to modify the alignment of (future) Greencrest Street NE.

Phase 2:

- Condition 29: Construct a 12-inch water main in Auburn Road NE to the west property line pursuant to PWDS.
- Condition 30: As required by Condition 3 of UGA09-07, the applicant shall enter into an agreement with Marion County for street improvements and right-of-way dedication for Cordon Road.
- Condition 31: ~~Construct a traffic signal at the intersection of Auburn Road NE and Cordon Road NE, and an eastbound-to-southbound right-turn lane, as specified by the TIA and as approved by Marion County Public Works. Convey additional right-of-way to accommodate the improvement, if needed.~~ Construct an eastbound-to-southbound right-turn lane at the intersection of Auburn Road NE and Cordon Road NE as specified by the TIA and as approved by Marion County Public Works. Convey additional right-of-way to accommodate the improvement, if needed.
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- Condition 38: Construct a minimum 29-foot-wide three-quarter-street improvement along the Phase 2A and Phase 2B frontages of Auburn Road NE to the western boundary of the subject property.
- Condition 39: Construct Greencrest Street NE within Phase 2A to Collector B street standards.
- Condition 40: Construct westbound-to-southbound and eastbound-to-northbound left turn lanes at the intersection of (future) Greencrest Street NE and Auburn Road NE, as specified in the TIA. Convey additional right-of-way to accommodate the improvement, if needed.

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- Condition 41: Construct a 12-inch water main in (future) Greencrest Street NE to State Street.
- Condition 42: Construct Greencrest Street NE to State Street to Collector B standards.
- Condition 43: Construct eastbound-to-northbound and westbound-to-southbound left turn lanes at the intersection of (future) Greencrest Street NE and State Street, as specified in the TIA.
- Condition 44: Construct a 12-inch water main in State Street from the west line of Phase 3 to Cordon Road NE.
- Condition 45: Convey land for dedication of right-of-way to equal 48 feet from centerline along the Phase 3 and Phase 4 frontages of State Street.

Phase 4:

- Condition 46: Construct a 15-inch sewer main to the State Street Pump Station.
- Condition 47: Align the intersection of Cougar Street NE (private) at State Street with Cougar Court SE in accordance with PWDS.
- Condition 48: Construct a minimum 46-foot-wide three-quarter-street improvement along the Phase 3 and Phase 4 frontages of State Street.
- Condition 49: Construct eastbound-to-northbound and westbound-to-southbound left turn lanes at the intersection of (future) Cougar Street NE (private) and State Street, as required by the TIA.

Condition 50: Construct a traffic signal at the intersection of Auburn Road NE and Cordon Road NE as specified by the TIA and as approved by Marion County Public Works. Convey additional right-of-way to accommodate the improvement, if needed.

Phase 5:

- Condition ~~50~~51: Construct a traffic signal at the intersection of (future) Greencrest Street NE and State Street as specified in the TIA, and provide an interconnect to the signal at the intersection of Cordon Road and State Street.
- Condition ~~51~~52: Construct improvements at the intersection of Cordon Road and State Street for a traffic signal to provide dual eastbound-to-northbound left turn lanes as specified in the TIA, and construct improvements on Cordon Road NE to accommodate receiving lanes as approved by Marion County Public Works.
- Condition ~~52~~53: Construct a multi-modal multi-use pedestrian/bicycle path along the Phase 5 frontage of Cordon Road NE as specified in the TIA and approved by Marion County Public Works. Pedestrian pathways shall be provided connecting the sidewalk on Panther Street NE to the multi-modal path along Cordon Road NE at intervals not less than 600 feet.

Phase 6:

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- Condition ~~54~~55: Construct a minimum 29-foot-wide three-quarter-street improvement along the Phase 6 frontage of Auburn Road NE.
- Condition ~~55~~56: Provide right-of-way and grading for a future Local street connection from (future) Lynx Street NE (private) to the neighboring property at the southwest corner of the intersection of Auburn Road NE at Cordon Road NE (Marion

County Assessor's Map and Tax Lot 072W29B 00100). Provide grading for the future street except as prohibited under state/federal wetland fill permits.

Condition ~~56~~57: Construct a multi-modal multi-use pedestrian/bicycle path along the Phase 6 frontage of Cordon Road NE as specified in the TIA and approved by Marion County Public Works. Pedestrian pathways shall be provided connecting the sidewalk on Panther Street NE to the multi-modal path along Cordon Road NE at intervals not less than 600 feet.



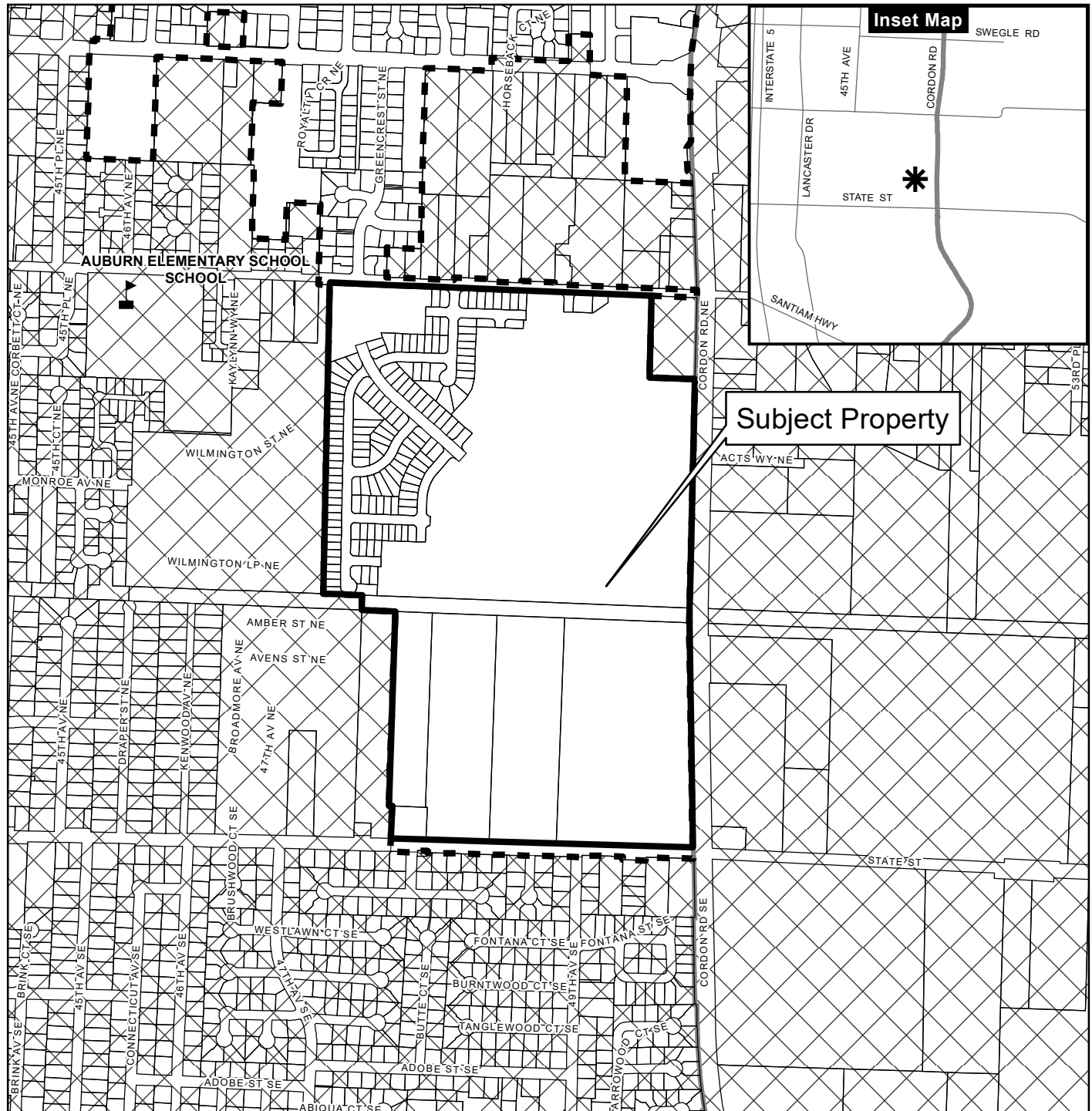
Aaron Panko, Planner III, on behalf of
Lisa Anderson-Ogilvie, AICP
Planning Administrator

Prepared by Aaron Panko, Planner III

Attachments: A. Vicinity Map
 B. Proposed Modified Subdivision Plan
 C. Applicant's Written Statement
 D. Public Works Memo

Vicinity Map

255 Cordon Road NE, 4800-4900 Block of State Street and 4700-4800 Block of Auburn Road NE



Legend

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

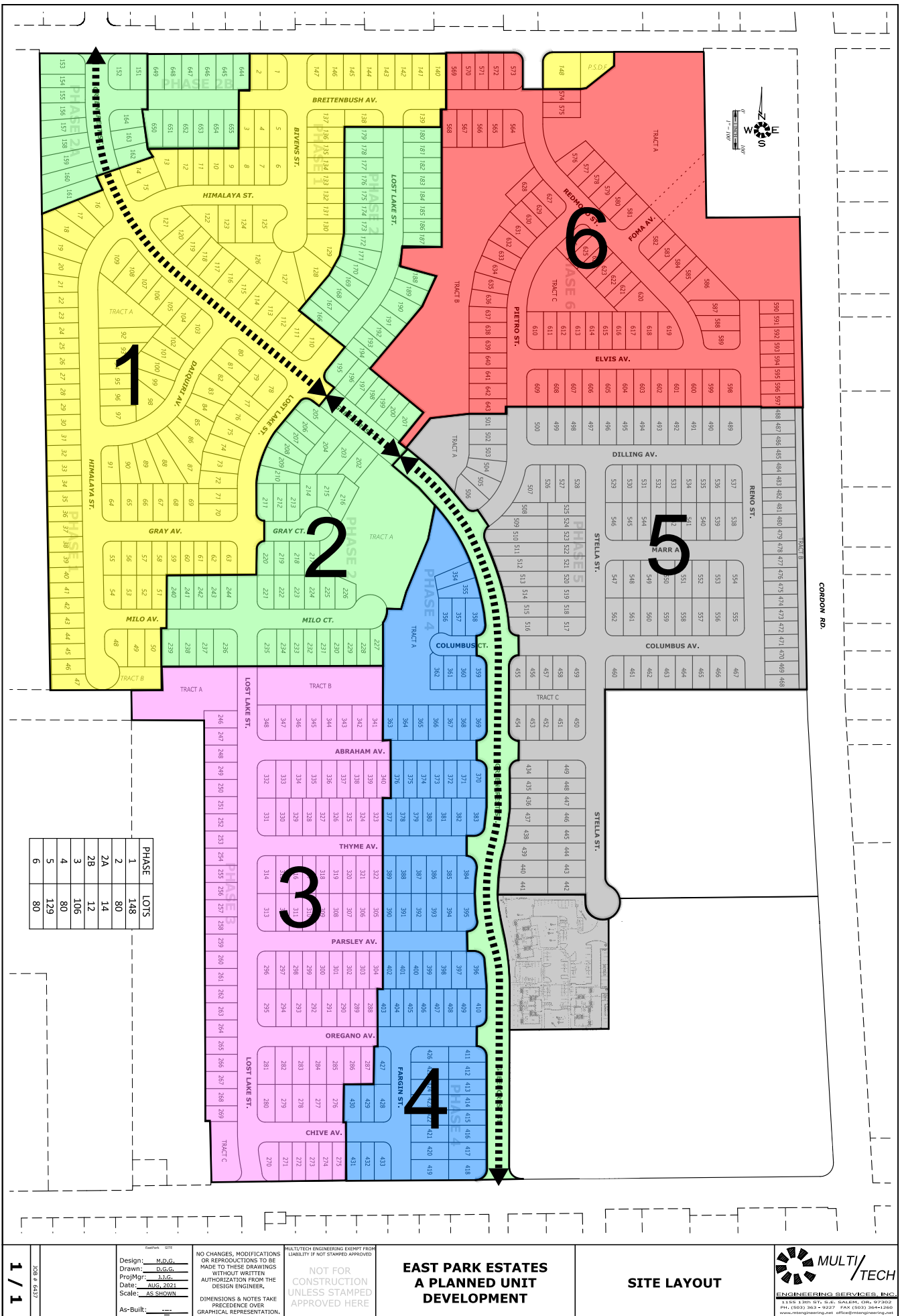
Parks

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Community Development Dept.

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0 100 200 400 Feet





Aaron Panko

From: Edward H. Trompke <Ed.Trompke@jordanramis.com>
Sent: Monday, June 6, 2022 11:56 AM
To: Aaron Panko
Cc: Joseph Schaefer; Darlene Ferretti
Subject: Narrative for modification

Aaron

I understand you would like to see the narrative for the application to modify the approval, affecting the interim traffic patterns, but not the final patterns. It is set out below, and we appreciate any thoughts you may have.

Sec. 205.070. - Modification of approval.

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

- (1) The proposed modification does not substantially change the original approval; and

Response: The proposed change is to the interim routing of traffic for the initial phases of the subdivision, until the time when all of the internal and frontage street improvements have been completed. In that sense, the proposed change is temporary, and is designed to ensure that the city's traffic level of service standards are maintained throughout the phased project.

For the houses being served by the street improvements, the interim change will be to their route of travel, because they will have a second, and we believe very useful, alternative route, earlier than previously planned. That is, they will be able to access State St via Greencrest Street, in addition to using Auburn and its intersection with Cordon Rd as an indirect route to reach State St. For trips from the site to downtown, State St is the more direct route, and the proposed modification will provide direct access to State St via Greencrest sooner than under the original approval. Because this route was planned to be the permanent option for residents, the earlier availability has no detrimental impact. For trips headed to shop on Lancaster, the modification will not be a change because the route to Lancaster via Auburn is not affected.

The traffic study demonstrates that the traffic flow will meet city standards at all times, which is the purpose of the street improvements. Because that purpose is met, and because houses in the initial phases will have a second route for trips to the south via State St, we believe the change is a net benefit to the new residents in the initial phases. This criterion is satisfied.

- (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.

The modification does not change the street design or the physical appearance of the street improvements. Nor does it affect the use of the site, because the single family residential use is unchanged. The potential traffic impacts on surrounding properties will be temporary. The number of trips on Auburn will be temporarily lower, because the initial two phases of the project (227 houses) will have a

second route to State St, via Greencrest. Thus there will be more trips on State St from the initial phases than originally approved, because the original approval lacked an internal street connection (Greencrest) from Phases 1 and 2 to State St. Because the city's level of service standards on all the streets are satisfied, there is not a significant change to the impacts on surrounding properties, and this criterion is satisfied.

Edward H. Trompke | Attorney
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JORDAN  **RAMIS**

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MEMO

TO: Aaron Panko, Planner III
Community Development Department

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

DATE: July 19, 2022

**SUBJECT: PUBLIC WORKS RECOMMENDATIONS
CPC-ZC-PUD-SUB-ADJ19-08MOD3 (22-111267)
255 CORDON ROAD NE
EAST PARK MODIFICATION**

PROPOSAL

A third modification to a previously approved phased Planned Unit Development and Subdivision (Case No. CPC-ZC-PUD-SUB-ADJ19-08, CPC-ZC-PUD-SUB-ADJ19-08MOD1, and CPC-ZC-PUD-SUB-ADJ19-08MOD2), resulting in a change to the phasing schedule for the subdivision, for property approximately 122 acres in size, zoned RS (Single Family Residential), RM-I and RM-II (Multi-Family Residential) and CR (Retail Commercial), and located at 255 Cordon Road NE, 4800-4900 Block of State Street and 4700-4800 Block of Auburn Road NE - 97301 (Marion County Assessors Map and Tax Lot numbers: 072W29B / 00200, 00201, 00300 and 00400 and 072W29C / 00100, 00101, 00199, 00200, 00300 and 00400).

RECOMMENDED CONDITIONS OF MODIFICATION APPROVAL

Staff recommend the following changes to the conditions of approval:

- Condition 31 is revised to read:

Condition 31 [Phase 2]: ~~Construct a traffic signal at the intersection of Auburn Road NE and Cordon Road NE, and an eastbound to southbound right turn lane, as specified by the TIA and as approved by Marion County Public Works. Convey additional right of way to accommodate the improvement, if Needed.~~ **Construct an eastbound-to-southbound right-turn lane at the intersection of Auburn Road NE and Cordon Road NE as specified by the TIA and as approved by Marion County Public Works. Convey additional right-of-way to accommodate the improvement, if needed.**

- Condition 34 is revised to read:

~~Condition 34 [Phase 2]: Construct Greencrest Street NE within Phases 2 and 2A to Collector B standards.~~ **Construct Greencrest Street NE to Collector B standards from Auburn Road NE to State Street. Construct eastbound-to-northbound and westbound-to-southbound left turn lanes at the intersection of Greencrest Street NE and State Street, as specified in the TIA.**

- Conditions 42 and 43 are removed as Greencrest Street NE and the necessary turn lanes will be entirely constructed with Phase 1 and 2.

~~Condition 42 [Phase 3]: Construct Greencrest Street NE to State Street to Collector B standards.~~

~~Condition 43 [Phase 3]: Construct eastbound-to-northbound and westbound-to-southbound left turn lanes at the intersection of (future) Greencrest Street NE and State Street, as specified in the TIA.~~

- An additional condition is added to read:

Phase 4:

Construct a traffic signal at the intersection of Auburn Road NE and Cordon Road NE as specified by the TIA and as approved by Marion County Public Works. Convey additional right-of-way to accommodate the improvement, if needed.

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) and SRC 210.035(b)(4)(A) — The proposed modification does not substantially change the original approval:

Finding—As part of the application package, the applicant submitted a Traffic Impact Phasing Analysis which evaluated construction timing of the traffic signal at the intersection of Auburn Road NE and Cordon Road NE and other street improvements required within the development. The proposed modification will not substantially alter the conditions of the original approval; the modification changes the timing of conditions but does not modify the improvements required. Based on the Traffic Impact Phasing Analysis, staff recommends conditions be revised as listed above. The revised conditions substantially conform to the original conditions of approval.

SRC 205.070(d)(2) and SRC 210.035(b)(4)(A)—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 a change in phase boundaries and timing of construction of certain improvements. 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—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.

Prepared by: Laurel Christian, Program Coordinator
cc: File