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503-588-6173*

DECISION OF THE PLANNING ADMINISTRATOR

SUBDIVISION CASE NO. SUB17-02

APPLICATION NO. : 16-119202-LD

NOTICE OF DECISION DATE: APRIL 20, 2017

REQUEST: Application Summary: An 11-lot subdivision ("9th Court Addition") on the east side of Sunnyside Road SE, just north of Baxter Road SE. The two existing residences along Sunnyside Road SE would remain.

Request: A tentative subdivision plan to divide approximately 1.83 acres into 11 lots ranging in size from 5,504 square feet to 18,680 square feet. The two existing residences would remain with frontages on Sunnyside Road SE. An additional 9 lots would be created along a cul-de-sac extension of 9th Court SE.

The subject property is approximately 1.83 acres in size, zoned RA (Residential Agriculture), and located at 5320 and 5390 Sunnyside Road SE (Marion County Assessor Map and Tax Lot Numbers 083W15AD06300 and 6400).

APPLICANT: MRB ENTERPRISES INC

LOCATION: 5320 SUNNYSIDE RD SE

CRITERIA: Salem Revised Code Chapter 205.010(d)

FINDINGS: The findings are in the attached Order dated April 20, 2017.

DECISION:

The **Planning Administrator GRANTED** Subdivision SUB17-02 subject to the applicable standards of the Salem Revised Code, the findings contained herein, and the following conditions of approval:

- Condition 1:** Rear lot lines of Lot 1 shall be configured so as to provide a minimum rear yard area of 3,384 square feet on Lot 1.
- Condition 2:** Obtain demolition permits and remove all accessory structures located outside the boundaries of Lots 1 and 2.
- Condition 3:** The applicant's engineer shall ensure that stormwater soakage trenches are designed for each lot and that stormwater facilities are designed to accommodate Sunnyside Road SE street improvements pursuant to Public Works Design Standards and SRC 71.095(c).
- Condition 4:** Any existing septic tank systems on the subject property shall be abandoned in accordance with Department of Environmental

NOTICE OF DECISION

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

- Condition 5:** Dedicate a 10-foot-wide public utility easement (PUE) along the street frontage of all internal streets.
- Condition 6:** Convey land for dedication equal to a half-width right-of-way of 36 feet along the entire frontage of the subject property on Sunnyside Road SE.
- Condition 7:** Construct a 23-foot-wide half-street improvement along the entire frontage of Sunnyside Road SE to Minor Arterial street standards, as specified in City Street Design Standards, consistent with the provisions of SRC Chapter 803. The street improvements shall include striping reconfiguration and an off-site taper as specified in Public Works Design Standards.
- Condition 8:** Lots 1 and 2 will be limited to one driveway access per lot. The applicant shall close unused driveways.

The rights granted by the attached decision must be exercised, or an extension granted, by **May 6, 2019** or this approval shall be null and void.

A copy of the decision is attached.

Application Deemed Complete:	February 23, 2017
Notice of Decision Mailing Date:	April 20, 2017
Decision Effective Date:	May 6, 2017
State Mandate Date:	June 23, 2017

Case Manager: Chris Green, cgreen@cityofsalem.net 

This decision is final unless written appeal from an aggrieved party is filed with the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem OR 97301, no later than **5:00 p.m., Friday, May 5, 2017.** 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) 300.1020. The appeal must be filed in duplicate with the City of Salem Planning Division. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Planning Commission will review the appeal at a public hearing. After the hearing, the Planning Commission may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

The complete case file, including findings, conclusions and conditions of approval, if any, is available for review at the Planning Division office, Room 305, City Hall, 555 Liberty Street SE, during regular business hours.

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

**BEFORE THE PLANNING ADMINISTRATOR
OF THE CITY OF SALEM
(SUBDIVISION PLAT NO. 17-02)**

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

IN THE MATTER OF THE)	FINDINGS AND ORDER
TENTATIVE APPROVAL OF)	
SUBDIVISION PLAT NO. 17-02;)	
5320 & 5390 SUNNYSIDE ROAD SE)	APRIL 20, 2017

REQUEST

A tentative subdivision plan to divide approximately 1.83 acres into 11 lots ranging in size from 5,504 square feet to 18,680 square feet.

The subject property is approximately 1.83 acres in size, zoned RA (Residential Agriculture), and located at 5320 and 5390 Sunnyside Road SE (Marion County Assessor Map and Tax Lot Numbers 083W15AD06300 and 6400).

DECISION

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

- Condition 1:** Rear lot lines of Lot 1 shall be configured so as to provide a minimum rear yard area of 3,384 square feet on Lot 1.
- Condition 2:** Obtain demolition permits and remove all accessory structures located outside the boundaries of Lots 1 and 2.
- Condition 3:** The applicant's engineer shall ensure that stormwater soakage trenches are designed for each lot and that stormwater facilities are designed to accommodate Sunnyside Road SE street improvements pursuant to Public Works Design Standards and SRC 71.095(c).
- Condition 4:** Any existing septic tank systems on the subject property shall be abandoned in accordance with Department of Environmental Quality standards.
- Condition 5:** Dedicate a 10-foot-wide public utility easement (PUE) along the street frontage of all internal streets.

- Condition 6:** Convey land for dedication equal to a half-width right-of-way of 36 feet along the entire frontage of the subject property on Sunnyside Road SE.
- Condition 7:** Construct a 23-foot-wide half-street improvement along the entire frontage of Sunnyside Road SE to Minor Arterial street standards, as specified in City Street Design Standards, consistent with the provisions of SRC Chapter 803. The street improvements shall include striping reconfiguration and an off-site taper as specified in Public Works Design Standards.
- Condition 8:** Lots 1 and 2 will be limited to one driveway access per lot. The applicant shall close unused driveways.

PROCEDURAL FINDINGS

1. On October 14, 2016, an application for a Tentative Subdivision Plan was filed proposing to divide a 1.83 acre property at 5320 and 5390 Sunnyside Road SE (Attachment B) into 11 lots.
2. After the applicant submitted additional required information, the application was deemed complete for processing on February 23, 2017. Notice to surrounding property owners was mailed pursuant to Salem Revised Code on February 24, 2017.
3. The state-mandated local decision deadline is June 23, 2017.

SUBSTANTIVE FINDINGS

1. Proposal

The tentative plan proposes to divide the property into 11 lots, two of which would contain existing residences and nine of which would be new lots for residential development (Attachment B). Lots within the proposed subdivision range in size from 5,504 square feet to 18,680 square feet. All lots within the subdivision are proposed to take access directly from public streets, with two lots maintaining existing access directly to Sunnyside Road SE and nine lots fronting on a proposed cul-de-sac extension of 9th Court SE. No points of access are available from abutting properties to the east and south, which are already platted and developed with single family residences.

The applicant has not proposed any specific phasing for the subdivision or residential development. The proposed configuration does not include any corner lots or flag lots.

2. Existing Conditions

Site and Vicinity

The subject property consists of two adjoining, nearly rectangular tax lots (Tax lots 6300 and 6400) extending approximately 350 feet eastward from the Sunnyside Road frontage. The abutting property to the north was platted in 2005 as Slavic Meadows, and 9th Court SE was stubbed to the north boundary of Tax Lot 6300. Together, the two tax lots form a site of approximately 1.83 acres for the proposed tentative subdivision. Single family residential subdivisions platted in previous decades define the north, south, and east borders of the subject property. Together, the two tax lots have approximately 250 feet of continuous frontage along Sunnyside Road SE.

The western portion of both tax lots, near the Sunnyside Road frontage, are developed with single family residences. The eastern portions of both tax lots have remained undeveloped over the years; some of this area had been planted with closely-spaced rows of conifers at some point in the past. The tentative subdivision plan shows three accessory sheds to the east of the proposed boundaries of Lots 1 and 2 will be removed.

The vicinity is primarily characterized by built-out single family residential subdivisions and the approximately 250 feet of continuous frontage along Sunnyside Road SE. Overall elevation change on the site ranges from approximately 457 feet to 421 feet above sea level, sloping downward from the Sunnyside Road frontage to the east property line. Environmental resource and natural hazard maps show no areas of wetlands, floodplains, or steep slopes on the subject property.

Salem Area Comprehensive Plan (SACP) Designation

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

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

North: Single Family Residential
South: Single Family Residential
East: Single Family Residential
West: (Across Sunnyside Road SE) Single Family Residential

Zoning and Surrounding Land Use

The subject property is zoned RA (Residential Agriculture) with each tax lot currently occupied by a single family residence. The surrounding properties are zoned and used as follows:

North: RS (Single Family Residential); single family dwellings

South: RA (Residential Agriculture); single family dwellings

East: RS (Single Family Residential); single family dwellings

West: (Across Sunnyside Road SE) RA (Residential Agriculture); large lot single family residential

Relationship to Urban Service Area

The subject property is within the City's Urban Service Area.

Infrastructure

Water: The subject property is located within the S-2 water service level.

An existing 12-inch public water main is located in Sunnyside Road SE. Mains of this size generally convey flows of 2,100 to 4,900 gallons per minute.

An 8-inch public water main is located in 9th Court SE. Mains of this size generally convey flows of 500 to 1,100 gallons per minute.

City records indicate that the dwelling located at 5320 Sunnyside Road SE is not connected to a public water system and is served by a private well.

Sewer: An 8-inch public sewer line is located in 9th Court SE.

Storm Drainage: Based on City of Salem as-built records, there is an existing storm cleanout, with invert elevation of 419.41, located in 9th Court SE. The cleanout is connected to the nearest catch basin, north of the subject property, by way of a public 10-inch storm main.

Streets: Sunnyside Road SE currently abuts the subject property along the western boundary. This segment of Sunnyside Road SE is designated as a Minor Arterial street in the Salem Transportation System Plan (TSP).

- The standard for this street classification is a 46-foot improvement within a 72-foot right-of-way.
- The abutting portion of Sunnyside Road SE currently has an approximately 36-foot wide improvement within a varying 60 foot to 64-foot-wide right-of-way.

9th Court SE abuts the subject property at a dead-end on the north boundary of the subject property, and is designated as a local cul-de-sac street in the TSP.

- The standard for this street classification is a 30-foot-wide improvement within a 50-foot-wide right-of-way.
- The abutting portion of 9th Court SE has an approximate 30-foot-wide improvement within a 50-foot-wide right-of-way.

3. Land Use History

A review of City records indicated no previous land use cases on either lot making up the subject property.

4. Public and Private Agency Review

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

Fire Department - The Salem Fire Department submitted comments indicating that the cul-de-sac is required to meet City standards for pavement width to provide fire access. Fire Department comments indicate that there is an existing fire hydrant approximately 165 feet from the existing end of pavement on 9th Court SE.

Salem-Keizer Public Schools – Planning and Property Services staff for the school district reviewed the proposal and submitted comments indicating that sufficient school capacity exists at the elementary school and high school level to serve future development within the proposed subdivision but not at the middle school level. The school district indicated that the subject property is eligible for transportation to the elementary and high schools and within the “walk zone” of the assigned middle school.

5. Neighborhood Association Comments

The subject property is within the South Gateway Neighborhood Association. Notice of the application was provided to the neighborhood association, pursuant to SRC 300.620(b)(2)(B)(iii), which requires public notice to be sent to “any City-recognized neighborhood association whose boundaries include, or are adjacent to, the subject property.” No comments were received from the South Gateway Neighborhood Association prior to the comment deadline.

6. Public Comments

All property owners within 250 feet of the subject property were mailed notification of the proposed subdivision. Four property owners in the vicinity of the site submitted

comments prior to the comment deadline. Comments received expressed concerns with the following issues:

- **Increased Noise and Construction Activity:** Two comments expressed concern that, in summary, the proposal would increase noise levels near surrounding properties. One comment expresses particular concern about elevated noise levels during construction.

Staff Response: Noise disturbances are prohibited by SRC Chapter 93, and construction activities are specifically limited to the hours of 7 a.m. to 10 p.m. by SRC 93.020(d). The level of allowable noise during construction activities is also limited by state law. The subject property is located within an already developed area within the corporate limits of the City of Salem, and noise impacts from future residences in the proposed subdivision are not expected to exceed what would occur from the presumed development of land within the City zoned for single family residential development. Approval criteria for a tentative subdivision plan do not specifically address noise levels, and no evidence has been provided that would indicate that the development of 9 additional single family residences in the vicinity would interfere with the safe and healthful use of neighboring properties.

- **Privacy:** One comment expressed concern that, in summary, the increased automobile and pedestrian activity associated with the subdivision would decrease privacy for existing residents in the area.

Staff Response: Future development on the proposed lots would be subject to the development standards set forth in SRC Chapter 511, which include requirements for height, setbacks, and lot coverage which are intended to ensure that development of private property or use of public rights-of-way does not adversely impact the privacy of adjacent properties.

- **Lot Size and Impact on Property Values:** Two comments express concern that, in summary, residences developed within the subdivision would reduce the value of adjacent properties.

Staff Response: Effect on property values is not a criterion under the Salem Revised Code for granting or denying a tentative subdivision approval. The single family dwelling parcels proposed within the partition range from approximately 5,504 square feet to 18,680 square feet, which exceeds the minimum lot size requirement of 4,000 square feet. Their size and layout is consistent with the pattern of the surrounding neighborhood, which has predominantly been developed with single family residences.

- **Increased Crime:** Two comments express concern that, in summary, the proposed subdivision would lead to increased theft and other types of crime in the vicinity. One of the comments specifies "criminal behavior, by future residents, who would likely be low-income buyers/renters generally associated

with these types of properties” as the reasoning behind the speculated increase in crime.

Staff Response: Theft or other illegal activity is a police matter and should be addressed by the Salem Police Department, which has law enforcement jurisdiction over the subject property and vicinity. The application does not propose a specific unit type, price level, or future resident profile. Approval criteria for a tentative subdivision plan do not address anticipated changes in crime levels, and no evidence has been provided to support the speculation that any crime perpetrated by future residents of the proposed subdivision would exceed what would otherwise occur from any other legal development of property within the City.

- **Lack of Traffic Impact Analysis:** One comment contends, in summary, that a Traffic Impact Analysis should have been submitted as part of the application, based on the presence of conditions listed under SRC 803.015(b)(2), which include “documented traffic problems, based on current accident rates, traffic volumes or speeds, and identified locations where pedestrian and/or bicyclist safety is a concern.

Staff Response: The Assistant City Traffic Engineer has reviewed the proposal and submitted comments indicating that there are zero reported crashes at the intersection of Alina Avenue SE and 9th Court SE, nor are there any documented traffic, bicycle, or pedestrian issues in the area that would suggest that a Traffic Impact Analysis is warranted.

- **Traffic Safety and Traffic Calming:** One comment expresses concern that, in summary, the 86 additional trips estimated to be generated by the proposed subdivision should be considered in combination with the existing traffic on nearby streets when considering whether installation of traffic calming measures are warranted.

Staff Response: The Assistant City Traffic Engineer has reviewed the proposal and submitted comments indicating that the City has adopted as minimum thresholds for the installation of speed humps that there must be at least 600 vehicles per day on a residential street, and over 50% of those vehicles must be traveling over 25 miles per hour. Prior to the issue raised in the comment, the City had not received any concerns from any resident about speeding on Alina Avenue SE, 9th Court SE, or any other local streets in the immediate vicinity.

The Assistant City Traffic Engineer’s comments also indicate that as a matter of practice, the City does not install “STOP” signs in residential neighborhoods, but rather to have drivers yield right-of-way according to the Oregon Vehicle Code. Installation of a “STOP” sign is determined by whether certain prescribed warrants are met:

- The “Traffic Volume Warrant” requires 200 vehicles per hour on the “major” leg of the intersection, for any four hours of the day; and also

requires 50 vehicles per hour for the same four hours on the “minor” leg of the intersection.

Staff Response: 9th Court SE would be considered the “minor” leg of the intersection and would require a traffic volume of at least 50 vehicles per hour for 4 hours of the day; this represents the equivalent of at least 200 vehicles per day. The 9 new lots created by the subdivision are estimated to generate 86 vehicles per day onto 9th Court SE. Only two other properties are positioned to generate trips onto the “minor leg.”¹ Accordingly, the Traffic Volume Warrant is not met.

- The “Accident Warrant” requires an average of two (2) reported crashes per year over the past 3 years of the type that would be corrected by the installation of a “STOP” sign.

Staff Response: There are zero reported crashes at this intersection. The Accident Warrant is not met.

- **Hazards from Off-Street Parking:** One comment expresses concern that, in summary, the proposal does not address traffic safety issues caused by the combination of additional traffic and reduced sight lines caused by long-term off-street parking at the intersection of 9th Court and Alina Avenue.

Staff Response: SRC 102.040(j) prohibits on-street parking for more than five days, and is enforced by the City’s Parking Services Division. Case law precedent prohibits an applicant for a development proposal from being required to mitigate a pre-existing condition in the vicinity.

In addition, the Assistant City Traffic Engineer has reviewed the proposal and submitted comments indicating that removing off-street parking can cause unintended consequences, such as shifting parking to another street, or increased vehicle speed due to driver perception of increased street width. The Salem Fire Department and Salem Police Department have reviewed and concurred with the 30-foot-wide standard for local street width established in the Unified Development Code. The standard width allows parking on both sides while still providing approximately 16 feet of remaining width for emergency vehicles.

- **Grading and Stormwater Management:** One comment expresses concern that, in summary, the proposed subdivision development plan results in grading of land at the north end of the site which could result in stormwater discharge to neighboring properties.

Staff Response: Grading activities associated with future development on the site must comply with local, state, and federal erosion control regulations. Public Works staff has reviewed the adequacy of storm drainage facilities proposed for the development and

¹ Existing single family residences at 5314 9th Court SE and 5324 9th Court SE are located just to the south of the 9th Court/Alina Avenue intersection.

finds that storm drainage infrastructure is available and appears to be adequate to serve future development. Future development on the subject property must ensure that stormwater is collected into stormwater facilities within the subdivision and conveyed safely to approved points of disposal, as is required by the standards established in SRC Chapter 71 and Salem Public Works Development Standards.

7. Criteria for Granting a Tentative Subdivision

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

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

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

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

SRC Chapter 511 (Single Family Residential): The proposed subdivision would divide the 1.83-acre property into 11 lots and street rights-of-way with no remainder. The subject property is currently zoned RA (Residential Agriculture). SRC Chapter 265.015 provides that any land within an RA zone district that is subject to a subdivision approval shall automatically be re-classified to an RS zone district on the date the subdivision plat is recorded. Because the zoning of the subject property will be changed to RS with the recording of the plat, the following analysis of the subdivision for conformance with the requirements of the UDC is based upon the property being rezoned to RS (Single Family Residential).

The minimum lot area requirements of the RS zone are established under SRC 511.010(a) as follows:

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

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

Proposed lots in the subdivision range from approximately 4,094 square feet to 13,646 square feet in size. The proposed lots exceed minimum lot area, dimension, and frontage requirements and therefore conform to the applicable standards. The proposed lots within the subdivision are also of sufficient size and dimension to permit future development of uses allowed within the zone.

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

Front Yards and Yards Adjacent to Streets:

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

Rear Yards:

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

Interior Side Yards:

- Minimum 5 feet

The existing single family dwellings will remain on the subject property, on Lots 1 and 2. A detached garage will also remain on Lot 1. The applicant's site plan shows the footprint of the existing residences and garage demonstrates that their location will continue to meet all applicable setback standards once the boundaries of Lots 1 and 2 are recorded.² In addition, SRC Chapter 511, Table 511-4 sets forth a maximum rear

² The existing detached garage is approximately 11 feet in height, requiring a 2 foot setback from the rear property line pursuant to SRC Chapter 511, Table 511-3. The tentative subdivision plan shows the garage setback from the rear property line by 2 feet, 3 inches.

yard coverage of 25 percent for all structures accessory to a Single Family or Two Family use. The existing detached garage on Lot 1 is approximately 846 square feet in size, requiring a rear yard of at least 3,384 square feet in order to meet the maximum lot coverage requirement. The tentative subdivision plan shows Lot 1 with a rear yard of approximately 2,900 square feet. In order to ensure that the existing detached garage does not exceed the maximum lot coverage allowed on Lot 1, the following condition shall apply:

Condition 1: Rear lot lines of Lot 1 shall be configured so as to provide a minimum rear yard area of 3,384 square feet on Lot 1.

The eastern portion of the subject property is primarily undeveloped, except for several outbuildings. The tentative subdivision plan indicates that the applicant plans to remove these buildings prior to development. Relative to the tentative subdivision plan, two of the accessory structures on the eastern portion of the property would cross proposed lot lines, building envelopes, and the proposed right-of-way for the extension of 9th Court SE. The third accessory structure, an existing shed, would occupy Lot 5. As noted in findings above, all lots within the subdivision, including Lot 5, will be rezoned to RS upon recording of the plat. Structures such as the outbuildings are only allowed in the RS zone as accessory to a permitted use. In order to ensure that the subject property complies with the setback and use requirements of the RS zone upon recording of the plat, the following condition shall apply:

Condition 2: Obtain demolition permits and remove all accessory structures located outside the boundaries of Lots 1 and 2.

Setback requirements for future development on proposed Lots 3-11 will be reviewed at the time of application for building permits on those individual parcels.

As conditioned, the proposal meets the requirements of SRC Chapter 511.

SRC Chapter 800 (General Development Standards):

SRC 800.015(a) (Buildings to be on a Lot): Pursuant to SRC 800.015(a), every building or structure shall be entirely located on a lot. The subject property is primarily undeveloped, except for a single family residence on the western portion of each tax lot. The applicant plans to retain these dwellings as part of the proposed development. Relative to the tentative subdivision plan, the existing houses would be situated entirely within Lots 1 and 2, and meet all applicable setbacks relative to the proposed lot boundaries.

Relative to the tentative subdivision plan, two of the accessory structures located outside the proposed boundaries of Lots 1 and 2 would cross proposed lot lines, building envelopes, and the proposed right-of-way for the extension of 9th Court SE. Condition 1 requires the applicant to obtain demolition permits and remove these structures prior to final plat, thereby ensuring compliance with SRC 800.015(a).

SRC 800.020 (Designation of Lot Lines): SRC 800.020 establishes front lot line designation requirements for corner lots, double frontage lots, flag lots, and all other lots. There are no corner lots, double frontage lots, or flag lots proposed within the subdivision.

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

(B) City Infrastructure Standards.

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

SRC Chapter 71 (Stormwater): The proposed partition is subject to the stormwater requirements of SRC Chapter 71 and the revised Public Works Design Standards (PWDS) as adopted in Administrative Rule 109, Division 004. To demonstrate that the proposed parcels can meet the PWDS, the applicant shall provide an engineered tentative stormwater design to accommodate future impervious surface on all lots.

Comments from the Public Works Department indicate that the applicant has requested a design exception for stormwater treatment and flow control for 9th Court SE improvements pursuant to PWDS 4E.8 through 4.E.10. The City Engineer approved the design exception pursuant to PWDS 4E.8(a), which provides that "surface slopes cannot be graded to meet the design criteria required for GSI [Green Stormwater Infrastructure]" based on the applicant's proposal to construct individual soakage trenches that are designed in conformance with the PWDS and SRC 71.095(c). The applicant's preliminary utility plan does not demonstrate specific drainage facilities to be constructed in conjunction with Sunnyside Road improvements.

In order to ensure that the subdivision can accommodate required stormwater facilities, the following condition of plat approval shall apply:

Condition 3: The applicant's engineer shall ensure that stormwater soakage trenches are designed for each lot and that stormwater facilities are designed to accommodate Sunnyside Road SE street improvements pursuant to Public Works Design Standards and SRC 71.095(c).

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

SRC Chapter 200 (Urban Growth Management): The Urban Growth Management Program requires that an Urban Growth Area (UGA) Development Permit must be obtained prior to development of property outside the Salem Urban Service Area. The

subject property is inside of the Urban Service Area. Therefore, a UGA permit is not required and the proposal conforms to the requirements of SRC Chapter 200.

SRC Chapter 802 (Public Improvements): Comments from the Public Works Department indicate that water and sewer infrastructure is available along the perimeter of the site and appears to be adequate to serve the proposed subdivision. Specifications for required public improvements are summarized in the Public Works Department memo dated March 31, 2017 (Attachment D).

SRC 802.015 requires development to be served by city utilities designed and constructed according to all applicable provisions of the Salem Revised Code and Public Works Design Standards. The preliminary utility plan for the subdivision shows all proposed lots will be served by water and sewer mains extended from existing mains located at the current terminus of 9th Court SE. The existing dwellings on the property appear to be served by private well and septic systems. In order to ensure that the existing septic systems are abandoned in compliance with state and local standards, the following condition shall apply:

Condition 4: Any existing septic tank systems on the subject property shall be abandoned in accordance with Department of Environmental Quality standards.

As conditioned, the proposal meets the requirements of SRC Chapter 802.

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

SRC 803.015 (Traffic Impact Analysis): The proposed 11-lot subdivision generates less than 1,000 average daily vehicle trips to Sunnyside Road SE, a minor arterial street, and less than 200 average daily trips to 9th Court SE, a local street. Therefore, a TIA is not required as part of the proposed subdivision submittal.

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

SRC 803.025 (Right-of-Way and Pavement Widths): Sunnyside Road SE abuts the subject property and does not meet the current right-of-way or improvement width standards for a Minor Arterial street. In implementing boundary street requirements pursuant to SRC 803.040, Conditions 5 and 6 require the applicant to dedicate additional right-of-way and construct a 23-foot-wide half street improvement, consistent with the applicable requirements for the segment of Sunnyside Road SE abutting the development. The tentative subdivision plan shows the extension of 9th Court SE as a 30-foot-wide improvement within a 50-foot-wide right-of-way, consistent with applicable standards set forth in SRC 803.025 for a cul-de-sac street.

As conditioned, the proposal meets this requirement.

SRC 803.030 (Street Spacing): The subject property consists of two contiguous tax lots surrounded by existing single family residential subdivisions to the north, south, and east. The western portion of the subject property is developed with existing single family residences, which would remain, and frontage along Sunnyside Road SE. With the configuration of the subdivision, the block length on the east side of 9th Court SE between the proposed cul-de-sac terminus and Rodan Avenue SE would exceed the 600-foot minimum established in subsection (a). However, lots platted and developed with single family residences abut the eastern boundary of the subject property, providing no opportunity for street connectivity in this direction. Based on the existing development pattern in the vicinity, the proposed subdivision is precluded from making connections to adjacent properties within 600-foot intervals, and is excepted from this requirement under SRC 803.030(a)(2).

SRC 803.035 (Street Standards): Subsection (a) requires streets within the subdivision to provide connectivity to existing streets and undeveloped properties within the vicinity of the subject property. The subject property abuts platted and built-out residential subdivisions to the north, south, and east and the right-of-way of Sunnyside Road to the west. The subdivision plan proposes to provide street connectivity by the only available extension of the nearby street network into the subject property, with an extension of 9th Court SE to a cul-de-sac terminus on the southeastern portion of the subject property.

Subsection (f) establishes standards for the maximum length, distance from intersections, and radius of cul-de-sacs. The extension of 9th Court SE shown on the tentative subdivision plan meets all applicable requirements under this subsection.

Subsection (m) requires streets identified in the Salem Transportation System Plan (TSP) Bicycle System Map as requiring a bicycle facility to conform to the designation of the TSP and Public Works Design Standards. The TSP Bicycle Map designates Sunnyside Road SE at the location of the subject property as a "Constructed Bike lane" route. Minor Arterial boundary street improvements along Center Street are required with the proposal, and shall include a bike lane.

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

Condition 5: Dedicate a 10-foot-wide public utility easement (PUE) along the street frontage of all internal streets.

As conditioned, the proposal conforms to applicable street standards.

SRC 803.040 (Boundary Streets): Sunnyside Road SE abuts the subject property and does not meet the current right-of-way or improvement width standards for a Minor Arterial street. In order to ensure that boundary street improvements are implemented

consistent with the Transportation System Plan and Public Works Design Standards, the following conditions shall apply:

- Condition 6:** Convey land for dedication equal to a half-width right-of-way of 36 feet along the entire frontage of the subject property on Sunnyside Road SE.
- Condition 7:** Construct a 23-foot-wide half-street improvement along the entire frontage of Sunnyside Road SE to Minor Arterial street standards, as specified in City Street Design Standards, consistent with the provisions of SRC Chapter 803. The street improvements shall include striping reconfiguration and an off-site taper as specified in Public Works Design Standards.

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

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

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

In addition, SRC 808.035(a) requires a Tree Conservation Plan for a development proposal involving the creation of lots or parcels to be used for the construction of single-family dwelling units, where trees are proposed for removal. A Tree Conservation Plan (TCP17-02) was submitted in conjunction with the subdivision tentative plan. TCP17-02 identifies 73 trees on the subject property, with 54 trees proposed for removal, thereby preserving 26% of trees on the subject property. Trees proposed for removal are located within presumed building envelopes, street rights-of-way, and utility easements. Several trees are proposed to be retained, which are primarily located in the rear and side yard of the existing residences on Lots 1 and 2, and the side yard for Lot 10. Approximately 50 of the trees to be removed are located in a densely packed area of coniferous trees planted in a square on the northeast corner of the site.

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

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

The Salem-Keizer Local Wetland Inventory (LWI) does not identify any wetlands on the subject property. As proposed, the tentative subdivision plan conforms to all applicable SRC Chapter 809 requirements.

SRC Chapter 810 (Landslide Hazards): The City's landslide hazard ordinance (SRC Chapter 810) establishes standards and requirements for the development of land within areas of identified landslide hazard susceptibility. According to the City's adopted landslide hazard susceptibility maps, there are no areas of landslide susceptibility on the subject property.

As proposed, the tentative subdivision plan complies with all applicable special development standards.

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

Finding: The proposed subdivision would divide a 1.83-acre property into 11 lots and rights-of-way for an internal cul-de-sac terminating 9th Court SE. Additional right-of-way would be dedicated and improvements constructed along the abutting boundary with Sunnyside Road SE. No additional street or pedestrian connections are available from surrounding properties.

Typical of an infill subdivision, the subject property is bordered by existing development on all sides, and the western portion of the subject property itself is already developed with residences. The rear lot lines of abutting subdivisions to the east and south preclude direct connectivity from the subject property. Residences along Sunnyside Road, on Lots 1 and 2 will continue to function as they do now. The applicant's proposed layout makes efficient use of the remaining undeveloped portion of the property and existing street stub from the north; the proposed street and lot configuration represents one of only a few available alternatives for infill development on the subject property. Surrounding properties on all sides are developed with existing buildings in service. The proposal would not limit or interfere with the established use or future redevelopment of these properties.

The lots within the proposed subdivision, as proposed and conditioned, are of sufficient size and dimensions to permit future development of one single family dwelling each, or development of other SRC Chapter 511 "permitted," "special," or "conditional" uses. There is no evidence that the subdivision and subsequent development of the lots will adversely affect public services to any surrounding properties. Approval of the subdivision does not impede future use of the subject property or access to abutting properties.

The proposal meets this criterion.

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

Finding: Water and sewer infrastructure is available along the perimeter of the site and appears to be adequate to serve the property as shown on the applicant's preliminary utility plan. Developments are required to extend public utility services to serve upstream and neighboring properties; the tentative utility plan appears to meet that requirement. Conditions of approval require decommissioning of septic systems serving the existing lots, an engineered stormwater design to accommodate future impervious surfaces, and dedication of a public utility easement to allow installation and maintenance of private utility infrastructure.

The Public Works Department reviewed the proposal for consistency with the Comprehensive Parks Master Plan Update and found that the subject property is served by Sunnyside-Mildred Garden, an undeveloped park site which is less than one-half mile south of the proposed subdivision. No park-related improvements are required as a condition of development.

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

The proposal meets this criterion.

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

Finding: Sunnyside Road SE abuts the subject property and does not meet the current standard for a Minor Arterial street. As identified in the conditions of approval, the applicant is required to dedicate right-of-way and construct a half-street improvement, including sidewalks, planting strips, and bike lanes, along the entire frontage of the subject property on Sunnyside Road SE. A cul-de-sac street will provide access to the remaining lots (Lots 3-11) within the subdivision, and is proposed as a public street with right-of-way width and improvements in conformance with TSP standards.

As proposed and conditioned, the existing and proposed streets serving the subdivision conform to the TSP. The proposal meets this criterion.

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

Finding: Residences on Lots 1 and 2 have frontage on Sunnyside Road SE, and take access directly onto Sunnyside Road from existing driveways. This type of direct driveway access onto a minor arterial is generally prohibited for new developments. The residence on proposed Lot 1 currently has two points of driveway access onto Sunnyside Road. In order to minimize the number of driveway approaches taking direct

access to a minor arterial is minimized, while retaining safe and efficient access to existing residences, the following condition shall apply:

Condition 8: Lots 1 and 2 will be limited to one driveway access per lot. The applicant shall close unused driveways.

Subject to Condition 7 above, the proposal will result in consolidation of the closure of one driveway onto a minor arterial, thereby improving the safe and orderly movement of traffic along this frontage. 9th Court SE, which currently dead-ends at the north boundary of the property will be extended into the site as a cul-de-sac serving Lots 3-11. These lots, which contain all of the currently undeveloped home sites in the subdivision, will have frontage and take access directly from the cul-de-sac extension.

Lots 3-11 will have access to Sunnyside Road, a minor arterial, via 9th Court and Alina Avenue SE. 9th Court also continues northward to provide these lots convenient access to other parts of the neighborhood by connecting to Rodan Avenue SE and the remainder of the local street network in the neighborhood approximately 550 feet north of the subject property. Conditions of approval ensure that the internal streets will be constructed to meet applicable development standards.

The subdivision, as proposed and conditioned, is served with adequate transportation infrastructure. The street system adjacent to the subdivided property will conform to the Salem Transportation System Plan, and provide for safe, orderly, and efficient circulation of traffic into, through, and out of the subdivision.

The proposal meets this criterion.

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

Finding: The proposed subdivision is situated within one-half mile of three neighborhood activity centers:

- A major shopping area is centered on the corner of Baxter Road SE and Commercial Street SE, approximately 2,200 feet east of the subject property. The northeast corner of this intersection is anchored by a Wal-Mart and has been selected as the future site for the South Salem Transit Center.
- Sumpter School Park, a 0.33 acre Neighborhood Park located at 590 Wormwood Street SE, approximately 2,100 feet west of the closest lots within the proposed subdivision. Sumpter Elementary School, a public elementary school, abuts the park on the west.

- Sunnyside-Mildred Garden, a community garden on an undeveloped, 5.01 acre Neighborhood Park site, is located approximately 1,840 feet south of the closest lots within the proposed subdivision, at 5720 Valleywood Loop SE, and abuts Sunnyside Road SE.

The proposed subdivision is accessed by an existing arterial street and the extension of a local street into the subject property. The subject property will provide internal streets with safe and convenient bicycle and pedestrian access, and provide boundary street improvements connecting northward to existing bicycle and pedestrian facilities on Sunnyside Road. Lots on the 9th Court extension will have a direct connection to the existing sidewalk network on internal streets within the surrounding neighborhood, as well as direct access to facilities on Sunnyside Road via Alina Avenue SE. As described above, the nearest transit service available to the subject property is on Barnes Road SE, by way of Salem Keizer Transit's Route 8 and 18 bus lines.

The proposal meets this criterion.

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

Finding: The Public Works Department has reviewed the proposal and finds that the 11-lot subdivision will generate less than 1,000 average daily vehicle trips to Sunnyside Road SE, designated in the Transportation System Plan as a minor arterial, and less than 200 average daily trips to 9th Court SE, designated as a local street. Accordingly, a Transportation Impact Analysis is not required as part of the review of the tentative subdivision plan, pursuant to SRC 803.015(b).

SRC 200.010(d)(8): The tentative subdivision plan takes into account the topography and vegetation of the site so the need for variances is minimized to the greatest extent practicable.

Finding: The proposed subdivision has been reviewed to ensure that adequate measures have been planned to alleviate natural or fabricated hazards and limitations to development, including topography and vegetation of the site. The configuration of lots on the subject property makes logical use of the remaining developable land. As described in findings above, the lot and street configuration proposed by the applicant meets applicable development standards without the need for any variances. No existing conditions of topography or vegetation have been identified on the site which would necessitate variances during future development of the property. The layout allows for reasonable development of all lots within the subdivision without variances from the UDC.

The proposal meets this criterion.

SRC 200.010(d)(9): The tentative subdivision plan takes into account the topography and vegetation of the site, such that the least disruption of the site, topography, and vegetation will result from the reasonable development of the lots.

Finding: The tentative subdivision plan configures lots and streets to allow single family residential development of the site while minimizing disruptions to topography and vegetation. Preservation of the existing residences minimizes disruptions to vegetation and topography that would result from building demolition and regrading of that portion of the site. The cul-de-sac extension of 9th Court SE provides a logical extension of the existing street network and allows an arrangement of home sites that takes into account the existing topography. The tree conservation plan submitted in conjunction with the tentative subdivision plan proposes to retain 19 trees, or 26 percent of the 73 trees identified on the subject property. The majority of trees designated for removal are within a dense planting of several rows of closely-spaced conifer trees that overlap with the planned extension of the 9th Court SE right-of-way.

The proposal meets this criterion.

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

Finding: The subject property is located within the Urban Service Area. Therefore, this criterion does not apply.

8. Conclusion

Based upon review of SRC 205.005, the findings contained under Section 7 above, and the comments described, the tentative subdivision plan complies with the requirements for an affirmative decision. Approval will not adversely affect the safe and healthful development and access to any adjoining lands.

IT IS HEREBY ORDERED

That Tentative Subdivision Plan Case No. 17-02, on property zoned RA (Residential Agriculture) and located at 5320 and 5390 Sunnyside Road SE (Marion County Assessor's Map and Tax Lot Numbers 083W15AD06300 and 6400), is **APPROVED** subject to the applicable standards of the Salem Revised Code, the findings contained herein, and the conditions of approval listed below, which must be completed prior to final plat approval, unless otherwise indicated:

Condition 1: Rear lot lines of Lot 1 shall be configured so as to provide a minimum rear yard area of 3,384 square feet on Lot 1.

- Condition 2:** Obtain demolition permits and remove all accessory structures located outside the boundaries of Lots 1 and 2.
- Condition 3:** The applicant's engineer shall ensure that stormwater soakage trenches are designed for each lot and that stormwater facilities are designed to accommodate Sunnyside Road SE street improvements pursuant to Public Works Design Standards and SRC 71.095(c).
- Condition 4:** Any existing septic tank systems on the subject property shall be abandoned in accordance with Department of Environmental Quality standards.
- Condition 5:** Dedicate a 10-foot-wide public utility easement (PUE) along the street frontage of all internal streets.
- Condition 6:** Convey land for dedication equal to a half-width right-of-way of 36 feet along the entire frontage of the subject property on Sunnyside Road SE.
- Condition 7:** Construct a 23-foot-wide half-street improvement along the entire frontage of Sunnyside Road SE to Minor Arterial street standards, as specified in City Street Design Standards, consistent with the provisions of SRC Chapter 803. The street improvements shall include striping reconfiguration and an off-site taper as specified in Public Works Design Standards.
- Condition 8:** Lots 1 and 2 will be limited to one driveway access per lot. The applicant shall close unused driveways.



Christopher Green, AICP, Planning Administrator Designee

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

Application Deemed Complete:	<u>February 23, 2017</u>
Notice of Decision Mailing Date:	<u>April 20, 2017</u>
Decision Effective Date:	<u>May 6, 2017</u>
State Mandated Decision Date:	<u>June 23, 2017</u>

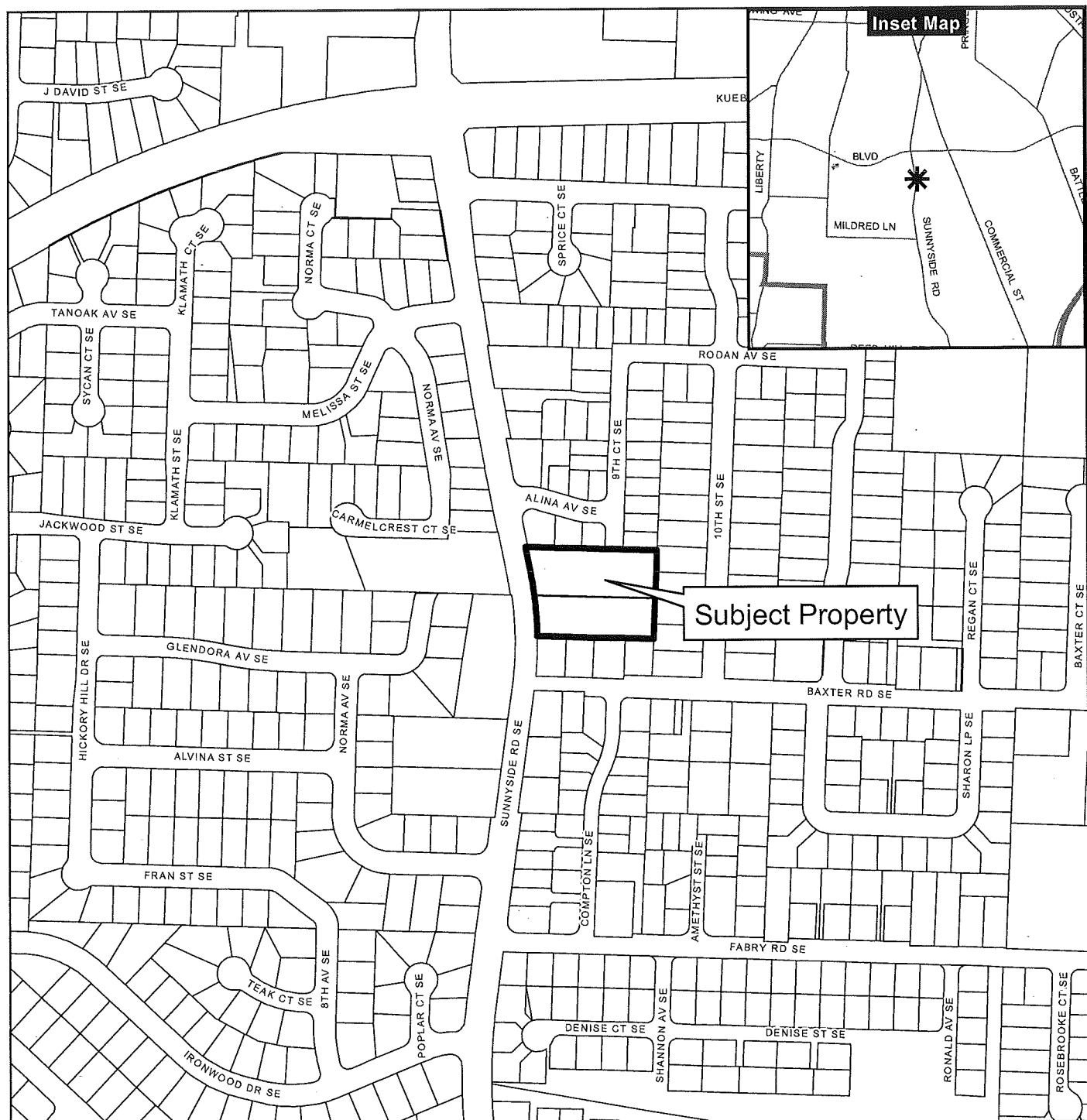
The rights granted by this decision must be exercised or extension granted by May 5, 2019 or this approval shall be null and void.

A copy of the complete Case File is available for review during regular business hours at the Planning Division office, 555 Liberty Street SE, Room 305, Salem OR 97301.

This decision is final unless written appeal from a party with standing to appeal, along with an appeal fee, is filed with the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem, Oregon 97301, no later than **Friday, May 5, 2017, 5:00 p.m.** The notice of appeal must contain the information required by SRC 300.1020. The notice of appeal must be filed in duplicate with the City of Salem Planning Division. The appeal fee must be paid at the time of filing. If the notice of appeal is untimely and/or lacks the proper fee, the notice of appeal will be rejected. The Salem Planning Commission will review the appeal at a public hearing. The Planning Commission may amend, rescind, or affirm the action or refer the matter to staff for additional information.

Vicinity Map

5320 & 5390 Sunnyside Rd. SE



Legend

Taxlots	Outside Salem City Limits	Parks
Urban Growth Boundary	Historic District	 CITY OF <i>Salem</i> AT YOUR SERVICE Community Development Dept.
City Limits	Schools	

0 100 200 400 Feet

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9TH COURT ADDITION - TENTATIVE SUBDIVISION PLAN

SE 1/4 NE 1/4 SEC. 15 T8S R3W W.M.

TAX LOTS 6300 & 6400

CITY OF SALEM

MARION COUNTY, OREGON

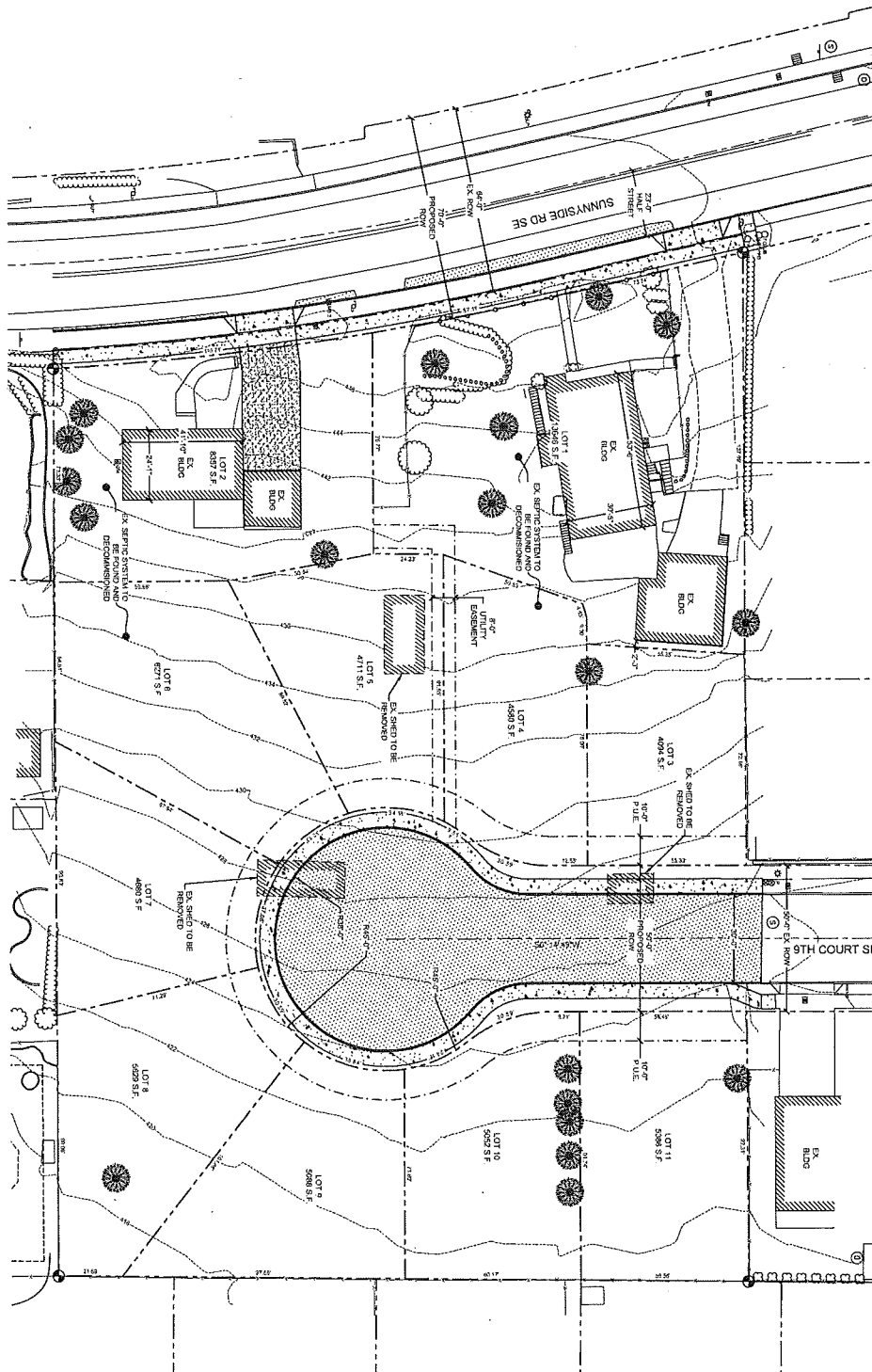
OWNER/DEVELOPER:

MIKE BARNES

MRB ENTERPRISES, INC.

PO BOX 4594

SALEM, OR 97302



TENTATIVE SITE PLAN
SCALE 1"=20'-0"

0 20 40
SCALE IN FEET

REV	DATE	DESCRIPTION
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SHEET C1.0

MRB ENTERPRISES, INC.
9TH COURT ADDITION SUBDIVISION
5320 & 5390 SUNNYSIDE ROAD SE
SALEM, OREGON
TENTATIVE SUBDIVISION PLAN

Locke CIVIL & STRUCTURAL
ENGINEERS
1375 Liberty St. SE, Salem, Oregon 97302
Voice 503.364.8207 Fax 503.364.0735
www.LockeEngineers.com

Drawings produced by this engineer are instruments of service for this project only and are the property of the engineer. Unauthorized use of these drawings on additions or remodels of this project or on any other project without the prior written permission of this engineer shall be at the user's sole risk. User agrees to defend, indemnify and hold harmless this engineer, its employees and agents from and against any and all claims, damages, and expenses (including attorney fees and costs at trial, arbitration and on appeal) arising out of unauthorized use by the user. Engineer is not responsible for the unauthorized use of these drawings. All unauthorized use should be reported to the engineer immediately.

PRELIMINARY
NOT FOR
CONSTRUCTION,
RECORDING,
PURPOSES, OR
IMPLEMENTATION
LOCKE ENGINEERS

Land Use Narrative

9TH Court Addition Subdivision Project

October 13, 2016

Introduction and Summary

This document is intended to address the following parts of the requirements of the Subdivision Tentative Plan:

Written Statement – Land Use Narrative.

Proposed Stormwater Management System.

Original document copied with additional notes in bold print.



EXPIRES: 12-31-2016

Only the electronic version of this document with a digital signature per OAR 820-010-0620(5) is an original. Contact Engineer of Record for electronic file if an authentic document is required or authenticity is in question.

WRITTEN STATEMENT. A written statement shall be submitted describing the proposal and how it conforms to the following approval criteria for a Subdivision Tentative Plan (SRC 205.010(d)):

1. The tentative subdivision plan complies with the standards of this Chapter and with all applicable provisions of the UDC, including, but not limited to, the following:
 - a. Lot standards, including, but not limited to, standards for lot area, lot width and depth, lot frontage and designation of front and rear lot lines – **All lots in the proposed development meet the required dimensional standards.**
 - b. City infrastructure standards. – **Sufficient public and private infrastructure can be provided to ensure that all proposed lots can be adequately served. The proposed development meets this standard.**
 - c. Any special development standards, including, but not limited to, floodplain development, special setbacks, geological or geotechnical analysis, and vision clearance. – **No known special development limitations exist on site. The proposed development meets this standard.**
2. The tentative subdivision plan does not impede the future use or development of the property or adjacent land. – **The proposed in-fill subdivision will resolve a dead end street by installing a cul-de-sac bulb at 9th Court SE. This is the only undeveloped land in the immediate vicinity as the proposed development is bordered by Sunnyside Road on the west side and is surrounded by existing residential properties. The proposed development meets this standard.**
3. Development within the tentative subdivision plan can be adequately served by City infrastructure. – **Sufficient public and private infrastructure can be provided to ensure that all proposed lots can be adequately served. The proposed development meets this standard.**
4. The street system in and adjacent to the tentative subdivision plan conforms to the Salem Transportation System Plan. – **Sunnyside is a Minor Arterial street in the TSP. 9th Court is a Local street. Each is intended to be developed to meet their respective street cross-sections. The proposed development meets this standard.**
5. The street system in and adjacent to the tentative subdivision plan is designed so as to provide for the safe, orderly, and efficient circulation of traffic into, through, and out of the subdivision. – **By completing the cul-de-sac at 9th Court, we will provide safe means for access to property and turnarounds for emergency personnel. The proposed development meets this standard.**
6. The tentative subdivision plan provides safe and convenient bicycle and pedestrian access from within the subdivision to adjacent residential areas and transit stops, and to neighborhood activity centers within one-half mile of the development. For purposes of this criterion, neighborhood activity centers include, but are not limited to, existing or planned schools, parks, shopping areas, transit stops, or employment centers. – **By constructing 9th Court and Sunnyside improvements, including sidewalks, the proposed development will provide safe and convenient pedestrian and bicycle access to the existing street system at the boundaries of development. The proposed development meets this standard.**
7. The tentative subdivision plan mitigates impacts to the transportation system consistent with the approved Traffic Impact Analysis, where applicable. – **Traffic impact analysis is not required for this project. This standard is not applicable to the proposed development.**

8. The tentative subdivision plan takes into account the topography and vegetation of the site so the need for variances is minimized to the greatest extent practicable. – **No variances are needed at this time. It is intended that none will be required for development of lots. Therefore proposed development meets this standard.**

9. The tentative subdivision plan takes into account the topography and vegetation of the site, such that the least disruption of the site, topography, and vegetation will result from the reasonable development of the lots. – **The proposed development will look to save as many of the existing trees as possible but location will force many to be removed at proposed grading, utilities, lot lines and where future homes will be sited. The proposed development meets this standard.**

10. When the tentative subdivision plan requires an Urban Growth Preliminary Declaration under SRC Chapter 200, the tentative subdivision plan is designed in a manner that ensures that the conditions requiring the construction of on-site infrastructure in the Urban Growth Preliminary Declaration will occur, and, if off-site improvements are required in the Urban Growth Preliminary Declaration, construction of any off-site improvements is assured. – **The subject property is located inside the City's Urban Service Area. An Urban Growth Area Development Permit is not required. This standard is not applicable to the proposed development.**

PROPOSED STORMWATER MANAGEMENT SYSTEM. A description of the proposed stormwater management system, including pre and post construction conditions, prepared in accordance with Public Works Design Standards.

The proposed development will fully comply with the current stormwater quality and quantity standards.

Stormwater runoff from 80% to 90% of impervious areas will be treated by ROW planters. Runoff from ½ of the 2-year storm event will be stored in rock chambers beneath the planters and fully infiltrated into the native ground. Runoff from larger storm events will be treated via the planters and then diverted to an underground detention chamber located in the 9th Court ROW.

In addition, roof runoff from the southernmost existing house along Sunnyside Road, and the four houses along the east side of the proposed cul-de-sac will be treated via infiltration soakage trenches.

Sunnyside Road improvements are minimal and include approximately 1,500 sf of new impervious area. Stormwater runoff will flow to existing catch basins either to the north or south along Sunnyside. If necessary, a small asphalt berm can be installed along the east edge of pavement and south of the proposed improvements to direct water to Baxter Road.



MEMO

TO: Chris Green, Planner II
Community Development Department

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

DATE: March 31, 2017

SUBJECT: PUBLIC WORKS RECOMMENDATIONS
SUBDIVISION PLAT NO. SUB17-02 (16-119202-LD)
5320 SUNNYSIDE ROAD SE
11-LOT SUBDIVISION

PROPOSAL

A tentative subdivision plan to divide approximately 1.83 acres into 11 lots ranging in size from 5,504 square feet to 18,680 square feet. The two existing residences would remain with frontages on Sunnyside Road SE. An additional 9 lots would be created along a cul-de-sac extension of 9th Court SE.

RECOMMENDED CONDITIONS OF PLAT APPROVAL

1. Convey land for dedication to equal a half-width right-of-way of 36 feet along the entire frontage of Sunnyside Road SE (Sunnyside).
2. Construct a 23-foot-wide half-street improvement along the entire frontage of Sunnyside to Minor Arterial street standards as specified in the City Street Design Standards, consistent with the provisions of SRC Chapter 803. The Sunnyside street improvements shall include striping reconfiguration and an off-site taper as specified in PWDS.
3. The existing parcels fronting Sunnyside will be limited to one driveway access per parcel. The applicant shall close unused driveways.
4. The applicant's engineer shall ensure that stormwater soakage trenches are designed for each lot and that stormwater facilities are designed to accommodate Sunnyside street improvements pursuant to PWDS and SRC 71.095(c).
5. Dedicate a 10-foot public utility easement along the street frontage of all internal streets.

FACTS

1. Sunnyside Road SE

- a. Existing Conditions—This street has an approximate 36-foot improvement within a varying 60-foot to 64-foot-wide right-of-way abutting the subject property.
- b. Standard—This street is designated as a minor arterial street in the Salem TSP. The standard for this street classification is a 46-foot-wide improvement within a 72-foot-wide right-of-way.

2. 9th Court SE

- a. Existing Conditions—This street has an approximate 30-foot improvement within a 50-foot-wide right-of-way abutting the subject property.
- b. Standard—This street is designated as a local street in the Salem TSP. The standard for this street classification is a 30-foot-wide improvement within a 50-foot-wide right-of-way.

Storm Drainage

1. Existing Conditions

- a. Based on City of Salem As-Builts, there is an existing storm cleanout, with invert elevation of 419.41, located in 9th Court SE. The cleanout is connected to the nearest catch basin, north of the subject property, by way of a public 10-inch main.

Water

1. Existing Conditions

- a. The subject property is located in the S-2 water service level.
- b. There is a 12-inch public water line in Sunnyside Road SE.
- c. There is an 8-inch public water main is located in 9th Court SE.
- d. There is existing private water well currently serving the dwelling on 5320 Sunnyside Road SE.

Sanitary Sewer

1: Existing Sewer

- a. An 8-inch public sewer main is located in 9th Court SE.

CRITERIA AND FINDINGS

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

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

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

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

The applicant's engineer has determined that no known hazards exist on the site.

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

Findings—Water and sewer infrastructure is available along the perimeter of the site and appears to be adequate to serve the property as shown on the applicant's preliminary utility plan. The existing dwellings on the property appear to be served by private well and septic systems. The applicant's preliminary utility plan shows all proposed lots to be served by through water and sewer mains extended from existing

mains located at the terminus of 9th Court SE.

The proposed development is subject to SRC Chapter 71 and the revised PWDS as adopted in Administrative Rule 109, Division 004. To demonstrate the proposed parcels can meet the PWDS, the applicant shall provide an engineered tentative stormwater design to accommodate future impervious surface on all proposed lots.

The applicant has requested a design exception for stormwater treatment and flow control for 9th Court SE improvements pursuant to PWDS 4E.8 through 4E.10. The City Engineer approved the design exception pursuant to PWDS 4E.8(a) "Surface slopes cannot be graded to meet the design criteria required for GSI." The City Engineer approved the applicant's proposal to construct individual soakage trenches for each lot. The applicant's engineer shall ensure that the soakage trenches are designed in conformance with PWDS and SRC 71.095(c).

The applicant's preliminary utility plan does not demonstrate specific drainage facilities to be constructed in conjunction with Sunnyside street improvements. The applicant's engineer shall design stormwater facilities for Sunnyside pursuant to PWDS and SRC 71.

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

SRC 205.010(d)(4) and SRC 205.0010(d)(5)—The street system in and adjacent to the tentative subdivision plan conforms to the *Salem Transportation System Plan*. The street system in and adjacent to the tentative subdivision plan is designed so as to provide for the safe, orderly, and efficient circulation of traffic into, through, and out of the subdivision.

Finding—Sunnyside Road abuts the subject property and does not meet the current standard for a minor arterial street. The applicant is required to construct a 23-foot-wide half-street improvement along the entire frontage of Sunnyside to Minor Arterial street standards as specified in the City Street Design Standards, consistent with the provisions of SRC Chapter 803. The Sunnyside Road SE improvements shall include striping reconfiguration and an off-site taper as specified in PWDS.

The existing parcels fronting Sunnyside Road SE will be limited to one driveway access per parcel.

The dimensions for the extension of 9th Court SE meets the standards of SRC Chapter 803.

SRC 205.010(d)(6)—The tentative subdivision plan provides safe and convenient

bicycle and pedestrian access from within the subdivision to adjacent residential areas and transit stops, and to neighborhood activity centers within one-half mile of the development. For purposes of this criterion, neighborhood activity centers include, but are not limited to, existing or planned schools, parks, shopping areas, transit stops, or employment centers.

Findings—Street improvements within and abutting the development provide pedestrian links to the existing sidewalk and street system in the vicinity of the subject property. No additional off-site links are warranted.

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

Findings—The proposed subdivision generates less than 200 average daily vehicle trips to 9th Court SE. Therefore, a TIA was not required as part of the proposed subdivision submittal.

cc: File