

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

SUBDIVISION / CLASS 2 ADJUSTMENT CASE NO. SUB-ADJ17-10

APPLICATION NO. : 17-114620-LD & 17-114834-ZO

NOTICE OF DECISION DATE: NOVEMBER 1, 2017

SUMMARY: A subdivision to divide 2.41 acres into 15-lots ranging in size from approximately 4,060 square feet to approximately 10,899 square feet, with a Class 2 Adjustments.

A request for a 15-lot Subdivision with a Class 2 Adjustment:

To increase the number of flag lots allowed in a subdivision from a maximum of 15 percent, to 19 percent;

To increase the minimum maximum lot depth for Lot 5 from 300% of average lot width for lot 5 to 331% of the average lot width; and

To decrease the lot width at the setback line for Lot 4 from 40 feet to approximately 31 feet in width.

The existing single family dwelling would remain on proposed Lot 15 and retain the existing approach to Madrona Avenue. Proposed lots 8-10 would be served by a private access easement. The property is zoned RS (Single Family Residential) and is located at 1295 Madrona Avenue SE (Marion County Assessor's Map and Tax Lot Number: 083W02BC06600, 083W02BC06700, and 083W02BC06801).

APPLICANT: Sam Lapray

OWNER: William L Johnson

LOCATION: 1200 and 1295 Madrona Avenue SE / 97302

CRITERIA: Salem Revised Code 205.010(d) and 250.005(d)(2)

FINDINGS: The Findings are in the attached Order dated November 1, 2017.

DECISION: The Planning Administrator **APPROVED** Subdivision / Class 2 Adjustment Case No. SUB-ADJ17-10 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: Obtain a demolition permit and remove existing accessory structures on the property.

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

- Condition 3:** Design stormwater systems to serve all proposed parcels in compliance with PWDS. The stormwater systems shall be tentatively designed to accommodate future impervious surfaces. Construct stormwater facilities that are proposed in the public right-of-way.
- Condition 4:** Construct sewer and water facilities that are proposed in the public right-of-way and in public easements.
- Condition 5:** Convey land for dedication of right-of-way to equal 36 feet from centerline of right-of-way along the entire frontage of Madrona Avenue SE.
- Condition 6:** The internal cul-de-sac street shall be constructed to City standards with the following modifications:
- a. At the intersection of Madrona Avenue, the internal street may be constructed with curb extension and a reduced curb radius as shown in Attachment D.
- Condition 7:** Dedicate a 10-foot public utility easement (PUE) along Madrona Avenue SE and the frontage of the internal street.
- Condition 8:** The applicant shall construct within the flag lot accessway, consistent with City street design standards, a minimum 5-foot-wide public access easement over the pedestrian pathway. The public access easement shall extend from proposed Lots 8-10, over the sidewalk on the south side of the flag lot accessway to the proposed public right-of-way.
- Condition 9:** Reciprocal and irrevocable access easement rights will be noted on the final plat and in each recorded legal description for the parcels. The flag lot access way will be paved prior to final plat approval.

The rights granted by the attached decision must be exercised, or an extension granted, by November 19, 2017 or this approval shall be null and void

Application Deemed Complete:	<u>September 6, 2017</u>
Notice of Decision Mailing Date:	<u>November 1, 2017</u>
Decision Effective Date:	<u>November 17, 2017</u>
State Mandate Date:	<u>February 13, 2018</u>

Case Manager: Olivia Glantz, OGlantz@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., November 16, 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 Chapters 205 and 250. 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 Salem Planning Commission will review the appeal at a public hearing. After the hearing, the Salem 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>

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**BEFORE THE PLANNING ADMINISTRATOR
OF THE CITY OF SALEM
(SUBDIVISION PLAT NO. 17-10)**

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

IN THE MATTER OF THE)	FINDINGS AND ORDER
TENTATIVE APPROVAL OF)	
SUBDIVISION PLAT AND CLASS 2)	
ADJUSTMENT NO. 17-10;)	
1200 and 1295 Madrona Avenue SE)	November 1, 2017

REQUEST

Summary: A subdivision to divide 2.41 acres into 15-lots ranging in size from approximately 4,019 square feet to approximately 11,041 square feet, with a Class 2 Adjustments.

A request for a 15-lot Subdivision with a Class 2 Adjustment:

- To increase the number of flag lots allowed in a subdivision from a maximum of 15 percent, to 19 percent; and
- To increase the minimum maximum lot depth for Lot 5 from 300% of average lot width for lot 5 to 331% of the average lot width.
- To decrease the lot width at the setback line for Lot 4 from 40 feet to approximately 31 feet in width.

The existing single family dwelling would remain on proposed Lot 15 and retain the existing approach to Madrona Avenue. Proposed lots 8-10 would be served by a private access easement. The property is zoned RS (Single Family Residential) and is located at 1295 Madrona Avenue SE (Marion County Assessor's Map and Tax Lot Number: 083W02BC06600, 083W02BC06700, and 083W02BC06801).

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: Obtain a demolition permit and remove existing accessory structures on the property.

Condition 2: "NO PARKING—FIRE LANE" signs shall be posted on both sides of the segments of the proposed flag lot accessway that are fire apparatus

roadways and "NO PARKING" signs shall be posted on both sides of any remaining portion of the accessway.

- Condition 3:** Design stormwater systems to serve all proposed parcels in compliance with PWDS. The stormwater systems shall be tentatively designed to accommodate future impervious surfaces. Construct stormwater facilities that are proposed in the public right-of-way.
- Condition 4:** Construct sewer and water facilities that are proposed in the public right-of-way and in public easements.
- Condition 5:** Convey land for dedication of right-of-way to equal 36 feet from centerline of right-of-way along the entire frontage of Madrona Avenue SE.
- Condition 6:** The internal cul-de-sac street shall be constructed to City standards with the following modifications:
- a. At the intersection of Madrona Avenue, the internal street may be constructed with curb extension and a reduced curb radius as shown in Attachment D.
- Condition 7:** Dedicate a 10-foot public utility easement (PUE) along Madrona Avenue SE and the frontage of the internal street.
- Condition 8:** The applicant shall construct within the flag lot accessway, consistent with City street design standards, a minimum 5-foot-wide public access easement over the pedestrian pathway. The public access easement shall extend from proposed Lots 8-10, over the sidewalk on the south side of the flag lot accessway to the proposed public right-of-way.
- Condition 9:** Reciprocal and irrevocable access easement rights will be noted on the final plat and in each recorded legal description for the parcels. The flag lot access way will be paved prior to final plat approval.

PROCEDURAL FINDINGS

1. On July 21, 2017, an application for a Tentative Subdivision Plan was filed proposing to divide a 2.41 acre property at 1295 Madrona Avenue SE (Attachment B) into 15 lots.
2. The application was deemed complete for processing on September 6, 2017. Notice to surrounding property owners was mailed pursuant to Salem Revised Code on September 6, 2017. After an extension the state-mandated local decision deadline is February 13, 2018.

SUBSTANTIVE FINDINGS

1. Proposal

The tentative plan proposes to divide the property into 15 lots for residential development (Attachment B), with lots ranging in size from 4,019 square feet to 11,041 square feet. One lot is proposed to access Madrona Avenue, eleven lots are proposed to take access to a new public street, three lots are proposed to take access from a new flag lot accessway on the east side of the subject property.

SRC 800.025(e) limits the maximum number of flag lots within a subdivision to 15 percent of the proposed lots. The three proposed flag lots within the subdivision exceed the 15 percent maximum. In order to address this issue, the applicants have requested a Class 2 Adjustment with the subdivision seeking approval to exceed the 15 percent maximum. The analysis of the requested Class 2 Adjustment for conformance with the applicable approval criteria is included in Section 8 of this report.

The applicant has not proposed any specific phasing for the subdivision or residential development.

2. Existing Conditions

Site and Vicinity

The subject property consists of three adjoining tax lots forming a 2.41-acre, irregularly shaped site. The subject properties are identified in the current configuration through a property line adjustment (PLA16-18 and PLA16-19). The subject properties have an existing dwelling and the remaining land is currently vacant. The subject property is an irregularly shaped lot, with approximately 270 feet of frontage along its southern boundary along Madrona Road SE, designated as a Major Arterial in the Salem Transportation System Plan (TSP), parallels the southern property boundaries.

One single-family dwelling, constructed in 1947 is currently located on the eastern portion of the site. The residence currently takes access from a Madrona Avenue at the south property line. The applicant plans to retain this dwelling, and will retain the existing access to Madrona Avenue SE.

The vicinity is primarily characterized by single family residences. Overall elevation change on the site ranges from approximately 302 feet to 320 feet above sea level, across a relatively flat terrain. Environmental resource and natural hazard maps show no areas of wetlands or floodplains. According to the City's Landslide Hazard Maps, the southwest portion of the subject property has potential landslide susceptibility (2 points).

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

North: Single Family Residential

South: Across Madrona Avenue SE - Single Family Residential

East: Single Family Residential

West: Single Family Residential

Zoning and Surrounding Land Use

The subject properties are zoned RS (Single Family Residential) and is 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: Across Madrona Avenue SE - RS (Single Family Residential); single family dwellings

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

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

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-1 water service level. A 10-inch City of Salem water line is located in Madrona Avenue S.

Sewer: There is an 8-inch sanitary sewer main located in Madrona Avenue SE.

Storm Drainage: There is an existing 10-inch public storm main located in Madrona Avenue SE.

Streets: *Madrona Avenue SE* abuts the south boundary of the subject property, and is designated as a Minor Arterial in the Salem Transportation System Plan (TSP).

- a. The standard for this street classification is a 46-foot-wide improvement within a 72-foot-wide right-of-way.
- b. The abutting portion of Madrona Avenue SE currently has an approximately 38-foot wide improvement within a 54-foot-wide right-of-way.

3. Land Use History

The subject properties were annexed into the City of Salem on June 29, 1964. A portion of the property was initially created by a Partition (97-62P) and reduced in size to the current configuration by a property line adjustment (PLA16-18 and PLA16-19). The remaining property was created by deed prior to 1968.

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 there is no concern with the subdivision. At the time of building permits the Fire Department will review for requirements such as access and water supply.

5. Neighborhood Association Comments

The subject property is within the Morningside 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 Morningside Neighborhood Association prior to the comment deadline.

6. Public Comments

Property owners within 250 feet of the subject property were mailed notification of the proposed partition. Four comments were received from area property owners objecting to the request. The following is a summary of the concerns and staff response.

- 1) **Loss of Trees and Vegetation:** The development will destroy vegetation and wildlife. Trees may need to be cut down affecting the existing noise barrier and privacy of surrounding properties. Concerns about existing garden in back yard and in ground irrigation system along adjoining property.
Staff Response: The applicant has submitted a Tree Conservation Plan (TCP17-04) pursuant to the City's Tree Preservation Ordinance (SRC Chapter 808). The application proposes to preserve 34 of the 49 trees on the subject property. The 69 percent retention of identified trees is well in excess of the 25 percent required under SRC

Chapter 808. Future residential development on the proposed parcels would be required to have at least 2 to 6 trees per parcel (depending on square footage of lot), and can meet that requirement through any combination of existing trees and planting new trees (SRC 808.050). The applicant is not proposing to do any work outside of the boundary of the subject property.

- 2) Type of Construction:** There are concerns about the type of structures being developed other than single family dwellings. Additional concerns about the height of the dwellings proposed as it will potentially block views.

Staff Response: The subject property is zoned RS (Single Family Residential) and would be required to meet the development standards and uses described in SRC Chapter 511. The RS zone allows for single family dwellings. The height limitation of the RS zone is 35-feet, setbacks to the rear property line would be 14-feet for single story dwellings and 20-feet for two story dwellings. Based on the site plan, the lots have adequate width and depth to meet the setback requirements.

- 3) Traffic:** Concerns about eliminating access to a rear yard of a surrounding property owner. Adding 15 homes will increase congestion on Madrona Avenue. The new public road is only 50 to 75 feet south of the start of the left turn land onto 12th Street. Traffic from this subdivision will tie up traffic on both streets and back up into the subdivision in the morning and afternoons. Increase of traffic on the private road located north of the subject property. Concerns of increased pedestrian traffic and vehicle traffic on private road to the north due to visitors of the proposed partition becoming lost.

Staff Response: There will be a total of fourteen new dwellings using a new public road north of Madrona Avenue SE. The subject property is zoned RS, which has a minimum parcel size of 4,000 square feet. The new dwellings will have an address on this new public road and navigation to the parcels is likely to be from Madrona Avenue. Pedestrian traffic from the subject property to the street to the north would be trespassing on private property.

- 4) Zone Change:** Concerns that variances will be allowed to change the zoning from RS (single family residential) to multifamily units or apartments.

Staff Response: The proposal is to subdivision to divide 2.41 acres into 15-lots ranging in size from approximately 4,018 square feet to approximately 11,041 square feet. The applicant is not applying to change the zone. The RS zone does not allow for multiple family developments.

- 5) Increased Noise and Construction Activity:** Concerns about traffic and noise, dust and dirt during development and construction. Further concerns about the developer needing access to neighboring property for water or power 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 15 additional single family residences in the vicinity would interfere with the safe and healthful use of neighboring properties.

- 6) **Density:** Fifteen dwellings is too dense for the size of property. The existing neighborhood is composed of single family units with large lots.

Staff Response: The single family dwelling parcels proposed within the subdivision range from approximately 4,019 square feet to 11,041 square feet, which exceeds the minimum lot size requirement of 4,000 square feet. Their size and layout is consistent with the pattern of development permitted in the RS (Single Family Residential) zones.

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 2.41-acre site into 15 lots with one outlot to be dedicated for storm water detention.

The site is currently zoned 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
	Max. 300% of average lot width
Street Frontage	40 feet
	<p>Min. 30 ft.</p> <p>Applicable to lots fronting on the turnaround of a cul-de-sac street or the outside curve of a curved street having a radius of 200 feet or less and a direction change of 60 degrees or more.</p> <p>In no case shall the lot width be less than 40 ft. at the front building setback line.</p>

Proposed lots in the subdivision range from approximately 4,019 square feet to 11,041 square feet in size. The proposed lots exceed minimum lot area, dimension, and frontage requirements. Lot 7 exceeds the maximum ratio of 300 percent lot depth to width maximum. . In order to address this issue, the applicants have requested a Class 2 Adjustment with the subdivision seeking approval to exceed the 300 percent maximum. The analysis of the requested Class 2 Adjustment for conformance with the applicable approval criteria is included in Section 8 of this report. The remaining lots conform to the applicable standards. The proposed lots within the subdivision are also of sufficient size and dimension to permit future development of uses allowed within the zone.

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 dwelling will remain on the subject property, on Lot 15. The applicant's site plan shows the footprint of the existing residence and demonstrates that its location will continue to meet all applicable setback standards once the boundaries of Lot 15 are recorded.

Setback requirements for future development on proposed Lots 1-14 will be reviewed at the time of application for building permits on those individual parcels.

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 eastern portion of the property. The applicant plans to retain this dwelling as part of the proposed development. Relative to the tentative subdivision plan, the existing house would be situated entirely within Lot 15, and meet all applicable setbacks relative to the proposed lot boundaries. There are several existing accessory buildings located outside of the proposed boundaries of lot 15, would cross proposed lot lines, and building envelopes. In order to ensure that the subdivision complies with this provision upon recording of the plat, the following condition shall apply:

Condition 1: Obtain a demolition permit and remove existing accessory structures on the property.

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 or double frontage lots proposed within the subdivision. For lots that have frontage on a public street, other than corner lots, the front lot line shall be the property line that has frontage on the public street. Corner lots are lots located at the intersection of two streets, typically with street frontage on two sides. Proposed Lot 14 is a corner lot. Provided that lot dimension requirements are met, the front lot line for a corner lot shall be the property line abutting a street provided by the building permit applicant. Proposed lots 8-10 are flag lots and are situated that the front property line will be the western property line abutting the accessway.

SRC 800.025 (Flag Lots): Proposed Lots 8-10 are flag lots. Subsections (a) and (b) specify that minimum lot area and dimensions for a flag lot shall be calculated exclusively of the flag lot accessway. All proposed flag lots exceed the minimum lot area and dimensions exclusive of the flag lot accessway.

Subsection (c) establishes standards for flag lots and flag lot accessways. Pursuant to SRC Chapter 800, Table 800-1, flag lot accessways serving 3 to 4 lots must be a minimum of 25 feet in overall width and must be paved to a minimum width of 20 feet. Plans submitted by the applicant include a proposed cross-section for the flag lot accessway, showing a 20-foot-wide paved width within a 26-foot-wide access easement, in conformance with the standard set forth in subsection (c).

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

Condition 2: Prior to final subdivision plat approval, "NO PARKING—FIRE LANE" signs shall be posted on both sides of the segments of the proposed flag lot accessway that are fire apparatus roadways and "NO PARKING" signs shall be posted on both sides of any remaining portion of the accessway.

Subsection (e) limits the maximum number of flag lots within a subdivision to 15 percent of the proposed lots. The proposed subdivision includes four flag lots (Lots 33-36), or approximately 11 percent of the total proposed lots, therefore meeting the standard provided in SRC 800.025(e).

The proposal conforms to the requirements of SRC Chapter 800.

SRC Chapter 806 (Off-Street Parking, Loading, and Driveways):

SRC 806.030 (Driveway Development Standards for Single Family and Two Family Uses or Activities): The existing residence to remain on Lot 15 has been served by an driveway approach to Madrona Avenue on the south property line of the subject property. The existing driveway leads to a detached garage at the residence.

The proposal conforms to the requirements of SRC Chapter 806.

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

Pursuant to SRC 71.085, all proposed lots shall be designed and constructed with green stormwater infrastructure. In order to ensure that the subdivision can accommodate required stormwater facilities, the following condition of plat approval shall apply:

Condition 3: Design stormwater systems to serve all proposed parcels in compliance with PWDS. The stormwater systems shall be tentatively designed to accommodate future impervious surfaces. Construct stormwater facilities that are proposed in the public right-of-way.

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 October 26, 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. 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 partition plan. Sewer and water facilities shall be constructed to serve each lot as a condition of plat approval. Construction of facilities in the right-of-way is required prior to final plat except as authorized in an improvement agreement per SRC 205.035(c)(6)(B).

In order to ensure that water and sewer infrastructure are provided to the new lots created by the subdivision, and that appropriate connection fees are paid, the following conditions of approval shall apply:

Condition 4: Construct sewer and water facilities that are proposed in the public right-of-way and in public easements.

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 15-lot subdivision generates less than 1,000 average daily vehicle trips to Madrona Avenue SE, a Major Arterial street. Therefore, a TIA is not required as part of the proposed subdivision submittal.

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

SRC 803.025 (Right-of-Way and Pavement Widths): The applicant proposes to construct a new cul-de-sac street which will be designated as a local street in the TSP. The proposed cul-de-sac shall be constructed to City standards. However, right-of-way is limited at the northwest corner of the new Carolyn Court and Madrona Avenue intersection. In order to complete a sidewalk connection to Madrona Avenue SE, and to prevent an encroachment onto the westerly neighboring property, Public Works staff recommend a curb extension and an alternate curb return design at the northwest corner of the intersection. The extension and alternate curb return radius shall be constructed as shown in Attachment A pursuant to PWDS.

Madrona Avenue SE abuts the subject property and is fully developed with curb and sidewalk. The existing right-of-way does not meet the current standard of a 36-foot half width for a Minor Arterial street. In order to ensure that required right of way is conveyed for dedication and the internal cul-de-sac is constructed to Public Works recommendations, the following condition shall apply:

Condition 5: Convey land for dedication of right-of-way to equal 36 feet from centerline of right-of-way along the entire frontage of Madrona Avenue SE.

Condition 6: The internal cul-de-sac street shall be constructed to City standards with the following modifications:

- a. At the intersection of Madrona Avenue, the internal street may be constructed with curb extension and a reduced curb radius as shown in Attachment D.

As conditioned, the proposal meets this requirement.

SRC 803.030 (Street Spacing): The subject property abuts Madrona Avenue to the south, a local street, a private road (Madrona Loop), to the east and a single family residences north and west. The subdivision plan proposes to provide street connectivity by an internal cul-de-sac extending northward from a new intersection at Madrona Avenue SE. This street configuration does not preclude connections of existing or

planned streets in the vicinity at distance greater than the maximum 600-foot interval set forth in SRC Chapter 803.

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 west and a private road to the east. The proposed subdivision plan includes extensions of the nearby street network into and through the subject property, with an extension a cul-de-sac connecting to Madrona Avenue SE.

Subsection (f) establishes standards for the maximum length, distance from intersections, and radius of cul-de-sacs. The tentative subdivision plan currently shows a 50-foot paved radius within a 50-foot right-of-way radius for the proposed cul-de-sac bulb which is in compliance with pavement width and radius standards. As conditioned above, Public Works has recommended an alternative design to ensure pedestrian safety to Madrona Avenue.

Subsection (l) requires construction of sidewalks as part of street improvement projects. Generally, sidewalks along the frontage of lots platted for single family residential development are installed at the time of home construction. This allows eventual building permit applicants for single family dwellings to select driveway alignment and apron placement along the lot frontage prior to installing sidewalks.

Pursuant to subsection (n), public utility easements (PUEs) may be required for all streets. Portland General Electric, the franchise utility provider of electricity for the subject property, typically requests 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 7: Dedicate a 10-foot public utility easement (PUE) along Madrona Avenue SE and the frontage of the internal street.

As conditioned, the proposal conforms to applicable street standards.

SRC 803.040 (Boundary Streets): There are no boundary streets abutting the subject property. The proposal only results in the extension of abutting streets through the subject property as internal streets.

(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. The applicant has submitted an application for tree conservation plan approval in conjunction with the subdivision application (TCP17-04). SRC 808.035(d)(4) requires in relevant part that an application for a Tree Conservation Plan shall be granted if “not less than 25 percent of all trees located on the property are designated for preservation, provided, however, if less than 25 percent of all trees on the property are designated for preservation, only those trees reasonably necessary to accommodate the development proposal shall be designated for removal.”

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, the subject property has a section of the property mapped with 2 landslide hazard susceptibility points. There are 3 activity points associated with the proposed subdivision. The applicant submitted a report titled, “Geotechnical Investigation and Consultation Services” from Redmond Geotechnical Services, LLC, dated August 2, 2017. The report concludes that the site is stable and suitable for the proposed single-family development and its associate site improvements provided that the recommendation contained within the report are incorporated into the design and construction of the project.

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 2.41-acre property into 15 lots, a water quality facility, new dedicated cul-de-sac and a new flag lot accessway. Lot 15 is proposed to be 11,041 square feet in size which could potentially be further developed. The proposed lot 15 contains the existing single family dwelling and is not likely to be divided.

The lots within the proposed subdivision, 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 construction of water and sewer systems to serve each lot, 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 Morningside Park, which is less than one-half mile south of the proposed subdivision. Sidewalk connections are available from the subject property to Morningside Park. 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 parcels with City infrastructure shall be shown on the final plat.

The proposal meets this criterion.

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

Finding: Madrona Avenue SE abuts the subject property and does not meet the current standard for a Major Arterial street. As identified in the conditions of approval, the applicant is required to convey land for dedication of right-of-way to equal 36 feet from centerline of right-of-way along the entire frontage of Madrona Avenue SE.

An internal street will provide access to lots within the subdivision, and is proposed as a public street with right-of-way width and improvements in conformance with TSP standards.

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: The applicant's proposal includes a public cul-de-sac and a proposed flag lot accessway. The existing dwelling (Lot 15) would continue to use the existing driveway approach to Madrona Avenue. A cul-de-sac street will provide access to the remaining lots (Lots 1-7 and 11-14) within the subdivision, and is proposed as a public street with right-of-way width and improvements in conformance with TSP standards.

A 25-foot wide flag lot access way is proposed to serve lots 8-10. The surrounding residential development to the north, east and west do not provide linking points that would allow for internal street connectivity. The private access proposed by the applicant would provide pedestrian, bicycle, and vehicular access to the proposed lots.

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 eight neighborhood activity centers:

- Stops for Cherriots Route #8 and #21, near the intersection of Pringle Road and Madrona Avenue SE.
- Stops for Cherriots Route #8 and #18, near the intersection of Madrona Avenue and Peck Street.
- Morningside School, a public elementary school, approximately 700 feet west of the closes lot, located at 3513 12th Street SE.
- Several major shopping centers on Commercial Street SE, including Fred Meyers Shopping Center, approximately ½ mile west of the subject property.
- Morningside Park, approximately 1,800 feet south of the closest lots within the subdivision, located at 1330 Ewald Avenue SE.

The proposal will provide internal streets with safe and convenient bicycle and pedestrian access, and provide boundary street improvements where necessary in order to connect multi-modal transportation facilities with the existing transportation system. A combination of present and future school campuses, parks, and mixed-use areas will provide a variety of destinations that can be accessed from the proposed subdivision by a variety of modes.

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 15-lot subdivision will generate less than 1,000 average daily vehicle trips to Madrona Avenue SE, designated in the Transportation System Plan as a Major Arterial. Accordingly, a Transportation Impact Analysis is not required as part of the review of the tentative subdivision plan.

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 subject property is generally flat where the proposed home sites are located. The applicant has submitted an application for tree conservation plan approval in conjunction with the subdivision application (TCP17-4). There are 49 trees on the subject properties, 34 of which the applicant proposes to retain. The 15 trees proposed for removal are generally within the footprint of building envelopes, the proposed accessway, or close to building envelopes in areas with a high risk of damage during future construction. The tree conservation plan proposes retention of several trees at the northwest perimeter of the site where construction is unlikely to occur.

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. As shown on the Tentative Subdivision Plan, future lots will meet or exceed minimum dimensional standards for the RS zone, have adequate frontages on public roads or flag lot accessways, and be sized to allow for future residential uses allowed in

the RS zone. The applicant has submitted an application for tree conservation plan approval in conjunction with the subdivision application (TCP17-04). The applicant has proposed to retain 34 of 49 trees on the subject property, or approximately 69% of the trees on the subject property. The Tree Conservation Plan primarily retains trees near the northwest perimeter.

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. Criteria for Granting a Class 2 Adjustment

Because of limitations on access to the subject property, and because of the property's overall size and dimensions, the applicant has requested a Class 2 Adjustment with the subdivision seeking approval to allow the number of flag lots within the subdivision to exceed 15 percent.

Pursuant to SRC 250.005(d)(2), an application for a Class 2 Adjustment shall be granted if the following criteria are met:

A. 250.005(d)(2)(A): The purpose underlying the specific development standard proposed for adjustment is:

- (i) Clearly inapplicable to the proposed development; or**
- (ii) Equally or better met by the proposed development.**

Findings:

No more than 15 percent of the lots within a subdivision may be flag lots:

SRC 800.025(e) provides that no more than 15 percent of the lots within a subdivision may be flag lots. This requirement serves in part to ensure that the lot configuration of a new subdivision provides orderly and efficient circulation, with the majority of lots fronting on public streets and to reduce the number of flag lot accessways intersecting with the City street network. The applicant has proposed 3 flag lots within a 15 lot subdivision, or 20% of the total lots.

Lots 8-10 will have access onto a new cul-de-sac street via an access easement running east and west through of the site. The proposal creates 3 flag lots in the proposed subdivision where only 2 flag lot is allowed. The property abuts Madrona Loop which is a private street and

is unable to use for access to the proposed lots. Due to the irregular configuration of the lot and the location of the existing house, a public access is not feasible, therefore, this is the only way this site can be developed and provide needed access. Due to the dimensions of the subject property and existing developments, any new single family residential development on the site would require access terminating in a dead end on the property. These constraints more or less dictate alignment of a street and private access easement.

The proposed lots are private lots that are set off of the street, that are of adequate size and configuration to obtain building permits without the need for a variance or adjustments to setbacks. The access easement with a 5-foot sidewalk will provide a pedestrian and bicycle friendly access way to the lots. The requested adjustment is the only means available to permit the subject property to be divided into 15 lots.

The applicant has proposed a 26-foot-wide lot accessway which includes 20 feet paved width and a 5-foot-wide sidewalk, well in excess of the 20-foot paved width required for a flag lot accessway under SRC 800.025(c). Lots 8-10 would have consistent frontage along the accessway, and the arrangement of lots and design of the accessway would resemble the layout of subdivision lots along a street. On the subject property, this orderly configuration of lots would not be possible under the land constraints posed by dedicating land for a public street and cul-de-sac. The proposal equally meets the purpose underlying the development standards proposed for adjustment. This criterion is met.

Maximum lot depth from 300% of average lot width:

The intent and purpose of the maximum lot depth standard is to provide for future buildable lots, which can maintain property line setbacks. The maximum lot depth is 300 percent of the average width of the lot, which prevents narrow lots which can have adequate open space on the side yard, maintain side yard setback and to consider future development of potential lots.

The existing configuration of the parcel makes it difficult to meet the required maximum lot depth standard. The existing property is narrow and long on the northern portion of the property and currently has a lot depth of 313 feet which is approximately 497% of the existing lot width. The configuration of the parcel would provide for a dwelling to be built on the property and retain many of the trees on the western portion. Lot 5 is proposed to be 7,040 square feet in size which is not large enough to create an infill lot in the rear and could not be further developed. Since the western portion of the property is proposed to remain in its natural state and is not likely to develop with the limitations on parcel size, the existing and proposed conditions of the of the parcel configuration equally or better meet the intent of the code.

Lot width at the setback line for Lot 4 from 40 feet to approximately 31 feet in width:

SRC 511.010(a) provides the lot standards for new lots with in the Single Family Residential Zone (RS). This requirement serves to ensure that the each lot can support a single family dwelling.

Lot 4 will meet all lot standards in SRC 511.010(a), except being 40 feet at the setback line. The proposed Lot 4 will be 31-feet at the 12-foot setback line. The unusual geometry of the subject property and the location of the existing dwelling limits the location of the proposed

new cul-de-sac. The applicant has proposed to meet the minimum frontage requirement and request an adjustment to the minimum width at the setback line than create another flag lot accessway. The applicant has proposed that the dwelling will not be located at the setback line alleviating concerns about not meeting setback standards or impacting neighboring property. The front yard area of Lot 4 will consist of landscaping and a driveway.

The proposal meets this criterion.

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

Finding:

No more than 15 percent of the lots within a subdivision may be flag lots:

The proposed lots are private lots which are set off of the street, are of adequate size and configuration to obtain building permits without the need for a variance or adjustments to setbacks. The larger private lots will enhance the livability of the residential area. The access easement with a 5-foot sidewalk will provide a pedestrian and bicycle friendly access way to the lots.

As conditioned, No parking is permitted on a flag lot access way. The proposed lots are each large enough to provide adequate off-street parking for residents and guests. A minimum of two off-street parking spaces is required in a garage and/or driveway.

In order to ensure that the proposed flag lot accessway will not detract from the livability or appearance of the residential area and provide for multi-modal uses connecting to the new cul-de-sac street, the following condition shall apply:

Condition 8: The applicant shall construct within the flag lot accessway, consistent with City street design standards, a minimum 5-foot-wide public access easement over the pedestrian pathway. The public access easement shall extend from proposed Lots 8-10, over the sidewalk on the south side of the flag lot accessway to the proposed public right-of-way.

Condition 9: Reciprocal and irrevocable access easement rights will be noted on the final plat and in each recorded legal description for the parcels. The flag lot access way will be paved prior to final plat approval.

Maximum lot depth from 300% of average lot width:

The proposed adjustment will not unreasonably impact surrounding existing or potential uses or development. The proposal is to create an additional parcel for a single family dwelling. The existing configuration of the parcel makes it difficult to meet the required maximum lot depth standard. The existing property is narrow and long on the northern portion of the property and currently has a lot depth of 313 feet which is approximately 497% of the existing lot width. The configuration of the parcel would provide for a dwelling to be built on the property and retain many of the trees on the western portion. Lot 5 is proposed to be 7,040 square feet in size

which is not large enough to create an infill lot in the rear and could not be further developed. Since the western portion of the property is proposed to remain in its natural state and is not likely to develop with the limitations on minimum parcel size in the RS zone, the proposal meet the criterion.

Lot width at the setback line for Lot 4 from 40 feet to approximately 31 feet in width:

SRC 511.010(a) provides the lot standards for new lots with in the Single Family Residential Zone (RS). This requirement serves to ensure that the each lot can support a single family dwelling.

Lot 4 will meet all lot standards in SRC 511.010(a), except being 40 feet at the setback line. The proposed Lot 4 will be 31-feet at the 12-foot setback line. The proposed 31-foot width at the setback line will not detract from the livability or appearance of the residential zone. The applicant has provided a building envelope on the proposed tentative site plan that indicates a dwelling can be constructed meeting all setback requirements of the RS zone. The unusual geometry of the subject property and the location of the existing dwelling limits the location of the proposed new cul-de-sac. The applicant has proposed to meet the minimum frontage requirement and request an adjustment to the minimum width at the setback line than create another flag lot accessway. The applicant has proposed that the dwelling will not be located at the setback line alleviating concerns about not meeting setback standards or impacting neighboring property. The applicant has stated that the front yard area of Lot 4 will consist of landscaping and a driveway.

The proposal meets this criterion.

C. 250.005(d)(2)(C): If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone.

Finding: The three adjustments requested by the applicant both relate to configuration of the existing property. The adjustments allow the subject property to be developed with an internal network of a local cul-de-sac street and flag lot accessway with a single family residential subdivision. Therefore, the cumulative effect of the adjustments is to allow development which is consistent with the overall purpose of the RS (Single Family Residential) zone.

9. Conclusion

Based upon review of SRC 205.005, the findings contained under Section 8 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 and Adjustment Case No. 17-10, on property RS (Single Family Residential) and is located at 1295 Madrona Avenue SE (Marion County Assessor's

Map and Tax Lot Number: 083W02BC06600, 083W02BC06700, and 083W02BC06801), 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:



Olivia Glantz, 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 Revised Comments

Application Deemed Complete:	<u>September 6, 2017</u>
Notice of Decision Mailing Date:	<u>November 1, 2016</u>
Decision Effective Date:	<u>November 17, 2017</u>
State Mandated Decision Date:	<u>February 13, 2018</u>

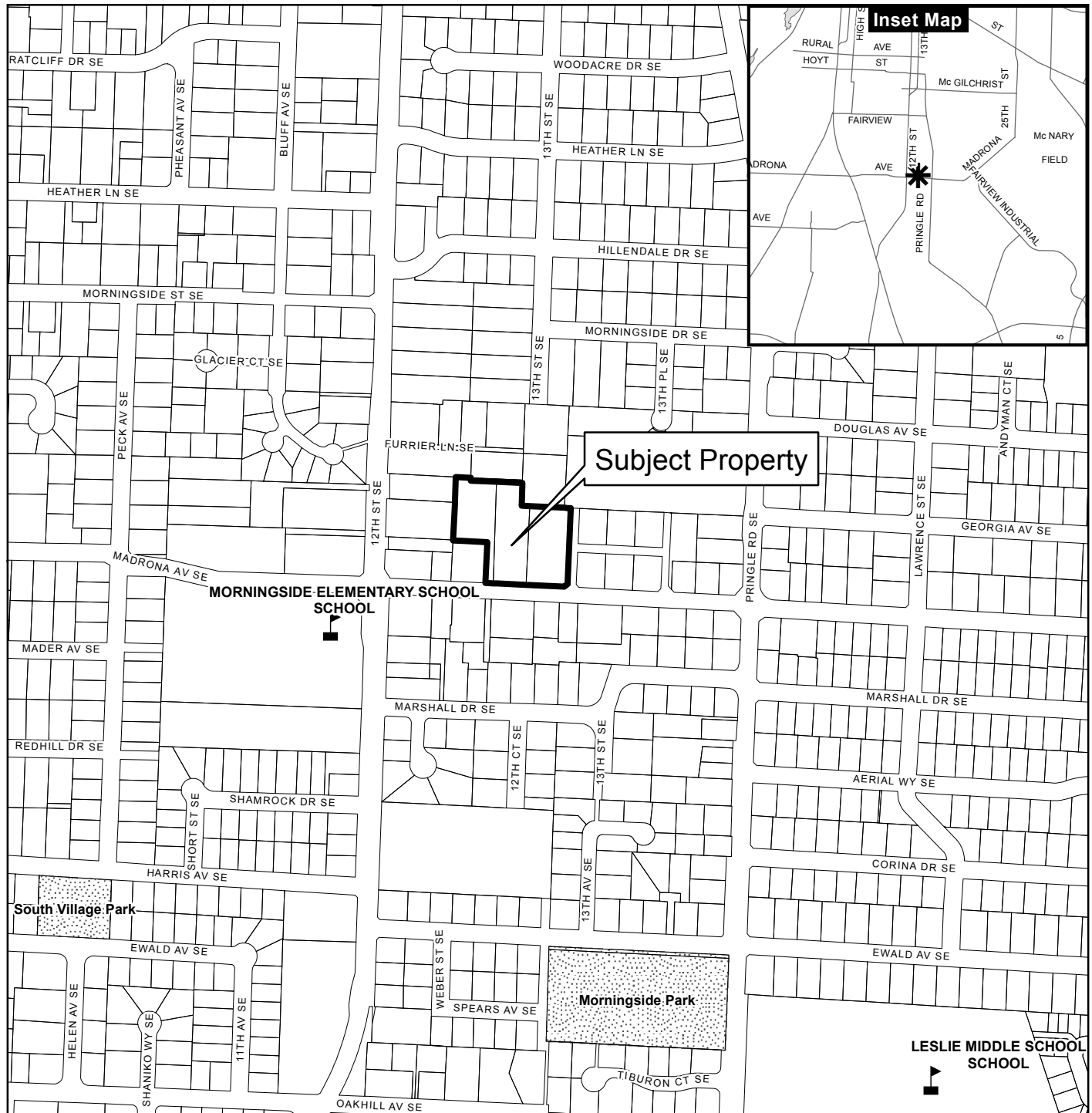
The rights granted by this decision must be exercised or extension granted by November 17, 2019 or this approval shall be null and void.

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, November 16, 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

1200 and 1295 Madrona Avenue SE



Legend

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

Parks

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0 100 200 400 Feet



SITE INFORMATION

This application is for Tentative Plan approval for a 15-lot subdivision. The subdivision will include 14 single-family lots, an existing single-family home and a storm water facility. Additionally, the Applicant is requesting an administrative adjustment for the following:

1. An administrative adjustment to the rear setback from 20-feet to 16-feet for lot #6.
2. An administrative adjustment to Section 800.025(e) maximum percentage of flag lots within a subdivision from 15% to 19%.
3. An administrative adjustment to the maximum lot width standard from 300% to 313% for lot #5 and lot #11.
4. An administrative adjustment to the 120-foot lot depth double frontage standard to 107 feet for lot #14.
5. An administrative adjustment to the minimum lot depth standard from 70-feet to 65-feet for lot #6.
6. An administrative Class 2 adjustment to the minimum frontage requirement from 40-feet to 31-feet for lot #4 (22.5%).

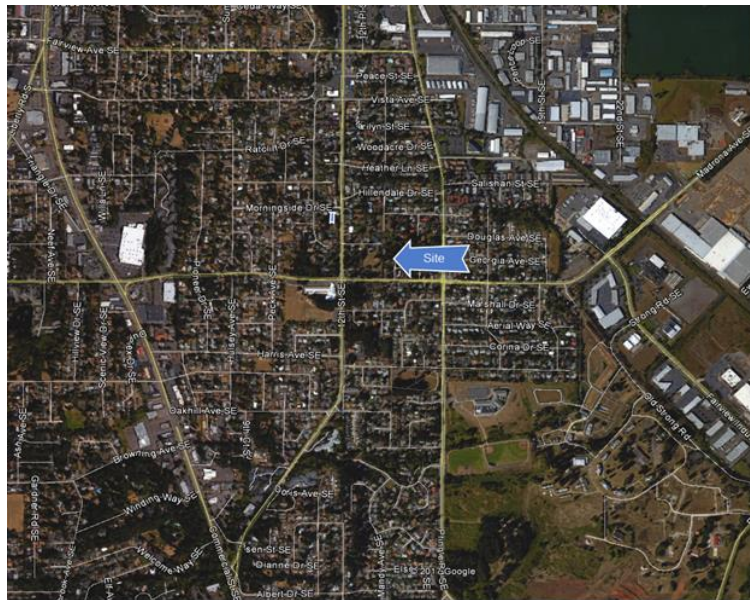


Figure 1: Aerial Vicinity Map

The property is located east of 12th Street SE, west of Pringle Road SE, and north of Madrona Avenue SE. The proposed subdivision consists of 14 single family lots, a water quality tract and an existing single-family residence which will remain. The property is zoned single-family residential and the following narrative will demonstrate how the proposal conforms to the provisions of Salem Revised Code (SRC) Chapters 511, 800, 805, and 205, in addition to other applicable Sections of the SRC. The property has a complimentary City of Salem Comprehensive Plan designation of Single Family Residential (SFR).

The property comprises of three tax lots (See “Appendix C: Title Reports and Deeds”):

- Tax Lot 6801
- Tax Lot 6700
- Tax Lot 6600

The three tax lots proposed for this submission were the subject of a Property Line Adjustment, which was approved by the city and recorded on January 20, 2017. A copy of the Property Line adjustment is included in the appendix of this application. (See “Appendix B: Property Line Adjustment Survey”)



Figure 2: Marion County Assessor's Tax Map



Figure 3: Site Aerial

The site is generally rectangular in shape and includes approximately 2.41 acres. The topography of the site slopes from west to east with an average grade of about 7% -10% and has no mapped wetlands.

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)):

SRC 205.010(d) - 1

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

APPLICANT'S RESPONSE: The Applicant is proposing a 15-Lot subdivision. As previously stated, the subject site is zoned RS (SRC Chapter 511). Single-family detached dwellings are an outright permitted use within this zone. Table 511-2, within Chapter 511, of the SRC includes information regarding lot standards for the RS zone. The minimum lot area is 4,000 square-feet for a single-family home. All lots proposed exceed the lot standard minimum and range in size from 4,060 sq. ft. to 6,016 sq. ft. The existing house has been included on a separate lot as has the water quality and detention facility. The SRC does not include lot size maximums. There is a provision, however, that a future development plan must be included with a land division application when a remaining property is a half-acre, or more. None of the proposed parcels within this partition are equal to, or more than, a half-acre. Therefore, this provision does not apply.

Lots 1-7 and 11 – 14 will front on a new public street which takes access off Madrona Avenue. Lots 8-10 are flag lots and will have access to the public street via a 25-foot cross-access and utility easement. (See "Plan D: Preliminary Site Plan"). The proposed flag lots will meet the provisions of SRC Chapter 800.020(a)(4) for front lot lines which states,

"for a flag lot, the front lot line shall be outside the property line that is an extension of the flag lot access way or the property line separating the flag portion of the lot from the lot between it and the street from which access is provided to the flag lot, unless the Planning Administrator otherwise directs, in which case the front lot line shall be set forth in the conditions of approval for the tentative plan of the plat which shall be recorded on deeds conveying lots."

Additionally, the Applicant will follow the provisions of SRC Chapter 800.020(b)(1) for rear lot lines which states,

“For all lots, except those identified in paragraph (2) of this subsection, the rear lot line shall be the property line that is opposite and most parallel to, and located the greatest distance from, the front lot line.”

The proposed subdivision complies with the City of Salem infrastructure standards. Utilities will be extended up the proposed public street to serve the proposed subdivision as shown on the attached Preliminary Utility Plan (See “Plan F: Preliminary Utility Plan”). A storm water quality and detention facility has been provided in a separate tract (Lot #16). Provisions for storm water management are outlined in the attached preliminary *Storm Water Management Report* prepared by Project Delivery Group, the Applicant’s representative.

The Applicant is not aware of any special development standards for the subject site. The Local Wetland Inventory (LWI) map does not indicate the presence of wetlands on the site. A Soils Survey designates the soils to be mostly non-hydric with a small portion of the site designated as having soils which are 0-32% hydric. According to the City of Salem Floodplain Map, the site does not fall within any of the FEMA Flood Zones. The adjoining properties are zoned RS and do not require any special setbacks. Additionally, the proposed public street access complies with the provisions of Chapter 805 of the SRC for Vision Clearance for an uncontrolled intersection. A copy of the report is attached. (See “Appendix D: Custom Soil Resource Report”).

SRC 205.010(d) - 2

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

APPLICANT’S RESPONSE: The tentative subdivision plan proposed creates 15 lots (plus the water quality facility tract). The surrounding properties to the east, north and west are developed with single-family homes. The lot arrangement precludes any extension of roads within this subdivision or development of the adjacent property. Table 511-3: Setbacks in SRC Chapter 511 in Figure 4 below, provides information for setbacks for single-family residential lots.

Abutting Street	Min. 20-feet	Applicable to buildings along collector or arterial streets.
Interior Front	Min. 12-feet	Garage Setback to be 20’.
Interior Side Yard Setback	Min. 5-feet	Applicable to buildings not more than 35-feet in height where the interior side setback abuts lots zoned RA and RS.
Interior Rear	Min. 20-feet	Applicable to buildings greater than one-story in height.

Figure 4: Excerpt from SRC Chapter 511-3

The lot line setback requirements can be met on each newly created parcel and are shown on the Preliminary Site Plan (See “Plan D: Preliminary Site Plan”). Approval of this proposed subdivision will not impede the future use or development of property or adjacent land.

The Applicant is requesting an administrative adjustment to the rear yard setback of lot 6 from 20-feet to 16-feet which is within the 20% allowable deviation from the code standard. This is necessary to maximize the available building area for this lot due to the configuration of the lot to the north and the geometry of the parcel boundary. (See “Appendix F: Adjustments”).

SRC 205.010(d) - 3

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

APPLICANT’S RESPONSE: The subject property has 280-feet of frontage on Madrona Avenue SE. A public street ending in a city-standard cul-de-sac will be extended into the property. Utilities are available to be extended from Madrona Avenue. A 10-inch water main, constructed in 1991, is located within Madrona Avenue according to the City of Salem As-Builts. The Applicant will extend water service from this line through the proposed public street and individual laterals will serve the 14 lots as shown on the utility plan (See “Plan F: Preliminary Utility Plan”). An 8-inch sanitary sewer is also available in Madrona Avenue. The Applicant proposes to extend sanitary service from Madrona Avenue through the new public street and construct individual laterals to serve each parcel. A storm water quality and detention facility located on lot 16 is proposed to accommodate and treat storm water runoff. Included with this application submittal is a preliminary storm water management report for review and approval by City staff. (See “Appendix A: Preliminary Drainage Report”). This proposed 15-lot subdivision can be adequately served by City infrastructure, therefore this requirement is met.

SRC 205.010(d) - 4

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

APPLICANT’S RESPONSE: The goal of the Salem Transportation Plan is “to provide a balanced, multimodal transportation system for the Salem Urban Area that supports the safe and efficient movement of goods and people.”

This proposed subdivision complies with the goal stated above as it reflects and supports land-use patterns identified in the Comprehensive Plan. The development of 15 lots along with the proposed public street infrastructure identified on the site plan (See “Plan D: Preliminary Site Plan”) meets this goal and provides both connectivity and a circulation system that provides

access to the local neighborhood, shopping, schools, and other activity centers. This requirement is met.

SRC 205.010(d) - 5

(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.*

APPLICANT'S RESPONSE: The proposed street system is efficiently designed to provide safe, orderly access to all lots within the development as well as access to Madrona Avenue. The proposed public street is designed as a 30-foot (curb-to-curb) local street within a 50-foot right-of-way. The cul-de-sac bulb is 38-foot curb-to-curb within a 45-foot right-of-way which meets both city and fire department standards. A 5-foot curb-tight sidewalk provides pedestrian access from the development to Madrona Avenue. Lots 8-10 take access onto the public street via a 20-foot drive within a 25-foot pedestrian access easement which meets the standards of Section 800.025 Flag Lots as illustrated in Figure 5 below. The length of the flag is approximately 130-feet which is well within the 400-foot maximum length. A hammerhead turnaround has been provided to allow for emergency access to these lots. Fire truck access is also provided by Madrona Loop to the east of the proposed subdivision.

**TABLE 800-1
FLAG LOT ACCESSWAY STANDARDS**

Table 800-1: Flag Lot Accessway Standards			
Number of Lots Served by Accessway	Maximum Length	Total Width	Paved Width
1-2 Lots (Residential Zoned Property)	150 ft. ⁽¹⁾	Min. 20 ft.	Min. 15 ft.
3-4 Lots (Residential Zoned Property)	400 ft. ⁽¹⁾	Min. 25 ft.	Min. 20 ft.
1-4 Lots (Non-Residential Zoned Property)	400 ft. ⁽¹⁾	Min. 25 ft.	Min. 20 ft.
<p align="center"><u>Limitations and Qualifications</u></p> <p>(1) Maximum flag lot accessway length shall not apply where geographic features make it impractical, and when approved by the Planning Administrator following review and recommendation by the Fire Marshal.</p>			

Figure 5: Flag Lot Accessway Standards

Access onto Madrona Avenue is located approximately 350-feet from 12th Avenue S.E. and it has unobstructed sight distance for traffic moving both east and west of the property.

SRC 205.010(d) - 6

(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.*

APPLICANT'S RESPONSE: The proposed subdivision is ideally situated within ½ mile of the intersection of Madrona Avenue and Commercial Street S.E. Safe and convenient bicycle and pedestrian access is provided from the subject site along Madrona Avenue to the neighborhood activity center and further along Commercial Street. This criterion is met.

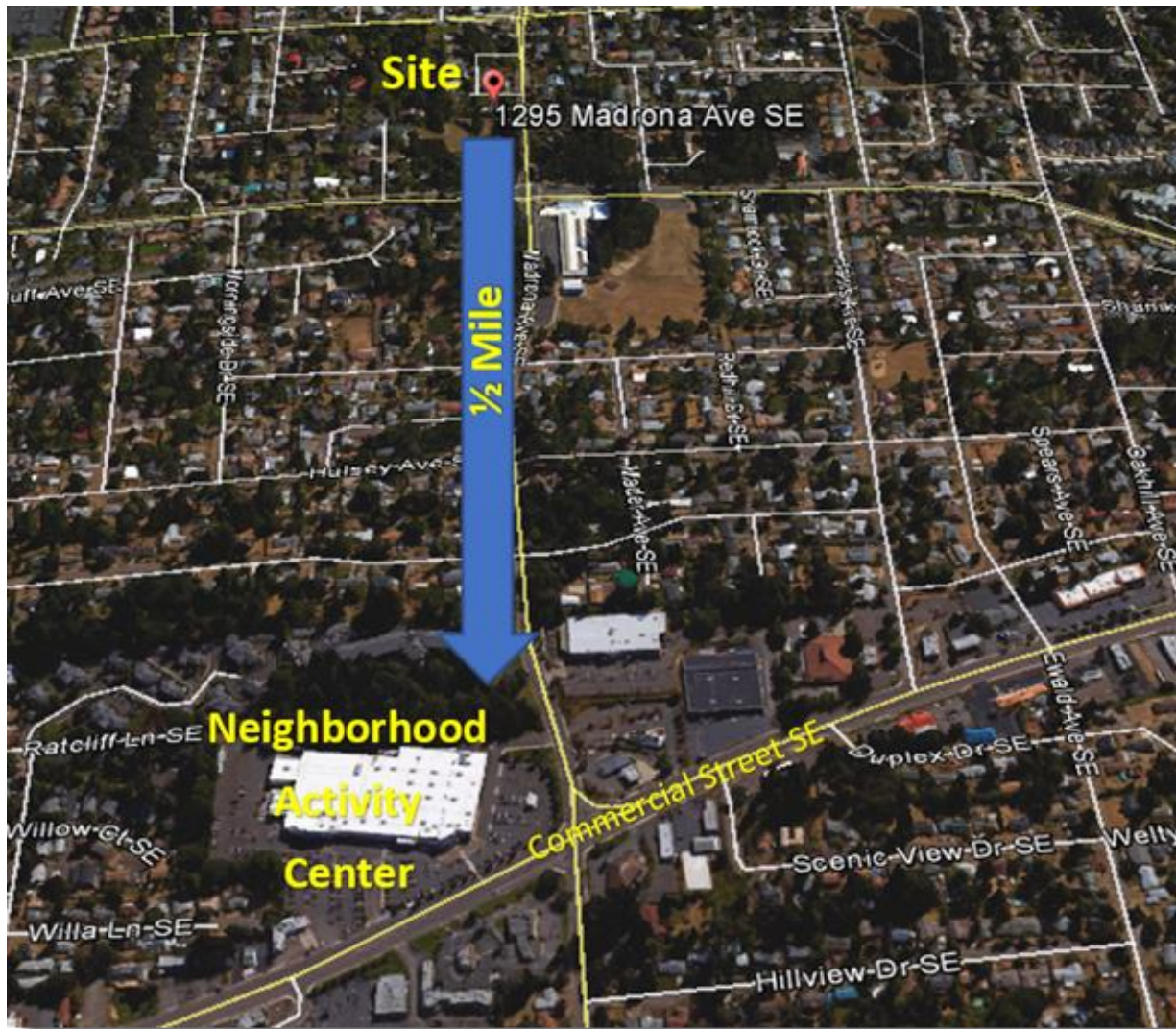


Figure 6: Bicycle and Pedestrian Access

SRC 205.010(d) - 7

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

APPLICANT'S RESPONSE: The proposed public street will intersect with Madrona Avenue SE. The portion of Madrona Avenue SE that the proposed development fronts on is designated a Minor Arterial, according to the City of Salem Street System Element. According to the Trip Generation Manual, 9th Edition, Volume 2, single-family dwellings generate 9.52 trips per day. This 15-lot subdivision will generate approximately 142.8 trips per day. The traffic impact from this development to the adjacent street system is negligible and the adjacent street system is designed in a manner which will provide for the safe, orderly, and efficient circulation of traffic into, through and out of the proposed subdivision.

Traffic Impact Analysis (TIA) Determination

The following information is required in order to assess the need for a Traffic Impact Analysis (TIA) and to calculate the Transportation Systems Development Charge (TSDC) to be levied on a proposed new development.

The City of Salem may require that a TIA be prepared as part of the approval process for major new development. The purpose of a TIA is to estimate the traffic impacts created by a new development on the surrounding street system. Any significantly adverse traffic impacts identified in the TIA must be mitigated by the applicant.

The estimated daily traffic generation of a new development is used as the criteria for determining whether a TIA is needed. If the new development access is located on an arterial or collector and the estimated daily traffic generation is more than 1000 trips, a TIA may be required. If access is located on a local street or alley and the generated trips exceed 200, a TIA may be required. Other criteria such as site access issues, driveway restrictions, and existing facilities deficiencies may also be used, if recommended by City Traffic Engineering staff.

APPLICANT'S RESPONSE: The Applicant has submitted the required Trip Generation Estimate form as part of this application. Given that the proposed development is located on a minor arterial and the threshold for requiring a Traffic Impact Analysis is 1000 trips per day, it does not appear that a TIA will be required as part of this application.

SRC 205.010(d) - 8

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

APPLICANT'S RESPONSE: This subdivision has been designed to maximize the developability of the property while providing safe access to and from the development. Given the geometry of the parcel boundary, the location of the public street, lot locations and building envelopes leave little room for adjustment.

The design of this subdivision has taken into account both the topography and vegetation on the site and has kept the need for variances and adjustments to the minimum necessary to practically develop this property. This requirement is met.

SRC 205.010(d) - 9

(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.

APPLICANT'S RESPONSE: As previously stated, the design of this proposed subdivision has considered both the topography and vegetation on the site. The property has an average grade of approximately 7% to 10% which requires some grading in order to accommodate the placement of the public street, access to the flag lots and to facilitate construction of the homes. Existing trees and vegetation will be retained as much as is practical to meet development objectives. This requirement is met.

SRC 205.010(d) - 10

(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.

APPLICANT'S RESPONSE: All city facilities are available to the property. This condition does not apply.

CONCLUSION

This application for approval of a Land Division Tentative Plan compliant with the plan of the City of Salem and is support of, and response to applicable requirements from the City's development code. Based upon the information provided herein, the Applicant hereby requests approval of this application.

APPENDIX F: ADJUSTMENTS

250.001. Purpose. The purpose of this Chapter is to provide a process to allow deviations from the development standards of the UDC for developments that, while not meeting the standards of the UDC, will continue to meet the intended purpose of those standards. Adjustments provide for an alternative way to meet the purposes of the code and provide for flexibility to allow reasonable development of property where special conditions or unusual circumstances exist.

250.005. Adjustments. (a) Applicability. (1) Classes. (A) A Class 1 adjustment is an adjustment to any numerical development standard in the UDC that increases or decreases the standard by not more than 20 percent.

An application for an adjustment shall be granted if all of the following criteria are met:

(A) The purpose underlying the specific development standard proposed for adjustment is:

- (i) Clearly inapplicable to the proposed development; or
- (ii) Equally or better met by the proposed development.

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

Adjustment #1: An administrative Class 1 adjustment to the rear setback of lot #6 from 20-feet to 16-feet.

Applicant's Response: The Applicant is requesting a 20% Class 1 administrative adjustment to the rear yard setback of lot 6 from 20-feet to 16-feet which is within the 20% allowable deviation from the code standard. This is necessary to maximize the available building area for this lot due to the configuration of the lot to the north and the geometry of the parcel boundary.

Adjustment #2: An administrative Class 1 adjustment to Section 800.025(e) maximum percentage of flag lots within a subdivision from 15% to 19%.

Applicant's Response: This subdivision has been designed to maximize the developability of the property while providing safe access to and from the development. Given the geometry of the parcel boundary, the location of the public street, lot locations and building envelopes leave little room for adjustment. The design of this subdivision has taken into account both the topography and vegetation on the site and has kept the need for variances and adjustments to the minimum necessary to practically develop this property.

Adjustment #3: Lot 5 and lot 11 appear to exceed the 300% maximum of the average lot width.

Applicant's Response: Lot 11 has a width of 42 feet and a length of 142 feet. The applicant is requesting a 13% Class 1 adjustment to the 300% maximum of the average lot width. This adjustment is necessary in order to save the existing trees located on the lots west boundary (overall 61% of the trees on the entire site have been preserved). The grading necessary to save these trees actually intrudes easterly into the lot by approximately 28 feet which actually makes the useable lot depth 114 feet which would be within the allowable standards. Additionally, preserving the trees on this lot has no adverse impact on the surrounding neighborhood and, in fact, enhances the livability of the area by providing an attractive green buffer between this proposed development and the existing neighborhood. Lot 5 has been adjusted and does not exceed the 300% maximum. The criteria for Adjustment #1 have been met.

Adjustment #4: Lot 14 does not appear to meet the double frontage standards.

Applicant's Response: City of Salem standards require a minimum of 120-foot lot depth for double-frontage lots. Lot 14 has a depth of 107-feet so the Applicant is requesting an 11% Class 1 adjustment to the lot depth standards. This adjustment is based on the fact that the location of the driveway for the existing house on lot 15 restricts the Applicant's ability to increase the lot depth without impacting the existing driveway. The Applicant will be constructing a fence on the eastern property line. Combined with suitable landscape materials, an attractive buffer can be created between the eastern lot line of Lot 14 and the existing driveway that screens the back yard of lot 14 from the existing house and creates a more attractive living environment for the residents of the development. The criteria for Adjustment #2 have been met.

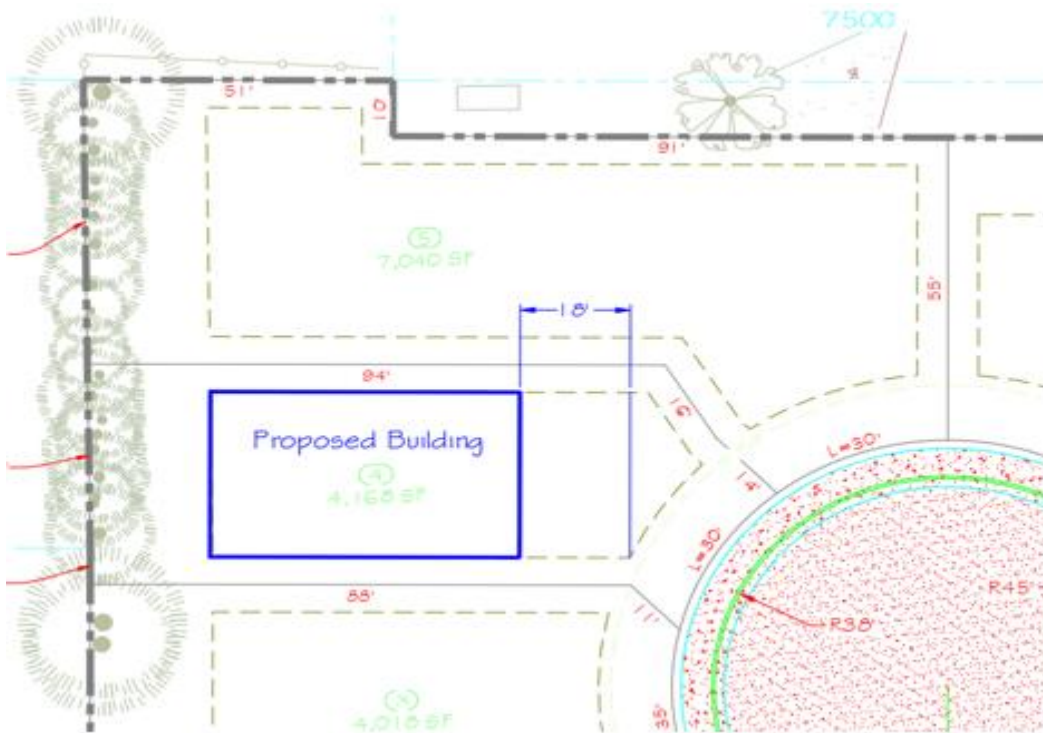
Adjustment #5: Lot 6 does not appear to meet lot depth standards.

Applicant's Response: The Applicant is requesting a Class 1 adjustment to the minimum lot depth of 70-feet. The average lot depth for lot 6 is 65 feet which is within 7% of meeting the required depth. The unusual geometry of the property boundary – particularly the impact of the 10-foot wide tax lot 7600 to the north impacts the Applicant's ability to fully meet the lot depth requirement. Additionally, any house built on this lot will not impact its neighboring house to the north as the adjacent area is comprised of a driveway and lawn.

Adjustment #6: Lot 4 does not appear to meet the minimum frontage requirements.

Applicant's Response: The Applicant is requesting a Class 2 adjustment to the minimum frontage requirements for lot 4 due to the following: The lot frontage is on a cul-de-sac and the portion of the "frontage" measured at the front setback is 31 feet but is not indicative of the actual lot frontage (or width) measured perpendicular to the actual lot itself. This adjustment amounts to an adjustment of 22.5%.

The illustration below shows the 18' garage setback for a potential house that more than adequately accommodates the proposed building footprint and is geometrically congruent with the other lots in this subdivision. An adjustment should be granted on this criterium alone but, as an alternative, staff could also condition the Applicant to create a plat restriction showing the building area and limiting any construction to the area indicated on the plat. Granting this adjustment will have absolutely no impact on any of the adjacent houses or neighborhood.



- (C) If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone.

Applicant's Response: The Applicant is requesting a total of six adjustments. As stated in section 511.001 Purpose, "The purpose of the Single Family

Residential (RS) zone is to implement the Single Family Residential designation of the Salem Area Comprehensive Plan through the identification of allowed uses and the establishment of development standards. The RS zone generally allows Single Family residential uses, along with a mix of other uses that are compatible with and/or provide services to the residential area.”

The cumulative effect of these adjustments is negligible on the surrounding neighborhood and does not detract from the livability or appearance of the residential area. Special care has been taken to preserve existing trees and the proposed development is consistent with the overall purpose of the RS – Single Family zone.



RECEIVED
OCT 31 2017
COMMUNITY DEVELOPMENT

MEMO

TO: Olivia Glantz, Planner II
Community Development Department

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

DATE: October 30, 2017

SUBJECT: PUBLIC WORKS RECOMMENDATIONS_REVISED
SUBDIVISION NO. SUB-ADJ17-10 (17-114620-LD)
1295 MADRONA AVENUE SE
15-LOT SUBDIVISION

PROPOSAL

A subdivision to divide 2.41 acres into 15-lots ranging in size from approximately 4,060-square-feet to approximately 10,899-square-feet, with Class 2 Adjustments.

RECOMMENDED CONDITIONS OF PLAT APPROVAL

1. Convey land for dedication of right-of-way to equal 36 feet from centerline of right-of-way along the entire frontage of Madrona Avenue SE.
2. The internal cul-de-sac street shall be constructed to City standards with the following modifications:
 - a. At the intersection of Madrona Avenue SE, the internal street may be constructed with curb extension and a reduced curb radius as shown in Attachment A.
3. Construct water and sewer facilities that are proposed in the public right-of-way and in public easements.
4. Design stormwater systems to serve all proposed parcels in compliance with PWDS. The stormwater systems shall be tentatively designed to accommodate future impervious surfaces. Construct stormwater facilities that are proposed in the public right-of-way.
5. Provide a 10-foot-wide public utility easement along the entire frontage of Madrona Avenue SE and the internal street.

FACTS

Madrona Avenue SE

1. **Existing Condition**—This street has an approximate 38-foot improvement within a 54-foot-wide right-of-way abutting the subject property.
2. **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.
3. **Special Setback**—The frontage of the subject property has a special setback equal to 36 feet from centerline of Madrona Avenue SE.

Storm Drainage

Existing Condition—A 10-inch storm main is located in Madrona Avenue SE.

Water

Existing Conditions

1. The subject property is located in the S-1 water service level.
2. There is a 10-inch public water line in Madrona Avenue SE.

Sanitary Sewer

Existing Sewer—An 8-inch sewer line is located in Madrona Avenue SE.

CRITERIA AND FINDINGS

SRC 205.005(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 205.010(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 submitted a report titled, "Geotechnical Investigation and Consultation Services" from Redmond Geotechnical Services, LLC, dated August 2, 2017. The report concludes that the site is stable and suitable for the proposed single-family development and its associate site improvements provided that the recommendation contained within the report are incorporated into the design and construction of the project.

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 partition plan. Water and sewer facilities shall be constructed to serve each lot as a condition of plat approval. Construction of facilities in the right-of-way is required prior to final plat except as authorized in an improvement agreement per SRC 205.035(c)(6)(B).

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

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 205.010(d)(5)—The street system in and adjacent to the tentative partition plan conforms to the *Salem Transportation System Plan*.

The street system in and adjacent to the tentative partition plan is designed so as to provide for the safe, orderly, and efficient circulation of traffic into, through, and out of the partition.

Finding—Madrona Avenue SE abuts the subject property and is fully developed with curb and sidewalk. The existing right-of-way does not meet the current standard of a 36-foot half width for a Minor Arterial street. As identified in the conditions of approval, the applicant is required to convey land for dedication of right-of-way to equal 36 feet from centerline along the entire frontage of Madrona Avenue SE.

The proposed cul-de-sac shall be constructed to City standards. However, right-of-way is limited at the northwest corner of the new Carolyn Court SE and Madrona Avenue SE intersection. In order to complete a sidewalk connection to Madrona Avenue SE, and to prevent an encroachment onto the westerly neighboring property, Public Works staff recommend a curb extension and an alternate curb return design at the northwest corner of the intersection. The extension and alternate curb return radius shall be constructed as shown in Attachment A pursuant to PWDS.

SRC 205.010(d)(6)—The tentative subdivision plan provides safe and convenient bicycle and pedestrian access from within the subdivision to adjacent residential areas and transit stops, and to neighborhood activity centers within one-half mile of the development.

Finding—The proposed development creates a new street connection to Madrona Avenue SE to cul-de-sac street standards. Pedestrian facilities will be available along the east side of Carolyn Court SE to provide safe access to existing pedestrian facilities in Madrona Avenue SE.

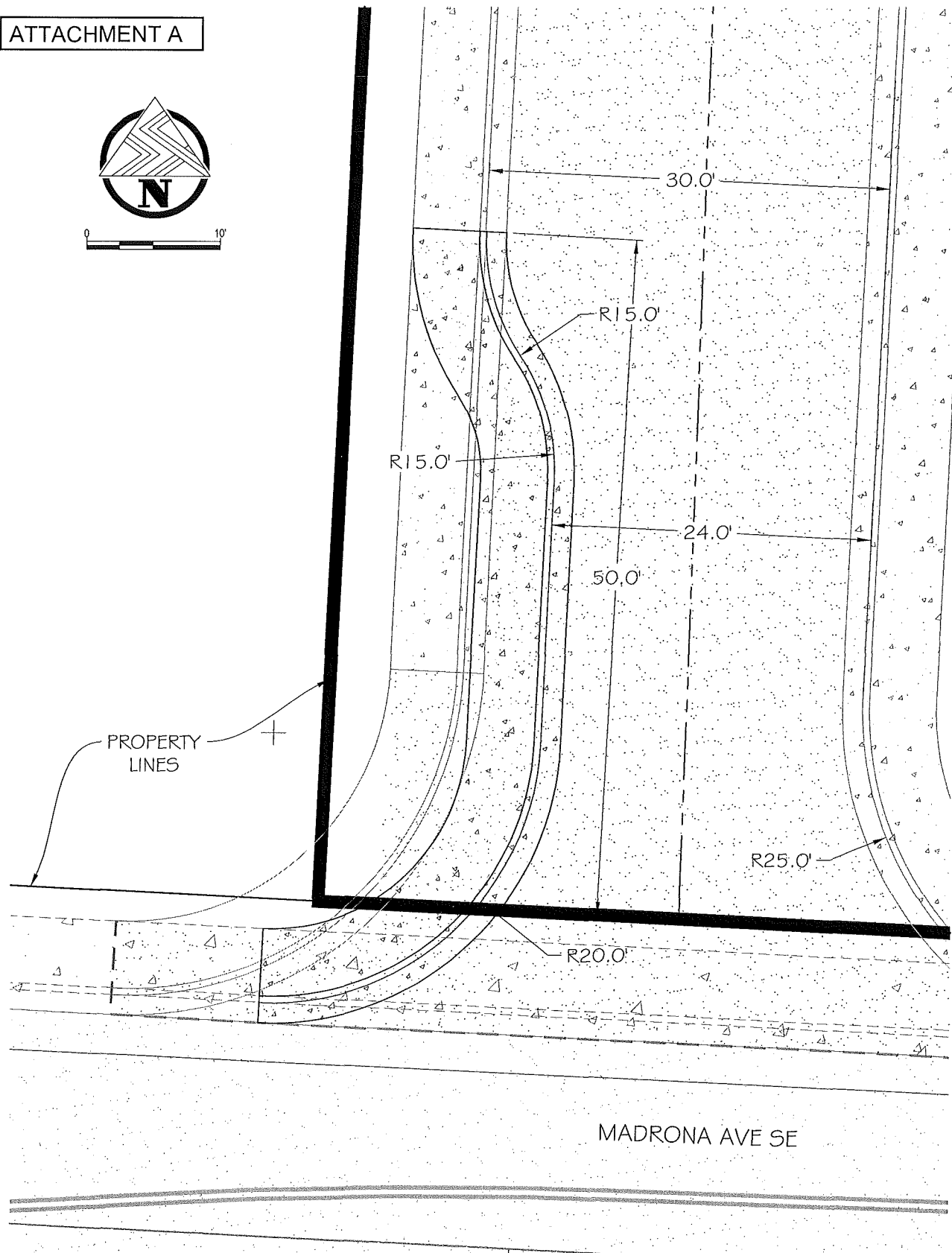
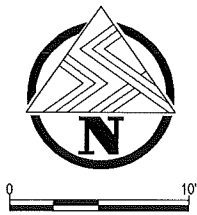
Prepared by: Curt Pellatz, Project Coordinator

Attachment:

1. Madrona Avenue SE Development Map

cc: File

ATTACHMENT A



PLOT DATE/TIME: 10/25/2017 - 2:00pm

P:\2017 Projects\17098 Madrona Subdivision\The CAD\Civil\Exhibits\17098_Madrona_Return_Exhibit.dwg



MADRONA AVE DEVELOPMENT
RETURN CONFIGURATION ALTERNATIVE - 20ft