

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

PARTITION / CLASS 2 ADJUSTMENT CASE NO.: PAR-ADJ18-13

APPLICATION NO. : 18-121338-LD & 18-121345-ZO

NOTICE OF DECISION DATE: February 5, 2019

SUMMARY: A proposed partition to divide a lot along the easterly side of Abrams Avenue NE into two parcels with two Class 2 Adjustments for lot depth and future setbacks abutting a street.

REQUEST: A tentative partition plan to divide property approximately 0.21 acres in size into two parcels, with Parcel 1 consisting of approximately 4,718 square feet and Parcel 2 consisting of approximately 4,718 square feet. Both Parcel 1 Parcel 2 would consist of vacant land for the future development of single-family homes. The Class 2 Adjustments are requested to allow proposed Parcel 2 to have a reduced lot depth from the required 70 feet down to a proposed 53 feet and to reduce the required setback from a street from 12 feet down to 11.5 feet to the future dwelling and from 20 feet down to 19.5 feet to the future garage.

The subject property is approximately 0.21 acres in size, zoned RS (Single Family Residential), and located at 3430 Abrams Avenue NE (Marion County Assessor's Map and Tax Lot numbers 073W13BA / 6400).

APPLICANT: Maximiano Diaz-Salcedo

OWNER(S): Maria Arredondo

LOCATION: 3430 Abrams Ave NE / 97301

CRITERIA: Salem Revised Code SRC 205.005(d) and 250.005(d)(2)

FINDINGS: The facts and findings are in the attached Order dated February 5, 2019.

DECISION: The Planning Administrator **APPROVED** the Partition / Class 2 Adjustment Case No.: PAR-ADJ18-13 subject to the applicable standards of the Salem Revised Code, the findings contained herein, and the conditions of approval listed below, which must be completed prior to final plat approval, unless otherwise indicated:

- Condition 1:** Prior to final plat approval, the applicant shall obtain a demolition permit and remove the existing single family dwelling and garage that would straddle the new property line.
- Condition 2:** Provide a 15-foot private sewer easement as shown on the tentative plan and relocate the sewer lateral to within the easement to serve the lot addressed as 3420 Abrams Avenue NE.

- Condition 3:** Construct sewer services proposed in the public right-of-way.
- Condition 4:** Obtain permits for installation of water services to serve Parcel 2.
- Condition 5:** Provide a 10-foot public utility easement (PUE) along all street frontages.
- Condition 6:** Convey land for dedication to equal a 20-foot radius at the corner of Abrams Avenue NE and Jane Drive NE.
- Condition 7:** Complete the following street improvements in accordance with SRC 803.040 and PWDS:
- a. Construct a curb-line sidewalk and install street trees along the frontage of Jane Drive NE.
 - b. Replace non-conforming panels of curb-line sidewalk along the frontage of Abrams Avenue NE; and
 - c. Replace the non-conforming curb ramp at the intersection of Abrams Avenue NE and Jane Drive NE.
- Condition 8:** Design stormwater systems to serve all proposed parcels in compliance with Public Works Design Standards. The stormwater systems shall be tentatively designed to accommodate future impervious surfaces on Parcels 1 and 2. Construct stormwater facilities proposed in the public right-of-way.

The rights granted by the attached decision must be exercised, or an extension granted, by **February 21, 2021** or this approval shall be null and void.

Application Deemed Complete:	<u>November 13, 2018</u>
Notice of Decision Mailing Date:	<u>February 5, 2019</u>
Decision Effective Date:	<u>February 21, 2019</u>
State Mandate Date:	<u>April 12, 2019</u>

Case Manager: Britany Randall, brandall@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., February 20, 2019**. The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapter(s) 205 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 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>

\\allcity\amanda\amandaforms\4431Type2-3NoticeOfDecision.doc

**BEFORE THE PLANNING ADMINISTRATOR
OF THE CITY OF SALEM
(PARTITION PLAT NO. 18-13)**

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

**IN THE MATTER OF THE
TENTATIVE APPROVAL OF
PARTITION PLAT NO. 18-13;
3430 ABRAMS AVENUE NE**

)
)
)
)

FINDINGS AND ORDER

FEBRUARY 5, 2019

REQUEST

A tentative partition plan to divide property approximately 0.21 acres in size into two parcels, with Parcel 1 consisting of approximately 4,718 square feet and Parcel 2 consisting of approximately 4,718 square feet. Both Parcel 1 Parcel 2 would consist of vacant land for the future development of single-family homes.

The Class 2 Adjustments are requested to allow proposed Parcel 2 to have a reduced lot depth from the required 70 feet down to a proposed 53 feet and to reduce the required setback from a street from 12 feet down to 11.5 feet to the future dwelling and from 20 feet down to 19.5 feet to the future garage.

The subject property is approximately 0.21 acres in size, zoned RS (Single Family Residential), and located at 3430 Abrams Avenue NE (Marion County Assessor's Map and Tax Lot numbers 073W13BA / 6400).

DECISION

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

- Condition 1:** Prior to final plat approval, the applicant shall obtain a demolition permit and remove the existing single family dwelling and garage that would straddle the new property line.
- Condition 2:** Provide a 15-foot private sewer easement as shown on the tentative plan and relocate the sewer lateral to within the easement to serve the lot addressed as 3420 Abrams Avenue NE.
- Condition 3:** Construct sewer services proposed in the public right-of-way.
- Condition 4:** Obtain permits for installation of water services to serve Parcel 2.
- Condition 5:** Provide a 10-foot public utility easement (PUE) along all street frontages.

- Condition 6:** Convey land for dedication to equal a 20-foot radius at the corner of Abrams Avenue NE and Jane Drive NE.
- Condition 7:** Complete the following street improvements in accordance with SRC 803.040 and PWDS:
- a. Construct a curb-line sidewalk and install street trees along the frontage of Jane Drive NE.
 - b. Replace non-conforming panels of curb-line sidewalk along the frontage of Abrams Avenue NE; and
 - c. Replace the non-conforming curb ramp at the intersection of Abrams Avenue NE and Jane Drive NE.
- Condition 8:** Design stormwater systems to serve all proposed parcels in compliance with Public Works Design Standards. The stormwater systems shall be tentatively designed to accommodate future impervious surfaces on Parcels 1 and 2. Construct stormwater facilities proposed in the public right-of-way.

PROCEDURAL FINDINGS

1. On October 22, 2108 an application for a Tentative Partition Plan was filed proposing to divide a 0.21 acre property (Attachment B) into two parcels.
2. After additional information was submitted by the applicant, the application was deemed complete for processing on November 13, 2018.
3. Notice to surrounding property owners was mailed pursuant to Salem Revised Code on November 14, 2018.
4. On February 5, 2019, the applicant granted a 30-day extension to the 120-day rule making the state mandated decision date April 12, 2019.

SUBSTANTIVE FINDINGS

1. Proposal

The tentative plan proposes to divide the property into two parcels, with both parcels consisting of vacant land for new single family dwellings (Attachment B). The proposed Parcel 1 will access to Abrams Avenue NE and proposed Parcel 2 would access to Jane Drive NE. The two parcels within the tentative partition plan are proposed as follows:

PROPOSED PARCEL 1

Parcel Size: 4,718 square feet,

Parcel Dimensions: Approximately 54 feet in width and 88 feet in depth.

PROPOSED PARCEL 2

Parcel Size: 4,718 square feet,

Parcel Dimensions: Approximately 88 feet in width and 54 feet in depth.

Access and Circulation: The subject property has frontage along the northerly property line on Jane Drive NE, which is designated as a local street within the Salem Transportation System Plan (TSP). The subject property has frontage along the westerly property line on Abrams Avenue NE, which is designated as a local street within the Salem Transportation System Plan (TSP).

2. Existing Conditions

Site and Vicinity

The subject property is a rectangular lot, with approximately 176 feet of frontage on Jane Drive NE along its northerly boundary and approximately 54 feet of frontage on Abrams Avenue NE along its westerly boundary. The property is approximately 54 feet in width and approximately 176 feet in depth from east to west. In 2017, demolition permits were applied for but were later canceled. The subject property includes an existing single-family dwelling and a semi-attached garage. The existing dwelling would cross the proposed property line and will need to be demolished prior to the final partition plat, as stated in the conditions of tentative partition plan approval.

Salem Area Comprehensive Plan (SACP) Designation

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

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

North: (Across Jane Drive NE) Single Family Residential

South: Single Family Residential

East: Single Family Residential

West: (Across Abrams Avenue NE) Single Family Residential

Zoning and Surrounding Land Use

The subject property is zoned RS (Single Family Residential) and is currently occupied by a single family dwelling. The surrounding properties are zoned and used as follows:

North: (Across Jane Drive NE) Single Family Residential: Single Family Dwelling

South: Single Family Residential: Single Family Dwelling

East: Single Family Residential: Single Family Dwelling

West: (Across Abrams Avenue NE) Single Family Residential: Single Family Dwelling

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 G-0 water service level. A 10-inch City of Salem public water line is located in Abrams Avenue NE. A 6-inch City of Salem public water line is located in Jane Drive NE.

Sewer: A 10-inch City of Salem public sewer line is located in Abrams Avenue NE. An 8-inch City of Salem sewer line is located in Jane Drive NE.

Storm Drainage: There is an existing 8-inch public storm main located in Jane Drive NE.

Streets: *Jane Drive NE* abuts the northerly boundary of the subject property and is designated as a Local street in the Salem Transportation System Plan (TSP).

- Jane Drive NE in this location was approved with an alternative standard of a 30-foot-wide improvement within a 53.55-foot-wide right-of-way on the subdivision plat for Dentel Gardens.
- The abutting portion of Jane Drive NE currently has an approximately 34-foot wide improvement within a 53.55-foot-wide right-of-way.

Abrams Avenue NE abuts the westerly boundary of the subject property and is designated as a Local street in the Salem Transportation System Plan (TSP).

- Abrams Avenue NE in this location was approved with an alternative standard of a 30-foot-wide improvement within a 40-foot-wide right-of-way on the subdivision plat for Capitola.

- The abutting portion of Abrams Avenue NE currently has an approximate 30-foot-wide improvement within a 40-foot-wide right-of-way abutting the subject property.

3. 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 C.

Salem Fire Department – Salem Fire Department reviewed the proposal and commented that fire has no objections to the proposed partition. Fire department access and water supply appear to be existing, but will be verified at the time of building permit plan review.

Salem-Keizer Public Schools – The Salem-Keizer Public Schools, Planning and Property department submitted comments which are included as Attachment D.

4. Neighborhood Association Comments

The subject property is within the Northgate 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 neighborhood association prior to the close of the comment period.

5. Public Comments

Property owners within 250 feet of the subject property were mailed notification of the proposed partition. One comment was received from a neighboring property owner stating they had reviewed the proposal and have no objections to it.

6. Criteria for Granting a Tentative Partition

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 partition 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 parcels 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 partition plat.

SRC Chapter 205.005(d) sets forth the criteria that must be met before approval can be granted to a tentative partition plan. 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 205.005(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 205.005(d)(1): The tentative partition 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.

SRC Chapter 511 (Single Family Residential): The proposed partition would divide the 0.27 acre property into 2 parcels with no remainder. The subject property 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 (Single Family) (see SRC Chapter 511, Table 511-2)

Requirement	Minimum Standard
Lot Area (Single Family)	4,000 square feet
Infill Lot ¹	5,500 square feet
Two Family	7,000 square feet
Lot Width	40 feet
Lot Depth (Single Family)	70 feet
Street Frontage	40 feet

Proposed parcels in the partition will each be approximately 4,718 square feet in size. The proposed parcels exceed minimum lot area and frontage requirements. Proposed Parcel 2 does not meet the minimum lot depth requirement and the applicant has applied for a Class 2 Zoning Adjustment to reduce the depth for Parcel 2 from 70 feet down to approximately 54 feet due to the orientation of the subject property. The adjustment criteria are addressed in Section 6 of this decision. Proposed Parcel 1 meets all of the minimum width, depth, and frontage requirements. The proposed parcels within the partition are of sufficient size and dimension to permit future development of uses allowed within the zone.

¹ Infill lot: A residential flag lot created by the partition of land after February 8, 2006.

Except for flag lots, the RS zone, pursuant to SRC 511.010(a) Table 511-2, requires lots to have a minimum frontage of 40 feet on a street. Both proposed parcels exceed the minimum frontage requirement.

Setback Requirements: SRC Chapter 511 establishes the following setback standards for development within an RS (Single Family) 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
- Minimum 10 feet (Infill Lot)

The applicant has shown building envelopes on the proposed site plan provided with their application materials. The future planned single family dwelling for proposed Parcel 1 is shown to meet all of the required setbacks. The future planned single family dwelling for proposed Parcel 2 will need an adjustment to the garage setback and the dwelling setback abutting a local street. The applicant has addressed the criteria for an adjustment for these setbacks which is included in Section 6 of this decision. The setbacks will be confirmed at the time of building permit review.

Lot Coverage: Maximum lot coverage requirements within the RS zone are established under SRC 511.010(c), Table 511-4. The RS zone limits the total maximum lot coverage for buildings and accessory structures to 60 percent. Future development of Parcels 1 and 2 will be reviewed for conformance with the development standards of SRC 511 at the time of building permit review.

The proposal meets the requirements of SRC Chapter 511.

SRC Chapter 800 (General Development Standards):

SRC 800.015(a) (Buildings to be on a Lot): Pursuant to SRC 800.015(a), every building or structure shall be entirely located on a lot. The existing single family dwelling and garage, if retained, would project across the proposed property line which is not allowed. The applicant has indicated the desire to develop two new single family dwellings one which would be entirely on proposed Parcel 1 and the other which would be entirely on proposed Parcel 2. To ensure the existing single family dwelling and

garage are not retained, creating a nonconforming development, the following condition shall apply:

Condition 1: Prior to final plat approval, the applicant shall obtain a demolition permit and remove the existing single family dwelling and garage that would straddle the new property line.

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

SRC 806.015(a) (Minimum Required Off-Street Parking): All Single Family and Two Family dwellings, outside of the Central Salem Development Program (CSDP) Area, are required to provide a minimum of two off-street parking spaces. The subject property is located outside of the CSDP, and the proposed partition would create two parcels for residential development (proposed Parcels 1 and 2).

Off-street parking requirements for proposed Parcels 1 and 2 will be reviewed at the time of application for building permits.

The proposal meets 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 partition 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 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 partition. Specifications for required public improvements are summarized in the Public Works Department memo dated August 9, 2018 (Attachment C).

SRC 802.015 (Development to be Served by City Utilities). Water, sewer and stormwater services must be provided to each of the proposed parcels, consistent with Public Works Design Standards (PWDS). In order to ensure water, sewer and stormwater service are provided in compliance with the requirements of SRC Chapter 802 and the PWDS, the following conditions shall apply:

Condition 2: Provide a 15-foot private sewer easement as shown on the tentative plan and relocate the sewer lateral to within the easement to serve the lot addressed as 3420 Abrams Avenue NE.

Condition 3: Construct sewer services proposed in the public right-of-way.

Condition 4: Obtain permits for installation of water services to serve Parcel 2.

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 two parcel partition generates less than 200 average daily vehicle trips to Abrams Avenue NE or Jane Drive NE, which are designated as Local streets. Therefore, a Traffic Impact Analysis is not required as part of the proposed partition submittal.

SRC 803.020 (Public and Private Streets): There are no internal streets proposed within the partition. The subject property has frontages on Abrams Avenue NE and Jane Drive NE, which are public streets.

SRC 803.025 (Right-of-Way and Pavement Widths): Abrams Avenue NE was platted as a 40-foot-wide right-of-way in 1937 as part of the subdivision known as Capitola. As a result, Abrams Avenue NE meets the criteria for an alternative street standard pursuant to SRC 803.065. Jane Drive NE was platted as a 53.55-foot-wide right-of-way in 1956 as part of the subdivision to be known as Dentel Gardens. Jane Drive NE also meets the criteria for an alternative street standard pursuant to SRC 803.065.

SRC 803.030 (Street Spacing): The proposed partition involves further division of a 0.21 acre lot, within an established residential area where the network of streets has been in place for several decades. The limited size of the proposal and existing development on adjacent properties preclude development of further street connections as part of the proposal. The requirements of SRC Chapter 803.030 are not applicable to this proposal.

SRC 803.035 (Street Standards): Pursuant to subsection (n), public utility easements (PUEs) may be required for all streets. In order to ensure adequate access for the provision of electricity and other utilities, the following condition shall apply:

Condition 5: Provide a 10-foot public utility easement (PUE) along all street frontages.

SRC 803.040 (Boundary Streets): Up to a half street improvement is required for a partition. The boundary streets are currently lacking in sidewalks and street trees. The applicant shall convey land for dedication to equal a 20-foot radius at the corner of Abrams Avenue NE and Jane Drive NE, and replace the non-conforming curb ramp at the intersection in compliance with Public Works Design Standards (PWDS). The applicant shall also construct a curb-line sidewalk and install street trees along the

frontage of Jane Drive NE in accordance with SRC 803.040 and PWDS. The curb-line sidewalk is warranted under SRC 803.035(I)(2)(B) because the existing right-of-way does not allow adequate space for the landscape strip and a 5-foot sidewalk. To ensure all of these standards are met, the following conditions shall apply:

Condition 6: Convey land for dedication to equal a 20-foot radius at the corner of Abrams Avenue NE and Jane Drive NE.

Condition 7: Complete the following street improvements in accordance with SRC 803.040 and PWDS:

- a. Construct a curb-line sidewalk and install street trees along the frontage of Jane Drive NE.
- b. Replace non-conforming panels of curb-line sidewalk along the frontage of Abrams Avenue NE; and
- c. Replace the non-conforming curb ramp at the intersection of Abrams Avenue NE and Jane Drive NE.

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

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

SRC Chapter 808 (Preservation of Trees and Vegetation): SRC Chapter 808 (Preservation of Trees and Vegetation) requires tree conservation plans in conjunction with development proposals involving the creation of lots or parcels to be used for the construction of single family or duplex dwelling units, if the development proposal will result in the removal of trees.

The subject property is void of trees and therefore, no tree removal is proposed with the development and a tree conservation plan was not required.

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) indicates the property does not contain any wetland areas.

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

SRC 205.005(d)(2): The tentative partition plan does not impede the future use or development of the property or adjacent land.

Finding: The proposed partition would divide a 0.21 acre property into two proposed parcels with no remainder. The proposed partition would not impede the future use or development of any portion of the property. The adjoining properties are developed with single family dwellings and have access to public streets.

The proposed configuration of parcels allows for the future development of the site consistent with applicable zoning standards. The property's existing frontages on Abrams Avenue NE and Jane Drive NE are sufficient to provide access to each of the proposed parcels. The proposal does not adversely affect the safe and healthful development of adjacent properties. The proposal meets this criterion.

SRC 205.005(d)(3): Development within the tentative partition plan can be adequately served by City infrastructure.

Finding: The subject property is within the Urban Service Area. Public Works Department staff reviewed the proposal and determined that 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. As specified in the conditions of approval, private water, sewer, and storm services shall be constructed to serve each parcel as a condition of plat approval.

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. In order to ensure that stormwater systems within the proposed partition meet the requirements of SRC Chapter 71, the following condition shall apply:

Condition 8: Design stormwater systems to serve all proposed parcels in compliance with Public Works Design Standards. The stormwater systems shall be tentatively designed to accommodate future impervious surfaces on Parcels 1 and 2. Construct stormwater facilities proposed in the public right-of-way.

All public and private City infrastructure proposed to be located in the public right-of-way shall be constructed or secured per SRC 803.035(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.

As conditioned, the proposal meets this criterion.

SRC 205.005(d)(4): The street system in and adjacent to the tentative partition plan conforms to the Salem Transportation System Plan.

Finding: Abrams Avenue NE was platted as a 40-foot-wide right-of-way in 1937 as part of the subdivision known as Capitola. As a result, Abrams Avenue NE meets the criteria for an alternative street standard pursuant to SRC 803.065. Jane Drive NE was platted as a 53.55-foot-wide right-of-way in 1956 as part of the subdivision to be known as Dentel Gardens. Jane Drive NE also meets the criteria for an alternative street standard pursuant to SRC 803.065.

Up to a half street improvement is required for a partition. The boundary streets are currently lacking in sidewalks and street trees. The applicant shall convey land for dedication to equal a 20-foot radius at the corner of Abrams Avenue NE and Jane Drive NE, and replace the non-conforming curb ramp at the intersection in compliance with Public Works Design Standards (PWDS). The applicant shall also construct a curb-line sidewalk and install street trees along the frontage of Jane Drive NE in accordance with SRC 803.040 and PWDS. The curb-line sidewalk is warranted under SRC 803.035(l)(2)(B) because the existing right-of-way does not allow adequate space for the landscape strip and a 5-foot sidewalk.

Pursuant to SRC 78.180, the applicant shall repair non-conforming panels of curb-line sidewalk along the frontage of Abrams Avenue NE at the time of building construction in compliance with PWDS.

As conditioned above, the proposal meets this criterion.

SRC 205.005(d)(5): 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: The property abuts Jane Drive NE to the north and Abrams Avenue NE to the west. Both abutting streets are designated as Local streets in the TSP. Abrams Avenue NE was platted as a 40-foot-wide right-of-way in 1937 as part of the subdivision known as Capitola. As a result, Abrams Avenue NE meets the criteria for an alternative street standard pursuant to SRC 803.065. Jane Drive NE was platted as a 53.55-foot-wide right-of-way in 1956 as part of the subdivision to be known as Dentel Gardens. Jane Drive NE also meets the criteria for an alternative street standard pursuant to SRC 803.065.

As conditioned above, the street system adjacent to the tentative partition plan will provide for the safe, orderly, and efficient circulation of traffic into, through, and out of the partition.

SRC 205.005(d)(6): The tentative partition 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 partition 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 layout allows for reasonable development of all parcels within the partition. The site is relatively flat and is void of trees therefore, no tree removal is required to construct the proposed development.

SRC 205.005(d)(7): The layout, size, and dimensions of the parcels within the tentative partition plan take into account the topography and vegetation of the site, such that the least disruption of site, topography, and vegetation will occur from the reasonable development of the parcels.

Finding: As described in findings above, the subject site is flat. The proposed layout minimizes the need for substantial grading in any single area.

The proposal meets this criterion.

SRC 200.005(d)(8): When the tentative partition plan is for property located more than 300 feet from an available sewer main, and the property will not connect to City water and sewer:

- (A) The property is zoned residential;**
- (B) The property has received a favorable site evaluation from the county sanitarian for the installation of an on-site sewage disposal system; and**
- (C) The proposed parcels are at least 5 acres in size and, except for flag lots, have no dimension that is less than 100 feet.**

Finding: The site is served by available sewer and water. Therefore, this criterion does not apply.

7. Analysis of Class 2 Adjustment Approval Criteria

SRC 250.005(d)(2) states:

An application for Class 2 Adjustment shall be granted if all of the following criteria are met:

- (1) The purpose underlying the specific development standard proposed for adjustment is:
 - a. Clearly inapplicable to the proposed development; or
 - b. Equally or better met by the proposed development.
- (2) If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.
- (3) 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.

Criterion 1:

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

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

Finding: Proposed Parcel 2 has street frontage onto Jane Drive NE along the northerly property line which forces the depth of the parcel to be calculated from north to south, a dimension which is approximately 54 feet in length. Because the parcel is restricted by its street frontage, the adjustment to lot depth is necessary to allow the proposed partition. The applicant is also requesting a reduction to the required setbacks abutting the local street by 6 inches to both the future garage and single-family dwelling. Because the applicant is proposing to meet the setbacks to the rear property line, and exceeds the minimum side setbacks on both the east and west property lines, there is no impact to adjacent development.

Criterion 2:

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

Finding: The subject property is located within the RS zone and is surrounded by single family developments on the south, east, and west sides. Because the applicant proposes to meet and exceed the minimum required setbacks on each of those property lines abutting the existing developments, the proposal will not detract from the livability or appearance of the neighborhood.

Criterion 3:

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 applicant is requesting two adjustments, one to reduce the lot depth, as they are restricted by the street frontage along the north property line. The second adjustment is to reduce the required setback from the local street to the future garage

and future dwelling by 6 inches. The reduction of the front property line allows the applicant to meet the minimum rear setback abutting an existing single family dwelling, thereby eliminating any impact. The cumulative effect of all the adjustments results in a project which is still consistent with the overall purpose of the zone.

8. Conclusion

Based upon review of SRC 205.005, SRC 250.005, and the comments described, the tentative partition plan and adjustment 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 Partition Plan and Adjustment Case No. 18-13, to divide a 0.21 acre lot into 2 parcels, with each parcel consisting of 4,718 square feet for property zoned RS (Single Family Residential), and located at 3430 Abrams Avenue NE is hereby **APPROVED** subject to the applicable standards of the Salem Revised Code, the findings contained herein, and the conditions of approval listed below, which must be completed prior to final plat approval, unless otherwise indicated:

- Condition 1:** Prior to final plat approval, the applicant shall obtain a demolition permit and remove the existing single family dwelling and garage that would straddle the new property line.
- Condition 2:** Provide a 15-foot private sewer easement as shown on the tentative plan and relocate the sewer lateral to within the easement to serve the lot addressed as 3420 Abrams Avenue NE.
- Condition 3:** Construct sewer services proposed in the public right-of-way.
- Condition 4:** Obtain permits for installation of water services to serve Parcel 2.
- Condition 5:** Provide a 10-foot public utility easement (PUE) along all street frontages.
- Condition 6:** Convey land for dedication to equal a 20-foot radius at the corner of Abrams Avenue NE and Jane Drive NE.
- Condition 7:** Complete the following street improvements in accordance with SRC 803.040 and PWDS:
 - a. Construct a curb-line sidewalk and install street trees along the frontage of Jane Drive NE.
 - b. Replace non-conforming panels of curb-line sidewalk along the frontage of Abrams Avenue NE; and

c. Replace the non-conforming curb ramp at the intersection of Abrams Avenue NE and Jane Drive NE.

Condition 8: Design stormwater systems to serve all proposed parcels in compliance with Public Works Design Standards. The stormwater systems shall be tentatively designed to accommodate future impervious surfaces on Parcels 1 and 2. Construct stormwater facilities proposed in the public right-of-way.



Britany Randall, Planner II
Planning Administrator Designee

Attachments: A. Vicinity Map
B. Applicant's Tentative Partition Plan
C. City of Salem Public Works Department Comments
D. Salem/Keizer Public Schools Comments

Application Deemed Complete:	<u>November 13, 2018</u>
Notice of Decision Mailing Date:	<u>February 5, 2019</u>
Decision Effective Date:	<u>February 21, 2019</u>
State Mandate Date:	<u>April 12, 2019</u>

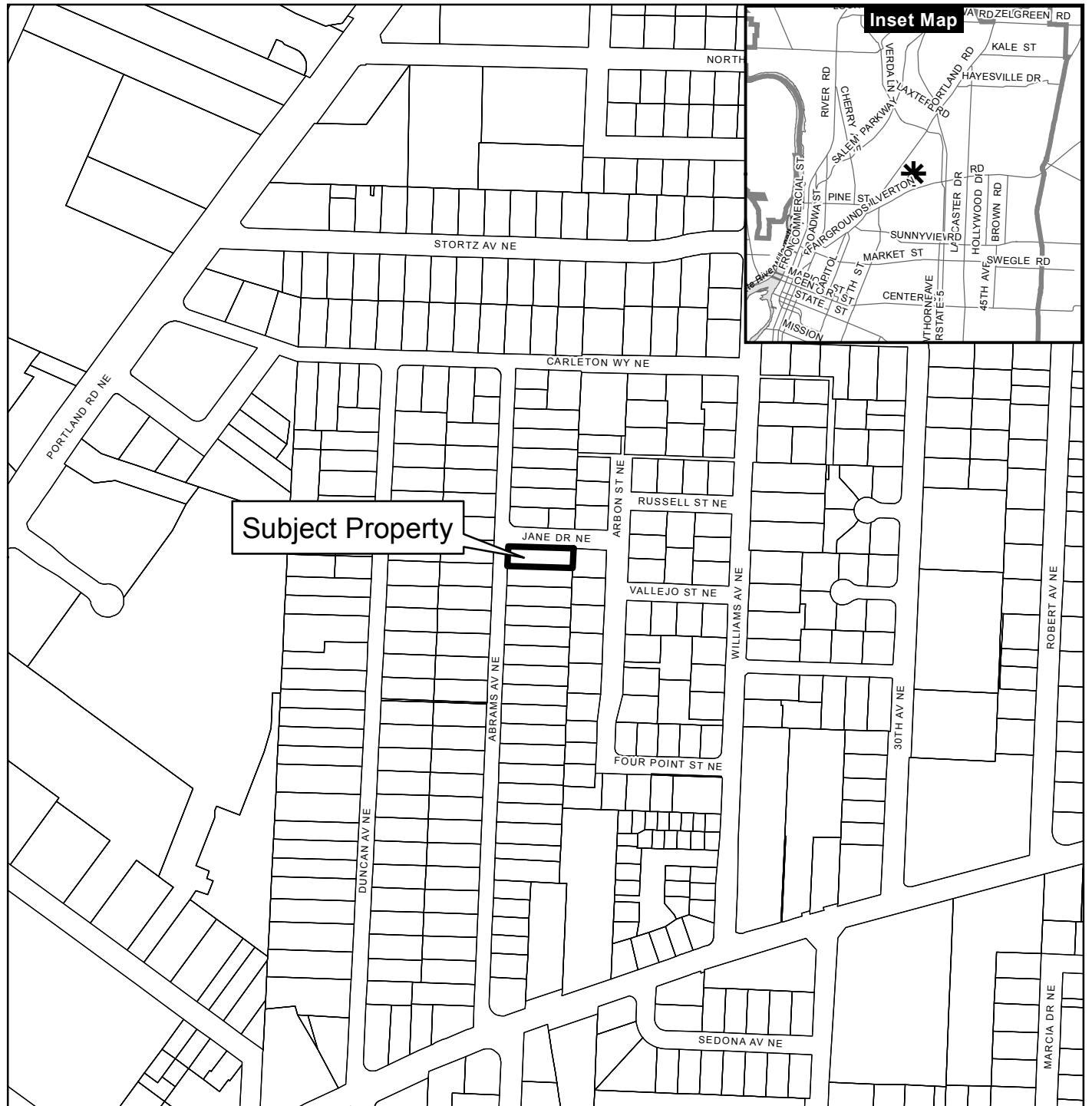
The rights granted by the attached decision must be exercised, or an extension granted, by **February 21, 2021** or this approval shall be null and void.

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 5:00 p.m., February 20, 2019.** 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

3430 Abrams Ave NE



Legend

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

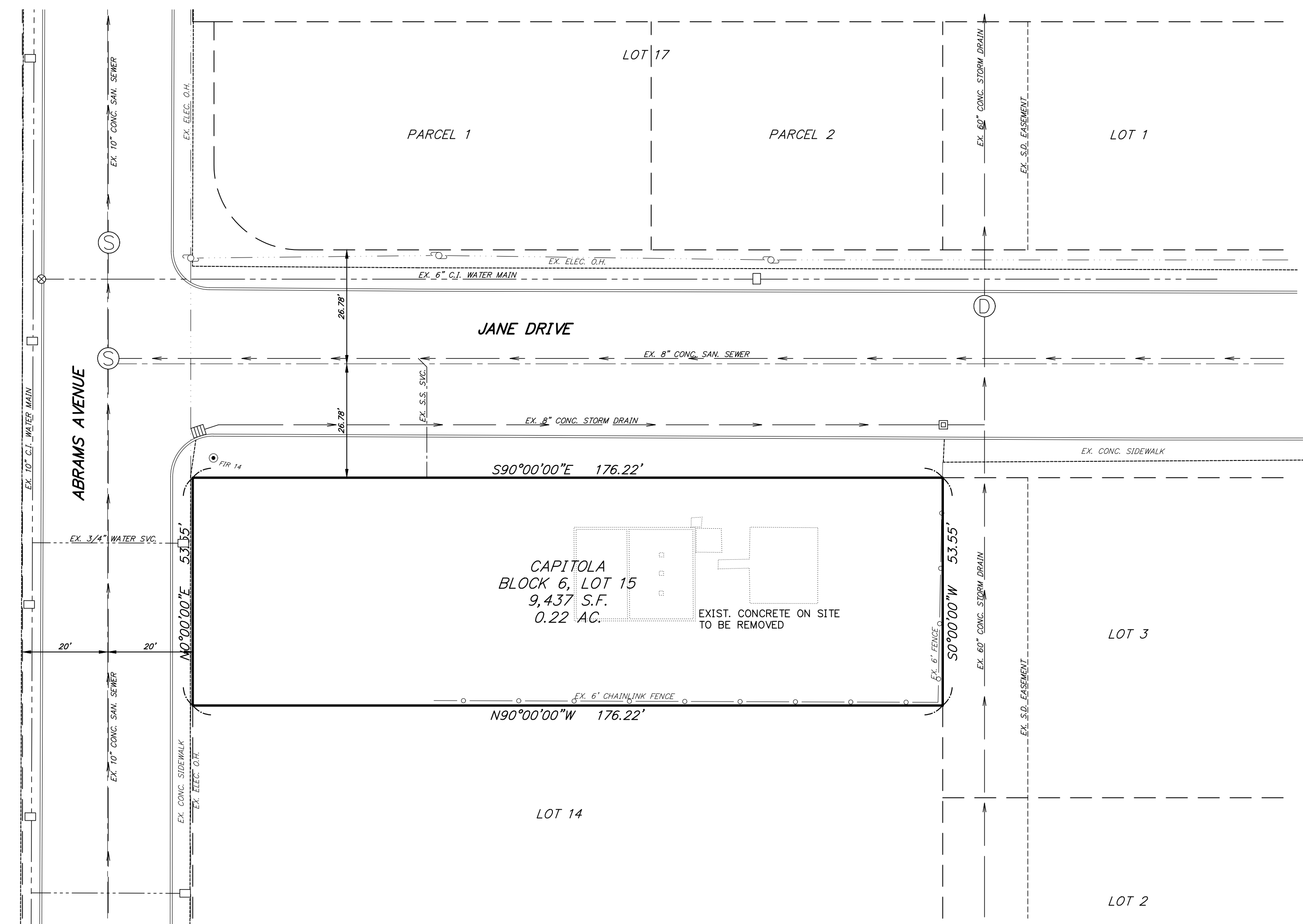
Parks

CITY OF Salem
AT YOUR SERVICE
Community Development Dept.

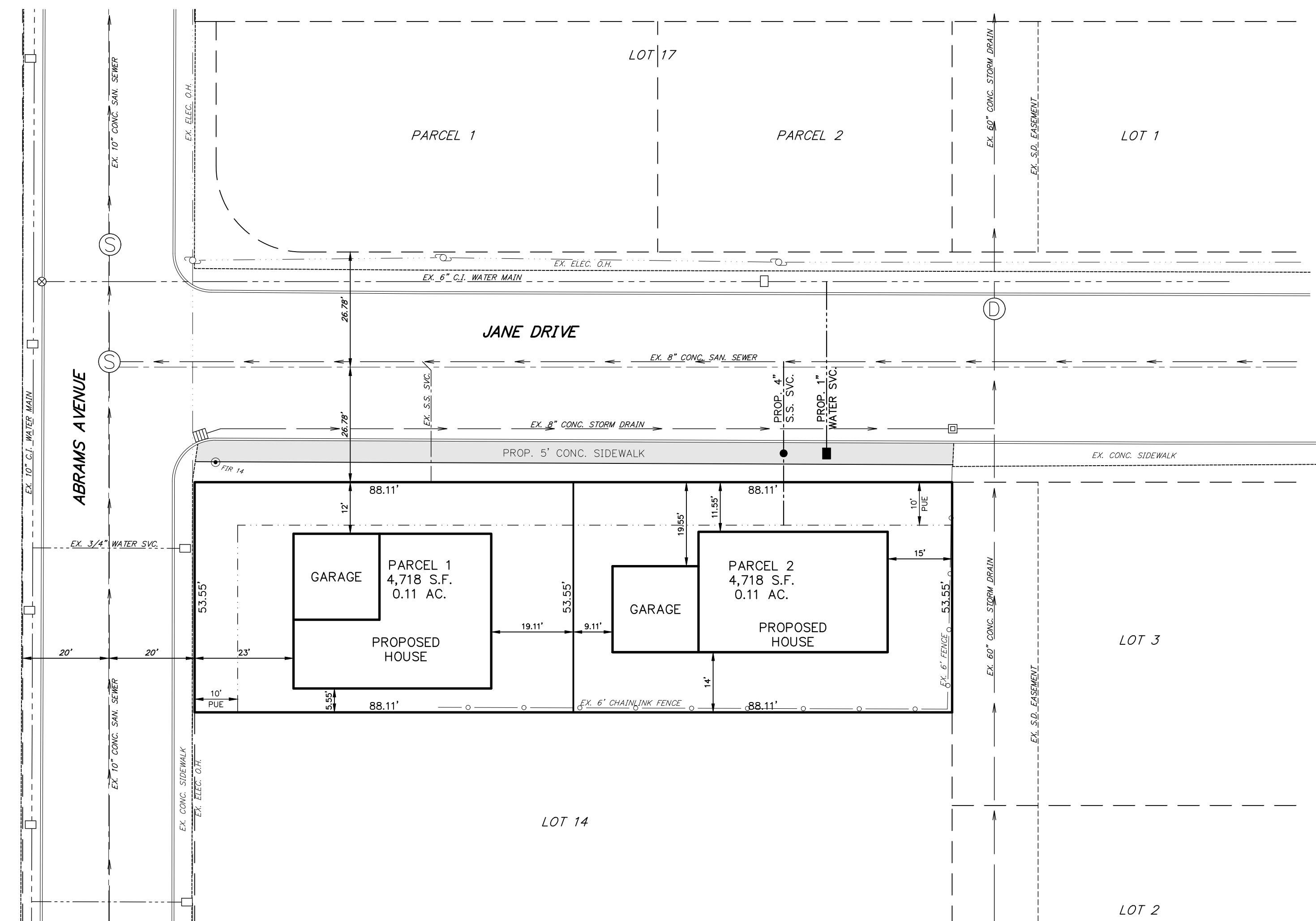
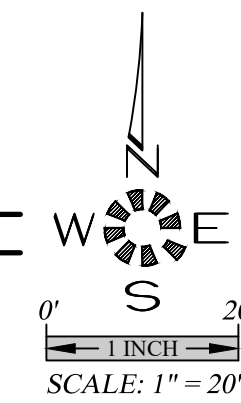
This product is provided as is, without warranty. In no event is the City of Salem liable for damages from the use of this product. This product is subject to license and copyright limitations and further distribution or resale is prohibited.

0 100 200 400 Feet





EXISTING CONDITIONS



PROPOSED PARTITIONING

ABRAMS AVENUE

SEC. 13, T. 7 S., R. 3 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON

Owner/Developer:

MAX DIAZ-SALCEDO

**1505 ALDER DR. NE
KEIZER, OREGON 97303**

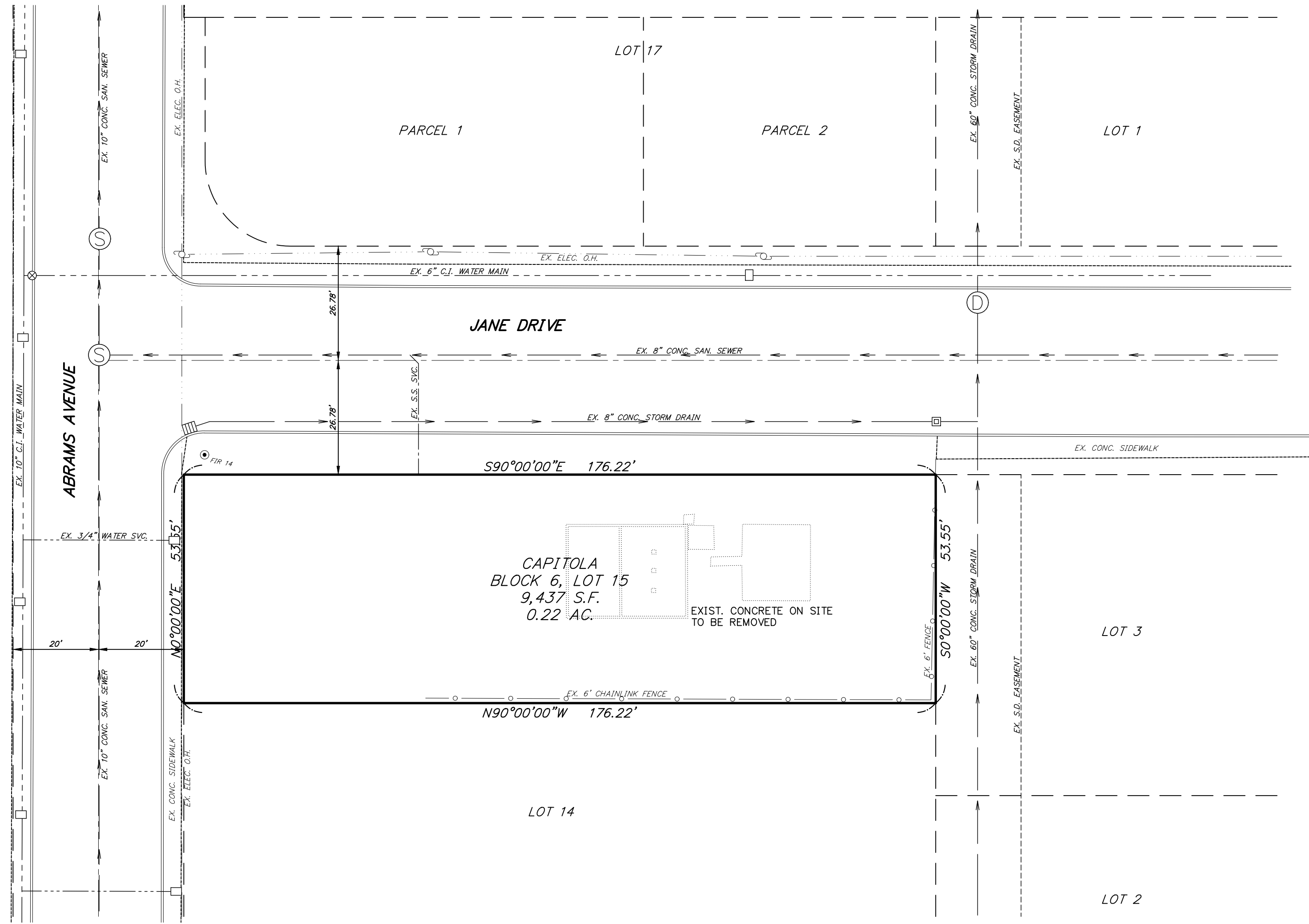
ABBREVIATIONS

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

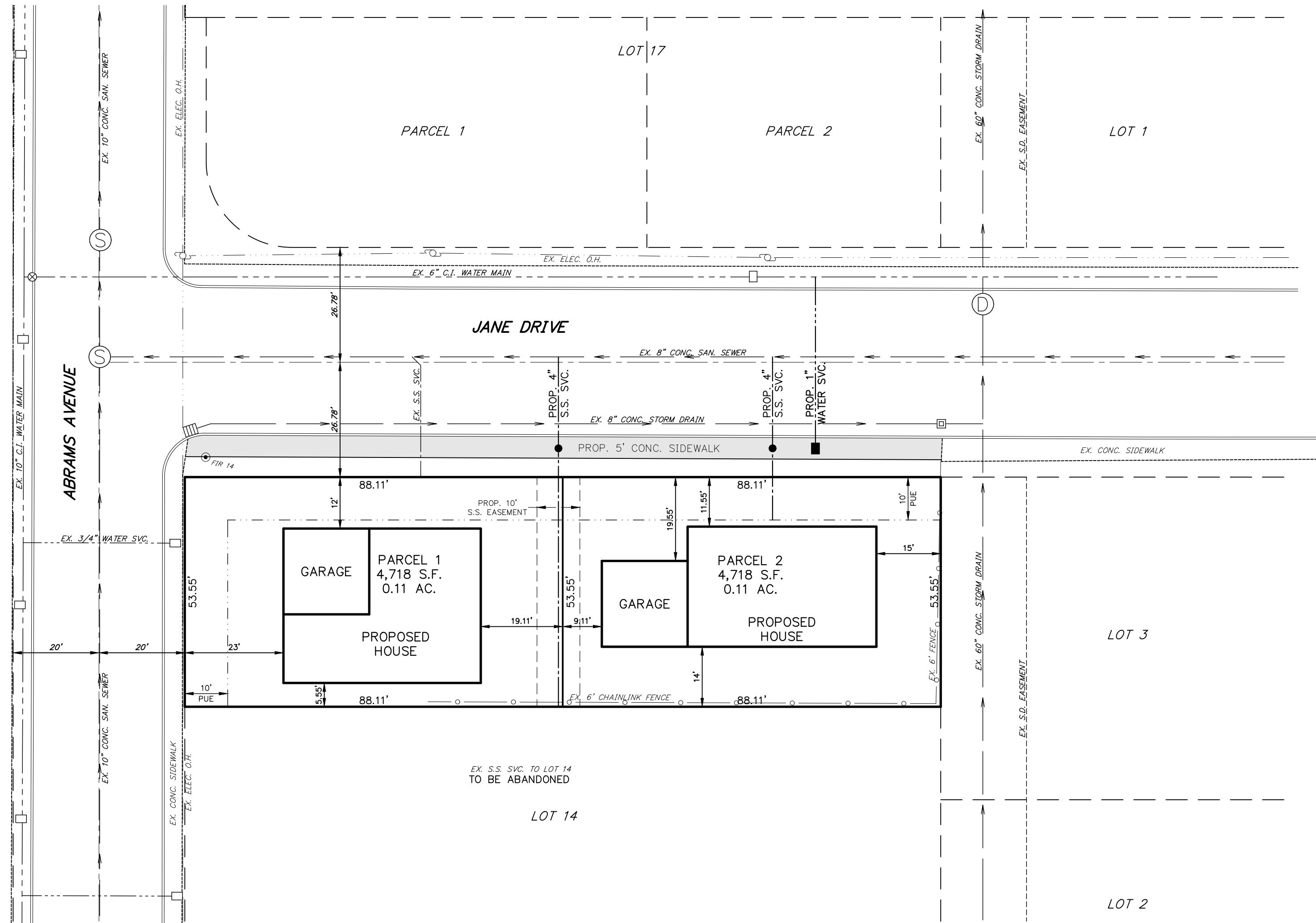
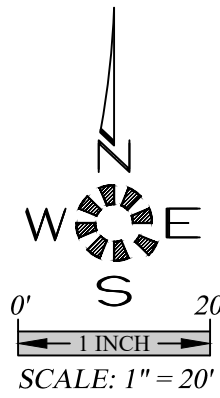
SYMBOLS

EXIST.	PROP.		EXIST.	PROP.
		BLOW OFF ASSY.		MANHOLE SAN. SEWER
		CATCH BASIN		MANHOLE STORM DRAIN
		CATCH BASIN CLEANOUT		2' DIA. C/O. / M.H.
		CATCH BASIN INLET		MANHOLE TELEPHONE
		CATV PED. / BOX		MANHOLE WATER
		CLEANOUT		REDUCER / INCREASER
		ELEC. PED. / BOX		TEL. PED. / BOX
		FIRE HYDRANT		TRAFFIC PED. / BOX
		GAS LOCATION MARKER		UTILITY / POWER POLE
		GAS VALVE		WATER METER
		MAIL BOX		WATER VALVE

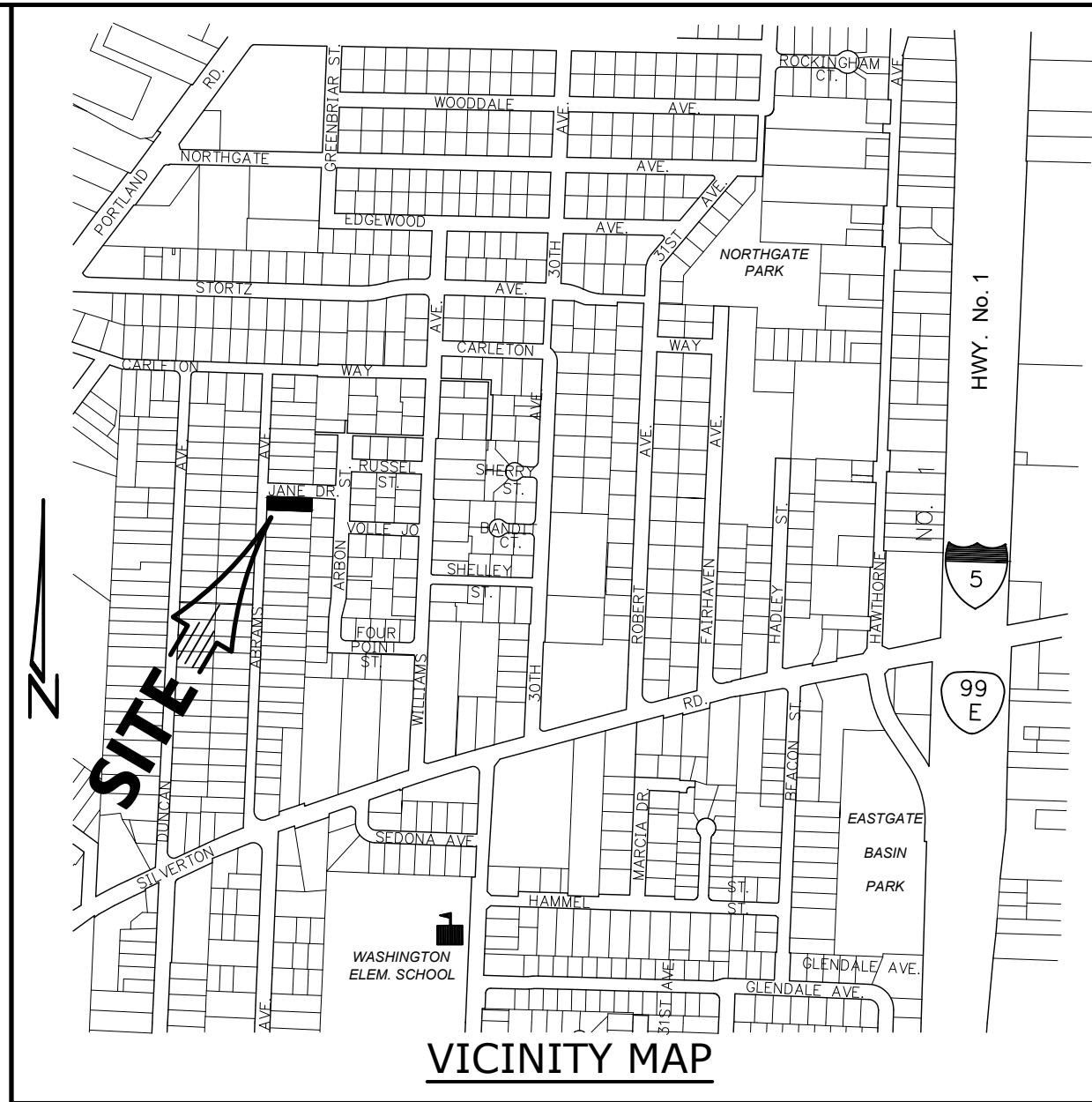
— — — — —	CABLE TELEVISION	— — — — —	SANITARY SEWER EXIST.
— — — — —	CENTERLINE	— — — — —	SANITARY SEWER PROP.
— — — — —	DITCH C.L.	— — — — —	STORM DRAIN EXIST.
— — — — —	ELECTRICAL LINE	— — — — —	STORM DRAIN PROP.
— — — — —	GAS MAIN	— — — — —	WATER MAIN EXIST.
— — — — —	TELEPHONE LINE	— — — — —	WATER MAIN PROP.



EXISTING
CONDITIONS



PROPOSED
PARTITIONING



ABRAMS AVENUE

SEC. 13, T. 7 S., R. 3 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON

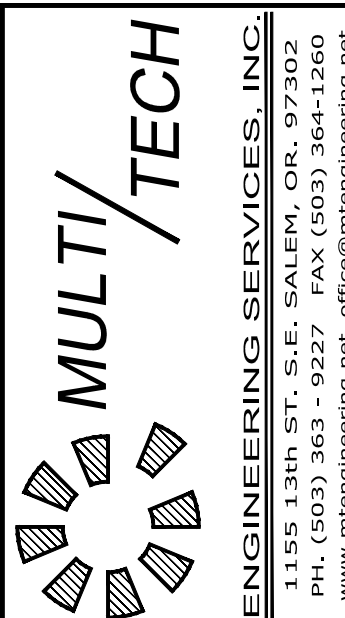
Owner / Developer:

MAX DIAZ-SALCEDO

1505 ALDER DR. NE
KEIZER, OREGON 97303

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

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

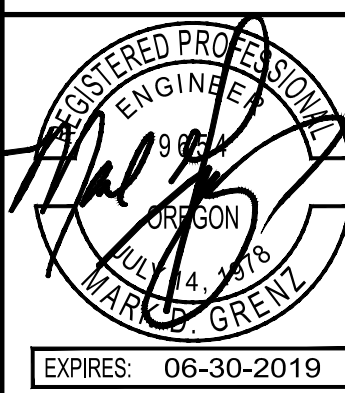


TENTATIVE PARTITION PLAN,
SCHEMATIC UTILITY PLAN,
TREE INVENTORY &
CONSERVATION PLAN

ABRAMS AVENUE

NO CHANGES, MODIFICATIONS
OR REPRODUCTIONS TO BE
MADE TO THESE DRAWINGS
WITHOUT WRITTEN
AUTHORIZATION FROM THE
DESIGN ENGINEER.

Design: M.D.G.
Drawn: D.G.G.
Checked: R.D.H.
Date: OCT. 2018
Scale: AS SHOWN



EXPIRES: 06-30-2019

JOB # 6767

SDR1



MEMO

TO: Britany Randall, Planner II
Community Development Department

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

DATE: January 14, 2019

SUBJECT: PUBLIC WORKS RECOMMENDATIONS
PAR-ADJ18-13 (18-121338-LD)
3430 ABRAMS AVENUE NE
2-LOT PARTITION

PROPOSAL

To divide approximately 0.22 acres into 2 parcels in an RS (Residential Single Family) zone at 3430 Abrams Avenue NE.

RECOMMENDED CONDITIONS OF PLAT APPROVAL

1. Convey land for dedication to equal a 20-foot radius at the corner of Abrams Avenue NE and Jane Drive NE.
2. Complete the following street improvements in accordance with SRC 803.040 and PWDS:
 - a. Construct a curb-line sidewalk and install street trees along the frontage of Jane Drive NE;
 - b. Replace non-conforming panels of curb-line sidewalk along the frontage of Abrams Avenue NE; and
 - c. Replace the non-conforming curb ramp at the intersection of Abrams Avenue NE and Jane Drive NE.
3. Provide a 15-foot private sewer easement as shown on the tentative plan and relocate the sewer lateral to within the easement to serve the lot addressed as 3420 Abrams Avenue NE.
4. Construct sewer services proposed in the public right-of-way.

5. Obtain a permit for installation of water service to serve Parcel 2.
6. Design stormwater systems to serve all proposed parcels in compliance with PWDS. The stormwater systems shall be tentatively designed to accommodate future impervious surfaces on parcels 1 and 2. Construct stormwater facilities proposed in the public right-of-way.
7. Provide a 10-foot-wide public utility easement along all street frontages.

FACTS

1. Abrams Avenue NE

- a. Standard—This street is designated as a Local street in the Salem TSP. This street was approved with an alternative standard of a 30-foot-wide improvement within a 40-foot-wide right-of-way on the subdivision plat for Capitola.
- b. Existing Condition—This street has an approximate 30-foot improvement within a 40-foot-wide right-of-way abutting the subject property.

2. Jane Drive NE

- a. Standard—This street is designated as a Local street in the Salem TSP. This street was approved with an alternative standard of a 30-foot-wide improvement within a 53.55-foot-wide right-of-way on the subdivision plat for the Dentel Gardens.
- b. Existing Condition—This street has an approximate 34-foot improvement within a 53.55-foot-wide right-of-way abutting the subject property.

Storm Drainage

1. Existing Condition

- a. An 8-inch storm main is located in Jane Drive NE.

Water

1. Existing Conditions

- a. The subject property is located in the G-0 water service level.
- b. A 10-inch public water line is located in Abrams Avenue NE.
- c. A 6-inch public water line is located in Jane Drive NE.

Sanitary Sewer

1. Existing Sewer

- a. A 10-inch public sewer line is located in Abrams Avenue NE.
- b. An 8-inch public sewer line is located in Jane Drive NE.

CRITERIA AND FINDINGS

SRC 205.005(d) indicates the criteria that must be found to exist before an affirmative decision may be made. The applicable criteria and the corresponding findings are as follows:

SRC 205.005(d)(1)—The tentative partition 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:

- (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.**

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).

Public Works staff has reviewed the Flood Insurance Study and Flood Insurance Rate Maps and has determined that no floodplain or floodway areas exist on the subject property.

A 10-foot-wide public utility easement is required along the entire frontage of Abrams Avenue NE and Jane Drive NE pursuant to SRC 803.035(n).

The proposed driveway access to Abrams Avenue NE does not meet the vision clearance standards of SRC Chapter 805 and shall be relocated prior to building permit issuance.

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

According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are no mapped landslide hazard areas on the subject property.

SRC 205.005(d)(3)—Development within the tentative partition plan can be adequately served by City infrastructure.

Findings—Water and sewer infrastructure are available along the perimeter of the site and appear to be adequate to serve the property as shown on the applicant's preliminary partition plan. As specified in the conditions of approval, private water, sewer, and storm services 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 lot addressed as 3420 Abrams Avenue NE, located south of the proposed partition, is currently served by a sewer lateral that crosses the subject property and connects to the sewer main in Jane Drive NE. This sewer lateral currently serves both 3420 and 3430 Abrams Avenue NE. In order to provide sewer services that comply with SRC Chapter 73 and PWDS, the applicant shall provide a 15-foot private sewer easement as shown on the tentative plan, and relocate the sewer lateral to serve the lot addressed as 3420 Abrams Avenue NE as a condition of plat approval.

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 205.005(d)(4) and SRC 205.005(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—Abrams Avenue NE was platted as a 40-foot-wide right-of-way in 1937 as part of the subdivision to be known as Capitola. As a result, Abrams Avenue NE meets the criteria for an alternative street standard pursuant to SRC 803.065. Jane Drive NE was platted as a 53.55-foot-wide right-of-way in 1956 as part of the subdivision to be known as Dentel Gardens. Jane Drive NE also meets the criteria for an alternative street standard pursuant to SRC 803.065.

Pursuant to SRC 803.040(a), up to a half-street improvement is required for a partition. The boundary streets are currently lacking in sidewalks and street trees. The applicant shall convey land for dedication to equal a 20-foot radius at the corner of Abrams Avenue NE and Jane Drive NE, and replace the non-conforming curb ramp at the intersection in compliance with PWDS. The applicant shall also construct a curb-line sidewalk and install street trees along the frontage of Jane Drive NE in accordance with SRC 803.040 and PWDS. The curb line sidewalk is warranted under SRC 803.035(l)(2)(B) because the existing right-of-way does not allow adequate space for the landscape strip and a 5-foot sidewalk.

\\pubwks\PWFiles\Group\pubwks\PLAN_ACT\PAFinal18\Partition\18-121338-LD_3430 Abrams Ave NE.doc Existing street trees shall be protected pursuant to SRC Chapter 86 and PWDS.

Pursuant to SRC 78.180, the applicant shall repair non-conforming panels of curb-line sidewalk along the frontage of Abrams Avenue NE at the time of building construction, in compliance with PWDS.

Prepared by: Jennifer Scott, Program Manager
cc: File

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

REGARDING: Partition Case No. PAR-ADJ18-13

PROJECT ADDRESS: 3430 Abrams Ave NE, Salem, OR 97301

AMANDA Application No. 18-121338-LD

COMMENT PERIOD ENDS: November 28, 2018

SUMMARY: A proposed partition to divide a lot along the easterly side of Abrams Avenue NE into two parcels with two Class 2 Adjustments for lot depth and future setbacks abutting a street.

REQUEST: A tentative partition plan to divide property approximately 0.21 acres in size into two parcels, with Parcel 1 consisting of approximately 4,718 square feet and Parcel 2 consisting of approximately 4,718 square feet. Both Parcel 1 Parcel 2 would consist of vacant land for the future development of single-family homes. The Class 2 Adjustments are requested to allow proposed Parcel 2 to have a reduced lot depth from the required 70 feet down to a proposed 53 feet and to reduce the required setback from a street from 12 feet down to 11.5 feet to the future dwelling and from 20 feet down to 19.5 feet to the future garage. The subject property is approximately 0.21 acres in size, zoned RS (Single Family Residential), and located at 3430 Abrams Avenue NE (Marion County Assessor's Map and Tax Lot numbers 073W13BA / 6400).

Attached is a copy of the proposal and any related maps. The complete case file, including all materials submitted by the applicant and any applicable professional studies such as traffic impact analysis, geologic assessments, and stormwater reports, are available upon request. A decision for this proposal will be prepared by the planning staff from information available to staff. You are invited to respond with information relating to this property and this request. We are interested in receiving pertinent, factual information such as neighborhood association recommendations and comments of affected property owners or residents.

Comments received by 5:00 P.M., November 28, 2018, will be considered in the decision process. Comments received after this date will be not considered. **Mailed comments can take up to 7 calendar days to arrive at our office. To ensure that your comments are received by the deadline, we recommend that you e-mail or hand deliver your comments to the Case Manager listed below.**

SEND QUESTIONS OR COMMENTS TO: Britany Randall, Planner II; City of Salem, Planning Division; 555 Liberty St SE, Room 305, Salem, OR 97301; Phone: 503-540-2304; Fax: 503-588-6005; E-Mail: brandall@cityofsalem.net; <http://www.cityofsalem.net/planning>

PLEASE CHECK THE FOLLOWING THAT APPLY:

- ☐ 1. I have reviewed the proposal and have no objections to it.
- ☐ 2. I have reviewed the proposal and have the following comments: See attached
- ☐ 3. Other: _____

Name: _____ Salem-Keizer Public Schools, Planning and Property Services
 Address: _____ 3630 State Street, Salem OR 97301
 _____ David Fridenmaker, Manager
 _____ 503-399-3335
 Agency: _____
 Phone: _____
 Date: 11.28.18



DAVID FRIDENMAKER, Manager
Facility Rental, Planning, Property Services
3630 State Street, Bldg. C • Salem, Oregon 97301-5316
503-399-3335 • FAX: 503-375-7847

Christy Perry, Superintendent

November 28, 2018

Britany Randall, Planner II
Planning Division, City of Salem
555 Liberty Street SE, Room 305
Salem OR 97301

RE: Land Use Activity Case No. PAR-ADJ18-13, 3430 Abrams Ave. NE

The City of Salem issued a Request for Comments for a Land Use Case as referenced above. Please find below comments on the impact of the proposed land use change on the Salem-Keizer School District.

IDENTIFICATION OF SCHOOLS SERVING THE SUBJECT PROPERTY

The School District has established geographical school attendance areas for each school known as school boundaries. Students residing in any residence within that boundary are assigned to the school identified to serve that area. There are three school levels, elementary school serving kindergarten thru fifth grade, middle school serving sixth thru eighth grade, and high school serving ninth thru twelfth grade. . The schools identified to serve the subject property are:

School Name	School Type	Grades Served
Hallman	Elementary	K thru 5
Waldo	Middle	6 thru 8
McKay	High	9 thru 12

Table 1

SCHOOL CAPACITY & CURRENT ENROLLMENT

The School District has established school capacities which are the number of students that a particular school is designed to serve. Capacities can change based on class size. School capacities are established by taking into account core infrastructure (gymnasium, cafeteria, library, etc.) counting the number of classrooms and multiplying by the number of students that each classroom will serve. A more detailed explanation of school capacity can be found in the School District's adopted Facility Plan.

School Name	School Type	School Enrollment	School Design Capacity	Enroll./Capacity Ratio
Hallman	Elementary	416	418	100%
Waldo	Middle	1,043	1,160	90%
McKay	High	2,405	2,325	103%

Table 2

POTENTIAL ADDITIONAL STUDENTS IN BOUNDARY AREA RESULTING FROM APPROVAL OF LAND USE CASE

The School District anticipates the number of students that may reside at the proposed development based on the housing type, single family (SF), duplex/triplex/four-plex (DU), multi-family (MF) and mobile home park (MHP). The School District commissioned a study by the Mid-Willamette Valley Council of Governments in 2014 to determine an estimate of students per residence, for the Salem-Keizer area, in each of the four housing types. Since the results are averages, the actual number of students in any given housing type will vary. The table below represents the resulting estimates for the subject property:

School Type	Qty. of New Residences	Housing Type	Average Qty. of Students per Residence	Total New Students
Elementary	2	SF	0.194	0
Middle	2	SF	0.101	0
High	2	SF	0.143	0

Table 3

POTENTIAL EFFECT OF THIS DEVELOPMENT ON SCHOOL ENROLLMENT

To determine the impact of the new residential development on school enrollment, the School District compares the school capacity to the current enrollment plus estimates of potential additional students resulting from land use cases over the previous two calendar years. A ratio of the existing and new students is then compared with the school design capacity and expressed as a percentage to show how much of the school capacity may be used.

School Name	School Type	School Enrollment	New Students During Past 2 yrs	New Student from this Case	Total New Students	School Design Cap.	Enroll./Cap. Ratio
Hallman	Elem.	416	2	0	2	418	100%
Waldo	Mid.	1,043	12	0	12	1,160	91%
McKay	High	2,405	18	0	18	2,325	104%

Table 4

ESTIMATE OF THE EFFECT ON INFRASTRUCTURE – IDENTIFICATION OF WALK ZONES AND SCHOOL TRANSPORTATION SERVICE

Civic infrastructure needed to provide connectivity between the new residential development and the schools serving the new development will generally require roads, sidewalks and bicycle lanes. When developing within one mile of school(s), adequate pathways to the school should be

provided that would have raised sidewalks. If there are a large number of students walking, the sidewalks should be wider to accommodate the number of students that would be traveling the path at the same time. Bike lanes should be included, crosswalks with flashing lights and signs where appropriate, traffic signals to allow for safe crossings at busy intersections, and any easements that would allow students to travel through neighborhoods. If the development is farther than one mile away from any school, provide bus pullouts and a covered shelter (like those provided by the transit district). Locate in collaboration with the District at a reasonable distance away from an intersection for buses if the distance is greater than ½ mile from the main road. If the distance is less than a ½ mile then raised sidewalks should be provided with stop signs where students would cross intersections within the development as access to the bus stop on the main road. Following is an identification, for the new development location, that the development is either located in a school walk zone or is eligible for school transportation services.

School Name	School Type	Walk Zone or Eligible for School Transportation
Hallman	Elementary	Eligible for School Transportation
Waldo	Middle	Walk Zone
McKay	High	Eligible for School Transportation

Table 5

ESTIMATE OF NEW SCHOOL CONSTRUCTION NEEDED TO SERVE DEVELOPMENT

The School District estimates the cost of constructing new school facilities to serve our community. The costs of new school construction is estimated using the Rider Levett Bucknall (RLB) North America Quarterly Construction Cost Report and building area per student from Cornerstone Management Group, Inc. estimates. The costs to construct school facilities to serve the proposed development are in the following table.

School Type	Number of Students	Estimate of Facility Cost Per Student*	Total Cost of Facilities for Proposed Development*
Elementary	0	\$51,123	\$0
Middle	0	\$60,232	\$0
High	0	\$69,342	\$0
TOTAL			\$0

Table 6

*Cornerstone Management Group, Inc. estimates based on RLB cost index average, 2018 Second Quarter.

Sincerely,



David Fridenmaker, Manager
Planning and Property Services

c: Mike Wolfe, Chief Operations Officer, David Hughes, Manager – Custodial, Property and Auxiliary Services, Michael Shields, Director of Transportation