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503-588-6173*

DECISION OF THE PLANNING ADMINISTRATOR

Partition Case No. PAR19-12

APPLICATION NO. : 19-111923-LD

NOTICE OF DECISION DATE: JANUARY 24, 2020

SUMMARY: A proposed partition to divide a property at 3290 Boone Rd SE into three parcels.

REQUEST: A tentative partition plan to divide approximately 79 acres zoned IC (Industrial Commercial) and located at 3290 Boone Rd SE (Marion County Assessor Map and Tax Lot 083W13A / 00100, 00200, and 00300) into three parcels, with Parcel 1 consisting of approximately 27.03 acres, Parcel 2 consisting of approximately 21.42 acres, and Parcel 3 consisting of approximately 25.33 acres.

APPLICANT: MWSH Boone Road LLC (Mountain West Senior Housing, LLC, Kelley D. Hamilton, Chris Jundt, Pam Gray)

LOCATION: 3290 Boone Rd SE

CRITERIA: Salem Revised Code (SRC) Chapters 205.005(d)

FINDINGS: The findings are in the attached Decision dated January 24, 2020

DECISION: The **Planning Administrator APPROVED** Partition PAR19-12 subject to the following conditions of approval:

Condition 1: As a condition of development on Parcel 1, construct an 8-inch S-1 water main along Boone Road SE from 36th Avenue SE to 32nd Avenue SE.

Condition 2: As a condition of development on Parcel 2, construct an 18-inch S-1 water main in 36th Avenue SE from Boone Road SE to the south line of Parcel 2.

Condition 3: As a condition of development on Parcel 3, construct an 18-inch S-1 water main in 36th Avenue SE from Boone Road SE to the south line of the subject property.

Condition 4: Provide a minimum 20-foot-wide water easement along the existing 36-inch G-0 water main within the subject property where the existing easement does not equal 20 feet wide.

Condition 5: As a condition of development on Parcel 1, pay a temporary access fee of \$270,000 and connect to the existing S-1 water system as a temporary facility pursuant to SRC 200.080(a).

Condition 6: As a condition of development on Parcel 2, pay a temporary access

NOTICE OF DECISION

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

CITY OF Salem
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fee of \$90,000 and connect to the existing S-1 water system as a temporary facility pursuant to SRC 200.080(a).

Condition 7: As a condition of development on Parcel 3, pay a temporary access fee of \$250,000 and connect to the existing S-1 water system as a temporary facility pursuant to SRC 200.080(a).

Condition 8: As a condition of development on Parcel 1, construct a 24-inch sewer main in 36th Avenue SE from Kuebler Boulevard SE to Boone Road SE.

Condition 9: As a condition of development on Parcel 1, construct an 8-inch sewer main in Boone Road SE from 36th Avenue SE to 32nd Avenue SE.

Condition 10: As a condition of development on Parcel 2, construct a 24-inch sewer main in 36th Avenue SE from Kuebler Boulevard SE to Boone Road SE, and an 18-inch sewer main in 36th Avenue SE from Boone Road SE to the south line of Parcel 2.

Condition 11: As a condition of development on Parcel 3, construct a 24-inch sewer main in 36th Avenue SE from Kuebler Boulevard SE to Boone Road SE, and an 18-inch sewer main in 36th Avenue SE from Boone Road SE to the south line of the subject property.

Condition 12: The applicant's engineer shall complete a downstream stormwater analysis pursuant to PWDS 4.2k to evaluate the adequacy of the stormwater linking facilities.

Condition 13: Provide a Traffic Impact Analysis (TIA) based on anticipated development patterns allowed within the zone. The TIA shall include a methodology for apportioning traffic mitigation measures among all three parcels.

Condition 14: As a condition of development on Parcel 1, complete traffic mitigation measures as identified in the TIA.

Condition 15: As a condition of development on Parcel 2, complete traffic mitigation measures as identified in the TIA.

Condition 16: As a condition of development on Parcel 3, complete traffic mitigation measures as identified in the TIA.

Condition 17: Provide a 40-foot-wide temporary construction easement to the City of Salem along the entire frontage of 36th Avenue SE. The easement may be modified pursuant to PWDS after completion of the street improvements along 36th Avenue SE.

Condition 18: Provide a 30-foot-wide temporary construction easement to the City of Salem along the entire frontage of Boone Road SE. The easement may be modified pursuant to PWDS after completion of the street improvements along Boone Road SE.

Condition 19: Along the entire frontage of abutting streets, dedicate right-of-way on the development side of the centerline to equal a minimum half-width of 36 feet on 36th Avenue SE and a minimum half-width of 30 feet on Boone Road SE. Additional right-of-way dedication may be required because of conflict with existing waterways or for improvements generated from a Traffic Impact Analysis.

Condition 20: As a condition of development on Parcel 1, along Boone Road SE from 36th Avenue to 32nd Avenue, construct a minimum 15-foot-wide half-street improvement on the development side and a minimum 15-foot-wide turnpike improvement on the opposite side of the centerline.

Condition 21: As a condition of development on Parcel 2, along the Parcel 2 frontage of 36th Avenue SE, construct a minimum 23-foot-wide half-street improvement on the development side and a 12-foot-wide pavement widening on the opposite side of centerline to Minor Arterial street standards. The improvement may be modified pursuant to SRC 803.065 at the time of development because of conflict with existing waterways abutting both sides of the street.

Condition 22: As a condition of development on Parcel 2, along Boone Road SE from 36th Avenue to the west line of Parcel 2, construct a minimum 15-foot-wide half-street improvement on the development side and a minimum 15-foot-wide turnpike improvement on the opposite side of the centerline.

Condition 23: As a condition of development on Parcel 3, along the Parcel 2 and Parcel 3 frontages of 36th Avenue SE, construct a minimum 23-foot-wide half-street improvement on the development side and a 12-foot-wide pavement widening on the opposite side of centerline to Minor Arterial street standards. The improvement may be modified pursuant to SRC 803.065 at the time of development because of conflict with existing waterways abutting both sides of the street.

Condition 24: Streets through the property are required at no greater than 600-foot intervals as shown in **Attachment F**. These areas are to be reserved for future streets unless a different street layout is approved through a future land use action. No buildings may be constructed in the reserved areas.

Condition 25: Provide a 10-foot-wide public utility easement along the entire frontage of all abutting streets.

The rights granted by the attached decision must be exercised, or an extension granted, by February 10, 2022 or this approval shall be null and void. .

Application Deemed Complete:	<u>July 30, 2019</u>
Notice of Decision Mailing Date:	<u>January 24, 2020</u>
Decision Effective Date:	<u>February 11, 2020</u>
State Mandate Date:	<u>March 26, 2020 (extended by the applicant)</u>

Case Manager: Pamela Cole, pcole@cityofsalem.net, 503-540-2309

This decision is final unless written appeal from an aggrieved party is filed with the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem OR 97301, no later than 5:00 p.m., Monday, February 10, 2020. 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 205.005(d). The appeal must be filed in duplicate with the City of Salem Planning Division. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Planning Commission will review the appeal at a public hearing. After the hearing, the Planning Commission may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

The complete case file, including findings, conclusions and conditions of approval, if any, is available for review at the Planning Division office, Room 320, City Hall, 555 Liberty Street SE, during regular business hours.

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

**BEFORE THE PLANNING ADMINISTRATOR
OF THE CITY OF SALEM
(PARTITION PLAT NO. 19-12)**

*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. 19-12;
3290 BOONE ROAD SE**

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FINDINGS AND ORDER

JANUARY 24, 2020

In the matter of the application for a Partition submitted by Brandie Dalton of Multi/Tech Engineering Services on behalf of the applicant and property owner MWSH Boone Rd Property LLC (Mountain West Senior Housing LLC – Kelley D Hamilton, Chris Jundt, Pam Gray), the Planning Administrator, having received and reviewed evidence and the application materials, makes the following findings and adopts the following order as set forth herein.

REQUEST

A tentative partition plan to divide approximately 79 acres zoned IC (Industrial Commercial) and located at 3290 Boone Rd SE (Marion County Assessor Map and Tax Lot 083W13A / 00100, 00200, and 00300) into three parcels, with Parcel 1 consisting of approximately 27.03 acres, Parcel 2 consisting of approximately 21.42 acres, and Parcel 3 consisting of approximately 25.33 acres (see **Attachment A**).

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:** As a condition of development on Parcel 1, construct an 8-inch S-1 water main along Boone Road SE from 36th Avenue SE to 32nd Avenue SE.
- Condition 2:** As a condition of development on Parcel 2, construct an 18-inch S-1 water main in 36th Avenue SE from Boone Road SE to the south line of Parcel 2.
- Condition 3:** As a condition of development on Parcel 3, construct an 18-inch S-1 water main in 36th Avenue SE from Boone Road SE to the south line of the subject property.
- Condition 4:** Provide a minimum 20-foot-wide water easement along the existing 36-

inch G-0 water main within the subject property where the existing easement does not equal 20 feet wide.

- Condition 5:** As a condition of development on Parcel 1, pay a temporary access fee of \$270,000 and connect to the existing S-1 water system as a temporary facility pursuant to SRC 200.080(a).
- Condition 6:** As a condition of development on Parcel 2, pay a temporary access fee of \$90,000 and connect to the existing S-1 water system as a temporary facility pursuant to SRC 200.080(a).
- Condition 7:** As a condition of development on Parcel 3, pay a temporary access fee of \$250,000 and connect to the existing S-1 water system as a temporary facility pursuant to SRC 200.080(a).
- Condition 8:** As a condition of development on Parcel 1, construct a 24-inch sewer main in 36th Avenue SE from Kuebler Boulevard SE to Boone Road SE.
- Condition 9:** As a condition of development on Parcel 1, construct an 8-inch sewer main in Boone Road SE from 36th Avenue SE to 32nd Avenue SE.
- Condition 10:** As a condition of development on Parcel 2, construct a 24-inch sewer main in 36th Avenue SE from Kuebler Boulevard SE to Boone Road SE, and an 18-inch sewer main in 36th Avenue SE from Boone Road SE to the south line of Parcel 2.
- Condition 11:** As a condition of development on Parcel 3, construct a 24-inch sewer main in 36th Avenue SE from Kuebler Boulevard SE to Boone Road SE, and an 18-inch sewer main in 36th Avenue SE from Boone Road SE to the south line of the subject property.
- Condition 12:** The applicant's engineer shall complete a downstream stormwater analysis pursuant to PWDS 4.2k to evaluate the adequacy of the stormwater linking facilities.
- Condition 13:** Provide a Traffic Impact Analysis (TIA) based on anticipated development patterns allowed within the zone. The TIA shall include a methodology for apportioning traffic mitigation measures among all three parcels.
- Condition 14:** As a condition of development on Parcel 1, complete traffic mitigation measures as identified in the TIA.
- Condition 15:** As a condition of development on Parcel 2, complete traffic mitigation measures as identified in the TIA.

- Condition 16:** As a condition of development on Parcel 3, complete traffic mitigation measures as identified in the TIA.
- Condition 17:** Provide a 40-foot-wide temporary construction easement to the City of Salem along the entire frontage of 36th Avenue SE. The easement may be modified pursuant to PWDS after completion of the street improvements along 36th Avenue SE.
- Condition 18:** Provide a 30-foot-wide temporary construction easement to the City of Salem along the entire frontage of Boone Road SE. The easement may be modified pursuant to PWDS after completion of the street improvements along Boone Road SE.
- Condition 19:** Along the entire frontage of abutting streets, dedicate right-of-way on the development side of the centerline to equal a minimum half-width of 36 feet on 36th Avenue SE and a minimum half-width of 30 feet on Boone Road SE. Additional right-of-way dedication may be required because of conflict with existing waterways or for improvements generated from a Traffic Impact Analysis.
- Condition 20:** As a condition of development on Parcel 1, along Boone Road SE from 36th Avenue to 32nd Avenue, construct a minimum 15-foot-wide half-street improvement on the development side and a minimum 15-foot-wide turnpike improvement on the opposite side of the centerline.
- Condition 21:** As a condition of development on Parcel 2, along the Parcel 2 frontage of 36th Avenue SE, construct a minimum 23-foot-wide half-street improvement on the development side and a 12-foot-wide pavement widening on the opposite side of centerline to Minor Arterial street standards. The improvement may be modified pursuant to SRC 803.065 at the time of development because of conflict with existing waterways abutting both sides of the street.
- Condition 22:** As a condition of development on Parcel 2, along Boone Road SE from 36th Avenue to the west line of Parcel 2, construct a minimum 15-foot-wide half-street improvement on the development side and a minimum 15-foot-wide turnpike improvement on the opposite side of the centerline.
- Condition 23:** As a condition of development on Parcel 3, along the Parcel 2 and Parcel 3 frontages of 36th Avenue SE, construct a minimum 23-foot-wide half-street improvement on the development side and a 12-foot-wide pavement widening on the opposite side of centerline to Minor Arterial street standards. The improvement may be modified pursuant to SRC 803.065 at the time of development because of conflict with existing waterways abutting both sides of the street.

- Condition 24:** Streets through the property are required at no greater than 600-foot intervals as shown in **Attachment F**. These areas are to be reserved for future streets unless a different street layout is approved through a future land use action. No buildings may be constructed in the reserved areas.
- Condition 25:** Provide a 10-foot-wide public utility easement along the entire frontage of all abutting streets.

PROCEDURAL FINDINGS

1. On May 22, 2019, an application for a Tentative Partition Plan was filed proposing to divide a 79-acre land area at 3290 Boone Road SE into three parcels (see **Attachment B**).
2. The application was deemed complete for processing on July 30, 2019. Notice to surrounding property owners was mailed pursuant to Salem Revised Code on August 19, 2019. The state-mandated local decision deadline has been extended by the applicant to March 26, 2020.

SUBSTANTIVE FINDINGS

1. Proposal

The tentative plan proposes to reconfigure a 79-acre area consisting of three tax lots into three parcels. Proposed parcel 1 would take access from Boone Road SE, proposed parcel 2 would take access from Boone Road SE or 36th Avenue SE, and proposed Parcel 3 would take access from 36th Avenue SE. The three parcels within the tentative partition plan are proposed as follows:

PROPOSED PARCEL 1

Parcel Size: 27.03 acres
Parcel Dimensions: Approximately 935 feet in width and 1,425 feet in depth

PROPOSED PARCEL 2

Parcel Size: 21.42 acres
Parcel Dimensions: Approximately 630 feet in width and 1,475 feet in depth

PROPOSED PARCEL 3

Parcel Size: 25.33 acres
Parcel Dimensions: Approximately 775 feet in width and 1,445 feet in depth

Access and Circulation: The subject property has frontage onto both Boone Road SE and 36th Avenue SE. Boone Road SE is classified as a Local street and 36th Avenue SE is classified as a Minor Arterial within the Salem Transportation System Plan (TSP). The western boundary of the property abuts Interstate 5, classified as a freeway within the Salem Transportation System Plan (TSP).

The applicant submitted a shadow plan indicating how the property may be further divided in the future and served by streets (**Attachment C**).

2. Existing Conditions

Site and Vicinity

The subject properties form an irregular rectangle of approximately 79 acres. The existing tax lots are 27.01 acres (083W13A00300), 9.72 acres (083W13A00200), and 42.24 acres (083W13A00100). Proposed Parcel 1 will have approximately 425 feet of frontage on Boone Road SE. Proposed Parcel 2 will have approximately 1,380 feet of frontage on Boone Road SE and approximately 630 feet of frontage on 36th Avenue SE. Proposed Parcel 3 will have approximately 770 feet of frontage on 36th Avenue SE. The subject properties are currently developed with a single-family dwelling and accessory structures which are proposed to be removed; an existing well is proposed to remain but be abandoned at the time of development. Other development in the vicinity includes single-family residential, a City pump station, residential care, and industrial.

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

North: Industrial (IND); across Boone Road SE, Industrial (IND) and Commercial (COM)

South: Developing Residential (DR)

East: Across 36th Avenue SE, Industrial (IND)

West: Across Interstate 5, Developing Residential (DR), Single Family Residential (SF), Multi-Family Residential (MF)

Zoning and Surrounding Land Use

The subject property is zoned IC (Industrial Commercial) and is currently developed with a single-family dwelling and accessory structures. The surrounding properties are zoned and used as follows:

North: General Industrial (IG); across Boone Road SE, General Industrial (IG), Commercial Office (CO), Residential Agriculture (RA), and Marion County

Industrial General (IG) – single-family residential, pump station, residential care facility, and warehouses

South: Developing Residential (DR) -- undeveloped

East: Across 36th Avenue SE, Marion County Industrial General-Limited (IG-LU) and Marion County Urban Transition – 10 Acres (UT-10) – industrial, shop/office, commercial nursery

West: Across Interstate 5, Single Family Residential (RS), Multiple Family Residential 1 (RM1), Multiple Family Residential 2 (RM2) – single family residential, residential care, senior living

Relationship to Urban Service Area

The subject property is outside of the City's Urban Service Area. The property is subject to Urban Growth Area Preliminary Declaration (UGA) 19-01.

Infrastructure

Water:

- a. The subject property is located within the G-0, S-1, and S-2 water service levels. The applicant is authorized and encouraged to serve the entire property from S-1 facilities.
- b. A 36-inch G-0 water transmission main is located in Boone Road SE. Individual service connections are not permitted to connect to transmission mains per PWDS 5.3(d)(2).
- c. A 36-inch G-0 water transmission main traverses through the eastern half of the project boundary. Individual service connections are not permitted to connect to transmission mains per PWDS 5.3(d)(2).
- d. An 18-inch water S-2 water main is located in Boone Road SE. This main is reduced in pressure to an S-1 water main approximately 270 feet west of the intersection of 36th Avenue SE and Boone Road SE.
- e. The applicant is advised that an existing 36-inch water main is located within the subject property. This main is an aging pipe that requires special protection to prevent damage. The applicant's engineer is advised to contact Public Works Development Services staff to coordinate requirements for protecting the existing main. Pursuant to PWDS, the applicant shall dedicate a minimum 20-foot-wide water easement where the additional easement does not equal 20 feet wide.
- f. The subject property is located in the Bonaventure Reimbursement District. A reimbursement district fee is due for reimbursement of an 18-inch water main in

Boone Road SE.

- g. The existing facilities are not adequate because they lack the reservoir and pump station capacity according to the Water System Master Plan.

Sewer:

- a. A 24-inch sewer line is located in 36th Avenue SE at Kuebler Boulevard SE.
- b. The nearest available sewer facility appears to be located in 36th Avenue SE at the intersection of Kuebler Boulevard SE.

Storm Drainage:

- a. An 18-inch storm main is located in Boone Road SE.
- b. A public drainage ditch is located along the south side of Boone Road SE.
- c. The subject property is within the Pringle Creek Drainage Basin.

Streets:

Boone Road SE

- a. Standard—This street is designated as a Local street in the Salem TSP. The standard for this street classification is a 30-foot-wide improvement within a 60-foot-wide right-of-way.
- b. Existing Conditions—This street has an approximate 20- to 24-foot improvement within a 40-foot-wide right-of-way abutting the subject property.
- c. Special Setback—The frontage of the subject property has a special setback equal to 30 feet from centerline of Boone Road SE.

36th Avenue SE

- a. 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.
- b. Existing Conditions—This street has an approximate 22-foot turnpike improvement within a 40- to 55-foot-wide right-of-way abutting the subject property.
- c. Special Setback—The frontage of the subject property has a special setback equal to 36 feet from centerline of 36th Avenue SE.

Linking Street—The nearest adequate street facility is located at 36th Avenue SE, north of the intersection of 36th Avenue SE and Boone Road SE.

Parks

No existing parks facilities are available within ½ mile of the subject property. The Comprehensive Parks System Master Plan shows that a future Neighborhood Park (NP 29) is planned on or near the subject property.

3. Public and Private Agency Review

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

Building and Safety Division - The City of Salem Building and Safety Division reviewed the proposal and identified no apparent issues.

Fire Department – The City of Salem Fire Department reviewed the proposal and provided the following comments: *Fire has no concerns with the partition. Items including fire department access and water supply will be required at time of future development.*

4. Neighborhood Association Comments

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

5. Public Comments

Property owners and residents within 250 feet of the subject property were mailed notification of the proposed partition. One comment was received from a neighboring business asking what the owners of the parcels intend to do with the properties once they are partitioned and whether the properties will be sold or developed.

Staff Response: No development proposal identifying specific uses on the parcels has been submitted at this time, and the applicant has not indicated whether the parcels will be sold. Future land uses on the parcels will be subject to the use and development standards of the applicable zone and previous land use decisions (CPC-ZC17-02 and UGA19-01) and other applicable Salem Revised Code requirements at the time of development.

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.

The applicant's statement addressing the approval criteria is included as **Attachment E**.

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

The Unified Development Code (UDC) implements the Salem Area Comprehensive Plan land use goals and governs the development of property within the City limits. The proposed partition meets all applicable provisions of the UDC as detailed below.

The Public Works Department commented that 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), and 672.060(4), *Oregon Administrative Rules* 850-020-0015(4)&(10), 820-020-0020(2), and 820-020-0045(5).

SRC Chapter 205 (Land Division and Reconfiguration): The intent of SRC Chapter 205 is to provide for orderly development through the application of appropriate standards and regulations. The partitioning process reviews development for compliance with City standards and requirements contained in the UDC, the Salem Transportation System Plan, and the Water, Sewer, and Storm Drain System Master Plans. The applicant has met all application submittal requirements necessary for adequate review of the proposed partitioning. The proposed partition conforms to the applicable requirements of SRC Chapter 205.

(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 551 (Industrial Commercial): The proposed partition would divide the 79-acre property into three parcels. The subject properties are zoned IC (Industrial Commercial). The minimum lot area requirements of the IC zone are established under SRC 551.010(a) as follows:

Lot Standards for IC zone (Industrial Commercial) (see SRC Chapter 551, Table 551-2)

Requirement	Minimum Standard
Lot Area (All uses)	None
Lot Width (All uses)	None
Lot Depth (All uses)	None
Street Frontage (Single family)	40 feet / 30 feet (on the turnaround of a cul-de-sac)
All other uses	16 feet

Staff Response: Proposed Parcel 1 is approximately 27.03 acres and would have approximately 425 feet of frontage on Boone Road SE. It would be approximately 975 feet in width and 1,460 feet in depth. Proposed Parcel 2 would be approximately 21.42 acres and would have approximately 1,380 feet of frontage on Boone Road SE and approximately 630 feet of frontage on 36th Avenue SE. It would be approximately 650 feet in width and 1,500 feet in depth. Proposed Parcel 3 would be approximately 25.33 acres and would have approximately 770 feet of frontage on 36th Avenue SE. It would be approximately 770 feet in width and 1,450 feet in depth.

Each of the three proposed parcels in the partition meet the area, width, depth, and frontage lot standards. The proposed parcels within the partition are of sufficient size and dimension to permit future development of uses allowed within the zones.

Setback Standards for IC zone (Industrial Commercial) (see SRC Chapter 551, tables 551-3 and 551-4)

Adjacent to Streets:

- Buildings: Minimum 5 feet
- Vehicle Use Areas: Per SRC Chapter 806

Interior Front, Side, and Rear:

- Buildings:
 - o Single family and two family: No minimum
 - o Multiple family: Minimum 15 feet
 - o All other uses: Zone-to-zone setback (Table 551-4)
- Vehicle Use Areas:
 - o Single family and two family: Per SRC Chapter 806
 - o Multiple family: Minimum 15 feet
 - o All other uses: Zone-to-zone setback (Table 551-4)

Staff Response: There are existing structures on the proposed parcels that are proposed to be removed. Future development within the parcels will be reviewed for adherence to setback requirements at the time of application for building permits or site plan review. The proposed parcels greatly exceed the minimum parcels size for their respective zones, which provide sufficient width and depth to accommodate the required setbacks.

Lot Coverage: Maximum lot coverage requirements within the IC zone are established under SRC 551.010(c), Table 551-4. The IC zone does not have a maximum lot coverage standard for any uses.

Landscaping: Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC Chapter 807. Vehicle use areas shall be landscaped as provided under SRC chapters 806 and 807. A minimum of 15 percent of the development site shall be landscaped. Landscaping shall meet the Type A standard set forth in SRC chapter 807. Other required landscaping under the UDC, such as landscaping required for setbacks or vehicular use areas, may count towards meeting this requirement.

Staff Response: The proposed parcels will be reviewed for conformance with the standards of SRC 551 at the time of development.

The proposal meets the applicable requirements of SRC Chapter 551.

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.

Staff Response: There are existing structures on the proposed parcels that are proposed to be removed. Future development on the parcels will be reviewed against this standard at the time of site plan review and/or building permit.

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

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

SRC 806.015(a) (Minimum Required Off-Street Parking): SRC 806.015(a) specifies minimum parking requirements.

Staff Response: Off-street parking requirements for the proposed parcels will be reviewed at the time of development.

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 subject property is located outside of the Urban Service Area and does not have access to all of the facilities required by SRC Chapter 200. An Urban Growth Preliminary Declaration (UGA19-01) was approved for the site May 30, 2019. However, a partition application does not require an Urban Growth (UG) Preliminary Declaration. The UG Preliminary Declaration requirements are apportioned to either final plat approval or to future development of each parcel, as appropriate.

SRC Chapter 802 (Public Improvements): Comments from the Public Works Department indicate that water, sewer, and storm infrastructure in the area are insufficient and improvements are required to serve the property. Specifications for

required public improvements are summarized in the Public Works Department memo (**Attachment D**).

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).

The water infrastructure in the area is underserved. As a condition of development in the S-1 water service level, the applicant shall be required to construct *Water System Master Plan* S-1 facilities needed to serve the development, which include Coburn S-1 Reservoir, Boone Road Pump Station, and transmission mains connecting the facilities. Prior to plat approval, the applicant shall construct an 18-inch S-1 water main in 36th Avenue SE from Boone Road SE to the south line of the subject property and an 8-inch S-1 water main along Boone Road SE from 36th Avenue SE to 32nd Avenue SE.

To ensure that the required water facilities are provided, the following conditions shall apply:

- Condition 1:** As a condition of development on Parcel 1, construct an 8-inch S-1 water main along Boone Road SE from 36th Avenue SE to 32nd Avenue SE.
- Condition 2:** As a condition of development on Parcel 2, construct an 18-inch S-1 water main in 36th Avenue SE from Boone Road SE to the south line of Parcel 2.
- Condition 3:** As a condition of development on Parcel 3, construct an 18-inch S-1 water main in 36th Avenue SE from Boone Road SE to the south line of the subject property.

A 10-foot-wide public utility easement is required along all street frontages pursuant to SRC 803.035(n). An existing 36-inch water main is located on the subject property within an easement that does not meet current standards. The main is an aging pipe that requires special protection to prevent damage. The applicant shall dedicate a minimum 20-foot-wide water easement along the existing 36-inch G-0 water main within the subject property where the existing easement does not equal 20 feet wide pursuant to PWDS.

- Condition 4:** Provide a minimum 20-foot-wide water easement along the existing 36-inch G-0 water main within the subject property where the existing easement does not equal 20 feet wide.

Because temporary capacity is available in the Mill Creek Reservoir and Deer Park Pump Station, the applicant has the option of entering into a Temporary Facilities Access Agreement with the City of Salem in lieu of constructing Coburn Reservoir and Boone Road Pump Station, which allows temporary connections through payment of a

temporary access fee pursuant to SRC 200.080(a). The temporary access fee for this area of the S-1 service area is based on approximately 13 million dollars of improvements needed to serve 1,300 acres, totaling \$10,000 per acre. The S-1 area of the subject property is 61 acres, resulting in a temporary access fee of \$610,000. Prior to development on proposed parcel 1, the applicant shall pay a temporary access fee of \$270,000 and connect to the existing S-1 water system as a temporary facility pursuant to SRC 200.080(a). Prior to development on proposed parcel 2, the applicant shall pay a temporary access fee of \$90,000 and connect to the existing S-1 water system as a temporary facility pursuant to SRC 200.080(a). Prior to development on proposed parcel 3, the applicant shall pay a temporary access fee of \$250,000 and connect to the existing S-1 water system as a temporary facility pursuant to SRC 200.080(a).

Condition 5: As a condition of development on Parcel 1, pay a temporary access fee of \$270,000 and connect to the existing S-1 water system as a temporary facility pursuant to SRC 200.080(a).

Condition 6: As a condition of development on Parcel 2, pay a temporary access fee of \$90,000 and connect to the existing S-1 water system as a temporary facility pursuant to SRC 200.080(a).

Condition 7: As a condition of development on Parcel 3, pay a temporary access fee of \$250,000 and connect to the existing S-1 water system as a temporary facility pursuant to SRC 200.080(a).

A small portion of proposed parcel 1 is located within the S-2 water service level. No S-2 services are available for this portion of the property. The maximum first floor of any structure constructed on the subject property shall not exceed an elevation of 358 feet.

The nearest available sewer facility appears to be located in 36th Avenue SE at the intersection of Kuebler Boulevard SE. As a condition of sewer service, all developments will be required to provide public sewers to adjacent upstream parcels. This shall include the extension of sewer mains in easements or rights-of-way across the property to adjoining properties, and across the street frontage of the property to adjoining properties when the main is located in the street right-of-way. This shall include trunk sewers that are oversized to provide capacity for upstream development (PWDS Sewer Division 003). Prior to plat approval, the applicant shall construct a 24-inch sewer main in 36th Avenue SE from Kuebler Boulevard SE to Boone Road SE, an 18-inch sewer main in 36th Avenue SE from Boone Road SE to the south line of the subject property, and an 8-inch sewer main in Boone Road SE from 36th Avenue SE to 32nd Avenue SE.

To ensure that the required sewer facilities are provided, the following conditions shall apply:

Condition 8: As a condition of development on Parcel 1, construct a 24-inch sewer main in 36th Avenue SE from Kuebler Boulevard SE to Boone Road SE.

- Condition 9:** As a condition of development on Parcel 1, construct an 8-inch sewer main in Boone Road SE from 36th Avenue SE to 32nd Avenue SE.
- Condition 10:** As a condition of development on Parcel 2, construct a 24-inch sewer main in 36th Avenue SE from Kuebler Boulevard SE to Boone Road SE, and an 18-inch sewer main in 36th Avenue SE from Boone Road SE to the south line of Parcel 2.
- Condition 11:** As a condition of development on Parcel 3, construct a 24-inch sewer main in 36th Avenue SE from Kuebler Boulevard SE to Boone Road SE, and an 18-inch sewer main in 36th Avenue SE from Boone Road SE to the south line of the subject property.

The location of the nearest available public storm system is unknown at this time. The applicant shall complete a downstream stormwater analysis pursuant to PWDS 4.2k to evaluate the adequacy of the stormwater linking facilities. The applicant is advised to contact Public Works Development Services staff to coordinate the scope of downstream stormwater analysis and improvements. The proposed development is subject to SRC Chapter 71 and PWDS as adopted in Administrative Rule 109, Division 004. To demonstrate the proposed parcels can meet PWDS, the applicant shall submit a tentative stormwater design prior to final plat approval. The stormwater systems shall be tentatively designed to accommodate future impervious surfaces of all parcels and the applicant shall construct stormwater facilities that are proposed in the public right-of-way.

To ensure that the required stormwater facilities are provided, the following conditions shall apply:

- Condition 12:** The applicant's engineer shall complete a downstream stormwater analysis pursuant to PWDS 4.2k to evaluate the adequacy of the stormwater linking 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)(7)(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 Chapter 803 (Streets and Right-of-Way Improvements):

SRC 803.015 (Traffic Impact Analysis): CPC-ZC17-02 limits traffic impacts from future development on the subject property to a maximum of 12,916 average daily trips. Pursuant to SRC 803.015, a traffic impact analysis (TIA) is required for cumulative development on the subject property exceeding 1,000 average daily trips. A TIA is

required as a condition of final plat approval. The TIA shall include a methodology for apportioning traffic mitigation measures among the three proposed parcels. Mitigation identified by the TIA shall be provided at time of Site Plan Review or further land division on each parcel.

To ensure compliance with the TIA requirements, the following conditions shall apply:

- Condition 13:** Provide a Traffic Impact Analysis (TIA) based on anticipated development patterns allowed within the zone. The TIA shall include a methodology for apportioning traffic mitigation measures among all three parcels.
- Condition 14:** As a condition of development on Parcel 1, complete traffic mitigation measures as identified in the TIA.
- Condition 15:** As a condition of development on Parcel 2, complete traffic mitigation measures as identified in the TIA.
- Condition 16:** As a condition of development on Parcel 3, complete traffic mitigation measures as identified in the TIA.

SRC 803.020 (Public and Private Streets): There are no internal streets proposed within the partition. Proposed parcel 1 would take access from Boone Road SE, proposed Parcel 2 would take access from Boone Road SE or 36th Avenue SE, and proposed Parcel 3 would take access from 36th Avenue SE.

SRC 803.025 (Right-of-Way and Pavement Widths): The existing right-of-way is substandard along the frontages of abutting streets. Prior to plat approval, the applicant shall be required to dedicate right-of-way on the development side of the centerline to equal a half-width of 36 feet on 36th Avenue SE and a half-width of 30 feet on Boone Road SE. Additional right-of-way dedication may be required because of conflict with existing waterways or for improvements generated from the Traffic Impact Analysis.

The existing improvement along the frontage of 36th Avenue SE does not meet Minor Arterial standards. Prior to plat approval, the applicant shall be required to obtain plan approval pursuant to SRC 77.091 for a minimum 23-foot-wide half-street improvement on the development side and a 12-foot-wide pavement widening on the opposite side of centerline to Minor Arterial street standards. Prior to development on Parcels 2 or 3, the applicant shall construct a minimum 23-foot-wide half-street improvement on the development side and a 12-foot-wide pavement widening on the opposite side of centerline to Minor Arterial street standards along the abutting frontage of the entire parcel. The improvement may be modified pursuant to SRC 803.065 because of conflict with existing waterways abutting the west and east sides of the street.

The existing improvement along the frontage of Boone Road SE does not meet Local street standards. Prior to plat approval, the applicant shall obtain plan approval pursuant

to SRC 77.091 for a minimum 15-foot-wide half-street improvement on the development side and a 15-foot-wide turnpike improvement on the opposite side of the centerline along Boone Road SE from 36th Avenue SE to 32nd Avenue SE to Local Street standards. Prior to development on Parcel 1, the applicant shall construct a minimum 15-foot-wide half-street improvement on the development side and a 15-foot-wide turnpike improvement on the opposite side of the centerline along Boone Road SE from 36th Avenue SE to 32nd Avenue SE to Local Street standards. Prior to development on Parcel 2, the applicant shall construct a minimum 15-foot-wide half-street improvement on the development side and a 15-foot-wide turnpike improvement on the opposite side of the centerline along Boone Road SE from 36th Avenue SE to the western boundary of Parcel 2 to Local Street standards. These improvements shall include streetlights and sidewalks on the development side but may be modified pursuant to SRC 803.065 because of conflict with the existing waterway abutting the south side of the street.

The proposed development is subject to a special setback equal to 30-feet from centerline on the development side of Boone Road SE and 36-feet from centerline on the development side of 36th Avenue SE.

To ensure that these requirements are met, the following conditions of approval shall apply:

- Condition 17:** Provide a 40-foot-wide temporary construction easement to the City of Salem along the entire frontage of 36th Avenue SE. The easement may be modified pursuant to PWDS after completion of the street improvements along 36th Avenue SE.
- Condition 18:** Provide a 30-foot-wide temporary construction easement to the City of Salem along the entire frontage of Boone Road SE. The easement may be modified pursuant to PWDS after completion of the street improvements along Boone Road SE.
- Condition 19:** Along the entire frontage of abutting streets, dedicate right-of-way on the development side of the centerline to equal a minimum half-width of 36 feet on 36th Avenue SE and a minimum half-width of 30 feet on Boone Road SE. Additional right-of-way dedication may be required because of conflict with existing waterways or for improvements generated from a Traffic Impact Analysis.
- Condition 20:** As a condition of development on Parcel 1, along Boone Road SE from 36th Avenue to 32nd Avenue, construct a minimum 15-foot-wide half-street improvement on the development side and a minimum 15-foot-wide turnpike improvement on the opposite side of the centerline.
- Condition 21:** As a condition of development on Parcel 2, along the Parcel 2 frontage of 36th Avenue SE, construct a minimum 23-foot-wide

half-street improvement on the development side and a 12-foot-wide pavement widening on the opposite side of centerline to Minor Arterial street standards. The improvement may be modified pursuant to SRC 803.065 at the time of development because of conflict with existing waterways abutting both sides of the street.

Condition 22: As a condition of development on Parcel 2, along Boone Road SE from 36th Avenue to the west line of Parcel 2, construct a minimum 15-foot-wide half-street improvement on the development side and a minimum 15-foot-wide turnpike improvement on the opposite side of the centerline.

Condition 23: As a condition of development on Parcel 3, along the Parcel 2 and Parcel 3 frontages of 36th Avenue SE, construct a minimum 23-foot-wide half-street improvement on the development side and a 12-foot-wide pavement widening on the opposite side of centerline to Minor Arterial street standards. The improvement may be modified pursuant to SRC 803.065 at the time of development because of conflict with existing waterways abutting both sides of the street.

As conditioned, the proposal meets the requirements of SRC Chapter 803.

SRC 803.030 (Street Spacing): The proposed partition involves division of a 79-acre land area and does not involve the creation of streets.

SRC 803.035 (Street Standards): Pursuant to subsection (a), *Connectivity*, local streets shall be extended to adjoining undeveloped properties for eventual connection with the existing street system. Connections to existing or planned streets and adjoining undeveloped properties for eventual connection with the existing street system shall be provided at no greater than 600-foot intervals unless one or more of the following conditions exist:

(1) Physical conditions or the topography, including, but not limited to, freeways, railroads, steep slopes, wetlands, or other bodies of water, make a street or public accessway connection impracticable.

(2) Existing development on adjacent property precludes a current or future connection, considering the potential and likelihood for redevelopment of the adjacent property; or

(3) The streets or public accessways would violate provisions of leases, easements, covenants, restrictions or other agreements existing as of May 1, 1995, that by their terms would preclude a current or future connection.

The applicant has provided a shadow plan indicating potential future location of streets (**Attachment C**). The shadow plan does not conform with the requirement for

connections at no greater than 600-foot intervals. The following condition is required to ensure that future connectivity may be provided to meet the standard:

Condition 24: Streets through the property are required at no greater than 600-foot intervals as shown in **Attachment F**. These areas are to be reserved for future streets unless a different street layout is approved through a future land use action. No buildings may be constructed in the reserved areas.

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 25: Provide a 10-foot-wide public utility easement along the entire frontage of all abutting streets.

As conditioned, the proposal conforms to applicable street standards.

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

SRC Chapter 601 (Floodplain Overlay Zone): The subject property includes areas designated on the Federal Emergency Management Agency floodplain maps as a Zone "AE" floodplain. Public Works staff has reviewed the Flood Insurance Study and Flood Insurance Rate Maps and has determined the 100-year base flood elevation for the subject development is 233.6- feet. Development within the floodplain requires a floodplain development permit and is subject to the requirements of SRC Chapter 601, including elevation of new structures to a minimum of one foot above the base flood elevation.

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. SRC Chapter 808 requires preservation of (1) trees on lots or parcels 20,000 square feet or greater prior to site plan review or building permit approval, (2) significant trees, (3) trees in a riparian corridor, and (4) native vegetation in a riparian corridor, unless the removal is undertaken pursuant to a tree and vegetation removal permit issued under SRC 808.030, undertaken pursuant to a tree conservation plan approved under SRC 808.035, or undertaken pursuant to a tree variance granted under SRC 808.045.

The applicant submitted a tree inventory indicating a total of 469 trees including 32 Oregon white oaks 24 inches in diameter or larger (significant trees). 100 percent of the trees on site would be preserved with the partition.

No development of lots or parcels for single family or duplex dwelling units is proposed at this time. Therefore, a tree conservation plan is not required for the proposed tentative partition. Future developments, such as a subdivision of the lots, may require a Tree Conservation Plan.

The subject property is greater than 20,000 square feet, contains significant trees, and contains a riparian corridor. Any removal of protected trees requires a tree conservation plan, tree removal permit, or tree variance unless the removal qualifies as an exception under SRC 808.030.

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 shows that there are wetland channels and/or hydric soils mapped on the property. The applicant should contact the Oregon Department of State Lands to verify if any permits are required for development or construction in the vicinity of the mapped wetland area(s). Wetland notice was sent to the Oregon Department of State Lands pursuant to SRC 809.025.

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. SRC 810.020 requires a geological assessment or report when regulated activity is proposed in a mapped landslide hazard area.

According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are mapped 2- and 3-point landslide hazard areas on the subject property. The proposed activity of a partition adds 2 activity points to the proposal, which results in a total of 5 points. Therefore, the proposed development is classified as a moderate landslide risk and requires a geological assessment. A Geological Assessment, prepared by Northwest Geological Services Inc., and dated October 17, 2018, was submitted to the City of Salem. This assessment demonstrates the proposed development should not exacerbate existing geologic hazards and recommends that foundations, cuts, and fills be designed by a qualified professional using recommendations from a geotechnical investigation. A preliminary geotechnical investigation, prepared by Redmond Geotechnical Services, and dated December 11, 2014 was also submitted to the City of Salem. This report demonstrates that the subject property can be developed without increasing the potential for slope hazard on the site or adjacent properties.

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 the 79-acre land area into three parcels, with the proposed parcels to be developed in the future. The proposed partition would not impede the future use or development of any portion of the property. The adjoining 59-acre property to the south is zoned RA (Residential Agriculture), is developed with a residence, and has access to a public street. It is likely to be developed in the future. In order to accommodate future development of the property to the south, the conditions of approval above require areas within the subject property to be reserved for future streets at intervals no greater than 600 feet.

The proposed configuration of parcels allows for the future development of the site consistent with applicable zoning standards. The proposal does not adversely affect the safe and healthful development of adjacent properties. The proposal, as conditioned, meets this criterion.

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

Finding: The water infrastructure in the area is underserved. As a condition of development in the S-1 water service level, the applicant shall be required to construct *Water System Master Plan* S-1 facilities needed to serve the development, which include Coburn S-1 Reservoir, Boone Road Pump Station, and transmission mains connecting the facilities. Prior to plat approval, the applicant shall construct an 18-inch S-1 water main in 36th Avenue SE from Boone Road SE to the south line of the subject property and an 8-inch S-1 water main along Boone Road SE from 36th Avenue SE to 32nd Avenue SE.

Because temporary capacity is available in the Mill Creek Reservoir and Deer Park Pump Station, the applicant has the option of entering into a Temporary Facilities Access Agreement with the City of Salem in lieu of constructing Coburn Reservoir and Boone Road Pump Station, which allows temporary connections through payment of a temporary access fee pursuant to SRC 200.080(a). The temporary access fee for this area of the S-1 service area is based on approximately 13 million dollars of improvements needed to serve 1,300 acres, totaling \$10,000 per acre. The S-1 area of the subject property is 61 acres, resulting in a temporary access fee of \$610,000. Prior to development on proposed parcel 1, the applicant shall pay a temporary access fee of \$270,000 and connect to the existing S-1 water system as a temporary facility pursuant to SRC 200.080(a). Prior to development on proposed parcel 2, the applicant shall pay a temporary access fee of \$90,000 and connect to the existing S-1 water system as a temporary facility pursuant to SRC 200.080(a). Prior to development on proposed parcel 3, the applicant shall pay a temporary access fee of \$250,000 and connect to the existing S-1 water system as a temporary facility pursuant to SRC 200.080(a).

A small portion of proposed parcel 1 is located within the S-2 water service level. No S-2 services are available for this portion of the property. The maximum first floor of any structure constructed on the subject property shall not exceed an elevation of 358 feet.

The nearest available sewer facility appears to be located in 36th Avenue SE at the intersection of Kuebler Boulevard SE. As a condition of sewer service, all developments will be required to provide public sewers to adjacent upstream parcels. This shall include the extension of sewer mains in easements or rights-of-way across the property to adjoining properties, and across the street frontage of the property to adjoining properties when the main is located in the street right-of-way. This shall include trunk sewers that are oversized to provide capacity for upstream development (PWDS Sewer Division 003). Prior to plat approval, the applicant shall construct a 24-inch sewer main in 36th Avenue SE from Kuebler Boulevard SE to Boone Road SE, an 18-inch sewer main in 36th Avenue SE from Boone Road SE to the south line of the subject property, and an 8-inch sewer main in Boone Road SE from 36th Avenue SE to 32nd Avenue SE.

The location of the nearest available public storm system is unknown at this time. The applicant shall complete a downstream stormwater analysis pursuant to PWDS 4.2k to evaluate the adequacy of the stormwater linking facilities. The applicant is advised to contact Public Works Development Services staff to coordinate the scope of downstream stormwater analysis and improvements. The proposed development is subject to SRC Chapter 71 and PWDS as adopted in Administrative Rule 109, Division 004. To demonstrate the proposed parcels can meet PWDS, the applicant shall submit a tentative stormwater design prior to final plat approval. The stormwater systems shall be tentatively designed to accommodate future impervious surfaces of all parcels and the applicant shall construct stormwater facilities that are 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 205.035(c)(7)(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 above, this criterion is met.

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

and

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 existing right-of-way is substandard along the frontages of abutting streets. Prior to plat approval, the applicant shall be required to dedicate right-of-way on

the development side of the centerline to equal a half-width of 36 feet on 36th Avenue SE and a half-width of 30 feet on Boone Road SE. Additional right-of-way dedication may be required because of conflict with existing waterways or for improvements generated from the Traffic Impact Analysis.

The existing improvement along the frontage of 36th Avenue SE does not meet Minor Arterial standards. Prior to plat approval, the applicant shall be required to obtain plan approval pursuant to SRC 77.091 for a minimum 23-foot-wide half-street improvement on the development side and a 12-foot-wide pavement widening on the opposite side of centerline to Minor Arterial street standards. Prior to development on Parcels 2 or 3, the applicant shall construct a minimum 23-foot-wide half-street improvement on the development side and a 12-foot-wide pavement widening on the opposite side of centerline to Minor Arterial street standards along the abutting frontage of the entire parcel. The improvement may be modified pursuant to SRC 803.065 because of conflict with existing waterways abutting the west and east sides of the street.

The existing improvement along the frontage of Boone Road SE does not meet Local street standards. Prior to plat approval, the applicant shall obtain plan approval pursuant to SRC 77.091 for a minimum 15-foot-wide half-street improvement on the development side and a 15-foot-wide turnpike improvement on the opposite side of the centerline along Boone Road SE from 36th Avenue SE to 32nd Avenue SE to Local Street standards. Prior to development on Parcel 1, the applicant shall construct a minimum 15-foot-wide half-street improvement on the development side and a 15-foot-wide turnpike improvement on the opposite side of the centerline along Boone Road SE from 36th Avenue SE to 32nd Avenue SE to Local Street standards. Prior to development on Parcel 2, the applicant shall construct a minimum 15-foot-wide half-street improvement on the development side and a 15-foot-wide turnpike improvement on the opposite side of the centerline along Boone Road SE from 36th Avenue SE to the western boundary of Parcel 2 to Local Street standards. These improvements shall include streetlights and sidewalks on the development side but may be modified pursuant to SRC 803.065 because of conflict with the existing waterway abutting the south side of the street.

The proposed development is subject to a special setback equal to 30-feet from centerline on the development side of Boone Road SE and 36-feet from centerline on the development side of 36th Avenue SE.

CPC-ZC17-02 limits traffic impacts from future development on the subject property to a maximum of 12,916 average daily trips. Pursuant to SRC 803.015, a traffic impact analysis (TIA) is required for cumulative development on the subject property exceeding 1,000 average daily trips. A TIA is required as a condition of final plat approval. The TIA shall include a methodology for apportioning traffic mitigation measures among the three proposed parcels. Mitigation identified by the TIA shall be provided at time of Site Plan Review or further land division on each parcel.

As conditioned above, these criteria are met.

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 existing trees on the subject property are predominantly concentrated in the southwest in proposed Parcel 1. The steepest slopes are within the western and southwestern area of the subject property in proposed Parcel 1. Access to proposed Parcel 1 would be from Boone Road SE in a relatively flat area along the northern boundary of the parcel. The proposed layout allows for reasonable development of all parcels within the partition without variances from the UDC.

The proposal meets this criterion.

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 the findings above, 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 without variances from the UDC. The subject properties include large, open areas that will allow for development of the proposed parcels with a reasonably low amount of disruption to the site's topography and vegetation.

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 will be served by City sewer and water. Therefore, this criterion does not apply.

7. Conclusion

Based upon review of SRC 205.005, the findings contained under Section 6 above, and the comments described, the tentative partition 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 Partition Plan Case No. 19-12, to divide approximately 79 acres zoned IC (Industrial Commercial) and located at 3290 Boone Rd SE (Marion County Assessor Map and Tax Lot 083W13A / 00100, 00200, and 00300) into three parcels, with Parcel 1 consisting of approximately 27.03 acres, Parcel 2 consisting of approximately 21.42 acres, and Parcel 3 consisting of approximately 25.33 acres, 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:** As a condition of development on Parcel 1, construct an 8-inch S-1 water main along Boone Road SE from 36th Avenue SE to 32nd Avenue SE.
- Condition 2:** As a condition of development on Parcel 2, construct an 18-inch S-1 water main in 36th Avenue SE from Boone Road SE to the south line of Parcel 2.
- Condition 3:** As a condition of development on Parcel 3, construct an 18-inch S-1 water main in 36th Avenue SE from Boone Road SE to the south line of the subject property.
- Condition 4:** Provide a minimum 20-foot-wide water easement along the existing 36-inch G-0 water main within the subject property where the existing easement does not equal 20 feet wide.
- Condition 5:** As a condition of development on Parcel 1, pay a temporary access fee of \$270,000 and connect to the existing S-1 water system as a temporary facility pursuant to SRC 200.080(a).
- Condition 6:** As a condition of development on Parcel 2, pay a temporary access fee of \$90,000 and connect to the existing S-1 water system as a temporary facility pursuant to SRC 200.080(a).
- Condition 7:** As a condition of development on Parcel 3, pay a temporary access fee of \$250,000 and connect to the existing S-1 water system as a temporary facility pursuant to SRC 200.080(a).

- Condition 8:** As a condition of development on Parcel 1, construct a 24-inch sewer main in 36th Avenue SE from Kuebler Boulevard SE to Boone Road SE.
- Condition 9:** As a condition of development on Parcel 1, construct an 8-inch sewer main in Boone Road SE from 36th Avenue SE to 32nd Avenue SE.
- Condition 10:** As a condition of development on Parcel 2, construct a 24-inch sewer main in 36th Avenue SE from Kuebler Boulevard SE to Boone Road SE, and an 18-inch sewer main in 36th Avenue SE from Boone Road SE to the south line of Parcel 2.
- Condition 11:** As a condition of development on Parcel 3, construct a 24-inch sewer main in 36th Avenue SE from Kuebler Boulevard SE to Boone Road SE, and an 18-inch sewer main in 36th Avenue SE from Boone Road SE to the south line of the subject property.
- Condition 12:** The applicant's engineer shall complete a downstream stormwater analysis pursuant to PWDS 4.2k to evaluate the adequacy of the stormwater linking facilities.
- Condition 13:** Provide a Traffic Impact Analysis (TIA) based on anticipated development patterns allowed within the zone. The TIA shall include a methodology for apportioning traffic mitigation measures among all three parcels.
- Condition 14:** As a condition of development on Parcel 1, complete traffic mitigation measures as identified in the TIA.
- Condition 15:** As a condition of development on Parcel 2, complete traffic mitigation measures as identified in the TIA.
- Condition 16:** As a condition of development on Parcel 3, complete traffic mitigation measures as identified in the TIA.
- Condition 17:** Provide a 40-foot-wide temporary construction easement to the City of Salem along the entire frontage of 36th Avenue SE. The easement may be modified pursuant to PWDS after completion of the street improvements along 36th Avenue SE.
- Condition 18:** Provide a 30-foot-wide temporary construction easement to the City of Salem along the entire frontage of Boone Road SE. The easement may be modified pursuant to PWDS after completion of the street improvements along Boone Road SE.
- Condition 19:** Along the entire frontage of abutting streets, dedicate right-of-way on the development side of the centerline to equal a minimum half-width of 36

feet on 36th Avenue SE and a minimum half-width of 30 feet on Boone Road SE. Additional right-of-way dedication may be required because of conflict with existing waterways or for improvements generated from a Traffic Impact Analysis.

- Condition 20:** As a condition of development on Parcel 1, along Boone Road SE from 36th Avenue to 32nd Avenue, construct a minimum 15-foot-wide half-street improvement on the development side and a minimum 15-foot-wide turnpike improvement on the opposite side of the centerline.
- Condition 21:** As a condition of development on Parcel 2, along the Parcel 2 frontage of 36th Avenue SE, construct a minimum 23-foot-wide half-street improvement on the development side and a 12-foot-wide pavement widening on the opposite side of centerline to Minor Arterial street standards. The improvement may be modified pursuant to SRC 803.065 at the time of development because of conflict with existing waterways abutting both sides of the street.
- Condition 22:** As a condition of development on Parcel 2, along Boone Road SE from 36th Avenue to the west line of Parcel 2, construct a minimum 15-foot-wide half-street improvement on the development side and a minimum 15-foot-wide turnpike improvement on the opposite side of the centerline.
- Condition 23:** As a condition of development on Parcel 3, along the Parcel 2 and Parcel 3 frontages of 36th Avenue SE, construct a minimum 23-foot-wide half-street improvement on the development side and a 12-foot-wide pavement widening on the opposite side of centerline to Minor Arterial street standards. The improvement may be modified pursuant to SRC 803.065 at the time of development because of conflict with existing waterways abutting both sides of the street.
- Condition 24:** Streets through the property are required at no greater than 600-foot intervals as shown in **Attachment F**. These areas are to be reserved for future streets unless a different street layout is approved through a future land use action. No buildings may be constructed in the reserved areas.
- Condition 25:** Provide a 10-foot-wide public utility easement along the entire frontage of all abutting streets.



Pamela Cole, Planner II
Planning Administrator Designee

Attachments: A. Vicinity Map
B. Applicant's Tentative Partition Plan
C. Applicant's Shadow Plan for Future Streets
D. City of Salem Public Works Department Memorandum
E. Applicant's Statement
F. Areas to be Reserved for Future Street Connections

Application Deemed Complete: July 30, 2019
Notice of Decision Mailing Date: January 24, 2020
Decision Effective Date: February 11, 2020
State Mandated Decision Date: March 26, 2020 (extended by the applicant)

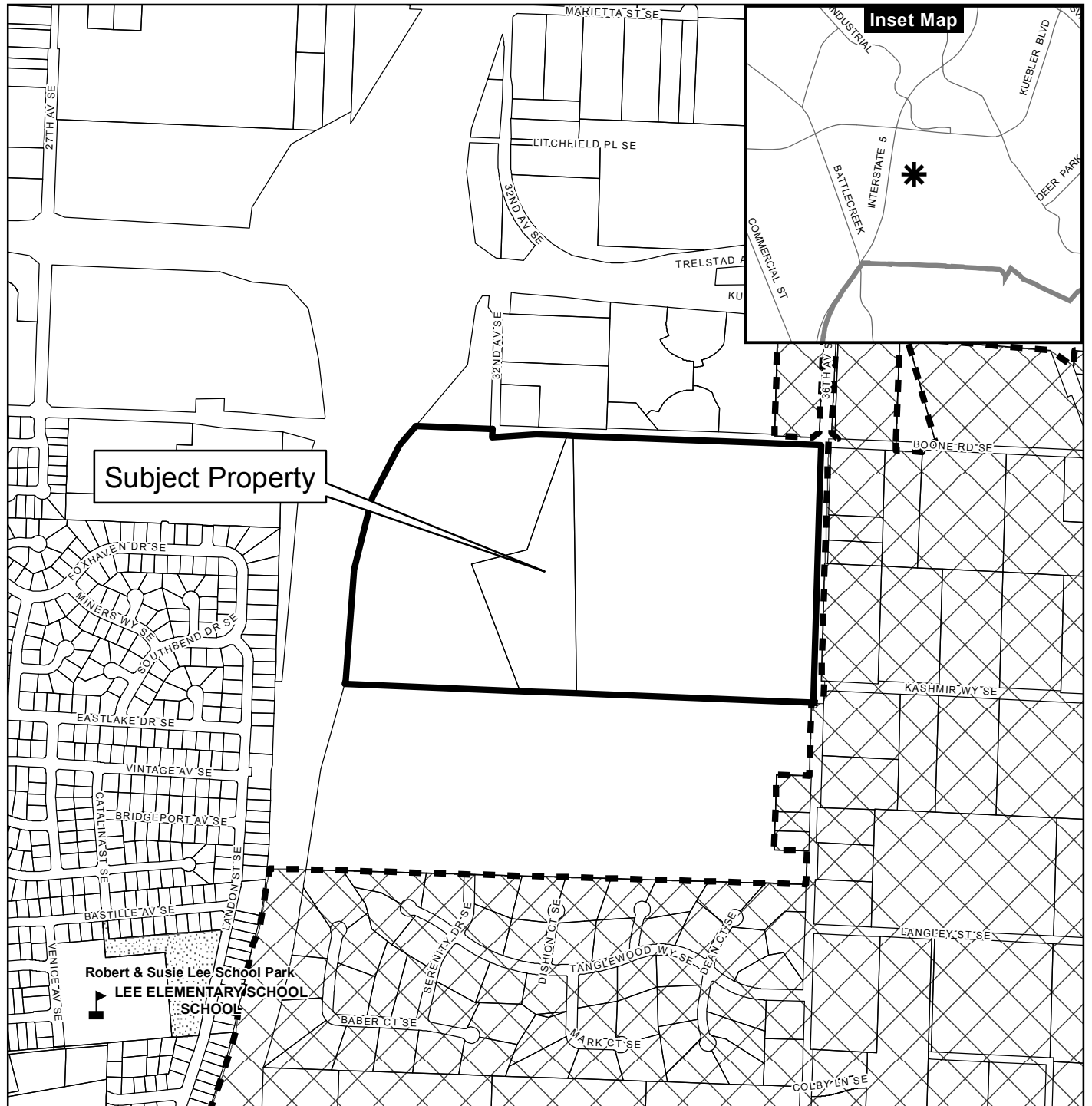
The rights granted by this decision must be exercised or extension granted by February 11, 2022, or this approval shall be null and void.

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, Monday February 10, 2020 by 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

3290 Boone Road SE



Legend

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

0 100 200 400 Feet



CITY OF Salem
AT YOUR SERVICE
Community Development Dept.

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Engineer:
MARK GRENZ
1155 13TH ST. S.E.
SALEM, OREGON 97302
PH: 503-363-9227

Owner / Developer:
MWSH BOONE RD. PROPERTY, LLC
3425 BOONE RD. S.E.
SALEM, OREGON 97317

MULTI/TECH

ENGINEERING SERVICES, INC.
1155 13TH ST. S.E. SALEM, OR. 97302
PH: (503) 363 - 9227 FAX (503) 364-1260
www.mtechengineering.net office@mtechengineering.net

TENTATIVE PARTITION PLAN

PARTITION

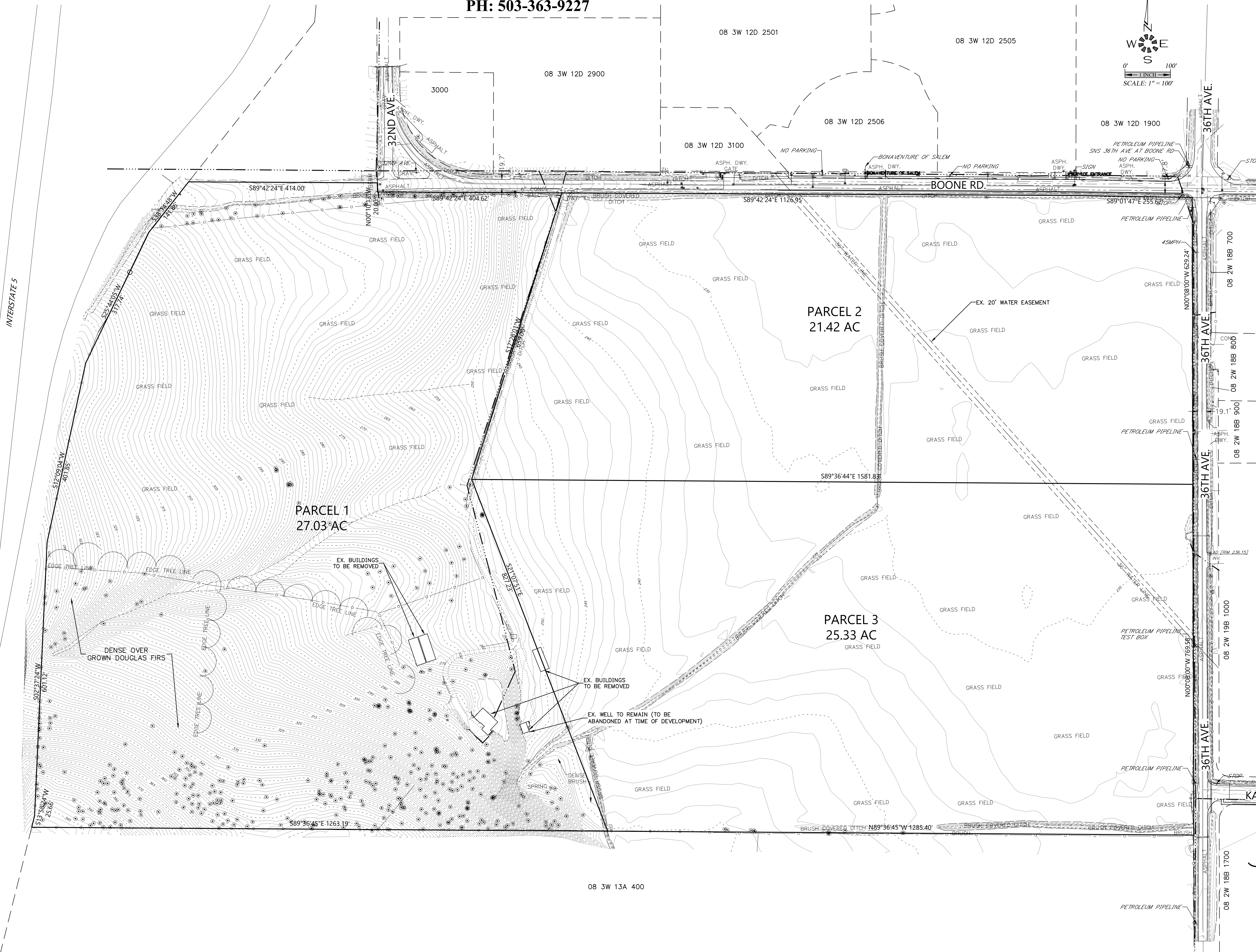
NOT FOR CONSTRUCTION UNLESS STAMPED AND APPROVED HERE


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

Design:	M.D.G.
Drawn:	C.E.S.
ProjMgr:	B.D.
Date:	MAY 2019
Scale:	AS SHOWN
As-Built:	----

REGISTERED PROFESSIONAL ENGINEER
MARK GRENZ
OREGON
EXPIRES: 06-30-2019
JOB # 6754

J:\6750-6754\6754-36M\BooneRd\Map_17012019_13240_PN_CSalemon




NORTH
1" = 150'
01/10/2018
#6754





MEMO

TO: Pamela Cole, Planner II
Community Development Department

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

DATE: January 22, 2020

SUBJECT: **PUBLIC WORKS RECOMMENDATIONS**
PAR19-12 (19-111923-LD)
3290 BOONE ROAD SET
THREE-PARCEL PARTITION

PROPOSAL

To divide approximately 79 acres into 3 parcels in an IC (Industrial Commercial) zone at 3290 Boone Road SE (Marion County Assessor's Map and Tax Lots: 083W13A 00100, 00200, and 00300).

RECOMMENDED CONDITIONS OF PLAT APPROVAL

As a condition of final plat approval:

1. Provide a 40-foot-wide temporary construction easement to the City of Salem along the entire frontage of 36th Avenue SE. The easement may be modified pursuant to PWDS after completion of the street improvements along 36th Avenue SE.
2. Provide a 30-foot-wide temporary construction easement to the City of Salem along the entire frontage of Boone Road SE. The easement may be modified pursuant to PWDS after completion of the street improvements along Boone Road SE.
3. Along the entire frontage of abutting streets, dedicate right-of-way on the development side of the centerline to equal a minimum half-width of 36 feet on 36th Avenue SE and a minimum half-width of 30 feet on Boone Road SE. Additional right-of-way dedication may be required because of conflict with existing waterways or for improvements generated from a Traffic Impact Analysis.
4. The applicant's engineer shall complete a downstream stormwater analysis pursuant to PWDS 4.2k to evaluate the adequacy of the stormwater linking facilities.
5. Provide a minimum 20-foot-wide water easement along the existing 36-inch G-0 water main within the subject property where the existing easement does not equal 20 feet wide.

6. Provide a Traffic Impact Analysis (TIA) based on anticipated development patterns allowed within the zone. The TIA shall include a methodology for apportioning traffic mitigation measures among all three parcels.
7. Provide a 10-foot-wide public utility easement along the entire frontage of all abutting streets.

As a condition of development on Parcel 1:

1. Along Boone Road SE from 36th Avenue to 32nd Avenue, construct a minimum 15-foot-wide half-street improvement on the development side and a minimum 15-foot-wide turnpike improvement on the opposite side of the centerline.
2. Complete traffic mitigation measures as identified in the TIA.
3. Construct an 8-inch S-1 water main along Boone Road SE from 36th Avenue SE to 32nd Avenue SE.
4. Pay a temporary access fee of \$270,000 and connect to the existing S-1 water system as a temporary facility pursuant to SRC 200.080(a).
5. Construct a 24-inch sewer main in 36th Avenue SE from Kuebler Boulevard SE to Boone Road SE
6. Construct an 8-inch sewer main in Boone Road SE from 36th Avenue SE to 32nd Avenue SE.

As a condition of development on Parcel 2:

7. Along the Parcel 2 frontage of 36th Avenue SE, construct a minimum 23-foot-wide half-street improvement on the development side and a 12-foot-wide pavement widening on the opposite side of centerline to Minor Arterial street standards. The improvement may be modified pursuant to SRC 803.065 at the time of development because of conflict with existing waterways abutting both sides of the street.
8. Along Boone Road SE from 36th Avenue SE to the west line of Parcel 2, construct a minimum 15-foot-wide half-street improvement on the development side and a minimum 15-foot-wide turnpike improvement on the opposite side of the centerline.
9. Complete traffic mitigation measures as identified in the TIA.
10. Construct an 18-inch S-1 water main in 36th Avenue SE from Boone Road SE to the south line Parcel 2.
11. Pay a temporary access fee of \$90,000 and connect to the existing S-1 water system as a temporary facility pursuant to SRC 200.080(a).

12. Construct a 24-inch sewer main in 36th Avenue SE from Kuebler Boulevard SE to Boone Road SE, and an 18-inch sewer main in 36th Avenue SE from Boone Road SE to the south line of Parcel 2.

As a condition of development on Parcel 3:

13. Along the Parcel 2 and Parcel 3 frontages of 36th Avenue SE, construct a minimum 23-foot-wide half-street improvement on the development side and a 12-foot-wide pavement widening on the opposite side of centerline to Minor Arterial street standards. The improvement may be modified pursuant to SRC 803.065 at the time of development because of conflict with existing waterways abutting both sides of the street.
14. Complete traffic mitigation measures as identified in the TIA.
15. Construct an 18-inch S-1 water main in 36th Avenue SE from Boone Road SE to the south line of the subject property.
16. Pay a temporary access fee of \$250,000 and connect to the existing S-1 water system as a temporary facility pursuant to SRC 200.080(a).
17. Construct a 24-inch sewer main in 36th Avenue SE from Kuebler Boulevard SE to Boone Road SE, and an 18-inch sewer main in 36th Avenue SE from Boone Road SE to the south line of the subject property.

FACTS

1. Boone Road SE

- a. Standard—This street is designated as a Local street in the Salem TSP. The standard for this street classification is a 30-foot-wide improvement within a 60-foot-wide right-of-way.
- b. Existing Conditions—This street has an approximate 20- to 24-foot improvement within a 40-foot-wide right-of-way abutting the subject property.
- c. Special Setback—The frontage of the subject property has a special setback equal to 30 feet from centerline of Boone Road SE.

2. 36th Avenue SE

- a. 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.

- b. Existing Conditions—This street has an approximate 22-foot turnpike improvement within a 40- to 55-foot-wide right-of-way abutting the subject property.
 - c. Special Setback—The frontage of the subject property has a special setback equal to 36 feet from centerline of 36th Avenue SE.
3. Linking Street—The nearest adequate street facility is located at 36th Avenue SE, north of the intersection of 36th Avenue SE and Boone Road SE.

Storm Drainage

- 1. Existing Conditions
 - a. An 18-inch storm main is located in Boone Road SE.
 - b. A public drainage ditch is located along the south side of Boone Road SE.
 - c. The subject property is within the Pringle Creek Drainage Basin.

Water

- 1. Existing Conditions
 - a. The subject property is located within the G-0, S-1, and S-2 water service levels. The applicant is authorized and encouraged to serve the entire property from S-1 facilities.
 - b. A 36-inch G-0 water transmission main is located in Boone Road SE. Individual service connections are not permitted to connect to transmission mains per PWDS 5.3(d)(2).
 - c. A 36-inch G-0 water transmission main traverses through the eastern half of the project boundary. Individual service connections are not permitted to connect to transmission mains per PWDS 5.3(d)(2).
 - d. An 18-inch water S-2 water main is located in Boone Road SE. This main is reduced in pressure to an S-1 water main approximately 270 feet west of the intersection of 36th Avenue SE and Boone Road SE.
 - e. The applicant is advised that an existing 36-inch water main is located within the subject property. This main is an aging pipe that requires special protection to prevent damage. The applicant's engineer is advised to contact Public Works Development Services staff to coordinate requirements for protecting the existing main. Pursuant to PWDS, the applicant shall dedicate a minimum 20-foot-wide water easement where the additional easement does not equal 20 feet wide.

- f. The subject property is located in the Bonaventure Reimbursement District. A reimbursement district fee is due for reimbursement of an 18-inch water main in Boone Road SE.
- g. The existing facilities are not adequate because they lack the reservoir and pump station capacity according to the *Water System Master Plan*.

Sanitary Sewer

1. Existing Sewer

- a. A 24-inch sewer line is located in 36th Avenue SE at Kuebler Boulevard SE.
- b. The nearest available sewer facility appears to be located in 36th Avenue SE at the intersection of Kuebler Boulevard SE.

Parks

No existing parks facilities are available within ½ mile of the subject property. The Comprehensive Parks System Master Plan shows that a future Neighborhood Park (NP 29) is planned on or near the subject property.

Urban Growth Preliminary Declaration

The subject property is located outside of the Urban Service Area and does not have access to all of the facilities required by SRC Chapter 200. An Urban Growth Preliminary Declaration (UGA19-01) was approved for the site May 30, 2019. However, a partition application does not require an Urban Growth (UG) Preliminary Declaration. The UG Preliminary Declaration requirements are apportioned to either final plat approval or to future development of each parcel, as appropriate.

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).

The subject property includes areas designated on the Federal Emergency Management Agency floodplain maps as a Zone "AE" floodplain. Public Works staff has reviewed the Flood Insurance Study and Flood Insurance Rate Maps and has determined the 100-year base flood elevation for the subject development is 233.6 feet. Development within the floodplain requires a floodplain development permit and is subject to the requirements of SRC Chapter 601, including elevation of new structures to a minimum of one foot above the base flood elevation.

A 10-foot-wide public utility easement is required along all street frontages pursuant to SRC 803.035(n). An existing 36-inch water main is located on the subject property within an easement that does not meet current standards. The main is an aging pipe that requires special protection to prevent damage. The applicant shall dedicate a minimum 20-foot-wide water easement along the existing 36-inch G-0 water main within the subject property where the existing easement does not equal 20 feet wide pursuant to PWDS.

The Salem-Keizer Local Wetland Inventory shows that there are wetland channels and/or hydric soils mapped on the property. The applicant should contact the Oregon Department of State Lands to verify if any permits are required for development or construction in the vicinity of the mapped wetland area(s). Wetland notice was sent to the Oregon Department of State Lands pursuant to SRC 809.025.

According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are mapped 2- and 3-point landslide hazard areas on the subject property. The proposed activity of a partition adds 2 activity points to the proposal, which results in a total of 5 points. Therefore, the proposed development is classified as a moderate landslide risk and requires a geological assessment. A Geological Assessment, prepared by Northwest Geological Services Inc., and dated October 17, 2018, was submitted to the City of Salem. This assessment demonstrates the proposed development should not exacerbate existing geologic hazards and recommends that foundations, cuts, and fills be designed by a qualified professional using recommendations from a geotechnical investigation. A preliminary

geotechnical investigation, prepared by Redmond Geotechnical Services, and dated December 11, 2014, was also submitted to the City of Salem. This report demonstrates that the subject property can be developed without increasing the potential for slope hazard on the site or adjacent properties.

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

Findings—The water infrastructure in the area is underserved. As a condition of development in the S-1 water service level, the applicant shall be required to construct *Water System Master Plan* S-1 facilities needed to serve the development, which include Coburn S-1 Reservoir, Boone Road Pump Station, and transmission mains connecting the facilities. Prior to plat approval, the applicant shall construct an 18-inch S-1 water main in 36th Avenue SE from Boone Road SE to the south line of the subject property and an 8-inch S-1 water main along Boone Road SE from 36th Avenue SE to 32nd Avenue SE.

Because temporary capacity is available in the Mill Creek Reservoir and Deer Park Pump Station, the applicant has the option of entering into a Temporary Facilities Access Agreement with the City of Salem in lieu of constructing Coburn Reservoir and Boone Road Pump Station, which allows temporary connections through payment of a temporary access fee pursuant to SRC 200.080(a). The temporary access fee for this area of the S-1 service area is based on approximately 13 million dollars of improvements needed to serve 1,300 acres, totaling \$10,000 per acre. The S-1 area of the subject property is 61 acres, resulting in a temporary access fee of \$610,000. Prior to development on proposed parcel 1, the applicant shall pay a temporary access fee of \$270,000 and connect to the existing S-1 water system as a temporary facility pursuant to SRC 200.080(a). Prior to development on proposed parcel 2, the applicant shall pay a temporary access fee of \$90,000 and connect to the existing S-1 water system as a temporary facility pursuant to SRC 200.080(a). Prior to development on proposed parcel 3, the applicant shall pay a temporary access fee of \$250,000 and connect to the existing S-1 water system as a temporary facility pursuant to SRC 200.080(a).

A small portion of proposed parcel 1 is located within the S-2 water service level. No S-2 services are available for this portion of the property. The maximum first floor of any structure constructed on the subject property shall not exceed an elevation of 358 feet.

The nearest available sewer facility appears to be located in 36th Avenue SE at the intersection of Kuebler Boulevard SE. As a condition of sewer service, all developments will be required to provide public sewers to adjacent upstream parcels. This shall include the extension of sewer mains in easements or rights-of-way across the property to adjoining properties, and across the street frontage of the property to adjoining properties when the main is located in the street right-of-way. This shall include trunk sewers that are oversized to provide capacity for upstream development (PWDS Sewer Division 003). Prior to plat approval, the applicant shall construct a 24-inch sewer main in 36th Avenue SE from Kuebler Boulevard SE to Boone Road SE, an 18-inch sewer

main in 36th Avenue SE from Boone Road SE to the south line of the subject property, and an 8-inch sewer main in Boone Road SE from 36th Avenue SE to 32nd Avenue SE.

The location of the nearest available public storm system is unknown at this time. The applicant shall complete a downstream stormwater analysis pursuant to PWDS 4.2k to evaluate the adequacy of the stormwater linking facilities. The applicant is advised to contact Public Works Development Services staff to coordinate the scope of downstream stormwater analysis and improvements. The proposed development is subject to SRC Chapter 71 and PWDS as adopted in Administrative Rule 109, Division 004. To demonstrate the proposed parcels can meet PWDS, the applicant shall submit a tentative stormwater design prior to final plat approval. The stormwater systems shall be tentatively designed to accommodate future impervious surfaces of all parcels and the applicant shall construct stormwater facilities that are 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 205.035(c)(7)(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— The existing right-of-way is substandard along the frontages of abutting streets. Prior to plat approval, the applicant shall be required to dedicate right-of-way on the development side of the centerline to equal a half-width of 36 feet on 36th Avenue SE and a half-width of 30 feet on Boone Road SE. Additional right-of-way dedication may be required because of conflict with existing waterways or for improvements generated from the Traffic Impact Analysis.

The existing improvement along the frontage of 36th Avenue SE does not meet Minor Arterial standards. Prior to plat approval, the applicant shall be required to obtain plan approval pursuant to SRC 77.091 for a minimum 23-foot-wide half-street improvement on the development side and a 12-foot-wide pavement widening on the opposite side of centerline to Minor Arterial street standards. Prior to development on Parcels 2 or 3, the applicant shall construct a minimum 23-foot-wide half-street improvement on the development side and a 12-foot-wide pavement widening on the opposite side of centerline to Minor Arterial street standards along the abutting frontage of the entire parcel. The improvement may be modified pursuant to SRC 803.065 because of conflict with existing waterways abutting the west and east sides of the street.

The existing improvement along the frontage of Boone Road SE does not meet Local street standards. Prior to plat approval, the applicant shall obtain plan approval pursuant

to SRC 77.091 for a minimum 15-foot-wide half-street improvement on the development side and a 15-foot-wide turnpike improvement on the opposite side of the centerline along Boone Road SE from 36th Avenue SE to 32nd Avenue SE to Local Street standards. Prior to development on Parcel 1, the applicant shall construct a minimum 15-foot-wide half-street improvement on the development side and a 15-foot-wide turnpike improvement on the opposite side of the centerline along Boone Road SE from 36th Avenue SE to 32nd Avenue SE to Local Street standards. Prior to development on Parcel 2, the applicant shall construct a minimum 15-foot-wide half-street improvement on the development side and a 15-foot-wide turnpike improvement on the opposite side of the centerline along Boone Road SE from 36th Avenue SE to the western boundary of Parcel 2 to Local Street standards. These improvements shall include streetlights and sidewalks on the development side but may be modified pursuant to SRC 803.065 because of conflict with the existing waterway abutting the south side of the street.

The proposed development is subject to a special setback equal to 30 feet from centerline on the development side of Boone Road SE and 36 feet from centerline on the development side of 36th Avenue SE.

CPC-ZC17-02 limits traffic impacts from future development on the subject property to a maximum of 12,916 average daily trips. Pursuant to SRC 803.015, a traffic impact analysis (TIA) is required for cumulative development on the subject property exceeding 1,000 average daily trips. A TIA is required as a condition of final plat approval. The TIA shall include a methodology for apportioning traffic mitigation measures among the three proposed parcels. Mitigation identified by the TIA shall be provided at time of Site Plan Review or further land division on each parcel.

Prepared by: Jennifer Scott, Program Manager
cc: File

Boone Road

Partition

Proposal:

The subject property is located at 3290 Boone Road (083W13A/Tax Lots 100, 200, and 300). This partition is being requested in order to resolve any legal lot issues with these tax lots.

The subject property is 79 acres in size and zoned IC (Industrial Commercial). The applicant is requesting to partition the subject property by reconfiguring Tax Lots 100, 200, and 300 into three parcels as shown on the site plans.

Existing:

Tax Lot 100: 42.24 acres

Tax Lot 200: 9.71 acres

Tax Lot 300: 27.12 acres

Proposed:

Parcel 1: 27.03 acres

Parcel 2: 21.42 acres

Parcel 3: 25.33 acres

SITE VICINITY and CHARACTERISTICS:

The site is bounded on the north by Boone Road and the east by 36th Avenue. The surrounding land uses within the vicinity are zoned and used as follows and as shown.

North: Across Boone Road, CO (Commercial Office) and IG (General Industrial); Assisted Living Facilities

East: Outside City Limits; existing industrial and commercial uses

South: RA (Residential Agriculture); vacant land

West: I-5

CRITERIA AND APPLICANT'S REASONS ADDRESSING UDC 205.005(d):

The decision criteria for partitions without a concurrent variance under UDC Chapter 205.005(d) must be found to exist before an affirmative decision may be made for a partition application.

UDC 205.005(d)(1):

Front Lot Line:

Parcel 1-North Lot Line

Parcel 2-East Lot Line

Parcel 3-East Lot Line

Side Lot Line:

Parcel 1-East Lot Line/West Lot Line
Parcel 2-North Lot Line/South Lot Line
Parcel 3-North Lot Line/South Lot Line

Rear Lot Line:

Parcel 1-South Lot Line
Parcel 2-West Lot Line
Parcel 3-West Lot Line

Lot area-

*Parcel 1=27.03 acres
*Parcel 2=21.42 acres
*Parcel 3=25.33 acres

City Infrastructure standards- Water, sewer, storm drainage plans will be submitted to the Public Works Department for final plat and construction plan approval at the final plat stage. The tentative site plan illustrates the location of the public utility lines. The proposal meets applicable Salem Area Comprehensive Plan Policies for properties within the Urban Growth Boundary. The proposal encourages the efficient use of developable commercial land. Public facilities and services are or will be available to serve the site, including services such as water, sanitary and storm sewer and fire/life/safety services.

The subject property is located within the UGB and outside the Urban Service Area (USA). Therefore, an Urban Growth Preliminary Declaration (UGA19-01) was applied for and issued on May 14, 2019. This criterion has been met.

Proposed Storm Water Management System:

An LID (low impact development) Storm water technique will be used to mitigate the increase in pollutants contributed from development. The exact system will be determined at the time of design. If required, any proposed technique will meet City of Salem Stormwater Management standards in means and methods to provide all aspects of Storm water management.

Special development standards-The subject property is not located within any overlay, floodplain, or vision clearance issues on the site. There are no special development standards that apply to this site.

Prior to development of the site, any potential wetlands will be identified.

According to staff, landslide hazards exist on the property. Therefore, prior to development of the site a geologic assessment will be required.

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

Approval of the proposed partition does not impede future use of the remainder of the subject property or adjoining lands. The proposal will divide the entire site into three parcels, with Parcel 1 being 27.03 acres in size, Parcel 2 is 21.42 acres in size, and Parcel 3 is 25.33 acres in size. The subject and adjoining properties have access to the existing system that is currently in place. A street connection plan has been provided to show how the subject property could be further divided.

All three parcels along with surrounding parcels have access and/or will have access when developed. Therefore, the approval does not impede future use of the remainder. The proposal provides for further development of the site consistent with current zoning standards.

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

The property is outside the Urban Services Area (USA). UGA19-01 was issued on May 14, 2019 for the subject property.

The Public Works Department is responsible for reviewing the proposal to determine the public facility construction and other requirements necessary to serve the development and provide for future development of any adjoining properties. The City's adopted facility plans and construction requirements are the basis for the provision of facilities and any conditions of approval imposed on the development to meet service requirements.

City of Salem water and sewer service is available to the proposed parcels. The improvement of the access ways will facilitate vehicle and pedestrian access to the public street system. The Salem-Keizer School District and the Salem-Keizer Transit District serve the site.

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

General Circulation: The proposed partition will result in the creation of three parcels. Vehicular access to the proposed parcels will be taken from Boone Road to the north and 36th Avenue to the east side of the property. The existing streets will provide safe and efficient access to the Parcels and the existing street system, by providing direct access to the site.

Boundary Streets: There are two streets abutting the subject properties, Boone Road, running along the north side of the property and 36th Avenue running along the east side of the property. Boundary street improvements will be determined with and met by the Conditions of Approval at the time of development of the site.

Internal Streets: There are no internal public streets proposed or required in conjunction with the proposed partition.

Transportation Planning Rule Review:

The City of Salem's TPR encourages a reduction in automobile trips by capitalizing on transit opportunities and by creating an environment that encourages people to walk. The proposed partition is a "limited land use decision" pursuant to Oregon Revised Statute (ORS) 197.015, and has therefore been reviewed for consistency with the State's TPR multi-modal connectivity requirements, and is consistent as follows:

- (a) Mass Transit: The nearest transit service near the site is provided via Route 6 (12th/Battlecreek), on Battlecreek Road to the west of the site. There is no transit service within close proximity to the site.

As an infill proposal, the transportation network in the area is already established or continuing to be established with new development. Connections to the existing system are provided by existing streets and access to serve the new parcels. The subject property, as proposed and conditioned, is served with adequate transportation infrastructure, and the street system adjacent to the property provides for safe, orderly, and efficient circulation of traffic into and out of the property.

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

Boone Road is a 'local' street and 36th Avenue is a "minor arterial". Both streets provide connections to the street system that serves the area.

The partition is served with other adequate transportation infrastructure, and the street system adjacent the 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 subject property once the access ways are hard-surfaced and physically connected to the public street system.

UDC 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."

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

The partition is served with other adequate transportation infrastructure, and the street system adjacent the 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 subject property once the access ways are hard-surfaced and physically connected to the public street system.

UDC 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."

The subdivision code requires City approval of lots be suitable for the general purpose for which they are likely to be developed. No lots can be of such a size or configuration that is detrimental to public health, safety, or welfare or sanitary needs of users of the parcel or lot.

The partition plan takes into consideration the topography and vegetation of the site. There are trees located on the site, but there are no trees proposed for removal with this partition.

The proposed lots are of sufficient size and dimensions to permit future development. The lot dimensions are illustrated on the tentative site plan and are in conformance to the minimum standards in the Code. Final conformance to minimum lot size and buildable lot area will be confirmed when the final plat is submitted to the City for review and approval.

The layout of the lots takes into consideration the topography and vegetation of the site. All lots and streets are in compliance with the UDC. Therefore, this criteria has been met.

UDC 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 the site, topography, and vegetation will occur from the reasonable development of the parcels."

The subdivision code, requires City approval of lots be suitable for the general purpose for which they are likely to be developed. No lots can be of such a size or configuration that is detrimental to public health, safety, or welfare or sanitary needs of users of the parcel or lot.

The proposed parcels are of sufficient size and dimensions to permit future development of all three parcels. The parcel dimensions are illustrated on the tentative site plan and are in conformance to the

minimum standards in the UDC. The subdivision and zone codes regulate minimum lot sizes. Final conformance to minimum lot size and buildable lot area will be confirmed when the final plat is submitted to the City for review and approval.

Tree Conservation Plan:

There is are several trees located throughout the site. However, at this time no trees are proposed to be removed. This partition is only to establish legal lots/parcels. Therefore, a Tree Conservation Plan is not necessary.

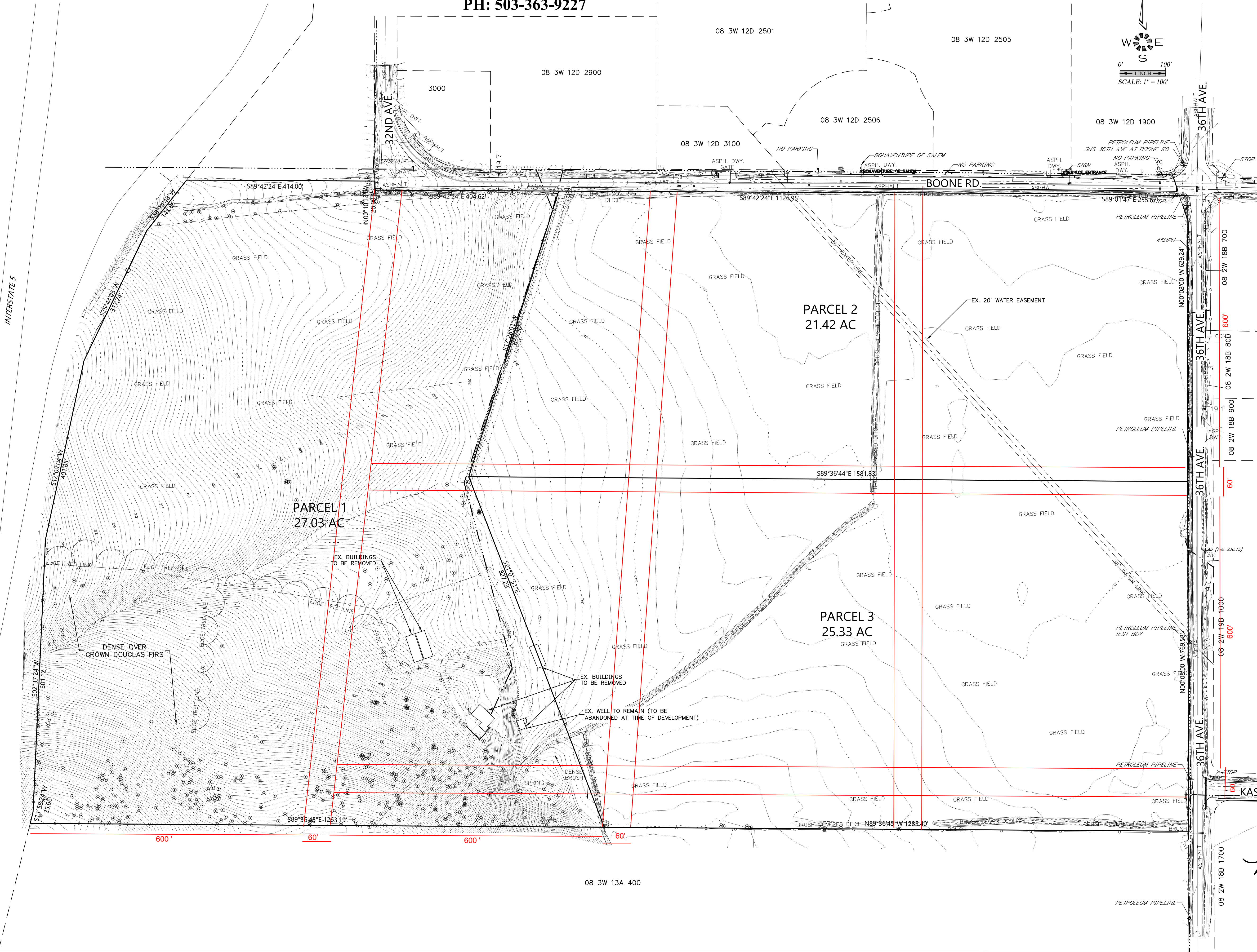
This concludes the applicant's summary addressing the requirements of the code for partitioning approval to create three parcels. If you have any questions or need additional information, please call Brandie Dalton, Land-Use Planner, at Multi/Tech Engineering, Inc., Salem, OR at (503) 363-9227.

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ATTACHMENT F



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TENTATIVE PARTITION
PLAN

PARTITION

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DIMENSIONS & NOTES TAKE
PRECEDENCE OVER ANY
GRAPHICAL REPRESENTATION.

Design: M.D.G. M.D.G.
Drawn: C.E.S. C.E.S.
ProjMgr: B.D. B.D.
Date: MAY 2019
Scale: AS SHOWN
As-Built: ---

REGISTERED PROFESSIONAL
ENGINEER
MARK GRENZ
OREGON
EXPIRES: 06-30-2019
JOB # 6754

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