

# ATTACHMENT 1

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

## DECISION OF THE PLANNING ADMINISTRATOR

PARTITION CASE NO.: PAR20-02

APPLICATION NO.: 19-123854-LD

NOTICE OF DECISION DATE: MARCH 27, 2020

**REQUEST:** A tentative partition to divide approximately 5.94 acres into three parcels, with Parcel 1 consisting of 2.49 acres, Parcel 2 consisting of 1.21 acres, and Parcel 3 consisting of 2.21 acres. Proposed Parcel 3 would retain the existing buildings. The subject property is zoned IG (General Industrial) and located at 3121 Blossom Drive NE (Marion County Assessor map and tax lot number(s): 073W01A / 01800 and 01900).

**APPLICANT:** Karl Goertzen on behalf of Karen Otto

**LOCATION:** 3121 Blossom Dr NE

**CRITERIA:** Salem Revised Code (SRC) Chapter 205.005(d) – Partition

**FINDINGS:** The findings are in the attached Decision dated March 27, 2020.

**DECISION:** The **Planning Administrator APPROVED** Partition PAR20-02 subject to the following conditions of approval:

**Condition 1:** Design stormwater systems to serve all proposed parcels in compliance with Public Works Design Standards. The stormwater systems shall be tentatively designed to accommodate future impervious surfaces on Parcels 1 and 2 and determine easement requirements.

**Condition 2:** Provide a 10-foot-wide public utility easement along the entire frontage of Blossom Drive NE.

**Condition 3:** Complete a half-street improvement along the frontage of Blossom Drive NE. This shall be limited to construction of a property-line sidewalk and installation of street trees to the maximum extent feasible.

**Condition 4:** Future development of Parcels 1 and/or 2 shall accommodate a street connection to the property to the north.

The rights granted by the attached decision must be exercised, or an extension granted, by April 14, 2022 or this approval shall be null and void.

Application Deemed Complete:	<u>February 12, 2020</u>
Notice of Decision Mailing Date:	<u>March 27, 2020</u>
Decision Effective Date:	<u>April 14, 2020</u>
State Mandate Date:	<u>June 11, 2020</u>

# NOTICE OF DECISION

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



Case Manager: Brandon Pike, [bpike@cityofsalem.net](mailto:bpike@cityofsalem.net), 503-540-2326

This decision is final unless written appeal from an aggrieved party is filed with the City of Salem Planning Division by 5:00 p.m., Monday, April 13, 2020. **PLEASE NOTE: Due to the COVID-19 pandemic, City of Salem Offices are closed to the public until further notice.** The notice of appeal can be submitted electronically at [planning@cityofsalem.net](mailto:planning@cityofsalem.net) or mailed to City of Salem Planning, Room 320, 555 Liberty Street SE, Salem OR 97301. The appeal must be received by the above date and time. 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. 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. 20-02)**

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

<b>IN THE MATTER OF THE APPROVAL OF TENTATIVE PARTITION PLAN CASE NO. 20-02; 3121 BLOSSOM DRIVE NE</b>	) ) ) )	<b>FINDINGS AND ORDER  MARCH 27, 2020</b>
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**REQUEST**

A tentative partition to divide approximately 5.94 acres into three parcels, with Parcel 1 consisting of 2.49 acres, Parcel 2 consisting of 1.21 acres, and Parcel 3 consisting of 2.21 acres. Proposed Parcel 3 would retain the existing buildings. The subject property is zoned IG (General Industrial) and located at 3121 Blossom Drive NE (Marion County Assessor map and tax lot number(s): 073W01A / 01800 and 01900).

A vicinity map is included as **Attachment A**.

**DECISION**

The tentative partition plan case no. PAR20-02 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:** Design stormwater systems to serve all proposed parcels in compliance with Public Works Design Standards. The stormwater systems shall be tentatively designed to accommodate future impervious surfaces on Parcels 1 and 2 and determine easement requirements.
- Condition 2:** Provide a 10-foot-wide public utility easement along the entire frontage of Blossom Drive NE.
- Condition 3:** Complete a half-street improvement along the frontage of Blossom Drive NE. This shall be limited to construction of a property-line sidewalk and installation of street trees to the maximum extent feasible.
- Condition 4:** Future development of Parcels 1 and/or 2 shall accommodate a street connection to the property to the north.

## PROCEDURAL FINDINGS

1. On December 3, 2019, an application for a Tentative Partition Plan was filed proposing to divide a 5.94-acre property at 3121 Blossom Drive NE into three parcels (see **Attachment B**).
2. After additional information was provided by the applicant, the application was deemed complete for processing and notice of filing of the application was sent, pursuant to Salem Revised Code (SRC) requirements, on February 12, 2020.
3. The state-mandated local decision deadline for the application is June 11, 2020.

## SUBSTANTIVE FINDINGS

### 1. Proposal

The tentative partition plan proposes to divide the 5.94-acre property into three parcels, with proposed Parcel 3 to retain the existing buildings, and proposed Parcels 1 and 2 will remain vacant. Proposed Parcel 3 will take access from Blossom Drive NE via an existing driveway approach. Access for proposed Parcels 1 and 2 will be determined when the parcels are developed. The two parcels have frontage along Blossom Drive NE. The three parcels within the tentative partition plan are proposed as follows:

#### **PROPOSED PARCEL 1**

Parcel Size: 2.49 acres (Approximately 108,464 square feet)  
Parcel Dimensions: Approximately 235 feet in width and 469 feet in depth

#### **PROPOSED PARCEL 2**

Parcel Size: 1.21 acres (Approximately 52,708 square feet)  
Parcel Dimensions: Approximately 114 feet in width and 463 feet in depth

#### **PROPOSED PARCEL 3**

Parcel Size: 2.21 acres (Approximately 96,268 square feet)  
Parcel Dimensions: Approximately 208 feet in width and 464 feet in depth

***Access and Circulation:*** The subject property has frontage on Blossom Drive NE. The subject property abuts right-of-way which includes Indian School Road NE as well as a railroad. Within the Salem Transportation System Plan (TSP), both Blossom Drive NE and Indian School Road NE are classified as Collector streets.

### 2. Existing Conditions

#### Site and Vicinity

The subject property is irregularly-shaped and has approximately 634 feet of street frontage on Blossom Drive NE. The property is approximately 556 feet in width and 477 feet in depth. The applicant proposes to retain the existing buildings on proposed Parcel 3, which include a dwelling unit for the property's caretaker, and two buildings and an above-ground diesel fueling facility which serve the existing *building and grounds services and construction contracting* use.

#### Salem Area Comprehensive Plan (SACP) Designation

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

*Comprehensive Plan Map:* The subject property is designated "Industrial (IND)" on the Salem Area Comprehensive Plan (SACP) Map. The surrounding properties are designated as follows:

North: Industrial (IND)

South: Across Blossom Drive NE – Industrial (IND)

East: Industrial (IND)

West: Across railroad right-of-way and Indian School Road NE – Industrial (IND)

#### Zoning and Surrounding Land Use

The subject property is zoned IG (General Industrial) and is currently developed with a dwelling unit for the property's caretaker, and two buildings and an above-ground diesel fueling facility which serve the existing *building and grounds services and construction contracting* use. The surrounding properties are zoned and used as follows:

North: IG (General Industrial) – Undeveloped land

South: Across Blossom Drive NE – IG (General Industrial) – Single-family dwelling; building and grounds services and construction contracting; warehousing and distribution; motor vehicle services

East: IG (General Industrial) – Undeveloped land

West: Across railroad right-of-way and Indian School Road NE – IG (General Industrial) – The Eagle Pacific Industrial Park, which includes *warehousing and distribution, motor vehicle services*, and other uses

#### Relationship to Urban Service Area

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

### Infrastructure

*Water:* The subject property is located within the G-0 water service level. A 16-inch water main is located in Blossom Drive NE. Mains of this size generally convey flows of 3,800 to 8,800 gallons per minute.

*Sewer:* A 10-inch sewer main is located on the subject property within an easement along the western property line. The sewer main is approximately 14 to 20 feet deep. A 10-inch sewer main is located in Blossom Drive NE. The sewer main is approximately 15 feet deep.

*Streets:* Blossom Drive NE abuts the subject property to the south, which is designated as a Collector street in the Salem Transportation System Plan (TSP).

- The standard for this street classification is a 34-foot-wide improvement within a 60-foot-wide right-of-way.
- This street has an approximate 34-foot improvement within a 60- to 64-foot-wide right-of-way abutting the subject property.

Indian School Road NE abuts the subject property to the west and is designated as a Collector street in the Salem Transportation System Plan.

- The standard for this street classification is a 34-foot-wide improvement within a 60-foot-wide right-of-way.
- This street has an approximate 23-foot turnpike improvement within a 110-foot-wide right-of-way, which includes the railroad right-of-way, abutting the subject property.

### **3. City Department Comments**

**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 C**.

**Building and Safety Division** – The City of Salem Building and Safety Division reviewed the proposal and indicated no apparent issues with the proposal, though indicated that sewer locations should be verified for property line infringement.

**Fire Department** – The City of Salem Fire Department reviewed the proposal and indicated no concerns. Any future construction will be required to comply with items including Fire Department access and water supply requirements at that time.

#### **4. Public Agency and Private Service Provider Comments**

Notice of the proposal was provided to public agencies and to public and private service providers. The following comments were received:

**Portland General Electric (PGE)** – Portland General Electric reviewed the proposal and indicated that development costs will be per current tariff and service requirements, and a 10-foot public utility easement (PUE) may be required.

**Oregon Department of Transportation (ODOT) Rail** – ODOT Rail reviewed the proposal and indicated that any new road access within 100 feet of the existing railroad crossing is likely to be denied, and a crossing order will be required for any new road access within the safe stopping distance of the railroad crossing, as determined by the posted speed.

#### **5. Neighborhood Association Comments**

The subject property is within the Northgate Neighborhood Association. Notice of the application was provided to the neighborhood association, pursuant to SRC 300.620(b)(2)(B)(iii), which requires public notice to be sent to “any City-recognized neighborhood association whose boundaries include, or are adjacent to, the subject property.” Prior to the close of the comment period, one comment was received from the neighborhood association which indicated no concerns with the proposal.

#### **6. Public Comments**

Property owners and residents within 250 feet of the subject property were mailed notification of the proposed partition. Prior to the close of the comment period, no comments were received from members of the public.

#### **7. Criteria for Granting a Tentative Partition**

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

SRC Chapter 205.005(d) sets forth the criteria that must be met before approval can be granted to a tentative partition plan. The following subsections are organized with approval criteria shown in bold, followed by findings of fact upon which the Planning Administrator’s decision is based. The requirements of SRC 205.005(d) are addressed within the specific findings which evaluate the proposal's conformance with the applicable criteria. Lack of compliance with the following criteria is grounds for denial of tentative plan or for the issuance of conditions of approval to more fully satisfy the criteria.

**SRC 205.005(d)(1): The tentative partition plan complies with the standards of this Chapter and with all applicable provisions of the UDC, including, but not limited to the following:**

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

SRC Chapter 554 (General Industrial): The proposed partition would divide the 5.94-acre property into three parcels, with proposed Parcel 3 to retain the existing buildings, and proposed parcels 1 and 2 to consist of vacant, undeveloped land. The subject property is zoned IG (General Industrial). The lot standards of the IG zone are established under SRC 554.010(a) as follows:

**Lot Standards for IG zone (General Industrial) (see SRC Chapter 554, Table 554-2)**

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

**Staff Response:** Proposed Parcel 1 is approximately 108,464 square feet in size, with approximately 312.33 feet of frontage on Blossom Drive NE. It is approximately 235 feet in width and 469 feet in depth. Proposed Parcel 2 is approximately 52,708 square feet in size, with approximately 113.68 feet of frontage on Blossom Drive NE. It is approximately 114 feet in width and 463 feet in depth. Proposed Parcel 3 is approximately 96,268 square feet in size, with approximately 207.93 feet of frontage on Blossom Drive NE. It is approximately 208 feet in width and 464 feet in depth.



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

**Setback Standards for IG zone (General Industrial)** (see SRC Chapter 554, Table 554-3)

Property Lines Abutting Street:

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

Interior Side Property Lines:

- Buildings, Accessory Structures, and Vehicle Use Areas: Zone-to-zone setback (Table 554-4)

Interior Rear Property Lines:

- Buildings, Accessory Structures, and Vehicle Use Areas: Zone-to-zone setback (Table 554-4)

**Staff Response:** The minimum setback to property lines abutting a street is 5 feet for buildings and accessory structures, and 6 to 10 feet for vehicle use areas. The minimum zone-to-zone setback to interior property lines abutting the IG zone is zero feet for buildings and accessory structures, and 5 feet with Type A landscaping and screening for vehicle use areas.

The existing buildings are to remain on proposed Parcel 3. There is no minimum setback for buildings to the interior property lines, and the existing buildings exceed the 5-foot minimum setback to the property line abutting Blossom Drive NE. The existing gravel vehicle use area which does not have the required landscaped 5-foot setback is considered non-conforming. Future development on this parcel would be required to meet setbacks and paving requirements of the SRC.

The proposal meets the standard.

**Lot Coverage:** Maximum lot coverage requirements within the IG zone are established under SRC 554.010(c), Table 554-5. The IG zone has no maximum lot coverage for buildings and accessory structures.

**Staff Response:** Proposed Parcels 1 and 2 are currently undeveloped and will be reviewed for conformance with the applicable lot coverage standards at the time of development. Since there is no maximum lot coverage percentage within the IG zone, the existing buildings on proposed Parcel 3 adhere to the lot coverage standards of the zone. The proposal meets the standard.

**(B) City Infrastructure Standards.**

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

SRC Chapter 200 (Urban Growth Management): The Urban Growth Management Program requires that an Urban Growth Area (UGA) Development Permit must be obtained prior to development of property outside the Salem Urban Service Area. The subject property is outside the Urban Service Area. Pursuant to SRC 200.005, the definition of development does not include partitions; a UGA permit is not required for the proposed partition.

SRC Chapter 205 (Land Division and Reconfiguration): 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. 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) can be requested.

SRC Chapter 802 (Public Improvements): Comments from the Public Works Department indicate that water and sewer infrastructure are available along the perimeter of the site and appear to be adequate to serve the proposed partition. Specifications for required public improvements are summarized in the Public Works Department memo dated March 26, 2020 (**Attachment C**).

*SRC 802.015 (Development to be Served by City Utilities).* Water, sewer and stormwater services must be provided to each of the proposed parcels, consistent with Public Works Design Standards (PWDS). The applicant submitted a stormwater report which was not sufficient in showing compliance with PWDS. Each proposed parcel is greater than one acre in size and can accommodate stormwater infrastructure for future impervious surfaces. To ensure services are provided in compliance with the requirements of SRC Chapter 802 and the PWDS, the following condition of approval shall apply:

**Condition 1:** Design stormwater systems to serve all proposed parcels in compliance with Public Works Design Standards. The stormwater systems shall be

tentatively designed to accommodate future impervious surfaces on Parcels 1 and 2 and determine easement requirements.

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

*SRC 803.015 (Traffic Impact Analysis):* The proposed three-parcel partition generates less than 1,000 average daily vehicle trips to Blossom Drive NE and Indian School Road NE, which are designated as Collector streets. Pursuant to SRC 803.015(b), a Traffic Impact Analysis is not required as part of the proposed partition.

*SRC 803.020 (Public and Private Streets):* There are no internal streets proposed within the partition. All proposed parcels would take access from existing public streets.

*SRC 803.025 (Right-of-Way and Pavement Widths):* Blossom Drive NE abuts the subject property and is designated as a Collector street in the TSP. The abutting portion of Blossom Drive NE has an approximate 34-foot-wide improvement within a 60- to 64-foot-wide right-of-way.

The right-of-way and pavement widths on the development side of Blossom Drive NE meet the minimum width standards set forth in SRC 803.025 and the TSP.

Indian School Road NE abuts the subject property and is designated as a Collector street in the TSP. The abutting portion of Indian School Road NE has an approximate 23-foot-wide turnpike improvement within a 110-foot-wide right-of-way, which includes a railroad between the existing turnpike and the subject property.

The existing turnpike pavement width does not meet the minimum width standards set forth in SRC 803.025 and the TSP. Pursuant to SRC 803.065(a)(1), existing physical constraints make compliance with PWDS impracticable due to the existing railroad, power lines, and storm drainage limitations, therefore additional dedication and improvement is not warranted.

*SRC 803.030 (Street Spacing):* The proposed partition involves division of a 5.94-acre property, and does not involve the creation of streets. Adherence to SRC 803.030 will be reviewed at the time of future division of the subject property which would create streets.

*SRC 803.035 (Street Standards):* The abutting portion of Blossom Drive NE does not meet the current standard for a Collector street pursuant to the Salem TSP. The existing condition is lacking property-line sidewalk and street trees along the frontage. The frontage of Blossom Drive NE shall be constructed to meet the Collector standard. As conditioned below, the proposal will meet the standard.

The abutting portion of Indian School Road NE does not meet the current standard for a Collector street pursuant to the Salem TSP. The existing condition lacks curbs,

property-line sidewalk, and street trees along the frontage. As stated above, compliance with PWDS is impractical along this street frontage.

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 2:** Provide a 10-foot-wide public utility easement along the entire frontage of Blossom Drive NE.

As conditioned, the proposal conforms to applicable street standards.

*SRC 803.040 (Boundary Streets):* The abutting portion of Blossom Drive NE currently lacks property-line sidewalk and street trees along the subject property's frontage. Pursuant to SRC 803.040(a), construction of a sidewalk and installation of street trees along this street frontage are required as a condition of approval for a partition.

The abutting portion of Indian School Road NE does not meet the current standard for a Collector street pursuant to the Salem TSP. The existing condition is lacking curbs, property-line sidewalk, and street trees along the frontage. Pursuant to SRC 803.065(a)(1), existing physical constraints make compliance with PWDS impracticable due to the existing railroad, power lines, and storm drainage limitations.

To ensure the proposal meets the requirements of SRC 803.040, the following condition of approval shall apply:

**Condition 3:** Complete a half-street improvement along the frontage of Blossom Drive NE. This shall be limited to construction of a property-line sidewalk and installation of street trees to the maximum extent feasible.

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

The proposed partition is not for the purpose of creating parcels for single family or duplex dwelling units, and does not result in the removal of trees, therefore a tree conservation plan is not required.

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

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

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

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

**Finding:** The proposed partition would divide the 5.94-acre property into three parcels, with proposed Parcels 1 and 2 to be developed in the future, and proposed Parcel 3 to retain the existing buildings. The subject property abuts a large, undeveloped property to the north, which has limited street access. To ensure the proposal does not impede the future use or development of adjacent land and to ensure the proposal complies with the street spacing requirements of SRC 803.030, the following condition of approval shall apply:

**Condition 4:** Future development of Parcels 1 and/or 2 shall accommodate a street connection to the property to the north.

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

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

**Finding:** The subject property is outside the Urban Service Area. Pursuant to SRC 200.005, the definition of development does not include partitions; a UGA permit is not required for the proposed partition.

Public Works Department staff reviewed the proposal and determined that water and sewer infrastructure are available along the perimeter of the site and appear to be adequate to serve the parcels as shown on the applicant's preliminary partition plan. As specified in the conditions of approval, the applicant will be required to design stormwater systems to serve each proposed parcel.

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.**

**Finding:** Blossom Drive NE abuts the subject property to the south and Indian School Road NE abuts the property to the west. Blossom Drive NE does not meet the current standard for a Collector street. The abutting portion of the street currently lacks property-line sidewalk and street trees. As conditioned above, the abutting portion of Blossom Drive NE conforms to the Salem TSP.

The abutting portion of Indian School Road NE does not meet the current standard for a Collector street. The abutting portion of the street currently lacks curbs, property-line sidewalk, and street trees along the frontage. Pursuant to SRC 803.065(a)(1), existing physical constraints make compliance with PWDS impracticable due to the existing railroad, power lines, and storm drainage limitations.

As conditioned above, this criterion is met.

**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:** As identified in the conditions of approval, the applicant is required to complete a half-street improvement along the frontage of Blossom Drive NE. ODOT Rail submitted comments stating that future driveway approaches along this frontage shall be located in compliance with safe stopping distance requirements in relation to the railroad crossing, and future access within 100 feet of the railroad crossing is likely to be denied. Adherence to these standards will be reviewed at the time of future development.

The partition, as proposed and conditioned, is served with adequate transportation infrastructure. The street system adjacent to the partitioned property will provide for safe, orderly, and efficient circulation of traffic into, through, and out of the partition. This criterion is 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 subject property is relatively flat; it has a very gradual downward slope from east to west, with an elevation range of approximately 159 feet to 150 feet. The proposed development does not include any removal of trees. The 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 applicant proposes to retain the existing buildings on proposed Parcel 3, alleviating the disruption of topography and vegetation that would result from demolition, grading, and construction associated with redevelopment of this portion of the site.

The proposal meets this criterion.

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

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

**Finding:** The site is served by available sewer and water. This criterion is not applicable.

## **8. Conclusion**

Based upon review of SRC 205.005, the findings contained under section 7 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. 20-02, to divide approximately 5.94 acres into three parcels, with Parcel 1 consisting of 2.49 acres, Parcel 2 consisting of 1.21 acres, and Parcel 3 consisting of 2.21 acres, for property zoned IG (General Industrial) and located at 3121 Blossom Drive NE (Marion County Assessor map and tax lot number(s): 073W01A / 01800 and 01900) 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:** Design stormwater systems to serve all proposed parcels in compliance with Public Works Design Standards. The stormwater systems shall be tentatively designed to accommodate future impervious surfaces on Parcels 1 and 2 and determine easement requirements.
- Condition 2:** Provide a 10-foot-wide public utility easement along the entire frontage of Blossom Drive NE.
- Condition 3:** Complete a half-street improvement along the frontage of Blossom Drive NE. This shall be limited to construction of a property-line sidewalk and installation of street trees to the maximum extent feasible.
- Condition 4:** Future development of Parcels 1 and/or 2 shall accommodate a street connection to the property to the north.



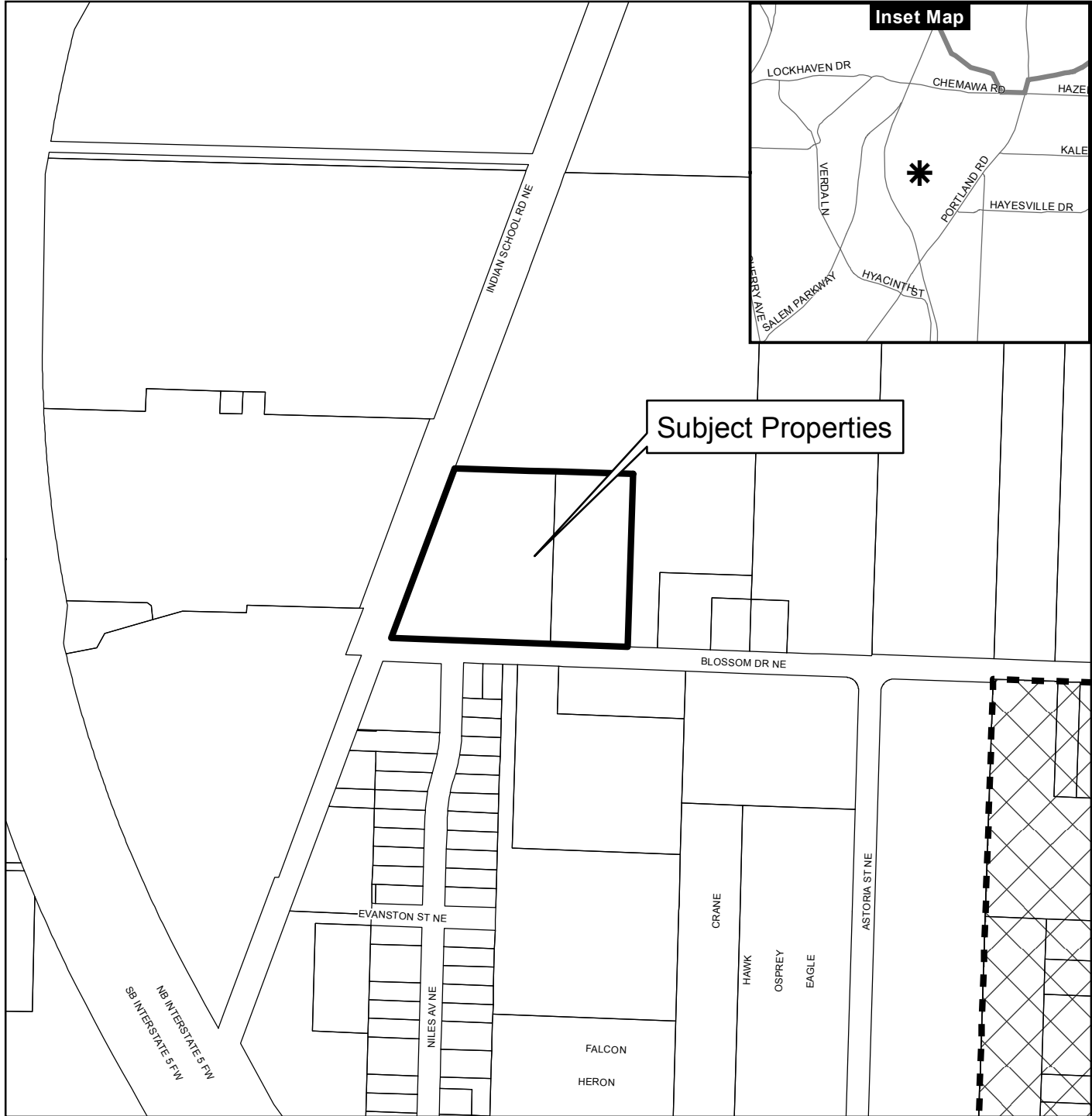
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Brandon Pike, Planner I, on behalf of  
Lisa Anderson-Ogilvie, AICP  
Planning Administrator








- Attachments:
- A. Vicinity Map
  - B. Applicant's Tentative Partition Plan
  - C. City of Salem Public Works Department Memorandum



# Vicinity Map 3121 Blossom Drive NE

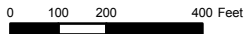


**Legend**

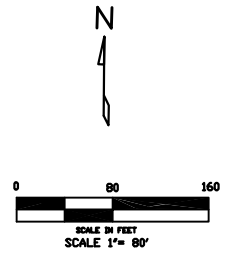
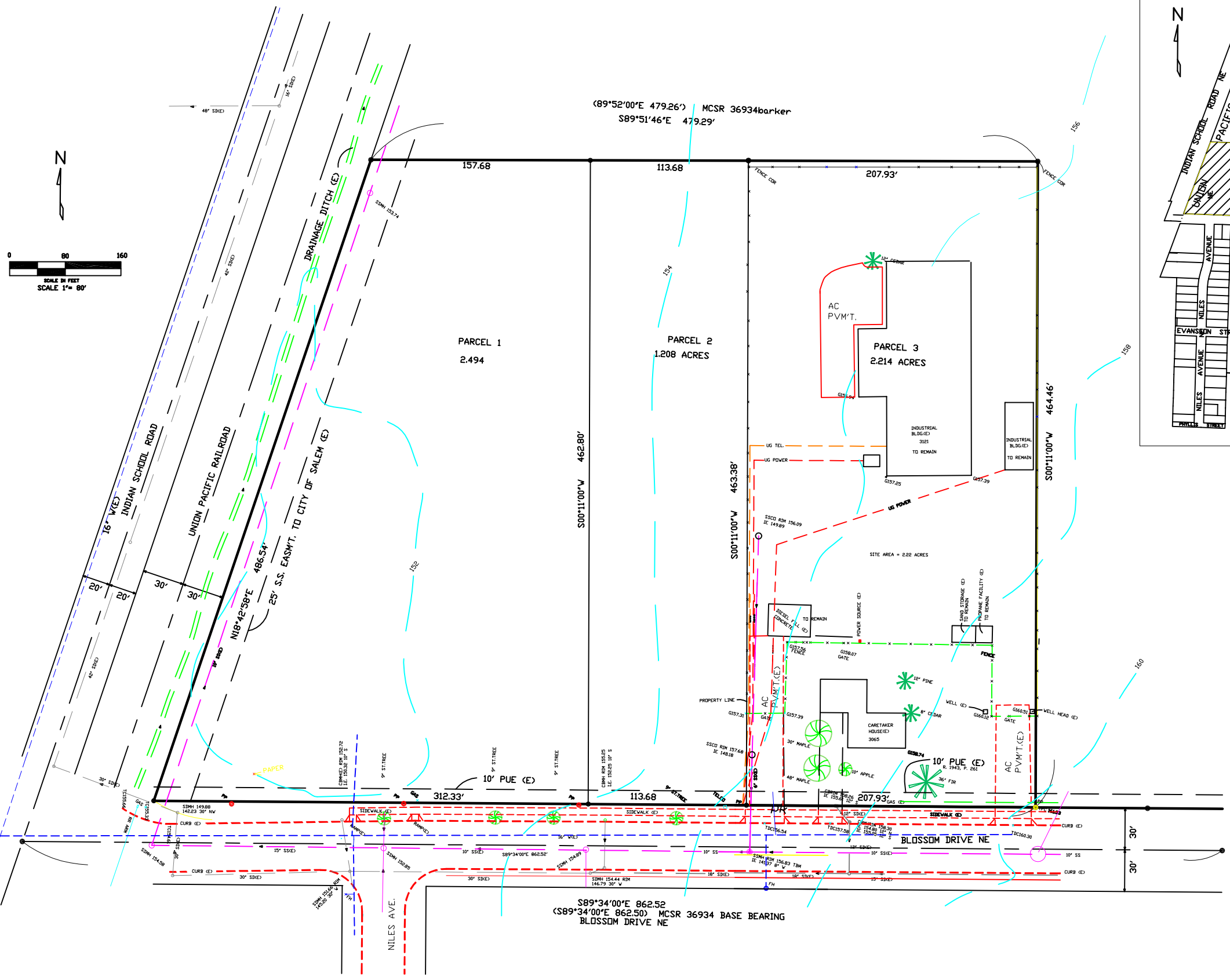
-  Taxlots
-  Urban Growth Boundary
-  City Limits
-  Outside Salem City Limits
-  Historic District
-  Schools
-  Parks



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# ATTACHMENT B



VICINITY MAP  
NO SCALE

LOCATION

- NOTES & LEGEND:
- (E) = EXISTING FEATURE
  - (P) = PROPOSED FEATURE
  - - - = EXISTING OBJECT
  - PP = POWER POLE
  - = CURRENT CONTOUR

REVISION NO. 1-22-20 REMOVE PROPOSED EASEMENT ALONG NORTH LINE OF PARCELS 1 & 2

TENTATIVE PARTITION PLAN  
LOCATION

LAND OWNERS:  
OTTO FAMILY TRUST OF 2001  
FERGE HOLDINGS LLC

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR  
*Karl D. Goertzen*  
O R E G O N  
SEPTEMBER 23, 1977  
KARL D. GOERTZEN  
C 1155

KARL D. GOERTZEN  
4753 FIR DELL DRIVE SE  
SALEM, OREGON 97302  
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E-mail: KGoertzen@comcast.net

SEC. 1A) T. 7 S. J. R. 3 W. J. W.M.  
T. 7 S. J. R. 3 W. J. W.M.

DESIGNED BY: KDG  
DRAWN BY: KDG  
DATE: OCT. 2019  
REV. NO. 1-22-20  
SHEET



# MEMO

**TO:** Brandon Pike, Planner I  
Community Development Department

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

**DATE:** March 26, 2020

**SUBJECT:** **PUBLIC WORKS RECOMMENDATIONS**  
**PARTITION PLAT NO. 20-02 (19-123854)**  
**3121 BLOSSOM DRIVE NE**  
**THREE-PARCEL PARTITION**

A handwritten signature in blue ink, likely belonging to Glenn J. Davis, Chief Development Engineer.

## PROPOSAL

A tentative partition to divide approximately 5.94 acres into three parcels, with Parcel 1 consisting of 2.49 acres, Parcel 2 consisting of 1.21 acres, and Parcel 3 consisting of 2.21 acres. Proposed Parcel 3 would retain the existing buildings. The subject property is zoned IG (General Industrial) and located at 3121 Blossom Drive NE (Marion County Assessor map and tax lot number(s): 073W01A / 01800 and 01900).

## RECOMMENDED CONDITIONS OF PLAT APPROVAL

1. Complete the half-street improvement along the frontage of Blossom Drive NE. This shall be limited to construction of a property-line sidewalk and installation of street trees to the maximum extent feasible.
2. Design stormwater systems to serve all proposed parcels in compliance with PWDS. The stormwater systems shall be tentatively designed to accommodate future impervious surfaces on parcels 1 and 2 and determine easement requirements.
3. Provide a 10-foot-wide public utility easement along the entire frontage of Blossom Drive NE.

## FACTS

1. Blossom Drive NE
  - a. Standard—This street is designated as a Collector street in the Salem TSP. The standard for this street classification is a 34-foot-wide improvement within a 60-foot-wide right-of-way.

- b. Existing Condition—This street has an approximate 34-foot improvement within a 60- to 64-foot-wide right-of-way abutting the subject property.

2. Indian School Road NE

- a. Standard—This street is designated as a Collector street in the Salem TSP. The standard for this street classification is a 34-foot-wide improvement within a 60-foot-wide right-of-way.
- b. Existing Condition—This street has an approximate 23-foot turnpike improvement within a 110-foot-wide right-of-way, which includes the railroad, abutting the subject property.

**Storm Drainage**

1. Existing Conditions

- a. A 30-inch storm main is located in Blossom Drive NE.

**Water**

1. Existing Conditions

- a. The subject property is located within the G-0 water service level.
- b. A 16-inch water main is located in Blossom Drive NE. Mains of this size generally convey flows of 3,800 to 8,800 gallons per minute.

**Sanitary Sewer**

1. Existing Sewer

- a. A 10-inch sewer main is located on the subject property within an easement along the western property line. The sewer main is approximately 14 to 20 feet deep.
- b. A 10-inch sewer main is located in Blossom Drive NE. The sewer main is approximately 15 feet deep.

**CRITERIA AND FINDINGS**

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

**SRC 205.005(d)(1)—The tentative partition plan complies with the standards of this Chapter and with all applicable provisions of the Unified Development Code, including, but not limited to the following:**

- (A) Lot standards, including, but not limited to, standards for lot area, lot width and depth, lot frontage, and designation of front and rear lot lines;**
- (B) City infrastructure standards; and**
- (C) Any special development standards, including, but not limited to floodplain development, special setbacks, geological or geotechnical analysis, and vision clearance.**

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

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

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

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

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

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

**Findings**—Water and sewer infrastructure are available along the perimeter of the site and appear to be adequate to serve the property as shown on the applicant's preliminary partition plan.

The proposed development is subject to SRC Chapter 71 and the revised PWDS as adopted in Administrative Rule 109, Division 004. To demonstrate the proposed parcels can meet the PWDS, the applicant shall submit a tentative stormwater design prior to final plat approval. 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**—Blossom Drive NE abuts the subject property and does not meet the current standard for a Collector street pursuant to the Salem TSP. The existing condition is lacking property-line sidewalk and street trees along the frontage. As identified in the conditions of approval, the applicant is required to complete the half-street improvement along the frontage of Blossom Drive NE. This shall be limited to the construction of property-line sidewalk and installation of street trees to the maximum extent feasible, pursuant to SRC Chapters 86 and 803. ODOT Rail submitted comments stating that the future driveway approaches along this frontage shall be located in compliance with safe stopping distance requirements.

Indian School Road NE abuts the subject property and does not meet the current standard for a Collector street pursuant to the Salem TSP. However, the street frontage is approved as an Alternative Street Standard as follows:

1. Pursuant to SRC 803.065(a)(1), physical constraints make compliance with PWDS impracticable due to the existing railroad, power lines, and storm drainage limitations.
2. Pursuant to SRC 803.065(a)(3), sidewalk construction along the east side of Indian School Road NE is undesirable because of pedestrian safety concerns adjacent to the railroad tracks.

No additional street improvements along Indian School Road NE are required at this time. No special setback is required along Blossom Drive NE nor Indian School Road NE because the existing rights-of-way meet or exceed the standard for a Collector street.

Prepared by: Jennifer Scott, Program Manager  
cc: File