

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

DECISION OF THE PLANNING ADMINISTRATOR

URBAN GROWTH AREA PRELIMINARY DECLARATION CASE NO.: UGA19-02

APPLICATION NO.: 19-114158-LD

NOTICE OF DECISION DATE: APRIL 9, 2020

SUMMARY: An Urban Growth Area Preliminary Declaration to determine the public facilities required for development of property approximately 21.6 acres in size. This request has been amended to include property located at 4557, 4587 and 4625 Cordon Road NE.

REQUEST: An Urban Growth Area Preliminary Declaration to determine the public facilities required for development of property approximately 21.6 acres in size, designated as MF (Multiple Family Residential) and DR (Developing Residential) in the Comprehensive Plan, zoned RM-I (Multiple Family Residential) and RA (Residential Agriculture), and located at 5012, 5042, 5052, 5092, and 5122 Hayesville Drive NE, and 4557, 4587 and 4625 Cordon Road NE - 97305 (Marion County Assessors Map and Tax Lot Numbers: 072W05D / 03300, 03200, 03100, 02900, 02800, 02100, 02000, and 01700).

APPLICANT: Jordan Schweiger, Good Well Construction Inc.

LOCATION: 5012, 5042, 5052, 5092 & 5122 Hayesville Dr NE & 4557, 4587 and 4625 Cordon Road NE

CRITERIA: Salem Revised Code (SRC) Chapters 200.025(d) and (e) – Urban Growth Area Preliminary Declaration

FINDINGS: The findings are in the attached Decision dated April 9, 2020.

DECISION: The **Planning Administrator ISSUED** Urban Growth Area Preliminary Declaration UGA19-02 subject to the applicable standards of the Salem Revised Code and the findings contained herein:

Extent of Required Improvements:

1. Pursuant to SRC 200.035, the extent of required improvements along Hayesville Drive NE includes the entire frontage of the subject property and the frontage of tax parcels 072W05D 03000 and 03400.

Street Improvements:

2. Along the extent of required improvements in Hayesville Drive NE, construct a 17-foot-wide half-street improvement on the development side to Collector street standards.

NOTICE OF DECISION

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



Sewer Improvements:

3. Install upgrades to Jade Pump Station in order to provide capacity for the proposed development pursuant to the Wastewater Management Master Plan, or pay a temporary facility access fee of \$3,300 per acre of development being served by Jade Pump Station.
4. Construct an 8-inch sewer main from Jade Pump Station through the subject property to the east line of the extent of required improvements in Hayesville Drive NE.

Stormwater Improvements:

5. The approved point of disposal for stormwater is the West Fork Little Pudding River. If off-site easements are required to connect to the approved point of disposal, the applicant shall acquire easements pursuant to SRC 200.050.

Water Improvements:

6. Extend the existing 12-inch water main in Hayesville Drive NE to the east line of the extent of required improvements.

Park Improvements:

7. As a condition of multi-family residential uses, the applicant shall either:
 - a. Convey or acquire property for dedication of neighborhood park facility NP-37 or equivalent; or
 - b. At the time of building permit, pay a temporary facility access fee equaling 13.5 percent of the Parks SDCs due for the multi-family residential uses.
8. As a condition of final plat approval for single-family residential uses, the applicant shall either:
 - a. Convey or acquire property for dedication of neighborhood park facility NP-37 or equivalent; or
 - b. As a temporary facility access fee, pay 100 percent of the Parks SDCs for one single family residence per lot; this payment is credited toward the Parks SDCs due at the time of building permit issuance; or
 - c. Enter into a temporary facilities access agreement specifying the following:
 - i. As a condition of building permit issuance, the applicant shall pay a temporary facility access fee equaling 13.5 percent of the Parks SDCs due for the single-family residential use in addition to the Parks SDC.

The rights granted by the attached decision must be exercised, or an extension granted, by April 25, 2022 or this approval shall be null and void.

Application Deemed Complete:	<u>October 24, 2019</u>
Notice of Decision Mailing Date:	<u>April 9, 2020</u>
Decision Effective Date:	<u>April 25, 2020</u>
State Mandate Date:	<u>June 26, 2020</u>

Case Manager: Aaron Panko, apanko@cityofsalem.net, 503-540-2356

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., Friday, April 24, 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 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 200. 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 City Council will review the appeal at a public hearing. After the hearing, the City Council 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 by contacting the case manager.

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

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503-588-6173***

**BEFORE THE PLANNING ADMINISTRATOR
OF THE CITY OF SALEM
URBAN GROWTH PRELIMINARY DECLARATION NO. UGA19-02**

**IN THE MATTER OF THE REQUEST)
FOR AN URBAN GROWTH)
PRELIMINARY DECLARATION CASE) FINDINGS AND ORDER
NO. UGA19-02; 5012, 5042, 5052, 5092,)
AND 5122 HAYESVILLE DR NE, AND)
4557, 4587, AND 4625 CORDON RD NE) APRIL 9, 2020**

REQUEST

Summary: An Urban Growth Area Preliminary Declaration to determine the public facilities required for development of property approximately 21.6 acres in size. This request has been amended to include property located at 4557, 4587 and 4625 Cordon Road NE.

Request: An Urban Growth Area Preliminary Declaration to determine the public facilities required for development of property approximately 21.6 acres in size, designated as MF (Multiple Family Residential) and DR (Developing Residential) in the Comprehensive Plan, zoned RM-I (Multiple Family Residential) and RA (Residential Agriculture), and located at 5012, 5042, 5052, 5092, and 5122 Hayesville Drive NE, and 4557, 4587 and 4625 Cordon Road NE - 97305 (Marion County Assessors Map and Tax Lot Numbers: 072W05D / 03300, 03200, 03100, 02900, 02800, 02100, 02000, and 01700).

PRELIMINARY DECLARATION

The Urban Growth Preliminary Declaration is issued subject to the applicable standards of the Salem Revised Code, and the findings contained herein:

Extent of Required Improvements:

1. Pursuant to SRC 200.035, the extent of required improvements along Hayesville Drive NE includes the entire frontage of the subject property and the frontage of tax parcels 072W05D 03000 and 03400.

Street Improvements:

2. Along the extent of required improvements in Hayesville Drive NE, construct a 17-foot-wide half-street improvement on the development side to Collector street standards.

Sewer Improvements:

3. Install upgrades to Jade Pump Station in order to provide capacity for the proposed development pursuant to the Wastewater Management Master Plan, or pay a

temporary facility access fee of \$3,300 per acre of development being served by Jade Pump Station.

4. Construct an 8-inch sewer main from Jade Pump Station through the subject property to the east line of the extent of required improvements in Hayesville Drive NE.

Stormwater Improvements:

5. The approved point of disposal for stormwater is the West Fork Little Pudding River. If off-site easements are required to connect to the approved point of disposal, the applicant shall acquire easements pursuant to SRC 200.050.

Water Improvements:

6. Extend the existing 12-inch water main in Hayesville Drive NE to the east line of the extent of required improvements.

Park Improvements:

7. As a condition of multi-family residential uses, the applicant shall either:
 - a. Convey or acquire property for dedication of neighborhood park facility NP-37 or equivalent; or
 - b. At the time of building permit, pay a temporary facility access fee equaling 13.5 percent of the Parks SDCs due for the multi-family residential uses.
8. As a condition of final plat approval for single-family residential uses, the applicant shall either:
 - a. Convey or acquire property for dedication of neighborhood park facility NP-37 or equivalent; or
 - b. As a temporary facility access fee, pay 100 percent of the Parks SDCs for one single family residence per lot; this payment is credited toward the Parks SDCs due at the time of building permit issuance; or
 - c. Enter into a temporary facilities access agreement specifying the following:
 - i. As a condition of building permit issuance, the applicant shall pay a temporary facility access fee equaling 13.5 percent of the Parks SDCs due for the single-family residential use in addition to the Parks SDC.

PROCEDURAL FINDINGS

On June 20, 2019, an application for an Urban Growth Preliminary Declaration was filed to determine the public facilities required for development on property approximately 8.6 acres in size, zoned RM-I (Multi-Family Residential), and located at 5012, 5042, 5052, 5092, and 5122 Hayesville Drive NE. The application was deemed complete on October 24, 2019, and notice was mailed pursuant to Salem Revised Code requirements on November 4, 2019.

After the application was deemed complete, the application was revised to include three additional abutting properties increasing the total area under consideration to 21.6 acres. The additional properties are zoned RA (Residential Agriculture) and located at 4557, 4587, and 4625 Cordon Road NE (**Attachment A**). Revised notification including the additional properties was mailed pursuant to Salem Revised Code (SRC) requirements on February 7, 2020.

The state-mandated local decision deadline was extended by the applicant from February 21, 2020 to June 26, 2020.

SUBSTANTIVE FINDINGS

1. Subject Property

The subject property consists of eight tax lots encompassing a total of 21.6 acres, as listed below: 072W05D / 01700, 02000, 02100, 02800, 02900, 03100, 03200, and 03300.

Address and Map and Tax Lot Number	Acreage	Existing Use
4557 Cordon Road NE; 072W05D01700	4.5	Vacant
0 Cordon Road NE; 072W05D02000	3.74	Vacant
4625 Cordon Road NE; 072W05D02100	4.71	Salem Spanish 7 th Day Adventist Church
5122 Hayesville Road NE; 072W05D02800	1.3	Single Family Dwelling
5092 Hayesville Road NE; 072W05D02900	1.71	Single Family Dwelling
5052 Hayesville Road NE; 072W05D03100	0.96	Single Family Dwelling
5042 Hayesville Road NE; 072W05D03200	1.92	Single Family Dwelling
5012 Hayesville Road NE; 072W05D03300	2.71	Single Family Dwelling
Total	21.6	

Zoning and Surrounding Land Use

The subject property is zoned RM-I (Multi-Family Residential) and RA (Residential Agriculture). The applicant's statement indicates that, while no specific development is proposed at this time, the subject property could be developed in the future for one-two family and multiple family residential uses.

Surrounding properties are zoned and used as follows:

- North: Across Hayesville Drive NE – RS (Single Family Residential) and RA (Residential Agriculture) zoning; single-family dwellings
- South: Marion County UT-5; single-family dwellings
- East: Marion County UT-5; single-family dwellings
- West: PE (Public and Private Education Services) and PA (Public Amusement) zoning – Stephens Middle School

2. SRC Chapter 200 – Urban Growth Management

The subject property is located outside of the City's Urban Service Area. Pursuant to the Urban Growth Management requirements contained under SRC Chapter 200, an Urban Growth Preliminary Declaration is required prior to subdivision approval for a residential or commercial subdivision, or application for a building permit for any development where no subdivision is contemplated, if the development is within the Urban Growth Area (UGA), or is within the Urban Service Area (USA), but precedes city construction of required facilities shown in the adopted capital improvement plan, public facilities plan, or comparable plan for the area of the development.

3. Summary of Record

The following items are submitted to the record and are available upon request: All materials submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, and stormwater reports; any materials and comments from public agencies, City departments, neighborhood associations, and the public; and all documents referenced in this report.

4. Neighborhood Association Comments

The subject property is located within the boundaries of the Northgate Neighborhood Association. No comments were received from the Northgate Neighborhood Association.

5. Citizen Comments

Property owners and tenants within 250 feet of the subject property were mailed notification of the Urban Growth Preliminary Declaration request. Seven citizen comments were received, five indicating no objections to the proposal, and two comments expressing concern with the request due to loss of privacy, lack of public services, and increased traffic and congestion in the area.

Staff Response: The Urban Growth Preliminary Declaration determines the master-planned public facilities needed to fully service development of property outside of the Urban Service Area, but does not confer an approval to develop land. Future development of the subject property would be subject to the land use and/or

development review processes applicable to the type of development proposed. For instance, single family residential development would be subject to review under the tentative subdivision plan or Planned Unit Development criteria, and multi-family development would be subject to review under site plan review criteria. Future development applications would be assessed for impacts on the transportation system. In addition, future development proposals will be required to conform to the standards of the zoning code such as building height, setbacks, landscaping and screening in order to minimize visual impact and increase privacy of neighboring properties.

6. City Department Comments

Public Works Department – The Public Works Department reviewed the proposal and provided comments regarding existing and required public facilities necessary to serve the subject property. The complete Public Works Department memo is included as **Attachment B**.

Building and Safety Division – The Building and Safety Division submitted comments indicating no concerns with the proposal at this time.

Fire Department – The Salem Fire Department has no concerns with the proposal at this time. Items including fire department access and water supply will be required for any new development.

7. Public and Private Agency Comments

Marion County Public Works Department – Marion County Public Work has reviewed the proposal and commented that a new public street should be extended from Hayesville Drive NE to the south to serve development on the southern most lots. If a public street is developed, Marion County requests a condition requiring the existing driveway approach for 4625 Cordon Road NE (7th Adventist Church) be permanently closed and removed, and access be taken by the new public street. Marion County will request that this become a condition of approval if they are given the opportunity to comment on a future land division or development application for the property. The letter from Marion County dated February 21, 2020 is included as **Attachment C**.

Salem Keizer School District – Salem Keizer Public Schools has reviewed the request and provided a memo included as **Attachment D**.

Staff Response: The memo from Salem Keizer Public Schools anticipates impacts to school facilities from future development of the property, however, this Urban Growth Preliminary Declaration request is not an application to develop the property. The purpose of this application is to determine what public facilities are necessary to serve the subject property upon future development. Impacts of future development of the property will be considered during the Site Plan Review and/or Subdivision application review process.

Portland General Electric – PGE has reviewed the request and commented, "Development cost per current tariff and service requirements. Any relocation of PGE

facilities on private property or in ROW will be at developers' expense. Ten foot public utility easement (PUE) or other easements may be required.

8. Criteria for Granting Urban Growth Preliminary Declaration

Salem Revised Code (SRC) 200.025(d) & (e) set forth the applicable criteria that must be met before an Urban Growth Preliminary Declaration may be issued. The following subsections are organized with approval criteria shown in ***bold italic***, followed by findings identifying those public facilities that are currently in place and those that must be constructed as a condition of the Urban Growth Preliminary Declaration in order to fully serve the development in conformance with the City's adopted Master Plans and Area Facility Plans.

A. ***SRC 200.0025(d): The Director shall review a completed application for an Urban Growth Preliminary Declaration in light of the applicable provisions of the Master Plans and the Area Facility Plans and determine:***

(1) The required facilities necessary to fully serve the development;

(2) The extent to which the required facilities are in place or fully committed.

B. ***SRC 200.025(e): The Urban Growth Preliminary Declaration shall list all required facilities necessary to fully serve the development and their timing and phasing which the developer must construct as conditions of any subsequent land use approval for the development.***

Finding: The Public Works Department reviewed the proposed Urban Growth Preliminary Declaration to identify those public facilities that must be constructed in order to fully serve the proposed development consistent with the City's adopted Master Plans and Area Facilities Plans. Findings provided by the Public Works Department are included in **Attachment B**. The proposed development will be fully served by Public Facilities as required under SRC Chapter 200 as follows:

I. SRC 200.035 – Extent of Required Improvements.

The proposed development includes a number of parcels that abut Hayesville Drive NE, but does not include tax lots 072W05D03000 or 072W05D03400. Pursuant to SRC 200.035, because tax lots 3000 and 3400 are less than 260 feet deep, the extent of required improvements along Hayesville Drive NE includes the entire frontage of the subject property and the frontage of tax parcels 3000 and 3400.

1. Pursuant to SRC 200.035, the extent of required improvements along Hayesville Drive NE includes the entire frontage of the subject property and the frontage of tax parcels 072W05D 03000 and 03400.

II. SRC 200.055 – Street Improvements.

An adequate linking street is defined as the nearest point on a street that has a minimum 60-foot-wide right-of-way with a minimum 30-foot improvement for Local streets or a minimum 34-foot improvement for Minor and Major Arterial streets (SRC 200.055(b)). Hayesville Drive NE abutting the subject property is an adequate linking street. All streets abutting the property boundaries shall be designed to the greater of the standards of SRC Chapter 803 and the standards of linking streets in SRC 200.055(b). Cordon Road NE abutting the subject property is located outside the Urban Growth Boundary and no improvements are warranted at this time.

The existing improvement along the extent of required improvements for Hayesville Drive NE does not meet Collector standards. The applicant shall be required to construct a minimum 17-foot-wide half-street improvement on the development side to Collector street standards. Pursuant to Administrative Rule 109-200-2.4(c), this street improvement is eligible for SDC credits with an SDC Eligibility Ratio of 19 percent where the improvement abuts the subject property and 100 percent where the improvement does not abut the subject property.

Street connectivity is limited in the vicinity of the subject property. North/south streets surrounding the property (Fuhrer Street to the west and Cordon Road to the east) have a street spacing of approximately 2,000 feet. East/west streets surrounding the property (Hayesville to the north and Ward Drive to the south) have a street spacing of approximately one-half of a mile. An east/west connection through the property is limited by Cordon Road on the east and Stephens Middle School on the west. An internal north/south street within the development will likely be needed to serve the properties between Cordon Road and Stephens Middle School. The location of the north/south internal street will be determined at the time of tentative subdivision or site plan review.

2. Along the extent of required improvements in Hayesville Drive NE, construct a 17-foot-wide half-street improvement on the development side to Collector street standards.

III. SRC 200.060 – Sewer Improvements.

The proposed development shall be linked to adequate facilities by the construction of sewer lines and pumping stations, which are necessary to connect to such existing sewer facilities (SRC 200.060(a)). The nearest available sewer facility is Jade Pump Station, which has limited capacity to serve the proposed development. The Wastewater Management Master Plan and the City's Utility Planning Engineer specify that a number of improvements are needed for the downstream sewer system, including upgrades to Jade Pump Station. The applicant shall construct the *Salem Area Wastewater Management Master Plan* improvements and link the site to existing facilities that are defined as adequate under SRC 200.005.

Where the development precedes construction of required facilities that are specified to serve the development, the downstream system is available as a temporary facility pursuant to SRC 200.080 through payment of a temporary access fee in lieu of costly downstream improvements. The methodology for proportional payment of the temporary access fee is based on a total improvement cost of \$146,000 for Jade Pump Station, which is the portion of the upgrade costs not eligible for System Development Charge (SDC) funding as shown in the City's SDC Methodology Table 38. Based on a benefited area of 44.2 acres, the temporary access fee is \$3,300 per acre distributed over all phases, proportional to the development area of each phase.

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. The applicant shall construct an 8-inch sewer main from Jade Pump Station through the subject property to the east line of the extent of required improvements in Hayesville Drive NE to provide sewer for unserved parcels to the east of the subject property.

At the time of development, the applicant shall construct the following in order to meet the minimum adequate infrastructure requirements pursuant to SRC 200.060:

3. Install upgrades to Jade Pump Station in order to provide capacity for the proposed development pursuant to the Wastewater Management Master Plan, or pay a temporary facility access fee of \$3,300 per acre of development being served by Jade Pump Station.
4. Construct an 8-inch sewer main from Jade Pump Station through the subject property to the east line of the extent of required improvements in Hayesville Drive NE.

IV. SRC 200.065 – Storm Drainage Improvements.

The proposed development shall be linked to existing adequate facilities by the construction of storm drain lines, open channels, and detention facilities which are necessary to connect to such existing drainage facilities (SRC 200.065(a)). The location of the nearest adequate public storm system is the West Fork of Little Pudding River located southeast of the subject property. The applicant shall link the on-site system to existing facilities that are defined as adequate under SRC 200.005. If off-site easements are required to connect to the approved point of disposal, the applicant shall acquire easements pursuant to SRC 200.050.

5. The approved point of disposal for stormwater is the West Fork Little Pudding River. If off-site easements are required to connect to the approved point of disposal, the applicant shall acquire easements pursuant to SRC 200.050.

V. SRC 200.070 – Water Improvements.

The proposed development shall be linked to adequate facilities by the construction of water distribution lines, reservoirs, and pumping stations that connect to such existing water service facilities (SRC 200.070(a)). The existing 12-inch water main in Hayesville Drive NE is an adequate linking facility.

As a condition of water service, all developments will be required to provide public water mains to adjacent upstream parcels. This shall include the extension of water 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. The applicant shall extend the existing 12-inch water main in Hayesville Drive NE to the east line of the extent of required improvements. This water main is eligible for SDC credits with an SDC Eligibility Ratio of actual cost minus 8-inch equivalent pursuant to Administrative Rule 109-200-2.4(c).

6. Extend the existing 12-inch water main in Hayesville Drive NE to the east line of the extent of required improvements.

VI. SRC 200.075 – Park Sites.

Prior to development approval, the applicant shall reserve for dedication that property within the development site that is necessary for an adequate neighborhood park, access to such park, and recreation routes, or similar uninterrupted linkages, based upon the *Salem Comprehensive Park System Master Plan* (SRC 200.075(a)).

The *Comprehensive Park System Master Plan* shows that the subject property lacks adequate parks facilities. As a condition of residential use, the applicant shall be required to convey or acquire property for dedication of neighborhood park facility NP-37. As an alternate, the applicant has the option of paying a temporary access fee pursuant to SRC 200.080(a).

For multi-family residential development, the temporary access fee shall be based on the portion of System Development Charges (SDC) attributed to Neighborhood Park Acquisition from the SDC Project List (Table 8) in the 2019 SDC Update of the *System Development Charge Methodologies*. By applying a ratio of acquisition to development costs, Table 8 shows Neighborhood Park Acquisition costs to equal \$25,283,950. This number divided by a total growth cost of \$187,390,010 indicates an attributable amount of 13.5 percent to Neighborhood Park Acquisition costs. Therefore, the temporary access fee shall be 13.5 percent of the Parks SDC due and shall not be credited toward the property's total SDC.

7. As a condition of multi-family residential uses, the applicant shall either:
 - a. Convey or acquire property for dedication of neighborhood park facility NP-37 or equivalent; or

- b. At the time of building permit, pay a temporary facility access fee equaling 13.5 percent of the Parks SDCs due for the multi-family residential uses.

For single-family residential development, the applicant also has the option to pay a temporary access fee of 13.5 percent of the Parks SDC due at the time of building permit issuance, which shall not be credited toward the property's total SDC. However, based on a policy established by the SDC Methodology Committee, the applicant also has the option as a temporary facility access fee of paying 100 percent of the Parks SDCs for one single family residence per lot; this payment is credited toward Parks SDCs due at the time of building permit issuance.

- 8. As a condition of final plat approval for single-family residential uses, the applicant shall either:
 - a. Convey or acquire property for dedication of neighborhood park facility NP-37 or equivalent; or
 - b. As a temporary facility access fee, pay 100 percent of the Parks SDCs for one single family residence per lot; this payment is credited toward the Parks SDCs due at the time of building permit issuance; or
 - c. Enter into a temporary facilities access agreement specifying the following:
 - i. As a condition of building permit issuance, the applicant shall pay a temporary facility access fee equaling 13.5 percent of the Parks SDCs due for the single-family residential use in addition to the Parks SDC.

IT IS HEREBY DECIDED

The Urban Growth Preliminary Declaration to determine the public facilities required for development of property approximately 21.6 acres in size, designated as MF (Multiple Family Residential) and DR (Developing Residential) in the Comprehensive Plan, zoned RM-I (Multiple Family Residential) and RA (Residential Agriculture), and located at 5012, 5042, 5052, 5092, and 5122 Hayesville Drive NE, and 4557, 4587 and 4625 Cordon Road NE - 97305 (Marion County Assessors Map and Tax Lot Numbers: 072W05D / 03300, 03200, 03100, 02900, 02800, 02100, 02000, and 01700) is hereby ISSUED subject to SRC Chapter 200.

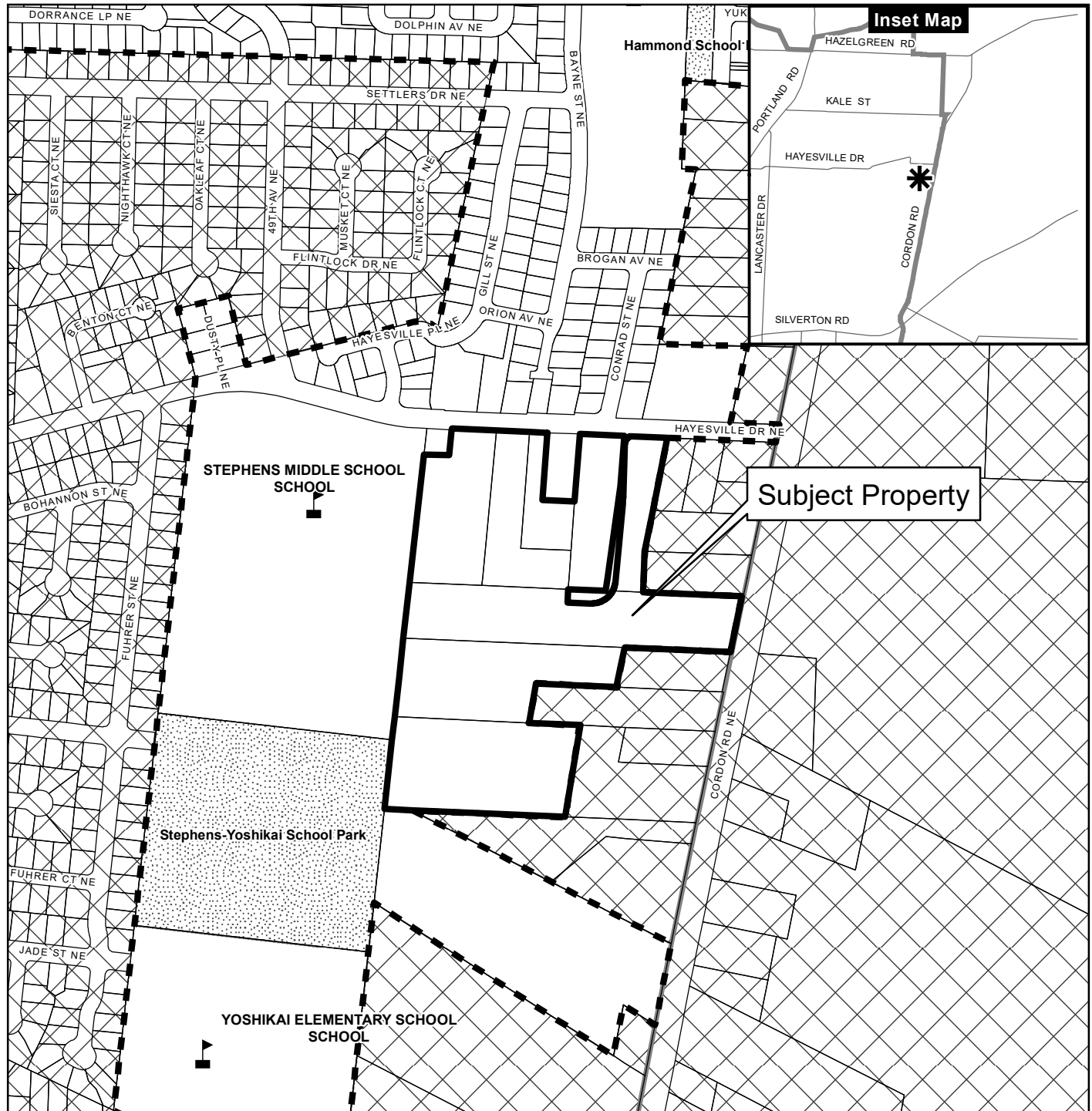


Aaron Panko, Planner III
Planning Administrator Designee

- Attachments:
- A. Vicinity Map
 - B. Salem Public Works Department Comments
 - C. Marion County Public Works Comments
 - D. Salem Keizer Public Schools comments

Vicinity Map

5012-5122 Hayesville Drive NE and 4625 Cordon Road NE



Legend

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

0 100 200 400 Feet




CITY OF Salem
AT YOUR SERVICE
Community Development Dept.

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MEMO

TO: Aaron Panko, Planner III
Community Development Department

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

DATE: April 8, 2020

**SUBJECT: PUBLIC WORKS RECOMMENDATIONS
UGA19-02 (19-114158-LD)
5012 HAYESVILLE DRIVE NE
URBAN GROWTH PRELIMINARY DECLARATION**

REQUEST

An Urban Growth Area Preliminary Declaration to determine the public facilities required for development of property approximately 21.6 acres in size, designated as MF (Multiple Family Residential) and DR (Developing Residential) in the Comprehensive Plan, zoned RM-I (Multiple Family Residential) and RA (Residential Agriculture), and located at 5012, 5042, 5052, 5092, and 5122 Hayesville Drive NE, and 4557, 4587, and 4625 Cordon Road NE - 97305 (Marion County Assessors Map and Tax Lot Numbers 072W05D / 03300, 03200, 03100, 02900, 02800, 02100, 02000, and 01700).

NEEDED IMPROVEMENTS

The following improvements represent the minimums necessary to meet the linking and boundary requirements of SRC Chapter 200. The improvements may be phased as specified in future development approvals.

1. Pursuant to SRC 200.035, the extent of required improvements along Hayesville Drive NE includes the entire frontage of the subject property and the frontage of tax parcels 072W05D / 03000 and 03400.
2. Along the extent of required improvements in Hayesville Drive NE, construct a 17-foot-wide half-street improvement on the development side to Collector street standards.
3. Extend the existing 12-inch water main in Hayesville Drive NE to the east line of the extent of required improvements.
4. Install upgrades to Jade Pump Station in order to provide capacity for the proposed development pursuant to the Wastewater Management Master Plan or pay a temporary facility access fee of \$3,300 per acre of development being served by Jade Pump Station.

5. Construct an 8-inch sewer main from Jade Pump Station through the subject property to the east line of the extent of required improvements in Hayesville Drive NE.
6. The approved point of disposal for stormwater is the West Fork Little Pudding River. If off-site easements are required to connect to the approved point of disposal, the applicant shall acquire easements pursuant to SRC 200.050.
7. As a condition of multi-family residential uses, the applicant shall either:
 - a. Convey or acquire property for dedication of neighborhood park facility NP-37 or equivalent; or
 - b. At the time of building permit, pay a temporary facility access fee equaling 13.5 percent of the Parks System Development Charges (SDCs) due for the multi-family residential uses.
8. As a condition of final plat approval for single-family residential uses, the applicant shall either:
 - a. Convey or acquire property for dedication of neighborhood park facility NP-37 or equivalent; or
 - b. As a temporary facility access fee, pay 100 percent of the Parks SDCs for one single-family residence per lot; this payment is credited toward the Parks SDCs due at the time of building permit issuance; or
 - c. Enter into a temporary facilities access agreement specifying the following:
 - i. As a condition of building permit issuance, the applicant shall pay a temporary facility access fee equaling 13.5 percent of the Parks SDCs due for the single-family residential use in addition to the Parks SDCs.

FACTS

Streets

1. Hayesville 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 Conditions—This street has an approximate 30- to 34-foot-wide turnpike improvement within a minimum 60-foot-wide right-of-way abutting the subject property.

2. Cordon Road NE

- a. Standard—This street is designated as a Parkway street in the Salem TSP and is under the jurisdiction of Marion County. The standard for this street classification is an 80-foot-wide improvement within a 120-foot-wide right-of-way.
- b. Existing Conditions—This street has a 34-foot-wide improvement within a varying 94-foot-wide right-of-way abutting the subject property.
- c. Special Setback—The frontage of the subject property has a special setback equal to 60 feet from the centerline of Cordon Road NE.

Storm Drainage

1. Existing Conditions

- a. An 8-inch storm main is located in Hayesville Drive NE.
- b. The subject property is within the Little Pudding Drainage Basin.
- c. The approved point of disposal for stormwater is the West Fork Little Pudding River.

Water

1. Existing Conditions

- a. The subject property is located within the G-0 water service level.
- b. A 12-inch water G-0 water main is located in Hayesville Drive NE.

Sanitary Sewer

1. Existing Conditions

- a. For the portion of the site designated for multi-family development, the nearest available sewer facility appears to be a 10-inch sewer main approximately 800 feet west of the subject property in Hayesville Drive NE.
- b. For the portion of the site designated for single-family development, the nearest available sewer facility appears to be Jade Pump Station approximately 500 feet south of the subject property. Jade Pump Station does not have adequate capacity for the proposed development and requires upgrade improvements pursuant to the *Wastewater Management Master Plan*.

Parks

No existing neighborhood parks facilities are available within ½ mile of the subject property. The Comprehensive Parks System Master Plan shows that a future

Neighborhood Park (NP 37) is planned on or near the subject property.

FINDINGS

The subject property is located outside the Urban Service Area in an area without adequate facilities as defined in SRC Chapter 200. Analysis of the subject property based on relevant standards in SRC 200.035 through SRC 200.075 is as follows:

SRC 200.035—Extent of Required Improvements

Findings—The proposed development includes a number of parcels that abut Hayesville Drive NE but does not include tax lots 072W05D03000 or 072W05D03400. Pursuant to SRC 200.035, because tax lots 3000 and 3400 are less than 260 feet deep, the extent of required improvements along Hayesville Drive NE includes the entire frontage of the subject property and the frontage of tax parcels 3000 and 3400.

SRC 200.055—Standards for Street Improvements

Findings—An adequate linking street is defined as the nearest point on a street that has a minimum 60-foot-wide right-of-way with a minimum 30-foot improvement for Local streets or a minimum 34-foot improvement for Minor and Major Arterial streets (SRC 200.055(b)). Hayesville Drive NE abutting the subject property is an adequate linking street. All streets abutting the property boundaries shall be designed to the greater of the standards of SRC Chapter 803 and the standards of linking streets in SRC 200.055(b). Cordon Road NE abutting the subject property is located outside the Urban Growth Boundary and no improvements are warranted at this time.

The existing improvement along the extent of required improvements for Hayesville Drive NE does not meet Collector standards. The applicant shall be required to construct a minimum 17-foot-wide half-street improvement on the development side to Collector street standards. Pursuant to Administrative Rule 109-200-2.4(c), this street improvement is eligible for SDC credits with an SDC Eligibility Ratio of 19 percent where the improvement abuts the subject property and 100 percent where the improvement does not abut the subject property.

Street connectivity is limited in the vicinity of the subject property. North/south streets surrounding the property (Fuhrer Street to the west and Cordon Road to the east) have a street spacing of approximately 2,000 feet. East/west streets surrounding the property (Hayesville to the north and Ward Drive to the south) have a street spacing of approximately one-half of a mile. An east/west connection through the property is limited by Cordon Road on the east and Stephens Middle School on the west. An internal north/south street within the development will likely be needed to serve the properties between Cordon Road and Stephens Middle School. The location of the north/south internal street will be determined at the time of tentative subdivision or site plan review.

SRC 200.060—Standards for Sewer Improvements

Findings—The proposed development shall be linked to adequate facilities by the construction of sewer lines and pumping stations, which are necessary to connect to such existing sewer facilities (SRC 200.060(a)). The nearest available sewer facility is Jade Pump Station, which has limited capacity to serve the proposed development. The *Wastewater Management Master Plan* and the City's Utility Planning Engineer specify that a number of improvements are needed for the downstream sewer system, including upgrades to Jade Pump Station. The applicant shall construct the *Salem Area Wastewater Management Master Plan* improvements and link the site to existing facilities that are defined as adequate under SRC 200.005.

Where the development precedes construction of required facilities that are specified to serve the development, the downstream system is available as a temporary facility pursuant to SRC 200.080 through payment of a temporary access fee in lieu of costly downstream improvements. The methodology for proportional payment of the temporary access fee is based on a total improvement cost of \$146,000 for Jade Pump Station, which is the portion of the upgrade costs not eligible for SDC funding as shown in the City's SDC Methodology Table 38. Based on a benefited area of 44.2 acres, the temporary access fee is \$3,300 per acre distributed over all phases, proportional to the development area of each phase.

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. The applicant shall construct an 8-inch sewer main from Jade Pump Station through the subject property to the east line of the extent of required improvements in Hayesville Drive NE to provide sewer for unserved parcels to the east of the subject property.

SRC 200.065—Standards for Storm Drainage Improvements

Findings—The proposed development shall be linked to existing adequate facilities by the construction of storm drain lines, open channels, and detention facilities which are necessary to connect to such existing drainage facilities (SRC 200.065(a)). The location of the nearest adequate public storm system is the West Fork of Little Pudding River located southeast of the subject property. The applicant shall link the on-site system to existing facilities that are defined as adequate under SRC 200.005. If off-site easements are required to connect to the approved point of disposal, the applicant shall acquire easements pursuant to SRC 200.050.

SRC 200.070—Standards for Water Improvements

Findings—The proposed development shall be linked to adequate facilities by the construction of water distribution lines, reservoirs, and pumping stations that connect to such existing water service facilities (SRC 200.070(a)). The existing 12-inch water main in Hayesville Drive NE is an adequate linking facility.

As a condition of water service, all developments will be required to provide public water mains to adjacent upstream parcels. This shall include the extension of water 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. The applicant shall extend the existing 12-inch water main in Hayesville Drive NE to the east line of the extent of required improvements. This water main is eligible for SDC credits with an SDC Eligibility Ratio of actual cost minus 8-inch equivalent pursuant to Administrative Rule 109-200-2.4(c).

SRC 200.075—Standards for Park Sites

Findings—Prior to development approval, the applicant shall reserve for dedication that property within the development site that is necessary for an adequate neighborhood park, access to such park, and recreation routes, or similar uninterrupted linkages, based upon the *Salem Comprehensive Park System Master Plan* (SRC 200.075(a)).

The *Comprehensive Park System Master Plan* shows that the subject property lacks adequate parks facilities. As a condition of residential use, the applicant shall be required to convey or acquire property for dedication of neighborhood park facility NP-37. As an alternate, the applicant has the option of paying a temporary access fee pursuant to SRC 200.080(a).

For multi-family residential development, the temporary access fee shall be based on the portion of SDCs attributed to Neighborhood Park Acquisition from the SDC Project List (Table 8) in the 2019 SDC Update of the *System Development Charge Methodologies*. By applying a ratio of acquisition to development costs, Table 8 shows Neighborhood Park Acquisition costs to equal \$25,283,950. This number divided by a total growth cost of \$187,390,010 indicates an attributable amount of 13.5 percent to Neighborhood Park Acquisition costs. Therefore, the temporary access fee shall be 13.5 percent of the Parks SDCs due and shall not be credited toward the property's total SDCs.

For single-family residential development, the applicant also has the option to pay a temporary access fee of 13.5 percent of the Parks SDCs due at the time of building permit issuance, which shall not be credited toward the property's total SDCs. However, based on a policy established by the SDC Methodology Committee, the applicant also has the option as a temporary facility access fee of paying 100 percent of the Parks SDCs for one single-family residence per lot; this payment is credited toward Parks SDCs due at the time of building permit issuance.

Prepared by: Jennifer Scott, Program Manager
cc: File



Marion County **OREGON**

PUBLIC WORKS

(503) 588-5036

February 21, 2020

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Via email: apanko@cityofsalem.net

Aaron Panko, Planner III
City of Salem, Planning Division
555 Liberty Street SE, Room 305
Salem OR 97301-3053

RE: RFC: UGA19-02 Expanded
21.6 Acres consisting of 8 Parcels within City Limits
5012, 5042, 5052, 5092, 5122 Hayesville Drive NE, and 4557, 4587,
and 4625 Cordon Road NE, Salem

Dear Aaron,

MCPW Engineering has received City notice for expansion of the original UGA notice from November 2019, which we commented on. The expansion has added three adjacent properties, one of them having Cordon Road frontage. Our updated commentary to reflect inclusion of the additional lands is as follows:

BACKGROUND

- The subject properties consist of a mix of residential use, commercial use, plus undeveloped land.

- Marion County has maintenance jurisdiction and permitting authority over Cordon Road. Cordon Road is classified as a County Arterial and City Parkway.

- The Salem Metropolitan Area Transportation Plan designated Cordon Road as an Arterial Beltway to facilitate free-flow of traffic around the Salem metro area. In 1981, the Marion County BOC enacted a Resolution declaring Cordon Road a limited access facility. The Resolution states the following Policies, among others:

i) Policy #1 states in part *"Existing locations, forms and usages are prior rights which are not affected by this resolution, unless a change is proposed" (underlining for emphasis).*

ii) Policy #2 states in part, *"...properties adjacent to Cordon Road shall be developed in a manner that will not increase, and wherever possible will reduce, consolidate, or eliminate access to Cordon Road" (underlining for emphasis).*

iii) Policy #5 states in part, *"New street connections to Cordon Road shall be limited to Collector and Arterial streets".*

- It is noted relative to the indicated #4557 and 4587 Cordon Road

To: Aaron Panko, Planner III, City of Salem
From: John Rasmussen, MCPW Engineering
RE: UGA19-02 Expanded
February 21, 2020

Page 2

subject parcels correlating to TL 072W05D01700 and TL 072W05D02000, respectively, that County Tax Assessor Records have no street address information assigned. The aforementioned parcels lack Cordon Road direct frontage.

- A partial-width, irregularly-shaped public R/W exists between subject properties #5092 and #5122 Hayesville Drive that terminates into the #4625 Cordon Road property, the latter property also being a part of this action. The County envisions that R/W will be expanded to accommodate development of the subject properties, and potentially stubbed in such a fashion as to facilitate future public access for additional properties not a part of this action.
- MCPW Engineering has been awarded a State-funded CIP to add a NBLTL on Cordon Road at Hayesville Drive, the construction for which is tentatively slated for Spring / Summer 2021. However that project does not include an EBLTL on Hayesville Drive. The west leg of that intersection is inside City limits.
- No conceptual site development plan was provided with the UGA inquiry.

MCPW ENGINEERING REQUESTED CONDITION

- A. A city public street extending from Hayesville Drive to serve development on the subject parcels, as well as to serve future development further to the south, is needed.

MCPW ENGINEERING ADVISORY

- B. The #4625 Cordon Road 7th Adventist Church access to Cordon Road should be permanently closed upon expansion and development of the public R/W connecting to Hayesville Drive. At the appropriate time, the Church would need to apply to MCPW Engineering for an Access Permit to close their Cordon Road access. MCPW Engineering will likely elevate this Advisory to a requested Condition given opportunity to comment on future land division.

Comments or questions regarding this transmittal can be directed to the undersigned at jasmussen@co.marion.or.us or by calling the main number (503) 588-5036.

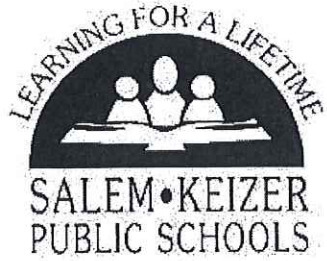
Sincerely,



John Rasmussen
Civil Engineering Associate

JR:jc

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

Christy Perry, Superintendent

February 18, 2020

Aaron Panko, Case Manager
 Planning Division, City of Salem
 555 Liberty Street SE, Room 305
 Salem OR 97301

RE: Land Use Activity Case No. UGA19-02 4557-4625 Cordon Rd. NE and 5012-5122 Hayesville Dr. NE

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

IDENTIFICATION OF SCHOOLS SERVING THE SUBJECT PROPERTY

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

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

Table 1

SCHOOL CAPACITY & CURRENT ENROLLMENT

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

School Name	School Type	School Enrollment	School Design Capacity	Enroll./Capacity Ratio
Yoshikai	Elementary	512	592	106%
Stephens	Middle	1,143	1,186	96%
McKay	High	2,328	2,325	100%

Table 2

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

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

School Type	Qty. of New Residences	Housing Type	Average Qty. of Students per Residence	Total New Students
Elementary	95/65	MF/SF	0.201/0.194	32
Middle	95/65	MF/SF	0.077/0.101	14
High	95/65	MF/SF	0.084/0.143	17

Table 3

POTENTIAL EFFECT OF THIS DEVELOPMENT ON SCHOOL ENROLLMENT

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

School Name	School Type	School Enrollment	New Students During Past 2 yrs	New Student from this Case	Total New Students	School Design Cap.	Enroll./Cap. Ratio
Yoshikai	Elem.	512	24	32	56	481	118%
Stephens	Mid.	1,143	25	14	39	1,186	100%
McKay	High	2,328	30	17	47	2,325	102%

Table 4

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

Civic infrastructure needed to provide connectivity between the new residential development and the schools serving the new development will generally require roads, sidewalks and bicycle lanes. When developing within one mile of school(s), adequate pathways to the school should be provided that would have raised sidewalks. If there are a large number of students walking, the sidewalks should be wider to accommodate the number of students that would be traveling the

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

School Name	School Type	Walk Zone or Eligible for School Transportation
Yoshikai	Elementary	Walk Zone
Stephens	Middle	Walk Zone
McKay	High	Eligible for School Transportation

Table 5

ESTIMATE OF NEW SCHOOL CONSTRUCTION NEEDED TO SERVE DEVELOPMENT

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

School Type	Number of Students	Estimate of Facility Cost Per Student*	Total Cost of Facilities for Proposed Development*
Elementary	32	\$54,925	\$1,757,600
Middle	14	\$64,045	\$896,630
High	17	\$73,164	\$1,243,788
TOTAL			\$3,898,018

Table 6

*Cornerstone Management Group, Inc. estimates based on RLB cost index average, 2019 First Quarter.

Sincerely,



David Fridenmaker, Manager
Planning and Property Services

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