

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

## DECISION OF THE PLANNING ADMINISTRATOR

**SUBDIVISION CASE NO.: SUB20-02**

**APPLICATION NO.: 19-119945-LD**

**NOTICE OF DECISION DATE: APRIL 30, 2020**

**REQUEST:** A tentative subdivision plan to divide approximately 2.03 acres (Parcel 1 of proposed PAR20-03) of a 6.97 into 24 14 lots ranging in size from 4,633 square feet to 9,314 square feet. The subject property is approximately 6.97 acres in size, zoned RA (Residential Agriculture), and located at 6994 Sunnyside Road SE (Marion County Assessor Map and Tax Lot Number 083W23CC / 5600 and 083W23CC / 5500).

**APPLICANT:** Willamette Engineering, Inc. on behalf of Pacific National Development Inc.

**LOCATION:** 6994 Sunnyside Rd SE

**CRITERIA:** Salem Revised Code (SRC) 205.010(d) - Subdivisions

**FINDINGS:** The findings are in the attached Decision dated April 30, 2020.

**DECISION:** The **Planning Administrator APPROVED** Subdivision SUB20-02 subject to the following conditions of approval:

**Condition 1:** Obtain a demolition permit and remove the existing building on the property.

**Condition 2:** "NO PARKING—FIRE LANE" signs shall be posted on both sides of the segments of the proposed flag lots accessways that are fire apparatus roadways and "NO PARKING" signs shall be posted on both sides of the remainder of the accessways.

**Condition 3:** Prior to final plat, the relocation the existing sewer service lateral that serves the existing building on the southerly adjacent property by reconnecting the service to the new public sewer main being constructed in Talloc Avenue SE.

**Condition 4:** Construct internal streets to Local street standards; the knuckle shall have a maximum cross slope of 5% to meet the requirements for a fire turnaround.

**Condition 5:** Dedicate a 10-foot public utility easement (PUE) along the street frontage of all internal streets.

**Condition 6:** Prior to plat, all conditions of approval for Partition Case 20-03 (PAR20-03) shall be satisfied.

**NOTICE OF DECISION**

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

**CITY OF Salem**  
**AT YOUR SERVICE**

**Condition 7:** Construct a half-street minor arterial improvement on Sunnyside Road SE along the entire frontage of Partition Case No. PAR20-03. In lieu of constructing the improvement, the applicant has the option of making a fee-in-lieu payment of \$93,380.

**Condition 8:** Prior to final plat, the applicant shall provide an engineered stormwater design pursuant to SRC 71 and PWDS to accommodate future impervious surface on all proposed lots, including stormwater facilities needed to serve new streets. The engineering report shall provide 100-year water surface elevations along Scotch Creek within the subject property.

The rights granted by the attached decision must be exercised, or an extension granted, by May 16, 2022 or this approval shall be null and void.

Application Deemed Complete:	<u>February 27, 2020</u>
Notice of Decision Mailing Date:	<u>April 30, 2020</u>
Decision Effective Date:	<u>May 16, 2020</u>
State Mandate Date:	<u>June 26, 2020</u>

Case Manager: Olivia Dias, [odias@cityofsalem.net](mailto:odias@cityofsalem.net), 503-540-2343

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, May 15, 2020. **Due to COVID-19, 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 or via email by contacting the Case Manager.

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

**BEFORE THE PLANNING ADMINISTRATOR  
OF THE CITY OF SALEM  
(SUBDIVISION PLAT NO. 20-02)**

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

**IN THE MATTER OF THE  
TENTATIVE APPROVAL OF  
SUBDIVISION PLAT NO. 20-02;  
6994 SUNNYSIDE ROAD SE**

)  
)  
)  
)

**FINDINGS AND ORDER**

**APRIL 30, 2020**

**REQUEST**

A tentative subdivision plan to divide approximately 2.03 acres (Parcel 1 of proposed PAR20-03) of a 6.97 into **24 14** lots ranging in size from 4,633 square feet to 9,314 square feet.

The subject property is approximately 6.97 acres in size, zoned RA (Residential Agriculture), and located at 6994 Sunnyside Road SE (Marion County Assessor Map and Tax Lot Number 083W23CC / 5600 and 083W23CC / 5500).

**DECISION**

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

- Condition 1:** Obtain a demolition permit and remove the existing building on the property.
- Condition 2:** "NO PARKING—FIRE LANE" signs shall be posted on both sides of the segments of the proposed flag lots accessways that are fire apparatus roadways and "NO PARKING" signs shall be posted on both sides of the remainder of the accessways.
- Condition 3:** Prior to final plat, the relocation the existing sewer service lateral that serves the existing building on the southerly adjacent property by reconnecting the service to the new public sewer main being constructed in Talloc Avenue SE.
- Condition 4:** Construct internal streets to Local street standards; the knuckle shall have a maximum cross slope of 5% to meet the requirements for a fire turnaround.
- Condition 5:** Dedicate a 10-foot public utility easement (PUE) along the street frontage of all internal streets.

- Condition 6:** Prior to plat, all conditions of approval for Partition Case 20-03 (PAR20-03) shall be satisfied.
- Condition 7:** Construct a half-street minor arterial improvement on Sunnyside Road SE along the entire frontage of Partition Case No. PAR20-03. In lieu of constructing the improvement, the applicant has the option of making a fee-in-lieu payment of \$93,380.
- Condition 8:** Prior to final plat, the applicant shall provide an engineered stormwater design pursuant to SRC 71 and PWDS to accommodate future impervious surface on all proposed lots, including stormwater facilities needed to serve new streets. The engineering report shall provide 100-year water surface elevations along Scotch Creek within the subject property.

### PROCEDURAL FINDINGS

1. On September 13, 2019, an application for a Tentative Subdivision Plan was filed proposing to divide 2.08 acres (Parcel 1 of PAR20-03), located at 6994 Sunnyside Road SE (**Attachment A**) into 14 lots. The tentative subdivision plan is included as **Attachment B** and the applicant's written statement is included as **Attachment C**.
2. The application was deemed complete for processing on February 26, 2020. Notice to surrounding property owners was mailed pursuant to Salem Revised Code on February 27, 2020. The subject property was posted on March 2, 2020. The state-mandated local decision deadline is June 25, 2020.

### SUBSTANTIVE FINDINGS

#### 1. Background

The subject property was annexed into the City of Salem in 1993 and contains an existing church from 1978. The remainder of the property is vacant, including the portion of the subject property (Parcel 1 of PAR20-03). The applicant has applied for a partition application to divide the 6.97-acre property into two parcels (PAR20-03), which was approved prior to issuance of this decision. Subsequently, the applicant has applied to subdivide the two-acre parcel into 14 lots.

#### 2. Proposal

The tentative plan proposes to divide the two-acre property into 24 lots for residential development (Attachment B), with lots ranging in size from 4,061 square feet to 5,598 square feet in size. Of the 24 lots within the subdivision, 22 are proposed to take access directly from public streets and two lots take access from flag lot accessways.<sup>1</sup> The proposal includes extension of Talloc Avenue SE, which will stub to the large church

---

<sup>1</sup> Lots 4 and 10 are proposed to take access from flag lot accessways.

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

### **3. Existing Conditions**

#### Site and Vicinity

The subject property contains approximately 4.71 acres and consists of a single, rectangular tax lot, approximately 360 feet in width and 570 feet in depth. One single-family dwelling is currently located on the site. The applicant plans to remove this building prior to development. The subject property was originally part of the Hamden Park subdivision, platted in 1889. The Salem city limits run along the east, west, and south boundaries of the subject property. The subject property was annexed into the City of Salem in 2011. The development pattern in the immediate vicinity is a mixture of rural residential lots and single-family residential subdivisions, including Peterson's Addition (1962) on the abutting property to the west and Burnside Addition (1968) immediately to the south of the subject property.

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

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

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

North: (Across Center Street NE) – Single Family Residential and Developing Residential

South: Single Family Residential

East: Multi-Family Residential

West: Single Family Residential

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

*Growth Management:* The subject property is within the City's Urban Service Area.

#### Zoning and Surrounding Land Use

The subject property is zoned RA (Residential Agriculture) and is currently occupied by a single-family residence. The surrounding properties are zoned and used as follows:

North: (Across Center Street NE) – RS (Single Family Residential); single family dwellings

South: In Marion County – RS (Single Family Residential); single family dwellings

East: In Marion County – UD (Urban Development); church

West: In Marion County – RS (Single Family Residential); single family dwellings

### Natural Features

The subject property is approximately 210 feet above mean sea level and is essentially flat, with less than 2 feet of total elevation change. The site is vegetated only by grass and two deciduous trees near the northeast and northwest corners of the property.

The Salem-Keizer Local Wetland Inventory (LWI) identifies one wetland, located on the eastern portion of the subject property and continuing onto the abutting property to the east, which is outside of city limits. The wetland was delineated in 2015 and is approximately 0.37 acres in size.

### Relationship to Urban Service Area

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

### Infrastructure

*Water:* The subject property is located within the S-2 water service level. A 16-inch City of Salem water main is located in Sunnyside Road and a 6-inch water main is located in Talloc Avenue SE.

*Sewer:* There are 8-inch sanitary sewer main located in Sunnyside Road SE and Talloc Avenue SE.

*Storm Drainage:* There is an existing 60-inch public storm main located in Sunnyside Road SE.

*Streets:* *Sunnyside Road SE* abuts the southern boundary of the subject property and is designated as a Minor Arterial street in the Salem Transportation System Plan (TSP).

- The standard for this street classification is a 46-foot-wide improvement within a 72-foot-wide right-of-way.
- The abutting portion of Sunnyside Road SE currently has an approximately 40-foot wide improvement within a 66-foot-wide right-of-way.

*Talloc Avenue SE* terminates at the northern boundary of the subject property and is designated as a Local street in the Salem Transportation System Plan (TSP).

- The standard for this street classification is a 30-foot-wide improvement within a 60-foot-wide right-of-way.
- The abutting portion of Talloc Avenue SE currently has an approximately 35-foot wide improvement within a 50-foot-wide right-of-way. The southerly terminus of Talloc Avenue SE has a one-foot-wide reserve strip owned by the City of Salem.

#### 4. Land Use History

- **Partition (PAR20-03):** Divide approximately seven acres into two parcels.

#### 5. Public and Private Agency Review

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

**Fire Department** - The Salem Fire Department submitted comments indicating that the proposed subdivision does not exceed 30 dwelling units. One means of Fire Department access is proposed with an approved Fire Department turnaround.

**Salem-Keizer Public Schools** – Planning and Property Services staff for the school district reviewed the proposal and submitted comments indicating that sufficient school capacity exists at the high school levels to serve future development within the proposed subdivision. The elementary and middle school levels will be overcapacity. The school district indicated that elementary school students residing at the subject property would be eligible for school transportation services. The area is within the “walk zone” of the assigned middle school and high school.

**Portland General Electric (PGE)** reviewed the proposal and indicated that development costs are determined by current tariff and service requirements and that a 10-foot public utility easement (PUE) is required on all front street lots

#### 6. Neighborhood Association and Public Comments

The subject property is within the South Gateway Neighborhood Association (SGNA). 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.” SGNA did not provide comments on the proposal. All property owners

and tenants within 250 feet of the subject property were mailed notification of the proposed subdivision. Prior to the comment deadline, 18 public comments were received the following is a summary of the issues:

### **Wetlands and Drainage**

A history of flooding in the area, at the same time new residential subdivisions have been developed. Comments attribute some of this flooding to a high water table in the area.

**Staff Response:** Wetland fill permits are regulated at the state and federal level. As described in SRC 809.025, the City's involvement in wetland fill permits is limited. Pursuant to these requirements, City staff sent notification (a Wetland Land Use Notice or "WLUN") to the Oregon Department of State Lands (DSL). DSL returned a response notifying the applicant that wetland fill permits are required for the proposed subdivision. Discussions with wetland permit staff at the federal level indicated that wetlands are being preserved to the greatest extent possible by delaying street improvements in the proposed right-of-way running toward the east property line. Any other requirements to mitigate wetland fill will be addressed in the state and federal permitting process.

Stormwater facilities constructed to serve the proposed development are subject to the Public Works Design Standards and must be designed by a licensed civil engineer. Pursuant to PWDS 4A.2, the applicant's engineer is required to submit a Stormwater Management Report, which would include those issues raised by surrounding property owners.

### **Construction**

Concerns about construction activities, especially traffic funneling through the existing subdivision and not from Sunnyside Road.

**Staff Response:** The proposal is for Parcel 2 of PAR20-03, which does not have access to Sunnyside Road SE. The City Traffic Engineer reviewed the access to the site for construction activities and determined that due to the barrier of Scotch Creek, Talloc Avenue SE is the only option for construction traffic for the proposed subdivision. Noise disturbances are prohibited by SRC Chapter 93, and construction activities are specifically limited to the hours of 7 a.m. to 10 p.m. by SRC 93.020(d). The level of allowable noise during construction activities is also limited by state law. SRC 93 also prohibits idling engines on motor vehicles in a manner that is plainly audible within any dwelling unit for more than 10 minutes between the hours of 10 p.m. and 7 a.m.

The subject property is located within an already developed area within the corporate limits of the City of Salem, and noise impacts from future residences in the proposed subdivision are not expected to exceed what would occur from the presumed development of land within the City zoned for single family residential development. Approval criteria for a tentative subdivision plan do not specifically address noise levels, and no evidence has been provided that would indicate that the proposed development in the vicinity would interfere with the safe and healthful use of neighboring properties.



SRC Chapter 51 also regulates noise levels, and the proposed development is subject to these regulations. Specifically, SRC 51.015 provides maximum sound levels based on the source and receiver of the sound. It is unlawful to exceed the maximum sound levels without an event sound permit. The Neighborhood Enhancement division of the Community Development Department enforces these noise regulations.

### **Privacy**

Concerns about the density of the subdivision and privacy for existing single-family dwellings.

**Staff Response:** Future development on the proposed lots would be subject to the development standards set forth in SRC Chapter 511, which include requirements for height, setbacks, and lot coverage that are intended to ensure that development of private property or use of public rights-of-way does not adversely impact the privacy of adjacent properties.

### **Property Values**

Concerns were raised about the effect of property values of existing dwellings.

**Staff Response:** Effect on property values is not a criterion under the Salem Revised Code for granting or denying a tentative subdivision approval. The single-family dwelling parcels proposed within the partition range from approximately 4,633 square feet to 9,314 square feet, which exceeds the minimum lot size requirement of 4,000 square feet. Their size and layout is consistent with the pattern of the surrounding neighborhood, which has predominantly been developed with single family residences.

### **Traffic Increase**

Concerns additional traffic within the existing subdivision on narrow streets. Additionally, the congestion and unsafe traffic flow near parks and bus stops.

**Staff Response:** The Public Works Department has evaluated the proposal and submitted comments indicating that existing streets in the vicinity have adequate width and that proposed subdivision will create congestion. The proposal will result in the extension of new local streets through the subdivision in conformance with current standards for vehicle, pedestrian, and bicycle facilities. These streets will connect to existing streets and fill in gaps within the current street network. The City Traffic Engineer has determined that the proposed development does not generate traffic volumes sufficient to require a traffic impact analysis pursuant to SRC 803.015; therefore, off-site mitigation to the existing transportation system is not warranted as a condition of the proposed development.

### **Tree Removal**

Concerns about the removal of trees on the subject property, including several Oregon White Oak trees.

**Staff Response (partition or subdivision):** The applicant has submitted a Tree Conservation Plan (TCP20-03) pursuant to the City's Tree Preservation Ordinance

(SRC Chapter 808) with the previous partition (PAR20-03). The partition application proposes to preserve 104 of the 181 trees on the subject property. The 57.5 percent retention of identified trees is well in excess of the 25 percent required under SRC Chapter 808. The subject property, Parcel 2 of PAR20-03, does not contain trees after the approval of the Partition and TCP20-03, therefore a new Tree Conservation Plan is not required. Future residential development on the proposed parcels would be required to have at least two to three trees per parcel (depending on square footage of lot) and can meet that requirement through any combination of existing trees and planting new trees (SRC 808.050).

**Loss of Wildlife Habitat and Open Space** Several comments received express concern regarding the loss of wildlife habitat and open space that will result from the clearing and development of the property and suggest that rather than it being developed as a subdivision it should be retained as open space.

**Staff Response:** In regard to impacts to wildlife habitat, the subject property has not been identified as a significant wildlife habitat by state wildlife management agencies or by the City. The subject property is located within the Urban Growth Boundary and incorporated limits of the City of Salem, and has been designated on the City of Salem Comprehensive Plan Map as “Single Family Residential,” which anticipates existing or future residential development similar to the subdivision proposed by the applicant. Loss of wildlife habitat that has not been identified as significant is not a criterion under the Salem Revised Code for granting or denying a phased tentative subdivision approval.

In regard to impacts on open space, the Salem Area Comprehensive Plan has adopted goals, policies, and plan map designations to protect identified open space areas. The subject property has not been identified as a natural open space area. Instead, the Comprehensive Plan Map designates the subject property as “Single Family Residential,” and the site has been zoned RS (Single Family Residential). While currently undeveloped, the subject property is located within an already developed residential area within the corporate limits of the City of Salem, and changes to the landscape from future residences in the proposed subdivision are not expected to exceed what would occur from the presumed development of land within the City zoned for single family residential development.

### **Stormwater**

Concerns were raised about the amount of stormwater that will be displaced due to the new subdivision. The existing home currently experience flooding or high-water during rain events.

**Staff Response:** The proposed development is required to meet the standards and requirements of SRC Chapter 71 and PWDS for stormwater treatment and flow control. Scotch Creek is a mapped waterway intended to receive stormwater discharges from properties within the watershed. SRC 71.095(c) requires that post-development flow quantities not exceed pre-development flows. The Department of State Lands indicates that a wetland delineation will be required. The Public Works Design Standards require that all applicable state and federal permits be acquired as a condition of approval. The

developer's engineer is required also to provide 100-year water surface elevations of Scotch Creek to ensure that new buildings are not at risk of flood damage.

## 7. Criteria for Granting a Tentative Subdivision

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

SRC Chapter 205.010(d) sets forth the criteria that must be met before approval can be granted to a subdivision request. The following subsections are organized with approval criteria shown in bold, followed by findings of fact upon which the Planning Administrator's decision is based. The requirements of SRC 205.010(d) are addressed within the specific findings which evaluate the proposal's conformance with the applicable criteria. Lack of compliance with the following criteria is grounds for denial of tentative plan or for the issuance of conditions of approval to more fully satisfy the criteria.

**SRC 205.010(d)(1): The tentative subdivision complies with all standards of this Chapter and with all applicable provisions of the UDC, including, but not limited to, the following:**

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

SRC Chapter 511 (Single Family Residential): The proposed subdivision would divide the two-acre property into 14 lots with no remainder. The subject property is currently zoned RA (Residential Agriculture). However, SRC Chapter 265.015 provides that any land within an RA zone district that is subject to a subdivision approval shall automatically be re-classified to an RS zone district on the date the subdivision plat is recorded. This provision applies to the subject property. Because the zoning of the property will be changed to RS with the recording of the plat, the following analysis of the subdivision for conformance with the requirements of the UDC is based upon the property being rezoned to RS (Single Family Residential). The minimum lot area requirements of the RS zone are established under SRC 511.010(a) as follows:

**Lot Standards for RS zone (see SRC Chapter 511, Table 511-2)**

Requirement	Minimum Standard
Lot Area (Single Family)	4,000 square feet

Lot Width	40 feet
Lot Depth (Single Family)	70 feet
Street Frontage	40 feet

Proposed lots in the subdivision range from approximately from 4,061 square feet to 5,598 square feet in size. The proposed lots exceed minimum lot area, dimension, and frontage requirements and therefore conform to the applicable standards. The proposed lots within the subdivision are also of sufficient size and dimension to permit future development of uses allowed within the zone.

**Setback Requirements:** SRC Chapter 511 establishes the following setback standards for development within an RS (Single Family Residential) zone:

Front Yards and Yards Adjacent to Streets:

- Minimum 12 feet (minimum 20 feet when adjacent to a street designated 'Collector', 'Arterial', or 'Parkway')
- Minimum 20 feet for garages

Rear Yards:

- Minimum 14 feet (for any portion of a main building not more than one story in height); or
- Minimum 20 feet (for any portion of a main building greater than one story in height)

Interior Side Yards:

- Minimum 5 feet

Setback requirements for the proposed lots will be reviewed at the time of application for building permits on those individual parcels.

SRC Chapter 800 (General Development Standards):

*SRC 800.015(a) (Buildings to be on a Lot):* Pursuant to SRC 800.015(a), every building or structure shall be entirely located on a lot. The subject property is primarily undeveloped, except for accessory structures related to the church on Parcel 2 of PAR20-03. The applicant plans to remove this building prior to development. Relative to the tentative subdivision plan, the existing buildings would cross proposed lot lines and the proposed right-of-way for a portion of the internal street. In order to ensure that the subdivision complies with this provision upon recording of the plat, the following condition shall apply:

**Condition 1:** Obtain a demolition permit and remove the existing buildings on the property.

*SRC 800.020 (Designation of Lot Lines):* SRC 800.020 establishes front lot line designation requirements for corner lots, double frontage lots, flag lots, and all other lots. For lots that have frontage on a public street, other than corner lots, the front lot line shall be the property line that has frontage on the public street. Corner lots are lots located at the intersection of two streets, typically with street frontage on two sides.

*SRC 800.025 (Flag Lots):* Proposed lots 4 and 10 are flag lots. Subsections (a) and (b) specify that minimum lot area and dimensions for a flag lot shall be calculated exclusively of the flag lot accessway. Both proposed flag lots exceed the minimum lot area and dimensions exclusive of the flag lot accessway.

Subsection (c) establishes standards for flag lots and flag lot accessways. Pursuant to SRC Chapter 800, Table 800-1, flag lot accessways serving 1 to 2 lots must be a minimum of 20 feet in overall width and must be paved to a minimum width of 15 feet.

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

**Condition 2:** "NO PARKING—FIRE LANE" signs shall be posted on both sides of the segments of the proposed flag lots accessways that are fire apparatus roadways and "NO PARKING" signs shall be posted on both sides of the remainder of the accessways.

Subsection (e) limits the maximum number of flag lots within a subdivision to 15 percent of the proposed lots. The proposed subdivision includes two flag lots (Lots 4 and 10), or 15% of the total proposed lots, therefore meeting the standard provided in SRC 800.025(e).

The proposal conforms to the requirements of SRC Chapter 800.

## **(B) City Infrastructure Standards.**

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

SRC Chapter 200 (Urban Growth Management): The Urban Growth Management Program requires that an Urban Growth Area (UGA) Development Permit must be obtained prior to development of property outside the Salem Urban Service Area. The

subject property is inside of the Urban Service Area. Therefore, a UGA permit is not required and the proposal conforms to the requirements of SRC Chapter 200.

SRC Chapter 601 (Floodplain Overlay)

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. However, Scotch Creek flows along the western boundary of the proposed development and flooding is known to occur in the vicinity; therefore, the engineered stormwater report shall include 100-year water surface elevations to ensure that the proposed buildings located within the riparian corridor comply with the standards of SRC Chapter 601.

SRC Chapter 802 (Public Improvements): Comments from the Public Works Department indicate that water and sewer infrastructure is available along the perimeter of the site and appears to be adequate to serve the proposed subdivision. Specifications for required public improvements are summarized in the Public Works Department memo dated March 18, 2020 (Attachment D).

All public and private City infrastructure proposed to be located in the public right-of-way shall be constructed or secured per SRC 205.035(c)(7)(B) prior to final plat approval. The relocation of the existing sewer service lateral that serves the existing building on the southerly adjacent property by reconnecting the service to the new public sewer main being constructed in Talloc Avenue SE. Any easements needed to serve the proposed parcels with City infrastructure shall be shown on the final plat.

**Condition 3:** Prior to final plat, the relocation the existing sewer service lateral that serves the existing building on the southerly adjacent property by reconnecting the service to the new public sewer main being constructed in Talloc Avenue SE.

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

*SRC 803.015 (Traffic Impact Analysis):* The proposed 14-lot subdivision generates less than 200 average daily vehicle trips to Talloc Avenue SE, a Local street. Therefore, a TIA is not required as part of the proposed subdivision submittal.

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

*SRC 803.025 (Right-of-Way and Pavement Widths):* The abutting portion of Talloc Avenue SE is designated as a Local street in the TSP and has an approximate 35-foot-wide improvement within a 50-foot-wide right-of-way. As specified in SRC Chapter 803, Tables 803-1 and 803-2, the standard for a local street is a 30-foot-wide improvement within a 60-foot-wide right-of-way. The extension of Talloc Avenue SE will be constructed to Local Street standards and shall have a knuckle with a maximum cross slope of 5% to meet Fire Department standards for a "Fire Department turnaround". The proposal meets these requirements.

**Condition 4:** Construct internal streets to Local street standards; the knuckle shall have a maximum cross slope of 5% to meet the requirements for a fire turnaround.

*SRC 803.030 (Street Spacing):* The proposed alignment of streets within the subdivision does not result in any street spacing in excess of the maximum lengths established in subsection (a).

*SRC 803.035 (Street Standards):* Subsection (a) requires streets within the subdivision to provide connectivity to existing streets and undeveloped properties within the vicinity of the subject property. The subject property abuts a row of existing single-family residences along the east boundary, precluding street connectivity to the east. The proposed subdivision plan includes street connections at the north and south, with the proposed internal street connecting directly to the existing alignments of Talloc Avenue SE. The proposal does not make a street connection to the east due to Scotch Creek (a physical condition) would preclude the connection. The proposed street alignment of Talloc Avenue would allow for future development of the property to the south with eventual connection to Sunnyside Road SE, in the event that the existing church site is redeveloped in the future.

There is an existing 1-foot reserve strip at the existing northern terminus of Talloc Avenue SE that is owned by City of Salem. In order to ensure that vehicular and pedestrian connectivity is provided between the subdivision and Talloc Avenue SE.

Pursuant to subsection (n), public utility easements (PUEs) may be required for all streets. Comments from Portland General Electric, the franchise utility provider of electricity for the subject property, request a 10-foot-wide PUE on all street front lots. In order to ensure adequate access for the provision of electricity and other utilities, the following condition shall apply:

**Condition 5:** Dedicate a 10-foot public utility easement (PUE) along the street frontage of all internal streets.

As conditioned, the proposal conforms to applicable street standards.

*SRC 803.040 (Boundary Streets):* Sunnyside Road SE abuts the subject property and does not meet the current right-of-way or improvement width standards for a Minor Arterial street. The boundary of Sunnyside Road SE is located abutting Parcel 2 of a previous Partition (PAR20-03). The street is lacking adequate right-of-way and a half-width street improvement. As a condition Partition Case No. PAR20-03, the applicant is required to convey land for dedication a half-width right-of-way along the entire frontage of Sunnyside Road SE. With the Partition, the applicant is also required to construct a half-street improvement along the entire frontage of Sunnyside Road SE or enter into a deferral agreement to construct the improvement at the time of future subdivision.

The construction of the street improvement may be satisfied by payment of a fee-in-lieu agreement pursuant to SRC 200.405 because the development approval only requires the construction of a portion of the public improvement, and additional portions are

required to be constructed in order to have an operational, fully functioning public improvement. The fee-in-lieu amount is calculated as follows:

1. The SDC methodology adopted by City Council under Resolution No. 2019-7 estimates the cost of Sunnyside Road SE improvements to be \$5,033,000 from Pawnee Circle to the Urban Growth Boundary. Pursuant to Administrative Rule 109-200, a minor arterial improvement abutting a development project has an SDC Eligibility Ratio of 34 percent. Therefore, \$1,711,000 is eligible for SDC credits, where \$3,322,000 is not SDC-eligible. The fee-in-lieu amount is based on \$3,322,000 of non-eligible costs.
2. The distance from Pawnee Circle to the Urban Growth Boundary is approximately 4,600 feet, or 9,200 total feet of half-street frontage.
3. The cost-per-foot of a half-street improvement along Sunnyside Road SE is estimated to be \$3,322,000 divided by 9,200 feet, or \$361 per foot.
4. The total frontage of the subject property is approximately 610 feet. The total cost for the half-street improvement along the entire property frontage is estimated to be 610 feet multiplied by \$361 per foot, or \$220,000.
5. The redevelopment plan shows that 14 lots are proposed in phase 1 and 19 lots are proposed in a future redevelopment plan for a total of 33 lots.
6. The fee-in-lieu amount shall be \$220,000 divided by 33 lots, or \$6,670 per lot, to be collected at the time of final plat approval.

The applicant shall be required has the option to enter into a fee-in-lieu agreement pursuant to SRC 200.405, specifying that \$6,670 per lot is due at the time of final plat approval. Based on the proposed development of 14 lots, the fee-in-lieu payment shall be \$93,380. Pursuant to SRC 200.410, This fee-in-lieu amount meets the requirements of SRC 200.410 because it is based on the estimated cost of construction of the public improvement, reflects the proportional share of the cost of the public improvement benefitting the development, and is calculated based on the estimated construction cost of the developer's portion of the public improvement, minus any systems development charge credits for which the developer would be eligible if the public improvement had been constructed.

To ensure the transportation system is safe and effective, the following conditions shall apply:

**Condition 6:** Prior to plat, all conditions of approval for Partition Case 20-03 (PAR20-03) shall be satisfied.

**Condition 7:** Construct a half-street minor arterial improvement on Sunnyside Road SE along the entire frontage of Partition Case No. PAR20-03. In lieu of constructing improvement, the applicant has the option of making a fee-in-lieu payment of \$93,380.



As conditioned, the proposal conforms to applicable boundary street requirements.

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

SRC Chapter 808 (Preservation of Trees and Vegetation): The City's tree preservation ordinance protects Heritage Trees, Significant Trees (including Oregon White Oaks with diameter-at-breast-height of 24 inches or greater), trees and native vegetation in riparian corridors, and trees on lots and parcels greater than 20,000 square feet.

In addition, SRC 808.035(a) requires a Tree Conservation Plan for a development proposal involving the creation of lots or parcels to be used for the construction of single-family dwelling units, where trees are proposed for removal. A Tree Conservation Plan (TCP20-03) was submitted in conjunction with the previous tentative partition plan approved on the subject property (PAR20-03). TCP20-03 identified 77 trees on the subject property (Parcel 1), proposed for removal, and was approved on March 24, 2020. There were two significant trees proposed for removal. There were no heritage trees, or within riparian corridors proposed to be removed. The previous TCP removed all the trees from Parcel 1 of PAR20-03, therefore, a new tree conservation plan is not required with the subject tentative subdivision plan.

As proposed, the tentative subdivision plan conforms to all applicable SRC Chapter 808 requirements.

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

The Salem-Keizer Local Wetland Inventory shows that there are wetland channels and/or hydric soils mapped on the property. Wetland notice was sent to the Oregon Department of State Lands (DSL) pursuant to SRC 809.025. The response received from DSL indicates that a wetland delineation will be required. The Public Works Design Standards require that all applicable state and federal permits be acquired prior to issuance to public construction permits.

As proposed, the tentative subdivision plan conforms to all applicable SRC Chapter 809 requirements.

SRC Chapter 810 (Landslide Hazards): City's landslide hazard ordinance (SRC Chapter 810) establishes standards and requirements for the development of land within areas of identified landslide hazard susceptibility. According to the City's adopted landslide

hazard susceptibility maps, there are no areas of landslide susceptibility on the subject property.

**SRC 205.010(d)(2): The tentative subdivision plan does not impede the future use or development of the property or adjacent land.**

**Finding:** The proposed subdivision would divide a two-acre property into 14 lots and an internal street right-of-way with no remainder. Vehicular access to lots within the proposed subdivision is provided by new internal streets, with two lots served by flag lot accessways. The subject property abuts built-out single-family residential subdivisions to the north and east. No street or pedestrian connections are available from abutting properties to the west.

The abutting property to the south is developed with a church and associated parking areas. The eastern half of the church property remains undeveloped and is partially covered by wetlands. The applicant is proposing a stub street to the south, which will provide street connection to Talloc Avenue and could be connected to Sunnyside Road SE, if developed.

The lots within the proposed subdivision, as proposed and conditioned, are of sufficient size and dimensions to permit future development of one single family dwelling each, or development of other SRC Chapter 511 "permitted," "special," or "conditional" uses. As proposed, no corner lots will be large enough for a duplex. There is no evidence that the subdivision and subsequent development of the lots will adversely affect public services to any surrounding properties. Approval of the subdivision does not impede future use of the subject property or access to abutting properties. This criterion has been met.

The proposal meets this criterion.

**SRC 205.010(d)(3): Development within the tentative subdivision plan can be adequately served by City infrastructure.**

**Finding:** Water and sewer infrastructure is available along the perimeter of the site and appears to be adequate to serve the property as shown on the applicant's preliminary utility plan. Developments are required to extend public utility services to serve upstream and neighboring properties; the tentative utility plan appears to meet that requirement.

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 tentative subdivision plan shows public sewer extensions to adjacent upstream parcels.

The proposed development is subject to SRC Chapter 71 and the revised Public Works Design Standards as adopted in Administrative Rule 109, Division 004. To demonstrate

the proposed parcels can meet the Public Works Design Standards, the applicant shall provide an engineered tentative stormwater design to accommodate future impervious surface on all proposed lots.

**Condition 8:** Prior to final plat, the applicant shall provide an engineered stormwater design pursuant to SRC 71 and PWDS to accommodate future impervious surface on all proposed lots, including stormwater facilities needed to serve new streets. The engineering report shall provide 100-year water surface elevations along Scotch Creek within the subject property.

All public and private City infrastructure proposed to be located in the public right-of-way shall be constructed or secured per SRC 205.035(c)(6)(B) prior to final plat approval. Any easements needed to serve the proposed parcels with City infrastructure shall be shown on the final plat.

The proposal meets this criterion.

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

**Finding:** Sunnyside Road SE abuts the subject property and does not meet the current right-of-way or improvement width standards for a Minor Arterial street. The boundary of Sunnyside Road SE is located abutting Parcel 2 of a previous Partition (PAR20-03). The proposed subdivision has access to Talloc Avenue SE and does not have frontage along Sunnyside Avenue SE. As conditioned above, the proposal shall comply with all conditions of approval for PAR20-03.

The subject property abuts built-out single-family residential subdivisions to the north and east. No street or pedestrian connections are available from abutting properties to the west.

The abutting property to the south is developed with a church and associated parking areas. The eastern half of the church property remains undeveloped and is partially covered by wetlands. The applicant is proposing a stub street to the south, which will provide street connection to Talloc Avenue and could be connected to Sunnyside Road SE, if developed.

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

The proposal meets this criterion.

**SRC 205.010(d)(5): The street system in and adjacent to the tentative subdivision plan is designed so as to provide for the safe, orderly, and efficient circulation of traffic into, through, and out of the subdivision.**

**Finding:** Talloc Avenue SE terminates at the northern boundary of the subject property and is proposed to be extended to provide access to the proposed subdivision. The extension of Talloc Avenue SE shall be constructed as a Local street in accordance with PWDS and the knuckle shall have a maximum cross slope of 5% to meet the requirements for a fire turnaround.

There is an existing 1-foot reserve strip at the southern terminus of Talloc Avenue SE that is owned by the City of Salem, which will be dedicated as right-of-way on the final plat.

The subdivision, as proposed and conditioned, is served with adequate transportation infrastructure. The street system adjacent to the subdivided property will conform to the Salem Transportation System Plan, and provide for safe, orderly, and efficient circulation of traffic into, through, and out of the subdivision.

The proposal meets this criterion.

**SRC 205.010(d)(6): The tentative subdivision plan provides safe and convenient bicycle and pedestrian access from within the subdivision to adjacent residential areas and transit stops, and to neighborhood activity centers within one-half mile of the development. For purposes of this criterion, neighborhood activity centers include, but are not limited to, existing or planned schools, parks, shopping areas, transit stops, or employment centers.**

**Finding:** The proposed subdivision is situated within one-half mile of five neighborhood activity centers:

- Battle Creek Elementary School, a public elementary located about 0.50 mile north of the closest lots within the proposed subdivision, located at 1640 Waln Drive SE.
- Creekside Golf Course, a private golf course located approximately 0.50 mile northwest of the subject property at 6250 Clubhouse Drive SE.
- Battle Creek Park, a developed city park located approximately 0.50 miles north of the closest lots within the proposed subdivision, at 6185 Commercial Street SE.
- Rees Park, a developed city park located approximately 0.25 miles north of the closest lots within the proposed subdivision, at 1545 Rees Hill Road SE.
- Commercial development centered on the intersection of Commercial Street SE and Fairway Avenue SE is approximately 0.5 miles west of the subject property.

The proposed subdivision is accessed by an existing local street, which will be extended through the subdivision. The internal street with safe and convenient bicycle and pedestrian access and provide boundary street improvements where necessary in order to connect multi-modal transportation facilities with the existing transportation system.

The Public Works Department reviewed the proposal for consistency with the Comprehensive Parks Master Plan Update and found that the subject property is served by two developed parks; Rees Hill Park. Sidewalk connections are available from the subject property to each park. No park-related improvements are required as a condition of development.

The proposal meets this criterion.

**SRC 205.010(d)(7): The tentative subdivision plan mitigates impacts to the transportation system consistent with the approved Traffic Impact Analysis, where applicable.**

**Finding:** The Public Works Department has reviewed the proposal and finds that the 14-lot subdivision will generate less than 200 average daily vehicle trips to Talloc Avenue SE, designated in the Transportation System Plan as a Local street. Accordingly, a Transportation Impact Analysis is not required as part of the review of the tentative subdivision plan.

**SRC 200.010(d)(8): The tentative subdivision plan takes into account the topography and vegetation of the site so the need for variances is minimized to the greatest extent practicable.**

**Finding:** The proposed subdivision has been reviewed to ensure that adequate measures have been planned to alleviate natural or fabricated hazards and limitations to development, including topography and vegetation of the site. The relatively flat site and minimal vegetation present few potential disruptions to the reasonable development of the proposed lots within the subdivision or the internal street system. The layout allows for reasonable development of all lots within the subdivision without variances from the UDC. The Salem-Keizer Local Wetland Inventory (LWI) does not identify a wetland, on subject property (Parcel 2 of PAR20-03). The previous partition is required to provide a wetland delineation to the Department of State Lands. The applicant is providing a street connection to the mostly undeveloped property to the south, which could continue the connectivity to Sunnyside Road in the future.

The proposal meets this criterion.

**SRC 200.010(d)(9): The tentative subdivision plan takes into account the topography and vegetation of the site, such that the least disruption of the site, topography, and vegetation will result from the reasonable development of the lots.**

**Finding:** The relatively flat site and minimal vegetation present few potential disruptions to the reasonable development of the proposed lots within the subdivision or the internal street system. The Salem-Keizer Local Wetland Inventory (LWI) does not identify any wetlands on Parcel 2 of PAR20-03.

A tree conservation plan was previously approved with PAR20-03 (TCP20-03) and approved removal of 42.5% of the trees on the larger 6.97-acre property. The trees proposed for removal were located on Parcel 2 of PAR20-03. Since the previous partition and Tree Conservation Plan removed the trees from the subject property there are not trees to designate for preservation. There were two significant trees proposed for removal. There were no heritage trees, or within riparian corridors proposed to be removed. The previous TCP removed all the trees from Parcel 1 of PAR20-03, therefore, a new tree conservation plan is not required with the subject tentative subdivision plan.

The proposal meets this criterion.

**SRC 200.010(d)(10): When the tentative subdivision plan requires an Urban Growth Preliminary Declaration under SRC Chapter 200, the tentative subdivision plan is designed in a manner that ensures that the conditions requiring the construction of on-site infrastructure in the Urban Growth Preliminary Declaration will occur, and, if off-site improvements are required in the Urban Growth Preliminary Declaration, construction of any off-site improvements is assured.**

**Finding:** The subject property is located within the Urban Service Area. Therefore, this criterion does not apply.

## **9. Conclusion**

Based upon review of SRC 205.005, the findings contained under Section 8 above, and the comments described, the tentative subdivision plan complies with the requirements for an affirmative decision. Approval will not adversely affect the safe and healthful development and access to any adjoining lands.

### **IT IS HEREBY ORDERED**

That Tentative Subdivision Plan Case No. 20-02, on property zoned RA (Residential Agriculture), and located at 6994 Sunnyside Road SE (Marion County Assessor Map and Tax Lot Number 083W23CC / 5600 and 083W23CC / 5500), is **APPROVED** subject to the applicable standards of the Salem Revised Code, the findings contained herein, and the conditions of approval listed below, which must be completed prior to final plat approval, unless otherwise indicated:

**Condition 1:** Obtain a demolition permit and remove the existing building on the property.

**Condition 2:** "NO PARKING—FIRE LANE" signs shall be posted on both sides of the segments of the proposed flag lots accessways that are fire apparatus roadways and "NO PARKING" signs shall be posted on both sides of the remainder of the accessways.

**Condition 3:** Prior to final plat, the relocation the existing sewer service lateral that

serves the existing building on the southerly adjacent property by reconnecting the service to the new public sewer main being constructed in Talloc Avenue SE.

- Condition 4:** Construct internal streets to Local street standards; the knuckle shall have a maximum cross slope of 5% to meet the requirements for a fire turnaround.
- Condition 5:** Dedicate a 10-foot public utility easement (PUE) along the street frontage of all internal streets.
- Condition 6:** Prior to plat, all conditions of approval for Partition Case 20-02 (PAR20-03) shall be satisfied.
- Condition 7:** Construct a half-street minor arterial improvement on Sunnyside Road SE along the entire frontage of Partition Case No. PAR20-03.
- Condition 8:** Prior to final plat, the applicant shall provide an engineered stormwater design pursuant to SRC 71 and PWDS to accommodate future impervious surface on all proposed lots, including stormwater facilities needed to serve new streets. The engineering report shall provide 100-year water surface elevations along Scotch Creek within the subject property.



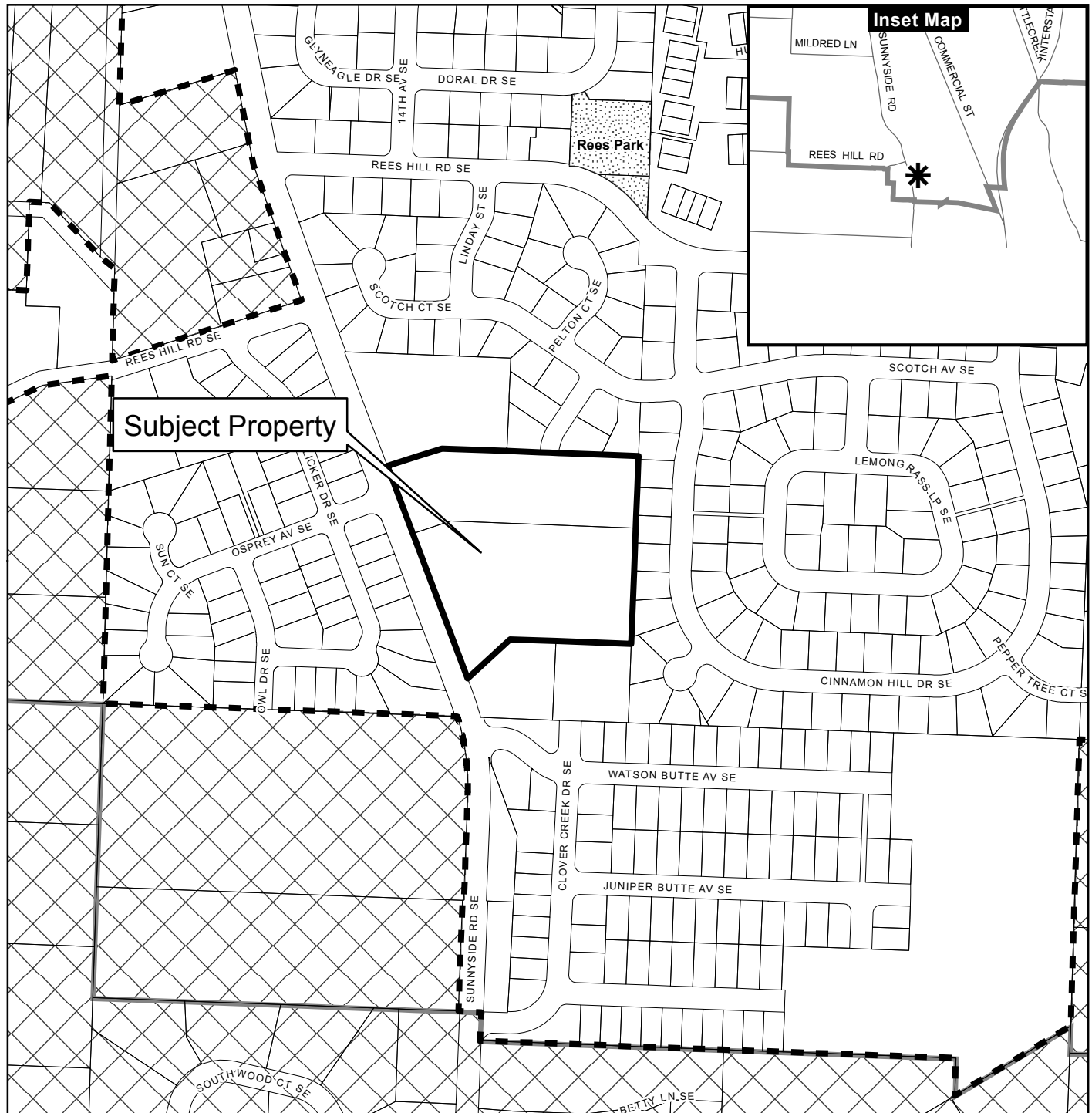
---

Olivia Dias, Planner III, on behalf of  
Lisa Anderson-Ogilvie, AICP  
Planning Administrator

- Attachments: A. Vicinity Map  
B. Tentative Subdivision Plan  
C. Applicant's Written Statement on Tentative Subdivision Plan  
D. City of Salem Public Works Department Comments

# Vicinity Map

## 6994 Sunnyside Road SE



### Legend

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

Parks

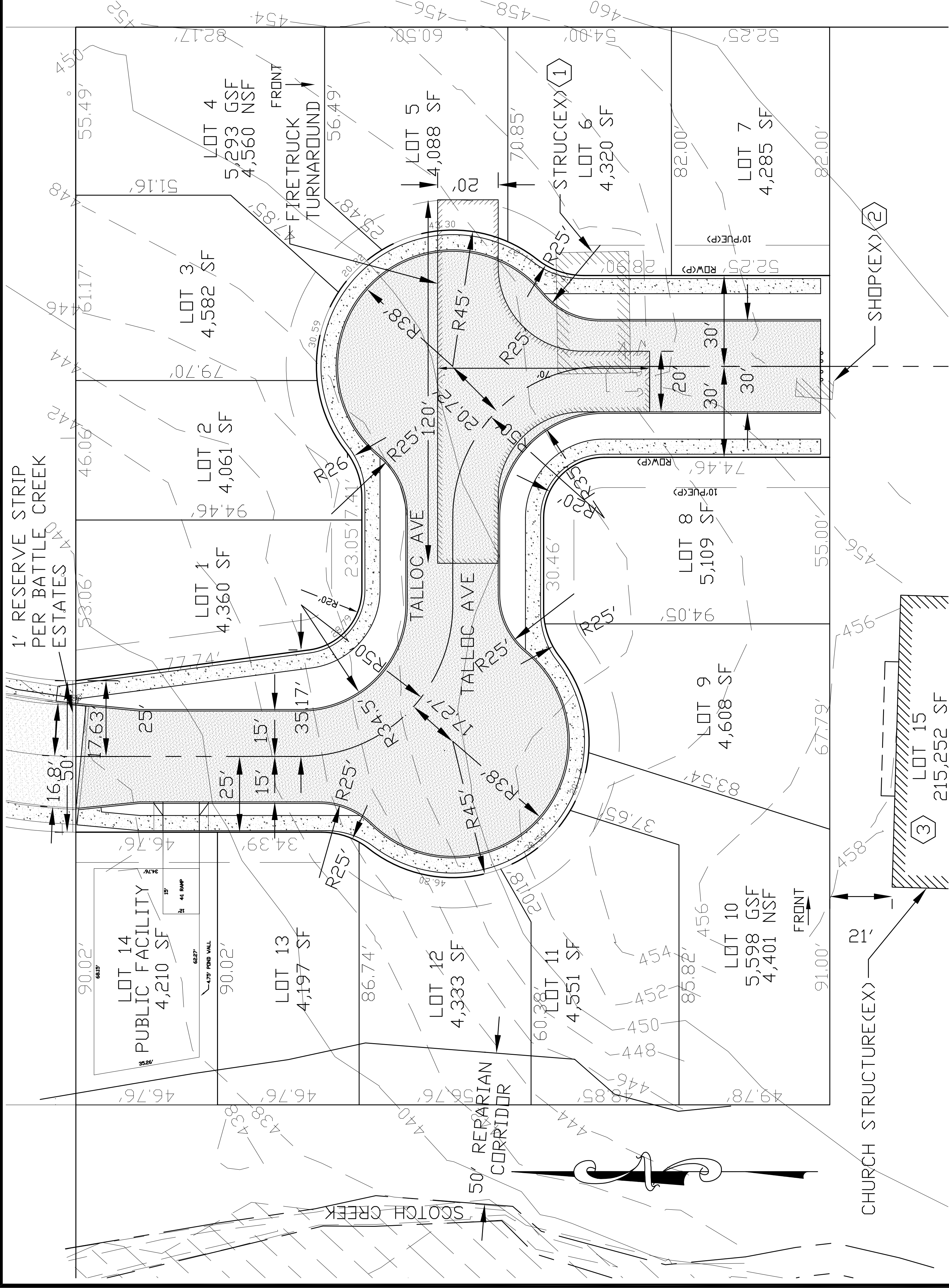
**CITY OF Salem**  
AT YOUR SERVICE  
Community Development Dept.

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

0 100 200 400 Feet







ABBREVIATIONS:

- AC - ASPHALTIC CONCRETE

AD - ALGEBRAIC DIFFERENCE

ALCSP - ALUMINIZED CORRUGATED STEEL PIPE

ASSY - ASSEMBLY

BD - BLOW OFF

BV - BUTTERFLY VALVE

BVCE - BEGINNING V.C. ELEVATION

BVCS - BEGIN V.C. STATION

CB - CATCH BASIN

CHDPE - CORRUGATED HIGH DENSITY POLYPROPELENE

CL - CENTERLINE

CMP - CORRUGATED METAL PIPE

CMU - CENTRAL MAIL UNIT

CO - CLEAOUT

CONC - CONCRETE

COSSD - CITY OF SALEM STANDARD DRAWING

CUB - CENTRAL BOX UNIT

CUL - CULVERT

DI - DUCTILE IRON

DS - DOWN SPOUT

DWG - DRAWING

E - EXISTING

EG - EXISTING GROUND/GRADE

EL - ELEVATION

ELEC - ELECTRIC

EP - EDGE OF PAVEMENT

ER - ENTERING RADIUS

EVCE - ENDING V.C. ELEVATION

EVCS - ENDING V.C. STATION

EX - EXISTING

FG - FINISH GRADE

FH - FIRE HYDRANT

FM - FORCE MAIN

FT - FEET
- GR BK - GRADE BREAK

GV - GATE VALVE

INT - INTERSECTION

INV - INVERT

K - DESIGN CONSTANT

L - LENGTH, LINE

LP - LIGHT POLE

M - METER

MC - MARION COUNTY

MH - MANHOLE

MJ - MECHANICAL JOINT

ML - MEGALUG JOINT

NTS - NOT TO SCALE

P - PROPOSED

PC - POINT OF CURVE

PED - PEDESTAL

PERF - PERFORATED

PL - PROPERTY LINE

PP - POWER POLE

PT - POINT OF TANGENT

PVC - POLYVINYL CHLORIDE

R - RADIUS

RD - ROOF DRAIN

ROW - RIGHT-OF-WAY

S - SLOPE

SCH - SCHEDULE

SD - STORM DRAIN

SS - SANITARY SEWER

ST - STATION

ST - STREET

STD - STANDARD

SVC - SERVICE

TEL - TELEPHONE

TC - TOP OF CURB

TYP - TYPICAL

USPS - UNITED STATES POSTAL SERVICE

VC - VERTICAL CURVE

WM - WATER MAIN

SYMBOLS:

- ⊖ BLOW OFF ASSY. EXISTING

● BLOW OFF ASSY. PROPOSED

⊠ CATCH BASIN

⊠ CATCH BASIN

⊠ CATCH BASIN CLEAOUT EXISTING

⊠ CATCH BASIN CLEAOUT PROPOSED

○ CLEAOUT EXISTING

● CLEAOUT PROPOSED

☉ FIRE HYDRANT EXISTING

☉ FIRE HYDRANT PROPOSED

⊗ GATE VALVE EXISTING

⊗ GATE VALVE PROPOSED

⊗ GAS VALVE

⊗ MANHOLE STORM DRAIN EXISTING

⊗ MANHOLE STORM DRAIN PROPOSED

⊗ MANHOLE SAN. SEWER EXISTING

⊗ MANHOLE SAN. SEWER PROPOSED

☼ REDUCER/INCREASER

☼ STREET LIGHT EXISTING

☼ STREET LIGHT PROPOSED

□ 3/4"-1" WATER METER EXISTING

■ 3/4"-1" WATER METER PROPOSED

⊖ UTILITY/POWER POLE

⊖ CENTER LINE

--- EASEMENT LINE

-E- ELECTRICAL LINE

G- GAS MAIN

SS- SANITARY SEWER

SD- STORM DRAIN

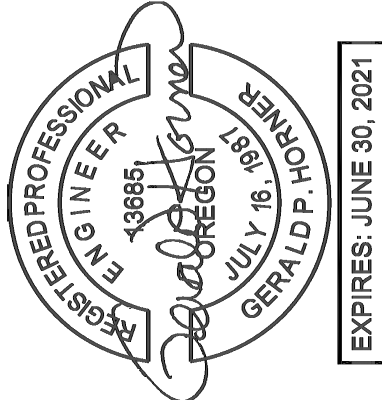
-E- TELEPHONE

WM- WATER MAIN

▽ THRUST BLOCK

SITE NOTES:

1. EXISTING STRUCTURE TO BE REMOVED.
2. EXISTING SHOP TO BE REMOVED.
3. CHURCH STRUCTURE IS TO REMAIN.



EASEMENT NOTE:

PROPERTY MAY BE SUBJECT TO AN EASEMENT GRANTED TO PACIFIC NORTHWEST TELEPHONE AND TELEGRAPH COMPANY RECORDED IN B. 164, P. 342, MARION COUNTY DEED RECORDS - EXACT LOCATION IS NOT DEFINED.

SUBDIVISION DATA:

TOWNSHIP - 8S  
RANGE - 3W  
SECTION - 23CC  
TAX LOT - 5500 AND 5600  
MARION COUNTY

LOT DATA:

LOTS - 14  
AVERAGE S.F. - 4,542 S.F.  
LOTS/ACRE - 6.90

SUBDIVISION AREAS:

SUBDIVISION TOTAL - 2.04 ACRES  
TOTAL SITE - 6.97 ACRES

SUBDIVISION PLAN

SCALE 1"=20' FOR 22" x 34" PAPER  
SCALE 1"=40' FOR 11" x 17" PAPER

FOR APPLICATION  
NOT FOR CONSTRUCTION

DRAWING LIST:

- C1 TENTATIVE SUBDIVISION SITE PLAN
- C2 COMPLETE PROPERTY SITE PLAN WITH SHADOW PLAT
- C3 EXISTING CONDITIONS
- C4 PRELIMINARY COMPOSITE UTILITY PLAN
- C5 TALLOCC STREET PLAN AND PROFILE
- C6 GRADING PLAN
- T1 TREE PRESERVATION PLAN

BENCHMARK DATUM:

3" BRASS DISK LOCATED ON COMMERCIAL ST & FAIRWAY AVE SE, E SIDE OF COMMERCIAL, 0.15 MILE N OF FAIRWAY, 2.05 N OF METAL WITNESS POST, 6.3 E OF 24" PINE, 48 E OF C/L COMMERCIAL, 90.5 N OF PP#1667, DIRECTLY ACROSS FROM COMMERCIAL BUILDING AT 6193 COMMERCIAL; IN CONC POST

DEVELOPER:

SERGE SERDSEV  
PACIFIC NATIONAL DEVELOPMENT  
PO BOX 3550  
SALEM, OREGON 97302

TALLOCC ESTATES  
SUBDIVISION

6994 SUNNYSIDE RD SE  
SALEM OREGON 97306

TENTATIVE SUBDIVISION  
SITE PLAN

ENGINEER:  
WILLAMETTE ENGINEERING INC.  
P.O. BOX 9032  
SALEM, OREGON 97305  
PH: 503-304-0905  
FAX: 503-304-9512

**PROPOSED TALLOC ESTATES SUBDIVISION APPLICATION**  
**TAX LOT 83W23CC5600**  
**DISCUSSION ON DEVELOPMENT STANDARDS**

Requirements of the SRC 205.010(d) have been considered in the preparation of this subdivision application.

1. The lot standards concerning minimum width, minimum depth, and minimum areas of the proposed lots meet City of Salem development standards.
2. Frontage requirements of the proposed lots also meet City of Salem development standards, except Lots 4 and 10 which are proposed to be flag lots with 20' frontage.
3. Most front and rear lot designations are obvious. The front of Lot 4 will face north. The front of Lot 10 will face east.
4. There are 2 flag lots of the proposed 13 lots for 15%. This meets the Salem Standard of 15% maximum.
5. Existing City infrastructure has been reviewed. The only entrance to the subdivision is the south end of Talloc Ave. This 1 exit will now serve a total of 16 units and meets the requirements of the City of Salem Fire Department.
6. The Salem water, sanitary, and storm water systems have capacity for the increased demands from the proposed residential subdivision.
7. A geotechnical investigation for streets design will be done during detailed design. The requirements will be followed in the design and construction of the subdivision. There are no special setbacks or flood plain.
8. The tentative subdivision provides street extensions to the south. Future development is not impeded.
9. A pre-application meeting has been held with City of Salem Staff. All indications were that the proposed subdivision can be served by City of Salem infrastructure.
10. Generally speaking, the street system within the tentative subdivision and adjacent streets conform to the City of Salem Transportation System.
  - a. Standard 6.4.1 – the tentative subdivision new streets are connecting to existing Talloc Ave which connects to Scotch Ave, then to Linday, then to Rees Hill. The proposed future street extensions provide development to the undeveloped neighboring properties. This standard is met.
  - b. Standard 6.4.2 - the street arrangement follows the natural contours of the property. This standard is met.

- c. Standard 6.4.3 - each street has access to an accepted city street. This standard is met.
- d. Standard 6.4.4 - the street centerline spacings exceed 200'. This standard is met.
- e. Standard 6.4.5 – all street intersections meet Salem Public Works street intersection standards. This standard is met.
- f. Standard 6.4.6 – all street corners have a radius of 25' or more. This standard is met.
- g. Standard 6.4.7 – all street curvatures exceed a minimum radius of 150'. This standard is met.
- h. Standard 6.4.8 – street dead ends and cul-de-sac lengths. This standard does not apply.
- i. Standard 6.4.9 and 10 - street names match existing names. This standard is met.
- j. Street Right of Way Width – standard right of way width requirement is 60.

# Willamette Engineering, Inc.

---

PO Box 9032, Salem, OR 97305 Ph (503) 304-0905 Fax (503) 304-9512

May 19, 2020

City of Salem  
Community Development Dept  
555 Liberty St SE / Room 305  
Salem, Oregon 97301

ATT: Olivia Diaz

Subject: **Engineer and Developer Response to Comments of Neighbors  
Talloc Partition and Subdivision  
6994 Sunnyside Road SE, Salem  
Partition Case No PAR 20-03**

Dear Ms. Dias:

This letter presents our responses to neighbor comments for this proposed development.

## Disturbance of Wildlife and Habitat

It is understandable that people living near the proposed subdivision property enjoy watching deer, turkeys, and other wildlife traversing the property. The presence of wildlife on vacant property is common in the city, and is the same as occurred on the lands where the current neighbors dwell, before those lands were subdivided and developed for new homes.

The land for this proposed development is grassy slope. The primary wildlife on the slope is pocket gophers. The wooded Scotch Creek will not change.

The subject property is designated Developing Residential by the Salem Area Comprehensive Plan (SACP), the adopted land use plan for the city of Salem. The purpose of this designation is to identify land for future residential development. The property is zoned RA. A subdivision for single family housing is an allowed use. The property is not designated as open space, wildlife habitat, park land, or a similar purpose that would reserve it in an open or undeveloped condition. No significant habitats or natural resources are identified in the SACP that require the land to be set aside, protected or managed for that purpose.

The proposed subdivision follows the requirements and standards of the Salem Revised Code (SRC) for development of single-family housing, as allowed by the Comprehensive Plan and the RA zone.



## Traffic Impact on Talloc Avenue

Talloc Avenue an existing residential (local) street. It has been designed to accommodate residential traffic counts, even with the additional 13 dwellings. The plan is to design a safe street system for the existing and new residents.

All designs will also be completely reviewed by City of Salem Public Works and Traffic Engineers. All their comments will be accommodated in the Talloc Subdivision design.

Certainly there will be more vehicle trips on the current Talloc Avenue dead end street, but this will not equate to an unsafe system.

## Construction Traffic during Construction

Domestic Water, Sanitary sewer, and storm water system begin at the low points or by connection to existing systems. These are all at the south dead end of Talloc Avenue. Therefore, Talloc Avenue will be the primary access route for construction vehicles and deliveries.

Construction traffic is required to conform to Salem Statutes for time of construction, noise levels, and preserving existing street traffic flows and driveway access. The developer fully intends to comply with Salem statutes and to minimize impacts.

Construction activity will occur as is typical during the period of subdivision development for installation of infrastructure, streets, preparation of building lots, etc., and then home building. Construction activity will occur during normal hours for this type of work. This is the same type of activity that created the existing neighborhoods in the area.

## Storm Water and Drainage

The existing storm water drainage is a grassy slope that sheet drains to the north and northeast. This sheet flow is not channeled, but rather works its way to Scotch Creek via the most convenient route. This sheet flow travels to existing side and rear yards, creating some of the drainage issues described by the neighbors.

Also, the current church parking lot storm water discharges into a French Drain system on the grassy slope. The northerly flow is not controlled and also works its way to Scotch Creek.

# Willamette Engineering, Inc.

---

PO Box 9032, Salem, OR 97305 Ph (503) 304-0905 Fax (503) 304-9512

The completed development will have a storm water system that pipes the storm water to a water quality and detention pond. The storm water will be collected by the streets, curbs, catch basins, and house roof drains. The church parking lot storm water will be captured and piped through the water quality pond.

This new storm water system will collect all the new flows and channel the flow to the Stormwater pond and then to Scotch Creek.

The new development will greatly reduce impacts to the existing north neighbor properties.

The detention pond will retain storm water and discharge at a rate equal to the current flows. Salem Statutes require that developments to not increase storm water flows downstream of the development. Our storm water design will accomplish this.

The current Scotch Creek flows will not be increased by Talloc Estates.

## Oak Trees

The site has 12 significant white oaks of 24" diameter and larger. 10 are planned for preservation.

Lot 11 – this lot has a 61" Significant Oak. It is located where the house will be located. The tree needs to be removed to accommodate house.

## Willamette Engineering, Inc.

---

PO Box 9032, Salem, OR 97305 Ph (503) 304-0905 Fax (503) 304-9512

Lot 13 – this lot has a 55” Significant Oak near the front of the yard. It is also located adjacent to the PUE trench. A large portion of the tree roots will be damaged impacting the viability of the tree. Also it is not a healthy tree. It needs to be removed for the utility installation and safety.



If you should have any questions, please contact me at phone number 503-304-0905.

Sincerely,


A handwritten signature in black ink that reads "Gerald Horner".

Gerald P. Horner, PE  
Project Engineer

MEMO

---

**TO:** Olivia Dias, Planner III  
Community Development Department

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

**DATE:** April 28, 2020

**SUBJECT: PUBLIC WORKS RECOMMENDATIONS  
SUB20-02 (19-119945-LD)  
6994 SUNNYSIDE ROAD SE  
14-LOT SUBDIVISION**

**PROPOSAL**

A tentative subdivision plan to divide approximately 4.71 acres of a 6.98 parcel into 14 lots ranging in size from 4,633 square feet to 9,314 square feet. The subject property is approximately 6.98 acres in size, zoned RA (Residential Agriculture), and located at 6994 Sunnyside Road SE (Marion County Assessor Map and Tax Lot Number 083W23CC / 5600 and 083W23CC / 5500).

**RECOMMENDED CONDITIONS OF PLAT APPROVAL**

1. Meet all conditions of Partition Plat No. 20-03 and record the final partition plat.
2. Construct a half-street minor arterial improvement along the entire Sunnyside Road SE frontage of Partition Plat No. 20-03. In lieu of constructing the improvement, the applicant has the option of making a fee-in-lieu payment of \$93,380.
3. Construct internal streets to Local street standards; the knuckle shall have a maximum cross slope of 5 percent to meet the requirements for a fire turnaround.
4. Relocate the existing sewer service lateral that serves the existing building on the southerly adjacent property by reconnecting the service to the new public sewer main being constructed in Talloc Avenue SE.
5. Provide an engineered stormwater design pursuant to SRC 71 and PWDS to accommodate future impervious surface on all proposed lots, including stormwater facilities needed to serve new streets.



6. Dedicate a 10-foot public utility easement along the street frontage of all internal streets.

## **FACTS AND FINDINGS**

### **Water**

#### 1. Existing Conditions

- a. The subject property is located in the S-2 water service level.
- b. A 6-inch public water main is located in Talloc Avenue SE.

### **Sanitary Sewer**

#### 1. Existing Conditions

- a. An 8-inch sewer main is located in Talloc Avenue SE.

### **Storm Drainage**

#### 1. Existing Conditions

- a. Scotch Creek is located west of the subject property.
- b. A 60-inch storm main is located in Sunnyside Road SE.

### **Streets**

#### 1. Sunnyside Road SE

- a. Standard—This street is designated as a Minor Arterial street in the Salem TSP. The standard for this street classification is a 46-foot-wide improvement within a 72-foot-wide right-of-way.
- b. Existing Conditions—This street has an approximate 40-foot improvement within a 66-foot-wide right-of-way abutting the subject property.

#### 2. Talloc Avenue SE

- a. Standard—This street is designated as a Local street in the Salem TSP. The standard for this street classification is a 30-foot-wide improvement within a 60-foot-wide right-of-way.

- b. Existing Conditions—This street has an approximate 35-foot improvement within a 50-foot-wide right-of-way abutting the subject property. There is a 1-foot-wide reserve strip at the southerly terminus of Talloc Avenue SE owned by the City of Salem.

## **Parks**

The proposed development is served by Rees Hill Park, a developed park approximately 1,000 feet north of the subject property.

## **CRITERIA AND FINDINGS**

The following Code references indicate 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 205.010(d)(1)**—The tentative subdivision plan complies with the standards of this Chapter and with all applicable provisions of the Unified Development Code, including, but not limited to the following:

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

**Findings**—The applicant shall provide the required field survey and subdivision 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 subdivision 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), and *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. Condition 8 of Partition PAR20-03 requires that an open channel easement be dedicated as a minimum to the floodway boundary to ensure adequate setbacks from Scotch Creek.

A 10-foot-wide public utility easement is required along the street frontage of internal streets pursuant to SRC 803.035(n).

The Salem-Keizer Local Wetland Inventory shows there are wetland channels and/or hydric soils mapped on the property. Wetland notice was sent to the Oregon Department of State Lands (DSL) pursuant to SRC 809.025. The response received from DSL indicates that a wetland delineation will be required. PWDS require that all applicable state and federal permits be acquired as a condition of approval.

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 205.010(d)(3)—Development within the tentative subdivision 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 utility plan. Developments are required to extend public utility services to serve upstream and neighboring properties; the tentative utility plan appears to meet that requirement.

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 tentative subdivision plan shows public sewer extensions to adjacent upstream parcels.

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 provided an engineered tentative stormwater design to accommodate future impervious surface on all proposed lots. Prior to final plat, the applicant shall provide an engineered stormwater design pursuant to SRC 71 and PWDS to accommodate future impervious surface on all proposed lots, including stormwater facilities needed to serve new streets.

All public and private City infrastructure proposed to be located in the public right-of-way shall be constructed or secured per SRC 205.035(c)(7)(B) prior to final plat approval. The applicant shall relocate the existing sewer service lateral that serves the existing building on the southerly adjacent property by reconnecting the service to the new public sewer main being constructed in Talloc Avenue SE. Any easements needed to serve the proposed parcels with City infrastructure shall be shown on the final plat.

**SRC 205.010(d)(4) and SRC 205.0010(d)(5)—The street system in and adjacent to the tentative subdivision plan conforms to the *Salem Transportation System Plan*. The street system in and adjacent to the tentative subdivision plan is designed so as to provide for the safe, orderly, and efficient circulation of traffic into, through, and out of the subdivision.**

**Findings**—Talloc Avenue SE terminates at the northern boundary of the subject property and is proposed to be extended to provide access to the proposed subdivision. The extension of Talloc Avenue SE shall be constructed as a Local street in accordance with PWDS and the knuckle shall have a maximum cross slope of 5 percent to meet the requirements for a fire turnaround.

There is an existing 1-foot reserve strip at the southern terminus of Talloc Avenue SE that is owned by the City of Salem, which will be dedicated as right-of-way on the final plat.

The existing configuration of Sunnyside Road SE does not meet current standards for a Minor Arterial street pursuant to the Salem TSP. The street is lacking adequate right-of-way and a half-width street improvement. Condition 4 of Partition PAR20-03 requires the applicant to convey for dedication a half-width right-of-way along the entire frontage of Sunnyside Road SE, and Condition 5 defers construction of a half-street improvement along the entire frontage of Sunnyside Road SE. The construction of the street improvement may be satisfied by payment of a fee-in-lieu agreement pursuant to SRC 200.405 because the development approval only requires the construction of a portion of the public improvement, and additional portions are required to be constructed in order to have an operational, fully functioning public improvement. The fee-in-lieu amount is calculated as follows:

1. The SDC methodology adopted by City Council under Resolution No. 2019-7 estimates the cost of Sunnyside Road SE improvements to be \$5,033,000 from Pawnee Circle to the Urban Growth Boundary. Pursuant to *Administrative Rule* 109-200, a Minor Arterial improvement abutting a development project has an SDC Eligibility Ratio of 34 percent. Therefore, \$1,711,000 is eligible for SDC credits, where \$3,322,000 is not SDC-eligible. The fee-in-lieu amount is based on \$3,322,000 of non-eligible costs.
2. The distance from Pawnee Circle to the Urban Growth Boundary is approximately 4,600 feet, or 9,200 total feet of half-street frontage.
3. The cost-per-foot of a half-street improvement along Sunnyside Road SE is estimated to be \$3,322,000 divided by 9,200 feet, or \$361 per foot.
4. The total frontage of the subject property is approximately 610 feet. The total cost for the half-street improvement along the entire property frontage is estimated to be 610 feet multiplied by \$361 per foot, or \$220,000.

5. The redevelopment plan shows that 14 lots are proposed in phase 1 and 19 lots are proposed in a future redevelopment plan, for a total of 33 lots.
6. The fee-in-lieu amount shall be \$220,000 divided by 33 lots, or \$6,670 per lot, to be collected at the time of final plat approval.

The applicant has the option to enter into a fee-in-lieu agreement pursuant to SRC 200.405, specifying that \$6,670 per lot is due at the time of final plat approval. Based on the proposed development of 14 lots, the fee-in-lieu payment shall be \$93,380. This fee-in-lieu amount meets the requirements of SRC 200.410 because it is based on the estimated cost of construction of the public improvement, reflects the proportional share of the cost of the public improvement benefitting the development, and is calculated based on the estimated construction cost of the developer's portion of the public improvement, minus any systems development charge credits for which the developer would be eligible if the public improvement had been constructed.

**SRC 205.010(d)(6)—The tentative subdivision plan provides safe and convenient bicycle and pedestrian access from within the subdivision to adjacent residential areas and transit stops, and to neighborhood activity centers within one-half mile of the development. For purposes of this criterion, neighborhood activity centers include, but are not limited to, existing or planned schools, parks, shopping areas, transit stops, or employment centers.**

**Findings**—The subject property is served by Rees Hill Park, which is a developed park site approximately 1,000 feet north of the subject property. Access to the park is available through the existing transportation system.

**SRC 205.010(d)(7)—The tentative subdivision plan mitigates impacts to the transportation system consistent with the approved Traffic Impact Analysis (TIA), where applicable.**

**Findings**—The proposed 14-lot subdivision generates less than 200 average daily vehicle trips to Talloc Avenue SE, a Local street. Therefore, a TIA is not required as part of the proposed subdivision submittal.

## **RESPONSE TO PUBLIC COMMENTS:**

1. **Stormwater/Flooding**—The proposed development is required to meet the standards and requirements of SRC Chapter 71 and PWDS for stormwater treatment and flow control. Scotch Creek is a mapped waterway intended to receive stormwater discharges from properties within the watershed. SRC 71.095(c) requires that post-development flow quantities not exceed pre-development flows. DSL indicates that a wetland delineation will be required. PWDS require that all applicable state and federal permits be acquired as a condition of approval. The developer's engineer is required also to provide 100-year water surface elevations of Scotch Creek to ensure that new buildings are not at risk of flood damage.

2. **Traffic**—Pursuant to SRC 803.015, this development does not generate traffic volumes that require a traffic study. Cumulative impacts of area-wide development are addressed through the Salem TSP, Capital Improvement Program, and System Development Charge Methodology.
3. **Loss of Wildlife Habitat and Open Space**—The subject property is currently served by Rees Hill Park; an existing, developed park located approximately 1,000 feet north of the subject property. No new neighborhood parks are warranted in conjunction with the proposed development.

Prepared by: Jennifer Scott, Program Manager  
cc: File