

NOTICE OF DECISION

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



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

REVISED DECISION OF THE PLANNING ADMINISTRATOR

SUBDIVISION TENTATIVE PLAN MODIFICATION CASE NO.: SUB-ADJ21-06MOD2

APPLICATION NO.: 24-104019-PLN

NOTICE OF DECISION DATE: April 11, 2024

REQUEST: An application to modify phases by adding an additional phase to the approved Coburn Grand View Estates subdivision by reconfiguring the exiting phase boundaries. The proposed modification does not change the layout of the approved lots, open areas, or streets/alleys within the subdivision. The subject properties are approximately 32.5 acres, zoned RA (Residential Agriculture) and RM-II (Multiple Family Residential) and located on the 4400 Block of Battle Creek Road SE (Marion County Assessor's Map and Tax Lot Numbers 083W12B / 1600 and 083W11D / 400, 601).

APPLICANT: Brandie Dalton, Multi/Tech Engineering, Bill Wagoner Westwood Homes LLC

LOCATION: 4400 Block of Battle Creek Rd SE, Salem OR 97302

CRITERIA: Salem Revised Code (SRC) Chapter 205.070(d)(2) – Subdivision Modifications

FINDINGS: The findings are in the attached Decision dated April 11, 2024.

DECISION: The **Planning Administrator APPROVED** Subdivision Tentative Plan - Modification Case No. SUB-ADJ21-06MOD2 subject to the following conditions of approval:

Condition 1: The front property lines are designated below:

Corner	Front Property Line
3	South Property line abutting Mt. McLaughlin Ave
20	East Property line abutting Mt. Theilson Street
24	South Property line abutting Mt. Stuart Drive SE
25	North Property line abutting Mt. McLaughlin Ave
38	North Property line abutting Mt. McLaughlin Ave
39	South Property line abutting Mt. Stuart Drive SE
40	North Property line abutting Mt. McLaughlin Ave
42	North Property line abutting Mt. McLaughlin Ave
43	West Property line abutting Mt. Tabor Street
56	North Property line abutting Mt. Stuart Dr

71	West Property line abutting Mt. Scott Street
82	West Property line abutting Mt. Scott Street
83	East Property line abutting Mt. Scott Street
84	South Property line abutting Mt. Washington Dr
89	South Property line abutting Mt. Washington Dr
92	East Property line abutting Mt. Shasta Ave or West Property line abutting Mt. McKinley Ave
93	East Property line abutting Mt. McKinley Ave
122	North Property line abutting Mt. St. Helens Ave
121	North Property line abutting Mt. St. Helens Ave
139	East Property line abutting Mt. Theilson Street
138	South Property line abutting Mt. St. Helens Ave
173	West Property line abutting Mt. Bachelor Street
177	North Property line abutting Mt. St. Helens Ave

- Condition 2:** Lots 1 and 2 shall take access from Mt. Tabor Street and the west property line is the designated the front property line. No access to the higher classified street shall be allowed.
- Condition 3:** Lots 103-105 shall take access from Mt. Mckinley Dr and the west property line is the designated the front property line.
- Condition 4:** Paved width of accessway shall be 20-feet wide within a minimum of a 25-foot-wide easement.
- Condition 5:** "NO PARKING—FIRE LANE" signs shall be posted on both sides of the segments of the proposed flag lot accessway that are fire apparatus roadways and "NO PARKING" signs shall be posted on both sides of any remaining portion of the accessway.
- Condition 6:** Prior to the issuance of building permits, the subject property shall have a favorable Airport Overlay zone height variance.
- Condition 7:** Prior to final plat, 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.
- Condition 8:** All streets within the proposed subdivision shall meet 12 percent grade; with the exception of the five street sections, identified on the proposed tentative plan, which shall not exceed 15 percent.
- Condition 9:** Construct internal streets to Local Street standards, including property line sidewalks and installation of street trees. Proposed Streets Mt. Shasta Ave, Mt. McKinley Dr, and Mt. Scott Street shall be a minimum of 52-feet in width, which includes a four-foot planter to accommodate street trees and sidewalks adjacent to one foot from property line.

- Condition 10:** Dedicate a 10-foot-wide public utility easement (PUE) along the street frontage of all abutting and internal streets.
- Condition 11:** The 28-inch Fir Tree on the rear property line of Lot 3 shall be preserved, unless a Tree Conservation Plan Adjustment is approved.
- Condition 12:** All trees designated for preservation under the tree conservation plan shall be marked and protected with fencing under the dripline during all grading and construction activities. Any heritage tree or significant tree shall require that at least 70 percent of a circular area beneath the tree measuring one foot in radius for every one inch of DBH be protected by an above ground silt fence or its equivalent. Tree protection measures shall remain in place until the issuance of Notice of Final Completion for the Single-Family dwelling or Two-Family dwelling.
- Condition 13:** Trees proposed for removal that are located within the right-of-way abutting streets shall follow the procedures of SRC Chapter 86.
- Condition 14:** All lots within the S-1 service level shall be served by S-1 water mains, and all lots within the S-2 service level shall be served by S-2 water mains.
- Condition 15:** Construct Coburn Reservoir, Boone Road S-1 Pump Station, and S-1 connecting water mains as indicated in Water System Master Plan; or pay a Temporary Access Fee (TAF) pursuant to SRC 200.080(a). The TAF shall be \$12,000 per acre of land being developed within the S-1 service area as proportional payments within each section as specified below in each phase. (UGA17-03;4)
- Condition 16:** Dedicate a neighborhood park facility not less than 6.5 acres in size. (UGA17-03;5)
- Condition 17:** Demonstrate that the proposed subdivision conforms to the access requirements of the Oregon Fire Code by one of the following methods:
- (a) Provide written evidence from the Fire Marshal that the subdivision, as approved, does not exceed the maximum 30 dwelling units allowed to be served by a single fire apparatus road; or
 - (b) Provide written approval from the Fire Marshal allowing more than 30 dwelling units to be served by a single fire apparatus road subject to all of the dwelling units within the subdivision being equipped with an automatic sprinkler system; or
 - (c) The subdivision so that no more than 30 dwelling units will be served by a single fire apparatus road.
- Condition 18:** Demonstrate adequate Fire Department turn-arounds prior to final plat of each phase.
- Condition 19:** Prior to any plat, the applicant shall coordination with Salem-Keizer Cherriots for a transit stop and provide evidence of the location of a future transit stop or a letter from Salem-Keizer Cherriots that no stop is needed in the vicinity.
- Condition 20:** Obtain applicable State and Federal permits as indicated by the Department of State Lands (DSL).

Condition 21: Section C shall be platted as Phase I.

Condition 22: Construct Mt. McKinley Street SE from Battle Creek Road SE to Mt. Scott Street SE with Section A.

Prior to plat of Section C (Phase 1):

Condition 23: Construct a realigned intersection of Battle Creek Road SE and Reed Road SE to minor arterial standards pursuant to PWDS. Acquire and/or convey land for dedication of right-of-way as needed to construct the improvements. If off-site right-of-way is needed to construct the improvements and the applicant is unable to acquire the right-of-way from adjacent property owner(s), then the applicant shall follow the procedures established in SRC 200.050. The intersection shall include:
A westbound to southbound left turn lane on Reed Road SE;
A southbound to eastbound left turn lane on Battle Creek Road SE;
A northbound to eastbound right turn lane on Battle Creek Road SE; and
A pedestrian island on Battle Creek Road SE along the south side of the intersection. (UGA17-03;1)

Condition 24: Construct a minimum 18-inch S-1 water main in Reed Road SE from Strong Road SE to Mt. Washington DR SE. (UGA17-03;4)

Condition 25: Provide S-1 water to serve the development from one of the two following configurations:

- (a) Construct a minimum 18-inch S-1 water main in Section A from Reed Road/Mt. Washington DR SE to the westerly terminus of Mt. Thielson ST SE and to the southerly Phase boundary in Mr. Shasta AVE SE; or
- (b) Construct a minimum 18-inch S-1 water main from the existing S-1 system in Marietta Avenue SE to Section C as specified in the Water System Master Plan.

Condition 26: Convey land for dedication of right-of-way to equal a half-width of 30 feet from centerline along the entire frontage of Strong Road SE.

Condition 27: Construct a 17-foot-wide half-street improvement on the development of centerline and a 13-foot-wide pavement widening on the opposite side of centerline along Strong Road SE.

Condition 28: Construct a minimum 18-inch S-1 water main within Section C from the north boundary of Section D within Mt. Theilson Street, Mt. McLaughlin Avenue and Mt. Tabor Street to the northern boundary of Marion County Tax Lot 083W12B001700.

Condition 29: Pay \$127,025 as the proportional amount of the water TAF. (UGA17-03;4)

Condition 30: Provide vehicular access to Section C through one of the following alignments:

- (a) Construct a minimum 24-foot-wide paved access through future streets of Section A to Section C in a temporary access easement to be terminated upon dedication of right-of-way; or
- (b) Construct a local street through Marion County Taxlot 083W12B001700 to 27th Avenue SE as shown on the applicants Alternative Access Proposal in a temporary

access easement to be terminated upon dedication of right-of-way and close 27th Avenue SE to through traffic between the new local street intersection and Strong Road SE. The intersection of 27th Avenue SE and Strong Road SE shall be permanently closed to vehicular access by means approved by the Public Works Director.

Prior to plat of Section A (Phase 2):

- Condition 31:** Construct Battle Creek Road from Reed Road to Mt. McKinley DR SE to a 23-foot-wide half street improvement to Minor Arterial standards within a minimum 36-foot-wide half-width right-of-way. (UGA17-03;1)
- Condition 32:** Construct Reed Road SE from Battle Creek Road SE to the north line of the subject property, at a minimum 23-foot-wide half street improvement to Minor Arterial standards within a minimum 36-foot-wide half-width right-of-way. The improvements shall include on-street parking and tapers. (UGA17-03;1)
- Condition 33:** Construct Mid-block pedestrian access as shown on the tentative subdivision plan, which shall be dedicated to the public. Where topography requires mid-block walkways to be constructed with stairs, the facility shall be owned and maintained by the homeowners' association.
- Condition 34:** The applicant shall provide mid-block pedestrian access along the west property lines of Lots 11 and 12 or on the abutting 'Storm Water Detention Facility #3'
- Condition 35:** Construct a minimum 12-inch S-1 water main in Reed Road SE from Mt. Washington DR SE to Battle Creek Road SE and in Battle Creek Road SE to Mt. McKinley DR SE.
- Condition 36:** Construct a pedestrian access route along missing sections of sidewalk on the west side of Battle Creek Road SE from Reed Road SE to Forsythe Drive SE or enter into a deferral agreement deferring the construction to a later time in conjunction with the Apartment Site project.
- Condition 37:** Pay \$77,122 as the proportional amount of the water TAF. (UGA17-03;4)
- Condition 38:** Construct a minimum 18-inch S-1 Water Main in Section A, Section E, and Section D from it's terminus in Section C to the southern phase boundary in Mt. Shasta Avenue SE. If this watermain is constructed within an unplatted right-of-way alignment, the applicant shall dedicate an easement for the public water main and construct an all weather access for maintenance of this main as required by Public Works Design Standards.

Prior to plat of Section E (Phase 3):

- Condition 39:** Pay \$77,122 as the proportional amount of the water TAF. (UGA17-03;4)

Prior to plat of Section B (Phase 4):

Condition 40: Construct a minimum 18-inch water main in Mt. Shasta AVE SE within Section B from its terminus in Section A to the southern property line of lot 106.

Condition 41: Pay \$31,756 as the proportional amount of the water TAF. (UGA17-03;4)

Condition 42: Pay a temporary access fee of \$13,680 as proportional mitigation toward the future signal and interconnect located at Reed Road SE and Battle Creek Road SE.

Condition 43: Construct Mid-block pedestrian access as shown on the tentative subdivision plan, which shall be dedicated to the public. Where topography requires mid-block walkways to be constructed with stairs, the facility shall be owned and maintained by the homeowners' association.

Condition 44: The applicant shall be required to convey lot 106 for future construction of Coburn Reservoir (UGA17-03;4)

Prior to plat of Section D (Phase 5):

Condition 45: Pay \$58,975 as the proportional amount of the water TAF. (UGA17-03;4)

Condition 46: If off-site easements are needed because of topographic constraints and the applicant is unable to acquire easements from adjacent property owner(s), then the applicant shall follow the procedures established in SRC 200.050. (UGA17-03;2)

The rights granted by the attached decision must be exercised, or an extension granted, by December 20, 2026, or this approval shall be null and void.

Application Deemed Complete:	<u>March 19, 2024</u>
Notice of Decision Mailing Date:	<u>April 11, 2024</u>
Decision Effective Date:	<u>December 20, 2024</u> <u>April 27, 2024</u>
State Mandate Date:	<u>July 17, 2024</u>

Case Manager: Olivia Dias, Current Planning Manager, odias@cityofsalem.net, 503-540-2343

This decision is final unless written appeal and associated fee (if applicable) from an aggrieved party is filed with the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem OR 97301, or by email at planning@cityofsalem.net, no later than 5:00 p.m., Thursday, December 19, Friday, April 26, 2024. Any person who presented evidence or testimony at the hearing may appeal the decision. 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 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 by contacting the case manager, or at the Planning Desk in the Permit Application Center, Room 305, City Hall, 555 Liberty Street SE, during regular business hours.

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

BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM

DECISION

IN THE MATTER OF THE)	FINDINGS AND ORDER
MODIFICATION OF)	
PHASED SUBDIVISION)	
CASE NO. SUB-ADJ21-06MOD2;)	
4400 BLOCK OF BATTLE CREEK RD SE)	APRIL 11, 2024

REQUEST

Summary: An application for the second modification of the tentative phased subdivision approval for Coburn Grand View Estates (Case No. SUB-ADJ21-06 & UGA17-03MOD1).

Request: An application to modify phases by adding an additional phase to the approved Coburn Grand View Estates subdivision by reconfiguring the exiting phase boundaries. The proposed modification does not change the layout of the approved lots, open areas, or streets/alleys within the subdivision.

The subject properties are approximately 32.5 acres, zoned RA (Residential Agriculture) and RM-II (Multiple Family Residential) and located on the 4400 Block of Battle Creek Road SE (Marion County Assessor's Map and Tax Lot Numbers 083W12B / 1600 and 083W11D / 400, 601).

A vicinity map illustrating the location of the property is attached hereto and made a part of this staff report (**Attachment A**).

PROCEDURAL FINDINGS

1. Background

On June 7, 2021, the Planning Administrator approved tentative phased Subdivision Case no. SUB-ADJ21-06 for Coburn Grand View Estates, a proposal to divide the property into 177 lots for residential development, with lots ranging in size from 1,635 square feet to approximately 17,940 square feet. On December 2, 2022, the Planning Administrator approved a modification to the tentative phased subdivision case. The UGA17-03 was previously issued for single family development, with a modification (UGA17-03MOD1) granted on March 11, 2020.

On February 13, 2024, a second subdivision modification application was submitted for review, and the application was deemed complete for processing on March 19, 2024. The 120-day state mandated deadline for the subdivision modification is July 17, 2024.

SUBSTANTIVE FINDINGS

2. Proposal

On June 7, 2021, tentative approval was issued for the Coburn Grand View Estates Subdivision (Subdivision Case No. SUB-ADJ21-06) to subdivide the subject property into 177 lots in four sections, Sections A-D, without any specific phasing for the subdivision.

On December 2, 2022, a requested modification seeks to modify the boundary lines of the tentative phased subdivision plan sections, and reorder phases to the following sequence was approved.

The current modification request seeks to adjust the phase boundary between Section A and Section D and to break a portion of Section A into an additional phase, adding a fifth phase to the approval (Section E). The request does not include an increase in the overall lots in the subdivision.

The applicant's proposed site plan is included as **Attachment B** and the applicant's written statement addressing the approval criteria is included as **Attachment C**.

3. Summary of Record

The following items are submitted to the record and are available: 1) All materials and testimony submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, stormwater reports, and; 2) any materials, testimony, and comments from public agencies, City Departments, neighborhood associations, and the public. All application materials are available on the City's online Permit Application Center at <https://permits.cityofsalem.net>. You may use the search function without registering and enter the permit number listed here: 24 104019.

4. Neighborhood Association and Public Comments

The subject property is located within the boundaries of the Morningside Neighborhood Association.

Applicant Neighborhood Association Contact: SRC 300.310 requires an applicant to contact the neighborhood association(s) whose boundaries include, and are adjacent to, property subject to specific land use application requests. Pursuant to SRC 300.310(b)(1), land use applications included in this proposed consolidated land use application request require neighborhood association contact. On February 22, 2024, the applicant contacted the Morningside Neighborhood Association to provide details about the proposal.

Neighborhood Association Comment: Notice of the application was provided to the Morningside Neighborhood Association pursuant to SRC 300.520(b)(1)(B)(v), which requires notice to be sent to any City-recognized neighborhood association whose boundaries include, or are adjacent to, the subject property. No comments were received from Morningside prior to the comment deadline.

Public Comments: Notice was also provided, pursuant to SRC 300.520(b)(1)(B)(iii), (vi), & (vii), to all property owners and addresses within 250 feet of the subject property. One comment was received indicating no objections to the proposal. Two comments were received from the public prior to the comment deadline with no objections.

Homeowners Association: The subject property is not located within a Homeowners Association.

5. City Department Comments

Building and Safety Division - Reviewed the proposal and indicated no concerns with the modification.

Fire Department - Reviewed the proposal and indicated that an approved Fire Department Access and water supply shall be provided with each phase.

Development Services Division - Reviewed the proposal and provided findings below.

6. Public Agency Comments

No Public or Private Agency comments were received.

DECISION CRITERIA FINDINGS

7. Analysis of Modification Approval Criteria:

Salem Revised Code (SRC) SRC 205.070(d)(2) sets forth the following criteria that must be met before approval can be granted to a modification of a tentative phased subdivision plan approval, for all modifications other than redesignation of neighborhood hub uses or middle housing. The following subsections are organized with approval criteria, followed by findings of fact upon which the decision is based. Lack of compliance with the following criteria is grounds for denial or for the issuance of conditions of approval to satisfy the criteria.

SRC 205.070(d)(2)(A): The proposed modification is not substantially changed from the original approval.

Finding: The proposed modification is consistent with the conditions of the original approval. The modification proposes to change the phased boundary lines by splitting Phase 2 (A) into two phases. Changing the number of lots developed in each section and adding an additional section, therefore each section is as follows:

Section	Lots
Section A (Phase 2)	37 Lots
Section B (Phase 4)	24 Lots
Section C (Phase 1)	56 Lots
Section D (Phase 5)	26 Lots
Section E (Phase 3)	34 Lots

The proposed modification does not propose to change the order of the phases which is as follows: Section C (Phase 1); Section A (Phase 2); Section E (Phase 3); Section B (Phase 4); and Section D (Phase 5). The proposed modification will not substantially alter the conditions of the original approval; however, the original conditions under Sections A-D (conditions 38-43) will be reorganized to reflect the revised phasing order. Additionally, the revised phasing plan includes proposed street names; conditions will be revised to reflect the proposed street names consistent with the phasing plan.

One additional condition is required in order to provide Water Systems Master Plan water from Section C to Section A through Sections E and D as those sections now separate Section A from Section C. The Master Plan Water will be constructed through the unplatted street alignments of Section D and Section E in order to provide the required Water System Master Plan looped system through Section A. If this water main is constructed prior to a dedicated right-of-way alignment, the applicant shall dedicate an easement for the public water main and construct an all-weather access for maintenance of this main as required by Public Works Design Standards.

Condition 28: Construct a minimum 18-inch S-1 water main in Section A, Section E, and Section D from its terminus in Section C to the southern phase boundary in proposed Mt. Shasta Avenue SE. If this water main is constructed prior to a dedicated right-of-way alignment, the applicant shall dedicate an easement for the public water main and construct an all-weather access for maintenance of this main as required by Public Works Design Standards.

Staff also recommends modifications to TAF conditions so the fee for each phase will reflect the modified number of lots in each phase. The TAF for this area of the S-1 service area is based on approximately 9 million dollars of improvements needed to serve 750 acres of undeveloped land, totaling \$12,000 per acre. The total S-1 area for the subject property is 31.0 acres; therefore, the TAF shall be a total of \$372,000. There are 177 lots in the subdivision; however, only 164 lots will be served by the S-1 water service level. As such, the TAF is distributed amongst each phase based on the number of lots being created in the S-1 area. Conditions shall be modified to reflect the revised number of lots in each phase, as shown in the following table:

Section	S-1 Lots	Percentage	TAF Amount
C (Phase 1)	56	0.34	127,025
A (Phase 2)	34	0.21	77,122
E (Phase 3)	34	0.21	77,122
B (Phase 4)	14	0.09	31,756
D (Phase 5)	26	0.16	58,975
TOTAL	164	100%	\$372,000

Staff modified Condition 11 to reflect the change in the Stormwater Facility location and Tree Conservation Plan Adjustment application, which approved removal of the two 40-inch Fir trees (previously identified on Lot 108) on the Stormwater Facility area. Therefore, the condition would be modified as shown below:

Condition 11: The 28-inch Fir Tree on the rear property line of Lot 110 ~~3~~ and the two 40-inch Fir trees on Lot 108, near Strong Road shall be preserved, unless a Tree Conservation Plan Adjustment is approved.

Lastly, staff updated street names and lot numbers to match the current phasing plan and approved street names.

SRC 205.070(d)(2)(B): The proposed modification will not result in significant changes to the physical appearance of the development, the use of the site, and the impacts on surrounding properties.

Finding: The proposed modification includes minor modifications that result in a reconfiguration of phase boundaries. With the recommended conditions, the proposed modification does not result in significant changes to the physical appearance of the development, the use of the site, or the impacts on surrounding properties. The proposal meets this criterion.

SRC 205.070(d)(2)(C): For applications that also include a modification to a condition of approval designating lots within the subdivision for neighborhood hub uses or middle housing dwelling units:

- (i) The proposed modification does not reduce the number of lots within the subdivision designated for neighborhood hub uses below the minimum required number of lots and the alternative designated lots conform to the location and lots standards of the UDC; and***
- (ii) The proposed modification does not reduce the number of dwelling units within the subdivision below the minimum required dwelling unit density; does not reduce the number of middle housing dwelling units within the subdivision below the minimum required percentage of middle housing dwelling units; and the lots where the required middle housing dwelling units will be located conform to the applicable standards of the UDC.***

Finding: The original application did not include any lots designated for neighborhood hub uses or middle housing dwelling units, therefore this criterion is not applicable.

SRC 205.015(d)(3): Each phase is substantially and functionally self-contained and self-sustaining with regard to required public improvements.

Finding: Because conditions will be reorganized to reflect the revised phasing order, City infrastructure is available to serve each parcel in a way that is functionally self-contained and self-sustaining no differently than for the original application.

8. Effect on Expiration Period of Original Approval:

Pursuant to SRC 205.070(e), the effect of a modification upon the expiration period of the original approval, if any, shall be established in the modification decision.

Finding: The expiration date for the original subdivision is June 23, 2023. The previous modification extended the expiration to December 20, 2024, and provided for further extensions, with the final extension expiring no later than December 20, 2032.

Pursuant to this modification, the expiration day is extended until **December 20, 2026**, for Phase 1 of the subdivision. The applicant is permitted to apply for up to three further extensions of the expiration date, in two-year increments, with the final extension expiring no later than **December 20, 2032**.

Pursuant to SRC 200.025(g)(1), a UGA Preliminary Declaration issued in connection with a subdivision shall remain valid if the tentative subdivision approval remains valid. Therefore, UGA17-03MOD1 and its terms and conditions would remain in effect for the duration of the subject modification and any subsequent extensions.

9. Conclusion

Based upon review of SRC Chapters 205, the applicable standards of the Salem Revised Code, the findings contained herein, and due consideration of comments received, the application complies with the requirements for an affirmative decision.

IT IS HEREBY ORDERED

The requested modification of the tentative phased subdivision plan, Case No. SUB-ADJ21-06MOD2, is hereby **APPROVED** subject to the applicable standards of the Salem Revised Code, the findings contained herein, and the findings and conditions adopted in this decision.

Prior to final of subdivision plat:

Condition 1: The front property lines are designated below:

Corner Lot	Front Property Line
3	South Property line abutting Mt. McLaughlin Ave
20	East Property line abutting Mt. Theilson Street
24	South Property line abutting Mt. Stuart Drive SE
25	North Property line abutting Mt. McLaughlin Ave
38	North Property line abutting Mt. McLaughlin Ave
39	South Property line abutting Mt. Stuart Drive SE
40	North Property line abutting Mt. McLaughlin Ave
42	North Property line abutting Mt. McLaughlin Ave
43	West Property line abutting Mt. Tabor Street
56	North Property line abutting Mt. Stuart Dr
71	West Property line abutting Mt. Scott Street
82	West Property line abutting Mt. Scott Street
83	East Property line abutting Mt. Scott Street
84	South Property line abutting Mt. Washington Dr
89	South Property line abutting Mt. Washington Dr
92	East Property line abutting Mt. Shasta Ave or West Property line abutting Mt. McKinley Ave
93	East Property line abutting Mt. McKinley Ave
122	North Property line abutting Mt. St. Helens Ave
121	North Property line abutting Mt. St. Helens Ave
139	East Property line abutting Mt. Theilson Street
138	South Property line abutting Mt. St. Helens Ave
173	West Property line abutting Mt. Bachelor Street
177	North Property line abutting Mt. St. Helens Ave

- Condition 2:** Lots 1 and 2 shall take access from Mt. Tabor Street and the west property line is the designated the front property line. No access to the higher classified street shall be allowed.
- Condition 3:** Lots 103-105 shall take access from Mt. McKinley Dr and the west property line is the designated the front property line.
- Condition 4:** Paved width of accessway shall be 20-feet wide within a minimum of a 25-foot-wide easement.
- Condition 5:** "NO PARKING—FIRE LANE" signs shall be posted on both sides of the segments of the proposed flag lot accessway that are fire apparatus roadways and "NO PARKING" signs shall be posted on both sides of any remaining portion of the accessway.
- Condition 6:** Prior to the issuance of building permits, the subject property shall have a favorable Airport Overlay zone height variance.
- Condition 7:** Prior to final plat, 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.
- Condition 8:** All streets within the proposed subdivision shall meet 12 percent grade; with the exception of the five street sections, identified on the proposed tentative plan, which shall not exceed 15 percent.
- Condition 9:** Construct internal streets to Local Street standards, including property line sidewalks and installation of street trees. Proposed Streets Mt. Shasta Ave, Mt. McKinley Dr, and Mt. Scott Street shall be a minimum of 52-feet in width, which includes a four-foot planter to accommodate street trees and sidewalks adjacent to one foot from property line.
- Condition 10:** Dedicate a 10-foot-wide public utility easement (PUE) along the street frontage of all abutting and internal streets.
- Condition 11:** The 28-inch Fir Tree on the rear property line of Lot ~~410 3~~ 3 and the two 40-inch Fir trees on Lot ~~108, near Strong Road~~ shall be preserved, unless a Tree Conservation Plan Adjustment is approved.
- Condition 12:** All trees designated for preservation under the tree conservation plan shall be marked and protected with fencing under the dripline during all grading and construction activities. Any heritage tree or significant tree shall require that at least 70 percent of a circular area beneath the tree measuring one foot in radius for every one inch of dbh be protected by an above ground silt fence or its equivalent. Tree protection measures shall remain in place until the issuance of Notice of Final Completion for the Single-Family dwelling or Two-Family dwelling.

- Condition 13:** Trees proposed for removal that are located within the right-of-way abutting streets shall follow the procedures of SRC Chapter 86.
- Condition 14:** All lots within the S-1 service level shall be served by S-1 water mains, and all lots within the S-2 service level shall be served by S-2 water mains.
- Condition 15:** Construct Coburn Reservoir, Boone Road S-1 Pump Station, and S-1 connecting water mains as indicated in Water System Master Plan; or pay a Temporary Access Fee (TAF) pursuant to SRC 200.080(a). The TAF shall be \$12,000 per acre of land being developed within the S-1 service area as proportional payments within each section as specified below in each phase. (UGA17-03;4)
- Condition 16:** Dedicate a neighborhood park facility not less than 6.5 acres in size. (UGA17-03;5)
- Condition 17:** Demonstrate that the proposed subdivision conforms to the access requirements of the Oregon Fire Code by one of the following methods:
- (a) Provide written evidence from the Fire Marshal that the subdivision, as approved, does not exceed the maximum 30 dwelling units allowed to be served by a single fire apparatus road; or
 - (b) Provide written approval from the Fire Marshal allowing more than 30 dwelling units to be served by a single fire apparatus road subject to all of the dwelling units within the subdivision being equipped with an automatic sprinkler system; or
 - (c) The subdivision so that no more than 30 dwelling units will be served by a single fire apparatus road.
- Condition 18:** Demonstrate adequate Fire Department turn-arounds prior to final plat of each phase.
- Condition 19:** Prior to any plat, the applicant shall coordinate with Salem-Keizer Cherriots for a transit stop and provide evidence of the location of a future transit stop or a letter from Salem-Keizer Cherriots that no stop is needed in the vicinity.
- Condition 20:** Obtain applicable State and Federal permits as indicated by the Department of State Lands (DSL).
- Condition 21:** Section C shall be platted as Phase I.
- Condition 22:** Construct Mt. McKinley Street SE from Battle Creek Road SE to Mt. Scott Street SE with Section A.

Prior to plat of Section C (Phase 1):

- Condition 23:** Construct a realigned intersection of Battle Creek Road SE and Reed Road SE to minor arterial standards pursuant to PWDS. Acquire and/or convey land

for dedication of right-of-way as needed to construct the improvements. If off-site right-of-way is needed to construct the improvements and the applicant is unable to acquire the right-of-way from adjacent property owner(s), then the applicant shall follow the procedures established in SRC 200.050. The intersection shall include:

- A westbound to southbound left turn lane on Reed Road SE;
- A southbound to eastbound left turn lane on Battle Creek Road SE;
- A northbound to eastbound right turn lane on Battle Creek Road SE; and
- A pedestrian island on Battle Creek Road SE along the south side of the intersection. (UGA17-03;1)

Condition 24: Construct a minimum 18-inch S-1 water main in Reed Road SE from Strong Road SE to Mt. Washington DR SE. (UGA17-03;4)

Condition 25: Provide S-1 water to serve the development from one of the two following configurations:

- (a) Construct a minimum 18-inch S-1 water main in Section A from Reed Road/Mt. Washington DR SE to the westerly terminus of Mt. Thielson ST SE and to the southerly Phase boundary in Mr. Shasta AVE SE; or
- (b) Construct a minimum 18-inch S-1 water main from the existing S-1 system in Marietta Avenue SE to Section C as specified in the Water System Master Plan.

Condition 26: Convey land for dedication of right-of-way to equal a half-width of 30 feet from centerline along the entire frontage of Strong Road SE.

Condition 27: Construct a 17-foot-wide half-street improvement on the development of centerline and a 13-foot-wide pavement widening on the opposite side of centerline along Strong Road SE.

Condition 28: Construct a minimum 18-inch S-1 water main within Section C from the north boundary of Section D within Mt. Theilson Street, Mt. Mclaughlin Avenue and Mt. Tabor Street to the northern boundary of Marion County Tax Lot 083W12B001700.

Condition 29: Pay \$127,025 as the proportional amount of the water TAF. (UGA17-03;4)

Condition 30: Provide vehicular access to Section C through one of the following alignments:

- (a) Construct a minimum 24-foot-wide paved access through future streets of Section A to Section C in a temporary access easement to be terminated upon dedication of right-of-way; or
- (b) Construct a local street through Marion County Taxlot 083W12B001700 to 27th Avenue SE as shown on the applicants Alternative Access Proposal in a

temporary access easement to be terminated upon dedication of right-of-way and close 27th Avenue SE to through traffic between the new local street intersection and Strong Road SE. The intersection of 27th Avenue SE and Strong Road SE shall be permanently closed to vehicular access by means approved by the Public Works Director.

Prior to plat of Section A (Phase 2):

- Condition 31:** Construct Battle Creek Road from Reed Road to Mt. McKinley DR SE to a 23-foot-wide half street improvement to Minor Arterial standards within a minimum 36-foot-wide half-width right-of-way. (UGA17-03;1)
- Condition 32:** Construct Reed Road SE from Battle Creek Road SE to the north line of the subject property, at a minimum 23-foot-wide half street improvement to Minor Arterial standards within a minimum 36-foot-wide half-width right-of-way. The improvements shall include on-street parking and tapers. (UGA17-03;1)
- Condition 33:** Construct Mid-block pedestrian access as shown on the tentative subdivision plan, which shall be dedicated to the public. Where topography requires mid-block walkways to be constructed with stairs, the facility shall be owned and maintained by the homeowners' association.
- Condition 34:** The applicant shall provide mid-block pedestrian access along the west property lines of Lots 11 and 12 or on the abutting 'Storm Water Detention Facility #3'
- Condition 35:** Construct a minimum 12-inch S-1 water main in Reed Road SE from Mt. Washington DR SE to Battle Creek Road SE and in Battle Creek Road SE to Mt. McKinley DR SE.
- Condition 36:** Construct a pedestrian access route along missing sections of sidewalk on the west side of Battle Creek Road SE from Reed Road SE to Forsythe Drive SE or enter into a deferral agreement deferring the construction to a later time in conjunction with the Apartment Site project.
- Condition 37:** Pay \$77,122 as the proportional amount of the water TAF. (UGA17-03;4)
- Condition 38:** Construct a minimum 18-inch S-1 Water Main in Section A, Section E, and Section D from it's terminus in Section C to the southern phase boundary in Mt. Shasta Avenue SE. If this watermain is constructed within an unplatted right-of-way alignment, the applicant shall dedicate an easement for the public water main and construct an all weather access for maintenance of this main as required by Public Works Design Standards.

Prior to plat of Section E (Phase 3):

- Condition 39:** Pay \$77,122 as the proportional amount of the water TAF. (UGA17-03;4)

Prior to plat of Section B (Phase 4):

- Condition ~~33~~ 40:** Construct a minimum 18-inch water main in Mt. Shasta AVE SE within Section B from its terminus in Section A to the southern property line of lot 106.
- Condition ~~34~~ 41:** Pay \$31,756 as the proportional amount of the water TAF. (UGA17-03;4)
- Condition ~~35~~ 42:** Pay a temporary access fee of \$13,680 as proportional mitigation toward the future signal and interconnect located at Reed Road SE and Battle Creek Road SE.
- Condition ~~36~~ 43:** Construct Mid-block pedestrian access as shown on the tentative subdivision plan, which shall be dedicated to the public. Where topography requires mid-block walkways to be constructed with stairs, the facility shall be owned and maintained by the homeowners' association.
- Condition ~~37~~ 44:** The applicant shall be required to convey lot 106 for future construction of Coburn Reservoir (UGA17-03;4)

Prior to plat of Section D (Phase 5):

- Condition ~~42~~ 45:** Pay \$58,975 as the proportional amount of the water TAF. (UGA17-03;4)
- Condition ~~43~~ 46:** If off-site easements are needed because of topographic constraints and the applicant is unable to acquire easements from adjacent property owner(s), then the applicant shall follow the procedures established in SRC 200.050. (UGA17-03;2)



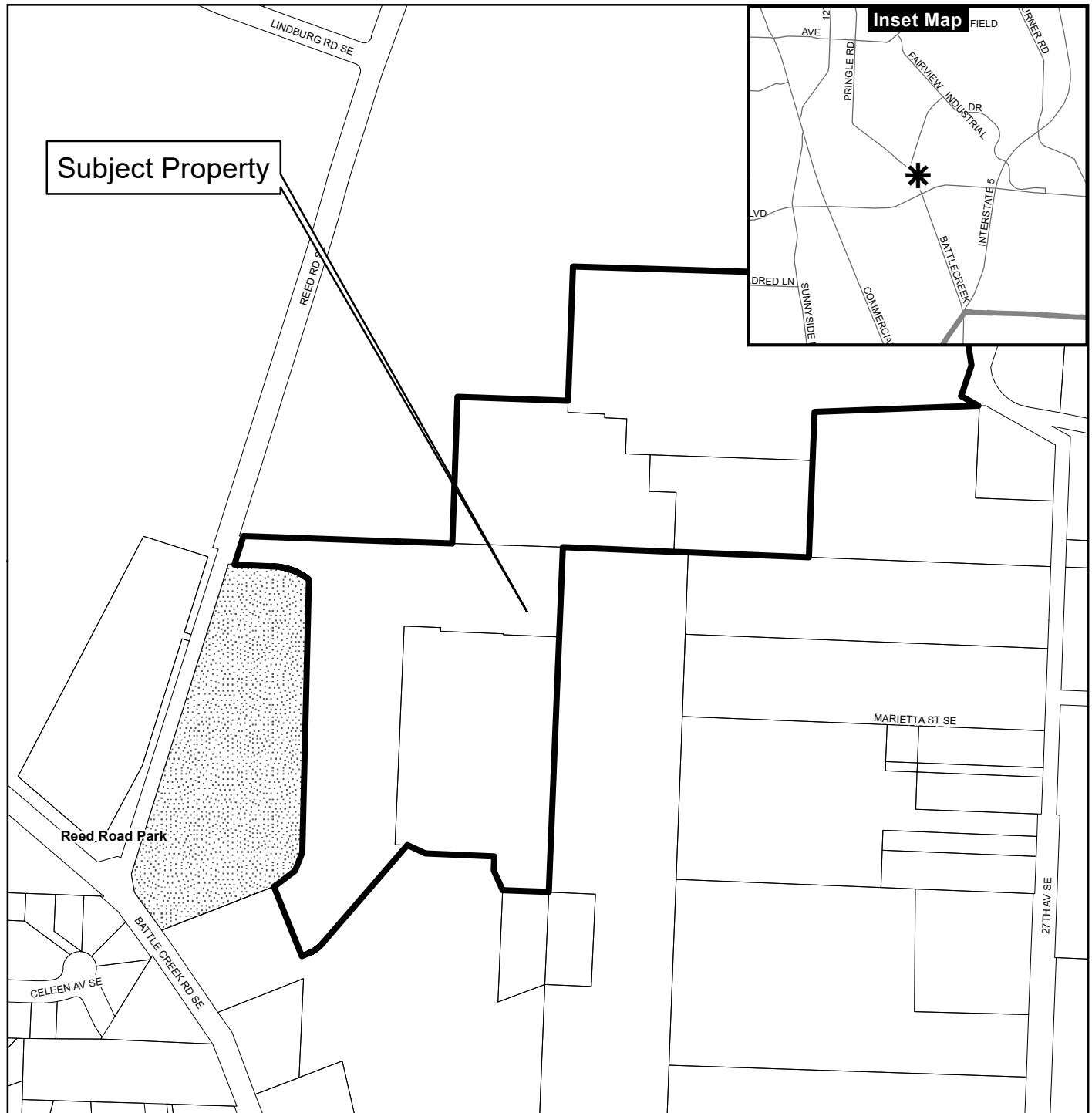
Olivia Dias, Current Planning Manager,
on behalf of
Lisa Anderson-Ogilvie, AICP
Planning Administrator

Attachments: A. Vicinity Map
B. Tentative Subdivision Phasing Plan

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

Vicinity Map

4400 Block Battle Creek Road SE



Legend

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

Parks

CITY OF Salem
AT YOUR SERVICE
Community Planning and Development

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0 100 200 400 Feet



COBURN GRAND VIEW ESTATES

T. 8 S., R. 3 W., Willamette Meridian
Sec. 11D Tax Lots 100, 200, 400 & 601 - Sec. 12B Tax Lot 1600
City Of Salem, Marion County, Oregon

Owner / Developer:

WESTWOOD HOMES LLC

12700 NW CORNELL RD.
PORTLAND, OREGON 97229

SECTION E:
TOWNHOUSES:
DEVELOPABLE AREA — 2.711 Ac.
NUMBER OF UNITS — 34
DENSITY — 12.541 UNITS/Ac.
LARGEST LOT — 5,279 S.F.
SMALLEST LOT — 1,635 S.F.
AVERAGE — 2,597 S.F.

TOTAL PARCEL SIZE:
DEVELOPABLE AREA — 33.077 Ac.
NUMBER OF UNITS — 177
DENSITY — 5.58 UNITS/Ac.
LARGEST LOT — 17,940 S.F.
SMALLEST LOT — 1,635 S.F.
AVERAGE — 5,525 S.F.

SECTION A:
DEVELOPABLE AREA — 8.778 Ac.
NUMBER OF UNITS — 37
DENSITY — 4.215 UNITS/Ac.
LARGEST LOT — 10,658 S.F.
SMALLEST LOT — 4,975 S.F.
AVERAGE — 6,600 S.F.

SECTION B:
DEVELOPABLE AREA — 6.068 Ac.
NUMBER OF UNITS — 24
DENSITY — 3.955 UNITS/Ac.
LARGEST LOT — 17,940 S.F.
SMALLEST LOT — 7,652 S.F.
AVERAGE — 8,595 S.F.

SECTION C:
DEVELOPABLE AREA — 10.653 Ac.
NUMBER OF UNITS — 56
DENSITY — 5.257 UNITS/Ac.
LARGEST LOT — 8,353 S.F.
SMALLEST LOT — 4,001 S.F.
AVERAGE — 5,496 S.F.

SECTION D:
DEVELOPABLE AREA — 4.335 Ac.
NUMBER OF UNITS — 26
DENSITY — 5.998 UNITS/Ac.
LARGEST LOT — 6,928 S.F.
SMALLEST LOT — 4,001 S.F.
AVERAGE — 5,063 S.F.

ABBREVIATIONS

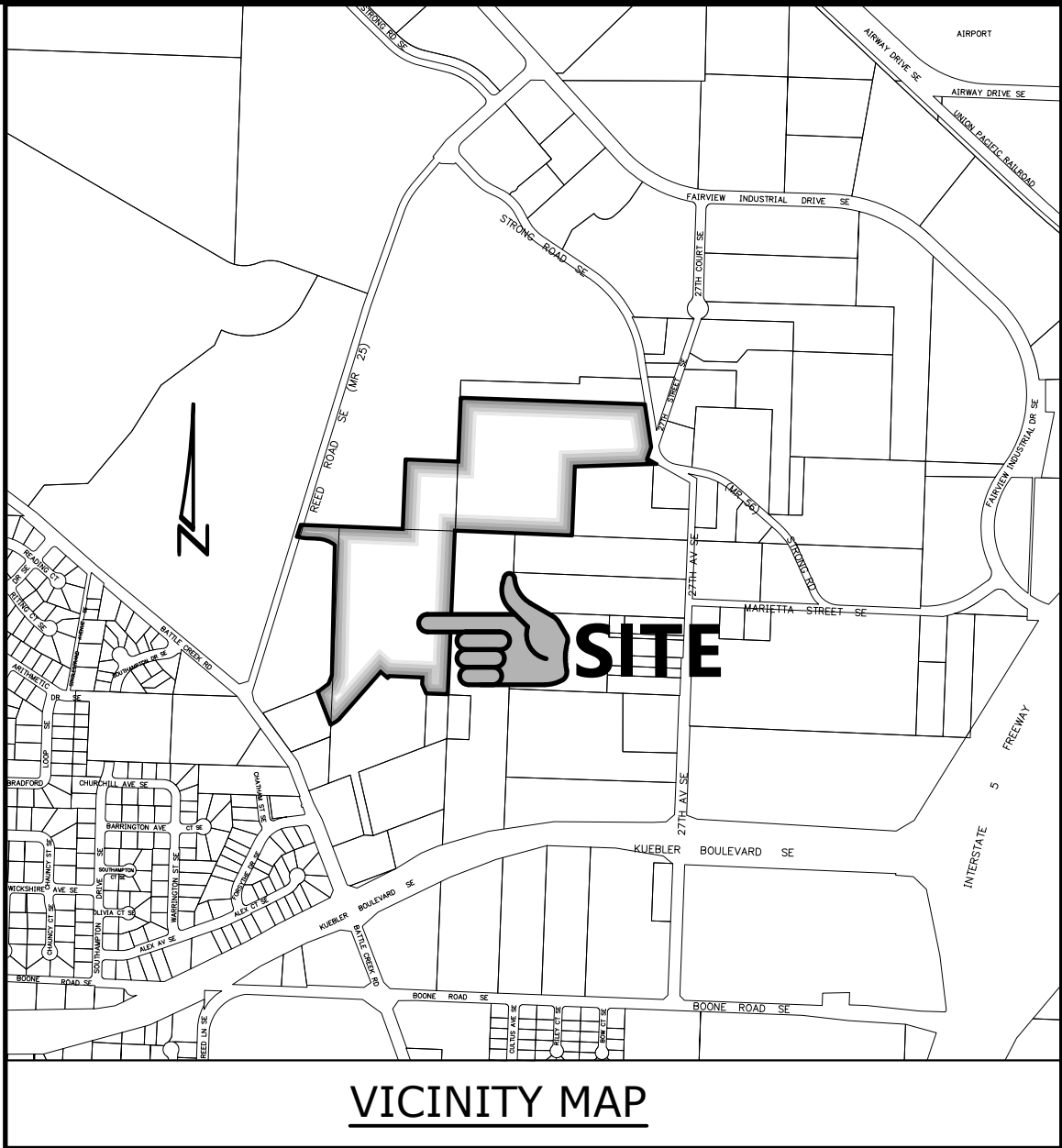
A.C.	ASPHALTIC CONCRETE	L.P.	LIGHT POLE
ACMP	ALUMINIZED CMP	M	METER, MAIN
ASSY.	ASSEMBLY	M.H.	MANHOLE
B.O.	BLOW OFF	MTL	METAL
B.F.V.	BUTTERFLY VALVE	O.H.	OVERHEAD
C & G	CURB & GUTTER	PC	POINT OF CURVE
CATV	CABLE TELEVISION	PCC	POINT OF CONTINUING CURVE
C.B.	CATCH BASIN	PED.	PEDESTAL
C.B.C.O.	CATCH BASIN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

SYMBOLS

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

PRELIMINARY SHEET INDEX

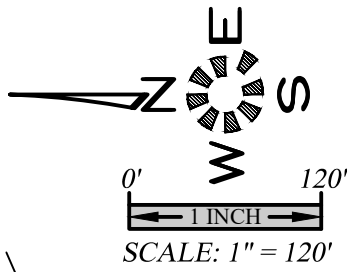
P101	COVER SHEET
P102	EXISTING CONDITIONS PLAN
P201	SITE PLAN — NORTH
P202	SITE PLAN — CENTRAL
P203	SITE PLAN — SOUTH
P204	SLOPE EXCEPTION AREAS
P301	UTILITY PLAN — NORTH
P302	UTILITY PLAN — CENTRAL
P303	UTILITY PLAN — SOUTH
P401	TREE CONSERVATION PLAN — NORTH
P402	TREE CONSERVATION PLAN — CENTRAL
P403	TREE CONSERVATION PLAN — SOUTH
P404	TREE CONSERVATION PLAN — R.O.W. NORTH
P405	TREE CONSERVATION PLAN — R.O.W. SOUTH
P501	PUBLIC STREET IMPROVEMENTS — MT. BAKER WAY & MT. TABOR ST.
P502	PUBLIC STREET IMPROVEMENTS — MT. MCLAUGHLIN AVE.
P503	PUBLIC STREET IMPROVEMENTS — MT. STUART DR.
P504	PUBLIC STREET IMPROVEMENTS — MT. THIELSON ST. & MT. BACHELOR ST.
P505	PUBLIC STREET IMPROVEMENTS — MT. ST. HELENS AVE.
P506	PUBLIC STREET IMPROVEMENTS — MT. WASHINGTON DR.
P507	PUBLIC STREET IMPROVEMENTS — MT. SHASTA AVE. & E. ACCESS
P508	PUBLIC STREET IMPROVEMENTS — MT. DECEPTION ST. 0+00 TO 12+00
P509	PUBLIC STREET IMPROVEMENTS — MT. MCKINLEY DR. 0+00 TO 8+00
P510	PUBLIC STREET IMPROVEMENTS — MT. MCKINLEY DR. 8+00 TO 15+00
P511	PUBLIC STREET IMPROVEMENTS — MT. SCOTT ST.
P512	PUBLIC STREET IMPROVEMENTS — MT. BAILEY DR.
P513	PUBLIC STREET IMPROVEMENTS — MT. ADAMS DR.
P514	PUBLIC STREET IMPROVEMENTS — WALKWAY 1, 2 & 3
P515	PUBLIC STREET IMPROVEMENTS — BATTLE CREEK RD.
P516	PUBLIC STREET IMPROVEMENTS — REED RD.
P517	TYPICAL STREET SECTIONS
P601	GRADING PLAN — NORTH
P602	GRADING PLAN — CENTRAL
P603	GRADING PLAN — SOUTH



VICINITY MAP

PROJECT B.M. 369.46 (NGVD 29)

2" ALUMINUM DISK 2098 .
LOCATED IN EAST CURB BATTLE CR RD SE, 220' N INTERSECTION BOONE RD SE, TOP OF CURB @ B.R. OF TURN LN, 10' SW UTILITY VAULT, 27' SW POWER POLE, 4' NW WM, 12' SE OF WW

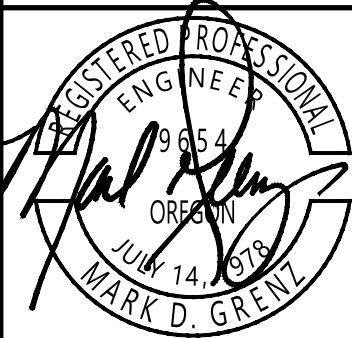


PRELIMINARY PLAN
COVER SHEET

COBURN GRAND VIEW
ESTATES

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

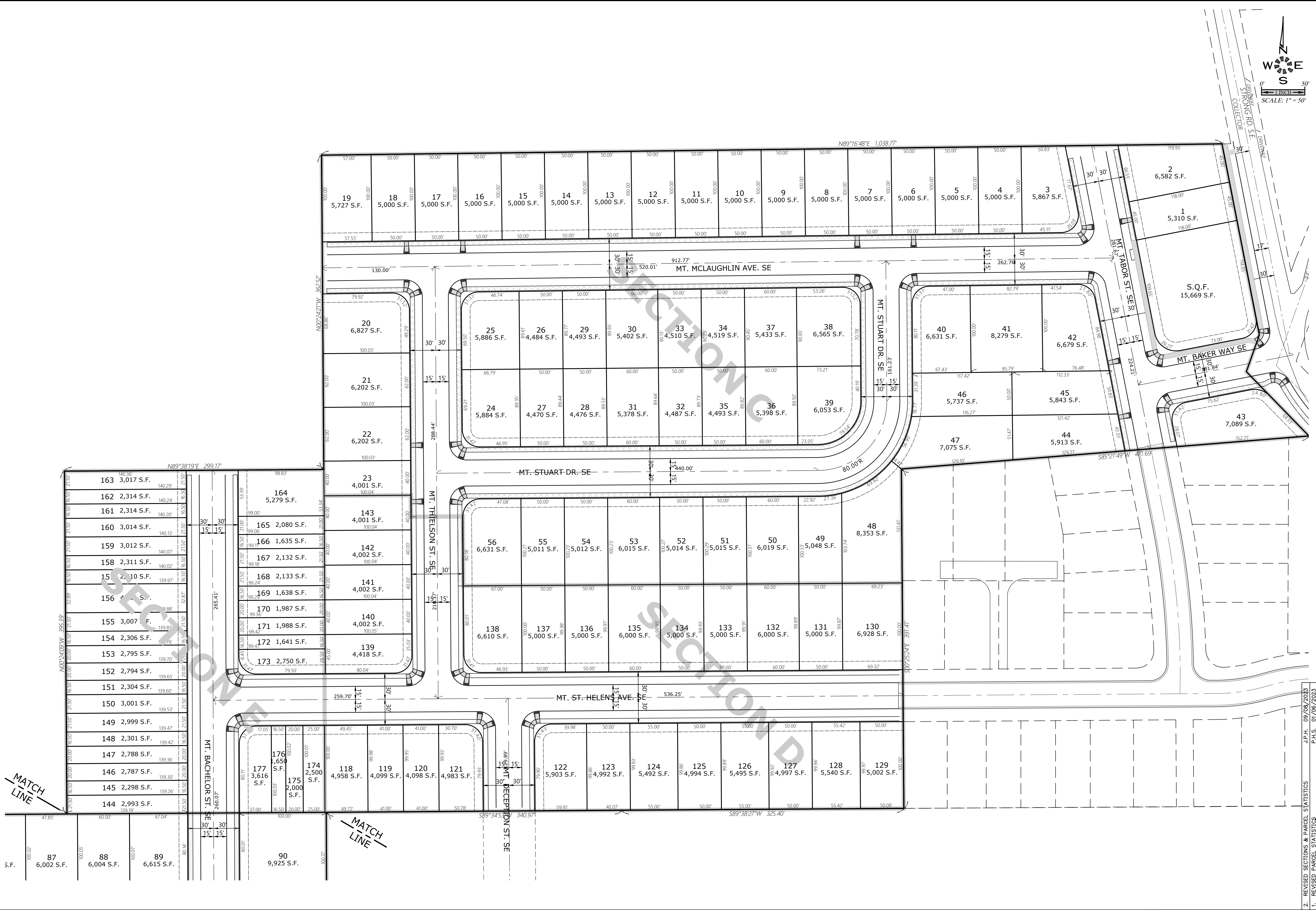
Design: M.D.G.
Drawn: P.H.S.
Checked: J.J.G.
Date: JUNE 2018
Scale: AS SHOWN
As-Built: —



EXPIRES: 06-30-2023
JOB # 6234

P101

\\626\6234-Feed\Road\dwg\206234p201.dwg, 1/26/2023 11:42:24 AM, J.Hallingsworth



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

**SITE PLAN
- NORTH -**

**COBURN GRAND VIEW
ESTATES**

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OR REVISIONS TO BE
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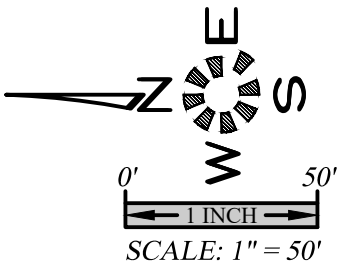
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Date: JUNE 2018
Scale: AS SHOWN
As-Built: ----

REGISTERED PROFESSIONAL
ENGINEER
MARK D. GARY
JULY 14, 1978
EXPIRES: 06-30-2023

J.P.H. 09/08/2023
P.H.S. 07/06/2023

2. REVISED SECTIONS & PARCEL STATISTICS
1. REVISED PARCEL STATISTICS

JOB # 6234
P201

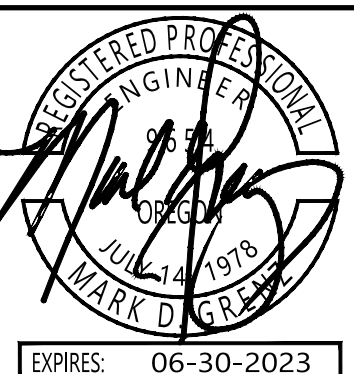


SITE PLAN
- CENTRAL -

COBURN GRAND VIEW
ESTATES

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Design: M.D.G.
Drawn: P.H.S.
Checked: J.J.G.
Date: JUNE 2018
Scale: AS SHOWN
As-Built: ----



JOB # 6234

P202

2. REVISED SECTIONS & PARCEL STATISTICS J.P.H. 09/08/2023

1. REVISED PARCEL STATISTICS P.H.S. 07/06/2023