

# *Creekside Subdivision*

May 6, 2024

## **APPLICANT:**

Creekside Golf Course, LLC

## **APPLICANT'S REPRESENTATIVE:**

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## **SITE:**

West of Crooked Stick Loop SE  
North of Creekside Drive SE  
083W22BA/Tax Lots 100 and 7000

## **BACKGROUND:**

On February 6, 2023, a Pre-Application Conference (PRE-AP23-10) was held with the applicant and staff to discuss the development of the subject property. It was determined at the Pre-App Conference that the proposal would require the submittal of a Partition, PUD, and Subdivision (SUB) application.

The applicant notified the South Gateway Neighborhood Association of the proposal on July 10, 2023, July 17, 2023, and May 6, 2024, via email.

The subject property is also part of the Creekside Homeowners Association Inc.

## **PROPOSAL:**

The subdivision is Parcel 2 of the proposed partition, which is about 3.37 acres in size and zoned RA (Residential Agriculture). The applicant is proposing to divide the subject property into 11 single family residential lots, with approximately 0.42 (18,100sq.ft.) acres of open space.

## **SITE VICINITY and CHARACTERISTICS:**

The subject property is located within the City limits and the Urban Growth Boundary.

The subject property consists of approximately 3.37 acres (083W22BA/Tax Lots 100 and 7000/083W22AB) and are zoned RA (Residential Agriculture).

The surrounding properties are zoned and used as follows:

North: RA (Developing Residential) and RS (Single Family Residential); existing single-

family dwellings

East: RA (Developing Residential) and RS (Single Family Residential); vacant lots and existing single-family dwellings

South: RA (Developing Residential) and RS (Single Family Residential); vacant lots and existing single-family dwellings

West: RA (Developing Residential) and RS (Single Family Residential); existing single-family dwellings



### **COMPLIANCE WITH THE SALEM AREA COMPREHENSIVE PLAN (SACP):**

Citizen involvement is provided via the City of Salem notification process necessary for the subdivision application which allows public comment. The City's Plan is acknowledged to be in compliance with State Land Use Goals. The public notification process is implemented by the Planning Administrator with written notification to property owners. The published notice will identify the applicable criteria. Through the notification process all interested parties are afforded the opportunity to review the application, comment on the proposal and participate in the decision.

In addition, the SACP and its implementing ordinances are adopted by the City through the public hearing process of the City Council ordinance procedure. The subject property is within the city limits and is within the urbanized area. The proposal does not affect the size or location of the city limits or urban growth boundary.

The Statewide Planning Goals are implemented by the adopted goals and policies of the SACP and its implementing ordinances and facility plans. The proposal accommodates the Statewide Goals by being located within an adopted Urban Growth Boundary.

The SACP Residential Development Goal requires the promotion of .... “... *a variety of housing opportunities for all income levels and the adequate supply of developable land to support such housing.*” The SACP is implemented by the zone and subdivision codes under the provisions of SRC Chapter 510 and 205. The proposal is for a single-family development.

The proposal meets SACP General Development Policies 7, 10, 12 and 13 which encourage structures and their siting in all residential developments to optimize the use of land. The proposed subdivision optimizes the land by providing 11 single family lots and open space on 3.37 acres. The proposed subdivision is in compliance with the code.

The development is sited and designed to minimize the adverse alteration of the natural terrain, the potential for erosion and adverse effects upon the existing topography and soil conditions. The proposal encourages natural open living spaces by providing larger than average lots. The proposed lots range in size from 6,162 square feet to 9,287 square feet in size.

The applicant has an approved geotechnical assessment that was done for the entire area and is on file in the Public Works Department (See attached Geo Report Dated October 14, 2002.

As stated in Pre-App23-10, a UGA is not required (See Urban Growth Preliminary Declaration Case No UGA90-09).

All internal streets are shown on the site plan. The proposed internal streets will all be built to private street standards to be consistent with the existing surrounding street system. Therefore, meeting SACP Transportation Policy 19.

#### **CRITERIA AND APPLICANT'S REASONS ADDRESSING UDC 205.010(d)(1):**

The intent of the subdivision code is providing for orderly development through the application of appropriate rules and regulations. Pursuant to the application of the current enabling statutes, these regulations are those cited in UDC 205.010(d) and UDC 205.015(d). The decision criteria for subdivisions without a concurrent variance under UDC 205.010(d) and UDC 205.015(d) must be found to exist before an affirmative decision may be made for a subdivision application.

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

The Salem Revised Code (SRC), which includes the Salem Zoning Code, 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 Subdivision Code, Zoning Code, Salem TSP and the Water, Sewer and Storm Drain System Master Plans, and adopted design documents applicable to residential development. The proposed meets all applicable provisions of the Salem Revised Code.

***(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.***

The proposal does not require any variances to lot development or street standards specified in the Code.

Minimum Lot Area and Dimensions: As shown on the site plan, all 11 lots meet lot size (4,000 square feet) and lot dimension (40' by 70') standards as required under UDC Chapters 510 and 511. The proposed lots range in size from 6,162 square feet to 9,287 square feet in size.

The proposal is for an 11-lot subdivision with the potential for attached luxury condos (middle-housing) on each lot. Therefore, the site has the potential for 22 units that will all meet the requirements of the residential and middle-housing codes.

Additional reviews occur at the time of building permits to assure compliance with the zoning code. Compliance with conditions of approval to satisfy the subdivision ordinance is also checked prior to city staff signing the final subdivision plat.

The proposal can conform to applicable conditions imposed as necessary to ensure that development conforms to the standards of the subdivision code and with existing development and public facilities. The proposed subdivision is in compliance with lot standard requirements and required access. Therefore, this criteria has been met.

***(B) City infrastructure standards.***

Water, sewer, storm drainage plans will be submitted to the Public Works Department for final plat and construction plan approval at the final plat stage. The tentative site plan illustrates the location of the public utility lines. The proposal meets applicable Salem Area Comprehensive Plan Residential Policies for properties within the Urban Growth Boundary. The proposal encourages the efficient use of developable residential land. Public facilities and services are or will be available to serve the site, including services

such as water, sanitary and storm sewer and fire/life/safety services. Therefore, this criteria has been met.

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

There are no creeks, riparian corridors, floodway, and floodplain running through the site.

A geological assessment has already been approved for the subject property regarding the nature, distribution of underlying geology, and the physical and chemical properties of existing soils; an opinion as to stability of the site, and conclusions regarding the effect of geologic conditions on the proposed development as required.

A Geological Assessment (GA03-045) was approved for the entire site and is on file with the City of Salem Public Works Department.

Floodplain: The subject property is not located within the floodplain.

This criteria has been met.

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

The proposal is for the majority of the subject property and will be developed into 326 lots. Due to the location of the golf course and open space areas, adjacent land will not and cannot be developed. Therefore, a shadow plan is not required.

The abutting properties to the west, east, and south are fully developed as single-family dwellings. Property to the north, Parcel 1 of the partition, is part of the golf course. All surrounding properties have direct access onto the existing internal street system. All 11 lots will have direct access onto the existing private street system as well. The subdivision does not impede the future use of the property or adjacent land. Therefore, access to adjacent properties is not necessary.

The proposed site plan shows street improvements and access to all lots within the proposed subdivision.

All surrounding property are fully developed as single-family dwellings. The development of the site does not impede the future use of the property or adjacent land. Therefore, this criterion has been satisfied.

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

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

Water, sewer, storm drainage plans will be submitted to the Public Works Department for final plat and construction plan approval at the final plat stage. The tentative site plan illustrates the location of the public utility lines.

In conclusion, the location and design of the proposed subdivision allows for public sanitary sewer, water service, and storm drainage to be conveniently provided. Therefore, this criterion has been satisfied.

**Proposed StormWater Management System:**

Stormwater quality and quantity are required for this development. An LID (low impact development) Stormwater technique will be used to mitigate the increase in pollutants contributed from development. This system may also be used to provide storage and water quantity control. The exact system will be determined at the time of design. Any proposed technique will meet City of Salem Stormwater Management standards in means and methods to provide all aspects of Stormwater management.

A Stormwater Drainage report dated May 2, 2024, has been provided with this application.

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

The major street system is in place due to prior development. Creekside Drive located to the south of the site will provide access into the development. Creekside Drive is designated as a 'local' street on the Salem Transportation System Plan. A private street, View Lane, will run along the north boundary of the lots and provide access to Creekside Drive and the existing street system.

The proposed internal street/accessway will be designed to private street standards as well. The existing and proposed street systems conform to the City's Transportation Plan. All street design and improvements will be determined through the subdivision review process, and regulated through the Conditions of Approval. Therefore, meeting

the requirements of a subdivision.

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

Therefore, the existing street system and proposed street improvements will be in compliance with the STSP.

#### Transportation Planning Rule Review:

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

The proposal is for an 11-lot subdivision; therefore, a TIA is not needed at this time.

In conclusion, the development will provide bicycle and pedestrian facilities on-site to encourage people to walk and reduce vehicle trips. The development on the property will allow residents to reduce vehicle usage, by the convenience of bicycle and pedestrian paths to and from the uses and existing sidewalk system. Therefore, the proposed subdivision is in compliance with the intent of the TPR to reduce vehicle usage and encourage other modes of transportation to and from the site.

***(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.***

The subject property is located in a developed and developing area where improved streets and sidewalks exist and continue with new development. The local street system serving the development provides the necessary connections and access to the local street and circulation system serving this residential neighborhood.

**Block Length:** Blocks shall be a maximum of 600 feet between street centerlines. The length of the blocks was taken into consideration at the time of design layout. The proposed block length does exceed 600 feet, however, the lots have frontage on two streets and access, therefore, block length is not applicable. As shown on the site plan, the subdivision provides more than adequate vehicle and pedestrian circulation.

There are street connections within the close vicinity to these blocks that will provide more than efficient access and circulation for these lots. As shown on the site plan, the

proposed subdivision provides a safe and efficient circulation pattern throughout the development for vehicles and pedestrians. Therefore, this criterion has been met.

Access to, within, and from the development must be consistent with applicable requirements of the Transportation Planning Rule Requirements (TPR) that requires that development provide connectivity between land uses and transportation. Under the Rule, developments are responsible for providing for the safe and efficient circulation of vehicles, bicycles, and pedestrians into, through, and out of a development. The proposal develops the subject property within an established residential area where local and arterial streets and mass transit facilities exist. These facilities connect the transportation system to the surrounding residential neighborhoods.

The Public Works Department will address the level of street improvements that are roughly proportional to assure conformance to the development to subdivision code and applicable transportation system plan requirements. Completion of conditions of approval prior to the signing of the final plat will satisfy this criterion for the subdivision application.

In conclusion, the proposed street plan provides the best economic, safe, and efficient circulation of traffic possible under the circumstances. The proposed subdivision demonstrates this review criterion can be met. Therefore, this criterion has been satisfied.

***(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.***

The subdivision is served with adequate transportation infrastructure and the street system adjacent the property conforms to the Transportation System Plan and provides for safe, orderly, and efficient circulation of traffic into, through, and out of the subject property on to the public street system.

Lots 2 through 11 will have direct access onto Creekside Drive to the south and the surrounding street system, via a private street to the north (View Lane). Lot 1 will have direct access onto Creekside Drive.

Therefore, via paved streets and sidewalks, safe and convenient bicycle and pedestrian access will be provided to the site and to adjacent neighborhoods. Therefore, this criterion has been met.



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

The proposal is for an 11-lot subdivision, with the potential for middle-housing (luxury condos). However, the size of the proposal does not warrant a TIA at this time.

The proposed subdivision plan mitigates impacts to transportation system by providing adequate access and circulation for all 11 lots. Therefore, this criterion has been met.

***(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.***

All lots are in compliance with the UDC/SRC. Therefore, no variances have been requested.

***(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.***

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

The subdivision plan takes into consideration the topography and vegetation of the site. The proposed development will not affect any vegetation or trees on the site.

The proposed lots are of sufficient size and dimensions to permit future development. The lot dimensions are illustrated on the tentative site plan and are in conformance to the minimum standards in UDC 510 and 511. Final conformance to minimum lot size and buildable lot area will be confirmed when the final plat is submitted to the City for review and approval.

There are 10 trees located within the boundary of the site. There are no trees designated for removal. There are no significant trees located on the subject property. Therefore, 100% of the trees on the site are being preserved.

The layout of the lots takes into consideration the topography and vegetation of the site. All lots and streets are in compliance with the UDC. Therefore, no variances have been requested. Therefore, this criteria has been met.

***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.***

As stated in Pre-App 23-10, a UGA is not required (See Urban Growth Preliminary Declaration Case No UGA 90-09). Therefore, this criterion has been met.

#### **TREE CONSERVATION/REMOVAL PLAN**

There are 10 non-significant trees located within the boundary of the site. There are no trees designated for removal. There are no significant trees located on the subject property. Therefore, 100% of the trees on the site are being preserved.