

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



UGA DEVELOPMENT REVIEW COMMITTEE

ISSUE: Preliminary Declaration for Urban Growth Area Development Permit No. 07-3

DATE OF DECISION: May 30, 2007

APPLICANT: Dorchester Properties/Doug Nelson

PURPOSE OF REQUEST:

To assure that major public facilities such as sewers, water and streets are provided to the proposed site in accordance with the Salem Urban Growth Management Program in order to develop the subject property that lies outside the USA (Urban Services Area) in an area without required facilities, and to determine conditions established in the UGA (Urban Growth Area) Development Permit. The request is for an amendment to Urban Growth Area Development Permit 98-3, for property zoned RA (Residential Agriculture) and generally located in the 4200 block of Croisan Creek Road SE.

ACTION:

The following is a Preliminary Declaration of the facility improvements required to obtain an Urban Growth Area (UGA) Development Permit for the subject property. The Preliminary Declaration is subject to the terms of Salem Revised Code (SRC) Chapter 66, the Salem Transportation System Plan (STSP), the City of Salem Stormwater Management Master Plan, City of Salem Water System Master Plan, Salem Wastewater Management Master Plan, Public Works Design Standards, Comprehensive Parks System Master Plan, and conditioned on the provision of the public facilities as listed below.

This Preliminary Declaration for a UGA permit addresses only those facility requirements necessary to link the development to adequate facilities and boundary requirements abutting the property (SRC 66.140). All internal facility improvement requirements will be addressed at the time of development of the property. Salem Revised Code (SRC) Chapter 66 "Urban Growth Management" sets forth the City's authority for imposing linking and boundary facility improvement requirements.

The Facts and Findings of the Departments of Public Works and Community Services are attached as Exhibits 2 and 3, respectively. The applicant has the responsibility to provide the following facilities pursuant to the requirements of the UGA Development Permit and according to SRC Chapter 66:

A. Linking Street Requirements

1. Consistent with SRC 66.100 and the *Salem Transportation System Plan*, construct a linking street improvement along Croisan Creek Road S from the subject property to Spring Street S as specified in UGA 98-3.
2. Acquire land for dedication of right-of-way necessary to construct the linking street improvements to the satisfaction of the Public Works Director.

B. Boundary Street Requirements

1. Convey land for dedication of right-of-way along the entire frontage of the subject property to equal a half-width of 30 feet on the development side of the centerline.
2. Construct a boundary improvement along the frontage of Croisan Creek Road S to accommodate the new internal street intersection as specified by the Public Works Director.

C. Storm Drainage Requirements

1. As a condition of development in the Croisan Creek Basin, the applicant's engineer shall be required to submit a drainage study at the time of development, specifically addressing all storm drainage facilities between the proposed development and

Croisan Creek at Madrona Avenue S, which is the nearest adequate storm drainage facility (SRC 66.115). The *Stormwater Master Plan* identifies deficiencies downstream of the proposed development, identified as CCB11, CCB12, and CCB13. If the capacity of the existing facilities is inadequate to serve the proposed development, then as a condition of development the applicant shall be required to either:

- a. Construct storm drainage facilities adequate for the future drainage flows as specified in the *Stormwater Master Plan*; or
 - b. As approved by the Public Works Director, construct adequate on-site detention, retention, or other stormwater quantity facilities that limit runoff from the proposed development to quantities not exceeding the pre-developed runoff conditions.
2. As a condition of development in the Pettyjohn Laurel Basin, the applicant's engineer shall be required to submit a drainage study at the time of development, specifically addressing all storm drainage facilities between the proposed development and Laurel Creek at River Road S, which is the nearest adequate storm drainage facility (SRC 66.115). If the capacity of the existing facilities is inadequate to serve the proposed development, then as a condition of development the applicant shall be required to either:
- a. Construct storm drainage facilities adequate for the future drainage flows as specified in the *Stormwater Master Plan*; or
 - b. As approved by the Public Works Director, construct adequate on-site detention, retention, or other stormwater quantity facilities that limit runoff from the proposed development to quantities not exceeding the pre-developed runoff conditions.

D. Water Service Requirements

1. Construct the following *Water System Master Plan* facilities to serve the property, or under conditions specified in a Temporary Facilities Access Agreement and an Improvement Agreement between the developer and City, connect to the existing water system as a temporary facility per SRC 66.120(a).
 - a. S-1 *Water System Master Plan* facility from the intersection of Madrona Avenue S and Elderberry Drive S to the property located at 3273 River Road South (the "Feller" property) in an alignment approved by the Public Works Director;
 - b. An S-1 *Water System Master Plan* water main to complete the connection from the existing S-1 South River Road Pump Station to the S-1 Croisan Reservoir;
 - c. The S-2 Croisan Pump Station;
 - d. An S-2 *Water System Master Plan* water main to complete the connection from the S-2 Croisan Pump Station to the existing S-2 Croisan Mountain Upper Reservoir;
 - e. An upgrade of the *Water System Master Plan* S-3 Croisan Upper Pump Station and an S-3 *Water System Master Plan* water main from the S-3 Croisan Upper Pump Station to serve the S-3 portion of the subject property.
 - f. A closed-end S-4 pump station system as specified in a future amendment to the *Water System Master Plan*.

E. Sanitary Sewer Requirements

1. Construct linking sewer facilities as specified in the *Salem Wastewater Management Master Plan*. The nearest available sewers appear to be located at the intersection of Croisan Creek Road S and Spring Street S, approximately 2,100 feet to the northeast, and at River Road S, approximately 3,600 feet to the north.

F. Parks Requirements

1. Provide pedestrian access through the development to increase pedestrian access to future parks.

Date of Preliminary Declaration: May 30, 2007

This decision is final unless written appeal from an aggrieved party is filed with the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem OR 97301, not later than **June 14, 2007 5:00 p.m.** The appeal must state where the decision failed to conform to the provisions of the Urban Growth Management Ordinance (SRC Chapter 66). 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 Salem City Council will review the appeal at a public hearing. After the hearing, the City Council may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

This Preliminary Declaration will expire on May 30, 2009

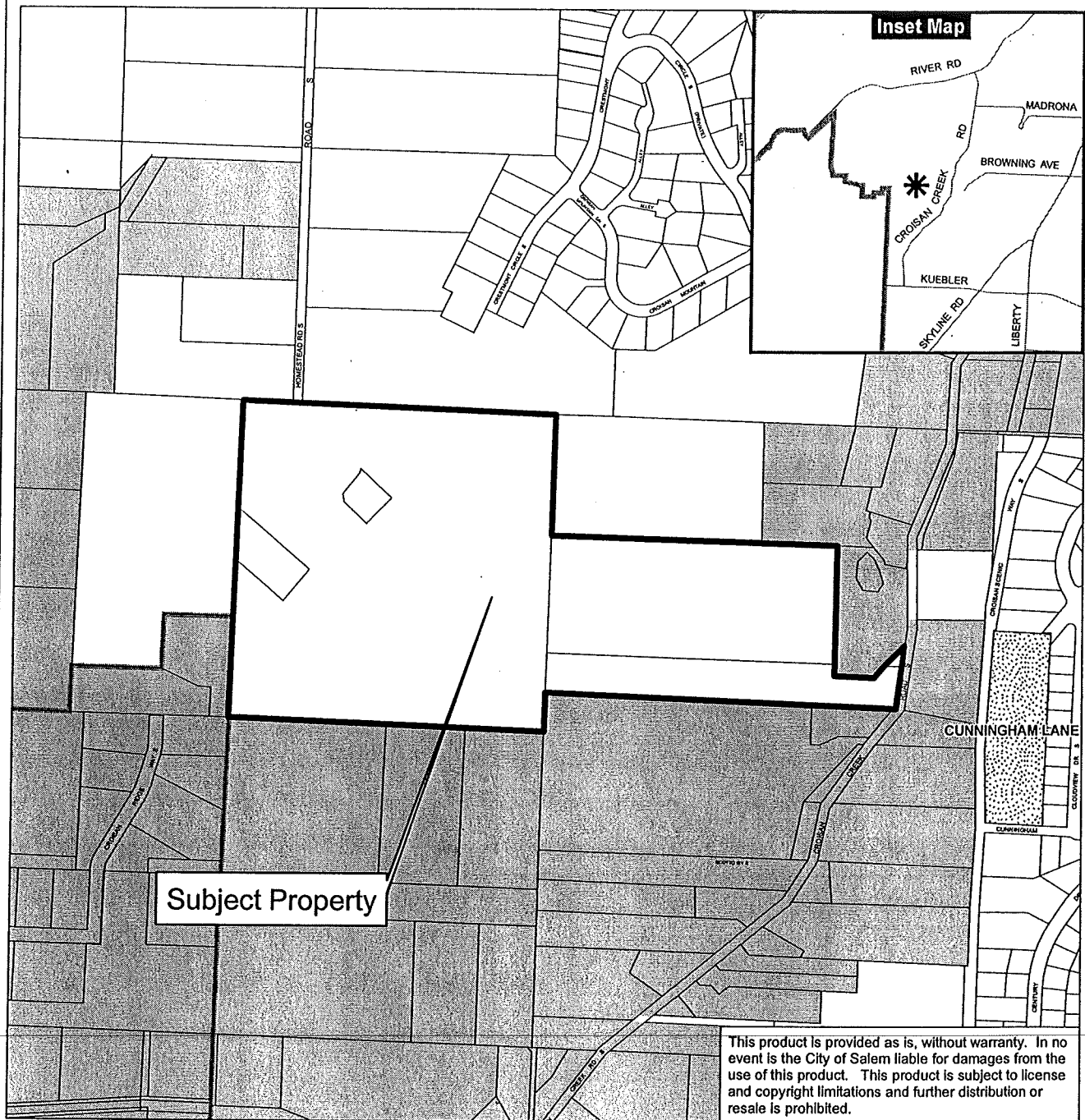
Attachments: Exhibit 1: Vicinity Map
 Exhibit 2: Facts and Findings of the Department of Public Works
 Exhibit 3: Facts and Findings of the Department of Community Services

Prepared by Brandie Dalton, Interim Senior Planner

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Vicinity Map

4200 Block of Croisan Creek Rd. S



Legend

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



EXHIBIT 1

P U B L I C



W O R K S

RECEIVED
MEMO
MAY 15 2007

COMMUNITY
DEV. DEPT.

TO: Garrett Stephenson, Associate Planner
Department of Community Development

FROM: Glenn Davis, P.E., Chief Development Services Engineer *GD*
Public Works Department

DATE: May 15, 2007

SUBJECT: PUBLIC WORKS RECOMMENDATIONS
UGA NO. 07-3
4200 BLOCK CROISAN CREEK ROAD S

PROPOSAL

A request for an amendment to the Preliminary Declaration Urban Growth Area (UGA) Development Permit No. 98-3 to reflect the amendments to the public facilities master plans. This will determine the public facilities required by the Urban Growth Management Program to develop a residential subdivision on approximately 58.98 acres in an RA (Residential Agricultural) zone in the 4200 block of Croisan Creek Road S.

PUBLIC WORKS PRELIMINARY RECOMMENDATIONS:

Linking Street

1. Consistent with SRC 66.100 and the *Salem Transportation System Plan*, construct a linking street improvement along Croisan Creek Road S from the subject property to Spring Street S as specified in UGA 98-3.
2. Acquire land for dedication of right-of-way necessary to construct the linking street improvements to the satisfaction of the Public Works Director.

Boundary Street

1. Convey land for dedication of right-of-way along the entire frontage of the subject property to equal a half-width of 30 feet on the development side of the centerline.
2. Construct a boundary improvement along the frontage of Croisan Creek Road S to accommodate the new internal street intersection as specified by the Public Works Director.

Traffic

1. Provide a Transportation Impact Analysis (TIA) to identify the impacts of this proposed development on the public transportation system in the area and construct any necessary mitigation measures identified in that report.

Linking Storm

1. As a condition of development in the Croisan Creek Basin, the applicant's engineer shall be required to submit a drainage study at the time of development, specifically addressing all storm drainage facilities between the proposed development and Croisan Creek at Madrona Avenue S, which is the nearest adequate storm drainage facility (SRC 66.115). The *Stormwater Master Plan* identifies deficiencies downstream of the proposed development, identified as CCB11, CCB12, and CCB13. If the capacity of the existing facilities is inadequate to serve the proposed development, then as a condition of development the applicant shall be required to either:
 - a. Construct storm drainage facilities adequate for the future drainage flows as specified in the *Stormwater Master Plan*; or
 - b. As approved by the Public Works Director, construct adequate on-site detention, retention, or other stormwater quantity facilities that limit runoff from the proposed development to quantities not exceeding the pre-developed runoff conditions.
2. As a condition of development in the Pettyjohn Laurel Basin, the applicant's engineer shall be required to submit a drainage study at the time of development, specifically addressing all storm drainage facilities between the proposed development and Laurel Creek at River Road S, which is the nearest adequate storm drainage facility (SRC 66.115). If the capacity of the existing facilities is inadequate to serve the proposed development, then as a condition of development the applicant shall be required to either:
 - a. Construct storm drainage facilities adequate for the future drainage flows as specified in the *Stormwater Master Plan*; or
 - b. As approved by the Public Works Director, construct adequate on-site detention, retention, or other stormwater quantity facilities that limit runoff from the proposed development to quantities not exceeding the pre - developed runoff conditions.

Linking Water

1. Construct the following *Water System Master Plan* facilities to serve the property, or under conditions specified in a Temporary Facilities Access Agreement and an Improvement Agreement between the developer and City, connect to the existing water system as a temporary facility per SRC 66.120(a).

- a. S-1 *Water System Master Plan* facility from the intersection of Madrona Avenue S and Elderberry Drive S to the property located at 3273 River Road South (the "Feller" property) in an alignment approved by the Public Works Director;
- b. An S-1 *Water System Master Plan* water main to complete the connection from the existing S-1 South River Road Pump Station to the S-1 Croisan Reservoir;
- c. The S-2 Croisan Pump Station;
- d. An S-2 *Water System Master Plan* water main to complete the connection from the S-2 Croisan Pump Station to the existing S-2 Croisan Mountain Upper Reservoir;
- e. An upgrade of the *Water System Master Plan* S-3 Croisan Upper Pump Station and an S-3 *Water System Master Plan* water main from the S-3 Croisan Upper Pump Station to serve the S-3 portion of the subject property.
- f. A closed-end S-4 pump station system as specified in a future amendment to the *Water System Master Plan*.

Linking Sewer

1. Construct linking sewer facilities as specified in the *Salem Wastewater Management Master Plan*. The nearest available sewers appear to be located at the intersection of Croisan Creek Road S and Spring Street S, approximately 2,100 feet to the northeast, and at River Road S, approximately 3,600 feet to the north.

FACTS AND FINDINGS

Urban Growth Area Development (UGA) Permit

The subject property is located outside of the Urban Service Area (USA). A Preliminary Declaration for Urban Growth Area (UGA) Development Permit No. 98-3 was issued in September 8, 1998. This Preliminary Declaration will reflect revisions to the *Water System Master Plan* and *Salem Transportation System Plan*. A UGA permit requires an applicant to provide linking and boundary facilities to their property under the standards and requirements of SRC Chapter 66.

Streets

1. Linking Streets - The subject property is not currently linked to an adequate linking street. An adequate linking street is defined as the nearest point on a street that has a minimum 34-foot improvement within a 60-foot-wide right-of-way (SRC 66.100(b)).

The Preliminary Declaration for UGA 98-3 identified that the linking street requirement extended from the subject property to Spring Street S. The applicant shall construct a linking street improvement along Croisan Creek Road S from the subject property to Spring Street S as specified in UGA 98-3.

Croisan Creek Road S

a. Existing Condition -

Croisan Creek Road S is designated as a *collector* street in the *Salem Transportation System Plan*. Croisan Creek Road S has a varied turnpike improvement from 20 feet to 30 feet within a right-of-way between 40 and 60 feet in width. Croisan Creek Road S does not meet the adequate linking street standard.

This linking connection along Croisan Creek Road S from the subject property to River Road S, is approximately 5,300 feet. There are physical and topographic constraints along Croisan Creek Road S because of the creek proximity to the roadway.

b. Improvement Requirements

Dedication - The applicant shall acquire land for dedication of right-of-way necessary to construct the linking street improvements to the satisfaction of the Public Works Director.

Improvement - The applicant shall be required to construct a 34-foot-wide turnpike improvement from the subject property to the nearest adequate linking street.

Fern Drive S Extension

a. This street is designated as a *collector* street in the *Salem Transportation System Plan*. Fern Drive S is currently approved to provide a linking connection from River Road S to Heath Street S within the Feller property. Fern Drive S was intended to provide a further extension to the properties to the south.

b. Standard - The standard for this street classification is a 34-foot-wide improvement within a 60-foot-wide right-of-way. Reduced standards were approved in the extension from River Road S and Heath Street S because of the extreme grades.

c. Required Improvements - Construct an additional linking street improvement through an alternate alignment to provide a secondary access to the proposed development, likely to River Road S through the future Fern Street S connection.

2. Boundary Streets - All streets abutting the property boundaries shall be designed to the greater of the standards of SRC 63.225 and SRC 63.235, and the standards of linking streets in SRC 66.100 (SRC 66.100(c)). The boundary street for this development is Croisan Creek Road S.

a. Boundary street requirements in UGA 98-3 are specified along Croisan Creek Road S. Any boundary improvements along Croisan Creek Road S shall be consistent with the Salem TSP.

Croisan Creek Road S

- a. Existing Conditions - This street has an approximate 20-foot turnpike improvement within a 40-foot-wide right-of-way.
 - b. Standard - Croisan Creek Road S is designated as a *collector* street in the Salem TSP. The standard for this street classification is a 34-foot-wide improvement within a 60-foot-wide right-of-way.
 - c. Improvement Requirements -

Dedication - The applicant shall convey land for dedication sufficient to equal a half-width right-of-way of 30 feet on the development side (SRC 63.237).

Improvements - Croisan Creek Road S – The applicant shall construct a maximum of a 17-foot half-width improvement on the development side and a maximum of a 17-foot-wide turnpike improvement on the opposite side of the centerline, along the full frontage of the subject property (SRC 66.100(c); SRC 63.225; SRC 63.235). These improvements shall include streetlights and sidewalks (SRC 63.225(a); PWDS Streets 2.21).
 - i. The location of Croisan Creek may be in conflict with a standard centerline improvement of Croisan Creek Road S. The applicant shall construct the alignment to the satisfaction of the Director of Public Works.
 - d. Access control - A minimum of 200 feet on center is required between (collector or arterial) street intersections and driveways. If alternate access is available to a local street, access to the collector will not be allowed (PWDS Development Bulletin No. 34).
3. Right-of-Way Acquisition - Right-of-way required for boundary and linking street improvements is the obligation of the applicant. If the applicant is unable to obtain the required right-of-way after good faith attempts, they shall prepare the legal descriptions thereof and transmit them to the City Attorney, who shall proceed to acquire them through exercise of the City's power of eminent domain as though the public improvements were to be funded by the City. All costs incurred as a part of this procedure shall be paid by the applicant (SRC 66.090). All rights-of-way, easements, and titles to property acquired by the developer shall be deeded or dedicated, free of all liens and encumbrances, to the City prior to commencement of any construction of required facilities (SRC 66.090).

Traffic

Provide a Transportation Impact Analysis (TIA) to identify the impacts of this proposed development on the public transportation system in the area and construct any necessary mitigation measures identified in that report.

Storm Drainage

1. Existing Conditions

- a. The subject property is within two drainage basins. The major portion of the property is within the Croisan Creek Drainage Basin. The small area in the northwest corner is within the Pettijohn/Laurel Drainage Basin.
- b. Croisan Creek is adjacent to Croisan Creek Road S along the east line of the subject property.
- c. There is a major drainage swale through the property that outfalls into Croisan Creek at the southeast corner of the subject property.

2. Linking Storm Facilities

As a condition of development in the Croisan Creek Basin, the applicant's engineer shall be required to submit a drainage study at the time of development, specifically addressing all storm drainage facilities between the proposed development and Croisan Creek at Madrona Avenue S, which is the nearest adequate storm drainage facility (SRC 66.115). The *Stormwater Master Plan* identifies deficiencies downstream of the proposed development, identified as CCB11, CCB12, and CCB13. If the capacity of the existing facilities is inadequate to serve the proposed development, then as a condition of development the applicant shall be required to either:

- a. Construct storm drainage facilities adequate for the future drainage flows as specified in the *Stormwater Master Plan*; or
- b. As approved by the Public Works Director, construct adequate on-site detention, retention, or other stormwater quantity facilities that limit runoff from the proposed development to quantities not exceeding the pre-developed runoff conditions.

As a condition of development in the Pettyjohn Laurel Basin, the applicant's engineer shall be required to submit a drainage study at the time of development, specifically addressing all storm drainage facilities between the proposed development and Laurel Creek at River Road S, which is the nearest adequate storm drainage facility (SRC 66.115). If the capacity of the existing facilities is inadequate to serve the proposed development, then as a condition of development the applicant shall be required to either:

- a. Construct storm drainage facilities adequate for the future drainage flows as specified in the *Stormwater Master Plan*; or
- b. As approved by the Public Works Director, construct adequate on-site detention, retention, or other stormwater quantity facilities that limit runoff from the proposed development to quantities not exceeding the pre-developed runoff conditions.

Water

1. Existing Conditions

- a. The subject property is within four water service levels: S-1; S-2; S-3; and S-4. The proposed development is above the S-1 water service level elevation of 358.

b. S-1 Water Service System -

There is an existing 12-inch S-1 water line in Croisan Creek Road S, approximately 2,000 feet to the north near the intersection of Croisan Creek Road S and Spring Street S.

There is a 16-inch S-1 water line in Croisan Mountain Road S near 3811 Croisan Mountain Court S.

There is a 12-inch S-1 water line that terminates in Madrona Avenue S at Elderberry Drive S. The extension of the S-1 is in support of the remaining *Water System Master Plan* facilities to serve the development.

c. S-2 Water Service System

There is a 16-inch S-2 public water line along the north line of the subject property. This line goes to the S-2 Croisan Mountain Upper Reservoir.

There is an 8-inch S-2 public water line in Homestead Road SE.

- d. S-3 Water Service System - There is a special S-3 public water line system in Croisan Mountain Subdivision. This system is not adequate to serve the subject property. There is no other S-3 water system available.

- e. S-4 Water Service System - There are no S-4 public water line facilities.

2. Linking Water Facilities - The existing water facilities are not adequate to serve this development. The proposed development will need to be linked to adequate facilities by the construction of water distribution lines, reservoirs, and pumping stations that connect to such existing water service facilities (SRC 66.120).

The linking water requirements in UGA 98-3 are obsolete and do not conform to the current *Water System Master Plan*. The applicant shall construct the following *Water System Master Plan* facilities to serve the property, or under conditions specified in a Temporary Facilities Access Agreement and an Improvement Agreement between the developer and City, connect to the existing water system as a temporary facility per SRC 66.120(a).

- a. S-1 *Water System Master Plan* facility from the intersection of Madrona Avenue S and Elderberry Drive S to the property located at 3273 River Road South (the "Feller" property) in an alignment approved by the Public Works Director;
- b. An S-1 *Water System Master Plan* water main to complete the connection from the existing S-1 South River Road Pump Station to the S-1 Croisan Reservoir;

- c. The S-2 Croisan Pump Station;
- d. An S-2 *Water System Master Plan* water main to complete the connection from the S-2 Croisan Pump Station to the existing S-2 Croisan Mountain Upper Reservoir;
- e. An upgrade of the *Water System Master Plan* S-3 Croisan Upper Pump Station and an S-3 *Water System Master Plan* water main from the S-3 Croisan Upper Pump Station to serve the S-3 portion of the subject property.
- f. A closed-end S-4 pump station system as specified in a future amendment to the *Water System Master Plan*.

Sanitary Sewer

1. Existing Sewer

- a. There is no sewer adjacent to the subject property in Croisan Creek Road S.
- b. There is an 18-inch sanitary sewer line in Croisan Creek Road S, approximately 2,100 feet to the north near the intersection of Croisan Creek Road and Spring Street S.
- c. There is an 8-inch back lot sanitary sewer line that terminates at the last lot on Crestmont Circle S in Croisan Mountain Subdivision. This line is approximately 470 feet north of the subject property.

2. Linking Sewer Facilities - The proposed development shall be linked to adequate facilities by the construction of sewer lines and pumping stations, which are necessary to connect to such existing sewer facilities (SRC 66.110).

- a. Construct linking sewer facilities as specified in the *Salem Wastewater Management Master Plan*. The nearest available sewer appears to be located at the intersection of Croisan Creek Road S and Spring Street S, approximately 2,100 feet north of the subject property.
- b. The northeast corner of the subject property does not appear that it can be served until adequate facilities can be provided from River Road S, approximately 3500 feet.

Prepared by: Leta Gay Snyder, Development Services Planner
Public Works Department

MEMORANDUM

TO: Brandie Dalton, Associate Planner, Dept. of Community Development
THROUGH: Thom Kaffun, Parks Project Section Manager, Dept. of Community Services
FROM: Lisa Tyler, Landscape Architect, Dept. of Community Services
DATE: 30 April 2007
SUBJECT: UGA 07-03 Amendment of UGA 98-03
4200 block of Croisan Creek Road SE

ISSUE: What park facilities would be required by Chapter 66, the Urban Growth Management Program, to develop the subject property?

FACTS AND FINDINGS:

1. The subject property is located outside the Urban Service Area (USA). Because the development is proposed before becoming part of the USA, an Urban Growth Area Development Permit is required and must conform to the requirements of the Urban Growth Management Plan, SRC Chapter 66. This means that certain public facilities may be required. Park requirements are based on policies in the adopted Comprehensive Park System Master Plan (CPSMP).
2. This application is an amendment of the requirements of UGA 98-03. Park service was not involved in the original UGA declaration and therefore is not included in this amendment.
3. The subject property is zoned Residential Agriculture (RA). The proposed use is to subdivide the property for single family residential development.
4. Conclusion: The property is partially served by Skyline Park (undeveloped) located to the southeast. The remainder of the unserved area will be addressed with a new neighborhood park in the area through another UGA permit's requirement.

RECOMMENDATION:

1. As an amendment to UGA 98-03, park needs were not addressed. Provide pedestrian access through the development to increase pedestrian access to future parks.

Encl.: Map

EXHIBIT 3