

PLANNING DIVISION
555 LIBERTY ST. SE, RM 305
SALEM, OREGON 97301
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NOTICE OF DECISION



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

DECISION OF THE PLANNING ADMINISTRATOR

URBAN GROWTH PRELIMINARY DECLARATION CASE NO. UGA17-03

APPLICATION NO. : 17-108503-LD

NOTICE OF DECISION DATE: AUGUST 31, 2017

REQUEST: An Urban Growth Preliminary Declaration request to determine the public facilities and infrastructure required to develop 68.14 acres northeast of the intersection of Kuebler Boulevard SE and Battle Creek Road SE for single family residential development.

The subject property consists of 8 tax lots totaling approximately 68.14 acres in size, zoned RA (Residential Agriculture), with Tax Lot 1600 being split zoned RA and PH (Public Health) and located at the 4700 Block of Battle Creek Road SE (Marion County Assessor map and tax lot numbers: 083W11D00100, 00200, 00202, 00400, 00500, 00601, 00602; 083W12B01600; and 083W12C00700).

APPLICANTS: Douglas Drager, Seth Drager, Hobbs Family Property Trust, Boulder Hill, LLC (Robert W. Nunn), Pringle Creek, LLC (Robert W. Nunn), Battle Creek, LLC (Julie Singer, Roberta Strausbaugh)

LOCATION: 4700 Battle Creek Road SE - 97302

CRITERIA: UGA Preliminary Declaration - SRC 200.025(d)(e)

FINDINGS: The Findings are in the attached Order dated August 31, 2017.

DECISION: The Planning Administrator **APPROVED** Urban Growth Preliminary Declaration UGA17-03 subject to the following conditions of approval:

- Condition 1:** Provide a Traffic Impact Analysis (TIA) pursuant to SRC 803.015. The following requirements for boundary street right-of-way dedication and street improvements represent the minimum necessary to meet SRC 200.055(c); additional transportation requirements may apply as specified in the TIA:
- a) Convey land for dedication of right-of-way along all boundary streets to equal the following distances from street centerline:
 - i) Battle Creek Road SE – 36 feet
 - ii) Reed Road SE – 36 feet
 - iii) Strong Road SE – 30 feet

- b) Construct a 23-foot-wide half-street improvement along the entire frontage of Battle Creek Road SE and Reed Road SE.
- c) Along Strong Road SE, construct a 15-foot-wide half-street improvement on the development side of centerline and a 15-foot-wide pavement widening on the opposite side of centerline along Strong Road SE.

Condition 2: Connect to the existing sewer mains in Strong Road SE and Reed Road SE. 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 acquisition procedures established in SRC 200.050.

Condition 3: Connect to the existing stormwater facilities abutting Strong Road SE, Reed Road SE, and Kuebler Boulevard SE. 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 acquisition procedures established in SRC 200.050.

Condition 4: As a condition of development in the S-1 water service level, the applicant shall:

- a) Reserve property for dedication of an approximately 90 foot by 252 foot area of land abutting the north line of tax lots 083W12C00701 and 083W11D00101 for future construction of Coburn Reservoir.
- b) Construct a minimum 18-inch S-1 water main from the terminus of the existing S-1 water main in Marietta Street SE near Fairview Industrial Drive SE to the Coburn Reservoir site.
- c) Construct Coburn Reservoir, Boone Road S-1 Pump Station, and S-1 connecting water mains as indicated in the *Water System Master Plan*; or pay a temporary access fee pursuant to SRC 200.080(a). The temporary access fee shall be \$10,000 per acre of land being developed within the S-1 service area. The TAF is not due for land conveyed to the City. The TAF shall be subtracted by the following, but shall not be less than \$0 (i) the market value of the land conveyed pursuant to Condition 1.a above; and (ii) the certified cost of the non-reimbursed off-site portion of the water main constructed pursuant to Condition 1.b above.

Condition 5: Reserve property for dedication of neighborhood park facility not less than 6.5 acres in size. The park facility shall be located along Pringle Creek in the vicinity of Tax Lot 083W11D00200 or in an alternate location as approved by the Public Works Director.

The rights granted by the attached decision must be exercised, or an extension granted, by **September 16, 2019**, or this approval shall be null and void.

Application Deemed Complete:	<u>May 25, 2017</u>
Notice of Decision Mailing Date:	<u>August 31, 2017</u>
Decision Effective Date:	<u>September 16, 2017</u>
State Mandate Date:	<u>October 22, 2017</u>

Case Manager: Chris Green, cgreen@cityofsalem.net

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, **no later than 5:00 p.m., Friday, September 15, 2017**. The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapter 200. The appeal must be filed in duplicate with the City of Salem Planning Division. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Salem City Council will review the appeal at a public hearing. After the hearing, the Salem City Council may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

The complete case file, including findings, conclusions and conditions of approval, if any, is available for review at the Planning Division office, Room 305, City Hall, 555 Liberty Street SE, during regular business hours.

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