

# **East Park Estates**

## **SUB/PUD Application**

**December 14, 2018**

### **BACKGROUND:**

On June 18, 2018, a Pre-Application Conference (PRE-AP18-72) was held with the applicant and City staff. The purpose of the pre-app was to discuss the potential development of the property.

The applicant attended the East Lancaster Neighborhood Association meeting and the East Suburban Neighborhood Association meeting on October 4, 2018, to discuss the proposal with the Neighborhood Association and adjacent property owners.

### **PROPOSAL:**

The applicant is proposing to subdivide 122 acres into a six (6) Phase, 874-Lot Planned Unit Development (PUD)/Subdivision (SUB) with 7.51 acres of park land and 12.29 acres of open space.

### **SITE VICINITY AND CHARACTERISTICS:**

The subject property contains approximately 122 acres. The subject property is zoned RS (Single-Family Residential), RMI and RMII (Multi-Family Residential), CR (Commercial Retail), and IP (Industrial Park). The subject property is vacant. Topography, property configuration and dimensions area illustrated on the tentative plan.

The surrounding properties are zoned and used as follows:

North: Across Auburn Road NE-RS (Single Family Residential) zone, and Marion county UT-5 (Urban Transition) and UD (Urban Development zones; existing single-family dwellings  
East: Across Cordon Road-Marion County AR (Acreage Residential), P (Public), and I (Industrial) zones; existing Marion County Fire Department and existing industrial uses  
South: Across State Street-Marion County UD (Urban Development), RM (Multi-Family Residential), and RL (Limited Multi-Family Residential) zones; RA (Residential Agriculture); existing single-family dwellings  
West: Marion County RM (Multi-Family Residential); existing single-family and multi-family dwellings

The subject property is located within the City limits (ANXC-689) and the Urban Growth Boundary.

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

Citizen involvement is provided via the City of Salem public hearing process necessary for the Subdivision/PUD application which allows public comment. The City's Plan is acknowledged to be in compliance with State Land Use Goals. The public hearing process is implemented by an administrative public hearing on the matter with written notification to property owners. The published notice will identify the applicable criteria. Through the notification and public hearing process all interested parties are afforded the opportunity to review the application, comment on the proposal, attend the public hearing, 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, Subdivision, and PUD codes under the provisions of SRC Chapter 510 (RA), 511 (RS), 513 (RMI), 514 (RMII), 522 (CR), 553 (IP), 205 (Land Division) and 210 (PUD). The proposal is for a single-family and multi-family development. The proposal meets Residential Goals and Policies by providing a variety of housing types within a proposed Planned Unit Development/Subdivision.

### **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:***

***(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. UDC Chapter 210 does not have lot dimension requirements. The PUD Chapter is

setup to provide flexibility in lot sizes. However, the proposed lots range in size from 1,800 to 11,012 square feet in size, with an average lot size of 2,726 square feet.

Phase 1: 2,250sq.ft. to 6,420sq.ft.

Phase 2: 1,800sq.ft. to 3,960sq.ft.

Phase 2A: 2,250sq.ft. to 3,162sq.ft.

Phase 3: 1,800sq.ft. to 11,012sq.ft.

Phase 4: 2,225sq.ft. to 5,220sq.ft.

Phase 5: 2,250sq.ft. to 9,811sq.ft.

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 size 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 criterion 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 wetlands and a waterway that runs through the subject property. The City will notify DSL to ensure that all applicable requirements pertaining to wetlands are met at the time of development. The waterway runs through subject property and has been incorporated into the green space within the development. Therefore, providing a natural amenity for the residents.

It appears based on the information provided in PRE-AP18-72, that a geologic assessment will be required. A geologic assessment is being finalized and will be provided to City staff when complete.

This criterion has been met.

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

The subject property is 122 acres in size. The applicant is proposing to develop 54.26 acres into 874 lots as shown on the site plan. The remainder of the lot will be a 7.51 acre Park and a 12.82 acres commercial parcel. The commercial parcel is large enough to accommodate development in the future. Therefore, the proposed PUD/SUB will not impede future use or development of the commercial parcel or adjacent land.

The surrounding abutting properties are fully developed.

North: Across Auburn Road NE-RS (Single Family Residential) zone, and Marion county UT-5 (Urban Transition) and UD (Urban Development zones; existing single-family dwellings

East: Across Cordon Road-Marion County AR (Acreage Residential), P (Public), and I (Industrial) zones; existing Marion County Fire Department and existing industrial uses

South: Across State Street-Marion County UD (Urban Development), RM (Multi-Family Residential), and RL (Limited Multi-Family Residential) zones; RA (Residential Agriculture); existing single-family dwellings

West: Marion County RM (Multi-Family Residential); existing single-family and multi-family dwellings

All lots will have direct access onto Auburn Road (north) and State Street (south) via the proposed internal private street system. Since the adjacent properties are fully developed, access to adjacent properties is not necessary; therefore the subdivision does not impede the future use of the property or adjacent land.

The proposed site plan shows street improvements and access to all lots within the proposed subdivision. Therefore, this criterion has been met.

***(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. Therefore, this criteria has been met.

**Proposed Storm Water 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 proposed stormwater system will meet City of Salem Stormwater Management standards in means and methods to provide all aspects of Stormwater management. A preliminary stormwater analysis is currently being finalized and will be provided as part of a completed application.

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

All lots will have direct access onto Auburn Road (north) and State Street (south) via the proposed internal private street system. State Street is designated as a 'major arterial' that runs along the south side of the property and Auburn Road is designated as a 'collector' that runs along the north side of the property. The proposal provides the site with adequate improved vehicle, pedestrian and bike access to the existing streets.

All streets within the PUD/SUB are proposed to be private except for Greencrest Street that runs north/south through the development. Greencrest Street is designated as a 'collector' and will be designed to public street standards.

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. Auburn Road, State Street, and Cordon Road provides connection to street system that serves the area.

Several homes within the proposed PUD will have alley access. The alley access will provide circulation to the proposed internal street system.

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, and is consistent as follows:

The subject property has direct street frontage on State Street to the south, Auburn Road to the north, and Cordon Road to the east. No access will be allowed onto Cordon Road. State Street and Auburn Road adjacent the subject property will be developed with sidewalks as required by staff. Sidewalks will be provided along the private street within the PUD. These sidewalks and the existing sidewalks will provide safe and efficient pedestrian access to the existing sidewalk system.

Transit service is also available along Auburn Road (Route 5A-Lancaster Mall) and along State Street (Route 16-Four Corners). The existing transit stops will be accessible to the residents of the PUD/SUB via proposed and existing sidewalks. Therefore, this criterion has been met.

***(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 and Crossler Middle School.

Several homes within the proposed PUD will have alley access. The alley access will provide circulation to the proposed internal street system.

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.

A Traffic Impact Analysis (TIA) is being finalized and will be provided to the City of Salem staff when complete. 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. Therefore, this criterion has been met.

***(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.

All lots will have direct access onto Auburn Road (north) and State Street (south) via the proposed internal private street system. State Street is designated as a 'major arterial' that runs along the south side of the property and Auburn Road is designated as a 'collector' that runs along the north side of the property. The proposal provides the site with adequate improved vehicle, pedestrian and bike access to the existing streets.

The subject property has direct street frontage on State Street to the south, Auburn Road to the north, and Cordon Road to the east. No access will be allowed onto Cordon Road. State Street and Auburn Road adjacent the subject property will be developed with sidewalks as required by staff. Sidewalks will be provided along the private street within the PUD. These sidewalks and the existing sidewalks will provide safe and efficient pedestrian access to the existing sidewalk system.

Transit service is also available along Auburn Road (Route 5A-Lancaster Mall) and along State Street (Route 16-Four Corners). The existing transit stops will be accessible to the residents of

the PUD/SUB via proposed and existing sidewalks.

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 and Crossler Middle School.

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 874-lot subdivision/planned unit development. A Traffic Impact Analysis (TIA) is being finalized and will be provided to the City of Salem staff when complete. The TIA and the City Public Works Department will determine required mitigation based on the TIA and the surrounding area.

The proposed subdivision plan mitigates impacts to the transportation system by providing adequate access and circulation for all 874 lots. Therefore, this criteria 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 proposal does not require any variances to lot development or street standards specified in the Code. UDC Chapter 210 does not have lot dimension requirements. The PUD Chapter is setup to provide flexibility in lot sizes. However, the proposed lots range in size from 1,800 to 11,012 square feet in size, with an average lot size of 2,726 square feet.

Phase 1: 2,250sq.ft. to 6,420sq.ft.

Phase 2: 1,800sq.ft. to 3,960sq.ft.

Phase 2A: 2,250sq.ft. to 3,162sq.ft.

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Phase 5: 2,250sq.ft. to 9,811sq.ft.

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. The subdivision regulates minimum lot sizes. 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.

The subdivision plan takes into consideration the topography and vegetation of the site. There are 244 trees located within the boundary of the property. Two-hundred and nine (209) trees are designated for removal with thirty-four (34) trees designated for preservation. The 209 trees designated for removal are within a building envelope or within an area close to the building envelope but have the potential of being damaged during construction. The removal of trees is necessary for development of the site.

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.***

The property and development are outside the Urban Service Area (USA) and are subject to growth management requirements for public facilities under SRC Chapter 66. However, all services are available to the site as indicated at the Pre-App (PRE-AP18-72) and the previously approved UGA (UGA09-07MOD1). Therefore, this criterion has been met.

#### **CRITERIA AND APPLICANT'S REASONS ADDRESSING UDC CHAPTER 210:**

***The PUD tentative conforms to the development standards of this chapter:***

All development standards have been met as outlined in Table 210-2. All setbacks, height, parking, and landscaping requirements will be complied with at the time of building permit submittal, per Table 210-3, Table 210-4, and Table 210-5.

***(d)(2)(B) Common open space, which may be landscaped and/or left with natural tree cover, that is permanently set aside for the passive and/or active recreational use of the residents of the PUD and that is appropriate to the scale and character of the PUD considering its size, density, and the number and types of dwellings proposed. Examples of passive and/or active recreational use include, but are not limited to, community gardens, commons, and private parks;***

Open space is being provided throughout the development. The open space area will be about 19.8 acres in size, which includes a 7.51 City Park. The open space areas that run through the site will be landscaped and have pathways. Benches along the paths can be provided as well.

The 7.51 acre proposed City Park is located adjacent to the PUD. The park will provide recreational opportunities to the residents within the PUD/SUB.



Therefore, the open space requirements have been met.

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

There are 244 trees located within the boundary of the property. Two-hundred and nine (209) trees are designated for removal with thirty-four (34) trees designated for preservation. The 209 trees designated for removal are within a building envelope or within an area close to the building envelope but have the potential of being damaged during construction. The removal of trees is necessary for development of the site.

The plan proposes the removal of 209 trees, with 34 (or 14%) trees to be preserved.

There are 84 Oregon White Oak Trees within the whole boundary of the site. Fifty-two of these Oregon White Oaks are proposed for removal due to their location within the right-of-way and building envelopes. Thirty-two (32) trees will remain on the site:

- Five (5) within the CR zoned property
  - Eighteen (18) within the City Park
  - Nine (9) within the proposed PUD/SUB
-