

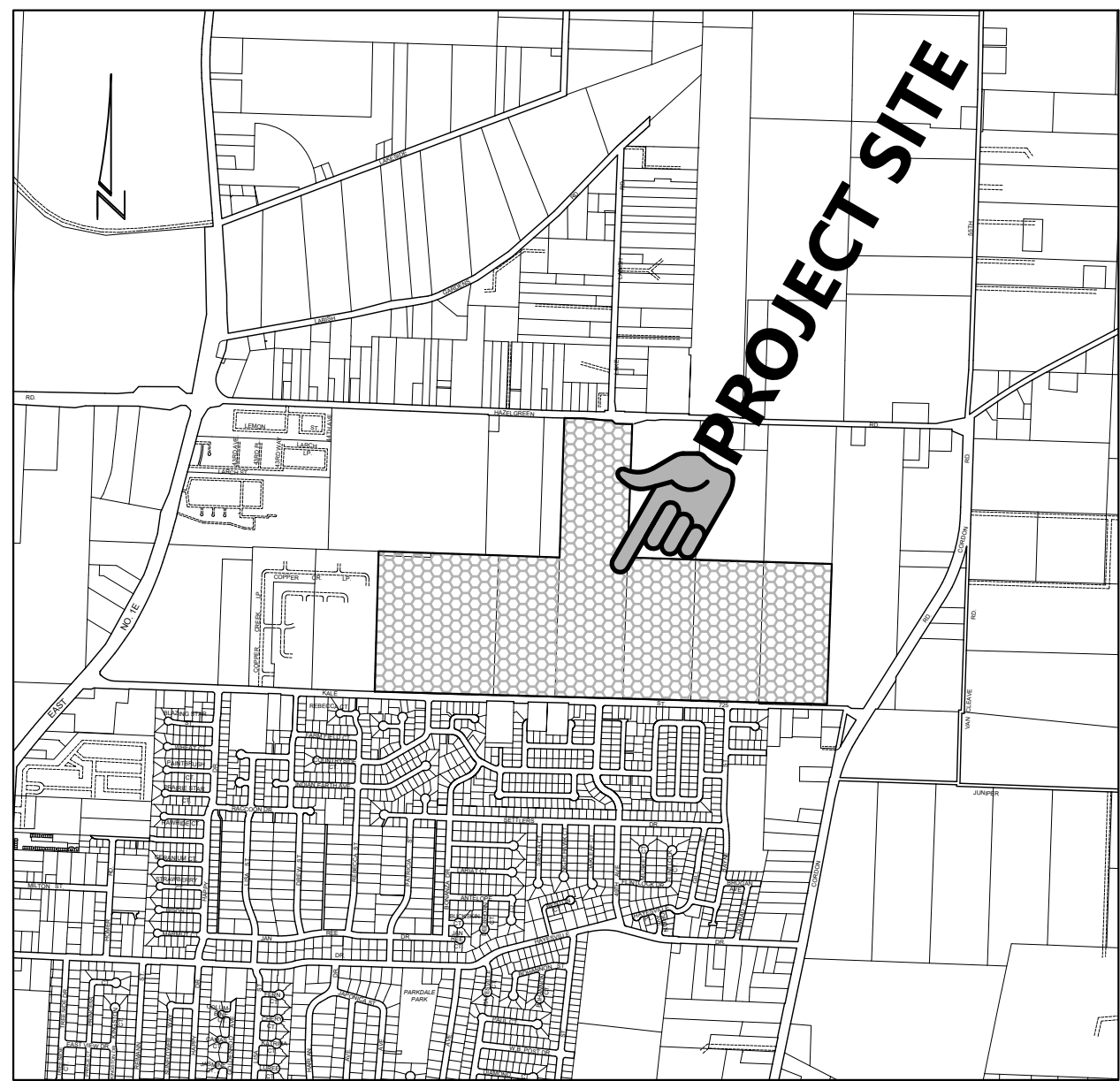
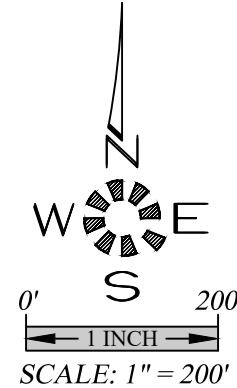
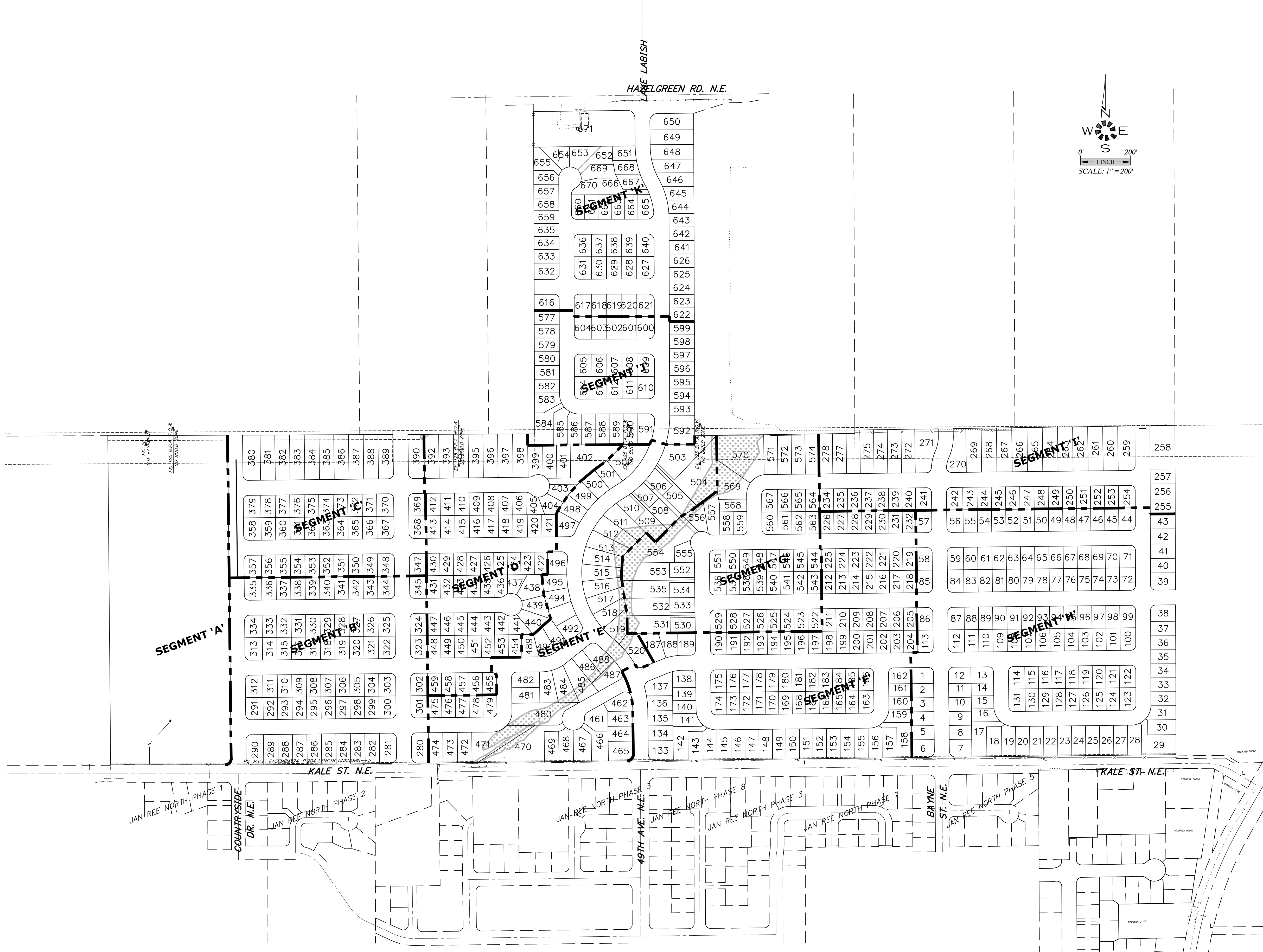
Owner / Developer:

Northstar Communities L.L.C.

9550 S.E. CLACKAMAS Rd.
CLACKAMAS, OREGON 97015

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON



VICINITY MAP

NUMBER OF LOTS BY SEGMENT

SEGMENT	PROPOSED	ORIGINAL
A	1	50
B	66	66
C	44	44
D	68	70
E	60	67
F	100	100
G	53	55
H	130	131
I	45	46
J	38	38
K	55	62
TOTALS	660	729
CHANGE	-69	



ENGINEERING SERVICES, INC.
11555 13th St. S.E. Salem, OR 97302
PH: (503) 363 - 9227 FAX (503) 364-1260
www.mtengineering.net office@mtengineering.net

COVER SHEET

PROPOSED
MODIFICATION

NOT FOR
CONSTRUCTION
UNLESS STAMPED
APPROVED HERE

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

Design: M.D.G. Drawn: C.F.S. ProjMgr: J.J.G. Date: FEB. 2019 Scale: AS SHOWN As-Built: ---
6610-0000 1 of 720V



EXPIRES: 06-30-2019

JOB # 6610

Owner / Developer:

Northstar Communities L.L.C.

**9550 S.E. CLACKAMAS Rd.
CLACKAMAS, OREGON 97015**

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON



PRELIMINARY PLAN

**PROPOSED
MODIFICATION**

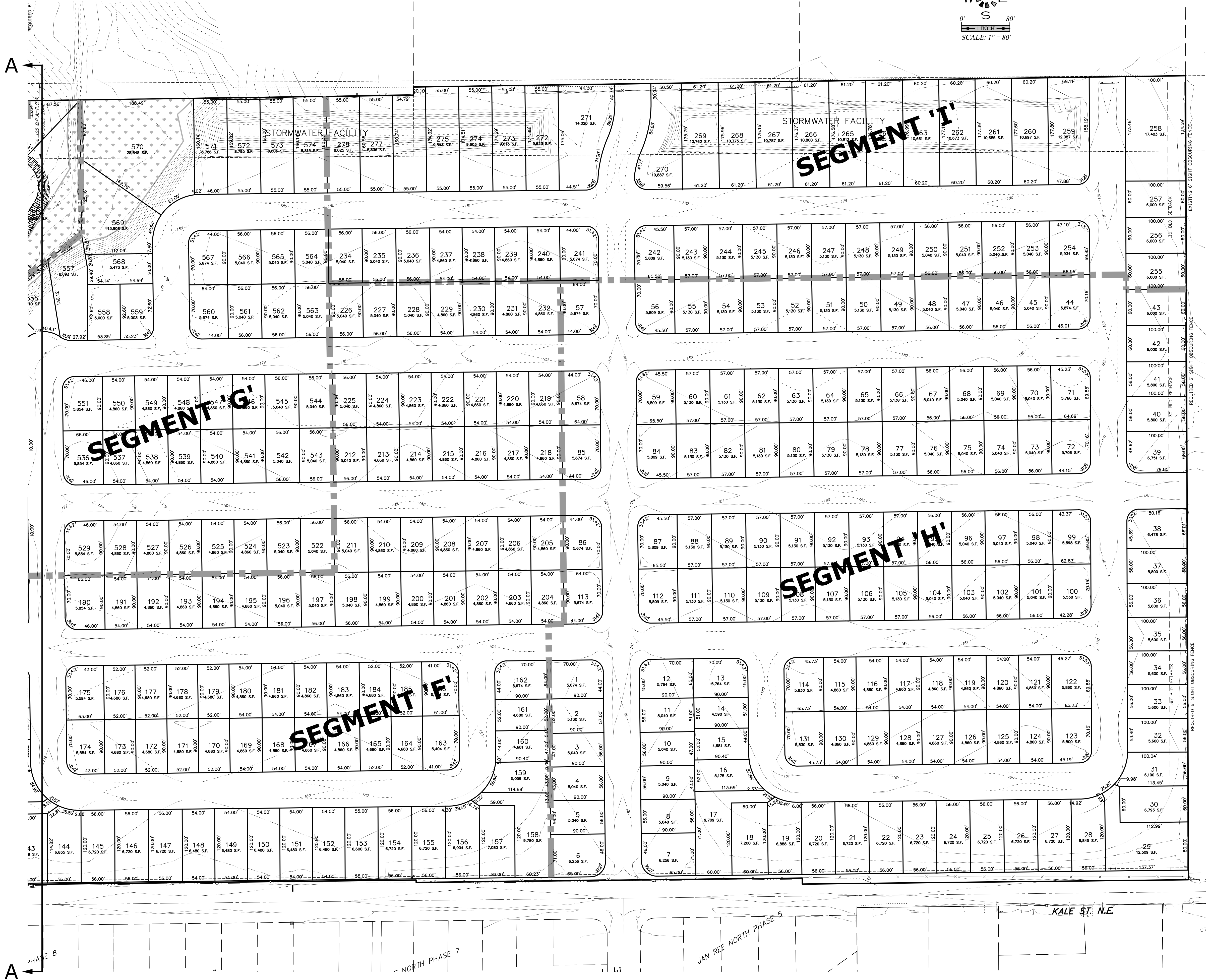
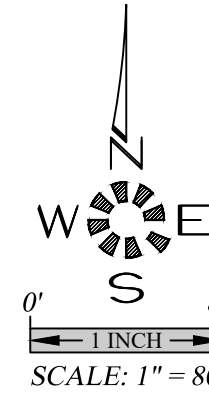
MULTITECH ENGINEERING EXEMPT FROM
LIABILITY IF NOT STAMPED APPROVED
NOT FOR
CONSTRUCTION
UNLESS STAMPED
APPROVED HERE

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

6616_Submittal 2 of 7
Design: M.D.G.
Drawn: C.F.S.
ProjMgr: J.J.G.
Date: FEB. 2019
Scale: AS SHOWN
As-Built: ----



JOB # 6610



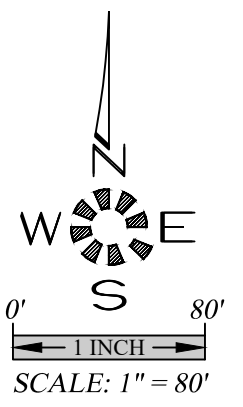
Owner / Developer:

Northstar Communities L.L.C.

**9550 S.E. CLACKAMAS Rd.
CLACKAMAS, OREGON 97015**

NORTHSTAR

**SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON**



MULTI/TECH
ENGINEERING SERVICES, INC.
11555 13th St., S.E. SALEM, OR. 97302
PH. (503) 363-9227 FAX (503) 364-1260
www.mtechengineering.net office@mtengr.com

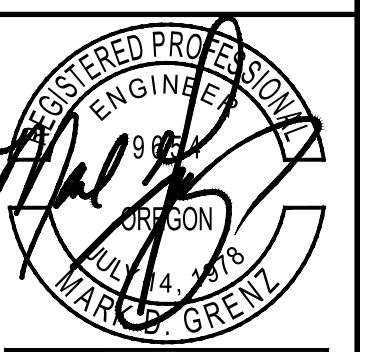
PRELIMINARY PLAN

**PROPOSED
MODIFICATION**

NOT FOR
CONSTRUCTION
UNLESS STAMPED
APPROVED HERE

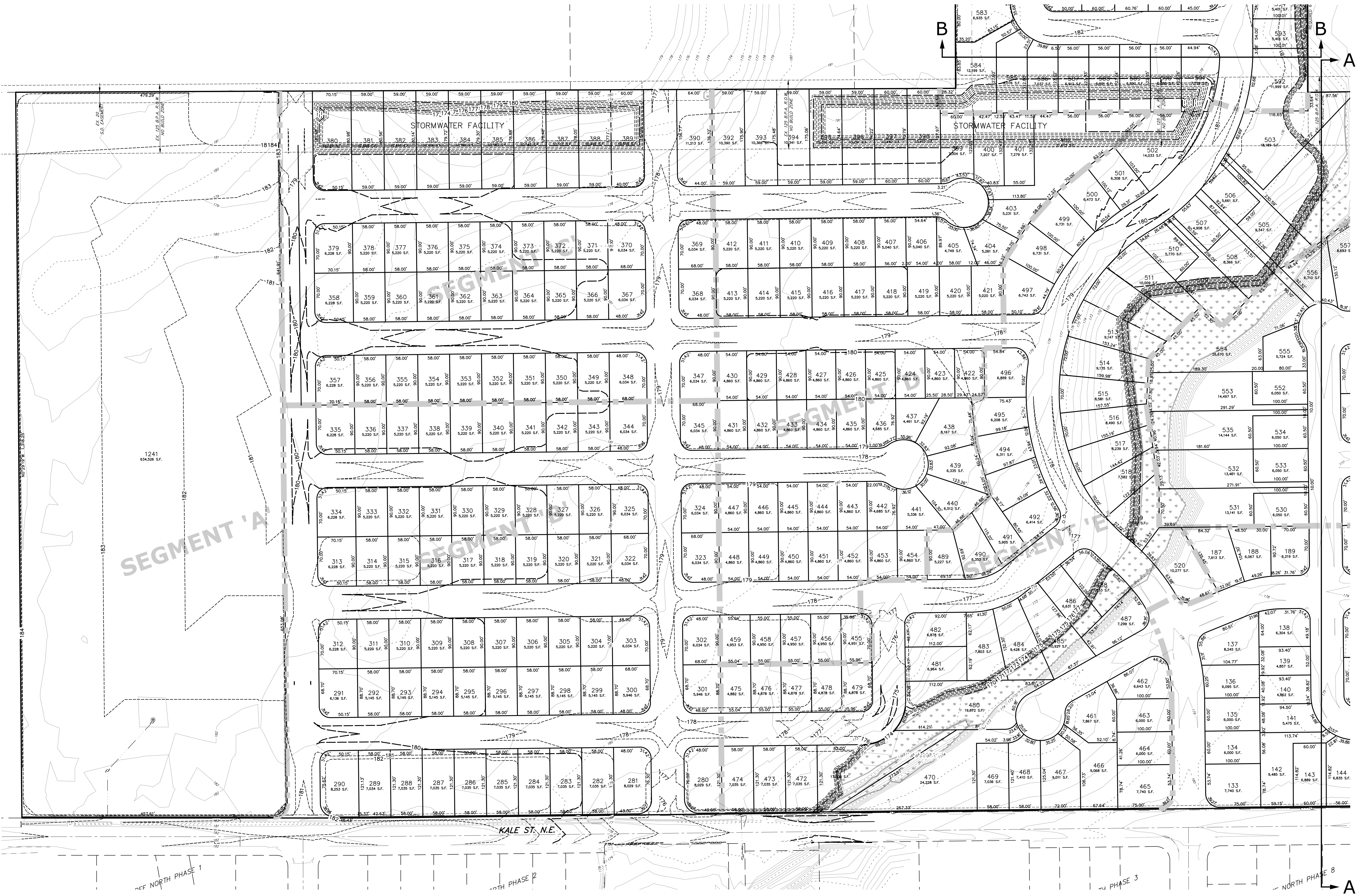
NO CHANGES, MODIFICATIONS
OR REPRODUCTIONS TO BE
MADE TO THESE DRAWINGS
WITHOUT WRITTEN
AUTHORIZATION FROM THE
DESIGN ENGINEER.
DIMENSIONS AND NOTES TAKE
PRECEDENCE OVER
GRAPHICAL REPRESENTATION.

Design: M.D.G.
Drawn: C.F.S.
ProjMgr: J.J.G.
Date: FEB. 2019
Scale: AS SHOWN
As-Built: ----



EXPIRES: 06-30-2019
JOB # 6610

3 of 7



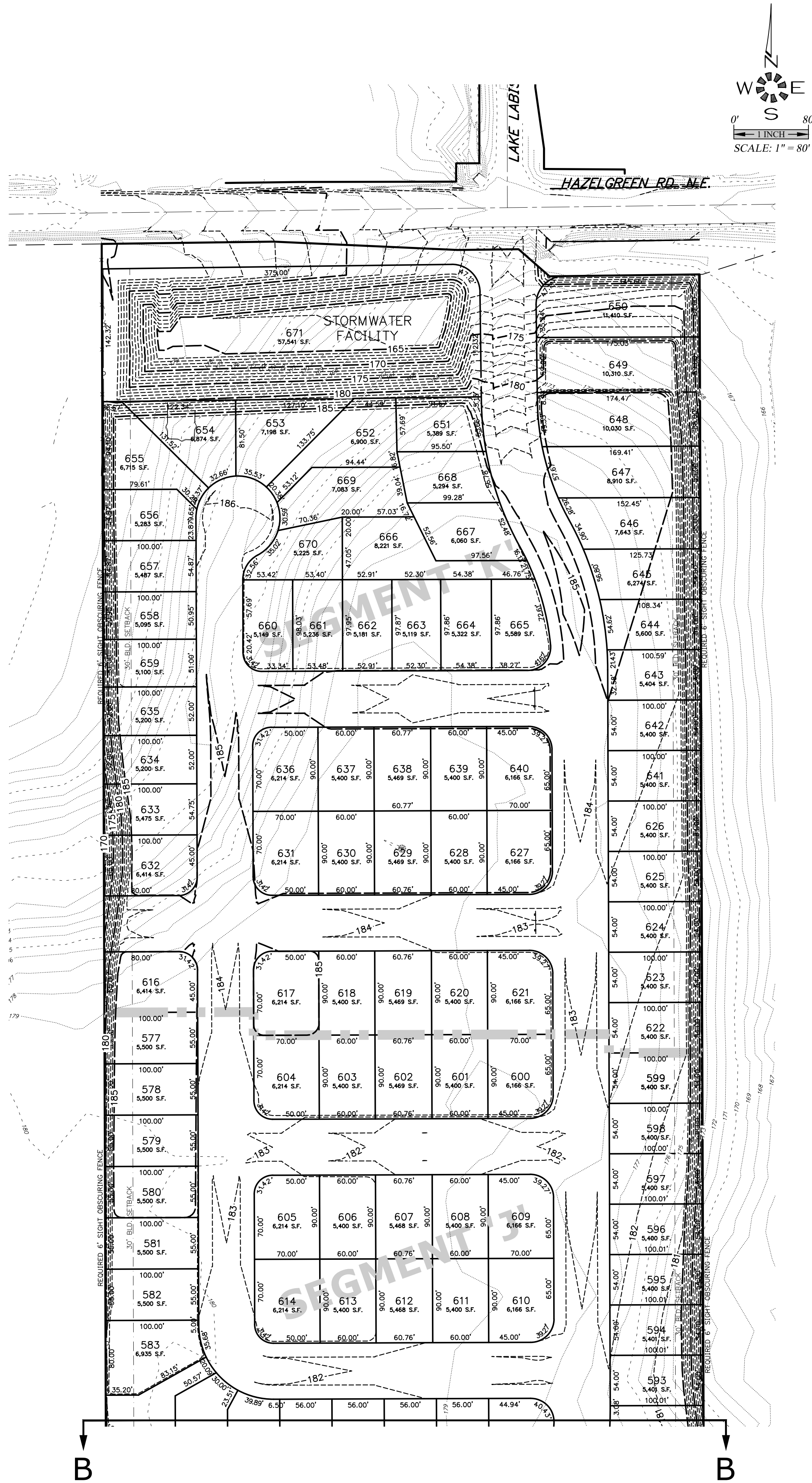
Owner / Developer:

Northstar Communities L.L.C.

9550 S.E. CLACKAMAS Rd.
CLACKAMAS, OREGON 97015

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON



MULTI/TECH
ENGINEERING SERVICES, INC.
11555 13th St. S.E. SALEM, OR 97302
PH: (503) 363 - 9227 FAX (503) 364-1260
www.mtengineering.net office@mtengineering.net

PRELIMINARY PLAN

PROPOSED
MODIFICATION

MULTI/TECH ENGINEERING EXEMPT FROM
LIABILITY IF NOT STAMPED APPROVED
NOT FOR
CONSTRUCTION
UNLESS STAMPED
APPROVED HERE

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

Design: M.D.G.
Drawn: C.F.S.
ProjMgr: J.J.G.
Date: FEB. 2019
Scale: AS SHOWN
As-Built: ----

REGISTERED PROFESSIONAL
ENGINEER
JULY 1998
OREGON
MARK GREVIL

EXPIRES: 06-30-2019

JOB # 6610

4 of 7

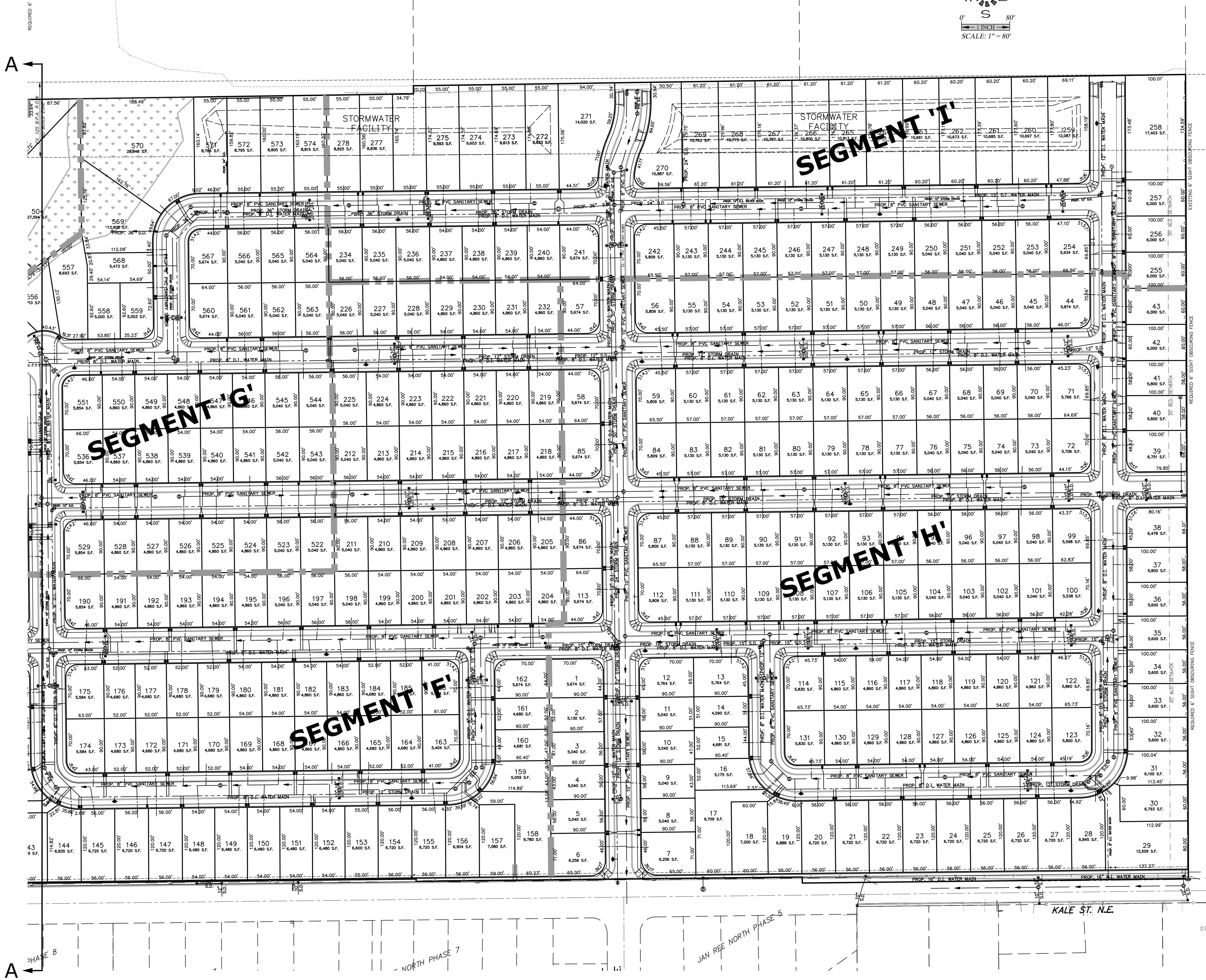
Owner / Developer:

Northstar Communities L.L.C.

**9550 S.E. CLACKAMAS Rd.
CLACKAMAS, OREGON 97015**

NORTHSTAR

**SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON**



MULTI/TECH
ENGINEERING SERVICES, INC.
1155 13th St., S.E. Salem, OR 97302
PH: (503) 363-9227 FAX: (503) 364-1260
www.mtechengr.com office@mtengr.com

UTILITY PLAN

**PROPOSED
MODIFICATION**

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

Design: M.D.G.
Drawn: C.F.S.
ProjMgr: J.J.G.
Date: FEB. 2019
Scale: AS SHOWN
As-Built: ----

REGISTERED PROFESSIONAL
ENGINEER
JULY 1978
MARK GREVIL
EXPIRES: 06-30-2019
JOB # 6610

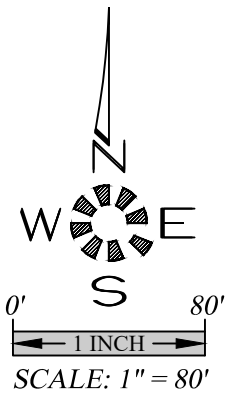
Owner / Developer:

Northstar Communities L.L.C.

9550 S.E. CLACKAMAS Rd.
CLACKAMAS, OREGON 97015

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON



MULTI/TECH
ENGINEERING SERVICES, INC.
1155 13th St., S.E. Salem, OR 97302
PH: (503) 363-9227 FAX: (503) 364-1260
www.mtengr.com office@mtengr.com

UTILITY PLAN

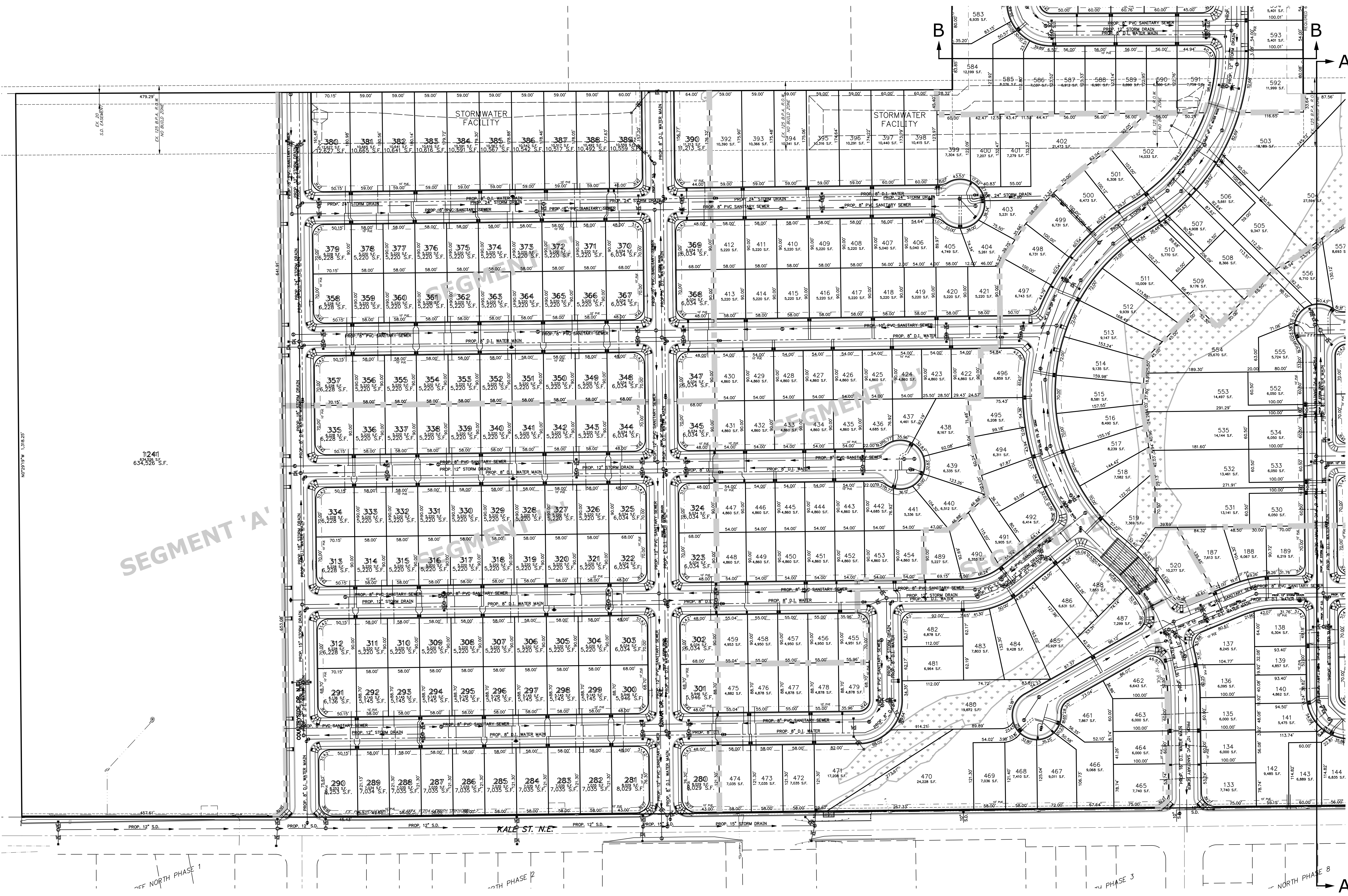
**PROPOSED
MODIFICATION**

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

6616_Scaled 6 of 7
Design: M.D.G.
Drawn: C.L.S.
ProjMgr: J.J.G.
Date: FEB. 2019
Scale: AS SHOWN
As-Built: ----

REGISTERED PROFESSIONAL
ENGINEER
JULY 1978
MARK GREVIL
EXPRES: 06-30-2019
JOB # 6610

6 of 7



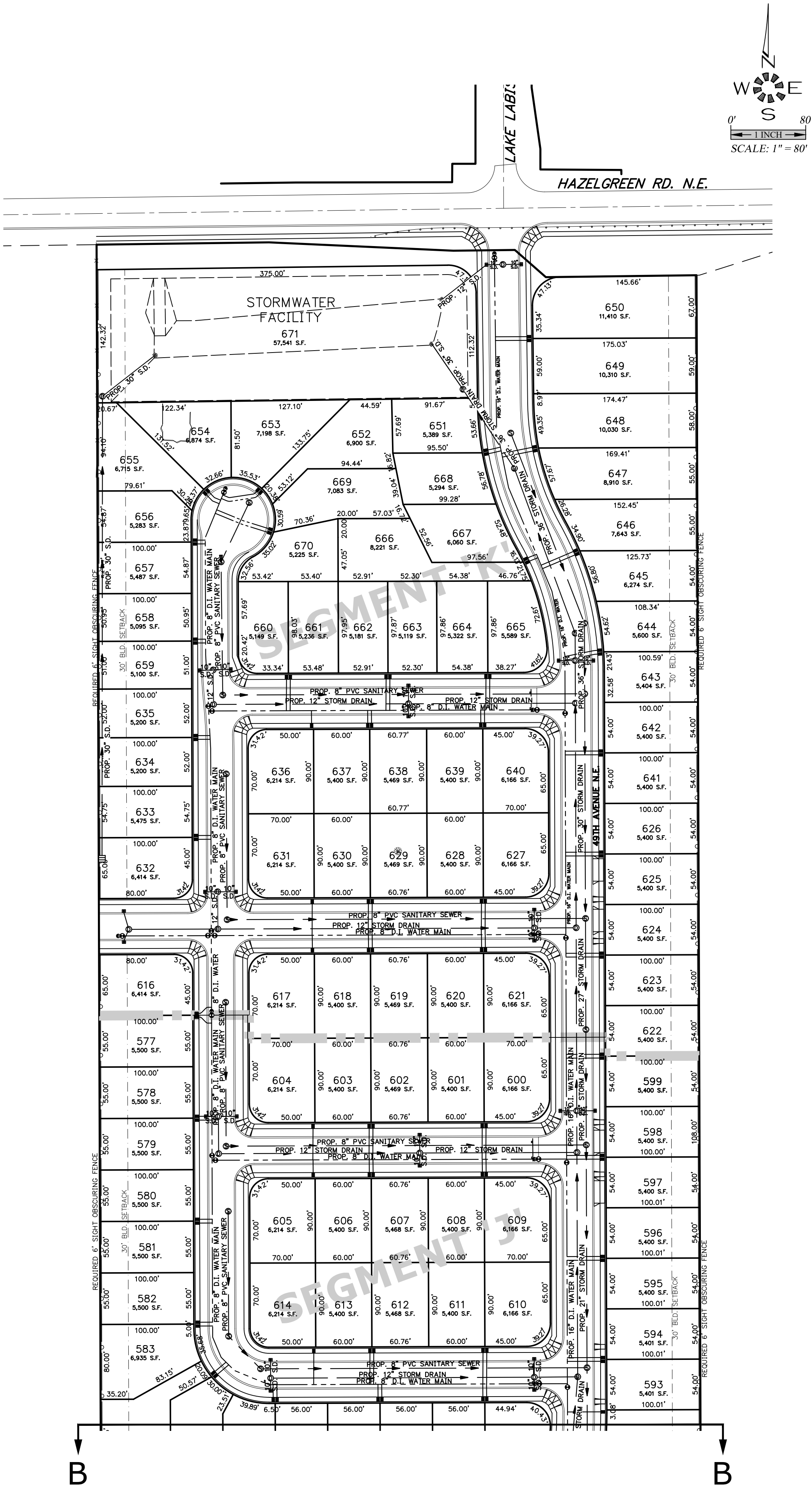
Owner / Developer:

Northstar Communities L.L.C.

9550 S.E. CLACKAMAS Rd.
CLACKAMAS, OREGON 97015

NORTHSTAR

SEC. 32, T. 6 S., R. 2 W., W.M.
CITY OF SALEM
MARION COUNTY, OREGON



MULTI/TECH

ENGINEERING SERVICES, INC.
11555 13th St. S.E. Salem, OR 97302
PH: (503) 363 - 9227 FAX (503) 364-1260
www.mtengineering.net office@mtengineering.net

UTILITY PLAN

PROPOSED
MODIFICATION

MULTI/TECH ENGINEERING EXEMPT FROM
LIABILITY IF NOT STAMPED APPROVED

NOT FOR
CONSTRUCTION
UNLESS STAMPED
APPROVED HERE

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

6610_Submittal 7 of 7
Design: M.D.G.
Drawn: C.F.S.
ProjMgr: J.J.G.
Date: FEB. 2019
Scale: AS SHOWN
As-Built: ----

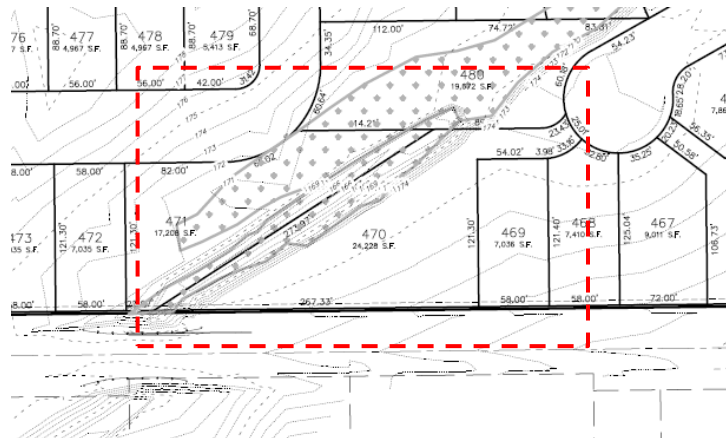
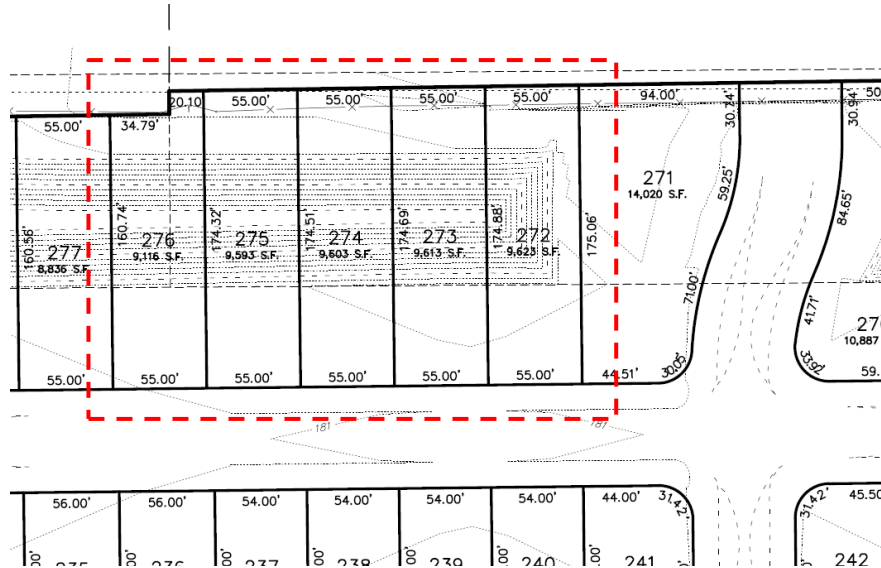
REGISTERED PROFESSIONAL
ENGINEER
OREGON
MARK GREVIL

EXPIRES: 06-30-2019

JOB # 6610

Adjustment Class-2 Application Table 511-2 (Lot Standards)

An adjustment to lot to depth ratio is also being requested for Lots 272-276 in Segment I and Lot 470 in Segment E.



The applicant is requesting an adjustment to the lot width to lot depth maximum.

Adjustment Criteria-SRC 250.005(d)(2) Criteria

(A) The purpose underlying the specific development standard proposed for adjustment is:

- (i) Clearly inapplicable to the proposed development; or***
- (ii) Equally or better met by the proposed development.***

(B) If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.

(C) If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone.

Applicant's Reasons:

(A) The applicant is requesting a zoning adjustment to Table 5111-2. The minimum lot width required for lots in the RS zone is 40 feet with a minimum lot depth of 70 feet. Table 111-2 only allows a maximum lot depth of 300% of average lot width

The applicant is requesting an adjustment to the lot width to lot depth maximum. In order to provide street connections and circulation, the size and layout of the lots had to be taken into consideration. Therefore, some lots exceed the minimum and maximum requirements.

Lots 272 through 276 in Segment I of Northstar Subdivision are all 55 feet in width, therefore, only allowing a maximum lot depth of 165 feet. However, all five of these lots exceed 165 feet in lot depth.

Lot Depth

Lot 272-174 feet
Lot 273-174 feet
Lot 274-175 feet
Lot 275-174 feet
Lot 276-168 feet

Lot 470 in Segment E of Northstar Subdivision is 25 feet in width, therefore, only allowing a maximum lot depth of 75 feet.

Lot Depth

Lot 470-198 feet

The purpose of this requirement is to avoid creating long narrow lots. As stated above, in order to provide street connections and circulation, the size and layout of the lots had to be taken into consideration. Due to the required street extensions near these lots, creating smaller lots is not feasible.

The longer lots do not affect the rest of the subdivision or the proposed lots. The longer lots actually provide larger lots to help meet setbacks and provide larger open space areas on the lots. Therefore, the proposed adjustment equally or better meets the standard.

- (B) The subject property is zoned RS and is located in a residential area. The properties to the north, east, south, and west are all zoned RS (Single Family Residential). The RS zone allows for this property to be subdivided.

The proposal will have little to no impact on the surrounding neighborhood. The purpose of this requirement is to avoid creating long narrow lots. As stated above, in order to provide street connections and circulation, the size and layout of the lots had to be taken into consideration. Due to the required street extensions near these lots, creating smaller lots is not feasible.

The longer lots do not affect the rest of the subdivision or the proposed lots. The longer lots actually provide larger lots to help meet setbacks and provide larger open space areas on the lots. Therefore, this proposal will not detract from the livability or appearance of the residential area.

Any conditions placed on the subdivision will require Code compliance, which will help ensure minimal to no impacts on the neighborhood.

- (C) The proposed adjustment will not affect surrounding existing or proposed development. The applicant is not requesting more than one adjustment.



LAND USE APPLICATION

Application Type:

Subdivision Modification/Class 2 Adjust

APPLICANT INFORMATION

(Check one box below for designated contact person regarding this application)

☐ Applicant Name: Karl Ivanov

Daytime Phone: _____

Mailing Address: 9550 SE Clackamas Road

Fax Number: _____

City/State: Clackamas, Oregon

Zip: 97015

Email: _____

☒ Agent: Brandie Dalton, Land-Use Planner

Daytime Phone: 503-363-9227

Mailing Address: 1155 13th St. SE

Fax Number: _____

City/State: Salem, Oregon

Zip: 97302

Email: _____

PROPERTY INFORMATION

4400-5200 Block of Kale Road (SUB07-13A)

148 Acres

(Street Address or Location of Subject Property)

(Total Size of Subject Property)

(Assessor Tax Lot Numbers)

Vacant

RS/RM1/RM2

'Res' and 'RM'

(Existing Use, Structures, and/or Other Improvements On Site)

(Zoning)

(Comp Plan Designation)

PROPOSED PROJECT INFORMATION

Modification to SUB07-13A approval

(Describe the Proposed Use or Development of Subject Property)

NEIGHBORHOOD ASSOCIATION:

CONTACTED? ☐ Yes ☒ No

The City of Salem recognizes, values, and supports the involvement of residents in land use decisions affecting neighborhoods across the city and strongly encourages anyone requesting approval for any land use proposal to contact the affected neighborhood association(s) as early in the process as possible.

(Describe Contact with the Affected Neighborhood Association)

Date Contacted _____

SALEM - KEIZER TRANSIT CONTACTED?

☐ Yes ☒ No

(Describe Contact with Salem - Keizer Transit)

Date Contacted _____

AUTHORIZATION BY PROPERTY OWNER(S) / APPLICANT

**If the applicant and/or property owner is a Limited Liability Company (LLC), please also provide a list of all members of the LLC with your land use application.*

(Property owners and contract purchasers are required to authorize the filing of this application and must sign below)

① All signatures represent that they have full legal capacity to and hereby do authorize the filing of this application and certify that the information and exhibits herewith submitted are true and correct.

② I (we) hereby grant consent to the City of Salem and its officers, agents, employees, and/or independent contractors to enter the property identified above to conduct any and all inspections that are considered appropriate by the City to process this application.

③ I (we) hereby give notice of the following concealed or unconcealed dangerous conditions on the property: _____

(Signature)

KARL IVANOV

(Print Name)

9.14.18

(Date)

(Address - Include Zip)

(Signature)

(Print Name)

(Date)

(Address - Include Zip)

STAFF USE ONLY - DO NOT WRITE BELOW - STAFF USE ONLY

Received By: _____

Date: _____

Receipt No. _____

G:\CD\PLANNING\APPLICATION Info & Forms\Application Packets\Land Use Application.doc

8/28/2015

Northstar

Modified Subdivision (SUB 07-13A)

Revised-April 17, 2019

BACKGROUND:

On June 25, 2007, UGA Preliminary Declaration (UGA 07-1) was issued for the subject property (4400-5200 blocks of Kale Road).

The applicant received subdivision (SUB 07-13) approval on September 28, 2007, for 730 (Option 1), 669 (Option 2), and 694 (Option 3) lot subdivision (4400-5200 blocks of Kale Road).

The applicant amended Subdivision Case No. 07-13 (SUB 07-13A), and received approval on December 18, 2007, for 730 (Option 1), 669 (Option 2), and 694 (Option 3) lot subdivision (4400-5200 blocks of Kale Road).

The applicant received approval for Tree Conservation Plan (TCP 07-17) on property located within the 4400-5200 blocks of Kale Road.

The subject property is approximately 148 acres in size and located within the 4400-5200 blocks for Kale Road (062W32D/Tax Lots 701 & 1100 and 062W32C/Tax Lots 200, 700, 800, 900, and 1000). The subject properties are zoned RS (Single Family Residential), RM1 (Multi-Family Residential-1), and RM2 (Multi-Family Residential-2). The subject property is designated as "Single Family Residential" and "Multi-Family Residential" on the Salem Area Comprehensive Plan (SACP) Map.

PROPOSAL:

The proposal is to modify Subdivision Case No. SUB 07-13A. The SUB 07-13A was originally approved with three (3) options and eleven (11) Segments; the modification is for one (1) option and eleven (11) Segments, but with the following modifications.

- 1) Modify the boundary of Segment D**
 - The boundary of Segment D is being realigned.
 - Number of lots in Segment D are being reduced from 70 lots to 68 lots
- 2) Modify the street layout and boundary of Segment E**
 - The street layout in Segment E is being modified
 - The boundary of Segment E is being realigned
- 3) Modify the number of lots in Segments A, E, G, and K**
 - Number of lots in Segment A are being reduced from 50 lots to 1 lot
 - Number of lots in Segment E are being reduced from 67 lots to 60 lots
 - Number of lots in Segment G are being reduced from 55 lots to 53 lots
 - Number of lots in Segment K are being reduced from 62 lots to 55 lots
- 4) Eliminate Condition No. 7 and Condition No. 8**
- 5) Clarify Condition No. 14**

-Revise or clarify Condition No. 14 to say, "Construct the 16-inch Master Plan water line between Kale Road and the north line of the subject property. The line shall extend from the existing 16-inch line in Kale Road and be constructed within 49th Ave. NE to Hazelgreen Road NE"

6) Revise Condition No. 16

-Revise or clarify Condition No. 16 to require the applicant to pay their proportional share

7) Revise Condition No. 22

-Revise Condition No 22 to say, "Construct Segment K UGA Condition B.2.b an interim improvement of 17-foot turnpike improvement on the development side and a 17-foot turnpike improvement on the opposite side of centerline along the full frontage of the subject property and enter into a deferral agreement for the remaining permanent improvement"

8) Modify total number of lots in subdivision

-Original (3 Options) (11 Segments): Proposed Modification (1 Option) (11 Segments):

*Original=729 lots

*Proposed=660 lots

<i>NUMBER OF LOTS BY SEGMENT</i>		
SEGMENT	PROPOSED	ORIGINAL
A	1	50
B	66	66
C	44	44
D	68	70
E	60	67
F	100	100
G	53	55
H	130	131
I	45	46
J	38	38
K	55	62
TOTALS	660	729
CHANGE	-69	

An adjustment to lot to depth ratio is also being requested for Lots 272-276 in Segment I and Lot 470 in Segment E.

SITE VICINITY and CHARACTERISTICS:

The subject property is located on Kale Road. The vicinity map is attached as shown. The surrounding land uses within the vicinity are zoned and used as follows and as shown.

North: Marion County UT-5 (Urban Transition); single-family homes, light agriculture

East: Marion County EFU (Exclusive Farm Use), heavy agriculture

South: RS (Single-Family Residential), RZ (Residential Agriculture) and Marion County UT-5; single family homes, vacant land, parks

West: RM2 (Multiple Family Residential) and Marion County UT-20 (Urban Transition); manufactured home park, agricultural uses

EXISTING SITE CONDITIONS:

The subject property is approximately 148 acres in size. The modification does not change or impact trees, wetlands or landslides on the subject property. The modification is only to change the segment lines, lot numbers, street alignments, and conditions of approval as shown on the site plans.

Trees: There are six (6) trees located on the subject property and the applicant has approval to remove one (1) of the trees per TCP Case No. 07-17. The applicant is not modifying the Tree Conservation Plan. Additional trees are not proposed to be removed.

Wetlands: On July 16, 2007, as part of the original approval, DSL provided comments indicating that a removal-fill permit may be required on the site. The applicant will obtain all required permits prior to development of the site.

All lots with wetlands will have buildable areas that meet code. The wetland on lots within the subdivision does not eliminate the needed buildable area. Therefore, Lots 471, 480, 509, and 519 can be developed.

Landslide Susceptibility: According to the City's adopted landslide hazard susceptibility maps, a geological assessment is not required.

ACCESS AND CIRCULATION:

The modification does not change or impact circulation to, from, or within the subdivision.

General Circulation: The modified subdivision will result in the creation of 660 lots, with one (1) preliminary plan option. Vehicular access to the proposed lots will be taken from proposed internal streets. All lots will have access onto Kale Road to the south and Hazel Green Road to the north. Stub streets have been provided along the east and west property lines for future development of surrounding properties. The internal streets will provide safe and efficient access to the lots and to the existing street system, by providing direct access to the site and to Kale Road and Hazel Green Road.

Boundary Streets: There are two streets abutting the subject property, Kale Road to the south, which is designated as a 'minor arterial' street and Hazel Green Road to the north, which is designated as a "parkway" in the Salem Transportation System Plan (TSP). Improvements to these streets will be made as outlined in the UGA 07-1.

Internal Streets: The proposed subdivision will have direct access onto Kale Road and Hazel Green Road via proposed internal streets. All internal streets are designed to Public Works street standards (60-foot wide) as shown on the site plans.

Due to the realigned of streets and the addition of a cul-de-sac, the applicant is requesting to modify the internal street layout of Segment D and Segment E.

CRITERIA AND APPLICANT'S REASONS ADDRESSING UDC 205.010(d)(1): The proposed modification does not change or impact compliance with the required criteria.

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.

The SUB 07-13A was approved with three (3) options and eleven (11) Segments; the modification is for one (1) option and eleven (11) Segments, but with a few changed segment lines. The proposed modification is to modify the following:

- 1) **Modify the boundary of Segment D**
 - The boundary of Segment D is being realigned.
 - Number of lots in Segment D are being reduced from 70 lots to 68 lots
- 2) **Modify the street layout and boundary of Segment E**
 - The street layout in Segment E is being modified
 - The boundary of Segment E is being realigned
- 3) **Modify the number of lots in Segments A, E, G, and K**
 - Number of lots in Segment A are being reduced from 50 lots to 1 lot
 - Number of lots in Segment E are being reduced from 67 lots to 60 lots
 - Number of lots in Segment G are being reduced from 55 lots to 53 lots
 - Number of lots in Segment K are being reduced from 62 lots to 55 lots
- 4) **Eliminate Condition No. 7 and Condition No. 8**
- 5) **Clarify Condition No. 14**
 - Revise or clarify Condition No. 14 to say, "Construct the 16-inch Master Plan water line between Kale Road and the north line of the subject property. The line shall extend from the existing 16-inch line in Kale Road and be constructed within 49th Ave. NE to Hazelgreen Road NE"
- 6) **Revise Condition No. 16**
 - Revise or clarify Condition No. 16 to require the applicant to pay their proportional share
- 7) **Revise Condition No. 22**
 - Revise Condition No 22 to say, "Construct Segment K UGA Condition B.2.b an interim improvement of 17-foot turnpike improvement on the development side and a 17-foot turnpike improvement on the opposite side of centerline along the full frontage of the subject property and enter into a deferral agreement for the remaining permanent improvement"
- 8) **Modify total number of lots in subdivision**
 - Original (3 Options) (11 Segments): Proposed Modification (1 Option) (11 Segments):
 - *Original=729 lots *Proposed=660 lots

(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.

Applicant Findings: The proposed lots meet SRC Chapter 205 (Subdivision), Chapter 211 (Single Family Residential) minimum lot size, dimension (in the RS zoned portion), and street frontage standards. A variance to lot dimensions in the RM1 and RM2 zoned portions of the property were approved under SUB 07-13 and SUB 07-13A. All lots are suitable for the general purpose for which they are intended to be used, such as for the development code permitted uses. The lots are of size and design as not to be detrimental to the public health, safety, or welfare.

The subdivision code, SRC 205, 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. As stated above, A variance to lot dimensions in the RM1 and RM2 zoned portions of the property were approved under SUB 07-13 and SUB 07-13A.

An adjustment to lot to depth ratio is also being requested for Lots 272-276 in Segment I and Lot 470 in Segment E.

The modified proposal conforms 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.

(B) City infrastructure standards.

Applicant Findings: As indicated in the original approval (SUB 07-13 and SUB 07-13A), the lots can be adequately served with water, sanitary sewer and storm drainage facilities. The subdivision can also be served with other utilities appropriate to the nature of the development.

The proposed development is subject to the Conditions of Approval per UGA 07-1. The modification will not impact the proposed utilities.

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 checked prior to city staff signing the final subdivision plat.

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

Applicant Findings:

Wetlands: On July 16, 2007, as part of the original approval, DSL provided comments indicating that a removal-fill permit may be required on the site. The applicant will obtain all required permits prior to development of the site.

All lots with wetlands will have buildable areas that meet code. The wetland on lots within the subdivision does not eliminate the needed buildable area. Therefore, Lots 471, 480, 509, and 519 can be developed.

Landslide Susceptibility: According to the City's adopted landslide hazard susceptibility maps, a geological assessment is not required.

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

Applicant Findings: The modification is to change the segment lines within SUB 07-13A, as shown on the site plan. The subject properties and adjacent properties will not be affected by this modification. Approval of the modified subdivision does not impede future use of the subject property. Adjacent properties are either developed with existing single-family dwellings or are currently vacant land. Stub streets have been provided to properties to the east and west for future development.

A 15-foot wide pedestrian path running north/south through the site is being provided as shown on the site plan. The pedestrian path will be dedicated as right-of-way.

The proposal provides for development of the site consistent with current zoning standards and SUB 07-13 dated September 28, 2007, and SUB 07-13A dated December 18, 2007. The proposal meets the criterion.

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

Applicant Findings: The Public Works Department is responsible for reviewing the proposal to determine the public facility construction and other requirements necessary to serve the development and provide for future development of any adjoining properties. The City's adopted facility plans, and construction requirements are the basis for the provision of facilities and any conditions of approval imposed on the development to meet service requirements.

The property has an issued UGA (UGA 07-1). Public facilities are available to serve the property resulting from prior development in the subject area. UGA 07-1 outlines all the needed linking requirements and improvements to get services to the site.

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:

Applicant Findings: Storm water quality and quantity have been reviewed for this development. A LID (low impact development) Storm water 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 meets City of Salem Storm water Management standards in means and methods to provide all aspects of Storm water management.

Per Condition No. 11 of SUB 07-13, the applicant will design and construct a complete storm drainage system at the time of development. The applicant will design the storm drainage system based on the design standards in place at the time of the 2007 Subdivision approval.

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

Applicant Findings: The subdivision provides for hard-surfaced vehicle, bicycle and pedestrian access from the subdivision to the existing internal streets.

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 subdivision modification 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:

- (a) Mass Transit: The nearest transit service available to the site is provided via Route 15, located on Kale Road to the south of the site.
- (b) Pedestrian Connectivity: Improved pedestrian access is indicated on the site plan and will be provide via proposed sidewalks along the internal streets onto the existing sidewalk and proposed sidewalks on Kale and Hazel Green Road.

As an infill proposal, the transportation network in the area is already established or being established as more development occurs in the area. Connections to the existing system are provided by existing

streets and access to serve the new parcels. The subject property, as proposed and conditioned, is served with adequate transportation infrastructure, and the street system adjacent to the property provides for safe, orderly, and efficient circulation of traffic into and out of the property.

A 15-foot wide pedestrian path running north/south through the site is being provided as shown on the site plan. The pedestrian path will be dedicated as right-of-way.

Findings for supporting this criterion are found in UGA 07-1. The major street network in the area has been identified as having been established and is consistent with the Salem Transportation System Plan. Improvements and linking requirements will be made as outlined in UGA 07-1. The subdivision is served with adequate transportation infrastructure and the street system adjacent to the property will conform to the Salem Transportation System Plan and provides for safe, orderly, and efficient circulation of traffic into, through, and out of the subject property.

The proposed subdivision will have direct access onto Kale Road and Hazel Green Road via proposed internal streets. All internal streets will be designed to Public Works street standards.

The modification does request modifications to street improvements and Conditions of Approval as follows:

Clarify Condition No. 14

-Revise or clarify Condition No. 14 to say, "Construct the 16-inch Master Plan water line between Kale Road and the north line of the subject property. The line shall extend from the existing 16-inch line in Kale Road and be constructed within 49th Ave. NE to Hazelgreen Road NE"

Revise Condition No. 16

-Revise or clarify Condition No. 16 to require the applicant to pay their proportional share

Revise Condition No. 22

-Revise Condition No 22 to say, "Construct Segment K UGA Condition B.2.b an interim improvement of 17-foot turnpike improvement on the development side and a 17-foot turnpike improvement on the opposite side of centerline along the full frontage of the subject property and enter into a deferral agreement for the remaining permanent improvement"

A TIA was submitted and approved by the City of Salem, with the SUB 07-13 approval. The modification is changing the number of lots proposed from 729 lots to 660 lots. Therefore, the modification will not affect the approved TIA.

(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.

Applicant Findings: The subject property is located in a developed and developing area where improved streets and sidewalks exist or are proposed. The local street system serving the development provides the necessary connections and access to the Local Street and circulation system serving this residential neighborhood.

The subdivision will provide sidewalks along the proposed portion of the site where lots and Segments will be developed.

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 addressed the level of street improvements that are roughly proportional to assure conformance to the development to subdivision code and applicable transportation system plan requirements via issued UGA 07-1. Completion of conditions of approval prior to the signing of the final plat will satisfy this criterion for the subdivision application.

The proposed modification does change the street layout in Segments D and E but does not change the circulation pattern that was originally approved. Therefore, this criteria 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.

Applicant Findings: 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 once the access ways are hard-surfaced and physically connected to the public street system.

Therefore, via existing and proposed paved streets and sidewalks, safe and convenient bicycle and pedestrian access will be provided to the site and to adjacent neighborhoods.

A 15-foot wide pedestrian path running north/south through the site is being provided as shown on the site plan. The pedestrian path will be dedicated as right-of-way.

The proposed modification does change the street layout in Segments D and E but does not change the circulation pattern that was originally approved. Therefore, this criteria has been met.

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

The proposed modification does change the street layout in Segments D and E but does not change the circulation pattern that was originally approved. A TIA was approved by the City of Salem in 2007. The street layout does not warrant the need for a new TIA. All mitigations required by the TIA and Conditions of Approval will be met.

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.

Applicant Findings: Topography and vegetation was taken into consideration for the subdivision. A majority of the lots and all the streets are in compliance with the UDC.

However, an adjustment to lot to depth ratio is also being requested for Lots 272-276 in Segment I.

(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.

Applicant Findings: 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 applicant has an approved Tree Conservation Plan (TCP 07-17). The Tree Conservation Plan is not being modified.

The proposed lots are of sufficient size and dimensions to permit future development. An adjustment to lot to depth ratio is also being requested for Lots 272-276 in Segment I. The lot dimensions are illustrated on the tentative site plan. 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.

Topography and vegetation were taken into consideration for the subdivision. Most of the lots and all the streets are in compliance with the UDC. 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.

Applicant Findings: The subject properties are subject to growth management requirements for public facilities. Urban Growth Area Permit-UGA 07-1 was approved for the subject property. Therefore, the applicant is subject to the requirements of UGA 07-1.

MODIFICATION CRITERIA-UDC 205-070(D)-See Proposed Modification Sheets 1-6

The SUB 07-13 and SUB07-13A were approved with three (3) options and eleven (11) Segments; the modification is for one (1) option and eleven (11) Segments, but with modified segment lines and less lots. The total numbers of lots is being modified from 729 lots to 660 lots. The following modifications are proposed:

- 1) Modify the boundary of Segment D**
 - The boundary of Segment D is being realigned.
 - Number of lots in Segment D are being reduced from 70 lots to 68 lots
- 2) Modify the street layout and boundary of Segment E**
 - The street layout in Segment E is being modified
 - The boundary of Segment E is being realigned
- 3) Modify the number of lots in Segments A, E, G, and K**
 - Number of lots in Segment A are being reduced from 50 lots to 1 lot
 - Number of lots in Segment E are being reduced from 67 lots to 60 lots
 - Number of lots in Segment G are being reduced from 55 lots to 53 lots
 - Number of lots in Segment K are being reduced from 62 lots to 55 lots
- 4) Eliminate Condition No. 7 and Condition No. 8**
- 5) Clarify Condition No. 14**
 - Revise or clarify Condition No. 14 to say, "Construct the 16-inch Master Plan water line between Kale Road and the north line of the subject property. The line shall extend from

the existing 16-inch line in Kale Road and be constructed within 49th Ave. NE to Hazelgreen Road NE"

6) Revise Condition No. 16

-Revise or clarify Condition No. 16 to require the applicant to pay their proportional share

7) Revise Condition No. 22

-Revise Condition No 22 to say, "Construct Segment K UGA Condition B.2.b an interim improvement of 17-foot turnpike improvement on the development side and a 17-foot turnpike improvement on the opposite side of centerline along the full frontage of the subject property and enter into a deferral agreement for the remaining permanent improvement"

8) Modify total number of lots in subdivision

-Original (3 Options) (11 Segments): Proposed Modification (1 Option)(11 Segments):

*Original=729 lots

*Proposed=660 lots

NUMBER OF LOTS BY SEGMENT		
SEGMENT	PROPOSED	ORIGINAL
A	1	50
B	66	66
C	44	44
D	68	70
E	60	67
F	100	100
G	53	55
H	130	131
I	45	46
J	38	38
K	55	62
TOTALS	660	729
CHANGE	-69	

Criteria. An application for modification pursuant to this section shall be approved if all of the following criteria are met:

(1) The proposed modification is not substantially inconsistent with the conditions of the original approval; and

Applicant Findings: The modification is in substantial conformance with the original approval and conditions of approval. The modification does request the revision or elimination of a few Conditions of Approval for SUB07-13, SUB07-13A, TCP07-17, and UGA07-1. All Conditions of Approval will be met to assure compliance with the Code.

The original approval and the modification were for eleven (11) Segments. This proposed modification will continue to have eleven (11) Segments, but with modified segment lines. Therefore, the modification is not and will not be inconsistent with conditions of original approval.

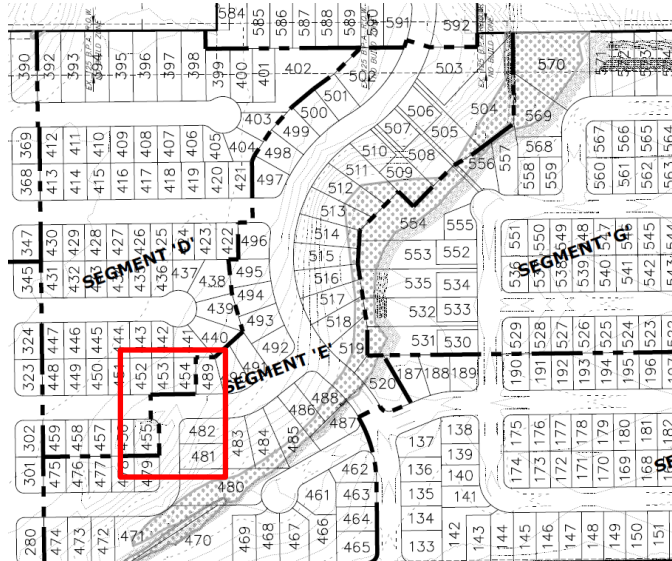
(2) The proposed modification will not result in significant changes to the physical appearance of the development, the use of the site, and the impacts on surrounding properties.

Applicant Findings: The proposed modification does not result in significant physical changes as shown on the site plan. The only changes are outlined above and within eleven (11) Segments. See Proposed Modification Sheets. Therefore, the changes are not a significant change.

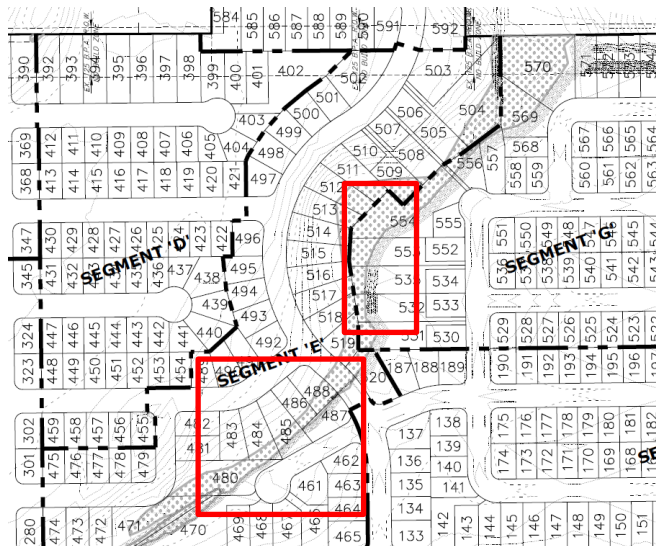
Conclusion

The proposal is to modify Subdivision Case No. SUB 07-13A. The SUB 07-13A was originally approved with three (3) options and eleven (11) Segments; the modification is for one (1) option and eleven (11) Segments, but with the following modifications.

- 1) **Modify the boundary of Segment D**
 - The boundary of Segment D is being realigned.
 - Number of lots in Segment D are being reduced from 70 lots to 68 lots



- 2) **Modify the street layout and boundary of Segment E**
 - The street layout in Segment E is being modified
 - The boundary of Segment E is being realigned



- 3) **Modify the number of lots in Segments A, E, G, and K**
 - Number of lots in Segment A are being reduced from 50 lots to 1 lot
 - Number of lots in Segment E are being reduced from 67 lots to 60 lots
 - Number of lots in Segment G are being reduced from 55 lots to 53 lots
 - Number of lots in Segment K are being reduced from 62 lots to 55 lots
- 4) **Eliminate Condition No. 7 and Condition No. 8**
- 5) **Clarify Condition No. 14**
 - Revise or clarify Condition No. 14 to say, "Construct the 16-inch Master Plan water line between Kale Road and the north line of the subject property. The line shall extend from the existing 16-inch line in Kale Road and be constructed within 49th Ave. NE to Hazelgreen Road NE"
- 6) **Revise Condition No. 16**
 - Revise or clarify Condition No. 16 to require the applicant to pay their proportional share
- 7) **Revise Condition No. 22**
 - Revise Condition No 22 to say, "Construct Segment K UGA Condition B.2.b an interim improvement of 17-foot turnpike improvement on the development side and a 17-foot turnpike improvement on the opposite side of centerline along the full frontage of the subject property and enter into a deferral agreement for the remaining permanent improvement"
- 8) **Modify total number of lots in subdivision**
 - Original (3 Options) (11 Segments): Proposed Modification (1 Option)(11Segments):
 - *Original=729 lots *Proposed=660 lots

NUMBER OF LOTS BY SEGMENT		
SEGMENT	PROPOSED	ORIGINAL
A	1	50
B	66	66
C	44	44
D	68	70
E	60	67
F	100	100
G	53	55
H	130	131
I	45	46
J	38	38
K	55	62
TOTALS	660	729
CHANGE	-69	

An adjustment to lot to depth ratio is also being requested for Lots 272-276 in Segment I and Lot 470 in Segment E.

The proposed modification is in compliance with all applicable Code and the Conditions of Approval. All Conditions of Approval will be met as specified in the SUB07-13, SUB07-13A, and UGA07-1, along with requirements of this proposed modified decision.

