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### Attachment B



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-DOUGHTON ST S -



FOR



P:\2015 Projects\15128 Salem Heights Subdivision\The CAD\Civil\Exhibits\15128\_Tree Removal Plan.dwg 5/29/2019 11:09:09 AM Attachment C

### Attachment D



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TO: Olivia Glantz, Planner III Community Development Department

FROM: Glenn J. Davis, PE, CFM, Chief Development Engineer Public Works Department

**DATE:** June 4, 2019

SUBJECT: PUBLIC WORKS RECOMMENDATIONS SUB-ADJ19-02 (18-125034-LD) 575 SALEM HEIGHTS AVENUE S 34-LOT SUBDIVISION

#### PROPOSAL

A consolidated application for a proposed 34-lot subdivision (Wren Heights) that the division of approximately 8 acres into 34 lots ranging in size from approximately 5,251 square feet to approximately 22,034 square feet. The applicant is requesting an alternative street standard for Earhart Street S and Felton Street S; in addition, a Class 1 Adjustment to reduce the minimum lot depth for Lot 7 from 120 feet, as required for double frontage lots under SRC 511.010(a), Table 511-2, to approximately 106 feet.

The subject property is approximately 8 acres in size, zoned RS (Single Family Residential), and located in the 500 to 600 blocks of Salem Heights Avenue S (Marion County Assessor Map and Tax Lot Numbers: 083W04AA10400, 10600, 10601, 10700, 10800).

#### RECOMMENDED CONDITIONS OF PLAT APPROVAL

- Along the entire northern frontage of Salem Heights Avenue S, construct a 17-foot-wide half-street improvement and convey land for dedication of right-of-way to equal 30 feet from the centerline. The street improvements are authorized to match the existing street grade up to a maximum of 12 percent grade. The sidewalk west of Doughton Street S, shall be located in conformance with the plan submitted on May 7, 2019, titled Trees Within Right-of-Way Conservation Plan (C-1.17), and may be located within an easement north of the property line, to preserve existing street trees.
- Prior to issuance of Public Construction permits, obtain tree removal permits for trees located within the right-of-way along the frontage of Salem Heights Avenue S. In accordance with the plan submitted on May 7, 2019 and titled Trees Within Rightof-Way Conservation Plan (C-1.17), trees labeled as 10001 – 10004, and 10012 are tentatively approved for removal. Any additional removal of street trees requires

Code authority references are abbreviated in this document as follows: Salem Revised Code (SRC); Public Works Design Standards (PWDS); and Salem Transportation System Plan (Salem TSP).

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approval pursuant to SRC 86.090.

- Prior to issuance of Public Construction permits, a tree preservation and protection plan pursuant to SRC Chapter 86 and Salem Administrative Rule 109-500, and signed by a certified arborist, shall be submitted to the City for review and approval. In accordance with the plan submitted on May 7, 2019 and titled Trees Within Rightof-Way Conservation Plan (C-1.17), trees labeled as 10008 - 10011, 10013 – 10015, 20006- 20009, 20011- 20014, 20040, and 20041 are slated for preservation.
- 4. Along the north/south portion of Felton Street S, the sidewalk shall be constructed so that the back of sidewalk is located 28.5 feet from centerline pursuant to the Local street standard.
- 5. Closure of the existing driveway abutting Tax Lot Number 083W04AA10400 is subject to the notice and appeal provisions of SRC 804.060 to provide adequate notice to the owner of Tax Lot Number 083W04AA10500 prior to discontinuing the neighbor's access through the subject property.
- 6. Construct water and sewer systems to serve each lot.
- 7. Design and construct stormwater facilities pursuant to SRC Chapter 71 and PWDS.
- 8. Provide a 10-foot-wide public utility easement along the street frontage of each lot.

#### FACTS

#### Streets

- 1. Salem Heights Avenue S
  - a. <u>Standard</u>—This street is designated as a Collector street in the Salem TSP. The standard for this street is a 34-foot-wide improvement within a 60-foot-wide right-of-way.
  - b. <u>Existing Condition</u>—There is an existing 20-foot improvement within a varied 40-to-50-foot-wide right-of-way adjacent to the subject property.
- 2. Felton Street S
  - a. <u>Standard</u>—This street is designated as a Local street in the Salem TSP. The standard for this street is a 30-foot-wide improvement within a 60-foot-wide right-of-way.
  - b. <u>Existing Condition</u>—There is an existing 30-foot improvement within a 50-foot-wide right-of-way adjacent to the subject property.

#### 3. Earhart Street S

- a. <u>Standard</u>—This street is designated as a Local street in the Salem TSP. The standard for this street is a 30-foot-wide improvement within a 50-foot-wide right-of-way.
- b. <u>Existing Condition</u>—There is an existing 30-foot improvement within a 50-foot-wide right-of-way adjacent to the subject property.
- 4. Doughton Street S
  - a. <u>Standard</u>—This street is designated as a Local street in the Salem TSP. The standard for this street is a 30-foot-wide improvement within a 60-foot-wide right-of-way.
  - b. <u>Existing Condition</u>—There is an existing 30-foot improvement within a 50-foot-wide right-of-way adjacent to the subject property.

#### Storm Drainage

Existing Condition—A 10-inch storm main is located on adjacent property along the east boundary of the subject property.

#### Water

#### **Existing Conditions**

- 1. The subject property is located within the S-2 water service level.
- 2. An 8-inch S-2 water line is located in Salem Heights Avenue S.
- 3. A 6-inch S-2 water line is located in Doughton Street S. This main extends south to Salem Heights Avenue S, within a 10-foot public easement.
- 4. A 2-inch S-2 water line is located in Felton Street S.
- 5. A 6-inch S-2 water line is located in Earhart Street S.

#### Sanitary Sewer

#### Existing Sewer

1. An 8-inch sanitary sewer main is located in Salem Heights Avenue S.

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- 2. An 8-inch sanitary sewer main is located along the western portion of the subject property, within a 10-foot public easement.
- 3. There are 8-inch sanitary sewer mains located in Felton Street S, Earhart Street S, and Doughton Street S, along the north portion of the subject property.

#### **CRITERIA AND FINDINGS**

SRC 205.010(d) indicates the criteria that must be found to exist before an affirmative decision may be made. The applicable criteria and the corresponding findings are as follows:

<u>SRC 205.010(d)(1)</u>—The tentative subdivision plan complies with the standards of this Chapter and with all applicable provisions of the Unified Development Code, including, but not limited to the following:

- 1. 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;
- 2. City infrastructure standards; and
- 3. Any special development standards, including, but not limited to floodplain development, special setbacks, geological or geotechnical analysis, and vision clearance.

**Findings**—The applicant shall provide the required field survey and subdivision plat per Statute and Code requirements outlined in the *Oregon Revised Statutes* (ORS) and SRC. If said documents do not comply with the requirements outlined in ORS and SRC, and as per SRC Chapter 205, the approval of the subdivision plat by the City Surveyor may be delayed or denied based on the non-compliant violation. It is recommended the applicant request a pre-plat review meeting between the City Surveyor and the applicant's project surveyor to ensure compliance with ORS 672.005(2)(g)&(h), 672.007(2)(b), 672.045(2), 672.060(4), *Oregon Administrative Rules* 820-020-0015(4)&(10), 820-020-0020(2), and 820-020-0045(5).

According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 Landslide Hazards, there are no areas of landslide susceptibility on the subject property. The proposed subdivision adds three activity points to the proposal, which results in a total of three points. Therefore, the proposed subdivision is classified as a low landslide risk. However, a geotechnical investigation, prepared by Redmond Geotechnical Services and dated October 24, 2016, was submitted to the City of Salem. This investigation indicates that development of the subject site into residential home sites does not appear to present a potential geologic and/or landslide hazard provided that the site grading and development activities conform to the recommendations presented within the investigation report.

# <u>SRC 205.010(d)(3)</u>—Development within the tentative subdivision plan can be adequately served by City infrastructure.

**Findings**—Water and sewer infrastructure is available along the perimeter of the site and appears to be adequate to serve the property as shown on the applicant's preliminary utility plan. However, the existing sewer main in Salem Heights Avenue S is in poor condition and may not be able to accommodate new connections. Therefore, the applicant may be required to reconstruct the existing sewer main in Salem Heights Avenue S abutting the subject property where the existing pipe condition cannot accommodate new connections.

The applicant's preliminary plan appears to propose realignment of the existing public sewer main along the west line of the subject property. The applicant shall abandon the existing sewer system abutting Felton Street S, where all service laterals can be reconnected to the new public sewer main.

The proposed development is subject to SRC Chapter 71 and the revised PWDS as adopted in Administrative Rule 109, Division 004. To demonstrate the proposed parcels can meet the PWDS, the applicant shall provide an engineered tentative stormwater design to accommodate future impervious surface on all proposed lots.

All public and private City infrastructure proposed to be located in the public right-of-way shall be constructed or secured per SRC 205.035(c)(6)(B) prior to final plat approval. Any easements needed to serve the proposed parcels with City infrastructure shall be shown on the final plat.

<u>SRC 205.010(d)(4) and SRC 205.0010(d)(5)</u>—The street system in and adjacent to the tentative subdivision plan conforms to the *Salem Transportation System Plan*. 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.

**Finding**—Salem Heights Avenue S abuts the subject property and does not meet the current standard for a Collector street. Pursuant to SRC 803.040, the applicant is required to construct a half-street improvement along the entire frontage of this street. This street is approved as an alternative street standard pursuant to SRC 803.065(a)(3) due to the existing topography and trees along the frontage. The street improvements are authorized to match the existing street grade up to a maximum of 12 percent grade. As shown on the applicant's plan submitted May 7, 2019 and titled Trees Within Right-of-Way Conservation Plan (C-1.17), the sidewalk may be located within an easement north of the property line, west of Doughton Street S, in order to preserve existing street trees.

Street improvements along Salem Heights Avenue S require removal of existing and/or

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future street trees. In accordance with the plan submitted on May 7, 2019 and titled Trees Within Right-of-Way Conservation Plan (C-1.17), trees labeled as 10001 – 10004, and 10012 are tentatively approved for removal. The applicant shall obtain tree removal permits pursuant to SRC Chapter 86 prior to issuance of Public Construction permits for the street improvement of Salem Heights Avenue S. Any additional removal of street trees requires approval pursuant to SRC 86.090. For all remaining trees (10008 - 10011, 10013 – 10015, 20006- 20009, 20011- 20014, 20040, and 20041), a tree preservation and protection plan pursuant to SRC Chapter 86 and Salem Administrative Rule 109-500, and signed by a certified arborist, shall be submitted to the City for review and approval prior to the issuance of Public Construction permits.

The applicant is requesting an alternate sidewalk location for the west side of Felton Street S along the north/south portion, to allow for curbline sidewalks pursuant to SRC 803.035(I)(2)(B). The applicant shall be required to construct the sidewalk so that the back of sidewalk is located 28.5 feet from centerline pursuant to the Local street standard. Additional right-of-way is located behind the proposed sidewalk location to provide for transition to existing grade.

Pursuant to SRC 803.065(a)(3), the Director may authorize the use of one or more alternate street standards where topography or other conditions make the construction that conforms to the standards impossible or undesirable. All internal streets will be constructed to Local Street standards as specified in the Salem TSP, with the exception of the following alternative street standards:

• The applicant is requesting a turnaround at the terminus of Earhart Street S that does not conform to the cul-de-sac standards in SRC Chapter 803. The alternative turnaround provides radii that accommodate for street cleaning equipment and fire trucks. The alternative turnaround is authorized based on site layout and topography.

The applicant's proposal includes the closure of an adjacent property's driveway. Closure of the existing driveway abutting Tax Lot Number 083W04AA10400 is subject to the notice and appeal provisions of SRC 804.060 to provide adequate notice to the owner of Tax Lot Number 083W04AA10500 prior to discontinuing the neighbor's access through the subject property.

<u>SRC 205.010(d)(6)</u>—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.

**Findings**—The Comprehensive Parks Master Plan shows the subject property is not served by developed parks. Candalaria Reservoir is an undeveloped park

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approximately one-half mile northwest of the proposed development; Salem Heights Elementary is a partially developed park area approximately one-quarter of a mile southeast of the proposed development.

The Parks Master Plan also shows potential park site NP-6 was identified near the subject property. However, the park site locations are approximate as described on page 73-80 of the plan and "Locations are mapped to show generally where a park or trail may be located; however, feasible park sites may not be available within the area shown. The actual location will be determined based on a combination of factors, including land availability and cost. Park site selection and development will proceed as neighborhoods develop." No park is proposed within the subject property at this time.

# <u>SRC 205.010(d)(7)</u>—The tentative subdivision plan mitigates impacts to the transportation system consistent with the approved Traffic Impact Analysis, where applicable.

**Findings**—The proposed 34-lot subdivision generates less than 1,000 average daily vehicle trips to Salem Heights Avenue S, which is classified as a Collector Street in the Salem TSP. Therefore, a Traffic Impact Analysis was not required as part of the proposed subdivision submittal pursuant to SRC 803.015(b)(1).

<u>SRC 205.010(d)(9)</u>—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.

**Findings**—Existing street trees are located along the north line of Salem Heights Avenue S that may need to be removed in conjunction with the street improvements abutting the subject property. Street tree removal is subject to street tree permits pursuant to SRC 86.050. In addition, a Reasonable Alternatives Analysis pursuant to Administrative Rule 109-500-2.4 is required prior to issuance of a permit to remove street trees in conjunction with the street improvements.

#### **RESPONSE TO CITIZEN COMMENTS**

#### **Urban Growth Preliminary Declaration**

# Citizen testimony suggests that an Urban Growth Preliminary Declaration should be required.

<u>Staff response</u>: The Urban Service Area (USA) is comprised of two distinct areas: (1) the boundary formerly called the "Current Developed Area" (CDA) prior to the establishment of the USA; and (2) boundaries added to the CDA through USA amendments pursuant to SRC 200.015. In SRC 200.010 and SRC 200.015, consideration is given to amend the USA boundary based on availability of and city



construction of required facilities to serve properties in the USA. In other words, USA amendments can be made only when infrastructure is available to serve the area or when funds are committed to serve the area.

That USA amendment process is the context of the phrase "precedes city construction of required facilities" in SRC 200.010(c) and SRC 200.020(a). In particular, SRC 200.020(a) states, "or is within the urban service area (USA), but precedes city construction of required facilities that are shown in the adopted capital improvement plan, public facilities plan or comparable plan for the area of the development." This language is a direct reference to the capital improvement planning process as described in SRC 200.015 for USA amendments.

Therefore, staff has not required UGA permits for areas within the original CDA boundary because that area was not subject to the USA amendment criteria in SRC 200.015. Because there is no "city construction of required facilities" pursuant to SRC 200.015, an UGA permit is not required.

#### **Traffic Impact Analysis**

#### Citizen testimony suggests that a TIA should be required.

<u>Staff response</u>: SRC 803.015(b)(1) states that TIAs are required for developments that generate over 1,000 daily vehicle trips on a Collector street. The Assistant City Traffic Engineer has determined that the proposed subdivision generates less than 1,000 daily trips. Salem Heights Avenue S is a Collector street as shown in the *Salem Transportation System Plan*. Street classification is based on the *Salem Transportation System Plan*, not the existing street condition. No TIA is required.

#### **Overall Condition of Salem Heights Avenue S**

Citizen testimony suggests that the overall condition of Salem Heights Avenue S in the vicinity of the subject property compromises pedestrian safety.

<u>Staff response</u>: Salem Heights Avenue S lacks sidewalks east of the subject property for a distance of approximately 1,400 feet. This portion of Salem Heights Avenue S is surrounded mostly by established neighborhoods that were originally developed as early as 1904 as part of the Ewald Fruit Farms subdivision.

The Salem TSP specifies that improvements to Salem Heights Avenue S from Liberty Road S to Sunridge Drive S are a low priority project to be completed within approximately 25 years. Given the low priority as depicted in the Salem TSP, the condition of Salem Heights Avenue S does not compromise pedestrian safety to the extent that the proposed development should be denied.

#### **Street Tree Removal**

Citizen testimony objects to significant street trees being proposed for removal.

<u>Staff response</u>: Improvements to Salem Heights Avenue S are required pursuant to SRC 803.040. A Reasonable Alternatives Analysis pursuant to Administrative Rule 109-500-2.4 is required prior to issuance of a permit to remove street trees in conjunction with the street improvements. The street improvements shall be designed to minimize impacts to street trees to the maximum extent feasible. Street trees proposed for removal will be posted for 30 days prior to permit issuance pursuant to SRC Chapter 86.

cc: File

Attachment F





Date: February 1, 2019 – Revised- February 19, 2019 / Revised March 6, 2019 To: Olivia Glantz From: Mark B. Ferris Re: Wren Heights (Salem Heights) Subdivision - #18-125034-LD

#### **RESPONSE TO LETTER OF INCOMPLETENESS – JANUARY 14, 2019 / Email Dated 2/11/19**

#### Item #1 – Validation of a Unit of Land:

Applicant's Response: A supplemental Land-Validation Application addressing the city's approval criteria is attached as requested. The plat will be revised to reflect the validation of Tax Lot 10400.

#### Item #2 – Future Development Plan:

Applicant's Response: Lot 23 is .42 acres. A future development plan is not required as the lot is under ½ acre.

#### Item #3 – Property Owner Signature:

**Applicant's Response**: The Applicant will be providing verification of his ability to sign on behalf of the Harvey Trust.

#### Item #4 – Tentative Subdivision Map:

Applicant's Response: The sidewalk adjacent Lot 8 has been revised to a setback sidewalk. The Applicant will provide a sidewalk adjacent to tax lots 10200 and 10300. This change has been reflected on the revised plan set.

#### Item #5 – Written Statement (Revised):

Applicant's Response: The sidewalk on the north side of Felton Street has been revised to a setback sidewalk.

Sec. 250.005. - Adjustments - Lot #23 - Findings

- (a) Applicability.
  - (1) Classes.
    - (A) A Class 1 adjustment is an adjustment to any numerical development standard in the UDC that increases or decreases the standard by not more than 20 percent.

Applicant's Response: Lot 23 has been reconfigured with an average depth of 108-feet and a width of 69-feet. The lot depth is 90% of the required 120-foot depth and therefore qualifies as a Class 1 adjustment. This criterion is met.



- (c) *Submittal requirements.* In addition to the submittal requirements for a Type II application under SRC chapter 300, an application for a Class 1 or Class 2 adjustment shall include the following:
  - (1) A site plan, of a size and form and in the number of copies meeting the standards established by the Planning Administrator, containing all information necessary to establish satisfaction with the approval criteria. By way of example, but not of limitation, such information may include the following:
    - (A) The total site area, dimensions, and orientation relative to north;
    - (B) The location of all proposed primary and accessory structures and other improvements, including fences, walls, and driveway locations, indicating distance to such structures from all property lines and adjacent on-site structures;
    - (C) All proposed landscape areas on the site, with an indication of square footage and as a percentage of site area;
    - (D) The location, height, and material of fences, berms, walls, and other proposed screening as they relate to landscaping and screening required by SRC chapter 807;
    - (E) The location of all trees and vegetation required to be protected pursuant to SRC chapter 808; and
    - (F) Identification of vehicle, pedestrian, and bicycle parking and circulation areas, including handicapped parking stalls, disembarking areas, accessible routes of travel, and proposed ramps.

<u>Applicant's Response</u>: A revised Site Plan addressing items 1A through F has been provided as part of the Applicant's resubmittal. These criteria have been met.

- (2) An existing conditions plan, of a size and form and in the number of copies meeting the standards established by the Planning Administrator, containing the following information:
  - (A) The total site area, dimensions, and orientation relative to north;
  - (B) The location of existing structures and other improvements on the site, including accessory structures, fences, walls, and driveways, noting their distance from property lines;
  - (C) The location of the 100-year floodplain, if applicable; and
  - (D) The location of drainage patterns and drainage courses, if applicable.



**<u>Applicant's Response</u>**: An Existing Conditions Plan addressing items 2A through D has been provided as part of the Applicant's resubmittal. These criteria have been met.

- (d) Criteria.
  - (1) An application for a Class 1 adjustment shall be granted if all of the following criteria are met:
    - (A) The purpose underlying the specific development standard proposed for adjustment is:
      - (i) Clearly inapplicable to the proposed development; or
      - (ii) Clearly satisfied by the proposed development.
    - (B) The proposed adjustment will not unreasonably impact surrounding existing or potential uses or development.

**Applicant's Response**: This criterion outlined in this subsection are clearly satisfied. As previously stated, the proposed lot depth for Lot 23 is 108-feet which is within 10% of the current standard and allowed under a Class 1 Adjustment. The proposed adjustment will have absolutely no impact on surrounding existing or potential uses or development. Access will be off Doughton Street in keeping with all adjacent lots and the lot depth is comparable to adjacent lots as well. This criterion is met.

Lot 7 has an average depth of 215-feet measured from the center-line of the lot. Since it is a dogleg lot, we took an average width of each leg which comes out to 79.5-feet. Using this computation, the lot depth is 270% of the average width. No adjustments are necessary.

#### Sec. 803.065. - Alternative Street Standards and Section SRC 803.035(I)(2)(B) - Findings.

- (a) The Director may authorize the use of one or more alternative street standards:
  - (1) Where existing development or physical constraints make compliance with the standards set forth in this chapter impracticable;
  - (2) Where the development site is served by fully developed streets that met the standards in effect at the time the streets were originally constructed; or
  - (3) Where topography or other conditions make the construction that conforms to the standards impossible or undesirable.



(b) Authorization of an alternative street standard may require additional or alternative rightof-way width, easements, and improvements to accommodate the design and construction using the alternative standard.

**Applicant's Response**: Pursuant to Section 803.065, the Applicant is requesting the Planning Director's approval of a curb-tight sidewalk adjacent to Tax Lots 10200 and 10300. Given the topography of the area adjacent these lots, providing a setback sidewalk has significantly more impact on these lots and requires the construction of a retaining wall to accommodate the elevation difference. Requiring a setback sidewalk and constructing a retaining wall at this location is definitely a less desirable alternative than keeping the sidewalk curb-tight and minimizing grading and construction impacts on the adjacent lots. For these reasons, the Applicant respectfully requests the director's concurrence.

**SRC 803.035(I)(2)(B)** If topography or other conditions make the construction of a sidewalk impossible or undesirable in a location required by this subsection, a different location may be allowed.

**Applicant's Response**: As previously stated, the Applicant is requesting a curb-tight sidewalk adjacent to lots 10200 and 10300. The example below clearly shows that there would be significantly more impacts to the adjacent property requiring the construction of a retaining wall in order to accommodate a setback sidewalk. Pursuant to this section, a different location may be allowed by the planning director if the topography makes building a setback sidewalk undesirable. Allowing the curb-tight sidewalk minimizes impacts to these lots. This requirement is met.





#### Item #6 – Tree Conservation Plan

<u>Applicant's Response</u>: The Tree Conservation Plan and table has been updated. Please see attached Tree Conservation Plan.

#### Item #7 – Digital Copies:

**<u>Applicant's Response</u>**: A digital copy of the storm water (report) and geotechnical report are included in this submittal (see attached).

#### Item #8 – Street Improvements:

**Applicant's Response**: The plans have been adjusted and the sidewalk along Doughton Street has been revised as setback sidewalk. As stated earlier, the sidewalk adjacent tax lots 10200 and 10300 is proposed to be curb-tight and the Applicant has requested the planning director approve an alternative street design standard as requested.

#### Item #9 – Existing Driveway:

**<u>Applicant's Response</u>**: The Applicant has been in discussions with the owner of tax lot 10300 to establish an easement across the westerly portion of lot 7. This has been noted and shown on the attached exhibit for your information (see future easement exhibit).



## Land Division Application Narrative

for

## Tentative Plan Subdivision - Class 1 Adjustment

& <u>Tree Conservation Plan</u>

# **Salem Heights Subdivision**

Salem, OR 97302

Prepared for the

**Tom Kay Company** 

Submitted December 31, 2018

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#### **P**LANS

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#### **APPENDICES**

APPENDIX A: Preliminary Drainage Report APPENDIX B: Geotechnical Report APPENDIX C: Preliminary Title Report APPENDIX D: Title Commitment APPENDIX E: Trip Generation Estimate APPENDIX F: Pre-Application Conference Waiver

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#### **APPENDICES**

Appendix G: Subdivision Name Request Appendix H: Tax Map SALEM HEIGHTS SUBDIVISION - APPLICATION NARRATIVE

APPLCATIONS

#### SITE INFORMATION

This application is for Tentative Plan approval to divide approximately 7.7 acres into 33 proposed lots ranging in size from 5,251 square feet to 12,603 square feet. Additionally, the Applicant is requesting a Class 1 administrative adjustment for lots #22 and #23, a through lot, to reduce the required lot depth from 120-feet to 104-feet – a 14% reduction.



Figure 1: Aerial Vicinity Map

The site is generally located west of Liberty Road S, east of Crestview Drive S, and north of Salem Heights Avenue S. The development site is made up of five tax lots: 083W04AA 10400, 10600, 10601, 10700, and 10800. All five properties have a City of Salem Comprehensive Plan designation of Single Family Residential (SFR) and a complimentary zoning designation of Single Family Residential (SFR) and a complementary zoning designation of Single Family Residential (SFR) and a complementary zoning designation of Single Family Residential (SFR) and a complementary zoning designation of Single Family Residential (SFR) and a complementary zoning designation of Single Family Residential (SFR) and a complementary zoning designation of Single Family Residential (SFR) and a complementary zoning designation of Single Family Residential (SFR) and a complementary zoning designation of Single Family Residential (SFR) and a complementary zoning designation of Single Family Residential (SFR) and a complementary zoning designation of Single Family Residential (SFR) and a complementary zoning designation of Single Family Residential (SFR) and a complementary zoning designation of Single Family Residential (SFR) and a complementary zoning designation of Single Family Residential (SFR) and a complementary zoning designation of Single Family Residential (SFR) and a complementary zoning designation of Single Family Residential (SFR) and a complementary zoning designation of Single Family Residential (SFR) and a complementary zoning designation of Single Family Residential (SFR) and a complementary zoning designation of Single Family Residential (SFR) and a complementary zoning designation of Single Family Residential (SFR) and a complementary zoning designation of Single Family Residential (SFR) and a complementary zoning designation of Single Family Residential (SFR) and a complementary zoning designation designatio



Figure 2: Marion County Assessor's Tax Map

The site is generally rectangular in shape and includes approximately 7.7 acres. The topography of the site slopes with the terrain descending toward the east and northeasterly portions of the site (See Existing Conditions Plan). The topography presents some challenges for site development which will be addressed throughout this narrative.



Figure 3: Site Aerial

#### WRITTEN STATEMENT

A written statement shall be submitted describing the proposal and how it conforms to the following approval criteria for a Subdivision Tentative Plan and Class 1 Adjustment.

#### SRC 205.010(d) - 1

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

**APPLICANT'S RESPONSE:** The Applicant is proposing a 33-Lot subdivision. As previously stated, the subject site is zoned RS. Single-family detached dwellings are an outright permitted use within this zone. The SRC includes information regarding lot standards for the RS zone. The minimum lot area is 4,000 square-feet for a single-family home. All lots proposed exceed the lot standard minimum and range in size from 5,251 sq. ft. to 12,603 sq. ft. The existing house has been scheduled for demolition. The SRC does not include lot size maximums. There is a provision, however, that a future development plan must be included with a land division application when a remaining property is a half-acre, or more. None of the proposed parcels within this subdivision are equal to, or more than, a half-acre. Therefore, this provision does not apply.

All lots will front on an internal public street except for lots 1-3 which will have access off Salem Heights Avenue. Lots 4-6 are flag lots and will have access to the public street via a 25-foot cross-access and utility easement. (See Tentative Plan). The proposed flag lots will meet the provisions of SRC Chapter 800.020(a)(4) for front lot lines which states,

"for a flag lot, the front lot line shall be outside the property line that is an extension of the flag lot access way or the property line separating the flag portion of the lot from the lot between it and the street from which access is provided to the flag lot, unless the Planning Administrator otherwise directs, in which case the front lot line shall be set forth in the conditions of approval for the tentative plan of the plat which shall be recorded on deeds conveying lots."

Additionally, the Applicant will follow the provisions of SRC Chapter 800.020(b)(1) for rear lot lines which states,

"For all lots, except those identified in paragraph (2) of this subsection, the rear lot line shall be the property line that is opposite and most parallel to, and located the greatest distance from, the front lot line."

The proposed subdivision complies with the City of Salem infrastructure standards. Utilities will be extended within the proposed public streets to serve the proposed subdivision as shown on the attached Preliminary Utility Plan. A storm water quality and detention facility has been provided in a separate tract adjacent to Doughton Street near the north east corner of the property. Provisions for storm water management are outlined in the attached Preliminary *Storm Water Management Report* prepared by Project Delivery Group, the Applicant's representative. The Applicant is not aware of any special development standards for the subject site. The Local Wetland Inventory (LWI) map does not indicate the presence of wetlands on the site. The geotechnical report included with this application indicates that soils are adequate for residential home construction. According to the City of Salem Floodplain Map, the site does not fall within any of the FEMA Flood Zones. The adjoining properties are zoned RS and do not require any special setbacks. Additionally, the proposed public street access complies with the provisions of Chapter 805 of the SRC for Vision Clearance for an uncontrolled intersection.

#### SRC 205.010(d) - 2

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

**APPLICANT'S RESPONSE:** The tentative subdivision plan proposed creates 33 lots (plus the water quality facility tract). The surrounding properties to the east, north, south and west are developed with single-family homes. The lot configuration provides for the extension of roads within this subdivision to adjacent property and does not impede the development of adjacent land. Table 511-3: Setbacks in SRC Chapter 511 in Figure 4 below, provides information for setbacks for single-family residential lots.

Abutting Street	Min. 20-feet	Applicable to buildings along collector or arterial streets.
Interior Front	Min. 12-feet	Garage Setback to be 20'.
Interior Side Yard Setback	Min. 5-feet	Applicable to buildings not more than 35-feet in height where the interior side setback abuts lots zoned RA and RS.
Interior Rear	Min. 20-feet	Applicable to buildings greater than one-story in height.

Figure 4: Excerpt from SRC Chapter 511-3

The lot line setback requirements can be met on each newly created parcel and are shown on the Tentative Plat. Approval of this proposed subdivision will not impede the future use or development of property or adjacent land.

#### SRC 205.005 – Adjustments – Lot #23

#### SRC 205.005(d) - Criteria

(1) An application for a Class 1 adjustment shall be granted if all of the following criteria are met:

- (A) The purpose underlying the specific development standard proposed for adjustment is:
- (i) Clearly inapplicable to the proposed development; or
- (ii) Clearly satisfied by the proposed development.
- (B) The proposed adjustment will not unreasonably impact surrounding existing or potential uses or development.

<u>APPLICANT'S RESPONSE</u>: The Applicant is requesting an administrative Class 1 adjustment for the required 120-foot lot depth for lot #22 and lot #23. The proposed 104-foot depth is within the 20% allowable deviation from the code standard. This is necessary due to the configuration of the access to the northern lots off of Earhart Street and the geometry of proposed Doughton Street alignment to the north. The average lot depth for lot 22 is approximately 130-feet and 108-feet for lot #23. It is clearly apparent that the proposed adjustment will not unreasonably impact surrounding existing or potential uses or development, therefore, this criterion is met.

#### SRC 205.010(d) - 3

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

**<u>APPLICANT'S RESPONSE</u>**: The subject property has approximately 465-feet of frontage on Salem Heights Avenue. Existing Doughton Street will be extended through the property and connect with Salem Heights Avenue. Felton Street will connect to Doughton and Earhart Street will connect to a hammerhead located adjacent the site's north property line.

Utilities are available to be extended through the site. An 8-inch-inch water main is located within Salem Heights Avenue according to the City of Salem As-Builts. The Applicant will extend water service from this line through the proposed public streets and individual laterals will serve the proposed lots as shown on the utility plan (See Preliminary Utility Plan). The proposed water line will tie into an existing 6-inch line located within an easement located adjacent the property's east property line.

A 10-inch sanitary sewer is available in Doughton Street. The Applicant proposes to extend sanitary service from its connection at the terminus of Doughton Street through the proposed public streets and construct individual laterals to serve each parcel (See Preliminary Utilities Plan).

A 10-inch storm line will be constructed with the improvements along Salem Heights Avenue and continued down Doughton Street where it will connect to an existing 12-inch storm line located in an easement at the northeast corner of the property. Storm water will be routed to a storm

water quality and detention facility located north of lot 21 where it will be detained and released at a controlled rate. Included with this application submittal is a preliminary storm water management report for review by city staff. (See Preliminary Drainage Report). This proposed 33-lot subdivision can be adequately served by City infrastructure, therefore this requirement is met.

#### SRC 205.010(d) - 4

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

**APPLICANT'S RESPONSE:** The goal of the Salem Transportation Plan is "to provide a balanced, multimodal transportation system for the Salem Urban Area that supports the safe and efficient movement of goods and people."

Vehicular access to and within the subdivision is proposed to be provided from Salem Heights Avenue S and the extension of three streets, Felton Street S, Earhart Street S, and Doughton Street S, which are currently dead-end streets that terminate at the northern boundary of the subject property.

All the proposed lots within the subdivision, with the exception of Lots 1 -6 will take vehicular access from the internal streets proposed within the subdivision; Lots 1-3 will take access from Salem Heights Avenue. Also, as three of the lots within the subdivision are flag lots, their access to the street will be provided by way of flag lot accessways (See Tentative Plan).

This proposed subdivision complies with the goal stated above as it reflects and supports landuse patterns identified in the Comprehensive Plan. The development of 33 lots along with the proposed public street infrastructure identified on the site plan (see Tentative Plan meets this goal and provides both connectivity to existing streets and a circulation system that provides access to the local neighborhood, shopping, schools, and other activity centers. This requirement is met.

#### SRC 205.010(d) - 5

(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'S RESPONSE**: The proposed street system is efficiently designed to provide safe, orderly access to all lots within the development as well as access to Salem Heights Avenue. An additional ten-feet of right-of-way will be dedicated along Salem Heights Avenue by the developer for the construction of half-street improvements consisting of curb, gutter, sidewalk

and storm drain improvements. The proposed internal public street is designed as a 30-foot (curb-to-curb) local street within a 60-foot right-of-way. The cul-de-sac coming off Earhart Street functions as a hammerhead turnaround which meets both city and fire department standards. A 5-foot set back sidewalks provide pedestrian access from the development to Salem Heights Avenue and to the existing streets to the north. Lots 4-6 take access onto the public street via a 20-foot drive within a 25-foot pedestrian access easement which meets the standards of Section 800.025 Flag Lots as illustrated in Figure 5 below. The length of the flag is approximately 232-feet which is well within the 400-foot maximum length. A hammerhead turnaround has been provided to allow for emergency access to these lots.

FLAG LOT	ACCESSWAY S	TANDARDS	
<b>Table 800-1:</b>	Flag Lot Accessv	way Standards	
Number of Lots Served by Accessway	Maximum Length	Total Width	Paved Width
1-2 Lots (Residential Zoned Property)	150 ft. <sup>(1)</sup>	Min. 20 ft.	Min. 15 ft.
3-4 Lots (Residential Zoned Property)	400 ft. <sup>(1)</sup>	Min. 25 ft.	Min. 20 ft.
1-4 Lots (Non-Residential Zoned Property)	400 ft. <sup>(1)</sup>	Min. 25 ft.	Min. 20 ft.
Limitat	tions and Qualifi	ications	
<ol> <li>Maximum flag lot accessway make it impractical, and when</li> </ol>			•

# **TABLE 800-1**

#### Figure 5: Flag Lot Accessway Standards

review and recommendation by the Fire Marshal.

Access onto Salem Heights Avenue is offset approximately 50-feet from Winola Avenue and it has unobstructed sight distance for traffic moving both east and west of the property.

#### SRC 205.010(d) - 6

(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.



Figure 6: Proximity to Activity Centers

**APPLICANT'S RESPONSE:** The proposed subdivision is ideally situated within ½ mile Commercial Street S.E. although there are no sidewalks on either side of Salem Heights Avenue except for those provided by this proposed development. Bicycle and pedestrian access is available from the subject site along Salem Heights Avenue to the neighborhood activity center and further along Commercial Street. This criterion is met.

#### SRC 205.010(d) - 7

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

**APPLICANT'S RESPONSE:** The proposed public street (Doughton Street) will intersect with Salem Heights Avenue. The portion of Salem Heights Avenue that the proposed development fronts on is designated a collector street. According to the Trip Generation Manual, 9<sup>th</sup> Edition, Volume 2, single-family dwellings generate 9.52 trips per day. This 33-lot subdivision will generate

approximately 315 trips per day. The traffic impact from this development to the adjacent street system is negligible and the adjacent street system is designed in a manner which will provide for an orderly, and efficient circulation of traffic into, through and out of the proposed subdivision.

#### Traffic Impact Analysis (TIA) Determination

The following information is required in order to assess the need for a Traffic Impact Analysis (TIA) and to calculate the Transportation Systems Development Charge (TSDC) to be levied on a proposed new development.

The City of Salem may require that a TIA be prepared as part of the approval process for major new development. The purpose of a TIA is to estimate the traffic impacts created by a new development on the surrounding street system. Any significantly adverse traffic impacts identified in the TIA must be mitigated by the applicant.

The estimated daily traffic generation of a new development is used as the criteria for determining whether a TIA is needed. If the new development access is located on an arterial or collector and the estimated daily traffic generation is more than 1000 trips, a TIA may be required. If access is located on a local street or alley and the generated trips exceed 200, a TIA may be required. Other criteria such as site access issues, driveway restrictions, and existing facilities deficiencies may also be used, if recommended by City Traffic Engineering staff.

**APPLICANT'S RESPONSE**: The Applicant has submitted the required Trip Generation Estimate form as part of this application. Given that the proposed development is located on a collector street and the threshold for requiring a Traffic Impact Analysis is 1000 trips per day, it does not appear that a TIA will be required as part of this application.

#### SRC 205.010(d) - 8

(8) The tentative subdivision plan takes into account the topography and vegetation of the site so the need for variances or adjustments is minimized to the greatest extent practicable.

**<u>APPLICANT'S RESPONSE</u>**: This subdivision has been designed to maximize the developability of the property while providing safe access to and from the development. Given the geometry of the parcel boundary, the location of the public street, lot locations and building envelopes, there is little room for adjustment.

The design of this subdivision has considered both the topography and vegetation on the site and has kept the need for variances and adjustments to the minimum necessary to practically develop this property. This requirement is met.

#### SRC 205.010(d) - 9

(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.

**<u>APPLICANT'S RESPONSE</u>**: As previously stated, the design of this proposed subdivision has considered both the topography and vegetation on the site. The property slopes from Salem Heights Avenue at a slope which varies between 10% to 25% which requires some grading in order to accommodate the placement of the public street, access to the flag lots and to facilitate construction of the homes. Existing trees and vegetation will be retained as much as is practical to meet development objectives. This requirement is met.

#### SRC 205.010(d) - 10

(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.

**<u>APPLICANT'S RESPONSE</u>**: All city facilities are available to the property. This condition does not apply.

#### **CONCLUSION**

This application for approval of a Land Division Tentative Plan compliant with the plan of the City of Salem and is support of, and response to applicable requirements from the City's development code. Based upon the information provided herein, the Applicant hereby requests approval of this application.

April 10, 2019

Olivia Glantz, Planner III City of Salem Community Development Department

Re: Comments Case No. SUB-ADJ19-02 Wren Heights Subdivision Tentative Plan

Ms. Glantz,

The SWAN board is in agreement with the comments provided by the neighbors who live near the area of the proposed subdivision and recommend that no development should be approved until conditions regarding the criteria below are improved.

5) SRC 205-010(d) The street system in and adjacent to the tentative subdivision is designed so as to provide for the safe, orderly and efficient circulation of traffic into, through and out of the subdivision.

6) SRC 205-010(d) 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 with one-half mile of the development.

The Wren Heights development does not meet these criteria as Salem Heights Ave. is currently not built to "urban standards" for a collector street which would normally include "two travel lanes, turn lanes where necessary, curbs, sidewalks, drainage, illumination, and bicycle lanes, where needed" according to the 2016 Transportation Plan (TSP). Salem Heights Ave. has narrow lanes, limited vehicular visibility in certain areas, no sidewalks, no bike lane and inadequate lighting. With these unsafe conditions, funneling onto Salem Heights Ave. as a "collector street" as the subdivision plan does will only make these conditions worse. The design should be altered so that traffic is not directed to Salem Heights Ave. until the street is brought to urban standards.

It should also be noted that Salem Heights Ave. is designated for a future Uphill/Downhill Shared Bike Lanes Pathway on the Salem Transportation Plan (TSP) which further supports bringing Salem Heights into compliance with urban standards for bicycle lane safety.

7) SRC 205-010(d) The tentative subdivision plan mitigates impacts to the transportation system consistent with the approved Traffic Impact Analysis.

The applicant estimates that the subdivision will generate approximately 315 vehicular trips per day on Salem Heights which it considers "negligible". Salem Heights does not meet this criterion given the unsafe and noncompliant "urban standards" conditions that currently exist as mentioned above. This extra traffic will make conditions worse for bicycles on the narrow shared road and for pedestrians who must walk where there are no sidewalks, in particular children walking to and from nearby Candalaria and Salem Heights schools. The subdivision plan should be redesigned to divert traffic away from Salem Heights, or any through street connecting to Salem Heights should be postponed until collector urban standards are met on Salem Heights.