Devon Avenue

Subdivision Application

Revised-May 17, 2019

BACKGROUND:

On July 17, 2017, Pre-Application Conference (PRE-AP) 17-57 was held with the City staff to discuss the development of property located at 6719 Devon Avenue SE.

On June 11, 2018, the subject property was annexed into the City of Salem on June 11, 2018, by City Council.

On May 29, 2018, Urban Growth Area Permit (UGA) 17-06 was approved by staff on May 29, 2018.

PROPOSAL:

The subject property is about 19.74 acres in size and zoned RA (Residential Agriculture). The applicant is proposing to divide the subject property into 85 single family residential lot, with two lots designated for stormwater detention (located north of Lot 85 and east of Lot 37). There is also an S-4 water pump station located between Lots 79 and 80.

The applicant is also requesting an Alternative Street Standard to allow Lone Oak Road, One Avenue, and Two Avenue to exceed a 12-percent street grade. See attached memo dated May 16, 2019.

SITE VICINITY and CHARACTERISTICS:

The subject property is located at 6719 Devon Avenue. The subject property is identified as 083W22C/Tax Lots 300.

The surrounding properties are zoned and used as follows:

North:	RA (Residential Agriculture) and RS (Single Family Residential); vacant land
East:	Across Devon Avenue; RS (Single Family Residential); vacant lots, and existing single-family dwellings
South:	Outside City Limits, Marion County-UT; vacant land and existing single-family dwellings
West:	Outside City Limits, Marion County-UT; vacant land and existing single-family dwellings

CRITERIA AND APPLICANT'S REASONS ADDRESSING UDC 205.010(d)(1):

The intent of the subdivision code is providing for orderly development through the application of appropriate rules and regulations. Pursuant to the application of the current enabling statutes, these regulations are those cited in UDC 205.010(d) and UDC 205.015(d). The decision criteria for subdivisions without a concurrent variance under UDC 205.010(d) and UDC 205.015(d) must be found to exist before an affirmative decision may be made for a subdivision application.

(1) The tentative subdivision plan complies with the standards of this Chapter and with all applicable provisions of the UDC, including, but not limited to, the following:

Findings: The Salem Revised Code (SRC), which includes the Salem Zoning Code, implements the Salem Area Comprehensive Plan land use goals, and governs development of property within the city limits. The subdivision process reviews development for compliance with city standards and requirements contained in the Subdivision Code, Zoning Code, Salem TSP and the Water, Sewer and Storm Drain

System Master Plans, and adopted design documents applicable to residential development. The proposed meets all applicable provisions of the Salem Revised Code.

(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.

Findings: The proposal does not require any variances to lot development standards specified in the Code.

Minimum Lot Area and Dimensions: As shown on the site plan, all 85 lots meet lot size (4,000 square feet) and lot dimension (40' by 70') standards as required under UDC Chapters 510 and 511. The proposed lots range in size from 5,933 square feet to 10,727 square feet in size, with and average lot size of 6,884 square feet.

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 also checked prior to city staff signing the final subdivision plat.

The proposal can conform to applicable conditions imposed as necessary to ensure that development conforms to the standards of the subdivision code and with existing development and public facilities. As shown on the site plans, all lots meet the required lot size, lot depth, and lot width. At the time of development of the lots, building permits will be required. Setbacks will be reviewed for compliance at the time of building permit submittal. The proposed subdivision is and will be in compliance with lot standard requirements and required access.

Therefore, this criteria has been met.

(B) City infrastructure standards.

Findings: Water, sewer, storm drainage plans will be submitted to the Public Works Department for final plat and construction plan approval at the final plat stage. The tentative site plan illustrates the location of the public utility lines. The proposal meets applicable Salem Area Comprehensive Plan Residential Policies for properties within the Urban Growth Boundary. The proposal encourages the efficient use of developable residential land. Public facilities and services are or will be available to serve the site, including services such as water, sanitary and storm sewer and fire/life/safety services.

Two lots within the proposed subdivision are designated for stormwater detention (located north of Lot 85 and east of Lot 37). There is also an S-4 water pump station located between Lots 79 and 80.

Therefore, this criteria has been met.

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

Findings: There are no wetlands or floodplains located on the subject property.

A geological assessment is required for this site. There are landslide hazards identified on the site. A geological assessment has been provided as part of this application packet. This criteria has been met.

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

Findings: The proposal is for the entire subject property and will be developed into 85 lots. As shown on the site plan. Therefore, a shadow plan is not required.

The abutting properties to the east and northwest are developed. The properties to the west and south are vacant, they are also located outside the City limits. Two stub streets have been provided to the north, two stub streets to the south, and a connection to Lone Oak to the west for future development. Due to the topography of the lot to the west, an additional street connection to the west is not feasible.

All proposed lots and surrounding properties have direct access onto the existing internal street system. The subdivision does not impede the future use of the property or adjacent land. Adequate connections to adjacent properties have been provided for future development.

Therefore, this criteria has been met.

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

Findings: Water, sewer, storm drainage plans will be submitted to the Public Works Department for final plat and construction plan approval at the final plat stage. The tentative site plan illustrates the location of the public utility lines. The proposal meets applicable Salem Area Comprehensive Plan Residential Policies for properties within the Urban Growth Boundary. The proposal encourages the efficient use of developable residential land. Public facilities and services are or will be available to serve the site, including services such as water, sanitary and storm sewer and fire/life/safety services.

The subject property is within ½ mile from Creekside Golf Course to the north, Rees Hill Park and Battle Creek Elementary School to the east. Therefore, the subject property is served by parks.

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. On-site detention and a pump station are being provided within the proposed subdivision.

In conclusion, the location and design of the proposed subdivision allows for public sanitary sewer, water service, and storm drainage to be conveniently provided.

Therefore, this criterion has been satisfied.

Proposed Stormwater Management System:

Findings: Stormwater quality and quantity are required for this development. An LID (low impact development) Stormwater technique will be used to mitigate the increase in pollutants contributed from development. This system may also be used to provide storage and water quantity control. The exact system will be determined at the time of design. Any proposed technique will meet City of Salem Stormwater Management standards in means and methods to provide all aspects of Stormwater management.

A Preliminary Drainage Report dated October 12, 2018 has been provided as part of this package.

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

Findings: The major street system is in place due to prior development. Devon Avenue is located to the east of the site and Lone Oak Road. Devon Avenue is designated as a 'local street' and Lone Oak Road is designated as a 'collector' on the Salem Transportation System Plan.

The existing and proposed street systems conform to the City's Transportation Plan. All street design and improvements will be determined through the subdivision review process and regulated through the Conditions of Approval. The applicant is also requesting an alternative street standard to allow Lone Oak Road, One Avenue, and Two Avenue to exceed a 12-percent street grade. However, the proposed internal streets will be designed to street standards.

The applicant is requesting an alternative street standard to street grade. As shown on the street section provided, Lone Oak Road will have a 12.25% street grade. One Avenue will have a 14.68% street grade, and Two Avenue will have a 15% street grade.

Due to the topography of the site and the proposed street alignments with existing streets, along with required stub street connections, these proposed streets within the subdivision exceed the street grade allowed. The applicant's engineer has provided a detailed memo address the alternative street standard criteria. See attached memo dated May 16, 2019.

The intent of the maximum street grade is to allow vehicles to climb and descend the street safely in all conditions. The internal streets proposed will provide safe and efficient circulation throughout the subdivision. As shown on the street sections provided, there is only curtain sections of each street that will exceed the allowed street grade. All streets within the proposed subdivision will be designed to provide safe and efficient conditions.

There are several access points provided throughout the proposed subdivision which provide alternative access options.

The intent of the standard is being met; therefore, the proposal equally meets the intent of the maximum street grade standard.

The major street network in the area has been established and is consistent with the Transportation System Plan which implements the Comprehensive Plan. Public Works Department will address any applicable requirements for right-of-way conveyance that might be required because of this subdivision.

Therefore, the existing street system and proposed street improvements will be in compliance with the STSP.

Transportation Planning Rule Review:

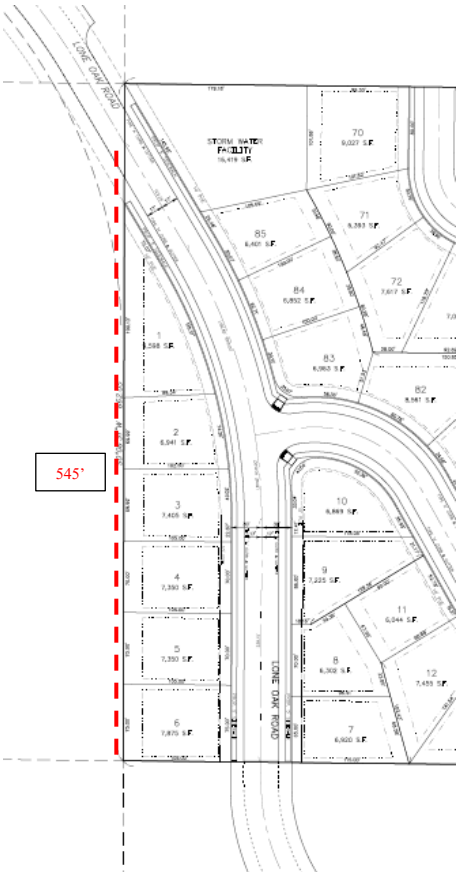
The City of Salem's TPR encourages a reduction in automobile trips by capitalizing on transit opportunities and by creating an environment that encourages people to walk. The proposed subdivision is a "limited land use decision" pursuant to Oregon Revised Statute (ORS) 197.015 and has therefore been reviewed for consistency with the State's TPR multi-modal connectivity requirements.

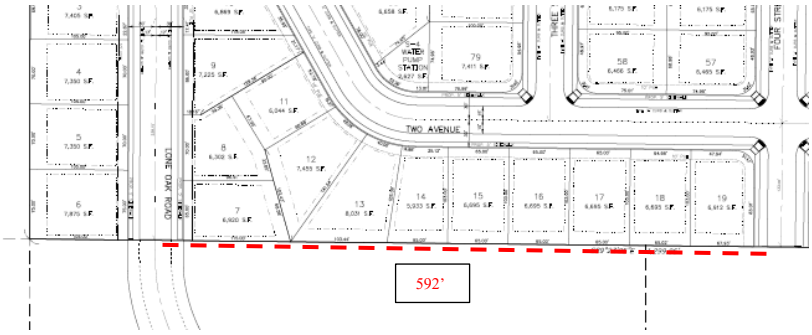
In conclusion, the development will provide bicycle and pedestrian facilities on-site to encourage people to walk and reduce vehicle trips. The development on the property will allow residents to reduce vehicle usage, by the convenience of bicycle and pedestrian paths to and from the uses and existing sidewalk system. Therefore, the proposed subdivision is in compliance with the intent of the TPR to reduce vehicle usage and encourage other modes of transportation to and from the site.

(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.

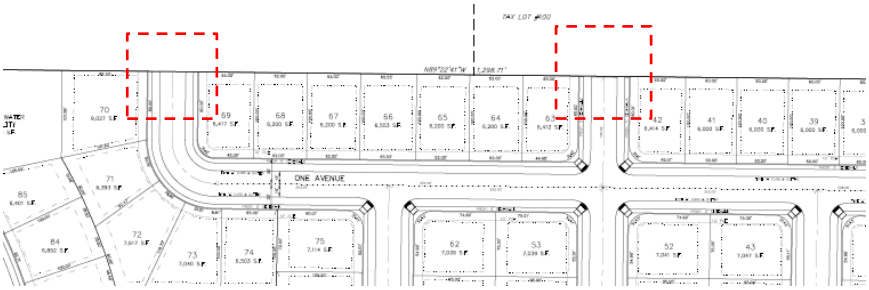
Findings: The subject property is located in a developed and developing area where improved streets and sidewalks exist and continue with new development. The local street system serving the development provides the necessary connections and access to the local streets and circulation system serving this residential neighborhood.

Block Length: Blocks shall be a maximum of 600 feet between street centerlines. The length of the blocks was taken into consideration at the time of design layout. There are more than enough street connections within the proposed development.

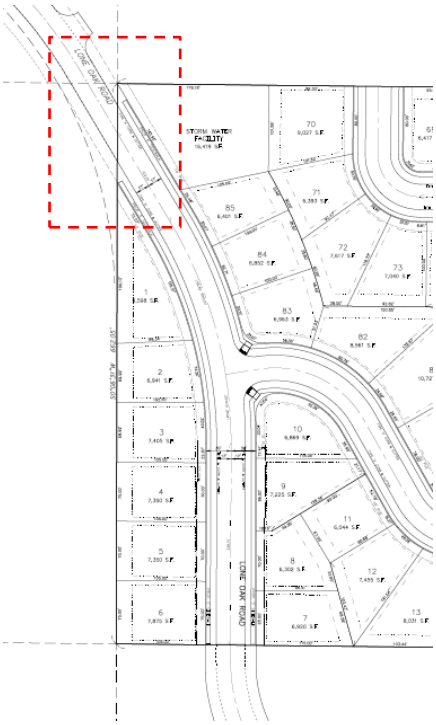


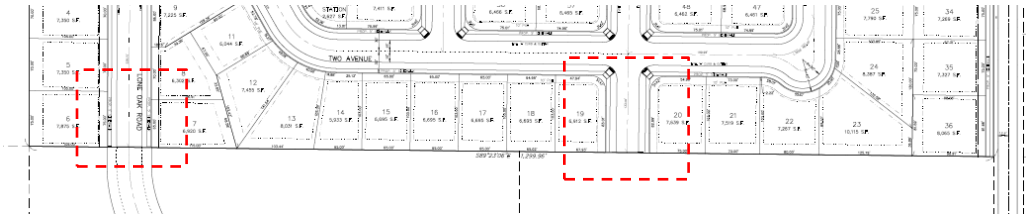


The abutting properties to the east and north are developed or proposed for development. Street connections to the north have been provided for future development of those properties.



The properties to the west and south are vacant, they are also located outside the City limits. A street connection to the northwest, via Lone Oak Road, is being providing for circulation through the neighborhood. However, due to the topography of the lot to the west, an additional street connection to the west is not feasible.





Two street connections have been provided to the north, two street connections to the south, and a street connection to the east and a connection to Lone Oak to the west for future development. By providing these connections, block length and connectivity have been met.
As shown on the site plan, the proposed subdivision provides a safe an efficient circulation pattern in the development for vehicles and pedestrians.

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

In conclusion, the proposed street plan provides the best economic, safe, and efficient circulation of traffic possible under the circumstances. The proposed subdivision demonstrates this review criterion can be met.

Therefore, this criterion has been satisfied.

(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.

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 on to the public street system.

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

Therefore, this criteria has been met.

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

Findings: The proposal is for an 85-lot subdivision. The size of the proposed subdivision does not warrant the need for a Traffic Impact Analysis. The proposed subdivision plan mitigates impacts to transportation system by providing adequate access and circulation for all 85-lots.

Therefore, this criterion 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.

Findings: All lots are in compliance with the UDC/SRC. Therefore, no variances have been requested.

(9) The tentative subdivision plan takes into account the topography and vegetation of the site, such that the least disruption of the site, topography, and vegetation will result from the reasonable development of the lots.

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 proposed lots are of sufficient size and dimensions to permit future development. The lot dimensions are illustrated on the tentative site plan and are in conformance to the minimum standards in UDC 510 and 511. 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.

There are 63 trees located within the boundary of the site. Forty-seven (47) trees are designated for removal, with sixteen (16) trees designated to remain. Twenty-five (25%) percent of the trees on the site will be preserved. Trees designated for removal are within the right-of-way, the building envelop or within an area close to the building envelope, but have the potential of being damaged during grading and construction. Therefore, the removal of these 47 trees is necessary for development of the site.

There are no heritage or significant trees (Oregon White Oak) on the site.

The layout of the lots takes into consideration the topography and vegetation of the site. All lots are in compliance with the UDC. Therefore, no variances have been requested.

Therefore, this criteria has been met.

10) When the tentative subdivision plan requires an Urban Growth Preliminary Declaration under SRC Chapter 200, the tentative subdivision plan is designed in a manner that ensures that the conditions requiring the construction of on-site infrastructure in the Urban Growth Preliminary Declaration will occur, and, if off-site improvements are required in the Urban Growth Preliminary Declaration, construction of any off-site improvements is assured.

Findings: The property and development are located inside the Urban Service Area (USA). However, an Urban Growth Preliminary Declaration is required and has been approved. Urban Growth Area Permit (UGA) 17-06 was approved by staff on May 29, 2018. As required by code, all requirements of the UGA will be met prior to development or recording of the final plat.

Therefore, this criterion has been met.

TREE CONSERVATION/REMOVAL PLAN

There are 63 trees located within the boundary of the site. Forty-seven (47) trees are designated for removal, with sixteen (16) trees designated to remain. Twenty-five (25%) percent of the trees on the site will be preserved. Trees designated for removal are within the right-of-way, the building envelop or within an area close to the building envelope, but have the potential of being damaged during grading and construction. Therefore, the removal of these 47 trees is necessary for development of the site.

There are no heritage or significant trees (Oregon White Oak) on the site.

CLASS-2 ADJUSTMENT

The applicant is requesting an adjustment to SRC 803.035(c):

> ***(c) Alignment and Grade. All streets shall be designed with a vertical alignment that conforms to the Public Works Design Standards. No grade of parkway, major arterial, or minor arterial shall exceed 6 percent. No grade of a collector street shall exceed 8 percent. No grade of a local street shall exceed 12 percent.***

Lone Oak Road runs north/south through the development and is designated as a 'collector' street. One Avenue and Two Avenue run east/west through the site and are designated as 'local' streets. The applicant is requesting an adjustment to allow Lone Oak Road to exceed the 8 percent street grade allowed, and an adjustment to allow One Avenue and Two Avenue to exceed the 12 percent street grade allowed.

The applicant has addressed criteria for Alternative Street Standards. See attached memo dated May 16, 2019.

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 Findings:

(A) The applicant is requesting an adjustment to street grade. As shown on the street section provided, Lone Oak Road will have a 12.25% street grade. One Avenue will have a 14.68% street grade, and Two Avenue will have a 15% street grade. Due to the topography of the site and the proposed street alignments with existing streets, along with required stub street connections, these proposed streets within the subdivision exceed the street grade allowed.

(B) The intent of the maximum street grade is to allow vehicles to climb and descend the street safely in all conditions. The internal streets proposed will provide safe and efficient circulation throughout the subdivision. As shown on the street sections provided, there is only curtain sections of each street that will exceed the allowed street grade. All streets within the proposed subdivision will be designed to provide safe and efficient conditions.

There are several access points provided throughout the proposed subdivision which provide alternative access options.

The intent of the standard is being met; therefore, the proposal equally meets the intent of the maximum street grade standard.

(C) Due to topography and existing streets in this area, the proposed streets are typical of streets within existing subdivisions within Salem. The streets will be designed to public works standards and will provide efficient circulation throughout the development and to existing surrounding neighborhoods,

therefore, the greater street grade will not distract from the livability or appearance of the residential area.

(D) The applicant is not requesting more than one adjustment. Therefore, this criteria is not applicable.