

# **Eagles View Phase 6**

## **Subdivision Application**

Revised-June 2, 2020

### **PROPOSAL:**

The subject property is about 14.17 acres in size and zoned RA (Residential Agriculture). The applicant is proposing to divide 14.17 acres of the subject property into 31 single-family residential lots, and a Tract for water quality.

### **Adjustment:**

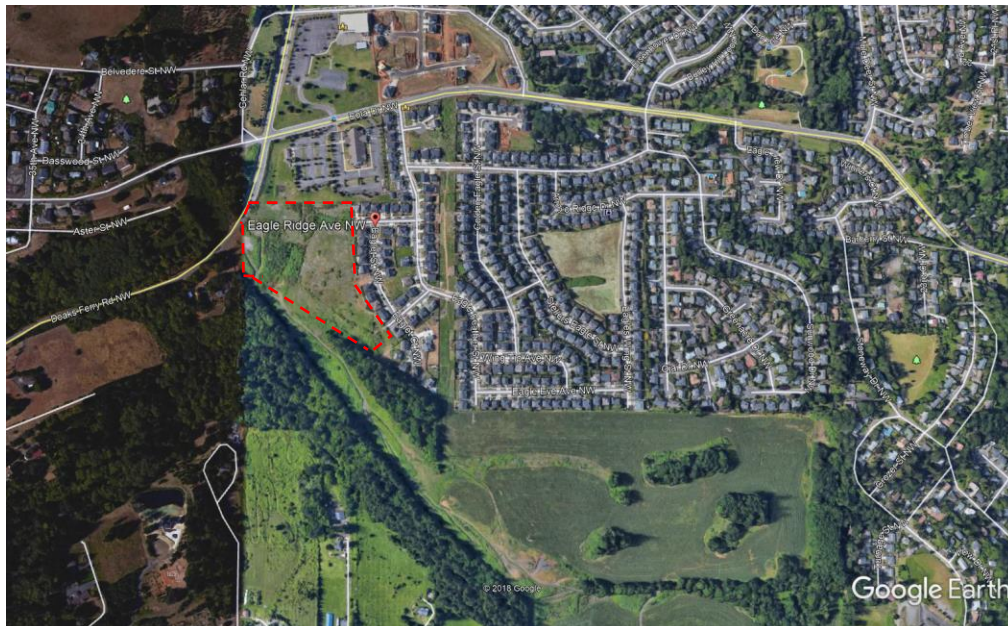
The applicant is requesting a Class-2 Adjustment to lot depth. See attached Adjustment application and findings.

### **Alternative Street Standards Requested:**

- Alternative Street Standard to allow the proposed streets to be less than 60 feet in width (803.025).
- Alternative Street Standard to allow a greater than 600-foot street spacing (803.030).

### **SITE VICINITY and CHARACTERISTICS:**

The subject property is located west of Doaks Ferry Road and south of Eola Drive. The subject property is identified as 073W30/Tax Lot 100. The subject property is located within the City limits and the Urban Growth Boundary.



The surrounding properties are zoned and used as follows:

North: RA (Residential Agriculture); existing church  
East: RS (Single-Family Residential); existing single-family dwellings  
South: RA (Residential Agriculture); vacant land and existing single-family dwellings  
West: Polk County SR (Suburban Residential); vacant land

### **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:***

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.***

The proposal does require an adjustment to the lot to depth ratio development standard specified in the Code.

#### **Minimum Lot Area and Dimensions:**

The subject property is about 14.17 acres in size and zoned RA (Residential Agriculture). The applicant is proposing to divide 14.17 acre of the subject property into 31 single family residential lots.

As shown on the site plan, all 31 lots meet the lot size (4,000 square feet) requirements within the RA zone and lot dimension (40' by 70') standards as required under UDC Chapters 510 and 511, except for Lots 7 and 8. Lots 7 and 8 exceed the lot to depth ratio requirements.

\*Lot 7= (Proposed) 89' by 492' (Maximum Allowed) 89' by 267'

\*Lot 8= (Proposed) 65' by 500' (Maximum Allowed) 65' by 195'

The applicant has requested an adjustment to the lot standards in Table 510-2.

The proposed lots range in size from 7,635 square feet to 45,696 square feet in size, with an average lot size of 15,595 square feet.

Lots 7, 8, 12, 22, and 24 are all a half acre or larger in size. Therefore, requiring a future development plan. All five (5) of these lots will be developed with a detached single-family dwelling. In order to provide street connections and circulation, the size and layout of the lots in the subdivision had to be taken into consideration. Due to the location of the BPA lines, topography, and the location of trees, Lots 7, 8, 12, 22, and 24 can't and won't be allowed to be further divided. Dividing these lots is not feasible.

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. The proposed subdivision is in compliance with lot standard requirements and required access. Therefore, this criteria has been met.

***(B) City infrastructure standards.***

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

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

A geological assessment was done and approved for the entire Eagles View subdivision. The original approval geological assessment is filed with the City of Salem Public Works Department. The assessment outlines the nature, distribution of

underlying geology, and the physical and chemical properties of existing soils; an opinion as to stability of the site, and conclusions regarding the effect of geologic conditions on proposed development in this area.

This criteria has been met.

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

The proposal is for the entire subject property and will be developed into 31 lots. As shown on the site plan. Therefore, a shadow plan is not required.

Street connections to existing development has been provided to the east. All surrounding properties have direct access onto the existing internal street system. All 31 lots will have direct access onto the proposed and existing street system as well. The subdivision does not impede the future use of the property or adjacent land.

Therefore, this criteria has been met.

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

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

Water, sewer, storm drainage plans will be submitted to the Public Works Department for final plat and construction plan approval at the final plat stage. The tentative site plan illustrates the location of the public utility lines.

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:**

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 Tract located in southwestern portion of the site has been identified for detention. See attached Site Plan and Drainage Plan.

The detention area is located within the BPA Easement, something that has been done in past developments. The applicant will work with BPA prior to development of the site. Therefore, the applicant proposes the following Condition of Approval:

**Condition:** *Provide a Land Use Agreement with BPA that allows the stormwater facilities within their easement or relocate the facilities to a location outside of the easement.*

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

The major street system is in place due to prior development and phases of Eagles View. Doaks Ferry Road located to the east of the site will provide access into the development. Doaks Ferry Road is designated as a 'major arterial' on the Salem Transportation System Plan. Eagle Ridge Avenue located to the northeast of the site will provide access into the development per street connections. Eagle Ridge Avenue is designated as a 'local' street on the Salem Transportation System Plan.

The proposed subdivision will provide street connections to the existing street system, Eagle Ridge Avenue to the northeast and Eagles Claw Avenue to the southeast. These street connections will provide circulation through the neighborhood, existing and proposed.

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 proposed internal streets will be designed to City street standards. Therefore, meeting the requirements of a subdivision.

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.

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 the proposed internal streets to be 52 feet in width where a 60-foot width is required. However, the proposed internal streets will be designed to street standards.

The applicant is requesting an alternative street standard to street width and location. Due to the topography of the site and the proposed street alignments with existing streets, these proposed streets within the subdivision do not meet the required 60-foot street width. The applicant has requested an alternative street design to allow 52-foot street widths.

The intent of the street wide is to allow vehicles to maneuver the streets safely. The internal streets proposed will provide safe and efficient circulation throughout the subdivision. As shown on the street sections provided, the street connect to existing streets that are under the 60-foot width currently. The 52-foot street widths provide adequate width. Due to the topography of the site and the location of the existing street connections, additional street width is not feasible. 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 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.

#### 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.

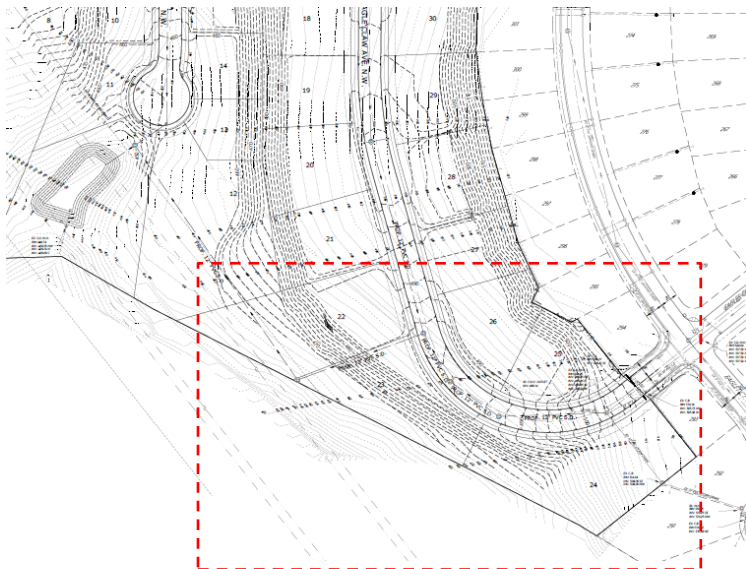
In conclusion, the development will provide bicycle and pedestrian facilities on-site to encourage people to walk and reduce vehicle trips. The development on the property will allow residents to reduce vehicle usage, by the convenience of bicycle and pedestrian paths to and from the uses and existing 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.***

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, therefore, block lengths are in compliance with code.

Due to the existing developments to the east and north, additional street connections are not feasible. The topography of the site to the south is too steep to provide a street connection that will be safe and efficient. The applicant is requesting an alternative street design to allow a greater than 600-foot street spacing per 803.030.

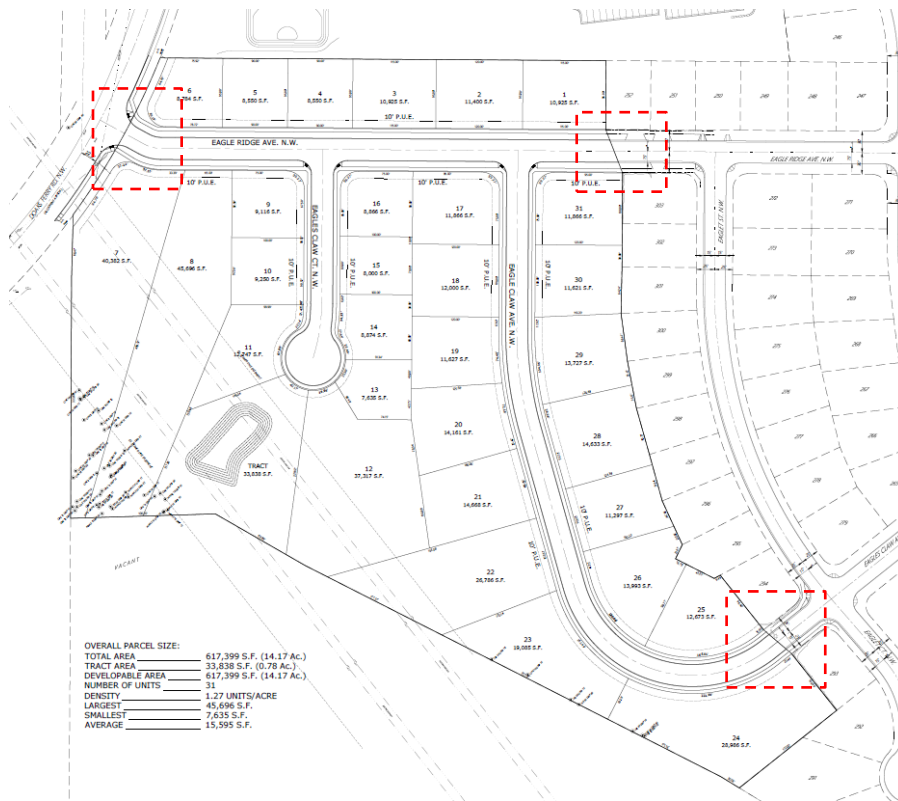


In order to break the block lengths up, street connections have been provided to adjacent properties as well as efficient circulation within the subdivision.

Street Connections:

East: Street Connection to Eagle Ridge Avenue  
Street Connection to Eagles Claw Avenue  
West: Street Connection to Doaks Ferry Road





A street connection cannot be made to the south to break up the block lengths. Due to the topography to the south and the location of the BPA line, a street connection to the south is not feasible. Nor is it needed due to the street connections provided as shown on the site plan. A connection to the south would also result in the loss of trees, which is something the applicant is wanting to avoid. Therefore, as addressed above, the proposal meets the criteria under Section 803.065 (a)(1), (2), and (3).

As shown on the site plan, the proposed subdivision provides a safe an efficient circulation pattern throughout 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 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.***

The subdivision is served with adequate transportation infrastructure and the street system adjacent the property conforms to the Transportation System Plan and provides for safe, orderly, and efficient circulation of traffic into, through, and out of the subject property on to the public street system.

All 31 lots will have direct access onto the proposed and existing surrounding street system.

In order to break the block lengths up, street connections have been provided to adjacent properties as well as provide efficient circulation within the subdivision and to adjacent neighborhoods.

Street Connections:

East: Street Connection to Eagle Ridge Avenue  
Street Connection to Eagles Claw Avenue

West: Street Connection to Doaks Ferry Road

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.***

The proposal is for a 31-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 31 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.***

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

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

The subdivision code requires City approval of lots be suitable for the general purpose for which they are likely to be developed. No lots can be of such a size or configuration that is detrimental to public health, safety, or welfare or sanitary needs of users of the parcel or lot.

The 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 57 trees located within the boundary of the site. All 57 trees are designated for preservation. The existing trees on the site are located within the southwest corner and southern property line. Therefore, removal of those trees is not necessary at this time.

Therefore, this criteria has been met.

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

The property and development are located outside the Urban Service Area (USA). An Urban Growth Preliminary Declaration is required and has been requested. Therefore, this criterion has been met.

## **TREE CONSERVATION/REMOVAL PLAN**

There are 57 trees located within the boundary of the site. All 57 trees are designated for preservation.

Therefore, preserving 100% of the trees within the boundary of the site.

### **803.065 ALTERNATIVE STREET STANDARDS**

-Alternative Street Standard to allow a greater than 600-foot street spacing (803.030).

-Alternative Street Standard to allow the proposed streets to be less than 60 feet in width (803.025).

#### ***Criteria:***

***(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.***

Findings (Street Spacing 803.030): 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, therefore, block lengths are in compliance with code.

Due to the existing developments to the east and north, additional street connections are not feasible. The topography of the site to the south is too steep to provide a street connection that will be safe and efficient. The applicant is requesting an alternative street design to allow a greater than 600-foot street spacing per 803.030.

A street connection cannot be made to the south to break up the block lengths. Due to the topography to the south and the location of the BPA line, a street connection to the south is not feasible. Nor is it needed due to the street connections provided as shown

on the site plan. A connection to the south would also result in the loss of trees, which is something the applicant is wanting to avoid. Therefore, as addressed above, the proposal meets the criteria under Section 803.065 (a)(1), (2), and (3).

As shown on the site plan, the proposed subdivision provides a safe and efficient circulation pattern throughout 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.

Findings (Street Width-803.025): 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 the proposed internal streets to be 52 feet in width where a 60-foot width is required. The proposed internal streets will be designed to street standards and consistent with the existing connecting streets.

The applicant is requesting an alternative street standard to street width and location. Due to the topography of the site and the proposed street alignments with existing streets, these proposed streets within the subdivision do not meet the required 60-foot street width. The applicant has requested an alternative street design to allow 52-foot street widths.

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