

Sec. 205.010. - Subdivision tentative plan.

(d) *Criteria.* A tentative subdivision plan shall be approved if all of the following criteria are met:

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

(A) Lot standards, including, but not limited to, standards for lot area, lot width and depth, lot frontage and designation of front and rear lot lines.

The Fairview Refinement Plan Standards are as follows for the AU Zoning:

Minimum Lot Area = 100 SF

Maximum lot area = 5,000 SF

Lot Width = 20' Minimum

Lot Depth = 40' Minimum/200' Maximum

All proposed lots exceed the Minimum Lot Area. The Minimum Lot size proposed is 2,590 SF. Only one lot exceeds the Maximum Area with an area of 5,370 SF or 7.4% over the allowable maximum area. This is due to the irregular shape of the property. All lots exceed the 20' minimum width. All lots exceed the 40' minimum depth and no lots exceed the 200' maximum depth.

(B) City infrastructure standards.

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

The property is not in the floodplain. No special setback are required for development of the property. A geological assessment is included with the application and no special development requirements are recommended. There is not a vision clearance concern with the proposed private drive access point to Strong Road.

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

The only adjacent land is the City Park property. The proposed development takes into account the current adopted park master plan.

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

All infrastructure is immediately adjacent to the subdivision and is adequate to serve the development. Proposed utility extensions are shown on the tentative plat.

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

Numerous discussions occurred with Public Works on the proposed private street system. Public Works has agreed the street system proposed with one access to Strong Road and an emergency access to Reed Road is all that will be allowed for this development.

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 street system adjacent to the site is already fully developed. The internal private streets proposed with access to the existing public streets are all that will be allowed by Public Works.

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.

Safe and convenient pedestrian and bike access is proposed via private streets. The surrounding area is either fully developed or will be fully developed with the proposed Reed Road Improvements to allow safe and convenient access to the surrounding neighborhood.

The tentative subdivision plan mitigates impacts to the transportation system consistent with the approved traffic impact analysis, where applicable.

Strong and Reed Roads are already improved to City Standards. Public Works has approved drawing for the improvement of Reed Road to Minor Arterial Standards which will mitigate any potential transportation impacts.

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.

Site Topography and the existing Public Street network severely limit the development. The layout as proposed is required to meet standards and minimize variances.

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 only vegetation on the site is a number of trees and blackberries. The topography and vegetation were severely disturbed years ago when existing structures were removed. The tentative plan proposes to save 39.45% of the existing trees which is well in excess of City Standards.

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 Tentative Plan conforms to the UGA requirements.

Sec. 530.035 Amendments to Refinement Plans

(d) *Submittal requirements.* In addition to the submittal requirements for a Type II or Type III application under SRC chapter 300, an application for a minor or major amendment to a refinement plan shall include:

(1) The specific amendment proposed; and

1. Increase the number of residential units from 280 to 282.

2. Increase the maximum allowed driveway depth from 20' to 24'

(2) A statement documenting the need for the amendment.

1. The AU zone requires a minimum density of 6 dwelling units/acre and a maximum of 35 dwelling units/acre. The addition of 2 residential units, increasing the number of lots from 27 to 29 allows the development to have a density of 6.5 lots/acre.

2. The AU zone allows a maximum of 20' setback from abutting streets. The proposed amendment will allow longer full size vehicles to park in their respective driveways without overhanging the public sidewalk. Any full size vehicle parking 3' to 4' away from the garage will inherently overhang the public sidewalk which will prevent pedestrians from safely navigating the public sidewalk.

(e) *Criteria*

(1) *Minor amendment.* A minor amendment shall be approved if all of the following criteria are met:

(A) The proposed amendment does not substantially change the refinement plan.

1. The proposed amendment to increases the number of units from 280 to 282 or less than 1%. The addition of the 2 lots allow Strong Heights to optimize the use of the property and allow for a density of 6.5 units/acre. The 1% change does not substantially change the refinement plan.

2. The proposed amendment to increase the setback from 20' to 24' does not substantially change the refinement plan and will provide a safe passable sidewalk for pedestrians by minimizing potential conflicts with parked vehicles.

(B) The proposed amendment will not unreasonably impact surrounding existing or potential uses or development.

1 & 2. The surrounding existing or potential uses or development include the City Park to the west, Fairview Industrial Park to the north and east and The Grove Apartment project to the south. The park is not yet developed. The Grove Phase I is developed. The Grove Phase II was recently approved by the Planning Commission. Fairview Industrial Park is substantially developed. The proposed minor amendment has no impact on the surrounding properties.