

Aaron Panko

From: Ken Spencer <Kenneth.Spencer@pgn.com>
Sent: Wednesday, March 31, 2021 9:02 AM
To: Aaron Panko
Subject: FW: Notice of Filing / Request for Comments - Case No. SUB21-03 for 430 Turtle Bay Ct SE
Attachments: SUB21-03 NOF-RFC.pdf

Hello,

The planned 10' PUE throughout the proposed develop appears adequate for our purpose. No other comments.

Thank you.

Ken Spencer, PE Customer Operations Engineer | 503.970.7200

From: Shelby Guizar <SGuizar@cityofsalem.net>
Sent: Monday, March 29, 2021 2:41 PM
To: Shelby Guizar <SGuizar@cityofsalem.net>
Cc: Aaron Panko <APanko@cityofsalem.net>
Subject: Notice of Filing / Request for Comments - Case No. SUB21-03 for 430 Turtle Bay Ct SE

*****Please take care when opening links, attachments or responding to this email as it originated outside of PGE.*****

Hello,

The Notice of Filing/ Request for Comments for ~~Class 2 Driveway Approach Permit and Class 2 Adjustment Subdivision~~ Case No. SUB21-03 for 430 Turtle Bay Ct SE is attached for your information. Comments are due **Monday, April 12, 2021 by 5:00 p.m.** Hard copies go out in the mail today for those of you who are to receive one.

Application Summary: A subdivision tentative plan to divide approximately 4.96 acres into 16 lots with lots ranging in size from 8,010 square feet to 27,325 square feet. The applicant is requesting an alternative street standard to reduce the street width from 60-feet to 50-feet.

Please direct questions or comments to the **CASE MANAGER:**

Aaron Panko
apanko@cityofsalem.net
503-540-2356

Thank you,

Shelby Guizar

Administrative Analyst

City of Salem | Community Development Department

555 Liberty St SE, Suite 305, Salem, OR 97301

sguizar@cityofsalem.net | 503-540-2315

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[\[cityofsalem.net\]](http://cityofsalem.net)

April 5, 2021

Aaron Panko, Planner 3
City of Salem Planning Division
555 Liberty st N.E.
Salem, Oregon 97301

Subject Case Number SUB21-03, Turtle Bay Court

My name is Robert Stebner, and I reside at 309 Kurth Meadow Ave, s.e., which abuts the proposed development. I have reviewed the Notice of Filing Mailed on March 29, 2021, I have some concerns and some comments. They are listed below.

1. I am concerned with the flow and disposition of rainwater that flows down from the park, the flow from the West side slope of the development and the flow from the slope of the East side of the development. Presently, the rainwater flows down those slopes and runs into a drain that runs along the back edge of my property, then to another drain that runs underground along the property line between my lot and the lot immediately to the East, then into the catch basin across the street.

My concern is that if the lots are developed, and we have more asphalt and roofs, there will be an increase in the amount of water. In addition, if there is fill dumped on those lots to provide a level building site, I have concern where that water will go. I am concerned that all of this has not been taken into consideration, and that we might, in the future, have excess rainwater that will cause minor or major flooding.

2. There is a rock wall proposed along the lot line at the rear of my lot. My Questions are:

A. How high will that rock wall be?

B. Will it be visually acceptable so it does not detract from the value of my home?

C. Who will maintain the rock wall along my property line, should mud flow down the face, weeds grow in the dirt, rodents build nests, Etc.? I have a concern about this if no plans are in place to address.

3. I have concerns about the foot paths that go directly to the park. These foot paths will encourage park users to park on Vine Maple street and Kurth Meadow Ave., thereby increasing the amount of traffic in our neighborhood. In addition, I have a concern that people using the park will come into our neighborhood. We have already had an instance of a person that was in the park, who was a fugitive from the police, knocking on the door of one of our residents, who is a single woman. This incident caused a certain amount of stress for that person. The paths should be eliminated.

4. On the “storm water areas and pre-development travel time”, it states that there will be 14 new houses, yet the plan itself states there are 15 lots. Which lot will not have a house on it, and Why? Also, it states that the 14 houses will be approximately 2500 sq. feet. I know there will be some variance from that number as the houses are designed, but it implies that the homes will be single story. Is that correct? Are there any multiple story homes being planned.

Finally, thank you for addressing my concerns and answering my questions. If you need to contact me, I can be reached at:

Robert Stebner
309 Kurth Meadow Ave. s.e.
Salem , OR 97306
robstebner@comcast.net
503-399-0475

REQUEST FOR COMMENTS

Si necesita ayuda para comprender esta informacion, por favor llame 503-588-6173

REGARDING: Subdivision Case No. SUB21-03

PROJECT ADDRESS: 430 Turtle Bay Court SE, Salem OR 97306

AMANDA Application No.: 20-119160-LD

COMMENT PERIOD ENDS: Monday, April 12, 2021 at 5:00 PM

REQUEST: A subdivision tentative plan to divide approximately 4.96 acres into 16 lots with lots ranging in size from 8,010 square feet to 27,325 square feet. The applicant is requesting an alternative street standard to reduce the street width from 60-feet to 50-feet.

The subject property is approximately 4.96 acres in size, zoned RA (Residential Agriculture), and located at 430 Turtle Bay Court SE - 97306 (Marion County Assessor Map and Tax Lot number: 083W16DD / 00300).

The Planning Division is interested in hearing from you about the attached proposal. Staff will prepare a Decision that includes consideration of comments received during this comment period. We are interested in receiving pertinent, factual information such as neighborhood association recommendations and comments of affected property owners or residents. The complete case file, including all materials submitted by the applicant and any applicable professional studies such as traffic impact analysis, geologic assessments, and stormwater reports, are available upon request.

Comments received by 5:00 p.m., Monday, April 12, 2021, will be considered in the decision process. Comments received after this date will be not considered. ****PLEASE NOTE: City offices have very limited staffing due to COVID-19. To ensure that your comments are received by the deadline, we recommend that you e-mail your comments to the Case Manager listed below.****

CASE MANAGER: Aaron Panko, Planner III, Phone: 503-540-2356; E-Mail: APanko@cityofsalem.net.

For information about Planning in Salem, please visit: <http://www.cityofsalem.net/planning>

PLEASE CHECK THE FOLLOWING THAT APPLY:

- ☐ 1. I have reviewed the proposal and have no objections to it.
- ☒ 2. I have reviewed the proposal and have the following comments: _____

See attached

Name/Agency: _____
Salem-Keizer Public Schools, Planning and Property Services

Address: _____
3630 State Street, Salem OR 97301

Phone: _____
David Fridenmaker, Manager

Email: _____
503-399-3335

Date: 4.13.21

IMPORTANT: IF YOU MAIL COMMENTS, PLEASE FOLD AND RETURN THIS POSTAGE-PAID FORM



DAVID FRIDENMAKER, Manager
Facility Rental, Planning, Property Services
3630 State Street, Bldg. C • Salem, Oregon 97301-5316
503-399-3335 • FAX: 503-375-7847

Christy Perry, Superintendent

April 13, 2021

Aaron Panko
Planning Division, City of Salem
555 Liberty Street SE, Room 305
Salem OR 97301

RE: Land Use Activity Case No. SUB21-03, 430 Turtle Bay Ct SE

The City of Salem issued a Request for Comments for a Land Use Case as referenced above. Please find below comments on the impact of the proposed land use change on the Salem-Keizer School District.

IDENTIFICATION OF SCHOOLS SERVING THE SUBJECT PROPERTY

The School District has established geographical school attendance areas for each school known as school boundaries. Students residing in any residence within that boundary are assigned to the school identified to serve that area. There are three school levels, elementary school serving kindergarten thru fifth grade, middle school serving sixth thru eighth grade, and high school serving ninth thru twelfth grade. . The schools identified to serve the subject property are:

School Name	School Type	Grades Served
Sumpter	Elementary	K thru 5
Crossler	Middle	6 thru 8
Sprague	High	9 thru 12

Table 1

SCHOOL CAPACITY & CURRENT ENROLLMENT

The School District has established school capacities which are the number of students that a particular school is designed to serve. Capacities can change based on class size. School capacities are established by taking into account core infrastructure (gymnasium, cafeteria, library, etc.) counting the number of classrooms and multiplying by the number of students that each classroom will serve. A more detailed explanation of school capacity can be found in the School District's adopted Facility Plan.

School Name	School Type	School Enrollment	School Design Capacity	Enroll./Capacity Ratio
Sumpter	Elementary	507	495	102%
Crossler	Middle	851	969	88%
Sprague	High	1,767	1,940	91%

Table 2

POTENTIAL ADDITIONAL STUDENTS IN BOUNDARY AREA RESULTING FROM APPROVAL OF LAND USE CASE

The School District anticipates the number of students that may reside at the proposed development based on the housing type, single family (SF), duplex/triplex/four-plex (DU), multi-family (MF) and mobile home park (MHP). The School District commissioned a study by the Mid-Willamette Valley Council of Governments in 2014 to determine an estimate of students per residence, for the Salem-Keizer area, in each of the four housing types. Since the results are averages, the actual number of students in any given housing type will vary. The table below represents the resulting estimates for the subject property:

School Type	Qty. of New Residences	Housing Type	Average Qty. of Students per Residence	Total New Students
Elementary	16	SF	0.194	3
Middle	16	SF	0.101	2
High	16	SF	0.143	2

Table 3

POTENTIAL EFFECT OF THIS DEVELOPMENT ON SCHOOL ENROLLMENT

To determine the impact of the new residential development on school enrollment, the School District compares the school capacity to the current enrollment plus estimates of potential additional students resulting from land use cases over the previous two calendar years. A ratio of the existing and new students is then compared with the school design capacity and expressed as a percentage to show how much of the school capacity may be used.

School Name	School Type	School Enrollment	New Students During Past 2 yrs	New Student from this Case	Total New Students	School Design Cap.	Enroll./Cap. Ratio
Sumpter	Elem.	507	18	3	21	495	107%
Crossler	Mid.	851	16	2	18	969	90%
Sprague	High	1,767	32	2	34	1,940	93%

Table 4

ESTIMATE OF THE EFFECT ON INFRASTRUCTURE – IDENTIFICATION OF WALK ZONES AND SCHOOL TRANSPORTATION SERVICE

Civic infrastructure needed to provide connectivity between the new residential development and the schools serving the new development will generally require roads, sidewalks and bicycle lanes. When developing within one mile of school(s), adequate pathways to the school should be provided that would have raised sidewalks. If there are a large number of students walking, the sidewalks should be wider to accommodate the number of students that would be traveling the

path at the same time. Bike lanes should be included, crosswalks with flashing lights and signs where appropriate, traffic signals to allow for safe crossings at busy intersections, and any easements that would allow students to travel through neighborhoods. If the development is farther than one mile away from any school, provide bus pullouts and a covered shelter (like those provided by the transit district). Locate in collaboration with the District at a reasonable distance away from an intersection for buses if the distance is greater than ½ mile from the main road. If the distance is less than a ½ mile then raised sidewalks should be provided with stop signs where students would cross intersections within the development as access to the bus stop on the main road. Following is an identification, for the new development location, that the development is either located in a school walk zone or is eligible for school transportation services.

School Name	School Type	Walk Zone or Eligible for School Transportation
Sumpter	Elementary	Eligible for School Transportation
Crossler	Middle	Walk Zone
Sprague	High	Eligible for School Transportation

Table 5

ESTIMATE OF NEW SCHOOL CONSTRUCTION NEEDED TO SERVE DEVELOPMENT

The School District estimates the cost of constructing new school facilities to serve our community. The costs of new school construction is estimated using the Rider Levett Bucknall (RLB) North America Quarterly Construction Cost Report and building area per student from Cornerstone Management Group, Inc. estimates. The costs to construct school facilities to serve the proposed development are in the following table.

School Type	Number of Students	Estimate of Facility Cost Per Student*	Total Cost of Facilities for Proposed Development*
Elementary	3	\$60,840	\$182,520
Middle	2	\$72,735	\$145,470
High	2	\$84,630	\$169,260
TOTAL			\$497,250

Table 6

*Cornerstone Management Group, Inc. estimates based on RLB cost index average, 2020 Second Quarter.

Sincerely,



David Fridenmaker, Manager
Planning and Property Services

c: Mike Wolfe, Chief Operations Officer, David Hughes, Director – Custodial, Property and Auxiliary Services, T.J. Crockett, Director of Transportation

Aaron Panko

From: Michael M Sayre-Smith <msayresmith@icloud.com>
Sent: Saturday, April 10, 2021 7:49 PM
To: Aaron Panko
Cc: glennbaly12345@gmail.com; hughes.m@comcast.net
Subject: Comment re: Case # SUB21-03

Attn: Aaron Panko, Planner
City of Salem, Planning Division
Cc Glenn Baly, Mike Hughes

Dear Mr's Panko, Ball and Hughes,

Regarding Preposed Land Use Request affecting my property and neighborhood:

I would prefer to **NOT have preposed direct pedestrian** access to Bryan Johnson Park from Sword Fern St. SE and Vine Maple St. SE. Present sidewalks and street access are adequate and additional pedestrian access to/from park will encourage more (non-essential) pedestrian traffic in our neighborhood.

Respectfully,

Mike Sayre-Smith
321 Kurth Meadow Ave. SE
(Lot #18)
Salem, OR 97306
(503) 709-0180 (voice message or text)
[Email: msayresmith@icloud.com](mailto:msayresmith@icloud.com)

REQUEST FOR COMMENTS

Si necesita ayuda para comprender esta informacion, por favor llame 503-588-6173

REGARDING: Subdivision Case No. SUB21-03
PROJECT ADDRESS: 430 Turtle Bay Court SE, Salem OR 97306
AMANDA Application No.: 20-119160-LD
COMMENT PERIOD ENDS: Monday, April 12, 2021 at 5:00 PM

REQUEST: A subdivision tentative plan to divide approximately 4.96 acres into 16 lots with lots ranging in size from 8,010 square feet to 27,325 square feet. The applicant is requesting an alternative street standard to reduce the street width from 60-feet to 50-feet.

The subject property is approximately 4.96 acres in size, zoned RA (Residential Agriculture), and located at 430 Turtle Bay Court SE - 97306 (Marion County Assessor Map and Tax Lot number: 083W16DD / 00300).

The Planning Division is interested in hearing from you about the attached proposal. Staff will prepare a Decision that includes consideration of comments received during this comment period. We are interested in receiving pertinent, factual information such as neighborhood association recommendations and comments of affected property owners or residents. The complete case file, including all materials submitted by the applicant and any applicable professional studies such as traffic impact analysis, geologic assessments, and stormwater reports, are available upon request.

Comments received by 5:00 p.m., Monday, April 12, 2021, will be considered in the decision process. Comments received after this date will be not considered. ****PLEASE NOTE: City offices have very limited staffing due to COVID-19. To ensure that your comments are received by the deadline, we recommend that you e-mail your comments to the Case Manager listed below.****

CASE MANAGER: Aaron Panko, Planner III, Phone: 503-540-2356; E-Mail: APanko@cityofsalem.net.

For information about Planning in Salem, please visit: <http://www.cityofsalem.net/planning>

PLEASE CHECK THE FOLLOWING THAT APPLY:

- ☐ 1. I have reviewed the proposal and have no objections to it.
☒ 2. I have reviewed the proposal and have the following comments: _____

I do not think that reducing the street width should be approved. We need safer biking and walking and emergency service access. Reducing street width goes against that.

Name/Agency: Marne Anderson
Address: 5919 Summerside St SE, Salem OR 97306
Phone: _____
Email: mapand@yahoo.com (not to be published)
Date: 4/2/2021

RECEIVED

IMPORTANT: IF YOU MAIL COMMENTS, PLEASE FOLD AND RETURN THIS POSTAGE-PAID FORM

APR 07 2021
COMMUNITY DEVELOPMENT

Aaron Panko

From: Cynthia LeBrun <cynthia.lebrun@icloud.com>
Sent: Wednesday, April 7, 2021 6:40 PM
To: Aaron Panko
Subject: Subdivision Case No. SUB21-03

My comments regarding this proposed residential development:

1. Why is the petitioner requesting a reduction of the street width from 60' to 50'?

I would guess its to increase the number of homesites. I do not approve of a higher density of homes connecting to Vine Maple and Sword Fern. This would create increase traffic on Kurth Meadow Avenue, create higher density housing (currently Kurth Meadow Estates have 9,000-10,000 home sites) and could potentially create rainwater runoff due to new roofs, reduction of trees, additional driveways and paved roads.

2. I question the need for two access points to Bryan Johnston Park. I, personally, had a parolee come down through the park to my house last summer. I would ask you to consider a gated passage. With the decrease in police funding, this access causes me concern.

I appreciate the opportunity for comments.

Sincerely,
Cynthia LeBrun
276 Kurth Meadow Avenue SE
Salem OR 97306

Aaron Panko

From: Christine Kidd <christinekidd@gmail.com>
Sent: Tuesday, April 6, 2021 6:04 PM
To: Aaron Panko
Subject: SUB21-03

Hello Mr Panko,

Our home overlooks the proposed subdivision at 430 Turtle Bay Court. Instead of looking at Bryan Johnston Park, out deck will be viewing an asphalt road and more huge houses if this project is allowed to go ahead.

I strongly object to the proposed new subdivision.

We are almost through with the trauma of massive forest destruction (over 200 trees) and the constant hammering noise from the other subdivision that was approved a few years ago right next to this one.

Now the Noyes's have the audacity and greed to propose the eradication of 5 more acres of irreplaceable habitat for personal profit. This has to stop. If approved, 58 more mature trees would be removed.

We live here. We have seen the reduction in the number of wildlife since the trees were cut down from the other project. We see deer, foxes and chipmunks much less often than before. We see fewer sapsuckers, robins, and quail than before. Where are these creatures supposed to live when the last bit of remaining undeveloped land next to the park is developed? And backyard trees or landscape trees are no substitute for towering mature Douglas Fir trees. That loss will never be made up. The soil will be paved over and animals that live underground, like ground squirrels and mice, will also lose their habitat.

When do we draw the line on this kind of short sighted unnecessary development?

I fear my comments as a taxpayer, citizen, and homeowner will be disregarded. I beg you, on behalf of the park users, the animals that rely on this area for their survival, and the neighbors who have had enough, to deny this permit application.

Sincerely,

Christine Kidd

5940 Summerside St SE

Salem, OR 97306

Aaron Panko

From: Roger Kidd <rogkidd@gmail.com>
Sent: Friday, April 2, 2021 3:27 PM
To: Aaron Panko
Subject: Subdivision case # SUB21-03

Wow, talk about trying to ramrod a development proposal through. "City offices have very limited staffing due to COVID-19" as it states on the comment form, yet only ten days to review and submit possible objections? Sheesh- I know Salem is extremely pro-development and never sees a patch of green as anything other than a possible construction site, but this takes it to a new level.

I object to this new development proposal on environmental grounds (habitat loss, tree loss- about 75% cut down according to the proposal), public health impact (pollution of construction site, ongoing light pollution from new street lamps), and general quality of life impact (development and part of a road go right next to Bryan Johnston Park boundary).

There is much searchable documented science on the detrimental effects of habitat loss and light pollution for example that I would encourage you to look up. The ridiculously short turnaround time given to submit objections does not lend itself for putting together a comprehensive EIR, but I guess that's your point. I plan to explore litigation options to at least slow this thing down.

Roger Kidd
South Gateway resident

Aaron Panko

From: Ryan <Ryan@johnsontaylorlaw.com>
Sent: Thursday, April 8, 2021 3:52 PM
To: Aaron Panko
Subject: RE: Subdivision Case No. SUB21-03; 430 Turtle Bay Court SE, Salem, OR 97306

Hi Aaron,

Just a quick comment on this one. I live in the recently developed neighborhood of Kurth Meadow Ave. In reviewing the plan for the development of the subdivision, which will connect Kurth Meadow with Turtle Bay, I think the committee should consider making a footpath that connects these new neighborhood to the adjacent Bryan Johnston park. I feel this will benefit the newly developed neighborhoods. Otherwise, access to the park is an arduous uphill walk all the way up and around Lone Oak, up to Mildred. If you have any questions or concerns, please just let me know.

Thank you,

Ryan Johnson



Johnson & Taylor
PERSONAL INJURY & FAMILY LAW
PROBATE & ESTATE PLANNING

1193 Liberty St. SE
Salem, OR 97302
(503)990-6641
www.johnsontaylorlaw.com

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April 7, 2021

City of Salem

Aaron Panko, Planner III

555 Liberty Street SE

Room 305

Salem Oregon 97301

Re: Subdivision Case No. SUB21-03

As homeowners in the Kurth Meadow Subdivision we have several concerns about the proposed development of the adjacent property. Our concerns are as follows;

1. The request to reduce the street width will make a small area very densely populated and potentially create issues. Why is it necessary to reduce the street size? The impact of adding seven homes by extending Vine Maple **plus** a reduced street size is troubling. Those seven homes will be using Kurth Meadow Ave and Vine Maple streets with no alternative ingress or egress. In the need of emergency services, will the reduced street size be an issue and impede their ability to quickly and safely render aid? The street area is small already and the amount of trucks and equipment needed for the infrastructure and actual home construction will be significant and disruptive. Is there a plan for handling such construction in a small area?
2. The other nine lots proposed on Turtle Bay have an option for ingress and egress as they can use the streets of Sword Fern and/or Turtle Bay. So while it will be disruptive at least there will be options for traffic but why is it necessary to reduce the street width? Again will this reduced street width have an impact on emergency services? The issue of packing a lot of new construction into a small area is concerning.
3. Current homeowners need assurance from the City that this development can support adequate drainage for all lots so there is no problem in the future.


4. Current homeowners need assurance that all infrastructure construction will be handled appropriately and least disruptive to all. Just the mitigation of dust associated with this project is a concern. We have had problems with this issue in the past.
5. The proposed two additional trail openings from Bryan Johnston Parks seem an unsafe situation. The proposed opening at Vine Maple will open onto a small court area where the current homes have no fencing. It is assumed that the new homes also will have no fences. It may not be obvious to pedestrians that they have to come all the way around to get out of the area. We suggest that this trail opening has a locked gate with all residents having a key. The trail opening that would spill onto Sword Fern is less concerning as it intersects with the street and the access to the next street (Kurth Meadow) is visible and a clear route for pedestrian traffic.

Thank you for your time and consideration on these issues.

Respectfully-

Larry and Terrie Gladden
251 Kurth Meadow Ave
Salem

TO: Aaron Panko, Planner III
Community Development Department

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

DATE: May 19, 2021

**SUBJECT: PUBLIC WORKS RECOMMENDATIONS
SUB21-03 (20-119160-LD)
430 TURTLE BAY COURT SE
16-LOT SUBDIVISION**

PROPOSAL

A subdivision tentative plan to divide approximately 4.96 acres into 16 lots with lots ranging in size from 8,010 square feet to 27,325 square feet. The applicant is requesting an alternative street standard to reduce the street right-of-way width from 60 feet to 50 feet. The subject property is approximately 4.96 acres in size, zoned RA (Residential Agriculture), and located at 430 Turtle Bay Court SE - 97306 (Marion County Assessor Map and Tax Lot number: 083W16DD 00300).

RECOMMENDED CONDITIONS OF PLAT APPROVAL

1. Construct internal streets to Local street standards, with the following exception: Turtle Bay Court SE is authorized to remain within a 50-foot-wide right-of-way abutting the City park property pursuant to SRC 803.065(a). The north/south portion of Vine Maple Street SE meets the local street standard right-of-way width of 60 feet, and the east/west portion of Vine Maple Street SE meets the cul-de-sac standard right-of-way width of 50 feet.
2. Construct trail connections from the northerly terminus of the sidewalk abutting proposed lot 1 (Vine Maple Street SE) and from the northerly terminus of the sidewalk abutting lot 8 (Sword Fern Street SE) to the nearest existing trail systems in Bryan Johnston Park. These connections shall be constructed according to Architectural Barriers Act guidelines published by the US Access Board. The proposed trail connection shown extending into the park from the cul-de-sac of Vine Maple Street SE is not required.
3. Construct stormwater flow control and treatment facilities pursuant to SRC Chapter 71 and PWDS.

4. Dedicate a 10-foot public utility easement along the street frontage of all internal streets.
5. Provide easements on the final plat pursuant to the widths and alignments specified in PWDS.
6. Change the physical street address for the existing residence on lot 8.

FACTS AND FINDINGS

Water

1. Existing Conditions

- a. The subject property is located within the S-3 water service level.
- a. A 20-inch water main is located in the unimproved right-of-way for Lone Oak Road SE.
- b. A 16-inch water main is located in Turtle Bay Court SE.
- c. There are 8-inch water mains located in Sword Fern Street SE and Vine Maple Street SE.

Sanitary Sewer

1. Existing Conditions

- a. There are 8-inch sanitary sewer mains located in in the unimproved right-of-way for Lone Oak Road SE, Sword Fern Street SE, and Vine Maple Street SE.

Storm Drainage

2. Existing Conditions

- a. A proposed 24-inch stormwater main is located in the unimproved right-of-way for Lone Oak Road SE.
- b. 10-inch stormwater mains are located in Sword Fern Street SE and Vine Maple Street SE.

Streets

1. Turtle Bay Court SE
 - a. Standard—This street is designated as a Local street in the Salem TSP. The standard for this street classification is a 30-foot-wide improvement within a 60-foot-wide right-of-way.
 - b. Existing Condition—This street has an approximate 30-foot improvement within a 50-foot-wide right-of-way abutting the subject property.
2. Sword Fern Street SE
 - a. Standard—This street is designated as a Local street in the Salem TSP. The standard for this street classification is a 30-foot-wide improvement within a 60-foot-wide right-of-way.
 - b. Existing Condition—This street has an approximate 30-foot improvement within a 60-foot-wide right-of-way abutting the subject property.
3. Vine Maple Street SE
 - a. Standard—This street is designated as a Local street in the Salem TSP. The standard for this street classification is a 30-foot-wide improvement within a 60-foot-wide right-of-way.
 - b. Existing Condition—This street has an approximate 30-foot improvement within a 60-foot-wide right-of-way abutting the subject property.

Natural Resources

1. Wetlands—There are no Salem-Keizer Local Wetland Inventory wetlands mapped on the subject property.
2. Floodplain—There is no floodplain or floodway areas mapped on the subject property.
3. Landslide Hazards—City records show there are 2-point landslide hazard areas mapped on the subject property.

Parks

The proposed development is served by Bryan Johnston Park north of the subject property.

CRITERIA AND FINDINGS

The following Code references indicate 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:

SRC 205.010(d)(1)—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 subject property is located outside of the Urban Service Area but does not precede City construction of required facilities. Pursuant to SRC 200.020, no Urban Growth Preliminary Declaration is required.

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), and *Oregon Administrative Rules* 850-020-0015(4)&(10), 820-020-0020(2), and 820-020-0045(5).

Public Works staff has reviewed the Flood Insurance Study and Flood Insurance Rate Maps and has determined that no floodplain or floodway areas exist on the subject property

A 10-foot-wide public utility easement is required along the frontage of all proposed internal streets pursuant to SRC 803.035(n).

According to the Salem-Keizer Local Wetland Inventory (LWI) the subject property does not contain any wetland areas or hydric soils.

City records show that the subject property may be located within a landslide hazard area. The applicant's engineer submitted findings demonstrating that the proposed development is a low landslide hazard risk based on SRC Chapter 810.

The existing dwelling on the subject property is currently addressed 430 Turtle Bay Court SE. The address of the existing dwelling shall be changed pursuant to addressing standards in SRC Chapter 255.

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

Findings—Water, sewer, and stormwater infrastructure are available in the vicinity of the site and appear to be adequate to serve the property.

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 provided an engineered tentative stormwater design to accommodate future impervious surface on all proposed lots. Prior to final plat, the applicant shall provide an engineered stormwater design pursuant to SRC 71 and PWDS to accommodate future impervious surface on all proposed lots, including stormwater facilities needed to serve new streets. Because of topographic constraints, the applicant is proposing the use of non-GSI facilities for stormwater flow control. A design exception request was approved by the City Engineer on 03/30/2021 to modify the GSI requirement pursuant to PWDS Appendix 4E.

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)(7)(B) prior to final plat approval. Any easements needed to serve the proposed parcels with City infrastructure shall be shown on the final plat.

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

The nearest major streets adjacent to the subject property are Lone Oak Road SE, a Collector street located to south and east, and Mildred Lane SE, a Minor Arterial street located to the north. The proposed street system within the proposed development is limited to local streets in conforming with the Salem TSP.

SRC 205.0010(d)(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 easterly boundary of the subject property abuts an unimproved portion of Lone Oak Road SE. Turtle Bay Court SE, Sword Fern Street SE, and Vine Maple Street SE currently abut the subject property and meet the current right-of-way or improvement width standards for Local streets. Prior to plat, the City shall remove the reserve strip at the current terminus of Turtle Bay Court SE.

Construct internal streets to Local street standards, with the following exception: Turtle Bay Court SE is authorized as a 50-foot-wide right-of-way abutting the City park property pursuant to SRC 803.065(a). The north/south portion of Vine Maple Street SE

meets the local street standard right-of-way width of 60 feet, and the east/west portion of Vine Maple Street SE meets the cul-de-sac standard right-of-way width of 50 feet.

SRC 205.010(d)(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 subject property is served by Bryan Johnston Park and abuts this park along the northern boundary of the subject property. The applicant shall construct trail connections from the northerly terminus of the sidewalk abutting proposed lot 1 (Vine Maple Street SE) and from the northerly terminus of the sidewalk abutting lot 8 (Sword Fern Street SE) to the nearest existing trail systems in Bryan Johnston Park. These connections shall be constructed according to Architectural Barriers Act guidelines published by the US Access Board. The proposed trail connection shown extending into the park from the cul-de-sac of Vine Maple is not required.

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

Findings—The proposed 16-lot subdivision generates less than 200 average daily vehicle trips to Turtle Bay Court SE, Sword Fern Street SE, and Vine Maple Street SE, all Local streets. Therefore, a TIA is not required as part of the proposed subdivision submittal.

RESPONSE TO CITIZEN COMMENTS:

Comment: Park access should be restricted.

Finding: Bryan Johnston Park is classified in the Comprehensive Parks System Master Plan as a Neighborhood Park, meaning it serves the surrounding neighborhood, providing local access to basic recreation resources for nearby residents, and is located within walking or bicycling distance of most users. The trail connections from the subdivision into the park are needed to expand the park service area and provide park access to the neighbors to the south of the park.

Automobiles are not the primary transportation mode for neighborhood parks, but for those who do drive, on-street parking is provided on Mildred Lane SE. Staff's opinion is that only a very small minority of park users would choose to drive to the park and then park on the neighborhood streets. Nonetheless, Local streets are designed for on-street parking on both sides of the street.

Public parks are fenced only if there is a safety issue stemming from play such as a playground close to a street or parking lot. The applicant's proposal conforms to the following CPSMP policies:

- Policy 3.1: Access barriers to existing parks and open spaces shall be evaluated and prioritized for removal or mitigation to provide equitable service to all residents of the community.
- Policy 3.4: Park access shall be provided utilizing public right-of-way corridors, publicly owned land, access easements, and other means as necessary.
- Policy 3.5: Pedestrian and bicycle access shall be considered the primary transportation modes for neighborhood parks. For facilities with larger service areas, public transit and automobiles should also provide access. New facilities should be located near transit, when possible, to minimize traffic impacts and to provide equitable access by all city residents.

Prepared by: Jennifer Scott, Program Manager
cc: File