



Land Use Compatibility Statement

What is a Land Use Compatibility Statement?

A LUCS is a form developed by DEQ to determine whether a DEQ permit or approval will be consistent with local government comprehensive plans and land use regulations.

Why is a LUCS required?

DEQ and other state agencies with permitting or approval activities that affect land use are required by Oregon law to be consistent with local comprehensive plans and have a process for determining consistency. DEQ activities affecting land use and the requirement for a LUCS may be found in Oregon Administrative Rules (OAR) Chapter 340, Division 18.

When is a LUCS required?

A LUCS is required for nearly all DEQ permits and certain approvals of plans or related activities that affect land use prior to issuance of a DEQ permit or approval. These permits and activities are listed in section 1.D on p. 2 of this form. A single LUCS can be used if more than one DEQ permit or approval is being applied for concurrently.

Permit modifications or renewals also require a LUCS when any of the following applies:

1. Physical expansion on the property or proposed use of additional land;
2. Alterations, expansions, improvements or changes in method or type of disposal at a solid waste disposal site as described in OAR 340-093-0070(4)(b);
3. A significant increase in discharges to water;
4. A relocation of an outfall outside of the source property; or
5. Any physical change or change of operation of an air pollutant source that results in a net significant emission rate increase as defined in OAR 340-200-0020.

How to complete a LUCS:

Step	Who does it?	What happens?
1.	Applicant	Applicant completes Section 1 of the LUCS and submits it to the appropriate city or county planning office.
2.	City or County Planning Office	City or county planning office completes Section 2 of the LUCS to indicate whether the activity or use is compatible with the acknowledged comprehensive plan and land use regulations, attaches written findings supporting the decision of compatibility, and returns the signed and dated LUCS to the applicant.
3.	Applicant	Applicant submits the completed LUCS and any supporting information provided by the city or county to DEQ along with the DEQ permit application or approval request.

Where to get help:

For questions about the LUCS process, contact the DEQ staff responsible for processing the permit or approval. DEQ staff may be reached at 1-800-452-4011 (toll-free, inside Oregon) or 503-229-5630. For general questions, please contact DEQ land use staff listed on our [Land Use Compatibility Statement page](#) online.

Cultural resources protection laws:

Applicants involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction, or alteration of an archeological site or object or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking, to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, ext. 232.

Land Use Compatibility Statement

Section 1 – To be completed by the applicant

1A. Applicant Name: Eric Olsen	1B. Project Name: Fiarview Addition West Phase 4
Contact Name: Eric Olsen	Physical Address: 1600 Strong Road
Mailing Address: PO BOX 9	City, State, Zip: Salem OR 97302
City, State, Zip: Monmouth. Or	Tax Lot #: 083w11000020008
Telephone: 503.838.1600	Township: 08 Range: 3 Section: W11
Tax Account #: 532113	Latitude: 44.897705
	Longitude: -123.018611

1C. Describe the project, include the type of development, business, or facility and services or products provided (attach additional information if necessary):

Subdivision for residential

1D. Check the type of DEQ permit(s) or approval(s) being applied for at this time.

<input type="checkbox"/> Air Quality Notice of Construction	<input type="checkbox"/> Clean Water State Revolving Fund Loan Request
<input type="checkbox"/> Air Contaminant Discharge Permit	<input type="checkbox"/> Wastewater/Sewer Construction Plan/ Specifications (includes review of plan changes that require use of new land)
<input type="checkbox"/> Air Quality Title V Permit	<input type="checkbox"/> Water Quality NPDES Individual Permit
<input type="checkbox"/> Air Quality Indirect Source Permit	<input type="checkbox"/> Water Quality WPCF Individual Permit (for onsite construction-installation permits use the DEQ Onsite LUCS form)
<input type="checkbox"/> Parking/Traffic Circulation Plan	<input checked="" type="checkbox"/> Water Quality NPDES Stormwater General Permit (1200-A, 1200-C, 1200-CA, 1200-COLS, and 1200-Z)
<input type="checkbox"/> Solid Waste Land Disposal Site Permit	<input type="checkbox"/> Water Quality General Permit (all general permits, except 600, 700-PM, 1700-A, and 1700-B when they are mobile)
<input type="checkbox"/> Solid Waste Treatment Facility Permit	<input type="checkbox"/> Water Quality 401 Certification for federal permit or license
<input type="checkbox"/> Solid Waste Composting Facility Permit (includes Anaerobic Digester)	
<input type="checkbox"/> Conversion Technology Facility Permit	
<input type="checkbox"/> Solid Waste Letter Authorization Permit	
<input type="checkbox"/> Solid Waste Material Recovery Facility Permit	
<input type="checkbox"/> Solid Waste Energy Recovery Facility Permit	
<input type="checkbox"/> Solid Waste Transfer Station Permit	
<input type="checkbox"/> Waste Tire Storage Site Permit	
<input type="checkbox"/> Pollution Control Bond Request	
<input type="checkbox"/> Hazardous Waste Treatment, Storage or Disposal Permit	

This application is for: Permit Renewal New Permit Permit Modification Other:

Section 2 – To be completed by city or county planning official

Applicant name: **Eric Olsen** Project name: **Fiarview Addition West Phase 4**

Instructions: Written findings of fact for all local decisions are required; written findings from previous actions are acceptable. For uses allowed outright by the acknowledged comprehensive plan, DEQ will accept written findings in the form of a reference to the specific plan policies, criteria, or standards that were relied upon in rendering the decision with an indication of why the decision is justified based on the plan policies, criteria, or standards.

2A. The project proposal is located: Inside city limits Inside UGB Outside UGB

2B. Name of the city or county that has land use jurisdiction (the legal entity responsible for land use decisions for the subject property or land use): **City of Salem**

2C. This project is not within the jurisdiction of any other land use, zoning, or planning entity
 This project is also within the jurisdiction of the following land use, zoning, or planning entity _____

2D. Is the activity allowed under Measure 49 (2007)? No, Measure 49 is not applicable Yes, if yes, then check one:

Express; approved by DLCD order #:

Conditional; approved by DLCD order #:

Vested; approved by local government decision or court judgment docket or order #:

2E. Is the activity a composting facility?
 No Yes; Senate Bill 462 (2013) notification requirements have been met.

2F. Is the activity or use compatible with your acknowledged comprehensive plan as required by OAR 660-031? Please complete this form to address the activity or use for which the applicant is seeking approval (see 1.C on the previous page). If the activity or use is to occur in multiple phases, please ensure that your approval addresses the phases described in 1C. For example, if the applicant's project is described in 1C. as a subdivision and the LUCS indicates that only clearing and grading are allowed outright but does not indicate whether the subdivision is approved, DEQ will delay permit issuance until approval for the subdivision is obtained from the local planning official.

The activity or use is specifically exempt by the acknowledged comprehensive plan; explain:

Yes, the activity or use is pre-existing nonconforming use allowed outright by (provide reference for local ordinance):

Yes, the activity or use is allowed outright by (provide reference for local ordinance):

Yes, the activity or use received preliminary approval that includes requirements to fully comply with local requirements; findings are attached. **FRP-PAR-SUB14-01MOD1**

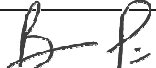
Yes, the activity or use is allowed; findings are attached.

No, see 2D. above, activity or use allowed under Measure 49; findings are attached.

No, (complete below or attach findings for noncompliance and identify requirements the applicant must comply with before compatibility can be determined):
 Relevant specific plan policies, criteria, or standards:

Provide the reasons for the decision:

Additional comments (attach additional information as needed):
 City of Salem grading and erosion control permits are required. Permit applications have not been received to date.

Planning Official Signature:  Title: **Planner I**

Print Name: **Brandon Pike** Telephone #: **503-540-2326** Date: **03/03/2202**

If necessary, depending upon city/county agreement on jurisdiction outside city limits but within UGB:

Planning Official Signature: Title:

Print Name: Telephone #: Date:

Alternative formats

DEQ can provide documents in an alternate format or in a language other than English upon request. Call DEQ at 800-452-4011 or email deqinfo@deq.state.or.us.

NOTICE OF DECISION

PLANNING DIVISION
555 LIBERTY ST. SE, RM 305
SALEM, OREGON 97301
PHONE: 503-588-6173
FAX: 503-588-6005



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

PLANNING ADMINISTRATOR DECISION FOR MODIFICATION OF TENTATIVE PHASED SUBDIVISION PLAN

CASE NO.: FRP-PAR-SUB14-01MOD1
AMANDA NO.: 21-112013-LD
DATE OF DECISION: December 22, 2021
PROPERTY LOCATION: 2250 Strong Road SE
APPLICANT: Eric Olsen (Olsen Design and Development)

REQUEST

An application to modify the tentative phased subdivision approval for the Fairview Addition West subdivision (Case No. FRP-PAR-SUB14-01). The proposed modification:

- a) Reconfigures the boundaries of existing phases T, UA, UB, and V, adds an additional phase, and renumbers the phases;
- b) Reconfigures U Street adjacent to the former Laundry Building to make it wider to accommodate on-street parking; and
- c) Correspondingly eliminates two lots in order to accommodate the proposed increased width of U Street.

The subject property totals approximately 32.98 acres in size, is zoned FMU (Fairview Mixed Use) within the Fairview Addition West Refinement Plan, and located at 2250 Strong Road SE (Marion County Assessors Map and Tax Lot Number(s): 083W1100200 & 00203; and 083W11BA08700).

DECISION

The requested modification of the tentative phased subdivision plan is **APPROVED** subject to the applicable standards of the Salem Revised Code and the Fairview Addition West refinement plan, the findings contained herein, and the following conditions of approval:

- Condition 1:** Construct a minimum 46-foot-wide street improvement along Pringle/Battle Creek Road except where additional widths are needed for turn lanes as specified in the Traffic Impact Analysis. Based on the phasing plan as described in the refinement plan:
- a. As a condition of final plat approval for Phase Qa or Qb, the applicant shall construct street improvements along the entire frontage of Phases Qa and Qb.

- b. As a condition of final plat approval for Phase ~~Ua, Ub, V, 4, 5, 6, 7, 8,~~ or Za, the applicant shall construct street improvements from the south line of Phase Qb to the south line of Phase Zb. The applicant may defer the improvement until development of Phase Zb by providing a performance security of \$472,500 as specified in SRC 110.100. The security may be posted as a lump sum or paid in cash installments of \$4,375 per lot (excluding lots originally designated within Phase T) at the time of building permit issuance as specified in an improvement agreement between the developer and the City.
- c. As a condition of final plat approval for Phase Zb, the applicant shall construct street improvements from the south line of Phase Qb to the south line of Phase Zb.

- Condition 2:** No more than 29 dwelling units will be permitted in construction of Phase Za prior to construction of an approved secondary emergency vehicle access.
- Condition 3:** Prior to final subdivision plat approval for the first phase of the subdivision, the final partition plat for FRP-PAR-SUB14-01 shall be recorded.
- Condition 4:** Design stormwater systems to serve all proposed lots. The stormwater systems shall be tentatively designed to accommodate future impervious surface. Construct stormwater facilities that are proposed in the public right-of-way, public storm easements, and/or in the proposed private streets.
- Condition 5:** Show all necessary access and utility easements on the plat and provide appropriate documentation of infrastructure maintenance agreements as approved by the Public Works Director and required by SRC 802.040.
- Condition 6:** Fire hydrant locations shall conform to the Oregon Fire Code and Public Works Design Standards related to construction and location. General location consideration requirements may include:
- a. Adjacent to alleys on local streets.
 - b. Opposite cul-de-sacs on Strong Road SE.
 - c. Opposite cul-de-sacs on Northview Street, located on the far side of the private streets to allow for 26-foot-wide fire apparatus access.
- Condition 7:** Prior to final acceptance of public infrastructure construction, the developer shall provide a final geotechnical report from a qualified geotechnical engineer that describes construction monitoring activities for all site earthwork and addresses the geotechnical considerations for each individual building lot.
- Condition 8:** Prior to final subdivision plat approval for the first phase of the subdivision, the applicant shall submit a Homeowners Association Agreement and Covenants, Conditions, and Restrictions (CC&R) document for review and approval by the City Attorney for the perpetual maintenance and operation of all common properties and facilities within the development including, but not limited to:

private streets, private utilities, open spaces, common facilities, and community areas.

- Condition 9:** Prior to final subdivision plat approval for any phase within the subdivision where the platting of that phase will result in an existing building(s) being located over a lot line, the existing building(s) shall be removed.
- Condition 10:** An easement shall be provided over the alley abutting the perimeter of Parcel 2 of Partition FRP-PAR-SUB14-01 in order to provide for additional access and connectivity to that Parcel.
- Condition 11:** The tentative phased subdivision plan shall be modified to:
- a. Realign the centerline of 1st Street to align with the 1st Street centerline in the adjacent Simpson Hills Refinement Plan.
 - b. Show a minimum 24-foot curb-to-curb width along the entire length of Strong Road SE.
 - c. Provide a pavement width at Strong Road SE between Q Street and Pringle Road SE sufficient to install a right turn lane to Pringle Road SE and a taper to 24 feet at Q Street.
 - d. Provide a 50-foot centerline radius with a commercial driveway approach on Z Street at the intersection of Z Street and 2nd Street. An alternative design may be approved by the Public Works Director.
- Condition 12:** All building construction must provide an approved fire sprinkler system or approved fire apparatus access complying with the Oregon Fire Code. Live/work units shall be provided with an approved fire sprinkler system in accordance with the Oregon Fire Code and Oregon Structural Specialty Code.
- Condition 13:** All streets shall have appropriate no parking signage reviewed and approved as a condition of public construction plan approval.
- Condition 14:** No parking shall be permitted in the cul-de-sac bulbs or hammerhead area along all private streets. In addition, the full height curb shown in the cul-de-sac bulb plan shall be redesigned to provide an approved mountable curb installed to provide fire apparatus access.
- Condition 15:** Oregon Fire Code requires 26 feet of clearance in front of a hydrant and 10 feet on either side. If this standard cannot be met on Z Street, between 1st Street and 2nd Street, and on East Street, all buildings will need to install an approved fire sprinkler system.
- Condition 16:** Prior to final plat approval of the next phase of the subdivision to be recorded, the applicant shall submit FAA Form 7460-1 documentation to the FAA and ODA and receive the resulting aeronautical determination letter(s) from the FAA and ODA prior to approval of any building permits. The applicant shall provide copies of the FAA and ODA aeronautical determination letter(s) to the City and comply with applicable FAA and ODA requirements.

Condition 17: Phases 4, 5, 6, and 7 shall be platted in numeric sequence except that Phase 8 may be platted at any time subsequent to Phase 4.

Condition 18: A tree conservation plan adjustment shall be required prior to any grading or public construction plan approval for Phases 7 or 8 if the proposed modifications to U Street will result in the need to remove any tree designated for preservation under the approved tree conservation plan.

Condition 19: The private section of U Street within Phase 8 shall be constructed as follows:

a. If the laundry building is retained and redeveloped, the private section of U Street shall be constructed as shown on the modified tentative phased subdivision plan and the modified street cross section drawings. The U Street driveway section of the street shall include street trees along both sides of the street.

b. If the laundry building is removed and not redeveloped, the private section of U Street shall either be:

1) Constructed according to the applicable private street section included in the Fairview Addition West refinement plan, except that sidewalks and planter strips with street trees shall be provided on both sides of the street and parallel on-street parking may be provided on both sides of the street subject to meeting Fire Department access requirements;
or

2) Extended instead as a public street according to the public local street standards of the Fairview Addition West refinement plan.

Condition 20: Vehicular access to the private alley serving the lots in Phase 4 shall be provided by a temporary driveway within Phase 8 as shown on the modified tentative phase subdivision plan and the modified street cross section drawings.

Condition 21: Private Way 26 and the section of Private Way 25 located south of Private Way 24 shall be improved as part of Phase Za.

PROCEDURAL FINDINGS

1. On June 28, 2021, an application to modify the tentative phased subdivision approval for the Fairview Addition West subdivision (Case No. FRP-PAR-SUB14-01) was submitted by Eric Olsen on behalf of the applicant, Olsen Design and Development.
2. After additional requested information was provided by the applicant, the application was deemed complete for processing on November 3, 2021.

3. Public notice of the proposal was sent, pursuant to SRC requirements, to surrounding property owners and tenants within 250 feet of the subject property on November 3, 2021. The state-mandated local decision deadline for the application is March 3, 2022.

SUBSTANTIVE FINDINGS

1. Background / Proposal

On November 19, 2014, tentative phased subdivision approval was issued for the Fairview Addition West subdivision (Case No. FRP-PAR-SUB14-01) to subdivide approximately 50.8 acres of the former Fairview Training Center site located at 2250 Strong Road SE into 216 lots in ten phases. In addition to the tentative phased subdivision, the application also included the approval of a three-parcel partition and a Fairview refinement plan, the Fairview Addition West refinement plan, which applies to the 50.8-acre property included within the subdivision.

As of the date of this decision, four of the ten phases originally approved with the subdivision have been completed (phases Qa, Qb, R, and S). The remaining six phases (T, Ua, Ub, V, Za, and Zb) have not yet been completed and still require their final plats to be recorded.

The tentative phased subdivision plan modification included with this proposal seeks approval to modify phases T, Ua, Ub, and V of the original subdivision approval by:

- a) Reconfiguring the boundaries of the phases, adding an additional phase, and renumbering the phases as 4, 5, 6, 7, and 8;
- b) Reconfiguring U Street adjacent to the former Laundry Building to make it wider to accommodate on-street parking; and
- c) Correspondingly eliminating two lots in order to accommodate the proposed increased width of U Street.

The proposed modification affects approximately 32.98 of the original subdivision located at 2250 Strong Road SE (Marion County Assessors Map and Tax Lot Number(s): 083W1100200 & 00203; and 083W11BA08700) (**Attachment A**).

2. Applicant's Plans

Land use applications must include a statement addressing the applicable approval criteria and be supported by proof they conform to all applicable standards and criteria of the Salem Revised Code. The plans submitted by the applicant depicting the proposed development, and in support of the proposal, are attached to this decision as follows:

- Original Tentative Subdivision Plan: **Attachment B**
- Revised Tentative Subdivision Plan: **Attachment C**
- Utility Plan: **Attachment D**
- Modified Street and Alley Cross Sections (Phases 4 and 8): **Attachment E**

3. Summary of Record

The following items are submitted to the record and are available upon request: All materials submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, and stormwater reports; any materials and comments from public agencies, City departments, neighborhood associations, and the public; and all documents referenced in this decision.

4. Salem Area Comprehensive Plan (SACP)

The subject property is located inside the Salem Urban Growth Boundary and the corporate city limits. The subject property is designated “Mixed-Use” on the Salem Area Comprehensive Plan (SACP) Map. The comprehensive plan map designations of surrounding properties are as follows:

Comprehensive Plan Map Designations of Surrounding Properties	
North	Mixed-Use
	Community Service Government
South	Mixed-Use
	Across Battle Creek Road SE, Single Family Residential
East	Mixed-Use
West	Mixed-Use
	Across Pringle Road SE and Battle Creek Road SE, Single Family Residential

5. Zoning

The subject property is zoned FMU (Fairview Mixed-Use). The zoning of surrounding properties is as follows:

Zoning of Surrounding Properties	
North	FMU (Fairview Mixed-Use)
	PH (Public and Private Health Services)
South	FMU (Fairview Mixed-Use)
	Across Battle Creek Road SE, RS (Single Family Residential)
East	FMU (Fairview Mixed-Use)
West	FMU (Fairview Mixed-Use)
	Across Pringle Road SE and Battle Creek Road SE, RS (Single Family Residential)

6. Public and Private Agency Review

- A. The City of Salem Building and Safety Division reviewed the proposal and identified no objections.
- B. The City of Salem Fire Department reviewed the proposal and indicated that the subdivision phases will need to provide required fire department access and water supply per the Oregon Fire Code. The Fire Department also explains that there appear to be dead end fire department access roads at various phases and that these dead-end roads will need temporary turn arounds to be provided to eliminate the dead ends.

Staff Response: The proposed tentative phased subdivision is served by an interconnected network of public and private streets and private alleys. Though the proposed reconfiguration of the subdivision phase boundaries will not have the effect of changing the location of proposed streets and alleys within the subdivision, it will, however, change the sequencing of when and to what extent portions of streets and alleys are improved prior to full buildout of the subdivision. This in turn results in temporary dead-end streets and alleys that potentially require temporary fire department turnarounds until all of the streets and alleys within the subdivision are fully improved following completion of all of the individual subdivision phases. The phases of the modified tentative phased subdivision plan where dead-end streets or alleys greater than 150 feet in length are provided without a turnaround due to the proposed modified phase boundaries and sequencing of the phases include Phases 4, 6, and 7.

In response to the identified fire department access requirements, the applicant indicates that fire department access requirements will be met because within the affected phases those lots abutting an alley more than 150 feet in length also have frontage on a public street. The applicant indicates that none of the homes within Phases 4, 6, or 7 will be attached homes and therefore there will be at least six feet of separation between any structures constructed in these phases.

Because the homes within these phases will not be attached, fire department access can be provided from the public street frontage of the affected lots rather than needing to be provided from the rear alley; therefore, ensuring that fire department access requirements are met and that temporary turnarounds aren't needed.

- C. The City of Salem Public Works Department reviewed the proposal and provided comments that are included as **Attachment F**. The Public Works Department identified no objections to the proposal and identified no additional conditions of approval as being necessary for the provision of public infrastructure to serve the modified subdivision.
- D. Cherriots public transit reviewed the proposal and provided comments that are included as **Attachment G**. Cherriots indicates they are currently exploring options for transit service to the Fairview Refinement Plan area and that Strong Road SE is being considered as a travel street. They explain, however, that bus stops are not proposed along the particular section of Strong Road SE which runs through the subject property. Cherriots indicates that they therefore support the pedestrian, bicycle, and roadway infrastructure improvements the development includes.

- E. The Oregon Department of Aviation (ODA) reviewed the proposal and provided comments that are included as **Attachment H**. The ODA indicates, in summary, that proposed structures within the subdivision are required to undergo aeronautical evaluation by the Federal Aviation Administration (FAA) and the ODA to determine if any structures pose obstructions to aviation safety at the Salem Municipal Airport; and that the height of new structures shall not penetrate FAA Part 77 imaginary Surfaces, as determined by the FAA and ODA.

The ODA explains that the required aeronautical evaluation is initiated by the applicant submitting FAA Form 7460-1 documentation to the FAA and ODA. Seth Thompson, Aviation Planner with the ODA, is available to help applicants with the aeronautical evaluation submittal process.

Staff Response: In 2006, the FAA issued a Feasibility Report based on a limited aeronautical review of potential structure heights within the FMU zone area (Aeronautical Study No. 2005-ANM-2635-OE). The results of that review indicated that the FAA concurs that 45-foot tall homes above ground level amongst existing terrain at an elevation of 375 feet above mean sea level and water tanks at 430 feet above mean sea level will not present an aviation hazard to operations at the Salem airport. The report indicates that the feasibility study is based on 45-foot above ground level residential homes and does not include any future flag poles, cell towers, stadium lights, powerlines, etc., which would have to be individually studied if taller than 45 feet above ground level.

In order to ensure compliance with FAA requirements concerning allowable heights of buildings and structures within the refinement plan area, the refinement plan includes maximum height limits of 35 feet for buildings and accessory structures within the LI Area of the refinement plan, 45 feet for buildings and accessory structures within all other areas of the refinement plan, and 45 feet for trees and vegetation in conformance with the FAA Feasibility Report.

Because the ODA indicates that the 2006 Feasibility Report is not a formal aeronautical evaluation, the following additional condition of approval shall be required in order to ensure compliance with ODA and FAA requirements:

Condition 16: Prior to final plat approval of the next phase of the subdivision to be recorded, the applicant shall submit FAA Form 7460-1 documentation to the FAA and ODA and receive the resulting aeronautical determination letter(s) from the FAA and ODA prior to approval of any building permits. The applicant shall provide copies of the FAA and ODA aeronautical determination letter(s) to the City and comply with applicable FAA and ODA requirements.

7. Neighborhood Association and Public Comments

The subject property is located within the boundaries of the Morningside Neighborhood Association.

Neighborhood Association Contact

SRC 300.310 requires an applicant to contact the neighborhood association(s) whose boundaries include, and are adjacent to, property subject to specific land use application requests. Pursuant to SRC 300.310(b)(1), tentative phased subdivision plan modifications do not require neighborhood association contact.

Neighborhood Association Comments

Notice of the application was provided to the neighborhood association pursuant to SRC 300.520(b)(1)(B)(v), which requires notice to be sent to any City-recognized neighborhood association whose boundaries include, or are adjacent to, the subject property. No comments were received from the neighborhood association.

Public Comments

In addition to providing notice to the neighborhood association, notice was also provided, pursuant to SRC 300.520(b)(1)(B)(ii), (iii), (vi), & (vii), to property owners and tenants within 250 feet of the subject property.

Two public comments were received on the proposal prior to the November 17, 2021, comment deadline. One of the comments received indicated they had reviewed the proposal and have no objections to it. The other comment received indicated, in summary, that they are not opposed to the proposed changes but are worried about the significant increase in the volume of traffic that will pass through the subdivision with the completion of the connection of Strong Road SE through the subdivision. It is explained that cars are already observed traveling over the speed limit on the street even before it has been fully extended to connect to the large apartment complex across from the undeveloped area. The comment requests that when Strong Road is finished, speed bumps other physical modifications to the road be made that will deter speeding.

Staff Response: As identified in the Salem Transportation System Plan (TSP), Strong Road is one of two collector streets intended to provide north-south and east west street connectivity through the former Fairview Training Center site. With the improvement of the section of Strong Road SE included in proposed amended Phase 5, Strong Road will fully extend through the Fairview site to provide street connectivity between Pringle Road SE on the west and Reed Road SE on the east.

Because Strong Road is designated as a collector street under the TSP, its planned function is to primarily distribute traffic between neighborhoods, activity centers, and the arterial street system and secondarily provide property access. The street's TSP identified function also aligns with the described function of the collector streets included under the Fairview Plan Mobility Plan which indicates that the purpose of the collector street system is to serve as the main access routes and to allow for sub-regional movement through the development and to accommodate external trips accessing the site from adjacent neighborhoods.

Installation of speed bumps is limited to streets designated as local streets and in locations that meet the criteria in the Public Works Design Standards, Section 6.15. Because Strong Road is designated as a collector street and because it doesn't meet the requirements of

Section 6.15 of the Public Works Design Standards, the street doesn't meet the criteria for the installation of traffic calming measures.

8. TENTATIVE PHASED SUBDIVISION PLAN MODIFICATION APPROVAL CRITERIA

SRC 205.070(d) sets forth the following criteria that must be met before approval can be granted to a modification of a tentative phased subdivision plan approval. The following subsections are organized with approval criteria shown in ***bold italic***, followed by findings evaluating the proposed modification for conformance with the criteria. Lack of compliance with the following criteria is grounds for denial of the modification or for the issuance of conditions of approval to more fully satisfy the criteria.

SRC 205.070(d)(1): The proposed modification does not substantially change the original approval; and

Finding: The Fairview Addition West subdivision received tentative phased subdivision approval on November 19, 2014, as part of a consolidated application that also included the approval of a three-parcel partition and a new Fairview refinement plan, the Fairview Addition West refinement plan (Case No. FRP-PAR-SUB14-01) (**Attachment I**). The three-parcel partition established the specific parcels that the proposed Fairview Addition West refinement plan was to be applied to; the refinement plan approval established the standards applicable to the development of those parcels; and the phased subdivision further divided the parcels (*totaling approximately 50.8-acres in size*) into 216 lots ranging in size from approximately 3,374 square feet to 14,352 square feet, together with open space, in conformance with the approved refinement plan.

As shown on the modified tentative subdivision plan, the phased subdivision modification proposed by the applicant:

- a) Reconfigures the boundaries of existing phases T, UA, UB, and V, adds an additional phase, and renumbers the phases;
- b) Reconfigures U Street adjacent to the former Laundry Building to make it wider to accommodate on-street parking; and
- c) Correspondingly eliminates two lots in order to accommodate the proposed increased width of U Street.

The proposed modifications to the phased subdivision approval do not result in a substantial change to the original approval in terms of the actual physical development proposed or the conditions of approval and other requirements associated within the original approval.

In terms of the actual physical development proposed, the number of lots within the subdivision are not proposed to be increased with the modification, but rather slightly reduced by two lots in order to accommodate an increased width for the private section of U Street adjacent to the former laundry building in the northeast portion of the subdivision. Though the phase boundaries of existing phases T, Ua, Ub, and V are proposed to be changed and a new fifth phase is proposed to be added in the affected area of the subdivision, the proposed changes to the phase boundaries and the introduction of an additional phase does not result in the creation of additional lots or the relocation of approved streets or open space areas, other than the slight realignment and widening of the

private section of U Street adjacent to the laundry building in order to accommodate additional on-street parking and to facilitate the potential reuse of the building as envisioned as a possibility in the refinement plan and under the original subdivision approval.

The proposed modification is also consistent with the conditions of the original phased subdivision approval which included the following fifteen conditions that will continue to apply to the modified subdivision. In order to reflect the proposed modified phase boundaries and the re-numbering of Phases T, Ua, Ub, and V, Condition 1.b of the original approval is modified as identified below. All of the other original existing conditions of approval remain unchanged.

- Condition 1:** Construct a minimum 46-foot-wide street improvement along Pringle/Battle Creek Road except where additional widths are needed for turn lanes as specified in the Traffic Impact Analysis. Based on the phasing plan as described in the refinement plan:
- a. As a condition of final plat approval for Phase Qa or Qb, the applicant shall construct street improvements along the entire frontage of Phases Qa and Qb.
 - b. As a condition of final plat approval for Phase ~~Ua, Ub, V, 4, 5, 6, 7, 8,~~ or Za, the applicant shall construct street improvements from the south line of Phase Qb to the south line of Phase Zb. The applicant may defer the improvement until development of Phase Zb by providing a performance security of \$472,500 as specified in SRC 110.100. The security may be posted as a lump sum or paid in cash installments of \$4,375 per lot (excluding lots originally designated within Phase T) at the time of building permit issuance as specified in an improvement agreement between the developer and the City.
 - c. As a condition of final plat approval for Phase Zb, the applicant shall construct street improvements from the south line of Phase Qb to the south line of Phase Zb.
- Condition 2:** No more than 29 dwelling units will be permitted in construction of Phase Za prior to construction of an approved secondary emergency vehicle access.
- Condition 3:** Prior to final subdivision plat approval for the first phase of the subdivision, the final partition plat for FRP-PAR-SUB14-01 shall be recorded.
- Condition 4:** Design stormwater systems to serve all proposed lots. The stormwater systems shall be tentatively designed to accommodate future impervious surface. Construct stormwater facilities that are proposed in the public right-of-way, public storm easements, and/or in the proposed private streets.
- Condition 5:** Show all necessary access and utility easements on the plat and provide appropriate documentation of infrastructure maintenance agreements as approved by the Public Works Director and required by SRC 802.040.

- Condition 6:** Fire hydrant locations shall conform to the Oregon Fire Code and Public Works Design Standards related to construction and location. General location consideration requirements may include:
- a. Adjacent to alleys on local streets.
 - b. Opposite cul-de-sacs on Strong Road SE.
 - c. Opposite cul-de-sacs on Northview Street, located on the far side of the private streets to allow for 26-foot-wide fire apparatus access.
- Condition 7:** Prior to final acceptance of public infrastructure construction, the developer shall provide a final geotechnical report from a qualified geotechnical engineer that describes construction monitoring activities for all site earthwork and addresses the geotechnical considerations for each individual building lot.
- Condition 8:** Prior to final subdivision plat approval for the first phase of the subdivision, the applicant shall submit a Homeowners Association Agreement and Covenants, Conditions, and Restrictions (CC&R) document for review and approval by the City Attorney for the perpetual maintenance and operation of all common properties and facilities within the development including, but not limited to: private streets, private utilities, open spaces, common facilities, and community areas.
- Condition 9:** Prior to final subdivision plat approval for any phase within the subdivision where the platting of that phase will result in an existing building(s) being located over a lot line, the existing building(s) shall be removed.
- Condition 10:** An easement shall be provided over the alley abutting the perimeter of Parcel 2 of Partition FRP-PAR-SUB14-01 in order to provide for additional access and connectivity to that Parcel.
- Condition 11:** The tentative phased subdivision plan shall be modified to:
- a. Realign the centerline of 1st Street to align with the 1st Street centerline in the adjacent Simpson Hills Refinement Plan.
 - b. Show a minimum 24-foot curb-to-curb width along the entire length of Strong Road SE.
 - c. Provide a pavement width at Strong Road SE between Q Street and Pringle Road SE sufficient to install a right turn lane to Pringle Road SE and a taper to 24 feet at Q Street.
 - d. Provide a 50-foot centerline radius with a commercial driveway approach on Z Street at the intersection of Z Street and 2nd Street. An alternative design may be approved by the Public Works Director.
- Condition 12:** All building construction must provide an approved fire sprinkler system or approved fire apparatus access complying with the Oregon Fire Code. Live/work units shall be provided with an approved fire sprinkler system in accordance with the Oregon Fire Code and Oregon Structural Specialty Code.

- Condition 13:** All streets shall have appropriate no parking signage reviewed and approved as a condition of public construction plan approval.
- Condition 14:** No parking shall be permitted in the cul-de-sac bulbs or hammerhead area along all private streets. In addition, the full height curb shown in the cul-de-sac bulb plan shall be redesigned to provide an approved mountable curb installed to provide fire apparatus access.
- Condition 15:** Oregon Fire Code requires 26 feet of clearance in front of a hydrant and 10 feet on either side. If this standard cannot be met on Z Street, between 1st Street and 2nd Street, and on East Street, all buildings will need to install an approved fire sprinkler system.

In addition to the original conditions of approval identified above, the following additional conditions of approval are established, based on the proposed modifications to the tentative phased subdivision plan.

Subdivision Phase Sequencing

The modified tentative phased subdivision plan relocates the boundaries of phases T, Ua, Ub, and V, establishes a new fifth phase in the modified area, and renumbers the phases as phases 4, 5, 6, 7, and 8.

Based on the layout of the proposed modified subdivision phase boundaries, development of phases 4, 5, 6, and 7 are dependent upon the completion of improvements in the preceding phase. As such, these phases are required to be platted in sequence. In order to ensure that each phase of the proposed modified tentative subdivision plan is substantially and functionally self-contained and self-sustaining with regard to required public improvements and that each phase is designed in a manner so that all phases support the infrastructure requirements for the phased subdivision as a whole, the following additional condition of approval shall apply:

- Condition 17:** Phases 4, 5, 6, and 7 shall be platted in numeric sequence except that Phase 8 may be platted at any time subsequent to Phase 4.

U Street Modifications

The modified tentative phased subdivision plan proposes a minor modification to the alignment and design of U Street adjacent to the former laundry building in order to facilitate the potential redevelopment of the existing building and provide additional on-street parking. Under the proposed modification, the cul-de-sac turnaround at the end of the public portion of U Street is relocated to the west and the alignment of the private section of U Street is shifted slightly to the south. As a result of the proposed changes, the cul-de-sac and the realigned private section of U Street will be located in closer proximity to existing trees that are identified for preservation under the approve tree conservation plan.

Section 8 (Wetland and Tree Inventory) of the Fairview Addition West refinement plan indicates that the landscaping plan for the area designates 100 trees out of the total 209

trees on the site for preservation, but reserves the right to selectively reduce the number of preserved trees to 87 (*excluding Oregon white oaks*), which still maintains compliance with the tree preservation requirements of SRC Chapter 808 (Preservation of Trees and Vegetation). The refinement plan provides an allowance for the selective removal of thirteen additional trees in order to address potential issues that may arise during the development process. If the proposed modifications to U Street will result in trees originally identified as being preserved under the approved tree conservation plan needing to be removed, a tree conservation plan adjustment will be required. Based on the location of the proposed relocated cul-de-sac and the re-aligned private section of U Street, the number of trees potentially affected by the proposed modification to U Street will not exceed the 13 trees allowed for selective removal under the refinement plan, but an application for an adjustment to the approved tree conservation will still be required if any tree currently designated for preservation will need to be removed. In order to ensure the proposed modified tentative subdivision plan conforms to the requirements of SRC Chapter 808, the following condition of approval shall apply:

Condition 18: A tree conservation plan adjustment shall be required prior to any grading or public construction plan approval for Phases 7 or 8 if the proposed modifications to U Street will result in the need to remove any tree designated for preservation under the approved tree conservation plan.

In order to facilitate the redevelopment of the former laundry building and provide additional on-street parking, the proposed modified tentative subdivision plan increases the width of U Street adjacent the laundry building. As shown on the modified tentative phased subdivision plan and the proposed modified street cross section drawings for the street (**Attachment E**), the section of U Street within Phase 8 is private and comprised of two sections, a U Street driveway section and a U Street parking section. The U Street driveway section consists of a 24-foot-wide travel land and sidewalks on both sides of the street. The U Street parking section consists of a 24-foot travel lane, 90-degree perpendicular parking on the north side of the street, parallel parking on the south side of the street, sidewalks on both sides of the street, and a planter strip on the south side of the street.

Because the proposed modified design of the private section of U Street is only necessary in connection with the redevelopment of the laundry building and the additional street width provided for on-street perpendicular parking is not necessary if the laundry building is not redeveloped and Phase 8 is instead platted as individual lots, the following condition of approval shall apply to the design of the private section of U Street to ensure that the street improvements are consistent with the ultimate development of the laundry building site:

Condition 19: The private section of U Street within Phase 8 shall be constructed as follows:

- a. If the laundry building is retained and redeveloped, the private section of U Street shall be constructed as shown on the modified tentative phased subdivision plan and the modified street cross section drawings. The U Street driveway section of the street shall include street trees along both sides of the street.
- b. If the laundry building is removed and not redeveloped, the private section of U Street shall either be:

- 1) Constructed according to the applicable private street section included in the Fairview Addition West refinement plan, except that sidewalks and planter strips with street trees shall be provided on both sides of the street and parallel on-street parking may be provided on both sides of the street subject to meeting Fire Department access requirements;
or
- 2) Extended instead as a public street according to the public local street standards of the Fairview Addition West refinement plan.

Temporary Access to Phase Four Lots

As shown on the proposed modified tentative phased subdivision plan, lots within Phase 4 have frontage on Village Center drive SE and will be served by a private alley at the rear of the lots. Based on the modified subdivision phase boundaries, vehicular access to the private alley at the rear of the lots in Phase 4 is proposed to be taken from a temporary driveway located in Phase 8 until Phases 5 and 8 of the subdivision are completed. In order to ensure vehicular access to the alley serving the lots in Phase 4, the following condition of approval shall apply:

Condition 20: Vehicular access to the private alley serving the lots in Phase 4 shall be provided by a temporary driveway within Phase 8 as shown on the modified tentative phase subdivision plan and the modified street cross section drawings.

Phase Five Alley Improvements

As shown on the proposed modified tentative phased subdivision plan, Phase 5 includes sections of two alleys (Private Way 25 and Private Way 26). The applicant indicates that although Private Way 26 and the section of Private Way 25 located south of Private Way 24 will be located in Phase 5, the intent is to not pave these areas until Phase Za is constructed because the grading and utilities in these private way areas will serve Phase Za and need to be deigned when Phase Za is designed. In order to clarify when alley improvements in Phase 5 are required the following condition of approval shall apply:

Condition 21: Private Way 26 and the section of Private Way 25 located south of Private Way 24 shall be improved as part of Phase Za.

The proposed modified tentative phased subdivision plan, as conditioned, does not substantially change the original approval. This approval criterion is met.

SRC 205.070(d)(2): The proposed modification will not result in significant changes to the physical appearance of the development, the use of the site, and the impacts on surrounding properties.

Finding: The proposed modified tentative phased subdivision plan:

- a) Reconfigures the boundaries of existing phases T, UA, UB, and V, adds an additional phase, and renumbers the phases;
- b) Reconfigures U Street adjacent to the former Laundry Building to make it wider to accommodate on-street parking; and
- c) Correspondingly eliminates two lots in order to accommodate the proposed increased width of U Street.

The proposed modifications do not result in a substantial change to the original approval and will not result in significant changes to the physical appearance of the development, the use of the site, and impacts on surrounding properties.

The proposed modifications do not result in an increase in the overall number of approved lots, but instead results in a reduction of two lots in order to accommodate the widening of U Street adjacent to the laundry building. Other than the proposed minor revision to the design and alignment of U Street adjacent to the laundry building and the corresponding loss of two lots, the proposed modifications do not result in the relocation or reconfiguration of approved streets, lots, open space, or other improvements. The proposed modified subdivision phase boundaries ensure that each phase of the proposed modified tentative subdivision plan is substantially and functionally self-contained and self-sustaining with regard to required public improvements and that each phase is designed in a manner so that all phases support the infrastructure requirements for the phased subdivision as a whole. Because the proposed modification does not substantially change the original approval and the proposed changes are minor, mainly related to the phasing of the development, and not significant changes relating to the physical appearance of the development or use of the site, the proposed modification will not result in significant impacts on surrounding properties. The proposed modification, as conditioned, conforms to this approval criterion.

9. Effect on Expiration Period of Original Approval:

The original decision on Fairview Refinement Plan/Partition/Phased Subdivision Case No. FRP-PAR-SUB14-01 was approved and became effective on December 5, 2014. Pursuant to SRC 300.850, Table 300-3, the first phase of the subdivision was set to expire 2 years from the effective date of the decision on December 5, 2016, and the remaining phases are set to expire 10 years from the decision effective date on December 5, 2024.

Pursuant to SRC 205.070(e), when a phased subdivision decision is modified, the effect of the modification upon the expiration period of the original approval, if any, shall be established in the modification decision. Pursuant to SRC 300.850, the expiration period for the remaining phases of a phased subdivision after the recording of the first phase is 10 years from the effective date of the decision. Because the phased subdivision has not yet been completed, the expiration date for the proposed modified subdivision is as follows:

- All Remaining Phases: January 7, 2032

IT IS HEREBY ORDERED

The requested modification of the tentative phased subdivision plan is **APPROVED** subject to the applicable standards of the Salem Revised Code and the Fairview Addition West refinement plan, the findings contained herein, and the following conditions of approval:

- Condition 1:** Construct a minimum 46-foot-wide street improvement along Pringle/Battle Creek Road except where additional widths are needed for turn lanes as specified in the Traffic Impact Analysis. Based on the phasing plan as described in the refinement plan:
- a. As a condition of final plat approval for Phase Qa or Qb, the applicant shall construct street improvements along the entire frontage of Phases Qa and Qb.
 - b. As a condition of final plat approval for Phase ~~Ua, Ub, V, 4, 5, 6, 7, 8,~~ or Za, the applicant shall construct street improvements from the south line of Phase Qb to the south line of Phase Zb. The applicant may defer the improvement until development of Phase Zb by providing a performance security of \$472,500 as specified in SRC 110.100. The security may be posted as a lump sum or paid in cash installments of \$4,375 per lot (*excluding lots originally designated within Phase T*) at the time of building permit issuance as specified in an improvement agreement between the developer and the City.
 - c. As a condition of final plat approval for Phase Zb, the applicant shall construct street improvements from the south line of Phase Qb to the south line of Phase Zb.
- Condition 2:** No more than 29 dwelling units will be permitted in construction of Phase Za prior to construction of an approved secondary emergency vehicle access.
- Condition 3:** Prior to final subdivision plat approval for the first phase of the subdivision, the final partition plat for FRP-PAR-SUB14-01 shall be recorded.
- Condition 4:** Design stormwater systems to serve all proposed lots. The stormwater systems shall be tentatively designed to accommodate future impervious surface. Construct stormwater facilities that are proposed in the public right-of-way, public storm easements, and/or in the proposed private streets.
- Condition 5:** Show all necessary access and utility easements on the plat and provide appropriate documentation of infrastructure maintenance agreements as approved by the Public Works Director and required by SRC 802.040.
- Condition 6:** Fire hydrant locations shall conform to the Oregon Fire Code and Public Works Design Standards related to construction and location. General location consideration requirements may include:
- a. Adjacent to alleys on local streets.
 - b. Opposite cul-de-sacs on Strong Road SE.

- c. Opposite cul-de-sacs on Northview Street, located on the far side of the private streets to allow for 26-foot-wide fire apparatus access.

- Condition 7:** Prior to final acceptance of public infrastructure construction, the developer shall provide a final geotechnical report from a qualified geotechnical engineer that describes construction monitoring activities for all site earthwork and addresses the geotechnical considerations for each individual building lot.
- Condition 8:** Prior to final subdivision plat approval for the first phase of the subdivision, the applicant shall submit a Homeowners Association Agreement and Covenants, Conditions, and Restrictions (CC&R) document for review and approval by the City Attorney for the perpetual maintenance and operation of all common properties and facilities within the development including, but not limited to: private streets, private utilities, open spaces, common facilities, and community areas.
- Condition 9:** Prior to final subdivision plat approval for any phase within the subdivision where the platting of that phase will result in an existing building(s) being located over a lot line, the existing building(s) shall be removed.
- Condition 10:** An easement shall be provided over the alley abutting the perimeter of Parcel 2 of Partition FRP-PAR-SUB14-01 in order to provide for additional access and connectivity to that Parcel.
- Condition 11:** The tentative phased subdivision plan shall be modified to:
- a. Realign the centerline of 1st Street to align with the 1st Street centerline in the adjacent Simpson Hills Refinement Plan.
 - b. Show a minimum 24-foot curb-to-curb width along the entire length of Strong Road SE.
 - c. Provide a pavement width at Strong Road SE between Q Street and Pringle Road SE sufficient to install a right turn lane to Pringle Road SE and a taper to 24 feet at Q Street.
 - d. Provide a 50-foot centerline radius with a commercial driveway approach on Z Street at the intersection of Z Street and 2nd Street. An alternative design may be approved by the Public Works Director.
- Condition 12:** All building construction must provide an approved fire sprinkler system or approved fire apparatus access complying with the Oregon Fire Code. Live/work units shall be provided with an approved fire sprinkler system in accordance with the Oregon Fire Code and Oregon Structural Specialty Code.
- Condition 13:** All streets shall have appropriate no parking signage reviewed and approved as a condition of public construction plan approval.
- Condition 14:** No parking shall be permitted in the cul-de-sac bulbs or hammerhead area along all private streets. In addition, the full height curb shown in the cul-de-

sac bulb plan shall be redesigned to provide an approved mountable curb installed to provide fire apparatus access.

Condition 15: Oregon Fire Code requires 26 feet of clearance in front of a hydrant and 10 feet on either side. If this standard cannot be met on Z Street, between 1st Street and 2nd Street, and on East Street, all buildings will need to install an approved fire sprinkler system.

Condition 16: Prior to final plat approval of the next phase of the subdivision to be recorded, the applicant shall submit FAA Form 7460-1 documentation to the FAA and ODA and receive the resulting aeronautical determination letter(s) from the FAA and ODA prior to approval of any building permits. The applicant shall provide copies of the FAA and ODA aeronautical determination letter(s) to the City and comply with applicable FAA and ODA requirements.

Condition 17: Phases 4, 5, 6, and 7 shall be platted in numeric sequence except that Phase 8 may be platted at any time subsequent to Phase 4.

Condition 18: A tree conservation plan adjustment shall be required prior to any grading or public construction plan approval for Phases 7 or 8 if the proposed modifications to U Street will result in the need to remove any tree designated for preservation under the approved tree conservation plan.

Condition 19: The private section of U Street within Phase 8 shall be constructed as follows:

- a. If the laundry building is retained and redeveloped, the private section of U Street shall be constructed as shown on the modified tentative phased subdivision plan and the modified street cross section drawings. The U Street driveway section of the street shall include street trees along both sides of the street.
- b. If the laundry building is removed and not redeveloped, the private section of U Street shall either be:
 - 1) Constructed according to the applicable private street section included in the Fairview Addition West refinement plan, except that sidewalks and planter strips with street trees shall be provided on both sides of the street and parallel on-street parking may be provided on both sides of the street subject to meeting Fire Department access requirements;
or
 - 2) Extended instead as a public street according to the public local street standards of the Fairview Addition West refinement plan.

Condition 20: Vehicular access to the private alley serving the lots in Phase 4 shall be provided by a temporary driveway within Phase 8 as shown on the modified tentative phase subdivision plan and the modified street cross section drawings.

Condition 21: Private Way 26 and the section of Private Way 25 located south of Private Way 24 shall be improved as part of Phase Za.



Bryce Bishop, Planning III, on behalf of
Lisa Anderson-Ogilvie, AICP
Planning Administrator

- Attachments:
- A. Vicinity Map
 - B. Original Tentative Phased Subdivision Plan
 - C. Revised Tentative Phased Subdivision Plan
 - D. Utility Plan
 - E. Modified Street and Alley Cross Sections
 - F. Public Works Department Comments
 - G. Cherriots Comments
 - H. Oregon Department of Aviation Comments
 - I. Original Decision - FRPA-PAR-SUB14-01

Application Deemed Complete: November 3, 2021
Notice of Decision Mailing Date: December 22, 2021
Decision Effective Date: January 7, 2022
State Mandated Decision Date: March 3, 2022

The rights granted by this decision must be exercised by the following dates or this approval shall be null and void:

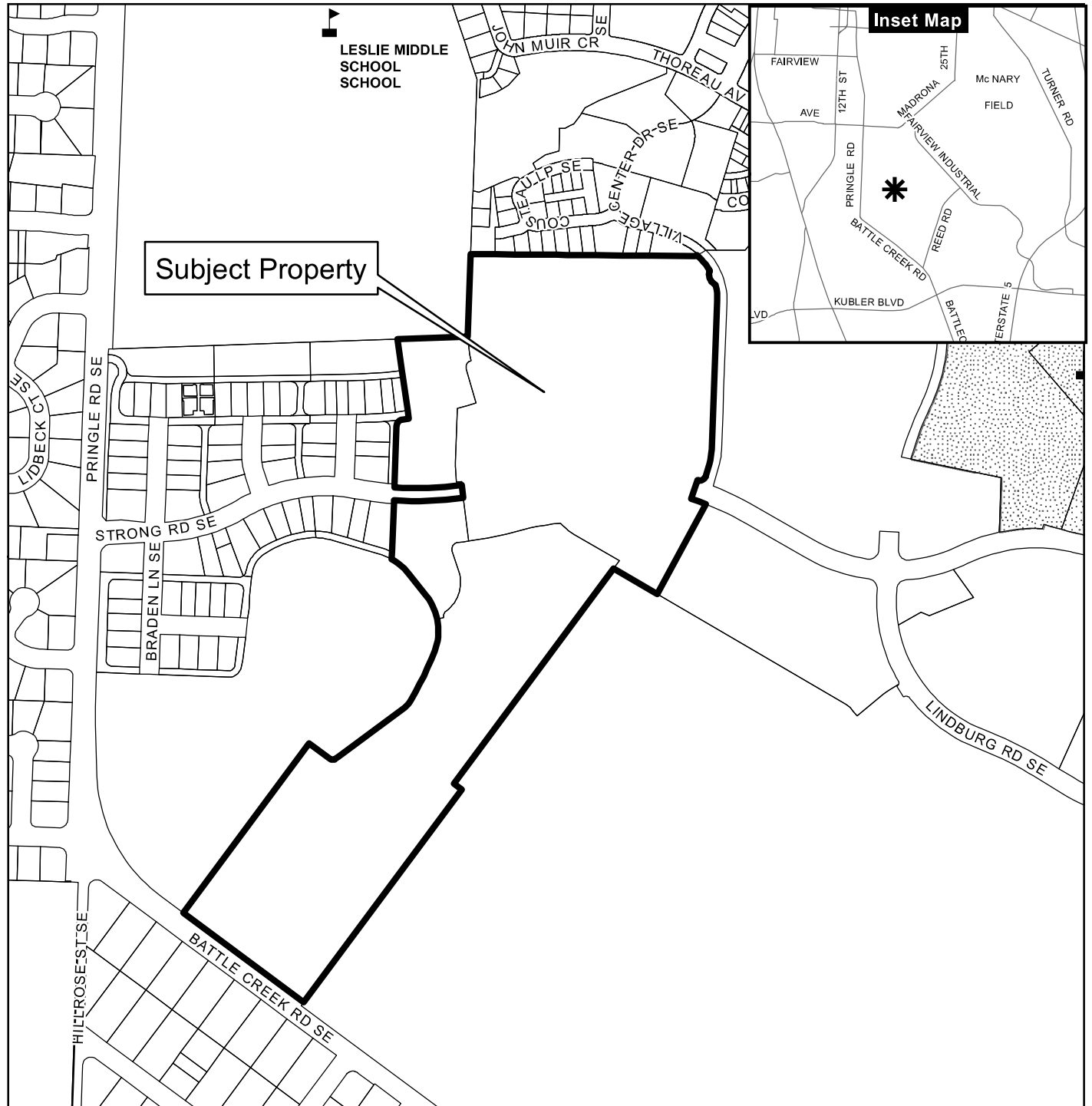
Tentative Phased Subdivision Plan: January 7, 2032 (Remaining Phases)

A copy of the complete case file is available for review during regular business hours at the Planning Division office, 555 Liberty Street SE, Room 305, Salem OR 97301.








This decision is final unless written appeal from a party with standing to appeal, along with the appeal fee, is filed with the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem, Oregon 97301, no later than **Thursday, January 6, 2022, 5:00 p.m.** The notice of appeal must contain the information required by SRC 300.1020. The notice of appeal must be filed in duplicate with the City of Salem Planning Division. The appeal fee must be paid at the time of filing. If the notice of appeal is untimely and/or lacks the proper fee, the notice of appeal will be rejected. The Salem Planning Commission will review the appeal at a public hearing. The Planning Commission may amend, rescind, or affirm the action or refer the matter to staff for additional information.

cc: Alan Kessler, GIS

Vicinity Map 2250 Strong Road SE

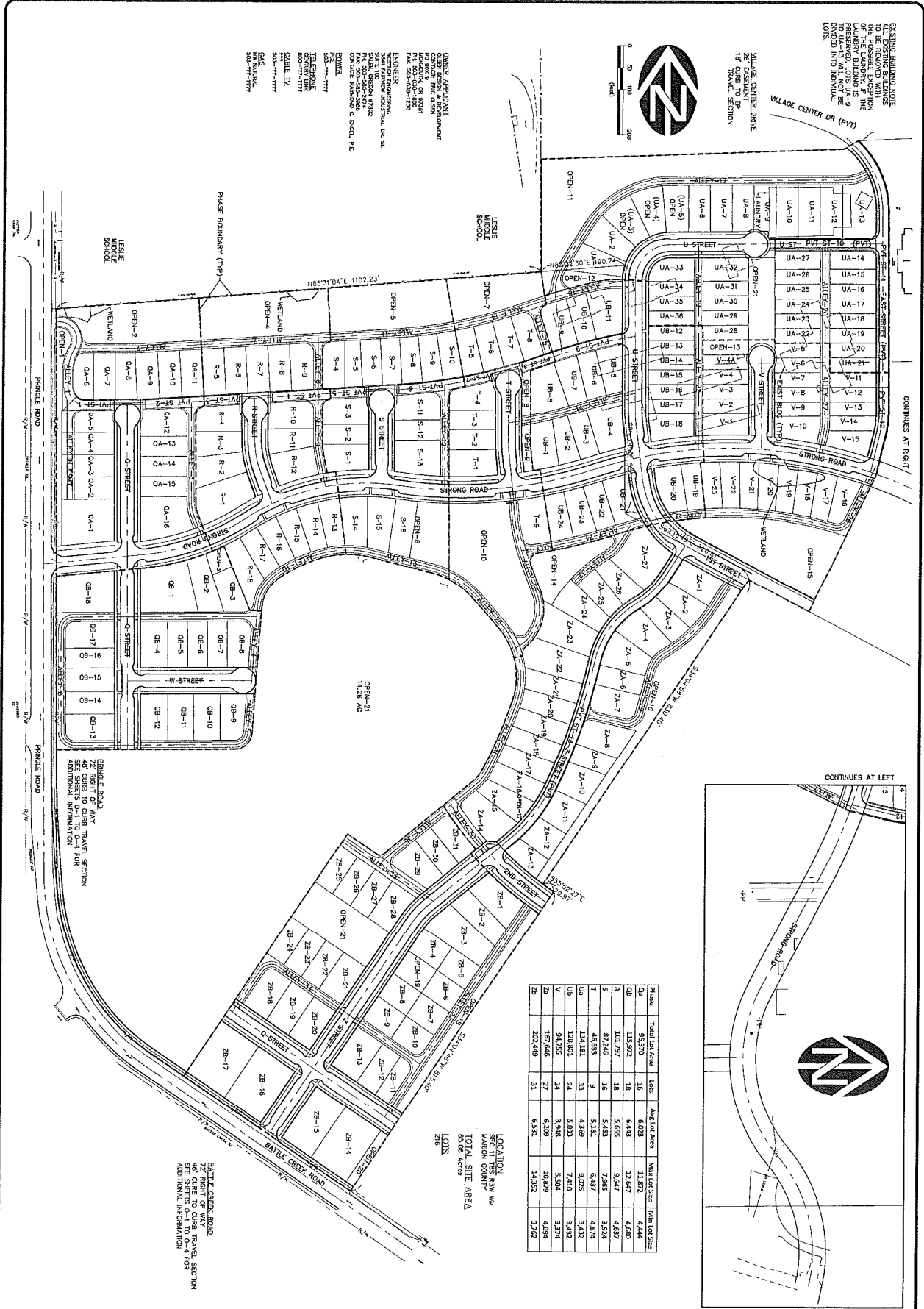


Legend

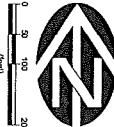
-  Taxlots
-  Urban Growth Boundary
-  City Limits
-  Outside Salem City Limits
-  Historic District
-  Schools
-  Parks



This product is provided as is, without warranty. In no event is the City of Salem liable for damages from the use of this product. This product is subject to license and copyright limitations and further distribution or resale is prohibited.



EXISTING BUILDING NOTE
 TO BE REMOVED WITH
 THE POSSIBLE EXCEPTION
 OF LAUNDRY BUILDING IS TO
 BE REMOVED WITHIN 30
 DAYS OF THE DATE THIS
 PLAN IS DIVIDED INTO INDIVIDUAL
 LOTS.

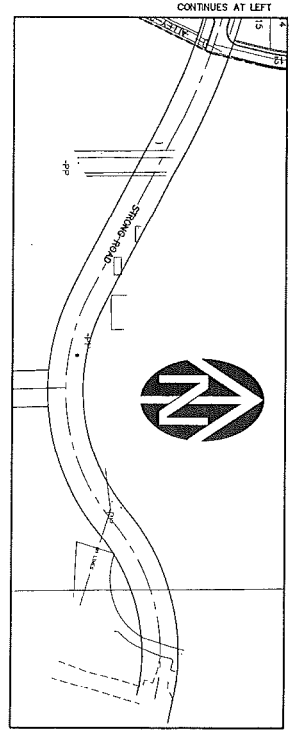


OWNER: FAIRVIEW INDUSTRIAL GROUP
 PROJECT: FAIRVIEW INDUSTRIAL GROUP
 14200 W. BATTLE CREEK ROAD
 FAIRVIEW, OR 97109
 PHONE: 503-253-2700
 FAX: 503-253-2700

ENGINEER: WESTECH ENGINEERING, INC.
 3644 FAIRVIEW INDUSTRIAL DR., S.E.
 SUITE 100, FAIRVIEW, OR 97109
 PHONE: 503-253-2700
 FAX: 503-253-2700
 PROJECT MANAGER: RANDY C. DODD, P.E.
 PROJECT NUMBER: 14200 W. BATTLE CREEK ROAD
 DATE: 06/11/14

DATE: 06/11/14
 SCALE: AS SHOWN
 DRAWN BY: JMM
 CHECKED BY: JMM
 APPROVED BY: JMM

Phase	Total Lot Area	Lots	Avg Lot Area	Max Lot Size	Min Lot Size
OA	96,370	16	6,023	11,872	4,442
OB	115,972	18	6,443	12,647	4,880
OC	101,297	18	5,631	9,647	4,837
OD	87,246	16	5,453	7,965	3,974
OE	46,683	9	5,187	6,437	4,574
OF	114,181	33	3,460	9,025	3,432
OG	110,801	24	4,617	7,410	3,432
OH	94,795	24	3,949	5,950	3,374
OI	187,046	27	6,929	10,870	4,094
OJ	202,449	31	6,531	14,382	3,702



2834-0001.0
JOB NUMBER

S-1
DRAWING

Olsen Design & Development Monmouth, Oregon

Fairview Site Subdivision
Refinement Plan & Preliminary Plot

Overall Site Plan

WESTECH ENGINEERING, INC.
CONSULTING ENGINEERS AND PLANNERS

3644 Fairview Industrial Dr., S.E., Suite 100, Salem, OR 97302
Phone: (503) 253-2700 Fax: (503) 253-2700
E-mail: westech@westech-inc.com

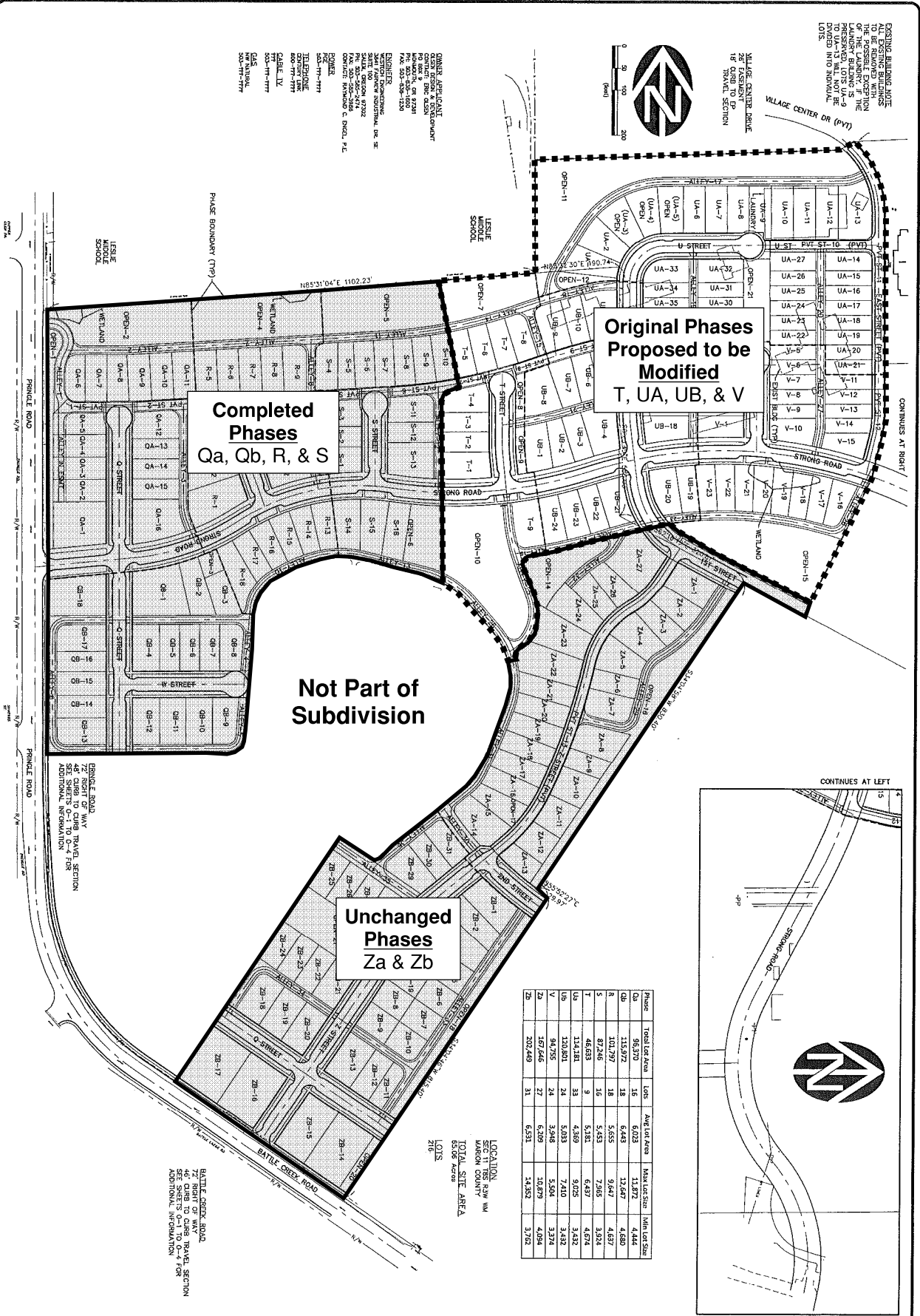
REGISTERED PROFESSIONAL ENGINEER
Randy C. Dodd
No. 12799

VERIFY SCALE: 1" = 100'-0"

DATE: JUN 2014

NO.	DATE	DESCRIPTION
1	06-11-14	ADD S-16, 15, 18, U-3, 4, 5 to open RCE
2	06-11-14	U, V, S, R, V, S, U Area Changes

Original Approved Subdivision Phasing Plan



Completed Phases
Qa, Qb, R, & S

Original Phases Proposed to be Modified
T, UA, UB, & V

Not Part of Subdivision

Unchanged Phases
Za & Zb

Phase	Total Lot Area	Lots	Avg Lot Area	Max Lot Size	Min Lot Size
Qa	96,570	16	6,036	11,872	4,444
Qb	115,972	18	6,443	12,647	4,880
R	101,297	18	5,633	9,647	4,837
S	87,246	16	5,453	7,965	3,974
T	46,683	9	5,187	6,437	4,574
UA	114,381	33	3,469	9,025	3,432
UB	110,801	24	4,617	7,410	3,432
V	94,795	24	3,949	5,504	3,374
Za	187,046	27	6,929	10,870	4,094
Zb	202,449	31	6,531	14,382	3,712

OWNER REPRESENTATIVE
 FAIRVIEW DEVELOPMENT
 14275 S. FAIRVIEW BLVD.
 SUITE 100
 FAIRVIEW, OR 97106
 TEL: 503-255-2716
 FAX: 503-255-2716

ENGINEER
 WESTECH ENGINEERING, INC.
 3641 FAIRVIEW INDUSTRIAL DR. SE.
 SUITE 100
 SEASIDE, OR 97138
 TEL: 503-366-2471
 FAX: 503-366-2471

CONTRACTOR
 BAYVIEW CONSTRUCTION, INC.
 1000 S. FAIRVIEW BLVD.
 SUITE 100
 FAIRVIEW, OR 97106
 TEL: 503-255-2716
 FAX: 503-255-2716

PLANNING
 JAMES H. HARRIS
 1000 S. FAIRVIEW BLVD.
 SUITE 100
 FAIRVIEW, OR 97106
 TEL: 503-255-2716
 FAX: 503-255-2716

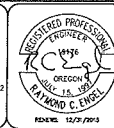
75' RIGHT OF WAY TRAVEL SECTION SEE SHEETS O-1 TO O-4 FOR ADDITIONAL INFORMATION

BATTLE CREEK ROAD 44' CURB TO CURB TRAVEL SECTION SEE SHEETS O-1 TO O-4 FOR ADDITIONAL INFORMATION

DRAWING
S-1
JOB NUMBER
2834-0001.0

Olsen Design & Development Monmouth, Oregon
 Fairview Site Subdivision
 Refinement Plan & Preliminary Plot
 Overall Site Plan

WE WESTECH ENGINEERING, INC.
 CONSULTING ENGINEERS AND PLANNERS
 3641 Fairview Industrial Dr. SE, Suite 100, Seaside, OR 97138
 Phone: (503) 366-2471 Fax: (503) 366-2471
 E-mail: westech@westech-inc.com

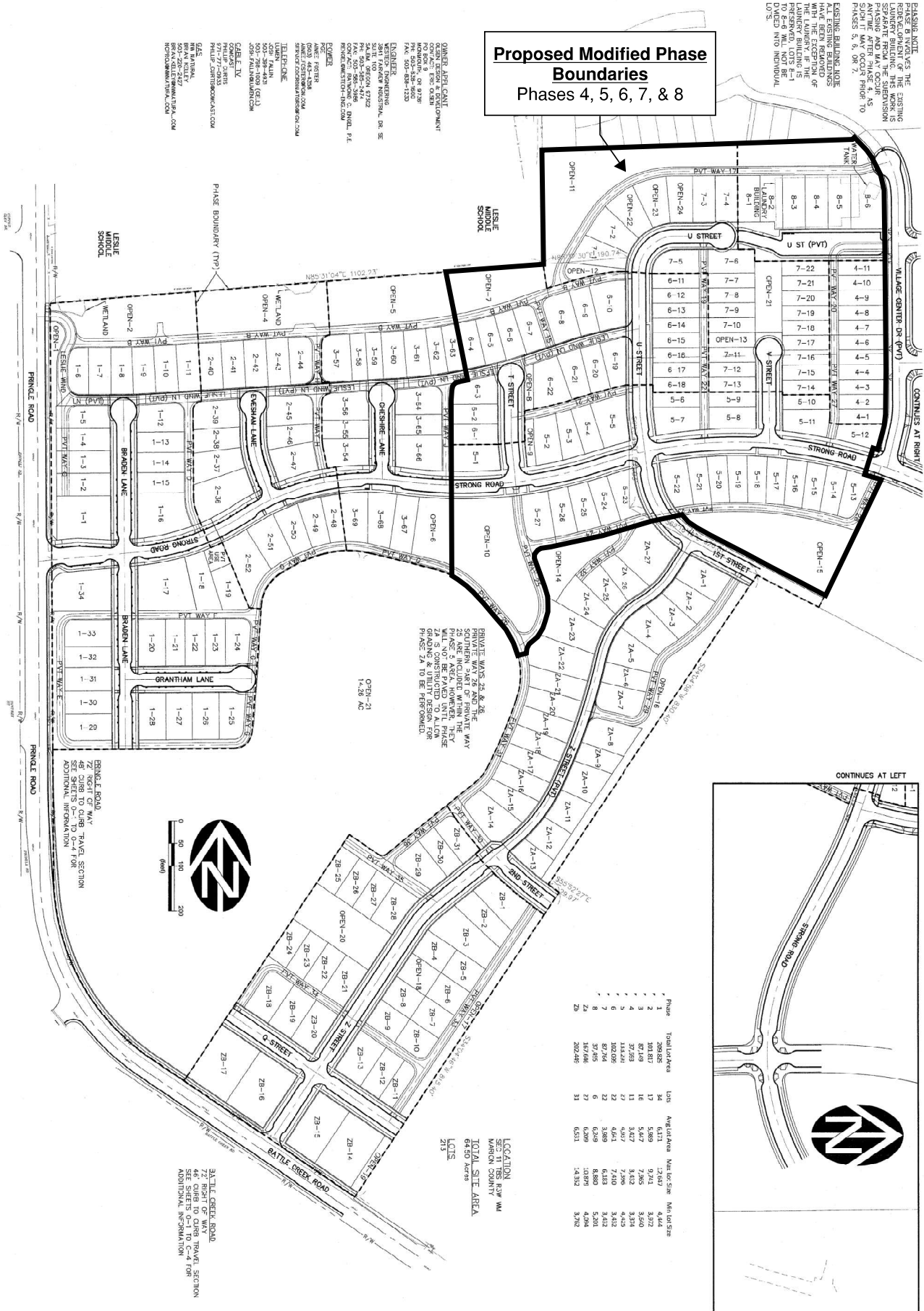


VERIFY SCALE
 1" = 100'
 DATE: JUN 2014

NO.	DATE	DESCRIPTION	BY
1	10-20-11	ADD S-14, 15, 16, UA-3, 4, 5 to open	RCE
2	09-08-14	U, S, R, V, S, U Area Expansions	RCE

Proposed Modified Phase Boundaries
Phases 4, 5, 6, 7, & 8

EXISTING BUILDING NOTE
PHASE 8 INVOLVES THE EXISTING LAUNDRY BUILDING. THE WORK IS SEPARATE FROM THE SUBDIVISION AND WILL BE PERFORMED AT AN EARLY DATE AFTER PHASE 4. AS SHOWN ON THE PLAN, PHASE 8 SHALL BE DIVIDED INTO INDIVIDUAL LOTS.



PRIVATE WAYS 2A & 3B AND THE SOUTHERN PART OF PRIVATE WAY 3A ARE NOT TO BE PAID UNTIL PHASE GRADING & UTILITY DESIGN FOR PHASE 2A IS COMPLETED.

Phase	Total Lot Area	Lot	Average Area	Min. Lot Size	Max. Lot Size
1	208,885	34	6,173	12,452	4,444
2	101,817	17	5,989	9,742	3,922
3	87,149	16	5,447	7,965	3,640
4	37,283	11	3,427	3,622	3,524
5	102,086	22	4,641	7,410	3,432
6	87,764	22	3,989	6,183	3,432
7	97,495	6	6,249	8,880	5,201
8	107,786	27	3,989	10,973	3,292
2A	202,706	31	6,539	14,531	3,292

LOCATION
SECTION 11 T8S 12W 1W
MARION COUNTY
TOTAL SITE AREA
64.50 Acres
LOTS
213

3A TALE CREEK ROAD
46' CURB TO CURB TRAVEL SECTION
SEE SHEETS O-1 TO O-4 FOR
ADDITIONAL INFORMATION

OWNER JOHN CANT
10000 FAIRVIEW INDUSTRIAL DR. SE.
SUITE 100
SALMON, OR 97132
PHONE: (503) 585-2474
FAX: (503) 585-3986
E-MAIL: www@westech-eng.com

ENGINEER
WESTECH ENGINEERING, INC.
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10000 FAIRVIEW INDUSTRIAL DR. SE.
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FAX: (503) 585-3986
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REGISTERED PROFESSIONAL ENGINEER
RAYMOND C. FRENCH
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REGISTERED PROFESSIONAL ENGINEER
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REGISTERED PROFESSIONAL ENGINEER
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REGISTERED PROFESSIONAL ENGINEER
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REGISTERED PROFESSIONAL ENGINEER
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REGISTERED PROFESSIONAL ENGINEER
RACHEL FRENCH
10000 FAIRVIEW INDUSTRIAL DR. SE.
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FAX: (503) 585-3986
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REGISTERED PROFESSIONAL ENGINEER
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E-MAIL: www@westech-eng.com

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PHONE: (503) 585-2474
FAX: (503) 585-3986
E-MAIL: www@westech-eng.com

REGISTERED PROFESSIONAL ENGINEER
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10000 FAIRVIEW INDUSTRIAL DR. SE.
SUITE 100
SALMON, OR 97132
PHONE: (503) 585-2474
FAX: (503) 585-3986
E-MAIL: www@westech-eng.com

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WALTER FRENCH
10000 FAIRVIEW INDUSTRIAL DR. SE.
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PHONE: (503) 585-2474
FAX: (503) 585-3986
E-MAIL: www@westech-eng.com

REGISTERED PROFESSIONAL ENGINEER
YVES FRENCH
10000 FAIRVIEW INDUSTRIAL DR. SE.
SUITE 100
SALMON, OR 97132
PHONE: (503) 585-2474
FAX: (503) 585-3986
E-MAIL: www@westech-eng.com

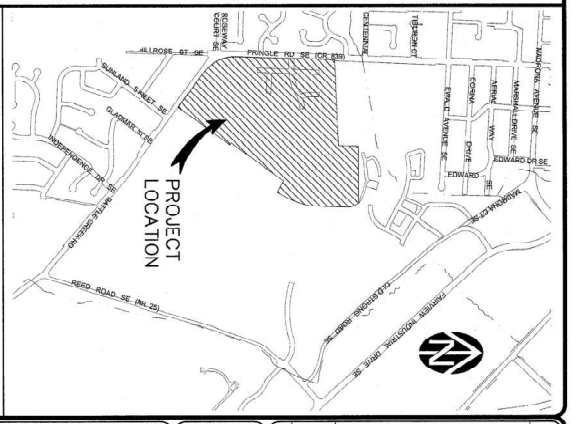
REGISTERED PROFESSIONAL ENGINEER
ZACHARY FRENCH
10000 FAIRVIEW INDUSTRIAL DR. SE.
SUITE 100
SALMON, OR 97132
PHONE: (503) 585-2474
FAX: (503) 585-3986
E-MAIL: www@westech-eng.com

DRAWINGS FOR:

**Fairview Site Subdivision
 Refinement Plan & Preliminary Plat
 Phasing Update October 2021**

FOR:

**Olsen Design & Development
 PO Box 9
 Monmouth, OR 97361
 Contact: Eric Olsen
 PH: (503) 838-1600**



SHEET NO	DESCRIPTION
G-1	Cover Sheet
S-1	Overall Site Plan
S-2	Northwest Site Plan
S-3	North Central Site Plan
S-4	Northeast Site Plan
S-5	South Central Site Plan
S-6	South Site Plan
S-7A	Phase 4 Typical Sections, Phase B Typical Sections
U-3	North Central Utility Plan
U-4	Northeast Utility Plan

Olsen Design & Development Monmouth, Oregon
**Fairview Site Subdivision
 Refinement Plan & Preliminary Plat
 Phasing Update October 2021**
 Cover Sheet

WE
WESTTECH ENGINEERING, INC.
 CONSULTING ENGINEERS AND PLANNERS
 3041 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302
 Phone: (503) 585-2474 Fax: (503) 585-3986
 E-mail: westtech@westtech-inc.com

REGISTERED PROFESSIONAL ENGINEER
 10000
 1988
 RAYMOND C. ENGEL
 REVISED 12/29/2021

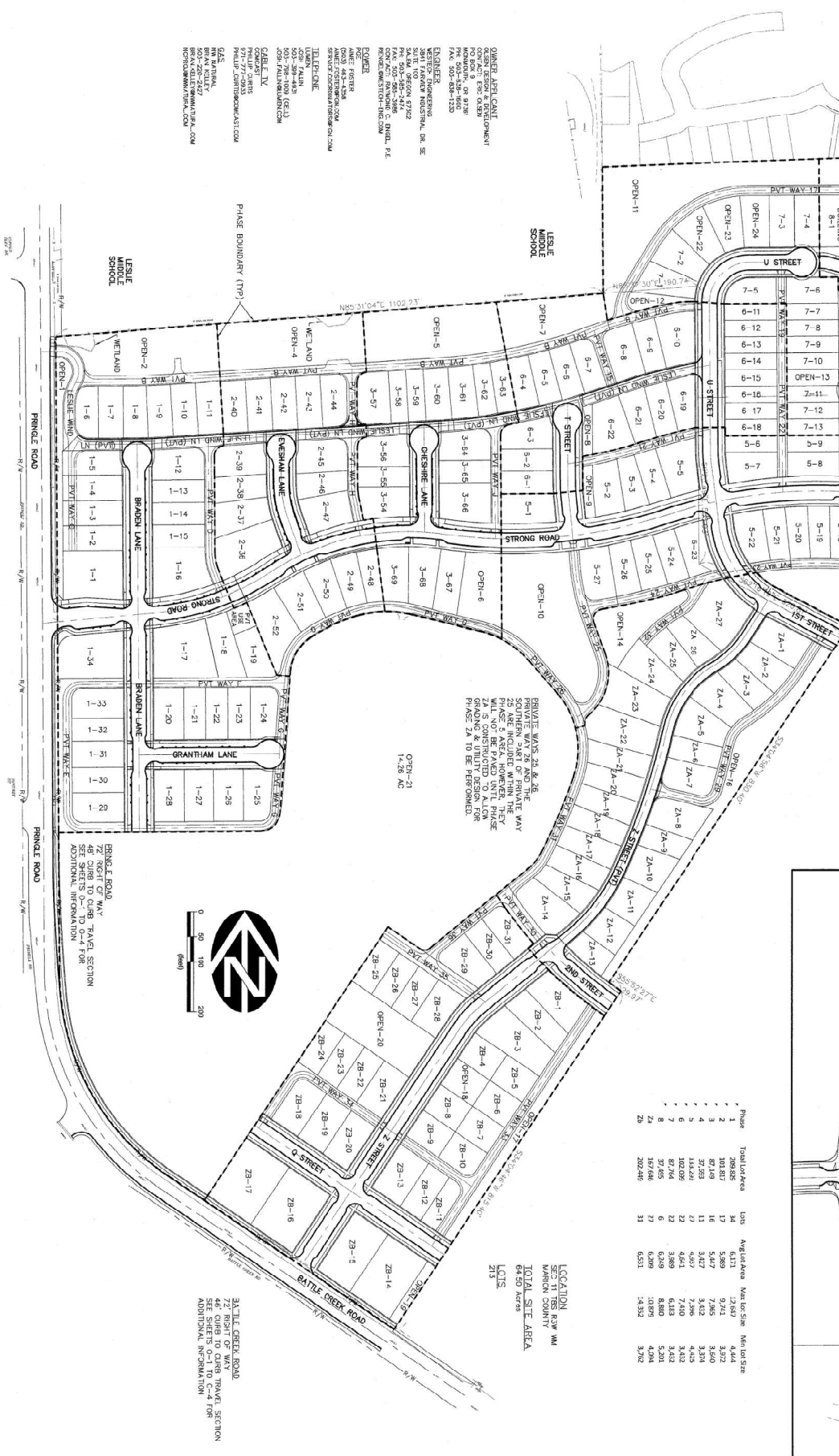
VERIFY SCALE
 HAS IS NOT FOR AN ORIGINAL DRAWING
 0 1' IF NOT ONE BOX ON THE SHEET, CHECK SCALE ACCURACIES

DSN	RCE	NO.	DATE	DESCRIPTION	BY
CKD	RCE				
DATE: OCT 2021					

**DRAWING
 G-1
 JOB NUMBER
 2834.0001.D**

PHASING NOTE
 PHASE B INVOLVES THE EXISTING LAUNDRY BUILDING. THE WORK IS SEPARATE FROM THE SUPERVISION AGREEMENT AFTER PHASE 4. AS SUCH, IT MAY OCCUR PRIOR TO THE START OF PHASE 4.

EXISTING BUILDING ROLES HAVE BEEN RECAPTURED WITH THE EXCEPTION OF LAUNDRY BUILDING IS PRESERVED. LOTS 8-1 THROUGH 8-5 MAY BE DIVIDED INTO INDIVIDUAL LOTS.



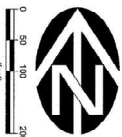
PRIVATE WAYS 2A & 2B AND THE SOUTHERN PART OF PRIVATE WAY 3 ARE NOT TO BE PAID UNTIL PHASE GRADING & UTILITY DESIGN FOR PHASE 2A IS COMPLETED.

Phase	Total Lot Area	Lot	Average Area	Min. Lot Size	Max. Lot Size
1	208,885	34	6,173	12,452	4,444
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4	37,283	11	3,427	3,622	3,524
5	102,086	22	4,641	7,410	3,432
6	87,764	22	3,989	6,433	3,432
7	97,495	6	6,249	8,880	5,201
8	107,786	21	5,133	10,973	3,292
2A	202,495	31	6,531	14,531	3,292

LOCATION
 SEC 11 T8S R2W W4
 MARION COUNTY
 TOTAL SITE AREA
 64.50 Acres
 LOTS
 213

3A T8E R2W ROAD
 46' CURB TO CURB TRAVEL SECTION
 SEE SHEETS 0-1 TO 0-4 FOR
 ADDITIONAL INFORMATION

3A T8E R2W ROAD
 46' CURB TO CURB TRAVEL SECTION
 SEE SHEETS 0-1 TO 0-4 FOR
 ADDITIONAL INFORMATION



2834.0001.D
 JOB NUMBER
 S-1
 DRAWING

Olsen Design & Development Monmouth, Oregon
 Fairview Site Subdivision
 Refinement Plan & Preliminary Plat
 Phasing Update October 2021
 Overall Site Plan

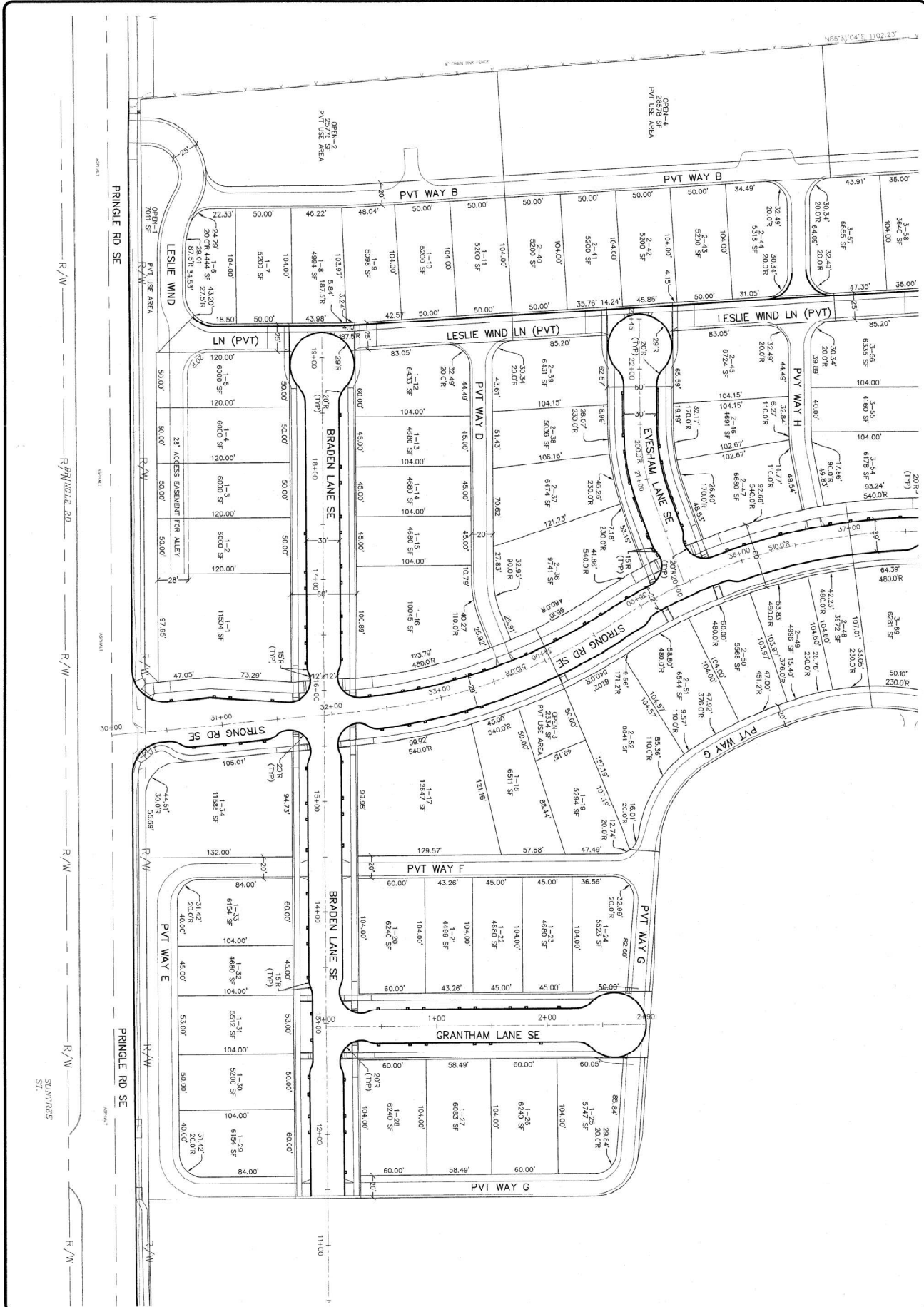
WE WESTECH ENGINEERING, INC.
 CONSULTING ENGINEERS AND PLANNERS
 3041 Fairview Industrial Dr., S.E., Suite 100, Salem, OR 97302
 Phone: (503) 585-2474 Fax: (503) 585-3986
 E-mail: www@westech-eng.com



VERIFY SCALE
 BASE AS SHOWN WITH NO
 DIMENSIONAL CHANGES
 IF NOT ONE BOX ON
 THIS SHEET, VERIFY ALL
 SCALES ACCORDINGLY

DSN:	ROC
CHKD:	ROC
DATE:	OCT 2021

NO.	DATE	DESCRIPTION	BY



DRAWING
 S-2
 JOB NUMBER
 2834.0001.0

Olsen Design & Development Monmouth, Oregon
 Fairview Site Subdivision
 Refinement Plan & Preliminary Plat
 Phasing Update October 2021
 Northwest Site Plan

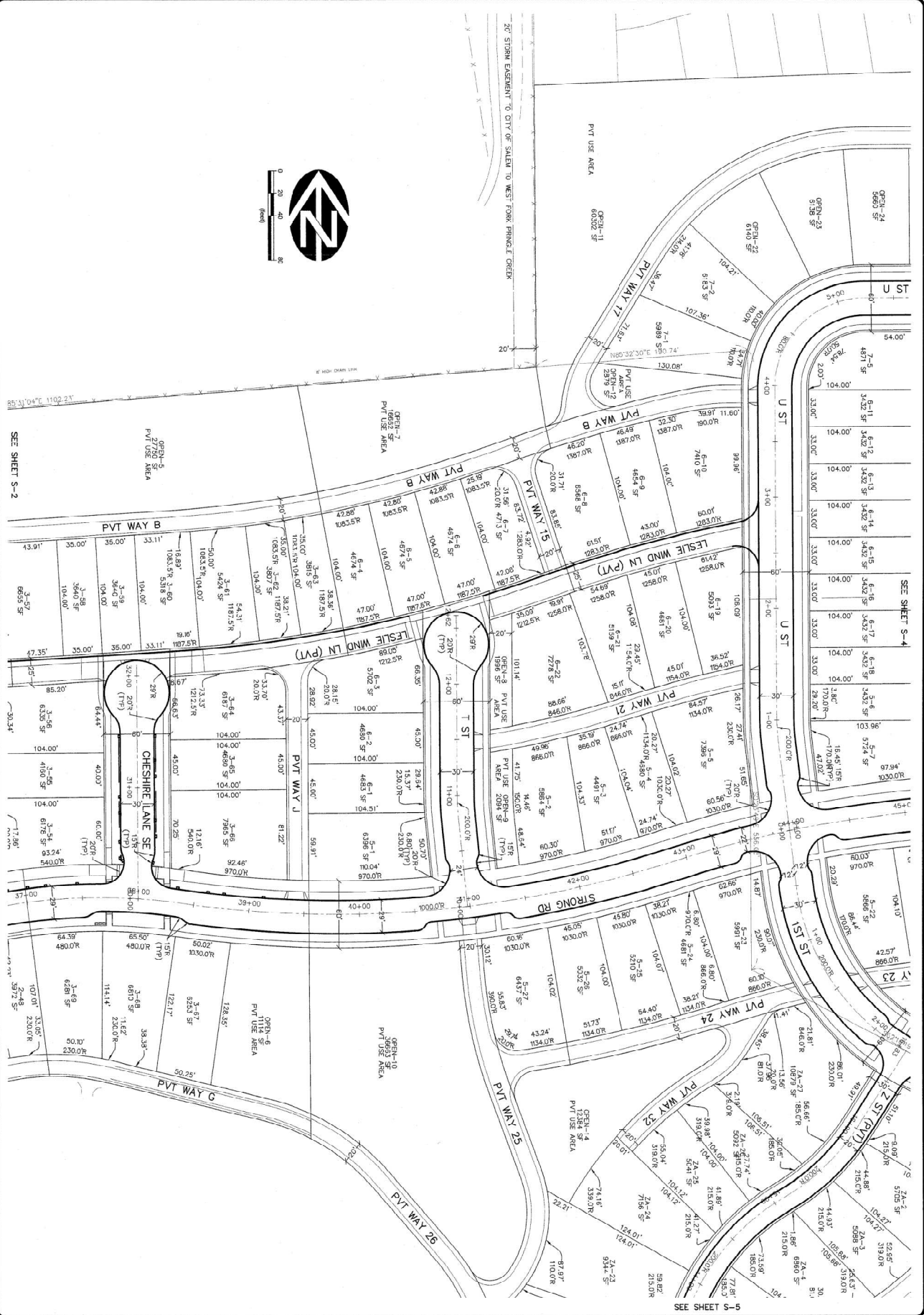
WE
 WESTECH ENGINEERING, INC.
 CONSULTING ENGINEERS AND PLANNERS
 2841 Fairview Industrial Dr., S.E., Suite 100, Salem, OR 97302
 Phone: (503) 385-2424 Fax: (503) 385-2880
 E-mail: westech@westech-eng.com



VERIFY SCALE
 BAR IS ONE INCH ON ORIGINAL DRAWING
 0 1 2 3 4 5 6 7 8 9 10
 IF NOT ONE INCH ON THIS DRAWING, SCALE WILL BE INDICATED BY THE DRAWING

DATE	NO.	DATE	DESCRIPTION	BY
OCT 2021	1			

DATE	NO.	DATE	DESCRIPTION	BY
OCT 2021	1			



Olsen Design & Development Monmouth, Oregon
 Fairview Site Subdivision
 Refinement Plan & Preliminary Plat
 Phasing Update October 2021
 North Central Site Plan

DRAWING
 S-3
JOB NUMBER
 2834.0001.D

WE
 WESTTECH ENGINEERING, INC.
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 3841 Fairview Industrial Dr., Suite 100, Salem, OR 97302
 Phone: (503) 585-2724 Fax: (503) 385-3986
 E-mail: westtech@westtech-eng.com

REGISTERED PROFESSIONAL ENGINEER
 RAYMOND C. EISEL
 OREGON 15,186
 EXPIRES 12/31/2022

VERIFY SCALE
 1" = 40' (AS SHOWN ON ORIGINAL DRAWING)
 IF NOT ON THIS SCALE, THE SCALE SHALL BE AS SHOWN ON ORIGINAL DRAWING

NO.	DATE	DESCRIPTION	BY
1	OCT 2021	ISSUED FOR PERMIT	RCE
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PHASE 1, ERIEWAY, MAY 20, & PRIVATE, MAY 22 AND, TEMPORARY ACCESS, DR, WALKWAY, BRIDGE, MAY 20 AND PRIVATE, MAY 22 WILL BE CONSTRUCTED WITHIN THE PHASE 1 PERMITS. MEET OR EXCEEDS ALL APPLICABLE PERMITS AND MEET OR EXCEEDS ALL APPLICABLE PERMITS. ACCESS FROM PRIVATE DRIVE TO WALKWAY IS CONSTRUCTED TO SERVE PHASE 1 UNITS. SHEET U IS CONSTRUCTED WITH PHASE 1.



Olsen Design & Development Monmouth, Oregon
 Fairview Industrial Subdivision
 Retention Plan & Preliminary Plat
 Phasing Update October 2021
 Northeast Site Plan

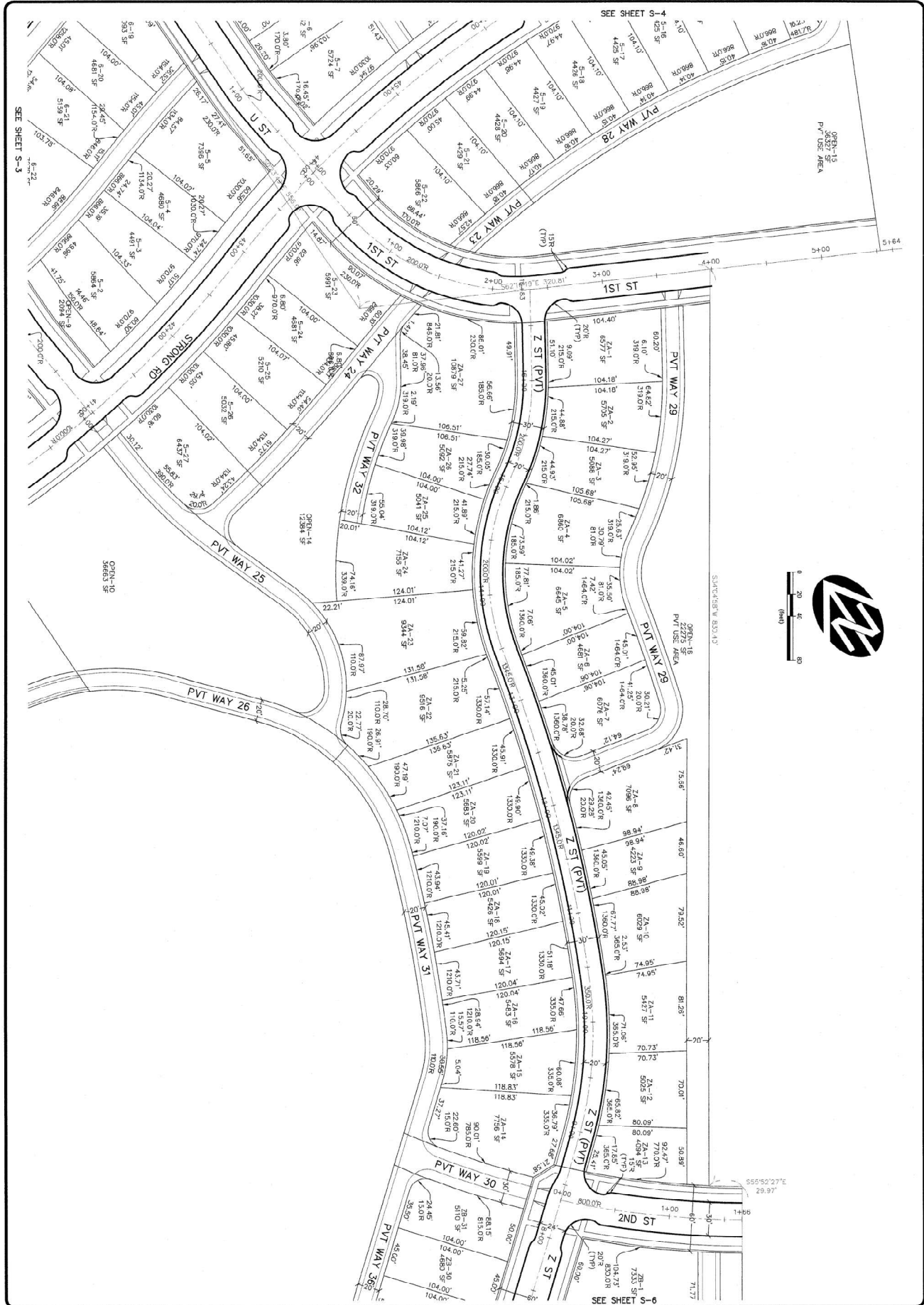
DRAWING S-4
 JOB NUMBER 2834.0001.0

WE WESTTECH ENGINEERING, INC.
 CONSULTING ENGINEERS AND PLANNERS
 3841 Fairview Industrial Dr., Suite 100, Salem, OR 97302
 Phone: (503) 385-2474 Fax: (503) 385-2886
 E-mail: westtech@westtech-eng.com

REGISTERED PROFESSIONAL ENGINEER
 10426
 OREGON 15, 1987
 RAYMOND C. EMMEL
 LICENSE: 12/29/2021

DATE	NO.	DATE	DESCRIPTION	BY
OCT 2021	1			

VERIFY SCALE
 1" = 40'-0" (AS SHOWN)
 1" = 20'-0" (AS SHOWN)
 1" = 10'-0" (AS SHOWN)
 1" = 5'-0" (AS SHOWN)
 1" = 2'-0" (AS SHOWN)
 1" = 1'-0" (AS SHOWN)
 1" = 0'-6" (AS SHOWN)
 1" = 0'-3" (AS SHOWN)
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 1" = 0'-0" (AS SHOWN)



SEE SHEET S-3
 SEE SHEET S-4
 SEE SHEET S-6

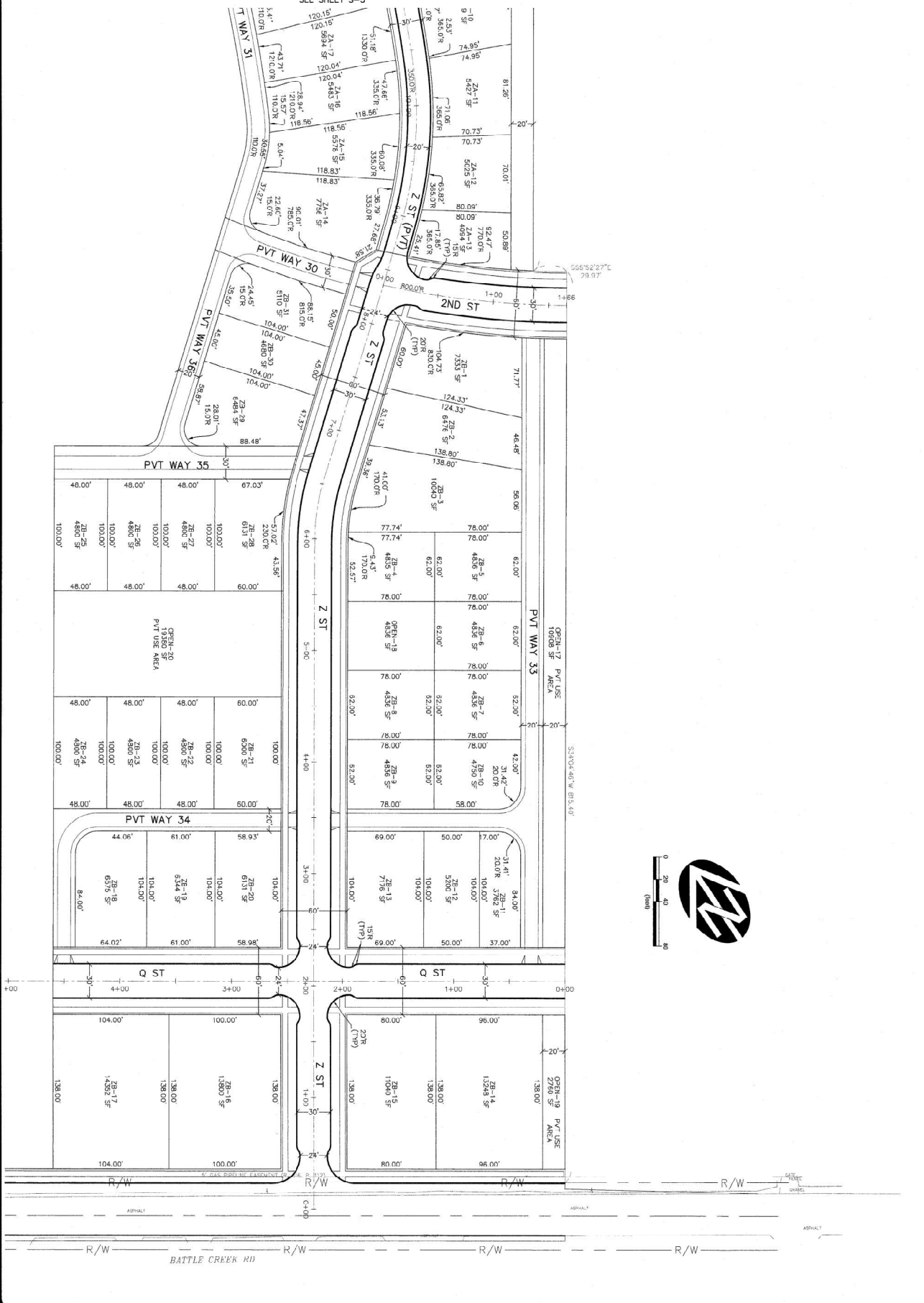
Olsen Design & Development Monmouth, Oregon
 Fairview Site Subdivision
 Refinement Plan & Preliminary Plat
 Phasing Update October 2021
South Central Site Plan

WE
 WESTTECH ENGINEERING, INC.
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 E-mail: westtech@westtech-engineers.com



NO.	DATE	DESCRIPTION	BY
1	OCT 2021	ISSUED FOR PERMIT	
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SEE SHEET S-5



28334.0001.0
 JOB NUMBER

S-6
 DRAWING

Olsen Design & Development Monmouth, Oregon

Fairview Site Subdivision
 Refinement Plan & Preliminary Plat
 Phasing Update October 2021

South Site Plan

WE
 WESTECH ENGINEERING, INC.
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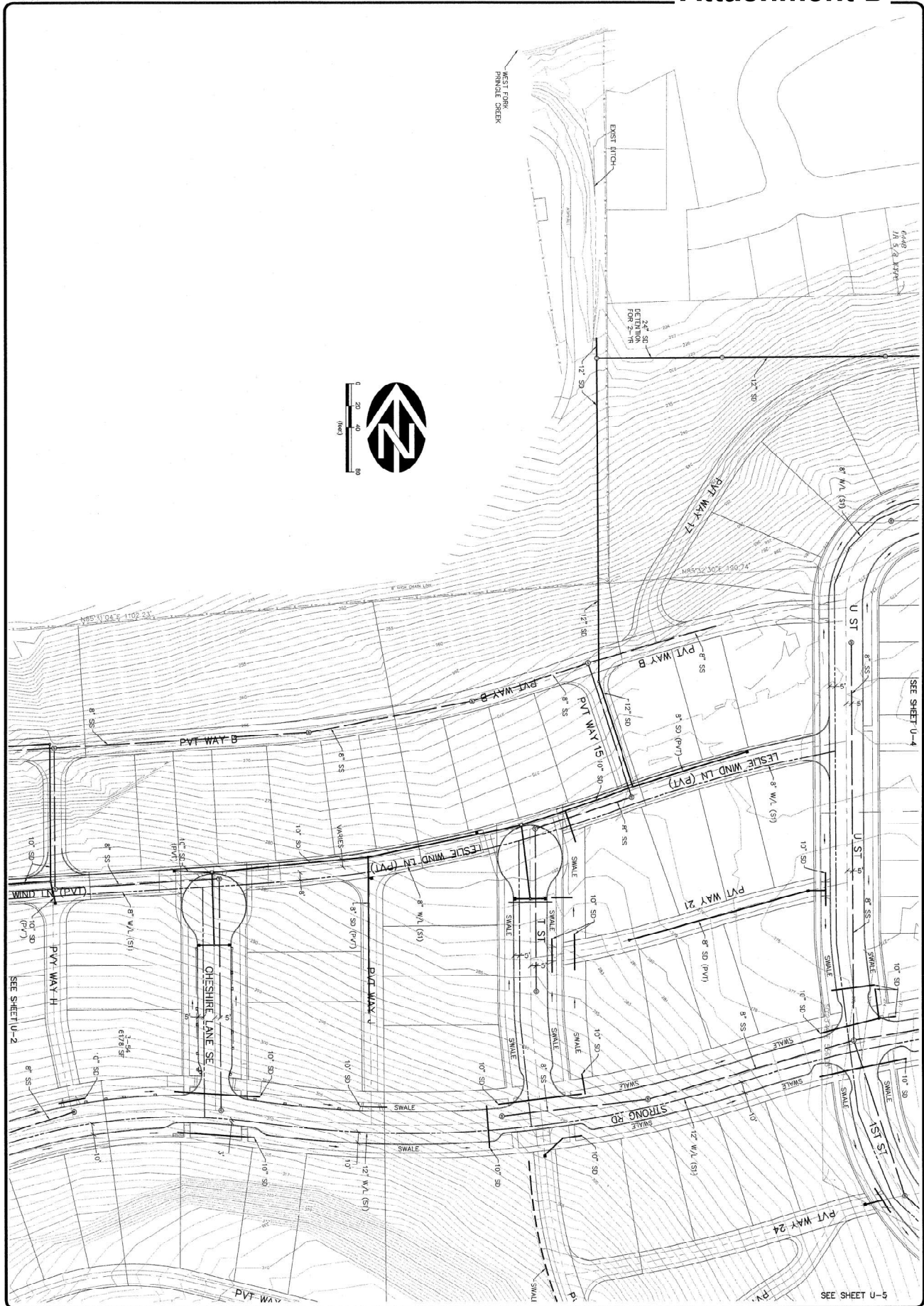
VERIFY SCALE
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IF NOT ONE INCH ON THIS DRAWING, SCALE IS AS SHOWN

DSN.	RCE	NO.	DATE	DESCRIPTION	BY
	RCE	1			
	RCE	1			
	RCE	1			

DATE: OCT 2021

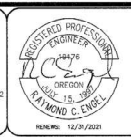
REVISIONS



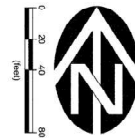
2834.0001.D
 JOB NUMBER
 U-3
 DRAWING

Olsen Design & Development Monmouth, Oregon
 Fairview Site Subdivision
 Refinement Plan & Preliminary Plat
 Phasing Update October 2021
 North Central Utility Plan

WE
 WESTTECH ENGINEERING, INC.
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 3811 Fairview Industrial Dr., S.E., Suite 100, Salem, OR 97302
 Phone: (503) 585-2474 Fax: (503) 585-3986
 E-mail: westtech@westtech-eng.com



VERIFY SCALE		NO. DATE		DESCRIPTION		BY	
BAR IS ONE INCH ON ORIGINAL DRAWING							
IF NOT ONE INCH ON THIS SCALE, INDICATE SCALE HERE							
DRN.	RCE						
CHKD.	RCE						
DATE:	OCT 2021						
REVISIONS							



Olsen Design & Development Monmouth, Oregon
 Fairview Site Subdivision
 Refinement Plan & Preliminary Plat
 Phasing Update October 2021
Northeast Utility Plan

DRAWING
 U-4
 JOB NUMBER
 28334.0001.0

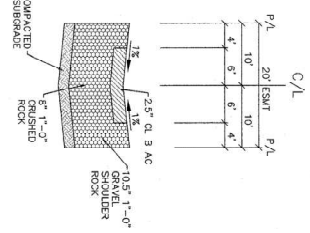
WESTECH ENGINEERING, INC.
 CONSULTING ENGINEERS AND PLANNERS
 2841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302
 Phone: (503) 585-2474 Fax: (503) 585-5986
 Email: westech@westech-inc.com

REGISTERED PROFESSIONAL
 ENGINEER
 RAYMOND C. ENGEL
 OREGON
 LICENSE NO. 15,797
 EXPIRES 12/31/2021

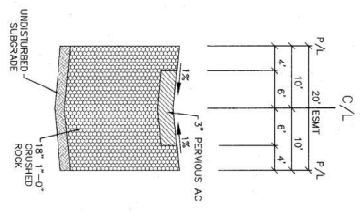
VERIFY SCALE
 PLAN IS ONE INCH ON ORIGINAL DRAWING
 IF NOT ONE INCH ON THIS SCALE, ADJUST SCALES ACCORDINGLY

DSN	RCE	NO.	DATE	DESCRIPTION	BY
CHKD.	RCE			REVISIONS	
DATE: OCT 2021					

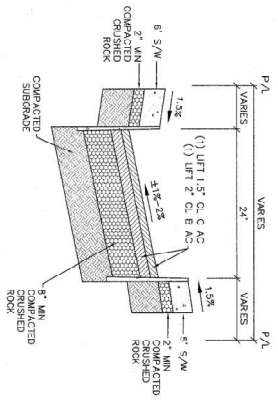
TEMPORARY D/W TYPICAL SECTION (PHASE 4)
 (FOR PVT WAY 20 ACCESS)



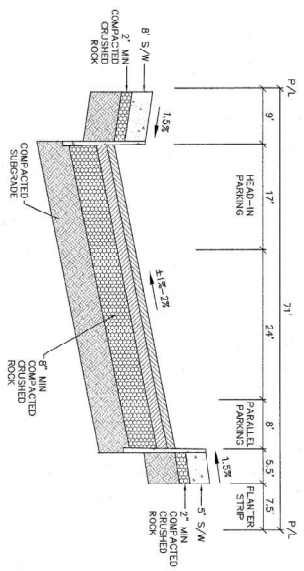
PRIVATE WAY TYPICAL SECTION (PHASE 4)
 (PVT WAY 20 & PVT WAY 27)



PRIVATE STREET U DRIVEWAY AREA (PHASE 8)
 TYPICAL SECTION



PRIVATE STREET U PARKING AREA (PHASE 8)
 TYPICAL SECTION



2834.0001.D
 JOB NUMBER
 S-7A
 DRAWING

Olsen Design & Development Monmouth, Oregon
 Fairview Site Subdivision
 Refinement Plan & Preliminary Plat
 Phasing Update October 2021
 Phase 4 Typical Sections
 Phase 8 Typical Sections

WE
 WESTTECH ENGINEERING, INC.
 CONSULTING ENGINEERS AND PLANNERS
 3041 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302
 Phone: (503) 585-2474 Fax: (503) 585-3986
 E-mail: westtech@westtech-engine.com




VERIFY SCALE		NO. DATE		DESCRIPTION
DSN	RC	1		
DRN	RC			
CKD	RC			
DATE:	OCT 2021			



MEMO

TO: Bryce Bishop, Planner III
Community Development Department

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

DATE: December 21, 2021

**SUBJECT: PUBLIC WORKS RECOMMENDATIONS
FRP-PAR-SUB14-01MOD1 (21-112013-LD)
2250 STRONG ROAD SE
FAIRVIEW ADDITION WEST SUBDIVISION MODIFICATION**

PROPOSAL

An application to modify the tentative phased subdivision approval for the Fairview Addition West subdivision (Case No. FRP-PAR-SUB14-01). The proposed modification:

- a) Reconfigures the boundaries of existing phases T, UA, UB, and V, adds an additional phase, and renumbers the phases;
- b) Reconfigures U Street adjacent to the former Laundry Building to make it wider to accommodate on-street parking; and
- c) Correspondingly eliminates two lots in order to accommodate the proposed increased width of U Street.

The subject property totals approximately 32.98 acres in size, is zoned FMU (Fairview Mixed Use) within the Fairview Addition West Refinement Plan, and is located at 2250 Strong Road SE (Marion County Assessors Map and Tax Lot Number(s): 083W1100200 & 00203; and 083W11BA08700).

RECOMMENDED CONDITIONS OF MODIFICATION APPROVAL

Aside from modifications to the phase numbering, Public Works staff does not recommend any modifications to the conditions of approval of FRP-PAR-SUB14-01MOD1 applicable to public works infrastructure.

CRITERIA AND FINDINGS

SRC 205.070(d) indicates the criteria that must be found to exist before an affirmative decision can be made. The applicable criteria and the corresponding findings are as follows:

SRC 205.070(d)(1)—The proposed modification is not substantially inconsistent with the conditions of the original approval:

Finding—The proposed modification reconfigures the exiting phase boundaries, establishes an additional phase, and renumbers the phases. However, the reconfiguration is not substantially inconsistent with the conditions of the original approval. Condition 1(b) will be modified to include the new phase numbering. Installment payments or a lump sum payment must be contributed toward the Pringle/Battle Creek Road improvements as a condition of final plat approval for proposed Phase 4, 5, 6, 7, 8 or Za, excluding lots originally designated in Phase T.

City infrastructure is available to serve individual phases in a way that is functionally self-contained and self-sustaining no differently than for the original application. The applicant's proposal includes modifications to the stormwater design to incorporate pervious pavement private access roads that will accommodate impervious surfaces in Phase 4. The improvements constructed in each phase will be constructed in such a manner that provides sufficient capacity to serve later phases.

SRC 205.070(d)(2)—The proposed modification will not result in significant changes to the physical appearance of the development, the use of the site, and the impacts on surrounding properties:

Finding—The proposed modification includes minor modifications that result in a reconfiguration of U Street to accommodate on-street parking and the elimination of two lots in order to accommodate the proposed increased width of U Street. These modifications will not result in a significant change the physical appearance of the development, the use of the site, or the impacts on surrounding properties.

cc: File



RESPONSE TO REQUEST FOR COMMENTS

DATE: Tuesday, November 16, 2021

CASE/APP NUMBER: FRP-PAR-SUB14-01MOD1

PROPERTY LOCATION: 2250 Strong Rd SE

CASE MANAGER: Bryce Bishop, Planner III, City of Salem Planning Division

Email: bbishop@cityofsalem.net

COMMENTS FROM: Jolynn Franke, Transit Planner I, Cherriots

Email: planning@cherriots.org

COMMENTS: Cherriots is currently exploring options for transit service to the Fairview Refinement Plan area. Strong Rd SE is being considered as a travel street, however, we are not proposing bus stops along the particular section identified in this application. Therefore, we support the pedestrian, bicycle, and roadway infrastructure improvements this development includes.

Bryce Bishop

From: THOMPSON Seth <Seth.THOMPSON@aviation.state.or.us>
Sent: Wednesday, November 17, 2021 5:00 PM
To: Bryce Bishop
Cc: John Paskell; PECK Heather
Subject: RE: Notice of Filing / Request for Comments - Case No. FRP-PAR-SUB14-01MOD1 for 2250 Strong Rd SE

Good afternoon, Bryce.

Thank you again for taking the time to discuss the Fairview Training Site today. Based on our conversation and my review of FAA ASN 2005-ANM-2653-OE, it is my conclusion that additional airspace review by the FAA and ODA is required for future proposals within the Fairview Training Site.

I understand that Case No. FRP-PAR-SUB14-01MOD1 (Fairview Addition West) was approved in previous years and this case is simply a modification. However, any resulting development within this subdivision still needs to be reviewed by the FAA and ODA.

As Case No. FRP-PAR-SUB14-01MOD1 for 2250 Strong Rd SE appears to be within the site boundary of the Fairview Training Site, the ODA provides the following comments:

1. In accordance with FAR Part 77.9 and OAR 738-070-0060, proposed structures within Case No. FRP-PAR-SUB14-01MOD1 (Fairview Addition West) are required to undergo aeronautical evaluations by the FAA and ODA to determine if any structures pose obstructions to aviation safety at Salem Municipal Airport (SLE). The aeronautical evaluations are initiated by the applicant(s) submitting FAA Form 7460-1 documentation to the FAA and ODA. The applicant(s) must receive the resulting aeronautical determination letters from the FAA and ODA prior to approval of any building permits.
2. The height of the new structures shall not penetrate FAA Part 77 Imaginary Surfaces, as determined by the FAA and ODA.

Thanks again and please let me know if you have any questions.

Best regards,

Seth Thompson
OREGON DEPARTMENT OF AVIATION
AVIATION PLANNER



OFFICE 503-378-2529 **CELL** 503-507-6965

EMAIL seth.thompson@aviation.state.or.us

3040 25TH STREET SE, SALEM, OR 97302

WWW.OREGON.GOV/AVIATION

From: Zachery Cardoso <ZCardoso@cityofsalem.net>
Sent: Wednesday, November 3, 2021 10:11 AM
To: Zachery Cardoso <ZCardoso@cityofsalem.net>
Cc: Bryce Bishop <BBishop@cityofsalem.net>
Subject: Notice of Filing / Request for Comments - Case No. FRP-PAR-SUB14-01MOD1 for 2250 Strong Rd SE

This message was sent from outside the organization. Treat attachments, links and requests with caution. Be conscious of the information you share if you respond.

Hello,

The Notice of Filing / Request for Comments for Modification of Subdivision Case No. FRP-PAR-SUB14-01MOD1 for 2250 Strong Rd SE is attached for your information. Comments are due **November 17, 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: An application to modify phases T, UA, UB, and V of the approved Fairview Addition West subdivision. The proposed modification reconfigures the exiting phase boundaries, establishes an additional phase, and renumbers the phases. The proposed modification does not change the layout of the approved lots, open areas, or streets/alleys within the subdivision except for a minor change to the configuration of U Street adjacent to the former Laundry Building to make it wider to accommodate on-street parking. In order to accommodate the increased width of U Street, two lots are proposed to be eliminated.

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

Bryce Bishop

bbishop@cityofsalem.net

503-540-2399

Thank you,

Zachery Cardoso

Admin Analyst I

City of Salem | Community Development Department

555 Liberty St SE, Suite 305, Salem OR 97301

zcardoso@cityofsalem.net | 503-540-2304

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

DECISION OF THE PLANNING COMMISSION

FAIRVIEW REFINEMENT PLAN / PARTITION / PHASED SUBDIVISION CASE
NO. FRP-PAR-SUB14-01

APPLICATION NOS.: 14-111666-ZO, 14-111667-LD & 14-111665-LD

NOTICE OF DECISION DATE: NOVEMBER 19, 2014

APPLICATION SUMMARY: An application to develop approximately 50.8 acres of the former Fairview Training Center site pursuant to the requirements of the Fairview Mixed-Use zone and the Fairview Plan, the adopted master plan for the former Fairview Training Center site.

REQUEST: A Partition to divide approximately 65 acres of the former Fairview Training Center site into 3 parcels ranging in size from approximately 14.2 acres to 29.9 acres in size, together with a:

- 1) Refinement Plan for two of the proposed parcels, totaling approximately 50.8 acres in size, setting forth the requirements for future development of the property consistent with the provisions of the Fairview Mixed-Use Zone (SRC Chapter 530) and the adopted Fairview Plan; and
- 2) Phased Subdivision to divide the 50.8 acre property included in the Refinement Plan into 216 lots ranging in size from approximately 3,374 square feet to 14,352 square feet in size.

The property is zoned FMU (Fairview Mixed-Use) and is located in the 4000 to 4200 Blocks of Pringle Road SE and the 4300 Block of Battle Creek Road SE (Marion County Assessor's Map and Tax Lot Numbers: 083W11/200 & portions of 083W02/100 and 083W11/100).

APPLICANT: ERIC OLSEN, OLSEN DESIGN AND DEVELOPMENT

PROPERTY OWNER: SFA2, LLC (RICK GUSTAFSON, BRIAN HARDIN, SALLY MILLER, RUSS BEATON)

LOCATION: 4000-4200 BLOCKS OF PRINGLE RD SE &
4300 BLOCK OF BATTLE CK RD SE

CRITERIA: Refinement Plan: SRC 530.030(e)
Partition: SRC 205.005(d)
Phased Subdivision: SRC 205.015(d) & 205.010(d)

DECISION: The Planning Commission adopted the facts and findings of the staff report and **GRANTED** the following action for the subject property located in the 4000 to 4200 Blocks of Pringle Road SE and the 4300 Block of Battle Creek Road SE (Marion County Assessor's Map and Tax Lot Numbers: 083W11/200 & portions of 083W02/100 and 083W11/100) as follows:

NOTICE OF DECISION

PLANNING DIVISION
555 LIBERTY ST. SE, RM 305
SALEM, OREGON 97301
PHONE: 503-588-6173
FAX: 503-588-6005



A. That the proposed tentative partition plan, to divide approximately 65 acres of the former Fairview Training Center site into 3 parcels ranging in size from approximately 14.2 acres to 29.9 acres in size, be **APPROVED**, subject to the following conditions:

Condition 1: Prior to final partition plat approval, property line adjustment PLA14-11 and property line adjustment PLA14-12 shall be recorded.

Condition 2: Prior to final partition plat approval, convey land for dedication of right-of-way to equal a minimum half-width of 36 feet along Pringle/Battle Creek Road along the full frontage of the property from the north line of Parcel 1 to the south line of Parcel 3. The right-of-way shall be measured from the construction centerline as defined by the applicant's site plan and shall include slope easements as needed to construct the required improvements.

Condition 3: Prior to final partition plat approval, construct a minimum 46-foot-wide improvement along Pringle/Battle Creek Road except where additional width is needed for turn lanes as specified in the Traffic Impact Analysis. The street improvement may be deferred per SRC 803.070 until final plat approval for a subdivision within the subject property. Based on the phasing plan as described in the refinement plan:

- a. The frontage of Parcel 1 shall be constructed as a condition of final plat approval for a subdivision or other development on Parcel 1.
- b. The frontage of Parcels 2 and 3 shall be constructed as a condition of final plat approval for a subdivision or other development on Parcel 2 or 3.

B. That the proposed Fairview Addition West Refinement Plan, a refinement plan for a portion of the Fairview Training Center property approximately 50.8 acres in size, be **APPROVED**, subject to the following conditions:

Condition 1: The third paragraph of the refinement plan, under Section 4 (Typical Street Sections) on page 16, shall be amended to read as follows:

"Please refer to the following diagrams in Figure 4 for typical road cross sections. Note that subbase and drainage rock will vary according to specific site conditions. Final structural street sections are addressed by the Public Works Design Standards and will be determined at the time of final design."

Condition 2: The refinement plan shall be amended to remove pavement, crushed rock, and other sub-grade dimensions from the street cross sections included under Section 4 (Typical Street Sections).

C. That the proposed tentative phased subdivision plan, to divide approximately 50.8 acres of land included within the Fairview Addition West Refinement Plan into 216 lots ranging in size from approximately 3,374 square feet to 14,352 square feet in size, be **APPROVED**, subject to the following conditions:

Condition 1: Construct a minimum 46-foot-wide street improvement along Pringle/Battle Creek Road except where additional widths are needed for turn lanes as specified in the Traffic Impact Analysis. Based on the phasing plan as described in the refinement plan:

- a. As a condition of final plat approval for Phase Qa or Qb, the applicant shall construct street improvements along the entire frontage of Phases Qa and Qb.
- b. As a condition of final plat approval for Phase Ua, Ub, ~~or V~~, or Za, the applicant shall construct street improvements from the south line of Phase Qb to the south

~~line of Phase Zb. Alternatively, the~~ The applicant may defer the improvement until construction of the intersection of Z Street and Battle Creek Road development of Phase Zb by providing a performance security of \$472,500 as specified in SRC 110.100. The security may be posted as a lump sum or paid in cash installments of \$4,375 per lot at the time of building permit issuance as specified in an improvement agreement between the developer and the City.

- c. ~~As a condition of final plat approval for Phase Za or Zb, the applicant shall construct street improvements from the south line of Phase Qb to the south line of Phase Zb, including the intersection of Z Street and Battle Creek Road. If Phase Za precedes Phase Zb, the Z Street improvement shall be constructed within Phase Zb, either as the ultimate improvement as specified in the refinement plan or as an interim improvement, as approved by the Public Works Director, until development of Phase Zb.~~

- Condition 2:** No more than 29 dwelling units will be permitted in construction of Phase Za prior to construction of an approved secondary emergency vehicle access.
- Condition 3:** Prior to final subdivision plat approval for the first phase of the subdivision, the final partition plat for FRP-PAR-SUB14-01 shall be recorded.
- Condition 4:** Design stormwater systems to serve all proposed lots. The stormwater systems shall be tentatively designed to accommodate future impervious surface. Construct stormwater facilities that are proposed in the public right-of-way, public storm easements, and/or in the proposed private streets.
- Condition 5:** Show all necessary access and utility easements on the plat and provide appropriate documentation of infrastructure maintenance agreements as approved by the Public Works Director and required by SRC 802.040.
- Condition 6:** Fire hydrant locations shall conform to the Oregon Fire Code and Public Works Design Standards related to construction and location. General location consideration requirements may include:
- a. Adjacent to alleys on local streets.
 - b. Opposite cul-de-sacs on Strong Road SE.
 - c. Opposite cul-de-sacs on Northview Street, located on the far side of the private streets to allow for 26-foot-wide fire apparatus access.
- Condition 7:** Prior to final acceptance of public infrastructure construction, the developer shall provide a final geotechnical report from a qualified geotechnical engineer that describes construction monitoring activities for all site earthwork and addresses the geotechnical considerations for each individual building lot.
- Condition 8:** Prior to final subdivision plat approval for the first phase of the subdivision, the applicant shall submit a Homeowners Association Agreement and Covenants, Conditions, and Restrictions (CC&R) document for review and approval by the City Attorney for the perpetual maintenance and operation of all common properties and facilities within the development including, but not limited to: private streets, private utilities, open spaces, common facilities, and community areas.
- Condition 9:** Prior to final subdivision plat approval for any phase within the subdivision where the platting of that phase will result in an existing building(s) being located over a lot line, the existing building(s) shall be removed.

Condition 10: An easement shall be provided over the alley abutting the perimeter of Parcel 2 of Partition FRP-PAR-SUB14-01 in order to provide for additional access and connectivity to that Parcel.

Condition 11: The tentative phased subdivision plan shall be modified to:

- a. Realign the centerline of 1st Street to align with the 1st Street centerline in the adjacent Simpson Hills Refinement Plan.
- b. Show a minimum 24-foot curb-to-curb width along the entire length of Strong Road SE.
- c. Provide a pavement width at Strong Road SE between Q Street and Pringle Road SE sufficient to install a right turn lane to Pringle Road SE and a taper to 24 feet at Q Street.
- d. Provide a 50-foot centerline radius with a commercial driveway approach on Z Street at the intersection of Z Street and 2nd Street. An alternative design may be approved by the Public Works Director.

Condition 12: All building construction must provide an approved fire sprinkler system or approved fire apparatus access complying with the Oregon Fire Code. Live/work units shall be provided with an approved fire sprinkler system in accordance with the Oregon Fire Code and Oregon Structural Specialty Code.

Condition 13: All streets shall have appropriate no parking signage reviewed and approved as a condition of public construction plan approval.

Condition 14: No parking shall be permitted in the cul-de-sac bulbs or hammerhead area along all private streets. In addition, the full height curb shown in the cul-de-sac bulb plan shall be redesigned to provide an approved mountable curb installed to provide fire apparatus access.

Condition 15: Oregon Fire Code requires 26 feet of clearance in front of a hydrant and 10 feet on either side. If this standard cannot be met on Z Street, between 1st Street and 2nd Street, and on East Street, all buildings will need to install an approved fire sprinkler system.

VOTE:

Yes 6 No 0 Absent 1 (Fry)



David Fox, Vice President
Salem Planning Commission

A copy of the decision is attached.

Case Manager: Bryce Bishop, bbishop@cityofsalem.net

Application Deemed Complete: October 3, 2014
Public Hearing Date: November 4, 2014
Notice of Decision Mailing Date: November 19, 2014
Decision Effective Date: December 5, 2014
State Mandated Decision Date: January 31, 2015

The rights granted by the attached decision must be exercised, or an extension granted, by the following dates or the approvals shall be null and void:

Fairview Refinement Plan: December 5, 2016
Partition: December 5, 2016
Phased Subdivision: December 5, 2016 (First Phase)
December 5, 2024 (All Other Phases)

This decision is final unless written appeal from an aggrieved party is filed with the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem OR 97301, **no later than 5:00 p.m., December 4, 2014.** Any person who presented evidence or testimony may appeal the decision. The notice of appeal must contain the information required by SRC 300.1020. The notice of appeal must be filed in duplicate with the City of Salem Planning Division. The appeal fee must be paid at the time of filing. If the notice of appeal is untimely and/or lacks the proper fee, the notice of appeal will be rejected. The Salem City Council will review the appeal at a public hearing. After the hearing, the City Council may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

The complete case file, including findings, conclusions, and conditions of approval, is available for review at the Planning Division office, Room 305, City Hall, 555 Liberty Street SE, during regular business hours.

<http://www.cityofsalem.net/planning>