

# Woodside Subdivision

## Class 2-Adjustment

### **Background:**

August 29, 2019- Partition 19-11 was approved. The subject property is Parcel 3 of Partition 19-11.

October 22, 2020- CU-SPR-DAP-DR20-06 was approved for Lot 5 of the proposed subdivision.

May 18, 2021- The applicant notified the South Gateway Neighborhood Association to inform them of the proposed 5 lot subdivision.

### **Proposal:**

The subject property is about 1.71 acres in size and zoned RA (Residential Agriculture) and IC (Industrial Commercial). The subject property is Parcel 3 of Partition 19-11.

The applicant is proposing to divide the subject property into 5 lots:

Lot 1: 8,734sq.ft. (4,917sq.ft. excluding the access easement)/RA zoned

Lot 2: 5,329sq.ft./RA zoned

Lot 3: 5,462sq.ft./RA zoned

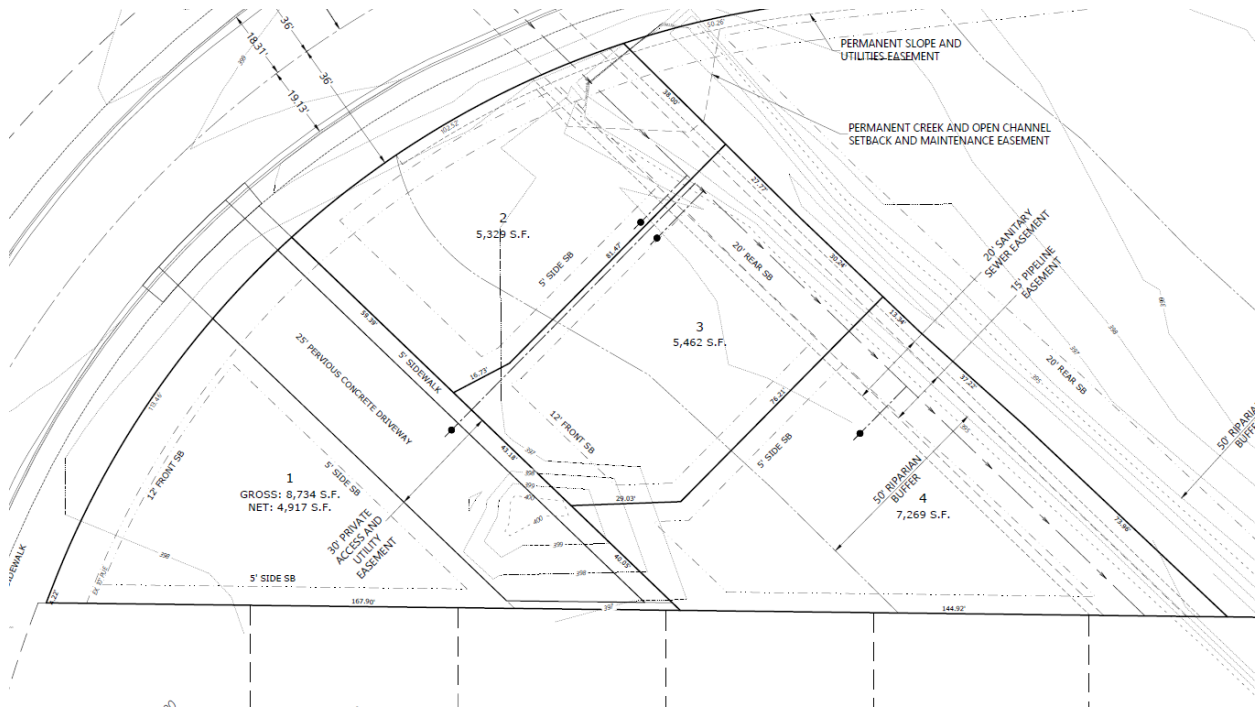
Lot 4: 7,269sq.ft./RA zoned and IC zoned

Lot 5: 47,886sq.ft./IC zoned (CU-SPR-DAP-DR20-06 Approval)

The applicant is proposing to divide the subject property into a five (5) lot subdivision with a concurrent Class 2-Adjustment to allow more than 15% flag lots within the proposed subdivision.

***Section 800.025(e) "Maximum percentage of flags lots within a subdivision. Within a subdivision, up to 15 percent of the lots may be flag lots."***

Proposed Lots 3 and 4 are flag lots where only one flag lot is allowed.



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

The subject property is about 1.71 acres in size and zoned RA (Residential Agriculture) and IC (Industrial Commercial). The subject property is Parcel 3 of Partition 19-11.

The surrounding properties are zoned and used as follows:

North: Mildred Lane  
 East: Woodside Drive  
 South: RS; existing single family dwellings  
 West: RS; existing single family dwellings

The subject property is located within the City limits and the Urban Growth Boundary.

### **Class 2-Adjustment**

- (A) The purpose underlying the specific development standard proposed for adjustment is:**
  - (i) Clearly inapplicable to the proposed development; or**
  - (ii) Equally or better met by the proposed development.**
- (B) If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.**

**(C) If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone.**

Findings (A): Lots 3 and 4 will have access onto Mildred Lane via an access easement along the west property line of the site. The proposal creates 2 flags in the proposed subdivision where only one flag lot is allowed. Due to the width of the lot and the location of the riparian corridor, a public access is not feasible, therefore, this is the only way this site can be developed and provide needed access. When creating an infill subdivision, the flag lot standard is not applicable. Infill lots like this one are typically narrow in width.

The proposed flag lots are sufficient in lot area and depth to meet the minimum building envelopes on each lot, exclusive of the flag lot access way.

The requested adjustment is the only means available to permit the subject property to be divided into 5 lots and permit the preservation of the property right for the subject property to be divided.

Findings (B): The proposed flag lots are sufficient in lot area and depth to meeting minimum building envelopes on each lot, exclusive of the access way.

The requested Class 2-Adjustments are the only means available to permit the subject property to be divided into 5 lots and permit the preservation of the property right for the subject property to be divided.

The result of this Class 2-Adjustment are large, private lots that are set off of the street, that are of adequate size and configuration to obtain building permits without the need for an adjustment to setbacks. The larger private lots will enhance the livability of the residential area. The access easement with a 5-foot sidewalk will provide a visually appealing access way to the lots.

Reciprocal and irrevocable access easement rights will be noted on the final plat and in each recorded legal description for the parcels. The flag lot access way will be paved upon development.

No parking is permitted on a flag lot access way and each has enough space available that off-street parking can be developed for residents and guests. A minimum of two-off street parking spaces is required in a garage.

The applicant cannot identify any reasons the proposal will detract from the livability or appearance of the existing neighborhood.

The criteria that are necessary for granting the Class 2-Adjustments have been addressed sufficiently to permit the 2 flag lots within the subdivision as shown on the tentative plan. The Class 2-Adjustments should be granted.

Findings (C): The proposed adjustment will not affect surrounding existing or proposed development.



# Woodside Subdivision

## Adjustment Class-2 Application

### Proposal:

The subject property is about 1.71 acres in size and zoned RA (Residential Agriculture) and IC (Industrial Commercial). The subject property is Parcel 3 of Partition 19-11.

The applicant is proposing to divide the subject property into 5 lots:

Lot 1: 8,734sq.ft. (4,917sq.ft. excluding the access easement)/RA zoned

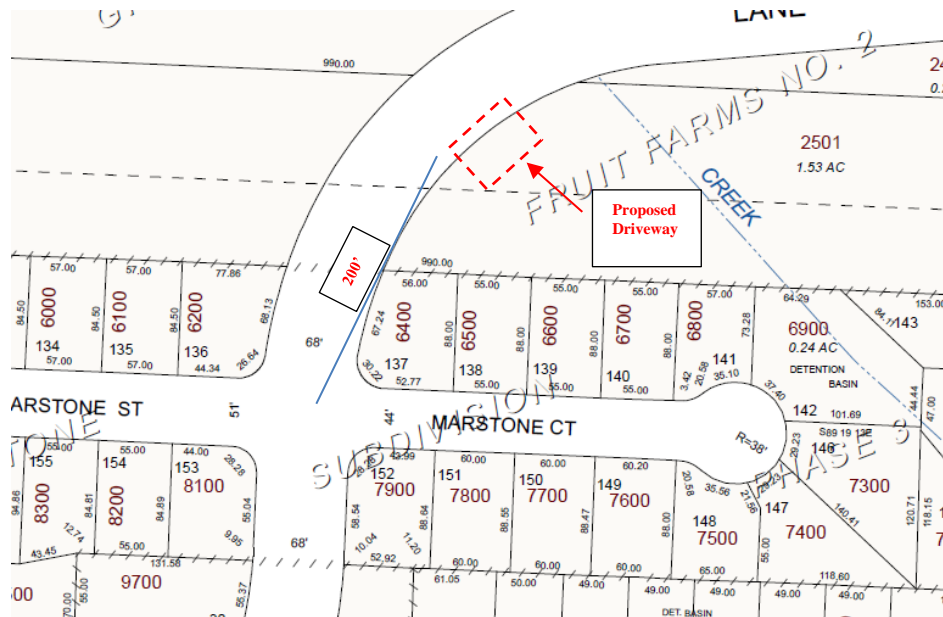
Lot 2: 5,329sq.ft./RA zoned

Lot 3: 5,462sq.ft./RA zoned

Lot 4: 7,269sq.ft./RA zoned, and IC zoned

Lot 5: 47,886sq.ft./IC zoned (CU-SPR-DAP-DR20-06 Approval)

The applicant is proposing a driveway that is located closing than 370 feet from the Marstone Street/Court intersection to the south. Therefore, an adjustment to this standard is required.



The applicant is requesting an adjustment greater than 20% adjustment to SRC 804.035(d):

***(d) Spacing. Driveway approaches providing direct access to a major or minor arterial shall be no less than 370 feet from the nearest driveway or street intersection, measured from centerline to centerline.***

### Adjustment Criteria-SRC 250.005(d)(2) Criteria

***(A) The purpose underlying the specific development standard proposed for adjustment is:***

- (i) Clearly inapplicable to the proposed development; or*
- (ii) Equally or better met by the proposed development.*

***(B) If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.***

***(C) If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone.***

Applicant Findings:

- (A) One two-way 30-foot access easement (driveway) is proposed onto Mildred Lane from the development site. The proposed driveway appears to be located approximately 200 feet from the Mildred Lane and Marstone Street intersection. Due to the size and location of the subject property, locating the driveway further away from the intersection is not feasible or safe. Relocating the driveway would require the elimination of lots and would provide an unsafe visual situation near the curve of Mildred Lane. Therefore, this standard is clearly inapplicable to the proposed development. After review of the site and layout, it was determined that the most feasible driveway location is as shown on the site plan, and is clearly better met by the proposed. Therefore, the applicant is requesting an Adjustment to this requirement.
- (B) The subject property is located within a residential zone. The subject property is zoned RA, with a small portion of Lot 4 being zoned IC and all of Lot 5 being zoned IC. The location of the driveway as shown on the site plan will not have an impact on residential uses or any of the other uses in the area. The location will provide a safe and convenient one-way entrance and exit out of the development. The location does not create any vision or traffic hazards onto Mildred Lane as shown on the site plans. Therefore, the driveway location will have no effect on the proposed use or surrounding uses.
- (C) The applicant is requesting more than one adjustment. The requested adjustment will not have any effect on the overall purpose of the zone. The site will be developed to Code and designed to City standards. Therefore, the purpose of the zone will be met.

# **Woodside Subdivision**

## **Conditional Use**

May 24, 2022

### **SITE HISTORY:**

August 29, 2019- Partition 19-11 was approved. The subject property is Parcel 3 of Partition 19-11.

October 22, 2020- CU-SPR-DAP-DR20-06 was approved for Lot 5 of the proposed subdivision.

May 18, 2021- The applicant notified the South Gateway Neighborhood Association to inform them of the proposed 5 lot subdivision.

### **PROPOSAL:**

Under SRC 551.005(a)-Table 551-1, single-family dwellings are allowed within the IC zone with a Conditional Use permit.

The subject property is about 1.71 acres in size and zoned RA (Residential Agriculture) and IC (Industrial Commercial). The subject property is Parcel 3 of Partition 19-11.

The applicant is proposing to divide the subject property into 5 lots:

Lot 1: 8,734sq.ft. (4,917sq.ft. excluding the access easement)/RA zoned

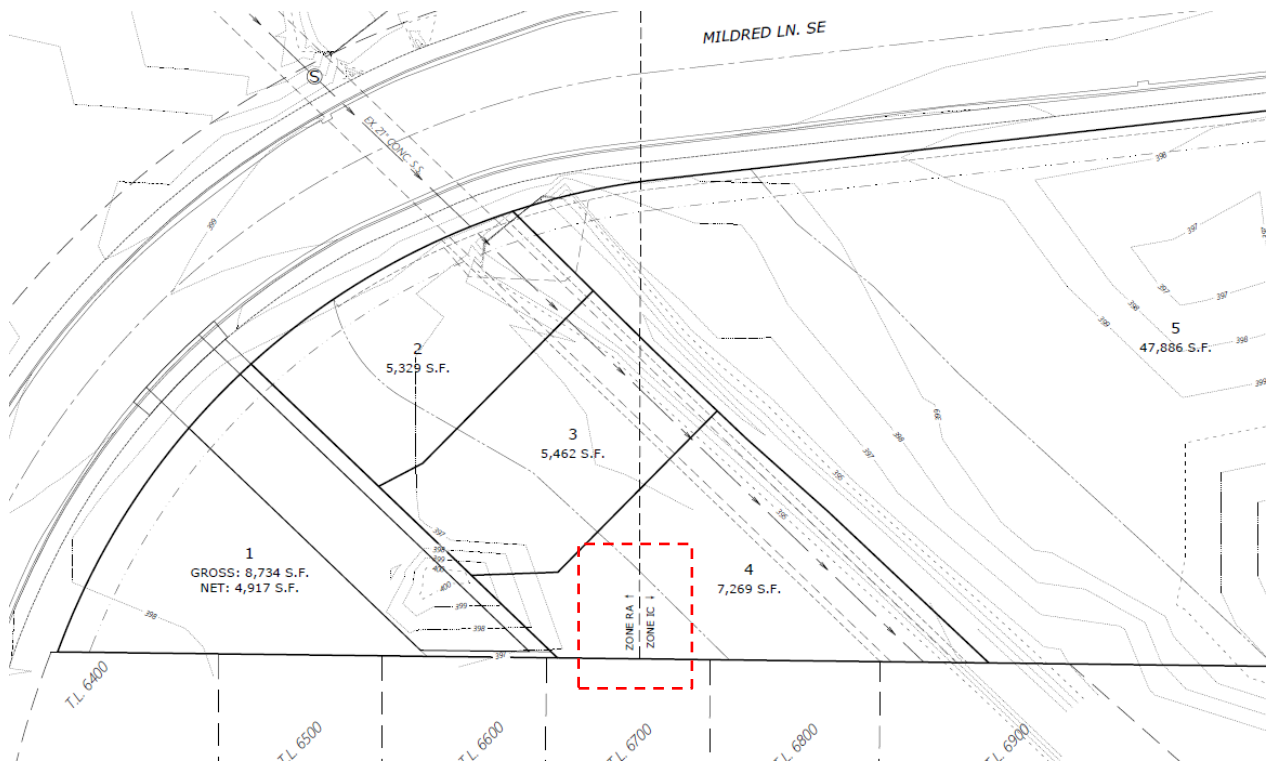
Lot 2: 5,329sq.ft./RA zoned

Lot 3: 5,462sq.ft./RA zoned

Lot 4: 7,269sq.ft./RA zoned, and IC zoned

Lot 5: 47,886sq.ft./IC zoned (CU-SPR-DAP-DR20-06 Approval)

The eastern portion of Lot 4 is zoned IC, therefore a Conditional Use is required in order to build a single-family dwelling on Lot 4.



### **CONDITIONAL USE CRITERIA:**

**SRC 240.005(d)** - An application for a Conditional Use Permit shall be granted if all of the following criteria are met:

- (1) The proposed use is allowed as a conditional use in the zone;*
- (2) The reasonably likely adverse impacts of the use on the immediate neighborhood can be minimized through the imposition of conditions; and*
- (3) The proposed use will be reasonably compatible with and have minimal impact on the livability or appropriate development of surrounding property.*

### **APPLICANT'S REASONS ADDRESSING CHAPTER 240.005(d):**

- (1) Under SRC 551.005(a)-Table 551-1, single-family dwellings are allowed within the IC zone with a Conditional Use permit.
- (2) The proposed single family lots will have little to no impact on the neighborhood. Lot 5 has approval for apartments and the south is developed as single-family dwellings.

By establishing a use that is consistent with the housing needs and by providing a compatible use, the proposed benefits the public.

The residential development will be consistent with the neighborhoods, while providing needed housing.



Any impacts the development has on the neighborhood can be mitigated through Conditions of Approval.

Therefore, the proposed development will be consistent with the surrounding residential development, health and education uses. There are a total of 293 units proposed.

- (3) The residential development will be consistent with the neighborhoods, while providing needed housing in the area.

The proposed single-family dwelling will have less an impact on the area then an industrial use that is allowed within the IC zone.

The single-family lots are required to go through the subdivision process, which requires minimum and maximum lot dimensions. Subdivision Conditions of Approval will help reduce impacts on the neighborhood.

Therefore, this criteria will be complied with through the Site Plan/Design Review process.

**Class 2-Driveway Approach Permit**  
**May 23, 2022**

**SRC 804.025 (d) Criteria. A Class 2 Driveway Approach Permit shall be granted if:**

***(1) The proposed driveway approach meets the standards of this Chapter and the Public Works Design Standards;***

Applicant Findings: The subject property is located on the south side of Mildred Lane SE and zoned RA (Residential Agriculture) and IC (Industrial Commercial). The subject property is Parcel 3 of Partition 19-11. The applicant is proposing to divide the subject property into 5 lots:

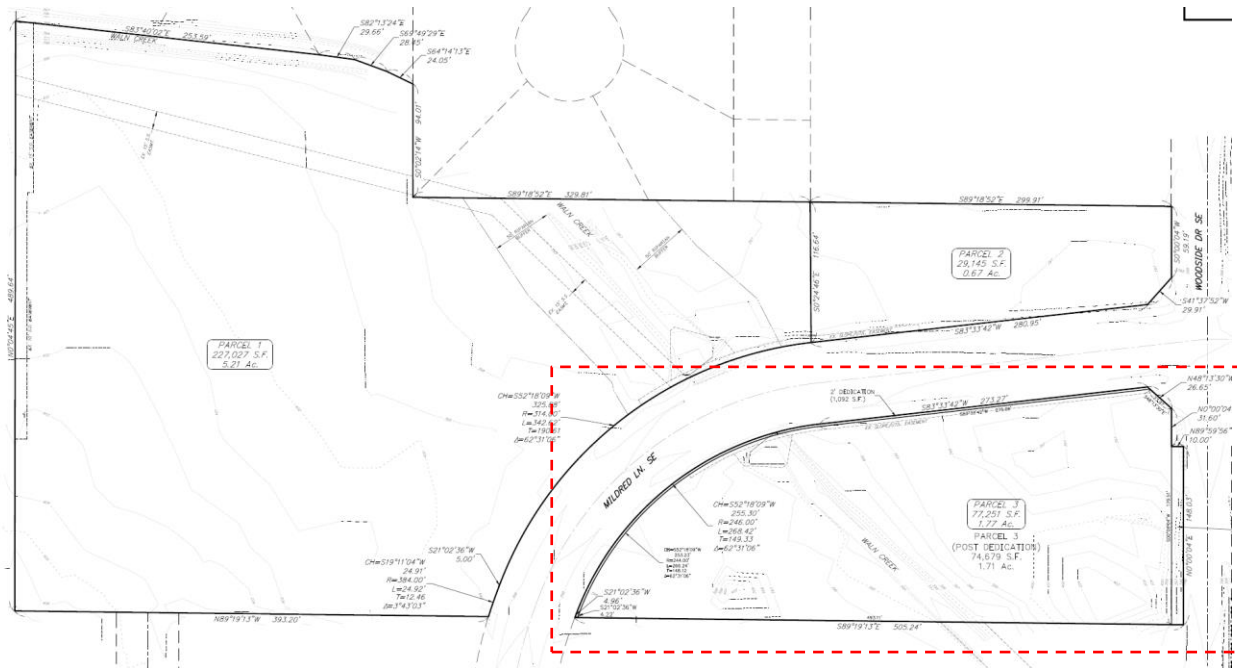
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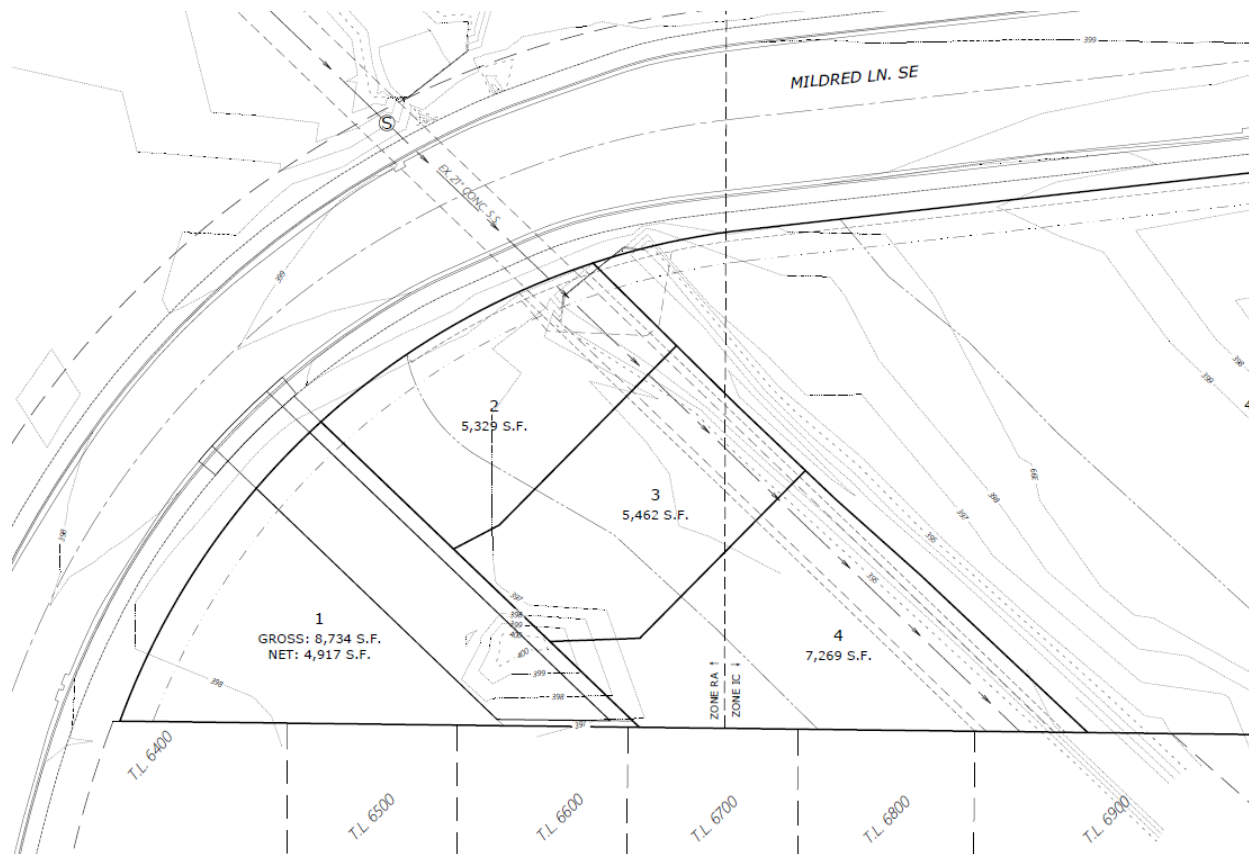
Proposed Lot 5 already has access approval for access onto Mildred Lane. Proposed Lots 1 through 4 will have direct access onto Mildred Lane via a 30-foot access easement. Mildred Lane is designated as a 'minor arterial' street on the Salem Transportation System Plan.

SRC Section 804.035(a)(2) states:

***(2) No driveway approach is allowed onto a major or minor arterial for development that is not a complex, unless:***

***(A)The driveway approach provides shared access;***

Findings: The proposed Lots 1 through 4 will be sharing a 30-foot access easement onto Mildred Lane. Sharing an accessway with an adjacent property, Lot 5, is not feasible due to different zoning and the riparian corridor located to the east.



***(B)The development does not abut a local or collector street; or***

Findings: The Driveway Approach Permit is being requested for Lots 1 through 4. These 4 lots do not abut a local or collector street. The only street that abuts the subject property is Mildred Lane, which is designated as a 'minor arterial'.

***(C)The development cannot be feasibly served by access onto a local or collector street.***

Findings: The subject property does not have access to a local or collector street. Proposed Lots 1 through 4 will have access onto Mildred Lane via a 30-foot access easement. The traffic generated from the 4 lots will justify access onto Mildred Lane.

Therefore, since proposed Lots 1-4 do not have access to a local or collector street and can not share access, the approval of a driveway onto Mildred Lane is necessary for the development of the lots.

The proposed access easement will meet Public Works design standards.

***(2) No site conditions prevent placing the driveway approach in the required location;***

Applicant Response: The location of the driveway (access easement) was taken into consideration prior to laying the site out. Access onto surrounding streets is not feasible due to the location Waln Creek to the east and the apartments to the west. The location of the proposed access easement takes into consideration the location of existing uses and existing streets adjacent to the site. Therefore, all factors were taken into consideration and there are no conditions on the site that prevent the driveway approach from being approved.

***(3) The number of driveway approaches onto an arterial are minimized;***

Applicant Response: There is only one driveway proposed onto an arterial. Therefore, this criteria has been met. Lots 1 through 4 will share a 30-foot access easement.

***(4) The proposed driveway approach, where possible:***

***(A) Is shared with an adjacent property; or***

***(B) Takes access from the lowest classification of street abutting the property;***

Applicant Response to (4): Due to the zoning difference of the property to the east (Lot 5), and the location of Waln Creek, sharing an accessway is not feasible.

The subject property is located on Mildred Lane (arterial) to the north. There are no lower classified streets adjacent the subject property. Access to adjacent streets is not available and/or feasible. Therefore, there are no lower classified streets adjacent to the site.

Since there are no other streets available to provide feasible access to the site and shared access cannot be accomplished, access onto Mildred Lane for proposed Lots 1 through 4 is warranted. Therefore, this criterion has been met.

***(5) The proposed driveway approach meets vision clearance standards;***

Applicant Response: As shown on the site plan, the proposed driveway does not create any vision clearance issues. The driveway approach is in the most feasible location and meets vision clearance standards. As shown on the site plan, this criterion has been met.

***(6) The proposed driveway approach does not create traffic hazards and provides for safe turning movements and access;***

Applicant Response: The driveway approach does not create traffic hazards. As shown on the site plan, this criterion has been met.

***(7) The proposed driveway approach does not result in significant adverse impacts to the vicinity;***

Applicant Response: No adverse impacts to the vicinity have been identified. As shown on the site plan, the location of the driveway will not have any impacts on the subject property or adjacent properties. This criterion has been met.

***(8) The proposed driveway approach minimizes impact to the functionality of adjacent streets and intersections; and***

Applicant Response: The driveway approach is in the required location to minimize impacts to adjacent streets and intersections. As shown on the site plan, this criterion has been met.

***(9) The proposed driveway approach balances the adverse impacts to residentially zoned property and the functionality of adjacent streets.***

Applicant Response: The driveway approach is in the required location to help balance the adverse impacts to residentially zoned property. The location of the proposed driveway takes into consideration the location of the streets adjacent to the site, the riparian corridor, the location of Waln Creek, adjacent uses, and access onto Mildred Lane. As shown on the site plan, this criterion has been met.

The driveway is clearly identifiable, safe, and interconnected. Improved access to the proposed single-family dwelling is required by code. Approval does not adversely affect the safe and healthful development of any adjoining land or access thereto.

# ***J&J Estates***

1400 Block of Mildred Lane SE  
(083W14CB/Tax Lots 2401 and 2501)

## **Proposal:**

The subject property is about 1.71 acres in size and zoned RA (Residential Agriculture) and IC (Industrial Commercial). The subject property is Parcel 3 of Partition 19-11.

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Lot 5: 47,886sq.ft./IC zoned (CU-SPR-DAP-DR20-06 Approval)

## **Applications:**

Subdivision

Conditional Use

Driveway Approach Permit

## **Adjustments:**

Section 800.025(e)-Maximum Flag Lots

Section 804.035(d)-Spacing (Access onto major and minor arterials)

## **Alternative Street Standards:**

Alternative Street Standards to allow a curb line sidewalk

## **Applicant:**

JCT Construction Group

201 Ferry Street SE, Suite 400

Salem, Oregon 97301

## **Applicant's Representative:**

Brandie Dalton, Land-Use Consultant

Multi/Tech Engineering

1155 SE 13th Street

Salem, Oregon 97306

(503) 363-9227

bdalton@mtengineering.net

# ***J&J Estates***

May 23, 2022

## **Background:**

August 29, 2019- Partition 19-11 was approved. The subject property is Parcel 3 of Partition 19-11.

October 22, 2020- CU-SPR-DAP-DR20-06 was approved for Lot 5 of the proposed subdivision.

May 18, 2021-The applicant notified the South Gateway Neighborhood Association to inform them of the proposed 5 lot subdivision.

## **Proposal:**

The subject property is about 1.71 acres in size and zoned RA (Residential Agriculture) and IC (Industrial Commercial). The subject property is Parcel 3 of Partition 19-11.

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## **Applications:**

Subdivision

Conditional Use

Driveway Approach Permit

## **Adjustments:**

Section 800.025(e)-Maximum Flag Lots

Section 804.035(d)-Spacing (Access onto major and minor arterials)

## **Alternative Street Standards:**

Alternative Street Standards to allow a curb line sidewalk

## **SITE VICINITY and CHARACTERISTICS:**

The subject property is located west side of Woodside Drive, and south of Mildred Lane SE. The subject property is identified as 083W14CB/Tax Lots 2401 and 2501.

The surrounding properties are zoned and used as follows:

North: Across Mildred Lane, RA (Residential Agriculture); existing single-family dwellings

East: IC (Industrial Commercial); existing single-family dwelling to be removed

South: RS (Single Family Residential); existing single-family dwellings

West: RS (Single Family Residential); existing single-family dwellings

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

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

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

**(B) City infrastructure standards.**

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

**Findings:** The Salem Revised Code (SRC), which includes the Salem Zoning Code, implements the Salem Area Comprehensive Plan land use goals, and governs development of property within the city limits. The subdivision process reviews development for compliance with city standards and requirements contained in the Subdivision Code, Zoning Code, Salem TSP and the Water, Sewer and Storm Drain System Master Plans, and adopted design documents applicable to residential development. The proposed meets all applicable provisions of the Salem Revised Code.

- A) The subject property is about 1.71 acres in size and zoned RA (Residential Agriculture) and IC (Industrial Commercial). The subject property is Parcel 3 of Partition 19-11. The applicant is proposing to divide the subject property into 5 lots:

Lot 1: 8,734sq.ft. (4,917sq.ft. excluding the access easement)/RA zoned

Lot 2: 5,329sq.ft./RA zoned

Lot 3: 5,462sq.ft./RA zoned

Lot 4: 7,269sq.ft./RA zoned, and IC zoned

Lot 5: 47,886sq.ft./IC zoned (CU-SPR-DAP-DR20-06 Approval)

Proposed Lots 1 through 4 will have access off a 25-foot access easement. Code only allows 15% flag lots within the development, therefore, the application is requesting an adjustment to allow 4 flag lots where only 1 is allowed.

Minimum Lot Area and Dimensions: As shown on the site plan, all the RA zoned lots meet lot size (4,000 square feet) and lot dimension (40' by 70') standards as required under UDC Chapters 510 and 511. The proposed lots range in size from 4,917 square feet to 7,269 square feet in size.

**Front Lot Line:**

Lot 1-East Lot Line

Lot 2-West Lot Line

Lot 3-West Lot Line

Lot 4-West Lot Line

Additional reviews occur at the time of building permits to assure compliance with the zoning code. Compliance with conditions of approval to satisfy the subdivision ordinance is also checked prior to city staff signing the final subdivision plat.

The proposal can conform to applicable conditions imposed as necessary to ensure that development conforms to the standards of the subdivision code and with existing development and public facilities. Expect for those lots mentioned above, the proposed subdivision is in compliance with lot standard requirements and required access. Therefore, this criteria has been met.

- B) Water, sewer, storm drainage plans will be submitted to the Public Works Department for final plat and construction plan approval at the final plat stage. The tentative site plan illustrates the



location of the public utility lines. The proposal meets applicable Salem Area Comprehensive Plan Residential Policies for properties within the Urban Growth Boundary. The proposal encourages the efficient use of developable residential land. Public facilities and services are or will be available to serve the site, including services such as water, sanitary and storm sewer and fire/life/safety services.

The subject property is located within the UGB and inside the Urban Service Area (USA). Therefore, an Urban Growth Preliminary Declaration is not needed.

Proposed Storm Water Management System:

An LID (low impact development) Storm water technique will be used to mitigate the increase in pollutants contributed from development. The exact system will be determined at the time of design. If required, any proposed technique will meet City of Salem Stormwater Management standards in means and methods to provide all aspects of Storm water management. A Preliminary Drainage report dated May 12, 2021, has been provided as part of this submittal.

Therefore, this criteria has been met.

- C) There are no wetlands or floodplains located on the subject property. A geological assessment dated May 15, 2020, was provided as part of this submittal. The assessment outlined the nature, distribution of underlying geology, and the physical and chemical properties of existing soils; an opinion as to stability of the site, and conclusions regarding the effect of geologic conditions on the proposed development as required. See attached geological assessment.

The subject property is not located within any overlay, floodplain, or vision clearance issues on the site.

Wain Creek runs through the western portion of proposed Lot 5 which has SPR approval, and the eastern portion of Lots 2 through 4. The riparian corridor has been identified the site plan. No development will be within the 50-foot riparian buffer.

This criteria has been met.

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

Findings: The proposal is for the entire subject property and will be developed into 5 lots, with Lot 5 already having SPR approval for a 24-unit apartment complex. The approval for Lot 5 has been provided to show that proposed development.

All surrounding properties have direct access onto the existing street system. All proposed 5 lots will have direct access onto the existing street system (Mildred Lane) as well. Lots 1 through 4 will have direct access onto Mildred Lane via a 30-foot-wide access easement with curb line sidewalks.

Surrounding properties to the south are fully developed. The subdivision does not impede the future use of the property or adjacent land.

A Homeowners Association will not be established for the subdivision as one is not needed.

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

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

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

**Proposed StormWater Management System:**

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

A Preliminary Stormwater Drainage report dated May 12, 2021, has been provided as part of this submittal.

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

Findings: The major street system is in place due to prior development. Mildred Lane located to the north of the site will provide access into the development for all 5 lots. Lots 1 through 4 will have access onto Mildred Lane via a 30-foot access easement with curb line sidewalks. Mildred Lane designated as a 'minor arterial' on the Salem Transportation System Plan.

The existing street systems conform to the City's Transportation Plan. All street design and improvements will be determined through the subdivision review process and regulated through the Conditions of Approval. There are no proposed internal streets.

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

The proposed 5 lot subdivision is not large enough to warrant a Traffic Impact Analysis (TIA).

The existing street system and proposed street improvements will be in compliance with the STSP. All lots are in compliance with the UDC/SRC.

The layout of the lots and internal streets take into account the topography and vegetation of the site, such that the least disruption of the site, topography, and vegetation will result from the reasonable development of the site.

The applicant has requested an Alternative Street Standard to allow a curb line sidewalks. All street design and improvements will be determined through the subdivision review process and regulated through the Conditions of Approval.

Due to the shape of the infill lot, the proposed access easement can only be 30 feet in width with curb line sidewalks. The curb line sidewalk is allowed per Code and helps to maximize density on the site. Therefore, meeting code.

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

Transportation Planning Rule Review:

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

In conclusion, the development will provide bicycle and pedestrian facilities on-site via paved sidewalks, to encourage people to walk and reduce vehicle trips. The proposed subdivision is in compliance with the intent of the TPR to reduce vehicle usage and encourage other modes of transportation to and from the site.

- (5) The street system in and adjacent to the tentative subdivision plan is designed so as to provide for the safe, orderly, and efficient circulation of traffic into, through, and out of the subdivision.***

Findings:

**General Circulation:** The proposed subdivision will result in the creation of 5-lots. Mildred Lane along the north property line of the subject property. Vehicular access to the proposed Lots 1-4 will be taken from Mildred Lane to the north via a 30-foot access easement with curb line sidewalks. Lot 5 will have direct access onto Mildred Lane as approved through CU-SPR-DAP-DR20-06. The existing streets will provide safe and efficient access to the lots and the existing street system, by providing direct access to the site.

**Boundary Streets:** There are two streets abutting the subject properties, Mildred Lane, running along the north side of the property and Woodside Drive running along the east side of the property. Boundary street improvements will be determined with and met by the Conditions of Approval at the time of development of the site.

**Internal Streets:** There are no internal public streets proposed or required in conjunction with the proposed partition.

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

The subdivision is served with other adequate transportation infrastructure, and the street system adjacent the property will conform to the Salem Transportation System Plan and provide for safe, orderly, and efficient circulation of traffic into, through, and out of the subject property once the access ways are hard-surfaced and physically connected to the public street system.

- (6) The tentative subdivision plan provides safe and convenient bicycle and pedestrian access from within the subdivision to adjacent residential areas and transit stops, and to neighborhood activity centers within one-half mile of the development. For purposes of this criterion, neighborhood activity centers include, but are not limited to, existing or planned schools, parks, shopping areas, transit stops, or employment centers.***

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

Mass Transit: The nearest transit service near the site is provided via Route 1 (S. Commercial), on Commercial Street to the east of the site.

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

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

Findings: The proposal is for a 5-lot subdivision. The subdivision is not large enough to trigger the need for a Traffic Impact Analysis (TIA). The proposed subdivision plan mitigates impacts to transportation system by providing adequate access and circulation for all 5-lots. Therefore, this criterion has been met.

***(8) The tentative subdivision plan takes into account the topography and vegetation of the site so the need for variances is minimized to the greatest extent practicable.***

Findings: The applicant has requested an adjustment to lot width for Lot 4. All lots are in compliance with the UDC/SRC. However, no variances have been requested.

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

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

The subdivision plan takes into consideration the topography and vegetation of the site. There are a total of 51 trees located on the subject property. There are 2 trees proposed for removal.

The proposed lots are of sufficient size and dimensions to permit future development. The lot dimensions are illustrated on the tentative site plan and are in conformance to the minimum standards in UDC 510 and 511. The subdivision code regulates minimum lot sizes. Final conformance to minimum lot size and buildable lot area will be confirmed when the final plat is submitted to the City for review and approval.

The layout of the lots takes into consideration the topography and vegetation of the site. All lots and streets are in compliance with the UDC. Therefore, this criteria has been met.

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

Findings: The property is inside the Urban Services Area (USA), therefore, subdividing the property doesn't require a UGA Preliminary Declaration.

The Public Works Department is responsible for reviewing the proposal to determine the public facility construction and other requirements necessary to serve the development and provide for future development of any adjoining properties. The City's adopted facility plans and construction requirements

are the basis for the provision of facilities and any conditions of approval imposed on the development to meet service requirements.

City of Salem water and sewer service is available to the proposed parcels. The improvement of the access ways will facilitate vehicle and pedestrian access to the public street system. The Salem-Keizer School District and the Salem-Keizer Transit District serve the site.

**Tree Conservation Plan:**

The subdivision plan takes into consideration the topography and vegetation of the site. There are a total of 49 trees located on the subject property. There are 2 trees located within the boundaries of the subject property that are proposed to be removed. Therefore, preserving 96% of the trees on the site.

Lot 1- Fir Tree 14"

Lot 5- Cherry Tree 24"

Waln Creek runs through eastern portion of Lot 5 and the western portion of Lots 2-4 of the subject property. The riparian corridor has been identified on the site plans and all trees within the riparian corridor will be preserved.

There are no Oregon White Oaks located throughout the site. All trees on the site are identified as Fir trees, cherry trees, Poplar trees, Elm trees, Alder trees, Ash trees, Maple trees, Cotton trees, Birch trees, and Walnut trees. There are no significant or heritage trees located on the site.

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