

TO: Olivia Dias, Current Planning Manager
Community Development Department

FROM: Laurel Christian, Development Services Planner II
Public Works Department

DATE: November 18, 2022

**SUBJECT: PUBLIC WORKS RECOMMENDATIONS
SUB22-10 (22-115398)
1440 BOONE ROAD SE
9-LOT SUBDIVISION**



PROPOSAL

A tentative phased subdivision plan to divide approximately 0.75 acre into nine lots ranging in size from 2,000 square feet to 11,300 square feet. The proposal includes creation of Lot 9, a land area containing Kuebler Boulevard SE, which is dedicated to the City of Salem.

The subject property is approximately 0.75 acre in size, zoned RA (Residential Agriculture), and located at 1440 Boone Road SE (Marion County Assessor Map and Tax Lot Numbers 083W14BB / 100 and 200 and a portion of Kuebler Boulevard SE).

RECOMMENDED CONDITIONS APPROVAL

1. The following conditions of approval shall be completed prior to final plat approval or shown on the final plat:
 - a. Dedicate a 10-foot public utility easement along the development street frontage of Boone Road SE.
 - b. Provide an engineered stormwater design pursuant to SRC 71 and PWDS to accommodate new impervious surfaces in rights-of-way and future impervious surfaces on all proposed lots.
 - c. All necessary (existing and proposed) access and utility easements must be shown and recorded on the final plat.
 - d. Convey land for dedication to equal a half-width right-of-way of up to 30 feet on the development side Boone Road SE.

2. The following conditions of approval shall be completed prior to final plat approval or delayed pursuant to an improvement agreement per SRC 205.035(c)(7)(B):
 - a. Extend a public storm main to the western property line of the subject development.
 - b. Construct stormwater facilities pursuant to SRC 71 and PWDS to accommodate new impervious surfaces in rights-of-way and future impervious surfaces on all proposed lots.
 - c. Construct a half-street improvement along the frontage of Boone Road SE to local street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803.

FACTS AND FINDINGS

Streets

1. Boone Road SE
 - a. Standard—This street is designated as a local street in the Salem TSP. The standard for this street classification is a 30-foot-wide improvement within a 60-foot-wide right-of-way.
 - b. Existing Condition—This street has an approximate 28-foot improvement within a 53-foot-wide right-of-way abutting the subject property.

Water

1. Existing Conditions
 - a. The subject property is located within the S-2 water service level.
 - b. A 20-inch water main is located in Boone Road SE.

Sanitary Sewer

1. Existing Conditions
 - a. An 8-inch sewer main is located in Boone Road SE.

Storm Drainage

1. Existing Conditions
 - a. A 10-inch storm main is located in Boone Road SE.

Parks

The proposed development is served by Hilfiker Park approximately one-half a mile north of the subject property.

CRITERIA AND FINDINGS

The following Code references indicate the criteria that must be found to exist before an affirmative decision may be made. The applicable criteria and the corresponding findings are as follows:

SRC 205.010(d)(1)—The tentative subdivision plan complies with the standards of this Chapter and with all applicable provisions of the Unified Development Code, including, but not limited to the following:

- 1. Lot standards, including, but not limited to, standards for lot area, lot width and depth, lot frontage, and designation of front and rear lot lines;**
- 2. City infrastructure standards; and**
- 3. Any special development standards, including, but not limited to floodplain development, special setbacks, geological or geotechnical analysis, and vision clearance.**

Findings—The applicant shall provide the required field survey and subdivision plat per Statute and Code requirements outlined in the *Oregon Revised Statutes* (ORS) and SRC. The applicant is advised that the subject property appears to have several easements that shall be either shown on the final plat or the interest released prior to final plat. If said documents do not comply with the requirements outlined in ORS and SRC, and as per SRC Chapter 205, the approval of the subdivision plat by the City Surveyor may be delayed or denied based on the non-compliant violation. It is recommended the applicant request a pre-plat review meeting between the City Surveyor and the applicant's project surveyor to ensure compliance with ORS 672.005(2)(g)&(h), 672.007(2)(b), 672.045(2), 672.060(4), and *Oregon Administrative Rules* 850-020-0015(4)&(10), 820-020-0020(2), and 820-020-0045(5).

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

A 10-foot-wide public utility easement is required along the street frontage of Boone Road SE pursuant to SRC 803.035(n).

Condition: Dedicate a 10-foot public utility easement along the development street frontage of and Boone Road SE.

The Salem-Keizer Local Wetland Inventory shows that there are wetland channels and/or hydric soils mapped on the property. The applicant should contact the Oregon Department of State Lands to verify if any permits are required for development or construction in the vicinity of the mapped wetland area(s). Wetland notice was sent to the Oregon Department of State Lands pursuant to SRC 809.025.

According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are no mapped landslide hazard areas on the subject property.

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

Findings—The subject property is located outside of the Urban Service Area. Because the proposed development does not precede construction of required facilities, an Urban Growth Area Development permit is not required.

Water, sewer, and stormwater infrastructure are available along the perimeter of the site and appear to be adequate to serve the property as shown on the applicant's tentative plan.

A 10-inch storm main terminates at a catch basin approximately 50 feet east of the westerly property boundary. In conjunction with the street improvements required below, the applicant shall extend stormwater infrastructure to the westerly property boundary to serve upstream parcels and to ensure mains are laid prior to street improvement pursuant to SRC 76.110.

Condition: Extend a public storm main to the western property line of the subject development.

The proposed development is subject to SRC Chapter 71 and the revised PWDS as adopted in Administrative Rule 109, Division 004. To demonstrate the proposed parcels can meet the PWDS, the applicant shall submit a tentative stormwater design prior to final plat approval. For a tentative stormwater design, the applicant shall submit infiltration test results, the Simplified Method Form or Engineering Method Report as applicable, and a preliminary site plan showing the building envelope and tentative location of stormwater facilities.

Condition: Provide an engineered stormwater design pursuant to SRC 71 and PWDS to accommodate new impervious surfaces in rights-of-way and future impervious surfaces on all proposed lots.

Condition: Construct stormwater facilities pursuant to SRC 71 and PWDS to accommodate new impervious surfaces in rights-of-way and future impervious surfaces on all proposed lots.

Private water, sewer, and storm services shall be constructed to serve each lot. Construction of facilities in the right-of-way is required prior to final plat except as authorized in an improvement agreement per SRC 205.035(c)(7)(B). All public and private City infrastructure proposed to be located in the public right-of-way shall be constructed or secured per SRC 205.035(c)(7)(B) prior to final plat approval. Any easements needed to serve the proposed parcels with City infrastructure shall be shown on the final plat.

Condition: All necessary (existing and proposed) access and utility easements must be shown and recorded on the final plat.

SRC 205.010(d)(4) and SRC 205.0010(d)(5)—The street system in and adjacent to the tentative subdivision plan conforms to the *Salem Transportation System Plan*. 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.

Finding—Boone Road SE abuts the subject property and does not meet the current standard for a local street. As identified in the conditions of approval, the applicant is required to dedicate right-of-way and construct a half-street improvement along the entire frontage of Boone Road SE.

Condition: Convey land for dedication to equal a half-width right-of-way of up to 30 feet on the development side Boone Road SE.

Condition: Construct a half-street improvement along the frontage of Boone Road SE to local street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803.

The applicant's proposal is to serve Lots 5-9 with a flag-lot accessway. The proposal will not meet SRC 800.025; and therefore, a condition of approval requires a private street. The private street will require an Alternative Street Standard. Pursuant to SRC 803.020(b)(2), private streets shall be constructed to a public street standard. Staff recommends a minimum 22-foot improvement width, to accommodate two 11-foot travel lanes, and a 5-foot curblin sidewalk to provide safe pedestrian access to the residential development. The infill subdivision contains physical constraints and minimal width that prevents the applicant from meeting SRC 803.020(b)(2). Pursuant to SRC 803.065(a)(1), the Director authorizes use of an alternative street standard for the new internal private street to allow for more efficient and denser in-fill development where the physical constraints do not allow for a public street to be constructed to local street standards through the site.

SRC 205.010(d)(6)—The tentative subdivision plan provides safe and convenient bicycle and pedestrian access from within the subdivision to adjacent residential areas and transit stops, and to neighborhood activity centers within one-half mile of the development. For purposes of this criterion, neighborhood activity centers include, but are not limited to, existing or planned schools, parks, shopping

areas, transit stops, or employment centers.

Findings—The subject property is served by Hilfiker Park, which is a park site located north of, and within a half-mile of, the subject property.

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

Findings—The proposed 9-lot subdivision generates less than 200 new average daily vehicle trips to the Local street system. Therefore, a TIA is not required as part of the proposed subdivision submittal.

RESPONSE TO COMMENTS

1. **Boone Road SE Improvement:** Comments received expressed concerns for the existing conditions of Boone Road SE and the impacts the proposed development would have on the transportation system.

Staff Response: This section of Boone Road SE is classified as a local street according to the Salem TSP. As identified in the conditions of approval, the proposed development will provide a half-street improvement to local street standards along the development of the frontage of Boone Road SE. This will provide adequate width for two 15-foot travel lanes and sidewalks.

Additionally, the Salem TSP provides guidance for how to address the impacts of growth citywide. Cumulative impacts of growth that affect overall traffic patterns are addressed through collection of SDCs. Each single-family residence pays over \$4,000 in Transportation SDCs that are collected and used to pay for street improvements that add capacity to mitigate impacts of growth.

2. **Kuebler Boulevard SE:** Comments received assert that the proposed development will provide a street connection between Boone Road SE and Kuebler Boulevard SE.

Staff Response: Kuebler Boulevard SE is designated as a parkway according to the Salem TSP. A connection from Boone Road SE to Kuebler Boulevard SE is not proposed (or planned) as part of this development. Direct access to Kuebler Boulevard SE is not permitted for the proposed development pursuant to the Salem TSP and SRC 804.040, which restricts access onto parkways. Access to a parkway may only be permitted for select arterial and collector streets; the proposed private street does not meet these criteria.

3. **Parking:** Comments received expressed concerns for a lack of available parking.

Staff Response: This section of Boone Road SE is classified as a local street according to the Salem TSP. As identified in the conditions of approval, the proposed development will provide a half-street improvement to local street standards along the

development of the frontage of Boone Road SE. Local streets are intended to provide parking on both sides of the street. Parking on both sides of the street can serve as a calming measure as vehicles generally drive slower when vehicles are parked on both sides of the street.

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