


**TO:** Jamie Donaldson, Planner II  
Community Development Department

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

**DATE:** December 2, 2022

**SUBJECT: PUBLIC WORKS RECOMMENDATIONS  
SUB-ADJ21-06 MOD1 (22-118476)  
4700 BATTLE CREEK ROAD SE  
COBURN GRAND VIEW ESTATES MODIFICATION**

## **PROPOSAL**

An application to modify phases A, B, C, and D of the approved Coburn Grand View Estates subdivision by reconfiguring the existing phase boundaries and reordering the phases. The proposed modification does not change the layout of the approved lots, open areas, or streets/alleys within the subdivision. The subject properties are approximately 32.5 acres, zoned RA (Residential Agriculture) and RM-II (Multiple Family Residential) and located on the 4400 Block of Battle Creek Road SE (Marion County Assessor Map and Tax Lot Numbers 083W12B / 1600 and 083W11D / 400, 601).

## **RECOMMENDED CONDITIONS OF MODIFICATION APPROVAL**

**The following conditions of approval are required as a condition of Final Plat Approval for Section C (Phase 1):**

- SUB-ADJ21-06 Conditions 23, 28, 38, and 39 apply as written.
- Modify Condition 29 to read as follows: Provide S-1 water to serve the development from one of the two following configurations: (a) Construct a minimum 18-inch S-1 water main in Section A from Reed Road/J Avenue SE to the westerly terminus of G Street SE and to the southerly Phase boundary in K Street SE; or (b) Construct a minimum 18-inch S-1 water main from the existing S-1 system in Marietta Avenue SE to Section C as specified in the Water System Master Plan.
- Modify Condition 40 to read as follows: Construct a minimum 18-inch S-1 water main within Section C from Section A to the east line of the subject property as specified in the Water System Master Plan.
- Modify Condition 41 to read as follows: Pay ~~\$86,566~~ **\$127,025** as the proportional amount of the water Temporary Access Fee (TAF). (UGA17-03;4)

- New Condition: Provide vehicular access to Section C through one of the following alignments:
  - (a) Construct a minimum 24-foot-wide paved access through future streets of Section A to Section C in a temporary access easement to be terminated upon dedication of right-of-way; or
  - (b) Construct a local street through Marion County Tax Lot 083W12B001700 to 27th Avenue SE as shown on the applicants Alternative Access Proposal in a temporary access easement to be terminated upon dedication of right-of-way and close 27th Avenue SE to through traffic between the new local street intersection and Strong Road SE. The intersection of 27<sup>th</sup> Avenue SE and Strong Road SE shall be permanently closed to vehicular access by means approved by the Public Works Director.

**The following conditions of approval are required as a condition of Final Plat Approval for Section A (Phase 2):**

- SUB-ADJ21-06 Conditions 24, 25, 26, 27, 30, and 31.
- Modify Condition 32 to read as follows: Pay ~~\$191,849~~ **\$179,195** as the proportional amount of the water TAF (UGA17-03;4).

**The following conditions of approval are required as a condition of Final Plat Approval for Section B (Phase 3):**

- SUB-ADJ21-06 Conditions 33, 35, 36, and 37.
- Modify Condition 34 to read as follows: Pay ~~\$14,038~~ **\$31,756** as the proportional amount of the water TAF. (UGA17-03;4)

**The following conditions of approval are required as a condition of Final Plat Approval for Section D (Phase 4):**

- SUB-ADJ21-06 Condition 43.
- Modify Condition 42 revised to read as follows: Pay ~~\$79,547~~ **\$34,024** as the proportional amount of the water TAF. (UGA17-03;4)

**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 will reconfigure phase boundaries, and reorder phases to the following sequence: Section C (Phase 1); Section A (Phase 2); Section B (Phase 3); and Section D (Phase 4). The proposed modification will not substantially alter the conditions of the original approval; however, conditions will be reorganized to reflect the revised phasing order.

Staff recommends the conditions:

- Modify Condition 29 to read as follows: Provide S-1 water to serve the development from one of the two following configurations: (a) Construct a minimum 18-inch S-1 water main in Section A from Reed Road/J Avenue SE to the westerly terminus of G Street SE and to the southerly Phase boundary in K Street SE; or (b) Construct a minimum 18-inch S-1 water main from the existing S-1 system in Marietta Avenue SE to Section C as specified in the Water System Master Plan.
- Modify Condition 40 to read as follows: Construct a minimum 18-inch S-1 water main within Section C from Section A to the east line of the subject property as specified in the Water System Master Plan.
- New Condition: Provide vehicular access to Section C through one of the following alignments:
  - Construct a minimum 24-foot-wide paved access through future streets of Section A to Section C in a temporary access easement to be terminated upon dedication of right-of-way; or
  - Construct a local street through Marion County Tax Lot 083W12B001700 to 27<sup>th</sup> Avenue SE as shown on the applicants Alternative Access Proposal in a temporary access easement to be terminated upon dedication of right-of-way and close 27<sup>th</sup> Avenue SE to through traffic between the new local street intersection and Strong Road SE. The intersection of 27<sup>th</sup> Avenue SE and Strong Road SE shall be permanently closed to vehicular access by means approved by the Public Works Director.

The recommended conditions will ensure secondary fire access is provided to the proposed development. Additionally, the required secondary access allows traffic generated from the first phase of development to be dispersed to the south, rather than all being channeled onto Strong Road SE, which is underimproved.

Public Works Traffic Engineering has reviewed the proposed phase boundary changes and determined that the intersection of 27<sup>th</sup> Avenue SE and Strong Road SE cannot safely handle the additional traffic directed to Strong Road as a result of the proposed phasing plan. This section of 27<sup>th</sup> Avenue SE does not meet PWDS for a local street

and has inadequate sight distance at the intersection. Public Works Traffic Engineering recommend this intersection be permanently closed as part of Phase 1 after construction of the secondary access through Marion County Tax Lot 083W12B001700 to 27<sup>th</sup> Avenue SE is complete. At the time of Phase 1 permit application, the applicant shall submit a plan to close the intersection of 27<sup>th</sup> Avenue SE and Strong Road SE, including public notice of the closure by either posting or mailing. The plan for closure may include street closure signage, jersey barriers, barricades, pavement removal, a curved street design rerouting 27<sup>th</sup> to the new local street constructed through Marion County Tax Lot 083W12B001700, or other means approved by the Public Works Director. The plan shall also include considerations for the existing dwellings that use this section of 27<sup>th</sup> Avenue SE for access. The proposed intersection plan shall be approved by the Director prior to issuance of Phase 1 construction permits.

Staff also recommends modifications to TAF conditions so that the fee for each phase will reflect the modified number of lots in that phase. The TAF for this area of the S-1 service area is based on approximately 9 million dollars of improvements needed to serve 750 acres of undeveloped land, totaling \$12,000 per acre. The total S-1 area for the subject property is 31.0 acres; therefore, the TAF shall be a total of \$372,000. The TAF has been apportioned to each section based on the number of lots being created in the S-1 area as shown in the following table:

Section	S-1 Lots	Percentage	TAF Amount
C (Phase 1)	56	34.14	\$127,025
A (Phase 2)	79	48.17	\$179,195
B (Phase 3)	14	8.54	\$31,756
D (Phase 4)	15	9.15	\$34,024
<b>TOTAL</b>	<b>164</b>	<b>100%</b>	<b>\$372,000</b>

**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**—With recommended conditions, the proposed modification does not result in significant changes to the physical appearance of the development, the use of the site, or the impacts on surrounding properties.

**SRC 205.015(d)(3)—Each phase is substantially and functionally self-contained and self-sustaining with regard to required public improvements.**

**Finding**—Because conditions will be reorganized to reflect the revised phasing order, City infrastructure is available to serve each parcel in a way that is functionally self-contained and self-sustaining no differently than for the original application. Conditions 23, 28, and 29 were moved from Section A to Section C because they relate to the first phase of development. Additional conditions have been added to ensure the first phase of development is adequately served by public infrastructure.

Prepared by: Laurel Christian, Development Services Planner II

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November 30, 2022  
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# MEMO

cc: File