

TO: Bryce Bishop, Planner III
Community Development Department

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

DATE: March 27, 2023

SUBJECT: PUBLIC WORKS RECOMMENDATIONS
CPC-ZC-CU-UGA-SPR-ADJ-DAP-DR23-01 (21-121350; 21-121351; 22-104460; 22-104466; 22-104479; 22-104481; 23-102130)
1851 CORDON ROAD SE
MULTI-FAMILY DEVELOPMENT

PROPOSAL

A consolidated application for a proposed 396-unit multiple family residential development with associated off-street parking, common open space, and site improvements, on property totaling approximately 23.3 acres in size. The application includes:

1. A Minor Comprehensive Plan Map Amendment from Industrial to "Industrial Commercial" and Zone Change from RA (Residential Agriculture) to IC (Industrial Commercial) for an approximate 2.78-acre portion of the property (Marion County Assessor Map and Tax Lot Number: 082W050000300);
2. A Conditional Use Permit for the proposed multiple family development;
3. An Urban Growth Preliminary Declaration to determine the necessary public facilities required to serve the development;
4. A Class 3 Site Plan Review;
5. Class 2 Adjustments;
6. A Class 2 Driveway Approach Permit for the proposed driveway approaches serving the development onto proposed A Street; and
7. A Class 1 Design Review.

The subject property is zoned IC (Industrial Commercial) and RA (Residential Agriculture) and located at 1851 Cordon Road SE (Marion County Assessor Map and Tax Lot Numbers: 082W050000200, 082W050000300, 082W050000400, 082W050000401, and 082W050000500).

CPC/ZC RECOMMENDED CONDITIONS OF APPROVAL

1. The transportation impacts from the 1.39-acre site shall be limited to a maximum cumulative total of 385 average daily vehicle trips.

SITE PLAN REVIEW RECOMMENDED CONDITIONS OF APPROVAL

1. Construct a half-street improvement along the frontage of Cordon Road SE to parkway street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803, or pay a fee-in-lieu of construction pursuant to SRC 200.405.
2. Convey land for dedication to equal a half-width right-of-way of 60 feet on the development side of Cordon Road SE, where the existing right-of-way is inadequate.
3. Obtain a street tree removal permit pursuant to SRC Chapter 86, if necessary.
4. Install street trees to the maximum extent feasible along new internal streets within the development.
5. Pay the applicable reimbursement district fee as established in the Gaffin Road SE Reimbursement District pursuant to Resolution 2020-5.
6. Construct a mid-block bike/pedestrian walkway within a minimum 15-foot-wide public access easement from the northern corner of the property to Miller Elementary school pursuant to PWDS. This shall include upgrading the existing 5-foot-wide sidewalk to 10 feet.
7. No structures or stormwater facilities are permitted within the existing public water easements on the site.
8. Extend public water mains in the new internal streets to serve the development pursuant to PWDS.
9. Construct a *Salem Wastewater Management Master Plan* identified sewer main on the subject property and dedicate an easement for the main in accordance with PWDS.
10. Extend public sewer mains in the new internal streets to serve the development pursuant to PWDS.

11. To serve upstream parcels, the applicant shall dedicate a minimum 20-foot-wide public sewer easement from proposed "Street A" to Cordon Road SE pursuant to PWDS.
12. Design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.
13. As a condition of residential use, the applicant has two options for providing park facilities to serve the subject property:
 - a. Convey or acquire property for dedication of neighborhood park (NP 23 or 24) facility or equivalent; or
 - b. Pay a temporary access fee of 15.6 percent of the Parks SDCs generated by the proposed residential uses.

FACTS

Streets

1. Cordon Road SE
 - a. Standard—This street is designated as a parkway street in the Salem TSP. The standard for this street classification is an 80-foot-wide improvement within a 120-foot-wide right-of-way.
 - b. Existing Conditions—This street has an approximate 36-to-46-foot improvement within a variable-width right-of-way abutting the subject property.
2. Whitaker Drive SE
 - a. Standard—This street is designated as a local street in the Salem TSP. The standard for this street classification is a 60-foot-wide improvement within a 60-foot-wide right-of-way.
 - b. Existing Conditions—This street has an approximate 30-foot improvement within a 60-foot-wide right-of-way abutting the subject property.
3. Clydesdale Drive SE
 - a. Standard—This street is designated as a local street and is under jurisdiction of Marion County.
 - b. Existing Conditions—This street has an approximate 34-foot improvement within a 60-foot-wide right-of-way abutting the subject property.

4. Seattle Slew Drive SE

- a. Standard—This street is designated as a local street and is under jurisdiction of Marion County.
- b. Existing Conditions—This street has an approximate 34-foot improvement within a 60-foot-wide right-of-way abutting the subject property.

Storm Drainage

1. Existing Conditions

- a. An 18-inch storm main is located in Whitaker Drive SE.
- b. Roadside ditches maintained by the City are located along Cordon Road SE.

Water

1. Existing Conditions

- a. The subject property is located in the G-0 water service level.
- b. A 24-inch water main is located in Cordon Road SE.
- c. A 24-inch water main is located in the subject property in a 20-foot-wide easement.
- d. An 8-inch water main is located in Whitaker Drive SE.

Sanitary Sewer

1. Existing Conditions

- a. An 8-inch sewer main is located in Whitaker Drive SE.
- b. An 8-inch sewer main is located in Clydesdale Drive SE.
- c. An 8-inch sewer main is located in Seattle Slew Drive SE.

Parks

The proposed development is not served by a neighborhood park.

Public Infrastructure Plan

The *Water System Master Plan*, *Wastewater Management Master Plan*, and *Stormwater Master Plan* provide the outline for facilities adequate to serve the proposed zone.

Transportation Planning Rule

The applicant submitted a Transportation Planning Rule (TPR) Analysis in consideration of the requirements of the TPR (OAR 660-012-0060). The TPR analysis is required to demonstrate that the proposed CPC/ZC will not have a significant effect on the transportation system as defined by OAR 660-012-0060.

Urban Growth Area Development Permit

The subject property is located outside of the Urban Service Area. An application for an Urban Growth Preliminary Declaration has been submitted as part of the application package.

CRITERIA AND FINDINGS—URBAN GROWTH AREA PRELIMINARY DECLARATION

An Urban Growth Preliminary Declaration is required because the subject property is located outside the Urban Service Area in an area without required facilities. Analysis of the development based on relevant standards in SRC 200.055 through SRC 200.075 is as follows:

SRC 200.055—Standards for Street Improvements

Findings: An adequate linking street is defined as the nearest point on a street that has a minimum 60-foot-wide right-of-way with a minimum 30-foot improvement for local streets or a minimum 34-foot improvement for major streets (SRC 200.055(b)). All streets abutting the property boundaries shall be designed to the greater of the standards of SRC Chapter 803 and the standards of linking streets in SRC 200.055(b).

No linking street improvements are required because the existing streets adjacent to the subject property meet current standards. Boundary street improvements are discussed further below.

SRC 200.060—Standards for Sewer Improvements

Findings: The proposed development shall be linked to adequate facilities by the construction of sewer lines and pumping stations, which are necessary to connect to such existing sewer facilities (SRC 200.060). The nearest available sewer facility appears to be located in Whitaker Drive SE adjacent to the subject property. The applicant shall construct the *Salem Wastewater Management Master Plan* identified improvements and link the site to existing facilities that are defined as adequate under SRC 200.005(a).

As a condition of sewer service, all developments will be required to provide public sewers to adjacent upstream parcels. Where applicable, this shall include the extension of sewer mains in easements or rights-of-way across the property to adjoining properties, and across the street frontage of the property to adjoining properties when the main is located in the street right-of-way. This shall include trunk sewers that are oversized to provide capacity for upstream development (PWDS Sewer Division 003).

SRC 200.065—Standards for Storm Drainage Improvements

Findings: The proposed development shall be linked to existing adequate facilities by the construction of storm drain lines, open channels, and detention facilities, which are necessary to connect to such existing drainage facilities. The nearest available public storm system appears to be located in Whitaker Drive SE adjacent to the subject property. The applicant shall link the on-site system to existing facilities that are defined as adequate under SRC 200.005(a).

SRC 200.070—Standards for Water Improvements

Findings: The proposed development shall be linked to adequate facilities by the construction of water distribution lines, reservoirs, and pumping stations that connect to such existing water service facilities (SRC 200.070). The applicant shall provide linking water mains consistent with the *Water System Master Plan* adequate to convey fire flows to serve the proposed development as specified in the Water Distribution Design Standards.

SRC 200.075—Standards for Park Sites

Findings: The applicant shall reserve for dedication prior to development approval that property within the development site that is necessary for an adequate neighborhood park, access to such park, and recreation routes, or similar uninterrupted linkages, based upon the Salem Comprehensive Parks System Master Plan. Alternatively, the applicant may pay a temporary facility access fee (TAF) in-lieu of park land dedication pursuant to SRC 200.080.

CRITERIA AND FINDINGS—COMPREHENSIVE PLAN / ZONE CHANGE

Criteria: SRC 265.005(e)(1)(F) The zone change does not significantly affect a transportation facility, or, if the zone change would significantly affect a transportation facility, the significant effects can be adequately addressed through the measures associated with, or conditions imposed on, the zone change.

Findings: The consolidated application contains multiple units of land. A previous CPC/ZC was issued for the majority of the property in 2013 (CPC-ZC-PAR12-08). The current proposal will change the Comprehensive Plan and Zone for Marion County Tax lot No. 082W050000300. The previous CPC/ZC established a trip cap of 16,654 Average Daily Trips for proposed uses on the site.

The applicant submitted an additional TPR analysis for the additional 1.39-acre parcel subject to the current CPC/ZC application. The TPR analysis demonstrates that with a recommended trip cap, the proposed CPC/ZC will not have a significant impact on the transportation system as defined by OAR 660-012-0060. The Assistant City Traffic Engineer concurs with the TPR analysis findings and recommends a condition to limit the 1.39-acre development site to 385 average daily vehicle trips.

Condition: The transportation impacts from the 1.39-acre site shall be limited to a maximum cumulative total of 385 average daily vehicle trips.

Criteria: SRC 265.005(e)(1)(G) The property is currently served, or is capable of being served, with public facilities and services necessary to support the uses allowed by the proposed zone.

Findings: The subject property is capable of being served through extension of public utilities to the boundary of the property as specified in existing infrastructure master plans. As part of the consolidated application, an application for an Urban Growth Area Preliminary Declaration has been submitted.

CRITERIA AND FINDINGS—SITE PLAN REVIEW

Analysis of the development based on relevant criteria in SRC 220.005(f)(3) is as follows:

Criteria: SRC 220.005(f)(3)(A) The application meets all applicable standards of the UDC (*Unified Development Code*)

Findings: With completion of the conditions above, the subject property meets all applicable standards of the following chapters of the UDC: 601 – Floodplain; 802 – Public Improvements; 803 – Streets and Right-of-Way Improvements; 804 – Driveway Approaches; 805 – Vision Clearance; 809 – Wetlands; and 810 – Landslides.

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.

The Salem-Keizer Local Wetland Inventory shows that there are wetland channels and hydric soils mapped on the property. The applicant submitted a Wetlands Delineation. Proposed development is within the mapped wetland areas. 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.

SRC 810.020 requires a geological assessment or report when regulated activity is proposed in a mapped landslide hazard area. The applicant's proposal does not disturb any portion of a mapped landslide hazard area; therefore, a geological assessment is not required. The mapped landslide hazard areas are limited to Cordon Road SE.

Criteria: SRC 220.005(f)(3)(B) The transportation system provides for the safe, orderly, and efficient circulation of traffic into and out of the proposed development, and negative impacts to the transportation system are mitigated adequately

Findings: The existing configuration of Cordon Road SE does not meet current standards for its classification of street per the Salem TSP. The applicant shall construct a half-street improvement to parkway street standards as specified in the PWDS and consistent with the provisions of SRC Chapter 803. This improvement may be eligible for payment of a fee-in-lieu of construction pursuant to SRC 200.405 as adjacent portions of Cordon Road SE are not constructed to parkway standards and lie outside of the Urban Growth Boundary. Where inadequate, the applicant shall be required to convey land for dedication 60 feet from the centerline of Cordon Road SE. The applicant shall provide a surveyed centerline evaluation to determine if right-of-way dedication is needed or if the existing right-of-way is adequate.

Condition: Construct a half-street improvement along the frontage of Cordon Road SE to parkway street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803, or pay a fee-in-lieu of construction pursuant to SRC 200.405.

Condition: Convey land for dedication to equal a half-width right-of-way of 60 feet on the development side of Cordon Road SE, where the existing right-of-way is inadequate.

Removal of street trees in the Cordon Road SE right-of-way may be required if the applicant elects to construct boundary street improvements instead of a payment in lieu of improvements. Removal of trees located within the right-of-way requires a street tree removal permit pursuant to SRC Chapter 86.

Condition: Obtain a street tree removal permit pursuant to SRC Chapter 86, if necessary.

Pursuant to SRC 86.015(e), anyone undertaking development along public streets shall plant new street trees to the maximum extent feasible.

Condition: Install street trees to the maximum extent feasible along new internal streets within the development.

The proposed development is within the Gaffin Road Reimbursement District as established by Resolution 2020-5. This district provides a funding mechanism for completion of Gaffin Road SE from Cordon Road SE to Gaia Street SE by establishing a policy that all benefited properties must pay a proportional share of the cost for the street improvements. The applicant shall pay the applicable fee pursuant to Resolution 2020-5 and the Settlement Agreement resulting from Marion County Circuit Court Case No. 21CV17047.

Condition: Pay the applicable reimbursement district fee as established in the Gaffin Road Reimbursement District pursuant to Resolution 2020-5.

The subject property was part of a Comprehensive Plan and Zone Change approval that included the following conditions of development (CPC-ZC-PAR12-08):

Condition 1: Dedicate land for right-of-way and construct local streets within the subject property to provide connectivity between Cordon Road, Old Macleay Road, Seattle Slew Drive, and Clydesdale Drive. Final street configurations shall be established at the time of Site Plan Review for each parcel.

The applicant's site plan shows a public street connection from Clydesdale Drive SE to Whitaker Drive SE, which ultimately provides access to Macleay Road SE and Cordon Road SE. The site plan shows Seattle Slew Drive SE ending in a cul-de-sac at the northern property line. In lieu of providing an additional street connection, the applicant proposes to construct a mid-block bike/pedestrian walkway (shared use path) that runs along the northwestern property line and provides access to Miller Elementary School from the northern corner of the property. There is an existing 5-foot-wide sidewalk on a portion of the property; however, a mid-block bike/pedestrian walkway shall be a minimum of 10-foot-wide pursuant to PWDS Standard Plan No. 314. The applicant shall upgrade the existing sidewalk to a 10-foot-wide mid-block bike/pedestrian walkway and extend the path to Miller Elementary School.

Condition: Construct a mid-block bike/pedestrian walkway within a minimum 15-foot-wide public access easement from the northern corner of the property to Miller Elementary school pursuant to PWDS. This shall include upgrading the existing 5-foot-wide sidewalk to 10 feet.

Condition 2: Traffic Impacts from future development on the subject property shall be limited to a maximum of 16,654 average daily trips generated by the proposed use or uses.

The Assistant City Traffic Engineer has reviewed the trip cap and determined that the proposed development complies with the trip cap.

Criteria: SRC 220.005(f)(3)(C) Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians

Findings: The applicant proposes five (5) new driveways onto the internal local streets. One driveway approach will be used for emergency service access only. Direct access onto Cordon Road SE is not permitted; no driveway approaches onto Cordon Road SE are proposed. Class 2 Driveway Approach Permit findings are listed below. The proposed driveway accesses provide for safe turning movements into and out of the property.

Criteria: SRC 220.005(f)(3)(D) The proposed development will be adequately served with City water, sewer, storm drainage, and other utilities appropriate to the nature of the development

Findings: The subject property is located outside of the Urban Service Area. An Urban Growth Preliminary Declaration application has been submitted as part of this consolidated land use application. As conditioned, adequate facilities will be provided to serve the proposed development.

There is an existing public water main on the property within an easement. The water main runs along the northeastern property line and the northwestern property line. The applicant's preliminary site plan shows structures and stormwater infrastructure within the easement area. These are not permitted within public water main easements and shall be removed. Direct service from this main is not permitted; the applicant shall be required to extend public water mains in the new internal streets to serve the proposed development.

Condition: No structures or stormwater facilities are permitted within the existing public water easements on the site.

Condition: Extend public water mains in the new internal streets to serve the development pursuant to PWDS.

The *Salem Wastewater Management Master Plan* identifies the need to construct a new sewer trunk main through the property for an eventual connection between the Alexander Pump Station and Cordon Pump Station. The applicant shall construct the public main through the property and dedicate an easement of adequate width according to PWDS. In addition, the applicant shall construct a public sewer main in the new internal street to serve the proposed development.

As a condition of sewer service, all developments will be required to provide public sewers to adjacent upstream parcels. This shall include the extension of sewer mains in easements or rights-of-way across the property to adjoining properties, and across the street frontage of the property to adjoining properties when the main is located in the street right-of-way. Because no public streets to Cordon Road SE are proposed through the development; a public sewer easement is needed to serve upstream parcels. The applicant shall dedicate a minimum 20-foot public sewer easement from proposed Street A to Cordon Road SE.

Condition: Construct a *Salem Wastewater Management Master Plan* identified sewer main on the subject property and dedicate an easement for the main in accordance with PWDS.

Condition: Extend public sewer mains in the new internal streets to serve the development pursuant to PWDS.

Condition: To serve upstream parcels, the applicant shall dedicate a minimum 20-foot-wide public sewer easement from proposed "Street A" to Cordon Road SE pursuant to PWDS.

The applicant submitted a preliminary stormwater design that does not appear to meet current PWDS. The tentative design shows stormwater facilities in the existing public water easement, which is not permitted. In addition, a private stormwater detention control structure design was submitted that does not meet PWDS. It is not clear from the information submitted whether or not the proposed design complies with SRC Chapter 71 and PWDS. Lack of design elements at this stage may require modification to the land use decision once a complete design is reviewed. The applicant's engineer shall design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.

Condition: Design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.

The applicant shall design and construct all utilities (sewer, water, and storm drainage) according to the PWDS and to the satisfaction of the Public Works Director. The applicant is advised that a sewer monitoring manhole may be required, and the trash area shall be designed in compliance with PWDS.

The proposed development is not served by a City park. The Comprehensive Parks System Master Plan shows two future Neighborhood Parks (NP 23 or 24) planned to serve the area. A temporary access fee (TAF) may be provided in lieu of parks dedication pursuant to SRC 200.080. The TAF amount is 15.6 percent of the Parks SDC based on the following analysis:

- Pursuant to the SDC Eligible Projects (309) List, the total SDC costs for neighborhood park acquisition are estimated to be \$31,525,420, where the total Parks SDC costs for all eligible expenditures are estimated to be \$201,740,010.
- The ratio of neighborhood park acquisition among all Parks SDC expenditures is \$31,525,420 divided by \$201,740,010, or 15.6 percent.
- The temporary access fee for neighborhood park acquisition is equal to the ratio of neighborhood park acquisition among all Parks SDC expenditures, which equals 15.6 percent of the Parks SDCs due for the development. The parks TAF shall be paid at time of final plat and shall not be credited at time of building permit.

Condition: As a condition of the proposed residential use, the applicant has two options for providing park facilities to serve the subject property:

- i. Convey or acquire property for dedication of neighborhood park (NP 23 or 24) facility or equivalent; or
- ii. Pay a temporary access fee of 15.6 percent of the Parks SDCs generated by the proposed residential uses.

CRITERIA AND FINDINGS—CLASS 2 DRIVEWAY APPROACH PERMIT

The applicant proposes five (5) new driveways onto the internal local streets. One (1) of the proposed driveway approaches will be used for emergency service access only. Four (4) Class 2 Driveway Approach permits are required for the remaining approaches. The proposed driveway approaches meet the approval criteria, as described in the findings below.

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;**

Findings: The proposed driveway approaches meet the standards for SRC Chapter 804 and PWDS.

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

Findings: There are no site conditions prohibiting the location of the proposed driveway.

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

Findings: The proposed driveways do not provide access onto an arterial street.

(4) The proposed driveway approach, where possible:

- i. **Is shared with an adjacent property; or**
- ii. **Takes access from the lowest classification of street abutting the property;**

Findings: The proposed driveways are currently located with access to the lowest classification of street abutting the subject property.

(5) Proposed driveway approach meets vision clearance standards;

Findings: The proposed driveways meet the PWDS vision clearance standards set forth in SRC Chapter 805.

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

Findings: No evidence has been submitted to indicate that the proposed driveway will create traffic hazards or unsafe turning movements. Additionally, staff analysis of the proposed driveway indicates that it will not create a traffic hazard and will provide for safe turning movements for access to the subject property.

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

Findings: Staff analysis of the proposed driveway and the evidence that has been submitted indicate that the location of the proposed driveway will not have any adverse impacts to the adjacent properties or streets.

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

Findings: The proposed driveway approaches are located onto a local street and does not create a significant impact to adjacent streets and intersections.

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

Findings: The proposed development is surrounded by residentially zoned property; industrial commercial zoned property and public education zoned property. The proposed development abuts a State Highway and parkway street. The proposed driveways are taken from the lowest classification street abutting

the subject property (new internal local streets). The driveways balance the adverse impacts to residentially zoned property and will not have an adverse effect on the functionality of the adjacent streets.

Prepared by: Laurel Christian, Development Services Planner II
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