


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

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

**DATE:** May 5, 2023

**SUBJECT: PUBLIC WORKS RECOMMENDATIONS  
SUB-UGA-SPR-ADJ-TRV-DR23-02 (22-119071)  
2100 BLOCK DOAKS FERRY ROAD NW  
6-LOT SUBDIVISION AND MULTI-FAMILY DEVELOPMENT**

## **PROPOSAL**

A consolidated application for a proposed six-lot subdivision with development of a multi-family residential development of 436 units throughout five lots. The application includes:

1. A Subdivision Tentative Plan to divide the 36.72-acre property into six lots ranging in size from approximately .4 acres to 12 acres, with a request for Alternative Street Standards to allow increased street grades, block lengths, and an adjustment to street connectivity requirements in SRC Chapter 803 to provide a street connection to the undeveloped lot to the south;
2. An Urban Growth Area Preliminary Declaration to determine the public facilities required to serve the proposed development;
3. A Class 3 Site Plan Review and Class 1 Design Review for development of 436 units in 31 buildings across five lots, with associated amenities and improvements including a resident clubhouse, recreation areas, parking, and landscaping;
4. Class 2 Adjustment requests; and
5. A Tree Regulation Variance request for removal of 46 significant trees on site.

The subject property is approximately 37 acres in total size, zoned RM-II (Multiple Family Residential), and located at the 2100 Block of Doaks Ferry Road NW (Polk County Assessor Map and Tax Lot 073W17B / 400).

## **ATTACHMENTS**

**Exhibit a.** Street Alignment Exhibit

**SUBDIVISION RECOMMENDED CONDITIONS APPROVAL**

**The following conditions of approval shall be completed prior to final plat approval or shown on the final plat:**

1. Dedicate a 10-foot public utility easement along the street frontages of all internal streets and along Doaks Ferry Road NW abutting the proposed "W.Q Parcel" as shown on the applicant's tentative Plan.
2. Along Wilark Brook on the subject property, dedicate an Open Channel Drainage Easement. In accordance with PWDS, the easement width shall be either 15 feet from the channel centerline, or 10 feet from the top of the recognized bank, whichever is greater.
3. 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, with the exception of Lot 6.
4. All necessary (existing and proposed) access and utility easements must be shown and recorded on the final plat.
5. Existing easements and rights-of-way on the subject property shall be relocated, extinguished, or vacated, as appropriate, prior to final plat approval.
6. Convey land for dedication to equal a half-width right-of-way of 48 feet on the development side of Doaks Ferry Road NW, including sufficient right-of-way to accommodate public infrastructure at the property corners.
7. Dedicate a 60-foot-wide right-of-way for new internal streets within the subject property as shown on the applicant's tentative plan.
8. Prior to issuance of Public Construction Permits, the applicant shall receive a final City Council decision on the proposed Salem Transportation System Plan Amendment (22-121104-GP) relating to the collector street alignment that is mapped through the property.
9. As shown on the applicant's tentative plan, dedicate public pedestrian access easement from Street A to Lot 6.
10. Dedicate an additional public access easement for vehicular and pedestrian access from Street A to Lot 6 through the southeastern drive aisle within the development site. This easement may be dedicated by separate document and extinguished if determined not necessary at time of Site Plan Review for proposed Lot 6.
11. Modify the proposed "Street C" stub street location to the north line of proposed Lot 2 to avoid conflicts with existing structures on neighboring property not included in the development proposal.

12. Obtain any necessary street tree removal permits pursuant to SRC Chapter 86.

**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):**

13. Extend a minimum 12-inch public water main within the new internal streets to serve neighboring property and the proposed development pursuant to PWDS.
14. Construct a *Salem Wastewater Management Master Plan* identified sewer main in Doaks Ferry Road NW from the intersection of Doaks Ferry Road NW and Brush College Road NW to the proposed development pursuant to PWDS.
15. Extend a minimum 8-inch public sewer main within the new internal streets to serve neighboring property and the proposed development pursuant to PWDS.
16. Construct stormwater facilities pursuant to SRC 71 and PWDS to accommodate new impervious surfaces in rights-of-way.
17. Construct a half-street improvement along the frontage of Doaks Ferry Road NW to an interim minor arterial street standard as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803.
18. The applicant shall coordinate with Cherriots to provide bus stops along Doaks Ferry Road NW in locations approved by the Public Works Department.
19. If City Council approves the requested Transportation System Plan Amendment (22-121104-GP), the applicant shall construct Landaggard Drive NW within the property, proposed Street B, and proposed Street C to local street standards as specified in the City Street Design Standards and consistent with the provisions in SRC Chapter 803. Internal local streets are approved to have an increased curb-to-curb improvement of 34 feet.
20. If City Council approves the requested Transportation System Plan Amendment (22-121104-GP), the applicant shall construct "Street A" to "Collector Street B" standards as specified in the City Street Design Standards and consistent with the provisions in SRC Chapter 803, with the following exceptions:
  - i. "Street A" shall have a maximum grade of 12 percent.
  - ii. "Street A" shall have a block length of approximately 985 feet between Doaks Ferry Road NW and the extension of Landaggard Drive NW.
  - iii. A public street connection from "Street A" to proposed Lot 6 is not required.
21. If City Council does not approve the requested Transportation System Plan

Amendment (22-121104-GP), the applicant shall construct proposed Street A from Doaks Ferry Road NW to the intersection with Landaggard Drive NW within the property, Street C, and Street B, to local street standards as specified in the City Street Design Standards and consistent with the provisions in SRC Chapter 803, with the following exceptions:

- i. "Street A" shall have a maximum grade of 12 percent.
  - ii. "Street A" shall have a block length of approximately 985 feet between Doaks Ferry Road NW and the extension of Landaggard Drive NW.
  - iii. A public street connection from "Street A" to proposed Lot 6 is not required.
  - iv. Internal local streets are approved to have an increased curb-to-curb improvement of 34-feet.
22. If City Council does not approve the requested Transportation System Plan Amendment (22-121104-GP), the applicant shall construct the extension of Landaggard Drive NW within the property to the intersection with proposed "Street A" and proposed Street A from the intersection of Landaggard Drive NW to the western property line to "Collector Street B" standards as specified in the City Street Design Standards and consistent with the provisions in SRC Chapter 803.
23. Along the frontage of the existing portion of Landaggard Drive NW adjacent to the subject property, construct a three-quarter street boundary street improvement to local street standards as specified in the City Street Design Standards and consistent with the provisions in SRC Chapter 803. If City Council does not approve the requested Transportation System Plan Amendment (22-121104-GP), the boundary street improvement shall be constructed to "Collector Street B" standards as specified in the City Street Design Standards and consistent with the provisions in SRC Chapter 803.
24. Install street trees to the maximum extent feasible along Doaks Ferry Road NW, Orchard Heights Road NW, and internal streets constructed with the subdivision.
25. As specified in the TIA, provide the following mitigation:
  - i. Construct a left-turn lane on Doaks Ferry Road NW at the intersection with the new "Street A." The left-turn lane shall include a minimum 75 feet of vehicle storage.
  - ii. Construct sidewalks along Doaks Ferry Road from the intersection of Orchard Heights Road NW to the northern boundary of the site.
  - iii. Construct a linked ADA pedestrian connection from the proposed development across Orchard Heights Road NW, including a raised pedestrian refuge on the west side of the intersection. Improvements shall include

upgraded ADA ramps on both sides of Landaggard Drive NW and the western side of the West Salem High School driveway, and a sidewalk extension along the north side of Orchard Heights Road NW to the intersection with Doaks Ferry Road NW. Pursuant to SRC 200.035(a)(4), sidewalks shall also be provided along the frontage of 2357 Orchard Heights Road NW (Polk County Assessors Tax Lot no. 073W17D00900).

26. Install not more than 4 speed humps on Landaggard Drive NW in locations approved by Public Works and in accordance with PWDS.

**The following conditions of approval shall be completed as a condition of future lot development:**

27. At time of development of Lot 6, a public utility easement shall be dedicated along the Lot 6 frontages of Doaks Ferry Road NW and Orchard Heights Road NW. The public utility easement width shall be established and dedicated by separate document, if required.
28. At time of development of Lot 6, design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.
29. As a condition of building permit issuance, the developer shall provide a final report from a geotechnical engineer that describes construction monitoring activities for all site earthwork and addresses the geotechnical considerations for each individual building lot.

**The following conditions of approval shall apply to any development within the subdivision:**

30. Landaggard Drive NW shall not be used as a construction entrance. A construction entrance shall be constructed from either Doaks Ferry Road NW or Orchard Heights Road NW, and all construction vehicles and equipment shall utilize this entrance for entering and leaving the site.

**SITE PLAN REVIEW RECOMMENDED CONDITIONS APPROVAL**

1. Prior to issuance of any building permits, the final plat for the Titan Hill Subdivision shall be recorded.
2. Design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.
3. Submit a Driveway Approach Permit application if the driveways onto the new internal streets are not installed as part of the construction of the new internal street.

## **FACTS AND FINDINGS**

### **Streets**

#### **1. Doaks Ferry Road NW**

- a. Standard—This street is designated as a major arterial street in the Salem TSP. The standard for this street classification is a 68-foot-wide improvement within a 96-foot-wide right-of-way.
- b. Existing Condition—This street has an approximate 20-to-40-foot improvement within a varied 62-to-88-foot-wide right-of-way abutting the subject property.

#### **2. Orchard Heights Road NW**

- a. Standard—This street is designated as a minor arterial street in the Salem TSP. The standard for this street classification is a 46-foot-wide improvement within a 72-foot-wide right-of-way.
- b. Existing Condition—This street has an approximate 46-foot improvement within a 72-foot-wide right-of-way abutting the subject property.

#### **3. Landaggard Drive NW**

- a. Standard—This street is designated as a collector street in the Salem TSP. The standard for this street classification is a 34-foot-wide improvement within a 60-foot-wide right-of-way.
- b. The applicant has submitted an application to amend the TSP to downgrade the street designation from a collector street to a local street. The standard for a local street classification is a 30-foot improvement within a 60-foot-wide right-of-way. This is described further in the criteria and findings below.
- c. Existing Condition—This street has an approximate 20-foot improvement within a 60-foot-wide right-of-way abutting the subject property.

### **Water**

#### **1. Existing Conditions**

- a. The subject property is located within the W-1 water service level.
- b. An 18-inch water main is located in Doaks Ferry Road NW.
- c. An 18-inch water main is located in Orchard Heights Road NW.
- d. An Orchard Heights Water District main is located in Landaggard Drive NW.

## **Sanitary Sewer**

### **1. Existing Conditions**

- a. A 21-inch sewer main is located in Doaks Ferry Road NW, approximately one-half-mile north of the subject property.
- b. An 8-inch sewer main is located in Doaks Ferry Road NW, approximately 1,250 feet north of the subject property. This main does not have adequate capacity to serve the proposed development.

## **Storm Drainage**

### **1. Existing Conditions**

- a. An 18-inch storm main is located in Doaks Ferry Road NW.
- b. An 18-inch storm main is located in Orchard Heights Road NW.

## **Parks**

The proposed development is served by Grice Hill Park and West Salem High School Park. These parks are within one-half-mile of the subject property.

## **URBAN GROWTH PRELIMINARY DECLARATION CRITERIA AND FINDINGS**

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).

Doaks Ferry Road NW and Orchard Heights Road NW are adequate “linking” streets. Boundary street improvements will be required as a condition of development, described 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 adequate sewer is located at the intersection of Doaks Ferry Road NW and Orchard Heights Road NW, approximately one-half-mile north of the subject property. The applicant shall construct the *Salem Wastewater Management Master Plan* 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, discussed further below.

### **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 Doaks Ferry Road NW and Orchard Heights Road NW abutting 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 nearest available public water system appears to be located in Doaks Ferry Road NW and Orchard Heights Road NW abutting the subject property. 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 proposed development is served by Grice Hill Park .25 miles west of the subject property and West Salem High School Park .35 miles southwest of the subject property.

## **SUBDIVISION 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. The City Surveyor and the applicant's project surveyor shall 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 (PUE) is required along street frontages pursuant to SRC 803.035(n). The applicant's tentative plan shows a PUE along the new internal streets and along Doaks Ferry Road NW abutting the proposed water quality parcels. No PUE is shown along Doaks Ferry Road NW and Orchard Heights Road NW abutting Lot 6. Development plans for Lot 6 have not yet been submitted; at time of site plan review for Lot 6, the depth of the PUE will be established and may be dedicated by separate document.

**Condition:** Dedicate a 10-foot public utility easement along the street frontage of all internal streets and along Doaks Ferry Road NW abutting the proposed "W.Q. Parcel" as shown on the applicant's tentative Plan.

**Condition:** At the time of development of Lot 6, a public utility easement shall be dedicated along the Lot 6 frontages of Doaks Ferry Road NW and Orchard Heights Road NW. The public utility easement width shall be established and dedicated by separate document, if required.

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.

A portion of Wilark Brook runs through Lot 6 of the proposed subdivision. Pursuant to PWDS 1.8(d), the application is subject to open channel drainage easements to be dedicated along the creek, allowing for access and maintenance. The easement width

shall be either 15 feet from the channel centerline, or 10 feet from the top of the recognized bank, whichever is greatest.

**Condition:** Along Wilark Brook on the subject property, dedicate an Open Channel Drainage Easement. In accordance with PWDS, the easement width shall be either 15 feet from the channel centerline, or 10 feet from the top of the recognized bank, whichever is greater.

According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are mapped 2-to-4-point landslide hazard areas on the subject property. The proposed activity of a subdivision adds 3 activity points to the proposal, which results in a total of 5 to 7 points. Therefore, the proposed development is classified as a moderate landslide risk and requires a geological assessment and/or geotechnical report. A Geological Assessment, prepared by Redmond Geotechnical Services and dated November 4, 2022, was submitted to the City of Salem with the subdivision application. This assessment demonstrates the subject property could be developed by implementing the mitigation measures provided in the report.

**Condition:** As a condition of building permit issuance, the developer shall provide a final report from a geotechnical engineer that describes construction monitoring activities for all site earthwork and addresses the geotechnical considerations for each individual building lot.

**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; therefore, an Urban Growth Preliminary Declaration has been required. As conditioned, the proposed development is designed to accommodate required on-site and off-site improvements.

Water is available in Orchard Heights Road NW and Doaks Ferry Road NW to serve the development. The *Salem Water System Master Plan* identifies a future water main through the property. Within the new internal streets, the applicant shall provide a minimum 12-inch master plan water main.

**Condition:** Extend a minimum 12-inch public water main within the new internal streets to serve neighboring property and the proposed development pursuant to PWDS.

The subject property is not served by public sewer. The nearest public sewer main is located in Doaks Ferry Road NW, approximately 1,250 feet north of the subject property; however, this main does not have adequate capacity to serve the proposed development. The *Salem Wastewater Management Plan* identifies a future public main of various sizes within Doaks Ferry Road NW and on the subject property. The master plan main extends from the intersection of Doaks Ferry Road NW and Brush College

Road NW to the site, from approximately one-half-mile north. The applicant shall be required to construct the master plan sewer main in Doaks Ferry Road NW and through the site, to serve the proposed development and neighboring property.

**Condition:** Construct a *Salem Wastewater Management Master Plan* identified sewer main in Doaks Ferry Road NW from the intersection of Doaks Ferry Road NW and Brush College Road NW to the proposed development pursuant to PWDS.

**Condition:** Extend a minimum 8-inch public sewer main within the new internal streets to serve neighboring property and the proposed development pursuant to PWDS.

The applicant submitted an incomplete preliminary stormwater report lacking appendices. It is not clear from the information submitted whether or not the proposed design complies with SRC Chapter 71 and PWDS. In addition, the applicant's tentative plan shows a new 30-foot-deep public storm main in Landaggard Drive NW that does not appear feasible to construct or maintain. Lack of design at this stage may require modification to the land use decision once a complete design is reviewed.

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, an Engineering Method Report, and a preliminary site plan showing the building envelope and tentative location of stormwater facilities for all proposed lots, with the exception of lot 6. Stormwater design for proposed Lot 6 can be provided at the time of Site Plan Review for future development.

**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, with the exception of Lot 6.

**Condition:** At time of development of Lot 6, design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.

**Condition:** Construct stormwater facilities pursuant to SRC 71 and PWDS to accommodate new impervious surfaces in rights-of-way.

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. The applicant's tentative plan shows multiple existing easements that will need to be extinguished or relocated as part of the platting action. In addition, according to the City Surveyor, there is likely existing right-of-way over portions of Tax Lot 400, south of Tax Lot 1100, that was established by V. 145, P. 538, Polk County Deed Records. This existing right-of-way lies within Landaggard Drive NW and extends onto the subject property north of Landaggard Drive NW. This right-of-way requires vacation pursuant to SRC 255.065.

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

**Condition:** Existing easements and rights-of-way on the subject property shall be relocated, extinguished, or vacated, as appropriate, prior to final plat approval.

**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.**

**Findings:** Orchard Heights Road NW meets the required right-of-way width and improvement required for its classification of street per the TSP. As described further below, TIA mitigation is required and will provide sidewalks along Orchard Heights Road NW fronting the subject property. Pursuant to SRC 200.035(a)(4), sidewalks shall also be provided along the frontage of Polk County Assessors Tax Lot No. 073W17D00900.

The existing condition of Doaks Ferry Road NW does not meet current standards for its classification of street per the Salem TSP. The applicant shall convey for dedication a half-width right-of-way up to 48 feet to major arterial standards as specified in the PWDS and based on a rational nexus calculation. The applicant shall construct a half-street improvement to an interim minor arterial street standard as specified in the PWDS and consistent with the provisions of SRC Chapter 803. An interim minor arterial improvement with a turn lane as required by the applicants TIA is appropriate based on the existing underimproved condition of the street and right-of-way width constraints. In addition, the Transportation System Plan identifies that Doaks Ferry Road NW between Brush College Road NW and Orchard Heights Road NW will be improved to an interim minor arterial standard as a Committed Street Improvement Project (Table 3-4 Project ID no. 82).

Cherriots submitted comments indicating that a new transit stop is needed in coordination with the proposed street improvements along Doaks Ferry Road NW. The applicant shall be required to provide the bus stop as part of the street improvements pursuant to SRC 803.035(r). The applicant shall coordinate with Cherriots to determine the appropriate type of stop and location.

**Condition:** Convey land for dedication to equal a half-width right-of-way of

48 feet on the development side of Doaks Ferry Road NW, including sufficient right-of-way to accommodate public infrastructure at the property corners.

**Condition:** Construct a half-street improvement along the frontage of Doaks Ferry Road NW to an interim minor arterial street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803.

**Condition:** The applicant shall coordinate with Cherriots to provide bus stops along Doaks Ferry Road NW in locations approved by the Public Works Department.

The applicant's site plan shows new internal streets to be constructed within the subdivision. The applicant's tentative plan shows street designs that do not meet PWDS for horizontal radius; a design exception has not been approved by the City Engineer to deviate from the standards. In addition, the proposed streets do not meet maximum allowed grades, block lengths, or street connectivity standards established in SRC Chapter 803.

Pursuant to SRC 803.065, the applicant requested an alternative street standard to deviate from street grade, block length, and connectivity standards established in SRC 803. Specifically, the following requests have been submitted:

**Request (1):** *Allow "Street A" to increase the maximum allowed grade for a collector street from 8 percent to 12 percent [SRC 803.035(c)].*

**Staff Response to Request (1):** The development site has existing topography that makes construction that conforms to the standards difficult. Pursuant to SRC 803.035(a)(3), the Director approved the alternative street standard request for increased street grades.

**Request (2):** *Increase the maximum allowed block length of "Street A" from 600 feet to approximately 985 feet between Doaks Ferry Road NW and the extension of Landaggard Drive NW [SRC 803.030(a)].*

**Request (3):** *Deviate from street connectivity requirements and not provide a street connection from "Street A" to proposed Lot 6 [SRC 803.035(a)].*

**Staff Response to Request (2) and (3):** Due to the existing site topography, constructing an intersection for an additional street from Street A to Lot 6 that meets standards is difficult. The applicant has submitted a request to dedicate an easement for an accessible walkway from Street A, through Lot 5 to Lot 6 in lieu of constructing a street. In addition to providing pedestrian access, staff recommends an easement be dedicated by separate document that provides vehicular and bike access through a drive aisle on the site. This will provide connectivity for all modes of transportation for the future development of Lot 6. This easement may be dedicated by separate document and extinguished if

determined not necessary at time of Site Plan Review for Lot 6.

**Request:** *Allow internal local streets to have a 34-foot-wide curb-to-curb paved surface where the minimum paved surface for a local street is 30 feet [SRC 803.025(b)].*

**Staff Response:** The applicant's preliminary street plan shows a 34-foot curb-to-curb improvement for the new internal streets. According to the Salem TSP, local streets shall have a 30-foot curb-to-curb improvement. While 30-foot curb-to-curb allows parking on both sides, this standard is most often used on streets with numerous driveways, where cars can pull to the side to allow passing. Since these local streets are serving a multi-family development without individual driveway, a wider width will allow for on-street parking on both sides of the street and room to pass. Therefore, an Alternative Street Standard to allow for a wider than standard curb-to-curb improvement pursuant to SRC 803.065(a) is approved.

Landaggard Drive NW is currently classified as a collector street according to the Salem TSP. The current TSP collector street alignment extends from the existing portion of Landaggard Drive NW through the site to the western property line. The applicant has submitted a separate application for a Transportation System Plan Amendment to change the classification of Landaggard Street NW to a local street, and to change the alignment of the collector street to follow proposed Street A (Application No. 22-121104-GP). The proposed change in classification is intended to recognize the condition of Landaggard and its unsuitability for higher volumes of traffic. Amendments to the TSP are subject to City Council approval. If City Council approves the TSP Amendment, staff recommends that Street A be constructed to Collector B standards according to the Salem TSP to accommodate parking on one side of the street and bike lanes in both directions. If the City Council does not approve the amendment, streets shall be design and constructed to meet current street classifications as identified in the Salem TSP, as described in the conditions of approval and shown on **Exhibit a**. Recommended conditions ensure compliance with the Salem Transportation System Plan, as required by SRC 205.010(d)(4).

Pursuant to SRC 803.035(a), *local streets shall be extended to adjoining undeveloped properties for eventual connection with the existing street system*. The applicant's tentative plan shows Street C that stubs to neighboring property for an eventual connection to Doaks Ferry Road NW. This stub is required in order to provide for the 600-foot block spacing required under SRC 803.030(a) and meet street connectivity standards. The applicants location of proposed "Street C" conflicts with an existing dwelling and accessory structure located on Polk County Tax Lot No. 073W17B00300 (2217 Doaks Ferry Road NW) while there is undeveloped property northly that the street can be stubbed to (Polk County Taxlot No. 073W17B00200). Staff recommends the proposed street stub be moved to the north to avoid conflicts with the existing structures as shown in **Exhibit a**.

**Condition:** Dedicate a 60-foot-wide right-of-way for new internal streets within the subject property as shown on the applicant's tentative plan.

**Condition:** Prior to issuance of Public Construction Permits, the applicant shall receive a final City Council decision on the proposed Salem Transportation System Plan Amendment (22-121104-GP) relating to the collector street alignment that is mapped through the property.

**Condition:** If City Council approves the requested Transportation System Plan Amendment (22-121104-GP), the applicant shall construct Landaggard Drive NW within the property, proposed Street B, and proposed Street C to local street standards as specified in the City Street Design Standards and consistent with the provisions in SRC Chapter 803. Internal local streets are approved to have an increased curb-to-curb improvement of 34 feet.

**Condition:** If City Council approves the requested Transportation System Plan Amendment (22-121104-GP), the applicant shall construct “Street A” to “Collector Street B” standards as specified in the City Street Design Standards and consistent with the provisions in SRC Chapter 803, with the following exceptions:

- i. “Street A” shall have a maximum grade of 12 percent.
- ii. “Street A” shall have a block length of approximately 985 feet between Doaks Ferry Road NW and the extension of Landaggard Drive NW.
- iii. A public street connection from “Street A” to proposed Lot 6 is not required.

**Condition:** If City Council does not approve the requested Transportation System Plan Amendment (22-121104-GP), the applicant shall construct proposed Street A from Doaks Ferry Road NW to the intersection with Landaggard Drive NW within the property, Street C, and Street B, to local street standards as specified in the City Street Design Standards and consistent with the provisions in SRC Chapter 803, with the following exceptions:

- i. “Street A” shall have a maximum grade of 12 percent.
- ii. “Street A” shall have a block length of approximately 985 feet between Doaks Ferry Road NW and the extension of Landaggard Drive NW.
- iii. A public street connection from “Street A” to proposed Lot 6 is not required.
- iv. Internal local streets are approved to have an increased curb-to-curb improvement of 34-feet.

**Condition:** If City Council does not approve the requested Transportation System Plan Amendment (22-121104-GP), the applicant shall construct the extension of Landaggard Drive NW within the property to the intersection with proposed “Street A” and proposed Street A from the intersection of Landaggard Drive NW to the western property line to “Collector Street B” standards as

specified in the City Street Design Standards and consistent with the provisions in SRC Chapter 803.

**Condition:** As shown on the applicant's tentative plan, dedicate public pedestrian access easement from Street A to Lot 6.

**Condition:** Dedicate an additional public access easement for vehicular and pedestrian access from Street A to Lot 6 through the southeastern drive aisle within the development site. This easement may be dedicated by separate document and extinguished if determined not necessary at time of Site Plan Review for proposed Lot 6.

**Condition:** Modify the proposed "Street C" stub street location to the north line of proposed Lot 2 to avoid conflicts with existing structures on neighboring property not included in the development proposal.

The subject property has approximately 100 feet of frontage on the existing Landaggard Drive NW right-of-way as shown on **Exhibit a**. This portion of Landaggard Drive NW does not meet local street standards according to the Salem TSP. The applicant shall be required to construct a three-quarter street boundary street improvement along the existing Landaggard Drive NW frontage. If City Council does not approve the requested Transportation System Plan Amendment (22-121104-GP), the boundary street improvement shall be constructed to "Collector Street B" standards.

**Condition:** Along the frontage of the existing portion of Landaggard Drive NW adjacent to the subject property, construct a three-quarter street boundary street improvement to local street standards as specified in the City Street Design Standards and consistent with the provisions in SRC Chapter 803. If City Council does not approve the requested Transportation System Plan Amendment (22-121104-GP), the boundary street improvement shall be constructed to "Collector Street B" standards as specified in the City Street Design Standards and consistent with the provisions in SRC Chapter 803.

The required boundary street improvements may require removal of City-owned trees within the existing right-of-way. Removal of trees located within the right-of-way requires a street tree removal permit pursuant to SRC Chapter 86.

**Condition:** Obtain any necessary street tree removal permits pursuant to SRC Chapter 86.

Pursuant to SRC 86.015(e), anyone undertaking development along public streets shall plant new street trees to the maximum extent feasible. Street trees shall be provided with the required boundary street improvements and internal street construction.

**Condition:** Install street trees to the maximum extent feasible along Doaks Ferry Road NW, Orchard Heights Road NW, and internal streets constructed within the subdivision.



**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 proposed development is served by Grice Hill Park, .25 miles west of the subject property, and West Salem High School Park, .35 miles southwest of the subject property. Access to the park is available through the existing transportation system.

**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 applicant submitted a Traffic Impact Analysis (TIA) for the consolidated application prepared by Transit Consulting, LCC, and dated September 28, 2022. The property is subject to a “Trip Cap” established by CPC-ZC21-06. The TIA demonstrates compliance with “Trip Cap.” The TIA also recommends mitigation be provided by the development to account for the impact the transportation system. The Assistant City Traffic Engineer has reviewed the TIA, agreed with the findings, and recommends the following condition of approval:

**Condition:** As specified in the TIA, provide the following mitigation:

- i. Construct a left-turn lane on Doaks Ferry Road NW at the intersection with the new “Street A.” The left-turn lane shall include a minimum 75 feet of vehicle storage.
- ii. Construct sidewalks along Doaks Ferry Road NW from the intersection of Orchard Heights Road NW to the northern boundary of the site.
- iii. Construct a linked ADA pedestrian connection from the proposed development across Orchard Heights Road NW, including a raised pedestrian refuge on the west side of the intersection. Improvements shall include upgraded ADA ramps on both sides of Landaggard Drive NW and the western side of the West Salem High School driveway, and a sidewalk extension along the north side of Orchard Heights Road NW to the intersection with Doaks Ferry Road NW. Pursuant to SRC 200.035(a)(4), sidewalks shall also be provided along the frontage of 2357 Orchard Heights Road NW (Polk County Assessors Tax Lot No. 073W17D00900).

The Assistant City Traffic Engineer has reviewed the proposal and also recommends an additional condition of approval to address the increased traffic that will flow onto Landaggard Drive NW, which is an existing underimproved public street. The Assistant City Traffic Engineer recommends the applicant install speed bumps on Landaggard

Drive NE to slow traffic, and to discourage cut-through traffic on the underimproved local street. In addition, Landaggard Drive NW shall not be used as a construction traffic entrance for the proposed development.

**Condition:** Install not more than 4 speed humps on Landaggard Drive NW in locations approved by Public Works and in accordance with PWDS.

**Condition:** Landaggard Drive NW shall not be used as a construction entrance. A construction entrance shall be constructed from either Doaks Ferry Road NW or Orchard Heights Road NW, and all construction vehicles and equipment shall utilize this entrance for entering and leaving the site.

**SRC 205.010(d)(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 subject property is located outside of the Urban Service Area; therefore, an Urban Growth Preliminary Declaration has been required. As conditioned, the tentative subdivision plan can be designed to accommodate required on-site and off-site improvements.

### **CLASS 3 SITE PLAN REVIEW CRITERIA AND FINDINGS**

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. This criterion is met.

**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:** Recommended improvements to the transportation system are discussed in the preceding analysis. With the recommended conditions of approval for the proposed subdivision, this criterion is met. Staff recommends that the subdivisions conditions be satisfied before building permits are issued, as transportation improvements are

conditioned on the subdivisions application to serve the proposed development.

**Condition:** Prior to issuance of any building permits, the final plat for the Titan Hill Subdivision shall be recorded.

**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 proposal includes multiple driveways to be constructed on the new internal streets of the subdivision. The proposed driveway accesses provide for safe turning movements into and out of the property. Pursuant to SRC 804.015(b)(2), a driveway approach permit is not required when the driveways are constructed as part of a publicly or privately engineered public improvement project. If the driveways are not reviewed and approved on the Public Construction plans for the new internal streets, and not constructed with the new internal streets, the applicant shall be required to obtain a Class Two Driveway Approach Permit.

**Condition:** Submit a Driveway Approach Permit application if the driveways onto the new internal streets are not installed as part of the construction of the new internal street.

**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; therefore, an Urban Growth Preliminary Declaration has been required. As conditioned, the proposed development is designed to accommodate required on-site and off-site improvements. Staff recommends that the subdivision conditions be satisfied before building permits are issued, as utility infrastructure improvements are conditioned on the subdivisions application to serve the proposed development. Recommended conditions of approval will ensure that the final plat for the Titan Hill Subdivision shall be recorded prior to issuance of any civil site work or building permits to ensure the site is served.

The Public Works Department has reviewed the applicant's preliminary plan for this site. The water and storm infrastructure are available within surrounding streets/areas and are adequate to serve the proposed development. As summarized in the conditions of approval, public sanitary sewer service is not available to serve the subject property and must be extended in Doaks Ferry Road NW prior to connection.

The applicant's engineer submitted a statement demonstrating compliance with Stormwater PWDS Appendix 004-E(4) and SRC Chapter 71. The preliminary stormwater design demonstrates the use of green stormwater infrastructure to the maximum extent feasible.

**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.

## **RESPONSE TO CITIZEN COMMENTS**

- 1. Traffic Impacts:** Comments received expressed concerns for the additional traffic that will be generated by the proposed development and whether or not improvements to Orchard Heights Road NW and Doaks Ferry Road NW would be required, and questions regarding the centerlines of the adjacent rights-of-way. In addition, comments discussed the trip cap imposed on the property by approval of CPC-ZC21-06 as well as the adjustment request to the maximum parking requirement.

**Staff Response:** The applicant submitted a Traffic Impact Analysis (TIA) that includes mitigation to be provided by the development. In addition, boundary street improvements along Doaks Ferry Road NW are required, which include the construction of adequate travel lanes, and sidewalks to accommodate pedestrians. A design of the required boundary street improvements will be reviewed by City staff prior to issuance of Public Construction Permits. Typical sections for the required boundary street improvements are described in the "Facts and Findings" section of this memorandum. Plan review will include review of the centerline of boundary streets to determine the centerline of the street, the required improvement locations, and the required right-of-way dedication.

The Assistant City Traffic Engineer has reviewed the proposed development in relation to the applicant's TIA and agrees with the findings; recommends additional conditions of approval; and concurs with the requirement to improve boundary streets as a condition of approval.

The TIA submitted by the applicant also includes an analysis of the trip cap and proposed use. The TIA demonstrates that the proposal complies with the trip cap established by CPC-ZC21-06. The number of trips generated by a site is based on the use, square footage and/or number of dwelling units, not on the number of parking spaces provided.

- 2. Alternative Street Standard Requests:** Staff received comments that discuss the applicant's "Variance request" for street slope.

**Staff Response:** A variance is not required to allow the increase in slope for "Street A." The applicant submitted a request for an Alternative Street Standard Pursuant to SRC 803.065. This chapter includes criteria for approval of an Alternative Street Standard; as discussed in the preceding analysis, staff finds these criteria have been met. In addition, the requested street grade (12 percent) does not exceed the maximum street grade allowed for emergency service access, which is 15 percent.

3. **Landaggard Drive NW:** Comments were submitted that discuss concerns with the additional traffic that will be generated by the development and flow through traffic on Landaggard Drive NW, which is an underimproved public street.

**Staff Response:** As described above, Landaggard Drive NW is an underimproved public street. The subject property has a small amount of frontage on Landaggard Drive NW, but the majority of Landaggard Drive NW is not considered a “boundary street” pursuant to SRC 803.040. A connection to Landaggard Drive NW is needed for secondary fire access purposes and is required to meet street connectivity requirements in SRC Chapter 803. The applicant has submitted a separate application for a Transportation System Plan Amendment to change the classification of Landaggard Street NW from a collector street to a local street and to change the alignment of the collector street to follow proposed Street A, which would be an extension of Colorado Drive NW to the northwest (Application No. 22-121104-GP). The proposed change in classification is intended to recognize the condition of Landaggard and its unsuitability for higher volumes of traffic.

As described in the above written findings, the Assistant City Traffic Engineer has reviewed the applicant’s TIA and recommends mitigation as a condition of approval. Additionally, staff recommends that speed humps be installed on Landaggard Drive NW as an interim improvement to slow traffic and to reduce flow-through traffic on the underimproved street. The applicant’s TIA mitigation includes construction of sidewalks along Doaks Ferry Road NW and Orchard Heights Road NW, and an ADA pedestrian connection across Orchard Heights Road NW that includes a raised pedestrian refuge on the west side of the intersection.

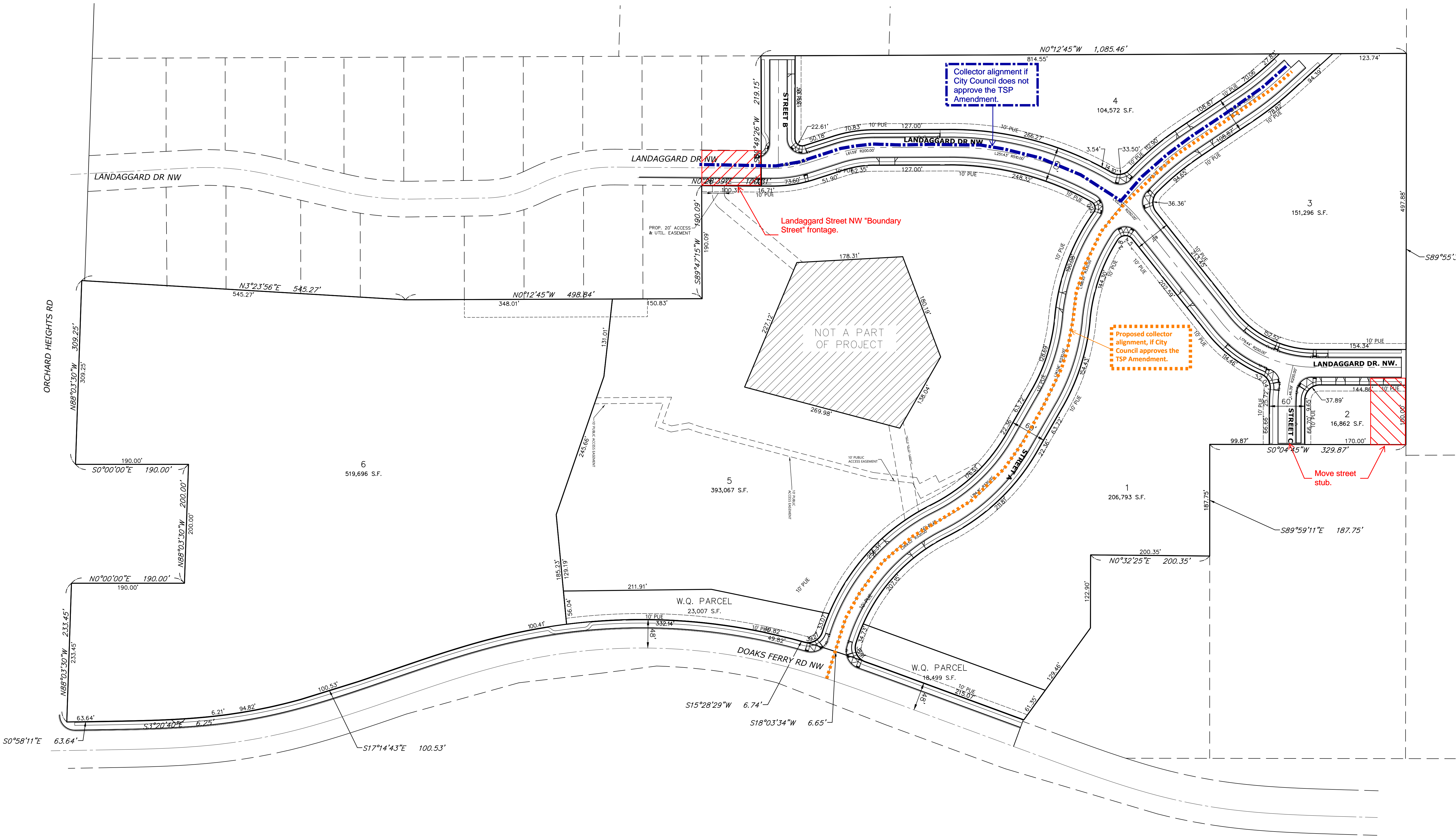
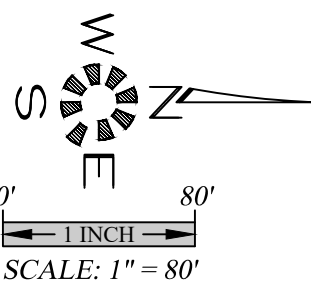
4. **Wilark Brook and Wetlands:** Comments received expressed concerns for the environmental impacts to Wilark Brook that lies on the subject property.

**Staff Response:** Wilark Brook flows through proposed lot 6, which is being created through the subdivision portion of the application. No plans for development of this area have been submitted. For the Site Plan Review application, the applicant submitted a geotechnical assessment of the site and preliminary stormwater report. In addition, a wetlands delineation was submitted by the applicant and City staff sent a Wetland Notice to Oregon Department of State Lands (DSL). The response from DSL indicates that a State permit would be required if removal or fill in the wetlands area is anticipated. The impacts to this area would be determined at time of Site Plan Review application for proposed lot 6. For the subdivision application, staff recommends an open channel and drainage easement be provided around the boundaries of Wilark Brook.

Prepared by: Laurel Christian, Planner II  
cc: File



Public Works Recommendations  
SUB-UGA-SPR-ADJ-TRV-DR23-02 (22-119071)  
Exhibit a.



LOT SITE PLAN

TITAN HILL ESTATES

NOT FOR  
CONSTRUCTION  
UNLESS STAMPED  
APPROVED HERE

NO CHANGES, MODIFICATIONS  
OR REPRODUCTIONS TO BE  
MADE TO THESE DRAWINGS  
WITHOUT WRITTEN  
AUTHORIZATION FROM THE  
DESIGN ENGINEER.  
DIMENSIONS & NOTES TAKE  
PRECEDENCE OVER  
GRAPHICAL REPRESENTATION.

Design: M.D.G.  
Drawn: M.K.D.  
ProjMgr: J.J.G.  
Date: OCT. 2019  
Scale: AS SHOWN  
As-Built: ----



JOB # 6773