

Memo:

Date: February 1, 2019 – Revised- February 19, 2019 / **Revised March 6, 2019**
To: Olivia Glantz
From: Mark B. Ferris
Re: Wren Heights (Salem Heights) Subdivision - #18-125034-LD

RESPONSE TO LETTER OF INCOMPLETENESS – JANUARY 14, 2019 / Email Dated 2/11/19

Item #1 – Validation of a Unit of Land:

Applicant's Response: *A supplemental Land-Validation Application addressing the city's approval criteria is attached as requested. The plat will be revised to reflect the validation of Tax Lot 10400.*

Item #2 – Future Development Plan:

Applicant's Response: *Lot 23 is .42 acres. A future development plan is not required as the lot is under ½ acre.*

Item #3 – Property Owner Signature:

Applicant's Response: *The Applicant will be providing verification of his ability to sign on behalf of the Harvey Trust.*

Item #4 – Tentative Subdivision Map:

Applicant's Response: *The sidewalk adjacent Lot 8 has been revised to a setback sidewalk. The Applicant will provide a sidewalk adjacent to tax lots 10200 and 10300. This change has been reflected on the revised plan set.*

Item #5 – Written Statement (Revised):

Applicant's Response: *The sidewalk on the north side of Felton Street has been revised to a setback sidewalk.*

Sec. 250.005. – Adjustments - Lot #23 - Findings

(a) *Applicability.*

(1) *Classes.*

(A) A Class 1 adjustment is an adjustment to any numerical development standard in the UDC that increases or decreases the standard by not more than 20 percent.

Applicant's Response: *Lot 23 has been reconfigured with an average depth of 108-feet and a width of 69-feet. The lot depth is 90% of the required 120-foot depth and therefore qualifies as a Class 1 adjustment. This criterion is met.*

- (c) *Submittal requirements.* In addition to the submittal requirements for a Type II application under SRC chapter 300, an application for a Class 1 or Class 2 adjustment shall include the following:
- (1) A site plan, of a size and form and in the number of copies meeting the standards established by the Planning Administrator, containing all information necessary to establish satisfaction with the approval criteria. By way of example, but not of limitation, such information may include the following:
 - (A) The total site area, dimensions, and orientation relative to north;
 - (B) The location of all proposed primary and accessory structures and other improvements, including fences, walls, and driveway locations, indicating distance to such structures from all property lines and adjacent on-site structures;
 - (C) All proposed landscape areas on the site, with an indication of square footage and as a percentage of site area;
 - (D) The location, height, and material of fences, berms, walls, and other proposed screening as they relate to landscaping and screening required by SRC chapter 807;
 - (E) The location of all trees and vegetation required to be protected pursuant to SRC chapter 808; and
 - (F) Identification of vehicle, pedestrian, and bicycle parking and circulation areas, including handicapped parking stalls, disembarking areas, accessible routes of travel, and proposed ramps.

Applicant's Response: *A revised Site Plan addressing items 1A through F has been provided as part of the Applicant's resubmittal. These criteria have been met.*

- (2) An existing conditions plan, of a size and form and in the number of copies meeting the standards established by the Planning Administrator, containing the following information:
 - (A) The total site area, dimensions, and orientation relative to north;
 - (B) The location of existing structures and other improvements on the site, including accessory structures, fences, walls, and driveways, noting their distance from property lines;
 - (C) The location of the 100-year floodplain, if applicable; and
 - (D) The location of drainage patterns and drainage courses, if applicable.

Applicant's Response: *An Existing Conditions Plan addressing items 2A through D has been provided as part of the Applicant's resubmittal. These criteria have been met.*

(d) **Criteria.**

- (1) An application for a Class 1 adjustment shall be granted if all of the following criteria are met:
 - (A) The purpose underlying the specific development standard proposed for adjustment is:
 - (i) Clearly inapplicable to the proposed development; or
 - (ii) Clearly satisfied by the proposed development.
 - (B) The proposed adjustment will not unreasonably impact surrounding existing or potential uses or development.

Applicant's Response: *This criterion outlined in this subsection are clearly satisfied. As previously stated, the proposed lot depth for Lot 23 is 108-feet which is within 10% of the current standard and allowed under a Class 1 Adjustment. The proposed adjustment will have absolutely no impact on surrounding existing or potential uses or development. Access will be off Doughton Street in keeping with all adjacent lots and the lot depth is comparable to adjacent lots as well. This criterion is met.*

Lot 7 has an average depth of 215-feet measured from the center-line of the lot. Since it is a dog-leg lot, we took an average width of each leg which comes out to 79.5-feet. Using this computation, the lot depth is 270% of the average width. No adjustments are necessary.

Sec. 803.065. - Alternative Street Standards and Section SRC 803.035(I)(2)(B) - Findings.

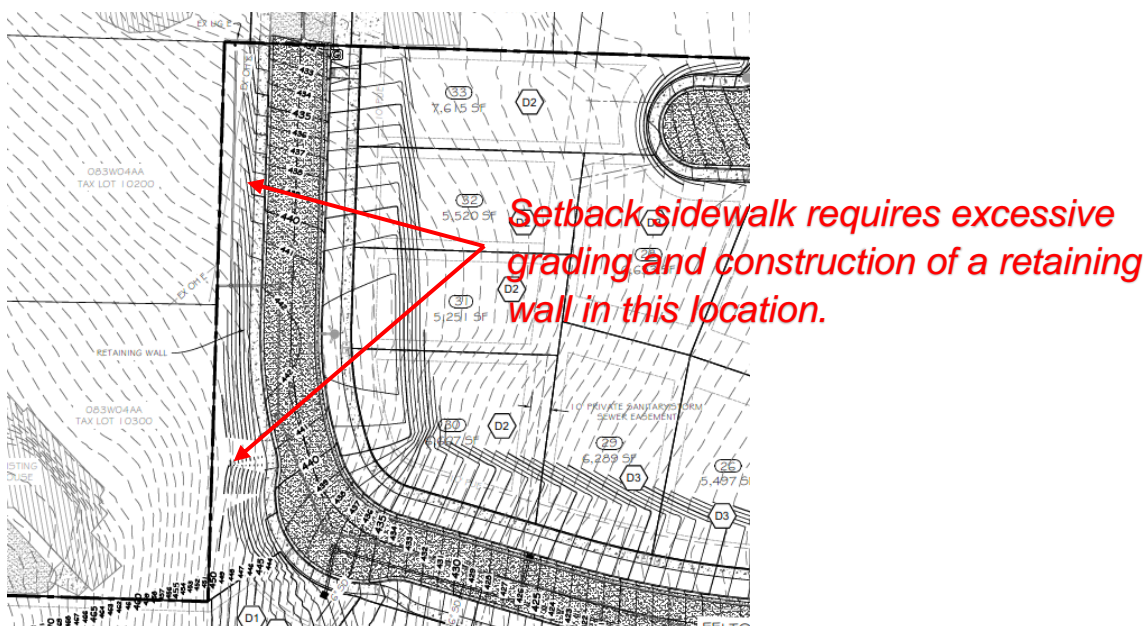
- (a) The Director may authorize the use of one or more alternative street standards:
 - (1) Where existing development or physical constraints make compliance with the standards set forth in this chapter impracticable;
 - (2) Where the development site is served by fully developed streets that met the standards in effect at the time the streets were originally constructed; or
 - (3) Where topography or other conditions make the construction that conforms to the standards impossible or undesirable.

- (b) Authorization of an alternative street standard may require additional or alternative right-of-way width, easements, and improvements to accommodate the design and construction using the alternative standard.

Applicant's Response: Pursuant to Section 803.065, the Applicant is requesting the Planning Director's approval of a curb-tight sidewalk adjacent to Tax Lots 10200 and 10300. Given the topography of the area adjacent these lots, providing a setback sidewalk has significantly more impact on these lots and requires the construction of a retaining wall to accommodate the elevation difference. Requiring a setback sidewalk and constructing a retaining wall at this location is definitely a less desirable alternative than keeping the sidewalk curb-tight and minimizing grading and construction impacts on the adjacent lots. For these reasons, the Applicant respectfully requests the director's concurrence.

SRC 803.035(1)(2)(B) If topography or other conditions make the construction of a sidewalk impossible or undesirable in a location required by this subsection, a different location may be allowed.

Applicant's Response: As previously stated, the Applicant is requesting a curb-tight sidewalk adjacent to lots 10200 and 10300. The example below clearly shows that there would be significantly more impacts to the adjacent property requiring the construction of a retaining wall in order to accommodate a setback sidewalk. Pursuant to this section, a different location may be allowed by the planning director if the topography makes building a setback sidewalk undesirable. Allowing the curb-tight sidewalk minimizes impacts to these lots. This requirement is met.



Item #6 – Tree Conservation Plan

Applicant's Response: *The Tree Conservation Plan and table has been updated. Please see attached Tree Conservation Plan.*

Item #7 – Digital Copies:

Applicant's Response: *A digital copy of the storm water (report) and geotechnical report are included in this submittal (see attached).*

Item #8 – Street Improvements:

Applicant's Response: *The plans have been adjusted and the sidewalk along Doughton Street has been revised as setback sidewalk. As stated earlier, the sidewalk adjacent tax lots 10200 and 10300 is proposed to be curb-tight and the Applicant has requested the planning director approve an alternative street design standard as requested.*

Item #9 – Existing Driveway:

Applicant's Response: *The Applicant has been in discussions with the owner of tax lot 10300 to establish an easement across the westerly portion of lot 7. This has been noted and shown on the attached exhibit for your information (see future easement exhibit).*