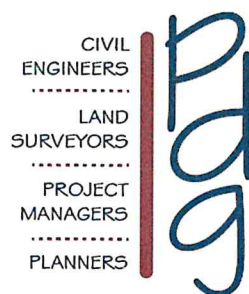


Modification of Approval Application

For

**Wren Heights Subdivision
Salem, Oregon**



Submitted – October 27, 2021

PROJECT INFORMATION

- **Purpose of Application:**

The Applicant, Thomas Kay, is requesting approval for a Modification of it's Tentative Plat approval for property described below.

- **Subject of Application**

Tax Map 083W04AA, Tax Lots 10500, 10400, 10800, 10700, 10601, & 10600

- **Zoning:**

Current Zoning – City of Salem – (RS) Single Family Residential;

- **Property Owner:**

Thomas Kay (Thomas Kay Company) - 3170 Link Ct. Salem, OR 97302

- **Applicant:**

Thomas Kay (Thomas Kay Company) - 3170 Link Ct. Salem, OR 97302

- **Applicant's Authorized Representatives:**

Project Delivery Group, LLC – 200 Hawthorne Avenue, Suite A-100 ▪ Salem, OR 97301

- Contact: Keith Whisenhunt, PE, PLS ▪ (503) 364-4004 ▪ keithw@pdgnw.com
- Contact: Mark B. Ferris, RLAE ▪ (503) 939-3723 ▪ markf@pdgnw.com

TABLE OF CONTENTS:

- Land-Use Application
- Application Narrative
- Current Warranty Deed
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- Proposed Modification Exhibit

Application

Planning/Permit Application Center

City Hall / 555 Liberty St. SE / Room 320 / Salem, OR 97301-3513

503-588-6173 * planning@cityofsalem.net

If you need the following translated in Spanish, please call 503-588-6256.

Si usted necesita lo siguiente traducido en español, por favor llame 503-588-6256.

Application type

Please describe the type of land use action requested:

WREN HEIGHTS - MODIFICATION OF TENTATIVE PLAT APPROVAL - CONDITION #3

Work site location and information

Street address or location of subject property	500 BLOCK OF SALEM AVENUE SOUTH
Total size of subject property	7.84 Acres
Assessor tax lot numbers	083w04aa 10500, 10400, 10800, 10700, 10601, & 10600
Existing use structures and/or other improvements on site	Subdivision Currently Under Development
Zoning	RS
Comprehensive Plan Designation	SFR
Project description	A 33-LOT SINGLE-FAMILY SUBDIVISION

People information

	Name	Full Mailing Address	Phone Number and Email address
Applicant	THOMAS KAY	3170 LINK CT. SALEM, OR 97302	(503) 932-4433 thokay@comcast.net
Agent	MARK B. FERRIS, PDG	200 HAWTHORNE AVE., SUITE A-100 SALEM, OR	(503) 364-4004 markf@ndanw.com
Paid By	THOMAS KAY	3170 LINK CT. SALEM, OR 97302	(503) 932-4433 thokay@comcast.net

Project information

Project Valuation for Site Plan Review	
Neighborhood Association	SWAN
Have you contacted the Neighborhood Association?	<input checked="" type="radio"/> Yes <input type="radio"/> No
Date Neighborhood Association contacted	
Describe contact with the affected Neighborhood Association (The City of Salem recognizes, values, and supports the involvement of residents in land use decisions affecting neighborhoods across the city and strongly encourages anyone requesting approval for any land use proposal to contact the affected neighborhood association(s) as early in the process as possible.)	Discussed Neighborhood Concerns
Have you contacted Salem-Keizer Transit? planning@cherriots.org	<input type="radio"/> Yes <input checked="" type="radio"/> No
Date Salem-Keizer Transit contacted	
Describe contact with Salem-Keizer Transit	None
Type the name and address of the Homeowners Association (If none, type "N/A".)	N/A

Authorization by property owner(s)/applicant

***If the applicant and/or property owner is a Limited Liability Company (LLC), please also provide a list of all members of the LLC with your application.**


Copyright release for government entities: I hereby grant permission to the City of Salem to copy, in whole or part, drawings and all other materials submitted by me, my agents, or representatives. This grant of permission extends to all copies needed for administration of the City's regulatory, administrative, and legal functions, including sharing of information with other governmental entities.

Authorizations: Property owners and contract purchasers are required to authorize the filing of this application and must sign below.

- All signatures represent that they have full legal capacity to and hereby do authorize the filing of this application and certify that the information and exhibits herewith submitted are true and correct.
- I (we) hereby grant consent to the City of Salem and its officers, agents, employees, and/or independent contractors to enter the property identified above to conduct any and all inspections that are considered appropriate by the City to process this application.
- I (we) hereby give notice of the following concealed or unconcealed dangerous conditions on the property:

Electronic signature certification: By attaching an electronic signature (whether typed, graphical or free form) I certify herein that I have read, understood and confirm all the statements listed above and throughout the application form.

Authorized Signature: _____



Print Name: Mark B. Ferris, RLAE

Date: 10/27/21

Address (include ZIP): 200 Hawthorne Avenue, Suite A-100 Salem, OR 97301

Authorized Signature: _____

Print Name: _____

Date: _____

Address (include ZIP): _____

(For office use only)

Received by	Date:	Receipt Number:

Not using Internet Explorer?

Save the file to your computer and email to planning@cityofsalem.net.

Application Narrative

MEMO

Date: October 27, 2021

To: Olivia Dias – Current Planning Manager

From: Project Delivery Group, LLC

Re: 17-106391-LD – Modification of Approval – SUB-ADJ19-02 - Condition #3

As staff is keenly aware, there has been much discussion regarding preservation of the trees along Salem Heights Avenue – specifically with respect to those trees adjacent Lots 1 and 2 and the required driveway access to these specific lots.

Condition #3 specifically prohibits taking access off the private accessway serving lots 4-6 which is the subject of this modification request. Recent discussions with both the city and Applicant's arborist have concluded that providing access to Lot #1 directly off Salem Heights Avenue is not possible without seriously affecting the viability of the existing trees. Due to the topography in this area, substantial excavation would be required to construct the driveway which would impact the adjacent trees. Both arborists have recommended against a driveway in this location.

To access Lot #1, the Applicant is proposing to modify the Tentative Plat approval – specifically Condition #3 to allow access off the private accessway for a total of four lots which is allowed by code. This memo addresses the applicable approval criteria outlined under Section 205.070 – Modification of Approval, the applicable code as outlined under Section 205.010 and the submittal requirements as outlined in your email dated October 26th, 2021.

Sec. 205.070. - Modification of Approval:

(a) Applicability: The approval of a tentative partition plan, tentative subdivision plan, tentative phased subdivision plan, tentative manufactured dwelling park subdivision plan, or tentative replat may be modified after its effective date if the proposed modification meets the criteria set forth in this section. Modifications that do not meet the criteria in this section require submittal of a new application for tentative partition plan, tentative subdivision plan, tentative phased subdivision plan, tentative manufactured dwelling park subdivision plan, or tentative replat.

(b) Procedure Type: Modifications pursuant to this section are processed as a Type II procedure under SRC chapter 300.

(c) Submittal Requirements: In addition to the submittal requirements under SRC chapter 300, an application for a modification pursuant to this section shall include the following:

- (1) For modification of a Tentative Subdivision Plan approval, the information required under SRC 205.010(c).

Applicant's Response: All required information outlined under Section 205.010(c) was provided as part of the Applicant's Tentative Plat application (SUB-ADJ19-02) which was approved on August 12, 2019. This requirement is met.

(d) Criteria: An application for modification pursuant to this section shall be approved if all of the following criteria are met:

- (1) The proposed modification does not substantially change the original approval; and

Applicant's Response: Condition #3 of the original approval states, "Proposed Lots 1-3 shall not have access to the flag lot accessway serving Lots 4-6." As shown on the Applicant's approved Tree Conservation Plan there are four trees in the Salem Height's right-of-way adjacent Lot 1 that were required to be saved. The Applicant has gone to great expense to save the trees in this area. Upon closer examination of the existing trees by both the Applicant's and city's arborist it was determined that constructing a driveway in this location was not feasible without affecting the viability of the existing trees. The arborist also concluded that a driveway could be constructed serving Lot 2 off Salem heights Avenue without any adverse effects on adjacent trees (see arborist's letter attached).

The original Tentative Plat approval showed a total of three lots (lots 4-6) taking access off the private accessway. Adding one additional lot taking access off the private accessway will not substantially change the original approval as up-to four lots can be accommodated off of a flag lot. The width of the easement and width of the accessway are wide enough to accommodate the additional lot without any adverse effects on the adjacent lots or traffic on Salem Heights Avenue. This requirement is met.

- (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.

Applicant's Response: Adding one additional lot on the accessway would have very little, if any, impact on the physical appearance of the development, access to the site or impacts on any surrounding properties. If anything, moving the access for Lot 1 from Salem Heights Avenue to

the private accessway would serve to preserve the trees in this location thereby reducing any impacts on surrounding properties. This requirement is met.

(e) Expiration: The effect of a modification upon the expiration period of the original approval, if any, shall be established in the modification decision.

Sec. 205.010. - Subdivision Tentative Plan:

(a) Applicability: No land shall be divided into four or more lots within a calendar without receiving tentative subdivision plan approval as set forth in this section.

Applicant's Response: As stated previously, the Applicant received Tentative Plat approval (SUB-ADJ19-02) on August 12, 2019. This requirement is met.

(b) Procedure Type: A tentative subdivision plan is processed as a Type II procedure under SRC chapter 300.

(c) Submittal Requirements: In addition to the submittal requirements for a Type II application under SRC chapter 300, an application for tentative subdivision plan shall include the information required in SRC 205.030.(d)

Applicant's Response: As stated previously, all required information outlined under Section 205.010(c) and Section 205.030(d) was provided as part of the Applicant's Tentative Plat application (SUB-ADJ19-02) which was approved on August 12, 2019. This requirement is met.

(d) Criteria: A tentative subdivision plan shall be approved if all of the following criteria are met:

(1) The tentative subdivision plan complies with the standards of this chapter and with all applicable provisions of the UDC, including, but not limited to, the following:

(A) 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.

Applicant's Response: The Applicant's Tentative Plat approval is evidence that the city determined that all standards and applicable provisions of the SRC were met.

(B) City infrastructure standards.

Applicant's Response: The Applicant's Tentative Plat approval is evidence that the city determined that all infrastructure standards were met.

- (C) Any special development standards, including, but not limited to, floodplain development, special setbacks, geological or geotechnical analysis, and vision clearance.

Applicant's Response: The Applicant's Tentative Plat approval is evidence that the city determined that all special development standards were met.

- (2) The tentative subdivision plan does not impede the future use or development of the property or adjacent land.

Applicant's Response: The approved Tentative Subdivision Plan demonstrates that it does not impede the future use or development of the property or adjacent land. In fact, the subdivision plan provides improved vehicle and pedestrian connectivity with adjacent properties. This requirement is met.

- (3) Development within the tentative subdivision plan can be adequately served by city infrastructure.

Applicant's Response: The Applicant's engineer has worked closely with engineering and public works to improve the site frontage along Salem Heights Avenue and provide utilities and infrastructure necessary to serve the development. These infrastructure improvements were deemed adequate and approved by the city. This requirement is met.

- (4) The street system in and adjacent to the tentative subdivision plan conforms to the Salem Transportation System Plan.

Applicant's Response: Salem Heights Avenue is a designated collector street and is in conformance with the Salem Transportation System Plan. This requirement is met.

- (5) 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.

Applicant's Response: The street system within and adjacent to the development has been designed and approved by the city. The design of the internal local streets provides safe and efficient access to properties located to the north of the subdivision for both vehicles and pedestrians. Additionally, the Applicant constructed the required street improvements to Salem Heights Avenue to improve access to the development in this area. This requirement is met.

- (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.

Applicant's Response: As stated previously, the approved subdivision road layout provides safe and convenient pedestrian and bicycle access to adjacent residential areas and neighborhood activity centers. This requirement is met.

- (7) The tentative subdivision plan mitigates impacts to the transportation system consistent with the approved traffic impact analysis, where applicable.

Applicant's Response: In conformance with city code, City of Salem public works standards and the TSP, the Applicant has dedicated additional right-of-way and improved the frontage of the development with curb, gutter, sidewalks and a bike lane. The development of Wren Heights provided for the extension of existing dead-end streets through the development and has provided better connectivity for vehicles, bicycles and pedestrians. As the overall traffic count is below 1000 vehicle trips per day, a Traffic Impact Statement was not required. In addition, the Public Works Department has evaluated Salem Heights Avenue and confirmed that this collector has adequate width for two-way traffic. It should also be noted that the SDC's generated by this development will contribute to funding future roadway improvements.

- (8) The tentative subdivision plan takes into account the topography and vegetation of the site so the need for variances is minimized to the greatest extent practicable.

Applicant's Response: The design of Wren Heights considered both topography and preservation of existing vegetation and this was evaluated during the approval process. There was the need for one adjustment (double frontage lots) but there were no variances requested. Additionally, a Tree Conservation Plan was submitted and approved whereby the Applicant was able to save 32.6% of the trees on site in addition to several white oaks located along Salem Heights Avenue. This requirement was met.

- (9) The tentative subdivision plan takes into account the topography and vegetation of the site, such that the least disruption of the site, topography, and vegetation will result from the reasonable development of the lots.

Applicant's Response: See comment above.

- (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.

Applicant's Response: Not Applicable

Additional Submittal Requirements:

1. A completed application form. The application form shall contain, at a minimum, the following information:
 - a. The names and addresses of the applicant(s), the owner(s) of the subject property, and any authorized representative(s) thereof;
 - b. The address or location of the subject property and its assessor's map and tax lot number;
 - c. The size of the subject property;
 - d. The comprehensive plan designation and zoning of the subject property;
 - e. The type of application;
 - f. A brief description of the proposal; and
 - g. Signatures of the applicant(s), owner(s) of the subject property, and/or the duly authorized representative(s) thereof authorizing the filing of the application(s).

Applicant's Response: Provided by Applicant

2. Recorded deed/land sales contract with legal description.

Applicant's Response: Provided by Applicant

3. A written statement addressing each applicable approval criterion and standard;

Applicant's Response: Provided by Applicant

4. A tentative plan map, of a size and form and in the number of copies meeting the standards established by the Director, containing the following information:

Applicant's Response: Provided by Applicant

5. A current title report for the property;

Applicant's Response: Public Works Uploaded

6. A geological assessment or geo-technical report, if required by SRC [chapter 810](#);

Applicant's Response: Reference Public Construction Plans (19-109746-PC).

7. A description of the proposed stormwater management system, including pre and post construction conditions, prepared in accordance with the Public Works Design Standards;

Applicant's Response: Reference Public Construction Plans (19-109746-PC).

8. A schematic plan showing the location of existing and proposed city infrastructure;

Applicant's Response: Reference Public Construction Plans (19-109746-PC).

9. A preliminary grading plan, for partitions, subdivisions, and phased subdivisions, when grading of the subject property will be necessary to accommodate the proposed development;

Applicant's Response: Reference Public Construction Plans (19-109746-PC).

10. For subdivisions and phased subdivisions:

- a. A completed trip generation estimate on forms provided by the City;
- b. A statement from the County Surveyor approving the name of the subdivision or phased subdivision.

Applicant's Response: Planning Uploaded

Olivia, I trust that we have addressed the city's approval criteria to your satisfaction. Please contact me if you have any questions or need additional information.

Sincerely,

Project Delivery Group



Mark B. Ferris, RLAE

Director of Planning & Development

Current Warranty Deed



THIS SPACE RESERVED FOR RECORDER'S USE

After recording return to:

The Thomas Kay Co.

3150 Link Ct

Salem, OR 97302

Until a change is requested all tax statements shall be sent to the following address:

The Thomas Kay Co.

3150 Link Ct

Salem, OR 97302

File No. 268546AM

REEL 4248 PAGE 484
MARION COUNTY
BILL BURGESS, COUNTY CLERK
10-01-2019 03:17 pm.
Control Number 570763 \$ 101.00
Instrument 2019 00047022

STATUTORY WARRANTY DEED

H. Thomas Harvey Jr, Trustee of the Jane Ann Harvey Revocable Living Trust,

Grantor(s), hereby convey and warrant to

The Thomas Kay Co.,

Grantee(s), the following described real property in the County of Marion and State of Oregon free of encumbrances except as specifically set forth herein:

See attached legal

The true and actual consideration for this conveyance is \$850,000.00.

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

2019-2020 Real Property Taxes, a lien not yet due and payable

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 27 day of Sept, 2019.

Jane Ann Harvey Revocable Living Trust

X H. Thomas Harvey Jr

H. Thomas Harvey Jr, Trustee Successor Trustee

State of Oregon} ss.
County of Marion}

On this 27 day of September, 2019, before me, Stephanie Catlett Goad a Notary Public in and for said state, personally appeared H. Thomas Harvey Jr known or identified to me to be the person whose name is subscribed to the foregoing instrument as trustee of the Jane Ann Harvey Revocable Living Trust, and acknowledged to me that he/she/they executed the same as Trustee.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Stephanie Catlett Goad
Notary Public for the State of Oregon
Residing at: Salem
Commission Expires: 12-25-2021

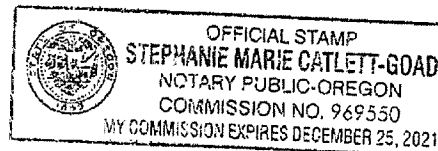


EXHIBIT "A"

268546AM

Tract I:

A tract of land situated in Section 4, Township 8 South, Range 3 West of the Willamette Meridian, Marion County, Oregon, being more particularly described as follows:

Beginning at a point at the Southwest corner of a tract of land described in Volume 470, Page 12, Marion County Deed Records said point being the West line of Lot 5, Ewald Fruit Farms, as recorded in Volume 3, Page 84, Book of Town Plats for Marion County, Oregon at a point 393.00 feet North of the Southwest corner of said Lot 5; thence South, along the West line of said Lot 5, 105.00 feet; thence North 89°45' 36" East, parallel to the South line of said lot, 195.00 feet; thence South, parallel to said West line, 290.00 feet to said South line; thence North 89°45'36" East, along said South line, 135.00 feet to the Southeast corner of said Lot 5; thence North, along the East line of said lot, 672.54 feet to the Northeast corner thereof; thence South 89°45'36" West, along the North line of said lot, 195.30 feet to the Northeast corner of a tract of land described in Volume 466, Page 55, Marion County Deed Records; thence South, along the East line of said tract and the East line of said tract described in Volume 470, Page 12, 277.34 feet to the Southeast corner of said tract; thence South 89°45'36" West, along the South line of said tract, 134.70 feet to the point of beginning.

Tract II:

Lot 4, EWALD FRUIT FARMS, in Marion County, Oregon.

SAVE AND EXCEPT therefrom the property described in deeds from Harmon T. Harvey to Harmon T. Harvey Jr. recorded in Reel 1012, Page 35 and Reel 1044, Page 173 in Marion County, Oregon Deed Records.

Also Save and Except the following:

Beginning at a point in the center line of Salem Heights Avenue at the Southeast corner of Lot 4, Ewald Fruit Farms, Marion County, Oregon; thence Northerly along the Easterly line of said lot 671.88 feet to an iron pipe at the Northeast corner of said lot; thence Westerly along the Northerly line of said lot 330 feet to the Northwest corner thereof; thence Southerly along the Westerly line of said Lot 357.95 feet; thence Easterly and parallel with the Northerly line of said lot 290 feet; thence Southerly and parallel with the Easterly line of said Lot 313.93 feet to the South line of said Lot and the center line of Salem Heights Avenue; thence Easterly along said line 40 feet to the place of beginning.

Also Save and Except the following:

Beginning at a point which is 40 feet West and 163.93 feet North of the Southeast corner of Lot 4, Ewald Fruit Farms, Marion County, Oregon; thence West 290 feet; thence North 150 feet; thence East 290 feet; thence South 150 feet to the place of beginning.

Tract III:

THE WESTERLY 150.00 FEET OF THE REMAINDER OF THE FOLLOWING DESCRIBED PROPERTY:

Lot 4, EWALD FRUIT FARMS, in Marion County, Oregon.

SAVE AND EXCEPT therefrom the following described premises: Beginning at a point in the center line of Salem Heights Avenue at the Southeast corner of Lot 4, Ewald Fruit Farms, Marion County, Oregon; thence Northerly along the Easterly line of said lot 671.88 feet to an iron pipe at the Northeast corner of said lot; thence Westerly along the Northerly line of said lot 330 feet to the Northwest corner thereof; thence Southerly along the Westerly line of said Lot 357.95 feet; thence Easterly and parallel with the Northerly line of said lot 290 feet; thence Southerly and parallel with the Easterly line of said Lot 313.93 feet to the South line of said Lot and the center line of Salem Heights Avenue; thence Easterly along said line 40 feet to the place of beginning.

ALSO SAVE AND EXCEPT: Beginning at a point which is 40 feet West and 163.93 feet North of the Southeast corner of Lot 4, Ewald Fruit Farms, Marion County, Oregon; thence West 290 feet; thence North 150 feet; thence East 290 feet; thence South 150 feet to the place of beginning.

Tract IV:

The following described property, to-wit: Beginning at a point which is 40 feet West and 163.93 feet North of the Southeast corner of Lot 4, Ewald Fruit Farms, Marion County, Oregon; thence West 290 feet; thence North 150 feet; thence East 290 feet; thence South 150 feet to the place of beginning.

Tract V:

Beginning at a point in the center line of Salem Heights Avenue at the Southeast corner of Lot 4, Ewald Fruit Farms, Marion County, Oregon; thence Northerly along the Easterly line of said lot 671.88 feet to an iron pipe at the Northeast corner of said lot; thence Westerly along the Northerly line of said lot 330 feet to the Northwest corner thereof; thence Southerly along the Westerly line of said Lot 357.95 feet; thence Easterly and parallel with the Northerly line of said lot 290 feet; thence Southerly and parallel with the Easterly line of said Lot 313.93 feet to the South line of said Lot and the center line of Salem Heights Avenue; thence Easterly along said line 40 feet to the place of beginning.

REEL: 4248

PAGE: 484

October 01, 2019, 03:17 pm.

CONTROL #: 570763

State of Oregon
County of Marion

I hereby certify that the attached
instrument was received and duly
recorded by me in Marion County
records:

FEE: \$ 101.00

**BILL BURGESS
COUNTY CLERK**

THIS IS NOT AN INVOICE.

Arborist's Letter



Springwater Arboriculture LLC

CCB# 158098

4547 S.E. Brae St. Milwaukie, OR 97222 (503) 631-4760

October 15, 2021
Assessment Report

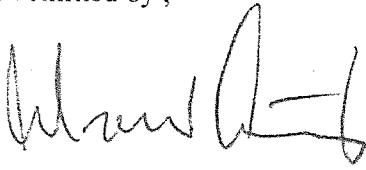
I was asked by Thomas Kay to assess a impacts on trees located in the ROW with respect to proposed driveway approaches and driveways at his Salem, OR subdivision site. The Site, named Wren Heights is located at 575 Salem Heights Avenue South, Salem, OR 97302. The ROW trees to be protected are directly adjacent to Salem Heights Avenue South on the south of lot #2. Lot #3 also has a proposed approach and driveway but there are no adjacent trees, in the ROW, that will be impacted.

An onsite assessment was done on the morning of October 15, 2021. At that time tree and site conditions were verified. Proposed driveway approaches and driveways were evaluated using Driveway Approach and Sidewalk Exhibit plan provided by Thomas Kay.

The approach and driveway on lot #2 is proposed to be placed between Tree #2006 a Douglas Fir and Tree #2009 an Oregon White Oak. Both of these trees appear to be in fair condition and were protected during adjacent street improvements on Salem Heights Avenue South. Currently, there is a retaining wall across the width of lot #2 directly adjacent to the curb. Portions of his retaining wall can be removed to accommodate the driveway approach and be altered in order to continue retaining the sloped ROW. In order to construct the approach and driveway it will be important to carefully excavate and dig out the area between the 2 trees. This can be accomplished in the same manner as with the excavation and dig out for the street improvements. A combination of machine and hand digging was utilized in combination with a vacuum truck in order to excavate to the desired depth with out significantly damaging tree roots that may be present. It is recommended that a qualified arborist be present during the excavation process.

While these protection measures are the bare minimum they should be sufficient to protect trees through out the construction process. It is important that all recommendations are followed and any issues are communicated to a qualified arborist in a timely manner.

Submitted by ,

A handwritten signature in black ink, appearing to read 'Andrew Craig', with a stylized flourish at the end.

Andrew Craig
ISA Certified Arborist PN5927
ISA Tree Risk Assessment Qualified
andrew@springarborist.com



Springwater Arboriculture LLC

CCB# 158098

4547 S.E. Brae St. Milwaukie, OR 97222 (503) 631-4760

The Thomas Kay Co.
P.O. Box 3079
Salem, OR 97302
(503) 931-4433

October 15, 2021

Invoice

Site visit and assessment with Assessment Report.

\$500.00

Total Due: \$500.00

Original Tentative Map



JENSEN
CONSULTING AND
DEVELOPMENT, LLC

KEIZER, OREGON

[illegible]

DATE	15128
TIME	140555 (20:11)
NAME	HAVER 1985
TYPE	AS SNOW
STATUS	AS SNOW
UNIT	140
CLASS	JM

LOT AND
STREET
LAYOUT

C-1.05



Proposed Modification Exhibit

DATE SIGNED:

THOMAS KAY COMPANY
**WREN HEIGHTS
SUBDIVISION**
SALEM, OREGON

REASON FOR ISSUANCE	DATE	BY
DESCRIPTION		
NO.		

Driveway
Approach &
Sidewalk
Exhibit



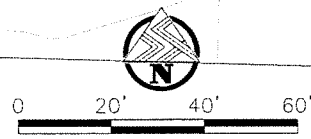
Driveway Code Requirements:

Sec. 806.030. - Driveway Development Standards for Single Family, Two Family, Three Family, and Four Family Uses or Activities.

All driveways shall conform to the minimum dimensions set forth in Table 806-4. The minimum width of a driveway serving more than one parking space must meet the standard set forth in Table 806-4 for only the first 20 feet of depth behind the parking space served; beyond 20 feet, the minimum width may be reduced to ten feet.

TABLE 806-4. MINIMUM DRIVEWAY DIMENSIONS		
Number of Parking Spaces Served	Width	Depth
1 to 2 spaces	10 feet	20 feet
3 to 4 spaces	12 feet	20 feet
5 or more spaces	14 feet	20 feet

NOTE: Driveway Locations for Lots 1-3 Are Proposed Only and Subject to Change by Lot Owner



- (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.

Applicant's Response: Not Applicable

Additional Submittal Requirements:

- ✓ 1. A completed application form. The application form shall contain, at a minimum, the following information:
 - ✓ a. The names and addresses of the applicant(s), the owner(s) of the subject property, and any authorized representative(s) thereof;
 - ✓ b. The address or location of the subject property and its assessor's map and tax lot number;
 - ✓ c. The size of the subject property;
 - ✓ d. The comprehensive plan designation and zoning of the subject property;
 - ✓ e. The type of application;
 - ✓ f. A brief description of the proposal; and
 - ✓ g. Signatures of the applicant(s), owner(s) of the subject property, and/or the duly authorized representative(s) thereof authorizing the filing of the application(s).

Applicant's Response: Provided by Applicant

- ✓ 2. Recorded deed/land sales contract with legal description.

Applicant's Response: Provided by Applicant

- ✓ 3. A written statement addressing each applicable approval criterion and standard; ✓

Applicant's Response: Provided by Applicant ✓

4. A tentative plan map, of a size and form and in the number of copies meeting the standards established by the Director, containing the following information:

Applicant's Response: Provided by Applicant

5. A current title report for the property;

Applicant's Response: Public Works Uploaded

6. A geological assessment or geo-technical report, if required by SRC chapter 810;

Applicant's Response: Reference Public Construction Plans (19-109746-PC).

7. A description of the proposed stormwater management system, including pre and post construction conditions, prepared in accordance with the Public Works Design Standards;

Applicant's Response: Reference Public Construction Plans (19-109746-PC).

8. A schematic plan showing the location of existing and proposed city infrastructure;

Applicant's Response: Reference Public Construction Plans (19-109746-PC).

9. A preliminary grading plan, for partitions, subdivisions, and phased subdivisions, when grading of the subject property will be necessary to accommodate the proposed development;

Applicant's Response: Reference Public Construction Plans (19-109746-PC).

10. For subdivisions and phased subdivisions:

- a. A completed trip generation estimate on forms provided by the City;
- b. A statement from the County Surveyor approving the name of the subdivision or phased subdivision.

Applicant's Response: Reference Public Construction Plans (19-109746-PC).

Olivia, I trust that we have addressed the city's approval criteria to your satisfaction. Please contact me if you have any questions or need additional information.

Sincerely,

Project Delivery Group

Mark B. Ferris, RLAE

Director of Planning & Development