

November 24, 2021

Sam Lapray
Covey Rowhouses, LLC
226 Salem Heights Avenue SE
21-119877-RP (Class 3 Site Plan Review)

SCR Chapter 803.065 – Alternate Street Standards

The Director may authorize the use of one or more alternative standards where existing development or physical constraints make compliance with the standards impracticable or where topography or other conditions make the construction that conforms to the standards impossible or undesirable.

A total of 15 properties, including the subject property, are served by Crawford Street. The original Plat was recorded in the 1940's and provided for a 20' right of way. All properties which have access off of Crawford are fully developed. The existing roadway is generally 20' wide with no pedestrian walkways. Overhead utilities are located immediately east of the right of way. The OH utilities have a prescriptive right to be located on the private property since they have occupied the space since the property was developed.

Because of the existing utilities, right of way cannot be dedicated per SRC without any encumbrances. Relocating the power poles would require the 8 property owners on the east side to provide an easement to PGE and substantial cost to move the poles to allow any right of way to be dedicated without encumbrances. The applicant has no way of compelling the property owners fronting Crawford to dedicate an easement to PGE to allow the poles to be relocated.

The applicant proposes to grant the City an easement and provide a pedestrian pathway to allow safe pedestrian passage along the Crawford frontage for all pedestrians.

Constructing Crawford to City Standards places a significant burden on the development and is not practicable for a number of reasons.

- 1. The entire improvement would need to be on the applicant's property rendering the remaining property undevelopable.*
- 2. PGE will require all of the poles to be relocated along Crawford at substantial effort and expense. It is our opinion that it will not be possible to get 8 property owners to agree to allow the poles to be relocated.*
- 3. The extension of Crawford to City Standards is extremely unlikely since all of the properties are fully developed and are not likely to redevelop any time soon.*
- 4. Forcing City Standards on Crawford Street will eliminate the possibility for this project to provide much needed housing as determined by the State.*

The applicant proposes to pay a "Fee in Lieu" covering the cost of the Salem Heights Improvements to be constructed by others in the future.