

# NOTICE OF DECISION

PLANNING DIVISION  
555 LIBERTY ST. SE, RM 305  
SALEM, OREGON 97301  
PHONE: 503-588-6173  
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*Si necesita ayuda para comprender esta informacion, por favor llame 503-588-6173*

## DECISION OF THE PLANNING ADMINISTRATOR

**CLASS 3 SITE PLAN REVIEW / CLASS 2 ADJUSTMENT / CLASS 1 DESIGN REVIEW CASE NO.: SPR-ADJ-DR21-36**

**APPLICATION NO.: 21-119877-RP / 21-121552-ZO / 21-119878-DR**

**NOTICE OF DECISION DATE:** March 8, 2022

**SUMMARY:** A proposal to demolish existing single-family home and develop 10 new apartment units (2 duplex & 2 triplex).

**REQUEST:** A consolidated Class 3 Site Plan Review and Class 1 Design Review to replace an existing single-family dwelling with 10 new apartment units, garages, parking spaces, and associated site improvements, with Class 2 Adjustments to:

- 1) Exceed the maximum of 18 spaces allowed within one-quarter mile of the Core Network by 11 percent and provide 20 parking spaces accessed from Crawford Street SE; and
- 2) Reduce the landscaped setback for a portion along the east property line from 10 feet to ~~6 feet~~ 4 feet to accommodate a turnaround area at the end of the drive aisle.

The subject property is approximately 0.39 acres, zoned RM-II (Multiple Family Residential) and located at 226 Salem Heights Avenue SE - 97302 (Marion County Assessors Map and Tax Lot 083W03BD / 9100).

**APPLICANT:** Sam Lapray

**LOCATION:** 226 Salem Heights Ave SE, Salem OR 97302

**CRITERIA:** Salem Revised Code (SRC) Chapters 220.005(f)(3) – Class 3 Site Plan Review; 250.005(d)(2) – Adjustments; 225.005(e)(1) – Class 1 Design Review

**FINDINGS:** The findings are in the attached Decision dated March 8, 2022.

**DECISION:** The **Planning Administrator APPROVED** Class 3 Site Plan Review / Class 2 Adjustment / Class 1 Design Review Case No. SPR-ADJ-DR21-36 subject to the following conditions of approval:

- Condition 1:** At the time of building permit review, the applicant shall provide plans showing that Crawford Street SE meets the minimum 20-foot width for Fire Department access; or the applicant shall provide the required fire sprinklers and location of the Fire Department Connection.
- Condition 2:** The applicant shall ensure that the door of each ground floor bedroom/den of the western Buildings 1 and 4 shall include a transparent window that shall not be mirrored or treated in such a way as to block visibility into the building; or the applicant shall provide an additional window in the west-facing walls of the ground floor bedroom/den of Buildings 1 and 4.

- Condition 3:** Designate each garage and the driveway parking space serving it as reserved parking for the same dwelling unit.
- Condition 4:** Provide pavement markings or signage for each reserved parking space.
- Condition 5:** Provide pavement markings or signage for each compact space.
- Condition 6:** Provide wheel stops or extended curbs for the four parking spaces not located in the driveways to prevent parked vehicles from encroaching into the five-foot-wide pedestrian path.
- Condition 7:** Convey land for dedication to equal a half-width right-of-way of 30 feet on the development side of Salem Heights Avenue SE.
- Condition 8:** Construct a half-street improvement along the frontage of Salem Heights Avenue SE to Collector Street standards, including extension of a public storm main; or pay a fee-in-lieu of construction totaling \$22,233.
- Condition 9:** Construct a minimum 5-foot-wide pedestrian access route along the entire frontage of Crawford Street SE within a public access easement.
- Condition 10:** Design and construct a storm drainage system at the time of development in compliance with Salem Revised Code (SRC) Chapter 71 and Public Works Design Standards (PWDS).
- Condition 11:** At the time of building permit review, the applicant shall provide either four large shrubs or four ornamental trees (equivalent of eight plant units) along the 24-foot-long turnout area at the end of the drive aisle at the east end of the property.
- Condition 12:** The adjusted development standards, as approved in this report, shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to the applicable development standards of the Salem Revised Code, unless adjusted through a future land use action.

The rights granted by the attached decision must be exercised, or an extension granted, by the dates listed below, or this approval shall be null and void.

Class 3 Site Plan Review	<u>March 24, 2026</u>
Class 2 Adjustment	<u>March 24, 2024</u>
Class 1 Design Review	<u>March 24, 2024</u>

Application Deemed Complete:	<u>December 23, 2021</u>
Notice of Decision Mailing Date:	<u>March 8, 2022</u>
Decision Effective Date:	<u>March 24, 2022</u>
State Mandate Date:	<u>April 22, 2022</u>

Case Manager: Jamie Donaldson, Planner II, [jdonaldson@cityofsalem.net](mailto:jdonaldson@cityofsalem.net), 503-540-2328

This decision is final unless written appeal and associated fee (if applicable) from an aggrieved party is filed with the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem OR 97301, or by email at [planning@cityofsalem.net](mailto:planning@cityofsalem.net), no later than 5:00 p.m., Wednesday, March 23, 2022. The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapter(s) 220, 250, and 225. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Hearings Officer will review the appeal at a public hearing. After the hearing, the Hearings Officer may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

The complete case file, including findings, conclusions and conditions of approval, if any, is available for review by contacting the case manager, or at the Planning Desk in the Permit Application Center, Room 305, City Hall, 555 Liberty Street SE, during regular business hours.

<http://www.cityofsalem.net/planning>

**BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM**

**DECISION**

<b>IN THE MATTER OF APPROVAL OF</b>	)	<b>FINDINGS AND ORDER</b>
<b>CLASS 3 SITE PLAN REVIEW,</b>	)	
<b>CLASS 2 ADJUSTMENT, AND</b>	)	
<b>CLASS 1 DESIGN REVIEW</b>	)	
<b>CASE NO. SPR-ADJ-DR21-36</b>	)	
<b>226 SALEM HEIGHTS AVENUE SE</b>	)	<b>MARCH 8, 2022</b>

In the matter of the application for a Class 3 Site Plan Review, Class 2 Adjustments, and Class 1 Design Review, submitted by Sam H. Lapray (Covey Rowhouses LLC), the Planning Administrator, having received and reviewed evidence and the application materials, makes the following findings and adopts the following order as set forth herein.

**REQUEST**

**Summary:** A proposal to demolish existing single-family home and develop 10 new apartment units (2 duplex & 2 triplex).

**Request:** A consolidated Class 3 Site Plan Review and Class 1 Design Review to replace an existing single-family dwelling with 10 new apartment units, garages, parking spaces, and associated site improvements, with Class 2 Adjustments to:

- 1) Exceed the maximum of 18 spaces allowed within one-quarter mile of the Core Network by 11 percent and provide 20 parking spaces accessed from Crawford Street SE; and
- 2) Reduce the landscaped setback for a portion along the east property line from 10 feet to ~~6 feet~~ 4 feet to accommodate a turnaround area at the end of the drive aisle.

The subject property is approximately 0.39 acres, zoned RM-II (Multiple Family Residential) and located at 226 Salem Heights Avenue SE - 97302 (Marion County Assessors Map and Tax Lot 083W03BD / 9100). A vicinity map illustrating the location of the property is attached hereto, and made a part of this staff report (**Attachment A**).

**PROCEDURAL FINDINGS**

**1. Class 3 Site Plan Review Applicability**

Site plan review is intended to provide a unified, consistent, and efficient means to review proposed development that requires a building permit, other than single-family, duplex residential, and installation of signs, to ensure that such development meets all applicable requirements imposed by the Salem Revised Code (SRC). SRC 220.005(b)(3) requires Class 3 Site Plan Review for any development that requires a building permit, and that involves a land use decision or limited land use decision, as those terms are defined in ORS 197.015.



Class 3 Site Plan Review is required for this application pursuant to SRC 220.005(b)(3)(F) because a Class 2 Adjustment has been requested.

## 2. Background

On June 28, 2021, the Planning Administrator issued a decision approving a Class 3 Site Plan Review, Class 1 Adjustment, and Class 1 Design Review (SPR-ADJ-DR21-12) for the subject property. On July 13, 2021, a notice of appeal was filed and the City held a public hearing before the City of Salem Hearings Officer on August 11, 2021. After reviewing the case and hearing testimony from staff, the applicant, and the public, the Hearings Officer reversed the decision of the Planning Administrator and denied the whole application. The Hearings Officer also concluded that Crawford Street SE was classified as a “street” and not an “alley.” Therefore, a new proposal could be submitted consistent with the development standards for Crawford Street as a street and not an alley.

On October 22, 2021, a Class 3 Site Plan Review and Class 1 Design Review application were filed for the proposed development. Staff determined that the proposal required two adjustments, and on November 29, 2022, the Class 2 Adjustment application was filed. After additional information was provided, the applications were deemed complete for processing on December 23, 2021. The applicant’s proposed site plan is included as **Attachment B**, the applicant’s elevation drawings and floor plans for all four buildings are included as **Attachment C**, and the applicant’s written statements addressing the approval criteria is included as **Attachment D**.

The 120-day State mandated deadline is April 22, 2022.

## SUBSTANTIVE FINDINGS

### 3. Summary of Record

The following items are submitted to the record and are available upon request: All materials submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, and stormwater reports; any materials and comments from public agencies, City departments, neighborhood associations, and the public; and all documents referenced in this report.

### 4. Neighborhood Association and Public Comments

The subject property is located within the boundaries of the Faye Wright Neighborhood Association (Faye Wright).

Applicant Neighborhood Association Contact: SRC 300.310 requires an applicant to contact the neighborhood association(s) whose boundaries include, and are adjacent to, property subject to specific land use application requests. Pursuant to SRC 300.310(b)(1), land use applications included in this proposed consolidated land use application request require neighborhood association contact. On February 21, 2021, the applicant contacted the Faye Wright Neighborhood Association to provide details about the proposal.

**Neighborhood Association Comment:** Notice of the application was provided to the Faye Wright Neighborhood Association pursuant to SRC 300.520(b)(1)(B)(v), which requires notice to be sent to any City-recognized neighborhood association whose boundaries include, or are adjacent to, the subject property. The Faye Wright Neighborhood Association submitted comments in support of the proposal which are included as **Attachment E**.

**Public Comments:** Notice was also provided, pursuant to SRC 300.520(b)(1)(B)(iii), (vi), & (vii), to all property owners and addresses within 250 feet of the subject property. One comment was received indicating no objections to the proposal. Comments received from one individual objecting to the proposal are summarized below.

- **Increased traffic:** Comments were submitted regarding increased traffic that would worsen existing issues and negatively impact pedestrian safety on Crawford Street SE, a narrow dead-end right-of-way, and Salem Heights Avenue SE.

**Staff Response:** The existing street system is adequate to serve the proposed development. Traffic estimated from the proposed development is 54 average daily trips (ADT). This is an increase of 45 ADT from the 9 ADT that would be generated from the existing single-family dwelling. This would be an increase of about five vehicles in the PM peak hour, or approximately one new vehicle about every 12 minutes. As discussed below, the conditions of approval require dedication of right-of-way on Salem Heights Avenue SE, either construction of or payment of a fee in lieu of construction of Salem Heights Avenue SE to Collector standards, and a paved pedestrian pathway within an easement inside the western boundary of the property.

- **Large truck access:** Concerns were raised that large delivery trucks, garbage and recycle trucks, and emergency vehicles would hinder traffic flow.

**Staff Response:** The proposed development complies with the multi-family development standards set forth in SRC Chapter 702 and the driveway and access standards of SRC Chapters 804 and 806, which include minimum width requirements for vehicle use areas. In addition, the Fire Department has reviewed the proposal and provided comments to ensure safe access as the development moves forward during the building permit process.

- **Impacts of construction:** Concerns were raised regarding equipment storage, employee parking during construction, direction of debris during demolition, and lack of alternative detour options during excavation and construction.

**Staff Response:** The developer is responsible for ensuring that equipment and vehicles are parked in compliance with the law, as well as ensuring the appropriate permits are obtained at the time of demolition or development, ensuring compliance with all applicable laws and minimizing impacts to the surrounding neighborhood. It is generally unlawful to construct, demolish, alter, excavate, rehabilitate or repair any building, street, sidewalk, driveway, sewer,

or utility line between the hours of 10:00 p.m. and 7:00 a.m. of the following day (SRC 93.020(d)).

- **Solid waste disposal:** Concerns were raised that residents would place solid waste receptacles along the alley and cause congestion.

**Staff Response:** The applicant is proposing to provide small trash and recycling containers for each unit. The property has frontage on Salem Heights Avenue SE where containers may be placed. There is no code requirement to provide a certain number of trash receptacles for development. It is the responsibility of the applicant to work with the solid waste handler to determine the number of receptacles and schedule to provide adequate servicing for the complex. Solid waste issues are address by Salem Revised Code Chapter 50 and enforced by the City's Compliance Services Division.

Homeowners Association: The subject property is not located within a Homeowners Association.

## 5. City Department Comments

- The Public Works Department reviewed the proposal and provided a memo which is included as **Attachment F**.
- The Building and Safety Division reviewed the proposal and indicated that there are no site issues.
- The Fire Department reviewed the proposal and indicated that Fire Department access will be abutting Crawford Street. Crawford Street shall meet the minimum 20-foot width for Fire Department access, as conditioned below. At the time of building permit the Fire Department will review any structures to comply with OSSC (Oregon Structural Specialty Code), which may require fire sprinklers and the site plan will be required to show the location of a FDC [Fire Department Connection].

**Staff Response:** The applicant is responsible for addressing these comments during the building permit process. As outlined in the Public Works memo (**Attachment F**), Crawford Street SE has an approximate 17-foot improvement within a 20-foot-wide right-of-way abutting the subject property. The configuration of the buildings and parking area may be modified, if necessary, to meet the Fire Department standards, provided that the modifications meet applicable development standards, design standards, and conditions of approval. To ensure these standards are met, the following condition applies:

**Condition 1:** At the time of building permit review, the applicant shall provide plans showing that Crawford Street SE meets the minimum 20-foot width for Fire Department access; or the applicant shall provide the required fire sprinklers and location of the Fire Department Connection.

## 6. Public and Private Agency Comments

Notice of the proposal was provided to public agencies, and to public and private service providers. Prior to the close of the comment period, two comments were received from public agencies. Their comments are summarized with Staff responses are included below:

- Salem-Keizer Public School District reviewed the proposal and submitted comments (**Attachment G**).
- Salem Area Mass Transit District (Cherriots) provided the following comment: *Cherriots does not support the request for a Class 2 Adjustment to exceed the maximum of 18 parking spaces within ¼ mile of the Core Network. The site plan does not show any pedestrian infrastructure along the Salem Heights Ave SE frontage, but it is very much needed. If this development triggers pedestrian infrastructure improvements on Salem Heights Ave SE, Cherriots would support such improvements.*

**Staff Response:** The proposed development is conditioned to construct a half-street improvement along the frontage of Salem Heights Ave SE to Collector Street standard, which includes pedestrian infrastructure. In addition, the applicant is conditioned to construct a minimum 5-foot-wide pedestrian access route along the entire frontage of Crawford Street SE, therefore providing the necessary pedestrian infrastructure improvements.

- The Oregon Department of Aviation (ODA) responded to indicate they had no concerns.

## DECISION CRITERIA

### 7. Analysis of Class 3 Site Plan Review Criteria and Class 1 Design Review Criteria

Salem Revised Code (SRC) 220.005(f)(3) provides that an application for a Class 3 Site Plan Review shall be granted if the following criteria are met. The following subsections are organized with approval criteria, followed by findings of fact upon which the decision is based. Lack of compliance with the following criteria is grounds for denial or for the issuance of conditions of approval to satisfy the criteria.

Salem Revised Code (SRC) 225.005(e)(1) sets forth the criteria that must be met before approval can be granted to an application for Class 1 Design Review. Pursuant to SRC 225.005(e)(1), an application for a Class 1 Design Review shall be approved if all of the applicable design review standards are met. The design review standards are incorporated and analyzed within the Site Plan Review section below.

**SRC 220.005(f)(3)(A): The application meets all applicable standards of the UDC.**

**Finding:** The project includes a proposal to develop a 10-unit multi-family complex and is subject to the standards below.

## **Development Standards – RM-II (Multiple Family Residential-II) Zone:**

### *SRC 514.005(a) - Uses:*

The permitted, special, conditional and prohibited uses in the RM-II zone are set forth in Table 514-1.

**Finding:** Multiple family residential uses are allowed as a permitted use in the RM-II zone per Table 514-1.

### *SRC 514.010(a) – Land division in the RM-II zone:*

Lots subdivided or partitioned in the RM-II zone shall be a minimum of 20,000 square feet in size, unless the lots are restricted to contain three or more attached dwelling units per lot, are used for townhouse development, or are used for allowed uses other than household living.

**Finding:** No land division is proposed. This standard is not applicable.

### *SRC 514.010(b) – Lot standards:*

Lots within the RM-II zone shall conform to the standards set forth in Table 514-2. Multi-family uses are required to have a minimum lot area of 6,000 square feet, minimum lot width of 40 feet, minimum lot depth of 80 feet, maximum lot depth 300 percent of average lot width, and street frontage of 40 feet.

**Finding:** After a required right-of-way dedication, the subject property will be approximately 16,000 square feet in area, 103 feet wide, and 155 feet deep, with a lot width-to-depth ratio of 150 percent of average lot width and a street frontage of 103 feet. The proposal meets the standards.

### *SRC 514.010(c) – Dwelling unit density:*

Dwelling unit density within the RM-II zone shall conform to the standards set forth in Table 514-3. Maximum dwelling unit cannot be varied or adjusted. Multiple family uses are required to have a minimum density of 12 dwelling units per acre and maximum density of 28 units per acre.

**Finding:** After a required right-of-way dedication, the subject property will be approximately 16,000 square feet in area, or 0.367 acres. The proposed development of ten units represents a density of 27.25 dwelling units per acre. The proposal meets the standard.

### *SRC 514.010(d) – Setbacks:*

Setbacks within the RM-II zone shall be provided as set forth in Table 514-4 and Table 514-5.

**North:** Adjacent to the north is right-of-way for Salem Heights Avenue SE, designated as a Collector Street in the Salem TSP. For a multiple family use, Table 514-4 specifies that buildings abutting a street requires a minimum setback of 12 feet plus one foot for each one foot of height over 12 feet, but need not exceed 20 feet, and vehicle use areas require a minimum 12-foot setback.

**South:** Adjacent to the south is property zoned RM-II. For a multiple family use, Table 514-5 specifies that buildings and vehicle use areas abutting a residential zone at an interior side property line require a minimum 10-foot setback with Type C landscaping (one plant unit per 20 square feet and a minimum 6-foot-tall sight-obscuring fence or wall).

**East:** Adjacent to the south is property zoned RM-II. For a multiple family use, Table 514-5 specifies that buildings and vehicle use areas abutting a residential zone at an interior rear property line require a minimum 10-foot setback with Type C landscaping (one plant unit per 20 square feet and a minimum 6-foot-tall sight-obscuring fence or wall).

**West:** Adjacent to the west is right-of-way for Crawford Street SE, designated as a local street in the Salem TSP. For a multiple family use, Table 514-4 specifies that buildings abutting a street requires a minimum setback of 12 feet plus one foot for each one foot of height over 12 feet, but need not exceed 20 feet, and vehicle use areas require a minimum 12-foot setback.

**Finding:** The proposed northern buildings are 20 feet from the property line that will result from a required dedication of right-of-way on Salem Heights Avenue SE. Both proposed eastern buildings are ten feet from the east property line. The proposed southern buildings are ten feet from the south property line. The proposed western buildings are 20 feet from the west property line abutting Crawford Street SE. The proposal meets the applicable standards.

*SRC 514.010(e) - Lot Coverage, Height:*

Buildings and accessory structures within the RM-II zone shall conform to the lot coverage and height standards set forth in Table 514-6. The maximum lot coverage requirement for all uses in the RM-II zone is 60 percent. The maximum building height allowance for multiple family buildings is 50 feet.

**Finding:** The site plan indicates that the proposed buildings cover approximately 3,492 square feet of the 16,000-square-foot lot, for a lot coverage of approximately 22 percent. The proposed buildings are approximately 32 feet in height. The proposal meets the standards.

*SRC 514.010(f) – Maximum Square Footage for All Accessory Structures:*

In addition to the maximum coverage requirements established in Table 514-6, accessory structures to single family and two family uses shall be limited to the maximum aggregate total square footage set forth in Table 514-7.

**Finding:** The proposed use is multiple family. This standard is not applicable.

*SRC 514.010(g) – Landscaping:*

- (1) *Setbacks.* Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC Chapter 807.
- (2) *Vehicle use areas.* Vehicle use areas shall be landscaped as provided under SRC Chapters 806 and 807.

**Finding:** The site plan indicates landscaped setbacks. The proposed vehicle use area indicates landscaped setbacks abutting Crawford Street SE and the east property line. The proposal meets the standards.

*SRC 514.010(h) – Outdoor Storage:*

Within the RM-II zone, outdoor storage shall be screened from streets and adjacent properties by a minimum six-foot-high sight-obscuring fence, wall, or hedge.

**Finding:** No outdoor storage areas are proposed. This development standard is not applicable.

**Development Standards – Multiple Family Design Review Standards SRC 702**

*SRC 702.015 – Design review standards for multiple family development with five to twelve units.*

*(a) Open space standards.*

*(1) To encourage the preservation of natural open space qualities that may exist on a site and to provide opportunities for active and passive recreation, all newly constructed multiple family developments shall provide a minimum 20 percent of the gross site area as designated and permanently reserved open space. For the purposes of this subsection, the term "newly constructed multiple family developments" shall not include multiple family developments created through only construction or improvements to the interior of an existing building(s). Indoor or covered recreation space may count toward this open space requirement.*

*(A) To ensure usable open space, at least one common open space area shall be provided within the development that is at least 500 square feet in size and has a minimum dimension of 20 feet for all sides.*

**Finding:** The applicant's site plan indicates common open space areas along all four property lines, the largest of which being approximately 1,800 square feet in the northern area of the property and having a minimum width of 20 feet and length exceeding 100 feet. The subject property is 16,000 square feet in area, requiring 3,200 square feet or 20% of the site to be designated as open space. The applicant's site plan indicates that 6,243 square feet (39 percent) of the site will be open space. The proposal meets the standard.

*(B) To allow for a mix of different types of open space areas and flexibility in site design, private open space, meeting the size and dimension standards set forth in Table 702-1, may count toward the open space requirement. All private open space must meet the size and dimension standards set forth in Table 702-1.*

**Finding:** The applicant has met the minimum open space requirement by providing common open space meeting the requirements of subsection (A). Therefore, the applicant does not need to utilize option (B).

*(C) To encourage active recreational opportunities for residents, the square footage of an improved open space area may be counted twice toward the total amount of required open space, provided each such area meets the standards set forth in this subsection. Example: a 500-square-foot improved open space area may count as 1,000 square feet toward the open space requirement.*

*(i) Be a minimum 500 square feet in size with a minimum dimension of 20 feet for all sides; and*

*(ii) Include at least one of the following types of features:*

- a. Covered pavilion.*
- b. Ornamental or food garden.*
- c. Developed and equipped children's play area, with a minimum 30-inch tall fence to separate the children's play area from any parking lot, drive aisle, or street.*
- d. Sports area or court (e.g., tennis, handball, volleyball, basketball, soccer).*
- e. Swimming pool or wading pool.*

**Finding:** The applicant has met the minimum open space requirement by providing common open space meeting the requirements of subsection (A). Therefore, the applicant does not need to utilize option (C).

*(D) To encourage proximity to and use of public parks, the total amount of required open space may be reduced by 50 percent for developments that are located within one quarter-mile of a publicly-owned urban, community, or neighborhood park as measured along a route utilizing public or private streets that are existing or will be constructed with the development.*

**Finding:** The applicant has met the minimum open space requirement by providing common open space meeting the requirements of subsection (A). Therefore, the applicant does not need to utilize option (D).

*(b) Landscaping standards.*

*(1) Where a development site abuts property that is zoned Residential Agricultural (RA) or Single Family Residential (RS), a combination of landscaping and screening shall be provided to buffer between the multiple family development and the abutting RA or RS zoned property. The landscaping and screening shall include the following:*

*(A) A minimum of one tree, not less than 1.5 inches in caliper, for every 30 linear feet of abutting property width; and*

*(B) A minimum six-foot tall, decorative, sight-obscuring fence or wall. The fence or wall shall be constructed of materials commonly used in the construction of fences and walls, such as wood, stone, rock, brick, or other durable materials. Chain-link fencing with slats shall not be allowed to satisfy this standard.*

*(2) Multiple family developments shall comply with the landscaping standards applicable in the underlying zone in which such developments are located.*



**Finding:** The development does not abut property zoned Residential Agricultural (RA) or Single Family Residential (RS). The property is zoned RM-II (Multiple Family Residential-II) and meets the landscaping standards in that zone, as addressed above. The proposal meets the applicable standard.

*(c) Site safety and security.*

- (1) Windows shall be provided in all habitable rooms, other than bathrooms, on each wall that faces common open space, parking areas, and pedestrian paths to encourage visual surveillance of such areas and minimize the appearance of building bulk.*
- (2) Lighting shall be provided that illuminates all exterior dwelling unit entrances, parking areas, and pedestrian paths within the development.*

**Finding:** The applicant has provided windows in each habitable room in each unit on the upper floors on each wall that faces common open space, parking areas, and pedestrian paths. In the ground floor bedroom/den of Buildings 1 and 4, the site plan and floor plan indicate a window door, but not a window on the west wall facing common open space. Therefore, the following condition is required to ensure compliance with this standard:

**Condition 2:** The applicant shall ensure that the door of each ground floor bedroom/den of the western Buildings 1 and 4 shall include a transparent window that shall not be mirrored or treated in such a way as to block visibility into the building; or the applicant shall provide an additional window in the west-facing walls of the ground floor bedroom/den of Buildings 1 and 4.

The site plan indicates that lighting will be provided to illuminate all exterior dwelling unit entrances, parking areas, and pedestrian paths within the development. The proposal meets this standard.

*(d) Parking and site design.*

- (1) To minimize the visual impact of on-site parking and to enhance the pedestrian experience, off-street surface parking areas and vehicle maneuvering areas shall be located behind or beside buildings and structures. Off-street surface parking areas and vehicle maneuvering areas shall not be located between a building or structure and a street.*
- (2) To ensure safe pedestrian access to and throughout a development site, pedestrian pathways shall be provided that connect to and between buildings, common open space, and parking areas, and that connect the development to the public sidewalks.*

**Finding:** The proposed surface parking area and vehicle maneuvering area is located between all four buildings in the center of the property and is not placed between any buildings and the abutting streets. Pedestrian pathways are provided that connect to and between buildings, common open space, and parking areas, and that connect the development to the public sidewalk. The proposal meets these standards.

*(e) Façade and building design.*

- (1) Where a development site abuts property zoned Residential Agricultural (RA) or Single Family Residential (RS), buildings shall be setback from the abutting RA or RS zoned property as set forth in Table 702-2 to provide appropriate transitions between new buildings and structures on-site and existing buildings and structures on abutting sites.*

**Finding:** The proposal does not abut property zoned Residential Agricultural (RA) or Single Family Residential (RS). This standard is not applicable.

- (2) On sites with 75 feet or more of buildable width, a minimum of 40 percent of the buildable width shall be occupied by building placed at the setback line to enhance visual interest and activity along the street. Accessory structures shall not apply towards meeting the required percentage.*

**Finding:** The northern buildings are placed at the 20-foot setback from the right-of-way dedication and occupy 50 percent of the buildable width along Salem Heights Avenue SE. The proposal meets the standard.

- (3) To orient buildings to the street, any ground-level unit, cluster of units, or interior lobbies, or portions thereof, located within 25 feet of the property line abutting a street shall have a building entrance facing the street, with direct pedestrian access to the adjacent sidewalk.*

**Finding:** The site plan indicates a shared entrance facing Salem Heights Avenue SE and a pedestrian access to the public sidewalk. The proposal meets the standard.

- (4) A porch or architecturally defined entry area shall be provided for each ground level dwelling unit. Shared porches or entry areas shall be provided to not more than four dwelling units. Individual and common entryways shall be articulated with a differentiated roof, awning, stoop, forecourt, arcade or portico.*

**Finding:** The site plan indicates a shared entry area for all four buildings, which provide access to the ground level units in Buildings 2 and 3. The shared entries of each building lead to staircases providing access to no more than 3 units, with a separate entrance for the unit on the second level, and a separate entry for the unit on the third level. The shared entry areas on the ground floor are articulated as an enclosed extension with a differentiated roof. The proposal meets the standard.

- (5) Roof-mounted mechanical equipment, other than vents or ventilators, shall be screened from ground level view. Screening shall be as high as the top of the mechanical equipment and shall be integrated with exterior building design.*

**Finding:** The applicant is not proposing roof-mounted equipment. This standard is inapplicable.

*(6) To reinforce the residential character of the neighborhood, flat roofs, and the roof ridges of sloping roofs, shall not exceed a horizontal length of 75 feet without providing differences in elevation of at least four feet in height. In lieu of providing differences in elevation, a cross gable or dormer that is a minimum of four feet in length may be provided.*

**Finding:** Each proposed building is approximately 34 feet in length and 25 feet in width. The proposal meets the standard.

## **General Development Standards SRC 800**

### *SRC 800.050 – Fences*

Fences and walls within residential zones shall not exceed a maximum height of eight feet; provided, however fences and walls within a front yard abutting a street shall not exceed a maximum height of four feet when located within 20 feet of the property line abutting a street; provided, however, within 10 feet of the property line abutting the street any portion of the fence or wall above 30 inches in height shall be less than 25 percent opaque when viewed at any angle at a point 25 feet away from the fence or wall. Fences and walls within a side or rear yard abutting a street shall not exceed a maximum height of six feet when located within ten feet of a property line abutting a street.

**Finding:** The applicant has proposed a six-foot-tall chain link fence with privacy slats along the east property line beginning at 20 feet from the right-of-way dedication line abutting Salem Heights Avenue SE, and along the south property beginning at 10 feet from the west property line abutting Crawford Street SE, meeting the sight-obscuring fence requirement of Type C landscaping along the property lines abutting residential zones.

### *SRC 800.055 - Solid Waste Service Areas*

*SRC 800.055(a) – Applicability.* Solid waste service area design standards shall apply to all new solid waste, recycling, and compostable services areas, where use of a solid waste, recycling, and compostable receptacle of 1 cubic yard or larger is proposed.

**Finding:** The applicant is not proposing a solid waste, recycling, and compostable service area using receptacles of one cubic yard or larger; therefore, these standards are not applicable.

### *SRC 800.065 – Pedestrian Access*

Except where pedestrian access standards are provided elsewhere under the UDC, all developments, other than single family, two family, and multiple family developments, shall include an on-site pedestrian circulation system developed in conformance with the standards in this section.

**Finding:** The proposal is a multiple family development; therefore these standards are not applicable. The development standards under SRC 702 require pedestrian access and are addressed below. The standards of this subsection do not apply.

## **Off-Street Parking, Loading, and Driveways SRC 806**

### *SRC 806.005 - Off-Street Parking; When Required.*

Off-street parking shall be provided and maintained for each proposed new use or activity.

**Finding:** The proposed development includes intensifying the use or activity of the subject property. This standard is applicable.

### *SRC 806.010 - Proximity of Off-Street Parking to Use or Activity Served.*

Required off-street parking shall be located on the same development site as the use or activity it serves or, within residential zones, within 200 feet of the development site containing the use or activity it serves.

### *SRC 806.015 - Amount of Off-Street Parking.*

- (a) *Minimum Required Off-Street Parking.* There is no minimum off-street parking requirement for multiple family uses within the CSDP area or one quarter of a mile of the Core Network.
- (b) *Compact Parking.* Up to 75 percent of the minimum off-street parking spaces required under this Chapter may be compact parking spaces.
- (c) *Carpool and Vanpool Parking.* New developments with 60 or more required off-street parking spaces, and falling within the Public Services and Industrial use classifications, and Business and Professional Services use category, shall designate a minimum of 5 percent of their total off-street parking spaces for carpool or vanpool parking.
- (d) *Maximum Off-Street Parking Where No Minimum Off-Street Parking is Required.* Where an activity does not require a minimum number of off-street parking spaces based on the requirements of Table 806-1, or because it is located in an area where no minimum off-street parking is required for the activity, maximum off-street parking shall be determined based on the assumed minimum off-street parking set forth in Table 806-2B.

**Finding:** The subject property is within one quarter of a mile of the Core Network, therefore no parking is required. No carpool or vanpool parking is required. The proposed development contains ten units. Table 806-2B allows a maximum of 18 off-street parking spaces (10 units X 1.75 spaces per dwelling unit = 17.5) for the proposed development.

For ten proposed units, the applicant is proposing 20 parking spaces: two spaces for each upper-level two-bedroom unit (4 x 4 = 16 spaces), and four additional guest parking spaces which could be utilized by each ground-level one-bedroom unit. This exceeds the maximum number of spaces by approximately 11 percent. The applicant has requested a Class 2 Adjustment for this, and findings for the Adjustment are in Section 8 of this report.

### *SRC 806.035 - Off-Street Parking and Vehicle Use Area Development Standards.*

- (a) *General Applicability.* The off-street parking and vehicle use area development standards set forth in this section apply to the development of new off-street parking and vehicle use areas.

- (b) *Location.* Off-street parking and vehicle use areas shall not be located within required setbacks.
- (c) *Perimeter Setbacks and Landscaping.* Perimeter setbacks shall be required for off-street parking and vehicle use areas abutting streets, abutting interior front, side, and rear property lines, and adjacent to buildings and structures.

**Finding:** Perimeter setbacks for the off-street parking and vehicle use area abutting property lines are identified in the building and vehicle use area setback findings above. The proposed vehicle use area meets all perimeter setbacks except for a backup area the width of the drive aisle that extends into the side setback along the east property line. The applicant has requested a Class 2 Adjustment for this, and findings for the Adjustment are in Section 8 of this report.

- (d) *Interior Landscaping.* Interior landscaping shall be provided in amounts not less than those set forth in Table 806-5. For parking areas 5,000-50,000 square feet in size, a minimum of 5 percent of the interior parking area shall be landscaped.

**Finding:** The proposed parking and vehicle use area is smaller than 5,000 square feet. No interior landscaping is required.

- (e) *Off-Street Parking Area Dimensions.* Off-street parking areas shall conform to the minimum dimensions set forth in Table 806-6.

**Finding:** The applicant proposes a tandem parking arrangement with a reserved single-car garage and a reserved driveway parking space for each of the eight two-bedroom units. Each garage is large enough to accommodate a standard 9-foot by 19-foot parking space. Each driveway parking space is proposed as a compact space 12.5 feet in width and 16.5 feet in length, exceeding the minimum width of 8 feet and minimum length of 15 feet.

In order to reserve each driveway parking space and garage for a single unit and reduce potential parking and maneuvering issues, the following condition is required:

**Condition 3:** Designate each garage and the driveway parking space serving it as reserved parking for the same dwelling unit.

Four additional 9.5-foot by 16.5-foot compact parking surface spaces are also proposed for the development, which meets the minimum dimensional requirements for compact parking of SRC Chapter 806.

As conditioned, the proposal meets the standards.

- (f) *Additional Off-Street Parking Development Standards 806.035(f)-(m).*

**Finding:** The proposed off-street parking area is consistent with the additional development standards for grade, surfacing, and drainage. The parking area striping, marking, signage, and lighting shall be consistent with SRC Chapter 806.

In order to ensure that reserved parking spaces and compact spaces are properly identified, the following conditions apply:

**Condition 4:** Provide pavement markings or signage for each reserved parking space.

**Condition 5:** Provide pavement markings or signage for each compact space.

In addition, a five-foot-wide paved pedestrian walkway leading to the parking area is proposed between the north and south buildings. As such, the following condition is required to differentiate these pedestrian connections from the four additional parking spaces provided outside of the tandem garage parking:

**Condition 6:** Provide wheel stops or extended curbs for the four parking spaces not located in the driveways to prevent parked vehicles from encroaching into the five-foot-wide pedestrian path.

As conditioned, the proposal meets the standards.

***SRC 806.040 - Driveway Development Standards.***

- (a) **Access.** Off-street parking and vehicle use areas shall have either separate driveways for ingress and egress, a single driveway for ingress and egress with an adequate turnaround that is always available or a loop to the single point of access.
- (b) **Location.** Driveways shall not be located within required setbacks except where the driveway provides direct access to the street, alley, or abutting property or the driveway is a shared driveway located over the common lot line and providing access to two or more uses.
- (c) **Additional Development Standards 806.040(c)-(g).**

**Finding:** The applicant has proposed a two-way driveway within the required setback that serves all buildings and provides direct access to the street. In addition, each driveway parking space serving a garage functions similarly to a driveway serving a single-car garage for a single-family dwelling unit. The applicant has also provided a landscape plan that indicates Type A landscaping for all perimeter setbacks and meets the standards set forth in this section. The proposal meets these standards.

**Bicycle Parking**

***SRC 806.045 - General Applicability.***

*Bicycle parking shall be provided and maintained for any intensification, expansion, or enlargement of a use or activity.*

***SRC 806.050 – Proximity of Bicycle Parking to Use or Activity Served.***

*Bicycle parking shall be located on the same development site as the use or activity is serves.*

***SRC 806.055 - Amount of Bicycle Parking.***

Multiple Family development are required to provide a minimum of four bicycle spaces or 0.1 bicycle space per dwelling unit.

**Finding:** The proposed development contains ten units, requiring a minimum of four bicycle spaces. The applicant's site plan indicates that four bicycle parking spaces exceeding minimum dimensional standards will be provided near the primary entrances of the buildings. The proposal meets the standard.

***SRC 806.060 - Bicycle Parking Development Standards.***

Bicycle parking areas shall be developed and maintained as set forth in this section.

- (a) **Location.** Bicycle parking located outside a building shall be located within a convenient distance of, and be clearly visible from, the primary building entrance. In no event shall bicycle parking areas be located more than 50 feet from the primary building entrance, as measured along a direct pedestrian access route.
- (b) **Access.** Bicycle parking areas shall have direct and accessible access to the public right-of-way and the primary building entrance that is free of obstructions and any barriers, such as curbs or stairs, which would require users to lift their bikes in order to access the bicycle parking area
- (c) **Dimensions.** Except as provided for bicycle lockers, bicycle parking spaces shall be a minimum of 6 feet in length and 2 feet in width, with the bicycle rack centered along the long edge of the bicycle parking space. Bicycle parking space width may be reduced, however, to a minimum of three feet between racks where the racks are located side-by-side. Bicycle parking spaces shall be served by a minimum 4-foot-wide access aisle. Access aisles serving bicycle parking spaces may be located within the public right-of-way.
- (d) **Surfacing.** Where bicycle parking is located outside a building, the bicycle parking area shall consist of a hard surface material, such as concrete, asphalt pavement, pavers, or similar material, meeting the Public Works Design Standards.
- (e) **Bicycle Racks.** Where bicycle parking is provided in racks, the racks may be floor, wall, or ceiling racks. Bicycle racks shall meet the following standards:
  - (1) Racks must support the bicycle frame in a stable position, in two or more places a minimum of six inches horizontally apart, without damage to wheels, frame, or components.
  - (2) Racks must allow the bicycle frame and at least one wheel to be locked to the rack with a high security, U-shaped shackle lock;
  - (3) Racks shall be of a material that resists cutting, rusting, and bending or deformation; and
  - (4) Racks shall be securely anchored.
  - (5) Examples of types of bicycle racks that do, and do not, meet these standards are shown in Figure 806-10.

**Finding:** The site plan indicates that bicycle racks meeting the current standards in Figure 806-10 will be provided.

## **Off-Street Loading Areas**

### *SRC 806.065 - General Applicability.*

Off-street loading areas shall be provided and maintained for intensification, expansion, or enlargement of a use or activity.

### *SRC 806.075 - Amount of Off-Street Loading.*

Off-street loading spaces are not required for Multiple Family buildings between five and 49 dwelling units.

**Finding:** The proposed building is for a ten-unit multi-family complex; therefore, no loading spaces are required, and the proposal meets the minimum required standards.

## **Landscaping**

*SRC 807 – Landscape and Screening:* All required setbacks shall be landscaped with a minimum of 1 plant unit per 20 square feet of landscaped area. A minimum of 40 percent of the required number of plant units shall be a combination of mature trees, shade trees, evergreen/conifer trees, or ornamental trees. Plant materials and minimum plant unit values are defined in SRC Chapter 807, Table 807-2.

All building permit applications for development subject to landscaping requirements shall include landscape and irrigation plans meeting the requirements of SRC Chapter 807.

**Finding:** The applicant is providing approximately 39 percent of the site in landscaping and open space. A minimum of 1 plant unit is required per 20 square feet of landscape area. A minimum of 40 percent of the required plant units shall be a combination of mature trees, shade trees, evergreen/conifer trees, or ornamental trees. Landscape and irrigation plans will be reviewed for conformance with the requirements of SRC 807 at the time of building permit application review.

## **Natural Resources and Hazards**

*SRC Chapter 601 – Floodplain:* 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.

*SRC 808 - Preservation of Trees and Vegetation:* The City's tree preservation ordinance, under SRC Chapter 808, provides that no person shall remove a significant tree (Oregon White Oak greater than 24 inches in diameter at breast height) (SRC 808.015) or a tree or native vegetation in a riparian corridor (SRC 808.020), unless the removal is excepted under SRC 808.030(a)(2), undertaken pursuant to a permit issued under SRC 808.030(d), undertaken pursuant to a tree conservation plan approved under SRC 808.035, or permitted by a variance granted under SRC 808.045.

**Finding:** No protected riparian trees or significant trees have been identified on the site plan for removal.



*SRC 809 - Wetlands:* Grading and construction activities within wetlands are regulated by the Oregon Department of State Lands (DSL) and US Army Corps of Engineers. State and Federal wetland laws are also administered by the DSL and Army Corps, and potential impacts to jurisdictional wetlands are addressed through application and enforcement of appropriate mitigation measures.

**Finding:** According to the Salem-Keizer Local Wetland Inventory (LWI), the subject property does not contain any wetland areas or hydric soils.

*SRC 810 - Landslide Hazards:* A geological assessment or report is required when regulated activity is proposed in a mapped landslide hazard area.

**Finding:** According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are no mapped landslide hazards on the subject property.

*SRC 802 - Public Improvements, SRC 803 - Streets and Right-of-Way Improvements, SRC 804 - Driveway Approaches, and SRC 805 - Vision Clearance:* With completion of the conditions required by Public Works, the subject property meets all applicable standards of these chapters of the UDC.

**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.**

**Finding:** The existing condition of Salem Heights Avenue SE does not meet current right-of-way standards for its classification of street per the Salem Transportation System Plan (TSP). The applicant shall convey for dedication a half-width right-of-way of 30 feet to Collector Street standards as specified in the PWDS (Public Works Design Standards) and based on a rational nexus calculation. The applicant shall construct a half-street improvement to Collector "B" street standards as specified in the Commercial-Vista Corridor Project, PWDS, and consistent with the provisions of SRC Chapter 803. The applicant has the option of paying a fee-in-lieu of construction of these improvements pursuant to SRC 200.405 because additional portions are required to be constructed in order to have an operational, fully functioning public improvement. The applicant's engineer submitted an estimate of \$14,053 for the boundary street improvements along Salem Heights Avenue SE and \$8,180 for stormwater improvements, totaling \$22,233 in fee-in-lieu payments.

To ensure compliance with this criterion, the following conditions apply:

**Condition 7:** Convey land for dedication to equal a half-width right-of-way of 30 feet on the development side of Salem Heights Avenue SE.

**Condition 8:** Construct a half-street improvement along the frontage of Salem Heights Avenue SE to Collector Street standards, including extension of a public storm main; or pay a fee-in-lieu of construction totaling \$22,233.

In addition, the existing condition of Crawford Street SE does not meet current standards for its classification of street per the Salem TSP. The applicant has submitted a request for an Alternative Street Standard due to the existing condition of Crawford Street SE and current conditions of development along the street. The existing street serves 15 properties, which are fully developed. The proposal is authorized as an Alternative Street Standard pursuant to SRC 803.065(a)(1) because... *“existing development or physical constraints make compliance with the standards set forth in this chapter impracticable.”* In lieu of providing street improvements and right-of-way dedication, the applicant proposes to improve pedestrian access by constructing a pedestrian accessway within a public easement along the frontage of the property. The proposal will provide for safe pedestrian access to serve the proposed development and existing development.

To ensure compliance with this criterion, the following condition applies:

**Condition 9:** Construct a minimum five-foot-wide pedestrian access route along the entire frontage of Crawford Street SE within a public access easement.

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

**Finding:** The proposed driveway onto Crawford Street SE provides for safe turning movements into and out of the property. In order to provide for the safe and efficient movement of vehicles, bicycles, and pedestrians in the area, the applicant has proposed to provide a pedestrian access route along the frontage of Crawford Street SE within a public access easement on the subject property, as conditioned above.

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

**Finding:** The Public Works Department has reviewed the applicant’s preliminary plan for this site. The water, sewer, and storm infrastructure are available within surrounding streets/areas. The applicant shall be required to design and construct a storm drainage system at the time of development. The application shall provide an evaluation of the connection to the approved point of discharge for new areas of impervious surface per SRC 71.075.

To ensure compliance with this criterion, the following condition applies:

**Condition 10:** Design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.

## **8. Analysis of Class 2 Adjustment Approval Criteria**

Pursuant to SRC 250.005(a)(1)(B), a Class 2 adjustment is an adjustment to any development standard in the UDC other than a Class 1 Adjustment, including an adjustment to any numerical development standard in the UDC that increases or decreases the standard by more than 20 percent.

Class 2 is required for this application because each adjustment request exceeds the numerical development standard by more than twenty percent.

Salem Revised Code (SRC) 250.005(d)(2) sets forth the following criteria that must be met before approval can be granted to an application for a Class 2 Adjustment. The following subsections are organized with approval criteria shown in **bold**, followed by findings evaluating the proposed development's conformance with the criteria. Lack of compliance with the following criteria is grounds for denial of the Class 2 Adjustment application, or for the issuance of certain conditions to ensure the criteria are met.

**SRC 250.005(d)(2)(A): The purpose underlying the specific development standard proposed for adjustment is:**

- (i) Clearly inapplicable to the proposed development; or**
- (ii) Equally or better met by the proposed development.**

**Finding:** The applicant is requesting two Class 2 Adjustments to:

- 1) Exceed the maximum of 18 spaces allowed within one-quarter mile of the Core Network by 11 percent and provide 20 parking spaces accessed from Crawford Street SE; and
- 2) Reduce the landscaped setback for a portion along the east property line from 10 feet to 4 feet to accommodate a turnaround area at the end of the drive aisle.

Adjustment 1: *Exceed the maximum of 18 spaces allowed within one-quarter mile of the Core Network by 11 percent and provide 20 parking spaces accessed from Crawford Street SE.*

The applicant is requesting a Class 2 Adjustment to increase the maximum allowed off-street parking from 18 spaces to 20 spaces for the proposed ten-unit development. The proposed development is located within one quarter-mile of a Core Network transit route on Commercial Street SE, and SRC Chapter 806.015, Table 806-1, requires no minimum off-street parking. Where no minimum off-street parking is required based on Table 806-1, SRC Table 806-2B allows maximum off-street parking of 1.75 spaces per dwelling unit. For the proposed development of 10 units, the maximum is  $10 \times 1.75 = 17.5$ , rounded up to 18.

These minimum and maximum parking requirements were adopted in 2020 through Ordinance No. 1-20, along with other code amendments related to the multifamily housing design standards. These code amendments were intended to address a shortage of multiple-family housing units identified in the City's Housing Needs Analysis.

The purpose of the minimum parking requirement of zero spaces per unit within one-quarter mile of a Core Network transit route is to encourage development of needed multiple-family housing units within easy walking distance of regular and frequent transit service. Access to transit reduces reliance on autos, therefore units in these areas can provide needed housing for residents without vehicles.

The purpose of the maximum parking requirement of 1.75 spaces within one quarter-mile of a Core Network transit route is to encourage developers of multiple-family

housing within these areas to maximize the number of dwelling units on the available land while allowing them flexibility to provide off-street parking that meets projected tenant demands.

The applicant originally submitted a different design proposal (Case No. SPR-ADJ-DR21-12) with an adjustment request to allow 19 proposed parking spaces for the development. During the commenting period of this previous case, surrounding property owners and tenants and the Faye Wright Neighborhood Association, expressed concern that there was not enough street parking along the substandard Crawford Street SE or the busy collector street of Salem Heights Avenue SE to accommodate the tenants for ten new units.

As identified in the Public Works Memo (**Attachment F**), the existing condition of Crawford Street SE does not meet current standards for its classification of street per the Salem TSP, and therefore, cannot accommodate the typical street parking often seen in other multifamily developments also located within the Core Network. In addition, Salem Heights Avenue SE also does not meet current standards for its classification as a Collector Street per the Salem TSP, which provides a higher volume of traffic and currently has no available off-street parking adjacent to the development. While most other developments of this type have sufficient off-street parking to accommodate a multifamily development, this particular site has a considerable lack of available off-street parking that would significantly impact the surrounding neighborhood because of the underimproved conditions of both abutting streets of the proposed development.

Staff concurs with the applicant's written findings that they have provided a development proposal that meets the intent of maximizing the number of dwelling units and supports the walkability of the neighborhood and access to public transit, while also providing a solution to the community's concerns for a lack of available parking. Therefore, Staff finds that the proposed development equally or better meets the purpose of the maximum parking standard and meets this criterion.

*Adjustment 2: Reduce the landscaped setback for a portion along the east property line from 10 feet to 4 feet to accommodate a turnaround area at the end of the drive aisle.*

SRC 514.010(g) establishes that all required setbacks shall be landscaped to standards set forth in SRC Chapter 807 for development in the RM-II (Multiple Family Residential) zone. In addition, Table 514-5 establishes the requirement of a minimum ten-foot setback for interior side property lines abutting a residential zone, which shall be landscaped to Type C Landscaping Standards. The applicant's plans propose to provide a backup area at the end of the drive aisle in an effort to provide safe circulation of the vehicle use area. In doing so, that portion of the drive aisle would come closer to the east property line than the required 10 feet by 60 percent (6 feet). The applicant requests an adjustment to reduce the required landscaped setback for this area from 10 feet to 4 feet to accommodate the proposed turnout area and provide safe circulation of the vehicle use area.

The purpose of the required landscaped and screened setback standard abutting another residential zone is to provide a reasonable physical distance between

residences to provide privacy and minimize potential impacts to adjacent residences. The applicant's plan indicate a six-foot-tall sight-obscuring fence will be installed along the east property line, meeting the screening standards for the development. In addition, they have provided a landscape plan that exceeds the minimum required plant units to be dispersed throughout the development site. However, there are no proposed plant units abutting the portion of the drive aisle that will project into the required side yard setback. Therefore, in an effort to minimize the impacts of vehicles backing into the required setback, the following condition applies:

**Condition 11:** At the time of building permit review, the applicant shall provide Type D landscaping along the east property line, including six-foot-tall, sight-obscuring landscaping.

With the above condition in place, Staff finds that the proposed development equally or better meets the intent of the landscaping and screening setback requirement and meets this criterion.

**SRC 250.005(d)(2)(B): If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.**

**Finding:** The subject property is located within a residential zone. The additional parking spaces will be provided between other proposed parking spaces. The proposed parking area meets or exceeds setbacks from property lines, includes landscaping, and incorporates a pedestrian connection in an easement along the alley. The addition of two parking spaces in excess of the maximum allowance will have no significant additional impact on the livability or appearance of the residential area.

**SRC 250.005(d)(2)(C): If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone.**

**Finding:** Two adjustments have been requested with this development. Each of the adjustments have been evaluated separately for conformance with the approval criteria for a Class 2 Adjustment, and the cumulative effect of each is consistent with the overall purpose of the zone. To ensure that all future development proposed at this development site shall be subject to the applicable development standards of the Salem Revised Code, the following condition applies:

**Condition 12:** The adjusted development standards, as approved in this report, shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to the applicable development standards of the Salem Revised Code, unless adjusted through a future land use action.

## CONCLUSION

Based upon review of SRC Chapters 220, 225, and 250, the applicable standards of the Salem Revised Code, the findings contained herein, and due consideration of comments received, the application complies with the requirements for an affirmative decision.

## ORDER

Final approval of Class 3 Site Plan Review, Class 2 Adjustment, and Class 1 Design Review Case No. 21-36 is hereby **APPROVED** subject to SRC Chapter 220, 225, and 250, the applicable standards of the Salem Revised Code, conformance with the approved site plan included as **Attachment B**, and the following conditions of approval:

- Condition 1:** At the time of building permit review, the applicant shall provide plans showing that Crawford Street SE meets the minimum 20-foot width for Fire Department access; or the applicant shall provide the required fire sprinklers and location of the Fire Department Connection.
- Condition 2:** The applicant shall ensure that the door of each ground floor bedroom/den of the western Buildings 1 and 4 shall include a transparent window that shall not be mirrored or treated in such a way as to block visibility into the building; or the applicant shall provide an additional window in the west-facing walls of the ground floor bedroom/den of Buildings 1 and 4.
- Condition 3:** Designate each garage and the driveway parking space serving it as reserved parking for the same dwelling unit.
- Condition 4:** Provide pavement markings or signage for each reserved parking space.
- Condition 5:** Provide pavement markings or signage for each compact space.
- Condition 6:** Provide wheel stops or extended curbs for the four parking spaces not located in the driveways to prevent parked vehicles from encroaching into the five-foot-wide pedestrian path.
- Condition 7:** Convey land for dedication to equal a half-width right-of-way of 30 feet on the development side of Salem Heights Avenue SE.
- Condition 8:** Construct a half-street improvement along the frontage of Salem Heights Avenue SE to Collector Street standards, including extension of a public storm main; or pay a fee-in-lieu of construction totaling \$22,233.
- Condition 9:** Construct a minimum 5-foot-wide pedestrian access route along the entire frontage of Crawford Street SE within a public access easement.

- Condition 10:** Design and construct a storm drainage system at the time of development in compliance with Salem Revised Code (SRC) Chapter 71 and Public Works Design Standards (PWDS).
- Condition 11:** At the time of building permit review, the applicant shall provide either four large shrubs or four ornamental trees (equivalent of eight plant units) along the 24-foot-long turnout area at the end of the drive aisle at the east end of the property.
- Condition 12:** The adjusted development standards, as approved in this report, shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to the applicable development standards of the Salem Revised Code, unless adjusted through a future land use action.



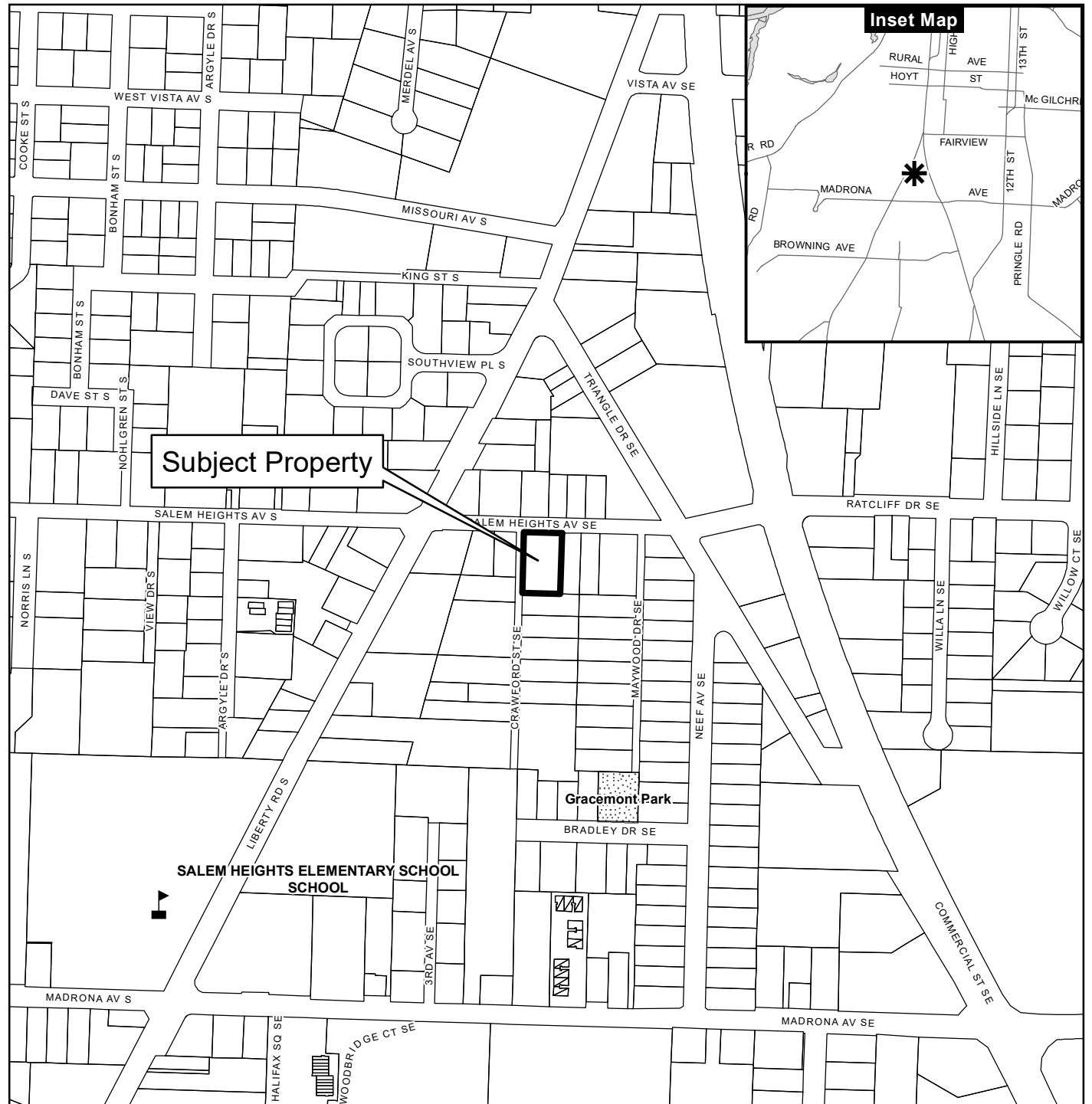
Jamie Donaldson, Planner II, on behalf of  
Lisa Anderson-Ogilvie, AICP  
Planning Administrator

- Attachments:
- A. Vicinity Map
  - B. Site Plan
  - C. Elevations
  - D. Applicant's Statement
  - E. Faye Wright Neighborhood Association Comments
  - F. Memo from the Public Works Department
  - G. Salem-Keizer Public School District Comments

<http://www.cityofsalem.net/planning>

# Vicinity Map

## 226 Salem Heights Avenue SE



### Legend

- Taxlots
- Urban Growth Boundary
- City Limits
- Outside Salem City Limits
- Historic District
- Schools
- Parks

0 100 200 400 Feet



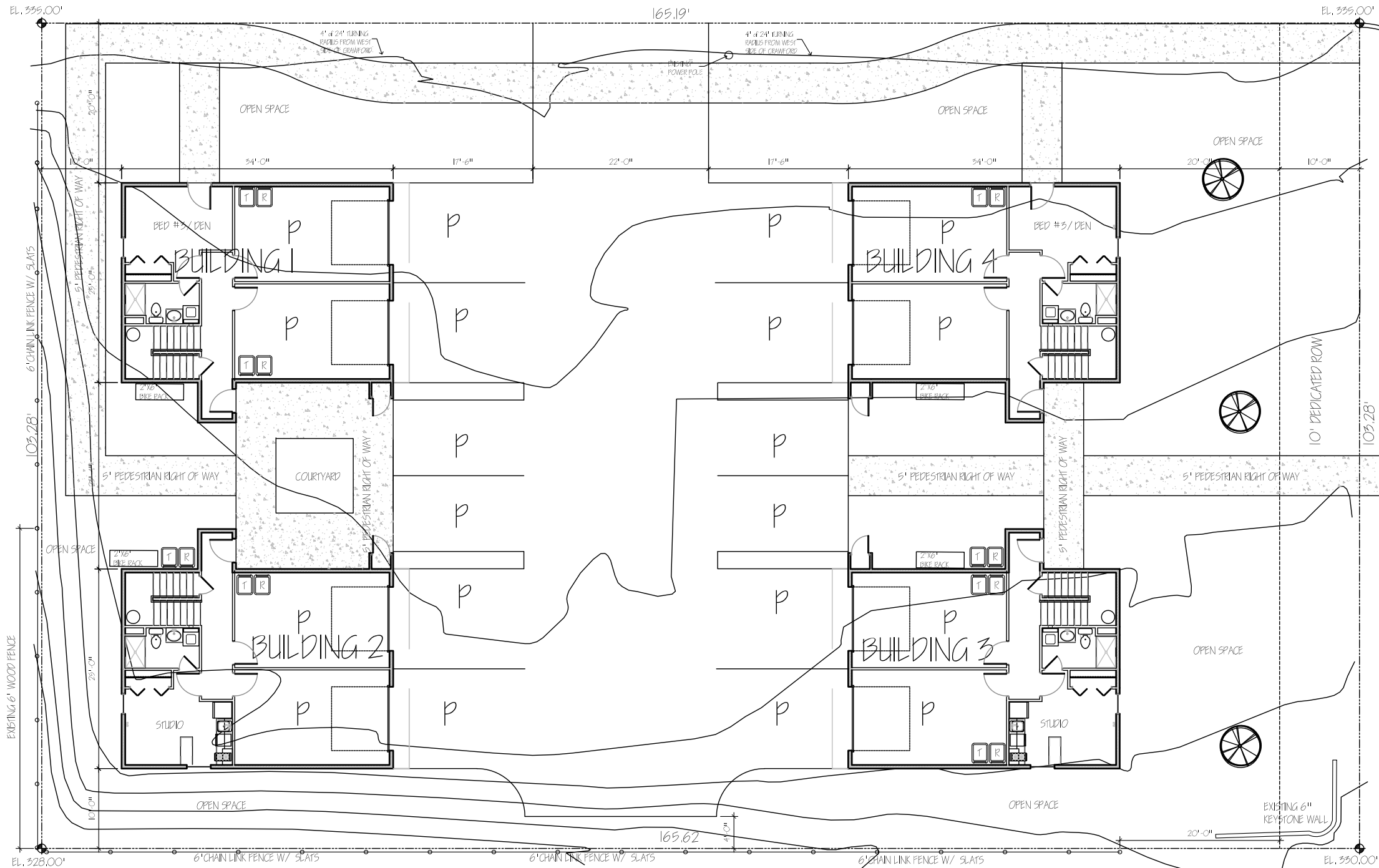
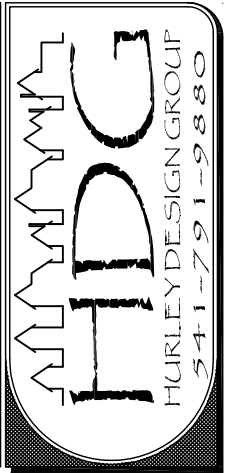
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Community Development Dept.

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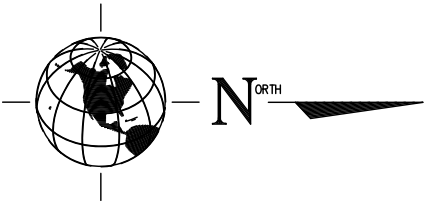


CRAWFORD ST.

ATTACHMENT B

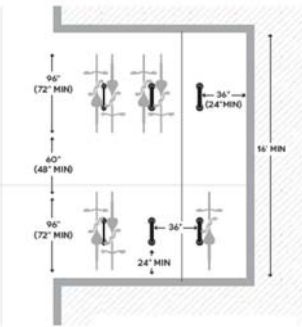


SALEM HEIGHTS



- (SPECIES & DIA AS NOTED)
- TREE TO BE REMOVED
- TREE (DIA AS NOTED)
- FIRE HYDRANT
- SEWER STUBOUT
- CATV PEDESTAL
- TELEPHONE PEDESTAL
- ELECTRIC PEDESTAL
- GAS STUBOUT
- WATER STUBOUT
- WATER VALVE
- PROPERTY CORNER
- MONUMENT FOUND AS NOTED
- COUNTOUR (ASSUMED ELEV)
- EASEMENT / SETBACK LINE
- CONCRETE CURB
- UTILITY LINE (AS NOTED)
- PROPERTY BOUNDARY
- GROUND SLOPE

BIKE PARKING - DIMENSIONS



BIKE PARKING - RACKS

**Bike Racks That MEET Standards**

Staple/Inverted    Post & Ring

Loop

Note: These bike rack styles support the bike frame in a stable position in two or more places a minimum of six-inches horizontally apart without damage to wheels, frame, or components; allow the frame and at least one wheel to be locked with a U-shaped shackle lock; and support a wide variety of bikes.

**Bike Racks That DO NOT MEET Standards**

Wave    Spiral    Bollard

Schoolyard    Wheel Well    Coat Hanger

Note: These bike rack styles do not support the bike frame in a stable position in two or more places a minimum of six-inches horizontally apart; do not allow the frame and at least one wheel to be locked with a U-shaped shackle lock; or include features that limit the types of bikes that can be accommodated and which can promote damage to wheels and frames.

BUILDING:	
2 BD / 2 BA UNITS	6
3 BD / 3 BA UNITS	2
STUDIO UNITS	2
LOT AREA:	- 15995 SQ.FT.
PROPOSED BUILDING COVERAGE	873 SQ.FT. (X4) - 5492 SQ.FT. (22%)
PROPOSED PERVIOUS/ PARKING AREA	- 4637 SQ.FT. (29 %)
PROPOSED OPEN / LANDSCAPE SPACE	- 6243 SQ.FT. (39 %)
AVERAGE BUILDING HEIGHT FOR EACH BUILDING	-29'-3"
PARKING SPACES:	
STANDARD SPACES	8
COMPACT SPACES	12
TOTAL SPACES	20
BIKE STORAGE	4 (BIKE PARKING RACKS)
SOLID WASTE SERVICE AREA:	
1 TRASH / 1 RECYCLE	- EACH GARAGE
1 TRASH / 1 RECYCLE	- OUTSIDE EACH STUDIO

SITE PLAN

© COPYRIGHT 2021

DATE: 10-21-2021

SCALE: 1"= 15'

FILE # XXXX

PROJECT: XXXX

PAGE 5

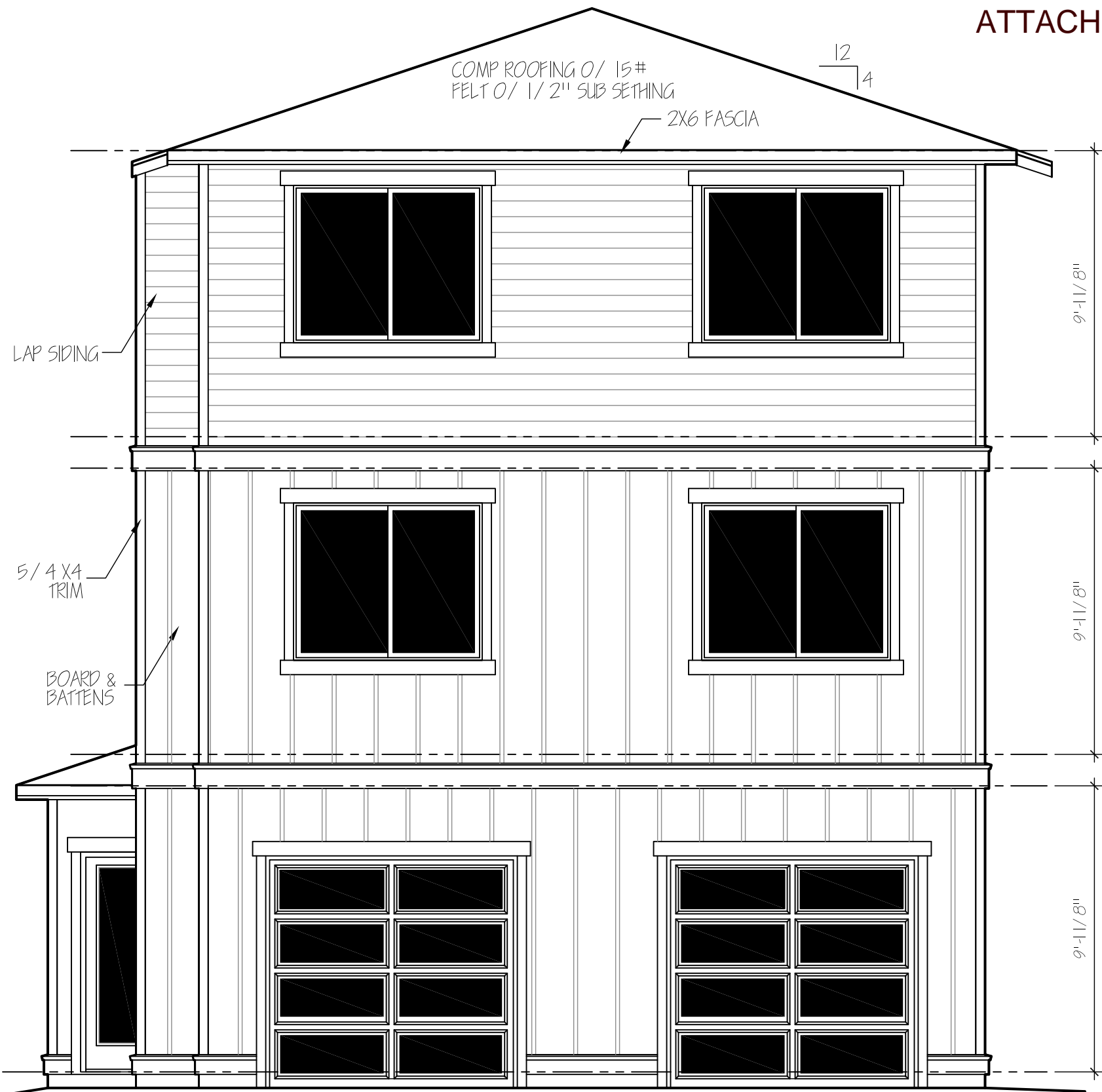
APPROVED ADDRESS NUMBERS SHALL BE PAINTED OR AFFIXED TO THE FRONT OF THE BUILDING IN A CONTRASTING AND HIGHLY VISIBLE COLOR, NOT LESS THAN 4" IN HEIGHT FOR RESIDENTIAL USE. THE NUMBERS SHALL BE AFFIXED PRIOR TO FINAL INSPECTION. ( 513 ) ( UFC 10.301 ) ( ORD 774 )

A ROADSIDE MARKER SHALL BE PLACED AT THE ACCESS POINT WITH ADDRESS NUMBERS IN A CONTRASTING AND HIGHLY VISIBLE COLOR, NOT LESS THAN 3" IN HEIGHT.

BUILDING COMPONENTS:	
MAXIMUM ALLOWABLE AREA WINDOW GLASS	NO LIMIT
DOORS, OTHER THAN ENTRY	U = 0.28
MAIN ENTRY DOOR	U = 0.20
( MAX. 24 SQ. FT. )	U = 0.20
WALL INSULATION	R-23
UNDERFLOOR INSULATION	R-38
FLAT CEILINGS	R-48
VAULTED CEILINGS	R-30
SKYLIGHT GLASS	U = .050
SKYLIGHT AREA	LESS THAN 2%
BASEMENT WALLS	R-21
SLAB FLOOR EDGE INSULATION	R-15
FORCED AIR DUCT INSULATION	R-8

TABLE N1101.1(2)  
ADDITIONAL MEASURES

Envelope Enhancement Measures (Select One)	1	High efficiency walls
		Exterior walls—U-0.045/R-21 cavity insulation + R-5 continuous
		Upgraded features
	2	Exterior walls—U-0.057/R-23 intermediate or R-21 advanced, Framed floors—U-0.026/R-38, and Windows—U-0.28 (average UA)
		Upgraded features
	3	Exterior walls—U-0.055/R-23 intermediate or R-21 advanced, Flat ceiling <sup>c</sup> —U-0.017/R-60, and Framed floors—U-0.026/R-38
Conservation Measure (Select One)	4	Super Insulated Windows and Attic OR Framed Floors
		Windows—U-0.22 (Triple Pane Low-e), and Flat ceiling <sup>c</sup> —U-0.017/R-60 or Framed floors—U-0.026/R-38
		Air sealing home and ducts
	5	Mandatory air sealing of all wall coverings at top plate and air sealing checklist <sup>d</sup> , and Mechanical whole-building ventilation system with rates meeting M1503 or ASHRAE 62.2, and All ducts and air handlers contained within building envelope <sup>d</sup> or All ducts sealed with mastic <sup>b</sup>
		High efficiency thermal envelope UA <sup>8</sup>
	6	Proposed UA is 8% lower than the code UA
	A	High efficiency HVAC system <sup>9</sup>
		Gas-fired furnace or boiler AFUE 94%, or Air source heat pump HSPF 9.5/15.0 SEER cooling, or Ground source heat pump COP 3.5 or Energy Star rated
	B	Ducted HVAC systems within conditioned space
		All ducts and air handlers contained within building envelope <sup>d</sup> Cannot be combined with Measure 5
	C	Ductless heat pump
		Ductless heat pump HSPF 10.0 in primary zone of dwelling
	D	High efficiency water heater <sup>2</sup>
		Natural gas/propane water heater with UEF 0.85 OR Electric heat pump water heater Tier 1 Northern Climate Specification Product



## FRONT ELEVATION

ALL EXTERIOR MATERIALS AND FINISHES ARE FOR PRESENTATION PURPOSES ONLY ACCRUAL MATERIALS, FINISHES, AND GRADE UP TO BUILDERS DISCRETION.

NOTE:  
ACTUAL FINISHED GRADES MAY VARY FROM FINISHED GRADES SHOWN ON ELEVATIONS AND PLANS

### BUILDING INFORMATION

#### APPLICABLE CODES:

INTERNATIONAL RESIDENTIAL CODE FOR ONE-AND TWO-FAMILY DWELLINGS

#### PROJECT TYPE

NEW SINGLE FAMILY RESIDENCE

#### AREA

MAIN FLOOR AREA:	
GARAGE #1-#2	246 SQ.FT.
STUDIO	302 SQ.FT.
2ND FLOOR AREA (HOUSE)	801 SQ.FT.
3RD FLOOR AREA (HOUSE)	801 SQ.FT.

TOTAL FLOOR AREA	1904 SQ.FT.
ROOF DRAINAGE AREA	1026 SQ. FT.

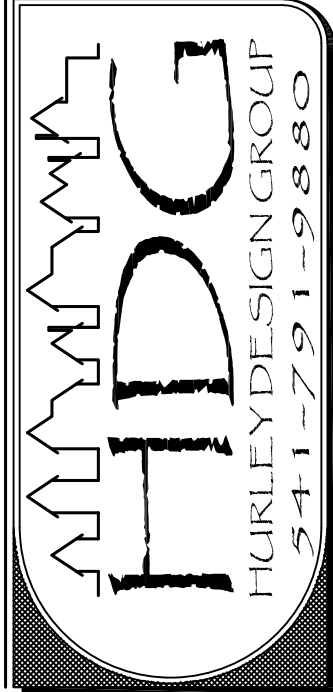
#### DESIGN LOADS

A. ROOF LIVE LOAD	= 25 P.S.F.
B. WIND LOAD	= 120 MPH, EXPOSURE B
C. SEISMIC ZONE	= CATEGORY D <sub>1</sub>
D. FROST DEPTH	= 12"
E. SOIL BEARING	= 1500 P.S.F.

### GENERAL NOTES

- THE INTENT OF THESE PLANS IS TO PROVIDE THE CONTRACTOR WITH A GUIDE FOR A FULL, COMPLETE AND WORKABLE PROJECT, IN SO FAR AS THE DRAWINGS SHOW AND THE SPECIFICATIONS CALL FOR. THESE PLANS ARE INTENDED FOR USE BY PEOPLE WITH KNOWLEDGE OF BUILDING CONSTRUCTION.
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ATTACHMENT C



NEW DUPLEX PLAN FOR:  
**LAPRAY DEVELOPMENT**  
BUILDING 1 226 SALEM HEIGHTS DR. SALEM, OR 97301

NEW DUPLEX PLAN FOR:

COPYRIGHT 2022

DATE: 1-31-2022

SCALE: 1/4" = 1'-0"

FILE # XXX

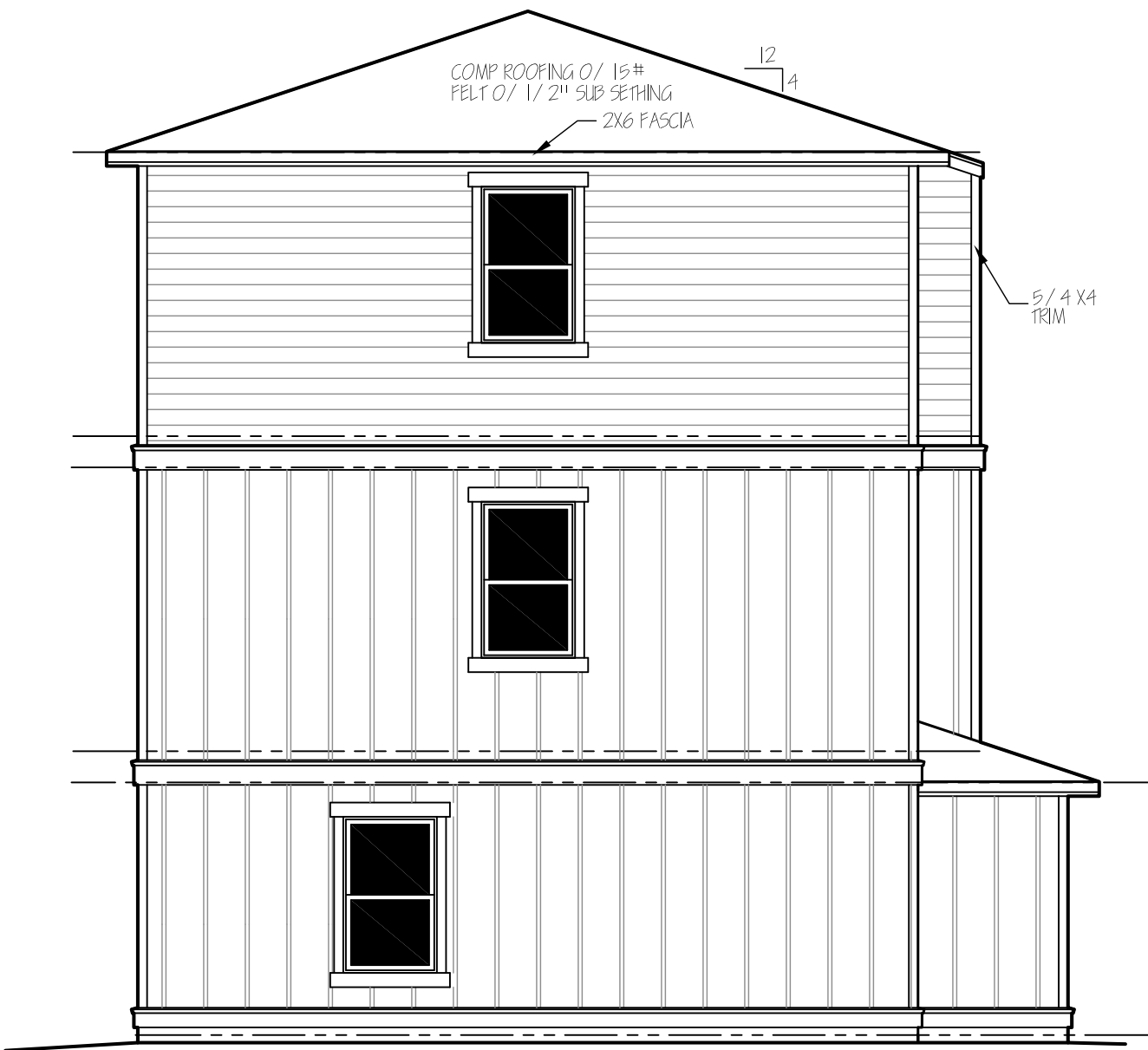
PROJECT: XXX

PAGE

1

ELEVATION





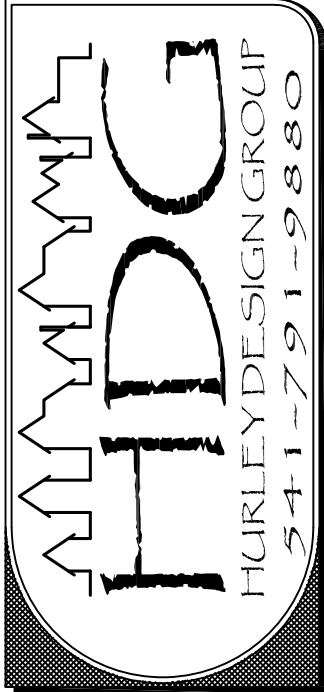
BACK ELEVATION



LEFT ELEVATION



RIGHT ELEVATION



NEW DGFLEX PLAN FOR:

**LAPRAY DEVELOPMENT**

BUILDING 1226 SALEM HEIGHTS DR. SALEM, OR 97301

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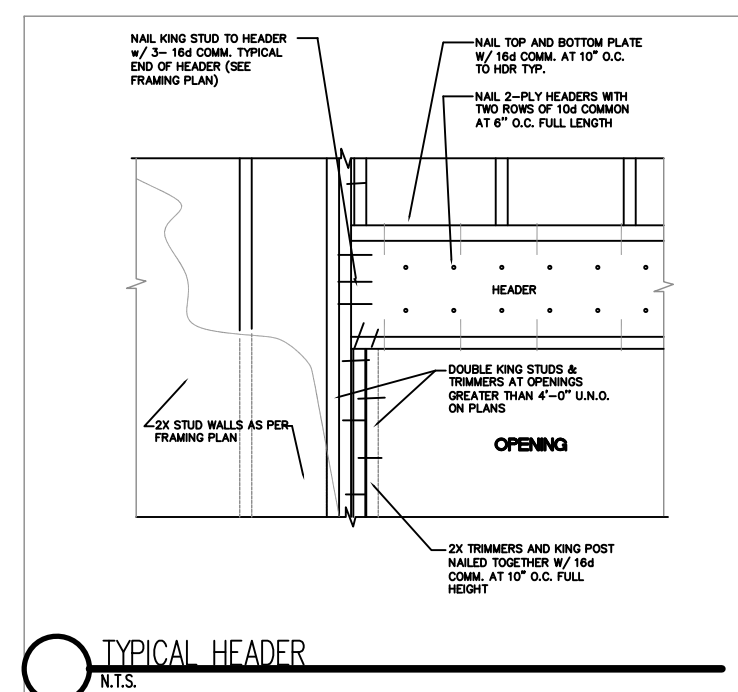
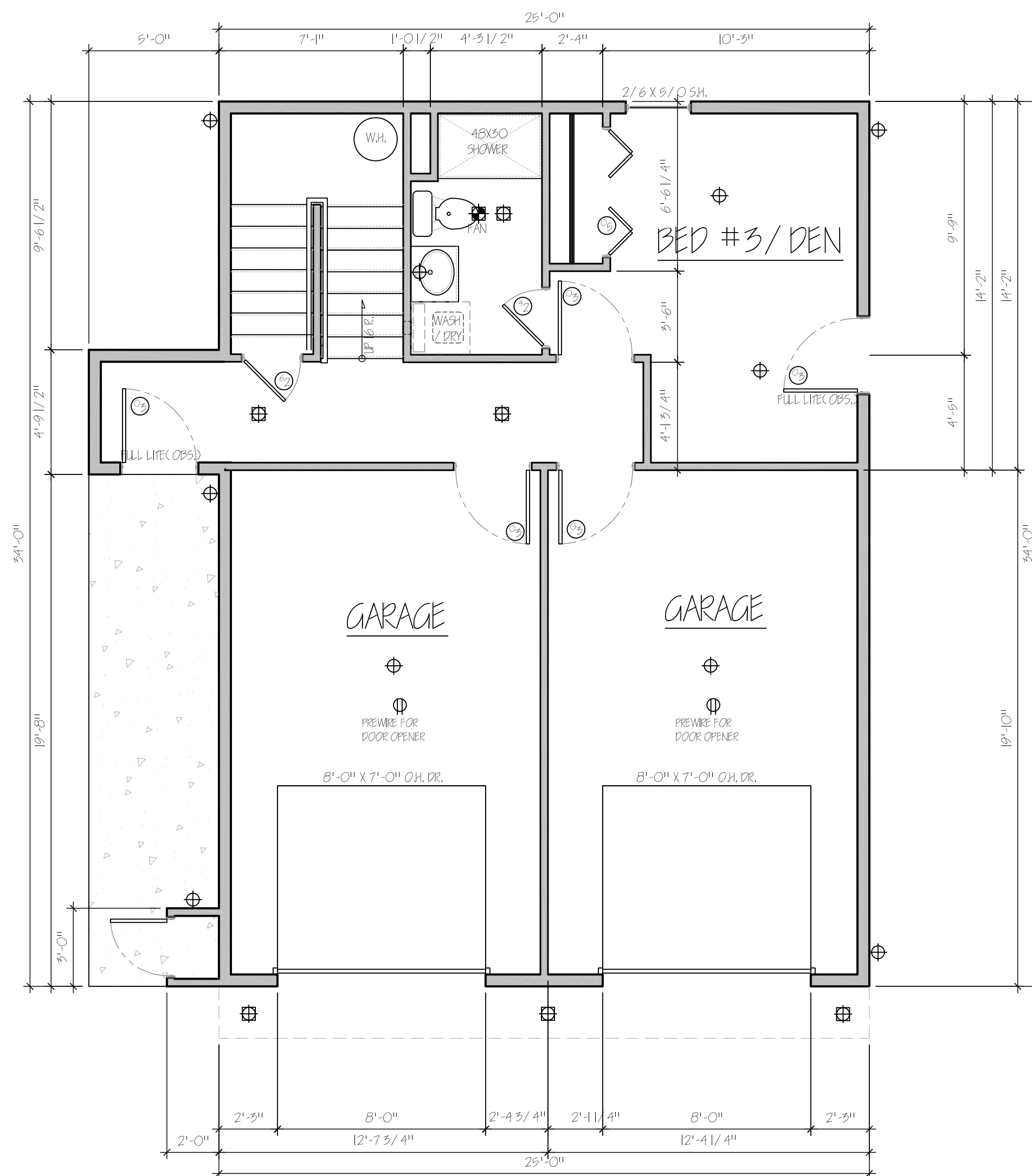
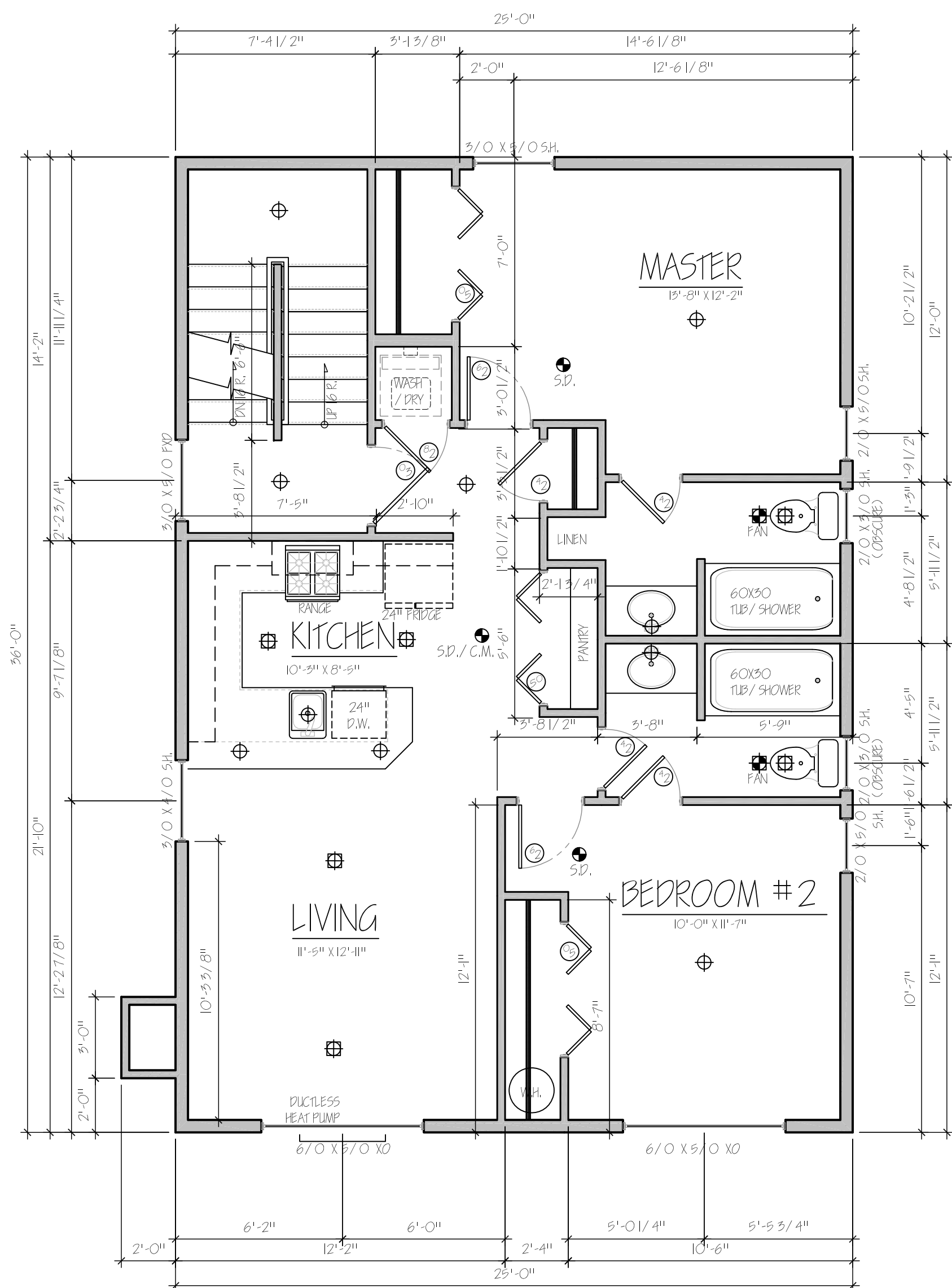
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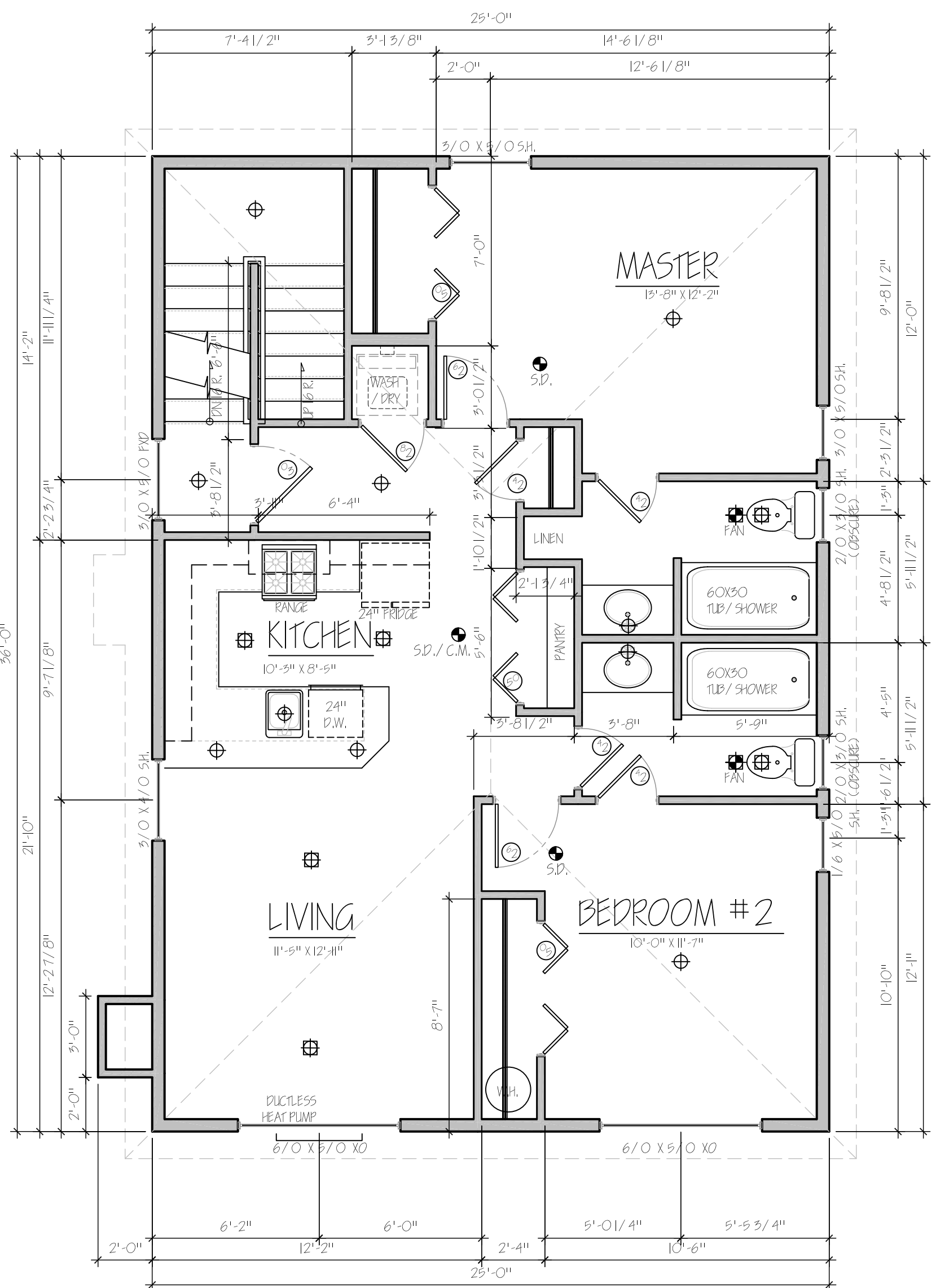
SCALE: 3/16" = 1'-0"

FILE # XXX

PROJECT: XXX

PAGE 2





3rd FLOOR PLAN

A ROADSIDE MARKER SHALL BE PLACED AT THE ACCESS POINT WITH ADDRESS NUMBERS IN A CONTRASTING AND HIGHLY VISIBLE COLOR, NOT LESS THAN 3" IN HEIGHT.

BUILDING COMPONENTS:	
MAXIMUM ALLOWABLE AREA WINDOW GLASS	NO LIMIT
DOORS, OTHER THAN ENTRY	$U = 0.28$
MAIN ENTRY DOOR	$U = 0.20$
(MAX. 24 SQ. FT.)	$U = 0.20$
WALL INSULATION	R-23
UNDERFLOOR INSULATION	R-38
FLAT CEILINGS	R-48
VAULTED CEILINGS	R-30
SKYLIGHT GLASS	$U = .050$
SKYLIGHT AREA	LESS THAN 2%
BASEMENT WALLS	R-21
SLAB FLOOR EDGE INSULATION	R-15
FORCED AIR DUCT INSULATION	R-8

TABLE N1101.1(2)  
ADDITIONAL MEASURES

Envelope Enhancement Measures (Select One)	
1	High efficiency walls Exterior walls—U-0.045/R-21 cavity insulation + R-5 continuous
2	Upgraded features Exterior walls—U-0.057/R-23 intermediate or R-21 advanced, Framed floors—U-0.026/R-38, and Windows—U-0.28 (average U.A.)
3	Upgraded features Exterior walls—U-0.055/R-23 intermediate or R-21 advanced, Flat ceiling <sup>6</sup> —U-0.017/R-60, and Framed floors—U-0.026/R-38
4	Super Insulated Windows and Attic OR Framed Floors Windows—U-0.22 (Triple Pane Low-e), and Flat ceiling <sup>2</sup> —U-0.017/R-60 or Framed floors—U-0.026/R-38
5	Air sealing home and ducts Mandatory air sealing of all wall coverings at top plate and air sealing checklist <sup>4</sup> , and Mechanical whole-building ventilation system with rates meeting M1503 or ASHRAE 62.2, and All ducts and air handlers contained within building envelope <sup>d</sup> or All ducts sealed with mastic <sup>b</sup>
6	High efficiency thermal envelope UA <sup>8</sup> Proposed UA is 8% lower than the code UA
Conservation Measure (Select One)	
A	High efficiency HVAC system <sup>a</sup> Gas-fired furnace or boiler AFUE 94%, or Air source heat pump HSPF 9.5/15.0 SEER cooling, or Ground source heat pump COP 3.5 or Energy Star rated
B	Ducted HVAC systems within conditioned space All ducts and air handlers contained within building envelope <sup>d</sup> <i>Cannot be combined with Measure 5</i>
C	Ductless heat pump Ductless heat pump HSPF 10.0 in primary zone of dwelling
D	High efficiency water heater <sup>c</sup> Natural gas/propane water heater with UEF 0.85 OR Electric heat pump water heater Tier 1 Northern Climate Specification Product



# FRONT ELEVATION

ALL EXTERIOR MATERIALS AND FINISHES  
ARE FOR PRESENTATION PURPOSES ONLY  
ACCRUAL MATERIALS, FINISHES, AND GRADE  
UP TO BUILDERS DISCRETION.

## BUILDING INFORMATION

APPLICABLE CODES:

INTERNATIONAL RESIDENTIAL CODE FOR ONE-AND TWO-FAMILY DWELLINGS

## PROJECT TYPE

NEW SINGLE FAMILY RESIDENCE

## AREA

MAIN FLOOR AREA:	
GARAGE #1-#2	246 SQ.FT.
STUDIO	302 SQ.FT.

2ND FLOOR AREA (HOUSE)	801 SQ.FT.
3RD FLOOR AREA (HOUSE)	801 SQ.FT.

TOTAL FLOOR AREA	1904 SQ.FT.
ROOF DRAINAGE AREA	1026 SQ. FT.

## DESIGN LOADS

A. ROOF LIVE LOAD = 25 P.S.F.  
B. WIND LOAD = 120 MPH, EXPOSURE B  
C. SEISMIC ZONE = CATEGORY D<sub>1</sub>  
D. FROST DEPTH = 12"  
E. SOIL BEARING = 1500 P.S.F.

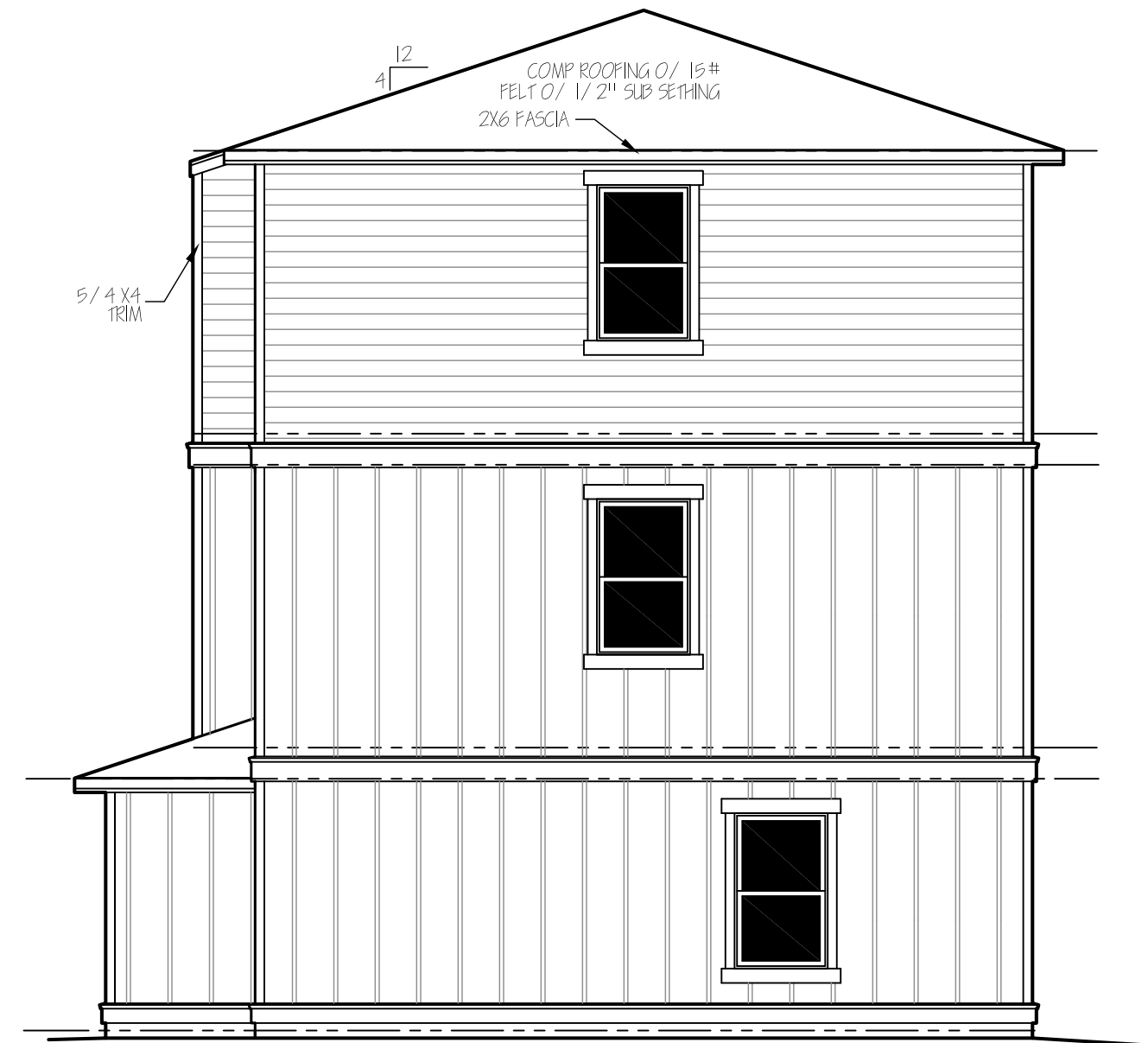
## GENERAL NOTES

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4. WRITTEN DIMENSIONS SHALL TAKE ALL PRECEDENCE OVER SCALED DIMENSIONS.
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RIGHT ELEVATION

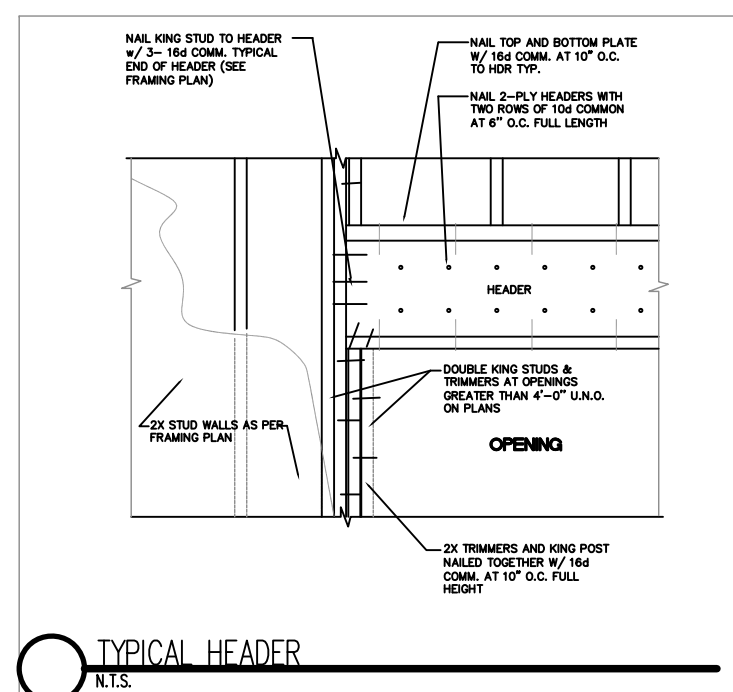
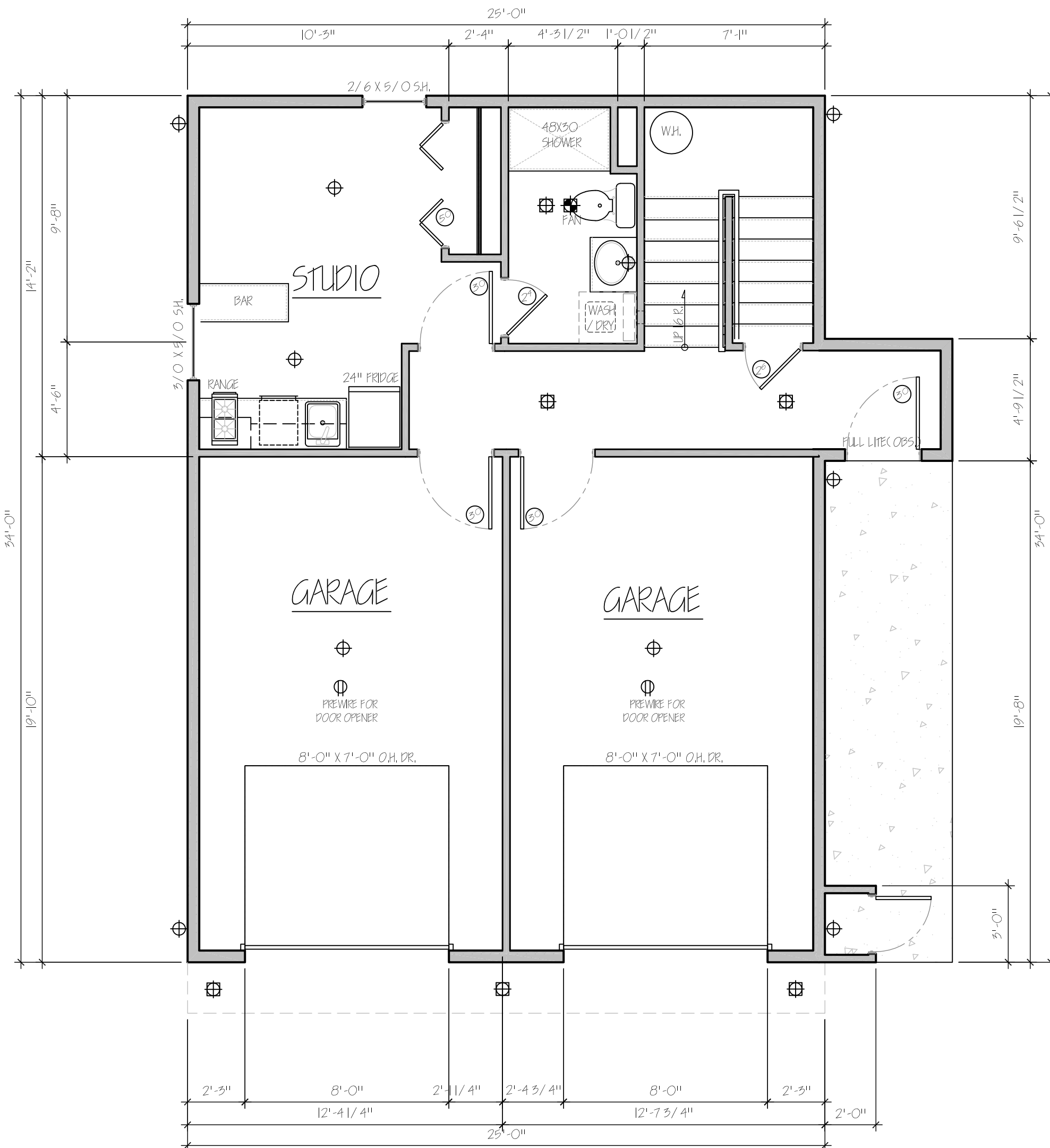
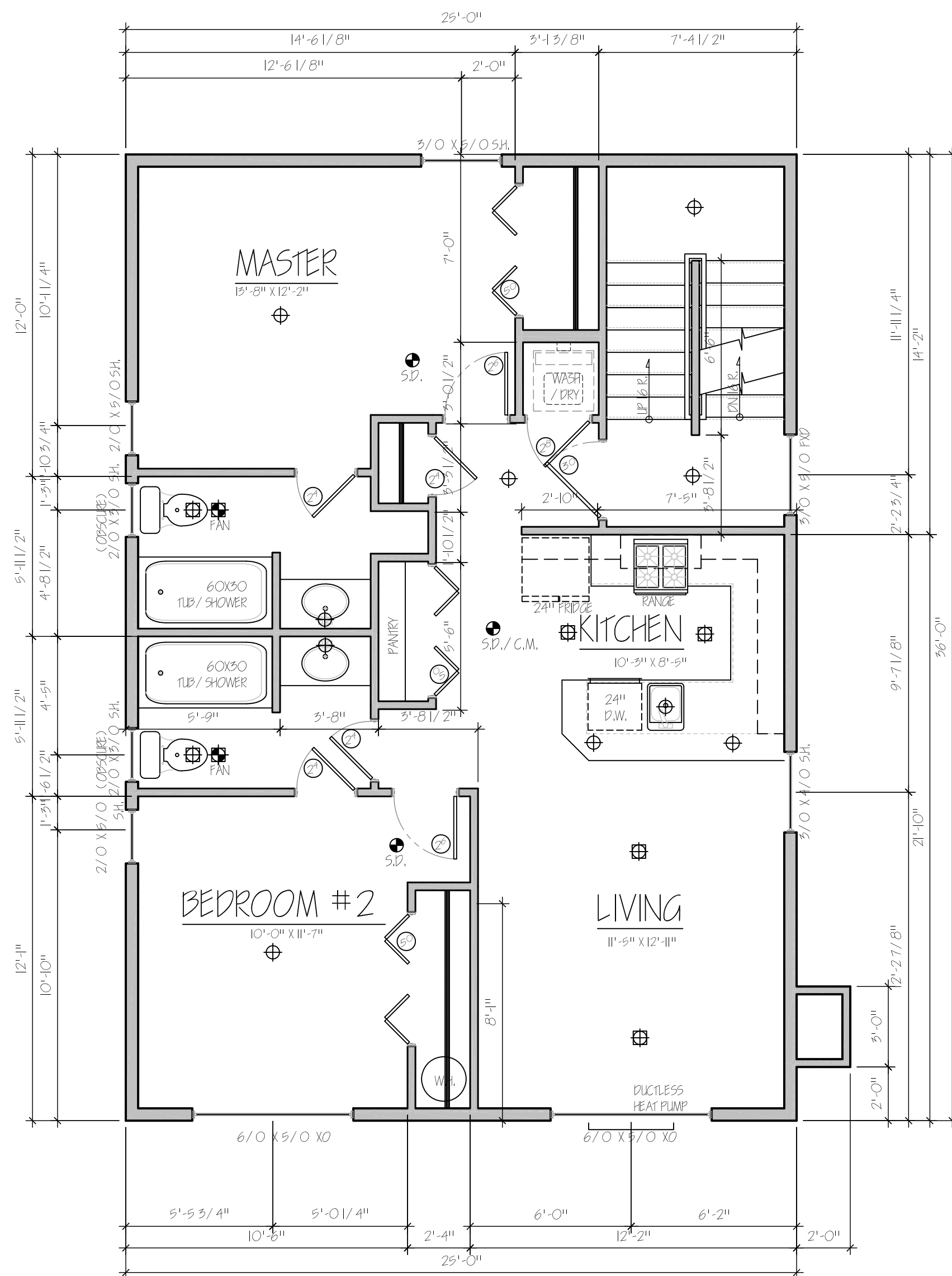


BACK ELEVATION

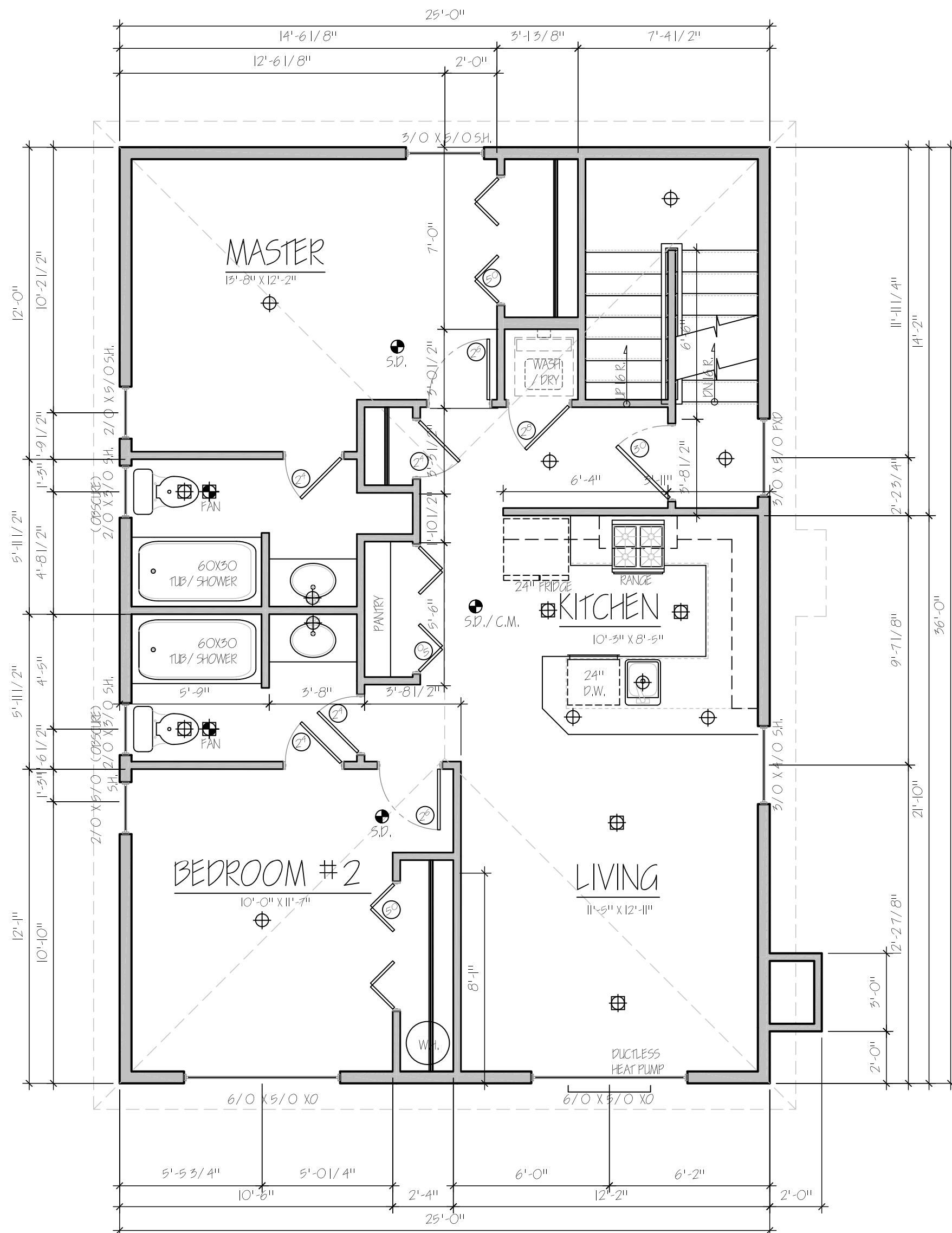


LEFT ELEVATION

ELEVATIONS







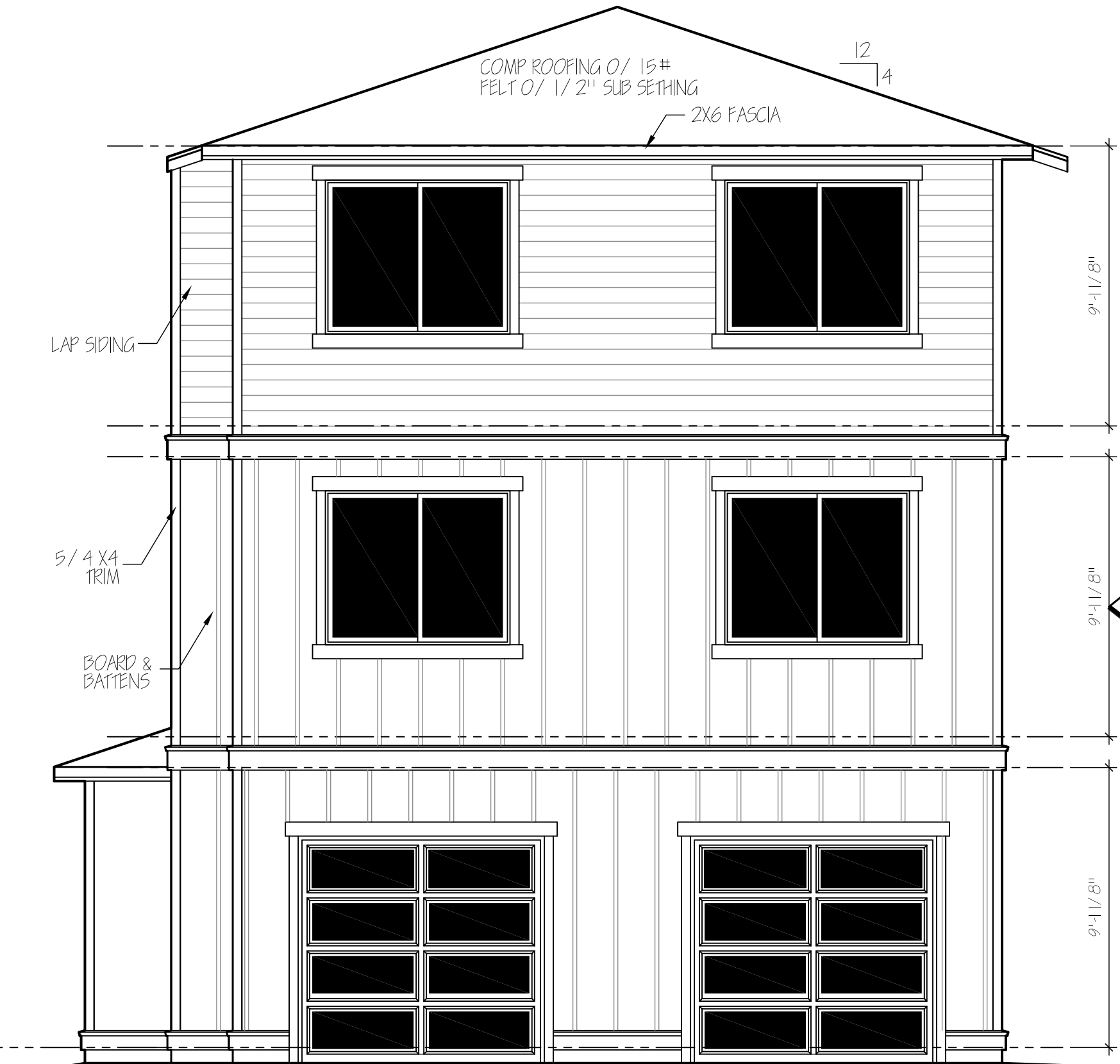
3rd FLOOR PLAN

APPROVED ADDRESS NUMBERS SHALL BE PAINTED OR AFFIXED TO THE FRONT OF THE BUILDING IN A CONTRASTING AND HIGHLY VISIBLE COLOR, NOT LESS THAT 4" IN HEIGHT FOR RESIDENTIAL USE. THE NUMBERS SHALL BE AFFIXED PRIOR TO FINAL INSPECTION. ( 513 ) ( UFG 10.301 ) ( ORD774 )

A ROADSIDE MARKER SHALL BE PLACED AT THE ACCESS POINT WITH ADDRESS NUMBERS IN A CONTRASTING AND HIGHLY VISIBLE COLOR, NOT LESS THAN 3" IN HEIGHT.

BUILDING COMPONENTS:	
MAXIMUM ALLOWABLE AREA WINDOW GLASS	NO LIMIT
DOORS, OTHER THAN ENTRY	U = 0.28
MAIN ENTRY DOOR	U = 0.20
( MAX. 24 SQ. FT. )	U = 0.20
WALL INSULATION	R-23
UNDERFLOOR INSULATION	R-38
FLAT CEILINGS	R-48
VAULTED CEILINGS	R-30
SKYLIGHT GLASS	U = .050
SKYLIGHT AREA	LESS THAN 2%
BASEMENT WALLS	R-21
SLAB FLOOR EDGE INSULATION	R-15
FORCED AIR DUCT INSULATION	R-8

TABLE N1101.1(2) ADDITIONAL MEASURES	
Envelope Enhancement Measures (Select One)	1 High efficiency walls Exterior walls—U-0.045/R-21 cavity insulation + R-5 continuous
	2 Upgraded features Exterior walls—U-0.057/R-23 intermediate or R-21 advanced, Framed floors—U-0.026/R-38, and Windows—U-0.28 (average UA)
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	4 Super Insulated Windows and Attic OR Framed Floors Windows—U-0.22 (Triple Pane Low-e), and Flat ceiling <sup>c</sup> —U-0.017/R-60 or Framed floors—U-0.026/R-38
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	6 High efficiency thermal envelope UA <sup>8</sup> Proposed UA is 8% lower than the code UA
Conservation Measures (Select One)	A High efficiency HVAC system <sup>9</sup> Gas-fired furnace or boiler AFUE 94%, or Air source heat pump HSPF 9.5/15.0 SEER cooling, or Ground source heat pump COP 3.5 or Energy Star rated
	B Ducted HVAC systems within conditioned space All ducts and air handlers contained within building envelope <sup>d</sup> Cannot be combined with Measure 5
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## FRONT ELEVATION

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### BUILDING INFORMATION

#### APPLICABLE CODES:

INTERNATIONAL RESIDENTIAL CODE FOR ONE-AND TWO-FAMILY DWELLINGS

#### PROJECT TYPE

NEW SINGLE FAMILY RESIDENCE

#### AREA

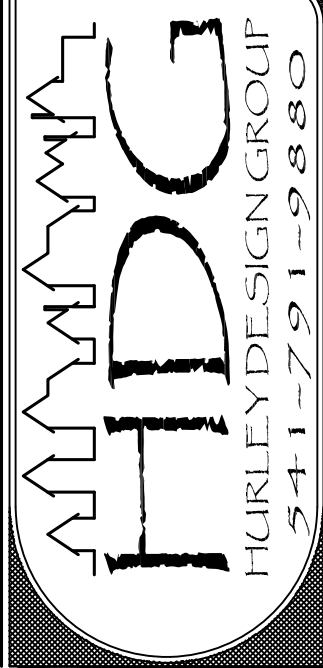
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GARAGE #1-#2 302 SQ.FT.  
STUDIO  
2ND FLOOR AREA (HOUSE) 801 SQ.FT.  
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TOTAL FLOOR AREA 1904 SQ.FT.  
ROOF DRAINAGE AREA 1026 SQ.FT.

DESIGN LOADS  
A. ROOF LIVE LOAD = 25 P.S.F.  
B. WIND LOAD = 120 MPH, EXPOSURE B  
C. SEISMIC ZONE = CATEGORY D<sub>1</sub>  
D. FROST DEPTH = 12"  
E. SOIL BEARING = 1500 P.S.F.

### GENERAL NOTES

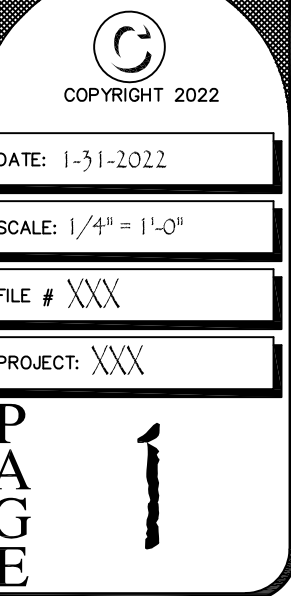
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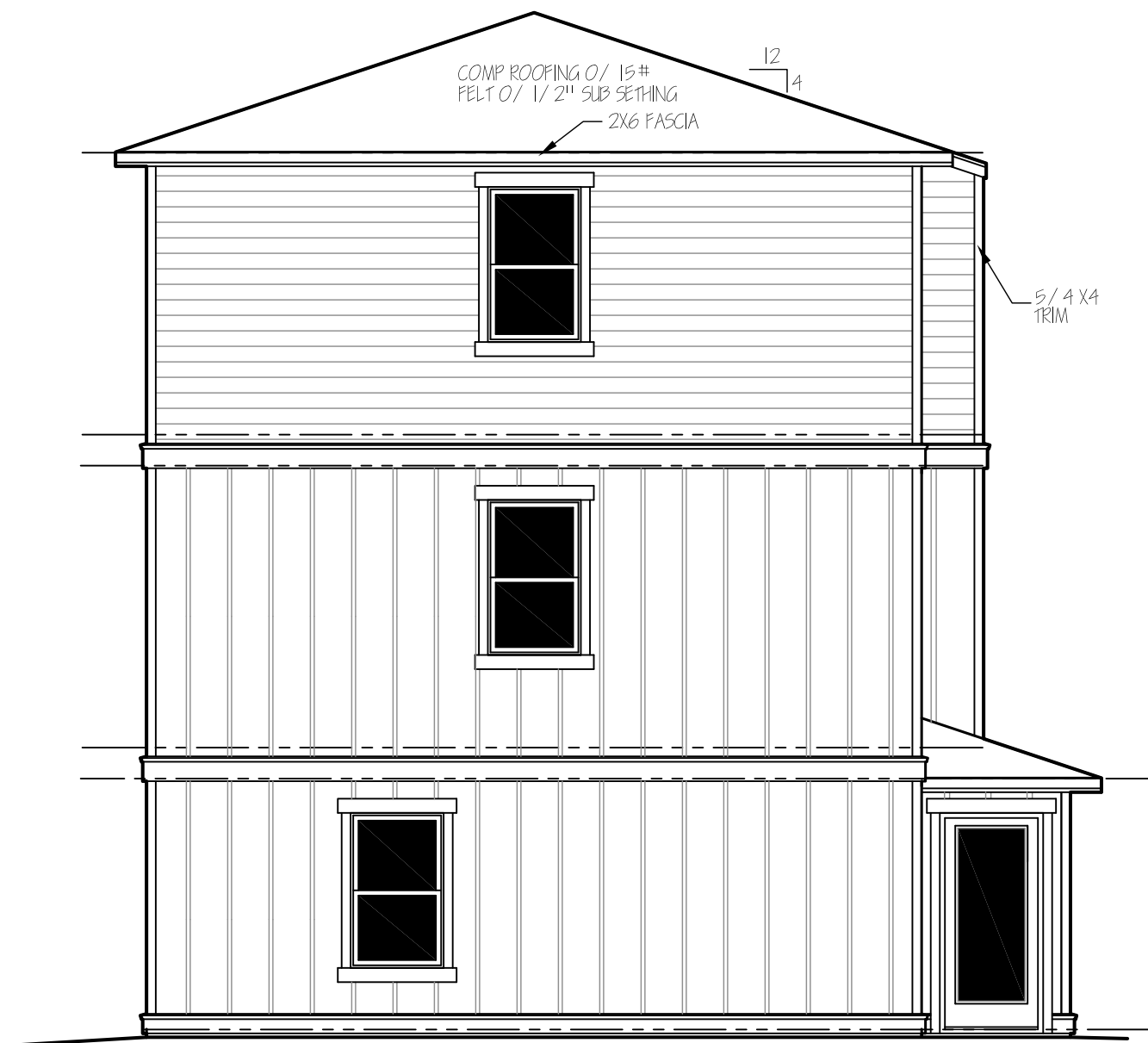


## LAPRAY DEVELOPMENT

NEW DUPLEX PLAN FOR:

BUILDING 3 226 SALEM HEIGHTS DR. SALEM, OR 97301





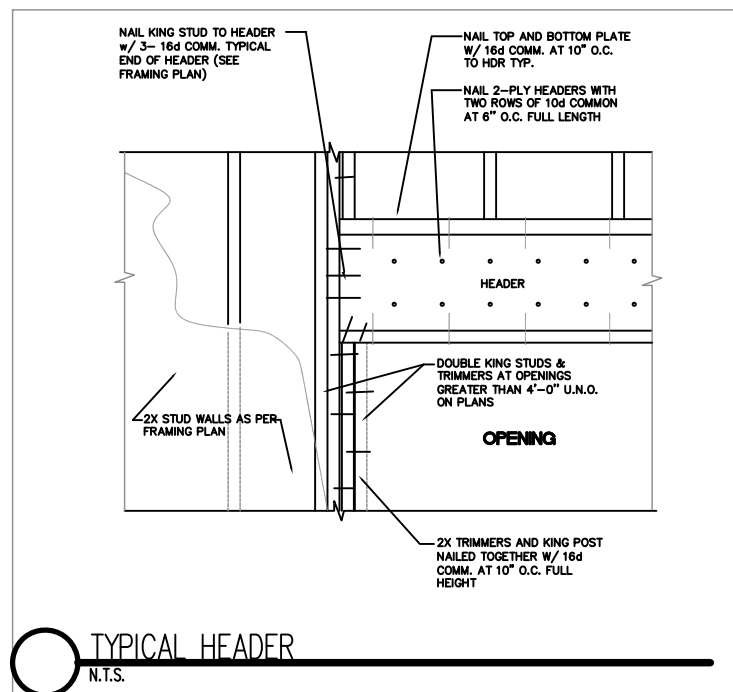
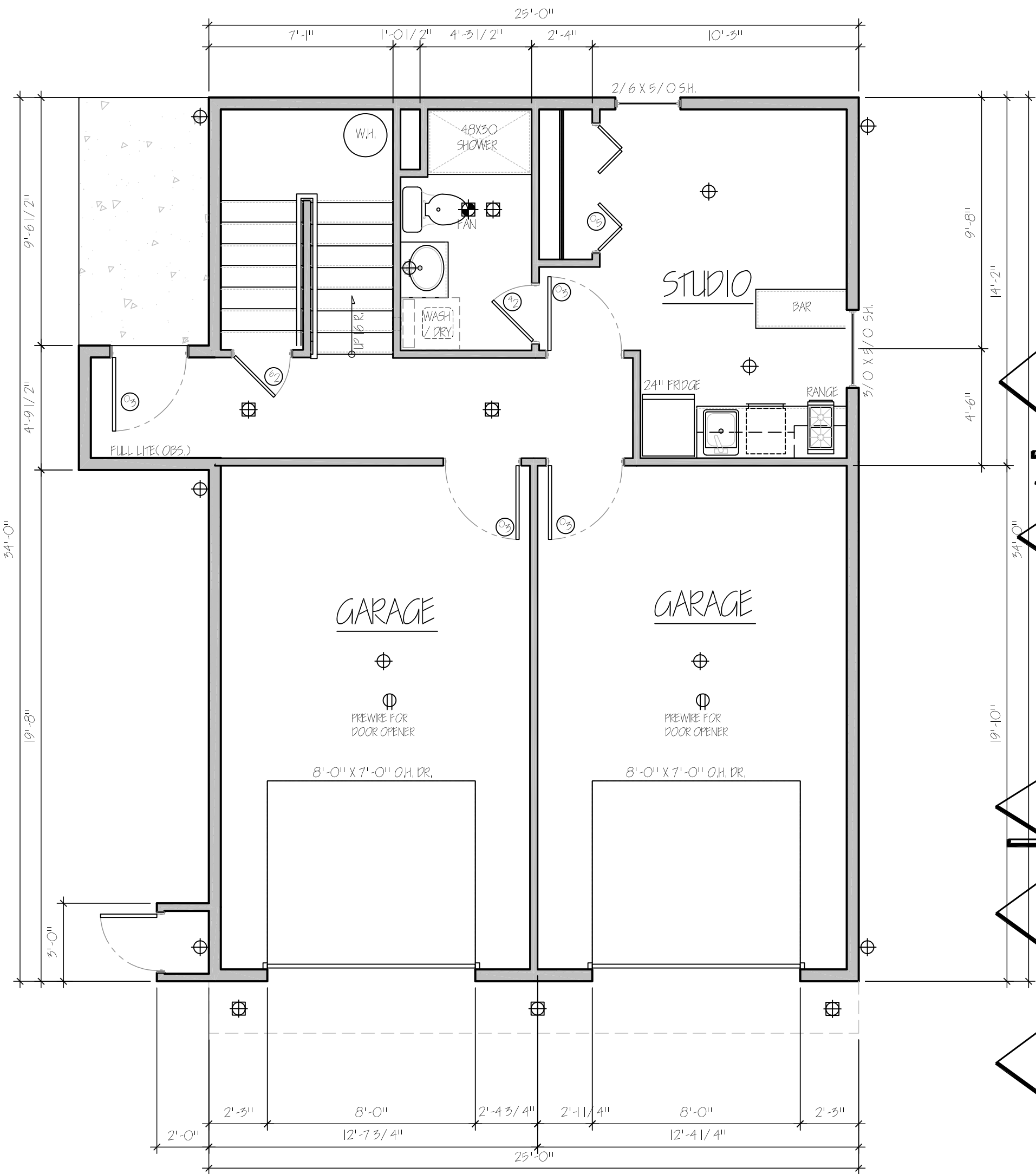
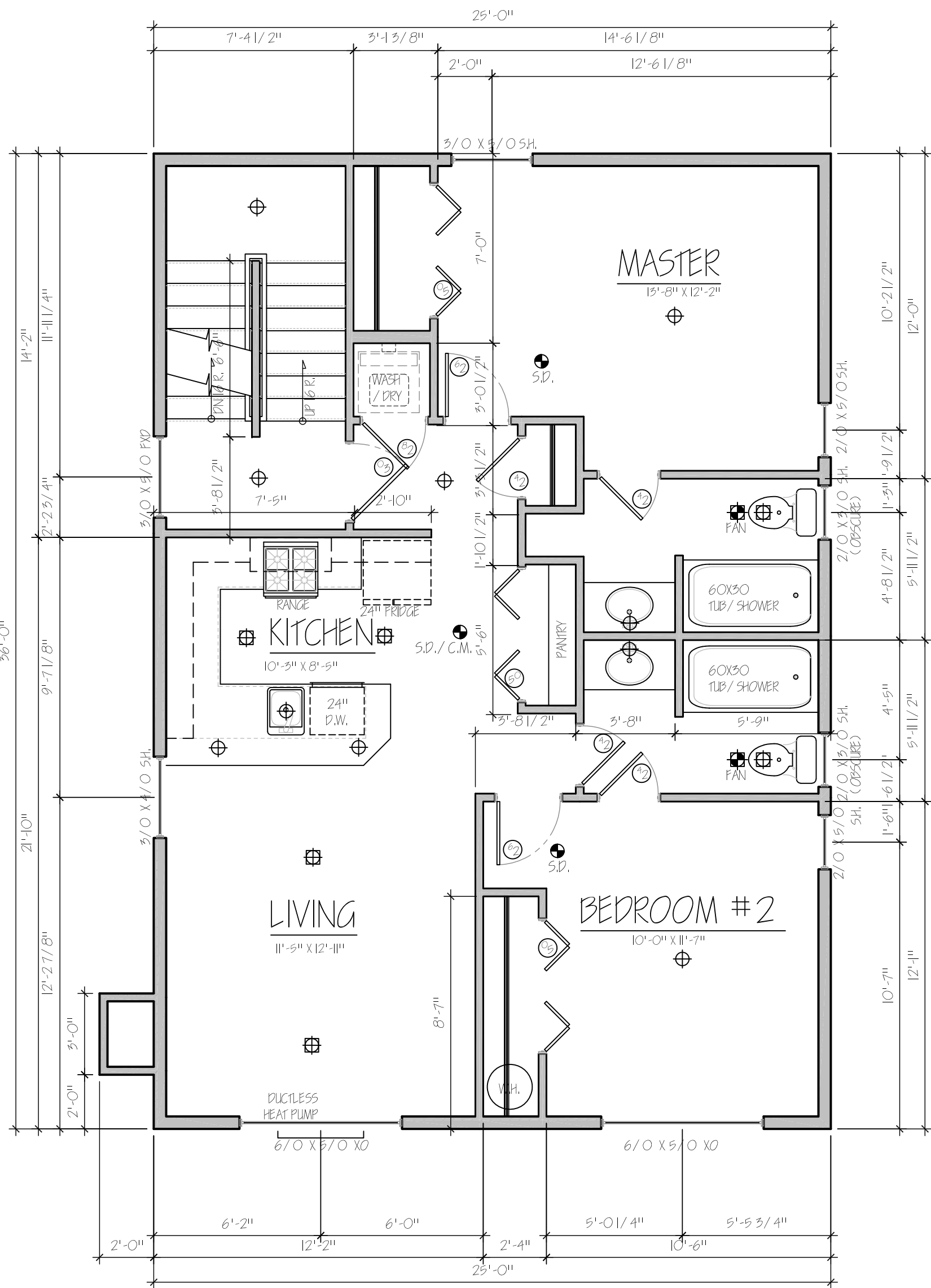
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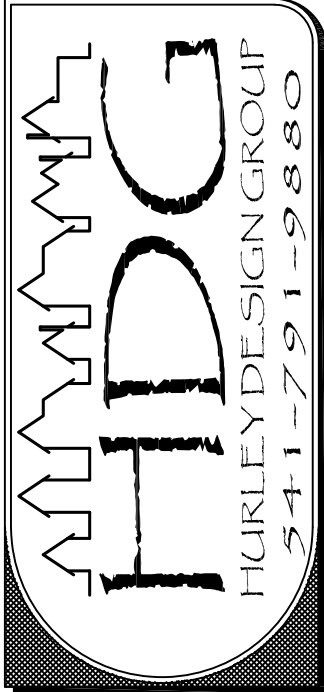
LEFT ELEVATION



RIGHT ELEVATION



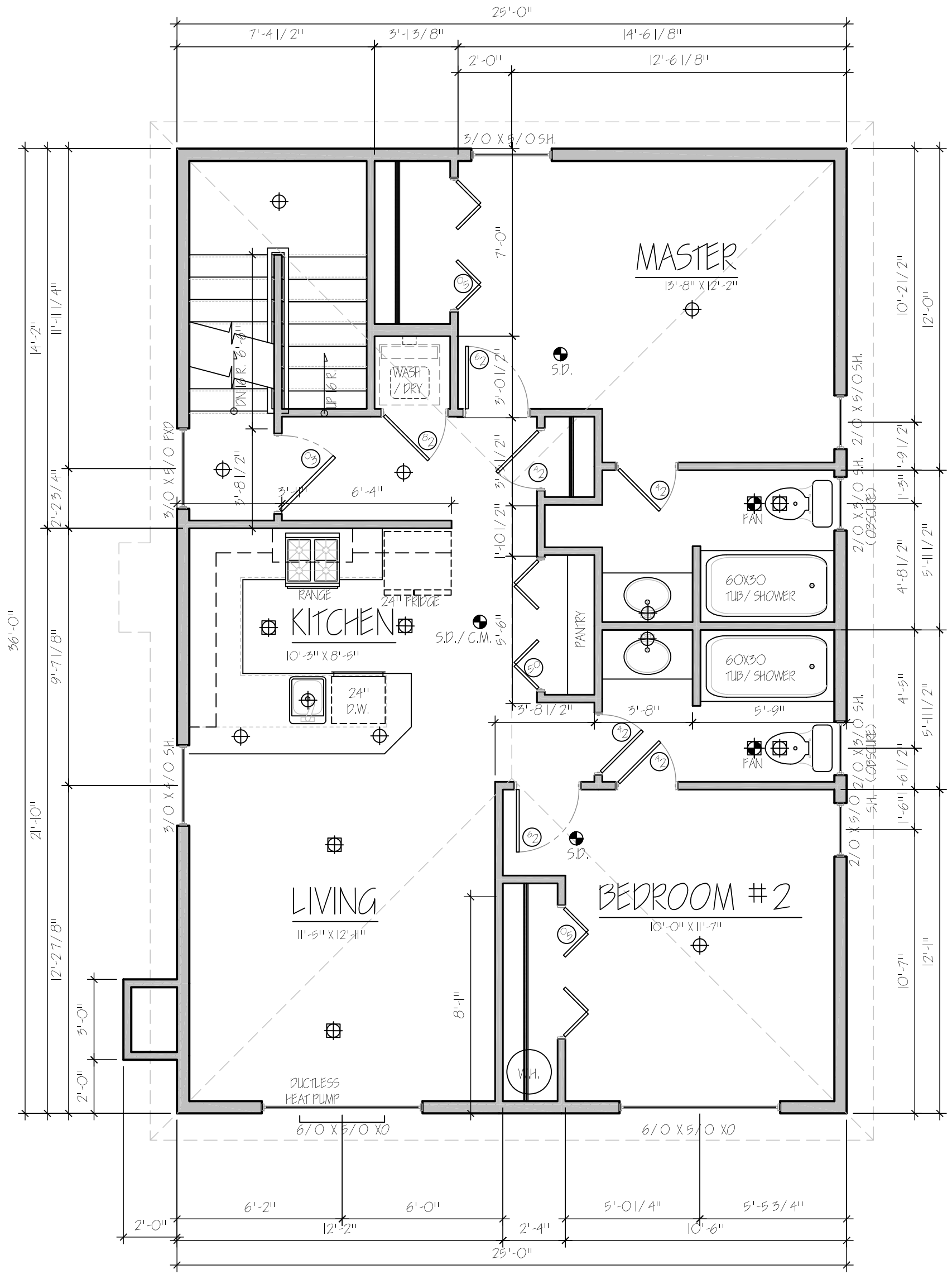
MAIN FLOOR / 2nd FLOOR PLAN



NEW DUPLEX PLAN FOR:  
**LAPRAY DEVELOPMENT**  
BUILDING 3 226 SALEM HEIGHTS DR. SALEM, OR 97301

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COPYRIGHT 2022  
DATE: 1-31-2022  
SCALE: 1/4" = 1'-0"  
FILE # XXX  
PROJECT: XXX  
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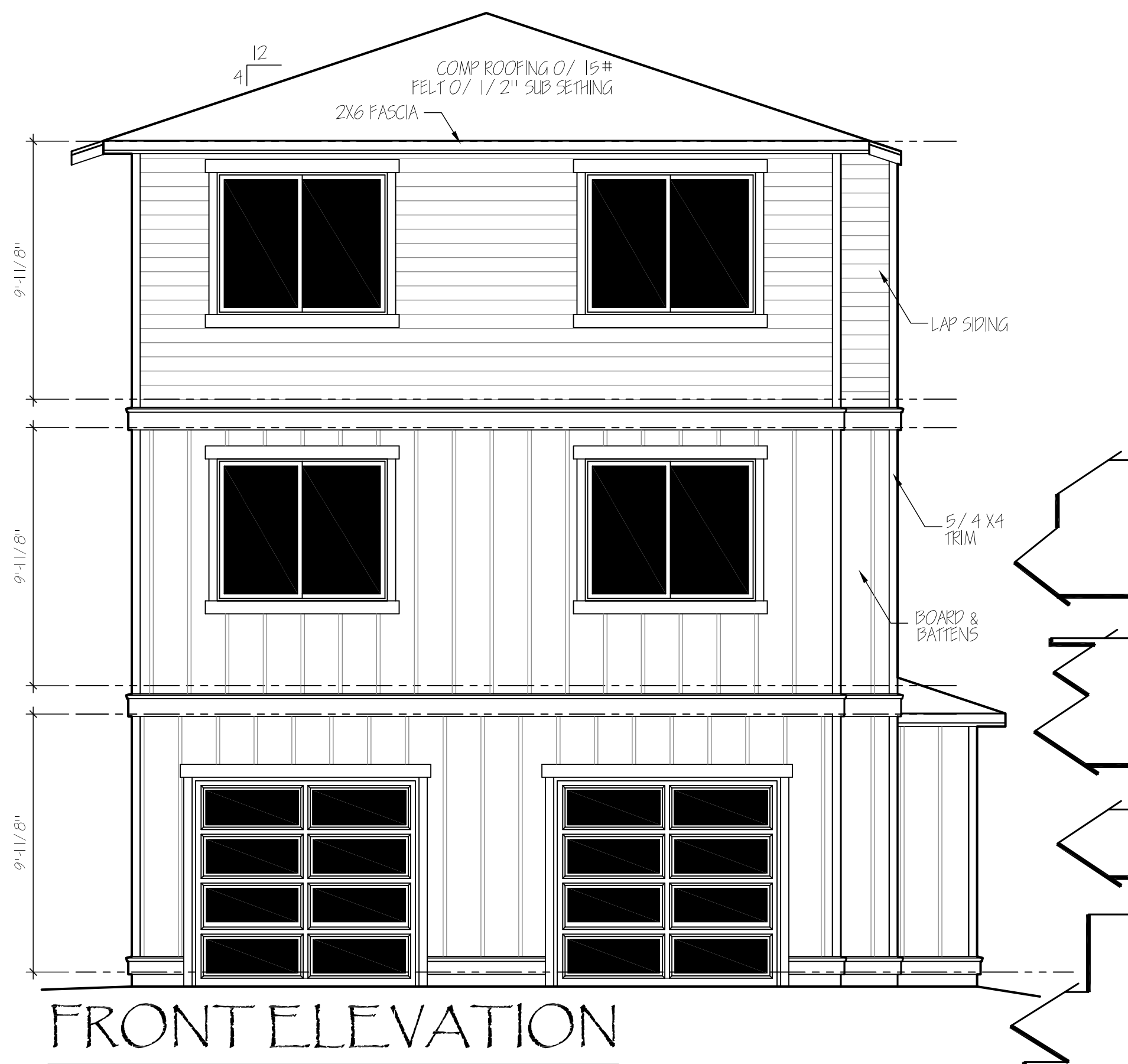


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BUILDING COMPONENTS:	
MAXIMUM ALLOWABLE AREA WINDOW GLASS	NO LIMIT
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VAULTED CEILINGS	R-30
SKYLIGHT GLASS	U = .050
SKYLIGHT AREA	LESS THAN 2%
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	5 Air sealing home and ducts Mandatory air sealing of all wall coverings at top plate and air sealing checklist <sup>d</sup> , and Mechanical whole-building ventilation system with rates meeting ML503 or ASHRAE 62.2, and All ducts and air handlers contained within building envelope <sup>d</sup> or All ducts sealed with mastic <sup>b</sup>
	6 High efficiency thermal envelope UA <sup>8</sup> Proposed UA is 8% lower than the code UA
Conservation Measures (Select One)	A High efficiency HVAC system <sup>9</sup> Gas-fired furnace or boiler AFUE 94%, or Air source heat pump HSPF 9.5/15.0 SEER cooling, or Ground source heat pump COP 3.5 or Energy Star rated
	B Ducted HVAC systems within conditioned space All ducts and air handlers contained within building envelope <sup>d</sup> Cannot be combined with Measure 5
	C Ductless heat pump Ductless heat pump HSPF 10.0 in primary zone of dwelling
	D High efficiency water heater <sup>2</sup> Natural gas/propane water heater with UEF 0.85 OR Electric heat pump water heater Tier 1 Northern Climate Specification Product



ALL EXTERIOR MATERIALS AND FINISHES ARE FOR PRESENTATION PURPOSES ONLY. ACCRUAL MATERIALS, FINISHES, AND GRADE UP TO BUILDERS DISCRETION.

NOTE: ACTUAL FINISHED GRADES MAY VARY FROM FINISHED GRADES SHOWN ON ELEVATIONS AND PLANS

**BUILDING INFORMATION**

APPLICABLE CODES:  
INTERNATIONAL RESIDENTIAL CODE FOR ONE-AND TWO-FAMILY DWELLINGS

PROJECT TYPE  
NEW SINGLE FAMILY RESIDENCE

AREA	
MAIN FLOOR AREA:	
GARAGE #1-#2	246 SQ.FT.
STUDIO	302 SQ.FT.
2ND FLOOR AREA (HOUSE)	801 SQ.FT.
3RD FLOOR AREA (HOUSE)	801 SQ.FT.

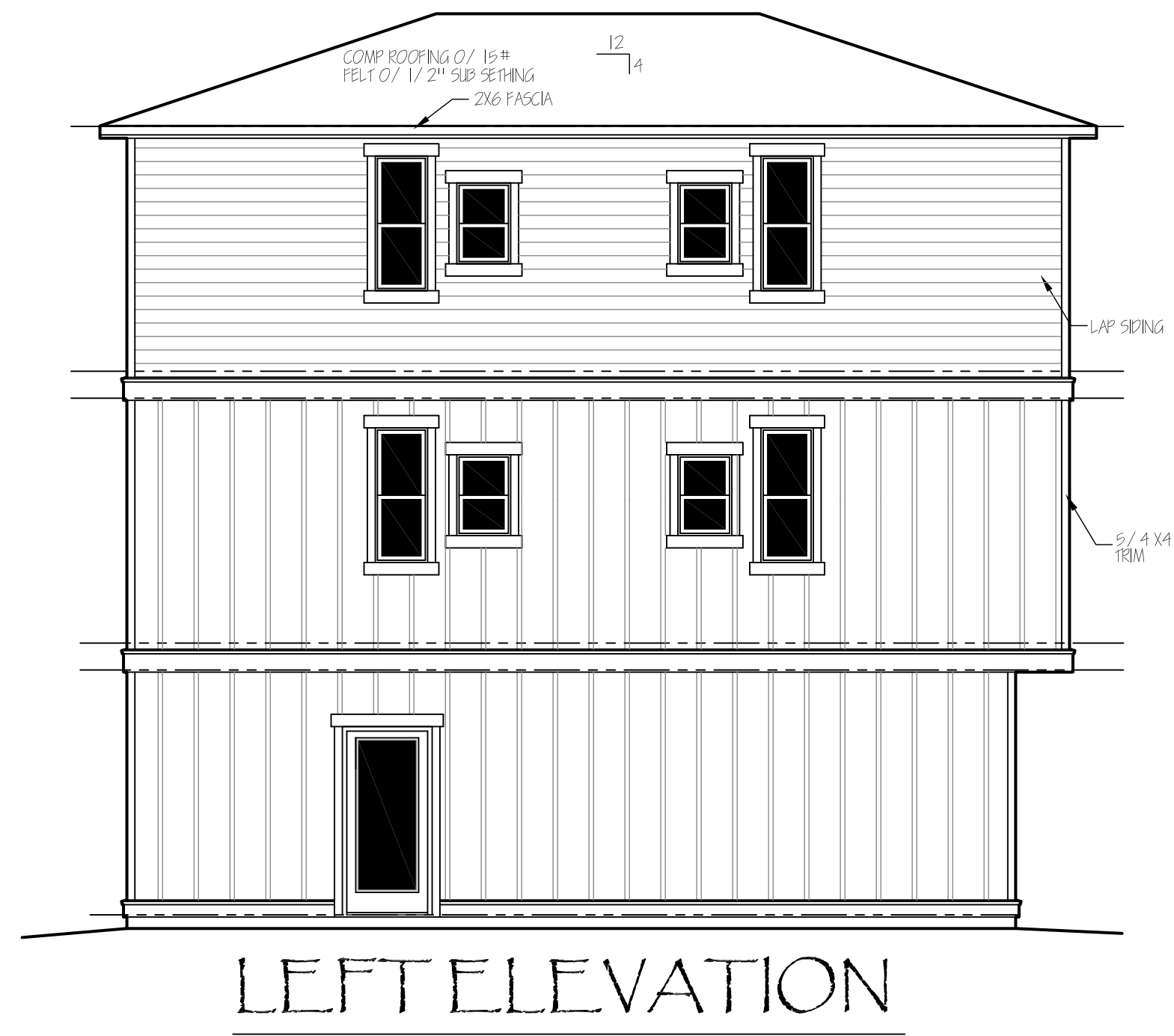
TOTAL FLOOR AREA	1904 SQ.FT.
ROOF DRAINAGE AREA	1026 SQ. FT.

DESIGN LOADS

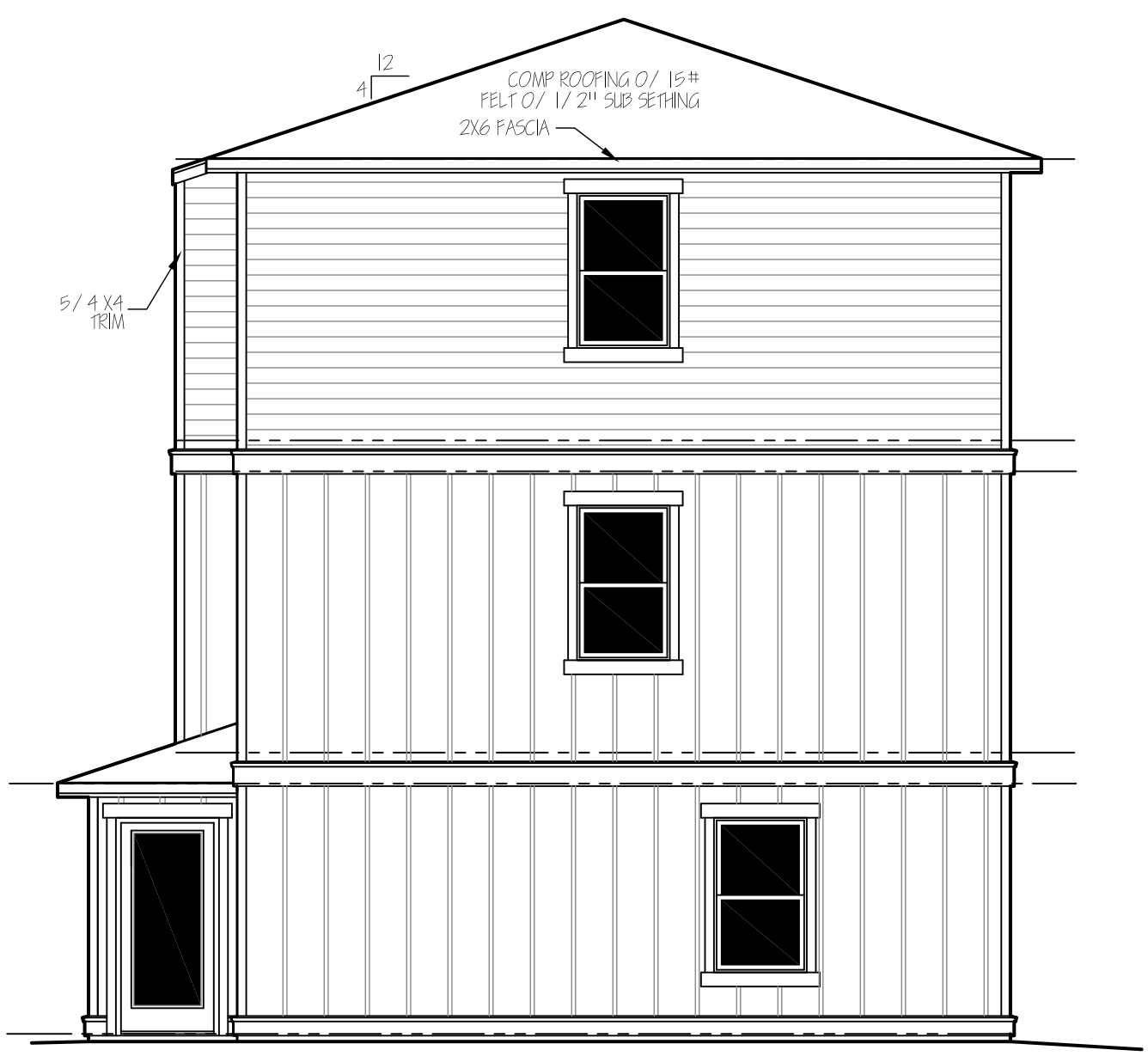
A. ROOF LIVE LOAD	= 25 P.S.F.
B. WIND LOAD	= 120 MPH, EXPOSURE B
C. SEISMIC ZONE	= CATEGORY D <sub>1</sub>
D. FROST DEPTH	= 12"
E. SOIL BEARING	= 1500 P.S.F.

**GENERAL NOTES**

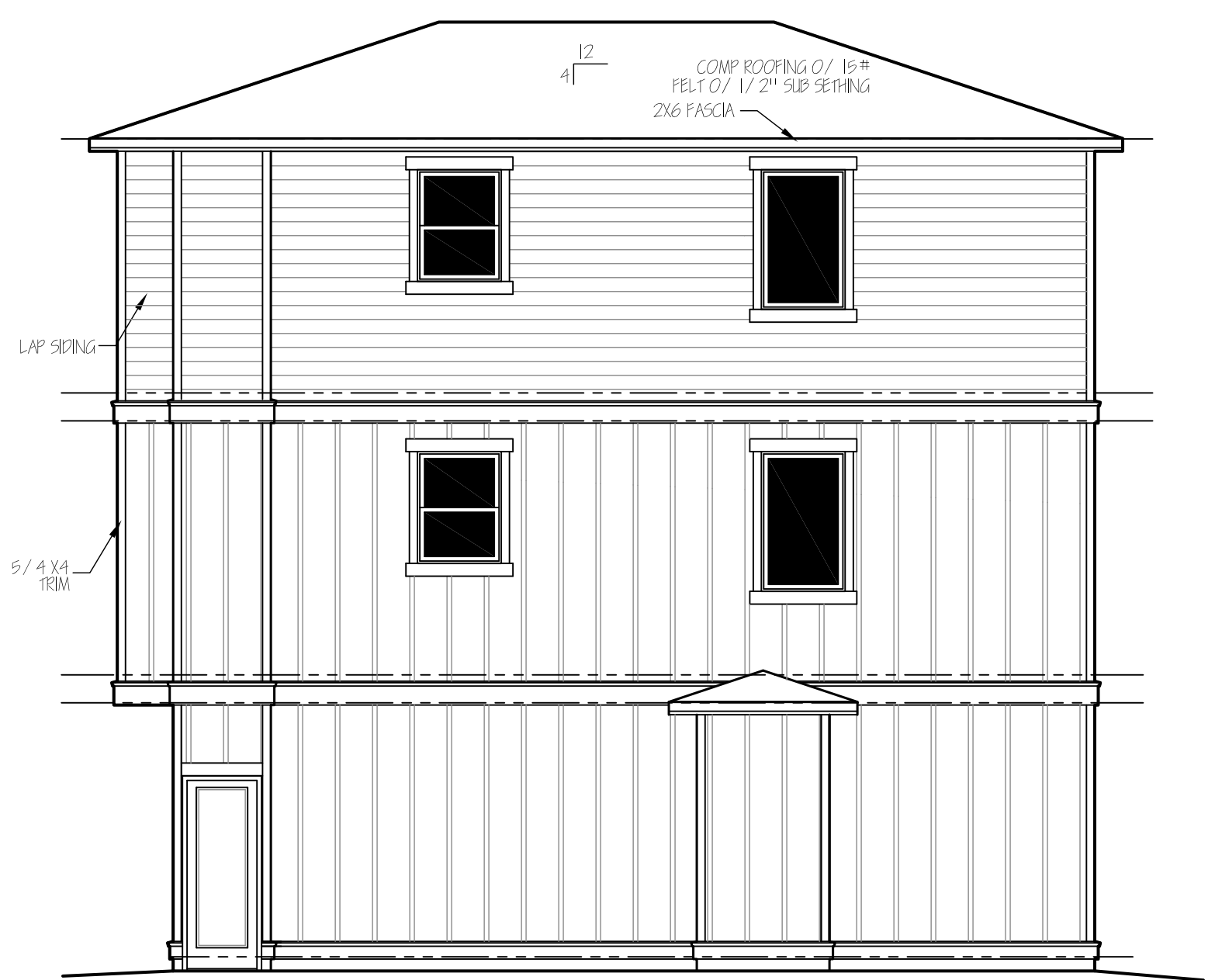
- THE INTENT OF THESE PLANS IS TO PROVIDE THE CONTRACTOR WITH A GUIDE FOR A FULL, COMPLETE AND WORKABLE PROJECT, IN SO FAR AS THE DRAWINGS SHOW AND THE SPECIFICATIONS CALL FOR. THESE PLANS ARE INTENDED FOR USE BY PEOPLE WITH KNOWLEDGE OF BUILDING CONSTRUCTION.
- ALL WORK SHALL COMPLY WITH THE LATEST ADOPTED VERSION OF THE INTERNATIONAL ONE AND TWO FAMILY DWELLING CODE, AND ANY APPLICABLE LOCAL OR COUNTY JURISDICTION.
- THE CONTRACTOR IS RESPONSIBLE FOR REVIEWING THE PLANS AND IS TO NOTIFY THE DESIGNER OF ANY ERRORS OR OMISSIONS PRIOR TO THE START OF CONSTRUCTION.
- WRITTEN DIMENSIONS SHALL TAKE ALL PRECEDENCE OVER SCALED DIMENSIONS.
- HEATING/ COOLING SPECIFICATIONS AND DRAWINGS SHALL BE PROVIDED BY THE MECHANICAL CONTRACTOR AS REQUIRED BY BUILDING OFFICIALS.
- PLUMBING AND ELECTRICAL SPECIFICATIONS SHALL BE PROVIDED BY THE RESPECTIVE TRADES, AS REQUIRED BY BUILDING OFFICIALS.
- HEATING LOSS AND ENERGY CALCULATIONS SHALL BE PROVIDED BY THE MECHANICAL CONTRACTOR, OR OTHER QUALIFIED PROFESSIONAL AS REQUIRED BY BUILD OFFICIALS.
- TRUSS MANUFACTURE SHALL PROVIDE ALL DRAWINGS, SPECIFICATIONS AND ENGINEERING AS REQUIRED BY BUILDING OFFICIALS.



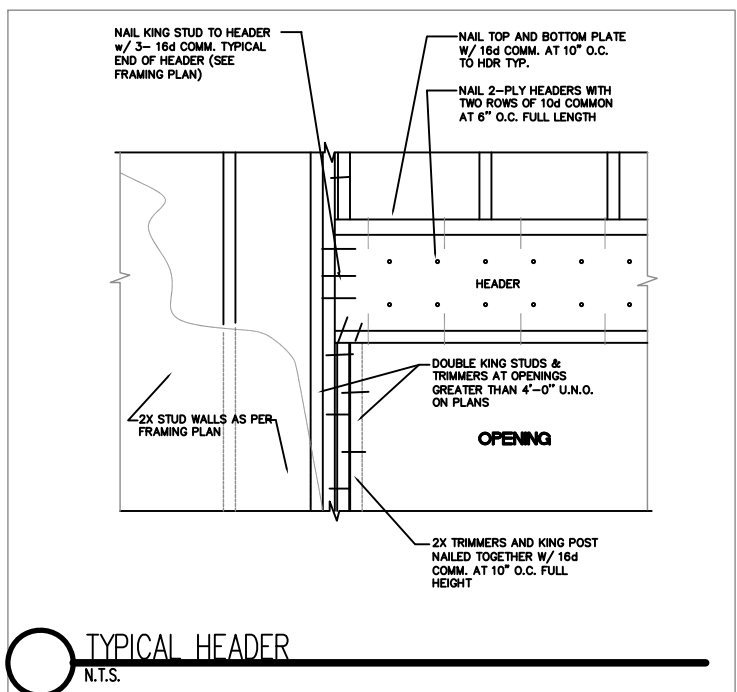
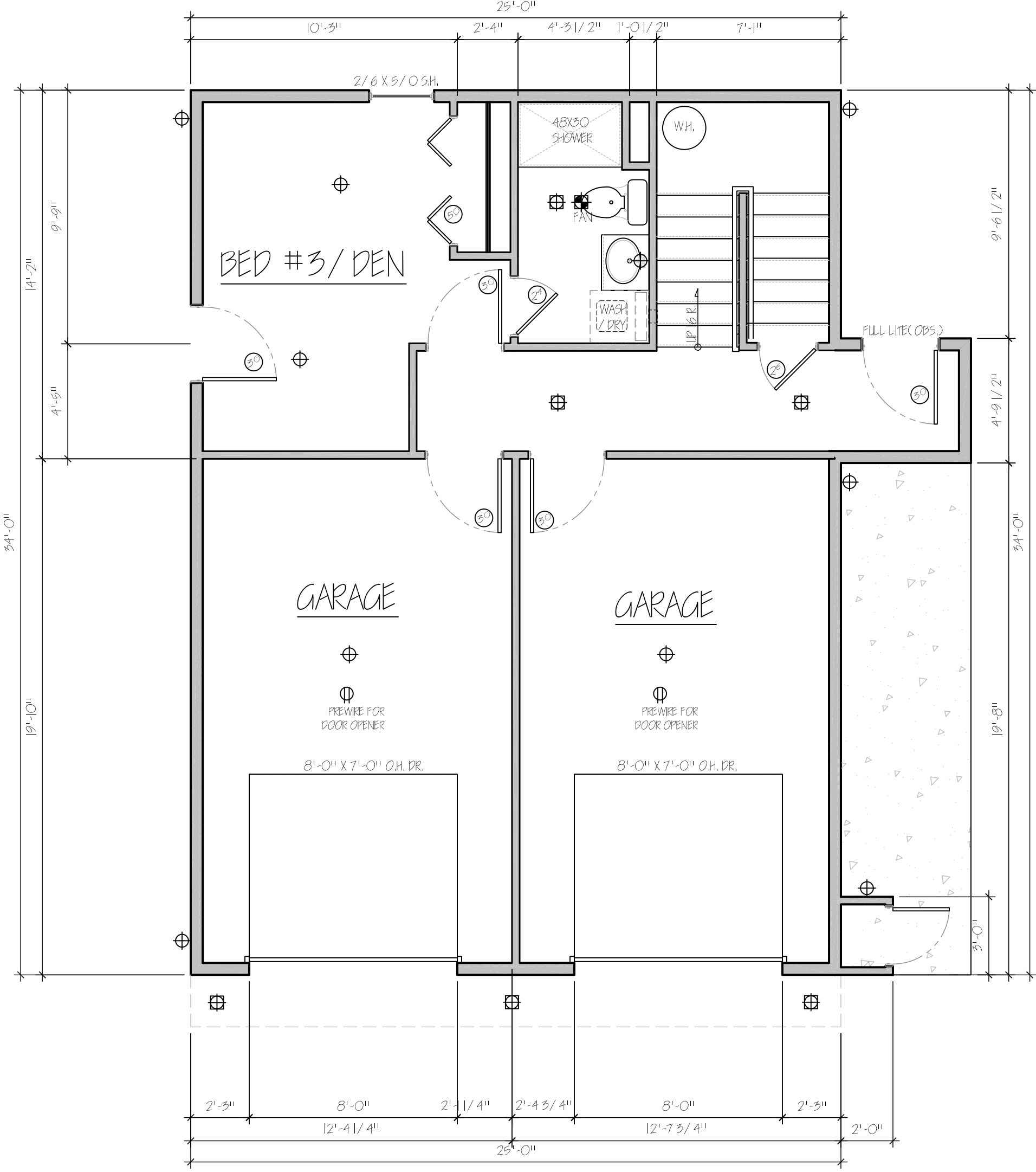
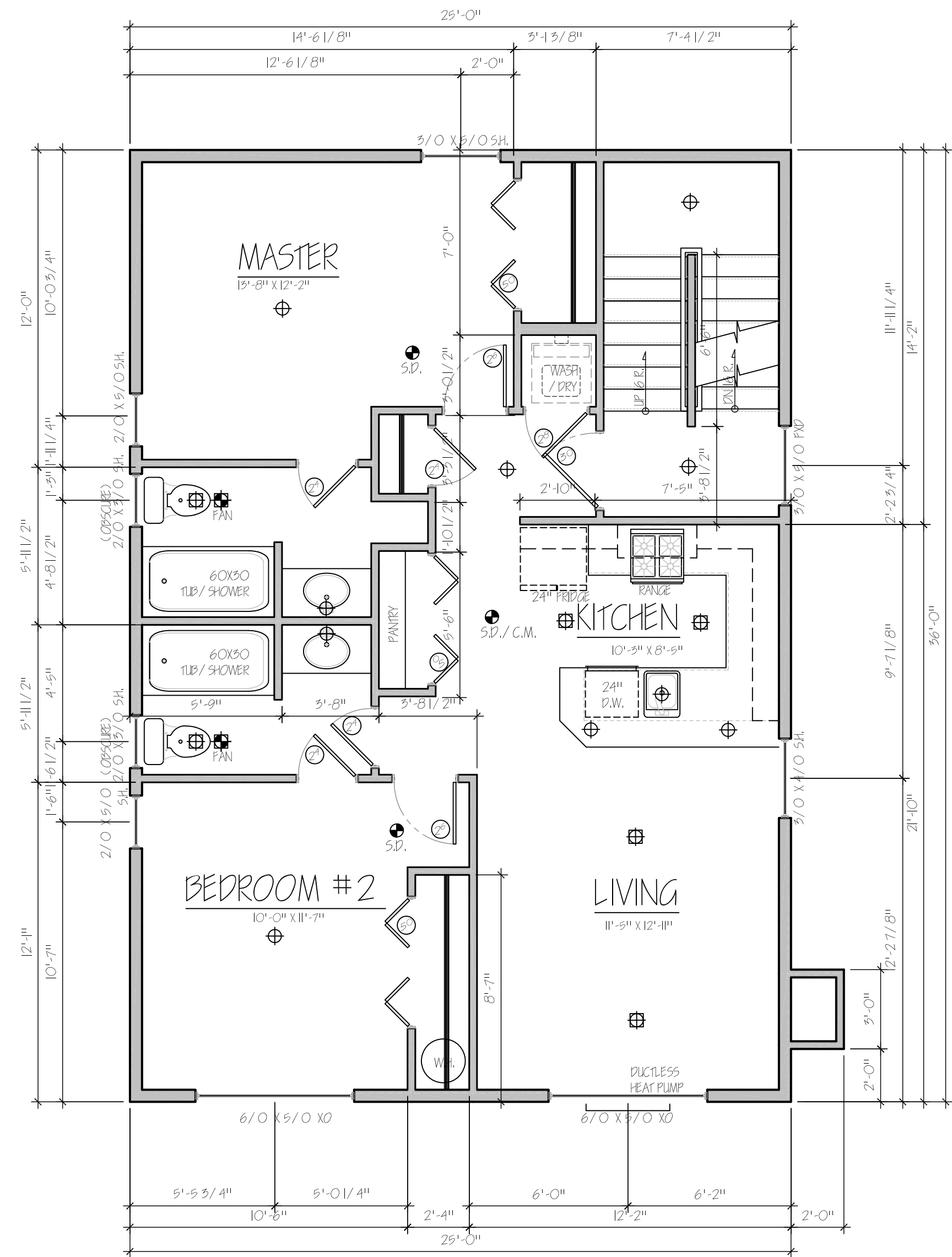
LEFT ELEVATION



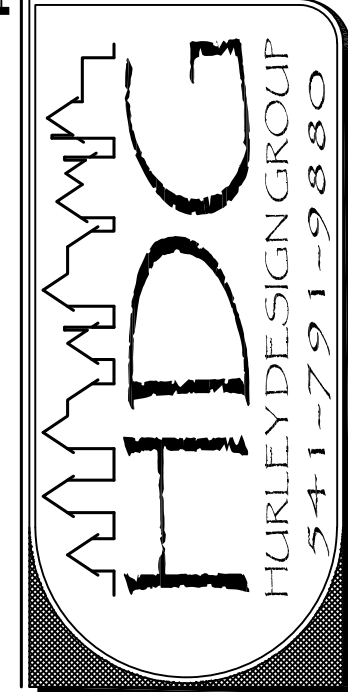
BACK ELEVATION



RIGHT ELEVATION



MAIN FLOOR / 2nd FLOOR PLAN



NEW DUPLEX PLAN FOR:  
**LAPRAY DEVELOPMENT**  
BUILDING 4226 SALEM HEIGHTS DR. SALEM, OR. 97301

©  
COPYRIGHT 2022

DATE: 1-31-2022

SCALE: 1/4" = 1'-0"

FILE # XXX

PROJECT: XXX

PAGE  
**3**



# LAPRAY DEVELOPMENT

BUILDING 4226 SALEM HEIGHTS DR. SALEM, OH. 97301

NEW DUAL LANTOROK:

©  
COPYRIGHT 2022

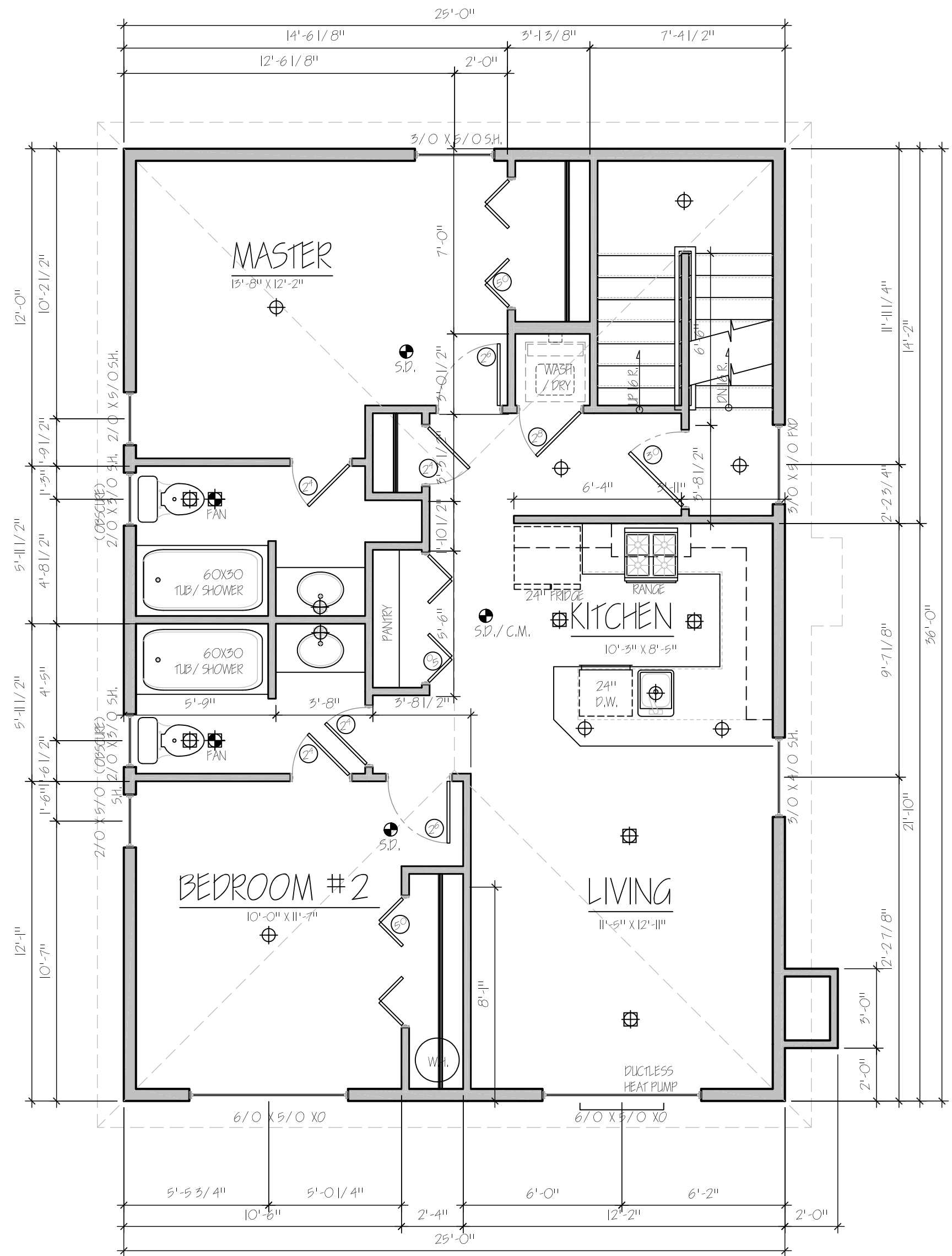
E: 1-31-2022

LE:  $1/4'' = 1'-0''$

# XXX

SUBJECT: XXX

4



### 3rd FLOOR PLAN.

**226 Salem Heights Ave SE Salem Or 97301**  
**Class 3 Site Plan Review and Class 1 Design Review w/ Two Class 2 Adjustments**

**November 29, 2021**

***Summary Table***

Zoning Designation: RM-II

Total Site Area: .367 acres & 15,995 SF

Gross Floor Area & Total Lot Coverage:

Building -- 3,492 SF

Parking & Pedestrian -- 4,637 SF

Open Space & Landscape -- 6,243 SF

Building Height: 29' 3 3/8" Top of Wall

Parking Spaces Itemized:

Garage Spaces -- 8

Tandem Spaces -- 8 (8 tandem spaces behind 8 garage spaces)

Compact Spaces -- 4

**TOTAL PARKING SPACES – 20**

Bike Spaces: 4 individual bike racks. 1 bike rack per building located on the interior (not covered).

***Written Statement***

**Zoning of Surrounding Properties**

North: Right of way for Salem Heights Avenue SE

South: RM-II (Multiple Family Residential)

East: RM-II (Multiple Family Residential)

West: Right of way Crawford Street SE

**Proposed Use**

The development will consist of (2) plex buildings & (2) duplex buildings totaling 10-units on property zoned RM-II zone. The subject property is .39 acres & 16,995 SF (Marion County Assessor's Map and Tax Lot number 083W03BD09100). The existing building, shed, planter and driveway off Salem Heights will be demolished and removed.

**Dwelling Unit Density:** The subject property is .39 acres & 16,995 SF and is located in the RM-II zone. Assuming a 10-foot right of way dedication or special setback is required on Salem Heights, the lot area would be reduced by 1,033.3 SF to 15,994.662 SF (.367 acre) which allows a maximum of 10 units, which is in compliance with the density standards in the RM-II zone.

**Site Plan:** Please see the attached Site Plan. The Site Plan is in compliance with the RM-II zone.

**Setbacks:** The project is in compliance with the RM-II zone.

**Lot Coverage:** The project is in compliance with the RM-II zone.

**Height:** The project is in compliance with the RM-II zone.

**Landscaping:** The project is in compliance with the RM-II zone.

**Outdoor Storage:** Project will have no outdoor storage.

**Off-street Parking:** Applicant is requesting a Class 1 Adjustment to add 2 additional parking spaces for the project to offer relief to the neighborhood concerns for lack of parking. During the initial application which was appealed and denied the neighborhood made it clear that the site needs more parking. The applicant is proposing 2 additional compact spaces.

The proposed development is within the 0.1 mile of the Core Network where no parking is required & the maximum parking is 1.75 spaces per dwelling unit. The project has 10 units and is allowed 18 parking spaces an additional 2 compact spaces are being requested to increase the total parking spaces to 20.

Off-Street Parking Spaces Itemized:

Garage Spaces --	8
Tandem Spaces --	8 (8 tandem spaces behind 8 garage spaces)
Compact Spaces --	4
TOTAL PARKING SPACES – 20	

**Driveways:** 1 driveway off of Crawford.

**Bike Spaces:** 4 individual bike racks. 1 bike rack per building located on the interior (not covered). This is in compliance with the RM-II zone.

**Historic and Cultural Resources Protection Zone:** I received this email from Kimberli Fitzgerald on 1-4-2021:

Hi Sam;

Yes, thank you for reaching out. This property is within our Historic and Cultural Protection Zone due to the high probability that archaeological resources may be encountered during any ground disturbing activity. I've attached our general FAQ about what being in this zone means.

In sum, if no federal permits are required (ie. Army Corps) and you are not using any public funds for the project and the property itself is not publicly owned – then no additional historic clearance for the work you are proposing is required. However, an IDP (Inadvertent Discovery Plan) must be in place/provided to the contractor/developer who will be in the field during any ground disturbing activity. This plan provides direction about what to do in the event that something is inadvertently uncovered during work.

Please let me know if you have any additional questions.

Thanks,

Kimberli

Kimberli Fitzgerald, AICP/RPA

***Historic Preservation Program Manager***

***Historic Preservation Officer & City Archaeologist***

***City of Salem***

**[503 540-2397](tel:5035402397)**

**HOA Statement**

**NONE – there is no HOA**

## **Emails with Faye Wright NA**

**Subject: 226 Salem Heights Design & Site Plan Review (NEW APPLICATION)**

From: Sam Lapray - To: fwna.chair@gmail.com, bshelide@gmail.com, sjhecox@msn.com, mbbaire@hotmail.com, strange306@gmail.com - Cc: Tim Hurley - Date: October 22, 2021 at 12:20 PM, Attachments: 226 Salem Heights -- Class 1

**226 Salem Heights Design & Site Plan Review (NEW APPLICATION) Hello Blake, Bryant, Shawn & Sue,**

The City of Salem has asked me to reach out to you and the Faye Wright Neighborhood Association about the attached Design and Site Plan Review items for the 10 units we plan to develop at 226 Salem Heights Ave SE.

Please confirm you have received & will share with the Faye Wright Neighborhood Association. We would love to hear any & all feedback.

We Appreciate You & All Your Help in this Process!

God Bless, sam

**Sam H Lapray, Sole Member & Owner Covey Rowhouses, LLC**  
**ph 503-931-2315 [SamHLapray@gmail.com](mailto:SamHLapray@gmail.com)**

On Mon, Nov 1, 2021 at 4:42 PM Blake Shelide <[bshelide@gmail.com](mailto:bshelide@gmail.com)> wrote:  
Hi Sam,

Thank you very much for sending these. I have received them and we can share this at a future FWNA meeting. A couple quick questions as I reviewed the plans:

- can you confirm the unit count? The email indicates 10, but the plans appear to show 8 (4 buildings, with two units each)
- what is the function of the room labeled "office" and the separate restrooms on the first floor in each of the buildings? Will each building have an administrative office?

Thank you,  
Blake

On November 8, 2021 at 12:09:30 PM, Blake Shelide ([bshelide@gmail.com](mailto:bshelide@gmail.com)) wrote:

Hi Sam,

Thanks again for sending on the design and site plan review documents. Just a quick follow-up on my previous questions. Also, Faye Wright Neighborhood Association has a virtual meeting this Thursday 11/11 at 7pm, and we've included an agenda item for this project so we can share the updated site plans with any attendees, in case you are available and would like to attend I think that would be great.

<https://www.cityofsalem.net/meetingdocs/faye-wright-neighborhood-association-agenda-2021-11-11.pdf>

Thanks,  
Blake

On Mon, Nov 8, 2021 at 4:10 PM Sam Lapray <[samhlapray@gmail.com](mailto:samhlapray@gmail.com)> wrote:  
Hello Blake,

Thank you for the meeting invite — please let me know what time the project is on the agenda and I will connect in.

Also, in answering your questions from your 10-22-2021 email:

**unit count is 10**

- (6) 2 bd / 2ba
- (2) 2 bd / 2 ba w/ office and or 3 bedroom on main floor
- (2) Studio's on the main floor

No, administrative offices are planned for at this time. 2 of the main floors are for 2 studios & the other 2 of main floors are for an office or 3 bedroom for the 2 bd / 2 ba unit above.

Please let me know a good time to connect on the virtual meeting.

Thanks & God Bless! sam

**Sam H. Lapray**  
ph [503-931-2315](tel:503-931-2315)  
[SamHLapray@gmail.com](mailto:SamHLapray@gmail.com)

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**Subject: Re: 226 Salem Heights Design & Site Plan Review (NEW APPLICATION)**

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From: Blake Shelide - To: [samhlapray@gmail.com](mailto:samhlapray@gmail.com) - Cc: Sue Hecox, Tim Hurley, Shawn Range, Faye Wright Chair - Date: November 9, 2021 at 9:16 PM

Sam,

Thank you, that sounds great. Thanks also for the additional clarification on the unit descriptions, that makes sense.

As far as timing goes, this item is toward the end of the agenda:

<https://www.cityofsalem.net/meetingdocs/faye-wright-neighborhood-association-agenda-2021-11-11.pdf>

We don't have specified time slots for the agenda items, but based on the rest of the agenda and preceding items, I would estimate sometime between 7:30-8:00.

I think we can use this meeting to introduce the revised design to anyone in attendance and keep it relatively brief, and if there is a need for additional discussion or comments from surrounding neighbors, there could be an opportunity for a follow-up meeting.

Thanks, Blake

### **Multiple Family Design Standards (SRC 702.015)**

**Common Open Space:** The project will far exceed the 20 percent of the gross site area (16,995 SF x 20% = 3,399 SF). The proposed Common Open Space is in compliance with the RM-II zone.

**Landscaping and Screening** the building permit application for the development will include Landscape and Screening to be in compliance with the RM-II zone.

**Site Safety and Security** the windows provide and encourage visual surveillance of the common open space, parking areas and pedestrian paths. The lighting illuminates all exterior dwelling unit entrances, parking areas, and pedestrian paths.

**Parking and Site Design** minimizes the visual impact of the onsite parking and enhances the pedestrian experience. The pathways provide connection between the buildings, common open space, parking areas, public right of way on Salem Heights Ave SE & along Crawford St SE.

**Facade and Building Design:** The project is in compliance with the RM-II zone.

**Recycling and Solid Waste** is in compliance with the RM-II zone.

**Natural Resources** No trees will be removed. There are no wetlands as per the Salem-Keizer Local Wetland Inventory. There are no landslide hazards as per the City of Salem's landslide hazard susceptibility maps & a geological assessment is not required for this site.

**Alternative Street Standard SRC 803.065** The applicant is requesting an Alternative Street Standard for Crawford St SE to be used in its current state as a 20' paved surface with a 20' public right of way. The applicant proposes a pedestrian path along the east side of Crawford (as per the Site Plan). Applicants Engineer has had communication with the City of Salem Planning Director & Public Works and they are in agreement to approve an Alternative Street Standard on Crawford St SE with the condition of a pedestrian path along the east side of Crawford (as per the Site Plan).

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.*

## ATTACHMENT: SRC Chapter 250 Adjustments

### Sec. 250.005. Adjustments.

#### (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.
- (B) A Class 2 adjustment is an adjustment to any development standard in the UDC other than a Class 1 adjustment, including an adjustment to any numerical development standard in the UDC that increases or decreases the standard by more than 20 percent.

**Response:** The project will have two Class 2 adjustments for this project: 1) Additional Parking & 2) Reduction of Landscaping Setback.

#### The two Class 2 adjustments are:

- 1) Additional Parking:** This adjustment will allow for 2 additional compact parking spaces that will help provide relief for the lack of on street parking and will address the neighbors' concerns with the lack of parking. This request will not unreasonably impact the surrounding, existing, potential uses or development.
- 2) Landscaping Setback Reduction along the East Property Line Interior Side (Vehicle Use Area)** (SRC 806.040(d)): we request a **Class 2 adjustment** reducing the landscaping setback from 10' to 6' along the middle of drive aisle to provide a turnaround area at the end of the drive aisle. We propose the required landscaping for the 10' setback (type C – SRC chapter 807) be dispersed throughout the site. This Class 2 adjustment will not unreasonably impact the surrounding, existing, potential uses or development.

(2) *Prohibition.* Notwithstanding subsection (a)(1) of this section, an adjustment shall not be granted to:

- (A) Allow a use or activity not allowed under the UDC;
- (B) Change the status of a use or activity under the UDC;
- (C) Modify a definition or use classification;
- (D) Modify a use standard;
- (E) Modify the applicability of any requirement under the UDC;
- (F) Modify a development standard specifically identified as non-adjustable;
- (G) Modify a development standard that contains the word "prohibited";
- (H) Modify a procedural requirement under the UDC;
- (I) Modify a condition of approval placed on property through a previous planning action;
- (J) A design review guideline or design review standard, except Multiple Family Design Review Standards in SRC Chapter 702, which may be adjusted; or
- (K) The required landscaping in the Industrial Business Campus (IBC) Zone.

**Response:** The project does not include an adjustment to any of the standards, guidelines, or requirements listed in (A) through (K) above. The project meets the applicable design review standards for multiple family development. This standard is met.

(b) *Procedure type.* Class 2 adjustments are processed as a Type II Procedure under SRC chapter 300.

**Response:** The Class 2 adjustments will be processed as a Type II procedure.

(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.

**Response:** A Site Plan with the applicable information required in (A) through (F) above has been submitted. This requirement is 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.

**Response:** The Topo and Existing Conditions Survey has been submitted. This requirement is met.

- (2) An application for a Class 2 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) Equally or better met by the proposed development.

**Response:** 1) **Additional Parking:** This adjustment will allow for 2 additional compact parking spaces that will help provide relief for the lack of on street parking and will address the neighbors' concerns with the lack of parking. The purpose underlying the specific development standard proposed for adjustment will be equally or better met. This adjustment will make the proposed development better for the parking, flow of traffic, future tenants, neighbors and visitors – this adjustment will not unreasonably impact the surrounding, existing, potential uses or development. This standard is met.

**Response:** 2) **East Property Line Interior Side (Vehicle Use Area)** (SRC 806.040(d)): this **Class 2 adjustment** reducing the landscaping setback from 10' to 6' along the middle of drive aisle to provide a turnaround area at the end of the drive aisle. We propose the required landscaping for the 10' setback (type C – SRC chapter 807) be dispersed throughout the site. This adjustment is needed to reduce the applicable landscape setback for the RM-II (Multiple Family Residential) zoned property. The UDC does not state a specific purpose for these interior setbacks. The Applicant understands that the purpose of these interior side setbacks in the RM-II zone is to maintain light, air, promote a reasonable physical relationship between residences, and provide privacy for the neighboring properties. The purpose underlying the specific development standard proposed for adjustment will be equally or better met. This adjustment will make the proposed development better for the flow of traffic, future tenants, neighbors and visitors – this adjustment will not unreasonably impact the surrounding, existing, potential uses or development. This standard is met.

(B) If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.

**Response:** 1) **Additional Parking:** This adjustment will allow for 2 additional compact parking spaces that will help provide relief for the lack of on street parking and will address the neighbors' concerns with the lack of parking. The purpose underlying the specific development standard proposed for adjustment will be equally or better met and will not detract from the livability or appearance of the residential area. This adjustment will make the proposed development better for the parking, flow of traffic, future tenants, neighbors and visitors – this adjustment will not unreasonably impact the surrounding, existing, potential uses or development. This standard is met.

**Response:** 2) **East Property Line Interior Side (Vehicle Use Area)** (SRC 806.040(d)): this **Class 2 adjustment** reducing the landscaping setback from 10' to 6' along the middle of drive aisle to provide a turnaround area at the end of the drive aisle. We propose the required landscaping for the 10' setback (type C – SRC chapter 807) be dispersed throughout the site. This adjustment is needed to reduce the applicable landscape setback for the RM-II (Multiple Family Residential) zoned property. The UDC does not state a specific purpose for these interior setbacks. The Applicant understands that the purpose of these interior side setbacks in the RM-II zone is to maintain light, air, promote a reasonable physical relationship between residences, and provide privacy for the neighboring properties. The purpose underlying the specific development standard proposed for adjustment will be equally or better met and will not detract from the livability or appearance of the residential area. This adjustment will make the proposed development better for the flow of traffic, future tenants, neighbors and visitors – this adjustment will not unreasonably impact the surrounding, existing, potential uses or development. This standard is met.

(C) If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone.

**Response:** The Class 1 & Class 2 adjustments cumulative effect will make the proposed project better for the future tenants, neighbors, community and visitors. The criterion is met.

(e) *Transfer of adjustments.* Unless otherwise provided in the final decision granting the adjustment, an adjustment shall run with the land.

**Response:** The Applicant acknowledges that the adjustment runs with the land.

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.*

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- 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.*



## Faye Wright Neighborhood Association

Date: January 6, 2022

To: Jamie Donaldson, CD Planner II  
City of Salem – Community Development Department  
555 Liberty St SE, Suite 305, Salem OR 97301

From: Blake Shelide, FWNA Board Chair  
Susan Hecox, FWNA Land Use Chair

Re: Faye Wright Neighborhood Association Comments – Review Case No. SPR-ADJ-DR21-36  
226 Salem Heights Ave SE, Salem, OR

The Faye Wright Neighborhood Association provides the following comments regarding the proposed development of 10 apartment units with 20 parking spaces at 226 Salem Heights Ave.

The revised plan for the development of 226 Salem Heights Avenue which provides a single point of entry to/exit from Crawford Street to the parking garages and spaces is a significant improvement from the original plan submitted in August 2021. The possibility of collisions between vehicles traveling on Crawford Street and those entering/leaving 220 Salem Heights will be greatly reduced.

The requested increase in the number of allowed parking spaces from 18 to 20 is reasonable given the lack of street parking available on both Salem Heights Avenue and Crawford Street. Parking spaces not assigned to 226 Salem Heights residents could be designated as visitor parking.

In summary, Faye Wright Neighborhood Association supports the proposed changes described in Review Case No. SPR-ADJ-DR21-36.





# MEMO

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

**FROM:** Glenn J. Davis, PE, CFM, Chief Development Engineer  
Public Works Department

**DATE:** January 5, 2022

**SUBJECT: PUBLIC WORKS RECOMMENDATIONS  
SPR-ADJ-DR21-36 (21-119877)  
226 SALEM HEIGHTS AVENUE SE  
10-UNIT MULTI-FAMILY DEVELOPMENT**

## **PROPOSAL**

A consolidated Class 3 Site Plan Review and Class 1 Design Review to replace an existing single-family dwelling with 10 new apartment units, garages, parking spaces, and associated site improvements, with Class 2 Zoning Adjustments and a request for an Alternative Street Standard for Crawford Street SE. The subject property is approximately 0.39 acres, zoned RM-II (Multiple Family Residential), and located at 226 Salem Heights Avenue SE - 97302 (Marion County Assessors Map and Tax Lot 083W03BD / 9100).

## **RECOMMENDED CONDITIONS OF APPROVAL**

1. Convey land for dedication to equal a half-width right-of-way of 30 feet on the development side of Salem Heights Avenue SE.
2. Construct a half-street improvement along the frontage of Salem Heights Avenue SE to Collector street standards, including extension of a public storm main; or pay a fee-in-lieu of construction totaling \$22,233.
3. Construct a minimum 5-foot-wide pedestrian access route along the entire frontage of Crawford Street SE within a public access easement.
4. Design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.

Code authority references are abbreviated in this document as follows: *Salem Revised Code* (SRC); *Public Works Design Standards* (PWDS); *Salem Transportation System Plan* (Salem TSP); and *Stormwater Management Plan* (SMP).

## **FACTS**

### **Streets**

#### 1. Salem Heights Avenue SE

- a. Standard—This street is designated as a Collector street in the Salem TSP. The standard for this street classification is a 40-foot-wide improvement within a 60-foot-wide right-of-way.
- b. Existing Conditions—This street has an approximate 20-foot turnpike improvement within a 40-foot-wide right-of-way abutting the subject property.

#### 2. Crawford Street SE

- a. Standard—This street is designated as a Local street in the Salem TSP. The standard for this street classification is a 30-foot-wide improvement within a 60-foot-wide right-of-way.
- b. Existing Conditions—This street has an approximate 17-foot improvement within a 20-foot-wide right-of-way abutting the subject property.

### **Storm Drainage**

#### 1. Existing Conditions

- a. The nearest available stormwater main is a 10-inch main located approximately 200 feet east of the subject property in Salem Heights Avenue SE.

### **Water**

#### 1. Existing Conditions

- a. The subject property is located in the S-1 water service level.
- b. An 8-inch water main is located in Salem Heights Avenue SE. Mains of this size generally convey flows of 900 to 2,200 gallons per minute.

### **Sanitary Sewer**

#### 1. Existing Conditions

- a. An 8-inch sewer main is located in Salem Heights Avenue SE.

## **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*)**

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

Public Works staff has reviewed the Flood Insurance Study and Flood Insurance Rate Maps and has determined that no floodplain or floodway areas exist on the subject property.

According to the Salem-Keizer Local Wetland Inventory (LWI) the subject property does not contain any wetland areas or hydric soils.

According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are no mapped landslide hazard areas on the subject property.

### **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**

**Finding**—The existing condition of Salem Heights Avenue SE 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 of 30 feet to Collector street standards as specified in the PWDS and based on a rational nexus calculation. The applicant shall construct a half-street improvement to Collector "B" street standards as specified in the Commercial-Vista Corridor Project, PWDS, and consistent with the provisions of SRC Chapter 803. The applicant has the option of paying a fee-in-lieu of construction of these improvements pursuant to SRC 200.405 because additional portions are required to be constructed in order to have an operational, fully-functioning, public improvement. The applicant's engineer submitted an estimate of \$14,053 for the boundary street improvements along Salem Heights Avenue SE, and \$8,180 for stormwater improvements, totaling \$22,233 in fee-in-lieu payments.

**Condition:** Convey land for dedication to equal a half-width right-of-way of 30 feet on the development side of Salem Heights Avenue SE.

**Condition:** Construct a half-street improvement along the frontage of Salem Heights Avenue SE to Collector street standards, including extension of a public storm main; or pay a fee-in-lieu of construction totaling \$22,233.

The existing condition of Crawford Street SE does not meet current standards for its classification of street per the Salem TSP. The applicant has submitted a request for an Alternative Street Standard due to the existing condition of Crawford Street SE and current conditions of development along the street. The existing street serves 15 properties, which are fully developed. The proposal is authorized as an Alternative Street Standard pursuant to SRC 803.065(a)(1) because... *“existing development or physical constraints make compliance with the standards set forth in this chapter impracticable.”* In lieu of providing street improvements and right-of-way dedication, the applicant proposes to improve pedestrian access by constructing a pedestrian accessway within a public easement along the frontage of the property. The proposal will provide for safe pedestrian access to serve the proposed development and existing development.

**Condition:** Construct a minimum 5-foot-wide pedestrian access route along the entire frontage of Crawford Street SE within a public access easement.

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

**Finding—**The proposed driveway onto Crawford Street SE provides for safe turning movements into and out of the property. In order to provide for the safe and efficient movement of vehicles, bicycles, and pedestrians in the area, the applicant has proposed to provide a pedestrian access route along the frontage of Crawford Street SE within a public access easement on the subject property.

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

**Finding—**The Public Works Department has reviewed the applicant’s preliminary plan for this site. The water, sewer, and storm infrastructure are available within surrounding streets/areas. The applicant shall be required to design and construct a storm drainage system at the time of development. The application shall provide an evaluation of the connection to the approved point of discharge for new areas of impervious surface per SRC 71.075.

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

In conjunction with the estimated cost of \$14,053 as a fee-in-lieu for the street improvements, the engineer also submitted an estimated cost of a fee-in-lieu of stormwater improvements totaling \$8,180. 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.

Prepared by: Laurel Christian, Program Coordinator  
cc: File

**REQUEST FOR COMMENTS****Si necesita ayuda para comprender esta informacion, por favor llame 503-588-6173****REGARDING:** Class 3 Site Plan Review / Class 2 Adjustment / Class 1 Design  
Review Case No. SPR-ADJ-DR21-36**PROJECT ADDRESS:** 226 Salem Heights Ave SE, Salem OR 97302**AMANDA Application No.:** 21-119877-RP, 21-121552-ZO, 21-119878-DR**COMMENT PERIOD ENDS:** January 6, 2022**SUMMARY:** A proposal to demolish existing single-family homes and develop 10 new apartment units (2 duplex & 2 triplex).**REQUEST:** A consolidated Class 3 Site Plan Review and Class 1 Design Review to replace an existing single-family dwelling with 10 new apartment units, garages, parking spaces, and associated site improvements, with Class 2 Adjustments to:

- 1) Exceed the maximum of 18 spaces allowed within one-quarter mile of the Core Network by 11 percent and provide 20 parking spaces accessed from Crawford Street SE; and
- 2) Reduce the landscaped setback for a portion along the east property line from 10 feet to 6 feet to accommodate a turnaround area at the end of the drive aisle.

The subject property is approximately 0.39 acres, zoned RM-II (Multiple Family Residential) and located at 226 Salem Heights Avenue SE - 97302 (Marion County Assessors Map and Tax Lot 083W03BD / 9100).

The Planning Division is interested in hearing from you about the attached proposal. Staff will prepare a Decision that includes consideration of comments received during this comment period. We are interested in receiving pertinent, factual information such as neighborhood association recommendations and comments of affected property owners or residents. The complete case file, including all materials submitted by the applicant and any applicable professional studies such as traffic impact analysis, geologic assessments, and stormwater reports, are available upon request.

**Comments received by 5:00 p.m. Thursday, January 6, 2022**, will be considered in the decision process. Comments received after this date will be not considered. Comments submitted are public record. This includes any personal information provided in your comment such as name, email, physical address and phone number. Mailed comments can take up to 7 calendar days to arrive at our office. To ensure that your comments are received by the deadline, we recommend that you e-mail your comments to the Case Manager listed below.

**CASE MANAGER:** Jamie Donaldson, CD Planner II, City of Salem, Planning Division; 555 Liberty St SE, Room 305, Salem, OR 97301; Phone: 503-540-2328; E-Mail: [jdonaldson@cityofsalem.net](mailto:jdonaldson@cityofsalem.net).

For information about Planning in Salem, please visit: <http://www.cityofsalem.net/planning>

**PLEASE CHECK THE FOLLOWING THAT APPLY:**

☐ 1. I have reviewed the proposal and have no objections to it.

☒ 2. I have reviewed the proposal and have the following comments: See attached

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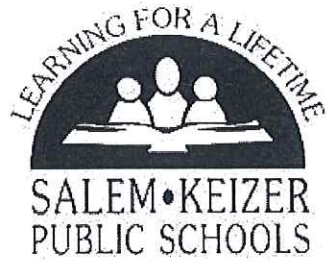


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Name/Agency: Salem-Keizer Public Schools, Planning and Property Services  
 Address: 3630 State Street, Salem OR 97301  
 Phone: David Fridenmaker, Manager  
 Email: 503-399-3335  
 Date: 1-5-22

**IMPORTANT: IF YOU MAIL COMMENTS, PLEASE FOLD AND RETURN THIS POSTAGE-PAID FORM**





DAVID FRIDENMAKER, Manager  
Facility Rental, Planning, Property Services  
3630 State Street, Bldg. C • Salem, Oregon 97301-5316  
503-399-3335 • FAX: 503-375-7847

Christy Perry, Superintendent

January 5, 2022

Jamie Donaldson, Planner  
Planning Division, City of Salem  
555 Liberty Street SE, Room 305  
Salem OR 97301

RE: Land Use Activity Case No. Salem Case No. SPR-ADJ-DR21-36, 226 Salem Heights Ave SE

The City of Salem issued a Request for Comments for a Land Use Case as referenced above. Please find below comments on the impact of the proposed land use change on the Salem-Keizer School District.

#### **IDENTIFICATION OF SCHOOLS SERVING THE SUBJECT PROPERTY**

The School District has established geographical school attendance areas for each school known as school boundaries. Students residing in any residence within that boundary are assigned to the school identified to serve that area. There are three school levels, elementary school serving kindergarten thru fifth grade, middle school serving sixth thru eighth grade, and high school serving ninth thru twelfth grade. . The schools identified to serve the subject property are:

School Name	School Type	Grades Served
Salem Heights	Elementary	K thru 5
Crossler	Middle	6 thru 8
Sprague	High	9 thru 12

Table 1

#### **SCHOOL CAPACITY & CURRENT ENROLLMENT**

The School District has established school capacities which are the number of students that a particular school is designed to serve. Capacities can change based on class size. School capacities are established by taking into account core infrastructure (gymnasium, cafeteria, library, etc.) counting the number of classrooms and multiplying by the number of students that each classroom will serve. A more detailed explanation of school capacity can be found in the School District's adopted Facility Plan.

School Name	School Type	School Enrollment	School Design Capacity	Enroll./Capacity Ratio
Salem Heights	Elementary	274	406	67%
Crossler	Middle	828	969	85%
Sprague	High	1,857	1,820	102%

Table 2

### POTENTIAL ADDITIONAL STUDENTS IN BOUNDARY AREA RESULTING FROM APPROVAL OF LAND USE CASE

The School District anticipates the number of students that may reside at the proposed development based on the housing type, single family (SF), duplex/triplex/four-plex (DU), multi-family (MF) and mobile home park (MHP). The School District commissioned a study by the Mid-Willamette Valley Council of Governments in 2014 to determine an estimate of students per residence, for the Salem-Keizer area, in each of the four housing types. Since the results are averages, the actual number of students in any given housing type will vary. The table below represents the resulting estimates for the subject property:

School Type	Qty. of New Residences	Housing Type	Average Qty. of Students per Residence	Total New Students
Elementary	10	MF	0.201	2
Middle			0.077	1
High			0.084	1

Table 3

### POTENTIAL EFFECT OF THIS DEVELOPMENT ON SCHOOL ENROLLMENT

To determine the impact of the new residential development on school enrollment, the School District compares the school capacity to the current enrollment plus estimates of potential additional students resulting from land use cases over the previous two calendar years. A ratio of the existing and new students is then compared with the school design capacity and expressed as a percentage to show how much of the school capacity may be used.

School Name	School Type	School Enrollment	New Students During Past 2 yrs	New Student from this Case	Total New Students	School Design Cap.	Enroll./Cap. Ratio
Salem Heights	Elem.	274	11	2	13	406	71%
Crossler	Mid.	828	28	1	29	969	88%
Sprague	High	1,857	47	1	48	1,820	105%

Table 4

### ESTIMATE OF THE EFFECT ON INFRASTRUCTURE – IDENTIFICATION OF WALK ZONES AND SCHOOL TRANSPORTATION SERVICE

Civic infrastructure needed to provide connectivity between the new residential development and the schools serving the new development will generally require roads, sidewalks and bicycle lanes. When developing within one mile of school(s), adequate pathways to the school should be provided that would have raised sidewalks. If there are a large number of students walking, the sidewalks should be wider to accommodate the number of students that would be traveling the



path at the same time. Bike lanes should be included, crosswalks with flashing lights and signs where appropriate, traffic signals to allow for safe crossings at busy intersections, and any easements that would allow students to travel through neighborhoods. If the development is farther than one mile away from any school, provide bus pullouts and a covered shelter (like those provided by the transit district). Locate in collaboration with the District at a reasonable distance away from an intersection for buses if the distance is greater than ½ mile from the main road. If the distance is less than a ½ mile then raised sidewalks should be provided with stop signs where students would cross intersections within the development as access to the bus stop on the main road. Following is an identification, for the new development location, that the development is either located in a school walk zone or is eligible for school transportation services.

School Name	School Type	Walk Zone or Eligible for School Transportation
Salem Heights	Elementary	Walk Zone
Crossler	Middle	Eligible for School Transportation
Sprague	High	Eligible for School Transportation

Table 5

## ESTIMATE OF NEW SCHOOL CONSTRUCTION NEEDED TO SERVE DEVELOPMENT

The School District estimates the cost of constructing new school facilities to serve our community. The costs of new school construction is estimated using the Rider Levett Bucknall (RLB) North America Quarterly Construction Cost Report and building area per student from Cornerstone Management Group, Inc. estimates. The costs to construct school facilities to serve the proposed development are in the following table.

School Type	Number of Students	Estimate of Facility Cost Per Student*	Total Cost of Facilities for Proposed Development*
Elementary	2	\$64,220	\$128,440
Middle	1	\$76,882	\$76,882
High	1	\$89,544	\$89,544
TOTAL			\$294,866

Table 6

\*Cornerstone Management Group, Inc. estimates based on RLB cost index average, 2021 Third Quarter.

Sincerely,

David Fridenmaker, Manager  
Planning and Property Services

c: David Hughes, Director – Custodial, Property and Auxiliary Services, T.J. Crockett, Director of Transportation