

Villalobos Apartments – WRITTEN STATEMENT

Project Description:

Acting as the representative for the project, Lenity Architecture is submitting this application on behalf of the Applicant, Francisco Villalobos. This application consists of an Adjustment Class I, Adjustment Class II, and Driveway Approach Permit Class I for a proposed four family residential development located at 2605 Laurel Avenue Salem, Oregon.

The subject property (Taxlot 073W14BD03100) is 9,002 square feet (SF) and bordered to the south by Hickory Street (Local Street) and Laurel Avenue (Local Street) to the east. Directly west and along the rear of the property is a 10-foot-wide alley. Directly east of the property is Portland & Western Railroad. Per the Salem Zoning Map, the site is zoned as Single Family Residential (RS) with a General Plan Designation of Single Family Residential. The surrounding zoning to the north, south, and west is RS with the east zoned as Residential Medium (RM2).

The project proposes to construct a single two-story structure composed of four (4) separate units with driveway access along Laurel Avenue and the rear alley. The proposed structure footprint is an estimated 4,004 SF with a total floor area of 7,760 SF. Each unit will have an estimated 1,937 SF of habitable floor area with 242 SF of individual garage space. Each tenant will have their own separate covered parking and available driveway space totaling eight (8) parking spaces across the property. The northern units will have their primary entrances facing Laurel and the alley respectively. The southern units will have their primary entrances facing Hickory with a 5' wide paved walkway leading to the units. Each unit will have a partially covered porch meeting the setback exemption standards outlined in SRC Sec. 805.035 (Table 800-2). Please see below Table for RS Development Standards summary.

Development Standard (RS Zone)	Required/Allowed	Proposed
Minimum Lot Size	7,000 SF	9,002 SF (<i>Existing</i>)
Street Abutting Setback (<i>Laurel and Hickory Facing</i>)	12 feet from all property lines	12 ft.
Interior Side (<i>North Facing</i>)	5 ft. from all property lines	5 ft.
Rear Side (<i>Alley/East</i>)	14 ft. for 1-story 20 feet for above 1st-story	14 ft. for First Story 20 ft. for Second Story
Building Height	35 ft.	30' Approx.
Off-street Parking	No minimum required Max 7 spaces (1.75 per Unit)	8 Parking Spaces

Adjustment Narrative:

Adjustments are requested to the following standards:

- 1) Class II Adjustment is requested to allow a new driveway access for two of the four residential units along Laurel Avenue (Sec.804.040(b)(2))
- 2) A Class I Adjustment to allow a ~13% deviation from the maximum allowed parking from seven to eight spaces (Sec. 806.015(e)(2))

Adjustment Review Criteria-

SALEM REVISED CODE Title X – Unified Development Code

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.

1) **Applicant Response: A Class 1 Adjustment is sought to increase the maximum allowed parking specified within Sec.806.015(e)(2) from seven (7) to eight (8) spaces. This increase is an estimated 13% deviation which qualifies as a Class 1 adjustment.**

- (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.

2) **Applicant Response: A Class 2 Adjustment is sought to allow the two (2) residential units facing Laurel Avenue to have a new driveway access from Laurel Avenue to a proposed garage. This deviation conflicts with Sec. 804.040(b)(2) which requires a Class 2 Adjustment.**

(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.

3) **Applicant Response: The proposed Project is not requesting any adjustments that are prohibited under Sec. 250.005(a)(2).**

- (b) *Procedure type.* Class 1 and Class 2 adjustments are processed as a Type II Procedure under SRC chapter 300.

4) Applicant Response: The project understands this requirement.

- (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.
- (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.

5) Applicant Response: As contained within the submission package, a Site Plan indicating all required sections is provided within this application. Regarding an existing Conditions Plan, the project site is currently undeveloped with no existing structures on site with a driveway located on the northeast corner proposed to be relocated. Per FEMA Floodplain Maps, the entirety of the project site is outside of a 100-year floodplain.

- (d) *Criteria.*

- (1) An application for a Class 1 adjustment shall be granted if all of the following criteria are met:
 - (A) The purpose underlying the specific development standard proposed for adjustment is:
 - (i) Clearly inapplicable to the proposed development; or
 - (ii) Clearly satisfied by the proposed development.

6) Applicant Response: The underlying reason why the Class 1 Adjustment to increase parking maximum from seven (7) to eight (8) is being requested is due to the driveway design requirements within Sec. 806.030(b) (Table 806-4). The requirement states that access to two (2) spaces must have a minimum width of 16 feet and depth of 20 feet. Despite the original intention of the project to only provide parking via the garages, the driveway creates the equivalent of two (2) 8'x15'

compact spaces per Sec. 806.035(e) (Table 806-6). With two (2) driveways and parking available via the four (4) separate garages, the project is forced to exceed the seven (7) space maximum. The project only seeks to rectify this conflict within the code.

- (B) The proposed adjustment will not unreasonably impact surrounding existing or potential uses or development.

7) **Applicant Response:** Through the Class I Adjustment, the project does not anticipate to negatively impact any surrounding uses by increasing the allowed parking on-site.

- (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.

8) **Applicant Response:** Under Chapter 804 (Driveway Approaches), the overarching purpose of subsection 804.040 (b)(2) is to “establish development standards for safe and efficient access to public streets.” The proposed driveway design is not anticipated to create any unsafe conditions accessing the public street. The driveway connecting to Laurel will be 22 feet wide with a minimum of 20 foot depth measured from the ROW to the garage entrances. Adequate vision clearance will provide for the proposed development along the alley and laurel driveway and the southeast corner of the lot where Laurel Avenue and Hickory Street NE connect. In addition, locating the driveways in two (2) locations will reduce the amount of traffic circulating via the 10-foot-wide alley.

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

9) **Applicant Response:** The project site is within the RS Zone District which is characterized by a range of single-family and two to four family developments. The proposed development will not detract from the livability of the neighborhood as the proposed development is allowed within the RS Zone and will provide necessary sidewalk improvements. Regarding the appearance of the proposed development, the frontages along Hickory Street and Laurel Ave. have been designed to be open and cohesive with the surrounding residential neighborhoods. Lastly, extensive efforts have been made to work with the City Planning Department to determine a design that would be cohesive with the surrounding neighborhood.

- (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.

10) **Applicant Response:** The proposed development does not anticipate the cumulative effect of the Class I and Class II Adjustment to create an inconsistency with the purpose of the RS Zone District. As previously discussed, the proposed four family use is allowed and the proposed development with associated improvements will enhance the visual appearance and function of the surrounding residential neighborhood.

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

11) Applicant Response: The project understands that the final decision shall run with the land.

If you have any questions, please contact me by phone at (503) 399-1090 or

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Sincerely,

Ron Jackson