

**FOR MEETING OF: AUGUST 11, 2021**  
**CASE NO.: APPEAL OF SPR-ADJ-DR21-12**

**TO: HEARINGS OFFICER**

**FROM: LISA ANDERSON-OGILVIE, AICP, DEPUTY COMMUNITY  
DEVELOPMENT DIRECTOR AND PLANNING ADMINISTRATOR**

**SUBJECT: APPEAL OF CLASS 3 SITE PLAN REVIEW, CLASS 1 ADJUSTMENT  
AND CLASS 1 DESIGN REVIEW CASE NO. SPR-ADJ-DR21-12; 226  
SALEM HEIGHTS AVENUE SE - 97302; AMANDA NOS. 21-103414-RP,  
21-103415-ZO, AND 21-101272-DR**

**APPEALANT:** Charles and Lettie Turner

**APPLICANT/OWNER:** Covey Rowhouses LLC (Sam H. Lapray)

**AGENT:** Sam H. Lapray

**ISSUE:**

Shall the Hearings Officer affirm the decision, affirm the decision with additional conditions or modifications, remand the decision to the Planning Administrator for further action, or reverse the decision?

**RECOMMENDATION**

Based upon the Facts and Findings contained in this staff report, staff recommends that the Hearings Officer AFFIRM the Planning Administrator's decision approving the request for a proposed redevelopment of existing property with 10 new apartment units and associated garages and parking spaces, including an adjustment to exceed the maximum of 18 spaces allowed within one-quarter mile of the Core Network by 6 percent and provide 19 parking spaces accessed from Crawford Street SE, which is classified as a named alley, subject to conditions of approval.

**BACKGROUND**

The subject property is located at 226 Salem Heights Avenue SE. A vicinity map showing the subject property is included as **Attachment 1**.

During the comment period, comments were received from Faye Wright Neighborhood Association (**Attachment 2**) and members of the public (**Attachment 3**).

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 for the subject property. The decision is included as **Attachment 4**.

On July 13, 2021, a timely notice of appeal was filed by Charles and Lettie Turner. The appeal challenges the City's utilization of the definitions of "street" and "alley" in SRC 111.001 to classify Crawford Street SE as a named alley and asserts that the proposal

fails to meet criterion SRC 220.005(f)(3)(C) requiring that parking areas and driveways shall be designed to facilitate safe and efficient movement of vehicles along Crawford Street SE. The notice of appeal is included as **Attachment 5**.

The public hearing before the City of Salem Hearings Officer is scheduled for August 11, 2021, at 5:30 p.m. in the Salem City Council Chambers, Civic Center Room 240, located at 555 Liberty Street SE. Notice of public hearing was sent by mail to surrounding property owners pursuant to Salem Revised Code (SRC) requirements on July 22, 2021. Public hearing notice was also posted on the property pursuant to SRC requirements.

### **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.

### **FACTS AND FINDINGS**

The staff report dated June 28, 2021, including the Public Works Memo dated June 16, 2021, establishes findings related to the proposed approval of the Class 3 Site Plan Review, Class 1 Adjustment, and Class 1 Design Review application for the subject site redevelopment.

The following is a summary of the items raised by the appellant in the notice of appeal memo letter dated July 13, 2021, followed by a staff response.

- 1) *In classifying Crawford Street SE as a named alley, the City failed to consider the full and complete definitions of "street" and "alley" (SRC 111.001) in their entirety as applied to Crawford Street SE.*

**Street** means a public or private way that is **created to provide ingress or egress to one or more lots**, parcels, areas, or tracts of land, excluding a private way that is created to provide ingress or egress to land in conjunction with the use of the land for forestry, mining, or agricultural purposes. The term "street" includes the terms "highway," "thoroughfare," "parkway," "throughway," "road," "avenue," "boulevard," "lane," "court," "place," "loop," "drive," "circle," and other such terms. The term "street" does not include alleys or flag lot accessways. *[Emphasis added by the appellant.]*

**Alley** means a public way not less than ten feet and not more than 20 feet in width that is **primarily used as a secondary means of motor vehicle access to abutting property**. *[Emphasis added by the appellant.]*

*Crawford Street is not used as a secondary means of vehicle access. It is a*

*dead-end street with no other outlet. It is 100 percent utilized for ingress and egress.*

*Crawford Street is in some portions 18 feet wide, but 50 yards (30 percent of its entire length) measures 21.25 feet in width.*

*Salem does have alleys within the downtown core and outside of the core in South Central Salem and Fairmont residential areas. None of these alleys are dead-end, nor are they the only outlet for the residents.*

*The 10 driveway accesses abutting Crawford Street will have an impact on neighbors.*

**Staff Response:** Crawford Street SE meets some of the characteristics of a street and some of the characteristics of an alley.

#### Characteristics of a street

The appellant states that Crawford Street is 18 to 21.25 feet in width, exceeding the maximum width of 20 feet for an alley along a portion of its length.

Crawford Street SE serves as the only current means of access for 13 tax lots, providing both ingress and egress to those properties.

With some exceptions, alleys in the downtown and other areas connect to streets at both ends and provide secondary access to parcels that also have street frontage.

The properties south of the subject property are assigned addresses on Crawford Street SE. Names of downtown alleys proposed through the Salem Main Street Association's Alley Naming Project would not be used for official addressing purposes, but only for place-making and community building.

#### Characteristics of an alley

The findings of the Public Works Memo dated June 16, 2021 state that the standard for an alley classification is right-of-way measuring 10 to 20 feet, with improvements detailed in Public Works Design Standards Nos. 304 and 305; the alley abutting the subject property is paved and has a right-of-way measuring 20 feet; Crawford Street SE is designated as an alley because of its existing configuration as a paved surface within a 20-foot-wide right-of-way; and, as configured, Crawford Street SE meets the Public Works Design Standard for an alley improvement.

In the definition of alley, the width refers to the width of public right-of-way. The assessor's map for the area, **Attachment 6**, indicates that the public right-of-way width of Crawford Street (Avenue) SE is 20 feet abutting the subject property and

along most of its 645-foot length, except for a section approximately 22 feet wide and 72 feet long that is 180 feet south of the subject property. The 20-foot-wide sections represent 573 feet, or 89 percent of the length, while the 22-foot-wide section represents 11 percent of the length.

The subject property has frontage on Salem Heights Avenue SE as well as frontage on Crawford Street SE. The existing single-family dwelling on the subject property has primary access on Salem Heights Avenue SE and a secondary access on Crawford Street SE. The western assessor map for the area, **Attachment 6**, indicates that the tax lot with the large apartment complex on the west side of the southern end of Crawford Street SE also has frontage on Liberty Road S and could potentially obtain access from that street.

The existing single-family dwelling on the subject property has an address on Salem Heights Avenue SE. General development standards for designation of lot lines state that, for a property with a property line abutting a street and a property line abutting an alley, the front lot line shall be the property line abutting the street. A property with frontage on a street and a side property line abutting an alley would be assigned an address on the street.

In Staff's opinion, designating Crawford Street as an alley is appropriate because of the secondary access use by the subject project property and because the specific definition of "alley" governs over the more general definition of street.

#### Impacts on the project if Crawford Street SE is classified as a street

If Crawford Street SE is classified as a street, the proposed development would need to be significantly reconfigured to meet development and design standards, including, but not limited to, standards for streets, driveways, setbacks, and parking and vehicle use areas. The applicant could apply for adjustments to standards.

- Crawford Street SE would meet the SRC 803.005 definitions of a "boundary street" because it abuts a unit of land and an "underimproved street" because it lacks adequate right-of-way geometry and paving width, curbing, sidewalks, and other features required for a cul-de-sac or local street. The minimum right-of-way width for a cul-de-sac is 50 feet applicable to the stem and a minimum 45-foot radius applicable to the turnaround. The minimum pavement width for a cul-de-sac is 30 feet applicable to the stem and minimum 38-foot radius applicable to the turnaround. The minimum right-of-way width for a local street is 60 feet, and the minimum pavement width for a local street is 30 feet.
- Dedication of right-of-way for, and construction or improvement of, boundary streets up to one-half of the right-of-way and improvement width shall be required as a condition of approval for the construction of any building or structure located on property abutting a boundary street and

that requires a building permit. To increase the width of the street on the development side of the centerline to one-half of the minimum cul-de-sac right-of-way width of 50 feet, a dedication of up to 15 feet would be required. To increase the width of the street on the development side of the centerline to one-half of the minimum local street right-of-way width of 60 feet, a dedication of up to 20 feet would be required. Public Works would determine the required right-of-way width and the extent of the required improvements. If Public Works determines that the development site is served by fully developed streets that met the standards in effect at the time the streets were originally constructed, the Public Works Director may authorize the use of alternative street standards. Public Works would determine whether the applicant may be eligible for deferrals of construction of the boundary streets or sidewalks.

- Driveway standards of SRC Chapter 804 entitle a lot or parcel to one driveway approach onto a local or collector street. When a property abuts only a local and collector street, access would be from the lower classification, Crawford Street SE.
- Minimum setbacks would either be measured from the new right-of-way if dedication is required, from the special setback if one is required, or from the current right-of-way if no dedication or special setback is required. Setbacks abutting Crawford would be reevaluated if Crawford is deemed a Street. This would require the applicant to redesign the proposal, since the proposed vehicle use area and buildings would not meet the standards of the RM-II zone or the Multi-Family Residential design standards.
- The proposed building footprints, garages, and parking spaces and the required driveway and parking lot drive aisle will not fit within the required setbacks on the lot if the parking area must be relocated near the east property line.
- No parking is required for the project because the subject property is located within one-quarter mile of a Core transit route. The applicant could redesign the project with no parking or with fewer parking spaces.
- The applicant could reduce the number of dwelling units, redesign the building footprints, and redesign the parking and vehicle use area, provided that the redesigned project meets the required density of 12 to 28 units per acre in the RM-II (Multiple Family Residential – II) zone. The current proposal for 10 units is 27 units per acre. The minimum number of units would be four.

The appellant has expressed concerns about the number of driveways located on Crawford Street. Whether Crawford is designated an alley or a street, SRC 804 requires that access and driveways be from Crawford Street and not Salem Heights.

- 2) *The decision fails to conform to the provisions of SRC 220.005(f)(3)(C), which states that parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians.*

*The total distance from the stop sign to the end of Crawford Street is 169 yards. There are currently nine homeowner driveways and three multi-unit apartment driveways within this distance. This construction proposal allows for 10 additional driveways within the first 55 yards of the landowner's property, which is an increase of approximately 83 percent of total driveway access on Crawford Street. This would hinder safe and efficient movement of all vehicular traffic on our one-outlet street.*

**Staff Response:** The findings of the Public Works Memo dated June 16, 2021 state that the applicant proposes to take access from the alley; the driveway accesses onto Crawford Street SE provide for safe turning movements into and out of the property; and, 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.

The assessor's map, **Attachment 6**, indicates that the total length of the Crawford Street SE right-of-way is 645 feet (215 yards). Within that distance, the City's aerial photographs indicate 10 driveways serving single-family dwellings and four driveways serving apartment complexes.

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. With conditions described below, the subject property will appear to have seven driveways from north to south: three separate 10-foot-wide driveway parking spaces; one continuous paved area including a 10-foot-wide driveway parking space, an 8-foot-wide compact space, a 9-foot-wide ADA space, a 6-foot-wide striped area adjacent to the ADA space, an 8-foot-wide compact space, and a 10-foot-wide driveway parking space; and three 10-foot-wide driveway parking spaces.

The appellant expresses concern that the increased number of driveways on the subject property would hinder safe and efficient movement of all vehicular traffic on the one-outlet street. The Assistant City Traffic Engineer calculated that 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. Existing development on Crawford Street SE includes 10 single-family dwellings (including the existing dwelling on the subject property) and approximately 53 apartment units, and existing traffic would be estimated to be 382 ADT. If this project is completed, development on Crawford Street SE will include 63 apartments and nine single-family dwellings, and proposed traffic would be estimated to be 428 ADT. The increase in traffic would be 46 ADT (a

difference of one trip due to rounding), and the net increase in the PM Peak Hour traffic would be four vehicles – one new vehicle every 15 minutes during the PM Peak Hour.

The proposed configuration, with conditions, includes adequate maneuvering area for each driveway and parking space. The driveway parking spaces exceed the minimum driveway length of 20 feet, and the other parking spaces exceed minimum length of 19 feet for an ADA space and 15 feet for compact spaces. The distance from the rear end of each parking space to the opposite side of the alley exceeds 24 feet, which is the minimum required maneuvering distance for a full-size or ADA space.

To ensure adequate width, maneuvering area, and separation for the proposed driveway parking spaces, the following conditions were required:

**Condition 10:** Increase the width of each driveway parking space serving a garage to 10 feet while maintaining a minimum depth of at least 20 feet measured from the pedestrian access easement.

**Condition 11:** Provide landscape strips as wide as possible between the driveway parking spaces.

To reduce potential parking conflicts among tenants and maneuvering issues in the alley, the following conditions were required:

**Condition 4:** Designate each garage and the driveway parking space serving it as reserved parking for the same dwelling unit.

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

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

**Condition 6:** Provide pavement markings or signage for each compact space.

**Condition 7:** Provide pavement markings or signage for the ADA space.

To ensure pedestrian safety along the alley and within the complex, several conditions were required:

**Condition 14:** Construct a minimum 5-foot-wide pedestrian access route along the entire frontage of Crawford Street SE within a public access easement.

**Condition 8:** Visually differentiate the pedestrian walkways from the parking spaces and driveways through the use of a different paving material.

**Condition 9:** Provide wheel stops or extended curbs for the ADA parking space and for the compact surface spaces that are not located in the driveways to prevent parked vehicles from encroaching into the five-foot-wide pedestrian path near the buildings.

With these conditions of the decision, the proposal meets the criterion that parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians.

### Conclusion

The proposed design based on staff's interpretation of the definitions of street and alley and staff's designation of Crawford Street SE as an alley abutting the subject property, with the approved adjustment, provides more than the maximum number of parking spaces allowed for the proposed number of dwelling units and meets all other applicable standards. The traffic impact of the proposed development is minimal, and the design of the driveways, with conditions of approval, was found to be safe for vehicles, bicycles, and pedestrians. Designating Crawford Street SE as a street where it abuts the subject property would require a significant redesign of the project, would likely reduce the number of parking spaces and needed multifamily dwelling units that can be developed on the property, would increase the amount of pavement and reduce the amount of open space on the subject property, and would result in only a small reduction of estimated traffic.

### RECOMMENDATION

Based upon the Facts and Findings contained in this staff report, staff recommends that the Hearings Officer AFFIRM the Planning Administrator's decision approving the request for a proposed redevelopment of existing property with 10 new apartment units and associated garages and parking spaces, including an adjustment to exceed the maximum of 18 spaces allowed within one-quarter mile of the Core Network by 6 percent and provide 19 parking spaces accessed from Crawford Street SE, which is classified as a named alley, subject to conditions of approval in the SPR-ADJ-DR21-12 decision (**Attachment 4**).

Prepared by Pamela Cole, Planner II

Application Deemed Complete Date: May 3, 2021  
State Mandated Decision Date: August 31, 2021

Attachments:           1. Vicinity Map  
                              2. Faye Wright Neighborhood Association Comments  
                              3. Public Comments



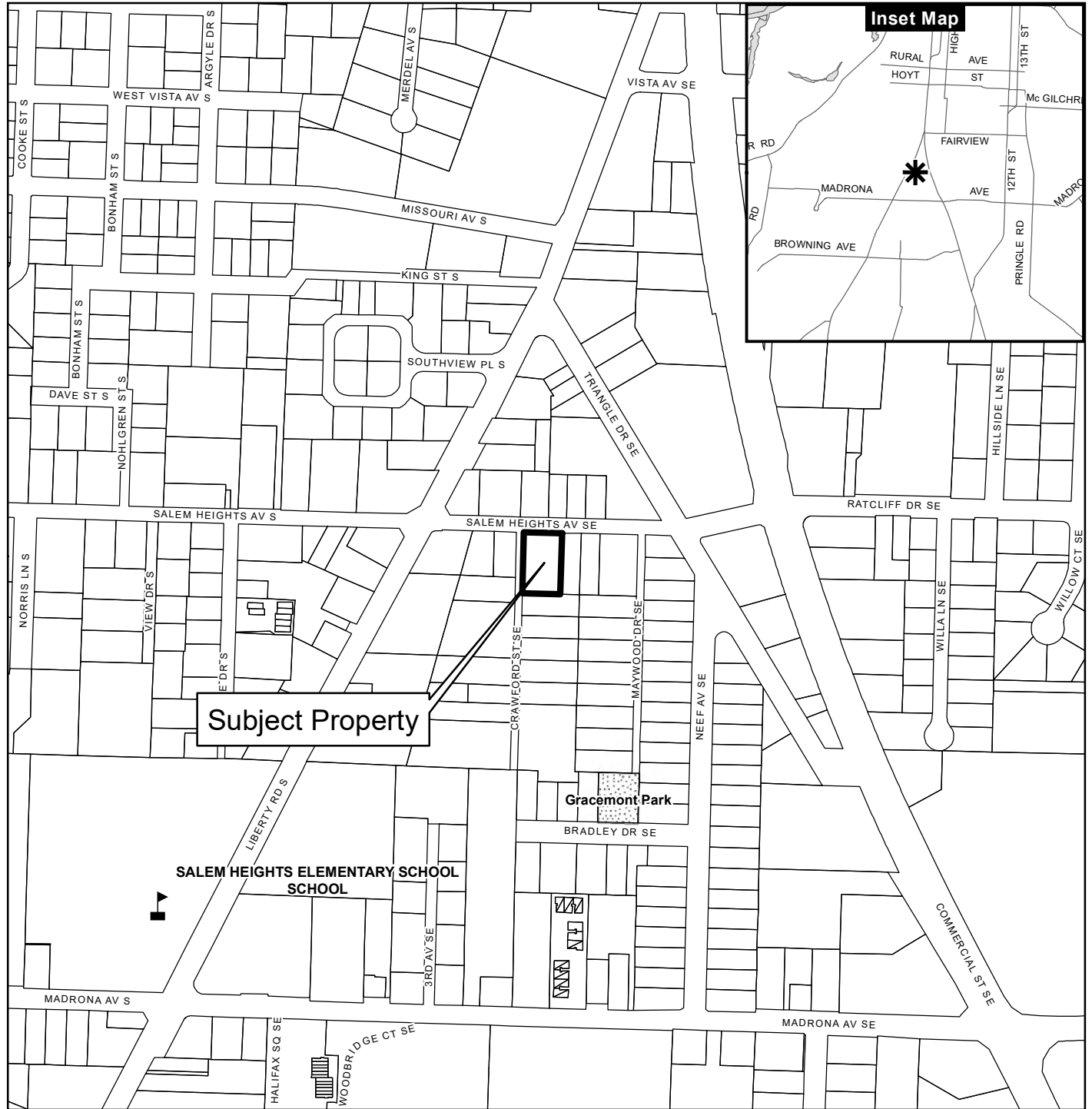
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4. SPR-ADJ-DR21-12 Decision
5. Notice of Appeal
6. Assessor's Map








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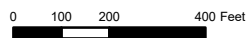
# Vicinity Map

## 226 Salem Heights Avenue SE



**Legend**

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



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## Faye Wright Neighborhood Association

Date: May 17, 2021

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

From: Blake Shelide, FWNA Board Chair  
Bryant Baird, FWNA Board Member and Land Use Chair

Re: Faye Wright Neighborhood Association Comments – Review Case No. SPR-ADJ-DR21-12  
226 Salem Heights Ave SE, Salem, OR

The Faye Wright Neighborhood Association provides the following comments regarding a proposed development of 10 apartment units with 19 parking spaces at 226 Salem Heights Ave.

Multiple residents on Crawford St SE have contacted board members about their concerns with this proposed development. The points listed below are based primarily on those reported concerns, as we have not had sufficient time to fully consider the impact to the neighborhood.

- Increase parking and traffic flow on an already narrow street. There is concern regarding visibility upon entering/exiting the driveways and potential traffic collisions. Residents in this area report these issues have been ongoing for years and the added vehicle traffic from this apartment complex will worsen an already untenable situation.
- The 3 existing apartment complexes on Crawford St already generate frequent public safety contacts from either police, fire, or emergency medical services, and the residents' concerns are that the new development will increase the need for these services.
- There are concerns regarding site stormwater drainage and impact on neighboring properties. Actions should be taken to ensure there are no negative impact on neighboring properties soil or site conditions as a result from this development.

In summary, the residents believe this development will negatively impact the aesthetics and appeal of the neighborhood, as well as worsen the neighborhood's overall livability and community safety. Please let us know if there are any questions.

Thank you,  
Blake Shelide, FWNA Board Chair  
Bryant Baird, FWNA Board Member and Land Use Chair

Pamela Cole

May 7, 2021

City of Salem Planning Division

RE: **226 Salem Heights Ave. SE, Salem, Oregon 97302**

**Proposal to Develop Apartment Complex**

AMANA Appl.# 21-103414-RP/21-103415-ZO/21-101272-DR

As homeowners at 3350 Crawford St. SE for the past 45 years we do have concerns and comments regarding the above proposal based on **SAFETY and STREET CONGESTION** issues.

- Crawford St. SE is and unimproved street with maximum street width of 18-21 feet. There are no sidewalks for pedestrian safety. They walk to and from on the street.
- A dead-end street so no other outlet for vehicles, coming or going.
- The **driveway approach** for the proposed parking of this complex (10 garages, up 19 vehicles) would be within a few feet of a STOP SIGN. Limited visibility currently exists from cars turning from the east down Salem Heights and onto Crawford St. That problem would occur from the west as well with the addition of parking garages along the mouth of Crawford St.
- Garbage/recycling pick up every Thursday for 10 garbage containers weekly and alternately recycling containers for a total of 20 containers. This would add more **CONGESTION** to our already crowded street outlet with the proposed **driveway approach** to garages.
- With up to 19 more vehicles added to Crawford St. there would be increased congestion onto Salem Height Ave, especially **during peak traffic times**: 7-8:30 AM, 11:30-1PM and 4-5:30PM. The traffic light at Liberty St. is timed shorter on the Salem Heights end. There is always a back log of cars on the lower Salem Height Ave.
- Where are visitors to this apartment complex going to park? There is **NO PARKING** on Crawford St., Salem Heights Ave., Ratcliff St., Triangle Drive, Liberty St., etc.
- There are great concerns for the ambulatory residents on our street with the proposed **driveway approach** on Crawford St. The corner house at 192 Salem Heights Ave. is the pick-up and drop-off site for children riding Salem Keizer school bus.

The planning Division letter alludes to the fact that Crawford St. SE is classified as an alley. We have never been notified of this. An alley has traditionally been defined and a narrow passageway between or behind buildings. We feel this classification had come about to enable this development to happen. Are all the other streets in Salem that are the size of Crawford St. SE being re-classified as an alley?

Lastly, we received the **NOTICE OF FILING** May 5, 2021 and have until May 17, 2021 to respond.....12 days to respond. We feel this is an unfair time limit to meet with our Crawford St. neighbors as well as contacting the Faye Wright Neighborhood Assoc. for help on this proposal, as well as gathering the professional studies for traffic impact, geologic impact, stormwater reports, and the like We request an extension for this time limit on the Proposal.

Sincerely,

Charles L. Turner ( 503-559-9967)

Lettie J. Turner (503-559-3459)

3350 Crawford St. SE, Salem, Ore. 97302

turner0625@comcast.net

## Pamela Cole

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**From:** Mindy Adamson <mindyc@workunlimited.org>  
**Sent:** Saturday, May 8, 2021 11:34 AM  
**To:** mbbaird@hotmail.com; Trevor Phillips; Pamela Cole  
**Subject:** Plan/Review for 226 Salem Heights Ave SE

My name is Mindy Adamson and I live next door to this address. I am writing to you to ask you to reconsider the plan for development. We have so many concerns with what is going to happen with this building up for proposal.

1. The traffic that comes from Crawford is overflowing onto Salem Heights Ave SE due to no parking on Crawford. These cars block our driveways and block our garbage from not being picked up because the individuals are parking so close to the cans.

2. Extra parking for visitors: On the proposal I do not see any visitor parking on the plan. So where does the overflow of cars park? Salem Heights Ave?

3. 10 Apartments? Are they going to be stacked on each other? This means that I get to see people looking into my backyard everyday. My privacy is gone.

You are expecting to put in "high end" apartments in a neighborhood where the police are on Crawford street daily due to the crime, domestic violence, and drug activity daily. The green apartments on Crawford have brought enough trouble the past year. I would like to know how you all would feel if this was your neighborhood. Take a look at the plan and visit the lot and see how this will cause a huge problem for traffic and congestion for our neighborhood. I understand that this person can build but take a look at how this will affect the neighborhood. I know that this might be a waste of time but this neighborhood needs someone to take a good look at this plan and evaluate what will happen. I appreciate your time and the neighborhood has agreed to meet on Salem Heights Ave and Crawford at 7 pm on May 14th if you can attend. Thank you for your time and hope to see someone at this meeting that can help out this neighborhood.

## Pamela Cole

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**From:** Margaret Bates <batescom@comcast.net>  
**Sent:** Saturday, May 8, 2021 3:50 PM  
**To:** Pamela Cole  
**Subject:** Case Number SPR-ADJ-DR21-12, PROJECT ADDRESS 226 Salem Heights Avenue SE, Salem,OR 97302

Dear Ms. Cole,

My daughter and I are residents of 3394 Crawford Street SE, Salem, OR 97302

I have reviewed the proposal and I have the following comments.

Crawford street is very narrow and is already just minimally wide enough for two cars to pass each other. Adding more traffic will only exacerbate the situation. The city has posted a sign in one portion of the street stating that there is "No On Street Parking". Parking is limited to private property.

Having access to an exit or entrance to or from the proposed Structure only on to Crawford Street will most certainly cause unpleasant problems for the current residents of Crawford Street SE.

Your truly,

Margaret Bates  
3394 Crawford Street SE  
Salem, Oregon 97302  
503-585-8982  
[batescom@comcast.net](mailto:batescom@comcast.net)  
May 8, 2021



Virus-free. [www.avg.com](http://www.avg.com)

Pamela Cole,

Ms. Cole, my name is Cory Owens and I live at 3335 Crawford Street SE. My wife and I have owned and lived in this house for 14 years and I would like to object to the planned project across the street from my house. While I know that I am wasting my time in writing this; I feel that I must at least try to explain why this project will greatly impact this area and its current residents negatively.

The first concern I have is for public safety, as it is right now SPD, Fire, and EMS are routinely called to this street. Between the apartments next door to me and the apartment complex at the end of road (which mainly elderly folks reside); emergency vehicles are on this street regularly. My concern with this planned apartment complex is that the building covers the entire footprint of the property. By my interpretation of the enclosed plan, there will barely be enough parking for the 10 apartments let alone any guests. While there are eight garages, the parking spots in front of those garages would have to be reserved for those renters. Most all families, couples, etc., that I know have more than one vehicle so every proposed parking spot for this complex will be occupied the residents. What happens to the overflow, where do they park? On the street? On Salem Heights? In my yard or my driveway? My neighbor's yard and driveway? This has been an issue on Crawford Street for years which is why the city put signs up several years ago prohibiting parking on the pavement for safer and easier emergency response.

The increased amount of vehicle traffic in and out of this complex is going to create a safety issue at the intersection of Crawford and Salem Heights. With the increased traffic on Salem Heights over the last handful of years, the added vehicle traffic from this apartment building will make the issue untenable. Tenants pulling out of the planned parking spots will greatly increase the chances of a collisions due to the proximity to the intersection of Salem Heights and Crawford. This is also a hazard to the pedestrians who regularly walk Crawford to run errands as they do not drive.

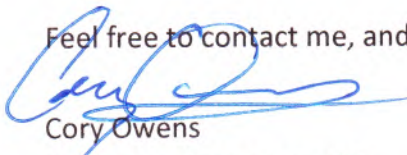
While this is concern does not directly affect me, it does affect the two properties that border the apartment property. Since the apartment complex and associated parking cover pretty much the entirety of the property; all the water runoff will head directly to those two neighboring properties potentially leading to flooding issues. The nearest storm drain on Salem Heights is nearly all the way down to Triangle Dr. so since property drainage cannot be directed to the city storm drain system it will naturally drain down to the two properties bellow the apartments.

With the addition of this apartment complex, my house will officially be surrounded on all four sides by apartments. We knowingly purchased this house in 2007 that there were apartments on both sides and to the rear of our property. If we had even thought that there was a possibility of apartments across the street from us let alone 10, we would have reconsidered. This planned apartment complex will most certainly affect mine and all my Crawford Street SE neighbor's property values negatively. I highly doubt that this project would have even made it beyond the planning stage if it was proposed on Chakarun Ln SE or any other more affluent area of Salem for that matter.

It makes me sick to find out that the developer was able to find a loophole and with the assistance of the City, re-classify Crawford Street to an alley thereby allowing developer to do as he chooses, damn the neighborhood and current residents. It amazes me that one person (who doesn't even live in the neighborhood) can cause the re-classification of an entire street without the city even notifying the current residents. While I understand that as a developer, he is in the business of making money, but this project is out and out greed. Greed of the developer trying to cram 10 apartments on .39 acres and greed of the city because they will gladly collect all the taxes and fees related to this project.

In closing, I know that this letter is a waste of my time, paper, and ink but I felt the need speak my mind. I know that this project is going to go on as planned, mainly due to the responses that one of my neighbors has received when attempting to contact the City Planners for information, and the exceptionally short window of time given for us residents to even mount a protest. I definitely have a feeling that this and any other letter written by my fellow neighbors will get the "full consideration of the City", full consideration right into the trash can.

Feel free to contact me, and feel free to forward this letter to the developer as well.



Cory Owens

3335 Crawford Street SE

Salem OR. 97302

503-910-9346



# REQUEST FOR COMMENTS

Si necesita ayuda para comprender esta informacion, por favor llame 503-588-6173

**REGARDING:** Class 3 Site Plan Review / Class 1 Adjustment / Class 1 Design Review Case No. SPR-ADJ-DR21-12

**PROJECT ADDRESS:** 226 Salem Heights Avenue SE, Salem OR 97302

**AMANDA Application No.:** 21-103414-RP / 21-103415-ZO / 21-101272-DR

**COMMENT PERIOD ENDS:** Monday, May 17, 2021 at 5:00 P.M.

**SUMMARY:** A proposal to develop 10 apartment units with 19 parking spaces accessed from an alley.

**REQUEST:** A consolidated Class 3 Site Plan Review, Class 1 Adjustment, and Class 1 Design Review to replace an existing single-family dwelling with 10 new apartment units, garages, and parking spaces on a property of 0.39 acres that is zoned RM-II (Multiple Family Residential - II) and located at 226 Salem Heights Avenue SE 97302 (Marion County Assessor Map / Tax Lot 083W03BD / 09100). The adjustment is required to exceed the maximum of 18 spaces allowed within one-quarter mile of the Core Network by 6 percent and provide 19 parking spaces accessed from Crawford Street SE, which is classified as a named alley.

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., Monday, May 17, 2021, will be considered in the decision process. Comments received after this date will be not considered. **\*\*PLEASE NOTE: City offices have very limited staffing due to COVID-19. 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:** Pamela Cole, Planner II, Phone: 503-540-2309; E-Mail: [pcole@cityofsalem.net](mailto:pcole@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: 7 strongly  
oppose this hand use request. See  
attached letter.

Name/Agency: Cory Owens  
Address: 7335 Crawford St SE  
Phone: 503-910-9346  
Email: cowens726@yahoo.com  
Date: 05/09/2021

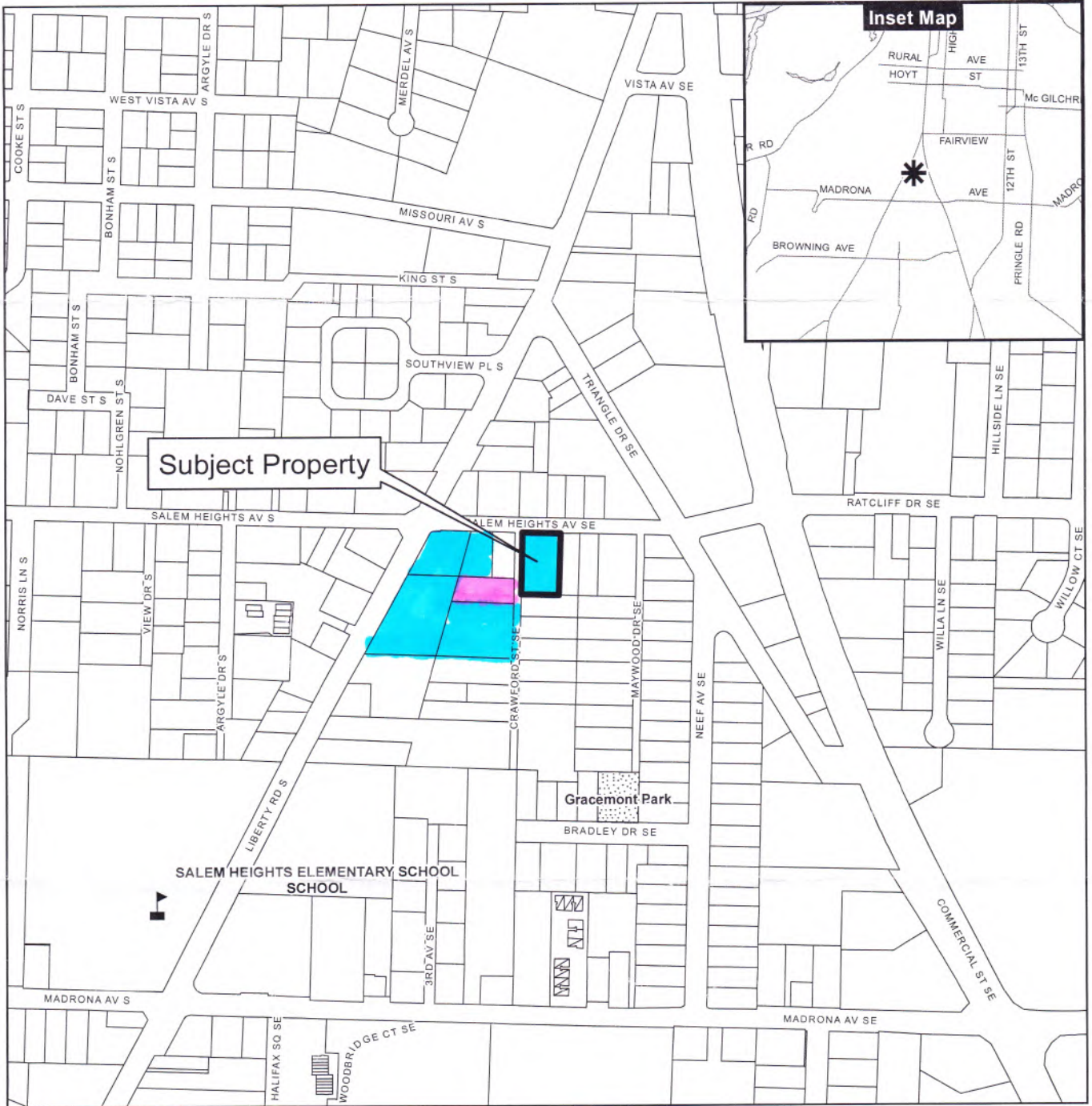
**IMPORTANT: IF YOU MAIL COMMENTS, PLEASE FOLD AND RETURN THIS POSTAGE-PAID FORM**

 = Apartments & proposed & current









 = 3335 Crawford St. SE My house

# Vicinity Map

## 226 Salem Heights Avenue SE

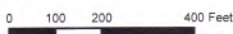


### Legend

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



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Ms. Cole,

This is an addendum to my previous signed letter in opposition. It was brought to my attention after I had completed writing my previous letter what the definition of street and alley are in the City of Salem's code. There are two definitions of "alley" in different sections but only one definition of "street" in those same sections. As highlighted below with the corresponding sections noted, Crawford Street is not an alley, it is clearly a street by definition. It was created to provide ingress and egress to all the properties on this street. There is no other means of access to these properties, Crawford is the primary means of ingress and egress. While the alley definition under 76.005 is fairly loose, the definition under 111.001 spells it out better, "a secondary means of access of motor vehicle access to abutting property. The only part of the "alley" definition that applies is the fact that Crawford only averages 18 feet wide. There is no width requirement for a "street" as defined in the code.

I will reiterate my disgust with this whole proposal by the developer and the City's apparent loose interpretation of its own code. This is just a cash grab in a low to moderate income neighborhood by loosely following Salem Code definitions so the developer can build a complex that is much too large for the property. If the City kept the proper designation of Crawford Street rather than calling it a "named alley", the developer would not be able to build as planned due to building code and established setback rules.

When the subject property was purchased 2-3 years ago, all the residents in the area were aware of the new owners' intentions of building apartments on the property. Collectively "we" as neighbors were shocked to see the developer's plans and how they came to be. If these plans had been considerably more modest such as 6 units vs. 10 units for example, there would be no need to re-designate Crawford Street, and most likely little to no community pushback. Though this is most likely a forgone conclusion and building will commence anyway, "we" are going to do what we can to oppose this development every step of the way.

### **Sec. 76.005. - Definitions.**

*Alley means a public right-of-way not more than 20 feet in width, open, used, or intended to be used by vehicular traffic.*

*Street means a public or private way that is created to provide ingress or egress to one or more lots, parcels, areas, or tracts of land, excluding a private way that is created to provide ingress or egress to land in conjunction with the use of the land for forestry, mining, or agricultural purposes. The term "street" includes "highway," "thoroughfare," "parkway," "throughway," "road," "avenue," "boulevard," "lane," "court," "place," "loop," "drive," "circle," and other such terms. The term "street" does not include alleys or flag lot accessways.*

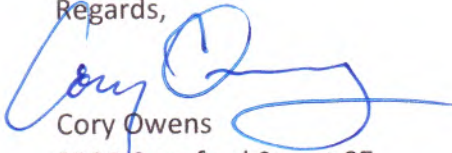
**Sec. 111.001. - Definitions, generally.**

**Alley** means a public way not less than ten feet and not more than 20 feet in width that is primarily used as a secondary means **of** motor vehicle access to abutting property.

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As stated before, feel free to share this letter with the developer and feel free to reach out to me with any questions.

Regards,



Cory Owens  
3335 Crawford Street SE  
Salem OR 97302  
503-910-9346

05/10/2021

## Pamela Cole

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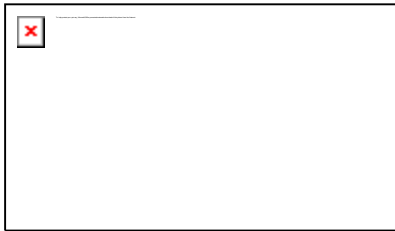
**From:** Capital Pawn <capitalpawn1@gmail.com>  
**Sent:** Monday, May 10, 2021 12:22 PM  
**To:** Pamela Cole  
**Subject:** Case SPR-ADJ-DR21-12

To Pamela Cole:

We own 253 Salem Heights Ave SE and are adamantly against the addition of the 10 apartment unit and 19 parking spaces at 226 Salem Heights Ave SE. The parking in this neighborhood is difficult at best and adding more people and cars and parking would make this street even busier than it should be.

We are opposed to this and feel it would make the area less desirable for all the neighbors.

Adam and Beth Anundi



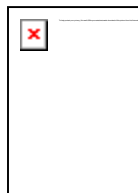
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Phone: 503.385.1394 Fax: 503.385.1352



# REQUEST FOR COMMENTS

*Si necesita ayuda para comprender esta informacion, por favor llame 503-588-6173*

**REGARDING:** Class 3 Site Plan Review / Class 1 Adjustment / Class 1 Design Review Case No. SPR-ADJ-DR21-12

**PROJECT ADDRESS:** 226 Salem Heights Avenue SE, Salem OR 97302

**AMANDA Application No.:** 21-103414-RP / 21-103415-ZO / 21-101272-DR

**COMMENT PERIOD ENDS:** Monday, May 17, 2021 at 5:00 P.M.

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**CASE MANAGER:** Pamela Cole, Planner II, Phone: 503-540-2309; E-Mail: [pcole@cityofsalem.net](mailto:pcole@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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name/Agency: Wyn + Linda Robertson, Owners of  
Address: 3361 Crawford Ave SE, Salem  
Phone: 503-749-2620  
Email: wyndahome@gmail.com  
Date: May 5, 2021

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

## Pamela Cole

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**From:** Robert Bates <rdbates1@comcast.net>  
**Sent:** Tuesday, May 11, 2021 2:32 PM  
**To:** Pamela Cole  
**Cc:** mbbaird@hotmail.com  
**Subject:** 226 Salem Heights Ave

I am a partner in Birchwood Ct Apartments at the end of Crawford St as well as owning my personal home and a rental on Maywood Drive. The proposed 10 unit apartment complex would create a significant amount of additional traffic on Crawford St which is a narrow street anyway and the fact that vehicles would be turning directly into parking spots as opposed to entering a parking lot via a driveway significantly compounds that issue. Another issue with the parking is the fact that vehicles will be forced to pass through a parking spot to reach the garages. The tenants will very quickly grow tired of having to shuffle vehicles around to get out of the garages which initially will result in even more traffic on Crawford street as vehicles are moved and finally result in vehicles being parked on Crawford and Salem Heights. As a developer myself, the design of this property is terrible. I certainly now know of an engineering firm that I would not use. The property located at 247 MADRONA AVE SE SALEM, OR 97302 is a slightly smaller lot but laid out much better and if I remember correctly is the same number of units.

Robert Bates



Virus-free. [www.avg.com](http://www.avg.com)

## Pamela Cole

---

**From:** Pamela Cole  
**Sent:** Wednesday, May 12, 2021 12:46 PM  
**To:** Susan Hecox  
**Subject:** RE: Additional information for 226 Salem Heights Av SE - SPR-ADJ-DR21-12

You're welcome.

The applicant notified the neighborhood association chair and land use chair in February, as required in SRC 300.310 before a Class 3 Site Plan Review can be accepted for review.

Thanks again.

-Pamela | 503-540-2309

---

**From:** Susan Hecox <SJHecox@msn.com>  
**Sent:** Wednesday, May 12, 2021 12:06 PM  
**To:** Pamela Cole <PCole@cityofsalem.net>  
**Subject:** RE: Additional information for 226 Salem Heights Av SE - SPR-ADJ-DR21-12

Pamela,

Thank you for responding to all of my questions and for explaining how things work. I was not aware of the simplified design standards.

As you probably sensed, I have some concerns about the impact of multi-unit developments on nearby properties, especially adjacent ones. In many cases, it would be possible to reduce or minimize those impacts by requiring developers to make small changes in their plans, even though their plans meet all standards. I suspect that some (not all) developers would be willing to make small modifications to their plans if they understood the impact on adjacent/nearby residents. It would be great if there were some way to establish a dialog about a proposed development BEFORE a formal plan was submitted so that both sides understood the other's perspective and could ultimately agree on/support a plan.

Again, thanks for your help!

Sue Hecox

---

**From:** Pamela Cole <[PCole@cityofsalem.net](mailto:PCole@cityofsalem.net)>  
**Sent:** Tuesday, May 11, 2021 1:27 PM  
**To:** 'Sue Hecox' <[sjhecox@msn.com](mailto:sjhecox@msn.com)>  
**Subject:** RE: Additional information for 226 Salem Heights Av SE - SPR-ADJ-DR21-12



Sue,

This proposal for 10 units is subject to the simplified design review standards for 5-12 units, SRC 702.015, adopted in 2020. These standards are much less detailed than the design review standards / guidelines that were previously required for any development of 3 or more units.

[https://library.municode.com/or/salem/codes/code\\_of\\_ordinances?nodeId=TITXUNDECO\\_UDC\\_CH702MUFADEREST\\_S702.015DERESTMUFADFITWUN](https://library.municode.com/or/salem/codes/code_of_ordinances?nodeId=TITXUNDECO_UDC_CH702MUFADEREST_S702.015DERESTMUFADFITWUN)

The applicant submitted several revisions after the first set of plans to bring the proposal into compliance with all of the design review standards for a Class 1 Design Review. If they had not met all design review standards, the applicant could have applied for an adjustment. In this case, no adjustment to design standards is necessary. Under the old code, a Class 3 Design Review (guidelines) with a Planning Commission public hearing would have been required if the proposal did not meet all design review standards.

This property is already zoned RM-II and may be developed with 12-28 units per acre. Perhaps you are recalling a case where a comprehensive plan change / zone change (CPC/ZC) was required in combination with multi-family design review and site plan review? That type of an application would have required a detailed written statement addressing many criteria and standards for the CPC/ZC plus more detailed landscape and open space plans for design review, etc.

Please let me know if you have questions. Thanks.

**Pamela Cole**

*Planner II*

City of Salem | Community Development Department

555 Liberty St SE, Suite 305, Salem OR 97301

[pcole@cityofsalem.net](mailto:pcole@cityofsalem.net) | 503-540-2309

[Facebook](#) | [Twitter](#) | [YouTube](#) | [CityofSalem.net](#)

---

**From:** Pamela Cole

**Sent:** Monday, May 10, 2021 3:59 PM

**To:** Susan Hecox <[SJHecox@msn.com](mailto:SJHecox@msn.com)>

**Cc:** [bshelide@gmail.com](mailto:bshelide@gmail.com); [mbbaird@hotmail.com](mailto:mbbaird@hotmail.com)

**Subject:** RE: Additional information for 226 Salem Heights Av SE - SPR-ADJ-DR21-12

Additional documents requested by Sue Hecox. I didn't include the documents I sent in the previous emails. This compilation includes early versions of plans.

Please let me know if you have questions. Thanks.

**Pamela Cole**

*Planner II*

City of Salem | Community Development Department

555 Liberty St SE, Suite 305, Salem OR 97301

[pcole@cityofsalem.net](mailto:pcole@cityofsalem.net) | 503-540-2309

[Facebook](#) | [Twitter](#) | [YouTube](#) | [CityofSalem.net](#)

---

**From:** Susan Hecox <[SJHecox@msn.com](mailto:SJHecox@msn.com)>  
**Sent:** Monday, May 10, 2021 2:52 PM  
**To:** Pamela Cole <[PCole@cityofsalem.net](mailto:PCole@cityofsalem.net)>  
**Cc:** [bshelide@gmail.com](mailto:bshelide@gmail.com); [mbbaird@hotmail.com](mailto:mbbaird@hotmail.com)  
**Subject:** RE: Additional information for 226 Salem Heights Av SE - SPR-ADJ-DR21-12

Pam,

Thanks for the info you sent. However, what I was expecting was a copy of the detailed documents that the applicant would have filed with the City. I don't recall what the exact names of the documents are, but I'm assuming that is still a requirement of the process. I believe that FWNA needs to know everything about the planned development in order to comment on it.

So, could you please send copies of the complete, detailed documents that the applicant would have been required to provide to the City.

Thank you!

Susan Hecox

---

**From:** Pamela Cole <[PCole@cityofsalem.net](mailto:PCole@cityofsalem.net)>  
**Sent:** Monday, May 10, 2021 1:59 PM  
**To:** 'Sue Hecox' <[sjhecox@msn.com](mailto:sjhecox@msn.com)>; [bshelide@gmail.com](mailto:bshelide@gmail.com); [mbbaird@hotmail.com](mailto:mbbaird@hotmail.com)  
**Subject:** Additional information for 226 Salem Heights Av SE - SPR-ADJ-DR21-12

Sue,

I have attached the elevations and plans for the proposed 10-unit complex at 226 Salem Heights Av SE.

Comments are due at 5:00 pm on Monday May 17. Because the offices are closed to the public, we recommend that you email the comments to the case manager – me – at [pcole@cityofsalem.net](mailto:pcole@cityofsalem.net).

Please let me know if you have questions. Thanks.

**Pamela Cole**  
*Planner II*  
City of Salem | Community Development Department  
555 Liberty St SE, Suite 305, Salem OR 97301  
[pcole@cityofsalem.net](mailto:pcole@cityofsalem.net) | 503-540-2309  
[Facebook](#) | [Twitter](#) | [YouTube](#) | [CityofSalem.net](http://CityofSalem.net)

# REQUEST FOR COMMENTS

Si necesita ayuda para comprender esta informacion, por favor llame 503-588-6173

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**PROJECT ADDRESS:** 226 Salem Heights Avenue SE, Salem OR 97302

**AMANDA Application No.:** 21-103414-RP / 21-103415-ZO / 21-101272-DR

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## 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: I definitely "disagree" with this project!! It would be a cluster mess... space is too small. The TRAFFIC would be just to much. ENOUGH TRAFFIC as is.

Name/Agency: Cynthia Sumner

Address: 3343 CRAWFORD ST. #5 SALEM, OR 97302

Phone: 503 779-5299

Email: -

Date: 5-10-2021

RECEIVED

**IMPORTANT: IF YOU MAIL COMMENTS, PLEASE FOLD AND RETURN THIS POSTAGE-PAID FORM 2021**

Dear Mrs. Cole and the City of Salem Planning Division,

This response is regarding the Notice of Filing that I received in the mail (case number: SPR-ADJ-DR21-12) for the proposal to build 10 apartments, and 19 parking spaces at 226 Salem Heights Ave SE. My name is Austin Brown, and I am the homeowner of the 3340 Crawford St property. I have reviewed the proposal, and I reject the proposal on the grounds of the following: the potential for a loss in property value of surrounding homes, the creation of potentially dangerous traffic accidents, and the City of Salem's inability to enforce current parking hazards.

First and foremost, I want to express that after reviewing case studies and reading expert opinions in regard to property value, most experts and studies can conclude that in most cases apartments and other affordable housing options, have little to no impact for the value on surrounding single-family properties. However, the "research suggests that the type of affordable housing matters less than the quality of the properties' design, management, and maintenance" ([NYU Furman Center](#)). After reviewing the proposal and noticing vague nature of the plans I must assume the worst, due to the fact the current apartment complex on the street is extremely mismanaged. In order to create a beneficial situation for all parties involved there would need to be more details provided on how the property will be finished, what type of tenants the property is attempting to attract based on the rent, and how the property will be managed long term. The fact that none of those details are provided in the plan forces me to not want the complex to be built. If there are any of these details provided in the case file submitted by the applicant then I would like to review the materials, and potentially reassess where I stand on the decision.

I understand the desire for the government and city planners to build multifamily affordable properties. It makes sense based on the limited space within the city and the rising population. Also, maximizing the number of people in a location is smart from a financial perspective. The addition of affordable multifamily complexes to a neighborhood can create a positive reaction if other surrounding communities do the same. This notion is referred to as the "[prisoner's dilemma](#)". When dealing with property the idea of the prisoner's dilemma is if two or more neighborhoods all allow for affordable multifamily properties to be built, then over time the average of the neighborhood will be a desirable middle-class outcome. Although, if one neighborhood does not have any affordable multifamily properties then the other neighborhoods become disproportionately upper and lower class. The concept to raise all neighborhoods wealth is a noble one, but currently the idea is unrealistic. The Candelaria neighborhood is next door to the Salem Heights neighborhood, Candelaria is already a more middle to upper class neighborhood. The addition of another apartment complex would only hurt those in our area over time.

Secondly, the proposal indicates there will be 19 parking spaces developed and accessed from the "alley" a.k.a. Crawford street. The addition, that many new vehicles can create a dangerous intersection at the stop sign. I know that poor drivers are not the responsibility of the owners/designers of the complex, and any liability for the likely accidents remain with the driver. Nevertheless, it is logical that one of the responsibilities of the planning division is to mitigate a creation of a dangerous intersection. Salem Heights Ave receives a lot of traffic. Most of the traffic on and off the street come from the current apartment complex. I have seen firsthand how quickly many drivers pull onto Crawford street from Salem Heights Ave. Where the current parking spaces are planned to be built, and because of how narrow the street currently is, will create a danger for anyone attempting to exit or enter the

street. If these concerns have been considered and are addressed in the Traffic Impact Analysis as part of the case file, I would like to review the report.

Lastly, the one of the worst issues that we currently have on Crawford Street is people from the current apartment building illegally parking on the street. Crawford is a narrow street and if there are cars parked on either side of the street it becomes almost impossible to get through. The Salem Fire Marshall was the one who came up with the idea to place the "No Parking on the Pavement" signs up and down both sides of the street. The reason he did this was because there was an emergency with an elderly resident at the end of the dead-end street who required medical assistance, but the Fire Engine could not make it down the street because of parked cars. I have attached a picture to this letter of how the street constantly looks. People in the apartments (the green building) are parked there all the time, and most of the time it is not people who live in the complex. The friends and family of the residents are the ones are clogging the street. It only makes sense that with the addition of more people and vehicles on the street the clogged street situation would become even worse. Even allowing for the potential for more vehicles to be illegally parked on the street could have deadly consequences for the elderly neighbors who still reside towards the end of the street. If the city would take action and actually enforce the law/ordinance, then I believe the congested street would no longer be an issue. Until there is prolonged enforcement of the parking violations, I will continue to deny support for the building of the apartments.

Thank you for your time and consideration, Austin Brown

*Austin J Brown*



# REQUEST FOR COMMENTS

Si necesita ayuda para comprender esta información, por favor llame 503-588-6173

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**CASE MANAGER:** Pamela Cole, Planner II, Phone: 503-540-2309; E-Mail: [pcole@cityofsalem.net](mailto:pcole@cityofsalem.net).

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## 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: Attached is my letter. I also emailed all above including Trevor Phillips Ward 3. (see email)

Name/Agency: Mindy Adamson  
Address: 236 Salem Heights Ave se Salem OR 97302  
Phone: 971 240 2709  
Email: mindyc@workunlimited.org  
Date: 5/18/21

RECEIVED

MAY 14 2021

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

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**REGARDING:** Class 3 Site Plan Review / Class 1 Adjustment / Class 1 Design Review Case No. SPR-ADJ-DR21-12

**PROJECT ADDRESS:** 226 Salem Heights Avenue SE, Salem OR 97302

**AMANDA Application No.:** 21-103414-RP / 21-103415-ZO / 21-101272-DR

**COMMENT PERIOD ENDS:** Monday, May 17, 2021 at 5:00 P.M.

**SUMMARY:** A proposal to develop 10 apartment units with 19 parking spaces accessed from an alley.

**REQUEST:** A consolidated Class 3 Site Plan Review, Class 1 Adjustment, and Class 1 Design Review to replace an existing single-family dwelling with 10 new apartment units, garages, and parking spaces on a property of 0.39 acres that is zoned RM-II (Multiple Family Residential - II) and located at 226 Salem Heights Avenue SE 97302 (Marion County Assessor Map / Tax Lot 083W03BD / 09100). The adjustment is required to exceed the maximum of 18 spaces allowed within one-quarter mile of the Core Network by 6 percent and provide 19 parking spaces accessed from Crawford Street SE, which is classified as a named alley.

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**CASE MANAGER:** Pamela Cole, Planner II, Phone: 503-540-2309; E-Mail: [pcole@cityofsalem.net](mailto:pcole@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: Attached is my letter. (see email)

Name/Agency: Richard Adamson  
 Address: 226 Salem Heights Ave se Salem OR 97302  
 Phone: 971-304-9493  
 Email: mirndyadamson@outlook.com  
 Date: 5/8/21

RECEIVED

MAY 14 2021



# REQUEST FOR COMMENTS

*Si necesita ayuda para comprender esta informacion, por favor llame 503-588-6173*

**REGARDING:** Class 3 Site Plan Review / Class 1 Adjustment / Class 1 Design Review Case No. SPR-ADJ-DR21-12

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## 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: It will be too crowded, it's too compact now

Name/Agency: Marsha Bearface  
Address: 3343 SE Crawford St #13  
Phone: 503-931-0939  
Email: MarshaBearface@gmail.com  
Date: 5-8-21

RECEIVED

MAY 14 2021

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

COMMUNITY DEVELOPMENT

# REQUEST FOR COMMENTS

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**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: traffic is going to be to much for area

Name/Agency: Emily Better  
 Address: 3343 Crawford St #2  
 Phone: 503-509-3934  
 Email: epre503@gmail.com  
 Date: May 8, 2021

RECEIVED

MAY 14 2021

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COMMUNITY DEVELOPMENT

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**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: To many kids & animals

Name/Agency: Denise Dew  
Address: 3261 Crawford St SE # E  
Phone: 503-383-4367  
Email: d.stewart4910@gmail.com  
Date: 5-7-2021

RECEIVED

MAY 14 2021

# REQUEST FOR COMMENTS

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## 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: I am not for this idea.

Name/Agency: Hattie Eidman  
Address: 3343 Crawford St #14 S.E. Salem Oregon 97302  
Phone: 503 328 4933  
Email: KEidman23@yahoo.com  
Date: 5/8/21

RECEIVED

MAY 14 2021

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COMMUNITY DEVELOPMENT

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**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: to much traffic maybe dangerous

Name/Agency: Byorn Evertud  
 Address: 3343 Crawford st SE #10  
 Phone: 971-218-3552  
 Email: Junebug412069@gmail.com  
 Date: 5/7/21

RECEIVED

MAY 14 2021

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## 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: unsafe  
for our community

Name/Agency: Cussey Ewenrud  
Address: 3343 Crawford ST SE #10  
Phone: 503-509-4248  
Email: \_\_\_\_\_  
Date: May 8th 2021

RECEIVED

MAY 14 2021

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COMMUNITY DEVELOPMENT

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## 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: Attached is my letter. (see email)

Name/Agency: John Gunn  
Address: 246 Salem Heights Ave SE 97302  
Phone: 503 949-6666  
Email: \_\_\_\_\_  
Date: 5/8/21

RECEIVED

MAY 14 2021

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COMMUNITY DEVELOPMENT

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NO PARKING ANYWAY, High traffic of  
CRIME & DRUG @ 3345 / 3345 Green Apts  
already. Danger for normal families.

Name/Agency: BREN - Jon HappyCloud  
Address: 3345 CRAWFORD ST # 8  
Phone: 971 900 2572  
Email: BrennaHappyCloud@gmail.com  
Date: 5/8/2021

RECEIVED

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MAY 14 2021



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

2. I have reviewed the proposal and have the following comments: \_\_\_\_\_

Too much traffic

Name/Agency: Rhiannon Hernandez

Address: 3343 (Crawson) #16

Phone: 503 428 3051

Email: \_\_\_\_\_

Date: 5-8-21

RECEIVED

MAY 14 2021

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

2. I have reviewed the proposal and have the following comments: it will cause crazy problems with an ally that is already congested. It will be very BAD FOR TRAFFIC!!

Name/Agency: KARIN K. LARSON

Address: 3361 CRAWFORD ST SE Apt. A

Phone: 208-301-7065

Email: larson.karink@gmail.com

Date: May 8, 2021

RECEIVED

MAY 14 2021

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

PLANNING & COMMUNITY DEVELOPMENT

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**CASE MANAGER:** Pamela Cole, Planner II, Phone: 503-540-2309; E-Mail: [pcole@cityofsalem.net](mailto:pcole@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: The street is already too crowded, adding 10 entire residences will reduce everyone's quality of life.

Name/Agency: Spencer Martin  
Address: 203, Salem Heights Ave. SE  
Phone: (907) 903-3531  
Email: N/A  
Date: 5/10/21

RECEIVED

MAY 14 2021

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

COMMUNITY DEVELOPMENT

# REQUEST FOR COMMENTS

Si necesita ayuda para comprender esta informacion, por favor llame 503-588-6173

**REGARDING:** Class 3 Site Plan Review / Class 1 Adjustment / Class 1 Design Review Case No. SPR-ADJ-DR21-12

**PROJECT ADDRESS:** 226 Salem Heights Avenue SE, Salem OR 97302

**AMANDA Application No.:** 21-103414-RP / 21-103415-ZO / 21-101272-DR

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## 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: Dangerous intersection

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name/Agency: Chris Nelson  
Address: 3343 Crawford #16  
Phone: 503 881 4358  
Email: \_\_\_\_\_  
Date: 5-8-21

RECEIVED

MAY 14 2021

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COMMUNITY DEVELOPMENT

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## 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: 7 strongly  
oppose this land use request. See  
attached letter.

Name/Agency: Cory Owens  
Address: 7335 Crawford St SE  
Phone: 503-910-9346  
Email: owens726@yahoo.com  
Date: 05/09/2021

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COMMUNITY DEVELOPMENT

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

Owens, C. (1)

Pamela Cole,

Ms. Cole, my name is Cory Owens and I live at 3335 Crawford Street SE. My wife and I have owned and lived in this house for 14 years and I would like to object to the planned project across the street from my house. While I know that I am wasting my time in writing this; I feel that I must at least try to explain why this project will greatly impact this area and its current residents negatively.

The first concern I have is for public safety, as it is right now SPD, Fire, and EMS are routinely called to this street. Between the apartments next door to me and the apartment complex at the end of road (which mainly elderly folks reside); emergency vehicles are on this street regularly. My concern with this planned apartment complex is that the building covers the entire footprint of the property. By my interpretation of the enclosed plan, there will barely be enough parking for the 10 apartments let alone any guests. While there are eight garages, the parking spots in front of those garages would have to be reserved for those renters. Most all families, couples, etc., that I know have more than one vehicle so every proposed parking spot for this complex will be occupied the residents. What happens to the overflow, where do they park? On the street? On Salem Heights? In my yard or my driveway? My neighbor's yard and driveway? This has been an issue on Crawford Street for years which is why the city put signs up several years ago prohibiting parking on the pavement for safer and easier emergency response.

The increased amount of vehicle traffic in and out of this complex is going to create a safety issue at the intersection of Crawford and Salem Heights. With the increased traffic on Salem Heights over the last handful of years, the added vehicle traffic from this apartment building will make the issue untenable. Tenants pulling out of the planned parking spots will greatly increase the chances of a collisions due to the proximity to the intersection of Salem Heights and Crawford. This is also a hazard to the pedestrians who regularly walk Crawford to run errands as they do not drive.

While this is concern does not directly affect me, it does affect the two properties that border the apartment property. Since the apartment complex and associated parking cover pretty much the entirety of the property; all the water runoff will head directly to those two neighboring properties potentially leading to flooding issues. The nearest storm drain on Salem Heights is nearly all the way down to Triangle Dr. so since property drainage cannot be directed to the city storm drain system it will naturally drain down to the two properties bellow the apartments.

MAY 14 2021

COMMUNITY DEVELOPMENT

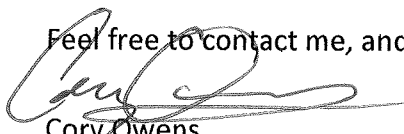
OWENS, C. (2)

With the addition of this apartment complex, my house will officially be surrounded on all four sides by apartments. We knowingly purchased this house in 2007 that there were apartments on both sides and to the rear of our property. If we had even thought that there was a possibility of apartments across the street from us let alone 10, we would have reconsidered. This planned apartment complex will most certainly affect mine and all my Crawford Street SE neighbor's property values negatively. I highly doubt that this project would have even made it beyond the planning stage if it was proposed on Chakarun Ln SE or any other more affluent area of Salem for that matter.

It makes me sick to find out that the developer was able to find a loophole and with the assistance of the City, re-classify Crawford Street to an alley thereby allowing developer to do as he chooses, damn the neighborhood and current residents. It amazes me that one person (who doesn't even live in the neighborhood) can cause the re-classification of an entire street without the city even notifying the current residents. While I understand that as a developer, he is in the business of making money, but this project is out and out greed. Greed of the developer trying to cram 10 apartments on .39 acres and greed of the city because they will gladly collect all the taxes and fees related to this project.

In closing, I know that this letter is a waste of my time, paper, and ink but I felt the need speak my mind. I know that this project is going to go on as planned, mainly due to the responses that one of my neighbors has received when attempting to contact the City Planners for information, and the exceptionally short window of time given for us residents to even mount a protest. I definitely have a feeling that this and any other letter written by my fellow neighbors will get the "full consideration of the City", full consideration right into the trash can.

Feel free to contact me, and feel free to forward this letter to the developer as well.

  
Cory Owens  
3335 Crawford Street SE  
Salem OR. 97302  
503-910-9346

RECEIVED

MAY 14 2021

COMMUNITY DEVELOPMENT

Owens, C. (3)

Ms. Cole,

This is an addendum to my previous signed letter in opposition. It was brought to my attention after I had completed writing my previous letter what the definition of street and alley are in the City of Salem's code. There are two definitions of "alley" in different sections but only one definition of "street" in those same sections. As highlighted below with the corresponding sections noted, Crawford Street is not an alley, it is clearly a street by definition. It was created to provide ingress and egress to all the properties on this street. There is no other means of access to these properties, Crawford is the primary means of ingress and egress. While the alley definition under 76.005 is fairly loose, the definition under 111.001 spells it out better, "a secondary means of access of motor vehicle access to abutting property. The only part of the "alley" definition that applies is the fact that Crawford only averages 18 feet wide. There is no width requirement for a "street" as defined in the code.

I will reiterate my disgust with this whole proposal by the developer and the City's apparent loose interpretation of its own code. This is just a cash grab in a low to moderate income neighborhood by loosely following Salem Code definitions so the developer can build a complex that is much too large for the property. If the City kept the proper designation of Crawford Street rather than calling it a "named alley", the developer would not be able to build as planned due to building code and established setback rules.

When the subject property was purchased 2-3 years ago, all the residents in the area were aware of the new owners' intentions of building apartments on the property. Collectively "we" as neighbors were shocked to see the developer's plans and how they came to be. If these plans had been considerably more modest such as 6 units vs. 10 units for example, there would be no need to re-designate Crawford Street, and most likely little to no community pushback. Though this is most likely a forgone conclusion and building will commence anyway, "we" are going to do what we can to oppose this development every step of the way.

**Sec. 76.005. - Definitions.**

*Alley means a public right-of-way not more than 20 feet in width, open, used, or intended to be used by vehicular traffic.*

*Street means a public or private way that is created to provide ingress or egress to one or more lots, parcels, areas, or tracts of land, excluding a private way that is created to provide ingress or egress to land in conjunction with the use of the land for forestry, mining, or agricultural purposes. The term "street" includes "highway," "thoroughfare," "parkway," "throughway," "road," "avenue," "boulevard," "lane," "court," "place," "loop," "drive," "circle," and other such terms. The term "street" does not include alleys or flag lot accessways.*

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COMMUNITY DEVELOPMENT

Owens, C. (4)



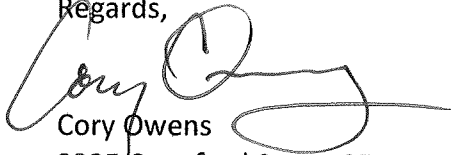
**Sec. 111.001. - Definitions, generally.**

*Alley means a public way not less than ten feet and not more than 20 feet in width that is primarily used as a secondary means of motor vehicle access to abutting property.*

*Street means a public or private way that is created to provide ingress or egress to one or more lots, parcels, areas, or tracts of land, excluding a private way that is created to provide ingress or egress to land in conjunction with the use of the land for forestry, mining, or agricultural purposes. The term "street" includes the terms "highway," "thoroughfare," "parkway," "throughway," "road," "avenue," "boulevard," "lane," "court," "place," "loop," "drive," "circle," and other such terms. The term "street" does not include alleys or flag lot accessways.*

As stated before, feel free to share this letter with the developer and feel free to reach out to me with any questions.

Regards,



Cory Owens  
3335 Crawford Street SE  
Salem OR 97302  
503-910-9346

05/10/2021

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MAY 14 2021

COMMUNITY DEVELOPMENT

Owens, C. (5)

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## 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:

*I do not agree with this being built*

Name/Agency: Rebecca Lipton

Address: 3343 Crawford St apt 7

Phone: 503-507-5208

Email: Hollidayhmel97@gmail.com

Date: 5/7/21

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MAY 14 2021

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COMMUNITY DEVELOPMENT

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## 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: I am concerned about where all the equipment and employees are going to park. I am concerned that the proposed apartment will increase traffic

Name/Agency: Elease Peatz

Address: 207 Salem Hts Ave S.E.

Phone: 503-881-6186

Email: eleasepeatz@yahoo.com

Date: May 12th 2022

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MAY 14 2021

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COMMUNITY DEVELOPMENT

*E. Peatz (1)*

on an already congested side  
street.

I'm concerned about the amount  
of noise that will be generated  
during construction.

I'm concerned every house's  
privacy will be impacted.

Arlo Bell

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MAY 14 2021

COMMUNITY DEVELOPMENT

E. Reatz (2)

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**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: \_\_\_\_\_  
to much traffic

Name/Agency: Chris Ringwald  
Address: 3343 Crawford St Apt 15  
Phone: 971 283 8482  
Email: \_\_\_\_\_  
Date: \_\_\_\_\_

RECEIVED

MAY 14 2021

COMMUNITY DEVELOPMENT

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- 1. I have reviewed the proposal and have no objections to it.
- 2. I have reviewed the proposal and have the following comments: Not safe  
traffic, children at play

Name/Agency: Charlotte Seiber  
Address: 3343 Crawford St. SE Apt. 4  
Phone: 971-374-8097  
Email: shar.seiber@gmail.com  
Date: 5-8-21

RECEIVED

MAY 14 2021

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**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: Crawford Street SE is a very narrow street which already is overloaded with traffic. Several times a week we have emergency vehicles having trouble accessing this street. Adding an additional 19 cars & friends & family visiting those apts

Will cause even more problems getting emergency vehicles down this street.

Name/Agency: Rehan Soha  
Address: 3370 Crawford St SE Salem, OR 97302  
Phone: 503-930-5018  
Email: rsoha65820@aol.com  
Date: 5/8/2021

RECEIVED

MAY 14 2021

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**AMANDA Application No.:** 21-103414-RP / 21-103415-ZO / 21-101272-DR

**COMMENT PERIOD ENDS:** Monday, May 17, 2021 at 5:00 P.M. -

**SUMMARY:** A proposal to develop 10 apartment units with 19 parking spaces accessed from an alley.

**REQUEST:** A consolidated Class 3 Site Plan Review, Class 1 Adjustment, and Class 1 Design Review to replace an existing single-family dwelling with 10 new apartment units, garages, and parking spaces on a property of 0.39 acres that is zoned RM-II (Multiple Family Residential - II) and located at 226 Salem Heights Avenue SE 97302 (Marion County Assessor Map / Tax Lot 083W03BD / 09100). The adjustment is required to exceed the maximum of 18 spaces allowed within one-quarter mile of the Core Network by 6 percent and provide 19 parking spaces accessed from Crawford Street SE, which is classified as a named alley.

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., Monday, May 17, 2021**, will be considered in the decision process. Comments received after this date will be not considered. **\*\*PLEASE NOTE: City offices have very limited staffing due to COVID-19. 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:** Pamela Cole, Planner II, Phone: 503-540-2309; E-Mail: [pcole@cityofsalem.net](mailto:pcole@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: Too Much Traffic

Name/Agency: Josh Sumner  
 Address: 22612 Crawford St Apt. 5  
 Phone: 971 239 3268  
 Email: \_\_\_\_\_  
 Date: 5/18/21

RECEIVED

MAY 14 2021

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



# REQUEST FOR COMMENTS

*Si necesita ayuda para comprender esta informacion, por favor llame 503-588-6173*

**REGARDING:** Class 3 Site Plan Review / Class 1 Adjustment / Class 1 Design Review Case No. SPR-ADJ-DR21-12

**PROJECT ADDRESS:** 226 Salem Heights Avenue SE, Salem OR 97302

**AMANDA Application No.:** 21-103414-RP / 21-103415-ZO / 21-101272-DR

**COMMENT PERIOD ENDS:** Monday, May 17, 2021 at 5:00 P.M.

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**CASE MANAGER:** Pamela Cole, Planner II, Phone: 503-540-2309; E-Mail: [pcole@cityofsalem.net](mailto:pcole@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 LETTER X 2

Name/Agency: CHARLES & LETTIE TURNER  
Address: 3350 CRAWFORD ST SE SALEM 97302  
Phone: 503-559-9967 503-559-3459  
Email: turner0625@comcast.net  
Date: MAY 7, 2021

RECEIVED

MAY 14 2021

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

COMMUNITY DEVELOPMENT

C+L Turner (1)

Pamela Cole  
City of Salem Planning Division

May 7, 2021

RE: **226 Salem Heights Ave. SE. Salem. Oregon 97302**  
**Proposal to Develop Apartment Complex**  
AMANA Appl.# 21-103414-RP/21-103415-ZO/21-101272-DR

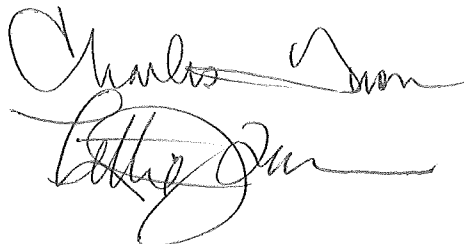
As homeowners at 3350 Crawford St. SE for the past 45 years we do have concerns and comments regarding the above proposal based on **SAFETY and STREET CONGESTION** issues.

- Crawford St. SE is and unimproved street with maximum street width of 18-21 feet. There are no sidewalks for pedestrian safety. They walk to and from on the street.
- A dead-end street so no other outlet for vehicles, coming or going.
- The **driveway approach** for the proposed parking of this complex (10 garages, up 19 vehicles) would be within a few feet of a STOP SIGN. Limited visibility currently exists from cars turning from the east down Salem Heights and onto Crawford St. That problem would occur from the west as well with the addition of parking garages along the mouth of Crawford St.
- Garbage/recycling pick up every Thursday for 10 garbage containers weekly and alternately recycling containers for a total of 20 containers. This would add more **CONGESTION** to our already crowded street outlet with the proposed **driveway approach** to garages.
- With up to 19 more vehicles added to Crawford St. there would be increased congestion onto Salem Height Ave, especially **during peak traffic times: 7-8:30 AM, 11:30-1PM and 4-5:30PM.** The traffic light at Liberty St. is timed shorter on the Salem Heights end. There is always a back log of cars on the lower Salem Height Ave.
- Where are visitors to this apartment complex going to park? There is **NO PARKING** on Crawford St., Salem Heights Ave., Ratcliff St., Triangle Drive, Liberty St., etc.
- There are great concerns for the ambulatory residents on our street with the proposed **driveway approach** on Crawford St. The corner house at 192 Salem Heights Ave. is the pick-up and drop-off site for children riding Salem Keizer school bus.

The planning Division letter alludes to the fact that Crawford St. SE is classified as an alley. We have never been notified of this. An alley has traditionally been defined and a narrow passageway between or behind buildings. We feel this classification had come about to enable this development to happen. Are all the other streets in Salem that are the size of Crawford St. SE being re-classified as an alley?

Lastly, we received the **NOTICE OF FILING** May 5, 2021 and have until May 17, 2021 to respond.....12 days to respond. We feel this is an unfair time limit to meet with our Crawford St. neighbors as well as contacting the Faye Wright Neighborhood Assoc. for help on this proposal, as well as gathering the professional studies for traffic impact, geologic impact, stormwater reports, and the like We request an extension for this time limit on the Proposal.

Sincerely,  
Charles L. Turner (503-559-9967)  
Lettie J. Turner (503-559-3459)  
3350 Crawford St. SE, Salem, Ore. 97302  
turner0625@comcast.net



5/7/2021 RECEIVED

MAY 14 2021

COMMUNITY DEVELOPMENT  
C + L Turner (2)

Pamela Cole, Planner II  
City of Salem Planning Division  
Case Manager

May 10, 2021

RE: 226 Salem Heights Ave. SE, Salem Oregon 97302  
Proposal to Develop Apartment Complex

AMANA Appl. # 21-103414-RP/21-103415-ZO/21-101272-DR

This is an addendum to our previous letter to you dated May 7, 2021.  
According to the City of Salem **CODE OF ORDINANCES** – Chapter 111 – Definitions

**ALLEY** - means a public way not less than ten feet and not more than 20 feet in width that is *primarily used as a secondary* means of motor vehicle access to abutting property.

**STREET** - means a public or private way that is created to *ingress or egress to one or more lots*, parcels, areas, or tracts of land, excluding a private way that is created to provide ingress and egress to the land in conjunction with the use of the land for forestry, mining, or agricultural purposes. The term street does not include alleys....

We strongly feel the developer, Mr. Sam Lapray, has planned for two large structures on this 0.39 acres of property and needed to also find space for parking. The loose interpretation by Mr. Lapray of the definition of a Street or an Alley has led him to believe that he may have grounds to move forward with his construction project.

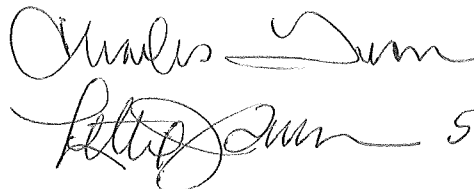
We question why, on a street that is already small in width (18ft wide) would you want to put a parking structure directly adjacent to Crawford Street (with potentially 19 more vehicles).

Crawford Street is home to 9 homeowners, and three Apartment Buildings which houses up to 70 residents. Most of the residents have a car; many walking to the store for groceries, etc. on a street with no sidewalks.

Traffic is already a problem (as stated in our previous letter), on a street with no other outlet.

We will again stress to you the **safety** and **congestion** issues on Crawford St and Salem Heights Ave. with the addition of 10 parking slots and 19 vehicles are a real **RED FLAG** here!

Sincerely,  
Charles and Lettie Turner  
3350 Crawford St. SE  
Salem, Oregon 97302  
turner0625@comcast.net

  
5/7/2021

RECEIVED

MAY 14 2021

COMMUNITY DEVELOPMENT

C+L Turner (3)

## Pamela Cole

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**From:** Carolyn Pacheco <cjustin707@yahoo.com>  
**Sent:** Saturday, May 15, 2021 10:20 AM  
**To:** Pamela Cole  
**Subject:** Class 3 Site plan Review No.SPR-ADJ-DR21-12

Hello Pamela Cole,

I have reviewed the proposal and have the following comments.

Most of us that live on this dead end street Crawford are older citizens. We live in a 55 and older housing.

This street Crawford can not afford, handle, or , accommodate any more traffic.

Up closer to salem heights street are apartments already there. We have cars trying to park in our assigned spots.

The owners have had cars towed away and signs up to say no parking. I see that this would bring more traffic and parking violators.

Yesterday we had police , ambulance, and fire truck in our dead end Street which caused gridlock. The police were chasing a bad guy and caught the man in our parking area.

This was very scary for most of us, we don't need more traffic to cause problems.

The reason I moved here was because it was very peaceful and a dead end and I thought there would be only us that would be up and down Crawford.

There is not many places to park on Salem heights Street which would lead more parking violators on Crawford. There is signs stating no parking and still people park . The road is to narrow.

I see a nightmare if this passes.

Thank you for letting us have comments on this manner.

Carolyn McCann

VTS

por favor llame 503-588-6173

Adjustment / Class 1 Design

-12

Item OR 97302

1-101272-DR

L.

[Sent from Yahoo Mail on Android](#)

## Pamela Cole

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**From:** CONNIE STEPHENS <stephens2196@comcast.net>  
**Sent:** Sunday, May 16, 2021 8:16 PM  
**To:** Pamela Cole  
**Subject:** Review Case No. SPR-ADJ--DR21-12, 226 Salem Heights Ave. SE, Salem, OR

Have you driven down Crawford St. SE? An alley is a very appropriate description. It is barely wide enough for two vehicles to pass each other. This one-block long, dead-end alley is the only access for 8 houses and 3 apartment complexes. The apt. complex at the dead-end of the alley consists of 28 units, most of which are inhabited by people aged 55 years and older. Ambulances, fire trucks, and police vehicles are not the least bit unusual down here. When a fire truck is present, an ambulance can barely get past it to reach the person in need of it. The entire alleyway is posted "No Parking On The Street" and vehicles routinely ignore the signs, further limiting access. Over the past couple of years I have sent so many pictures of illegally parked vehicles to Devin Sherrill at Code Enforcement that he has now blocked me from sending any more. I guess that is easier than dealing with the problem. Parked vehicles are especially bad overnight and on weekends when they know there is no parking enforcement to be concerned with.

And now the city wants to add to the already existing congestion by having vehicles associated with 10 new apartments accessing this alleyway? Really? Visitors to that complex will be parking in the alleyway, further blocking ambulances, fire trucks, mail carriers, delivery trucks, and garbage trucks. It is already nearly impossible to enter onto Salem Heights Ave. during rush hour; this will further add to the congestion. Is it going to end up costing someone their life because the ambulance can't get to them?

The new apartment complex is a very bad idea and I definitely oppose it.

Constance E. Stephens  
3384 Crawford St. SE  
Salem, OR 97302

## Pamela Cole

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**From:** p cee <patgcee@gmail.com>  
**Sent:** Sunday, May 16, 2021 10:03 PM  
**To:** Pamela Cole  
**Subject:** COMMENTS ON CASE SPR-ADJDR21-12

### 21-103414-RP / 21-103415-ZO / 21-101272-DR TAX LOT 083W03BD/09100

CASE SPR-ADJDR21-12

I have reviewed the proposal and have the following comments :

**Anyone who has the power to make a decision about this proposed new construction at #226 Salem Heights Ave. needs to come to the site and investigate the circumstances of both the intersection of Salem Heights Avenue and Crawford St, AND the whole of Crawford Street itself.** I have lived on Crawford Street for 11 years and can fully testify to the existing difficulties of the street, and the intersection.

I fully realize that the address of the proposed project is not Crawford but Salem Heights, but the greater footage of the property runs along Crawford. This proposed project is just too big, involving too many units and parking, and all on a third of an acre. There will not be any room for turning around or delivery parking, as the existing apartments buildings on the street have now; They are set back. This new one will be right to the edge of the corner which will definitely effect Crawford St traffic

In my eleven years I have never heard or seen it referred to as "Crawford Alley" ... and it is indeed a very narrow, DEAD END, strip of pavement. There are no sidewalks.

AND there are already a lot of people living on Crawford St. In single family homes, 2 small apartment buildings, and where I live: an additional 55+ complex of 32 units with quite a few elderly people. It is called Birchwood Court and it is *all* very tight - delivery trucks, and trash collectors have to do complex maneuvers to negotiate the small spaces available to turn around, *since it is a dead end*. This also applies to those who come from the other part of the street; it is often easier for them to come down to the dead end to turn around and leave, because the 'street' is so narrow and parked cars are in the way of a U-turn.

Crawford Street is NOT an alley to us who live here. I particularly object to the use of that word on the proposal site plan because the accepted definition of the word - An alley or alleyway is a narrow lane, path, or passageway, often reserved for pedestrians, which usually runs between, behind, or within buildings in the older parts of towns and cities. It is also a rear access or service road (back lane). - Does not apply in this instance.

Crawford Street / Alley is **our ONLY ingress and egress to our homes**. It is not a back passage behind buildings, or an extra access to yards or homes, or a service road, or anything like that. **Using the word alley implies an area that will not be very be much impacted by any additional use.**

Instead, IT IS THE STREET we have to use to go back and forth. It is frequently backed up with a delivery trucks or other large vehicles and if we cannot squeeze past so must wait to proceed. Numerous times, I myself have been held up when emergency vehicles are on Crawford. Usually more than one truck comes and there is no where for them to go *except to* block the pavement. The cars must just wait and then hope they are successful in turning their large vehicles around so they can leave.



The subject of the emergency vehicles is very important to me and the idea that there will be all that extra congestion, and density of population, makes me against the proposal for the sake of those residents who are already here.

A few years ago, my husband passed away in our apartment. Emergency services had to be called and a large number of first responders' vehicles showed up. At that time, there were no posted restrictions on parking on Crawford and the narrow street was filled with cars parked on both sides ... as it frequently was. The EMTS were not able to have full access, and I believe the police were also summoned to help clear a passage so they could get down to the dead end, where I live. Several weeks after that instance, the city came and put a number of signs along the street that read NO PARKING ON PAVEMENT.

This was gratifying but also only a small improvement. Just about every time I come along Crawford there is at least one vehicle still parking on the pavement, so people are frequently ignoring the signs. Also, even with less cars parked on the sides, there is very often a lot of trouble getting through. **The first responders come here OFTEN** and we have to ensure they can get to the end of Crawford and not be held up by even more UPS, Amazon, visitors, and service people generated by the extra density. We have elderly residents, families with small children who unfortunately do go out into the street to play, and even some disabled people living on Crawford St.

I suppose that inconvenience during construction, which I have not even addressed, is not a basis for denial of a proposed construction, but as you can see we are all very worried about THAT too. My neighbors have talked to me and are expressing a lot of concern. Any construction vehicles and workers' trucks cannot be parked along Crawford St. There is just not enough room for this big project.

As for the intersection, I also object to the proposal on that basis. It is always a busy intersection, with people trying to turn in and out of the street in a space where 2 cars can *just barely* pass. Now they want to add 19 more cars at least, backing into the end of the street from parking spaces of course, to access Salem Heights Avenue.

Also, there is a busy Dance School for children, a few feet from this 0.39 acre, which has 2 buildings on both sides of Salem Heights. While I have lived here, I have witnessed a lot of near misses and maybe 3 or 4 actual accidents involving the Dance School vehicles. **Come by in the late afternoons to observe the excited children in tutus and their struggling parents and see how it is *already* a very problematic space.** We who live here have to negotiate that intersection; we have no other option from our so-called 'alley.'

Really : *Please, Anyone who has the power to make a decision about this proposed new construction needs to come to the site and investigate the circumstances of both the intersection of Salem Heights Road and Crawford St, AND the whole of Crawford Street itself.*

Thank you for the opportunity to express my comments about the proposed Multi-Family Residential construction at 226 Salem Heights Avenue, Salem OR 97302.

Sincerely,

Patricia F. Cunningham

3382 Crawford Street SE

Salem, OR 97302

503-569-5588

## Pamela Cole

---

**From:** Pamela Cole  
**Sent:** Monday, May 17, 2021 12:00 PM  
**To:** don ruffcorn  
**Cc:** Shelby Guizar; Zachery Cardoso  
**Subject:** RE: Case Number: SPR-ADJ-DR21-12, Property Location: 226 Salem Heights Avenue SE, Salem, Or 97302  
**Attachments:** SPR-ADJ-DR21-12 Notice of Filing.pdf

Mr. Ruffcorn,

You are on the mailing list for this case, and a label was generated with address information pulled from the Marion County Assessor records, below. I have attached a copy of the request for comments / notice of filing that you should have received by now.

DONALD FRANCIS RUFFCORN  
23510 MT CHARLIE RD  
LOS GATOS CA 95033

You indicate below that you have reviewed the submitted plans and the development proposal received through another source (perhaps the copy mailed to your tenant) and you are providing written comments in this email, prior to the deadline of 5 pm today. Staff will respond to your comments in the decision.

Thank you.

### Pamela Cole

*Planner II*

City of Salem | Community Development Department  
555 Liberty St SE, Suite 305, Salem OR 97301  
[pcole@cityofsalem.net](mailto:pcole@cityofsalem.net) | 503-540-2309  
[Facebook](#) | [Twitter](#) | [YouTube](#) | [CityofSalem.net](#)

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**From:** don ruffcorn <donruffcorn@yahoo.com>  
**Sent:** Monday, May 17, 2021 11:05 AM  
**To:** Pamela Cole <PCole@cityofsalem.net>  
**Subject:** Case Number: SPR-ADJ-DR21-12, Property Location: 226 Salem Heights Avenue SE, Salem, Or 97302

May 17,2021

Donald Ruffcorn  
23510 Mtn. Charlie Rd  
Los Gatos, Ca 95033  
408 353 2647  
[donruffcorn@yahoo.com](mailto:donruffcorn@yahoo.com)

Pamela Cole, Planner II  
City of Salem Planning Division

555 Liberty Street SE Room 305  
Salem, Oregon 97301  
503 540 2309  
[pcole@cityofsalem.net](mailto:pcole@cityofsalem.net)

Case Number: SPR-ADJ-DR21-12  
Property Location: 226 Salem Heights Avenue SE, Salem, Or 97302

Dear City of Salem Planning Division, Pamela Cole, Planner II,

I object to the development proposal Case Number: SPR-ADJ-DR21-12 at Salem Heights Avenue SE, Salem, OR 97302

I am the property owner of 233 Salem Heights directly across the street from the proposed development. I was not mailed a notice to my California residence from the City of Salem about this proposal. My objection is because of a lack of informed notice to a property owner of a development project, a project that needs many questions answered. This proposal should have been vetted by the Salem planning department before being sent out. Please notify me when this proposal will be reviewed. If the criteria for review does not address these questions, then they need to be expanded to do so. I would prefer a written reply and a public hearing.

- The proposed housing density of 10 units replacing a SFD which is adjacent to SFD's is extreme and out of character with the neighborhood. This would overburden existing streets and facilities without the City of Salem upgrading them.
- The development proposal makes use of Crawford street (called an alley in the development proposal) for parking access. This street is narrow with no parking and should have been widened years ago when development was permitted for SFD's and an apartment complex. Widening this street would allow proper traffic flow but eliminate the parking spaces in the proposed development.
- The poor legibility of the submitted plans has not allowed me to determine the size of the apartments. It appears they may be as small as 400 sq ft which is a extreme housing density out of character with the neighborhood.
- I do not know what the Salem planning department has planned for the Salem Heights area. I am not aware of zoning changes that would allow such a high housing unit density in a SFD neighborhood, and in particular the RM3 zoning marked on the development proposal.

Thank You,  
Don Ruffcorn

**REQUEST FOR COMMENTS**

*Si necesita ayuda para comprender esta informacion, por favor llame 503-588-6173*

**REGARDING:** Class 3 Site Plan Review / Class 1 Adjustment / Class 1 Design Review Case No. SPR-ADJ-DR21-12

**PROJECT ADDRESS:** 226 Salem Heights Avenue SE, Salem OR 97302

**AMANDA Application No.:** 21-103414-RP / 21-103415-ZO / 21-101272-DR

**COMMENT PERIOD ENDS:** Monday, May 17, 2021 at 5:00 P.M.

**SUMMARY:** A proposal to develop 10 apartment units with 19 parking spaces accessed from an alley.

**REQUEST:** A consolidated Class 3 Site Plan Review, Class 1 Adjustment, and Class 1 Design Review to replace an existing single-family dwelling with 10 new apartment units, garages, and parking spaces on a property of 0.39 acres that is zoned RM-II (Multiple Family Residential - II) and located at 226 Salem Heights Avenue SE 97302 (Marion County Assessor Map / Tax Lot 083W03BD / 09100). The adjustment is required to exceed the maximum of 18 spaces allowed within one-quarter mile of the Core Network by 6 percent and provide 19 parking spaces accessed from Crawford Street SE, which is classified as a named alley.

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Comments received by **5:00 p.m., Monday, May 17, 2021**, will be considered in the decision process. Comments received after this date will be not considered. **\*\*PLEASE NOTE: City offices have very limited staffing due to COVID-19. 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:** Pamela Cole, Planner II, Phone: 503-540-2309; E-Mail: [pcole@cityofsalem.net](mailto:pcole@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: Crawford<sup>St</sup> too small accommodated the proposal of an apartment units. The street too narrow also people still park on with "no parking on pavement" on site. Not enforced.

Name/Agency: Ed Casarez  
 Address: 3395 Crawford St SE  
 Phone: 503-269-5586  
 Email: edc3613@gmail.com  
 Date: May 11, 2021

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

*Si necesita ayuda para comprender esta informacion, por favor llame  
503-588-6173*

## DECISION OF THE PLANNING ADMINISTRATOR

**CLASS 3 SITE PLAN REVIEW / CLASS 1 ADJUSTMENT / CLASS 1 DESIGN REVIEW CASE NO.: SPR-ADJ-DR21-12**

**APPLICATION NO.: 21-103414-RP / 21-103415-ZO / 21-101272-DR**

**NOTICE OF DECISION DATE:** June 28, 2021

**SUMMARY:** A proposal to develop 10 apartment units with 19 parking spaces accessed from an alley.

**REQUEST:** A consolidated Class 3 Site Plan Review, Class 1 Adjustment, and Class 1 Design Review to replace an existing single-family dwelling with 10 new apartment units, garages, and parking spaces on a property of 0.39 acres that is zoned RM-II (Multiple Family Residential - II) and located at 226 Salem Heights Avenue SE 97302 (Marion County Assessor Map / Tax Lot 083W03BD / 09100). The adjustment is required to exceed the maximum of 18 spaces allowed within one-quarter mile of the Core Network by 6 percent and provide 19 parking spaces accessed from Crawford Street SE, which is classified as a named alley.

**APPLICANT:** Sam Lapray, Covey Rowhouses LLC

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

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

**FINDINGS:** The findings are in the attached Decision dated June 28, 2021.

**DECISION:** The **Planning Administrator APPROVED** Class 3 Site Plan Review, Class 1 Adjustment, and Class 1 Design Review SPR-ADJ-DR21-12 subject to the following conditions of approval:

- Condition 1:** Provide a window in the south-facing wall of the ground floor unit in the south building and a window in the north-facing wall of the ground floor unit of the north building.
- Condition 2:** Along the east property line, provide a minimum six-foot-tall sight-obscuring fence starting 20 feet from the right-of-way dedication line and ending at the south property line; a four-foot-tall sight-obscuring fence starting 10 feet from the right-of-way dedication line and ending 20 feet from the right-of-way dedication line; and a four-foot-tall fence, with its upper 18 inches less than 25 percent opaque, starting from the right-of-way dedication line and ending 10 feet from the right-of-way dedication line.

# NOTICE OF DECISION

PLANNING DIVISION  
555 LIBERTY ST. SE, RM 305  
SALEM, OREGON 97301  
PHONE: 503-588-6173  
FAX: 503-588-6005



- Condition 3:** Along the south property line, provide a minimum six-foot-tall sight-obscuring fence starting 5 feet from the west property line and ending at the east property line.
- Condition 4:** Designate each garage and the driveway parking space serving it as reserved parking for the same dwelling unit.
- Condition 5:** Provide pavement markings or signage for each reserved parking space.
- Condition 6:** Provide pavement markings or signage for each compact space.
- Condition 7:** Provide pavement markings or signage for the ADA space.
- Condition 8:** Visually differentiate the pedestrian walkways from the parking spaces and driveways through the use of a different paving material.
- Condition 9:** Provide wheel stops or extended curbs for the ADA parking space and for the compact surface spaces that are not located in the driveways to prevent parked vehicles from encroaching into the five-foot-wide pedestrian path near the buildings.
- Condition 10:** Increase the width of each driveway parking space serving a garage to 10 feet while maintaining a minimum depth of at least 20 feet measured from the pedestrian access easement.
- Condition 11:** Provide landscape strips as wide as possible between the driveway parking spaces.
- Condition 12:** 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 13:** 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 14:** Construct a minimum 5-foot-wide pedestrian access route along the entire frontage of Crawford Street SE within a public access easement.
- Condition 15:** 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 16:** Any future development, beyond what is shown in the proposed plans, must conform to the maximum parking requirements of SRC Chapter 806 and other applicable development standards, 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>July 14, 2025</u>
Class 1 Adjustment	<u>July 14, 2023</u>
Class 1 Design Review	<u>July 14, 2023</u>

Application Deemed Complete:	<u>May 3, 2021</u>
Notice of Decision Mailing Date:	<u>June 28, 2021</u>
Decision Effective Date:	<u>July 14, 2021</u>
State Mandate Date:	<u>August 31, 2021</u>

Case Manager: Pamela Cole, Planner II, [PCole@cityofsalem.net](mailto:PCole@cityofsalem.net), 503-540-2309

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., Tuesday, July 13, 2021. 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>

*Si necesita ayuda para comprender esta informacion, por favor llame  
503-588-6173*

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

**CLASS 3 SITE PLAN REVIEW / CLASS 1 ADJUSTMENT / CLASS 1 DESIGN REVIEW  
CASE NO. SPR-ADJ-DR21-12  
DECISION**

**IN THE MATTER OF APPROVAL OF ) FINDINGS AND ORDER  
CLASS 3 SITE PLAN REVIEW, )  
CLASS 1 ADJUSTMENT, )  
AND CLASS 1 DESIGN REVIEW )  
CASE NO. SPR-ADJ-DR21-12 )  
)  
226 SALEM HEIGHTS AVENUE SE ) JUNE 28, 2021**

In the matter of the application for a Class 3 Site Plan Review, Class 1 Adjustment, 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 develop 10 apartment units with 19 parking spaces accessed from an alley.

**Request:** A consolidated Class 3 Site Plan Review, Class 1 Adjustment, and Class 1 Design Review to replace an existing single-family dwelling with 10 new apartment units, garages, and parking spaces on a property of 0.39 acres that is zoned RM-II (Multiple Family Residential – II) and located at 226 Salem Heights Avenue SE 97302 (Marion County Assessor Map / Tax Lot 083W03BD / 09100). The Adjustment is required to exceed the maximum of 18 spaces allowed within one quarter-mile of the Core Network by 6 percent and provide 19 parking spaces accessed from Crawford Street SE, which is classified as a named alley.

A vicinity map illustrating the location of the property is attached hereto, and made a part of this staff report (**Attachment A**).

**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 1 Adjustment has been requested to provide one additional parking space over the maximum allowed for the proposed development and pursuant to SRC 220.005(b)(3)(C) because the applicant has not proposed street improvements on Salem Heights Avenue SE that meet the clear and objective standards of the UDC relating to streets.

## 2. Background

On January 6, 2021, a Class 2 Site Plan Review and Class 1 Design Review application were filed for the proposed development. Staff determined that the proposal required an adjustment. On February 12, 2021, the Class 2 Site Plan Review application was withdrawn and a Class 3 Site Plan Review and Class 1 Adjustment application were filed. Additional information was requested from the applicant. After receiving additional information, the applications were deemed complete for processing on May 3, 2021. The 120-day State mandated deadline is August 31, 2021.

The subject property is a rectangular 0.39-acre parcel on Salem Heights Avenue SE.

The applicant's proposed site plan is included as **Attachment B**, the applicant's elevation drawings and floor plans are included as **Attachment C**, and the applicant's written statement addressing the approval criteria is included as **Attachment D**.

### 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.

### Neighborhood Association Comment:

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 (**Attachment E**). These comments are incorporated into and addressed in the discussion of public comments.

### **Homeowners Association**

The subject property is not located within a Homeowners Association.

### **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 38 individuals 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.

**Increased parking issues:** Comments were submitted that the proposed parking spaces were insufficient for guest parking; tenants would have to maneuver in the narrow right-of-way of the named alley to use the spaces; excess vehicles would be parked illegally in “No Parking” zones; and vehicles associated with this development would worsen existing illegal parking in the neighborhood that sometimes blocks access to emergency vehicles.

**Staff Response:** The 2015 Housing Needs Analysis (HNA) identifies a deficit of approximately 207 acres of land designated for multifamily residential development. Although not adopted at this time, the HNA has been accepted by City Council and serves as the basis for a three-phase work plan adopted by the City to address the identified deficit of land for multifamily housing. In 2020, City Council adopted an Ordinance to eliminate minimum parking requirements for new Multi-Family Developments within one quarter-mile of the Core Network for Cherriots transit service. The subject property is within one quarter-mile of the Core Network, therefore no minimum parking standard applies. The maximum parking allowed for 10 dwelling units is 18 spaces (10 units x 1.75 space per unit = 17.5 spaces, rounding to 18). The applicant requested an adjustment in order to provide 19

parking spaces, exceeding the maximum parking standard. The conditions of approval require a garage and the driveway parking space in front of that garage to be assigned to the same apartment to minimize the need for maneuvering. Public Works finds that the driveway accesses onto Crawford Street SE provide for safe turning movements into and out of the property. Case law precedent prohibits an applicant for a development proposal from being required to mitigate a pre-existing condition in the vicinity.

**Sight distance / vision clearance:** Concerns were submitted regarding inadequate sight distance at Salem Heights Avenue SE and inadequate visibility at the proposed driveways.

**Staff Response:** Public Works finds that the proposal, as conditioned, meets applicable vision clearance standards. The applicable vision clearance area where Crawford Street SE, designated as an alley, meets Salem Heights Avenue SE is a triangle with a ten-foot leg along the right-of-way of the alley and ten-foot leg along the right-of-way of the intersecting street. The proposed buildings and parking spaces are set back at least 30 feet from the current right-of-way and 20 feet from the future right-of-way of Salem Heights Avenue SE and do not encroach into the vision clearance triangle. Proposed landscaping will be reviewed for vision clearance standards at the time of building permit submittal. Citizens with concerns about sight-obscuring shrubs or fences over 30 inches in height within required vision clearance areas may report those to Public Works at 503-588-6211. Vision clearance standards do not apply for driveways or parking spaces accessed from an alley. Public Works finds that the driveway accesses onto Crawford Street SE provide for safe turning movements into and out of the property. The site plan indicates four feet of maneuvering area abutting the 20-foot-wide alley and surface parking spaces 23 feet in length, which exceed minimum required length of 15 feet for compact spaces, 19 feet for standard or ADA spaces, and 20 feet for driveways. Conditions of approval for a 5-foot-wide pedestrian pathway abutting the alley will result in a maneuvering distance of 25 feet or more from the opposite side of the alley to the end of each surface parking space.

**Designation of Crawford Street SE as a named alley:** Comments were received that Crawford Street SE meets the definition of a street rather than an alley, so the developer must comply with development standards for property abutting a street.

**Staff Response:** The Salem Revised Code defines street and alley.

*Street* means a public or private way that is created to provide ingress or egress to one or more lots, parcels, areas, or tracts of land, excluding a private way that is created to provide ingress or egress to land in conjunction with the use of the land for forestry, mining, or agricultural purposes. The term "street" includes the terms "highway," "thoroughfare," "parkway," "throughway," "road," "avenue," "boulevard," "lane," "court," "place," "loop," "drive," "circle," and other such terms. The term "street" does not include alleys or flag lot accessways.

*Alley* means a public way not less than ten feet and not more than 20 feet in width that is primarily used as a secondary means of motor vehicle access to abutting property.

The Public Works Department designates Crawford Street SE as a named alley because of its existing configuration as a paved surface within a 20-foot-wide right-of-way. The standard for an alley classification is right-of-way measuring 10 to 20 feet in width. As configured, Crawford Street SE meets the Public Works Design Standard for an alley improvement.

Driveway approach permits are not required for the proposed configuration of driveways and parking spaces on the alley. No setbacks are required abutting an alley.

**Street width:** Comments were submitted stating that the street should be widened.

**Staff Response:** The Public Works Department designates Crawford Street SE as a named alley because of its existing configuration as a paved surface within a 20-foot-wide right-of-way. The standard for an alley classification is right-of-way measuring 10 to 20 feet in width. As configured, it meets the Public Works Design Standard for an alley improvement, and no widening is required. The conditions of approval require right-of-way dedication of 10 feet on Salem Heights Avenue SE for future widening.

**Lack of turn-around or delivery parking:** Concerns were raised that the development has no turn-around area or loading space.

**Staff Response:** The alley and conditions of approval provide adequate turnaround area for parking spaces that are accessed directly from the alley. No loading space is required for an apartment complex with 10 units.

**Equipment and employee parking during construction:** Concerns were raised regarding equipment storage and employee parking during construction.

**Staff Response:** The developer is responsible for ensuring that equipment and vehicles are parked in compliance with the law.

**Noise during construction:** Concerns were raised about noise during construction.

**Staff Response:** The developer is responsible for ensuring that construction complies with applicable noise standards of SRC Chapter 93 (Noise). 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)).

**Use:** Comments were submitted in opposition to multiple-family zoning, construction of multi-family units in an area of single-family dwellings, and impact on quality of life.

**Staff Response:** The subject property is within an area bounded by Liberty Road S, Salem Heights Avenue SE, Neef Avenue SE, and Madrona Avenue SE that is zoned RM-II (Multiple Family Residential – II) and intended for multi-family development at densities of 12 to 28 units per acre. The area north of Salem Heights Avenue SE is zoned CR (Retail Commercial) and intended for commercial development. The proposed use is permitted on the subject property.

**Development standards:** Comments were submitted in opposition to the proposed number of units, unit size, building height, setbacks, and amount of open space.

**Staff Response:** The proposed density of 27 units per acre is less than the maximum of 28 units per acre allowed within the RM-II zone. The proposed three-story buildings would have an average height less than 33 feet, well below the maximum of 50 feet for multiple family uses in the RM-II zone. The proposal meets or exceeds all minimum setbacks. The applicant will provide landscaping and a minimum 6-foot-tall sight-obscuring fence along the east and south property lines to screen the proposed development from adjacent residential uses. The site plan indicates that the proposed buildings will cover approximately 27 percent of the lot, while the maximum lot coverage allowed is 60 percent. The development proposes open space on 47 percent of the lot, which exceeds the minimum of 20 percent required under the multi-family design standards.

**Privacy:** Concerns were raised that the development would reduce privacy for surrounding residents.

**Staff Response:** The proposed development complies with the multi-family development standards set forth in SRC Chapter 702, which include requirements for height, setbacks, landscaping, fencing, and lot coverage that are intended to ensure that development of private property does not adversely impact the privacy of adjacent properties.

**Stormwater drainage:** Concerns were expressed that development would cause stormwater to run onto abutting properties.

**Staff Response:** The developer is required to design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and Public Works Street Design Standards and to the satisfaction of the Public Works Director.

**Property value:** Concerns were expressed that the property values of the surrounding homes and properties will decrease; that this proposal would not be allowed in a more affluent area; and that other complexes are mismanaged.

**Staff Response:** Effect on property values is not a criterion under the Salem Revised Code for granting or denying a site plan review application. The zoning code allows the proposed use, provided that it is conducted in accord with development standards and conditions of approval. The subject property is within an area bounded by Liberty Road S, Salem Heights Avenue SE, Neef Avenue SE, and Madrona Avenue SE that is zoned RM-II (Multiple Family Residential – II) and

intended for multi-family development. Other properties in the area could be developed or redeveloped as allowed in the zone. Other RM-II zones and multi-family developments are distributed throughout the City. The City is in the midst of the multi-year “Our Salem” project to update the Salem Area Comprehensive Plan, which guides development. As part of the process, the City is considering changes to zoning. The proposed changes would distribute multi-family or mixed-use zones throughout the City to help address a deficit of multi-family housing.

**Public safety:** Concerns were expressed that existing apartments on Crawford Street SE generate frequent public safety contacts from police, fire, or emergency medical services, and the proposed development will increase need for these services.

**Staff Response:** Theft or other illegal activity is a police matter and should be directed to the Salem Police Department, which has law enforcement jurisdiction over the subject property and vicinity. Approval criteria for a Class 3 Site Plan Review do not address anticipated changes in crime levels, and no evidence has been provided to support the speculation that any crime perpetrated by future residents of the proposed apartments, or demand for fire department or emergency medical services by residents of the proposed apartments, would exceed what would otherwise occur from any other legal development of property within the City.

**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.

**Greed:** Concerns were submitted that greed motivates the developer to change the character of the neighborhood and tax and fee revenue motivate the City to approve the project.

**Staff Response:** The proposed development of multi-family housing is allowed in the RM-II zone, provided that it is conducted in accord with development standards and conditions of approval. The City evaluates each development proposal according to the applicable standards and criteria. Tax revenue and fee revenue are not considered under any criterion of the Salem Revised Code for granting or denying a site plan review application.

**Request for additional information on finishing, tenants, rent, and management:**

**Staff Response:** The applicant provided elevation drawings and a written statement regarding the proposal. Interior finishes, tenant selection practices, rent, and

management are not considered under the criteria of the Salem Revised Code for granting or denying a site plan review application for multi-family housing.

**Notice and comment process:** Comments were submitted that it would have been better if the developer had established a dialog with the neighbors and made changes to reduce impacts before submitting; a property owner did not receive mailed notice; the 14-day comment period from the date of mailing is not long enough and should be extended; and comments are a waste of time because the City will ignore them.

**Staff Response:** An applicant for Class 3 Site Plan Review is required to mail or email notification to the applicable Neighborhood Association prior to application submittal so that the Neighborhood Association has an opportunity to request more information or invite the applicant to a meeting to discuss the application. The applicant provided the required notification. The Class 3 Site Plan Review and Class 1 Adjustment are Type II processes requiring the City to mail notice to property owners and addresses within 250 feet of the subject property. The City's Information Technology Department prepared a list of addresses based on the latest available information from the Marion County Assessor and mailed the notices. The property owner who did not receive mailed notice lives out of state, learned about the proposal from another source, and contacted the Case Manager for information before the end of the comment period. The 14-day comment period is calculated from the mailing date of the application and is standard for all Type II applications. Staff has evaluated the comments in light of applicable standards and criteria.

#### **Public and Private Agency 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 commented:

Fire Department access is required to be provided within 150 feet of all portions of the building. Fire hydrant is required to be located within 600 feet of all portions of the building and 100 feet of the FDC. The hose lay from the fire hydrant to FDC shall not obstruct fire department access. The total fire flow will be determined at the time of building permit plan review.

**Staff Response:** The applicant is responsible for addressing these comments during the building permit process. 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.

PGE (Ken Spencer, PE Customer Operations Engineer, 503.970.7200) reviewed the proposal and commented:

Pole C8303B-870 is noted on the proposed site plan on the west side of the property. The pole will need to remain as it holds a transformer that serves multiple surrounding customers. Additionally, the pole has a down guy (cable and anchor) on the north side of the pole that should be allowed for in the spacing of proposed parking stalls. The anchor location currently is in conflict with one stall. Pole C8303B-869 is located at the northwest corner of the property and is not shown on the site plan. This pole will also need to remain. It serves as a junction point in the overhead 13 kV circuit, as well as holding a transformer that serves multiple surrounding customers.

**Staff Response:** Staff notified the applicant of these comments. The applicant will work with PGE to address these issues.

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

Salem Revised Code (SRC) 220.005(f)(3) sets forth the criteria that must be met before approval can be granted to an application for Class 3 Site Plan Review.

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) states: An application for Class 3 Site Plan Review shall be granted if:

#### Criterion 1:

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 Chapter 514):**

#### *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 depth 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 10 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. For a multiple family use, Table 514-4 specifies that buildings abutting a street require 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 by Public Works as an alley. For a multiple family use, Table 514-5 specifies that no setbacks are required abutting an alley.

**Finding:** The proposed northern building is 20 feet from the property line that will result from a required dedication of right-of-way on Salem Heights Avenue SE. Both proposed buildings are 29 feet 4 inches from the east property line. The proposed southern building is 10 feet from the south property line. The proposed buildings are approximately 32 feet from the west property line. 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 4,390 square feet of the 16,000-square-foot lot, for a lot coverage of approximately 27 percent. The proposed buildings are approximately 32'3" 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 Salem Heights Avenue SE and the south 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 in the eastern area of the property exceeding 3,200 square feet in area and having a minimum width of 25 feet and length exceeding 125 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 7,604 square feet 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 units, the site plan and floor plan do not indicate a window on the south wall of the southern building or north wall of the northern building facing common open space. The following condition is required to ensure compliance with this standard:

**Condition 1:** Provide a window in the south-facing wall of the ground floor unit in the south building and a window in the north-facing wall of the ground floor unit of the north building.

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 beside the buildings and between the buildings and the alley. 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.
  - (A) A 5-foot reduction is permitted to each required setback in Table 702-2 provided that the height of the required fence in Sec. 702.015(b)(1)(B) is increased to eight feet tall.

**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 north building is placed at the 20-foot setback from the right-of-way dedication and occupies 40 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 private porch (private open space) for each ground level dwelling unit as well as a shared entry area; shared entries on both ends of each building leading to staircases; a separate entrance for each unit on the second level; and a separate entry for each unit on the third level. The shared entry areas on the ground floor are articulated 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 50 feet in length and 40 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:** In order to meet the screening standards requiring minimum six-foot-sight-obscuring fences along the property lines abutting residential zones, the general development standards for fences, and the condition for a pedestrian connection along the alley as discussed later in this decision, the following conditions are required:

**Condition 2:** Along the east property line, provide a minimum six-foot-tall sight-obscuring fence starting 20 feet from the right-of-way dedication line and ending at the south property line; a four-foot-tall sight-obscuring fence starting 10 feet from the right-of-way dedication line and ending 20 feet from the right-of-way dedication line; and a four-foot-tall fence, with its upper 18 inches less than 25 percent opaque, starting from the right-of-way dedication line and ending 10 feet from the right-of-way dedication line.

**Condition 3:** Along the south property line, provide a minimum six-foot-tall sight-obscuring fence starting 5 feet from the west property line and ending at the east property line.

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

##### *SRC 800.055(a) – Applicability*

Solid waste service area design standards shall apply to:

- (1) All new solid waste, recycling, and compostable service areas, where use of a solid waste, recycling, and compostable receptacle of 1 cubic yard or larger is proposed; and
- (2) Any change to an existing solid waste service area for receptacles of 1 cubic yard or larger that requires a building permit.

**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.

#### **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.

##### *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 10 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 10 proposed units, the applicant is proposing 19 parking spaces: two spaces for each upper-level two-bedroom unit, one space for each ground-level one-bedroom unit, and one ADA space. This exceeds the maximum number of spaces by 6 percent. The applicant has requested a Class 1 Adjustment. Findings for the Adjustment are in Section 4 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. No setback is required abutting the alley. The proposed surface parking spaces are set back five or more feet from the building in order to provide a paved



pedestrian pathway between the surface spaces and the buildings. The proposal meets the applicable location and perimeter setback standards.

- 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 8 feet in width and 23 feet in length, exceeding the minimum length of 15 feet. However, in order to meet the driveway standards discussed later in this decision, a condition is required to widen these spaces to 10 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 4:** Designate each garage and the driveway parking space serving it as reserved parking for the same dwelling unit.

Two additional 8-foot by 23-foot compact parking surface spaces and one 9-foot by 23-foot ADA space are also proposed with access from the alley. The proposed parking spaces meet or exceed the minimum dimensional requirements 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, compact spaces, and ADA spaces are properly identified, the following conditions are required:

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

**Condition 6:** Provide pavement markings or signage for each compact space.

**Condition 7:** Provide pavement markings or signage for the ADA space.

The surface parking spaces are indicated on the site plan four feet from the property line abutting the alley. However, the conditions of approval required by Public Works, as discussed later in this decision, include a five-foot-wide pedestrian connection in an easement along the alley. A five-foot-wide paved pedestrian walkway is also required between the surface parking spaces and the building. The following conditions are required to differentiate these pedestrian connections from the parking spaces while allowing vehicles to cross the pedestrian walkway at the alley and cross the pedestrian walkway near the building to access the parking spaces:

- Condition 8:** Visually differentiate the pedestrian walkways from the parking spaces and driveways through the use of a different paving material.
- Condition 9:** Provide wheel stops or extended curbs for the ADA parking space and for the compact surface spaces that are not located in the driveways to prevent parked vehicles from encroaching into the five-foot-wide pedestrian path near the buildings.

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 alley provides a turnaround area for each driveway. No setback is required abutting the alley. Each driveway parking space serving a garage functions similarly to a driveway serving a single car garage for a single-family dwelling unit, which is required to meet minimum dimensions of 10 feet in width and 20 feet in depth. Landscaped strips are proposed to provide separation between the driveways. The following conditions are required to ensure adequate width, maneuvering area, and separation for the proposed driveway parking spaces:

- Condition 10:** Increase the width of each driveway parking space serving a garage to 10 feet while maintaining a minimum depth of at least 20 feet measured from the pedestrian access easement.
- Condition 11:** Provide landscape strips as wide as possible between the driveway parking spaces.

As conditioned, the proposed driveway parking spaces conform to the driveway location and development standards of SRC 806.040.

## **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 10 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 10-unit multi-family complex; therefore, no loading spaces are required, and the proposal meets the minimum required standards.

### **Landscaping**

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 47% 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 610 – 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. No protected 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.

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:* 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 803 - Public Improvements, SRC 804 - 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.

Criterion 2:

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. 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 12:** 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 13:** 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.

Crawford Street SE is designated as an Alley because of its existing configuration as a paved surface within a 20-foot-wide right-of-way. As configured, it meets the PWDS for an Alley improvement.

Criterion 3:

Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians.

**Finding:** The applicant proposes to take access from the Alley abutting the development site. The driveway accesses onto Crawford Street SE provide 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.

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

**Condition 14:** Construct a minimum 5-foot-wide pedestrian access route along the entire frontage of Crawford Street SE within a public access easement.

Criterion 4:

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 utility 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. The applicant's engineer submitted a statement demonstrating compliance with SRC Chapter 71 because the project involves less than 10,000 square feet of new or replaced impervious surface. 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 Public Works Design Standards and to the satisfaction of the Public Works Director.

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

**Condition 15:** 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).

#### 4. Analysis of Class 1 Adjustment Approval Criteria

SRC Chapter 250.005(d)(1) provides that an applicant for a Class 1 Adjustment shall be granted if all of the following criteria are met:

##### Criterion 1:

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.

**Finding:** The applicant is requesting a Class 1 Adjustment to increase the maximum allowed off-street parking from 18 spaces to 19 spaces for the proposed 10-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 maximum off-street parking requirement of 1.75 spaces per dwelling unit adopted through Ordinance No. 1-20 exceeds the minimum off-street parking requirement of 1.5 spaces per dwelling unit that previously applied to multiple-family developments consisting of four or more dwelling units in areas outside of the CSDP (Central Salem Development Program) area, MU-I (Mixed Use-I) zone, or MU-II (Mixed Use-II) zone.

The purpose of the minimum parking requirement of 0 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 Class 2 Site Plan Review application with 18 proposed parking spaces, which would have met the minimum and maximum off-street parking standards. Building and Safety informed the applicant that an ADA space would be required because the proposal includes ground-floor apartments. To meet projected tenant demands for at least one parking space dedicated for each of the two ground-floor one-bedroom apartments and two parking spaces dedicated for each of the eight upper-level two-bedroom apartments, as well as provide the required ADA space that would be available to any tenant or guest, the applicant requested the adjustment to increase the number of parking spaces to 19.

The proposed parking area accessed from the alley is an efficient use of the subject property that allows the applicant to maximize the number of dwelling units on the property, provides one or more parking spaces for each unit to meet projected tenant demand, and meets ADA parking requirements.

Staff finds that the proposed development clearly satisfies the purpose of the maximum parking standard and meets this criterion.

Criterion 2:

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 space 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 one parking space in excess of the maximum allowance will have no significant additional impact on the livability or appearance of the residential area.

Criterion 3:

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:** One adjustment has been requested. This criterion is not applicable.

Any future development, beyond what is shown in the proposed plans, must conform to the maximum parking requirements of SRC Chapter 806, unless adjusted through a future land use action. To ensure compliance, the following condition is required:

**Condition 16:** Any future development, beyond what is shown in the proposed plans, must conform to the maximum parking requirements of SRC Chapter 806 and other applicable development standards, unless adjusted through a future land use action.

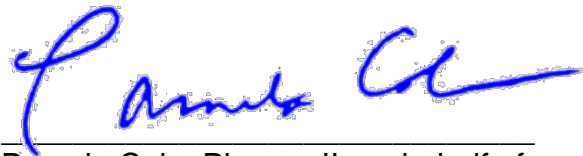


## ORDER

Final approval of Class 3 Site Plan Review, Class 1 Adjustment, and Class 1 Design Review Case No. 21-12 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:** Provide a window in the south-facing wall of the ground floor unit in the south building and a window in the north-facing wall of the ground floor unit of the north building.
- Condition 2:** Along the east property line, provide a minimum six-foot-tall sight-obscuring fence starting 20 feet from the right-of-way dedication line and ending at the south property line; a four-foot-tall sight-obscuring fence starting 10 feet from the right-of-way dedication line and ending 20 feet from the right-of-way dedication line; and a four-foot-tall fence, with its upper 18 inches less than 25 percent opaque, starting from the right-of-way dedication line and ending 10 feet from the right-of-way dedication line.
- Condition 3:** Along the south property line, provide a minimum six-foot-tall sight-obscuring fence starting 5 feet from the west property line and ending at the east property line.
- Condition 4:** Designate each garage and the driveway parking space serving it as reserved parking for the same dwelling unit.
- Condition 5:** Provide pavement markings or signage for each reserved parking space.
- Condition 6:** Provide pavement markings or signage for each compact space.
- Condition 7:** Provide pavement markings or signage for the ADA space.
- Condition 8:** Visually differentiate the pedestrian walkways from the parking spaces and driveways through the use of a different paving material.
- Condition 9:** Provide wheel stops or extended curbs for the ADA parking space and for the compact surface spaces that are not located in the driveways to prevent parked vehicles from encroaching into the five-foot-wide pedestrian path near the buildings.
- Condition 10:** Increase the width of each driveway parking space serving a garage to 10 feet while maintaining a minimum depth of at least 20 feet measured from the pedestrian access easement.
- Condition 11:** Provide landscape strips as wide as possible between the driveway parking spaces.

- Condition 12:** 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 13:** 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 14:** Construct a minimum 5-foot-wide pedestrian access route along the entire frontage of Crawford Street SE within a public access easement.
- Condition 15:** 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 16:** Any future development, beyond what is shown in the proposed plans, must conform to the maximum parking requirements of SRC Chapter 806 and other applicable development standards, unless adjusted through a future land use action.



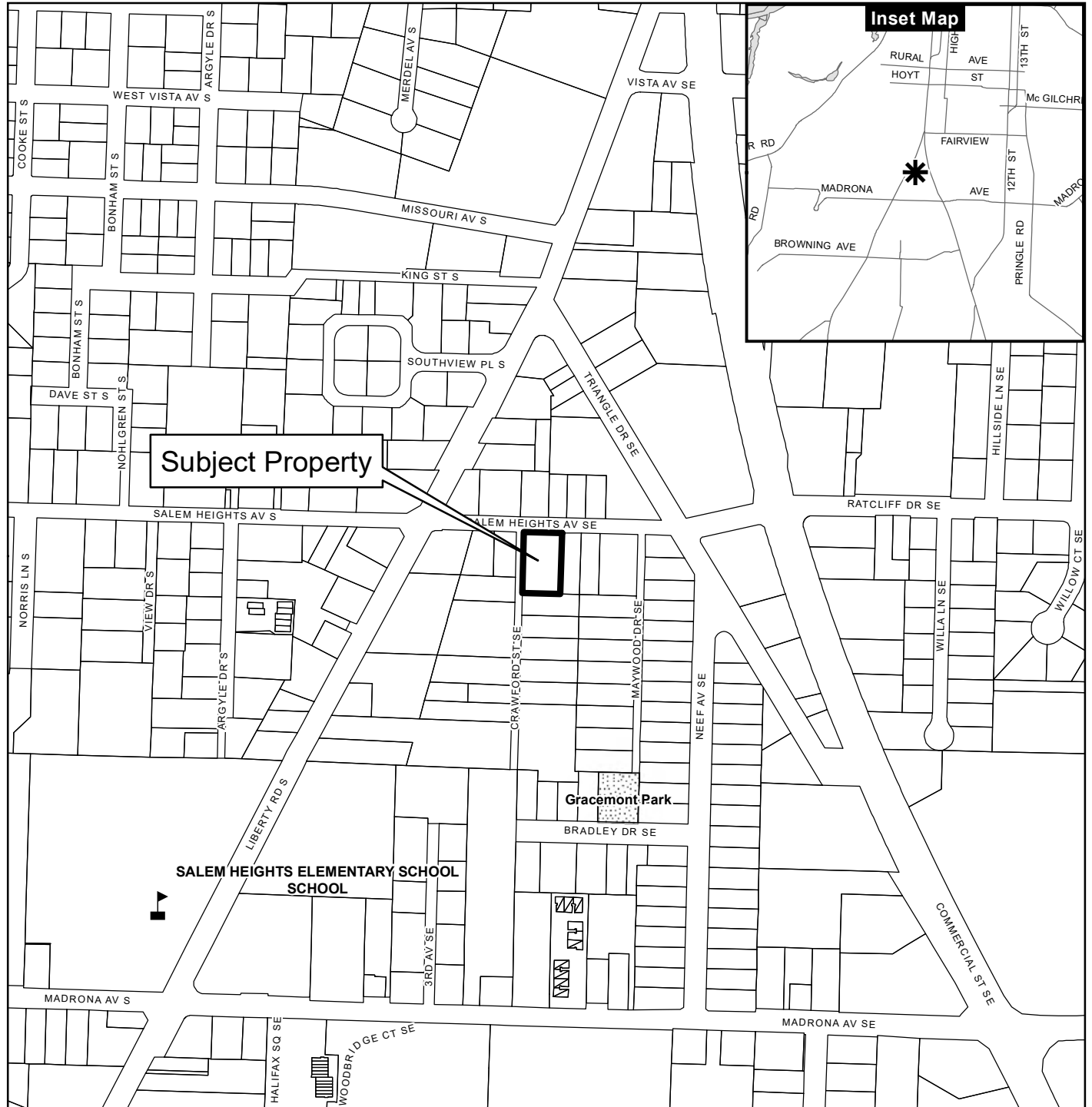
Pamela Cole, Planner II, on behalf of  
Lisa Anderson-Ogilvie, AICP  
Planning Administrator

Prepared by Pamela Cole, Planner II








- Attachments:
- A. Vicinity Map
  - B. Site Plan
  - C. Elevations
  - D. Applicant's Statement
  - E. Faye Wright Neighborhood Association Comments
  - F. Public Works Memo

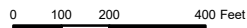
<http://www.cityofsalem.net/planning>

# Vicinity Map 226 Salem Heights Avenue SE

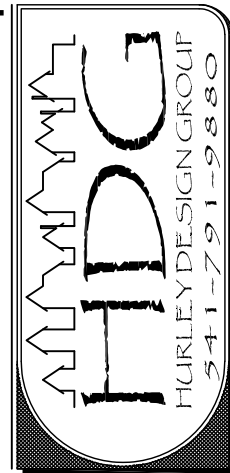


**Legend**

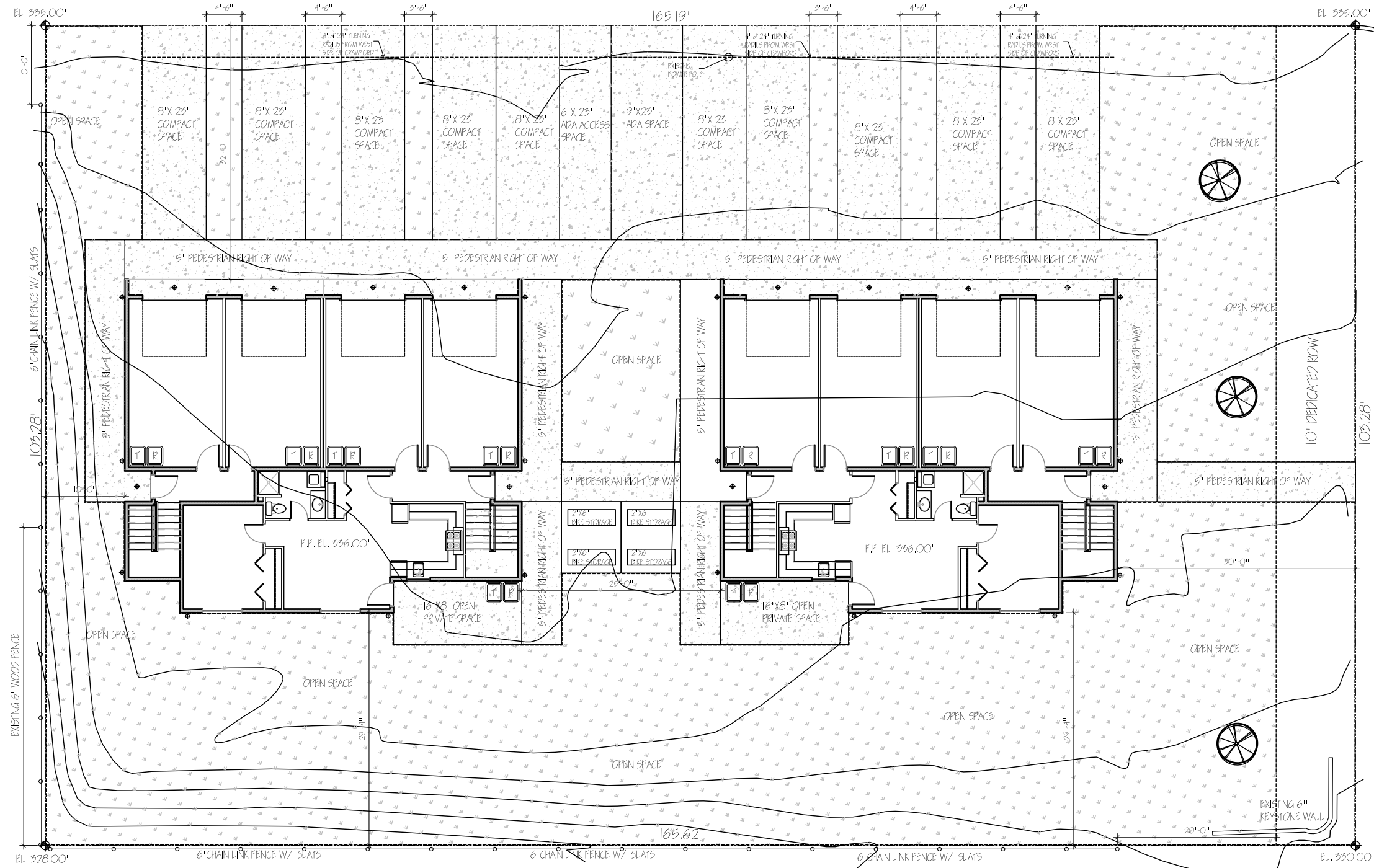
-  Taxlots
-  Urban Growth Boundary
-  City Limits
-  Outside Salem City Limits
-  Historic District
-  Schools
-  Parks



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CRAWFORD ALLEY

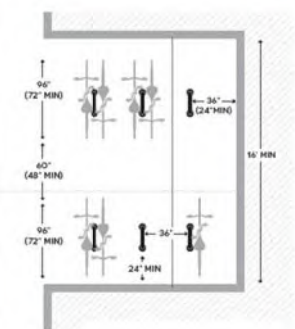


SALEM HEIGHTS



- (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

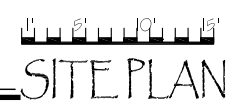


BIKE PARKING - RACKS

Bike Racks That MEET Standards		Bike Racks That DO NOT MEET Standards		
Staple/Inverted	Post & Ring	Wave	Spiral	Bollard
Loop		Schoolyard	Wheel Well	Coat Hanger
<p>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.</p>		<p>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.</p>		

LOT AREA: - 15995 SQ.FT.  
 PROPOSED BUILDING COVERAGE: 2195 SQ.FT. (X2) - 4390 SQ.FT. (27%)  
 PROPOSED IMPERVIOUS / PARKING AREA: - 4658 SQ.FT. (29%)  
 PROPOSED OPEN / LANDSCAPE SPACE: - 7604 SQ.FT. (47%)  
 AVERAGE BUILDING HEIGHT FOR EACH BUILDING: - 32' 2-5/8"

PARKING SPACES:  
 COMPACT SPACES: 18  
 ADA SPACES: 1  
 BIKE SPACES: 4  
 SOLID WASTE SERVICE AREA:  
 1 TRASH / 1 RECYCLE - EACH GARAGE  
 1 TRASH / 1 RECYCLE - EACH PRIVATE OPEN SPACE



SITE PLAN

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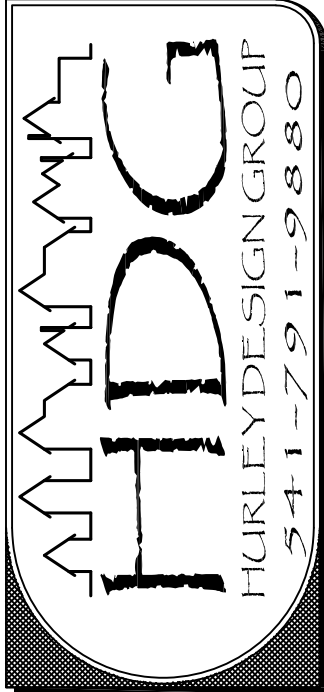
DATE: 3-05-2021

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) (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 MAIN ENTRY DOOR (MAX. 24 SQ. FT.)	U = 0.28 U = 0.20 U = 0.20
WALL INSULATION	R-21
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



## 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

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)
	3 Upgraded features Exterior walls—U-0.055/R-23 intermediate or R-21 advanced, Flat ceiling—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—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, 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>e</sup>
	6 High efficiency thermal envelope UA <sup>g</sup> Proposed UA is 8% lower than the code UA
Conservation Measure (Select One)	A High efficiency HVAC system <sup>h</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>i</sup> Natural gas/propane water heater with UEF 0.85 OR Electric heat pump water heater Tier 1 Northern Climate Specification Product
	E

BUILDING INFORMATION	
APPLICABLE CODES:	
PROJECT TYPE	
AREA	
MAIN FLOOR AREA:	
STUDIO UNIT #1	543 SQ.FT.
GARAGE (EACH)	276 SQ.FT.
2nd FLOOR AREA:	
UNIT #1	850 SQ.FT.
UNIT #2	850 SQ.FT.
3rd FLOOR AREA:	
UNIT #1	850 SQ.FT.
UNIT #2	850 SQ.FT.
TOTAL LIVING AREA	3943 SQ. FT.
ROOF DRAINAGE AREA	2080 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.

NEW 5-PLEX FOR:  
**LAPRAY PROPERTIES**  
SALEM HEIGHTS ST. SALEM, OR. 97302

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DATE: 1-04-2021

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

FILE # XXX

PROJECT: XXX

PAGE 1

ELEVATION



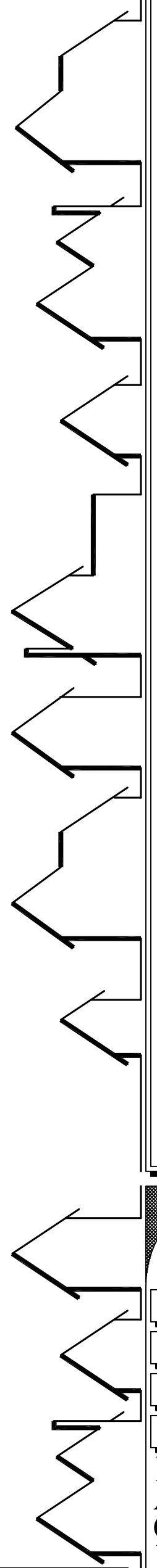
LEFT ELEVATION



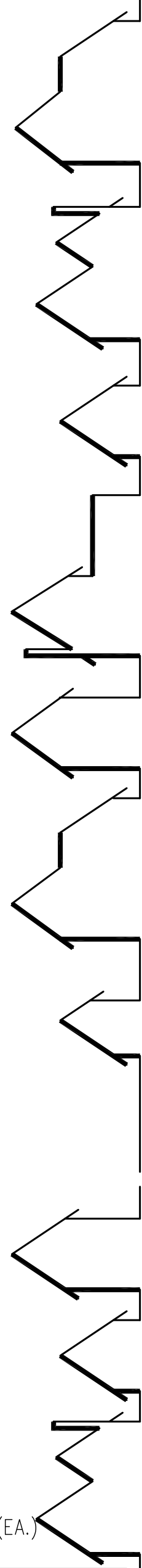
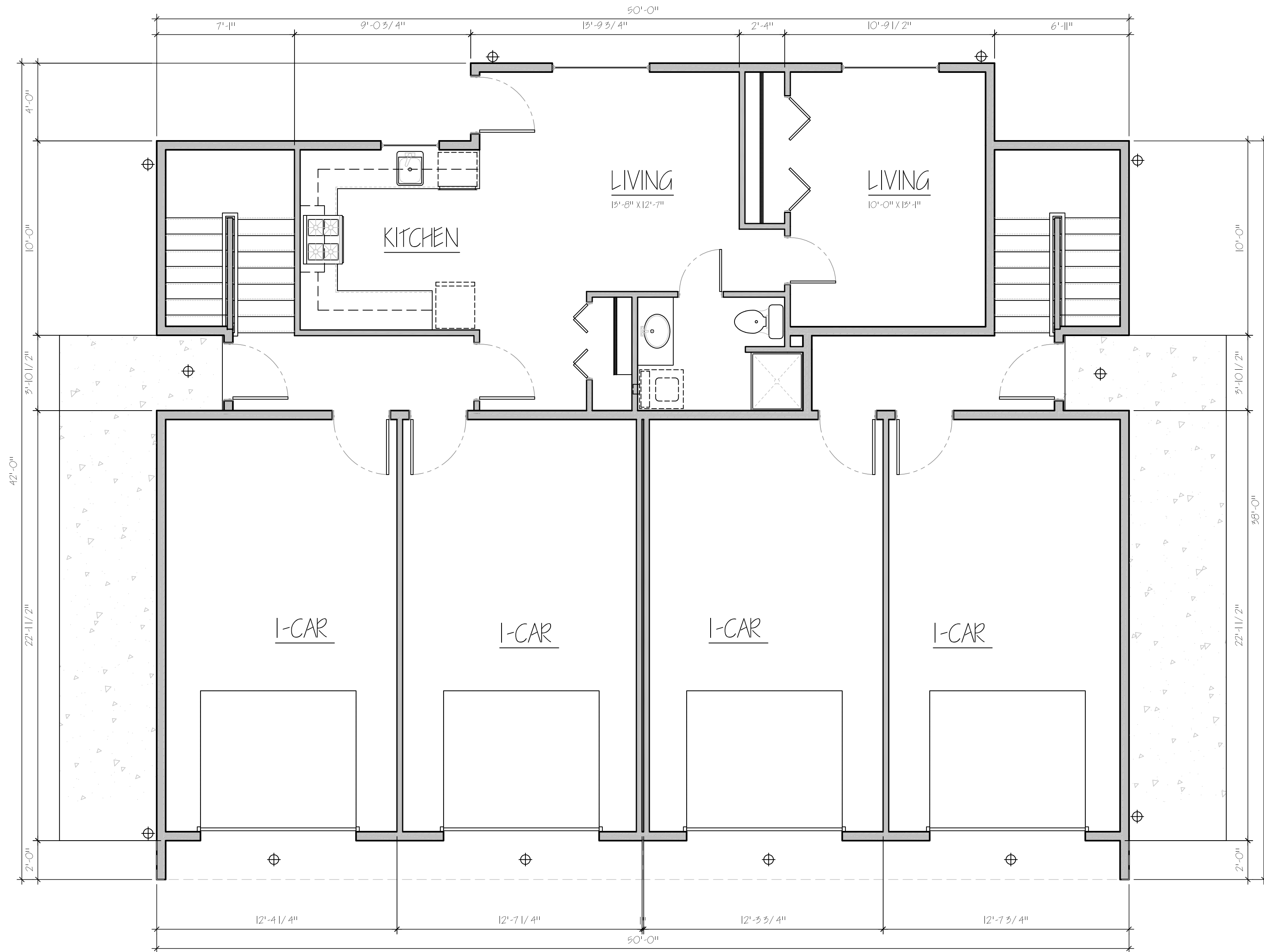
RIGHT ELEVATION



BACK ELEVATION



NEWDGFLEX FOR:
   
**LAPRAY PROPERTIES**
  
 SALEM HEIGHTS ST. SALEM, OR. 97302



NEW 5-PLEX FOR:  
**LAPRAY PROPERTIES**  
 SALEM HEIGHTS ST. SALEM, OR. 97302

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DATE: 1-04-2021

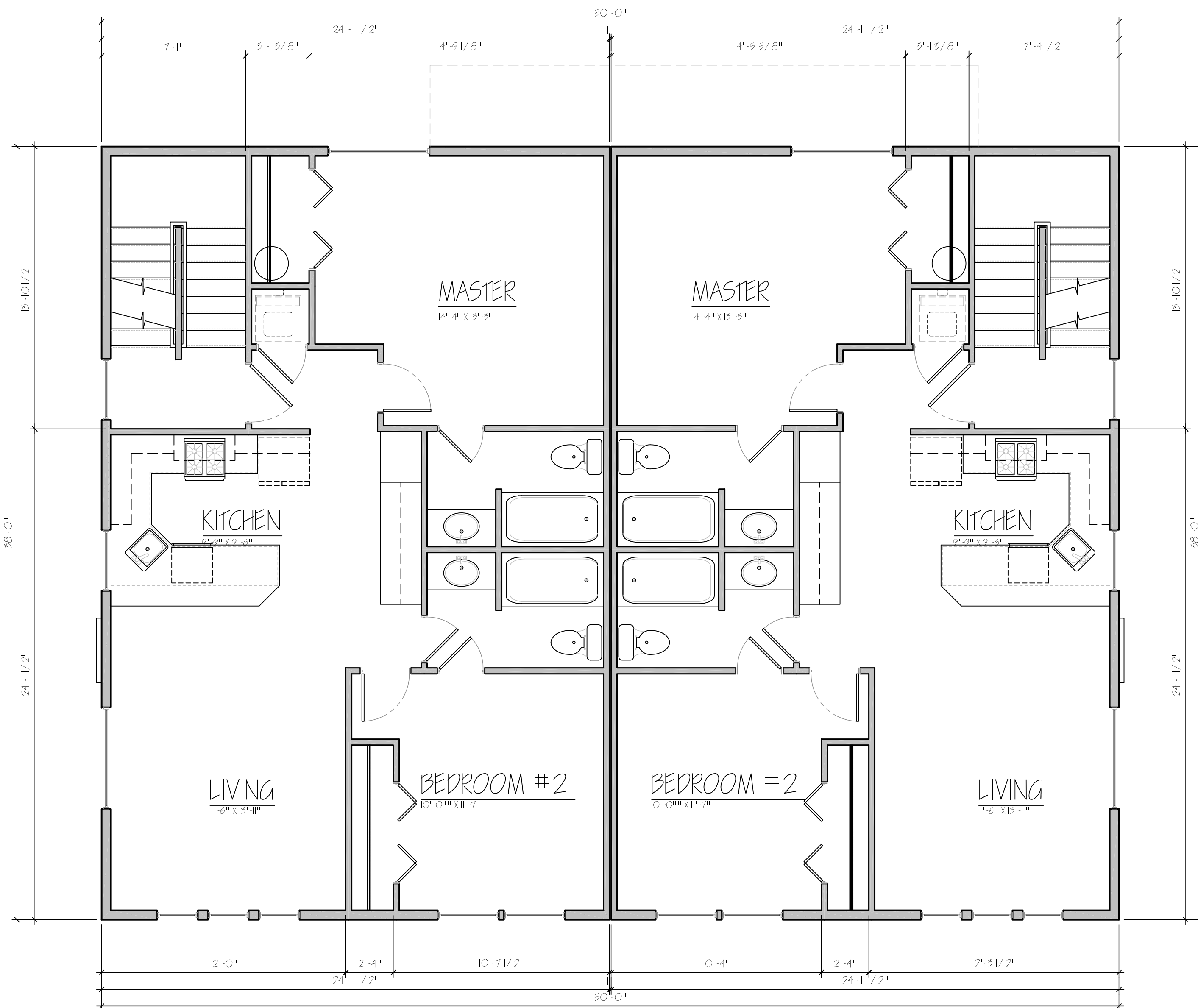
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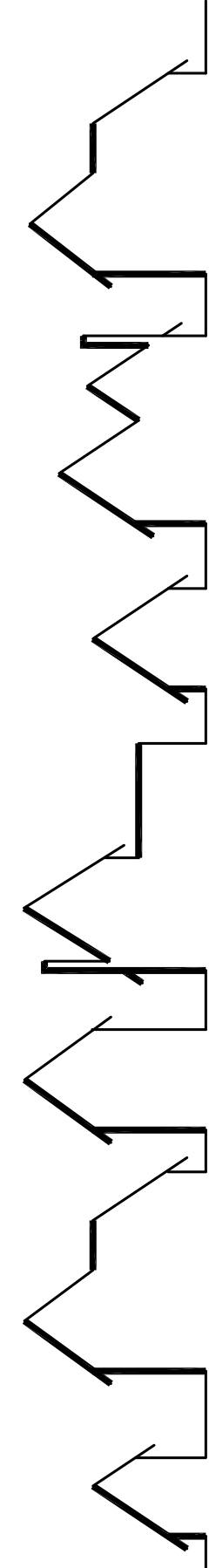
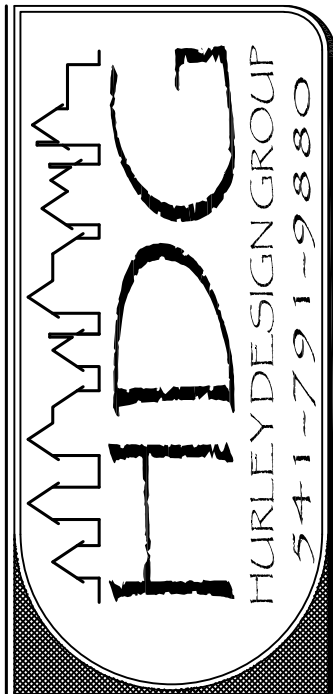
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PAGE  
**4**

MAIN FLOOR AREA - 543 SQ.FT.  
 GARAGE FLOOR AREA - 276 SQ.FT.(EA.)  
**MAIN FLOOR PLAN**



SECOND FLOOR AREA - 850 SQ.FT. (EA)  
 SECOND FLOOR PLAN



NEW 5-PLEX FOR:  
**LAPRAY PROPERTIES**  
 SALEM HEIGHTS ST. SALEM, OR. 97302

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DATE: 1-04-2021

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

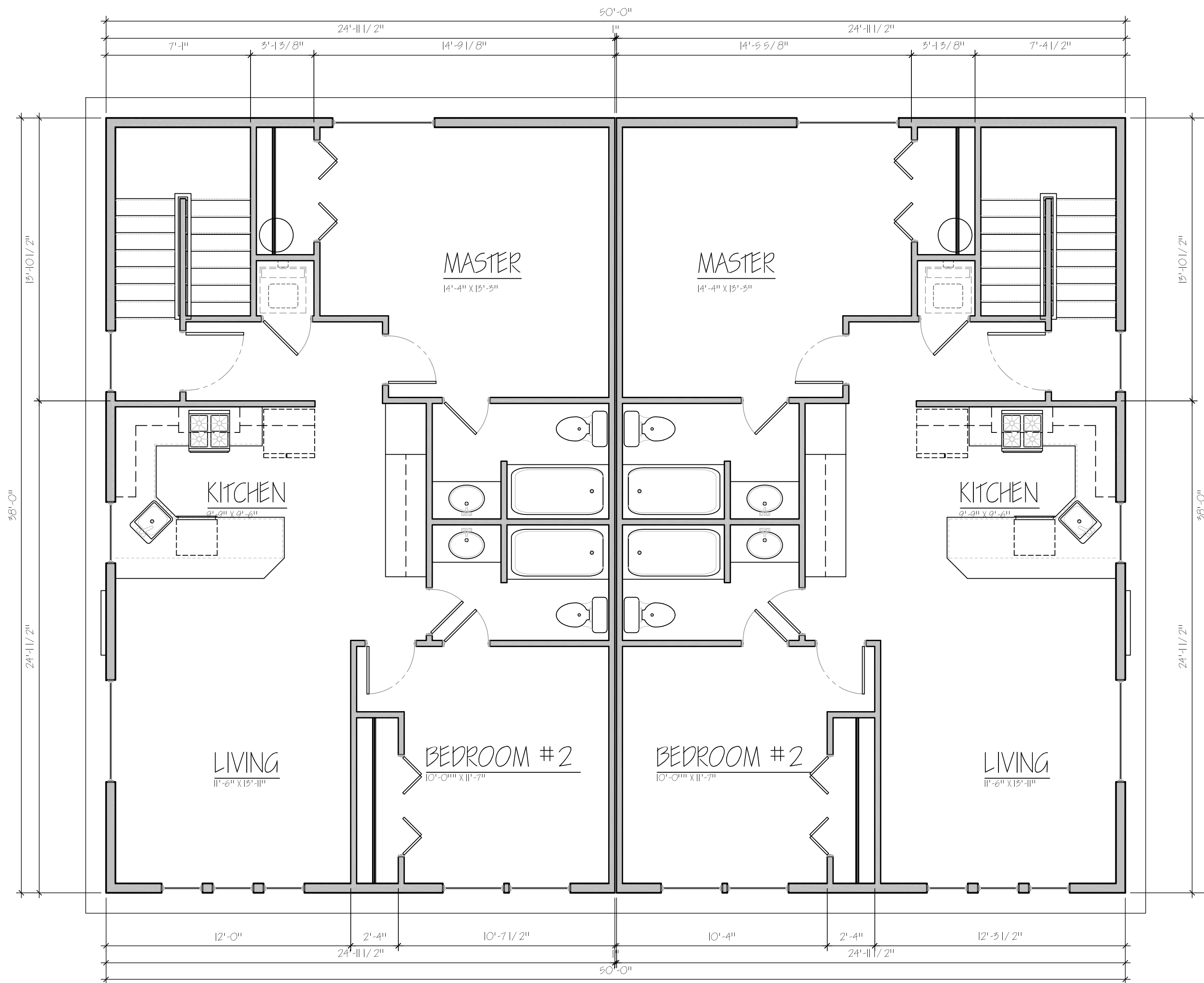
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PROJECT: XXX

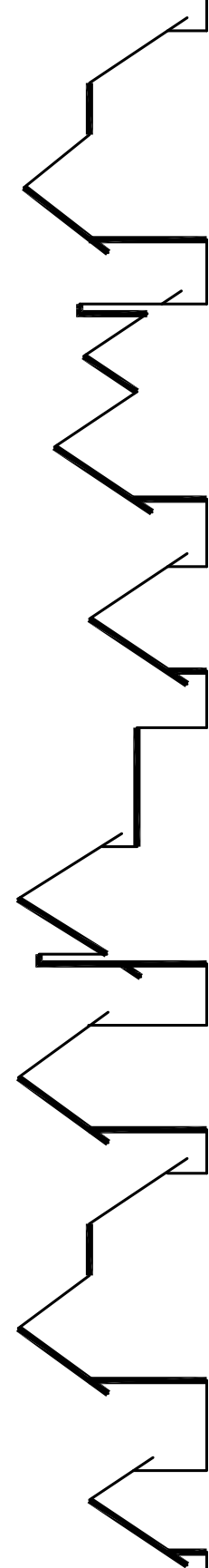
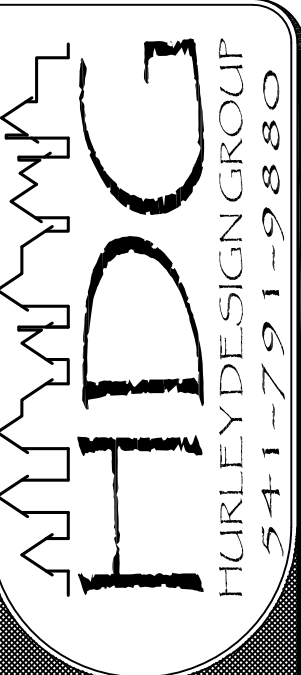
P  
 A  
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5





THIRD FLOOR AREA - 850 SQ.FT. (EA)  
 THIRD FLOOR PLAN



NEW 5-PLEX FOR  
**LAPRAY PROPERTIES**  
 SALEM HEIGHTS ST. SALEM, OR 97302

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DATE: 1-04-2021

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

FILE # XXX

PROJECT: XXX

PAGE  
 6

**226 Salem Heights Ave SE Salem Or 97301  
Class 3 Site Plan Review and Class 1 Design Review**

**Updated: February 12, 2021**

***Summary Table***

Zoning Designation:	RM-II
Total Site Area:	.39 acres & 16,995 SF
Gross Floor Area:	
Building --	3,766 SF
Parking & Pedestrian --	4,884 SF
Open Space & Landscape --	7,604 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 --	2
ADA Spaces --	1
TOTAL PARKING SPACES --	19
Total Lot Coverage:	
Building --	3,766 SF
Parking & Pedestrian --	4,884 SF
Open Space & Landscape --	7,604 SF

***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 (alley)

**Proposed Use**

The development will consist of 10-unit apartment building 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 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:** During the initial Class 2 Site Plan review COS Planning Staff notified Applicant that a handicapped parking stall was needed. With this information Applicant has submitted a Class 3 Site Plan review and has withdrawn the Class 2 Site Plan review.

**Applicant is requesting a Class 1 Adjustment to add 1 an additional parking space for handicapped parking stall.**

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 space is needed for the handicapped parking stall.

Off-Street Parking Spaces Itemized:

Garage Spaces --	8
Tandem Spaces --	8 (8 tandem spaces behind 8 garage spaces)
Compact Spaces --	2
ADA Spaces --	1
TOTAL PARKING SPACES --	19

**Driveways:** All Driveways and Parking Spaces will be on Crawford.

**Bike Spaces:** The project 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)***

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

**Common Open Space:** The project will meet & or 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 building, common open space, parking areas, public right of way on Salem Heights Ave 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.



## Faye Wright Neighborhood Association

Date: May 17, 2021

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

From: Blake Shelide, FWNA Board Chair  
Bryant Baird, FWNA Board Member and Land Use Chair

Re: Faye Wright Neighborhood Association Comments – Review Case No. SPR-ADJ-DR21-12  
226 Salem Heights Ave SE, Salem, OR

The Faye Wright Neighborhood Association provides the following comments regarding a proposed development of 10 apartment units with 19 parking spaces at 226 Salem Heights Ave.

Multiple residents on Crawford St SE have contacted board members about their concerns with this proposed development. The points listed below are based primarily on those reported concerns, as we have not had sufficient time to fully consider the impact to the neighborhood.

- Increase parking and traffic flow on an already narrow street. There is concern regarding visibility upon entering/exiting the driveways and potential traffic collisions. Residents in this area report these issues have been ongoing for years and the added vehicle traffic from this apartment complex will worsen an already untenable situation.
- The 3 existing apartment complexes on Crawford St already generate frequent public safety contacts from either police, fire, or emergency medical services, and the residents' concerns are that the new development will increase the need for these services.
- There are concerns regarding site stormwater drainage and impact on neighboring properties. Actions should be taken to ensure there are no negative impact on neighboring properties soil or site conditions as a result from this development.


In summary, the residents believe this development will negatively impact the aesthetics and appeal of the neighborhood, as well as worsen the neighborhood's overall livability and community safety. Please let us know if there are any questions.

Thank you,  
Blake Shelide, FWNA Board Chair  
Bryant Baird, FWNA Board Member and Land Use Chair



# MEMO

**TO:** Pamela Cole, Planner II  
Community Development Department

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

**DATE:** June 16, 2021

**SUBJECT: PUBLIC WORKS RECOMMENDATIONS  
SPR-ADJ-DR21-12 (21-103414-RP)  
226 SALEM HEIGHTS AVENUE SE  
10-UNIT MULTI-FAMILY DEVELOPMENT**

## PROPOSAL

A consolidated Class 3 Site Plan Review, Class 1 Adjustment, and Class 1 Design Review to replace an existing single-family dwelling with 10 new apartment units, garages, and parking spaces on a property of 0.39 acres that is zoned RM-II (Multiple Family Residential - II) and located at 226 Salem Heights Avenue SE 97302 (Marion County Assessor Map / Tax Lot 083W03BD / 09100). The adjustment is required to exceed the maximum of 18 spaces allowed within one-quarter mile of the Core Network by 6 percent and provide 19 parking spaces accessed from Crawford Street SE, which is classified as a named Alley.

## 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 (Alley)
  - a. Standard—The standard for an Alley classification is right-of-way measuring 10 to 20 feet, with improvements detailed in PWDS Nos. 304 and 305.
  - b. Existing Conditions—The Alley abutting the subject property is paved and has a right-of-way measuring 20 feet.

### **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.

Crawford Street SE is designated as an Alley because of its existing configuration as a paved surface within a 20-foot-wide right-of-way. As configured, it meets the PWDS for an Alley improvement.

**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 applicant proposes to take access from the Alley abutting the development site. The driveway accesses onto Crawford Street SE provide 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. The applicant's engineer submitted a statement demonstrating compliance with SRC Chapter 71 because the project involves less than 10,000 square feet of new or replaced impervious surface. 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: Jennifer Scott, Program Manager  
cc: File



**LAND USE APPEAL APPLICATION**

1. **GENERAL DATA REQUIRED** [to be completed by the appellant]

NOTICE OF DECISION MAILING DATE

JUNE 28, 2021

DECISION EFFECTIVE DATE

JULY 14, 2021

SPR-ADJ-DR21-12  
Case # Being Appealed

Decision Date

226 SALEM HEIGHTS AVE SE, SALEM, OR 97302  
Address of Subject Property

3350 CRAWFORD ST. SE, SALEM, OR 97302  
Appellants Mailing Address with zip code

Turner 0625@comcast.net  
Appellant's E-mail Address

(503) 559-9967  
Day-time Phone / Cell Phone

(503) 559-3459

Appellant's Representative or Professional to be contacted regarding matters on this application, if other than appellant listed above:

Name

Mailing Address with ZIP Code

E-Mail Address

Day-time Phone / Cell Phone

2. **SIGNATURES OF ALL APPELLANTS**

Signature: Charles Turner Date: 7-13-21

Printed Name: CHARLES TURNER

Signature: Lettie Turner Date: 7-13-21

Printed Name: LETTIE TURNER

3. **REASON FOR APPEAL** Attach a letter, briefly summarizing the reason for the Appeal. Describe how the proposal does not meet the applicable criteria as well as verification establishing the appellants standing to appeal the decision as provided under SRC 300.1010

FOR STAFF USE ONLY

Received By: Pamela Cole

Date: 7/13/2021

Receipt No: 10562541

RECEIVED

Appeal Deadline: 7/13/2021

Case Manager: Pamela Cole

JUL 13 2021

City of Salem Planning Division  
555 Liberty Street SE, Room 320  
Salem, Oregon

July 13, 2021

Case Manager: Pamela Cole, Planner II

NOTICE OF APPEAL

RE: Case Number: SPR-ADJ-DR21-12

Site Location: 226 Salem Heights Avenue SE  
Salem, Oregon 97302

We seek to appeal the decision by the City of Salem Planning Division for the proposed development of a 10-apartment complex, **specifically** concerning the inclusion of 10 driveways abutting Crawford Street.

1. **SRC Chapter 220.005(f) (3)(C)**: We do not feel the parking areas and driveways are designed to facilitate safe and efficient movement of vehicles along Crawford Street.

The total distance from the stop sign to the end of Crawford Street is 169 yards.

There are currently 9 homeowner driveways and 3 multi-unit apartment driveways within this distance.

This construction proposal allows for 10 additional driveways within the first 55 yards of the landowner's property, which is an increase of approximately 83% of total driveway access on Crawford Street.

This would hinder safe and efficient movement of all vehicular traffic on our one outlet street.

2. **Chapter 111.-Definitions Sec. 111.001 Definitions, generally**: We challenge how the City of Salem Planning Division utilized only specific sections of each definition of STREET and ALLEY. As defined in Chapter 111.001:

**STREET** means a "public way that is **created to provide ingress or egress to one or more lots,** parcels, areas, or tracts of land, etc. The term street includes the terms highway, thoroughfare, parkway, throughway, road, avenue, boulevard, lane, court, place, loop, drive, circle, and other such terms. The term street does not include alleys or flag lot accessways".

**ALLEY** means a public way not less than 10 feet and not more than 20 feet in width that is **primarily used as a secondary means of motor vehicle access to abutting property**".

- A. Crawford Street is not used and a secondary means of vehicle access. It is a dead end street with no other outlet. It is 100% utilized for ingress and egress.
- B. Crawford Street is in some portions 18 feet wide, but 50 yards of this street measures 21.25 feet in width which is 30% of the entire street length.
- C. Salem does indeed have alleys within the downtown core, such as the Named Alleys: Electric Alley, Wexford Alley, Fortunes Corner, Durbin's Alley, Cherry Lane, Hop's Alley, Peppermint Flats and George Lai Sun Alley.

There are additional alleys outside the core of the city such as the alleys in South Central Salem residential area and the Fairmont residential district.

None of these alleys are a dead end nor are they the only outlet for the residents.

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Our key issue with the City of Salem Planning Division is that you failed to consider the full and complete definitions of terms Street and Alley in their entirety, as applied to Crawford Street SE.  
The 10 driveway accesses abutting Crawford Street will have an impact on us as well as our fellow neighbors.  
As homeowners on Crawford Street for the past 45 years, we have standing on this matter.

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