

MWSH BOONE ROAD PROPERTY LLC

Salem, Oregon

Planning Review Checklist responses for:

21-121613-ZO

21-121614-RP

21-121615-DR

21-121616-ZO

21-121618-ZO

3400 Block of Boone Rd SE

Applicant:

MWSH Boone Road Property LLC

Project:

McKenzie Heights II Apartments / Town Homes

Submitted:

February 9, 2022

Prepared by:

MWSH Boone Road Property LLC

In response to the planning review checklist dated, December 17, 2021, please review the responses ***(italic bold type)***, drawings, documents and information provided to address staff questions and comments. Allowing the above referenced applications to be deemed complete.

Item: Class 1 Design Review Application Required – SRC 225.005

The applicant submitted a Class 2 Design Review application; however, for Multi-Family Residential Development, SRC Chapter 702 provides a list of applicable design standards. If a design standard cannot be met, an adjustment to the standard is allowed. Class 2 Design Review is not required. Please withdraw the Class 2 Design Review application and request a Class 1 Design Review.

Application fees may be transferred and refunded.

Fee:

Class 1 DR = \$632.00

Class 2 DR = \$1,854.00

Applicant is eligible for a refund of \$1,222.00.

Response: Class II Design Review (21-121615-DR) has been revised to Class I design review (22-103391-DR). Applicant has requested a refund of the \$1,222.00 credit,

Item: Neighborhood Association Contact – SRC 300.310

Submittal of a Conditional Use Permit, Class 3 Site Plan Review, Class 2 Adjustment, Class 2 Driveway Approach Permit and Class 1 Design Review application requires Neighborhood Association Contact pursuant to SRC 300.310. Please provide evidence demonstrating that neighborhood contact, meeting applicable requirements of SRC 300.310, has been made.

Response: Please review Exhibit 53REV01

Item: Tree Removal, Inventory, Removal of Significant Trees – SRC 808.015

SRC 808.015 provides that no person shall remove a significant tree, unless the removal is undertaken pursuant to a tree and vegetation removal permit issued under SRC 808.030, undertaken pursuant to a tree conservation plan approved under SRC 808.035, or undertaken pursuant to a tree variance granted under SRC 808.045.

There are 27 significant trees shown on the existing conditions plan dated August 2020, with 16 significant trees proposed for removal. Please provide an updated existing conditions plan reflecting the current conditions of the property (within the last six months). Removal of significant trees requires a tree variance under SRC 808.045.

Response: Please review revised Existing Conditions Plan (Exhibit 61REV01). Applicant will be submitting a request for variance under SRC 808.045 for the 16 significant trees to be removed.

Item: Street Connectivity – SRC Chapter 803 and PAR19-12

A second street connection required along south/east end per SRC 803 and PAR19-12. Please revise the site plan to provide the required street connection. Because street connectivity is a condition of approval from PAR19-12, alternative street standards alone cannot remove the requirement for street connectivity. A modification of Condition 24 from PAR19-12 would be required, in addition to an alternative street standard request to remove the street connectivity standard from this request. Because removal of the street connection required by PAR19-12 may constitute a substantial change from the original approval, a modification of Condition 24 may not meet the approval criteria outline in SRC 205.070.

Response: Subdivision Application 22-102354-00-LD has been submitted to address the conditions imposed by the partition approval.

Item: CPC/ZC17-02 – Conditions of Approval, Trip Cap

The proposed development is subject to a limitation on vehicle trips pursuant to Comprehensive Plan Map Amendment 17-02. The applicant shall include an assessment of all proposed uses on the site versus the trip limitation.

Response: Please review the TIA dated 2/1/2022, Page 18, Table #9, (Exhibit 71 REV01) and TIA Appendix (Exhibit 71aREV01).

Item: Trip Generation Estimate Form – SRC 220.005(e)(1)(D)

A Trip Generation Estimate (TGE) is required as part of the submittal packet pursuant to SRC 220.005(e)(1)(D).

Response: Please review the TIA dated 2/1/2022, Page 17, Table #9, (Exhibit 71REV01) and TIA Appendix (Exhibit 71aREV01).

Item: Geotechnical Report – SRC 220.005(e)(2)(H)

The subject property is located in a moderate landslide hazard area and requires a geological assessment prepared by a certified engineering geologist. The applicant's geotechnical report does not appear to include a geologist's stamp.

Response: Please review the Geo Hazard Assessment dated 10/17/2018, (Exhibit 74aREV01).

Item: Minimum Setbacks, IC (Industrial Commercial) Zone – SRC 551

Interior setbacks: In the IC (Industrial Commercial) zone, multi-family uses, and vehicle use areas require a minimum 15-foot setback adjacent to an interior side/rear property line pursuant to Table 551-3.

Response: Please review revised site plan and setbacks (Exhibit 60REV01).

Item: The proposed site plan shows a setback of approximately 10 feet to the interior lot line abutting Interstate 5 (Interstate 5 is not classified as a street), and a setback of approximately 10 feet for Buildings 1 and 2, and the adjacent off-street parking area. Please adjust the site plan to comply with all applicable setback requirements of the IC zone.

Response: Please review revised site plan and setbacks (Exhibit 60REV01).

Item: Vehicle Use Area Setback abutting a street:

The IC zone requires a minimum 10-foot vehicle use area setback adjacent to a street. Three of the townhouse buildings show a driveway encroaching into the minimum setback area. Please adjust the site plan to remove the driveway from the minimum setback area.

Response: Please review revised site plan (Exhibit 60REV01).

Item: Multi-Family Design Review Standards – SRC Chapter 702

Design Issues:

- Per SRC 702.020(a)(1)(A), to ensure usable open space that is of sufficient size, at least one common open space area shall be provided that meets the size and dimension standards set forth in Table 702-3. The proposed multi-family apartment complex is split into two separate areas by dedication of an internal street. The east side contains 150-units, requiring a minimum open space area 2,750 square feet in size. The west side contains 122-units, requiring a minimum open space area 2,250 square feet in size. Please revise the site plan so both sides of the complex comply with the common open space requirements of SRC Chapter 702.

Response: Please review the revised open space plan (Exhibit 68REV01) east open space is south of building #4 and west open space is on the west side of the townhomes.

- Per SRC 702.020(a)(1)(B), a maximum of 15 percent of open space area can be on slopes exceeding 25 percent.

Please revise page SDR4 to identify all open space areas on slopes exceeding 25 percent. Page SDR4 also incorrectly identifies required building setbacks which may impact the open space totals in the summary table.

Response: Please review revised open space plan and summary table (Exhibit 68REV01)

- Per SRC 702.020(b)(1), a minimum of one tree shall be planted or preserved for every 2,000 square feet of gross site area. Please include a finding and summary table indicating the total number of trees preserved and total trees proposed on the landscape plan, indicating compliance with this standard.

Response: Please review revised Landscape Plan and summary table, page L1.1 (Exhibit 63REV01)

- Per SRC 702.020(b)(2), additional landscaping and fencing is required adjacent to RA zoned property. The property abuts RA zoned property. Please revise the site plan and landscape plan to comply with screening requirements of this section or request an Adjustment to the screening standard. Staff cannot condition approval based on potential zoning updates with the Our Salem project.

Response: Please review revised Landscape Plan, pages L1.1 & L1.2 (Exhibit 63REV01)

- SRC 702.020(b)(7)(B) requires a landscape planter bay a minimum of nine feet in width provided at a minimum spacing of one for every 12 spaces. The east side of the development site shows two areas where more than 12 spaces are provided without a landscape planter.

Response: Please review revised Landscape Plan (Exhibit 63REV01)

- SRC 702.020(c)(1) requires windows to be provided in all habitable rooms, other than bathrooms, on each wall on each wall that faces common open space, parking areas, and pedestrian paths. Windows are not provided in habitable rooms at the end elevations for Building D. Please revise the building design to include windows on each wall in all habitable rooms other than bathrooms.

Response: Please review revised Elevation Plan A440 (Exhibit 64REV01)

- SRC 702.020(d)(4) requires that safe pedestrian access is provided throughout a development site connecting to and between buildings, common open space, and parking areas, and that connect the development to the public sidewalks.

The proposed site plan lacks pedestrian connectivity. Pedestrian connections should be provided from Buildings 7 and 8 to the solid waste service area, and from Buildings 1-4 to the sports court and tot lot open space areas on the same site. In addition, the east and west sites are separated from each other by a proposed public street that lacks pedestrian crossings. Please provide mid-block pedestrian crossings to provide a safe route for residents of both sites to access common facilities from both sites.

Response: Please review revised site plan (Exhibit 60REV01).

- SRC 702.020(e)(2) provides that where a development site abuts property zoned RA, buildings shall be setback from the abutting RA zoned property as set forth in Table 702.5 to provide appropriate transitions between new buildings and structures on site and existing buildings and structures on abutting sites. Buildings two or more stories in height require a minimum 1-foot setback for each 1 foot of building height, but in no case less than 20 feet.

The proposed townhouse buildings along the southern boundary of the property abut RA zoned property. The buildings are approximately 37 feet in height (actual height needs to be verified by applicant), requiring a setback of 37 feet, the townhomes are setback approximately 20 feet. Please revise the site plan to comply with minimum setback requirements or request an Adjustment to the minimum setback. Staff cannot condition approval based on potential zoning updates with the Our Salem project.

Response: Please review Adjustment for Reduced Setbacks (Exhibit 75REV01) and South Side Profile (Exhibit 75aREV01)

Item: Solid Waste Service Area Standards – SRC 800.055

A solid waste service area does not seem to be provided on the west side of the development site.

Response: Phase I of McKenzie Heights will have a shared solid waste and recycling service area located north of building 11 to service buildings 9, 10, 11 and 12 of Phase II. The townhomes located in the southerly portion of the west side will be serviced by individual trash and recycling services for each townhome unit.

Item: Perimeter Setbacks and Landscaping Requirement – SRC 806.035(c)(4)

Per SRC 806.035(c)(4), where an off-street parking or vehicular use area is located adjacent to the exterior wall of a building or structure, the off-street parking or vehicle use area shall be setback from the exterior wall of the building or structure by a minimum 5-foot-wide landscape strip or five-foot-wide paved pedestrian pathway.

Please provide a minimum five-foot separation between the proposed garage buildings and adjacent off-street parking spaces, all three garage buildings have conflicts.

Response: Please review revised site plan (Exhibit 60REV01).

Item: Amount of Off-Street Loading – SRC 806.075, Table 806-9

Per SRC 806.075, off-street loading shall be provided in amounts not less than those set forth in Table 806-9.

The proposed multi-family apartment complex is split into two separate areas by dedication of an internal street. The east side contains 150-units, requiring a minimum of two loading spaces. Two loading spaces are provided on the east side. The west side contains 122-units, requiring a minimum of two loading spaces. One off-street loading spaces are provided on west side. Please revise the site plan to comply with the minimum off-street loading standard, or request and adjustment to the amount of required off-street loading spaces.

Response: Please review revised site plan (Exhibit 60REV01). Off-street loading areas are located near Building #3, Building #10, Westerly parking area for the Townhomes and near the Sport Court.

Item: Land Division The combined application does not include a partition or subdivision but does propose dedication of right-of-way that splits the subject property into five distinct pieces. Dedication of right-of-way does not legally divide the subject property into separate lots. Staff recommends that the applicant submit a subdivision to further divide the subject property.

Response: Subdivision Application 22-102354-00-LD has been submitted to legally divide the subject property.

Item: Airport Overlay Zone – SRC Chapter 602

The subject property is located within the Horizontal Surface of the Airport Overlay Zone. In the Horizontal Area, no building, structure, object, or vegetative growth shall have a height greater than that established by a horizontal plane 150 feet above the airport elevation (210 feet above mean sea level). The property itself currently exceeds 360 feet above mean sea level, an Airport Overlay Zone Height Variance is required prior to building permit issuance.

Response: Applicant will submit for and secure a FAA Variance / Form 7460-1 to address this prior to building permits.

Item: Stormwater The stormwater report does not adequately address water quality and flow control requirements for 4 acres of the site (Basin B1). There is not enough information included in this report to determine that the project has designated enough space to meet the stormwater requirements.

Response: Please review revised stormwater report (Exhibit 73REV01).

Item: Transportation Impact Analysis

The applicant's TIA does not provide mitigation measures and includes assumptions that need to be revised. The Applicant's Traffic Engineer is encouraged to continue to work with Assistant City Traffic Engineer, Tony Martin. An updated TIA is necessary to identify development impacts and conditions of approval.

Response: Please review the TIA dated 2/1/2022, Pages 21 & 22, (Exhibit 71 REV01) and TIA Appendix (Exhibit 71aREV01).

The applicant has provided, detailed reports, drawings, and findings to address the questions and comments enclosed in the Planning Review Checklist dated, December 17, 202. The applicant respectfully requests that the applications be deemed complete