

# **MWSH BOONE ROAD PROPERTY LLC**

## **Salem, Oregon**

A Land Use Application for:

### **Type III Process**

CONDITIONAL USE PERMIT: SRC 240.005(d)

Applicant:

**MWSH Boone Road Property LLC**

Project:

McKenzie Heights II Apartments / Town Homes

Submitted:

**November 19, 2021**

Prepared by:

**MWSH Boone Road Property LLC**

McKenzie Heights II Apartments / Town Homes – CUP  
Exhibit 54 - Narrative

**Applicant & Property Owner**

**MWSH Boone Road Property LLC**

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**Multi/Tech Engineering Services, Inc.**

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**Tax Lot Information:**

Tax Map: 083W13A0-00300 02300

**Lot Area:**

41.62 acres

**Current Zoning District:**

IC (Industrial Commercial)

**Current Comprehensive Plan  
Designation**

IC (Industrial Commercial)

**Attachements :**

**(50) Land Use Application – Type III / Conditional Use Permit : SRC 240.005(d)**

**(54) Application Narrative**

**(60) Site Plan**

**(61) Existing Conditions Plan**

SITE HISTORY:

The subject property is the second development phase of a parcel 32.42 acres in size, zoned IC, and located on Boone Road (083W13A/Tax Lot 300). The applicant is developing this portion of Tax Lot 300 being the Southwest corner of the site that is 19.05 acres in size.

On November 30, 2020, a Design Review Pre-App (Pre-App AP20-104) was held to discuss the development of the subject property as apartments and Townhomes.

PROPOSAL:

Under SRC 551.005(a)-Table 551-1, multiple family dwellings are allowed within the IC zone with a Conditional Use permit.

The applicant is proposing a development consisting of 210-apartment units and 62 townhome units as shown on the site plans. The applicant is applying for a Conditional Use for the construction of an apartment / townhome complex.

East Side:

150-apartment units / 8 buildings

West Side:

60-apartment units / 4 buildings

62- town home units / 12 buildings

CONDITIONAL USE CRITERIA:

**SRC 240.005(d) - An application for a Conditional Use permit shall be granted if all of the following criteria are met:**

- (1) The proposed use is allowed as a conditional use in the zone.**
- (2) The reasonably likely adverse impacts of the use on the immediate neighborhood can be minimized through the imposition of conditions; and**
- (3) The proposed use will be reasonably compatible with and have minimal impact on the livability or appropriate development of surrounding property.**

APPLICANT’S REASONS ADDRESSING CHAPTER 240.005(d):

(1) Under SRC 551.005(a)-Table 551-1, multiple family dwellings are allowed within the IC zone with a Conditional Use permit.

(2) The proposed apartments and town homes will have little to no impact on the neighborhood. The property is bordered on the west side by I-5 which provides a buffer and a setback of at least 100 feet from any development to the west. The property to the north is zoned IC and is phase I of this multi-family development with 210 apartment units. The property to the east is zoned IC and is currently vacant. The proposed apartments and town homes are setback at least 20 feet from any property line. The large setbacks and adjacent zoning help eliminate any impacts on the surrounding neighborhood.

The proposed apartments and town homes will have less an impact on the area then an industrial use that is allowed within the IC zone.

A Traffic Impact Analysis (TIA) dated November 18, 2021, has been provided as part of this submitted.

(3) The site is bisected by “A” Drive, with town home and apartment units on the west side and apartment units on the east side. 32nd Avenue will connect to “A” Avenue connecting to Boone Road to the north and 36<sup>th</sup> Avenue to the east.

The surrounding land uses within the vicinity are zoned and used as follows and as shown.

North: IC (Industrial Commercial); Multi-family / apartments

East: IC (Industrial Commercial); Undeveloped

South: RA (Residential Agriculture); vacant land

West: I-5

The apartments and town homes will be required to go through Site Plan/Design Review, which requires open space and landscaping at a higher percent than what a commercial use would be required to provide. Amenities like landscaped open space and play area will help with the visual appeal of this area and reduce impacts on the neighborhood. The design standards are in place to help ensure compatibly with adjacent uses.

The proposed apartment / townhome development will provide pedestrian paths and sidewalks throughout the site connecting to “A” Drive, and 32nd Avenue. These pedestrian paths will provide access and circulation to the surrounding neighborhoods, increasing their livability as well.

Therefore, this criteria will be complied with through the Site Plan/Design Review process.

## **Residential Development**

Establishing Residential Uses.

The location and density of residential uses shall be determined after considering the proximity to services. Such services include, but are not limited to, shopping, employment and entertainment opportunities, parks, religious institutions, schools and municipal services. Relative proximity shall be determined by distance, access, and ability to provide services to the site.

## **Multi-Family Housing.**

Multiple family developments should be located in areas that provide walking, auto or transit connections to:

- 1) Employment Centers
- 2) Shopping Areas
- 3) Transit Service
- 4) Parks
- 5) Public Buildings

Findings: The subject property is located along Boone Road which is located southwest of Kuebler Boulevard and west of Commercial Street. Both areas will provide services to this development with existing and future uses.

The proposed development will have access to services to the east and northeast along Turner Road, to the west along Boone Road and along Commercial Street. There is a park area located off Landon Street to the southwest of the site. Along these areas are existing offices, shopping, Transit, and parks. All services that will be available to the future residents of this development.

This area of Salem is growing and changing. There are several commercial projects proposed along Kuebler Boulevard and along Boone Road existing and currently being proposed.

Transit Service is available to the west of the site along Battlecreek Road, Route 6 (12th/Battlecreek).

Conclusion:

The applicant requests approval of a Conditional Use Permit: SRC 240.005(d), Type III Review. Providing justification in the form of plans, detailed reports, supporting documents and findings in support of the proposed application. As addressed in this narrative and the supporting plans and documents, this proposal does meet all applicable code provisions. As such, the applicant respectfully requests that the Type III review for the Conditional Use Permit approved as submitted.

## **McKenzie Heights Phase 2**

### **Class 3-Site Plan Review**

**November 19, 2021**

#### **SRC 220.005(f)(3) Class 3 Site Plan Review Criteria:**

**(A) The application meets all applicable standards of the UDC;**

**Applicant Findings:** The applicant is requesting to meet Design Review Standards, except for the following Standards:

Section 803.030-Street Spacing (Block Length)

Section 702.020(e)(5)-Ped Paths

Section 702.020(d)(2)-Parking Location

Section 702.020(e)(4)-Buildable Frontage

Section 702.020(e)(1)-Building Length

Therefore, the applicant has requested adjustments and will meet the guidelines to those standards. All standards and guidelines have been addressed and met as outlined within this narrative and on the site plans.

The subject property is 32.42 acres in size, zoned IC, and located on Boone Road (083W13A/Tax Lot 300). The applicant is developing is 18.08 (19.06 including right of way) acres.

#### SITE AREAS

BOUNDARY	1,412,323 S.F.
TOTAL SITE	830,133 S.F.
R.O.W. DEDICATION	42,469 S.F.
NET DEVELOPABLE	787,664 S.F.

The applicant is proposing a development consisting of 210-apartment units and 62 townhouse units as shown on the site plans.

#### *East Side of A Drive:*

9.40 Acres

150-units

#### *West Side of A Drive:*

8.68 Acres

60-units

62-townhouse units

## Industrial Commercial (IC)-SRC Chapter 551

### Setbacks:

#### *East Side-*

North: 20-foot; (A Drive)  
East: 10-foot; (Vacant IC zone properties)  
West: 25-foot; (A Drive)

#### *West Side-*

North: 20-foot; (Adjacent Crown Pointe Phase 1)  
East: 20-foot; (Adjacent Crown Pointe Phase 1)  
South: 20-foot; (A Drive)  
West: 10-parking; (Adjacent right-of-way (I-5))

Therefore, all setback requirements have been met. Setbacks are shown on the tentative plan.

Maximum Height: Maximum building height allowed in the IC zone is 70'. All proposed buildings are in compliance with the requirements of the Code.

All buildings and townhomes are under 45 feet in height, measured to the highest point. See attached Building Elevations.

All proposed garage buildings (3 Garage Buildings) are under 15 feet in height (measured to the roof line)

Therefore, the buildings are in compliance with the building height requirement.

Stormwater: As stated on the Grading and Drainage Plan, the proposal is treating at least 80% hard surface with Green Water Infrastructure. A Preliminary Drainage Report dated November 9, 2021, has been submitted as part of this proposal. Therefore, meeting the requirements of the Public Works Department. Therefore, meeting the requirements of the Public Works Department.

**(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;***

**Applicant Findings:** The subject property has street frontage on Boone Road to the north, 32<sup>nd</sup> Avenue to the east, and A Drive to the east and west. A Traffic Impact Analysis (TIA) dated November 18, 2021, was done for Phase 1 and 2 of the sites. The TIA has been provided as part of this submitted.

As shown on the site plan, safe and efficient access and circulation has been provided into and throughout the development. The proposed development 26-foot wide driveways throughout the site. The driveways provide circulation throughout the site and onto the surrounding street system.

The design of on-site circulation is clearly identifiable, safe, pedestrian friendly and interconnected. The subject property is located in a developing area where improved streets and sidewalks continue as required by the City. Improved access is required by code. Approval does not adversely affect the safe



and healthful development of any adjoining land or access thereto.

**(C) *Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians; and***

**Applicant Findings:** The development is for a 210-unit apartment and 62 townhome units. Code required 1 vehicle parking space for all one-bedroom units, 1.5 vehicle parking spaces for all two and three-units, and 2 vehicle parking spaces for each townhome.

The applicant is required to provide a minimum of 300 on-site vehicle parking spaces for the apartments and a minimum of 124 on-site vehicle parking spaces for the townhome units.

As shown on the site plan, 485 on-site parking spaces are being provided. Plus, each townhome unit has a garage which equals 1 vehicle parking space. Building 11 has parking underneath as well, which is 8 garages. Therefore, there is a total of 547 on-side parking spaces that will be shared between the east and west sides of the development with Phase 2.

East Side: (207 required)

162 Standard Parking Stalls

120 Compact Parking Stalls

7 Handicap Parking Stalls

15 Garages

**304 Total Parking Stalls**

West Side: (214 required)

102 Standard Stalls

70 Compact Stalls

1 Handicap Parking Stalls

8 Garages under Building 13

62 Garages under the townhomes

**243 Total Parking Stalls**

Adequate parking has been provided throughout the development with about 2.60 parking spaces per dwelling unit.

All parking areas will be served by 26-foot wide internal two-way accessways that run through the development. Parking areas and driveways have been designed to City standards and provide safe circulation throughout the development.

Bike racks have been provided on the site and located in a convenient location for the residents.

Bicycle parking is also required on site. The Code requires 0.1 bicycle parking space per dwelling unit. Twenty-eight (28) bicycle parking spaces are required for this development. Bike racks will be provided on the site and located in a convenient location for the residents.

West side:

12 Bicycle Spaces (2 racks)

East side:

42 Bicycle Spaces (7 rack)

The design of pedestrian circulation systems shall provide clear and identifiable connections within the multiple family development and to adjacent uses and public streets/sidewalks. The proposed development provides safe and convenient bicycle and pedestrian access from within the development to adjacent residential areas.

Therefore, this standard has been met.

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

***Applicant Findings:*** Utility plans have been provided that show how the site will be served with City water, sewer, storm water facilities, and other utilities appropriate to the development.

## **McKenzie Heights Phase 2-Block Length**

**November 19, 2021**

Applicant Findings: The subject property, Phase 2, has street frontage on, 32nd Avenue to the east, and A Drive to the east/west. A Traffic Impact Analysis (TIA) dated November 18, 2021, was provided as part of the submittal for Phase 1.

As shown on the site plan, safe and efficient access and circulation has been provided into and throughout the development. The proposed development 26-foot wide driveways throughout the site. The driveways provide circulation throughout the site and onto the surrounding street system. The design of on-site circulation is clearly identifiable, safe, pedestrian friendly and interconnected. The subject property is located in a developing area where improved streets and sidewalks continue as required by the City. Improved access is required by code. Approval does not adversely affect the safe and healthful development of any adjoining land or access thereto.

**Sec. 803.030. - Street spacing.**

- (a) Streets shall have a maximum spacing of 600 feet from right-of-way line to right-of way line along one axis, and not less than 120 feet and not more than 400 feet from right-of-way line to right-of-way line along the other axis.***
  
- (b) Street spacing may be increased where one or more of the following exist:***
  - (1)Physical conditions preclude streets meeting the spacing requirements. Physical conditions include, but are not limited to, topography or the existence of natural resource areas such as wetlands, ponds, streams, channels, rivers, lakes, or a resource protected by state or federal law.***
  - (2)Buildings or other existing development on adjacent lands, including previously subdivided but vacant lots or parcels, physically preclude streets meeting the spacing requirements, considering the potential for redevelopment.***
  - (3)An existing public street or streets terminating at the boundary of the development site exceed the spacing requirements, or are situated such that the extension of the street or streets into the development site would create a block length exceeding the spacing requirements. In such cases, the block length shall be as close to the spacing requirements as practicable.***
  - (4)Strict application of the spacing requirements would result in a street network that is no more beneficial to vehicular, pedestrian, or bicycle traffic than the proposed street network, and the proposed street network will accommodate necessary emergency access.***

Applicant Findings:

- (A) Block length shall be a maximum of 600 feet between street centerlines. The length of the blocks was taken into consideration at the time of design layout and per Partition 19-12 Conditions of Approval. The 32nd and A Drive street extensions exceed the 600-foot block**

length allowed. The applicant is requesting an alternative street design to allow a greater than 600-foot street spacing per 803.030.

There are more than enough street connections within the proposed development to provide for adequate circulation.

Due to the wetlands and steep slopes to the east and south, additional street connections cannot be made.

The site plan provided shows how the street alignment will be constructed when the entire site is developed. As shown on the site plan, the proposed development provides a safe and efficient circulation pattern throughout the development for vehicles and pedestrians.

- (B) The purpose of this requirement is to help provide safe and efficient vehicle and pedestrian circulation throughout the development. As stated above, there are more than adequate street connections and sidewalks proposed that will provide safe and efficient circulation.

The subject property is zoned IC. The subject property is being developed with multi-family dwellings and townhomes.

The development provides street connections to the east and west (A Drive) to help enhance circulation throughout the neighborhood when those properties are developed. The proposal will have little to no impact on the surrounding neighborhood since the development is surrounded by I-5 or mainly vacant IC land.

### A Drive:



A Drive runs through Phase 2 and is about 1200 feet in length. A Drive provides a street connection to the properties to the south for future development. The proposed street exceeds the maximum spacing of 600 feet from right-of-way line to right-of way line. However, due to the topography on the south site of A Drive, it is too steep to provide a street connection that will be safe and efficient. A connection from A Drive to the southeast would have a 17.5% street grade, which is well over the 12% allowed (See attached grading plan). Furthermore, there is a waterway located on the eastern portion of the site that will make a street connection difficult. So, at this time, it is most efficient to avoid street connections in certain areas.

Dues to the topography and the location of waterway to the south and east, additional street connections from A Drive are not feasible. Nor is it needed due to the street connections provided as shown on the street plan provided. A connection to the southeast would also result in the loss of trees, loss of density, and require significant grading.

I-5 is located to the west of the subject property. Therefore, a street connection to the west is not feasible or allowed.



## McKenzie Heights Phase 2 Adjustment Class-2 Application

### Proposal:

The subject property is 32.42 acres in size, zoned IC, and located on Boone Road (083W13A/Tax Lot 300). The applicant is only developing the southwest corner of the site that is 18.08 (19.06 including right of way) acres in size.

The applicant is proposing a development consisting of 210-apartment units and 62 townhouse units as shown on the site plans.

East Side:

409,572 square feet (9.40 acres)  
150-units proposed

West Side:

378,092 square feet (8.68 acres)  
60-units and 62-townhomes proposed

The applicant is requesting an adjustment greater than 20% adjustment to Sec. 702.020(e) Façade and building design:

**“(4) 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.”**

### **Adjustment Criteria-SRC 250.005(d)(2) Criteria:**

- (A) The purpose underlying the specific development standard proposed for adjustment is:**
- (i) Clearly inapplicable to the proposed development; or**
  - (ii) Equally or better met by the proposed development.**
- (B) If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.**
- (C) If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone.**

### Applicant Findings:

- (A) The purpose of this requirement is to provide a pedestrian friendly development with building located close to the sidewalks instead of parking areas.**









#### A Drive (West Side)

The subject property has 626 feet of buildable width (this excludes required side setbacks and driveways) along A Drive. Due to the 10-foot PUE, Buildings 8 and 10 cannot be located on the 5-foot setback line along A Drive. Code requires a minimum of 40% of the buildable width be occupied by buildings. As shown on the site plan, the buildings total 217 feet of the buildable width along the street frontage. Therefore, occupying 34% of the buildable width of street frontage along A Drive. Due to required parking and the location of the proposed driveways, additional buildings could not be provided along the setback line of A Drive.

The applicant's proposal also includes additional landscaped within the existing development, which is equally or better because landscaping helps to enhance the pedestrian appeal of a site. See attached landscape plans.

- (B) The apartment development will provide additional landscaped areas throughout the site along with pedestrian paths/sidewalks through, along with visual appealing buildings. All of which will create a pedestrian friendly development. The reduction of buildings along the setback line will have no effect on the proposed use or surrounding uses.
- (C) There are several adjustments being requested for this proposal. The several adjustments do not have any effect on the project.

## McKenzie Heights Phase 2

### Adjustment Class-2 Application

#### Proposal:

The subject property is 32.42 acres in size, zoned IC, and located on Boone Road (083W13A/Tax Lot 300). The applicant is only developing the southwest corner of the site that is 18.08 (19.06 including right of way) acres in size.

#### SITE AREAS

BOUNDARY _____	1,412,323 S.F.
TOTAL SITE _____	830,133 S.F.
R.O.W. DEDICATION _____	42,469 S.F.
NET DEVELOPABLE _____	787,664 S.F.

#### East Side:

409,572 square feet (9.40 acres)  
150-units proposed

#### West Side:

378,092 square feet (8.68 acres)  
60-units and 62 townhomes proposed

The applicant is proposing a development consisting of 210-apartment units and 62 townhouse units as shown on the site plans.

The applicant is requesting an adjustment greater than 20% adjustment to Sec. 702.020(e) Façade and building design:

***(1) To preclude long monotonous exterior walls, buildings shall have no dimension greater than 150 feet.***

These standards are intended to promote building and site design that contributes positively to a sense of neighborhood and to the overall streetscape by carefully relating building mass, entries and yards to public streets.

#### ***Adjustment Criteria-SRC 250.005(d)(2) Criteria:***

- (A) The purpose underlying the specific development standard proposed for adjustment is:***
  - (i) Clearly inapplicable to the proposed development; or***
  - (ii) Equally or better met by the proposed development.***
- (B) If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.***
- (C) If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone.***

Applicant Findings:

- (A) Proposed Building 11 exceeds the 150-foot building length maximum allowed. All other buildings within the development will not exceed 150 feet in length. The height and length of the buildings and structures conform to the measuring requirements in code.

\*Building 11: 161.9 feet in length



The building design does not have long flat walls or roof lines. The buildings will have an offset that breaks up the front of the buildings and the roof lines. Balconies (decks) and dormers are incorporated in the building design to add some visual element to the buildings. Therefore, breaking up the long building length.

The subject property is a large site with more than adequate landscape open space through. Building 11 is over 150 feet in length but is not located in a place that creates long wall like structures. The buildings on the site are spread out and over 20-feet from each other, which is better development with more privacy.

Due to the topography near Building 11 the longer buildings will work better with the natural grade of the site and not require large cuts and fill.

The offsets on the buildings also help to break up the long building length, which creates more appealing building. Therefore, making this proposal equally or better.

- (B) The proposed development is not located within a residential zone. However, in order to create a visually appealing development that is in compliance with Code, the building design does not have long flat walls or roof lines. The buildings will have an offset that breaks up the front of the buildings and the roof lines. Balconies (decks) and dormers are incorporated in the building design to add some visual element to the buildings. Therefore, breaking up the long building length.
- (C) There are several adjustments being requested for this proposal. The adjustments do not have any effect on the project.

## McKenzie Heights Phase 2

### Adjustment Class-2 Application

November 19, 2021

#### Proposal:

The subject property is 32.42 acres in size, zoned IC, and located on Boone Road (083W13A/Tax Lot 300). The applicant is only developing the southwest corner of the site that is 18.08 (19.06 including right of way) acres in size.

A street extension, A Drive runs through the development, creating two sites.

East Side:

409,572 square feet (9.40 acres)

150-units proposed

West Side:

378,092 square feet (8.68 acres)

60-units and 62 townhomes proposed

The applicant is proposing a development consisting of 210-apartment units and 62 townhouse units as shown on the site plans.

The applicant is requesting an adjustment greater than 20% adjustment to Sec. 702.020(e)(5) Façade and building design:

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

#### ***Adjustment Criteria-SRC 250.005(d)(2) Criteria:***

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

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

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

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

#### Applicant Findings:

- (A) The purpose of this requirement is to provide a pedestrian friendly development with buildings entrances facing the street. The applicant is requesting an adjustment to allow a***

All buildings within the development have direct pedestrian access onto sidewalks. The internal pedestrian circulation system consists of hard 6-foot-wide surfaced sidewalks that provide easily identifiable and safe connections between the residential units, parking, recreation areas, manager's apartment, and the trash disposal area. The pedestrian system connects the buildings to the public sidewalk system within Phase 1, Boone Road, 32<sup>nd</sup> Avenue, and A Drive via the proposed internal sidewalk system.

One of the requirements in SRC 702.020(d)(4) is "To ensure safe pedestrian access to and throughout the 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". The proposal still meets the requirement of SRC 702.020(d)(4) by providing a sidewalk connection from within the project to the public

sidewalk along A Drive and through Phase 1.

Due to the slope of the site, Building 7 is below the street level and requires a retaining wall. Making it very difficult to provide pedestrian paths.

Proposed pedestrian sidewalk connections are illustrated on the tentative site plan. The proposed development provides safe and convenient bicycle and pedestrian access from within the development to adjacent residential areas. Due to the topography and retaining wall near Building 7, providing a pedestrian pathway is not feasible. However, there are more than adequate pathways from Building 7 to the internal sidewalk system that are equally or better met by the proposal.

- (B) The apartment development will provide landscaped areas throughout the site along with pedestrian paths/sidewalks throughout, along with visual appealing buildings. All of which will create a pedestrian friendly development. Buildings not facing the street will have no effect on the proposed use or surrounding uses.
- (C) There are several adjustments being requested for this proposal. The adjustments do not have any effect on the project.

## McKenzie Heights Phase 2

### Adjustment Class-2 Application

November 17, 2021

#### Proposal:

The subject property is 32.42 acres in size, zoned IC, and located on Boone Road (083W13A/Tax Lot 300). The applicant is only developing the southwest corner of the site that is 18.08 (19.06 including right of way) acres in size.

The applicant is proposing a development consisting of 210-apartment units and 62 townhouse units as shown on the site plans.

The applicant is requesting an adjustment greater than 20% adjustment to Sec. 702.020(d) Façade and building design:

***“SRC 702.020(d)(2): “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.”***

#### ***Adjustment Criteria-SRC 250.005(d)(2) Criteria:***

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

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

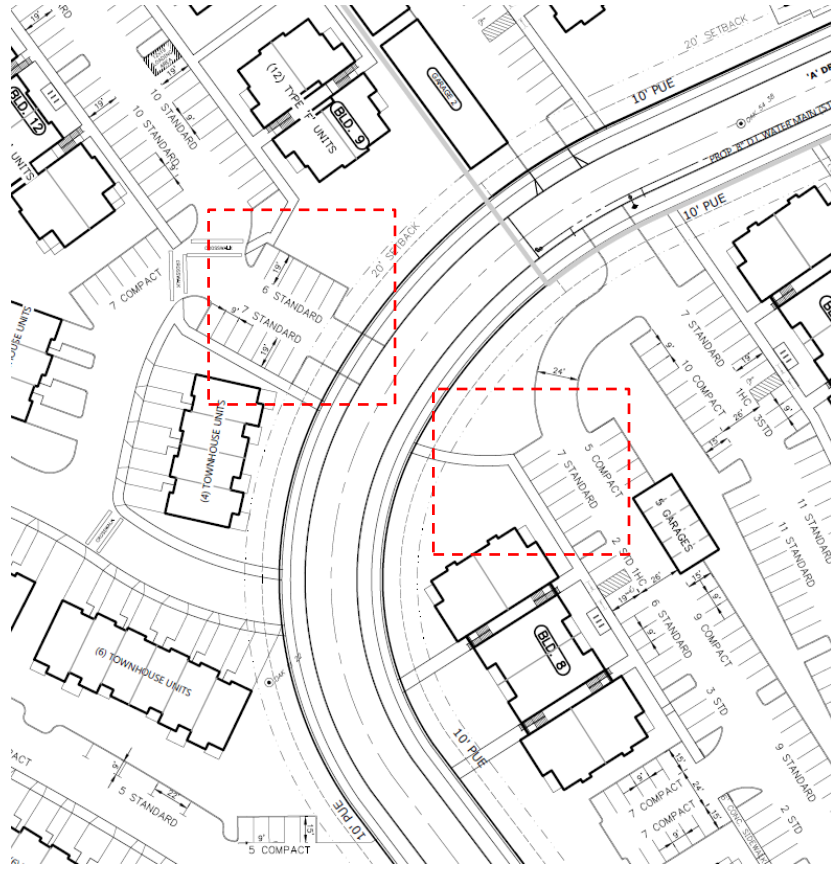
***(B) If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.***

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

#### Applicant Findings:

- (A)** The purpose of this requirement is to provide a pedestrian friendly development with buildings located close to the sidewalks instead of parking areas.

Due to the required street extensions, required driveway location and shape of the lot, Buildings 8, 9, and a 4-unit townhome building cannot be moved in front of the parking along A Drive.



- (B) The apartment development will provide landscaped areas throughout the site along with pedestrian paths/sidewalks through, along with visual appealing buildings. There will be landscaping adjacent Buildings 8, 9, the townhomes, and the parking areas, to enhance the pedestrian experience. All of which will create a pedestrian friendly development. The parking location will have no effect on the proposed use or surrounding uses.
- (C) There are more than one adjustment being requested for this proposal. The adjustments do not have any effect on the project.





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McKenzie Heights II – Narrative Adjustment for Reduced Setbacks– Exhibit 75REV01

## McKenzie Heights 2

### *South Boundary*

#### Adjustment for Reduced Setbacks

*SRC 702.020(e)(2) provides that where a development site abuts property zoned RA, building shall be set back for 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.*

Along the south boundary the project has some townhouse units proposed that are presently proposed to be 20 feet from the south boundary.

The proposed townhomes are by building code defined as two story with a basement building.

The projected height of the proposed buildings in relation to the rear (south) property line is less than 20 feet.

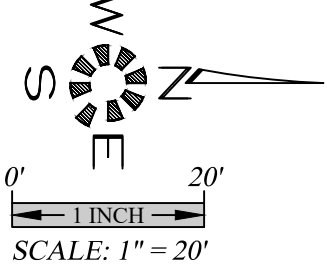
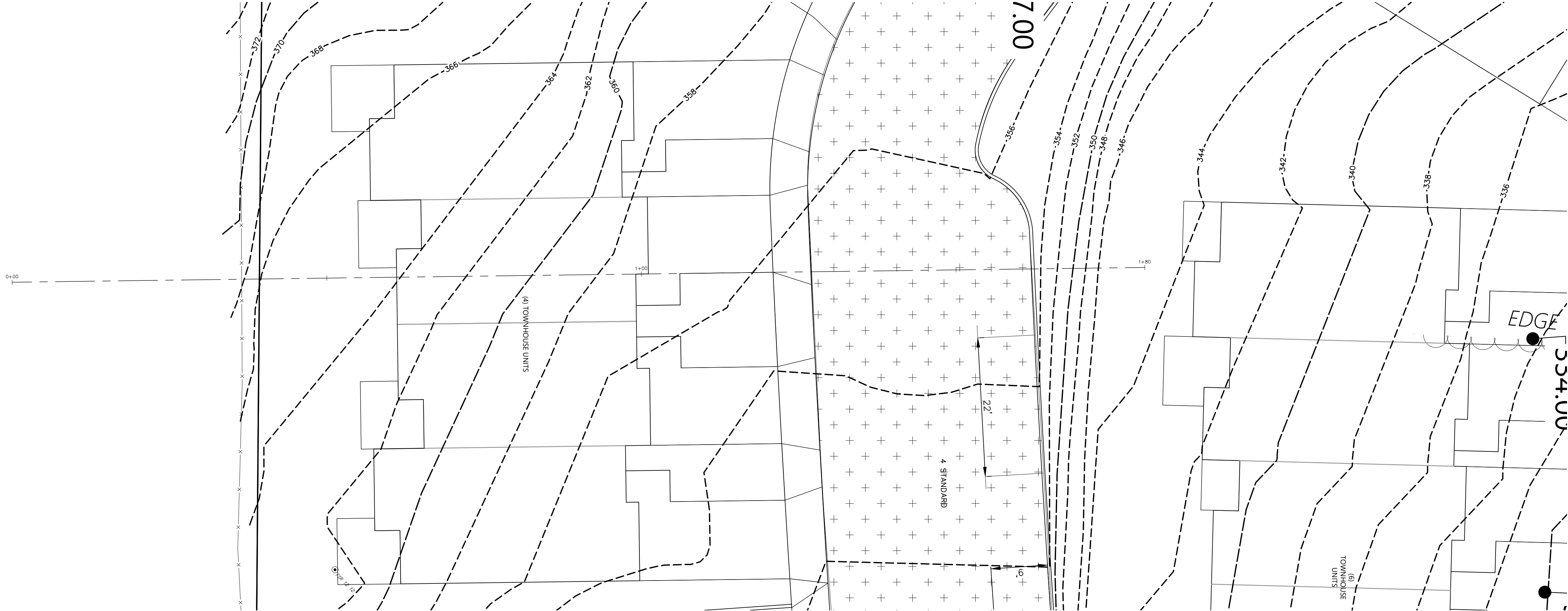
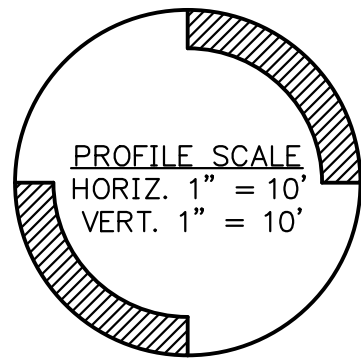
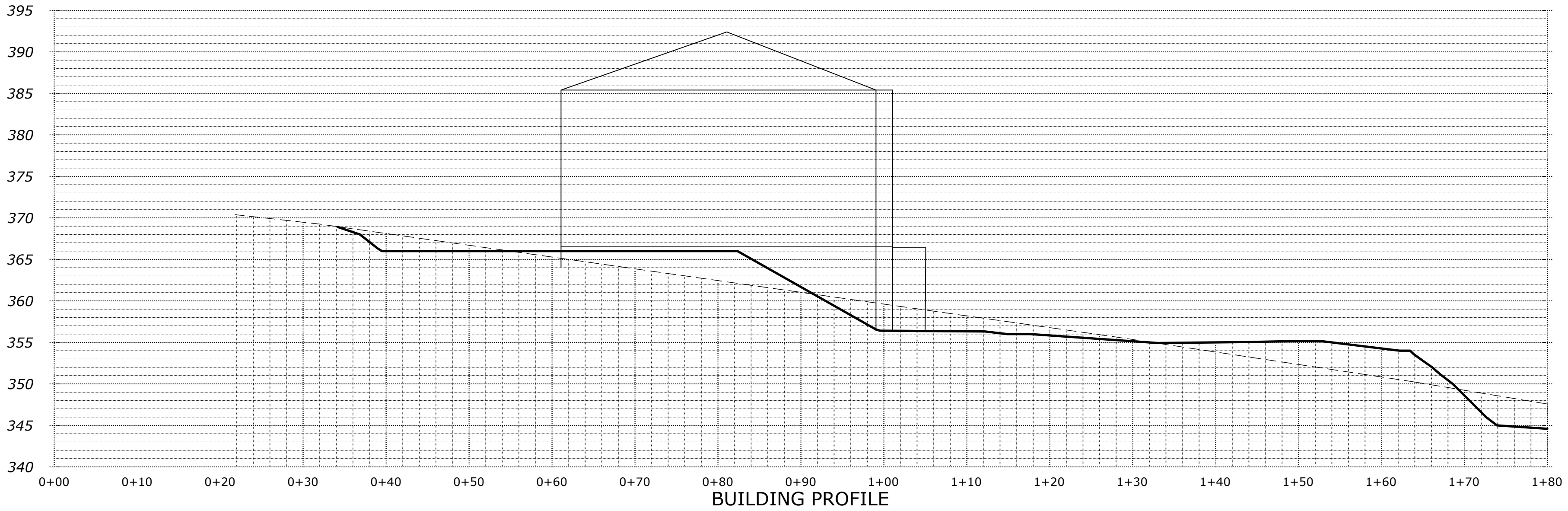
The property to the south slopes up away from the project site. Rising in elevation above the proposed finish floor of the townhomes 6 and 10 feet. (A section drawing is attached to illustrate this information).

The goal of the setbacks set out in Table 702.5 are as stated to provide an appropriate transition between new buildings and structures on site and existing buildings and structures on abutting sites. At present, the property to the south of the project site is vacant in this area, not structures or residences exist on the “abutting sites”.

Given the lack of structures on the abutting property and the rising gradient to the south, the transition will be achieved by natural features. The proposed townhomes are in a practical since very much like conventual structures, not the same as stacked apartment buildings. The main living area of the until is on the lower floor and the upper floor is the bedroom/sleeping area of the structure. This fact also supports the justification for the reduced setbacks.

The use of the larger setbacks creates issues with the proposed layout that would force the reduction in the open space on the site and possible impact the open atmosphere that is trying to be achieved in offering an alternative housing style for the project site.

Based on the above we believe that an adjustment to the minimum set back from those set out in Table 702.5 for the few townhouse units along the south boundary is justified.



MULTI/TECH ENGINEERING EXEMPT FROM  
LIABILITY IF NOT STAMPED APPROVED  
NOT FOR  
CONSTRUCTION  
UNLESS STAMPED  
APPROVED HERE

NO CHANGES, MODIFICATIONS  
OR REPRODUCTIONS TO BE  
MADE TO THESE DRAWINGS  
WITHOUT WRITTEN  
AUTHORIZATION FROM THE  
DESIGN ENGINEER.  
DIMENSIONS & NOTES TAKE  
PRECEDENCE OVER  
GRAPHICAL REPRESENTATION.

70712-SITE	998K-BLD-PROP
Design:	M.D.G.
Drawn:	T.M.S.
ProjMgr:	M.D.G.
Date:	AUG. 2020
Scale:	AS SHOWN
As-Built:	----

# **MWSH BOONE ROAD PROPERTY LLC**

## **Salem, Oregon**

Planning Review Checklist responses for:

21-121613-ZO

21-121614-RP

21-121616-ZO

21-121618-ZO

22-103391-DR

3400 Block of Boone Rd SE

Applicant:

**MWSH Boone Road Property LLC**

Project:

McKenzie Heights II Apartments / Town Homes

Adjustment to use interior building corridors as common pathways

Submitted:

**March 7, 2022**

Prepared by:

**MWSH Boone Road Property LLC**

The applicant is requesting an adjustment to Sec. 702.020(d)(4) parking and site design: to permit interior building corridors as common pathways

“(4) 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.”

Adjustment Criteria-SRC 250.005(d)(2) Criteria:

(A) The purpose underlying the specific development standard proposed for adjustment is:

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

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

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

Applicant Findings:

(A) “The purpose of this requirement is 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.”

All buildings within the development have direct pedestrian access onto sidewalks. The internal pedestrian circulation system consists of hard 6-foot-wide surfaced sidewalks that provide easily identifiable and safe connections between the residential units, parking, recreation areas, manager’s apartment, and the trash disposal area. The internal system connects the buildings to the public sidewalk system, via the proposed internal sidewalk system.

One of the requirements in SRC 702.020(d)(4) is “To ensure safe pedestrian access to and throughout the 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”. The proposal still meets the requirement of SRC 702.020(d)(4) by providing a sidewalk connection from within the project to the public sidewalk along “A” Street.

Due to the slope issues on the site, encircling some buildings with pedestrian sidewalks is not possible. Making it very difficult to provide pedestrian connections from and around both sides of each building.

To accommodate the safe pedestrian standard the design of Buildings 5 and 6 the applicant requests a adjustment to utilize the internal building corridors as common pathways, connecting the front and back of each building. Therefore, meeting the requirements and intent of the code.

Proposed pedestrian sidewalk connections are illustrated on the tentative site plan. The proposed development provides safe and convenient bicycle and pedestrian access from within the development to adjacent residential areas. Therefore, due to the slope conditions on the site the design of Buildings 5 and 6, providing interior corridor common pedestrian pathways through each of these building is equally or better met by the proposal.

(B) This multi-family residential development will provide landscaped areas throughout the site along with interior building corridors, pedestrian paths, and sidewalks throughout. All of which will create a pedestrian friendly development and will have no negative effect on the proposed use or surrounding uses.

(C) This adjustment does not have any effect on the project.

The applicant submits that based on the above information an adjustment to pedestrian access design as set out in SRC702.02(d)(4) is justified.

**Class 2-Driveway Approach Permit**  
**November 19, 2021**



N89°36'45"W 1,263.19'

***SRC 804.025 (d) Criteria. A Class 2 Driveway Approach Permit shall be granted if:***

***(1) The proposed driveway approach meets the standards of this Chapter and the Public Works Design Standards;***

Applicant Response: The subject property is 32.42 acres in size, zoned IC, and located on Boone Road (083W13A/Tax Lot 300). The applicant is only developing the southwest corner of the site that is 18.08 (19.06 including right of way) acres.

SITE AREAS

BOUNDARY	_____	1,412,323 S.F.
TOTAL SITE	_____	830,133 S.F.
R.O.W. DEDICATION	_____	42,469 S.F.
NET DEVELOPABLE	_____	787,664 S.F.

East Side:

409,572 square feet (9.40 acres)

150-units proposed

West Side:

378,092 square feet (8.68 acres)

60-units and 62 townhomes proposed

The applicant is proposing a development consisting of 210-apartment units and 62 townhouse units as shown on the site plans.

This is Phase 2 of the McKenzie Heights Apartments; Phase 1 is located to the north. The proposed Phase 2 development will have access onto A Drive that runs north/south through the property. A Drive is designated as a 'local' street on the Salem Transportation System Plan. All seven (7) driveways will meet Public Works design standards. As shown on the site plan the driveways are required for access to the site and are in compliance with design standards.

***(2) No site conditions prevent placing the driveway approach in the required location;***

Applicant Response: Phase 2 will have access through Phase 1 to the north. The location of the driveways was taken into consideration prior to laying the site out. Access onto Boone Road to the north is not allowed, so all access for Phase 1 and 2 will be taken to and from 32<sup>nd</sup> Avenue and "A" Drive. The location of the proposed driveways take into consideration the location of internal streets adjacent to the site and access onto the local streets. Therefore, all factors were taken into consideration and there are no conditions on the site that prevent the driveway approach.



***(3) The number of driveway approaches onto an arterial are minimized;***

Applicant Response: There are no driveways proposed onto an arterial. Therefore, this criterion is not applicable.

***(4) The proposed driveway approach, where possible:***

***(A) Is shared with an adjacent property; or***

***(B) Takes access from the lowest classification of street abutting the property;***

Applicant Response to (4)(B): The subject property is located on Boone Road to the north. A Drive is proposed to run through the development. Phase 2 will have access through Phase 1. Access to Boone Road is not allowed for this development. All access will be onto 32<sup>nd</sup> Avenue and "A" Drive. There are seven driveways proposed onto A Drive. There are no adjacent driveways to share access with and A Drive is a 'local' street. Therefore, there is no lower classified streets abutting the property. Therefore, this criterion has been met.

***(5) The proposed driveway approach meets vision clearance standards;***

Applicant Response: Through the pre-app process, the applicant has been working with Public Works to ensure that the driveway approach is in the required location and meets vision clearance standards. As shown on the site plan, this criterion has been met.

***(6) The proposed driveway approach does not create traffic hazards and provides for safe turning movements and access;***

Applicant Response: The driveway approach does not create traffic hazards. As shown on the site plan, this criterion has been met.

***(7) The proposed driveway approach does not result in significant adverse impacts to the vicinity;***

Applicant Response: Public Works has had the opportunity to review the site plan for any adverse impacts. No adverse impacts to the vicinity have been identified. As shown on the site plan, the location of the driveway will not have any impacts on the subject property or adjacent properties. This criterion has been met.

***(8) The proposed driveway approach minimizes impact to the functionality of adjacent streets and intersections; and***

Applicant Response: The applicant has been working with Public Works to ensure that the driveway approach is in the required locations to minimize impacts to adjacent streets and intersections. As shown on the site plan, this criterion has been met.

***(9) The proposed driveway approach balances the adverse impacts to residentially zoned property and the functionality of adjacent streets.***

Applicant Response: The applicant has been working with Public Works to ensure that the driveway approach is in the required location to help balance the adverse impacts to residentially zoned property. The location of the proposed driveways takes into consideration the location of the streets adjacent to the site and access onto 32<sup>nd</sup> Avenue and “A” Drive. As shown on the site plan, this criterion has been met.

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# **MWSH BOONE ROAD PROPERTY LLC**

## **Salem, Oregon**

3400 Block of Boone Rd SE

**Sec. 808.045. Tree Variance**  
**22-106445-NR**

Applicant:

**MWSH Boone Road Property LLC**

Project:

McKenzie Heights II Apartments / Town Homes

21-121613-ZO

21-121614-RP

21-121616-ZO

21-121618-ZO

22-103391-DR

Submitted:

**March 21, 2022**

Prepared by:

**MWSH Boone Road Property LLC**

### **Tree Variance Sec. 808.045**

In response to the updated planning review checklist dated, February 25, 2022, the applicant is requesting a Tree variance under Sec. 808.045.

As a part of this development, it has been determined that a variance allowing to remove trees is needed to complete the land use approval process.

#### **Proposal:**

The subject property is about 18.08 acres in size and zoned IC (Industrial Commercial) The applicant is proposing develop this site into 210 multi-family apartment units and 62 Townhomes including roadways, parking and water quality facilities (see attached plan).

The subject property is phase II of a parcel 32.35 acres in size, located on Boone Road (083W13A/Tax Lot 300). The site, Phase II is the southwest corner of tax lot 300, is 18.08 acres in size.

There are 578 (five hundred and seventy-eight) trees located throughout the proposed subdivision, as shown on the tree plan. Trees designated for removal are within the right-of-way, the building envelope or within an area close to the building envelope but have the potential of being damaged during grading and construction. See Site Plan and Existing Conditions / Tree Preservation Plan

There are 27 (twenty-seven) Oregon White Oaks that are significant. Seven (7) of the Oregon White Oaks trees are proposed for preservation.

	<u>REMAIN</u>	<u>REMOVE</u>	<u>TOTAL</u>
WHITE OAK 24">	7	20	27
OTHER TREES	130	421	551
TOTAL TREES	137	441	578

A total of 137 (one-hundred and thirty-seven) trees are designated for preservation, 7 White Oaks and 130 other trees. Therefore, 24% of the trees on site will be preserved.

A tree variance to allow the removal of significant Oregon White Oaks is being requested.

**Please review, Revised Existing Conditions and Tree Preservation Plan, Exhibit 61REV02 and Revised Grading Plan Exhibit 66REV02**

### **Criteria**

#### **Tree Variance 808.045(d)(1):**

- A. *There are special conditions that apply to the property which create unreasonable hardships or practical difficulties which can be most effectively relieved by a variance;***

Findings: The subject property is about 18.08 acres in size and zoned IC (Industrial Commercial) The applicant is proposing develop this site into 210 multi-family apartment units and 62 Townhomes including roadways, parking and water quality facilities (see attached plan).

The subject property is phase II of a parcel 32.42 acres in size, located on Boone Road (083W13A/Tax Lot 300). The site, Phase II is the southwest corner of tax lot 300, is 18.08 acres in size.

There are 27 (twenty-seven) Oregon White Oaks that are significant. Seven (7) of the Oregon White Oaks trees are proposed for preservation. Trees designated for removal are within the right-of-way, accessways, graded slopes, the building envelop or within an area close to the building envelope but have the potential of being damaged during grading and construction.

The site has been designed to accommodate a safe and efficient circulation system, adequate parking, open space meeting development standards (SRC 702-020) while taking into consideration topography, stormwater detention, street and pedestrian connections and circulation. As well as accommodating ADA standards per OSSC 2010 , ANSI A117.1 and CHAPTER 11 of the 2010 OSSC. and ORS. requirements. As well as reasonable accommodation under the Section 504 of Fair Housing Act.

In order to develop this site as allowed in the IC zone, the removal of trees could not be avoided and therefore, created a hardship by impacting how the site plan could be laid out. Therefore, the trees on the site that will be removed are located within the proposed building envelopes, accessways, and right-of-way.

- B. *The proposed variance is the minimum necessary to allow the otherwise lawful proposed development or activity.***

Findings: The applicant has adjusted the site design to accommodate ADA accessibility, meeting the SRC 702.020 design standards and Fair Housing objectives and aiding in providing needed multifamily housing. The challenging topography has limited the density for this multifamily site to approx. 15 units per acre. Further limitations will reduce site density even more. Therefore, this proposed variance is the minimum necessary to accommodates extreme topographical and grading challenges allowing the lawful development of the site. The removal of significant trees will only impact the trees within the right-of-way, accessways, graded slopes, the building envelop or within an area close to the building envelope but have the potential of being damaged during grading and construction.

The applicant has provided, detailed drawings, information, and findings to support the approval of this variance. Based on this information we believe the tree variance is justified and request approval.

# **MWSH BOONE ROAD PROPERTY LLC**

## **Salem, Oregon**

A Land Use Application for:

**Sec. 225.005. - Design review**  
**Type III Process**

Applicant:

**MWSH Boone Road Property LLC**

Project:

McKenzie Heights II Apartments / Town Homes

Submitted:

**November 19, 2021**

Prepared by:

**MWSH Boone Road Property LLC**

Exhibit 54  
McKenzie Heights II Apartments / Town Homes – Design Review

**Applicant & Property Owner**

**MWSH Boone Road Property LLC**

3425 Boone Road SE  
Salem, OR 97317  
Contact: Mark D. Lowen  
503-480-3151 - o  
503-586-4104 – c  
[MLowen@liveBSL.com](mailto:MLowen@liveBSL.com)

Contact: John Eld  
503-373-3161 - o  
[jeld@liveBSL.com](mailto:jeld@liveBSL.com)

**Civil Engineering**

**Multi/Tech Engineering Services, Inc.**

1155 SE 13<sup>th</sup> Street  
Salem, Oregon 97302  
Contact: Brandie Dalton  
503-363-9227  
[bdalton@mtengineering.net](mailto:bdalton@mtengineering.net)

**Tax Lot Information:**

Tax Map: 083W13A0-00300 02300

**Lot Area:**

32.42 acres

**Current Zoning District:**

IC (Industrial Commercial)

**Current Comprehensive Plan  
Designation**

IC (Industrial Commercial)



**Attachements :**

**(50) Land Use Application – Class III / Design Review – SRC 225.005**

**(54) Application Narrative**

**(51) Ownership Verification :**

**Vesting Deed – MWSH Boone Road Property LLC**

**LLC Operating Agreement – MWSH Boone Road Property LLC**

**(60) Site Plan**

**(61) Existing Conditions / Tree Plan**

**(62) Preliminary Utility Plans**

**(63) Landscape Plan**

**(64) Building Elevations**

**(66) Preliminary Grading**

**(67) Preliminary Stormwater Plan**

**(68) Open Space Plan**

**(71) TIA (Traffic Impact Analysis)**

**(73) Stormwater Report**

**(74) Geotechnical Report**

The following statement addresses the applicable Design Review Standards in the SRC Chapter 702 (Multiple Family Design Review) and the requirements under the IC Zone District. Information provided on the site plans for the Design Review application further address applicable code requirements.

On November 30, 2020, a Design Review Pre-Application Conference (PRE-AP-20-104) was held with the applicant and City staff to discuss the development of the subject property.

Current Land-Use Approvals:

\*Comprehensive Plan Map Amendment/Zone Change (CPC/ZC) Case No. 17-02 was approved on April 26, 2017.

\*Urban Growth Area (UGA) Preliminary Declaration Case No. 19-01 was approved on May 14, 2019.

\*Partition (PAR) Case No. 19-12 was approved on January 24, 2020.

The subject property is phase II of a parcel 32.42 acres in size, zoned IC, and located on Boone Road (083W13A/Tax Lot 300). The applicant is only developing the southwest corner of the site that is 18.08 acres 19.06 w/ r.o.w.) in size. The subject property is a portion of Parcel 1 of approved Partition Case No. 19-12.

Existing street, “A” Drive runs north/south through the development, creating two sites.

East Side:

409,572 square feet (9.4 acres)

150-units proposed

West Side:

378,092 square feet (8.68 acres)

60-units proposed

62- town home units

The applicant is proposing a development consisting of 210-apartment units and 62 town home units as shown on the site plans.

The applicant is requesting to meet all Design Review Standards, with an adjustments to SRC 702.020(d)(Parking Orientation), SRC 702.020(e)(Building Length) under SRC 702.020(e)(Façade and Building Design Standards). SRC 702.020(e) (Frontage Adjustment) SRC 803.030 Street Spacing-Block Length).

Industrial Commercial (IC)-SRC Chapter 551

**Sec. 551.010. - Development standards.**

Development within the IC zone must comply with the development standards set forth in this section.

**(a) *Lot standards.*** Lots within the IC zone shall conform to the standards set forth in Table 551-2.

Requirement	Standard	Limitations & Qualifications
<b>Lot Area</b>		
All uses	None	
<b>Lot Width</b>		
All uses	None	
<b>Lot Depth</b>		
All uses	None	
<b>Street Frontage</b>		
All other uses	Min. 16 ft.	

Applicants Findings: All lot dimensions and frontage meet the Lot Area standards (see Site Plan Exhibit 60)

**(b) *Setbacks.*** Setbacks within the IC zone shall be provided as set forth in Tables 551-3 and 551-4.

<b>Requirement</b>		
<b>Standard</b>		
<b>Abutting Street</b>		
<b>Buildings</b>		
All uses	Min. 5 ft.	
<b>Accessory Structures</b>		
Accessory to single family, two family, three family, four family, and multiple family	None	
Applicable to accessory structures not more than 4 ft. in height.		
Min. 5 ft.	Applicable to accessory structures greater than 4 ft. in height.	
Accessory to all other uses	Min. 5 ft.	Not applicable to transit stop shelters.
<b>Buildings</b>		
Multiple family	Min. 15 ft.	
<b>Accessory Structures</b>		
Accessory to multiple family	Min. 15 ft.	
<b>Interior Side</b>		
<b>Buildings</b>		
Multiple family	Min. 15 ft.	
<b>Accessory Structures</b>		
Accessory to multiple family	Min. 15 ft.	
<b>Vehicle Use Areas</b>		
Multiple family	Min. 15 ft.	

**Interior Rear**

**Buildings**

**Multiple family**                      **Min. 15 ft.**

**Accessory Structures**

**Accessory to multiple family**   **Min. 15 ft.**

**Vehicle Use Areas**

**Multiple family**                      **Min. 15 ft.**

Applicant Findings: All minimum setbacks to property lines, between buildings and distances to the entrances are met as shown on the tentative plan (see exhibit 60). Therefore, all setback requirements have been met. Setbacks are shown on the tentative plan.

West: Adjacent right-of-way (I-5); 10-foot (parking & building) setback

East: 10-foot (parking - building) setback (IC zoned/vacant land)

South: Adjacent RA zoned site; 10-foot building setback

“A” Drive: Ease and West sides of the ROW: 20-foot (building & parking) setback.

**(c) *Lot coverage; height.* Buildings and accessory structures within the IC zone shall conform to the lot coverage and height standards set forth in Table 551-5.**

**Lot Coverage: Buildings and Accessory Structures**

**All uses**                      **No Max.**

Applicant Findings: Does not impact

**Height: Buildings**

**All uses Max.**                      **70 ft.**

**Apartment Buildings:**

Building 1 39' 8" in height (measured to the highest point)

Building 2 is 37' 5" in height (measured to the highest point)

Building 3 is 37' 5" in height (measured to the highest point)

Building 4 is 39' 8" in height (measured to the highest point)

Building 5 is 40' 6" in height (measured to the highest point)

Building 6 is 40' 6" in height (measured to the highest point)

Building 7 is 37' 5" in height (measured to the highest point)

Building 8 is 40' 6" in height (measured to the highest point)

Building 9 is 39' 4" in height (measured to the highest point)

Building 10 is 39' 4" in height (measured to the highest point)

Building 11 is 49' 2" in height (measured to the highest point)

Building 12 is 37' 5" in height (measured to the highest point)

#### Town Home Buildings

Three Unit Cluster is 36' 5" in height (measured to the highest point)

Four Unit Cluster is 36' 8" – 36' 9" in height (measured to the highest point)

Six Unit Cluster is 37' 0" – 37' 1" in height (measured to the highest point)

Applicant Findings: Maximum building height allowed in the IC zone is 70'. All proposed buildings are in compliance with the requirements of the Code.

#### ***(d) 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.

**(3) Development site.** A minimum of 15 percent of the development site shall be landscaped. Landscaping shall meet the Type A standard set forth in SRC chapter 807. Other required landscaping under the UDC, such as landscaping required for setbacks or vehicular use areas, may count towards meeting this requirement.

Applicants Findings: the applicants landscape plan addresses and meets standards for setbacks, vehicle use and minimum of landscaped areas (see landscape plan Exh. 63) Therefore, this criteria is met.

#### **Sec. 806.015. - Amount off-street parking.**

**Multiple family (2): 1 per studio unit or dwelling unit with 1 bedroom**

**Applicable to all other multiple family consisting of 13 or more dwelling units.**

**1.5 per dwelling unit with 2 or more bedrooms**

**(C) Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians; and**

Applicant Findings: The development is for a 210-unit apartment and 62 townhome units. Code required 1 vehicle parking space for all one-bedroom units, 1.5 vehicle parking spaces for all two and three-units, and 2 vehicle parking spaces for each townhome.

The applicant is required to provide a minimum of 300 on-site vehicle parking spaces for the apartments and a minimum of 124 on-site vehicle parking spaces for the townhome units.

As shown on the site plan, 485 on-site parking spaces are being provided. Plus, each townhome unit as a garage which equals 1 vehicle parking space. Building 11 has parking underneath as well, which is 8 garages. Therefore, there is a total of 547 on-side parking spaces that will be shared between the east and west sides of the development with Phase 2.

East Side: (207 required)

- 162 Standard Parking Stalls
- 120 Compact Parking Stalls
- 7 Handicap Parking Stalls
- 15 Garages
- 304 Total Parking Stalls

West Side: (214 required)

- 102 Standard Stalls
- 70 Compact Stalls
- 1 Handicap Parking Stalls
- 8 Garages under Building 13
- 62 Garages under the townhomes
- 243 Total Parking Stalls

Adequate parking has been provided throughout the development with about 2.60 parking spaces per dwelling unit.

All parking areas will be served by 26-foot wide internal two-way accessways that run through the development.

Bicycle parking is also required on site. The Code requires 0.1 bicycle parking space per dwelling unit. Bike racks will be provided on the residents. A total of 28 bicycle parking spaces are required. 28 have been provided on-site.

East side: (15 required) - 42 Bicycle Spaces (7 racks)

West side: (13 required) - 12 Bicycle Spaces (2 racks)

Recycling (Exhibit 60 / Site Plan) There are two trash/recycle area provided within the development. One is located on the east in phase II, and one is located on the west side of the development, in phase I. The trash receptacles are accessible for all residents via the paved internal sidewalk system in the development. The trash/recycle areas will be screened and enclosed with a sight-obscuring fence or wall. Detail plans for the trash receptacles have been provided (see Building elevations exhibit 64)

Stormwater: As stated on the Grading and Drainage Plan, the proposal is treating at least 80% hard surface with Green Water Infrastructure. A Preliminary Drainage Report dated November 9, 2021, has been submitted as part of this proposal. The detention basin for the site is located within the eastern portion of the development. Therefore, meeting the requirements of the Public Works Department.

Landscaping: The IC zone requires that 15% of the site be landscaped. The net developable area is 787,664 square feet in size with 345,589 square feet of landscaping throughout. Therefore, the development provides 43.9% landscaping throughout the site.

Trees: There are 408 trees currently identified on the site. The site design has considered the locations of the existing trees to preserve as many trees as possible as well as enhancing the site. Applicant proposes to retain 172 trees and remove 236 trees. (see Existing Conditions / Tree Plan Exh. 61)

Traffic: A Traffic Impact Analysis (TIA) dated November 18, 2021, has been provided as part of this submission.

Multiple Family Design Review Standards- Chapter 702

**702.020(a):**

**702.020(a)(1) Open Space (Sheet SDR4): In multi-family developments, a portion of the land not covered by buildings and parking shall be of adequate size and shape and in the proper location to be functional for outdoor recreation and relaxation. The standards are also intended to ensure that open space is an integral part of the overall development design.**

**Per the code the proposed development shall provide a minimum 30% open space.**

Applicants finding: The minimum open space area required for this development is 239,299 square feet of the net developable area. The portion of the subject property being developed is zoned IC and is 787,664 (18.08 acres) square feet in size with 318,886 square feet of open space, including landscaped areas, a tot lot, and a sports court. Therefore, totaling 40.5% open space.

The proposed street “A” Drive runs north/south through the site. Therefore, there are two sides of the development. Both sides will share open space amenities as shown on the site plan.

East Side (150-units): 122,972 square feet of open space required

Exhibit 54  
McKenzie Heights II Apartments / Town Homes – Design Review

Site Area- 409,572 square feet (9.4 acres)

Open Space-177,394 square feet. (43%)

West Side (60-units & 62 town homes): 113,428 square feet of open space required

Site Area- 378,092 square feet (8.68 acres)

Open Space-141,492 square feet. (37.4%)

Therefore, this standard has been met. See attached site plans and open space plan.

**702.020(a)(1)(A) Common Open Space Area Size and Dimensions (Exhibit):**

The applicant is proposing a development consisting of 210-apartment units and 62 town home units as shown on the site plans. The apartments and town homes will be developed with the IC zoned portion of the site that consists of 18.08 acres.

**Per Table 702-3**, the minimum open space area required for this development is 5775 square feet of the site. The portion of the subject property being developed is zoned IC and is 787,664 (18.08 acres) square feet in size with 318,886 square feet of common open space, including landscaped areas, a tot lot, a sports court, a recreation building and pool. Therefore, totaling 40.5% open space.

East Side (150-units): 2875 square feet of open space required

Site Area-409,572 square feet (9.4 acres)

Open Space- 177,394 square feet. (43%)

Open Space w/in Perimeter Setbacks-34,337 (8%)

Landscaped Areas-203.138 square feet (50%)

Landscape w/in Parking 13,810 square feet (3%)

This open space requirement for the east side of this development is accommodated within the “Tot Lot and Sport Court” area.

West Side (90-units and 62 town homes): 2900 square feet of open space required

Site Area- 378,092 square feet (8.68 acres)

Open Space-141,492 (43%)

Open Space w/in Perimeter Setbacks-26,975 square feet (7%)

Landscaped Areas-142,461 square feet (38%)

Landscape w/in Parking-2101 square feet (0.5%)



This open space requirement for this portion of this development is accommodated within the open area at the southwest corner of the west side of the site.

**702.020(a)(1)(B):** As shown on the site plan all open space is usable open space. The existing conditions plan and grading plan identify all the slopes throughout the site.

**702.020(a)(1)(C) and (D):** Private Open Space: Most units will have private open space as required by code. Ground floor units will have patio areas that are 96 square feet in size, with no dimension less than 6 feet. All second and third story units will have balconies/decks that are a minimum 48 square feet in size, with no dimension less than 6 feet. All private open space areas are located contiguous to the dwelling unit and will be screened with 5-foot-high landscaping. This private open space includes the patios and balconies/decks. Therefore, this standard has been met.

**702.020(a)(1)(E):** In multi-family developments, a portion of the land not covered by buildings and parking shall be of adequate size and shape and in the proper location to be functional for outdoor recreation and relaxation. The standards are also intended to ensure that usable open space is an integral part of the overall development design.

As shown on the site plan, there is usable open space area located within the development. (See Open Space Plan Exhibit 67).

**702.020(a)(1)(F):**

**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 public 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.**

Applicant findings: Due to the location of the development, there are no parks located within ½ a mile of the subject property. However, the proposed development will have adequate open space areas on-site.

**702.020(b)(1) and 702.020(b)(2) Landscaping Standards:**

**(1) To encourage the preservation of trees and maintain or increase tree canopy, a minimum of one tree shall be planted or preserved for every 2,000 square feet of gross site area.**

**(2) 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 be not allowed to satisfy this standard.**

Applicants Response: The subject property abuts RA zoned property on the southerly boundary. This site is currently identified for rezoning to IC (Industrial Commercial) under the "Our Salem" zoning project. Landscape meeting the standards for 702.020(b)(2) is included the landscape design (see exhibit 63) Additionally landscaping is being provided adjacent all property lines and within the interior of the development. Landscaping has been provided throughout the site as identified on the landscape plans. A minimum of 1 tree will be planted for every 2,000 square feet of the site. Trees and vegetation have been provided throughout the development as shown on the landscape plans. There is 435,620 square feet of landscaped area throughout the site. Fencing will be added in areas as need to provide adequate screening and buffers. Therefore, 52% of the site is landscaped. Landscape plans have been provided and demonstrate how the landscape standards have been met. See attached landscape plans (Exh 63). In anticipation of the pending Our Salem rezoning action, the applicant requests that the RA setback, buffer, screening, and design standards be conditioned based upon the time of building permits. In other words, if the adjacent property is rezoned to IC prior to the applicant submitting for building permits, the RA standards shall not apply.

A permanent underground irrigation system will be provided when development plans are final.

Trees:

There are 408 trees located within Phase II (southerly portion of the property) of the development. on the subject property. There are 236 trees are designated for removal and there are 172 trees designated to remain.

**702.020(b)(3), (4), (5):**

**(3) To define and accentuate primary entryways, a minimum of two plant units, shall be provided adjacent to the primary entryway of each dwelling unit, or combination of dwelling units.**

**(4) To soften the visual impact of buildings and create residential character, new trees shall be planted, or existing trees shall be preserved, at a minimum density of ten plant units per 60 linear feet of exterior building wall. Such trees shall be located not more than 25 feet from the edge of the building footprint.**

**(5) Shrubs shall be distributed around the perimeter of buildings at a minimum density of one plant unit per 15 linear feet of exterior building wall.**

Applicants Findings: Landscaping has been provided around the proposed buildings as shown on the plans meeting the landscape design requirements. (See exhibit 63)

702.020(b)(6):

**(6) To ensure the privacy of dwelling units, ground level private open space shall be physically and visually separated from common open space with perimeter landscaping or perimeter fencing.**

Applicants Findings: All private ground level open space areas are located contiguous to the dwelling unit and will be screened with 5-foot-high landscaping. This will help to ensure privacy for the patio areas designated as private open space for residents. (See exhibit 63)

**702.020(b)(7) and (8):**

**(7) To provide protection from winter wind and summer sun and to ensure trees are distributed throughout a site and along parking areas, a minimum of one canopy tree shall be planted along every 50 feet of the perimeter of parking areas. Trunks of the trees shall be located within ten feet of the edge of the parking area (see Figure 702-3).**

**(A) A minimum of one canopy tree shall be planted within each planter bay.**

**(B) A landscaped planter bay a minimum of nine feet in width shall be provided at a minimum spacing of one for every 12 spaces.**

Applicant Findings: All parking areas are within the requirements of the code and are separated by planter bays that are a minimum of 9 feet in width. All parking areas are landscaped as required and separated by landscaped bays that meet the minimum width as shown on the site plan. The parking areas and landscaped areas provide for visually appealing apartment grounds. There is 15,911 square feet of landscaping within the parking areas. This does not include the landscaped areas surrounding the parking areas.

**(8) Multiple family developments with 13 or more units are exempt from the landscaping requirements in SRC chapter 806.**

Applicants Findings: The proposal is for 210-units; therefore, the development is exempt from the requirements of SRC 806.035(d)(2).

**702.020(c)(1) and (2) Site Safety and Security Standards:**

**(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 to enhance visibility and resident safety.**

Applicants Findings: All buildings have windows provided in habitable rooms and windows that face the parking lots and open space areas. This helps provide an eye on the development. Lighting on the buildings and along the sidewalks will be provided as well.

**702.020(c)(3) and (4):**

**(3) Fences, walls, and plant materials shall not be installed between street-facing dwelling units and public or private streets in locations that obstruct the visibility of dwelling unit entrances from the street. For purposes of this standard, the term "obstructed visibility" means the entry is not in view from the street along one-half or more of the dwelling unit's frontage.**

**(4) Landscaping and fencing adjacent to common open space, parking areas, and dwelling unit entryways shall be limited to a maximum height of three feet to encourage visual surveillance of such areas.**

Applicants Findings: Safety of the residents is very important, and all requirements are met to assure safety and compliance with code. There are no fences or plant materials located in areas within the development that obstruct visibility. All landscaping adjacent to open space areas will not exceed 3 feet in height.

**702.020(d)(1), (2), and (4)**

***(d) Parking and site design.***

**(1) To minimize large expanses of continuous pavement, parking areas greater than 6,700 square feet in area shall be physically and visually separated with landscaped planter bays that are a minimum of nine feet in width. Individual parking areas may be connected by an aisle or driveway (see Figure 702-3).**

**(2) 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.**

**(4) 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.**

Applicants Findings: Parking and Site Design Standards: The subject property has street frontage on A Drive. Internal accessways are proposed within the development.

As shown on the site plan (exhibit 60) some of the parking areas are greater than 6,700 square feet in area. In order to minimize large expanses of continuous pavement, 9-foot wide planter islands have been provided a maximum of every 12 parking spaces. Therefore, meeting the code.

All parking areas are within the requirements of the code and are separated by planter bays that are a minimum of 9 feet in width. The layout of the parking areas has been taken into consideration and provides for safe and efficient circulation throughout the development. In order to take into consideration circulation, pedestrian access, landscaping, and the requirements of the code, the parking areas have been carefully designed. All parking areas are landscaped as required and separated by landscaped bays that meet the minimum width as shown on the site plan. The parking areas and landscaped areas provide for visually appealing apartment grounds. There is 15,911 square feet of landscaping within the parking areas.

East Side:

Parking Area Landscaping-13,810 square feet (3%)

West Side:

Parking Area Landscaping-2101 square feet (0.5%)

This does not include the landscaped areas surrounding the parking areas.

The development does provide setbacks between the buildings and pathways. All the pathways connect the buildings, open space, parking areas, and surrounding uses.

Therefore, meeting this standard.

**702.020(e)(1) through (8) Façade and Building Design: These guidelines are intended to promote building and site design that contributes positively to a sense of neighborhood and to the overall streetscape by carefully relating building mass, entries and yards to public streets.**

***(e) Façade and building design.***

**(1) To preclude long monotonous exterior walls, buildings shall have no dimension greater than 150 feet.**

Proposed Building 11 exceeds the 150-foot building length maximum allowed. Building 11 is 161.9 feet in length, All other buildings within the development will not exceed 150 feet in length. The height and length of the buildings and structures conform to the measuring requirements in code.

Therefore, the applicant has requested an adjustment to this standard. Please refer to the land use application for Class 2 adjustment Building Length that is part of this submission.

The building design does not have long flat walls or roof lines. The buildings will have offsets that break up the front of the buildings and the roof lines. Balconies (decks) and dormers are incorporated into the design adding some visual element to the buildings. Therefore, breaking up the long building length.

**(2) 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 702-5 to provide appropriate transitions between new buildings and structures on site and existing buildings and structures on abutting sites.**

**(3) To enhance compatibility between new buildings on site and abutting residential sites, balconies located on building facades that face RA or RS zoned properties, unless separated by a street, shall have fully sight-obscuring railings.**

Applicants response 702.020(e)(2) and (3) : The site abutting the southerly boundary of this development is currently zoned RA (Residential Agricultural). This site has also been identified as a part of the “Our Salem” Rezoning Project and has been identified to be rezoned to IC (Industrial Commercial). In anticipation of the pending Our Salem rezoning action, the applicant requests that the RA setback, buffer, screening, and design standards be conditioned based upon the time of building permits. In other words, if the adjacent property is rezoned to IC prior to the applicant submitting for building permits, the RA standards shall not apply.

**(4) 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.**

Applicants Findings. The subject property has 491 feet of buildable width (this excludes required side setbacks and driveways) The buildings withing this development conform to these design standards with the exception of Buildings 1 and 4, along A Drive. Due to the 10-foot PUE, Buildings 1 and 4 and cannot be located on the 5-foot setback line along A Drive. Due to required parking and the location of the proposed driveways, additional buildings could not be provided along the setback line of A Drive.

An adjustment to this standard has for buildings numbered 1 and 4 has been requested as a part of this application submission. A Drive (West Side)

The subject property has 626 feet of buildable width (this excludes required side setbacks and driveways) along A Drive. Due to the 10-foot PUE, Buildings 8 and 10 cannot be located on the 5-foot setback line along A Drive. Code requires a minimum of 40% of the buildable width be occupied by buildings. As shown on the site plan, the buildings total 217 feet of the buildable width along the street frontage. Therefore, occupying 34% of the buildable width of street frontage along A Drive. Due to required parking and the location of the proposed driveways, additional buildings could not be provided along the setback line of A Drive.

The applicant’s proposal also includes additional landscaped within the existing development, which is equally or better because landscaping helps to enhance the pedestrian appeal of a site. See attached landscape plans.

An adjustment to this standard has been requested as a part of this application submission.

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

All buildings within the development have direct pedestrian access onto sidewalks. With the exception of building number 7. The internal pedestrian circulation system consists of hard 6-foot-wide surfaced sidewalks that provide easily identifiable and safe connections between the residential units, parking, recreation areas, manager's apartment, and the trash disposal area. The pedestrian system connects the buildings to the public sidewalk system within Phase 1, Boone Road, 32nd Avenue, and A Drive via the proposed internal sidewalk system. Building 7 does not have direct pedestrian access from the building to A Drive as shown on the site. Due to the topography of the site and the need for a retaining wall, a pedestrian pathway cannot feasibly be provided.

Proposed and existing sidewalks will further enhance the pedestrian connections and circulation to and from the site. The proposed sidewalks to and from the site will provide pedestrian circulation to the entrances of the buildings.

An adjustment to this standard has for building number 7 has been requested as a part of this application submission.

All buildings face the interior of the lot. The rear side of Buildings 7 and 8 and the end side of buildings 1, 4, 5 and 9 face "A" Street. that runs through the site. The street side of these buildings (rear or end) will be designed to be visually appealing, by providing similar design as is being provided for the front building facade for all buildings. In order to be consistent with the front facade of the building; windows, offsets, and architectural features will be incorporated in the portions of the building facing the right-of-way

In order to provide safety and convenience for the residents, both buildings 7 and 8 will face the interior the lot. This provides more eyes on the site, which provides greater safety for residents. This also provides convenience since all parking is located within the interior of the site.

An adjustment to this standard has been requested as a part of this application submission.

**(6) 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.**

Applicants response: Each residence entrance is design to provide convenience, privacy and security, with covered porch access to all units. (see Building Elevation Exh. 64)

All buildings have entrances physically and visually connected to the internal public sidewalk system and the parking lots. All external stairways are recessed into the buildings. Therefore, physically, and visually incorporating them into the building's architecture design. The primary entrances for each individual unit are provided through a covered entry way. All building entries are clearly defined and

easily accessible. The design of the building with the use of roofline offsets and covered entry ways, promote a positive sense of neighborhood.

**(7) 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.**

Applicants Findings: All roof-mounted equipment will be screened and integrated into the building design. Further review of this requirement will take place at the time of building permits.

Therefore, this guideline has been met.

**(8) To reinforce the residential character of the neighborhood, flat roofs, and the roof ridges of sloping roofs, shall not exceed a horizontal length of 100 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. (See Figure 702-4)**

Applicants Findings: The building design does not have long flat walls or roof lines. The buildings will have offsets that break up the front of the buildings and the roof lines. Balconies (decks) and dormers are incorporated into the design adding some visual element to the buildings. Therefore, breaking up the long building length.

**702.020(e)(9) and (10)**

**(9) To minimize the appearance of building bulk, each floor of each building's vertical face that is 80 feet in length or longer shall incorporate one or more of the design elements below (see examples in Figure 702-5). Design elements shall vary from other wall surfaces by a minimum of four feet and such changes in plane shall have a minimum width of six feet.**

**(A) Offsets (recesses and extensions).**

**(B) Covered deck.**

**(C) Covered balcony.**

**(D) Cantilevered balcony provided at least half of its depth is recessed.**

**(E) Covered entrance.**

**(10) To visually break up the building's vertical mass, the first floor of each building, except for single-story buildings, shall be distinguished from its upper floors by at least one of the following (see examples in Figure 702-6):**

**(A) Change in materials.**

**(B) Change in color.**

**(C) Molding or other horizontally distinguishing transition piece.**

Applicant Findings (See Building Elevations Exh.64): Varied materials, textures, and colors are being used on the buildings. The applicant has provided building elevations to show how this is being complied



Exhibit 54

McKenzie Heights II Apartments / Town Homes – Design Review

with. The materials used on the front, rear, and sides of the apartments are the same; shake siding, trim board, and lap siding. (See building elevations Exhibit 64)

The proposed buildings proved the required offsets and design elements as shown on the building elevations.

The proposed buildings provide offsets, Covered Decks and Recessed Balconies and Covered Entrance:

Conclusion: The applicant is requesting to meet all Design Review Standards, except Compatibility under SRC 702.020(d)(Parking Orientation), SRC 702.020(e)(Building Length) under SRC 702.020(e)(Façade and Building Design Standards). SRC 702.020(e) (Frontage Adjustment) SRC 803.030 Street Spacing-Block Length). Therefore, the applicant has requested an adjustment to these standards.

Conclusion:

The applicant requests approval of a Sec. 225.005, Design review, Type III Review. Providing justification in the form of plans, detailed reports, supporting documents and findings and necessary adjustments and permits, in support of the proposed application As addressed in this narrative and the supporting plans and documents, this proposal does meet all applicable code provisions. As such, the applicant respectfully requests that the Type III Design review be approved as submitted.