

MWSH WEST SALEM LLC

Salem, Oregon

A Land Use Application for:

Type I Process
SRC 225.010 – Design Review
Type I Process

Applicant:
MWSH West Salem LLC

Project:
West Salem Town Homes

Submitted:
January 17, 2023

Prepared by:
MWSH West Salem LLC

Applicant & Property Owner

MWSH West Salem LLC

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Tax Lot Information:

Tax Map: 073W16C0-00107

Lot Area:

4.57 acres

Current Zoning District:

RM-II (Multiple Family Residential)

**Current Comprehensive Plan
Designation**

MFR (Multi Family Residential)

Attachments:

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

(51) Ownership Verification:

Vesting Deed – MWSH West Salem LLC (51a)

LLC Operating Agreement – MWSH West Salem LLC (51b)

(54) Application Narrative

(60) Site Plan

(61) Existing Conditions Plan

(62) Preliminary Utility

(63) Preliminary Landscape Plan

(64) Building Elevations (a/b)

(65) Preliminary Grading

(73) Stormwater Report

(74) Geotechnical Report

MWSH West Salem LLC owns approximately 4.57 acres - 1900 Block of Linwood Street NW in Salem, Oregon (TL 073W16C 00107). This site will consist of 13, two story townhome residential buildings with 67 town home units, amenities, parking, and stormwater facilities.

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

On November 17, 2022, a Pre-Application Conference (PRE-AP-22-111) was held with the applicant and City staff to discuss the development of the subject property.

Past Land Use Decisions

CPC-ZC-DR-SPR-ADJ11-13: A consolidated application for a proposed 180-unit apartment complex with off-street parking area and a 119-unit residential care facility with off-street parking area that contains:

- (1) a Comprehensive Plan Change/Neighborhood Plan Change/Zone Change request to change the Salem Area Comprehensive Plan Map designation from "Single Family Residential" to "Multiple Family Residential" and change the zone district from RA (Residential Agriculture) to RM2 (Multiple Family Residential) and amend the West Salem Neighborhood Plan map accordingly, on an approximately 0.96-acre portion of the subject property;
- (2) a Zone Change request to change the zone district from RM1 (Multiple Family Residential) to RM2 (Multiple Family Residential) on an approximately 9.5-acre portion of the subject property;
- (3) a Design Review for the new apartment complex;
- (4) a Type II Site Plan Review for the new apartment complex;
- (5) a Design Review for the new residential care facility;
- (6) a Type II Site Plan Review for the new residential care facility; and
- (7) a Zoning Adjustment request to render a determination of minimum parking space requirements for the residential care facility (Standard Industrial Classification [SIC] 836) pursuant to SRC 133.100(c); For property approximately 16.8 acres in size, currently split-zoned RM2, RM1, and RA, and located at the 1400 Block of Orchard Heights Road NW (Polk County Assessor's Map and Tax Lot numbers: 073W16C / 00103).

PAR11-05: To partition approximately 16.8 acres into 3 parcels with proposed Parcel 1 consisting of approximately 4.23 acres, proposed Parcel 2 consisting of approximately 7.74 acres, and proposed Parcel 3 consisting of approximately 4.90 acres for property that is currently split-zoned RM2, RM1, and RA, and located at the 1400 Block of Orchard Heights Road NW (Polk County Assessor's Map and Tax Lot numbers: 073W16C / 00103).

The subject property 4.57 acres identified as Polk County Tax Parcel 073W116C-00107, bordered on south by Orchard Height Road NW, and by Linwood Street NW along east side of the parcel.

The proposed development will access Linwood Street NW, (local street) on the east boundary. And an emergency access road on Orchard Heights Rd NW (minor arterial street) along the south boundary of the proposed site.

The subject property is located within the Salem City limits and the Urban Growth Boundary.

The surrounding properties are zoned and used as follows:

North: RM II (Residential Multiple Family 2)

East: RM II (Residential Multiple Family 2)

South: RS (Residential Single Family Residential)

West: RA (Residential Agriculture) and RS (Residential Single Family Residential)

Multiple Family Residential (RM-II)-SRC Chapter 514

Sec. 514.010. - Development standards.

(b) Lot standards. Lots within the RM-II zone shall conform to the standards set forth in Table 514-2.

Requirement	Standard
Lot Area - minimum	6000 sq.ft.
Lot Width - minimum	40 ft.
Lot Depth - minimum	80 ft.
Street Frontage - minimum	40 ft.

Applicant Findings: All proposed parcels meet or exceed the standards as set forth. Therefore, this standard has been met

(c) Dwelling unit density. Dwelling unit density within the RM-II zone shall conform to the standards set forth in Table 514-3.

Minimum Density - 15 DU per acre

Maximum Density - 31 DU per acre

Applicant Findings: All site consists of 4.57 acres and the proposed development would create 67 townhome units creating a density of 14.7 dwelling units per acre meeting the standards as set forth. Therefore, this standard has been met

(d) Setbacks. Setbacks within the RM-II zone shall be provided as set forth in Tables 514-4 and 514-5. & 702-2

Requirement	Standard
Buildings	Min. Min. 1 ft. for each 1 ft. of building height, but in no case less than 20 ft.
Accessory Structures	Min. 12 ft., plus 1 ft. for each 1 ft. of height over 12 ft.
Zone to Zone	Min. 10 ft. / Type C - Landscape Buffer
Vehicle Use Areas	Min. 12 ft.

The applicant is requesting an adjustment reducing the setback to 12 feet along the easterly boundary abutting Linwood Street NW.

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). with the exception of the setback line along Linwood St NW, a adjustment reducing this setback line form 20' to 12' is a part of this submission package. All other setback requirements have been met.

(e) Lot coverage; height. Buildings and accessory structures within the RM II zone shall conform to the lot coverage and height standards set forth in Table 514-6.

Lot Coverage, Building and accessory structures: Max 60%

Applicant Findings: All building and accessory structures cover 60,330 sq.ft. (29%) of the site. See Exhibit 60). Therefore, building coverage requirements have been met.

Height: Buildings

All uses Max. 50 ft.

Townhome Buildings:

Building 1 - 27' 3" in height (measured to the highest point)

Building 2 - 27' 3" in height (measured to the highest point)

Building 3 - 27' 3" in height (measured to the highest point)

Building 4 - 27' 2" in height (measured to the highest point)

Building 5 - 27' 2" in height (measured to the highest point)

Building 6 - 27' 10" in height (measured to the highest point)

Building 7 - 27'10" in height (measured to the highest point)

Building 8 - 27' 10" in height (measured to the highest point)

Building 9 - 27' 10" in height (measured to the highest point)

Building 10 - 27' 10" in height (measured to the highest point)

Building 11 - 27' 10" in height (measured to the highest point)

Building 12 - 27' 2" in height (measured to the highest point)

Building 13 - 27' 2" in height (measured to the highest point)

Applicant Findings: Maximum building height allowed for the townhome use in the RM II zone is 50'. All proposed buildings are in compliance with the requirements of the Code.

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

Applicants Findings: the applicants site plan addresses and meets standards for square footage of accessor structures ([see site plan Exhibit 60](#))

Therefore, this criteria is met.

Sec. 514.020.

(g) *Landscaping.*

(1) *Setbacks.* Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC [chapter 807](#).

(2) *Vehicle use areas.* Vehicle use areas shall be landscaped as provided under SRC chapters [806](#) and [807](#).

(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 address standards for setbacks, vehicle use and minimum of landscaped areas (see landscape plan Exhibit. 63) Therefore, this criteria is met.

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

Applicants Findings Each townhome is self-contained and there is not a shared trash / recycle area or common storage space.

Therefore, this criteria does not apply. .

Sec. 806.015. Amount off-street parking.

Multiple family Table 806-1: 1 space per multiple family dwelling unit.

Applicant Findings: The development is for 68 townhomes, requiring a minimum of 68 parking spaces.

The applicant has designed 115 on-site vehicle parking spaces for the town homes, as shown on the site plan,

Parking:

80 Driveway Parking Stalls
35 Street Parking Stalls
115 Total Parking Stalls

All parking areas will be served by 24-foot wide internal two-way accessways, and 18-foot wide one-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 7 bicycle parking spaces are required. 8 have been provided on-site. 4 Spaces at the common opens space area and 4 spaces at the onsite office location.

Each townhome unit will have individual trash and recycling service therefore there will not be a trash/recycle area designated on site.

Stormwater: As stated in the Preliminary Drainage Report dated January 2023, the proposed “design will conform with City of Salem requirements for both detention and water quality”. The Preliminary Drainage Report dated January 2023, has been submitted as part of this proposal. The detention basins for the site are located along the eastern portion of the development. Therefore, meeting the requirements of the Public Works Department.

Landscaping: The RM-II zone requires that 15% of the site be landscaped. The net developable area is 199,062 square feet in size with 78,744 square feet of landscaping throughout. Therefore, the development provides 37% landscaping throughout the site.

Trees: There are 9 trees currently identified on the site. The site design has considered the locations of the existing trees, none of these trees are white oaks or other significant trees. The location of these non-significant trees does not allow for preservation. The applicant will request a Tree Removal Permit as a part of the development permitting process.

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 1750 square feet of the net developable area. The portion of the subject property being developed is zoned RM II and is 199,069 (4.57 acres) square feet in size with 78,744 square feet of open space, including landscaped areas and the community courtyard. Therefore, totaling 37% open space.

Site Area:

Site:	199,069 square feet (4.57 acres)
Open Space / Landscape:	78,744 square feet. (37%)

Therefore, this standard has been met.

(See attached site plan Exhibit 60)

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

The applicant is proposing a development consisting of 68 town home units as shown on the site plan. The town homes will be developed with the RM II zone and its standards. .

Per Table 702-3, the minimum open space area required for this development is 1750 square feet of the site. The portion of the subject property being developed is zoned RM II and is 199,069 square feet (4.57 acres) in size with 78,744 square feet of common open space, including landscaped areas and common gathering area. Therefore, totaling 37% open space.

Development: (67-units): 1750 square feet of open space required

Site Area- 199,069 square feet (4.57 acres)

Landscaped Areas-78,744 square feet (37%)

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. (See Exhibits, 60).

702.020(a)(1)(C) and (D): Private Open Space: 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. Other units 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.

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: The location of the development is 0.2 of a mile from Orchard Heights Park, a Community Park. 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: 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 78,744 square feet of landscaped area throughout the site. Fencing will be added in areas as need to provide adequate screening and buffers. Therefore, 37% of the site is landscaped. Landscape plans have been provided and demonstrate how the landscape standards have been met. See attached landscape plans (Exhibit 63).

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

Trees:

There are 9 trees located on the subject property. None of these trees are significant trees or heritage trees. The location of these trees in within a building footprint, driveway, or internal street. Therefore, the applicant will be requesting a tree removal permit for these trees.

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 throughout the proposed town home development and amenities 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.

(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: The design of this site does not create multi-space parking areas more than 12 spaces. On-site parking is via curbside, parallel parking spaces. Planter bays are not a part of this design.

(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 68-town home 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 obstructs 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 Linwood Street. Internal driveways are proposed within the development.

The layout of the parking areas has been taken into consideration and provides for safe and efficient circulation throughout the development. All parking spaces are parallel parking, head in parking abutting sidewalks or head in parking at an open space area. Taking into consideration circulation, pedestrian access, landscaping, and the requirements of the code.

Pedestrian Pathways:

The proposed site plan provides setbacks between the buildings and pathways. All the pathways connect the buildings, open space, parking areas, and the surrounding community.

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.

Each building is designed with offsets that break up the front of the buildings and the roof lines. Patios, balconies (decks) and dormers are incorporated into the design adding some visual element to the buildings. Therefore, breaking up the building length. The height and length of the buildings and structures conform to the measuring requirements in code. Therefore, this conditions is met.

(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 buildings in areas abutting RA or RS zone will provided sight-obscuring railings, landscape buffers and setbacks . (See Exhibits 60 63 & 64a)

(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 buildings withing this development conform to this design standard.

(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 town homes. (See Building Elevation Exhibit. 64a)

All town homes have entrances physically and visually connected to the internal private sidewalk network connecting to public sidewalks. The primary entrances for each town home is provided through a covered entry way. Entries are clearly defined and easily accessible. The design of the building with the use of roofline offsets and covered entry ways, promoting 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 town home 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 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.64a): Varied materials, textures, and colors are being used on the buildings. The applicant has provided building elevations to show how this is being complied 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 64a)

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 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 I Design Review be approved as submitted.