

# **MWSH WEST SALEM LLC**

## **Salem, Oregon**

A Land Use Application for:

**Type I Process SRC 225.010**  
**– Design Review**

Applicant:

**MWSH West Salem LLC**

Project:

**West Salem Town Homes**

Resubmitted:

**March 30, 2023**

Prepared by:

**MWSH West Salem LLC**

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<b>Tax Lot Information:</b>	Tax Map: 073W16C0-00107
<b>Lot Area:</b>	4.86 acres
<b>Current Zoning District:</b>	RM-II (Multiple Family Residential)
<b>Current Comprehensive Plan Designation</b>	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**

## Project Description

MWSH West Salem LLC owns approximately 4.86 acres - 1900 Block of Linwood Street NW in Salem, Oregon (TL 073W16C 00107). This intended development will consist of 13, two story townhome buildings, consisting of 67, 3- and 4-bedroom residential units, parking, open space, 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 "Multi-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 4.86 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	6,000 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.

TABLE 514-3. DWELLING UNIT DENSITY			
Use	Standard		Limitations & Qualifications
	Minimum	Maximum	
Single family, two family, three family, four family, and multiple family	15 dwelling units per acre	31 dwelling units per acre	
	N/A	N/A	Applicable to the replacement of an existing single family detached dwelling; and a new single family detached dwelling on nonconforming lot of record less than 6,000 square feet in area.
	6 dwelling units per acre	28 dwelling units per acre	Applicable to manufactured dwelling parks developed pursuant to SRC <a href="#">chapter 235</a> .

The applicant is requesting an adjustment reducing the minimum density from 15 dwelling units per acre to 14 dwelling units per acre.

Applicant Findings: The site consists of 4.86 acres and the proposed development would create 67 townhome units. This results in a density of 14 dwelling units per acre meeting. Since this does not meet the minimum standard, an adjustment reducing the minimum density from 15 dwelling units per acre to 14 dwelling units per acre is a part of this submittal package.

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

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. An adjustment reducing this setback line from 20' to 12' along Linwood St. 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: The subject property being developed is zoned RM II and is 211,071 (4.86 acres). A maximum of 126,641 sq. ft. of the lot could be covered by building and accessory structures. All building and accessory structures cover 60,330 sq. ft. (29%) of the site. (See Exhibit 60). Therefore, this standard has been met.

**Height: Buildings**

**All uses Max. 50 ft.**

**Townhome Buildings:**

- Building 1 - 23'7" in height (measured to the midpoint)
- Building 2 - 23'7" in height (measured to the midpoint)
- Building 3 - 23'7" in height (measured to the midpoint)
- Building 4 - 23'7" in height (measured to the midpoint)
- Building 5 - 23'7" in height (measured to the midpoint)
- Building 6 - 23'7" in height (measured to the midpoint)
- Building 7 - 23'7" in height (measured to the midpoint)

Building 8 - 23'7" in height (measured to the midpoint)  
Building 9 - 23'7" in height (measured to the midpoint)  
Building 10 - 23'7" in height (measured to the midpoint)  
Building 11 - 23'7" in height (measured to the midpoint)  
Building 12 - 23'7" in height (measured to the midpoint)  
Building 13 - 23'7" in height (measured to the midpoint)

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. Therefore, this standard has been met.

***(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 accessory structures (see site plan Exhibit 60). Therefore, this standard has been 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 standard has been 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 standard is not applicable.

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

**(d) Required electric vehicle charging spaces. For any newly constructed building with five or more dwelling units on the same lot, including buildings with a mix of residential and nonresidential uses, a minimum of 40 percent of the off-street parking spaces provided on the site for the building shall be designated as spaces to serve electrical vehicle charging. In order to comply with this subsection, such spaces shall include provisions for electrical service capacity, as defined in ORS 455.417.**

Applicants Findings: Each townhome will have adequate electrical capacity to handle the installation of a Level 2 electric vehicle charger. That charger can be located in the garage in a way to service vehicles parked in the garage or the driveway. That would serve 134 of the 197 spaces, exceeding the 40% minimum. Therefore, this standard has been met.

**(e) Maximum off-street parking.**

**(1) Maximum off-street parking is based upon the minimum number of required off-street parking spaces. Except as otherwise provided in this section, and unless otherwise provided under the UDC, off-street parking shall not exceed the amounts set forth in Table 806-2A.**

**Table 806-1**

Multiple family <sup>(2)</sup>	1 per dwelling unit	Applicable to all other multiple family.
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**Table 806-2A**

More than 20 spaces	1.75 times minimum number of spaces required.
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The applicant is requesting an adjustment to increase the maximum parking ratio from 1.75 parking spaces per unit, to 2.91 parking spaces per unit.

Applicant Findings: The development has 13 townhome residential buildings (67 residential dwelling units). Per Table 806-1, the applicant is required to provide a minimum of 67 on-site vehicle parking spaces with a maximum of 117 spaces allowed.

As shown on the site plan the applicant is providing 197 parking spaces.

84 garage parking spaces  
84 driveway parking spaces  
29 street parking spaces  
197 total parking spaces

Creating a unit to parking space ratio of 2.94, which is above the maximum allowed parking spaces per Table 806-2A, an adjustment increasing the maximum parking ratio from 1.75 to 2.94 is a part of this submission package.

**Sec. 806.040. - Driveway development standards for uses or activities other than single family, two family, three family, or four family.**

**(d) Dimensions. Driveways shall conform to the minimum width set forth in Table 806-8.**



TABLE 806-8. MINIMUM DRIVEWAY WIDTH		
Type of Driveway	Width	Inside Radius of Curves & Corners
One-way driveway	12 ft.	25 ft., measured at curb or pavement edge
Two-way driveway	22 ft.	25 ft., measured at curb or pavement edge

The applicant is requesting an adjustment reducing the minimum driveway width from 22' to 20' in front of Building 9, 10 and 11.

Applicant Findings: In order to meet pedestrian connectivity standards and ensure that all units have direct access to pedestrian walkways that connect all amenities and the public ROW the applicant is requesting for an adjustment. The only drive aisle that will be impacted is the drive aisle in front of Buildings 9, 10 and 11. All other driveways will meet the required standards. An adjustment reducing the minimum driveway width from 22' to 20' is a part of this submittal package.

#### Sec. 806.055. - Bicycle parking

**Table 806-9**

Multiple family <sup>(2)</sup>	The greater of 4 spaces or 0.1 spaces per dwelling unit.	Applicable to all other multiple family.
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Applicant Findings: The development has 13 townhome residential buildings (67 residential dwelling units). Per Table 806-9, the applicant is required to provide a minimum of 7 on-site bicycle parking spaces. 8 have been provided on-site, 4 spaces at the common open space area and 4 spaces at the onsite office location.

#### Sec. 806.075. – Amount of off-street loading

**Table 806-11**

Multiple family <sup>(2)</sup>	1	50 to 99 dwelling units
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Applicant Findings: The development has 13 townhome residential buildings (67 residential dwelling units). Per Table 806-11, the applicant is required to provide a minimum of 1 off-street loading spaces. 1 has been provided on-site between buildings 1 and 2.

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 location 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.

**Sec. 800.065. - Pedestrian access.**

Applicant Findings: The design of pedestrian circulation systems shall provide clear and identifiable connections within the townhome 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.

## **Multiple Family Design Review Standards- Chapter 702**

### **702.020(a): Open Space Standards**

**702.020(a)(1) To encourage the preservation of natural open qualities that may exist on a site and to provide opportunities for active and passive recreation, all newly constructed multiple family developments shall provide a minimum 30 percent of the gross site area in designated and permanently reserved open space.**

Applicants Findings: The subject property being developed is zoned RM II and is 211,071 (4.86 acres) square feet in size, therefore the minimum open space area required for this development is 63,510.3 square feet. The site plan contains 82,885 square feet of open space, including landscaped areas and the community courtyard. Therefore, totaling 39% of open space. (See attached site plan Exhibit 60)

Site Area:

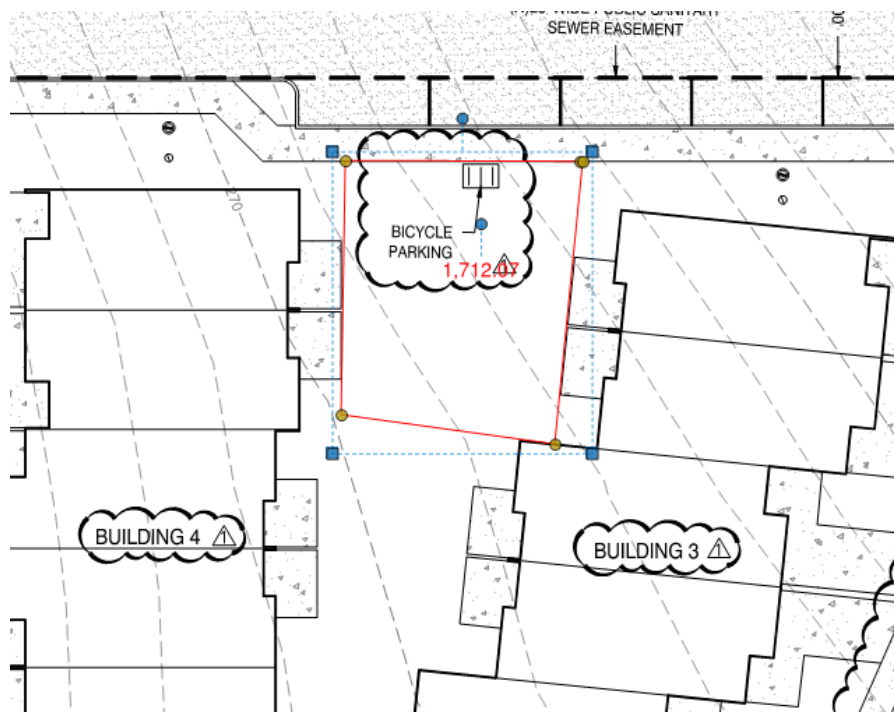
Site:	211,701 square feet (4.86 acres)
Open Space / Landscape:	82,885 square feet. (39%)

Therefore, this standard has been met.

**702.020(a)(1)(A) To ensure usable open space that is of sufficient size, at least one common open space area shall be provided that meets the size and dimension standards set forth in Table 702-3.**

TABLE 702-3. COMMON OPEN SPACE AREA SIZE AND DIMENSIONS		
Number of Dwelling Units	Minimum Open Space Area Size	Minimum Horizontal Dimension
13 to 20	750 sq. ft.	25 ft.
More than 20	1,000 sq. ft., plus an additional 250 sq. ft. for every 20 units, or portion thereof, over 20 units.	25 ft.

Applicant Findings: the minimum open space area required for this development is 1,587.50 square feet of the site. The image below shows an area of 1,712 sq. ft. Therefore, this standard has been met.



**702.020(a)(1)(B):** To ensure the provided open space is usable, a maximum of 15 percent of the common open space shall be located on land with slopes greater than 25 percent.

Applicant Findings: 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 attached site plan Exhibit 60)

**702.020(a)(1)(C):** To allow for a mix of different types of open space areas and flexibility in site design, private open space, meeting the size and dimension standards set forth in Table 702-4, may count toward the open space requirement. All private open space must meet the size and dimension standards set forth in Table 702-4.

TABLE 702-4. PRIVATE OPEN SPACE SIZE AND DIMENSIONS		
Location of Dwelling Unit	Minimum Open Space Area Size	Minimum Dimension
Not more than 5 feet above finished grade	96 sq. ft.	6 ft.
More than 5 feet above finished grade	48 sq. ft.	6 ft.

**(D) To ensure a mix of private and common open space in larger developments, private open space, meeting the size and dimension standards set forth in Table 702-4, shall be provided for a minimum of 20 percent of the dwelling units in all newly constructed multiple family developments with 20 or more dwelling units. Private open space shall be located contiguous to the dwelling unit, with direct access to the private open space provided through a doorway.**

Applicant Findings: 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): To encourage active recreational opportunities for residents, the square footage of an improved open space area may be counted twice toward the total amount of required open space, provided each such area meets the standards set forth in this subsection. Example: a 750-square-foot improved open space area may count as 1,500 square feet toward the open space requirement.**

Applicant Findings: As shown on the site plan, there is adequate open space area located within the development. No active recreational amenities are being provided. Therefore, this standard is not applicable.

**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. Therefore, this standard is not applicable.

**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 Findings: 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 82,885 square feet of landscaped area throughout the site. Fencing will be added in areas as needed to provide adequate screening and buffers. Therefore, 39% 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. Therefore, this standard has been met.

**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 townhome development and amenities as shown on the plans meeting the landscape design requirements. (See Exhibit 63) Therefore, this standard has been met.

**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) Therefore, this standard has been met.

**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. Therefore, this standard is not applicable.

**(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 67-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. Therefore, this standard has been met.

**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. Therefore, this standard has been met.

**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.**

Applicants Findings: 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. Therefore, this standard has been met.

**(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: 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, this standard has been met.

**702.020(e)(1) through (8) Façade and Building Design**

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

Applicant Findings: 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 standard has been 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.**

TABLE 702-5. SETBACKS ABUTTING PROPERTY ZONED RA AND RS	
Number of Building Stories	Minimum Setback
1	Min. 1 foot for each 1 foot of building height, but in no case less than 14 ft.
2 or more	Min. 1 foot for each 1 foot of building height, but in no case less than 20 ft.

**(a) 5-foot reduction is permitted to each required setback in Table 702-5 provided that the height of the required fence in Sec. 702.020(b)(2)(B) is increased to eight feet tall.**

Applicant Findings: The applicant intends to install an 8' fence to allow for the 5' setback reduction as laid out in SRC 702.020(e)(2)(a). Buildings 12 and 13 are 18'7" from the property line to the south. These buildings are 23'7" as measured to the midpoint of the roofline. Buildings 11 and 13 are 20' away from the west property line. These buildings are 23'7" as measured to the midpoint of the roofline. A five-foot reduction, as allowed per code would be 18'7", which is consistent with the setbacks on the site plan in these locations. Therefore, this standard has been met.

**(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 Findings: The buildings in areas abutting RA or RS zone will provide sight-obscuring railings, landscape buffers and setbacks. (See Exhibits 60, 63 & 64a) Therefore, this standard has been met.

**(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.**

The application is requesting an adjustment to this standard.

Applicants Findings: Due to the location of the manager's office, defined as an "accessory" building, the frontage along Orchard Heights Rd. does not meet the 40% standard. An adjustment to this standard has been included in this submittal package.



**(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 an architecturally defined primary building entrance facing that street, with direct pedestrian access to adjacent sidewalks.**

Applicants Findings: All buildings along Linwood St. have entrances facing Linwood with direct pedestrian access to the adjacent sidewalks. Units along Orchard Heights Rd. have entries adjacent to Orchard Heights Rd. with direct pedestrian access to adjacent sidewalks. Therefore, this standard has been met.

**(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.**

Applicant Findings: Each residence entrance is design to provide convenience, privacy and security, with covered porch access to all townhomes. (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 are 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. Therefore, this standard has been met.

**(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 standard 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 townhome 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, this standard has been met.

#### **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 Exhibit 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.

The proposed buildings provide 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. Therefore, this standard has been met.

**800.035 Setbacks:**

Porches and decks—uncovered	Not limited, provided:  (1) The floor area of the porch or deck does not exceed 3 ft. above grade;  (2) No railing or perimeter seating on the porch or deck exceeds 44 inches in height above the floor of the porch or deck at any point; and  (3) A landscaped area 4 ft. in depth is maintained between the property line and the porch or deck.	Not limited, provided the floor area of the porch or deck does not exceed 3 ft. above grade.	Not limited, provided the floor area of the porch or deck does not exceed 4 ft. above grade.
			5 ft., when the floor area of the porch or deck exceeds 4 ft. above grade; provided, however, in no case shall the porch or deck come closer than 6 ft. to any property line.

Applicant Findings: All buildings along the north side will have decks, higher than 4' off grade, due to the topography of the site. Most of the deck area will be uncovered and will protrude no more than 5' away from the building. All decks will not come closer than 6' to the property line.

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.

The applicant is requesting for a Class-2 Adjustment for *Dwelling unit density Sec 514.010(c)*, a Class-2 Adjustment for *Setbacks (Abutting Street) 514.010(d)*, a Class-2 Adjustment for *Façade and Building Design Sec 702.020(e)(4)*, a Class-2 Adjustment for *Driveway Approach Permit Sec 804.025*, a Class-2 Adjustment for *Maximum off-street Parking Sec 806.015(6)* and a Class-2 Adjustment for *Driveway Width Sec 806.040(d)*.

As such, the applicant respectfully requests that the Type III review for Design Review Approval be approved as submitted.