

## Shelby Guizar

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**From:** Dave Simpson <simpson1310@gmail.com>  
**Sent:** Saturday, February 19, 2022 3:53 PM  
**To:** Planning Comments  
**Subject:** question about planning map  
**Attachments:** planning.png

I recently received in the mail, the Notice of Public Hearing and maps with the Proposed Salem Comprehensive Plan.

My question is on the map, what are the black lines on the streets in my neighborhood? I live at 1310 Titan Dr NW, Salem, OR 97304.

Attached is the part of the map that I am interested in.

David Simpson  
1310 Titan Dr NW, Salem, OR 97304



## Shelby Guizar

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**From:** Marie Mueller <cwmueller33@gmail.com>  
**Sent:** Saturday, February 19, 2022 3:58 PM  
**To:** Planning Comments  
**Subject:** Our Salem Proposed Comprehensive Plan Changes

Nice packet of into, although the maps are difficult to read due to size.

I tried the website of listed properties. Ouch! I'd recommend that a filter / sort is added where readers can input their "case number" or "street address" to allow them to find their property. If that is present, I certainly didn't find it!

Just a thought,

Marie Mueller  
6156 Rolletti Dr. SE  
Salem 97306-2890

My letter says Code Amendment Case No. CA21-04

## Shelby Guizar

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**From:** Barbara McReal <bdmcreal@gmail.com>  
**Sent:** Saturday, February 19, 2022 4:53 PM  
**To:** Planning Comments  
**Subject:** CA21-04

The information in this mailing says that we can go to [www.cityofsalem.net/our-salem](http://www.cityofsalem.net/our-salem), and under "list of properties" can determine if our property will be impacted. It says we can search by address or tax lot number. Well, I don't see a search opportunity and scanned through several pages until I realized how many pages there are! I'm sure the other 26 owners in this building will want to know more. Can you tell me how to get to the "search" in those documents? Or what page we need to go to?

Thank you.

Barbara McReal  
295 Church St SE, Salem, OR 97301



## Shelby Guizar

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**From:** Alan Bosik <abosik@sbcglobal.net>  
**Sent:** Sunday, February 20, 2022 3:18 PM  
**To:** Planning Comments  
**Subject:** Comments

Hi Eunice...

My name is Alan Bosik. I've lived on Eagles Wing St in West Salem since we bought this house when we moved here in 2009 from Bay Area, CA.

We got the Notice of Public Hearing in the mail. On the "Why am I receiving this notice?" page, it says:

"The City has determined the adoption of this ordinance may affect the permissible uses of your property...and may change the value of your property..."

A couple of questions please:

- 1) Can you give me specific examples of how the permissible uses of my property may be affected?
- 2) Why might the project affect my property's value? Also, does that mean the value may most likely go up or down?

Thank you... Alan

"If there's any water left, it went under the bridge." Counterpart

## Shelby Guizar

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**From:** John Baker <john@nedbaker.com>  
**Sent:** Sunday, February 20, 2022 5:01 PM  
**To:** Planning Comments  
**Cc:** Debra Baker; Natalie Baker  
**Subject:** 1515 20th St NE Zoning change

Dear Ms. Kim,

We received the notice of public hearing as it affects our property at 1515 20th St NE. I searched the Salem website address provided to find the 491 page list of over 12,000 property addresses impacted. The list is an unsearchable PDF, not alphabetized by street name, number, nor in ascending account, or tax lot number therefore it is not formatted for a property owner to easily determine how their property will be impacted. I could find no other list

I would like the information emailed to me please with regard to this property:

1515 20th St NE Salem, Oregon  
Tax Acct# 579986  
Tax Lot Number 073W24BC15400

I suspect the zoning may be changed to "Neighborhood Hub." I would like the entire proposed section describing the allowed uses and any uses we now enjoy that will no longer be allowed after adoption of the comprehensive plan map, Neighborhood plan maps, Zoning Map, and Salem Revised Code.

Thanks,

John Baker

John W. Baker  
Principal Broker  
Realtor Emeritus  
CRS, GRI, ABR, REIC, SRES, AHWD  
Tumbleweed Real Estate, Inc.  
18160 Cottonwood Rd PMB 149  
Sunriver, Or 97707-9317  
503-871-2624 Cell  
[John@NedBaker.com](mailto:John@NedBaker.com)  
Licensed in the State of Oregon

## Shelby Guizar

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**From:** ezra rabie <ezrarabie@gmail.com>  
**Sent:** Monday, February 21, 2022 10:44 AM  
**To:** Planning Comments  
**Subject:** Zoning Information

Hi Eunice. We spoke about a week ago. (I'm the guy that made you chuckle about being close to the throne.) I got the notice of public hearing on March 15. I'm wondering if there's a link or some other reference you could provide that defines the exact definitions and limitations on the different zones. In order to get a better sense of the map in the notice, I'd like to see all of them listed in the key on the map of the Proposed Salem Comprehensive Plan. Thanks very much.

Best,  
Ezra Rabie  
Owner 1280 Center St NE.

## Shelby Guizar

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**From:** Eunice Kim  
**Sent:** Monday, February 21, 2022 2:06 PM  
**To:** Planning Comments  
**Subject:** FW: Contact Eunice Kim  
**Attachments:** ATT00001.bin

**From:** noreply@cityofsalem.net <noreply@cityofsalem.net> **On Behalf Of** cdickinson1249@gmail.com  
**Sent:** Monday, February 21, 2022 1:50 PM  
**To:** Eunice Kim <EKim@cityofsalem.net>  
**Subject:** Contact Eunice Kim

Your Name	Curtis Dickinson
Your Email	<a href="mailto:cdickinson1249@gmail.com">cdickinson1249@gmail.com</a>
Your Phone	971-332-0507
Street	2374 West Park St NW
City	Salem
State	OR
Zip	97304
Message	My home has an existing designation of DR and a proposed designation of SF. What do the designations mean and how will this propose change affect me? Thank you, Curt Dickinson

This email was generated by the dynamic web forms contact us form on 2/21/2022.

## Shelby Guizar

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**From:** E Easterly <emeasterly@comcast.net>  
**Sent:** Tuesday, February 22, 2022 5:23 PM  
**To:** Eunice Kim  
**Subject:** RE: Phone conversation follow-up

Thanks, Eunice.

The DLCD staff did guide me to all the materials submitted by Salem on Tuesday afternoon.

I now understand why Our Salem is such a major undertaking -- down to the individual tax lot revisions.

E.M.

On 02/22/2022 10:22 AM Eunice Kim <ekim@cityofsalem.net> wrote:

Hi EM,

Thank you for letting me know. Hopefully, DLCD can answer your PAPA submission questions!

Best,

Eunice

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**From:** E Easterly <emeasterly@comcast.net>  
**Sent:** Friday, February 18, 2022 12:22 PM  
**To:** Eunice Kim <EKim@cityofsalem.net>  
**Subject:** Phone conversation follow-up

Thanks for the call, Eunice.

Thanks for the clarifications.

I went on line to DLCD to check access. Since I do not have authorization to modify a PAPA submission I am not eligible to log in.

Not only may I not log in but when I checked the earlier referenced submission:

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Salem			
<hr/>			
Local File #:	CA 21- 04	DLCD File #:	001- 22

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That submission is not longer in the data bank.

Nor have I figured out whether citizens can see and/or copy local government submissions.

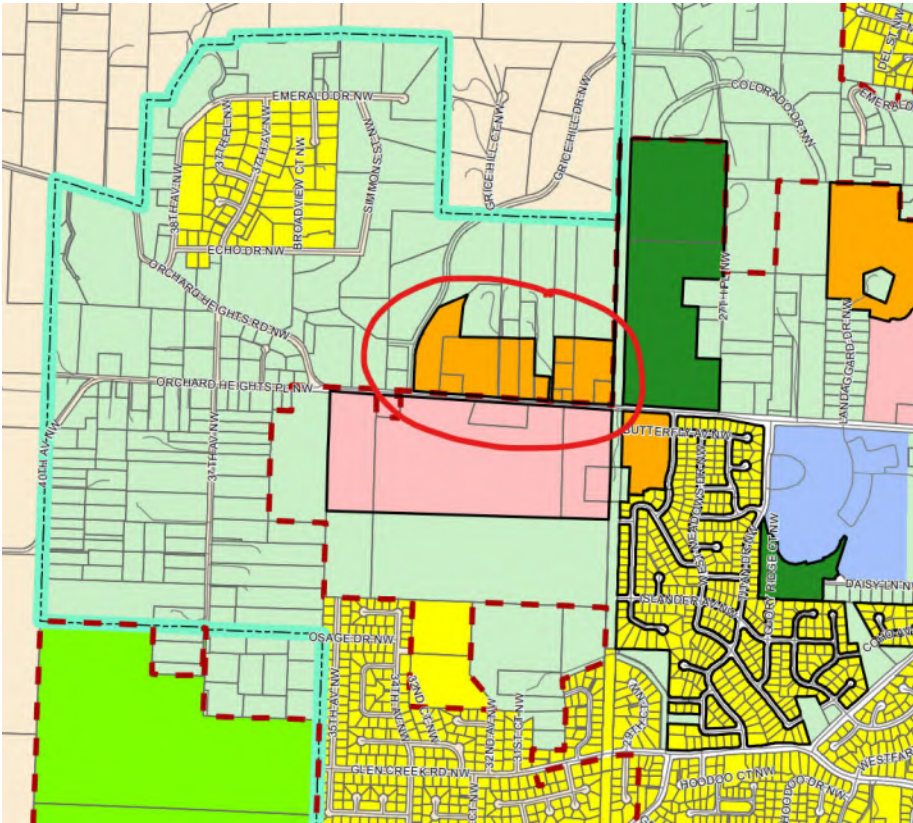
E.M.

503-363-6221

## Shelby Guizar

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**From:** Gene Bolante <Gene@studio3architecture.com>  
**Sent:** Tuesday, February 22, 2022 1:18 PM  
**To:** Planning Comments  
**Subject:** Code Amendment CA21-04



I am providing comments on the proposed Comprehensive Plan Change map dated February 2022. I have been following the City's process as this will have an effect on all of Salem. I personally live within the circled red area on the image above from your February 2022 Comprehensive Map. I find hard to accept or understand why this area is chosen for the proposed MF Multifamily identified in the orange color off Orchard Heights. You have your mixed use on the south side of Orchard Heights, which includes the availability of multifamily. The area you have chosen for MF includes currently some well-established single family homes. Some of these homes are valued high enough to not be considered tear downs to add multifamily too. I am not sure you take into account the value added or reduced of a property when the zone changes. Essentially my property's value is no longer based on a single family home but now, how many apartment units you could fit on it, therefore I am losing the value added as a single family home. My property's value will also decrease if multifamily is built around it. I would be interested in the thought process on how this area was selected for MF.

With that I oppose this area circled in red above as proposed in the Comprehensive Plan as MF. It is not the right area to assign this too.

Gene Bolante, AIA

**Studio 3 Architecture**

*275 Court Street NE*

*Salem, Oregon 97301*

*General 503-390-6500*

*Direct 971-239-0269*



## Shelby Guizar

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**From:** Rose Sanders <rositak8@yahoo.co.uk>  
**Sent:** Tuesday, February 22, 2022 3:00 PM  
**To:** Planning Comments  
**Subject:** Planning changed and hearing

I received notification of a public hearing on 3/15 and additional planning document. It appears my residence area is affected by proposed change but I am not able to understand how my neighborhood is affected. I live in the area of single family zoning near Pringle Elementary between Landau, Reed and Pikes Pass area. Can you please provide additional clarification to explain what the zoning changes are that are being proposed for this specific neighborhood?

Thank you,

Rose Herrera  
503-999-7787

[Sent from Yahoo Mail for iPhone](#)

## Shelby Guizar

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**From:** John Bonnett <johnbonnett@live.com>  
**Sent:** Tuesday, February 22, 2022 3:18 PM  
**To:** Planning Comments  
**Subject:** Proposed Comprehensive plan comment

I live in the neighborhood at Liberty and Mildred in south Salem and noticed there is a block of mixed use that is being planned. This does not fit in with our community and being a commercial area will add to the traffic in an already busy and dangerous intersection, increase petty crime (we saw a huge increase when the high density housing was built), increase noise and light pollution, encourage loitering and add to the trash/litter in the area. This would greatly affect our quality of life and degrade our home values. I propose this be removed and it be converted to single family residential like the surrounding area to keep our community as is.

John Bonnett

## Shelby Guizar

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**From:** Planning Comments  
**To:** Salem Planning  
**Subject:** RE: Contact Permit Application Center Planning Desk

**From:** [noreply@cityofsalem.net](mailto:noreply@cityofsalem.net) <[noreply@cityofsalem.net](mailto:noreply@cityofsalem.net)> **On Behalf Of** [jeeberedup@gmail.com](mailto:jeeberedup@gmail.com)  
**Sent:** Monday, February 21, 2022 9:53 PM  
**To:** Salem Planning <[Planning@cityofsalem.net](mailto:Planning@cityofsalem.net)>  
**Subject:** Contact Permit Application Center Planning Desk

Your Name	Julie T Nadeau
Your Email	<a href="mailto:jeeberedup@gmail.com">jeeberedup@gmail.com</a>
Your Phone	5035595391
Street	1627 Onyx St NW
City	Salem
State	OR
Zip	97304
Message	Please provide the definition of "Developing Residential" as it relates to the proposed Comprehensive Plan for 2/2022. I would also recommend that all definitions be included with all comprehensive plan maps. I searched for 20 minutes without finding the definition of a term used extensively in your comprehensive plan documents, including comp plan changes dating back at least several years. I located the Definitions portion of the MuniCode website (linked from Chapter 111 of the SRC) and it wasn't included there either. Definitions used in a map being widely distributed (and potentially contested) shouldn't be difficult to find. Thank you.

This email was generated by the dynamic web forms contact us form on 2/21/2022.

## Shelby Guizar

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**From:** Lynnette Martino <pinkmingo49@gmail.com>  
**Sent:** Thursday, February 24, 2022 4:23 PM  
**To:** Eunice Kim  
**Subject:** Zoning of my property

Dear Ms. Kim;

I have no objections to removing the Walker School Residential Overlay Zone for my property as long as my property remains zoned RS (Residential Single Family). Otherwise, I do object to any rezoning or redesignating the Comprehensive Plan to anything other than single family residential.

Sincerely,

Lynnette Martino  
296 Gerth Avenue NW  
Salem OR



Virus-free. [www.avast.com](https://www.avast.com)

## Shelby Guizar

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**From:** noreply@cityofsalem.net on behalf of zuni53@gmail.com  
**Sent:** Thursday, February 24, 2022 6:54 PM  
**To:** Eunice Kim  
**Subject:** Contact Eunice Kim  
**Attachments:** ATT00001.bin

Your Name	Lynne Marie
Your Email	zuni53@gmail.com
Your Phone	971-240-5900
Street	575 Belmont St NE
City	Salem
State	OR
Zip	97301
Message	Re: Proposed changes to Salem Comprehensive Plan Please send me the definitions for the following planning terms:: - Multi-use residential - Mixed use

This email was generated by the dynamic web forms contact us form on 2/24/2022.

## Shelby Guizar

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**From:** Sue Kaser <compass4you@yahoo.com>  
**Sent:** Friday, February 25, 2022 7:06 AM  
**To:** Planning Comments  
**Subject:** Our Salem Project

Hello, I live at 1500 Gabriela Ct., Ne, and would like to know if there will be extra expenses for our area due to this new project.

Thank you.

## Shelby Guizar

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**From:** Craig S. Hobbs <chobbsbi@gmail.com>  
**Sent:** Friday, February 25, 2022 8:30 AM  
**To:** Eunice Kim  
**Cc:** Planning Comments  
**Subject:** Planning Comment Re "List of Properties" Omitted Tax Account 532159

Eunice,

I was reviewing the "List of Properties" which is part of the Planning Commission amendments to the Comp Plan and found one of our two parcels at the NE corner of Battle Creek Rd. and Kuebler Blvd. was excluded from the list. FYI, we own two parcels at the corner as follows: tax account 532160 (1.67 acres) and 532159 (.05 acres). Tax account 532160 is on the "List of Properties" and shows the rezone of this property from RA to MU-1; but tax account 532159 is omitted from the list. Both of these parcels comprise the address 4826 Battle Creek Rd. SE.

I believe tax account 532159 should be on the "List of Properties" and be shown as a rezone from RA to MU-1 as well. Tax account 532159 has Taxlot Number 083W11D000602. This parcel was created when the right-of-way for Kuebler Blvd. was established years ago and separated from the larger parcel across Kuebler Blvd to the south.

Please call if you have any questions about tax account 532159 being added to the "List of Properties" with a rezone from RA to MU-1.

Craig S. Hobbs  
206-842-5325

## Shelby Guizar

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**From:** Planning Comments  
**Subject:** RE: 2861 Marietta St SE

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**From:** Ryan McClelland <[ryamcc@saif.com](mailto:ryamcc@saif.com)>  
**Sent:** Friday, February 25, 2022 10:36 AM  
**To:** Olivia Dias <[ODias@cityofsalem.net](mailto:ODias@cityofsalem.net)>  
**Subject:** 2861 Marietta St SE

I noticed the city is proposing that this property and the ones around it be changed and zoned mix use. Who requested this change and why wouldn't I be notified as the property owner that the city was attempting to change the zoning of my property? We didn't request this and haven't been notified I just happened to see it when I was looking at the cities comprehensive plan proposed changes

Ryan McClelland

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## Shelby Guizar

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**From:** Steve Weddle <steve\_weddle@hotmail.com>  
**Sent:** Friday, February 25, 2022 12:59 PM  
**To:** Eunice Kim  
**Subject:** Salem Comprehensive Plan comment

Dear Ms. Kim,

RE : Neighborhood Hub Liberty/Mildred map location

My wife and I recently relocated and purchased a home in the Holiday Ranch / Fernwood neighborhood. We have been here just over one year now and absolutely love our new home and location. We chose this neighborhood for several reasons, chief among them was that the area is quiet with minimal traffic and most of our neighbors are senior retired citizens, as are we. We also enjoy daily walking for exercise, as do many of our new neighbors and friends. It is a very easy area to walk with quiet streets and very little motor traffic.

From our previous home, we had to drive 12-13 miles one way to purchase anything, even to buy a newspaper. From our new location, we need only drive 1-2 miles one way. Obviously, we are thrilled and do not mind this short drive one bit.

IF being able to WALK to a store to purchase milk, newspaper, etc., was a HIGH priority for us, we would have focused our home search in close proximity to a source for such amenities.

As for us, we would MUCH prefer to be able to walk around Bryan Johnston Park, walk along the golf course, and walk through our peaceful neighborhood than being able to walk down to a “hub” for a haircut or cup of coffee.

Please consider that the area that is being considered for this “mixed use” revision currently is home to a property that cares for a few horses, goats, chickens, etc.

My wife and I are pleased to be able to watch the neighborhood children walk past our home, along with their parents, on their way down to visit the horses and goats.

As is evident on the plan map, this all goes away with the “neighborhood hub” idea.

Liberty and Mildred are both VERY BUSY streets with VERY HEAVY AND excessive speeding traffic and a dangerous intersection as well. Please do not exacerbate the problem by bringing a commercial “hub” into this mostly senior neighborhood. Certain that, like us, most of our senior neighbors would much prefer to continue to drive the short distance for their coffee and newspaper as opposed to having to live NEXTDOOR to it.

We respectfully object to the proposed NH addition at the Liberty / Mildred location as highlighted on the Comprehensive Plan map.

Thank you for your consideration and the opportunity to voice our concerns.

*Steve & Brenda Weddle*

6066 Lillian St SE

Salem, Oregon 97306

*"What you get by achieving your goals is not as important as what you become by achieving your goals."*  
- Henry David Thoreau

Sent from [Mail](#) for Windows 10

## Shelby Guizar

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**From:** Brigitte Johnson <brigitteguy.johnson@att.net>  
**Sent:** Saturday, February 26, 2022 5:49 PM  
**To:** Planning Comments  
**Subject:** Proposed comprehensive plan changes

To: Eunice Kim, Long Range Planning Manager

I reside in the Holiday Ranch/Fernwood Glen neighborhood at Liberty Road S and Mildred Lane SE. I received your proposal in the mail and view a "Mixed Use" on your plan. Mixed use as I understand is appropriate in downtowns, transit nodes, and commercial centers. The proposed "Mixed Use" in my neighborhood does not belong in a residential area. The intersection of Liberty Rd S and Mildred Lane SE has already been the scene of three 2021 car accidents (one ending in a fatality) and the destruction of property. Recently construction and added is the new high density housing at Liberty Rd S and Davis Rd S which has increased in traffic, noise and crime (breaking into cars). The volume of traffic would increase significantly should this multi use pass, would affect my quality of life and my home value. I strongly object to your proposal for "Mixed Use" and instead deem it to single family residential.

Only 1.8 miles away from Liberty Rd S and Mildred Lane SE is a Circle K, Walgreens, Mail Depot, Pure Decadence Bakery, Sunnyslope Shopping Center which includes Roth's Fresh Market, with smaller businesses as Snap Fitness, Love Love Teriyaki, Subway, Heroes Tap House, Nature's Pet Market, US Bank, Garlic Jim's Pizza, Subway, Limeberry, Cozumel Family Mexican Restaurant, South Liberty Bar & Grill and Salem Geeks Computers.

Regards  
Brigitte Johnson

## Shelby Guizar

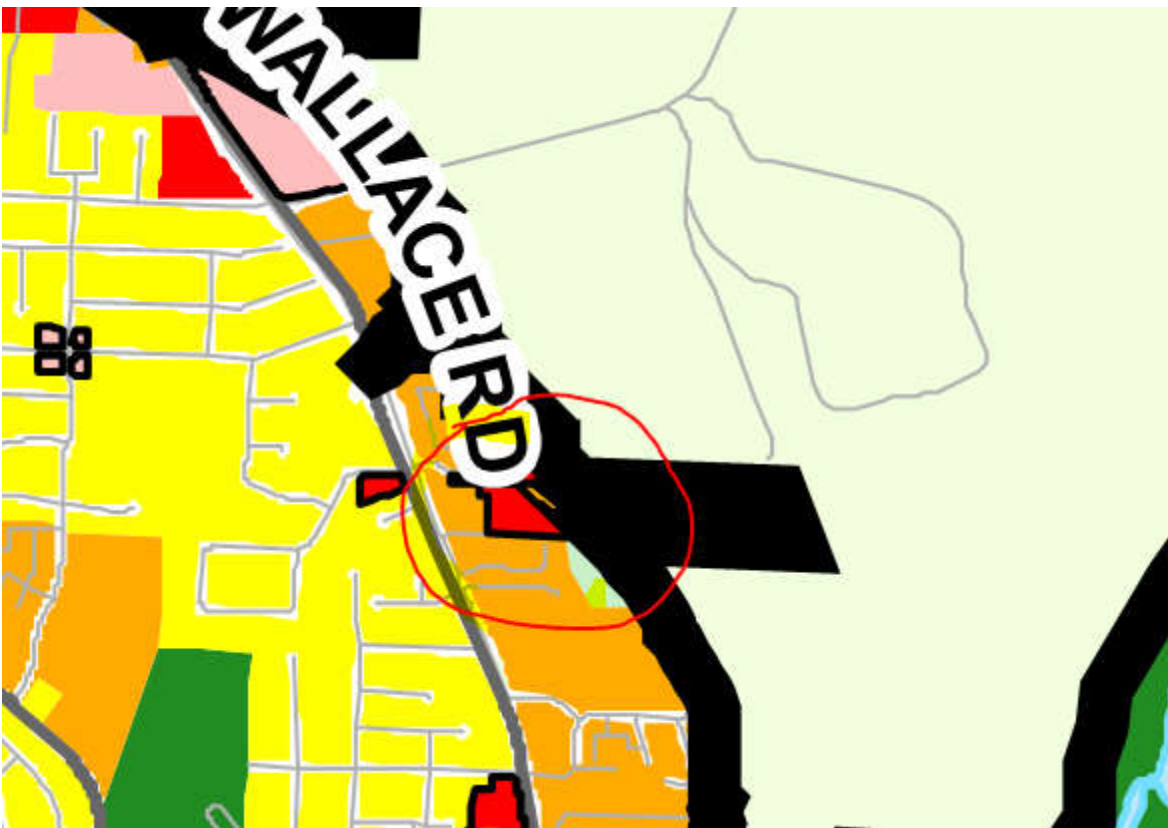
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**From:** James Lutz <james.cpcm@outlook.com>  
**Sent:** Monday, February 28, 2022 11:12 AM  
**To:** Eunice Kim  
**Cc:** daniel@casaoforegon.org  
**Subject:** Re-zoning Code amendment Case No. CA21-04

Good Morning

I am writing in regard to the OUR Salem Rezoning efforts. I own property in West Salem Map 072150000402 and 073150000403.

I am currently working with the City of Salem to build a low income housing development. The new zoning would place these lots under commercial zoning. This wont work for my project. Can I elect to keep the zoning as it currently stands? Please let me know what to expect. Thank you



James C. Lutz  
**Applegate Landing LLC**

## Shelby Guizar

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**From:** Kathy Pressler <fumcfacilitiesmanager@gmail.com>  
**Sent:** Monday, February 28, 2022 11:18 AM  
**To:** Planning Comments  
**Subject:** March 15 Code Amendment meeting

Hello,

I am reading the information sent out by the City of Salem in regards to the Pine Street Mixed-Use Overlay Zone. United Methodist Churches of Salem Keizer has property at 820 Jefferson Streets.

Is this property in the Pine Street Mixed Use overlay zone?

If not Pine Street, would it be in the Portland/Fairgrounds Road Overlay ?

We are determining if we should attend this meeting.

Thank you.

Kathy Pressler

## Shelby Guizar

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**From:** Planning Comments  
**Subject:** RE: Case File Number: Code Amendment Case No.CA21-04

**From:** Marjorie Kmetz <[kmetzmarjorie@gmail.com](mailto:kmetzmarjorie@gmail.com)>  
**Sent:** Monday, February 28, 2022 11:49 AM  
**To:** Shelby Guizar <[SGuizar@cityofsalem.net](mailto:SGuizar@cityofsalem.net)>  
**Subject:** Case File Number: Code Amendment Case No.CA21-04

Hello Ms. Guizar:

Re: Code Amendment Case No.CA21-04

This note is for me to ask permission to provide digital testimony at the Tuesday March 15, 2022 at 5:30 PM virtual public hearing.

My questions are whether either the seller of the 13.3 acres of the Tatchio land or the Salem Planning Commission and the city of Salem is requiring the buyer of this property to:

- Leave a barrier/border of trees around the 13.3 acres since single homes surround most of the land up for sale?
  1. The trees are primarily cottonwood, Douglas Fir, wild cherry, and a few hazelnut.
  2. A barrier/border of trees would provide privacy for the existing homes, and more importantly provide a portion of the woods to remain.
  3. These woods currently house rabbits, squirrels, marmots, deer, coyote, and many kinds of birds from large and small hawks, and eagles, to tiny nuthatches and many more species.
- What is known at this time about the possible building(s) which will take place on this land?
  - Will you send me instructions so that I am able to participate in this virtual meeting?
  - It should be noted that the easiest and least expensive area to build on is in the middle of the 13.3 acres because that area is open land and would NOT require the expensive removal of trees which surround this open land.

Thank you and Kind regards,

Marjorie Kmetz   home phone 503 689 1114      mobile 210 218 5741

## Shelby Guizar

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**From:** LISA HELLER <bhattys@aol.com>  
**Sent:** Monday, February 28, 2022 2:28 PM  
**To:** Lisa Anderson-Ogilvie; Eunice Kim  
**Subject:** Zone Change

Hello

I received a notice of zone change within 250 ft of my property.

I can't figure out where and what the proposed change is.

My steer numbers are 3930 Croisan MT DR S 97302 and 3924 Croisan MT DR S 97302.

I'm sorry to have to ask you to tell me but the map is small.

Thank you,

Lisa Heller

## Shelby Guizar

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**From:** Kurt Litvin <kurtlitvin@comcast.net>  
**Sent:** Thursday, March 3, 2022 9:27 AM  
**To:** Planning Comments  
**Subject:** Citizen feedback

Hello- I just learned of potential plans for developing land for mixed use, at the corner of Mildred & Liberty.

This is a very busy intersection already, precarious if you're on foot, and has steady streams of cars all day. Crossler school adds backups on Liberty on a daily basis.

PLEASE reconsider this flawed concept, not for the usual anti growth reasons, but for the practical safety reasons. We almost need a traffic light already, and further development will only create an unsafe bottleneck.

Thank you,  
Kurt & Linda Litvin



## Shelby Guizar

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**From:** Jeff Miller <jeff@cocre.com>  
**Sent:** Friday, March 4, 2022 11:31 AM  
**To:** Eunice Kim  
**Subject:** Our Salem Project - Support

Hi Eunice -

First, I want to thank you for all your work on Our Salem project and criticism you've undoubtedly endured over the past few years. It seems like a thankless job from my perspective.

This project has been going for approximately 3 years now and I feel it is time to move forward. This process will never be all things to all people and unfortunately, there will be some disappointed with the outcome. I've spoken to so many property owners over the past few years about this and advised them to engage and pay attention as some property owners will not be thrilled while others will be quite happy with the changes as they will be able to potentially sell for more or redevelop. Lately, I've spoken to buyers, sellers and developers who are frustrated the Our Salem project has not been completed yet. They feel as though their property, project or deal is in purgatory. Not able or willing to move forward until this project is complete with a known zoning outcome. I too have some concerns for property owners and have shared those concerns with you on more than one occasion. At the end of the day, with all the outreach you and others have done over the past years, it is time to move forward and get this done.

Thank you for your time and efforts on all this.

Enjoy your day.

Jeff D. Miller

Oregon Licensed Broker

Coldwell Banker Commercial

365 Bush St. SE

Salem, OR 97302

Direct - 503.999.5210

[jeff@cocre.com](mailto:jeff@cocre.com)

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## Shelby Guizar

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**From:** R Morris <information418@gmail.com>  
**Sent:** Friday, March 4, 2022 11:40 AM  
**To:** Eunice Kim  
**Subject:** Comprehensive plan

My name is Ron Morris and I own a commercial office complex at 1880 Lancaster Drive NE and I am very supportive of the new comprehensive plan. My property is zoned commercial office yet all of the properties next to me and across the street plus up and down the street are in a commercial zone. It is long over due the planners are proposing some consistency for the heavy commercial activity of Lancaster Drive NE.

Respectfully Ron Morris

## Shelby Guizar

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**From:** Kathryn Chambers <abbykats@hotmail.com>  
**Sent:** Friday, March 4, 2022 2:43 PM  
**To:** Planning Comments  
**Subject:** Salem Plan

With all due respect, I would ask you to be honest and admit the Salem Planning Commission along with the City of Salem care nothing about our citizens' quality of life, incorporating green spaces or preserving wildlife habitat. This is evidenced by the COSTCO debacle and the willingness to change zoning so more rampant building can take place and money can be made by sacrificing our irreplaceable green spaces.

Kathryn Chambers  
abbykats@hotmail.com

## Shelby Guizar

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**From:** Rockie Leach <rockieleach@gmail.com>  
**Sent:** Monday, March 7, 2022 9:25 AM  
**To:** Planning Comments  
**Subject:** Rezoning

Once again, I'm writing to completely oppose construction of an apartment complex next to the park on Eola (RM1) on the map. First, the concern for the safety of our children using the park will be put in jeopardy, as our children have to cross Eola to access that park, and rather than not doing something about the already excessive traffic on Eola, you want to add even more.

The proposed entrance to this complex off of Eola is on the MOST dangerous curve on Eola, where yearly multi-car pile ups and accidents already occur. The commissioner just approved a 500-unit complex off Doaks Ferry that will add an additional 1000 plus vehicles coming over the bridge, down Eola and Wallace, and you want to add more, not including the 32 additional homes that have been approved to be built off Doaks Ferry and Eola.

West Salem has a higher crime rate than the national average, and these past few months alone we have had a murder off Doaks Ferry, multiple stabbings off Kingwood , and a major drug bust on Crozer Rd of 31 pounds of meth, and the list goes on,yet you want to keep on adding to this. There doesn't appear to be any consideration whatsoever to the tremendous impact that this will have, and already has had on the community. The emphasis seems to be on the amount of tax dollars that can be generated rather than the impact to the community.

We would like to make this part of your record. The property next to the park, "has a water table that runs from the wetlands through the park and around the side of the property behind the homes on Mule Deer, it continues to run under those homes, on Mule Deer and down the hill". Previously the question of, "who would be held responsible for loss of life and property when a large apartment complex became part of the mudslide" was answered by basically no one. The correct answer is the city and the state would be responsible if they approve such a build. Have you determined the acceptable percentage of loss of life and property to accommodate the completion of this project? To reiterate one of many concerns, the project and the additional tax dollars from the number of residents have a higher priority than loss of life and property.

Currently the governor has ordered that all the state buildings be retrofitted for earthquakes, at a large expense. Obviously, the concern is a valid concern. Deforestation, and the removal of a large portion of the hillside to place an apartment complex can more than likely lead to a mudslide into the homes on Mule Deer as well as those on Eola. When logging or fire strips the topography **of** trees, shrubs and grasses, water **can** infiltrate the ground and make it more prone to sliding. Earthquakes may also play a big part. The Gorge is an example of such a location with tragic results!!!!

## Shelby Guizar

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**From:** Angela Yeager <angyeag@gmail.com>  
**Sent:** Monday, March 7, 2022 9:41 AM  
**To:** Eunice Kim  
**Cc:** Tom Andersen; Lisa Anderson-Ogilvie  
**Subject:** Re: Letter regarding zoning plan/Our Salem Project

Thank you Eunice. I appreciate the detailed explanation and this eases my concerns. I wish the original letter sent to residents was as clear as your email. I fully support mixed used and middle housing options. We just wanted to make sure our neighborhood wasn't being razed for some industrial site :-)

Thank you, Angela Yeager

On Mon, Mar 7, 2022 at 9:04 AM Eunice Kim <[EKim@cityofsalem.net](mailto:EKim@cityofsalem.net)> wrote:

Hi Angela and Julian,

I am the project manager for the Our Salem project and would be happy to help point you to the information on the proposed changes that impact your neighborhood. The Our Salem webpage listed on the letter you received - <https://www.cityofsalem.net/our-salem> - is the best place to go.

On that page under the heading "List of properties," you can find a [PDF](#) and [excel spreadsheet](#) where you can search by your address to see what changes are proposed. Your property - 370 18th St. SE – is on page 108 of the PDF. The PDF indicates that your property is currently zoned RD (Duplex Residential) and is proposed to be rezoned to RS (Single-Family Residential), and the Comprehensive Plan Map designation is currently MF (Multiple Family Residential) and is proposed to be redesignated to SF (Single Family Residential). You can find [descriptions of the Comprehensive Plan designations](#) on the project website.

The changes proposed for your property – and those generally east of your property – are due to HB 2001. That is a recent state law that requires cities like Salem to allow middle housing (duplexes, triplexes, quadplexes, and cottage clusters) in single-family zones/areas. The City Council recently adopted code changes that implement HB 2001, which means middle housing will be allowed in the RS zone when the code changes are effective on March 16. The RD zone, which will allow the same uses as the RS zone, is no longer necessary. We are therefore proposing to eliminate the RD zone as part of Our Salem and rezone RD properties to RS. You can read more about HB 2001 here: <https://www.cityofsalem.net/Pages/middle-housing-hb-2001-faq.aspx>

In terms of the Our Salem project, here is a map of the proposed zoning changes that you can zoom in on: <https://www.cityofsalem.net/citydocuments/our-salem-proposed-zoning-map-changes-2022-02.pdf>

We've also created a map where only the proposed changes are shown:

<https://www.cityofsalem.net/meetingdocs/spc-staff-report-attachment-6-proposed-zoning-map-changes.pdf>

Please feel free to call me if you have any other questions.

Best,

Eunice

**Eunice Kim, AICP, LEED GA** (she/her)

*Long Range Planning Manager*

City of Salem | Community Development Department

555 Liberty St SE, Suite 305, Salem, OR 97301

[ekim@cityofsalem.net](mailto:ekim@cityofsalem.net) | 503-540-2308

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

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**From:** Tom Andersen <[TAndersen@cityofsalem.net](mailto:TAndersen@cityofsalem.net)>

**Sent:** Sunday, March 6, 2022 6:20 PM

**To:** Lisa Anderson-Ogilvie <[LMAnderson@cityofsalem.net](mailto:LMAnderson@cityofsalem.net)>; Eunice Kim <[EKim@cityofsalem.net](mailto:EKim@cityofsalem.net)>

**Cc:** Angela Yeager <[angyeag@gmail.com](mailto:angyeag@gmail.com)>

**Subject:** Fw: Letter regarding zoning plan/Our Salem Project

Lisa, please see the email from Angela Yeager and Julian Snow below. Could you or someone from Community Development please assist them with their questions?

Thanks, as always,

Tom

**From:** Angela Yeager <[angyeag@gmail.com](mailto:angyeag@gmail.com)>  
**Sent:** Sunday, March 6, 2022 12:50 PM  
**To:** Tom Andersen <[TAndersen@cityofsalem.net](mailto:TAndersen@cityofsalem.net)>  
**Subject:** Letter regarding zoning plan/Our Salem Project

Dear Councilor Andersen,

We are your constituents and volunteered on your campaign. We live at 370 18th St. SE and recently received a letter regarding zoning changes happening to our neighbor and asking that people submit testimony. However, the communication sent out by the city is very confusing as to what these changes are and how they will impact residential homes in our neighborhood. The websites included in the letter did not go anywhere, or just referred to the entire city's municipal code.

There are no clear communications anywhere on the City of Salem's website about what these zoning changes are, other than a map that shows it will clearly impact our street and neighborhood. Can you point us to clear communication from the City on what the proposed changes exactly are so we can educate ourselves on this issue?

Thank you, Angela Yeager & Julian Snow



## Shelby Guizar

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**From:** Rockie Leach <rockieleach@gmail.com>  
**Sent:** Monday, March 7, 2022 9:52 AM  
**To:** Eunice Kim; Chuck Bennett  
**Subject:** Public Hearing Notice

Just Called your office to express my concern regarding the lack of notices that were sent to homeowners regarding the rezoning of the property next to the park off Eola. I find it interesting that only one neighbor has received the notice, and 12 out of the 30 on our hillside none of them have received it. This is very concerning and appears to be deceiving. I hope it wasn't inten

## Shelby Guizar

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**From:** Planning Comments  
**Subject:** RE: SE Salem Land Sale Inquiry

---

**From:** Lucila Hanson <[lhanson2012@outlook.com](mailto:lhanson2012@outlook.com)>  
**Sent:** Monday, March 7, 2022 2:49 PM  
**To:** Shelby Guizar <[SGuizar@cityofsalem.net](mailto:SGuizar@cityofsalem.net)>  
**Subject:** SE Salem Land Sale Inquiry

Hi Shelby,

I hope this email finds you well.

My name is Lucila Hanson. Your email was given to me after I expressed interest and concern regarding three parcels of land that are up for sale in SE Salem.

My husband and I just moved to Salem in February, and these parcels of land happen to be right behind our home--we live at 5624 Wigeon St SE.

I'm emailing because I would like more information about this specific sale of land and for what use it is intended for. It's my understanding that the city has a virtual meeting scheduled on March 15th with the Salem Planning Committee concerning this. Is that correct? Is this meeting available for Salem residents to attend? If so, I would like to request an invitation.

If this isn't an issue you're able to help with, would you be willing to direct me to the right person/place, please?

I appreciate any help you're able to give at this time. Thank you in advance.

Sincerely,  
Lucila Hanson

## Shelby Guizar

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**From:** MARDELL Nicole \* DLCD <Nicole.MARDELL@dlcd.oregon.gov>  
**Sent:** Tuesday, March 8, 2022 1:23 PM  
**To:** Eunice Kim  
**Cc:** YOUNG Kevin \* DLCD; HOWARD Gordon \* DLCD; CHRISTENSEN Jody \* GOV  
**Subject:** Comment Letter - Our Salem (Local File No. CA 21-04)  
**Attachments:** Our Salem PAPA 001-22.pdf

Hi Eunice,

Please see the attached letter providing comments on the Our Salem proposal, PAPA File No 001-22, Local File No. CA 21-04. Please reach out with any questions.

Best,  
Nicole



**Nicole Mardell**

Mid-Willamette Valley Regional Representative | Community Services Division

Pronouns: She/her/hers

Oregon Department of Land Conservation and Development

635 Capitol Street NE, Suite 150 | Salem, OR 97301-2540

Cell: 971-718-2401 | Main: 503-373-0050

[nicole.mardell@dlcd.oregon.gov](mailto:nicole.mardell@dlcd.oregon.gov) | [www.oregon.gov/LCD](http://www.oregon.gov/LCD)



# Oregon

Kate Brown, Governor

## Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: 503-373-0050

Fax: 503-378-5518

[www.oregon.gov/LCD](http://www.oregon.gov/LCD)

March 8, 2022

Eunice Kim, Long Range Planning Manager  
City of Salem  
555 Liberty Street SE  
Salem, OR 97301



Delivered via email: [ekim@cityofsalem.net](mailto:ekim@cityofsalem.net)

RE: Our Salem Comprehensive Plan Update, Local File No.: CA 21-04, PAPA File No: 001-22

Dear Ms. Kim,

Thank you for the opportunity to comment on the above-referenced land use application. DLCD staff has reviewed the proposed Our Salem Comprehensive Plan update, along with staff's report and findings, and are supportive of the updated draft plan. Staff appreciates the city's work in particular on the following items:

- The proposal documents have resulted in addressing all identified housing needs, as well as climate-friendly measures, including mixed use zones and neighborhood hubs that will create a more resilient community;
- An extensive community outreach strategy to incorporate public feedback into the plan; and
- Detailed findings to inform upcoming housing production strategy work.

The department commends the City and staff's work on this important plan update.

Best regards,

Nicole Mardell, Mid-Willamette Valley Regional Representative

Copy. Gordon Howard, Community Services Division Manager  
Kevin Young, Senior Urban Planner  
Jody Christensen, Governor's Office, Mid-Willamette Valley Regional Solutions  
Team Coordinator

## Shelby Guizar

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**From:** James Lutz <james.cpcm@outlook.com>  
**Sent:** Tuesday, March 8, 2022 1:21 PM  
**To:** Eunice Kim  
**Cc:** Shelly Ehenger  
**Subject:** RE: Re-zoning Code amendment Case No. CA21-04  
**Attachments:** Appelgate Terrace Veterans Housing prelim site plan OHCS 01.pdf; Applegate Terrace Apartment Complex Preface. Veterans .docx

Thank you again Eunice

I have been awarded CDBG home funds for my project, from the City Of Salem. I wish to keep the current Zoning. Attached is my project detail and draft site plan. We have been working on this for a couple years now and have applications to the State for more funding.

Do I need to provide any further information or comments for the Hearing? Please let me know. Thank you

James C. Lutz  
**Applegate Landing LLC**

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**From:** Eunice Kim <EKim@cityofsalem.net>  
**Sent:** Monday, February 28, 2022 12:02 PM  
**To:** James Lutz <james.cpcm@outlook.com>  
**Cc:** daniel@casaoeforegon.org  
**Subject:** RE: Re-zoning Code amendment Case No. CA21-04

Hi James,

Thank you for your email and comments. Changes to the proposal can be made during the adoption process, so I will attach your comments to the staff report that goes to the Planning Commission for the March 15 hearing.

Thanks again,  
Eunice

-Eunice | 503-540-2308

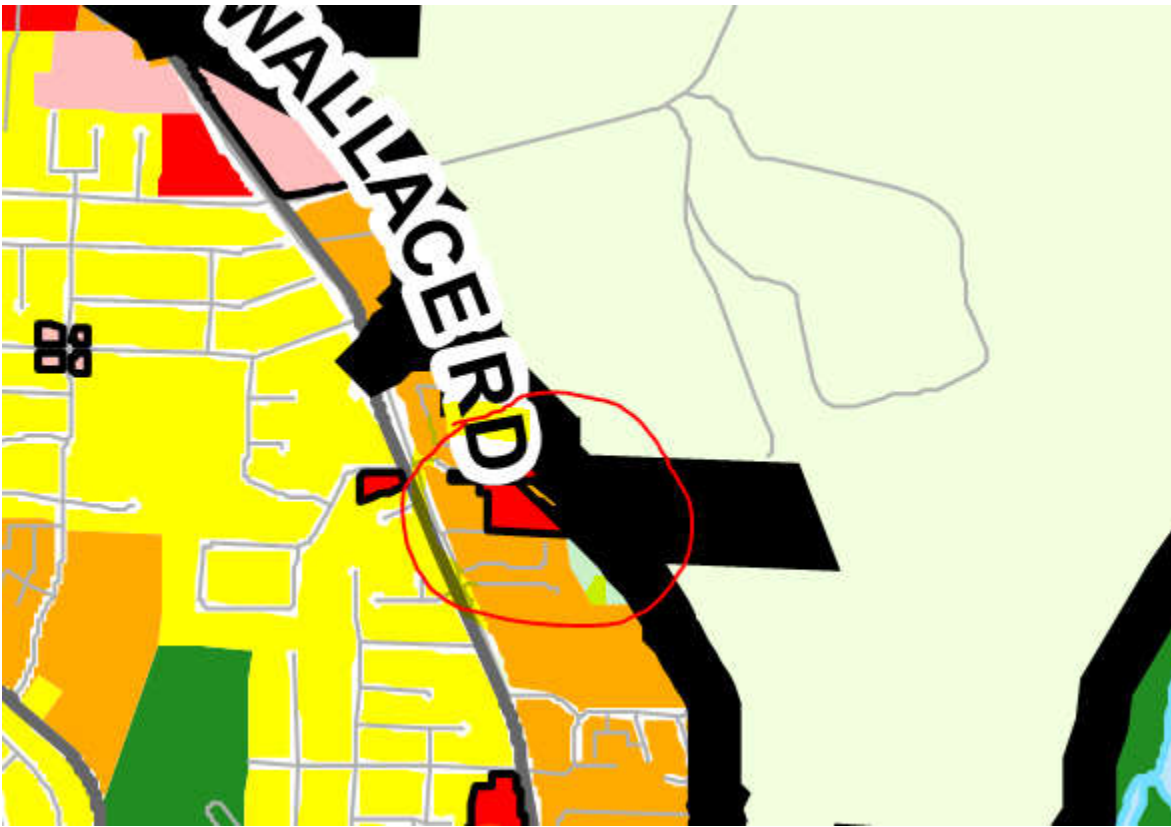
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**From:** James Lutz <[james.cpcm@outlook.com](mailto:james.cpcm@outlook.com)>  
**Sent:** Monday, February 28, 2022 11:12 AM  
**To:** Eunice Kim <[EKim@cityofsalem.net](mailto:EKim@cityofsalem.net)>  
**Cc:** [daniel@casaoeforegon.org](mailto:daniel@casaoeforegon.org)  
**Subject:** Re-zoning Code amendment Case No. CA21-04

Good Morning

I am writing in regard to the OUR Salem Rezoning efforts. I own property in West Salem Map 072150000402 and 073150000403.

I am currently working with the City of Salem to build a low income housing development. The new zoning would place these lots under commercial zoning. This wont work for my project. Can I elect to keep the zoning as it currently stands? Please let me know what to expect. Thank you



James C. Lutz  
**Applegate Landing LLC**



## **Applegate Terrace Apartments. Applegate Landing**

**Applegate Landing** Is committed to providing Supportive Veterans affordable housing to our Central valley, while minimizing environmental impacts, strengthening communities, and maintaining community integrity. Our goal is to have an inclusive population unburdened by high rent, with onsite access to supportive services. This is accomplished in part by working close with local communities and agencies, promoting quality housing standards and utilizing innovative construction concepts to attain a cost effective complex. Our emphasis on Veterans and Partnering with local care providers allows Applegate landing to provide residents with onsite holistic care services, recreation and Life improving opportunities. “A Place to Come Home to”

### **Preface:**

Homelessness in America reaches every community in our Nation. Especially concerning is the number of Homeless Veterans living on the streets, in the nation they served to protect. Studies have shown that a significant number of Homeless folks are Veterans, of one sort or another. Stagnant wages with large increases in rents and high property cost, have led to a significant amount of Folks one paycheck from Homelessness. Studies have shown a very positive impact on local economies that provide more affordable housing. With enough support we can take a bite out of homelessness, increase economic livability, and maintain housing standards and much more.

### **Executive Summary:**

Applegate Terrace Apartments will be a Family friendly complex established with a vision to bring affordable housing back to our Valley. This prototype complex will strive to provide affordable housing to Polk County with an Emphasis on Veterans, ageing Veterans needing ADA units, as well as some transitional housing units for individuals and families working through recovery programs.

Situated close to all city infrastructure and closely aligned with our local Veterans, Medical, and educational Services and programs, Applegate landing will feature easy access, plenty of Parking, an abundance of open space, with bussing to and from local services and much more.

While corroborating with many local Veteran Services, we will be working Hand in Hand with a local Non-Profit “Cross Roads Community” to provide onsite resident services. This includes connecting tenants to supportive services, Hosting Meetings, providing Counseling with Continuum of Care for persons in recovery and or transition within their programs, and so much more. With an emphasis on Veterans Care and open to individual’s and Family members eligible for our programs, our on-site tenant services will help accelerate the goals of our residents.

### **Project Description:**

The Plan is to build an Environmentally friendly designed complex consisting of 5+ buildings. Each 3 stories, with 12 units ranging from studio style, to 1, 2 & 3 bedrooms. All first-floor units will be ADA or Adaptable for folks with disabilities, persons in medical recovery, pre-nursing care and more. A single-story community center with a recreation area, exercise room, and office’s for counseling, Training, meetings etc, to support our Resident services. With plenty of open space and Recreation area, the community Peace Garden will be a great place for folks to gathers and stay busy while providing produce and herbs for their own meals. This project is one small step to stabilizing housing in the Salem area and a vital resource for our Veterans and Community. This will truly be a “Place to Come Home to”

We look forward to your Support!




$$1'' = 40'0''$$

24 TYPE (A) 2 BED/ 2 BATH (952 sqft)  
18 TYPE (C) 1 BED/ 1 BATH (728 sqft)  
6 TYPE (D) 3 BED/2 BATH (1127sqft)

50 STANDARD STALLS  
35 COMPACT  
3 HANDICAPPED STALLS  
1 LOADING

1 REC BLD/Mgrs office  
1 RECREATION PLAY AREA  
1 TOT AREA  
~~1 US MAIL BOX AREA~~  
1 TRASH/RECYCLE

**PROPOSED:**  
48 Unit Marine Drive Apt Complex  
Salem, OR

# SITE PLAN - LAYOUT -

# APPLEGATE TERRACE APARTMENTS

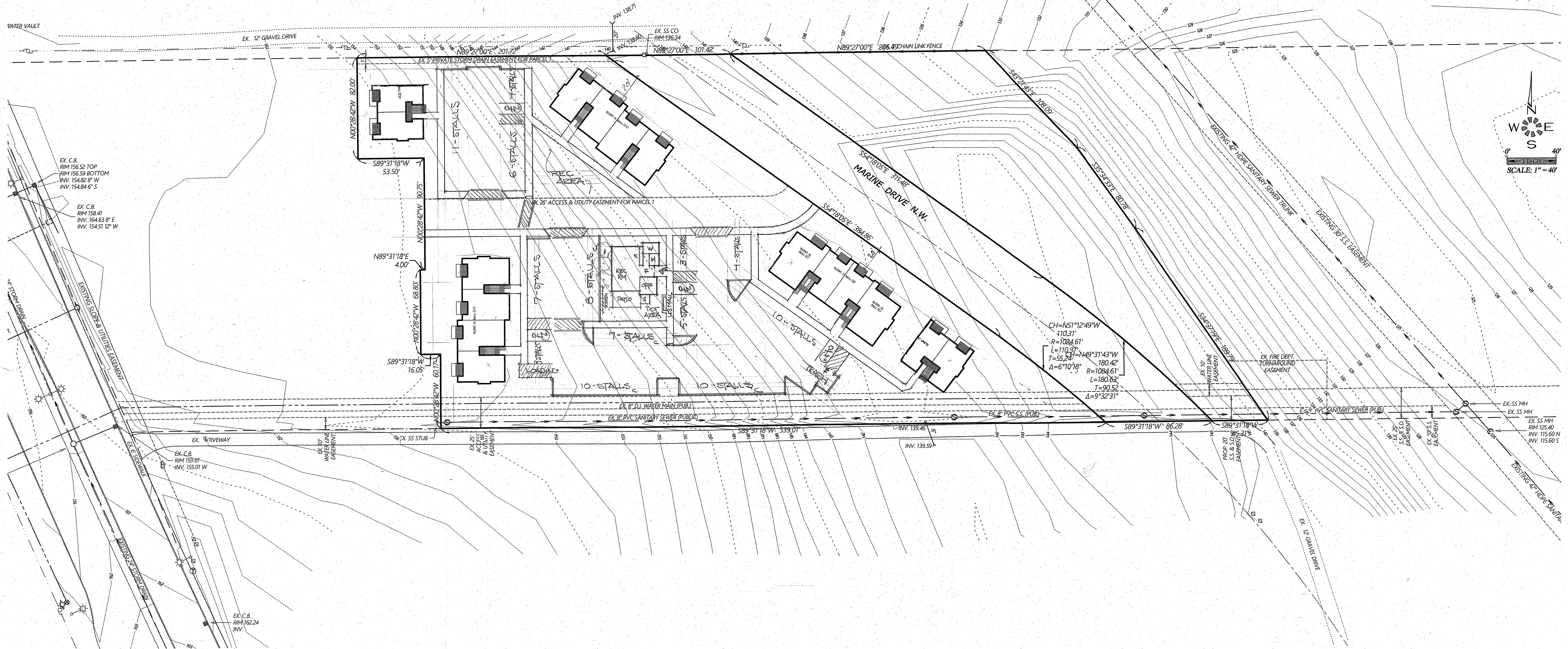
NO CHANGES, MODIFICATIONS  
OR REPRODUCTIONS TO BE  
MADE TO THESE DRAWINGS  
WITHOUT WRITTEN  
AUTHORIZATION FROM THE  
DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE  
PRECEDENCE OVER  
GRAPHICAL REPRESENTATION.

Design: M.D.G.  
 Drawn: P.H.S.  
 Checked: B.M.G.  
 Date: JAN. 2021  
 Scale: AS SHOWN

JOB # 7208

**1 OF 1**





## Shelby Guizar

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**From:** E Easterly <emeasterly@comcast.net>  
**Sent:** Tuesday, March 8, 2022 3:58 PM  
**To:** Eunice Kim

To: Salem Planning Commission VIA: [ekim@cityofsalem.net](mailto:ekim@cityofsalem.net)

From: E.M. Easterly [sguizar@cityofsalem.net](mailto:sguizar@cityofsalem.net)

Re: Our Salem 03/15/2022 hearing pertaining to the Salem Comp Plan and Comp Plan Map update

Date: March 10, 2022

While I am supportive of the proposed updates to the Salem Comp Plan and map, I disagree with the staff report: "Substantive Findings" pg 10 SRC 64.020(b) "The amendment conforms to the applicable statewide planning goals and applicable administrative rules adopted by the Department of Land Conservation and Development."

The current "official" Salem Area Comprehensive Plan (SACP) map is an aggregation of historically illegal decisions compounded over decades.

The errors include:

1. Failure to comply with ORS 92.050.
2. Failure to comply with ORS 93.310
3. Failure to comply with ORS 197.610 when revising the SACP map.

4. Failure to comply with ORS 222.130 when annexing property.
5. Failure to comply with OAR 660-012-0060.
6. Failure to comply with OAR 660-015-0005(E).
7. Failure to comply with OAR 660-018-0020 or OAR 660-018-0040(3).
8. Failure to comply with OAR 660-020-0065.
9. Failure to comply with OAR 660-024-0020.
10. Failure to comply with OAR 660-034-0040.
11. Failure to comply with SRC 64.010.

The proposed update and modification to the SACP map presented to the community in conjunction with the "Our Salem" project includes only one correction, Item No. 2, from the SACP map errors submitted July 1, 2021 to the Salem Community Development Department staff.

Absent efforts to correct the existing inaccurate SACP map, I request that the Commission recommend to Council that the proposed SACP Our Salem map revisions be suspended until staff has corrected the current "official" SACP map historical errors.

Supporting and approving the adoption of the draft SACP map which preserves all the flawed and illegal elements of the existing SACP map is an inappropriate Planning Commission decision.

Approving a well intended SACP map that perpetuates past map errors is like redecorating a decaying building without repairing its structure. The structure's appearance may be attractive but the rot is still there and as a Planning Commission member you will be encouraging Salem to become a municipal scofflaw.

Respectfully,

E.M. Easterly

503-363-6221

## Shelby Guizar

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**From:** Marilee Shelton <marileeshelton@gmail.com>  
**Sent:** Wednesday, March 9, 2022 3:58 PM  
**To:** Eunice Kim  
**Subject:** A Vote in Favor of Zone Change for property at 5080 Macleay Road

March 6, 2022

To City members considering rezoning our property

My name is Marilee Shelton and I live in Salem. Thank you for the opportunity to represent my family regarding the upcoming decisions Salem will be making towards a possible zone change of our property. This is an acreage located at 5080 Macleay Road SE.. The property is currently zoned Residential Agricultural and the city is considering changing it to Multi-Family Residential. We are in favor of this zone change for the following reasons:

### **We have the property on the Market**

Our acreage is vacant land and there are currently 2 apartment complexes adjacent to us. Prior to our decision to sell we met with a wide variety of professionals to guide our decision regarding how to best market it. Since bare land is harder to get financing for, and due to the fact that the area was more likely sellable as multi family with developments on either side, they said it would be easier to sell as a potential multi family development. Based on their advice and with their assistance we have been taking steps needed in order to present a proposal asking the city to consider changing our current RA zone to Multi Family Residential. When we learned you had identified our property as a potential location for such a rezone it was warmly welcomed as we were also working towards that goal. We are not planning on developing the property, so we have it listed with a local commercial realtor. They have experience finding qualified developers who do have knowledge and means needed to complete such complex projects. So I am sending along some possible considerations as you make your decision.

### **Easy Access Less Pollution**

This is an ideal location because travel in any direction is so easy. With Lancaster and Cordon road so close and with Highway 22 and I-5 closely accessible, traffic is rarely congested. Having the new light at Macleay and Cordon has helped keep traffic flowing and reduced bottlenecks and safety concerns at the intersection of Macleay and Cordon. The closure of Old Macleay is helping as well. When cars move along and aren't idling pollution is reduced. In addition, the new apartments near us are designed with natural settings that make an attractive liveable addition to the area and are an important part of pollution control.

Our family loves Salem. We were born and raised in this remarkable city and we owe so much to our community. It's endearing to imagine that with the current critical need for housing, this land might be used to bless those in need of finding their home. Thank you for your dedication and your very hard work towards finding critically needed housing solutions! I can be reached with any questions at:

Marilee Shelton  
1830 17th Street NE  
Salem OR 97301  
[Marileeshelton@gmail.com](mailto:Marileeshelton@gmail.com)  
503 383 2898

## Shelby Guizar

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**From:** chris@utilityincentive.com  
**Sent:** Thursday, March 10, 2022 2:30 PM  
**To:** Planning Comments  
**Subject:** FW: CITY OF SALEM PUBLIC HEARING  
**Attachments:** CITY OF SALEM PUBLIC HEARING.pdf

Dear City of Salem,  
How will these Amendments to the City of Salem Comprehensive Plan effect my multi-family community on 17<sup>th</sup> St SE?  
Please advise.  
Thank you,  
Chris O'Malley  
858-488-3998  
[www.utilityincentive.com](http://www.utilityincentive.com)



## NOTICE OF PUBLIC HEARING AUDIENCIA PÚBLICA

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**PURPOSE OF HEARING:** The Salem Planning Commission will hold a public hearing to receive testimony regarding the Our Salem project. The proposal includes amendments to the Salem Area Comprehensive Plan, Comprehensive Plan Map, Neighborhood Plan Maps, Zoning Map, and Salem Revised Code. The proposal also includes adoption of the Salem Housing Needs Analysis.

**CASE FILE NUMBER:** Code Amendment Case No. CA21-04

**DATE AND TIME OF PUBLIC HEARING:** Tuesday, March 15, 2022, at 5:30 p.m.

**LOCATION OF PUBLIC HEARING:** **DUE TO SOCIAL DISTANCING MEASURES IN PLACE TO HELP STOP THE SPREAD OF THE COVID-19 VIRUS THIS HEARING WILL BE HELD DIGITALLY**

**CASE MANAGER:** Eunice Kim, Long Range Planning Manager, City of Salem Planning Division, 555 Liberty Street SE, Room 305, Salem, Oregon 97301.  
Telephone: 503-540-2308; E-mail: [PlanningComments@cityofsalem.net](mailto:PlanningComments@cityofsalem.net)

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### HOW TO PROVIDE TESTIMONY:

Both written and oral testimony will be accepted on this proposal. Only those participating by submitting written testimony, or by testifying virtually at the hearing, have the right to appeal the decision.

**To Provide Written Testimony:** Direct written comments to the **case manager** listed above. Staff recommends emailing your comments to ensure receipt before the public hearing.

**Please Provide Comments by:** March 15, 2022 at 5:00 p.m.

**To Provide Testimony Digitally at the Public Hearing:** Sign up by contacting Shelby Guizar at [SGuizar@cityofsalem.net](mailto:SGuizar@cityofsalem.net) or 503-540-2315 by March 15, 2022 at 3:00 p.m. to receive instructions.

### APPROVAL CRITERIA:

Salem Revised Code (SRC) Chapters 110.085(b) – Amendments to the Unified Development Code (UDC); 265.010(d) – Legislative Zone Changes; SRC 64.025(e) - Plan Map Amendments; and SRC 64.020(f) - Comprehensive Plan Amendments.

The Salem Revised Code (SRC) is available to view at this link: <http://bit.ly/salemorcode>. Type in the chapter number(s) listed above to view the applicable criteria.

Subsequent to the close of the hearing, the Planning Commission will forward a recommendation to the City Council. Notice of the recommendation will be mailed to all neighborhood associations, anyone who participated in the hearing, and anyone who requested to receive notice. The City Council will make the final decision on the proposal.

## Shelby Guizar

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**From:** Eunice Kim  
**Sent:** Friday, March 11, 2022 12:09 PM  
**To:** Planning Comments  
**Subject:** FW: Life Church Justification for change to RM1  
**Attachments:** To Salem PC with justification.pdf

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**From:** Wallace Lien <WLien@lienlaw.com>  
**Sent:** Friday, March 11, 2022 12:07 PM  
**To:** Eunice Kim <EKim@cityofsalem.net>  
**Cc:** Wallace Lien <WLien@lienlaw.com>; donf@lifechurchsalem.com  
**Subject:** Life Church Justification for change to RM1

Good Morning

Please see the attached letter on behalf of the Life Church supporting and justifying the change on their property to RM1. Please include this letter in the official Record of the March 15<sup>th</sup> proceedings.

**Wallace W. Lien**

Attorney at Law

[wallace.lien@lienlaw.com](mailto:wallace.lien@lienlaw.com)

Virtual Office Directory:

1004 Crescent Dr NW

Salem, OR 97304

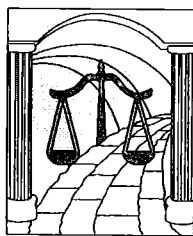
phone: 503-585-0105

<http://www.lienlaw.com>

CONFIDENTIALITY NOTICE:

If you have received this communication in error, please notify me immediately. This message is intended only for the use of the person or firm to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this information is prohibited.

# WALLACE W. LIEN



Wallace W. Lien

Attorney at Law

Contact by e-mail at  
wallace.lien@lienlaw.com

March 11, 2022

Salem Planning Commission  
555 Liberty St SE  
Room 305  
Salem OR 97301

By Email to: [ekim@cityofsalem.net](mailto:ekim@cityofsalem.net)

Re: Agenda Item 5.1 - Community Wide Rezone - Life Church Inclusion

Honorable Commission Members:

I represent Life Church in its ongoing efforts to resolve conflicts in the zoning that have arisen for the church. After many discussions with staff and working through the corrective options, it was determined the Life Church should fit into the community wide rezone, and for the new plan designation to be Residential and the zoning RMI.

For sake of brevity, as I know there is a mountain of paperwork you have to sort through in this matter, I am attaching the Memo that was presented to the West Salem Neighborhood Association on July 19, 2021 which explains the situation and why the RM1 zone is needed.

Staff agrees with the RM1 fix here, and the plan and zone changes have been included in the community wide modification process. It is a simple fix to a complex problem that should be fully implemented.

A member of Life Church will be in attendance at your March 15, 2022 meeting to make a brief presentation and to answer any questions you might have.

Yours truly,

WALLACE W. LIEN

Enc: Life Church Memo to WSNA

cc: Life Church (w/enc)



**LIFE CHURCH**  
*255 and 375 College Drive NW*  
*Salem, OR 97304*

**REQUEST FOR SUPPORT FOR ZONE MAP CHANGE  
AS PART OF THE CITYWIDE REZONING**

WSNA Agenda Item - July 19, 2021 Virtual Meeting

**ISSUE:** Life Church and Salem Academy coexisted on the West Salem property (apx 11 acres) for over 16 years, until Life Church acquired the entire complex in 2009. Through the mid-2000's Life Church also operated a school on the property with the church being an ancillary and allowed use in the PE zone. Life Church no longer operates a full time school as defined in the SRC, and Salem Academy relocated its operation. The City of Salem now considers the property to be solely a religious assembly use, since the official school uses are no longer in place. In the PE zone which is currently applied to the church property, religious assembly is a prohibited use when it is not ancillary to an educational use. The issue is how to remedy the zoning situation for Life Church to bring it into compliance.

Life Church, by and through its attorney, Wallace W. Lien, has been working with the Planning Department on various potential remedies, including changing the text of the PE zone to remove the prohibition against churches, and various quasi-judicial applications. When the City of Salem decided to initiate a citywide rezoning effort, a perfect opportunity arose to change the map designation to one that would allow a church. The Planning Department asked Life Church to bring this matter before the WSNA to gather input on the change and to then report back to the planners for inclusion in the citywide rezoning process.

**PROPOSAL:** Amend the zone map from the Public and Private Educational Services (PE) zone to the Multiple Family Residential (RM1) zone. The zone map change would be included in the citywide rezone process that is currently underway.

**RESULT:** The unlawful zoning status of the Life Church would be corrected by removing the PE zone map designation and replacing it with the RM1 zone map designation where the Life Church would be recognized as a lawful "special" use subject to SRC 700.055 which are development standards imposed on properties with the "special" designation.

**FISCAL:** There is no fiscal impact from making this zone map amendment.

**REQUEST:** Life Church is asking the WSNA to consider and vote its approval of this zone map change, and forward that approval to the City Planning Department

**JUSTIFICATION FOR THE ZONE MAP AMENDMENT**

What the Life Church has been presented with is a problem solving exercise, with a bit of common sense thrown in. What is the best and easiest way to resolve the unlawful zoning problem facing Life Church? Obviously, it is not to require the church to abandon the site it has occupied without issue from its neighbors for nearly three decades. Some land use change is required to fix the problem, and the path of least resistance seems to be to include this proposed change with the other zone map changes being done all over the City. Life Church has worked diligently with the City Planning Department to come up with a solution. We have explore amending the text of the PE zone to allow churches, however the city process for text amendments is cumbersome, time consuming and

expensive. In addition, the planning department had some reservations about changing the text of the PE zone. Having Life Church apply for a quasi-judicial zone change is also time consuming and expensive. When it was discovered the City itself was proposing some city wide rezoning to fix problems and make way for the future, adding the Life Church solution to the process made perfect sense.

The RM1 zone resolves the illegal zoning, yet provides significant protections by way of its “special” use classification. All new development on the property is subject to siting controls governed by the planning division.

It should be noted that there is no zone in the entire city where a church is allowed outright. If there was, that would be the zone that would be requested. Since there is no church zone, Life Church selected the least impactful zone available that suits its long term vision for the property. It must be stated that Life Church has no intention of utilizing any portion of its property for multi-family housing. Life Church has a long term vision of providing some assisted living accommodations on the property, which then requires the RM1 zone. The current buildings will remain. A community center for the congregation is planned for the vacant portion of the property.

Life Church is a solid member of the West Salem Community, providing the ability to worship as well as be educated. Community benefits include child care and summer and vacation camps for kids, and group sessions for adults. Life Church is a good neighbor with a positive attitude and outlook, and should be encouraged.

Life Church seeks the approval of the WSNA for its proposed inclusion in the citywide rezoning to amend the zone map from PE to RMI, and to forward that recommendation to the City Planning Department.

Pastor Don Finley will be available at the virtual meeting to answer any questions anyone might have regarding this proposal.

Thank you for your courtesies and kind consideration of our request.

## Shelby Guizar

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**From:** Shadya Jones <shadya@SHADYAJONES.COM>  
**Sent:** Friday, March 11, 2022 1:28 PM  
**To:** Planning Comments  
**Cc:** Shadya Jones  
**Subject:** Public Hearing-Code Amendment Case No. CA21-04  
**Attachments:** Val letter to City of Salem.jpg

Good afternoon,

On behalf of Val Allyn, owner of the properties located at 5559 Lone Oak Rd SE, Salem, OR, I am attaching her comments pertaining to Public Hearing Case No. CA21-04.

Have an Outstanding Day!

**Shadya Jones**  
Oregon Licensed Broker  
Coldwell Banker Commercial MWRE  
365 Bush Street SE | Salem OR 97302  
C 503. 884. 6281  
O 503. 566. 5702  
**Shadya@ShadyaJones.com**

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To: SALEM City Council

2-31-2022

To: Eunice Kim

From: Valerie Allyn - Trustee of 5559 home Oak Rd. SE Salem

I am Valerie (Talbott) Allyn and just a quick note to say in written testimony that I am in favor of affordable housing and any housing in general for Salem.

I was born and raised in Salem. I went to Liberty Grade School, Jackson Jr. High, South High School, Sprague High School, Chemeketa C.C. I have personally seen South Street grow by leaps & bounds over the years.

My folks lived there on home Oak Road into their Old Age. Our daughter and grandson live in their old home house (use to be Mrs. Haddix's old Daisy home). Housing is a huge problem in Salem and ~~and~~ must to help and growing families. Thank you for your time.

Sincerely,  
Val Allyn

## Shelby Guizar

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**From:** Scott W. Cantonwine <swc@cascadewarehouse.com>  
**Sent:** Friday, March 11, 2022 1:28 PM  
**To:** Shelby Guizar  
**Cc:** Eunice Kim  
**Subject:** Re: Supplemental Staff Report - Case No. CA21-04 for Our Salem Code Amendment  
**Attachments:** 03.15.2022 SPC Agenda.pdf; CA21-04 Planning Commission Public Hearing Supplemental Staff Report.pdf

Shelby and Eunice,

I appreciate the information, particularly the clarifying information provided in the Supplemental Staff Report that was responsive to our concerns. That clarification resolves the concern, and is clearer than the information previously available on the city's description of the proposed zone.

Thanks again, much appreciated.

---

Scott Cantonwine  
Cascade Warehouse Company  
O: (503) 363-2483 x101  
C: (503) 510-7620  
E: swc@cascadewarehouse.com

On Mar 11, 2022, at 12:58 PM, Shelby Guizar <SGuizar@cityofsalem.net> wrote:

Hello,

A Supplemental Staff Report for Code Amendment and Legislative Zone Change Case No. CA21-04 is attached for your information. This case will be heard digitally before the Planning Commission on Tuesday, March 15, 2022 at 5:30 P.M.

**Please see the attached agenda for information on how to view or provide testimony for this digital public hearing.**

Please direct questions or comments to the **CASE MANAGER:**

**Eunice Kim, Long Range Planning Manager**

555 Liberty Street SE, Room 305, Salem, Oregon 97301

[PlanningComments@cityofsalem.net](mailto:PlanningComments@cityofsalem.net)

503-540-2308

Thank you,

**Shelby Guizar**

*Administrative Analyst*

City of Salem | Community Development Department

555 Liberty St SE, Suite 305, Salem, OR 97301

## Shelby Guizar

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**From:** Harish Patel <harish@flcnw.com>  
**Sent:** Friday, March 11, 2022 1:38 PM  
**To:** Shelby Guizar  
**Subject:** Re: Supplemental Staff Report - Case No. CA21-04 for Our Salem Code Amendment

Shelby,

I am one of the property owner and in full agreement with the proposed changes. I was planning to attend but now I have something urgent come up. How do I give my statement in favor?

On Fri, Mar 11, 2022 at 1:58 PM Shelby Guizar <[SGuizar@cityofsalem.net](mailto:SGuizar@cityofsalem.net)> wrote:

Hello,

A Supplemental Staff Report for Code Amendment and Legislative Zone Change Case No. CA21-04 is attached for your information. This case will be heard digitally before the Planning Commission on Tuesday, March 15, 2022 at 5:30 P.M.

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Please direct questions or comments to the **CASE MANAGER:**

**Eunice Kim, Long Range Planning Manager**

[555 Liberty Street SE, Room 305, Salem, Oregon 97301](#)

[PlanningComments@cityofsalem.net](mailto:PlanningComments@cityofsalem.net)

503-540-2308

Thank you,

**Shelby Guizar**

*Administrative Analyst*

City of Salem | Community Development Department

[555 Liberty St SE, Suite 305, Salem, OR 97301](#)

[SGuizar@cityofsalem.net](mailto:SGuizar@cityofsalem.net) | 503-540-2315

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Regards,  
Harish

## Shelby Guizar

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**From:** Roz Shirack <rozshirack7@gmail.com>  
**Sent:** Friday, March 11, 2022 1:39 PM  
**To:** Eunice Kim  
**Subject:** Re: Proposed Zone Changes

Yes, thanks so much. I did later go through the findings in Attachment 18 that indicated many of the 1 or 2 lot zone changes were to bring the zone in line with comp plan designation.

Roz

On Fri, Mar 11, 2022 at 7:43 AM Eunice Kim <[EKim@cityofsalem.net](mailto:EKim@cityofsalem.net)> wrote:

Hi Roz,

Those are examples of properties that have conflicts between their existing Comprehensive Plan Map designation and existing zoning. As part of the Our Salem project, we have proposed to resolve mapping conflicts, so you will see examples of those across Salem. The property, for example, on Waldo Ave SE is designated Multiple Family (MF) on the Comprehensive Plan Map today, but it is split zoned RS and RM-II. The proposal is to rezone the RS portion to RM-II to align the zoning with the existing Comprehensive Plan Map designation and apply one consistent zoning to the property, which is developed with multifamily housing.

I hope that clarifies things.

Best,

Eunice

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**From:** Roz Shirack <[rozshirack7@gmail.com](mailto:rozshirack7@gmail.com)>  
**Sent:** Thursday, March 10, 2022 4:24 PM  
**To:** Planning Comments <[PlanningComments@cityofsalem.net](mailto:PlanningComments@cityofsalem.net)>  
**Subject:** Proposed Zone Changes

Hi Eunice,



I was looking at the maps of proposed zone changes in Attachment 19 of the staff report for the Planning Commission. I noticed there were about a dozen lots proposed for changes scattered through SCAN (not the lots along Commercial St SE) most of which were not on the interactive zone map that used to be on the Our Salem webpage. For example, on map 74 there are a few lots near the south east corner of Bush Park between Leffelle and Cross St being changed to RM2 from RS. On map 116 there are several lots east of Commercial St SE near Waldo and Fairview being changed RM2. I think a few other maps had minor changes, too. Did the owners request those changes?

Thanks,

Roz Shirack

## Shelby Guizar

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**From:** Matthew Hatler <mhatler@gmail.com>  
**Sent:** Friday, March 11, 2022 5:45 PM  
**To:** Planning Comments  
**Subject:** Public Hearing

Hello Eunice,

I received notice of a meeting on March 15 Case File number: Code Amendment Case No. CA21-04.

I received this notice after I had submitted suggestions for the parks and rec for the 2022 Bond. Does this meeting have anything to do with this or did I receive the notification for the meeting above as a homeowner and Salem Citizen? If it is related to the Parks and Rec suggestion then I have written a testimony, but if it is not I will save my testimony for the Bond meeting on the 18th.

Thank you!  
Matthew Hatler

## Shelby Guizar

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**From:** hollis hilfiker <hejahctf@yahoo.com>  
**Sent:** Saturday, March 12, 2022 11:20 AM  
**To:** Planning Comments; hollis hilfiker  
**Subject:** Code Amendment Case No. CA21-04

To:  
Eunice Kim, Long Range Planning Manager  
City of Salem Planning Division

Code Amendment Case No. CA21-04

From:  
Jacqueline A. Hilfiker  
1325 Hilfiker Ln. S.E.  
Salem, OR 97302

Concerning Code Amendment  
Case No. CA21-04

The property at 1325 Hilfiker Ln. S.E. should remain zoned as Residential/Agricultural rather than being rezoned for Multi-family residential. This property is surrounded by single family homes at present. With all these single family dwellings, and this not being a very large piece of land, I feel the Multi-housing zoning would be overwhelming to the area.

In 1907 August Hilfiker purchased 80 acres of land, extending from the old Highway 99 (now Sunnyside Rd.) to the West; Barnes Rd. to the South; what is now known as Cambridge Woods on the East, and the currently contested Meyer property to the North. Bernhard Hilfiker purchased around 35 acres of this property from his father in the 1920's, which he farmed until his passing. In the meantime, circa 1959, Hollis and Jacqueline Hilfiker purchased 16 acres from Hollis's dad, and now the last remaining land of the original property purchased by Hollis's grandfather. The city of Salem has an undeveloped park at the NE corner of our original purchase. This land we farmed until the last 10 years. Over the years we have had prune and cherry orchards, marionberries, and in preparation for his retirement, Hollis planted Douglas and Grand fir trees for a U-Cut Christmas Tree Farm which he ran for over 20 years. Now this property is a 'designated woodland'. One hundred and fifteen years of agricultural activity.

At present, this acreage provides a respite for not only the wildlife that finds refuge here, but also for the many folks who live surrounding it walking across our property to access the park; to access the shopping areas on Commercial St.; just enjoying a quiet walk through the woods to enjoy the large oak and fir trees and wild flowers, or for a good exercising walk.

Currently, our family has no intention of selling this property, and therefore, the Residential/Agricultural designation is certainly more applicable than a Multi-housing designation.

## Shelby Guizar

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**From:** Marjorie Kmetz <kmetzmarjorie@gmail.com>  
**Sent:** Sunday, March 13, 2022 3:42 PM  
**To:** Shelby Guizar  
**Cc:** Eunice Kim  
**Subject:** Re: Supplemental Staff Report - Case No. CA21-04 for Our Salem Code Amendment

Re: CA21-04

Hello Shelby and Eunice, Just a couple of questions please:

- Pg 4 #6 four lines up from the end of the paragraph
  1. "such as the Single Family Residential (RS) zone is based on the height of buildings,
  2. in other words, the taller the buildings, the further back they need to be from the adjacent residential zone. etc.
  3. This comment refers to the **new** buildings when it says the "taller the buildings, the further back they must be" not the existing buildings, correct?
- Pg 4 # 9 All of the Staff Response to the comment of # 9
  1. I am very glad to see the staff's very amenable response in regard to the implementing of many of the goals and policies including those around open space and wildlife habitat. Cheers! You do want to save some land and maintain some open spaces. Well, this 13.3 acres would be a great place to start.!!
  2. From my talking to most of the families who live on Wigeon St.. Their property backs up on the lower portion of the 13.3 acres. They tell me that that portion of the acreage is a wetland, often with running water if not just standing water, which continues to Holder Ln and joins with Pringle Creek.
  3. In my humble opinion, **this land is NOT compatible with being built on safely and if built on.**
  4. Any contractor who buys this land will face many costs destroying trees, and trying to shore up the wetland and somewhere not destroying the houses nearby by flooding of their property.
  5. Hollis Hilfiker some years was paid by the City for his land on Hilfiker Lane at fair market price and it has been allowed to remain as a green space.
  6. Is there any chance this could happen with the Tatchio property. I talked to Mr. Tatchio before his death and he told me that he would love to have his property saved.

Thanks for listening,  
Marjorie Kmetz

On Fri, Mar 11, 2022 at 4:25 PM Marjorie Kmetz <[kmetzmarjorie@gmail.com](mailto:kmetzmarjorie@gmail.com)> wrote:  
I plan to attend. Thank you for this additional information.

On Fri, Mar 11, 2022 at 12:58 PM Shelby Guizar <[SGuizar@cityofsalem.net](mailto:SGuizar@cityofsalem.net)> wrote:

Hello,

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503-540-2308

Thank you,

**Shelby Guizar**

*Administrative Analyst*

City of Salem | Community Development Department

555 Liberty St SE, Suite 305, Salem, OR 97301

[SGuizar@cityofsalem.net](mailto:SGuizar@cityofsalem.net) | 503-540-2315

[Facebook](#) | [Twitter](#) | [LinkedIn](#) | [YouTube](#) | [CityofSalem.net](http://CityofSalem.net)

**Shelby Guizar**

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**From:** Roz Shirack <rozshirack7@gmail.com>  
**Sent:** Sunday, March 13, 2022 4:30 PM  
**To:** Eunice Kim; Shelby Guizar  
**Cc:** Tom Andersen; Vanessa Nordyke  
**Subject:** "Our Salem" Testimony for Planning Commission Hearing 3/15, Item 5.1  
**Attachments:** SCAN Testimony to Planning Commission-Our Salem.docx

SCAN's testimony for the March 15 hearing is attached. I plan to provide oral testimony on behalf of SCAN and Shelby has sent me the link. Thank you all for your hard work on this important project.

Roz Shirack, Chair  
SCAN Land Use Committee



March 12, 2022

To: Planning Commission

From: Lorrie Walker, President  
South Central Association of Neighbors

Subject: Our Salem Testimony for Planning Commission Hearing March 15, item 5.1

**SCAN generally supports proposed revisions to the Comprehensive Plan policies and map, specifically:**

- Locate additional multi-family housing near major and minor arterials and transit routes throughout Salem.
- Keep Downtown the major commercial center in Salem, but cluster smaller commercial and mixed-use nodes on arterials around Salem; and allow small-scale commercial uses in Neighborhood Hub zones in residential areas not already served by commercial uses.
- Provide a balance of residential, employment centers, and public services (police, fire, library, parks, transit) in West Salem to allow it to be more self-sufficient to reduce vehicle miles and trips across the Willamette River. SCAN does not support a 3<sup>rd</sup> bridge across the Willamette River. Instead, SCAN supports efforts to reduce projected traffic loads and congestion on the existing bridges.
- Add the Mixed Use-Riverfront zone in the area north of Union St between Front St. and the River.

**SCAN requests the Mixed Use-II zone for Commercial St. SE from Mission St SE to Vista Ave SE.** The proposed zone map applies the MU-II zone on 4 blocks along Commercial St SE from Meyers St to Superior St. (see Map 122 in Attachment 19). We request it be extended one block south to Rural Ave, including the one lot south of Rural Ave; and then further south on the east side of Commercial St to Vista Ave *instead of MU-III* (see Map 124 in Attachment 19). We request the MU-II zone be extended north to Mission St *instead of MU-I* (see Map 119 in Attachment 19).

**Why the MU-II zone is most appropriate for Commercial St. SE from Mission St to Vista Ave.** On the west side of Commercial St SE many of the lots that front Commercial St. SE are about 8,000 square feet, relatively small for commercial and multifamily uses. A narrow alley runs parallel to Commercial St. from Bush St to Rural Ave SE and provides access to those lots. The mixed use zone on that narrow, one-lot deep strip would abut existing single-family zoned properties and multi-family zoned properties, most of which are still in single-family use.

The east side of Commercial St. SE has similar small lots and an alley that runs from Mission St to Superior St. The mixed use zone would abut existing commercial office zoned properties that also use that alley for access and parking. However, south of Superior St, the mixed use zone would directly abut the single family zone.

Mixed uses would need to use the two alleys for access, as the current small businesses and residents do now. Commercial St SE is only two lanes wide (three lanes for 3 blocks from Mission to Owens) with no room for bike lanes and limited or no curb parking for most of the blocks between Mission and Rural. Therefore, the Mixed Use-II zone is the most appropriate for this section of Commercial St SE due to small lots, adjacent residential uses, and limited street and alley capacity.

**We strongly oppose the MU-III zone proposed on Commercial St SE from Superior St to Vista Ave** (see Map 124 in Attachment 19). The lots along Commercial St, on Cherriots' Core Network, are a good location for pedestrian friendly commercial and residential uses that can rely on transit. The MU-III zone "wastes" this potential because it includes a number of vehicle-related uses that do not need to be located on the Core Network. Also, MU-III allows too intense\* of development for the small lots and abutting residential uses.

Vehicle-related uses allowed in the MU-III zone that are **not** allowed in the MU-II zone include:

- Motor vehicle and manufactured dwelling and trailer sales
- Motor vehicle services, including gasoline stations
- Commercial standalone surface parking lots
- Parking lots for park-and-ride facilities
- Drive-throughs for any use
- Taxicabs and car services
- Truck rental and leasing
- Truck stops and tire retreading and repair shops
- Privately owned campgrounds and RV parks
- Distribution centers for online and mail order sales
- Solid waste transfer stations, recycling depots

Other uses allowed in MU-III zone that are **not** allowed in MU-II and not appropriate for this section of Commercial St SE include:

- Nursing Care
- Long-term commercial lodging
- Indoor firing ranges
- Major event entertainment
- Military installations
- Funeral and cremation services
- Landscape, lawn, garden, tree services
- General manufacturing
- Printing
- Reservoirs, water storage facilities
- Drinking water treatment facilities
- Power generation facilities
- Agricultural, forestry and related services

We are concerned that MU-III will destabilize our existing walkable neighborhood that already provides a mix of housing and daily commercial needs within ¼ mile of transit and encourages walking and biking.



**Will the MU-II zone on Commercial St SE from Mission to Vista Ave (instead of MU-I and MU-III) prevent the City from meeting its multi-family and commercial needs?**

No. The City has provided no information that lining the Core Network with five and six story buildings full of commercial and/or multi-family uses are required to meet its projected need for more multi-family housing or commercial uses. There is no information about why the proposed *allocation* of MU-I, MU-II, and MU-III zones is required to meet the projected need for more multi-family housing or commercial uses. Nothing suggests that using MU-II on this section of Commercial will prevent the City from meeting its multi-family and commercial needs.

SCAN believes the MU-II zone on Commercial St SE will allow significant progress toward meeting the City's goals and the Economic Opportunities Analysis and the Housing Needs Analysis. SCAN does not oppose the widespread use of mixed use zones, but the choice of which mixed use zone is applied to a given location needs to consider the surrounding uses and the capacity of the street system that will carry not only buses, but also increased traffic generated by the mixed uses.

**SCAN's Response to Zoning Subcommittee Recommendations:**

- Support increasing dwelling units per acre to 15 in each mixed use zone.
- Support a minimum units/acre for new subdivisions of at least 5 acres, *but a higher minimum is needed*. Otherwise, an opportunity is lost to achieve more single family and middle housing in the few remaining areas available for large subdivisions. We support requiring at least 15% of units to be middle housing.
- Oppose a minimum 15 units/acre in the single family zone on existing vacant lots within ¼ mile of Core Network. This appears to prevent someone from building their own single home on their vacant lot. It is not clear if the minimum density requirement allows existing development standards (eg, setbacks, maximum lot coverage) to be met or overrides those standards. If this minimum is required, the exemption should include lots owned as of the amendment effective date. Most lots in SCAN were platted 50 to 100 years ago, but some are vacant due to fire or never developed.
- Oppose the MU-III zone setback capped at 50 feet if next to a residential zone. This cap would be reached by a 42-foot high building and provide no more setback relief for higher buildings up to 70 feet. If a cap is approved, SCAN suggests a 70-foot cap to provide more meaningful setback protection for abutting residential uses.
- Oppose eliminating a minimum parking requirement in MU-I, MU-II, MU-III zones located within ¼ mile of the Core Network. It is unrealistic to assume mixed use zones along the Core Network will not generate increased traffic and require at least some parking. In SCAN residential zones abut the proposed mixed use zones on both sides of Commercial St SE from Mission to Vista, or are only a block away. Traffic generated by the mixed uses will go into the local residential streets looking for parking.

\*MU-III zone allows the most intense and large-scale development and is the least pedestrian friendly of all the mixed use zones, as measured by allowed height of 70 feet (versus 55 feet in MU-II); capped setback of 50 feet from residential zones; and minimum ground floor height of 20 feet (versus 10 feet in MU-II).

## Shelby Guizar

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**From:** Joan Lloyd <jello879@gmail.com>  
**Sent:** Monday, March 14, 2022 8:42 AM  
**To:** Lisa Anderson-Ogilvie; Eunice Kim  
**Subject:** Fwd: Testimony re: Our Salem/ Planning Commission hearing  
**Attachments:** Opportunities Map from joint neighborhood plan.jpg

One couldn't ask for better outreach from the community for the comprehensive plan Our Salem and many improvements were included; such as, lowering off-street parking requirements and creating neighborhood hubs.

The outreach, presentations and activities to form the NEN/SESNA Joint Neighborhood Plan were phenomenal. Omissions in Our Salem Comprehensive Plan were zoning changes for Catterlin, Thompson and 18th Streets NE recommended in the NEN/SESNA neighborhood plan (see those recommendations in red below) . I am requesting that the changes to zoning on those streets be implemented in the comp plan.

Joan Lloyd

Change to RD: The zoning of the identified areas (**area #3 on the Opportunities map on page 73 which is attached**) should be changed to RD (Duplex Residential) but should allow existing multifamily developments to remain. The areas are currently zoned RH (Multiple Family High-Rise Residential) or RM2 (Multiple Family Residential 2), but many of the existing uses are single family homes. Rezoning the properties to RD will help preserve and protect the existing single-family neighborhoods, while retaining existing multifamily housing and allowing higher-density housing in the form of duplexes. Existing multifamily housing could be retained by making them continued uses, which could be altered or rebuilt, or by retaining the specific properties' current RH or RM2 zoning.

## NEN Neighborhood Opportunities Map

2014



## Shelby Guizar

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**From:** Nancy McDaniel <nanmcdann@yahoo.com>  
**Sent:** Monday, March 14, 2022 11:05 AM  
**To:** Planning Comments  
**Subject:** Our Salem and NEN Neighborhood Plan

To the Planning Commission,

Please accept this as my testimony for the March 15 hearing on Our Salem. I support the changes allowing more flexible and vibrant land uses, such as neighborhood hubs and wider use of mixed use zoning. However, as a participant in the development of the joint NEN-SESNA Neighborhood Plan, I'm disappointed that the proposed zoning ignores some of its recommendations.

In developing the plan, we spent a lot of time identifying where increased density made sense and where it didn't. (And NEN had the highest density of any neighborhood in Salem.) Two recommendations were for multi-family development in the North Campus of the State Hospital and rezoning to mixed use along State Street. Both were implemented in subsequent zoning changes.

But other zoning recommendations have been ignored in Our Salem. Specifically, the Neighborhood Plan recommended Duplex Residential zoning for 18<sup>th</sup> Street NE between Mill Creek and Center Street, and for Thompson and Catterlin Streets north of Center Street. These are all currently zoned Multiple Family Residential 2. (See the NEN Neighborhood Opportunities Map on document pages 73 and 75-76, areas #3, <https://www.cityofsalem.net/CityDocuments/nen-sesna-neighborhood-plan.pdf>.)

- The section of 18<sup>th</sup> Street is mostly older single family houses. It's immediately north of the Court-Chemeketa Historic District and appears very similar. In fact, it contains a historic building – the Bonesteele House. The street is narrow – parking is allowed on only one side – and the lots are small. The current zoning of RM2 is clearly inappropriate. Its implementation would require combining lots and razing houses, thus destroying a neighborhood that has existed for over 100 years.
- Thompson and Catterlin Streets are slightly newer neighborhoods. The RM2 zoning runs from Center Street to B Street along Catterlin and more than halfway up Thompson from Center. Both streets are good examples of how denser housing (“middle housing”) can be integrated into a neighborhood. There are at least 4 “cottage clusters” in the areas zoned RM2. It's doubtful that newer development would be as affordable. In addition, it doesn't seem to make sense for half of the block on Thompson to be RM2 and the other half Single Family, as currently zoned.

Finally, an overall observation about Our Salem. Equity is one of the policy goals, but it's not clear how that's supported by the proposed land use changes. For example, there's a map of income distribution but no discussion of how that relates to changes in density. It actually appears that much of the planned density will go into low-income areas or along

busy, noisy, polluted corridors, perpetuating current inequities in housing patterns and opportunities.

Thank you for considering my testimony.

Nancy McDaniel  
265 21st St. NE  
Salem OR



## Shelby Guizar

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**From:** Susan Steele <sisteele@veracruzproperties.net>  
**Sent:** Monday, March 14, 2022 11:25 AM  
**To:** Planning Comments  
**Subject:** Proposed Code Amendment Case No CA21-04

Hello,

We are the property owner of 2840 Broadway St., NE which is the current location of a Union 76 gas station. It appears that changing the zoning of this location: Taxlot # 073W11CC05100 to MU-III will disallow operation of a gas station in this area. We would like to go on record as being against the proposed zoning change for this location.

Thank you,

Susan I Steele, Managing Member  
of F&F Management, LLC, General Partner  
of Vera Cruz Properties, LP

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***Vera Cruz Properties, LP***

***PO Box 10326***

***Portland, OR 97296-0326***

***Phone: 503 477-7043; Fax: 503 719-5363***

***Email: [sisteele@veracruzproperties.net](mailto:sisteele@veracruzproperties.net)***

## Shelby Guizar

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**From:** Louise Fullerton <littlefull@icloud.com>  
**Sent:** Monday, March 14, 2022 2:27 PM  
**To:** Planning Comments; Eunice Kim  
**Subject:** Resending Testimony, Public Hearing on Our Salem Project

Hi Eunice,

We are including the text of our testimony below, since our earlier transmission didn't work. Please let me know whether this transmission works.

Thank you,

Louise Fullerton

Salem Planning Commission  
City of Salem  
City Manager's Office  
555 Liberty St SE, Rm 220  
Salem OR 97301  
[PlanningComments@cityofsalem.net](mailto:PlanningComments@cityofsalem.net)

March 12, 2022

Testimony submitted to:  
Planning Commission Public Hearing on Our Salem project  
Tuesday, March 15, 2022

Greetings:

We are aware that the City of Salem is engaged in a 30-year planning process, which includes designating land for multifamily housing. We reside at 710 Stewart St. NE, and have lived at this address for nearly 40 years. Our property is on the east side of Stewart Street, and our property borders on a strip of property owned by Union Pacific Railroad. It is our understanding that this strip, which runs behind the properties on the east side of Stewart Street and Parrish Middle School, is zoned for multifamily housing. We offer this testimony to the Planning Commission, to urge that the Commission remove the multifamily zoning designation from this strip.

We recognize the compelling need for increased inexpensive multifamily housing, and we support the city's efforts to enlarge this housing stock. We believe that as a practical matter however, this strip of railroad land is inappropriately zoned. Putting multifamily or other housing in this property would have negative long term effects on the livability of the housing for its residents, on the surrounding neighborhood and on traffic. First, we question whether the strip, which is roughly 60 feet wide, would provide adequate space for structures and a road needed to serve them. Second, the only access to the strip from Capitol Street NE would be by way of Lamberson Street. Lamberson connects Capitol Street to Stewart Street, and includes a stub east of Stewart Street that terminates at the pedestrian tunnel under the railroad tracks. The tunnel provides access to the North Salem High School grounds. Lamberson is a narrow street that separates the Stewart Street neighborhood from Parrish Middle School and faculty parking lot. We are concerned that providing access to the strip along the railroad tracks by way of Lamberson would substantially increase the current daily traffic and parking related to the school, overburdening the street and negatively affecting the neighborhood.

Putting in multifamily housing and a road would also be damaging environmentally. There are six or more very old Oregon White Oak trees in the strip, as well as Douglas fir, fruit and other trees and vegetation, and most if not all would

likely have to be removed. They ought to be preserved, the oaks especially since they are a part of the diminishing remnant of the oak savanna that existed in the Salem area before European settlement.

We thank you for your consideration of our testimony.

Sincerely,

Lewis Littlehales  
and  
Louise Fullerton  
710 Stewart St NE  
Salem, Oregon 97301

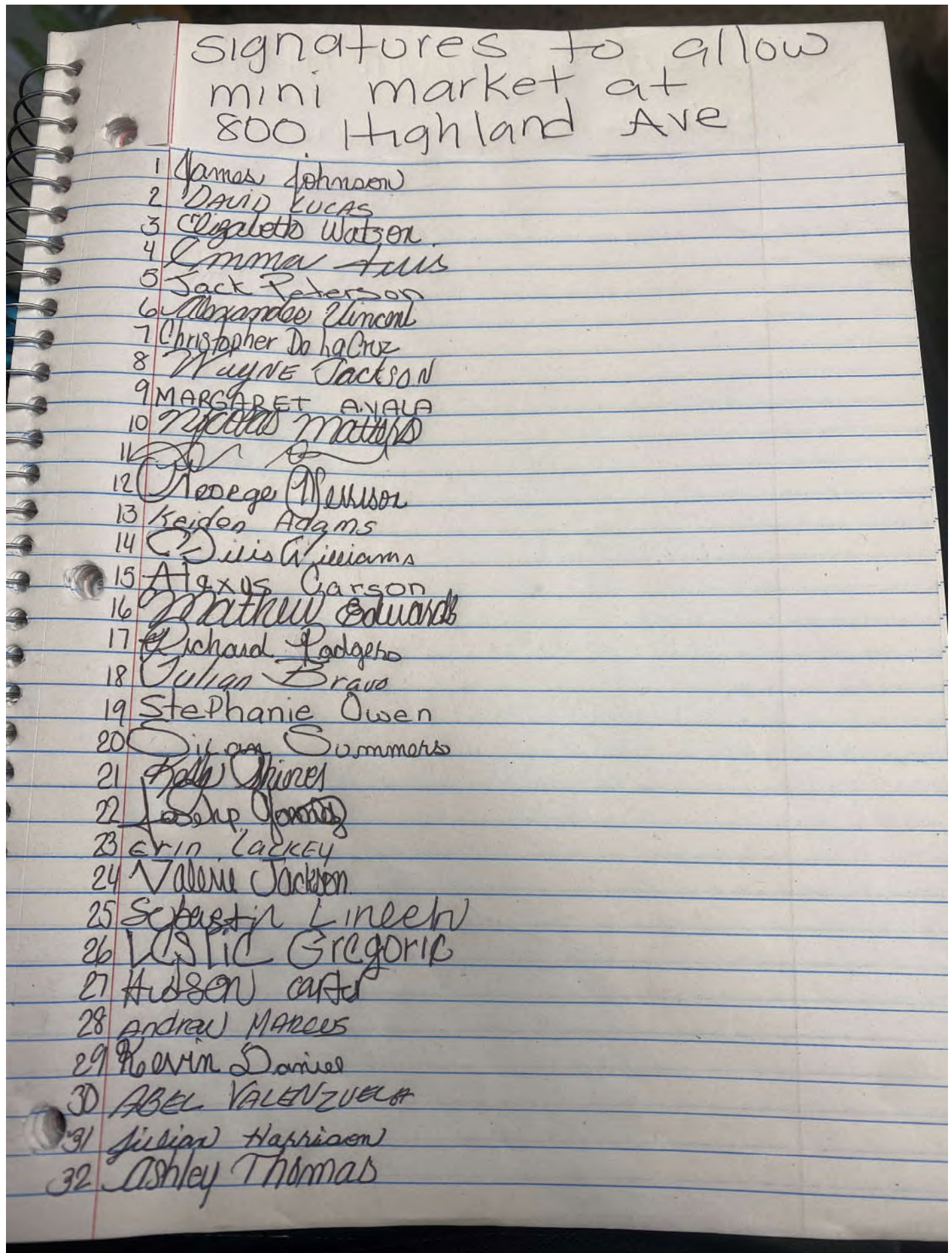
503-371-7496  
[littlefull@aol.com](mailto:littlefull@aol.com)



## Shelby Guizar

**From:** Planning Comments  
**Subject:** RE: 800 Highland Ave/ signatures

**From:** Joes Auto <joesautobodyrep@gmail.com>  
**Sent:** Monday, March 14, 2022 3:50 PM  
**To:** Eunice Kim <EKim@cityofsalem.net>  
**Subject:** Re: 800 Highland Ave/ signatures





signatures to allow  
mini market at  
800 Highland Ave

33 Albert Austino

34 ERIC WATSON

35 Sarah Adams

36 AIDEN MACIAS

37 GIOVANNI DAVIS

38 Charles Lopez

39 Dilecia Lujan

40 Thomas Laro

41 Justin Parker

42 William Cooper

43 Linda Lewis

44

45

Thank you for the clarification.

On Mon, Mar 14, 2022 at 2:35 PM Eunice Kim <[EKim@cityofsalem.net](mailto:EKim@cityofsalem.net)> wrote:

Hi Maria,

Thank you for your email and comments. They will be provided to the Planning Commission.

I wanted to clarify that the proposed zoning – Neighborhood Hub zone – would allow a small neighborhood market. The existing zoning is Single Family Residential and prohibits such a market.

Best,

Eunice

Hi Kim I forgot to send you some signatures . That we collected

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**From:** Joes Auto <[joesautobodyrep@gmail.com](mailto:joesautobodyrep@gmail.com)>

**Sent:** Monday, March 14, 2022 2:30 PM

**To:** Eunice Kim <[EKim@cityofsalem.net](mailto:EKim@cityofsalem.net)>

**Subject:** 800 Highland Ave

Good afternoon Kim ,

I'm sending you this email because I would like you to take into consideration , that I vote for the property at [800 Highland Ave NE](#)

[Salem OR](#) to remain same zoning I Feel all the neighborhood would be happy having a convenient mini market within walking distance.

Best regards

Maria

## Shelby Guizar

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**From:** Olivia Rameriz <oliviarameriz0@gmail.com>  
**Sent:** Monday, March 14, 2022 4:24 PM  
**To:** Eunice Kim  
**Subject:** 800 Highland Ave Ne

To Whom It May Concern,

I would greatly appreciate if the city would allow the property located at 800 Highland Ave Ne to stay a convenience store. I find it would be very beneficial to this neighborhood and all who live nearby. Thank you for your time and consideration.

Sincerely,  
Olivia

## Shelby Guizar

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**From:** Miguel Torres <torresmiguel2187@gmail.com>  
**Sent:** Monday, March 14, 2022 4:34 PM  
**To:** Eunice Kim  
**Subject:** Planning Commission report recommendation

Good evening Kim,

I wanted to share that I think that it would be beneficial for the community if the property located at 800 Highland Ave NE Salem OR 97301 remained as a small market.  
Thank you for your time.

-Miguel

## Shelby Guizar

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**From:** Mark Lowen <MLowen@livebsl.com>  
**Sent:** Monday, March 14, 2022 4:55 PM  
**To:** Lisa Anderson-Ogilvie; Eunice Kim  
**Cc:** John Eld  
**Subject:** Our Salem Code Amendment Case No. CA21-04  
**Attachments:** Our Salem Letter to PC 3-14-22.pdf

Good afternoon,

Please include this letter of support for the Our Salem Project in the public records

*Thank you,*

*Mark Lowen  
Project Manager*

**Bonaventure®**

[BonaventureSenior.com](http://BonaventureSenior.com)

3425 Boone Road SE | Salem, OR 97317

C: 503-586-4104 / W: 503 480 3151

[mlowen@livebsl.com](mailto:mlowen@livebsl.com)

[LINKEDIN](#) | [FACEBOOK](#) | [TWITTER](#) | [PINTEREST](#) | [YOUTUBE](#)



Salem Planning Commission  
555 Liberty ST SE  
Salem OR 97301

March 14, 2022

Re: Our Salem Project

Greetings,

On behalf of Titan Hill Properties, LLC, and Bonaventure, we want to express our support for the Our Salem Project and these proposed Comprehensive Plan and Zoning Revisions as shown in the updated Vision Map.

As owners of approximately 37 acres located at the northwest corner of Orchard Heights Road NW and Doaks Ferry Road, Titan Hill Properties, LLC is directly impacted by the Our Salem Project. This project proposes to change the Comprehensive Land Use designations for the northerly, 22 acres of our site from DR – Developing Residential to MF – Multi-family Residential, as well rezoning this portion from RA – Residential Agricultural to RM II – Residential Multi-family II. The southerly 15 acres would be rezoned from NCMU – Neighborhood Center Mix Use to MU II – Mixed Use II.

We understand that the Our Salem Project is a vital part of addressing the growing need for a broader range of housing types and specifically addressing the growing deficit of multi-family housing options in Salem.

We would like to express our appreciation to city staff and all those who have worked so hard on the Our Salem Project.

We would encourage Planning Commission to vote in favor of the propose Our Salem project.

Thank you for your consideration

A handwritten signature in blue ink, appearing to read 'John Eld', is written over the typed name and title.

**John Eld**  
*Director of Development*



## Shelby Guizar

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**From:** marie porter <marieporternyc@gmail.com>  
**Sent:** Monday, March 14, 2022 5:15 PM  
**To:** Eunice Kim  
**Subject:** Property at 800 Highland Ave

Good afternoon Kim,

As a mother who lives nearby 800 Highland Ave NE Salem, OR 97301 I strongly believe that it would be of good use to remain a mini market to the neighborhood considering it really is accessible to the neighbors and people all living nearby.

Thank you for your time and consideration.

Marie Porter



## Shelby Guizar

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**From:** Erica Randall <ery2cute5787@yahoo.com>  
**Sent:** Monday, March 14, 2022 5:40 PM  
**To:** Planning Comments  
**Subject:** Eola RM1 comment/ feedback for 3/15 meeting

> Good evening,

> I'm writing to completely oppose construction of an apartment complex next to the park on Eola (RM1) on the map. First, the concern for the safety of our children using the park will be put in jeopardy, as our children have to cross Eola to access that park, and rather than not doing something about the already excessive traffic on Eola, you want to add even more.

> The proposed entrance to this complex off of Eola is on the MOST dangerous curve on Eola, where yearly multi-car pile ups and accidents already occur. The commissioner just approved a 500-unit complex off Doaks Ferry that will add an additional 1000 plus vehicles coming over the bridge, down Eola and Wallace, and you want to add more, not including the 32 additional homes that have been approved to be built off Doaks Ferry and Eola.

>

> West Salem has a higher crime rate than the national average, and these past few months alone we have had a murder off Doaks Ferry, multiple stabbings off Kingwood, and a major drug bust on Crozer Rd of 31 pounds of meth, adding additional housing here will only further compound the safety issues we are facing without properly adding additional personal To keep the area safe.

>

> I would like to make this part of your record:

> The property next to the park, "has a water table that runs from the wetlands through the park and around the side of the property behind the homes on Mule Deer, it continues to run under those homes, on Mule Deer and down the hill". Previously the question of, "who would be held responsible for loss of life and property when a large apartment complex became part of the mudslide" was answered by basically no one. The correct answer is the city and the state would be responsible if they approve such a build. Have you determined the acceptable percentage of loss of life and property to accommodate the completion of this project? To reiterate one of many concerns, the project and the additional tax dollars from the number of residents have a higher priority than loss of life and property.

> Currently the governor has ordered that all the state buildings be retrofitted for earthquakes, at a large expense. Obviously, the concern is a valid concern. Deforestation, and the removal of a large portion of the hillside to place an apartment complex can more than likely lead to a mudslide or other significant issues.

>

> Thank you for taking the time to understand my response and strong opinion that this land should not be used for the proposed development.

>

> Erica Randall

>

> Sent from my iPhone

## Shelby Guizar

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**From:** Cynthia Walsh <wishcynth@gmail.com>  
**Sent:** Monday, March 14, 2022 5:41 PM  
**To:** Planning Comments

Once again, I'm writing to completely oppose construction of an apartment complex next to the park on Eola (RM1) on the map. First, the concern for the safety of our children using the park will be put in jeopardy, as our children have to cross Eola to access that park, and rather than not doing something about the already excessive traffic on Eola, you want to add even more.

The proposed entrance to this complex off of Eola is on the MOST dangerous curve on Eola, where yearly multi-car pile ups and accidents already occur. The commissioner just approved a 500-unit complex off Doaks Ferry that will add an additional 1000 plus vehicles coming over the bridge, down Eola and Wallace, and you want to add more, not including the 32 additional homes that have been approved to be built off Doaks Ferry and Eola.

West Salem has a higher crime rate than the national average, and these past few months alone we have had a murder off Doaks Ferry, multiple stabbings off Kingwood , and a major drug bust on Crozer Rd of 31 pounds of meth, yet you want to keep on adding to this. There doesn't appear to be any consideration whatsoever to the tremendous impact that this will have, and already has had on the community. The emphasis seems to be on the amount of tax dollars that can be generated rather than the impact to the community.

We would like to make this part of your record. The property next to the park, "has a water table that runs from the wetlands through the park and around the side of the property behind the homes on Mule Deer, it continues to run under those homes, on Mule Deer and down the hill". Previously the question of, "who would be held responsible for loss of life and property when a large apartment complex became part of the mudslide" was answered by basically no one. The correct answer is the city and the state would be responsible if they approve such a build. Have you determined the acceptable percentage of loss of life and property to accommodate the completion of this project? To reiterate one of many concerns, the project and the additional tax dollars from the number of residents have a higher priority than loss of life and property.

Currently the governor has ordered that all the state buildings be retrofitted for earthquakes, at a large expense. Obviously, the concern is a valid concern. Deforestation, and the removal of a large portion of the hillside to place an apartment complex can more than likely lead to a mudslide or other significant issues.

## Shelby Guizar

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**From:** Sarina Hill <sarinahill14@gmail.com>  
**Sent:** Monday, March 14, 2022 5:55 PM  
**To:** Planning Comments

Once again, I'm writing to completely oppose construction of an apartment complex next to the park on Eola (RM1) on the map. First, the concern for the safety of our children using the park will be put in jeopardy, as our children have to cross Eola to access that park, and rather than not doing something about the already excessive traffic on Eola, you want to add even more.

The proposed entrance to this complex off of Eola is on the MOST dangerous curve on Eola, where yearly multi-car pile ups and accidents already occur. The commissioner just approved a 500-unit complex off Doaks Ferry that will add an additional 1000 plus vehicles coming over the bridge, down Eola and Wallace, and you want to add more, not including the 32 additional homes that have been approved to be built off Doaks Ferry and Eola.

West Salem has a higher crime rate than the national average, and these past few months alone we have had a murder off Doaks Ferry, multiple stabbings off Kingwood , and a major drug bust on Crozer Rd of 31 pounds of meth, yet you want to keep on adding to this. There doesn't appear to be any consideration whatsoever to the tremendous impact that this will have, and already has had on the community. The emphasis seems to be on the amount of tax dollars that can be generated rather than the impact to the community.

We would like to make this part of your record. The property next to the park, "has a water table that runs from the wetlands through the park and around the side of the property behind the homes on Mule Deer, it continues to run under those homes, on Mule Deer and down the hill". Previously the question of, "who would be held responsible for loss of life and property when a large apartment complex became part of the mudslide" was answered by basically no one. The correct answer is the city and the state would be responsible if they approve such a build. Have you determined the acceptable percentage of loss of life and property to accommodate the completion of this project? To reiterate one of many concerns, the project and the additional tax dollars from the number of residents have a higher priority than loss of life and property.

Currently the governor has ordered that all the state buildings be retrofitted for earthquakes, at a large expense. Obviously, the concern is a valid concern. Deforestation, and the removal of a large portion of the hillside to place an apartment complex can more than likely lead to a mudslide or other significant issues.

## Shelby Guizar

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**From:** PEDRO GONZALEZ <peteshirl@comcast.net>  
**Sent:** Monday, March 14, 2022 8:48 PM  
**To:** Planning Comments  
**Cc:** Deanna Garcia  
**Subject:** Written Testimony regarding proposed zoning  
**Attachments:** planning commission - neighbors 20220314.jpg

Please see attached.

March 14, 2022

City of Salem Planning Commission  
555 Liberty St SE, Room 305  
Salem OR 97301

RE: Proposed Zoning Change of 2390 Brown Road NE

Dear Planning Commission:

Our Salem Project proposes changing zoning of 2390 Brown Road to NH-Neighbor Hub.

The residents of this area already have their daily retail needs well met within walking distance as well as via transit service. Additionally, the recent street and sidewalk improvements to Brown Road resulted in unintended visibility issues when driving from Maria Avenue onto Brown Road. Maintaining this property as Residential Agriculture will mitigate any potential retail traffic which could increase pedestrian hazards. Maintaining the safety of our neighbors, young and old, walking to Brown Road Park is more important to us than increasing retail opportunities through a neighborhood hub.

The following request the existing zoning for 2390 Brown Road is maintained.

Shirley Gonzalez	4527 Maria Ave
Bob Smith	- - -
Randy Carver	4567 Maria Ave
Laura Rojas	4596 Maria Ave.
Jim [unclear]	4596 Maria Ave.
Virginia Kroger	4536 Maria Ave
Jenna Martin	4517 Maria Ave NE
Kristen Hansen	4547 Maria Ave NE
Alfred Beyer	4537 Maria Ave. N.E.
Car K	4577 Maria Ave N.E.
KK	4577 Maria Ave NE
P. Berr	4586 Maria Ave NE
BB	4586 Maria Ave NE
203c stat note	
for Dallas Robinson	4546 Maria Ave NE

March 14, 2022

City of Salem Planning Commission  
555 Liberty St SE, Room 305  
Salem OR 97301

RE: Salem Zoning Map (March 15, 2022 Planning Meeting Agenda Item 5.1)

Please accept this letter as written testimony in request of amending the zoning map without the Neighborhood Hub next to Brown Road Park on Brown Road. (Refer to March 15, 2002 Planning Commission Meeting Agenda Item 5.1 Attachment 7: Taxlot Number 072W18DD00100, Property ID 555931, Street Address 2390 Brown Road NE)

I support the concept of neighborhood Hubs and the needs they can address - more easily in new developments. The neighbors near the proposed Brown Road Neighborhood Hub do not suffer from a deficit of commercial opportunities. Attached to my testimony is a list of nearby commercial opportunities within walking distance. Additionally, Brown Road is along Cherriot's bus route 2 - Market/Brown which expands commercial opportunities for its residents.

Pedestrian safety on Brown Road was a documented risk. The *Bike & Walk Salem, Final Memorandum #9 – Safe Routes to School Solutions* presented to Salem Bike/Ped Plan Stakeholder Advisory Committee by the CH2M Hill Salem Bike/Ped Plan Project Team on October 11, 2012 stated the following in regard to Scott Elementary School, *"The highest priority project was the sign project, while the second highest priority project was the Brown Road sidewalk project. Sidewalk infill projects on nearby City-owned streets (e.g., Brown Road south of Carolina Avenue) will also assist students walking to school."* Brown Road was designated as a "High Priority" in the Salem Transportation System Plan amended January 13, 2020 (3-38-Street System Element). We are so grateful that project has been completed.

While documented improvement adds value from an administrative need, it does not adequately picture the risk still remaining. The street improvements were not perfectly aligned with existing properties. Across the street from Brown Road Park, the intersection with Maria Avenue remains hazardous. Please refer to Figures 1,2 and 3 for a pictorial representation of the risk and hazard.

While Neighborhood Hubs are intended to increase pedestrian access to commercial businesses, I believe it is well understood that they can and do increase vehicular traffic for the business(es) they create. Please do not sacrifice the pedestrian safety we have gained with unneeded incremental opportunities for commercial business.

Thank you for your consideration of my comments.  
Respectfully submitted,

Shirlene Gonzalez  
4527 Maria Ave NE  
Salem, OR 97305  
peteshirl@comcast.net



Figure 1 - Stopped at stop sign and cross walk on Maria Ave at Brown Road, viewing north. [Source: Photo taken by Shirlene Gonzalez on December 5, 2021, 1:50 PM]

This picture portrays the visibility of a driver looking north on Brown Road from Maria Ave when stopped at the stop sign.



Figure 2

- Stopped at stop sign and cross walk on Maria Ave at Brown Road, viewing south. [Source: Photo taken by Shirlene Gonzalez on December 5, 2021, 1:50 PM]

This picture portrays the visibility of a driver looking south on Brown Road from Maria Ave when stopped at the stop sign.





Figure 3 - Stopped beyond stop sign and beyond cross walk on Maria Ave at Brown Road, viewing north. [Source: Photo taken by Shirlene Gonzalez on December 5, 2021, 1:50 PM]

This picture portrays the visibility of a driver looking north on Brown Road from Maria Ave when stopped past the stop sign and crosswalk.



Sample of commercial opportunities within walking distance of proposed Brown Road Neighborhood Hub.

\*Indicates those I have walked to and patronized.

Middle Grove Market

Momiji Sushi Restaurant

\*Morrow & Sons Produce

Plaid Pantry

Shooter's Cafe & Saloon

Magic Hands Therapeutic Massage

Hollywood Tavern

\*Fred Meyer

\*Grocery Outlet

Safeway

\*Miranda Brothers Bakery

Starbucks

Auto Zone Auto Parts

Batteries Plus Bulbs

North Salem Liquor Store

Planet Fitness

Big Lots

Bi-Mart

\*Laura & Daisy's Bakery

\*El Torito Meat Market

\*Walgreens

Les Schwab Tire Center

Bottle Drop Redemption Center

Verizon



March 12, 2022

Dear Members of the Salem Planning Commission,

Northeast Neighbors (NEN) would like to communicate its support for adoption of the Salem Area Comprehensive Plan. City staff has engaged in a lengthy and thorough planning process ("Our Salem"). We commend them for their hard work, diligence, effectiveness, and resilience while conducting much of Our Salem during the pandemic.

While NEN supports passage of the Salem Area Comprehensive Plan, we would like to recommend one small change. We ask that the proposed zoning from our adopted NEN/SESNA Neighborhood Plan (2015) be integrated into Salem's new Comprehensive Plan. (For any recommended zone that is disappearing, like RD, the City could apply the next most similar zone.) By doing this, the new Comprehensive Plan would help implement a refined neighborhood plan that was the outcome of an intensive and detailed neighborhood planning effort.

To summarize, Salem is in dire need of a new Comprehensive Plan to meet its needs and challenges. The City's outreach and engagement was extensive, equitable, and effective. We fully support adoption of the plan now and also hope that the Planning Commission will accept our recommended change.

On behalf of the NEN Board,

Laura Buhl  
Land Use Co-Chair

## Shelby Guizar

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**From:** alan mela <alanmela@hotmail.com>  
**Sent:** Tuesday, March 15, 2022 10:20 AM  
**To:** Planning Comments  
**Subject:** Comments - Code Amendment Case CA21-04, Comprehensive Plan

Hello,

Karen & I own the property including Grocery Outlet and D Street Storage.

A general comment - going forward, please consider more flexibility for older buildings/properties regarding (secondary?) code requirements, if the benefit of the overall Improvements very heavily outweigh the need to satisfy those lesser requirements.

In GO's case, signage facing southbound Commercial is severely limited and it likely comes down to that this 80+-year-old cold storage warehouse was originally oriented to Front Street and the RR - but the signage rules didn't 'keep up' with the repurposing as a grocery 40 years ago and the addition of the median strip on Commercial.

You can't just pick up a 44,000 sqft building on a 2-acre property and rotate it 180 degrees so it faces where customers now come from.

We are very excited by the prospective northward development of the CBD and what it will do for Salem - but in creating supporting code requirements creative & flexible application of that code to what's already built should be kept in mind.

thanks,  
Alan Mela

## Shelby Guizar

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**From:** Craig and Cecilia Urbani <ccurbani@comcast.net>  
**Sent:** Tuesday, March 15, 2022 10:21 AM  
**To:** Eunice Kim; Shelby Guizar  
**Subject:** Salem Planning Commission public hearing Item #5.1

To: Salem Planning Commission

Subject: March 15, 2022 Public Hearing for Agenda Item #5.1

We request to be permitted to provide live testimony at the digital public hearing; plus submit the following comments for consideration by the Planning Commission.

We own property at 370 College Drive NW. This is within the College/Stoneway Drive NW area. This is a well-established single-family neighborhood. Our street is a narrow improvement with no sidewalks, and a ditch handles stormwater drainage. These are Local designated streets.

Our comments are in reference to the proposals on Maps # 170 and 171.

### MAP #170 (property generally at the 255 College Drive NW area)

We oppose this proposed change to MF and RM1. This is not the right area to assign this multiple family designation to.

Intensification of the use of this area is not appropriate because:

1. College Drive NW is designated as a Local Street and not designed or improved to safely handle an increase in traffic. This proposed change would generate too much traffic and parking issues for this narrow, curvy street in this hilly area. Multiple family zoned area should be along major corridors
2. The surrounding area is well-established single family residential on large lots.
3. An increase in additional storm drainage would negatively impact this area. Open ditches are the current method of drainage.
4. This property is the western edge of the city limits and also the existing UGB. Additional density at the edge of the Salem urban area makes no sense.
5. There are no services, such as transit routes, neighborhood services/activities/commercial/, to support the proposed increase of multiple family.
6. There is NOT a demand for this proposed change to multiple family. Based on the staff report that "updates" the Housing Needs Analysis Report, it states that from 2015 to 2021, there have been 3,192 multiple family dwelling units permits. Therefore based on all of the proposed changes there will be a surplus of 1,059 multiple family dwelling units.

### MAP #171 (property at Stoneway Drive NW)

We support to change to RS.

This property should be Single Family to be compatible with the surrounding single family area. The vehicle access onto Stoneway would be very dangerous for an increase in density and intensity; it's a narrow local street with no sidewalks, The existing multi-family parking (across the street) backs directly onto Stoneway causing hazards. This is steep land with risk of slides and therefore the amount of grading for future development should be reduced.

Thanks to the city staff for providing information and the staff report (1,000+ pages) and answering questions during the "Our Salem" project.

Cecilia and Craig Urbani  
370 College Drive NW

## Shelby Guizar

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**From:** Harish Patel <harish@flcnw.com>  
**Sent:** Tuesday, March 15, 2022 11:07 AM  
**To:** Planning Comments; Eunice Kim; Shelby Guizar  
**Subject:** Salem Code Amendment

We own 3 parcels on Fisher Rd NE that were zoned General Commercial and for some odd reasons the zoning was changed to Industrial Park putting a stop to any development we had anticipated. It makes no sense to have a tiny parcel zoned Industrial Park in the middle of an area suitable for a variety of commercial and residential projects. It is now an island with this odd zoning that will never be developed with that zone.

We are very happy to see the proposed change of zoning to Mixed Use III, and are looking forward to seeing some thriving developments that compliment enhances the area with this new zoning.

Regards,  
Harish Patel  
SJP, LLC

## Shelby Guizar

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**From:** tworegongirl <tworegongirl@gmail.com>  
**Sent:** Tuesday, March 15, 2022 12:06 PM  
**To:** Eunice Kim  
**Subject:** Proposed changes on College dr & Stoneway dr nw

We own property at 422 College dr nw, to change it to multiple family, it would greatly impact the traffic on these streets, that have no sidewalks, are steep and narrow plus College dr nw & Stoneway dr nw has alot of accidents from people getting on & off of highway 22 now, by changing these 2 properties to multiple family units would GREATLY increase the traffic on & off of highway 22, which means MORE accidents.. we feel that our neighborhood needs to stay as single family units..Thank you .

Wesley & Tamara Wiggins

422 College dr nw

Sent from my Verizon, Samsung Galaxy tablet



## Shelby Guizar

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**From:** Liz Backer <lizmail217@gmail.com>  
**Sent:** Tuesday, March 15, 2022 1:22 PM  
**To:** Eunice Kim  
**Subject:** Testimony for Case CA21-04  
**Attachments:** Code Amendment Case CA21-04 - Backer - Public Testimony - 3.15.22.docx

Hello Eunice,

I am deeply sorry for submitting this testimony so late in the game. Will you please add this letter to the record for this case?

Thank you,  
Liz Backer

Hello Commissioners,

Thank you for reviewing testimony from the public on this issue.

City Staff have gone to great lengths to work with the public through a years-long process with the intention of updating the plans, maps, and codes in this proposal. That effort should be called out and applauded specifically for its proactivity.

I appreciate the city taking such careful time to amend the comprehensive plan, regulations and maps associated with the plan, and for the most part, I agree with the recommendations to approve the amendments. **I do however, find these amendments do not fully meet the approval criteria, as described in this letter.**

### **Additional Procedural Findings**

The statewide land use planning goals apply independently to a local government's comprehensive plan, land use regulation, zoning and zoning map amendments, where the approval criteria specifies that those changes must comply with applicable statewide planning goals and applicable administrative rules adopted by the Department of Land Conservation and Development. *Doob v. Josephine County, 32 Or LUBA 364 (1997)*

During a Major Post-Acknowledgement Plan Amendment, when the changes potentially affect the plan's compliance with a statewide planning goal, the local government is required to find and explain why (1) the proposed action does not implicate the goal, (2), the proposed action complies with the goal, or (3) the land subject to the proposed action meets the standards for a goal exception. *Doty v. Jackson County, 34 Or LUBA 287 (1998)*.

#### **OAR 660-023-0250 Applicability**

**(3)** "Local governments are not required to apply Goal 5 in consideration of a PAPA **unless** the PAPA affects a Goal 5 resource. For purposes of this section, a PAPA would affect a Goal 5 resource only if:

**(a)** The PAPA creates or amends a resource list or a portion of an acknowledged plan or land use regulation adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5."

#### **OAR 660-023-0000 Purposes and Intent**

"This division establishes procedures and criteria for inventorying and evaluating Goal 5 resources and for developing land use programs to conserve and protect significant Goal 5 resources. **This division explains how local governments apply Goal 5** when conducting periodic review and **when amending acknowledged comprehensive plans and land use regulations.**"

**OAR 660-023-0020 Standard and Specific Rules and Safe Harbors**

- (1) The standard Goal 5 process, OAR 660-023-0030 through 660-023-0050, consists of procedures and requirements to guide local planning for all Goal 5 resource categories. This division also provides specific rules for each of the fifteen Goal 5 resource categories (see OAR 660-023-0090 through 660-023-0230). In some cases this division indicates that both the standard and the specific rules apply to Goal 5 decisions. In other cases, this division indicates that the specific rules supersede parts or all of the standard process rules (i.e., local governments must follow the specific rules rather than the standard Goal 5 process.) In case of conflict, the resource-specific rules set forth in OAR 660-023-0090 through 660-023-0230 shall supersede the standard provisions in OAR 660-023-0030 through 660-023-0050.
- (2) A “safe harbor” consists of an optional course of action that satisfies certain requirements under the standard process. Local governments may follow safe harbor requirements rather than addressing certain requirements in the standard Goal 5 process. For example, a jurisdiction may choose to identify “significant” riparian corridors using the safe harbor criteria under OAR 660-023-0090(5) rather than follow the general requirements for determining “significance” in the standard Goal 5 process under OAR 660-023-0030(4). Similarly, a jurisdiction may choose to adopt a wetlands ordinance that meets the requirements of OAR 660-023-0100(4)(b) in lieu of following the ESEE decision process in OAR 660-023-0040.

## **Update the Salem Area Comprehensive Plan**

**The proposed update does not comply with the approval criteria:** SRC 64.020(f)(1)(B) The amendment conforms to the applicable statewide planning goals and applicable administrative rules adopted by the Department of Land Conservation and Development.

As stated above, when an amendment to a comprehensive plan affects, or potentially affects, the plan's compliance with the statewide planning goals, and approval criteria require the amendment to comply with the statewide planning goals, those statewide planning goals apply directly to the amendment.

In Attachment 14, the proposed amendments to the comprehensive plan “covers a broad range of topics, including...natural resources and the environment”, and “For each topic, there are proposed goals, which are [broad] in nature and support the community’s Vision Statement: *Salem is a livable, equitable, carbon neutral city where everyone has access to affordable housing and safe mobility choices, families and local businesses are thriving, diversity and culture is celebrated, and open spaces and the environment are valued and protected*. For example, the goals highlight the community’s desire to strengthen Salem economy, promote housing affordability, provide interconnected recreational opportunities, protect natural resources, and provide an integrated multimodal transportation network.”

“The proposed amendment also includes an appendix that lays out implementation steps that the City plans to undertake after the Our Salem project is complete and the updated Comprehensive Plan is adopted. Those steps include:.... Conduct a Goal 5 inventory”.

### **The proposed comprehensive plan proposes the following goals and policies to satisfy the topic of wildlife habitat:**

(p 75) “**N 1.1 Natural Resource Protection:** The quality and function of natural resources in the Salem Urban Area shall be protected, including wetlands, waterways, floodplains, and critical habitat”;

(p 76) “**N 1.11 Habitat Protection:** Habitat areas for native and non-invasive naturalized plants and wildlife that live and move through Salem should be protected”; and

(p 76) “**N 1.12 Habitat Connectivity:** The City should identify and enhance critical connections between greenspaces and areas of natural habitat.”

The requirement to comply with the specific Goal 5 process for Wildlife Habitats typically is applied when the city goes through periodic review (OAR 660-023-0250(5)). However, because the proposed PAPA appears to amend the portion of Salem’s acknowledged plan that addresses specific requirements of the Goal 5 resource: Wildlife Habitats, **the requirement to follow the specific Goal 5 process for wildlife habitat applies directly to this amendment** (OAR 660-023-0250(3)). *Doob v. Josephine County, 32 Or LUBA 364 (1997)*

*(Also note: the requirements of OAR 660-023-0250(5) were adopted by DLCD in September, 1996, and effective September, 1997. The city of Salem has gone through periodic review since the rule was implemented but has yet to begin to conduct the required inventory process.)*

**OAR 660-023-0110 Wildlife Habitat**

- (1) For purposes of this rule, the following definitions apply:
  - (a) “Documented” means that an area is shown on a map published or issued by a state or federal agency or by a professional with demonstrated expertise in habitat identification.
  - (b) “Wildlife habitat” is an area upon which wildlife depend in order to meet their requirements for food, water, shelter, and reproduction. Examples include wildlife migration corridors, big game winter range, and nesting and roosting sites.
- (2) Local governments shall conduct the inventory process and determine significant wildlife habitat as set forth in OAR 660-023-0250(5) [in this case, OAR 660-023-0250(3)(a)] by following either the safe harbor methodology described in section (4) of this rule or the standard inventory process described in OAR 660-023-0030.
- (3) When gathering information regarding wildlife habitat under the standard inventory process in OAR 660-023-0030(2), local governments shall obtain current habitat inventory information from the Oregon Department of Fish and Wildlife (ODFW), and other state and federal agencies. These inventories shall include at least the following:
  - (a) Threatened, endangered, and sensitive wildlife species habitat information;
  - (b) Sensitive bird site inventories; and
  - (c) Wildlife species of concern and/or habitats of concern identified and mapped by ODFW (e.g., big game winter range and migration corridors, golden eagle and prairie falcon nest sites, and pigeon springs).
- (4) Local governments may determine wildlife habitat significance under OAR 660-023-0040 or apply the safe harbor criteria in this section. Under the safe harbor, local governments may determine that “wildlife” does not include fish, and that significant wildlife habitat is only those sites where one or more of the following conditions exist:
  - (a) The habitat has been documented to perform a life support function for a wildlife species listed by the federal government as a threatened or endangered species or by the state of Oregon as a threatened, endangered, or sensitive species;
  - (b) The habitat has documented occurrences of more than incidental use by a species described in subsection (a) of this section;
  - (c) The habitat has been documented as a sensitive bird nesting, roosting, or watering resource site for osprey or great blue herons pursuant to ORS 527.710 and OAR 629-024-0770;
  - (d) The habitat has been documented to be essential to achieving policies or population objectives specified in a wildlife species management plan adopted by the Oregon Fish and Wildlife Commission pursuant to ORS Chapter 496; or
  - (e) The area is identified and mapped by ODFW as habitat for a wildlife species of concern and/or as a habitat of concern (e.g.: big game winter range and migration corridors, golden eagle and prairie falcon nest sites, or pigeon springs).
- (5) For certain threatened or endangered species sites, publication of location information may increase the threat of habitat or species loss. Pursuant to ORS 192.501(13), local governments may limit publication, display, and availability of location information for such sites. Local governments may adopt inventory maps of these areas, with procedures to allow limited availability to property owners or other specified parties.
- (6) As set out in OAR 660-023-0250(5) [in this case, OAR 660-023-0250(3)(a)], local governments shall develop programs to protect wildlife habitat following the standard procedures and requirements of OAR 660-023-0040 and 660-023-0050. Local governments shall coordinate with appropriate state and federal agencies when adopting programs intended to protect threatened, endangered, or sensitive species habitat areas.

**In addition, Attachment 13** provides findings and an explanation as to why the City believes this PAPA complies with all Goal 5 requirements as follows:

***“Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces***

*To protect natural resources and conserve scenic and historic areas and open spaces”;*

“The proposed Comprehensive Plan contains goals and policies related to natural and scenic resources and open space, which help to conserve these assets as growth and development occur. Goal N1 Environmental Protection is aimed at protecting and enhancing natural resources, ecosystems, and the environment in Salem, and policy N 1.1 Natural Resources Protection specifically promotes protections for wetlands, waterways, floodplains and critical habitat”;

“Furthermore, the proposed Comprehensive Plan calls out the specific implementation step of conducting a Goal 5 inventory of natural resources. This implementation project is expected to bring the City’s regulations in line with changes to Goal 5 that have occurred after the existing Comprehensive Plan was acknowledged by the Land Conservation and Development Commission”; and

“For the reasons described above, the proposed Comprehensive Plan conforms with this goal.”

**Summary**

- The proposed Comprehensive Plan addresses specific requirements of Goal 5, and amends portions of the acknowledged comprehensive plan regarding Wildlife Habitats.
- The specific procedures and criteria within OAR 660-023-0010 apply to the proposed Comprehensive Plan.
- The proposal claims to fully comply with Goal 5 requirements regarding wildlife habitats.
- There is no inventory of the required information regarding wildlife habitats in this, nor any other version of Salem’s Comprehensive Plans.
- The proposed Comprehensive Plan does not comply with the required procedures and criteria within OAR 660-023-0010.

**The proposed Comprehensive Plan does not comply with SRC 64.020(f)(1)(B).**

## **Amendments to the UDC**

**The proposed amendments do not comply with the approval criteria:**

- **SRC 110-085(b)(2)** The amendment conforms with the Salem Area Comprehensive Plan, applicable statewide planning goals, and applicable administrative rules adopted by the Department of Land Conservation and Development.

### **Conformance to the Salem Area Comprehensive Plan**

**ORS 197.175(2)** "Pursuant to ORS chapters 195, 196, and 197, each city and county in this state shall:

- (a) Prepare, adopt, and amend and revise comprehensive plans in compliance with goals approved by the commission;
- (b) Enact land use regulations to implement their comprehensive plans"

Proposed changes to the Comprehensive Plan include the following changes and implementations of the goals and policies related to natural resources:

- (p 75) "**N 1.1 Natural Resource Protection:** The quality and function of natural resources in the Salem Urban Area shall be protected, including wetlands, waterways, floodplains, and critical habitat";
- (p 76) "**N 1.11 Habitat Protection:** Habitat areas for native and non-invasive naturalized plants and wildlife that live and move through Salem should be protected"; and
- (p 76) "**N 1.12 Habitat Connectivity:** The City should identify and enhance critical connections between greenspaces and areas of natural habitat."

The proposed amendments to the UDC create three new zones and propose additional changes to existing zones that would potentially implement new allowed uses within those zones, **however there are no proposed, nor existing, land use regulations that enact Comprehensive Plan goals and policies that would comply with the requirements of Goal 5:**

- **N 1.1:** There are no resource or site-specific lists of wildlife habitat, nor the evaluation of wildlife habitat to determine whether they are critical or significant. Subsequently, there are no policies or regulations to protect any type of wildlife habitat in the current or proposed UDC.
- **N 1.11:** There are no resource or site-specific lists of wildlife habitat, nor the evaluation of wildlife habitat to determine whether they are native, nor what wildlife live and move through Salem. Subsequently, there are no policies or regulations to protect any type of wildlife habitat in the current or proposed UDC.
- **N 1.12:** There are no resource or site-specific lists of wildlife habitat, nor the evaluation of wildlife habitat to determine whether they are natural. Subsequently, there are no policies or regulations to protect any type of wildlife habitat in the current or proposed UDC.

Conformance to Applicable Statewide Planning Goals, and Applicable Administrative Rules adopted by the Department of Land Conservation and Development

**ORS 197.646(1)** A local government shall amend its acknowledged comprehensive plan...and land use regulations by a self-initiated post-acknowledgement process under ORS 197.610 to 197.625 to comply with a new requirement in land use statutes, statewide land use planning goals or rules implementing the statutes or the goals.

**ORS 197.250** Except as otherwise provided in ORS 197.245, comprehensive plan and land use regulations adopted by a local government to carry out those comprehensive plans... shall be in compliance with the goals within one year after those goals are approved by the Land Conservation and Development Commission.

**OAR 660, Division 23, was adopted by the Department of Land Conservation and Development on September 17, 1996**

Similar to the requirements for a local government's findings for their amendments to a comprehensive plan, **when proposed changes to a local government's land use regulations affect, or potentially affect, the regulations' compliance with the statewide planning goals, and when approval criteria require the regulations to comply with the statewide planning goals, those statewide planning goals apply directly to the regulations.**

In Attachment 14, the proposed new and amended zones report "The proposed code amendment includes corresponding changes to various other parts of the UDC to reference and incorporate the new proposed changes and the repeal of several overlay zones."

Regarding conformance with the requirements of Goal 5 the proposed amendments to the UDC to not mention or enact land use regulations to implement the changes to the Comprehensive Plan that address wildlife habitat.

**Summary**

Changes to policies and goals within the Salem Comprehensive Plan cannot be implemented if there are no corresponding land use regulations enacted to implement them. For this reason, while each of the individual additions and amendments to the UDC may meet criteria specifically applicable to each change, **the changes that specifically address conformance with the requirements of applicable statewide planning Goal 5, and applicable administrative rules adopted by the Department of Land Conservation and Development that require regulations to comply with the comprehensive plan and Goal 5, are not met.**



## **Update the Comprehensive Plan Map, the Zoning Map, and Generalized Land Use Map in 10 Neighborhood Plans**

The proposed updates do not comply with the approval criteria:

- **SRC 265.010(d)(2) Legislative Zone Changes.** The zone change complies with the Salem Area Comprehensive Plan, applicable statewide planning goals, and applicable administrative rules adopted by the Department of Land Conservation and Development.
- **SRC 64.025(e)(1)(B) Plan map amendments.** The amendment conforms to the applicable statewide planning goals and applicable administrative rules adopted by the Department of Land Conservation and Development.

The proposed changes to the maps listed above report “The proposed map changes reflect the community’s vision for the future growth, advancing goals and policies in the proposed updated Comprehensive Plan. Proposed changes include zoning and redesignating land to allow a mix of uses along frequent transit routes, increase the amount of multifamily land across the city to meet Salem’s housing needs, encourage small-scale businesses in single-family areas, and allow commercial uses more broadly across the city. Other proposed map changes resolve existing conflicts between properties’ current Comprehensive Plan Map designations and zoning.”

Additionally, the addendum overview for this project states “The proposed changes to the Comprehensive Plan Map, zoning map, and the generalize land use maps in [10 neighborhood plans] aim to advance the goals and policies in the Comprehensive Plan”; and

“The proposed map changes reflect four big ideas about where the community wants to see different types of land uses and development in the future. These big ideas are incorporated into several policies in the Comprehensive Plan.”

Part of the standard Goal 5 process for wildlife habitats includes the requirement to conduct an analysis of the consequences that could result from a decision to allow, limit, or prohibit a conflicting use with a significant resource site. **However, without completing the first step of taking the initial inventory, it would be impossible to adequately complete any of the subsequent steps.**

*Gonzales v. Lane County, 24 Or LUBA 251, 265-67 (1992)*

The proposed to the zoning and land use maps both amend allowed uses, and create new zones with new land uses. If the city were in compliance with Goal 5, these proposed changes would be required to comply with any programs the City had established to determine whether or not these new or amended uses conflicted with identified significant wildlife habitats (if those habitats were located within the zones.) **Because the proposed Comprehensive Plan does not include even the first step in the Goal 5 process, it is reasonable to conclude that there are no methods to determine whether or not the proposed or amended zones and their uses conflict with possible significant wildlife habitats within them.**

### **Summary**

For this, and for the reasons stated in above sections, **the proposed zone change amendments to not comply with the requirements of SRC 265-010(d)(2), and the proposed map plan amendments to con comply with the requirements of SRC 64.025(e)(1)(B).**

The amount of outreach conducted by staff for the Our Salem Project is exceptional, and has resulted in a tremendous amount of valuable information that clearly demonstrates the city's desire to ensure members of the community are involved in this process, and that their voices are heard. I do not take any of that for granted.

While I have personally been vaguely aware of the project, only recently have I taken the time to better understand the process. In doing so, I realized how terribly out of compliance Salem has been with respect to protecting the wildlife habitats within the UGB. Please know that it pains me to submit this information for review at such a late step in this process, however, I fear that if the city does not commit *now* to finally bring itself into compliance, we will continue to allow these precious resources to be lost forever.

Wildlife cannot speak for itself. There are a variety of goals which Salem must consider when planning land use. Salem has gone far too long without protecting that which cannot protect itself, and the time to stop that is now.

As I mentioned, I am also late to the game on this topic. As such, I have done my best to whip this letter up in 5 hours. I do also have a significant amount of research to submit that could help satisfy many of the initial requirements of wildlife protection rules. I am not including that data here though, as I am hours away from the deadline to submit this letter at all.

I would be grateful if I were able to submit that information at a later time. I don't feel it is immediately needed to consider the decision that is before the commission today, and it would not need to be considered for this record unless you feel otherwise.

Thank you for your time and consideration,

Liz Backer

## Shelby Guizar

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**From:** Leslie Polson <ijysy69@aol.com>  
**Sent:** Tuesday, March 15, 2022 2:05 PM  
**To:** Eunice Kim; Lisa Anderson-Ogilvie  
**Subject:** Leslie Polson Letter urging NEN-SESNA NP be used as part of Our Salem  
**Attachments:** Save the Plan3.2022.docx

Greetings:

Thank you for the incredible work that you do in provide planning for the city of Salem. I am attaching a letter with some thoughts to be submitted for the hearing. I will cut and paste the letter into the body of the email as well as attach it.

Yours in ardent vision for the city of Salem,  
Leslie Polson  
930 Garnet St. NE  
Salem, OR 97301

**930 Garnet St NE,  
Salem, OR 97301  
March 15, 2022**

**Dear Lisa Anderson-Ogilvie,** AICP Deputy Community Development Director

Our Salem is an important project that deserves approval. NEN-SESNA Neighborhood Plan represents the wishes of our community in regards to how it should look and feel. We examined zoning very intensely because of the mismatch of zones and street capacity. I live on Garnet St in an area that is zone RM. This allows for apartment complexes and rooming houses. Yet there is only parking on one side of the street. Any residence who has a party or gathering will take up all the available parking on the street. Sadly many of the houses do not have garages.

NorthEast Salem is full of many Garnet Street stories – Catterlin, Thompson, 14<sup>th</sup>, Breys, 18<sup>th</sup> St. This story is one that the neighbors discussed. There is pressure to make more housing, close in. Vacant lots are prime real estate because they are places for homes, many homes in one, apartments. Garnet is close to the railroad tracks. When Scott McKinney of Boulder Ridge Construction bought the diagonal railroad lot in between Market and Nebraska on 12<sup>th</sup> St, he built a triple story apartment complex very close to the railroad track, increasing the possibility of danger for residents if a train derails. This was allowed after a woman was swept under the tracks by a train wind waiting for the train to go by. This story should serve as a cautionary tale for city planners. The NEN-SESNA plan was developed by residents who are familiar with the geography of their area. Its Zoning Guidelines should be incorporated in Our Salem. Areas that are noted as cautionary should be respected.

Yours in the vision for what is best for Salem,

Leslie Polson

## Shelby Guizar

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**From:** ELIZABETH VEYSEY <e.veysey@comcast.net>  
**Sent:** Tuesday, March 15, 2022 2:24 PM  
**To:** Planning Comments; Virginia Stapleton; Trevor Phillips; Tom Andersen; Vanessa Nordyke; Chris Hoy; Jose Gonzalez; Jackie Leung; Chuck Bennett  
**Subject:** Brown Road Hub and Salem Zoning maps

Mayor Bennett and City Councilors

555 Liberty St SE, Room 220

Salem OR 97301

RE: Salem Zoning Maps

Please accept this letter as written testimony in request of amending the zoning map without the Neighborhood Hub next to Brown Road Park on Brown Road. I support new Urbanism concepts including neighborhood Hubs. They can improve the quality of life in neighborhoods especially those that cannot provide certain aspects like access to businesses such as groceries, pharmacies and transportation. Hubs can be constructed and included in new developments with relative ease. Many times in established neighborhoods they are not easy to create and to accomplish what you envision a Hub should be. The Brown Road location precisely falls under this category. There are still some ongoing safety issues and the commercial access goals a Hub would address and actually not much of an issue.

The neighbors near the proposed Brown Road Neighborhood Hub do not suffer from a deficit of commercial opportunities. Below is a list of nearby and easily reached commercial opportunities. Brown Road is along Cherriot's bus route 2 - Market/Brown which expands commercial opportunities for its residents. Pedestrian safety on Brown Road has been a documented risk. The Bike & Walk Salem, Final Memorandum #9 – Safe Routes to School Solutions presented to Salem Bike/Ped Plan Stakeholder Advisory Committee by the CH2M Hill Salem Bike/Ped Plan Project Team on October 11, 2012 stated the following in regard to Scott Elementary School, "The highest priority project was the sign project, while the second highest priority project was the Brown Road sidewalk project. Sidewalk infill projects on nearby City-owned streets (e.g., Brown Road south of Carolina Avenue) will also assist students walking to school." Brown Road was designated as a "High Priority" in the Salem Transportation System Plan updated and amended January 13, 2020 (3-38-Street System Element). These projects were completed but there still remains some of the same risk issues. The improvements added some safety for our residents and value to our properties.

The street improvements were not perfectly aligned with existing properties. Across the street from Brown Road Park, the intersection with Maria Avenue remains hazardous.

One major goal of Neighborhood Hubs is to increase pedestrian-oriented development. Which includes shops and businesses to increase walkable access and to reduce the need for driving. But, it is well documented that it also increases vehicular traffic as well for these businesses. Please be sensitive to the unique context of the Brown Road neighborhood and help us maintain the safety we have gained by removing the Brown Road Hub from the City planning goals. Everyone in this neighborhood has easy access to services and businesses, either by walking or taking public transit.

These are some of the many businesses readily available. I have personally walked to many of these. This is actually a small listing of what is available.

Middle Grove Market  
Momiji Sushi Restaurant  
Morrow & Sons Produce  
Plaid Pantry  
Shooter's Cafe & Saloon  
Magic Hands Therapeutic Massage  
Hollywood Tavern  
Fred Meyer  
Grocery Outlet  
Safeway  
Mirandas Brothers Bakery  
Starbucks  
Auto Zone Auto Parts  
Batteries Plus Bulbs  
North Salem Liquor Store  
Planet Fitness  
Big Lots  
Bi-Mart  
Laura & Daisy's Bakery  
El Torito Meat Market  
Walgreens  
Les Schwab Tire Center  
Bottle Drop Redemption Center  
Verizon  
Dollar Tree  
Ross Dress for Less  
5 Guys  
Bentley's Coffee

Thank-you for your time and consideration.

E.Veysey

## Shelby Guizar

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**From:** Laurie Dougherty <lauriedougherty@gmail.com>  
**Sent:** Tuesday, March 15, 2022 2:37 PM  
**To:** Eunice Kim; Lisa Anderson-Ogilvie; Shelby Guizar  
**Subject:** Comment to Planning Commission March 15, 2022 meeting

Comment to Planning Commission:  
March 15, 2022

From: Laurie Dougherty for 350 Salem OR  
Re: Need for Low Income Housing

350 Salem OR supports Latinos Unidos Siempre regarding the need for low income housing in Salem. For the sake of equity, low income housing should be widely available, situated throughout the city instead of being concentrated in one area. Justice and fairness require that all areas of Salem, including South and West Salem, welcome housing that is affordable to everyone.

For the sake of climate justice, new housing developments, including low income housing, should be energy efficient and situated in compact mixed use neighborhoods where people can safely walk, bike, and use mobility aids, and easily access public transit for work, school, errands and recreation. As well as reducing climate changing emissions, this enables healthy active lives and reduces the transportation costs that come with using a car.

Development on the auto-dependent outer fringes of the city increases household transportation costs and does not serve Salem's climate goals. Locations suitable for new housing in well-serviced neighborhoods can and should include low income housing. Unused commercial and industrial sites are resources for residential development, including low income housing.

As with many cities, Salem is faced with two emergencies. One is the lack of affordable housing, leading to increased homelessness and household financial insecurity. The other is climate change, bringing excessive heat, extreme storms, and poor air quality, especially when smoke from wildfires reaches the area. These harms fall hardest on people least economically able to afford protective measures. Quality low income housing in vibrant mixed use neighborhoods can create security and resilience in the face of these crises.

## Shelby Guizar

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**From:** Zachary Sielicky <zachary@SalemChamber.org>  
**Sent:** Tuesday, March 15, 2022 2:38 PM  
**To:** Shelby Guizar  
**Subject:** Salem Chamber of Commerce Public Testimony - Salem Planning Commission on Our Salem Project  
**Attachments:** Our Salem Testimony to Planning Commission 03-13-22.pdf

Hello Shelby,

I would like to provide written testimony on behalf of the Salem Chamber of Commerce for this evening's Planning Commission. Please see the attached testimony in this email.

Thank you.

My Best,

Zachary S.

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**Zachary S. Sielicky**

Director of Business Advocacy  
Salem Area Chamber of Commerce | 1110 Commercial St NE  
503-581-1466 ext.310

[zachary@salemchamber.org](mailto:zachary@salemchamber.org) | [www.salemchamber.org](http://www.salemchamber.org)

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**Salem Chamber**

Convener | Catalyst | Champion

03/13/22

Dear Planning Commission President Griggs & Planning Commissioners-

At the Salem Chamber, we believe in helping businesses prosper so our entire community may thrive. As an organization, committed to a prosperous community, we wish to submit our feedback regarding two components of the *Our Salem* Project. A major component to our mission is ensuring that our community is built on a strong foundation, so as to facilitate well-thought out and equitable community growth strategies, long into the future.

We encourage the Planning Commission to closely examine the implications of a particular provision of the *Our Salem* proposal, as it relates to properties which will instantaneously transfer from an outright permitted use to a continuing, nonconforming use at the completion of this process. Historically, the code has been inconsistent and conflicting in regards to continuing, nonconforming uses. We wish to ensure that property owners have an unfettered right to restore their property to its prior condition following damage or devastation, without overreaching costly requirements to conform to a new development standard proposed by the new code changes. The proposed language has, in some cases, significant alteration/addition requirements which are difficult to interpret and will ultimately be costly to implement. One example of this is in the West Salem Central Business District zone, which has six unique definitions to interpret to a rebuild following damage or destruction. We are concerned that such properties will sit vacant, in disrepair, or become eyesores and attractors for crime. Many small property owners in our community have not had the resources to undertake conforming to an updated standard, as insurance proceeds most often only cover restoration to a prior condition.

This could serve as a dark cloud on a property with a non-conforming, continuing use and also affects future value of said property – the new owner inherits the risk which comes with complying with the new standards, should the property be damaged or totaled. We encourage the Planning Commission leadership to request City staff more deeply examine this provision in each section of the code and recommend a simplification to prevent unduly burdening property owners with compliance to requirements for events that are completely outside of their control.

We appreciate your review and consideration. On behalf of the Salem Chamber's Board of Directors,

-Tom Hoffert  
Chief Executive Officer  
Salem Area Chamber of Commerce

## Salem Area Chamber of Commerce

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Laura Dorn • President  
*Berkshire Hathaway HomeServices*

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Programming  
*Castro Monroy Group*  
Kathy Gordon • Past President  
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Stephen Joye • Treasurer  
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*Modern Building Systems*  
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Christy Witzke  
*SAIF*  
Tom Yang  
*T-Mobile*

### Chief Executive Officer

Tom Hoffert  
*Salem Area Chamber of Commerce*



## Shelby Guizar

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**From:** noreply@cityofsalem.net on behalf of ishmailme222@yahoo.com  
**Sent:** Tuesday, March 15, 2022 2:53 PM  
**To:** Shelby Guizar  
**Subject:** testimony for tonight's meeting  
**Attachments:** ATT00001.bin

Your Name	Brian Clothier
Your Email	ishmailme222@yahoo.com
Message	<p>To our elected officials, planners, managers, and all who work to benefit our city, Like many citizens of West Salem, we are concerned that the current plans do not make sense for our community. We are not opposed to multi-family housing, and we are not opposed to development near our home. Large multi-family housing units deep in West Salem do not fit our existing street system. We understand that multifamily units are disproportionally low in West Salem. However, our streets are not designed for nor sized to hold the additional traffic. We have no major thoroughfares other than Wallace Rd. which is already overcrowded. No further multi-family units should be constructed until additional lanes are added or new roads constructed to handle additional traffic. The updated Salem comprehensive plan illogically rezones existing single family homes as multifamily residences. Recent multifamily structures in West Salem do not contain enough parking for those who live there, causing vehicles to spill onto already narrow streets creating hazards for cyclists and pedestrians. Consider Gellar road as an example. Any further multifamily structures must contain enough parking to accommodate 2 vehicles per unit. Creating insufficient parking is not an effective way to encourage people to use mass transit. The major employers in Salem are Salem Hospital and the State. While telecommuting is an option in some office-based jobs, hospital employees need to be there in person. Hoping that people will no longer commute to work is not a viable answer to our transit challenges. Hospital workers also work all shifts, when public transit is not currently available. While excellent walking/biking paths are available through the parks, a safe commuting path for cyclists through most of West Salem and up to the pedestrian bridge over the Willamette do not exist. While there are disproportionally few multifamily housing units in West Salem, we also have disproportionally few streets that can handle significant traffic. Moving slowly through heavy traffic increases greenhouse gas emissions. Building homes without adding the infrastructure of streets and bike lanes will lead to increased traffic over the existing bridge. Placing corner shops on narrow streets will not obviate the need for people to buy groceries in bulk (at lower prices) at Safeway, Roth's, Walmart, and Costco. These small shops will not reduce the need to commute to Wallace, Edgewater, and over the bridge. They will not provide enough jobs to prevent the need to physically commute to jobs over the bridge with the State, Salem Hospital, and the Portland area where many of our citizens work. We plead with the council and planning to help create neighborhoods where our children are safe to play. Overloading our streets does not accomplish that objective. Thank you for not only listening but hearing us. Brian and Karen Clothier West Salem</p>

This email was generated by the dynamic web forms contact us form on 3/15/2022.

## Shelby Guizar

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**From:** Matt Wade <mw3649@gmail.com>  
**Sent:** Tuesday, March 15, 2022 3:01 PM  
**To:** Planning Comments; Shelby Guizar  
**Subject:** Public Hearing on the Our Salem Project

Salem Planning Commission,

I request to provide testimony at the virtual public hearing and am submitting the following comments for the planning commission to consider:

Our residence is at 380 College Dr. This is across the street from the upper area on College Dr. that is proposed to be re-zoned to multi-family living.

I oppose re-zoning this to multi-family. This is a narrow country like road that is not set up to handle the added congestion that would come with re-zoning to multi-family. The surrounding area on this upper hill on College Dr. are all single family housing. This area does not seem like a good spot to greatly increase the traffic demand and parking that this would bring.

Storm water run off is also of concern as this would increase greatly with this kind of added construction.

I am in favor if the College Dr. property is re-zoned, to be changed to single family. This would be in keeping with the rest of the area, and not pose a dramatic increase in traffic.

Thank you,

Matt and Loan Wade

## Shelby Guizar

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**From:** Liz Backer <lizmail217@gmail.com>  
**Sent:** Tuesday, March 15, 2022 3:15 PM  
**To:** Eunice Kim  
**Subject:** Re: Testimony for Case CA21-04  
**Attachments:** Clarification - testimony for CA21-04.Backer.docx

Thank you Eunice,  
I am further embarrassed that I forgot to include a piece of relevant information in my testimony. I hope it's not too late to submit this clarification.

Thanks again,  
Liz Backer

On Tue, Mar 15, 2022 at 1:34 PM Eunice Kim <[EKim@cityofsalem.net](mailto:EKim@cityofsalem.net)> wrote:

Hi Liz,

Yes, we will provide this to the Planning Commission.

Best,

Eunice

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**From:** Liz Backer <[lizmail217@gmail.com](mailto:lizmail217@gmail.com)>  
**Sent:** Tuesday, March 15, 2022 1:22 PM  
**To:** Eunice Kim <[EKim@cityofsalem.net](mailto:EKim@cityofsalem.net)>  
**Subject:** Testimony for Case CA21-04

Hello Eunice,

I am deeply sorry for submitting this testimony so late in the game. Will you please add this letter to the record for this case?

Thank you,

Liz Backer

Planning Commission

Public Hearing for Code Amendment Case No: CA21-04

3/15/2022

Hello,

Upon review of my testimony submitted earlier today, I realize that while I did include information regarding the proposed Comprehensive Plan's compliance with Goal 5, I did not include the following information and references as I had intended. In addition, I referred to an incorrect attachment.

The following was meant to be included/clarified in the first section regarding the Comprehensive Plan's compliance with Goal 5:

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The proposed amendments to the Comprehensive Plan amend the goals and policies regarding wildlife habitat to include:

- (p 75) “**N 1.1 Natural Resource Protection:** The quality and function of natural resources in the Salem Urban Area shall be protected, including wetlands, waterways, floodplains, and critical habitat”;
- (p 76) “**N 1.11 Habitat Protection:** Habitat areas for native and non-invasive naturalized plants and wildlife that live and move through Salem should be protected”; and
- (p 76) “**N 1.12 Habitat Connectivity:** The City should identify and enhance critical connections between greenspaces and areas of natural habitat.”

**Attachment 13** explains the reasons that the comprehensive plan amendments comply with Goal 5 in regard to wildlife habitat for the following reasons:

***“Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces***

*To protect natural resources and conserve scenic and historic areas and open spaces”;*

“The proposed Comprehensive Plan contains goals and policies related to natural and scenic resources and open space, which help to conserve these assets as growth and development occur. Goal N1 Environmental Protection is aimed at protecting and enhancing natural resources, ecosystems, and the environment in Salem, and policy N 1.1 Natural Resources Protection specifically promotes protections for wetlands, waterways, floodplains and critical habitat”;

“Furthermore, the proposed Comprehensive Plan calls out the specific implementation step of conducting a Goal 5 inventory of natural resources. This implementation project is expected to bring the City’s regulations in line with changes to Goal 5 that have occurred after the existing Comprehensive Plan was acknowledged by the Land Conservation and Development Commission”; and

“For the reasons described above, the proposed Comprehensive Plan conforms with this goal.”

**The findings do not adequately explain how the amendments to the goals and policies regarding wildlife habitat in the proposed comprehensive plan conform to Goal 5.**

When a local government's amendment of its plan potentially affects the plan's compliance with a Statewide Planning Goal, the local government is required to find and explain why the proposed amendment complies with the goal.

*See ODOT v. City of Newport, 23 Or LUBA 408, 414-15 (1992); and Doty v. Jackson County, 34 Or LUBA 287 (1998).*

- The proposed plan requires that "critical" habitats in the Salem Urban Area "shall be protected", but does not explain what defines a "critical habitat", nor does it provide any further suggestions, general or otherwise, as to *how* they will be protected.
- The proposed plan recommends that "Habitat areas for native and non-invasive naturalized plants and wildlife that live and move through Salem should be protected", but does not explain what defines what areas within Salem are native and non-invasive, naturalized habitat, what wildlife live and move through Salem, nor how they should be protected (generally or otherwise.)
- The proposed recommends that "The City should identify and enhance critical connections between greenspaces and areas of natural habitat", but does not define what are "critical connections between greenspaces and areas of natural habitat" are, nor how they should be enhanced. (Nor are they identified, although that appears to be a recommendation, not a requirement.)

I apologize for the additional submittal.

Thank you,

Liz Backer

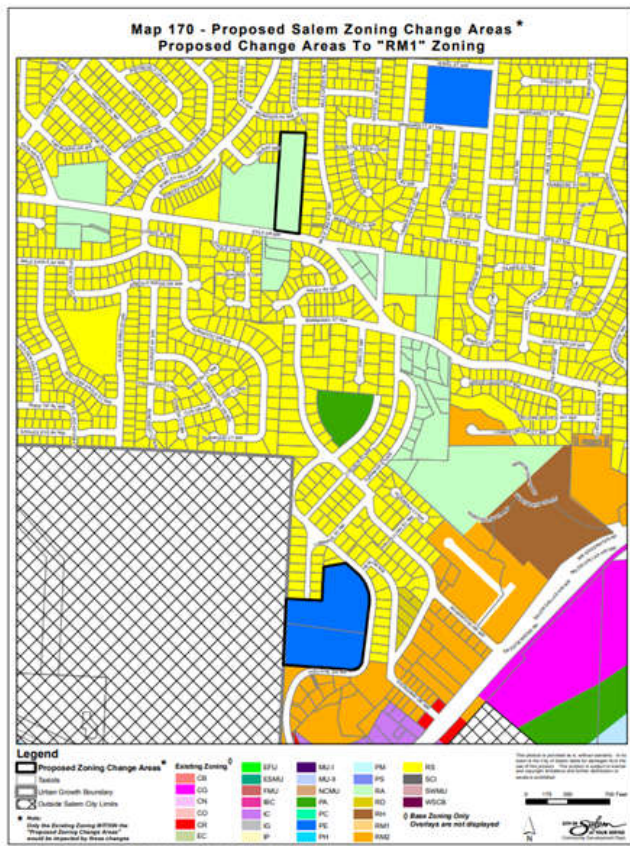
## Shelby Guizar

**From:** Nick Fortey <fortey.nick@gmail.com>  
**Sent:** Tuesday, March 15, 2022 4:08 PM  
**To:** Planningcommittee@cityofsalem.net; Lisa Anderson-Ogilvie; Shelby Guizar  
**Subject:** Planning commission written testimony

My name is Nick Fortey and I reside at 2165 Turnage Street NW in Salem; I wish to provide written comment on Our Salem adoption, specifically for the changes proposed to comprehensive plan zoning under Map 170, which seeks to change current PE zoning to RM 1 for a property on College Drive.

Thanks for the opportunity to provide comments!

The map, with changes, is shown below:



While understanding the need for more multifamily zoning in Salem I believe the proposed re-zoning of this property creates undue hardship on the surrounding, well-developed neighborhood and is incompatible with many of the stated goals. The existing property was developed as Salem Academy and now functions as a church. Providing for a zone change allowing substantially more development would be expected to create additional traffic and environmental impacts incompatible with stated goals (goal language is provided below with my comments in red):

- 3.1 Context-sensitive development: The City should encourage development to be responsive to the site and context, including the public realm, the area's cultural or historic identity, and natural features and

environment. In the case of College Drive, the existing narrow roadway and existing residential development would mean a street cross-section expansion to better accommodate vehicles, bicyclist and pedestrians would create large-scale impacts incompatible with the existing development.

- L5.1 Growth management: The construction of transportation facilities should be timed to coincide with community needs and when possible, funding opportunities, and should be implemented to minimize impacts on existing development. The issue here is that encouraging growth where there is existing infrastructure (e.g. arterials with bicycle lanes and sidewalks) minimizes costs, is more compatible with existing development, and facilitates delivery of projects. The existing cross section would not only require revision in front of the property but throughout the neighborhood until its connection with Eola at substantial expense and impact to the neighborhood.
- L 5.2 Development requirements: Improvements to the transportation system shall be required, in addition to those in or abutting a development, as a condition of approval of subdivisions and other intensifications of land use as needed. The changes needed to create a compatible network for users would be substantial and create significant impacts to a long-established neighborhood.
- L 5.3 Traffic impacts: Transportation System Development Charges shall be collected as defined by Oregon Revised Statutes and local government ordinances to mitigate traffic impacts placed on areawide transportation facilities by new development. The changes required to street cross-sections (widening existing narrow lanes and adding bicycle lanes and sidewalks) would be well in excess of normal development impacts and unlikely could be allocated to the development and would instead require substantial City investments.
- L 5.4 Alternative street designs: The City should support alternative street design standards that provide flexibility to address unique physical constraints and land use contexts. While alternative designs would be appropriate in the established neighborhood, trip increases would support changes that likely could not be accommodated through flexible design.
- N 1.7 Environmental impacts: The City shall take proactive measures to reduce the environmental impacts from City-funded programs and projects by ensuring that environmental resources are identified and evaluated for impacts early in the planning stage. Design, construction, and maintenance activities should avoid, minimize, or mitigate adverse environmental impacts. The existing narrow cross section with deep ditches would require a closed drainage system and expansion would impact existing roadways and a neighborhood with extensive tree cover.
- T 3 Neighborhood Traffic Management Goal: Preserve and enhance neighborhood livability and safety through community supported education, enforcement, and engineering measures that address vehicle speed and volume appropriate to the street's designated functional classification and land use context. The existing roadway classification (and its existing cross-section and operation) would not be compatible with accommodating the projected trips from rezoning.
- T 4 Local Connectivity Goal: Provide an interconnected local street system that allows for dispersal of traffic, encourages a mix of travel modes, reduces the length of trips, and increases opportunities for people to walk and bike. The existing network is relatively limited and would necessitate some traffic travel along local streets and would, absent a major investment, not encourage bicycling and walking.
- T 5 Bicycle System Goal: Accommodate bicyclists of all ages and abilities by providing a well-connected system of on- and off-street bicycle facilities that will encourage increased ridership, safe bicycle travel, and active transportation and will support public health. The existing system provides on-roadway cycling with hills and narrow cross-section that can function with existing low volumes but would be difficult with rezoning and traffic increases.
- T 6 Pedestrian System Goal: Accommodate pedestrians of all ages and abilities by providing a comprehensive system of connecting sidewalks, walkways, trails, and pedestrian crossings that will encourage and increase safe pedestrian travel and active transportation to support public health. To provide pedestrian accommodation, which is currently, in-the-roadway walking as there is not a shoulder on the majority of the local network, would be a major investment through the neighborhood.



- T 7 Transit System Goal: Support a public mass transit system that provides convenient, robust, and accessible transit services to residents throughout the Salem Urban Area, particularly in transportation-disadvantaged areas. The narrow cross-section and lack of sidewalks are not supporting transit. Even with roadway upgrades it is unlikely the existing alignment would be supportive of transit connections thus requiring individuals to walk to Eola to a transit stop.



Existing narrow cross section on College Drive (driveway to right is one providing access to subject property)



## Shelby Guizar

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**From:** Sadie Carney <sadie.carney@cherriots.org>  
**Sent:** Tuesday, March 15, 2022 4:13 PM  
**To:** Shelby Guizar; Eunice Kim  
**Cc:** Ian Davidson; Allan Pollock  
**Subject:** Letter of Support for Our Salem from Cherriots Board  
**Attachments:** 20220315\_Salem Planning Commission\_Cherriots Letter\_signed.pdf

Good afternoon,

Please find our attached letter of support for the Our Salem project directed to the Planning Commission for their consideration at this evening's meeting of Agenda item 5.1.

Many thanks,  
Sadie Carney

March 15, 2022

Salem Planning Commission  
555 Liberty St SE  
Salem, OR 97301

Re: Our Salem Project

To the Salem Planning Commission,

As the governing board for the public transportation provider for Salem, Keizer, Marion, and Polk counties, the Cherriots Board of Directors wants to express our strong support for the Our Salem Project and proposed Comprehensive Plan and Zoning Revisions shown in the updated Vision Map. We are tremendously grateful for the city staff and community participants who have invested countless hours in bringing this community focused vision to life.

We agree with the adopted Vision Statement for Our Salem: To create a future where Salem is a livable, equitable, carbon neutral city where everyone has access to affordable housing and safe mobility choices, families and local businesses are thriving, diversity and culture is celebrated, and open spaces and the environment are valued and protected.

We also applaud and support the proposed approach to increasing equitable outcomes and climate justice for residents of Salem. Our Salem proposes to address the transportation needs and safety of people of all ages, abilities, races, ethnicities, and incomes, including those who have been historically marginalized or underserved. The transportation investments of the city and MPO should respond to the needs of system users, be context sensitive, and distribute the benefits and impacts of transportation decisions in an equitable manner throughout the Salem Urban Area. Transportation investments made in the past have had negative impacts on low-income populations, communities of color, and other underserved communities. Future investments should seek to correct this injustice.

The City is aligning much of its land use planning around the Cherriots bus system, particularly its Core Network. The Core Network is a network of bus corridors where frequent service is prioritized. The City aims to encourage high-density housing and mixed-use development near the Core Network. The Cherriots Board supports this effort.

The coordination of transportation and land use planning efforts that are included in the goals of Our Salem will ensure infrastructure improvements that support transit-oriented development patterns, greater housing densities, and a sustainable future for Salem.

We also support Our Salem's goal of reducing Greenhouse Gas Emissions. We are ready to offer our support in pursuit of strategies and investments to reduce travel demand, increase transit ridership and utility, and support nonmotorized transportation to help Salem pursue its commitment to reduce greenhouse gas emissions from transportation.

Adoption of Our Salem will support a public transit system that provides convenient, robust, and accessible transit services to residents throughout the Salem Urban Area, particularly in transportation disadvantaged areas. It will also support the development of additional transit stations or hubs outside of downtown Salem to improve access to transit services, reduce the length of transit trips, and make taking transit more convenient. These commitments are aligned with the priorities of the Cherriots Board of Directors.

Finally, the Cherriots Board would like to offer our support for better parking management, a goal that is loosely defined in Our Salem. Excess parking has a significant negative impact on housing costs, business costs, the feasibility of housing development and business redevelopment, walkability, air and water pollution, climate pollution, and general community character. Current parking mandates force people who don't own or use cars to pay indirectly for other people's parking. Carless households tend to be the poorest households. Parking demand varies significantly from development to development, and about one-sixth of Oregon renter households own zero vehicles. Planning practices of the past have imposed a one-size-fits-all requirement everywhere, creating incentives to own more cars and drive more. We propose that the City of Salem take strong action and eliminate parking mandates, allowing developers the flexibility to right-size parking for new development, and allowing businesses to operate in locations with limited parking.

Eliminating parking mandates, and appropriately pricing parking in areas close to the urban core could have the dual outcome of reducing greenhouse gas emissions by encouraging trips made by walking, biking, or transit and increasing transit ridership. Both of these outcomes align with numerous future development goals set forth by the state and in the Our Salem proposal.

We encourage the Salem Planning Commission to vote in favor of the proposed Our Salem project.

Thank you for your service to Salem and for considering our comments,

Sadie K Carney

Sadie Carney,  
SAMTD Board of Directors  
Representative to the Our Salem project

Ian Davidson

Ian Davidson, President  
SAMTD Board of Directors

CC: SAMTD Board of Directors  
Allan Pollock, General Manager

Signature:   
Sadie K Carney (Mar 15, 2022 15:59 PDT)

Email: [sadie.carney@cherriots.org](mailto:sadie.carney@cherriots.org)

Signature: 

Email: [ian.davidson@cherriots.org](mailto:ian.davidson@cherriots.org)









# PDF 03-15-22 LTR Salem Plan Comm Our Salem

Final Audit Report

2022-03-15

Created:	2022-03-15
By:	Linda Galeazzi (linda.Galeazzi@cherriots.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAARell-TbTJnupdJnWCwHKx68Ro1d08sd2

## "PDF 03-15-22 LTR Salem Plan Comm Our Salem" History

-  Document created by Linda Galeazzi (linda.Galeazzi@cherriots.org)  
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-  Document emailed to Sadie K Carney (sadie.carney@cherriots.org) for signature  
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-  Agreement completed.  
2022-03-15 - 11:06:20 PM GMT

## Shelby Guizar

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**From:** Lisa Anderson-Ogilvie  
**Sent:** Tuesday, March 15, 2022 4:45 PM  
**To:** Eunice Kim; Shelby Guizar  
**Subject:** Fwd: Please consider mandating fire safety measures for areas in Salem's new Wildlands Urban Interface  
**Attachments:** WildfirePolicy1.pdf; WildfirePolicy2.pdf

- Lisa | 503-540-2381

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**From:** Kathleen Kincade <outlook\_C33A68F9D766C530@outlook.com>  
**Sent:** Tuesday, March 15, 2022 4:43:54 PM  
**To:** Lisa Anderson-Ogilvie <LMAnderson@cityofsalem.net>  
**Subject:** Please consider mandating fire safety measures for areas in Salem's new Wildlands Urban Interface

Members of the Southbrook Residents Association – representing a senior citizens’ mobile home community in south Salem – urge city planners to consider including measures that promote fire safety as we expand residential areas into the neighboring wildland areas.

Please review the attached policy recommendations from the National Fire Protection Association.  
Thank you!

Sent from [Mail](#) for Windows



### A CALL TO END THE DESTRUCTION OF COMMUNITIES BY WILDFIRE

#### **Policy 1: Require all homes and businesses in the wildland/urban interface to be more resistant to ignition from wildfire embers and flames**

Over the past decade, the U.S. has witnessed a steady increase in wildfire activity. Experts predict this trend will continue. Despite billions of dollars to support wildland fire suppression efforts, the number of homes lost in wildfires per year has increased by 163 percent, and wildfires now cost the U.S. an estimated \$63 to \$285 billion per year in losses.

Today there are nearly 45 million homes in the wildland/urban interface (WUI), the term that describes the area where homes and communities encroach wildfire hazard-prone landscapes. Thus, while influencing the siting and construction of new homes is important, the bulk of the wildfire risk exists in homes already built. Research has consistently shown the role embers play in igniting homes in the WUI. It has also shown that there is an increased survival rate of homes constructed from fire-resistant materials on property that has been mitigated to remove sources of fuel for a fire. To stem the tide of loss from wildfires, millions of homes must be retrofitted to reduce the risk of ignition. This transformation can be realized through continued research and development, public education, financial incentives, and robust support from all levels of government.

When it comes to research, progress is still needed on several fronts, including the development of performance-based product test standards that better reflect how materials will perform when exposed to exterior flame exposure, radiant heat, and the impact of embers from a wildfire. Developing these referenced standards will help guide architects, builders, and homeowners alike to easily source products and materials that will perform as intended during wildfires. Also needed is continued research to support the development and validation of retrofit methods, particularly those that are most cost-effective. Finally, while there are building standards to improve wildfire safety for new construction (e.g., NFPA 1144, *Standard for Reducing Structure Ignition Hazards from Wildland Fire* and Chapter 7A of the California Building Code), there is no consensus standard yet available for the retrofit of structures, particularly those within 30 feet of one another. Given the prevalence of such development within the WUI, standards-making organizations need to fill this gap as soon as possible.

#### **To stem the tide of loss from wildfires, millions of homes must be retrofitted to reduce the risk of ignition.**

Guidance, updated with the latest knowledge, must also reach homeowners. States have a significant role to play in ensuring their citizens are informed. They can play this role not only through their own agencies and programs, but also by relying on extension services and voluntary programs such as Firewise USA® and the Fire Adapted Communities Learning Network. In addition, states need to support the development of a skilled workforce that homeowners can turn to for help assessing and mitigating wildfire risks to their home and property.

Voluntary initiatives can be successful in transforming homes and communities. For example, residents of nearly 2,000 Firewise communities have already taken steps to make their homes more resistant to ignition from wildfire. However, action from government and other parties—notably insurers—is necessary to aid in that transformation. States and localities

must have regulations or ordinances in place that require property owners to maintain defensible space, ensuring that the area immediately around the home is clear of vegetation and other sources of fuel. And, as insurers face ever-increasing losses from wildfires, working with insured homeowners to improve the ignition resistance of their properties can be another crucial mechanism for motivating behavior.

Of course, while some steps, like cleaning gutters and clearing yard debris are accessible steps for many homeowners, they may not be for others, such as the elderly and people with disabilities. Furthermore, more intensive home improvements that will reduce risk even further, like replacing combustible roofing materials or installing double-paned windows, may require incentives even for those homeowners with means. Policymakers at both the state and federal level need to therefore strongly consider creating tax incentives to support retrofitting activities. They must also ensure grants and low-cost loans are available to aid mitigation and retrofitting efforts for those who otherwise lack resources.

Given the size and scope of the U.S. wildfire challenge, reaching the goals of a comprehensive wildfire strategy, including the requirement that all homes and businesses in the WUI be more resistant to ignition from wildfire embers and flames, will take time. But making progress toward these goals will reduce the risk to American homes, businesses, and prosperity. **The key to ending the destruction of communities by wildfire is to start now.**

**Learn more about Outthink Wildfire by visiting [nfpa.org/wildfirepolicy](https://www.nfpa.org/wildfirepolicy).**

## CITATIONS AND REFERENCES

[www.nfpa.org/wildfirepolicy](https://www.nfpa.org/wildfirepolicy)



## RESOURCES

- NFPA: Firewise USA® Recognition Program
- NFPA: Preparing Homes for Wildfire
- Headwaters Economics: Building a Wildfire-Resistant Home/Codes and Costs
- Insurance Institute for Business & Home Safety: Wildfire Risk Research

The National Fire Protection Association® (NFPA®) outlined a comprehensive strategy that will push for the transformations that, over time, will significantly reduce risk to communities. The strategy is rooted in two realities—wildfires are going to happen, and the fire service will not be able to extinguish wildfires at a pace to save people and property in their path.

To solve the wildfire problem, these five tenets must be supported by all levels of government:

- 1. Require all homes and businesses in the wildland/urban interface (WUI) to be more resistant to ignition from wildfire embers and flames.**
- 2. Current codes and standards, as well as sound land use practices, must be in use and enforced for new development and rebuilding in wildfire-prone areas.**
- 3. Fire departments for communities in the WUI must be prepared to respond safely and effectively to wildfire.**
- 4. Government must increase resources for vegetative fuel management.**
- 5. The public must understand its role and take action in reducing wildfire risk.**



**OUTTHINK  
WILDFIRE**  
WILDFIRE ACTION POLICIES





### A CALL TO END THE DESTRUCTION OF COMMUNITIES BY WILDFIRE

***Policy 2: Current codes and standards, as well as sound land use practices, must be in use and enforced for new development and rebuilding in wildfire-prone areas***

Over the past decade, the U.S. has witnessed a steady increase in wildfire activity. Experts predict this trend will continue. Despite billions of dollars to support wildland fire suppression efforts, the number of homes lost in wildfires per year has increased by 163 percent, and wildfires now cost the U.S. an estimated \$63 to \$285 billion per year in losses.

Between 1990 and 2010, the footprint of the wildland/urban interface (WUI), the term that describes the area where homes and communities encroach wildfire hazard prone landscapes, grew by 33 percent, to over 190 million acres. The number of homes on those lands expanded by 41 percent, to at least 43.4 million units. To protect lives and property, communities must address where and how they build homes and businesses. This will require the use of comprehensive land use planning.

Land use planning tools and practices offer the means to reduce the risk wildfires pose to both future and existing development. Comprehensive, or general, plans guide the development of a community, usually on a 20-to-30-year time frame, and contain community goals as well as the policy objectives needed to reach them. But comprehensive use of these tools and practices is not widespread. Universal adoption of land use planning at the local level, supported through state and federal policies, is urgently needed to lower the danger wildfires pose to thousands of communities.

**To protect lives and property, communities must address where and how they build homes and businesses.**

States must require plan development that addresses wildfire safety, including describing the hazards and risks in the community as well as identifying policy objectives to reduce risk over time and the necessary actions to effectuate those policies. These policies need to incorporate building and zoning codes as well as other development requirements. Hazard (the likelihood and potential intensity) assessments and risk (the impact on community members and property) for wildfires are also critical to helping planners and local leaders prioritize mitigation initiatives, track risk reduction activities, and incorporate wildfire safety into planning and regulatory policies. Communities need this information at several scales, from the regional to the community, down to the subdivision and parcel level. These assessments can show where land management actions will be most effective for reducing risk, identify community members who are at the highest risk, and illustrate how individual properties might help spread wildfire. All of this information can help prioritize mitigation actions



and guide development away from areas with the highest level of hazard. The more detailed information the community has developed through hazard and risk assessments, the better tailored these regulations can be. At the federal level, incentivization of planning for wildfires and hazard mitigation through access to funding and prioritization for land management activities must also continue.

Given the size and scope of the U.S. wildfire challenge, reaching the goals of a comprehensive wildfire strategy, including the use and full enforcement of current codes and standards as well as sound land use practices for new development and rebuilding in wildfire-prone areas, will take time. But, making progress toward these will reduce the risk to American homes, businesses, and prosperity. **The key to ending the destruction of communities by wildfire is to start now.**

**Learn more about Outthink Wildfire by visiting [nfpa.org/wildfirepolicy](https://www.nfpa.org/wildfirepolicy).**

## CITATIONS AND REFERENCES

[www.nfpa.org/wildfirepolicy](https://www.nfpa.org/wildfirepolicy)



## RESOURCES

to assist communities in updating subdivision, zoning, building, and fire code requirements:

- NFPA 1141, Standard for Fire Protection Infrastructure for Land Development in Wildland, Rural, and Suburban Areas
- NFPA 1142, Standard for Water Supplies for Suburban and Rural Fire Fighting
- NFPA 1144, Standard for Reducing Structure Ignition Hazards from Wildland Fire
- USDA Forest Service: Wildfire Risk to Communities website

The National Fire Protection Association® (NFPA®) outlined a comprehensive strategy that will push for the transformations that, over time, will significantly reduce risk to communities. The strategy is rooted in two realities—wildfires are going to happen, and the fire service will not be able to extinguish wildfires at a pace to save people and property in their path.

To solve the wildfire problem, these five tenets must be supported by all levels of government:

1. **Require all homes and businesses in the wildland/urban interface (WUI) to be more resistant to ignition from wildfire embers and flames.**
2. **Current codes and standards, as well as sound land use practices, must be in use and enforced for new development and rebuilding in wildfire-prone areas.**
3. **Fire departments for communities in the WUI must be prepared to respond safely and effectively to wildfire.**
4. **Government must increase resources for vegetative fuel management.**
5. **The public must understand its role and take action in reducing wildfire risk.**



**OUTTHINK  
WILDFIRE**  
WILDFIRE ACTION POLICIES



From: M & M Sather  
350 College Drive  
Salem, Oregon

To: Salem Planning  
Public Hearing of March 15, 2022  
Agenda Item 5.1  
255 College Drive NW

Our property is directly across the street from the northerly portion of the 4.99 acre parcel owned by Life Church with a suggested new zone designation of RM1. Our side of the street is a steep slope downward to the east. My first concern became the possibility of people trying to park on the street. It would be terribly dangerous. I was a real estate appraiser for 38 years and frequently saw that required on-site parking is insufficient for the number of units constructed in multi-family development.

As I thought about the situation other things occurred to me.

A. The property is a terraced one, the southerly area is a level, generally undeveloped field once used for sports by Salem Academy. It is currently bounded by an agricultural field outside the city limits to the West, apartments and duplexes to the south and east. The northerly area is a higher terrace with the current school and worship center of Life Church. It seems reasonable to allow development in that lower playing field area for more multi-family dwellings.



B. The middle terrace is the location of Life Church and the affiliated Mission School. I understand the property is all zoned PE and allows public and private education facilities among other uses. I thought, at least at one time that owners of PE property could expect a zoning of Single Family Residential if they discontinued the educational use. This could, of course, be followed by a petition for zone change or variance as necessary. That seems reasonable to me since nothing being discussed at the moment is reported as an action related to a planned change in use. If the church has a current need for a different zoning designation, is multi-family residential the only solution?





C. The upper playing field or northerly portion of the parcel was donated to the church by a home builder, I'm sorry but I don't remember when. He began the partition of the larger parcel with a division for four homes. It seems reasonable to me that this parcel continue to allow single family development. There is no buffer area between it and the existing single family homes. The roadway is a drainage ditch here as well.



D. The existing street is not in good condition. There is a drainage ditch on the west side of College Drive, no sidewalks in this area except for a short stretch in front of College Park Apartments, nor is there a stormwater system on either side of the street. I think this street can be described as substandard for a current residential neighborhood and that causes me to think it is assuredly substandard as a collector street or arterial. The photo immediately below is adjacent to the existing College Park Apartments. Notice the wet spot on the street while above it there is dry pavement. This running water is there all the time and becomes ice when we have cold weather. It is not there because of neglect. I have frequently seen road repair trucks, private and city owned tearing up the area, I assume to try and fix it. My conclusion is there might be a spring under the roadway in that area causing the constant water flow.





There is no room for a sidewalk on the east side of the street. The area was developed long before current street standards were imposed. While we recognize the rights of people to



maximize the benefit of ownership it seems to me to cost of developing multi-family residential in this particular part of the Life Church property is not practical on any level. The amount of land needed for redevelopment of the roadway to current standards would reduce the number of units on the site significantly.

During a neighborhood association meeting someone mentioned the church wanted a zoning specifically allowing use for Religious Assembly and Education. Why is that tied to Multi-family residential use? Isn't there a zone code that includes assembly and education without changing the character of the existing neighborhood?

I understood from discussion with the neighbors there is a surplus of multiple family dwelling units in West Salem.

I could support a partial change to Multi-family residential use but would hope the "upper field" could be developed to fit in with the existing single family neighborhood.

## Shelby Guizar

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**From:** Shelby Guizar  
**Sent:** Wednesday, March 16, 2022 8:52 AM  
**To:** Planning Comments  
**Cc:** Eunice Kim  
**Subject:** FW:

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**From:** Myla <mylas5492@gmail.com>  
**Sent:** Tuesday, March 15, 2022 9:35 PM  
**To:** Shelby Guizar <SGuizar@cityofsalem.net>  
**Subject:**

We asking for low income housing to be built in west and south Salem.



## Shelby Guizar

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**From:** Shelby Guizar  
**Sent:** Wednesday, March 16, 2022 11:53 AM  
**To:** Planning Comments  
**Subject:** FW: Code Amendment Case No. C!21-04  
**Attachments:** CODE AMENDMENT CASE NO CA21-04.docx

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**From:** Marjorie Kmetz <kmetzmarjorie@gmail.com>  
**Sent:** Wednesday, March 16, 2022 11:51 AM  
**To:** Eunice Kim <EKim@cityofsalem.net>; Shelby Guizar <SGuizar@cityofsalem.net>  
**Subject:** Code Amendment Case No. C!21-04

Hello Eunice and Shelby,  
Thank you for all your help yesterday....especially Shelby for providing me the link to the meeting!

I am attaching written testimony of my digital testimony and would be grateful if you sent this attachment to all the commissioners  
as well as the City Parks and Natural Resources Manager.

Is there any way that I can follow up on what the  
Planning Commission proposes as well as the City Parks and Natural Resources Manager in regard to the Tatchio property?

Thanks again.  
Marjorie Kmetz

## CODE AMENDMENT CASE NO.CA21-04

### 13.3 ACRES TATCHIO PROPERTY

Marjorie Kmetz  
339 Summit View Av. SE  
Salem, OR 97306

#### PLANNING COMMISSION

- Marjorie spoke to 30 residents (60 home owners) and all except 2 were very excited about saving the woods that we have come to love. (the 2 exceptions were not against the woods just ambivalent.
- Our entire neighborhood consists of new homes with NO large trees yet: that is why the woods are such a gift to us!
- I was so glad to hear at the meeting that Salem Planning Commission has many plans to redesignate and rezone properties to preserve open spaces and natural areas!
- The streets that I canvassed included Summit View, Gadwall and Wigeon.
- The Wigeon residents enlightened me about the Tatchio property behind their homes; it is a wetland. Regularly, streaming water flows past their property finally joining with Pringle Creek at the bottom of the hill.
- Taking down the huge cottonwood trees, and Douglas Firs will wreak havoc to the already unstable water table and probably effect the Wigeon residents' back yards or perhaps even their houses. Cottonwood trees only grow where there is a lot of water available and soak it up immeasurably.
- A good example of saving green spaces is the Hollis Hilfiker property for which the City of Salem paid Mr. Hilfiker fair market value for his property which is now a beautiful green space.
- Is there any chance that the City could do the same for the Tatchio property? I spoke to Mr. Tatchio before his death and he told me that he would love to have his property saved from destruction of the woods and the wildlife.
- I am also sure that many other residents of our entire neighborhood would appreciate this property saved from development. My personal wish would be for the area to be left as is. Bryan Johnston Park is close by with play equipment and a basketball hoop.

Thank you Eunice Kim and Shelby Guizar for your extensive help you provided me. Kind regards, Marjorie Kmetz [kmetzmarjorie@gmail.com](mailto:kmetzmarjorie@gmail.com)

March 12, 2022

To: Eunice Kim, Case Manager City of Salem Planning Division

Re: Case File, Code Amendment Case No. CA21-04

Subject: Propose Zoning Changes to 4343 and 4345 Sunnyside Rd SE, Salem OR 97302

We oppose the proposed re-zoning of the above addresses as the allowance of high-density housing or development would have an adverse effect on the traffic safety of this block, the livability of the neighborhood and more importantly the watershed and wildlife corridor surrounding the West Fork of Pringle Creek.

These properties include frontage on or near the West Fork of Pringle Creek. This is a wildlife corridor, which provides habit for a variety of wildlife, including but not limited to fish (cutthroat trout, bull head), blue heron, waterfowl, native crayfish, native giant newt/salamander, deer, etc.. It is a natural spring feed creek which offers cold water and habitat to support this wildlife. In addition, these properties include substantial flood plains, flood ways, and a natural bioswale which helps to reduce flooding from yearly rainfall and run off which dumps into the creek as part of the city's stormwater system.

The geography of these parcels reflects steep hillsides to the East which have a number of freshwater springs which flow downhill to the creek. These springs support the health of the stream as well as provide shelter for various animals.

Traffic concerns exist here as there very poor visibility for these parcels as Sunnyside splits from commercial here into one way traffic until reaching the cross street, Idylwood. Speed limit is currently 40 MPH until reaching Idylwood, and if surveyed would find that much of the traffic exceeds this speed. Pulling into or onto this section from these parcels poses serious safety issues. Increasing the number of vehicles that would result from Mixed Use development would be irresponsible.

Allowing Mixed Use zoning and use for these two parcels would only increase the amount of impervious area which in turn would increase the amount of direct run off into the creek thereby increasing the rise of the stream faster and higher than has been seen in the past. This is already evident by this owner who sees the creek daily and has seen a direct negative effect from upstream development of flag lots, small subdivisions, and even the expansion of Judson Middle School. The amount of water contamination would increase as well, again we have seen this increase significantly over the past two years with little ability of the City to locate and address the problem. The most recent being in late 2020 where some kind of pollutant came through making my family ill from the fumes, and killing off or displacing much of the aquatic wildlife. This last year little to no fish, crawdads, ducks, or blue heron along this section of the creek were seen, which was very different than from past years where we enjoyed seeing much of this wild life on a regular basis.

RECEIVED

MAR 16 2022

Zoning should be such that it limits building along this waterway and limits covering of soil so that water can enter system at a more natural rate. Better yet, the City should reconsider the use of this small section of land to allow for some reasonable use, like small office or single family residential along with taking steps to protect this watershed, which I believe the City has a responsibility to do. Development needs to occur, but it should not occur at the sacrifice of those who already live along this stream, both people and wildlife.

I oppose zoning to Mixed Use.

Sincerely,

Russ & Lisa Kittrell  
4343 Sunnyside Rd SE  
Salem, OR 97302

## Shelby Guizar

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**From:** Shelby Guizar  
**Sent:** Thursday, March 17, 2022 8:33 AM  
**To:** Planning Comments  
**Subject:** FW: FW: Possible New City Park?

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**From:** Marjorie Kmetz <kmetzmarjorie@gmail.com>  
**Sent:** Thursday, March 17, 2022 7:52 AM  
**To:** Eunice Kim <EKim@cityofsalem.net>; Shelby Guizar <SGuizar@cityofsalem.net>  
**Subject:** Fwd: FW: Possible New City Park?

Hello again Eunice and Shelby,

Is there any way you can help me in trying to save the beautiful woodland and wildlife from development destruction of the Tatchio property?

As I said at the March 15th Planning Meeting, I am no longer championing for a park, (that was 3 years ago before I realized that the wetland is a HUGE problem for development) the land is not suitable for that; and Bryan Johnston Park is fine as a park.

However, a green space would be perfect. Patricia is out of the office until March 28. Can both of you intercede for me in a positive way so the land is not sold until further review?

Thanks again,  
Marjorie Kmetz

----- Forwarded message -----

**From:** Patricia Farrell <[PFarrell@cityofsalem.net](mailto:PFarrell@cityofsalem.net)>  
**Date:** Wed, Mar 16, 2022 at 4:20 PM  
**Subject:** FW: Possible New City Park?  
**To:** [kmetzmarjorie@gmail.com](mailto:kmetzmarjorie@gmail.com) <[kmetzmarjorie@gmail.com](mailto:kmetzmarjorie@gmail.com)>  
**Cc:** Robert Romanek <[RRomanek@cityofsalem.net](mailto:RRomanek@cityofsalem.net)>

Hello again Ms. Kmetz. I apologize for my earlier incorrect email. I was looking at the wrong location last night. Apparently we have already corresponded about this property a couple of years ago (see below.) This area is already served by Bryan Johnston Park so we would not need another park at the Tatchio property. My apologies for mixing up this location up and not checking before I replied.

Patricia

Patricia Farrell  
Parks & Natural Resources Planning Manager  
City of Salem | Public Works Department  
555 Liberty St SE, Suite 325, Salem OR 97301-3515  
[pfarrell@cityofsalem.net](mailto:pfarrell@cityofsalem.net)

-----Original Message-----

From: Patricia Farrell <[PFarrell@cityofsalem.net](mailto:PFarrell@cityofsalem.net)>  
Sent: Wednesday, August 15, 2018 3:57 PM  
To: [kmetzmarjorie@gmail.com](mailto:kmetzmarjorie@gmail.com)  
Cc: [jackie.m.leung@gmail.com](mailto:jackie.m.leung@gmail.com); Robert Romanek <[RRomanek@cityofsalem.net](mailto:RRomanek@cityofsalem.net)>; Robert Chandler <[RChandler@cityofsalem.net](mailto:RChandler@cityofsalem.net)>  
Subject: RE: Possible New City Park?

Hello Marjorie,

Rob Romanek forwarded your park acquisition request to me. Unfortunately the location of the property you mention is very close to the existing Bryan Johnston Park, hence that area is considered "served" by a park and our Comprehensive Parks System Master Plan does not show another park is needed in this area for that reason. In addition we have recently acquired new park land in NE Salem and have 2-3 other potential acquisitions in areas that do not have parks, so we have a lot of irons in the fire now and not a lot of money for other property acquisitions.

I appreciate your desire to conserve open space and habitat in your neighborhood. Would the NW Land and Conservation Trust you mention be able to purchase the land? The only other option would probably be a donation of the land to the City for a natural area.

Please feel free to call or email me if you have other questions. Again, thank you for your interest in parks and open space.

Patricia Farrell, RLA  
Parks Planning & Natural Resources Manager City of Salem | Public Works Department  
555 Liberty Street SE, Suite 325, Salem, OR 97301-3513 [pfarrell@cityofsalem.net](mailto:pfarrell@cityofsalem.net) | 503-588-6211 Facebook | Twitter  
| YouTube | CityofSalem.net

-----Original Message-----

From: Marjorie Kmetz [mailto:[kmetzmarjorie@gmail.com](mailto:kmetzmarjorie@gmail.com)]  
Sent: Wednesday, August 15, 2018 8:57 AM  
To: Robert Romanek <[RRomanek@cityofsalem.net](mailto:RRomanek@cityofsalem.net)>  
Cc: Jacqueline Leung <[jackie.m.leung@gmail.com](mailto:jackie.m.leung@gmail.com)>  
Subject: Possible New City Park?

Good Afternoon Rob,

Mark Wiggs of NW Land and Conservation Trust suggested that I send you information about a parcel of land in SE Salem which I and many of my neighbors would love to see saved from development.

My hope is that the city of Salem might be interested in purchasing this land as a park to save it as one of the few "wild scapes" which will remain. The parcel is located along Lone Oak between Holder LN SE and Summit View Ave SE and is somewhere between 9.7 and 13.0 acres. The address is 340 Holder LN SE Salem 97306. This parcel currently belongs to the widow of Marvin Tatchio, Marilyn Tatchio and in city records is known as Sunnyside Fruit Farms #3. The custodian of the land is Richard and Valerie Allyn (Valerie is the former Valerie Tatchio and daughter of Marvin and Marilyn Tatchio).

If the city is interested in saving this parcel, I think it would be fair of the city to ask all the developers and builders that are building extensively in this area to contribute to this "green belt" since they have not provided for any such area in all of the many acres of SE Salem which they have already built with and are continuing to build with great speed.

This wild area currently houses many types of birds including hawks and the occasional eagle, as well as marmots, raccoons, opossum, rabbits, deer, and perhaps foxes.

I could work with my neighbors to solicit opinions/petition, and ask for monetary help to purchase this land.

Jacqueline, I am copying you on this email for your information. I realize that you do not take office until Jan 2019 and do not expect you to comment on my proposal.

Thank you in advance for any advice that you can provide.

Sincerely,  
Marjorie Kmetz  
339 Summit View Ave SE Salem, OR 97306  
home phone 503 689 1114  
cell phone 210 218 5741

## Shelby Guizar

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**From:** Eunice Kim  
**Sent:** Thursday, March 17, 2022 3:56 PM  
**To:** Austin Ross; Planning Comments  
**Subject:** FW: SCAN's Request for MU-II Instead of MU-III

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**From:** Roz Shirack <rozshirack7@gmail.com>  
**Sent:** Thursday, March 17, 2022 3:53 PM  
**To:** Lisa Anderson-Ogilvie <LMAnderson@cityofsalem.net>  
**Cc:** Shelby Guizar <SGuizar@cityofsalem.net>; Eunice Kim <EKim@cityofsalem.net>  
**Subject:** SCAN's Request for MU-II Instead of MU-III

Hi Lisa,

At the March 15 Planning Commission hearing President Griggs asked for staff's thoughts on whether the MU-III zone could be changed to MU-II, as SCAN requested, and still meet the City's multi-family needs. In your response you noted there could be impacts to current uses.

Our understanding is that current uses can continue, even if they are not allowed in the MU-II zone:  
SRC 534.010 Uses.

(c) *Continued uses.* Existing uses within the MU-II zone established prior to *[Insert Effective Date of Ordinance]* ~~September 12, 2018~~, but which would otherwise be made non-conforming by this chapter, are hereby deemed continued uses.

2. (1) Buildings or structures housing a continued use may be structurally altered, enlarged, or rebuilt following damage or destruction, provided:

(A) Such alteration, enlargement, or rebuilding of a conforming development complies with the standards in this chapter; or

(B) Such alteration, enlargement, or rebuilding of a continued development complies with the standards set forth in SRC 534.015(g).

(2) A continued use shall terminate if the building or structure ceases to be occupied for that continued use for any reason for a continuous period of one year.

We are not aware of other negative impact on current uses.

SCAN's request for the MU-II zone to be extended south from Rural to Vista applies to just the east side of Commercial St. SE. Our written testimony clearly states that in paragraph 2, but I did not emphasize that during my oral testimony. SCAN's southern boundary ends at Pioneer Cemetery on the west side of Commercial St SE. Our request does not include any area outside of our boundary. I want to be clear that SCAN is not requesting all the acreage proposed for MU-III on Map 124, which I referred to, be changed to MU-II.

Since the Planning Commission continued the hearing to April 5, please provide this email to the Planning Commission as part of the record, if that is allowed under the "continued hearing" process.

Thank you,



Roz Shirack, Chair  
SCAN Land Use Committee

## Shelby Guizar

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**From:** Craig S. Hobbs <chobbsbi@gmail.com>  
**Sent:** Friday, March 18, 2022 3:47 PM  
**To:** Eunice Kim; Planning Comments  
**Cc:** Pam Edwards  
**Subject:** Request for Reconsideration of Zoning from MU-I to MU-III for Hobbs/Edwards/Drager  
Parcels at NE Corner of Kuebler and Battle Creek

Eunice:

As discussed this afternoon, we request that the Planning Commission reconsider its rezone of the following parcels at the NE corner of Kuebler Blvd. and Battle Creek Rd. from MU-I to MU-III:

4700 Battle Creek Rd	Tax Account 321635	1.01 acres;
4786 Battle Creek Rd	Tax Account 532161	1.74 acres;
4826 Battle Creek Rd	Tax Account 532160	1.67 acres;
No Address (part of 4826)	Tax Account 532159	.05 acres.

While MU-I has good permissive uses for these properties to serve the neighborhood, MU-I does not permit "drive throughs"; and many high quality tenants require drive through as an alternative means of providing service to customers.

FYI, this new demand for drive through service is a result of the COVID-19 pandemic and uncertainties surrounding the future of COVID-19 infections. Many high quality retail businesses are requiring the capacity to service their customers with drive through capability and will not consider development where drive through is prohibited. Examples of such retail establishments are as follows: fast food restaurants, bank branches, drug stores, medical clinics and neighborhood grocers.

As a result, we believe the neighborhood will be best served by rezoning the four parcels described above as MU-III to permit drive through capability. While MU-I will work, many retail businesses will likely not develop on these neighborhood parcels because they don't offer drive through capability as MU-I. BTW, access to these four parcels will be via the road to the new apartment complex to the east of these parcels.

Please consider this change from MU-I to MU-III for reasons described above. We believe drive throughs will enhance the development for the entire neighborhood.

## Shelby Guizar

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**From:** Planning Comments  
**Subject:** RE: INFORMATION REQUESTS OR INFORMATION ASSISTANCE please -- Re: Public Access to Land Use Application Materials

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**From:** Howard Hall <[friendsofhistoricsalem@gmail.com](mailto:friendsofhistoricsalem@gmail.com)>  
**Sent:** Friday, March 18, 2022 9:38 AM  
**To:** Shelby Guizar <[SGuizar@cityofsalem.net](mailto:SGuizar@cityofsalem.net)>  
**Subject:** INFORMATION REQUESTS OR INFORMATION ASSISTANCE please -- Re: Public Access to Land Use Application Materials

Dear Shelby, thank you.

Where are the standards -- service standards to population -- that are used/were used in the development of the 2013-2035 Parks Plan Amendment adopted by City Council.

Was the Community Development Department involved or the lead of those standards application?

Where are the standards or assessments of market usage outcomes for public transit that were utilized by the Community Development in the proposed assignment of MU-III and MU II zoning?

What is the level of expertise that has been applied by Community Development, and are documents or documentation available to the public or public record request to review how these standards and market economic analysis were and are being applied in the Long Range Planning process.

From my work and studies in Europe, I know cities with professional staffs have this accessible material in making these decisions. Can you please send me information on those service standards and projected outcomes assigned to locations and localized areas.

Thank you.

Jon Christenson MURP

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On Fri, Mar 18, 2022 at 8:28 AM Shelby Guizar <[SGuizar@cityofsalem.net](mailto:SGuizar@cityofsalem.net)> wrote:

Hello,

Providing better access to land use applications and case files has long been a goal for the Planning Division, so I am excited to let you know that **all land use application materials for open cases are available for the public to download** on the City's online Permit Application Center at <https://permits.cityofsalem.net>. All documents in the file are available to the public, including application materials, comments received, notices and staff reports, as they become available.

You can use the search function (yellow box) without registering and enter the permit number listed in the notice or staff report. In addition to searching by the permit number, you can search by the case number, year, application type, neighborhood association and status or a combination of these search parameters. Documents are available the day after an application is received (see 22-102833 for an example of an in-progress application). Materials for completed applications (back to approximately 2005) are also available (see 20-115510 for an example of an approved application). Applications and materials from land use cases prior to 2005 can generally be provided by staff by email without an official public records request.

We will include information on accessing these files in every notice and staff report as well as in the email we send to land use chairs when applications are first received. I hope this information is helpful.

**Shelby Guizar**

*Administrative Analyst*

City of Salem | Community Development Department

555 Liberty St SE, Suite 305, Salem, OR 97301

[SGuizar@cityofsalem.net](mailto:SGuizar@cityofsalem.net) | 503-540-2315

[Facebook](#) | [Twitter](#) | [LinkedIn](#) | [YouTube](#) | [CityofSalem.net](http://CityofSalem.net)

## Shelby Guizar

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**From:** Eunice Kim  
**Sent:** Wednesday, March 23, 2022 1:44 PM  
**To:** Austin Ross; Planning Comments  
**Subject:** Fwd: March 15 Hearing results

Eunice Kim, AICP, LEED GA  
Long Range Planning Manager  
City of Salem | Community Development Department  
555 Liberty St SE, Suite 305, Salem, OR 97301  
ekim@cityofsalem.net | 503-540-2308

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**From:** Richard Marshall <richinhisgrace@gmail.com>  
**Sent:** Wednesday, March 23, 2022 1:42:58 PM  
**To:** Eunice Kim <EKim@cityofsalem.net>  
**Subject:** Re: March 15 Hearing results

Eunice,

On behalf of West Salem Foursquare Church, we have just one question about a change in the designation assigned to our property in the new map.

Our question is for the Planning Commission is this: What do you envision as development of our remaining developable land that motivates the designation Mixed Use II ?

Our property is eight acres within the city limits at the intersection of Eola Road and Doaks Ferry Road. About half of our property has been developed. The remaining half is essentially field grass and a permitted & engineered roadway connecting to Eola Road, providing two points of access and egress. Across Eola is another church property of approximately the same size. Our property is to be designated "Mixed Use II", while the other property is to remain "Residential/Agricultural".

We want to be in step with the Planning Commission and City Council, while also developing our vision for the future.

Rather than taking time on your next agenda - Please submit our question to the Commission. We will appreciate their reply.

Thank you,

Richard Marshall  
Senior Associate Pastor  
West Salem Foursquare Church

On Mar 16, 2022, at 12:34 PM, Eunice Kim <[EKim@cityofsalem.net](mailto:EKim@cityofsalem.net)> wrote:

Hi Rich,

The Planning Commission voted to continue the public hearing to April 5. You can watch the hearing from last night here: <https://www.youtube.com/watch?v=daqVwZkP-bw>

Best,  
Eunice

-----Original Message-----

From: Rich Marshall <[rich.marshall@wsfc.org](mailto:rich.marshall@wsfc.org)>  
Sent: Wednesday, March 16, 2022 10:39 AM  
To: Planning Comments <[PlanningComments@cityofsalem.net](mailto:PlanningComments@cityofsalem.net)>  
Subject: March 15 Hearing results

Attn: Eunice Kim

As we were unable to attend the digital hearing held on March 15, we request a summary of the hearing and results that may bear upon our organization.

Sincere thanks,

Rev. Richard A. Marshall  
Senior Associate Pastor  
West Salem Foursquare Church

3094 Gehlar Road NW  
Salem, OR 97304

503-931-9045 (direct cell line)

[rich.marshall@wsfc.org](mailto:rich.marshall@wsfc.org)

## Shelby Guizar

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**From:** ezra rabie <ezrarabie@gmail.com>  
**Sent:** Thursday, March 24, 2022 5:20 PM  
**To:** Planning Comments  
**Cc:** ezra rabie  
**Subject:** Designation of 1280 Center St as MU III rather than MU I

Dear Planning Department

Kindly include the following as a submission of written testimony regarding the re-zoning plans of Salem:

**Thank you for the opportunity to offer my perspective of the zoning of my property located at 1280 Center St NE (across from Safeway between 12th and 13th St).**

**My property is currently zoned CR. The proposed new zoning is MU I. I am requesting a zoning of MU III primarily to include one significant best use application of the property - namely that of permitting drive-thru development. The reasons for this I hope will come across as intuitively reasonable ones:**

- First the property is on a major arterial and also meets the MU III requirement of offering frequent transit service.**
- Second it lies outside the city center perimeter and a drive-thru would not create congestion in the downtown core nor deprive surrounding streets of city parking availability.**
- third the property already has a mixed use 3 type of ambiance with state and commercial office buildings, banking, Willamette University, a Mcdonalds drive through, a major grocery, as well as single and multi-family residential use in close proximity.**
- drive throughs require no major infrastructure change such as large utility lines.**
- this particular property has a large frontage offering easy ingress / egress off Center st NE.**

**Apart from the above, and most importantly, a drive-thru would further benefit the immediate community. When one thinks of drive throughs, they immediately associate that with fast food. But they can be of so much more benefit than that in an area that could and should accomodate it - such as a gas station combined with a late night "I-forgot-it" mini-mart, or other uses such as coffee stop, a bank, or a pharmacy, all of which allow the elderly, and mobility impaired to access services they would otherwise have to struggle to acquire in coventional locations. With regard to fast food outlets, the trend now is toward much healthier alternatives. In fact their use has increased substantially as a safe and efficient service for both motorists and pedestrians alike. Finally, drive-thrus proved to be a significant advantage during the pandemic and are still a popular**

**choice for those who remain wary of abandoning all contact precautions with the public. In fact more and more stand alone restaurants are now offering a drive-thru pick-up window for those who wish to avoid indoor dining.**

**In summary I would respectfully request that you re-consider zoning my property as MU III, as it is really an appropriate designation given the above considerations.**

**Thank you**

**Ezra Rabie  
Parkwood Northwest LLC  
Owner 1280 Center St NE  
Phone number: 503-318-2070**



## Shelby Guizar

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**From:** Marjorie Kmetz <kmetzmarjorie@gmail.com>  
**Sent:** Friday, March 25, 2022 12:52 PM  
**To:** Eunice Kim  
**Cc:** Patricia Farrell; Milan Davis  
**Subject:** Re: Tatchio Property 340 Holder Ln SE and Lone Oak 5559

Yes, Eunice, I would like my email to be forwarded to the Planning Commission as testimony. Thank you for thinking of that !

Also, Mr. Milan Davis, are you able to add your expertise to the possibility that some of the older trees on the property, like the Douglas Firs and Cottonwoods could be saved, hopefully those closest to the surrounding homes? Thank you for any help that you can provide.

Kind Regards,  
Marjorie Kmetz cell 210 218 5741

On Fri, Mar 25, 2022 at 8:50 AM Eunice Kim <[EKim@cityofsalem.net](mailto:EKim@cityofsalem.net)> wrote:

Hi Margorie,

The City does indeed have tree preservation regulations ([SRC 808](#)), and the City Council recently adopted code changes that increase the protections (more types of trees protected, etc.). Here is a webpage where you can find a lot of information: <https://www.cityofsalem.net/Pages/remove-trees-on-your-property.aspx>

The City does have an urban forester, Milan Davis. I am cc:ing him here.

Do you want this email to be forwarded to the Planning Commission as testimony?

Thanks,

Eunice

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**From:** Marjorie Kmetz <[kmetzmarjorie@gmail.com](mailto:kmetzmarjorie@gmail.com)>

**Sent:** Friday, March 25, 2022 6:57 AM

**To:** Eunice Kim <[EKim@cityofsalem.net](mailto:EKim@cityofsalem.net)>; Patricia Farrell <[PFarrell@cityofsalem.net](mailto:PFarrell@cityofsalem.net)>

**Subject:** Tatchio Property 340 Holder Ln SE and Lone Oak 5559

Hello Eunice and Patricia,

Mark Wigg of NWTrust informed me that the City has tree protection ordinances and the City forester may want to visit the Tatchio property.

Could either of you send me the contact information for this person?

My hope is that if the land is not deemed a wetland or watershed possibility, the neighbors living close to this property could at least have the gift of some trees saved around the periphery of the property instead of a fence of concrete walls.

Many Thanks,

Marjorie Kmetz cell phone 210 218 5741

**From:** E Easterly <emeasterly@comcast.net>  
**Sent:** Monday, March 28, 2022 8:20 AM  
**To:** Eunice Kim  
**Subject:** Our Salem continued hearing  
**Attachments:** Proposed SACP map to DLCD in error.pdf; Zone & Comp Plan PA example.pdf

via ekim@cityofsalem.net

Planning Commissioners:

GOOD INTENTIONS DO NOT JUSTIFY INATTENTION TO THE TRUTH.

Previously I submitted a list of legal deficiencies regarding the current and proposed Salem Area Comprehensive Plan (SACP) Map. In that document I asked that you recommend to Council that the listed legal failures be corrected in conjunction with the proposed modifications to the Our Salem zoning and comp plan maps.

Planning Department staff conveniently avoids addressing the comp plan map errors I have raised over that last several years. Staff explains that the properties with errors are not being altered by the proposed Comprehensive Plan and map changes the Planning Commission is reviewing, so the city has chosen not to address them at this time as they are not impacted by the proposal.

That silo like logic created the errors in the first place. Unless and until policy bodies such as the Planning Commission recommend that comp plan mapping errors be corrected Salem's scofflaw status will remain.

I understand a list of codes not addressed by the current comp plan map is abstract. Therefore, I offer two example of errors not addressed in the proposed updates to the SACP map:  
(a) a current and proposed map content error and

(b) an example of a comp plan map revision that staff identified. Yet when I requested that staff change the comp plan designation in west Salem for a City designated linear park from WSCBD to POS, staff rejected this non-staff generated comp plan map correction.

See attached graphic examples.

Respectfully,

E.M. Easterly  
503-363-6221

## EXAMPLE (a)

Header and Key of the SACP Map submitted to DLCD February 7, 2022

# Existing Salem Comprehensive Plan

## City of Salem

Community Development Department























FEBRUARY

2022

### Key

#### Existing Salem Zoning Designation

	CB - Central Business District
	CG - General Commercial
	CN - Neighborhood Commercial
	CO - Commercial Office
	CR - Retail Commercial
	EC - Employment Center
	EFU - Exclusive Farm Use
	ESMU - Edgewater/Second Street Mixed-Use Corridor
	FMU - Fairview Mixed-Use
	IBC - Industrial Business Campus
	IC - Industrial Commercial
	IG - General Industrial
	II - Intensive Industrial
	IP - Industrial Park
	MU-I - Mixed Use-I
	MU-II - Mixed Use-II
	NCMU - Neighborhood Center Mixed-Use

	PA - Public Amusement
	PC - Public-Private Cemetery
	PE - Public-Private Education
	PH - Public Health
	PM - Capitol Mall
	PS - Public Service
	RA - Residential Agriculture
	RD - Duplex Residential
	RH - Multiple Family High-Rise Residential
	RM1 - Multiple Family Residential 1
	RM2 - Multiple Family Residential 2
	RS - Single Family Residential
	SCI - Second Street Craft Industrial Corridor
	SWMU - South Waterfront Mixed-Use
	WSCB - West Salem Central Business District
	Proposed Zoning Change Areas
	Urban Growth Boundary
	Salem City Limits
	Outside Salem City Limits
	Taxlots
	Street Centerlines
	Willamette River

This existing version of the Salem Area Comprehensive Plan (SACP) map fails to meet the requirements of OAR 660-015-0005(E) because it does not identify the Salem Willamette Greenway Boundary.


The proposed changes to the SACP map and Salem zoning map offers the same failure to comply with OAR 660-015-0005(E).


### Example (b)

- PA - Public Amusement
- MU-R - Mixed Use - Riverfront



Taxlot Number	Property ID	Street Address	Proposed Zone Change	Existing Zoning	Proposed Zoning	Proposed Comp Plan Change	Existing Comp Plan	Proposed Comp Plan
073W22C D00700	526629	<no value>	YES	CB	PA	YES	ROM	POS
073W22C D01400	589414	295 FRONT ST NE	YES	CB	PA	YES	ROM	POS

 WSCB - West Salem Central Business District

 PA - Public Amusement



The Union Street Railroad right-of-way between Wallace Road and the bridge causeway according the Salem Parks Master Plan is a linear park.



Purple line to right identifies the linear park between the Willamette River pedestrian bridge and Wallace Road NW. Legally it should be identified as POS on the proposed SACP Map.







March 17, 2022

City of Salem Planning Commission  
555 Liberty St SE, Room 305  
Salem OR 97301

RE: Proposed Zoning Change of 2390 Brown Road NE

Dear Planning Commission:

*Our Salem Project* proposes changing zoning of 2390 Brown Road to NH-Neighbor Hub.

The residents near this property already have their daily retail needs well met within walking distance as well as via transit service by way of Cherriot's bus route 2- Market/Brown.

Pedestrian safety on Brown Road was a documented risk. The *Bike & Walk Salem, Final Memorandum #9 – Safe Routes to School Solutions* presented to Salem Bike/Ped Plan Stakeholder Advisory Committee by the CH2M Hill Salem Bike/Ped Plan Project Team on October 11, 2012 stated the following in regard to Scott Elementary School, *"The highest priority project was the sign project, while the second highest priority project was the Brown Road sidewalk project. Sidewalk infill projects on nearby City-owned streets (e.g., Brown Road south of Carolina Avenue) will also assist students walking to school."* Brown Road was designated as a "High Priority" in the Salem Transportation System Plan amended January 13, 2020 (3-38-Street System Element). We are so grateful that project has been completed.

While documented improvement adds value from an administrative need, it does not adequately picture the risk still remaining. The street improvements were not perfectly aligned with existing properties. Across the street from Brown Road Park, the intersection with Maria Avenue remains hazardous. Maintaining this property as Residential Agriculture will mitigate any potential retail traffic which could increase pedestrian hazards. Maintaining the safety of our neighbors, young and old, walking to Brown Road Park is more important to us than increasing retail opportunities through a neighborhood hub.

Please recommend the updated zoning map to City Council without the NH-Neighbor Hub at 2390 Brown Road (Taxlot Number 072W18DD00100, Property ID 555931).

A handwritten signature in black ink, appearing to read "Deanna", followed by a long, sweeping horizontal stroke.

Deanna Garcia  
NOLA Board President



## Shelby Guizar

---

**From:** Eunice Kim  
**Sent:** Tuesday, March 29, 2022 4:01 PM  
**To:** Planning Comments  
**Subject:** FW: MU2 zoned property request

---

**From:** Don Wyant <[wyantcompanies@gmail.com](mailto:wyantcompanies@gmail.com)>  
**Sent:** Tuesday, March 29, 2022 3:42 PM  
**To:** Eunice Kim <[EKim@cityofsalem.net](mailto:EKim@cityofsalem.net)>  
**Cc:** Cindy Wyant <[cindylwyant@gmail.com](mailto:cindylwyant@gmail.com)>  
**Subject:** MU2 zoned property request

Dear Ms. Kim,

Thank you for meeting with Cindy and I regarding our property beginning at 2916 Orchard Heights Rd NW and going west up Orchard Heights near the Orchard Heights Y.

Please let the Planning Director, Ms. Anderson Ogilvie that we appreciate her time as well. I know that it was an extra effort to meet in person. The information you shared regarding our property and the planned zone changes was very helpful in designing out future use of the property as a whole.

With this email, I am requesting that the 7.2 acre parcel on the corner of Orchard Heights and Settler Springs be reclassified from RM2 to MU2. This change would allow us the flexibility of making use of the existing farm house as part of our plan to add services to the neighborhood. While nothing is in stone, our thought is to convert the house into a restaurant and wine tasting room as well as add facilities that would be family friendly for the neighborhood that would potentially keep the "country" feeling the neighbors currently have rather than the sudden shock of 3 story multi-family across from their front door.

In order to develop the remainder of the property in a more cohesive manner, we are further requesting that the southern border of the MU2 property, approx. 62 acres, be extended to the southern boundary of the property, all the way from East to West. This change would allow us to plan on a number of different housing types which would better suit the, "middle housing" and higher density multi-family needs of the community and integrate them into the commercial services that will be offered on behalf of upper West Salem.

If you have any questions about our request, you may call me any time. 971-283-5003 or email me at [wyantcompanies@gmail.com](mailto:wyantcompanies@gmail.com).

Thank you, the Salem Planning Commission and Salem City Council for your consideration of this request.

Don Wyant, Jr  
The Wyant Companies  
Wyant Family

## Shelby Guizar

---

**From:** Phil Carver <philiphcarver@gmail.com>  
**Sent:** Saturday, April 2, 2022 5:55 PM  
**To:** Planning Comments  
**Cc:** Clair Clark; Scheppke Jim; Bob Cortright; Laurie Dougherty  
**Subject:** Comments on Our Salem Adoption for April 5

350 Salem Comments on Staff Reports to the Planning Commission  
April 2, 2022  
Phil Carver, Co-coordinator 350 Salem Oregon

350 Salem watched the Planning Commission Hearing on March 15 and reviewed the staff report for that meeting and the report prepared for the April 5 meeting.

We support all of the recommendations and reasoning of both reports. City Staff have made significant compromises and adjustments of the Our Salem proposal over the years of developing the final recommendations.

Increasing density is scary for many residents. Still, other cities have found that increasing density increases the level of services and improves the quality of life. Increasing density is also necessary to reduce Salem's greenhouse gas emissions to meet the Council's adopted goals for 2035 and 2050.

Thanks for the opportunity to comment.

## Shelby Guizar

---

**From:** Marjorie Kmetz <kmetzmarjorie@gmail.com>  
**Sent:** Sunday, April 3, 2022 5:38 PM  
**To:** Shelby Guizar  
**Cc:** Eunice Kim  
**Subject:** Salem Planning Commission Meeting of April 5, 2022  
**Attachments:** Salem Planning Commission Meeting of April 5.docx

Re: CA21-04

Hello Shelby,  
Attached is the written testimony for the Salem Planning Commission Meeting on April 5, 2022 at 5:30 PM  
I will also provide virtual testimony as well.  
Thank you,  
Marjorie Kmetz

**Salem Planning Commission Meeting of April 5, 2022**  
**CA21-04 Supplemental Staff Report**  
**Virtual and Written Testimony/ Tatchio Property**  
**Marjorie Kmetz**

- **First question is whether the Tatchio property (here to fore called “property”) is a wetland or a watershed.**
- **Here are 2 pictures from the backyard of 5540 Wigeon Street which abuts the property and is the house at the bottom of the hill. The detention basin is needed due to the run off from the Tatchio property at least 10 times per year during a heavy rain.**
- **Several houses on Wigeon Street but up the hill from the 5540 Wigeon Street home have back yards which are spongy, marshy, and some corners of their yards are wet all the time.**
- **I have emails from 72 residents and friends of the neighborhood surrounding the Tatchio property passionately and with loud voices pleading that many of the beautiful Douglas Firs and Black Cottonwoods on this property be saved from destruction.**



- The neighborhood respectfully requests that the water problem which exists on the Tatchio property be completely corrected before any construction takes place. This includes making sure that not only the existing property is safe to build on but that no further harm be done to any of the existing homes near the property.
- Also, the Salem Planning Commission codes specify distances which must be maintained when new construction is built next to existing homes. (good idea!) The code also suggests a high wall or fence be built between the new and existing homes.
- Our neighborhood believes that it is much more climate friendly in all dimensions (humans , wildlife, clean air, canopy shade) that trees be left as the barrier between the new and existing construction.



- Also, the neighborhood recommends, **THAT IF THE LAND CAN BE MADE SAFE TO BUILD ON**, then the new building should be affordable housing consisting of cluster cottages, duplexes and/or triplexes. Thank you for your consideration to these very important issues.



## Shelby Guizar

---

**From:** Mark D. Shipman <MShipman@SGLaw.com>  
**Sent:** Monday, April 4, 2022 4:16 PM  
**To:** Eunice Kim  
**Cc:** Lisa Anderson-Ogilvie; Hannah F. Stevenson; Jeremy Schoenfelder; Doug Sproul  
**Subject:** Our Salem - Kuebler & 27th  
**Attachments:** Planning Commission Letter (Our Salem), 4873-6071-4010, 12.pdf

Eunice,

Attached is our formal request for the planning commission to revise the zoning on the Kuebler and 27<sup>th</sup> Street property.

Please forward to the planning commissioners for their consideration.

Thank you,

**Mark D. Shipman**

Lawyer – Real Estate & Land Use Practice Group



Park Place, Suite 200 | 250 Church Street SE | Salem, Oregon 97301  
tel: 503.399.1070 | fax: 503.371.2927

[Email](#) | [Web](#) | [Bio](#) | [LinkedIn](#)

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April 4, 2022

**VIA ELECTRONIC MAIL:** [ekim@cityofsalem.net](mailto:ekim@cityofsalem.net)

City of Salem Planning Commission  
c/o Eunice Kim  
555 Liberty Street SE, Room 305  
Salem, OR 97301

RE: Our Salem – Kuebler Boulevard & 27<sup>th</sup> Avenue SE  
Our File No: 40800-00001

Dear Honorable Planning Commission Members:

I represent Kuebler Cascade View, LLC ("**Owner**") regarding the above-referenced property at the Southeast corner of Kuebler Boulevard & 27<sup>th</sup> Avenue SE; Tax Lot 2201 in T8S, R3W, Sec 12C (the "**Property**"). Jeremy Schoenfelder, representative for the Owner, and myself, attended the March 15th Planning Commission meeting and briefly testified regarding the Property and the Owner's desire to have a mixed zone classification applied to the Property as a part of the Our Salem process. Our comments do not appear to have been incorporated into the recent Supplemental Staff Report, so we are bringing them to your attention in a more formal manner.

By way of background information, on February 3, 2022, the Planning Commission approved an applicant-initiated application for a comprehensive plan change from Developing Residential to Commercial, and a zone change from Residential Agriculture (RA) to Commercial Retail (CR) on the 24.64 acre parcel, subject to three conditions of approval ("**Approval**"). The Approval was appealed by the South Gateway Neighborhood Association (SGNA) ("**Appeal**") and is pending before the Salem City Council.

Since the Appeal, the Owner has been meeting with representatives from SGNA to address concerns that SGNA has relating to the Approval. Out of these meetings, SGNA has expressed a desire to have more of a mix of zoning on the Property, some commercial retail (CR), some mixed use (MU-III), and some

Park Place, Suite 200  
250 Church Street SE  
Salem, Oregon 97301

Post Office Box 470  
Salem, Oregon 97308

tel 503.399.1070  
fax 503.371.2927

[www.sglaw.com](http://www.sglaw.com)



commercial office (CO). The parties have been discussing percentages of the three zoning categories but as of the date of this letter, have been unable to reach a consensus.

The Owner is requesting the Planning Commission, as a part of the Our Salem process, to revise the zoning on the Property to CR, MU-III, and CO, as shown on the concept plan attached hereto as **Exhibit "B."** The percentages of the proposed zoning classifications for the Property are broken down as follows:

- 43.76% as CR;
- 30.6% as MU-III; and
- 20.2% as CO

As shown on Exhibit B, there is a 1.35 acre portion of the Property that contains wetlands and open space that will remain designated as open space under this proposal.

In addition, the Owner is requesting that the Planning Commission impose the following conditions:

**Condition 1:** The Property shall not contain more than three uses with drive through.

**Condition 2:** The Property shall have no single retail store building that is constructed with more than 70,000 sq. ft.

**Condition 3:** Mitigation as detailed in the Transportation Planning Rule analysis shall be limited to, and completed as follows:

- **Battle Creek Road SE at Kuebler Boulevard SE –**
  - Construct a second southbound left turn lane on the Battle Creek Road SE approach.
- **27th Avenue SE at Kuebler Boulevard SE –**
  - Construct a second northbound right turn lane on 27th Avenue SE. The additional right turn lane shall extend from the site at the roundabout to the intersection with Kuebler. The signal shall be modified to accommodate the right turn lanes and splitter island.
  - Construct a second northbound left turn lane on 27th Avenue SE. The additional left turn lane shall extend from the roundabout to the intersection with Kuebler Boulevard SE. The signal shall be modified to accommodate the two left turn lanes.
  - Extend the westbound left turn lanes on Kuebler Boulevard to provide 600 feet of vehicle queueing in each lane.
  - Additional widening, improvements, and signal modifications will be required on the north leg of 27th Avenue to ensure proper lane alignment and safe operation at the intersection.

- **36th Avenue SE at Kuebler Boulevard SE –**

- Construct a westbound right turn lane on Kuebler Boulevard SE at the intersection with 36th Avenue SE. The right turn lane shall provide for 100 feet of vehicle storage. Modify the traffic signal as required to construct the improvements.

**Condition 4:** The City and Property Owner shall enter into a Development Agreement requiring, among other things, that the Owner agrees to complete the improvements above, prior to the issuance of building permits on the Property. In exchange, and in consideration of the improvements, the City will agree to not require any further off-site improvements for any future development of the Property.

Our request is a slight departure from what you previously approved, but it will better meet the comments and concerns of SGNA, while providing flexibility for the Owner to develop the Property in accordance with the conditions of approval.

Thank you for your consideration.

Sincerely,



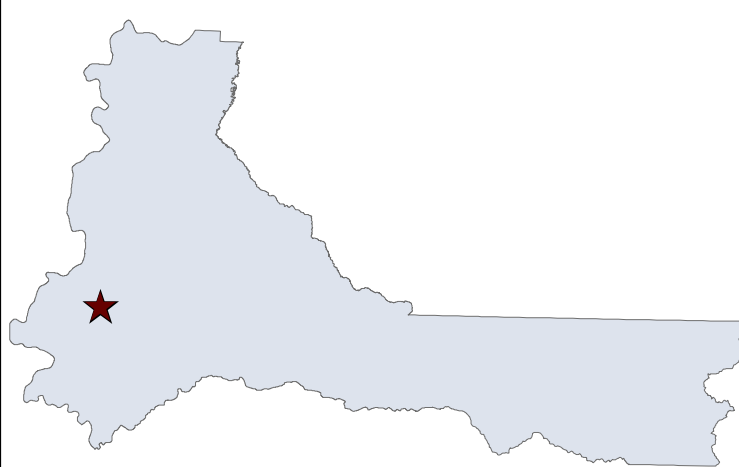
MARK D. SHIPMAN  
mshipman@sglaw.com  
Voice Message #310

MDS:hst  
Enclosures

08 3W 12C

EXHIBIT A

08 3W 12C  
SALEM



MARION COUNTY, OREGON  
SW1/4 SEC12 T8S R3W W.M.  
SCALE 1" = 200'

LEGEND

- LINE TYPES
- |                          |                       |
|--------------------------|-----------------------|
| Taxlot Boundary          | Historical Boundary   |
| Road Right-of-Way        | Easement              |
| Railroad Right-of-Way    | Railroad Centerline   |
| Private Road ROW         | Taxcode Line          |
| Subdivision/Plat Bndry   | Map Boundary          |
| Waterline - Taxlot Bndry | Waterline - Non Bndry |

- CORNER TYPES
- |                       |                  |
|-----------------------|------------------|
| + 1/16TH Section Cor. | 1/4 Section Cor. |
| ⊙ DLC Corner          | Section Corner   |

NUMBERS

Tax Code Number  
**00 00 0**

Acreage  
**0.25 AC**

All acres listed are Net Acres, excluding any portions of the taxlot within public ROWs

NOTES

Tick Marks: A tick mark in the road indicates that the labeled dimension extends into the public ROW

200.00  
175.00

CANCELLED NUMBERS

- |      |  |  |  |
|------|--|--|--|
| 702  |  |  |  |
| 703  |  |  |  |
| 1601 |  |  |  |
| 1702 |  |  |  |
| 1703 |  |  |  |
| 1801 |  |  |  |
| 1900 |  |  |  |
| 2000 |  |  |  |
| 2001 |  |  |  |
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| 2100 |  |  |  |
| 2101 |  |  |  |
| 2202 |  |  |  |
| 2203 |  |  |  |

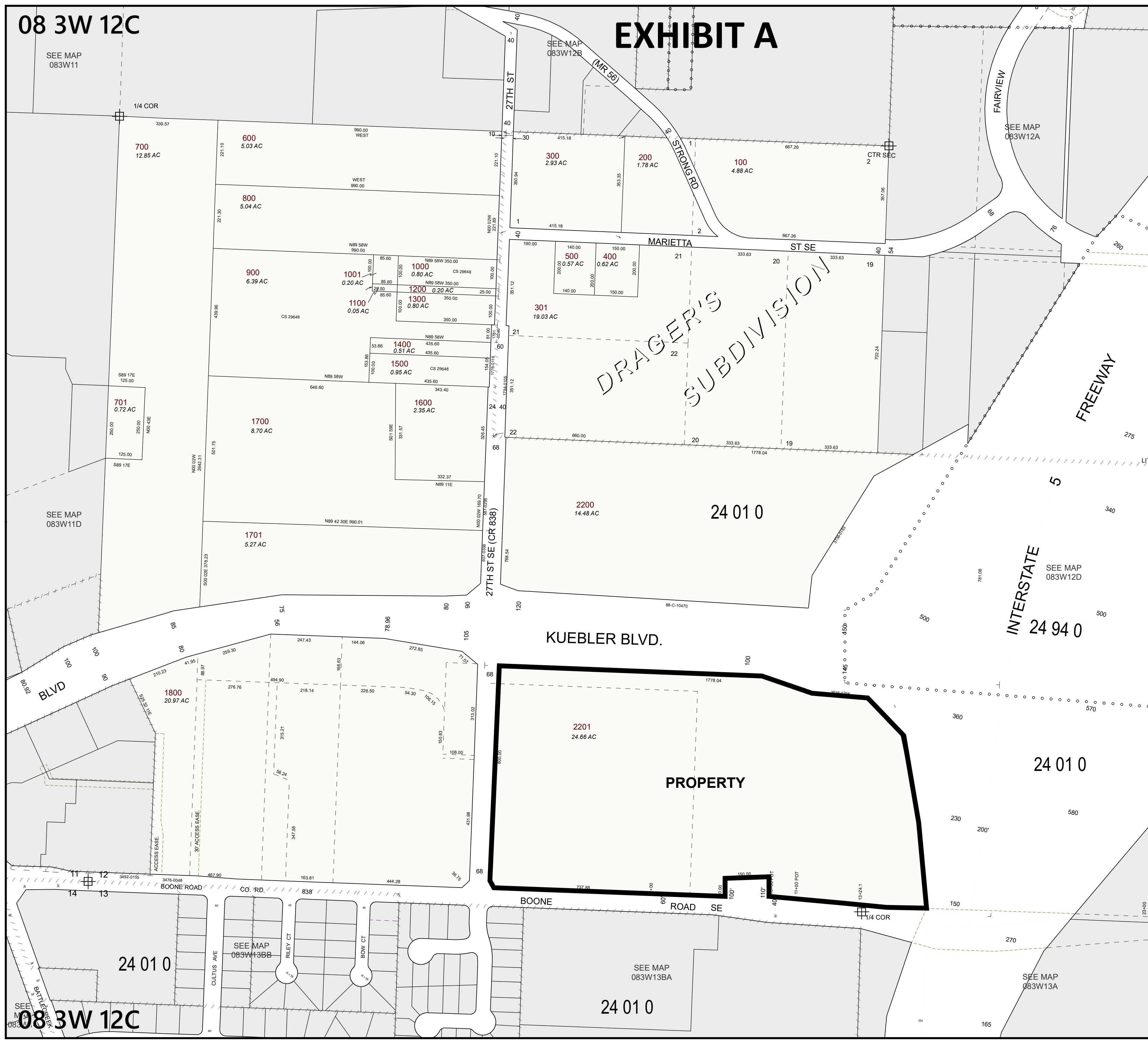
DISCLAIMER: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY



FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT  
[www.co.marion.or.us](http://www.co.marion.or.us)

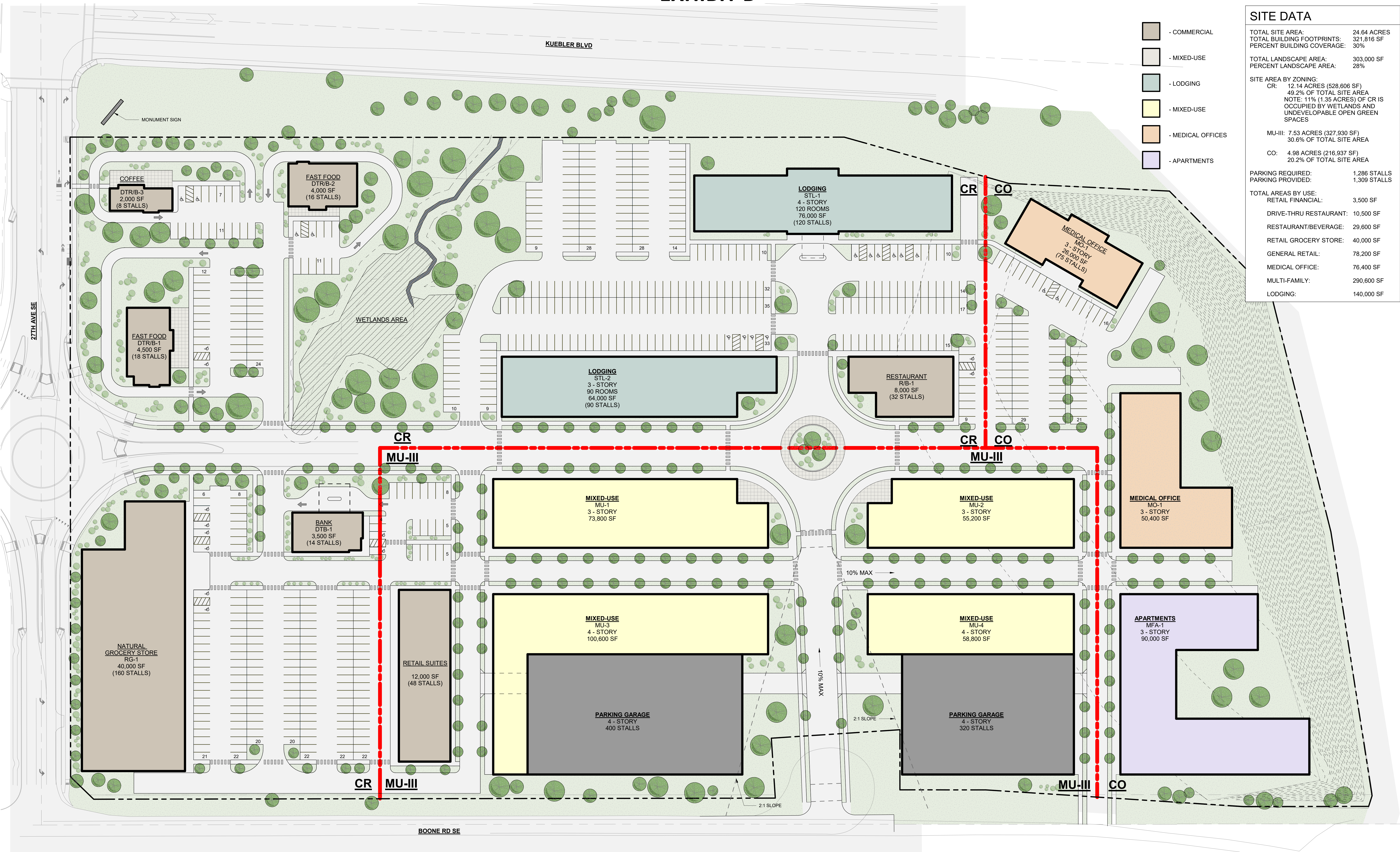
PLOT DATE: 5/27/2021

SALEM  
08 3W 12C



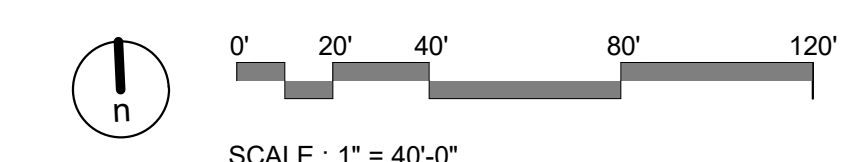


# EXHIBIT B



## Kuebler Village Conceptual Site Plan

04.04.2022



**STEELE**  
architecture interiors planning



## Shelby Guizar

---

**From:** Shelby Guizar  
**Sent:** Monday, April 4, 2022 4:27 PM  
**To:** Eunice Kim  
**Cc:** Planning Comments  
**Subject:** FW: Continued Hearing Supplemental Staff Report - Case No. CA21-04 for Our Salem Code Amendment  
**Attachments:** Zoning letter.docx

---

**From:** Deanna Garcia <dg.boardstuff@gmail.com>  
**Sent:** Monday, April 4, 2022 4:22 PM  
**To:** Shelby Guizar <SGuizar@cityofsalem.net>  
**Cc:** amber willis <wildchristian@hotmail.com>  
**Subject:** Re: Continued Hearing Supplemental Staff Report - Case No. CA21-04 for Our Salem Code Amendment

Hi Shelby,  
I have an emailed letter to submit as written testimony for tomorrow's hearing. I am attaching it to this message.

Best,  
Deanna Garcia, Chair  
**NOorth LAncaster NA**

On Mar 29, 2022, at 4:06 PM, Shelby Guizar <[SGuizar@cityofsalem.net](mailto:SGuizar@cityofsalem.net)> wrote:

Hello,

A Supplemental Staff Report for the Continued Hearing on Code Amendment and Legislative Zone Change Case No. CA21-04 is attached for your information. This case will be heard digitally before the Planning Commission on Tuesday, April 5, 2022 at 5:30 P.M.

**Please see the attached agenda for information on how to view or provide testimony for this digital public hearing.**

Please direct questions or comments to the **CASE MANAGER:**

**Eunice Kim, Long Range Planning Manager**

555 Liberty Street SE, Room 305, Salem, Oregon 97301

[PlanningComments@cityofsalem.net](mailto:PlanningComments@cityofsalem.net)

503-540-2308

Thank you,

**Shelby Guizar**

*Administrative Analyst*

City of Salem | Community Development Department

555 Liberty St SE, Suite 305, Salem, OR 97301

[SGuizar@cityofsalem.net](mailto:SGuizar@cityofsalem.net) | 503-540-2315

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

<04.05.2022 SPC Agenda.pdf>

<CA21-04 Planning Commission Continued Hearing Supplemental Staff Report.pdf>

Dear City of Salem

My name is Steven N Willis and I and my wife Amber are the owners of the property at " 2390 Brown Rd. NE Salem, Oregon 97305." This letter is to address the changing in zoning to my property. We live in a great neighborhood (North Lancaster Neighborhood association). The main Road we live on (Brown Rd) has become busier and busier. Lots of Thru traffic. We do not want to build office spaces here, it would increase traffic and its in the middle of Residential homes. It would be out of place. We do not approve of a zoning change for the purposes of commercial office building. We would like to remain residential zoning with the option to build multifamily buildings possibly in the future if we so choose.

Thank you for your time

Steve Willis

## Shelby Guizar

---

**From:** Lowell Ford <paloford@gmail.com>  
**Sent:** Monday, April 4, 2022 8:15 PM  
**To:** Planning Comments  
**Subject:** Comment on Our Salem

If I read the project map correctly our property at 2450 Wallace Rd within the Urban Growth Boundary will have the Overlay Zone changed from SR to MU, or Multiple Use. What concerns me is the rest of our farm will remain in EFU. How will that reflect in our ability to farm or develop the acreage? In general our family supports the change. We feel it will give future generations more flexibility on how the property will be used.



## Shelby Guizar

---

**From:** Craig Evans <craig@crowndrealestategroup.com>  
**Sent:** Tuesday, April 5, 2022 9:43 AM  
**To:** Planning Comments  
**Cc:** pastorkev@hopepointchurch.com  
**Subject:** 2345 Brush College Rd - Our Salem Zone change

To whom it may concern,

Hope Point Church is the owner of this property. The church board has met and discussed the proposed zoning change from RS to MU1. We are in support of this change as we see the need for additional housing options in our community and believe that this zoning will give the church more flexibility in the future development of the property.

Respectfully submitted on behalf of Hope Point Church,

Craig Evans – Principal Broker  
Crown Real Estate Group  
Licensed in the State of Oregon  
(503) 409-5025 Cell

## Shelby Guizar

---

**From:** Planning Comments  
**To:** Brian Clothier  
**Subject:** RE: Testimony for Planning commission meeting 4/5/22

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**From:** Brian Clothier <ishmailme222@yahoo.com>  
**Sent:** Tuesday, April 5, 2022 11:04 AM  
**To:** Shelby Guizar <SGuizar@cityofsalem.net>  
**Cc:** Eunice Kim <EKim@cityofsalem.net>; Planning Comments <PlanningComments@cityofsalem.net>  
**Subject:** Re: Testimony for Planning commission meeting 4/5/22

See attached.

Thanks!

Brian

[Sent from Yahoo Mail for iPhone](#)

On Tuesday, April 5, 2022, 9:39 AM, Shelby Guizar <[SGuizar@cityofsalem.net](mailto:SGuizar@cityofsalem.net)> wrote:

Hi Brian,

Yes written testimony is just as good! The sooner you provide it the better, to give time for the Commissioners to read the material.

If you reply all to this email with your testimony. It will be forwarded to the commission.

Thank you!

**Shelby Guizar**

*Administrative Analyst*

City of Salem | Community Development Department

555 Liberty St SE, Suite 305, Salem, OR 97301

[SGuizar@cityofsalem.net](mailto:SGuizar@cityofsalem.net) | 503-540-2315

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Dear Planning Commission,

We write to express a desire to help the City and Planning Commission achieve their stated goals in the least disruptive way possible. We appreciate the complexity of the situation and the time invested in the Our Salem Project – Salem Area Comprehensive Plan Proposal. Our comments are specifically in regard to the area along the north side of Orchard Heights east of the power lines. This letter includes alternate proposals which will diminish the negative impact of the proposed Comprehensive plan.

Currently the proposed zoning of multifamily would not meet the City's requirement nor the statewide planning goals of being connected to a main road. The proposed RM zoning would be off the newly renamed Orchard Heights Place due to the proposed re-alignment of Orchard Heights Rd. This placement of RM clearly would not meet the City's requirement as currently proposed, as it places RM further away from the proposed MU2 at the south side of Orchard Heights and away from a potential future public transit street of Orchard Heights Road.

The proposed rezoning on Orchard Heights to RM has the potential to destroy several protected species' natural habitat at the time the subject property is developed. The existing homes are well established with mature landscaping and tree canopy, that would surely be removed to clear a path for multifamily development. The area currently targeted to be rezoned RM is the habitat for a variety of species for which some are protected (protected by the Migratory Bird Treaty Act and other Federal and State Laws). Some of these species include but are not limited to: The Great Horned Owl, Red Tailed Hawk, Osprey, Wild Turkey, Blue Heron, Bobcats, Black Bear, and deer. Removal of the wooded area will substantially impact or completely destroy the habitat for the protected species.

Additional concerns regarding this 20-year plan include the need to plan for additional schools, safe pedestrian and bicycle transportation, public transit infrastructure while preserving the natural, wooded spaces that currently exist in West Salem.

We come to you with a solution that addresses each of the previously mentioned concerns by moving the comprehensive plan RM zoning as indicated in the attached exhibit to a portion of the proposed future park area. The proposed locations we believe are better suited to meet the City's objective and Statewide planning goals due to the following:

- This exhibit shows ample space for both a park and several MF housing units without the destruction of surrounding woodlands and habitats.
- The subject property is on land already owned by the City and would not require annexation from the urban growth area prior to development.
- The subject property directly connects to Orchard Heights Rd now and after the realignment will provide direct access to a future public transit street.
- The subject property is closer to local schools and with appropriate planning, will greatly reduce the need for vehicular traffic to the schools.

A secondary location that would be better suited for multifamily development would be the large parcel south of Orchard Heights slated to become MU-2 on the new comprehensive plan. Please see Exhibit 2.

- This parcel is primarily pastureland, and largely vacant, without large trees. Developing it would have a lower impact on local wildlife.
- Master planning this area would allow for multifamily housing to be incorporated along with shopping and office space, greatly decreasing the need for vehicular traffic.
- Single family properties could be incorporated as well.

The exhibit also shows the property to the south of Orchard Heights, the exhibit was initially generated when the property was designated as single family but modified for the proposed zoning changes. The realignment of Orchard Heights is shown as well as the future development of single family and the proposed MU2 locations. We understand this property owner has shared this same exhibit with you, that shows their proposed locations for the MU-2. We are in support of these locations as they are close to the realigned Orchard Heights Road and they are central within this large parcel. We also ask the city to consider further realigning their proposed zoning maps with the exhibit.

To recap:

1. We do not agree with the proposed comprehensive plan change for MF north of Orchard Heights.
2. We propose the roughly 32 acres of comp plan MF to be relocated to the future Public Park – Open Space area in the same amount of 32 acres, and the remaining portion remain as Public Parks – Open Space. Alternatively, a secondary option for the proposed MF would be south of Orchard Heights Rd. as outlined in Exhibit 1.

We urge you to reconsider the rezoning of Orchard Heights comprehensive plan RM designation to what we believe is a better fit for the city. The proposed site is directly attached to the realigned Orchard Heights Road as a transit street, the site is free and clear of mature landscaping, the proposed site is closer to West Salem High School, Straub Middle School and Kalapuya Elementary School.

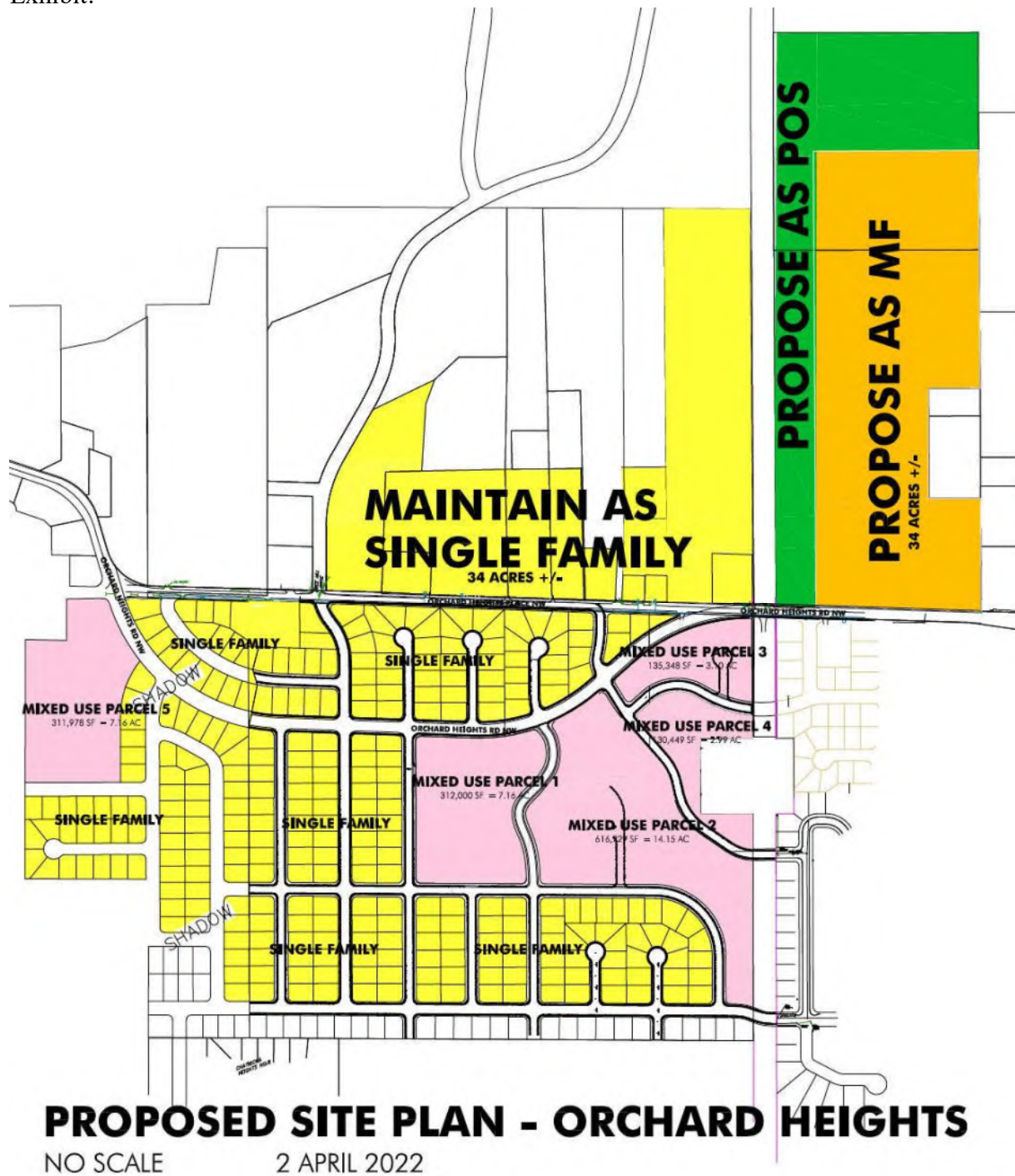
Thank you for your continued service and support of our communities.

Best regards,

- Chester Anonson; 3127 Orchard Heights Road NW, Salem, OR 97304
- Hannah Anonson; 3127 Orchard Heights Road NW, Salem, OR 97304
- Claudia Huntsinger; 3187 Orchard Heights Road NW, Salem, OR 97304
- Les Huntsinger; 3187 Orchard Heights Road NW, Salem, OR 97304
- Krysta St. Michell; 3087 Orchard Heights Road NW, Salem, OR 97304
- Mark St. Michell Jr.; 3087 Orchard Heights Road NW, Salem, OR 97304
- Brian Clothier; 3117 Orchard Heights Road NW, Salem, OR 97304

- Karen Clothier: 3117 Orchard Heights Road NW, Salem, OR 97304
- Gene Bolante: 3147 Orchard Heights Road NW, Salem, OR 97304
- Larry Parksion: 3097 Orchard Heights Road NW, Salem, OR 97304
- Fayette Parksion: 3097 Orchard Heights Road NW, Salem, OR 97304
- Dennis Korn 3085 Orchard Hts. Rd. NW Salem OR 97304
- Brian Knowles: 1842 Rainsong Drive NW, Salem, R 97304

Exhibit:



## Shelby Guizar

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**From:** Hannah Thoman <hthoman06@gmail.com>  
**Sent:** Tuesday, April 5, 2022 1:33 PM  
**To:** Planning Comments  
**Subject:** Written Testimony- Our Salem  
**Attachments:** Planning commision- Our Salem written testimony, Anonson.pdf

Good Afternoon,  
Please see the attached written testimony for the record for tonight meetings for Our Salem Comprehensive Plan.

Sincerely,  
Hannah Anonson



Dear Planning Commission,

We write to express a desire to help the City and Planning Commission achieve their stated goals in the least disruptive way possible. We appreciate the complexity of the situation and the time invested in the Our Salem Project – Salem Area Comprehensive Plan Proposal. Our comments are specifically in regard to the area along the north side of Orchard Heights east of the power lines. This letter includes alternate proposals which will diminish the negative impact of the proposed Comprehensive plan.

Currently the proposed zoning of multifamily would not meet the City's requirement nor the statewide planning goals of being connected to a main road. The proposed RM zoning would be off the newly renamed Orchard Heights Place due to the proposed re-alignment of Orchard Heights Rd. This placement of RM clearly would not meet the City's requirement as currently proposed, as it places RM further away from the proposed MU2 at the south side of Orchard Heights and away from a potential future public transit street of Orchard Heights Road.

The proposed rezoning on Orchard Heights to RM has the potential to destroy several protected species' natural habitat at the time the subject property is developed. The existing homes are well established with mature landscaping and tree canopy, that would surely be removed to clear a path for multifamily development. The area currently targeted to be rezoned RM is the habitat for a variety of species for which some are protected (protected by the Migratory Bird Treaty Act and other Federal and State Laws). Some of these species include but are not limited to: The Great Horned Owl, Red Tailed Hawk, Osprey, Wild Turkey, Blue Heron, Bobcats, Black Bear, and deer. Removal of the wooded area will substantially impact or completely destroy the habitat for the protected species.

Additional concerns regarding this 20-year plan include the need to plan for additional schools, safe pedestrian and bicycle transportation, public transit infrastructure while preserving the natural, wooded spaces that currently exist in West Salem.

We come to you with a solution that addresses each of the previously mentioned concerns by moving the comprehensive plan RM zoning as indicated in the attached exhibit to a portion of the proposed future park area. The proposed locations we believe are better suited to meet the City's objective and Statewide planning goals due to the following:

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