



# NOTICE of FILING

## LAND USE REQUEST AFFECTING THIS AREA

*There is a development proposal for the property listed in this notice and shown on the attached map. The City is seeking input from neighbors on the proposal. If you have questions or comments about the proposal, contact the case manager.*

*Esta carta es un aviso sobre una propuesta de desarrollo para la propiedad enumerada y que se muestra en el mapa adjunto. La ciudad está buscando la opinión de los vecinos sobre la propuesta. Si tiene preguntas o comentarios sobre la propuesta, póngase en contacto con nosotros al 503-588-6213.*

<b>CASE NUMBER:</b>	Class 3 Site Plan Review / Class 2 Adjustment / Class 1 Design Review Case No. SPR-ADJ-DR24-12
<b>PROPERTY LOCATION:</b>	3420 3rd Ave SE, Salem OR 97302
<b>NOTICE MAILING DATE:</b>	April 15, 2024
<b>PROPOSAL SUMMARY:</b>	A proposal for improvements to an existing multifamily building.
<b>COMMENT PERIOD:</b>	<b>All written comments must be submitted to City Staff no later than 5:00 p.m. Monday, April 29, 2024. Please direct any questions and/or comments to the Case Manager listed below. Comments received after the close of the comment period will not be considered. Note: Comments submitted are <u>public record</u>. This includes any personal information provided in your comment such as name, email, physical address and phone number.</b>
<b>CASE MANAGER:</b>	<b>Jacob Brown, Planner I</b> , City of Salem Planning Division, 555 Liberty Street SE, Room 305, Salem, Oregon 97301. Telephone: (503) 540-2347; E-mail: <a href="mailto:jrbrown@cityofsalem.net">jrbrown@cityofsalem.net</a>
<b>NEIGHBORHOOD ASSOCIATION:</b>	<i>Neighborhood associations are volunteer organizations of neighbors coming together to make neighborhoods the best they can be. They receive notice of land use applications within their boundaries, and they often submit comments on the applications to the City. Neighborhood association meetings are open to everyone. Contact your neighborhood association to get involved:</i>  Faye Wright Neighborhood Association, Bev Ecklund, Land Use Chair; Email: <a href="mailto:bev.ecklund@gmail.com">bev.ecklund@gmail.com</a> .
<b>ACCESS:</b>	The Americans with Disabilities Act (ADA) accommodations will be provided on request.
<b>CRITERIA TO BE CONSIDERED:</b>	Salem Revised Code (SRC) Chapter(s) 220.005(f)(3) – Class 3 Site Plan Review; 250.005(d) – Class 2 Adjustment; 225.005(e)(1) – Class 1 Design Review  Salem Revised Code (SRC) is available to view at this link: <a href="http://bit.ly/salemorcode">http://bit.ly/salemorcode</a> . Type in the chapter number(s) listed above to view the applicable criteria.

<b>PROPERTY OWNER(S):</b>	MDH Management LLC (Michael D. Hummel, Mamie Hummel), MDH Tier 2 NO 1 LLC (Michael D. Hummel, Mamie Hummel)
<b>APPLICANT(S):</b>	Martha Berndt
<b>PROPOSAL REQUEST:</b>	<p>A consolidated application for a Class 3 Site Plan Review and Class 1 Design Review for repairs and improvements to an existing of six-unit multifamily apartment with two Class 2 Adjustment requests to:</p> <ol style="list-style-type: none"> <li>(1) Reduce the minimum required zone-to-zone setback from 10 feet to 9.5 feet along the southern and northern property line. (SRC 514.010(c)).</li> <li>(2) Reduce the minimum required street abutting property line setback from 20 feet to 9.5 feet. (SRC 533.015(c)).</li> </ol> <p>The subject property is 0.18 acres in size, zoned RM-II (Multiple Family Residential), and located at the 3420 3rd Avenue SE (Marion County Assessor Map and Tax lot: 083W03BC07500).</p>
<b>APPLICATION PROCESS:</b>	<p>Following the close of the Public Comment Period, a decision will be issued and mailed to the applicant, property owner, affected neighborhood association, anyone who submitted written comments, and anyone who received notice of the land use request.</p> <p>Failure to raise an issue in writing prior to the close of the Public Comment Period with sufficient specificity to provide the opportunity to respond to the issue, precludes appeal to the Land Use Board of Appeals (LUBA) on this issue. A similar failure to raise constitutional issues relating to proposed conditions of approval precludes an action for damages in circuit court.</p>
<b>MORE INFORMATION:</b>	All documents and evidence submitted by the applicant are available on the City's online Permit Application Center at <a href="https://permits.cityofsalem.net">https://permits.cityofsalem.net</a> . You can use the search function without registering and enter the permit number listed here: 24 103437. Paper copies can be obtained for a reasonable cost.

**PLEASE PROMPTLY FORWARD A COPY OF THIS NOTICE TO ANY OTHER OWNER, TENANT OR LESSEE**  
**For more information about Planning in Salem:**

<http://www.cityofsalem.net/planning>

*It is the City of Salem's policy to assure that no person shall be discriminated against on the grounds of race, religion, color, sex, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, gender identity and source of income, as provided by Salem Revised Code Chapter 97. The City of Salem also fully complies with Title VI of the Civil Rights Act of 1964, and related statutes and regulations, in all programs and activities. Disability-related modification or accommodation, including auxiliary aids or services, in order to participate in this meeting or event, are available upon request. Sign language and interpreters for languages other than English are also available upon request. To request such an accommodation or interpretation, contact the Community Development*

*Department at 503-588-6173 at least three business days before this meeting or event.*

*TTD/TTY telephone 503-588-6439 is also available 24/7*

# REQUEST FOR COMMENTS

*Si necesita ayuda para comprender esta información, por favor llame 503-588-6173*

**REGARDING:** Class 3 Site Plan Review / Class 2 Adjustment / Class 1 Design Review Case No. SPR-ADJ-DR24-12

**PROJECT ADDRESS:** 3420 3rd Ave SE, Salem OR 97302

**AMANDA Application No.:** 24-103437-PLN

**COMMENT PERIOD ENDS:** April 29, 2024 at 5:00 p.m.

**SUMMARY:** A proposal for improvements to an existing multifamily building.

**REQUEST:** A consolidated application for a Class 3 Site Plan Review and Class 1 Design Review for repairs and improvements to an existing of six-unit multifamily apartment with two Class 2 Adjustment requests to:

- (1) Reduce the minimum required zone-to-zone setback from 10 feet to 9.5 feet along the southern and northern property line. (SRC 514.010(c)).
- (2) Reduce the minimum required street abutting property line setback from 20 feet to 9.5 feet. (SRC 533.015(c)).

The subject property is 0.18 acres in size, zoned RM-II (Multiple Family Residential), and located at the 3420 3rd Avenue SE (Marion County Assessor Map and Tax lot: 083W03BC07500).

The Planning Division is interested in hearing from you about the attached proposal. Staff will prepare a Decision that includes consideration of comments received during this comment period. We are interested in receiving pertinent, factual information such as neighborhood association recommendations and comments of affected property owners or residents. The complete case file, including all materials submitted by the applicant and any applicable professional studies such as traffic impact analysis, geologic assessments, and stormwater reports, are available upon request.

**Comments received by 5:00 p.m. Monday, April 29, 2024**, will be considered in the decision process. Comments received after this date will be not considered. *Comments submitted are public record. This includes any personal information provided in your comment such as name, email, physical address and phone number. Mailed comments can take up to 7 calendar days to arrive at our office. To ensure that your comments are received by the deadline, we recommend that you e-mail your comments to the Case Manager listed below.*

**CASE MANAGER:** Jacob Brown, Planner I, City of Salem, Planning Division; 555 Liberty St SE, Room 305, Salem, OR 97301; Phone: (503) 540-2347; E-Mail: [jbrown@cityofsalem.net](mailto:jbrown@cityofsalem.net).

For information about Planning in Salem, please visit: <http://www.cityofsalem.net/planning>

**PLEASE CHECK THE FOLLOWING THAT APPLY:**

- 1. I have reviewed the proposal and have no objections to it.
- 2. I have reviewed the proposal and have the following comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Name/Agency: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Email: \_\_\_\_\_  
 Date: \_\_\_\_\_

**IMPORTANT: IF YOU MAIL COMMENTS, PLEASE FOLD AND RETURN THIS POSTAGE-PAID FORM**

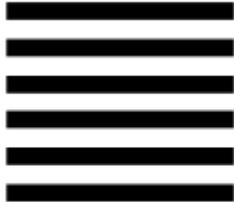


NO POSTAGE  
NECESSARY  
IF MAILED  
IN THE  
UNITED STATES

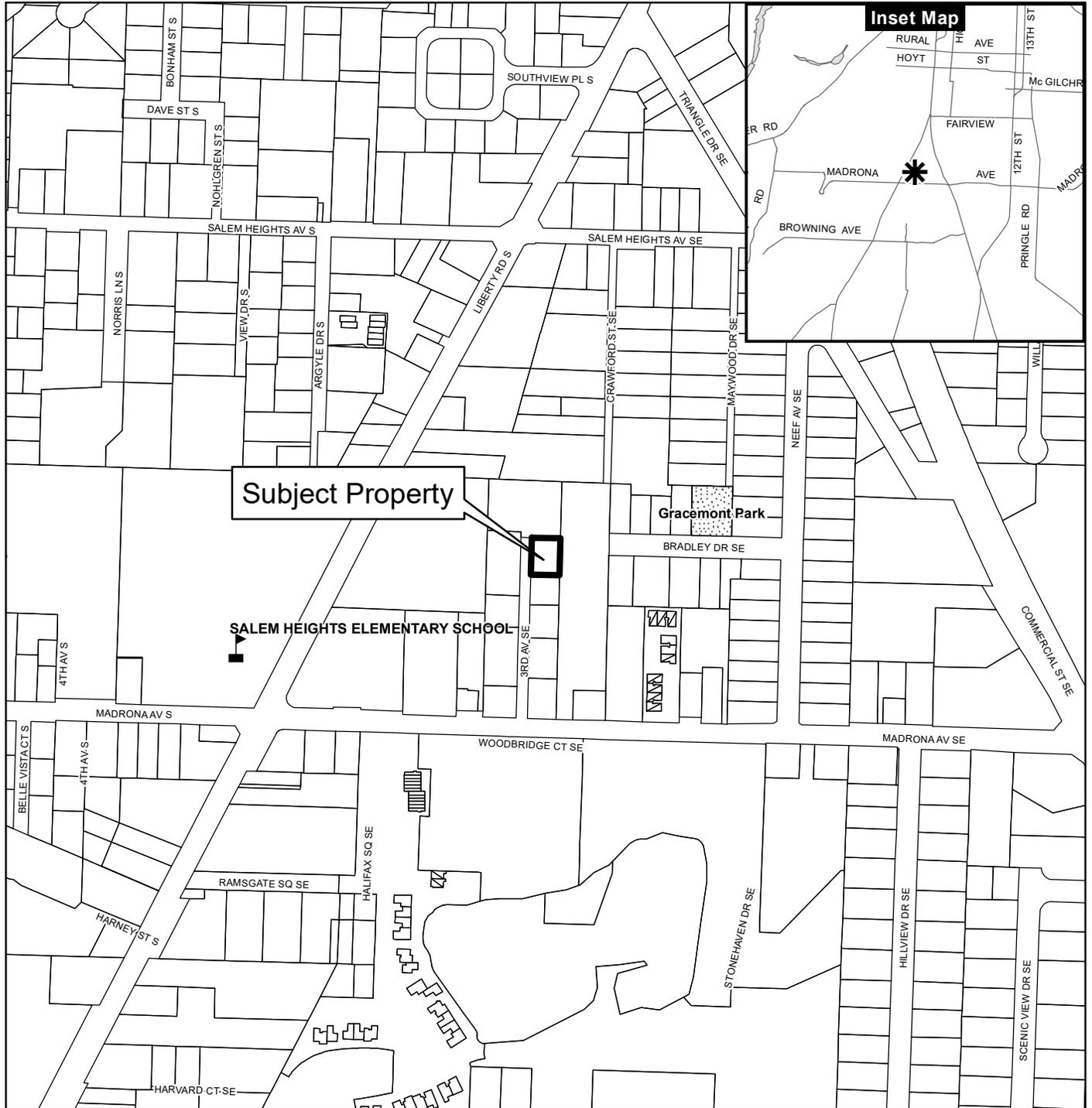
**BUSINESS REPLY MAIL**  
FIRST-CLASS MAIL PERMIT NO. 1508 SALEM, OR

POSTAGE WILL BE PAID BY ADDRESSEE

PLANNING DIVISION  
CITY OF SALEM RM 305  
555 LIBERTY ST SE  
SALEM OR 97301-9907



# Vicinity Map 3420 3rd Ave SE



## Legend

- Taxlots
- Urban Growth Boundary
- City Limits
- Outside Salem City Limits
- Historic District
- Schools
- Parks

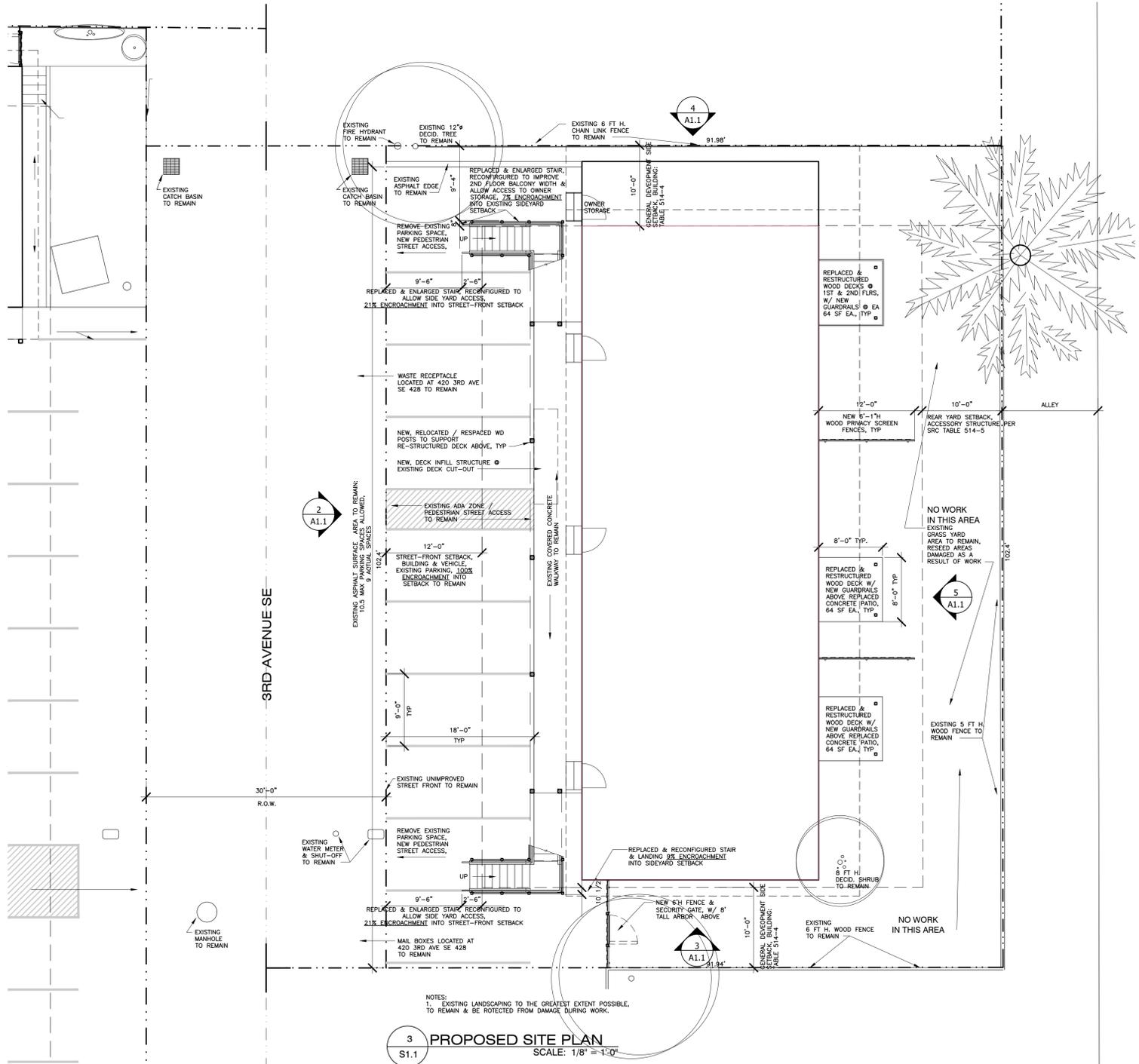


0 100 200 400 Feet

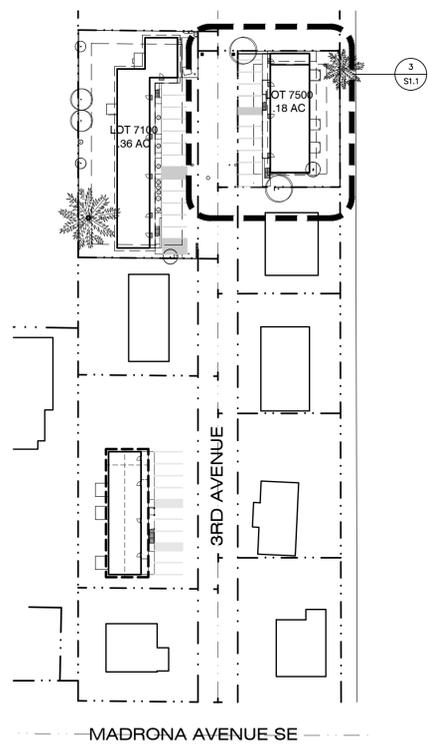


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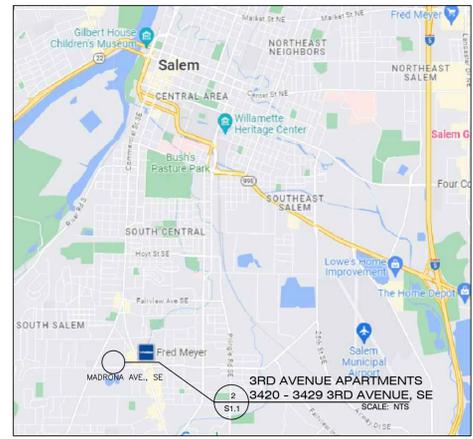
DATE:	FEB. 01, 2024
REVISIONS:	NO. DATE
SCALE:	VARIES
DRAWN BY:	MB



**3 PROPOSED SITE PLAN**  
 S1.1  
 SCALE: 1/8" = 1'-0"



**2 3RD AVENUE APARTMENTS**  
 3420 - 3429 3RD AVENUE, SE  
 LOCAL AREA PLAN  
 SCALE: 1/64" = 1'-0"



**1 VICINITY MAP**  
 S1.1  
 SCALE: NTS

**PROJECT DESCRIPTION**

THIS PROJECT SEEKS TO IMPROVE AN EXISTING 6-UNIT APARTMENT BUILDING. THE EXISTING BUILDING PREMATES THE EXISTING SRC & BUILDING CODES, AND ENCROACHES INTO THE EXISTING SIDE SETBACKS, AND THE EXISTING PARKING AREA ENCROACHES INTO THE STREET-FRONT SETBACK. THE STREET-FRONT ITSELF IS UNIMPROVED.

IMPROVEMENTS INCLUDE:  
 1. RE-PAINTING AND REPAIRS TO THE EXISTING BUILDING SIDING. REPLACED SIDING WILL MATCH THE EXISTING.  
 2. REPLACEMENT OF EXISTING WINDOWS AND SLIDING DOORS WITHIN THE EXISTING HEADERS.  
 3. REPAIRS TO EXISTING GROUND FLOOR CONCRETE PATIOS AND REPLACEMENT OF EXISTING ROTTED 2ND FLOOR DECKS AND GUARDRAILS. THE FOOTPRINT OF THE NEW CONSTRUCTION WILL MATCH WHAT EXISTS.  
 4. CONSTRUCTION OF NEW PRIVACY FENCING BETWEEN APARTMENT DECKS, AND SECURITY FENCING AND GATES WHICH ACCESS THE SIDE AND REAR YARD AREAS.  
 5. REPAIR AND IMPROVEMENTS TO THE EXISTING 2ND FLOOR ENTRY & EGRESS DECKS, INCLUDING REPLACING THE EXISTING SUPPORT POSTS AND THE GUARDRAILS TO THE GREATEST EXTENT POSSIBLE THE REPLACED FOOTPRINT WILL MATCH WHAT IS EXISTING, BUT WILL BE SLIGHTLY LARGER DUE TO EXISTING CONDITIONS.  
 6. REPLACING THE EXISTING ENTRY AND EGRESS STAIRS THAT PROVIDE ACCESS TO THE 2ND FLOOR APARTMENTS, ALONG WITH THE ASSOCIATED HAND AND GUARDRAILS. THE EXISTING STAIR RENDERS THE EXISTING BALCONY NON-COMPLIANT, AND BOTH STAIRS ARE NARROW, CRUMBLING, RUSTED, AND INCLUDE UNSAFE HAND AND GUARDRAILS. BECAUSE OF EXISTING SPATIAL LIMITATIONS THE REPLACED STAIRS WILL HAVE NEW CONFIGURATIONS, WHICH ALTHOUGH REQUIRES ENCROACHMENT INTO THE STREET-FRONT SETBACK, WILL PROVIDE SAFER ACCESS TO THE APARTMENTS AND BE IN TANDEM WITH PEDESTRIAN STREET CONNECTIVITY.

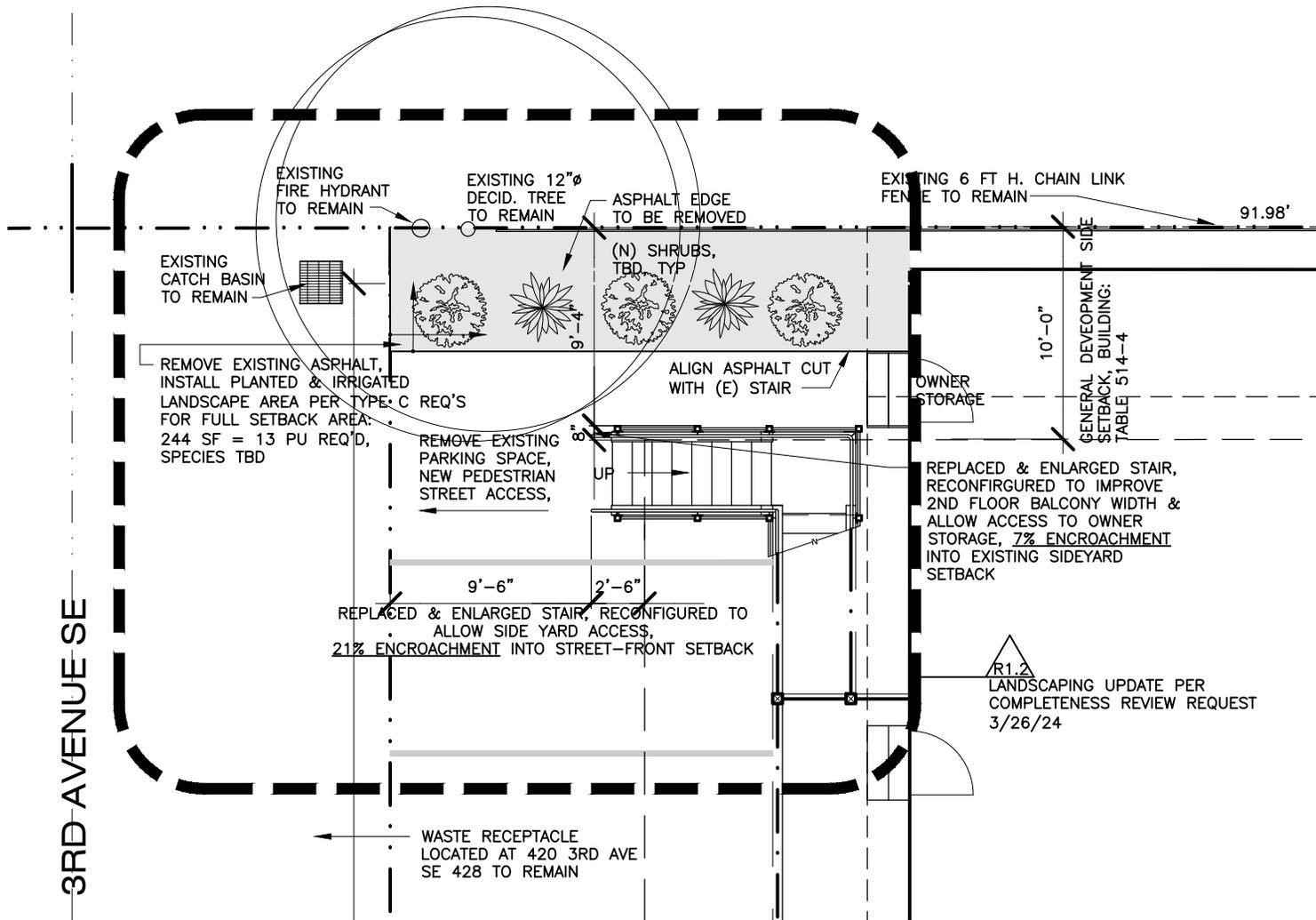
PROPOSED IMPROVEMENTS ARE LIMITED TO THOSE AREAS IMPACTED BY WORK DESCRIBED. THE PROJECT DOES NOT INCLUDE MODIFICATIONS TO EXISTING LANDSCAPING, JUST REPAIRS TO AREAS DAMAGED AS A RESULT OF THIS WORK.

**PROPERTY DATA**

OWNER:	MDH LLC C/O MICHAEL HUMMEL PO BOX 28010 PORTLAND, OR 97228
MANAGER:	MDH MANAGEMENT
ADDRESS:	3420 - 3429 3RD AVENUE SE SALEM, OR 97302
LOT DESCRIPTION:	MAP TAX LOT: 083W03BC07500 COUNTY: MARION
ZONE:	RM-2
YEAR BUILT:	1962
OCCUPANCY:	R-2
STORIES:	2
LOT SIZE & AREA:	18 AC. = 7,885 SF
BUILDING AREA:	EXISTING 4,523 SF PROPOSED 4,523 SF
FOOTPRINT SF:	6,936 SF
R-2 BUILDING SF:	6,936 SF

3420  
 3RD AVE. SE

**S1.1**



3RD AVENUE SE

EXISTING FIRE HYDRANT TO REMAIN

EXISTING 12"Ø DECID. TREE TO REMAIN

ASPHALT EDGE TO BE REMOVED

EXISTING 6 FT H. CHAIN LINK FENCE TO REMAIN

91.98'

EXISTING CATCH BASIN TO REMAIN

(N) SHRUBS, TBD TYP

REMOVE EXISTING ASPHALT, INSTALL PLANTED & IRRIGATED LANDSCAPE AREA PER TYPE C REQ'S FOR FULL SETBACK AREA: 244 SF = 13 PU REQ'D, SPECIES TBD

ALIGN ASPHALT CUT WITH (E) STAIR

OWNER STORAGE

10'-0"

GENERAL DEVELOPMENT SIDE SETBACK, BUILDING: TABLE 514-4

REMOVED EXISTING PARKING SPACE, NEW PEDESTRIAN STREET ACCESS,

UP

REPLACED & ENLARGED STAIR, RECONFIGURED TO IMPROVE 2ND FLOOR BALCONY WIDTH & ALLOW ACCESS TO OWNER STORAGE, 7% ENCROACHMENT INTO EXISTING SIDEYARD SETBACK

9'-6"

2'-6"

REPLACED & ENLARGED STAIR, RECONFIGURED TO ALLOW SIDE YARD ACCESS, 21% ENCROACHMENT INTO STREET-FRONT SETBACK

R1.2 LANDSCAPING UPDATE PER COMPLETENESS REVIEW REQUEST 3/26/24

WASTE RECEPTACLE LOCATED AT 420 3RD AVE SE 428 TO REMAIN

- NOTES:
- EXISTING LANDSCAPING TO THE GREATEST EXTENT POSSIBLE, TO REMAIN & BE PROTECTED FROM DAMAGE DURING WORK.
  - NEW LANDSCAPING AS SHOWN IS REPRESENTATIVE AND NOT SPECIFIC. EXACT LAYOUTS ARE YET TO BE DETERMINED AND SHALL MEET THE REQUIREMENTS OF TYPE C, SEC. 807.015 LANDSCAPING & SCREENING.

3  
S1.1

**R1.2: PARTIAL PROPOSED SITE PLAN**

SCALE: 1/8" = 1'-0"



REV # DATE:  
R1.2 3.29.24

**M**ARTHA BERNDT  
DESIGN STUDIO: LLC  
P.O. Box 10865  
Portland OR 97296  
C 503.312.7878  
F 503.292.2101  
mbdesignstudio@hotmail.com

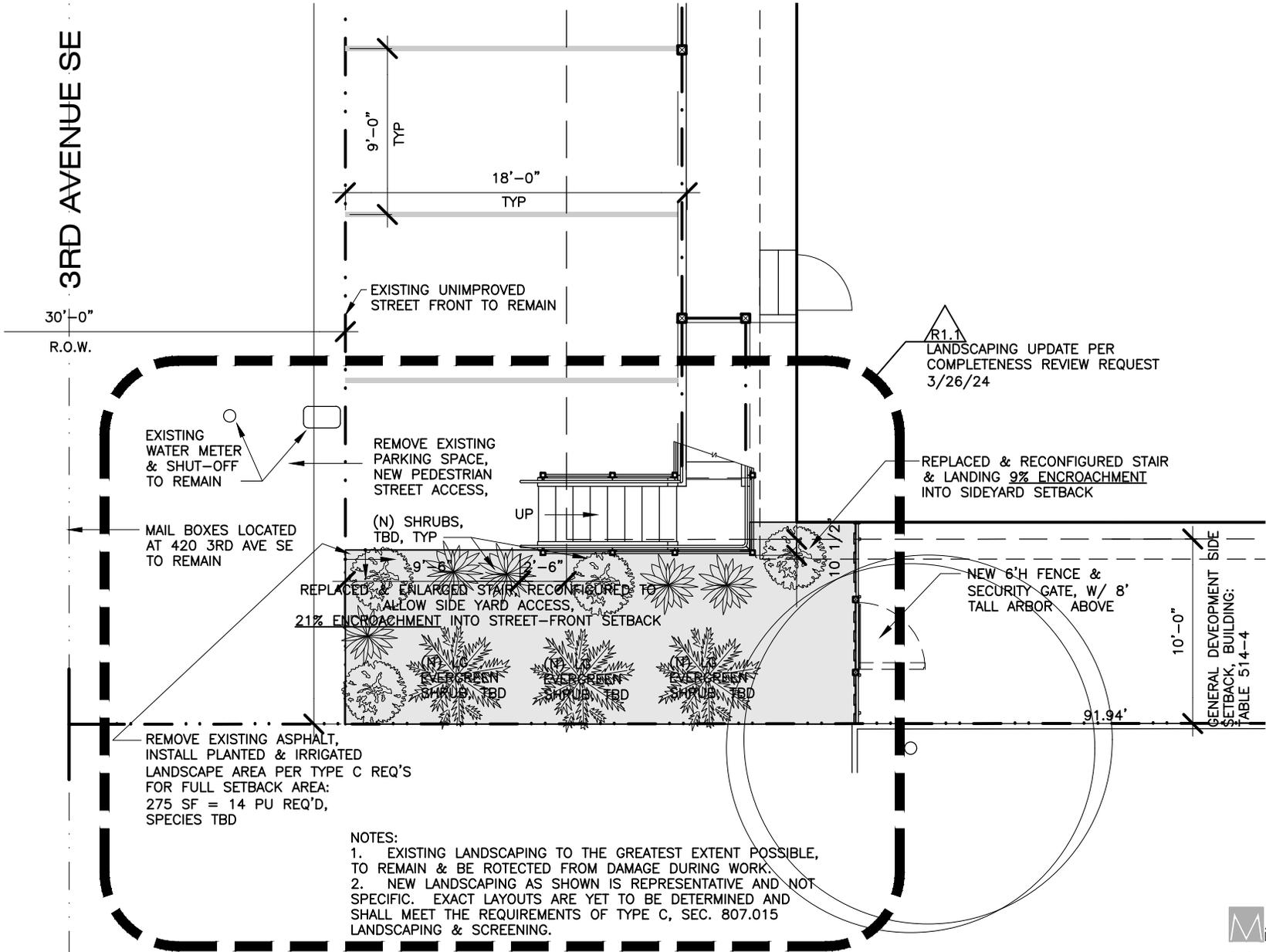
**IMPROVEMENTS  
3rd AVENUE APARTMENTS**

3420 3rd AVE SE.  
SALEM, OR 97302

partial S1.1

3RD AVENUE SE

30'-0"  
R.O.W.



3  
S1.1

**R1.1: PARTIAL  
PROPOSED SITE PLAN**

SCALE: 1/8" = 1'-0"



- NOTES:
1. EXISTING LANDSCAPING TO THE GREATEST EXTENT POSSIBLE, TO REMAIN & BE PROTECTED FROM DAMAGE DURING WORK.
  2. NEW LANDSCAPING AS SHOWN IS REPRESENTATIVE AND NOT SPECIFIC. EXACT LAYOUTS ARE YET TO BE DETERMINED AND SHALL MEET THE REQUIREMENTS OF TYPE C, SEC. 807.015 LANDSCAPING & SCREENING.

REV # DATE:  
R1.1 3.29.24

**M** ARTHA BERNDT  
DESIGN STUDIO: llc  
P.O. Box 10865  
Portland OR 97296  
C 503.312.7878  
F 503.292.2101  
mbdesignstudio@hotmail.com

**IMPROVEMENTS  
3rd AVENUE APARTMENTS**

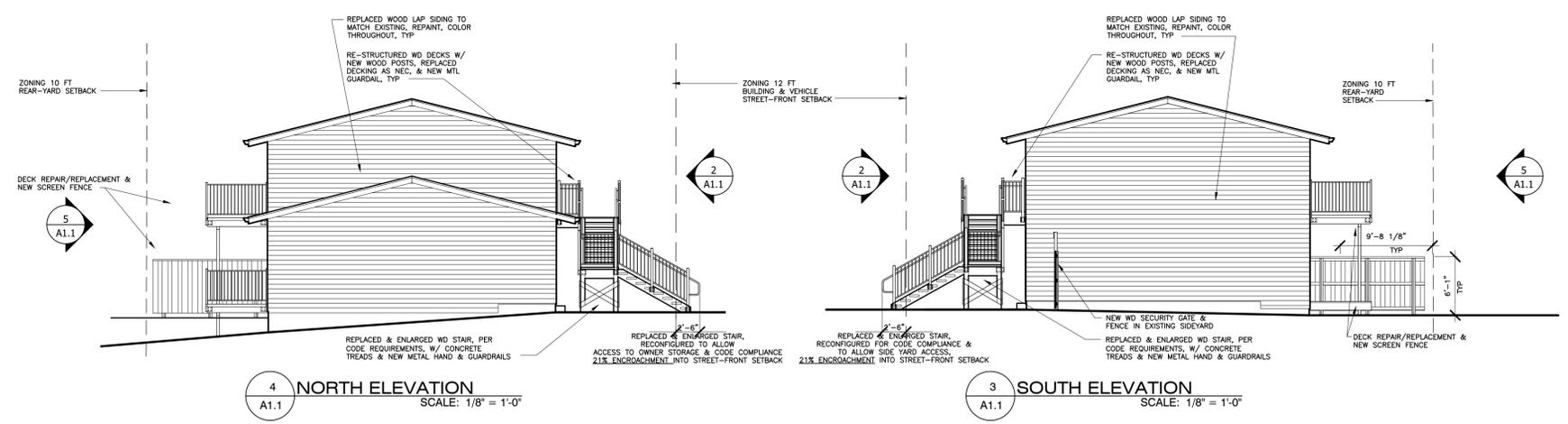
3420 3rd AVE SE.  
SALEM, OR 97302

partial S1.1

[EXISTING MULTI-FAMILY IMPROVEMENTS]  
**3RD AVENUE APARTMENTS - IMPROVEMENTS**  
 3417 3RD AVE SE  
 SALEM  
 OREGON 97302

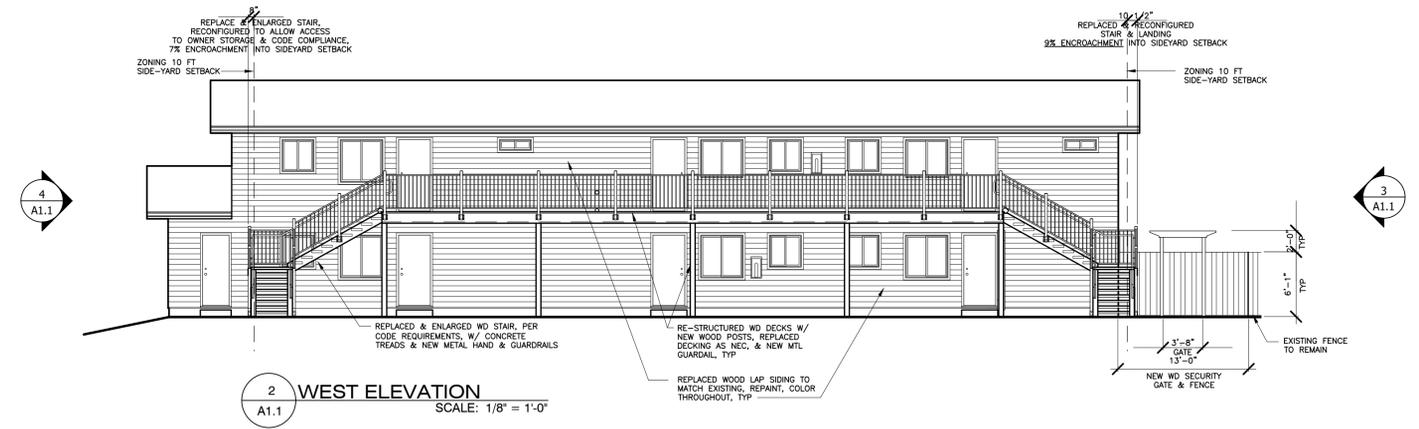


**5 EAST ELEVATION**  
 SCALE: 1/8" = 1'-0"

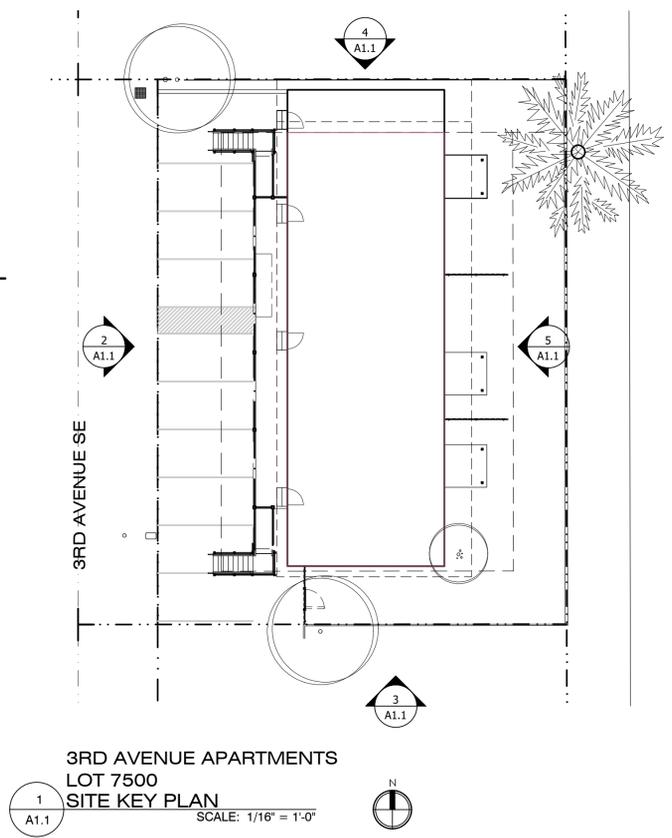


**4 NORTH ELEVATION**  
 SCALE: 1/8" = 1'-0"

**3 SOUTH ELEVATION**  
 SCALE: 1/8" = 1'-0"



**2 WEST ELEVATION**  
 SCALE: 1/8" = 1'-0"



**3RD AVENUE APARTMENTS LOT 7500 SITE KEY PLAN**  
 SCALE: 1/16" = 1'-0"

<b>ELEVATIONS</b>	LOT 7500 UNITS 3420	DATE: FEB 2, 2024
		REVISIONS: NO. DATE
		SCALE: VARIES
		DRAWN BY: MB