

Olivia Dias

From: Mike Abbaté <mike@abbatedesigns.com>
Sent: Wednesday, May 11, 2022 11:36 AM
To: Olivia Dias
Cc: Chris Havel; Steve Bates; Ben Johnson
Subject: Re: 900 Court St NE Site Plan Review Information

Olivia -

Could you please send me the proposed Code Amendment language that will affect the Vietnam War Memorial that will go before Council on 5/23?

Thanks!

.....Mike

Mike Abbaté, FASLA, LEED AP
Principal
www.AbbateDesigns.com
971.404.8670
Registered Landscape Architect



On May 10, 2022, at 2:09 PM, Olivia Dias <ODias@cityofsalem.net> wrote:

If the columns are signs, the variance process does not allow you to decrease a setback. SRC 900.040(a)(1)(B).

Olivia Dias (she/her)
Current Planning Manager
City of Salem | Community Development Department
555 Liberty St SE, Suite 305, Salem, OR 97301
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Due to limited staffing, the Planner's Desk has new temporary hours: 10-4 Monday-Friday
Questions on Zoning and Sign Permits can also be submitted by email to Planning@cityofsalem.net

From: Mike Abbaté <mike@abbatedesigns.com>
Sent: Tuesday, May 10, 2022 1:00 PM
To: Olivia Dias <ODias@cityofsalem.net>
Cc: Chris Havel <chris.havel@opr.d.oregon.gov>; Steve Bates <vietnamwarmem@aol.com>; Ben Johnson <benj@greenworkspc.com>
Subject: Re: 900 Court St NE Site Plan Review Information

Olivia -

One other question: We currently have the memorial columns offset from the right of way 2'-6". I believe that the code requires them to be 3'0" back from the ROW. Is this something that can be addressed with either the Sign Variance or the Cl. 3 Site Plan Review Adjustment process, or would it be better if we moved it the 6 inches now, before we submit?

Thanks -

.....Mike

Mike Abbaté, FASLA, LEED AP
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<image001.png>

On May 9, 2022, at 10:01 AM, Mike Abbaté <mike@abbatedesigns.com> wrote:

Thanks Olivia -

We greatly appreciate your willingness to roll over our Cl.2 fees paid (\$3801.00) to this Cl 3 process. Will that cover our fees, or are there additional fees that must be paid?

As your sign code is written, the entire Memorial is "intended to attract the attention of the public". Therefore, we would ask that since we are designing one Vietnam War Memorial that you process the entire project as one single request for a sign variance. That way, any part of it that may be seen from the right of way is covered. We understand that there will be a fee of \$5,871.00 for this variance.

Thank you -

.....Mike

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On May 9, 2022, at 8:08 AM,

Olivia Dias <ODias@cityofsalem.net> wrote:

Good Morning,

Sorry for the delayed response. A Class 2 Site Plan review would be the process, if the development met all of the standards in the Code. The

reason it jumps to a Class 3 is the adjustment request for setbacks. I am more than happy to transfer all of the Class 2 fees to a new Class 3 site plan review.

A sign is defined as:

Sign means any structure, board, poster, placard, or device which contains or comprises a display designed, used, or intended to attract the attention of the public.

A sign permit is required if the 'sign' is visible from the right-of-way. If the sign exceeds limitations or there are too many located on a site a Variance is required. There is not an exemption or a way to reduce fees for a particular group of people. Several other sculptures (from other agencies/organizations) have been treated the same way when constructed and visible from the right-of-way.

Thank you,

Olivia Dias (she/her)

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From: Mike Abbaté <mike@abbatedesigns.com>

Sent: Tuesday, May 3, 2022 3:56 PM

To: Olivia Dias <ODias@cityofsalem.net>

Cc: Chris Havel <chris.havel@opr.d.oregon.gov>; Steve Bates

<vietnamwarmem@aol.com>; Ben Johnson <benj@greenworkspc.com>

Subject: Fwd: 900 Court St NE Site Plan Review Information

Olivia -

Thanks for the quick response.

With a thorough understanding of the Memorial Design and a previous review by Salem Planning during our Historic Landmarks review process, the City directed us to go through the Class 2 Site Plan Review Process. Now we are being told that several of the items in the Memorial actually require an adjustment, and that needs a Class 3 Site Plan Review. Nothing has changed from the design reviewed by the Historic Landmarks Commission in 2020. Since we already paid the CI 2 Site Plan Review Fee as we were advised, will you please waive the fee for the

CI 3 Site plan review fee?

We do not have any signs. We have a sculpture at the corner of State and Cottage and Memorial Columns that form the Vietnam War Memorial. A second sculpture is deep within Willson Park and will hardly be visible through the existing landscaping along the sidewalk.

It seems unreasonable to require \$5,871 to apply for a Sign Variance for something that is clearly not a sign. And then to require this separate fee 2 or 3 times over for the Memorial columns and another sculpture deep in the park places an undue burden on a non-profit organization that is trying to honor Oregon Vietnam War casualties. Especially since the Vietnam War Memorial Fund has already successfully obtained design approvals from the City's own Historic Landmarks Commission (which already involved a neighborhood association hearing), the State Capitol Planning Commission, and the Oregon State Parks & Recreation Commission.

We would request that you work with us to expedite the review process and reduce the fees required, so the land use approvals can be granted and we can submit for our building permit by the end of May.

Thank you for giving this your consideration -
.....Mike

Mike Abbate, FASLA, LEED AP
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www.AbbateDesigns.com
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Registered Landscape Architect

<image001.png>

On May 2, 2022, at 1:44 PM, Olivia Dias
<ODias@cityofsalem.net> wrote:

The Class 3 Site plan review fee should be the same.
Sign Variance is \$5,871.00 per sign plus \$5. I would
want to see the proposal in order to see if we can
support the Variance.
Class 2 Adjustment \$1,687, plus \$5 and plus \$250 for
each additional one.

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temporary hours: 10-4 Monday-Friday**
**Questions on Zoning and Sign Permits can also be
submitted by email to Planning@cityofsalem.net**

From: Mike Abbaté <mike@abbatedesigns.com>
Sent: Monday, May 2, 2022 1:35 PM
To: Kirsten Straus <KStraus@cityofsalem.net>; Olivia
Dias <ODias@cityofsalem.net>
Cc: Ben Johnson <benj@greenworkspc.com>
Subject: Re: 900 Court St NE Site Plan Review
Information

Olivia -
Since we already paid the fee for the CI 2 Site Plan
Review, what will be the the additional amount we will
owe for the Class 3 Review?
Also, what is the fee to apply for the Sign Variance?
Thanks -
.....Mike

Mike Abbaté, FASLA, LEED AP
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www.AbbateDesigns.com
971.404.8670
Registered Landscape Architect

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On Apr 28, 2022, at 4:00 PM, Kirsten Straus <KStraus@cityofsalem.net> wrote:

Good afternoon Ben and Mike,

I've confirmed a few items for you:

I corrected the typo on the completeness letter, attached here! Olivia Dias will be taking these cases on, cc'd here. She will be back next week.

The sign variances (three if the third is visible from the ROW), will need to be three separate applications; however, we can process these together so there would only be one hearing: <https://www.cityofsalem.net/Pages/apply-for-a-sign-variance.aspx>

Class 3 Site Plan Review

Packet: <https://www.cityofsalem.net/CityDocuments/site-plan-review-class-3-application-packet.pdf>

Adjustment

Information: <https://www.cityofsalem.net/Pages/seek-an-adjustment-to-land-use-standards.aspx>

Link to pre-application conference, though maybe not necessary at this point in terms of Planning comments, but Building and Safety and Public Works would also have a chance to review: <https://www.cityofsalem.net/Pages/Request-a-pre-application-conference.aspx>

I think that that was all your questions? Feel free to let me know if I can follow up on anything else for you before I leave.

Thanks,

Kirsten Straus

Planner I

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(she/her pronouns)

<900 Court St NE (Corrected).pdf>