

Planning/Permit Application Center

City Hall / 555 Liberty St. SE / Room 320 / Salem, OR 97301-3513

503-588-6173 * planning@cityofsalem.net

If you need the following translated in Spanish, please call 503-588-6256.

Si usted necesita lo siguiente traducido en español, por favor llame 503-588-6256.

(For office use only)

Permit #: 22 101953 00 NR

Application type

Please describe the type of land use action requested:

TREE VARIANCE

Work site location and information

Street address or location of subject property	2499 AND 2501 WALLACE RD
Total size of subject property	5.59 ACRES
Assessor tax lot numbers	7.3.9CD Taxlot 900 and 1000
Existing use structures and/or other improvements on site	Single-Family Residences and Accessory Structures
Zoning	MU-II
Comprehensive Plan Designation	Mixed Use
Project description	REMOVE 2 EXISTING OAK TREES AND 1 WALNUT TREE IN ORDER TO EXTEND LA JOLLA ROW FOR FUTURE APARTMENT DEVELOPMENT

People information

	Name	Full Mailing Address	Phone Number and Email address
Applicant	SCOTT MARTIN CONSTRUCTION LLC	PO BOX 5850, SALEM, OR 97304	(503) 931-1739 smconstruction@sendmemail.me
Agent	SAM THOMAS - LENITY ARCHITECTURE	3150 KETTLE COURT SE, SALEM, OR 97301	(503) 399-1090 samt@lenityarchitecture.com

Project information

Project Valuation for Site Plan Review	
Neighborhood Association	West Salem NA
Have you contacted the Neighborhood Association?	<input type="radio"/> Yes <input checked="" type="radio"/> No
Date Neighborhood Association contacted	
Describe contact with the affected Neighborhood Association (The City of Salem recognizes, values, and supports the involvement of residents in land use decisions affecting neighborhoods across the city and strongly encourages anyone requesting approval for any land use proposal to contact the affected neighborhood association(s) as early in the process as possible.)	
Have you contacted Salem-Keizer Transit?	<input type="radio"/> Yes <input checked="" type="radio"/> No
Date Salem-Keizer Transit contacted	
Describe contact with Salem-Keizer Transit	

Authorization by property owner(s)/applicant

***If the applicant and/or property owner is a Limited Liability Company (LLC), please also provide a list of all members of the LLC with your application.**

Copyright release for government entities: I hereby grant permission to the City of Salem to copy, in whole or part, drawings and all other materials submitted by me, my agents, or representatives. This grant of permission extends to all copies needed for administration of the City's regulatory, administrative, and legal functions, including sharing of information with other governmental entities.

Authorizations: Property owners and contract purchasers are required to authorize the filing of this application and must sign below.

- All signatures represent that they have full legal capacity to and hereby do authorize the filing of this application and certify that the information and exhibits herewith submitted are true and correct.
- I (we) hereby grant consent to the City of Salem and its officers, agents, employees, and/or independent contractors to enter the property identified above to conduct any and all inspections that are considered appropriate by the City to process this application.
- I (we) hereby give notice of the following concealed or unconcealed dangerous conditions on the property:

Electronic signature certification: By attaching an electronic signature (whether typed, graphical or free form) I certify herein that I have read, understood and confirm all the statements listed above and throughout the application form.

Authorized Signature: _____

Print Name: SCOTT MARTIN

Date: 1/14/22

Address (include ZIP): PO BOX 5850, SALEM, OR 97304

Authorized Signature: _____

Print Name: Scott C Martin

Date: 1-14-22

Address (include ZIP): _____

(For office use only)

Received by Brandon Pike	Date: Jan. 14, 2022	Receipt Number: 22 101953 00 NR
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Not using Internet Explorer?

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ARBORIST REPORT

Tree Evaluation

1221 River Bend Road Northwest

Salem Oregon

DATE: July 15, 2021



Prepared for

Scott Martin Construction
1221 River Bend Road Northwest
Salem Oregon

Prepared by:

Vernon L. Esplin, Senior Consulting Arborist
ISA Certified Arborist #PN-0448
ISA Certified Tree Risk Assessor
ISA Lifetime Member
ISA Consulting Arborist Member
ISA Commercial Arborist Member
ASCA Member, Consulting Arborist
Buena Vista Arbor Care Co., Inc.
5820 NW Hwy 99
Corvallis, OR 97330



PLEASE STOP AND READ.

When you use this report to obtain a permit of any kind from any agency you agree to all the tree protection plan provision within this report. It is the responsibility of my client to fully understand its contents. Please contact our office if you have any questions.

I was called out to complete a health and vigor assessment on two Oregon white oak trees (*Quercus garryana*) and one Walnut tree (*Juglans*).

Both oak trees appear to be growing at the same health and vigor as the adjacent oak grove. Both oaks have experienced some damage caused by the 2021 winter ice storm.

Oak number one has a significant defect in the main crotch and needs immediate mitigation measures. My recommendation is to do significant tip weight reduction to remove large deadwood and install a cabling system to support splitting crotch. This shall only be done by an ISA Certified Arborist. We recommend pruning to repair storm damage, reduce tip weight, and remove large deadwood on the second oak tree.

Both oak trees merit preservation. I recommend removal of the walnut. The walnut tree is in significant decline and has multiple structural defects. If the proposed construction occurs the target rating will be high, and removal will be warranted.

If I can be of further help to anyone on this project, please do not hesitate in calling me on my cell phone at 541-990-1773.

Vernon L. Esplin



Limits of liability

1. Any legal description provided to the consultant/appraiser is assumed to be correct. Any titles and ownership to any property are assumed to be good and marketable. No responsibility is assumed for matters legal in character. Any and all property is appraised or evaluated as though free and clear under ownership and competent management.
2. Care has been taken to obtain all information from reliable sources. All data has been verified insofar as possible; however, the consultant/appraiser can neither guarantee nor be responsible for the accuracy of information provided by others.
3. The consultant/appraiser shall not be required to give testimonies or attend court by reason of this report unless subsequent contractual arrangements are made, including payments of additional fee for services as described in the fee schedule and contract of engagement.
4. Loss or alteration of any part of this report invalidates the entire report.
5. Possession of this report or a copy therefore does not imply the right of publication or use for any purpose by any other person to whom it is assessed, without the prior expressed or written or verbal consent of the consultant/appraiser.
6. Neither all nor any part of the contents of this report, nor copy thereof, shall be conveyed by anyone, including the client, to the public through advertising, public relations, news, sales or other media, without the prior expressed or written or verbal consent of the consultant/appraiser particularly as to value conclusions, identity of the consultant/appraiser, or any reference to any professional society or institute or to any initial designation conferred upon the consultant/appraiser as stated in his/hers qualification.
7. This report and values expressed herein represent the opinion of the consultant/appraiser, and the consultant/appraiser's fee is in no way contingent upon the reporting of a specified value, a stipulated result, the occurrence of a subsequent event, nor upon any finding to be reported.
8. Sketches, diagrams, graphs, and photographs in this report, being intended as visual aids, are not necessarily to scale and should not be construed as engineering or architectural reports of surveys.
9. Unless expressed otherwise: (1) information contained in this report covers only the items that were examined and reflects the condition of those items at the time of the inspection; and (2) the inspection is limited to visual



Martin Construction

examination of accessible items without dissection, excavating, probing, or coring. There is no warranties or guarantee, expressed or implied, that covers problems or deficiencies of the plants property in question may not arise in the future.

Certification of performance

I Vernon L. Esplin, certify that:

- I have personally inspected the tree and the property referred to in this report and have stated my findings accurately. The extent of the evaluation or appraisal is stated in the attached report and the terms of assignment.
- I have no current or prospective interest in the vegetation or the property that is the subject of this report and have no personal interest or bias with respect to the parties involved.
- The analysis, opinions, and conclusions stated herein are my own and are based on current scientific procedures and facts.
- My analysis, opinions, and conclusions were developed, and this report has been prepared according to commonly accepted arboricultural practices.
- Vernon L. Esplin, Senior Consulting Arborist, Buena Vista Arbor Care Co., Inc. supervised and provided significant professional assistance.
- My report is not contingent upon the reporting of the predetermined conclusion that favors the cause of the client or any other party nor upon the results of the assessment, the attainment of stipulated results, or the occurrence of any subsequent events.

I further certify that I am an ISA Certified Arborist and member in good standing of the International Society of Arboriculture. I have been involved in the field of Arboriculture in full-time capacity for over 27 years.

Signed: VERNON ESPLIN

Date: ...7/15/2021.....





Oak No. 1 Showing defect





Oak No. 2





Declining Walnut



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Applicant			
Agent			

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Authorized Signature: _____

Print Name: _____ **Date:** _____

Address (include ZIP): _____

Authorized Signature: _____

Print Name: _____ **Date:** _____

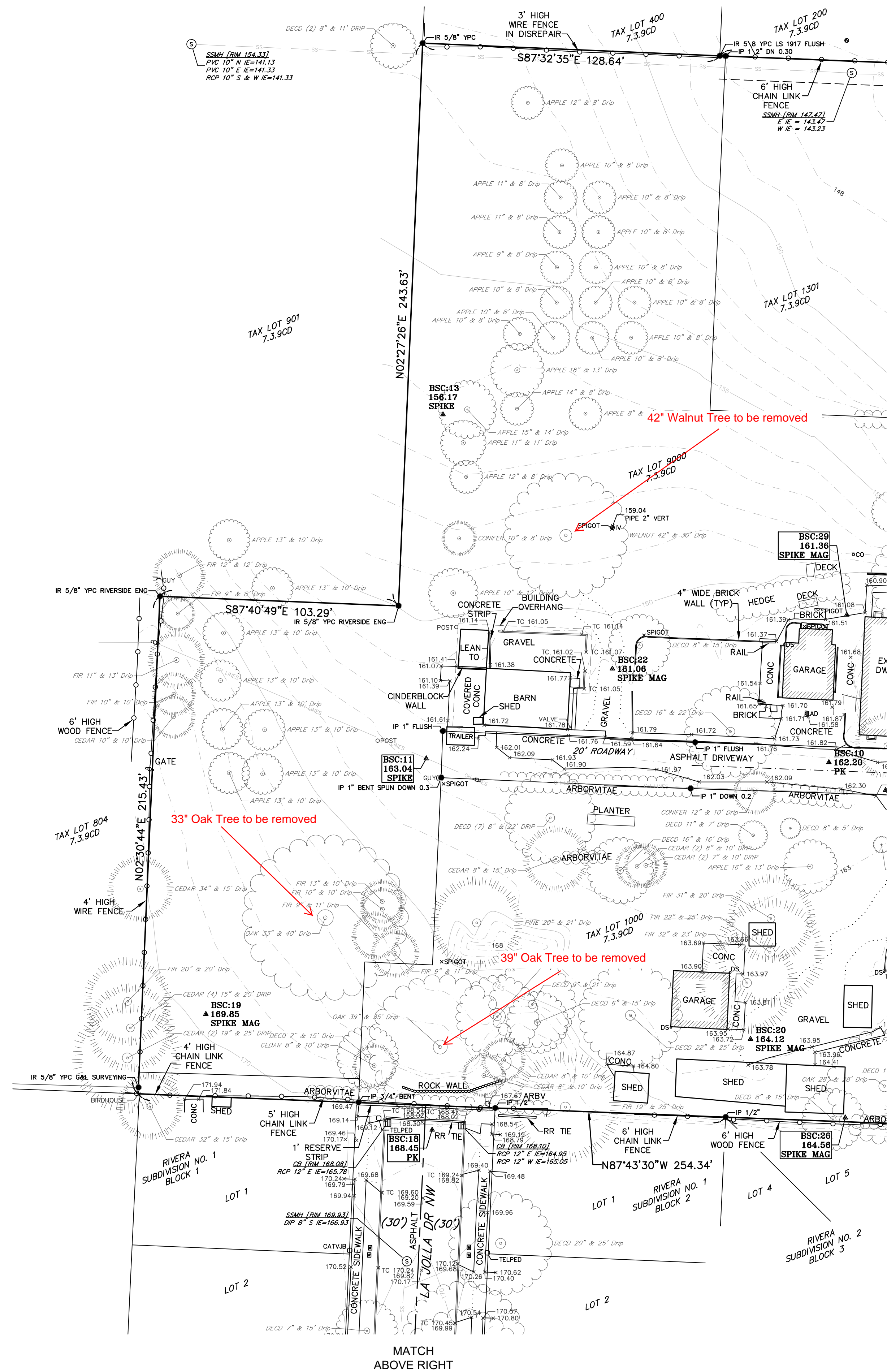
Address (include ZIP): _____

(For office use only)		
Received by	Date:	Receipt Number:

Not using Internet Explorer?

















Save the file to your computer and email to planning@cityofsalem.net.

TOPOGRAPHIC SURVEY



ABBREVIATIONS

ASPH	ASPHALT	IRR	IRRIGATION
AD	AREA DRAIN	INV	INVERT
ASSY	ASSEMBLY	JB	JUNCTION BOX
BLDG, BLD	BUILDING	LP	LIGHT POLE
BW	BOTTOM OF WALL	M	METER, MAIN
CA TV	CABLE TELEVISION	MB	MAIL BOX
CB	CATCH BASIN	MB	MANHOLE
CO	CLEAN-OUT	OH	OVERHEAD
CONC	CONCRETE	P/L, R	PROPERTY LINE
CL, C	CENTERLINE	PP	POWER POLE
DIP	DUCTILE IRON PIPE	PVC	POLYVINYL CHLORIDE
EDG	EDGE OF GRAVEL	PWR	POWER
EOP, EP	EDGE OF PAVEMENT	R, RAD	RADIUS
ELEV	ELEVATION	ROW, R/W	RIGHT-OF-WAY
EX, EXIST	EXISTING	SS	SANITARY SEWER
FDG	FIRE EXIST. CONNECTOR	SD	STORM DRAIN
FT	FEET	SVC	SERVICE
FF	FINISH FLOOR	SWK, S/W	SIDEWALK
FG	FIRE GRADE	TK	TOP OF CURB
FG	FIRE HYDRANT	TL	TELEPHONE
FI	FIELD INLET	TR	TRANSFORMER
FM	FORCE MAIN	TS	TRAFFIC SIGNAL
GRAV	GRAVEL	TOP OF WALL	
GM	GAS METER	TYP	TYPICAL
GS	GASE POST	UG, U/G	UNDER GROUND
GS	GROUND SHOT	UTIL	UTILITY
GV	GAS VALVE	VALT	VAULT
HC	HANDICAP	W/	WITH
HYD	HYDRANT	WM	WATER METER
IR	IRON ROD	WLM	WETLANDS MARKER
IP	IRON PIPE	YPC	YELLOW PLASTIC CAP

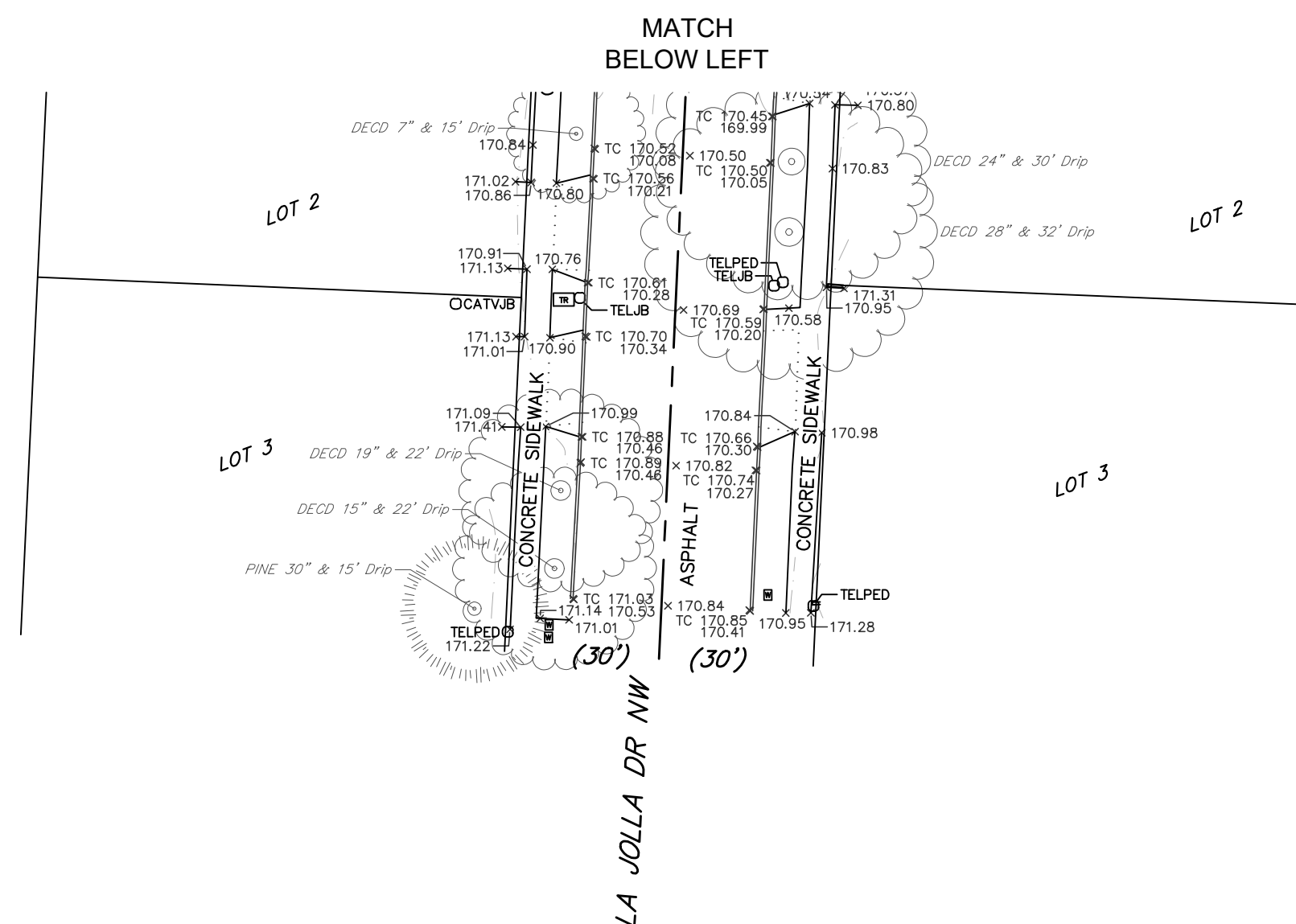
SYMBOLS	
	AREA DRAIN
	CATCH BASIN
	CLEANOUT
	FIRE HYDRANT
	GAS VALVE
	WATER VALVE
	GAS/POWER/WATER METER
	DOWN SPOUT
	SIGN POST
	PEDESTAL
	MAIL BOX
	IRRIGATION VALVE
	LIGHT POLE
	UTILITY/POWER POLES
	TEST PIT
	MONUMENT FOUND

 TREES - *TREENAME* DIAMETER (INCHES)/DRIP RADIUS (FEET)
 NOTE: DIAMETER MEASURED AT BREAST HEIGHT

LINE TYPES


The diagram illustrates various utility line types and their corresponding symbols. Each line type is represented by a horizontal line with specific markers or labels above and below it. The line types are: CATV LINE (solid line with 'CATV' labels), COMMUNICATION LINE (solid line with 'COM' labels), EASEMENT LINE (dashed line), FENCE LINE (solid line with circular markers), FIBER OPTIC LINE (solid line with 'FOC' labels), GAS LINE (solid line with 'GAS' labels), EDGE OF GRAVEL LINE (dotted line), OVERHEAD LINE (solid line with 'OH' labels), PHONE LINE (solid line with 'PH' labels), POWER LINE (solid line with 'ELEC' labels), SANITARY SEWER LINE (solid line with 'SS' labels), STORM DRAIN LINE (solid line with 'SD' labels), and WATER LINE (solid line with 'W' labels).

Line Type	Symbol Description
CATV LINE	Solid line with 'CATV' labels above the line.
COMMUNICATION LINE	Solid line with 'COM' labels above the line.
EASEMENT LINE	Dashed line.
FENCE LINE	Solid line with circular markers above the line.
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WATER LINE	Solid line with 'W' labels above the line.



GRAPHIC SCALE

30' 15' 0' 15' 30' 60'



(IN FEET)

1 inch = 30 ft.

BENCHMARK UTILIZED:
ELEV: 178.12' NGVD29
SURVEY MAG NAIL BSC POINT #11001 IN ASPHALT AS SHOWN
ELEVATIONS ARE BASED ON GPS OBSERVATION WITH A VERTCON ADJUSTMENT
OF -3.36' FROM NAVD 88 TO NGVD 29 DATUM

DISCLAIMER: UTILITIES DEPICTED ARE BASED ON EVIDENCE FOUND IN THE FIELD, MUNICIPALITY AND/OR OTHER GOVERNMENT ENTITY AS-BUILT PLANS, CONTRACTOR PLANS AND OTHER DOCUMENTS OF RECORD. BARKER SURVEYING ASSUMES NO RESPONSIBILITY FOR UTILITIES THAT ARE NO LONGER IN USE, INSTALLED AFTER THE DATE OF ACTUAL SURVEY, NOT IDENTIFIED OR NOT LOCATED. THIS INCLUDES UTILITIES UPON PUBLIC OR PRIVATE PROPERTY.

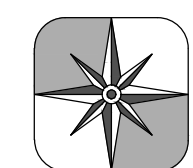
SPECIFIC UTILITY POSITIONS INDICATED ON THE GROUND SURFACE PROVIDED BY LOCATION SERVICES MAY VARY DUE TO UNDERGROUND DETECTION CAPABILITIES.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 19, 1994
GREGORY L. WILSON
2687

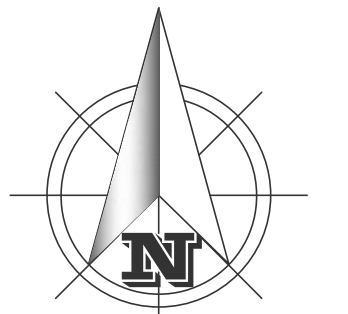
EXPIRATION DATE: 6/30/2020

SURVEY FOR		WESTECH ENGINEERING	
LOCATION:		TAX LOTS 900, 1000, & 1301 7.3.9CD	
SW 1/4 SECTION 9 R7S, R3W, W.M.		CITY OF SALEM POLK COUNTY, OREGON	
SCALE:	1"=30'	BARKER SURVEYING 3657 KASHMIR WAY SE SALEM, OREGON 97317 PHONE: (503) 588-8800 FAX: (503) 363-2469 EMAIL: barker@barkersurveying.com	SHEET 1 OF 2
DATE:	4/10/2019		
DRAWN BY:	R.J.C.		



BARKER
SURVEYING

TOPOGRAPHIC SURVEY



GRAPHIC SCALE
30' 15' 0' 15' 30' 60'
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HYD	HYDRANT	WM	WATER METER
IR	IRON ROD	WLM	WETLANDS MARKER
IP	IRON PIPE	YPC	YELLOW PLASTIC CAP

SYMBOLS

AD	AREA DRAIN	✓	SIGN POST
CB or	CATCH BASIN	PED	PEDESTAL
COO	CLEANOUT	MAIL	MAIL BOX
✓	FIRE HYDRANT	IRV	IRRIGATION VALVE
GV	GAS VALVE	★	LIGHT POLE
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GPW	GAS/POWER/WATER METER	TP	TEST PIT
DSO	DOWN SPOUT	●	MONUMENT FOUND
①	MANHOLE TELEPHONE		
②	MANHOLE STORM DRAIN		
③	MANHOLE SANITARY SEWER		
○	TREES - *TREE NAME* DIAMETER (INCHES)/DRIP RADIUS (FEET)		
NOTE:	DIAMETER MEASURED AT BREAST HEIGHT		

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DATE: 4/10/2019	SHEET 2 OF 2
DRAWN BY: R.J.C.	JOB NUMBER: 40843



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www.cityofsalem.net/planning • www.cityofsalem.net

January 20, 2022

PLANNING REVIEW CHECKLIST

Subject Property: 2499, 2501, 2519, 2551 Wallace Rd NW

(Polk County Assessor Map and Tax Lot Number 073W09CD /
00900, 01000, 01101, 01301)

Ref#: 22-101953-NR

Applicant: Scott Martin
Scott Martin Construction LLC
PO Box 5850
Salem OR 97304
smconstruction@sendmemail.me

Contact: Sam Thomas
Lenity Architecture
3150 Kettle Court SE
Salem OR 97301
Samt@lenityarchitecture.com

A Tree Variance application was received January 14, 2022 and accepted for processing January 18, 2022 when fees were paid. Prior to deeming your application complete, modifications and/or additional information must be provided to address the following item(s):

Item:	
<u>Application Submittal Items</u>	I assume that you intend to consolidate this with the previous SPR-ADJ application and new Class 2 Driveway Approach application (required for the driveways intersecting with the proposed extension of La Jolla Dr NW) so that we can send renote of all of the applications together with the amended site plan showing the street extension. If you intend to process the Tree Variance prior to the other applications, please let me know.

	<p><i>Site Plan (SRC 808.045(c)(1))</i></p> <p>The site plan for the variance must show all trees proposed for preservation and all trees designated for removal (SRC 808.045(c)(1)(D)) and the proposed streets, utilities, and other improvements (SRC 808.045(c)(1)(E)) to demonstrate why removal of the trees is necessary. Please ensure that this site plan shows all trees that are 10 inches or greater in diameter and all Oregon white oaks 24 inches or greater in diameter and is consistent with the revised site plan you will be submitting for the revised Class 3 Site Plan Review application and the new Class 2 Driveway Approach application for the proposed driveways onto the La Jolla Street NW extension.</p> <p><i>Written Statement (SRC 808.045(d))</i></p> <p>The arborist's report from July 2021 is not sufficient to demonstrate that the proposal meets Tree Variance criteria. Please provide a written statement addressing the approval criteria:</p> <p style="padding-left: 40px;">808.045(d) <i>Approval criteria</i>. A tree variance shall be granted if either of the following criteria is met:</p> <p style="padding-left: 40px;">(1) <i>Hardship</i>.</p> <p style="padding-left: 80px;">(A) There are special conditions that apply to the property which create unreasonable hardships or practical difficulties which can be most effectively relieved by a variance; and</p> <p style="padding-left: 80px;">(B) The proposed variance is the minimum necessary to allow the otherwise lawful proposed development or activity; or</p> <p style="padding-left: 40px;">(2) <i>Economical use</i>.</p> <p style="padding-left: 80px;">(A) Without the variance, the applicant would suffer a reduction in the fair market value of the applicant's property, or otherwise suffer an unconstitutional taking of the applicant's property;</p> <p style="padding-left: 80px;">(B) The proposed variance is the minimum necessary to prevent a reduction in the fair market value of the applicant's property or otherwise avoid a taking of property; and</p> <p style="padding-left: 80px;">(C) The proposed variance is consistent with all other applicable local, state, and federal laws.</p>
--	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------



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Your application, which is incomplete, will be deemed complete upon receipt of one of the following:

- (1) All of the missing information.
- (2) Some of the missing information and written notice from you (the applicant) that no other information will be provided.
- (3) Written notice from you (the applicant) that none of the missing information will be provided.

You have 180 days from the date the application was accepted (January 18, 2022) to respond in one of the three ways listed above, or the application will be deemed void.

However, items requested for this application and other items (including the Class 2 Driveway Approach application) required for the revised Class 3 Site Plan Review / Class 2 Adjustment must be submitted as soon as possible to allow staff to send renote and for the process to meet the extended 120-day deadline of May 19, 2020 for the consolidated application.

For questions regarding the above requirements, feel free to contact me directly by calling (503) 540-2309 or via email at pcole@cityofsalem.net.

The Salem Revised Code may be accessed online at the following location:
<https://www.cityofsalem.net/Pages/salem-revised-code.aspx>

Sincerely,

Pamela Cole, Planner II

Pamela Cole

From: Pamela Cole
Sent: Wednesday, January 26, 2022 2:26 PM
To: Sam Thomas
Cc: Jeremy Hill; Scott Martin
Subject: RE: 22 101953 00 NR Tree Variance 2499 Wallace Road NW Notice of Incompleteness

Thank you.

Pamela Cole

Planner II

City of Salem | Community Development Department
555 Liberty St SE, Suite 305, Salem OR 97301
pcole@cityofsalem.net | 503-540-2309
[Facebook](#) | [Twitter](#) | [YouTube](#) | [CityofSalem.net](#)

From: Sam Thomas <samt@lenityarchitecture.com>
Sent: Wednesday, January 26, 2022 2:24 PM
To: Pamela Cole <PCole@cityofsalem.net>
Cc: Jeremy Hill <jeremy@riverbendsalem.com>; Scott Martin <smconstruction@sendmemail.me>
Subject: RE: 22 101953 00 NR Tree Variance 2499 Wallace Road NW Notice of Incompleteness

Hi Pamela,

Yes, I meant consolidate the tree variance application. We are aiming to resubmit mid/late February. Please extend to 9/21/2022 to give us the potential needed time.

Thanks,

Sam Thomas
Senior Land Use Specialist



3150 Kettle Ct SE, Salem, OR 97301
o 503 399 1090 f 503 399 0565
w lenityarchitecture.com

From: Pamela Cole <PCole@cityofsalem.net>
Sent: Wednesday, January 26, 2022 2:03 PM
To: Sam Thomas <samt@lenityarchitecture.com>
Cc: Jeremy Hill <jeremy@riverbendsalem.com>; Scott Martin <smconstruction@sendmemail.me>
Subject: RE: 22 101953 00 NR Tree Variance 2499 Wallace Road NW Notice of Incompleteness

Sam,

To Planning, “concurrently” means processed at the same time, but as a separate application. Do you mean that you want to consolidate the Tree Variance into the combined case with the other applications?

If you do want to consolidate it with the other applications, could you please give me a specific end date for the extension? The consolidated case is already extended to June 2, 2022. The extended date should be at least 120 days from the date you actually submit the revised site plan / connectivity, revised elevations, revised adjustments, new driveway approach permits, and additional information for the Tree Variance, and we have received sufficient information to deem the consolidated / revised application complete. The maximum extension of the consolidated / revised application would be to 9/21/2022.

Thanks.

Pamela Cole

Planner II

City of Salem | Community Development Department

555 Liberty St SE, Suite 305, Salem OR 97301

pcole@cityofsalem.net | 503-540-2309

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

From: Sam Thomas <samt@lenityarchitecture.com>

Sent: Wednesday, January 26, 2022 1:50 PM

To: Pamela Cole <PCole@cityofsalem.net>; Scott Martin <smconstruction@sendmemail.me>

Cc: Jeremy Hill <jeremy@riverbendsalem.com>

Subject: RE: 22 101953 00 NR Tree Variance 2499 Wallace Road NW Notice of Incompleteness

Hi Pamela,

We would like to request a 120-day extension and to have the tree variance application processed concurrently with the other applications.

Thanks,

Sam Thomas

Senior Land Use Specialist



3150 Kettle Ct SE, Salem, OR 97301

o 503 399 1090 f 503 399 0565

w lenityarchitecture.com

From: Pamela Cole <PCole@cityofsalem.net>

Sent: Tuesday, January 25, 2022 3:31 PM

To: Scott Martin <smconstruction@sendmemail.me>; Sam Thomas <samt@lenityarchitecture.com>

Subject: RE: 22 101953 00 NR Tree Variance 2499 Wallace Road NW Notice of Incompleteness

You have asked staff to process the Tree Variance separately, and it will be subject to its own 14-day notice period, potential appeal to the Hearings Officer or call-up by City Council, and 120-day deadline.

The decision on the Tree Variance will affect the other components of the application.

We are still waiting for the revised site plan / connectivity, revised elevations, revised adjustments, and new driveway approach permits. Therefore, the current extended deadline of June 2, 2022 will not be sufficient to ensure that a revised SPR-ADJ-DAP application may be reviewed, issued, potentially appealed, and resolved prior to the deadline.

Please provide an additional extension equal to at least 120 days from submittal of the Driveway Approach Permit application, revised site plan and elevations, and revised adjustments. The maximum extension for the 120-day deadline on the original SPR-ADJ application would be 9/21/2022.

Another option would be to withdraw the current SPR-ADJ21-25 application, since no decision has been issued, and submit new SPR, ADJ, and DAP applications after the Tree Variance decision is final.

Please tell me how you intend to proceed.

Thanks.

Pamela Cole

Planner II

City of Salem | Community Development Department

555 Liberty St SE, Suite 305, Salem OR 97301

pcole@cityofsalem.net | 503-540-2309

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

From: Pamela Cole

Sent: Thursday, January 20, 2022 9:55 AM

To: Scott Martin <smconstruction@sendmemail.me>; Sam Thomas <samt@lenityarchitecture.com>

Subject: 22 101953 00 NR Tree Variance 2499 Wallace Road NW Notice of Incompleteness

I received the Tree Variance application and see that you have now uploaded a copy of the July 2021 arborist report and a tree plan indicating the three trees to be removed.

Please review the attached completeness review letter and respond as soon as possible with the requested items.

Thanks.

Pamela Cole

Planner II

City of Salem | Community Development Department

555 Liberty St SE, Suite 305, Salem OR 97301

pcole@cityofsalem.net | 503-540-2309

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May 13, 2022

UPDATED PLANNING REVIEW CHECKLIST

Subject Property: 2499, 2501, 2519, 2551 Wallace Rd NW

(Polk County Assessor Map and Tax Lot Number 073W09CD /
00900, 01000, 01101, 01301)

Ref#: 22-101953-NR

Applicant: Scott Martin
Scott Martin Construction LLC
PO Box 5850
Salem OR 97304
smconstruction@sendmemail.me

Contact: Sam Thomas
Lenity Architecture
3150 Kettle Court SE
Salem OR 97301
Samt@lenityarchitecture.com

A Tree Variance application was received January 14, 2022 and accepted for processing January 18, 2022 when fees were paid. New information was submitted May 9, 2022. Prior to deeming your application complete, modifications and/or additional information must be provided to address the following item(s):

Item:	
<u>Application Submittal Items</u>	<i>Written Statement (SRC 808.045(d))</i> The arborist's report from July 2021 and the written statement submitted May 9, 2022, which addresses tree removal permit criteria that became effective March 16, 2022, are not sufficient. You must address the Tree Variance criteria that were applicable at the time the Tree Variance was submitted. Please submit a written statement addressing the approval criteria that were in effect January 14, 2022:



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	<p>808.045(d) <i>Approval criteria</i>. A tree variance shall be granted if either of the following criteria is met:</p> <p>(1) <i>Hardship</i>.</p> <p>(A) There are special conditions that apply to the property which create unreasonable hardships or practical difficulties which can be most effectively relieved by a variance; and</p> <p>(B) The proposed variance is the minimum necessary to allow the otherwise lawful proposed development or activity; or</p> <p>(2) <i>Economical use</i>.</p> <p>(A) Without the variance, the applicant would suffer a reduction in the fair market value of the applicant's property, or otherwise suffer an unconstitutional taking of the applicant's property;</p> <p>(B) The proposed variance is the minimum necessary to prevent a reduction in the fair market value of the applicant's property or otherwise avoid a taking of property; and</p> <p>(C) The proposed variance is consistent with all other applicable local, state, and federal laws.</p>
--	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Your application, which is incomplete, will be deemed complete upon receipt of one of the following:

- (1) All of the missing information.
- (2) Some of the missing information and written notice from you (the applicant) that no other information will be provided.
- (3) Written notice from you (the applicant) that none of the missing information will be provided.

You have 180 days from the date the application was accepted (January 18, 2022) to respond in one of the three ways listed above, or the application will be deemed void.

However, items requested for this application and other items (including the Class 2 Driveway Approach application) required for the revised Class 3 Site Plan Review / Class 2 Adjustment must be submitted as soon as possible to allow staff



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to send renote in time for the decision to be final before the extended 120-day deadline of September 21, 2022 for the consolidated application.

For questions regarding the above requirements, feel free to contact me directly by calling (503) 540-2309 or via email at pcole@cityofsalem.net.

The Salem Revised Code may be accessed online at the following location:

<https://www.cityofsalem.net/Pages/salem-revised-code.aspx>

Sincerely,

Pamela Cole, Planner II

G:\CD\PLANNING\PamelaCole\Site Plan Review\Type II - Class 3\2499 Wallace\Updated Incomplete Letter 05132022 - Tree Variance.docx

Tree Variance Criteria

808.045(d) Approval criteria. A tree variance shall be granted if either of the following criteria is met:

(1) Hardship.

(A) There are special conditions that apply to the property which create unreasonable hardships or practical difficulties which can be most effectively relieved by a variance; and

(B) The proposed variance is the minimum necessary to allow the otherwise lawful proposed development or activity; or

(2) Economical use.

(A) Without the variance, the applicant would suffer a reduction in the fair market value of the applicant's property, or otherwise suffer an unconstitutional taking of the applicant's property;

Applicant Response: The proposed development is bounded on the south by the stub of La Jolla Drive NW. The applicant is proposing to extend La Jolla Drive NW as a new public street to the northern boundary of the proposed development site.

There are 3 existing trees that would be impacted by the proposed street extension as shown on the tree plan provided herein. This creates a hardship as there is no practical way to construct the road extension without impacting the 3 existing trees.

The removal of these three (3) existing trees is the minimum action necessary to facilitate the proposed road extension.

If you have any questions, please contact me by phone at (503) 399-1090 or samt@lenityarchitecture.com

Sincerely,

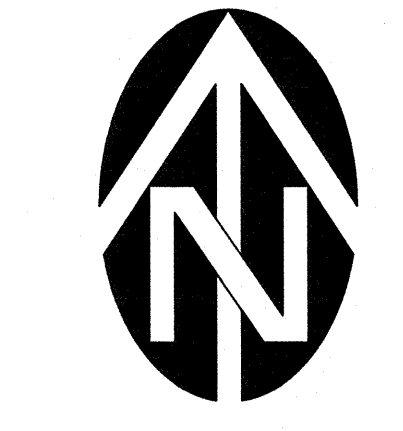
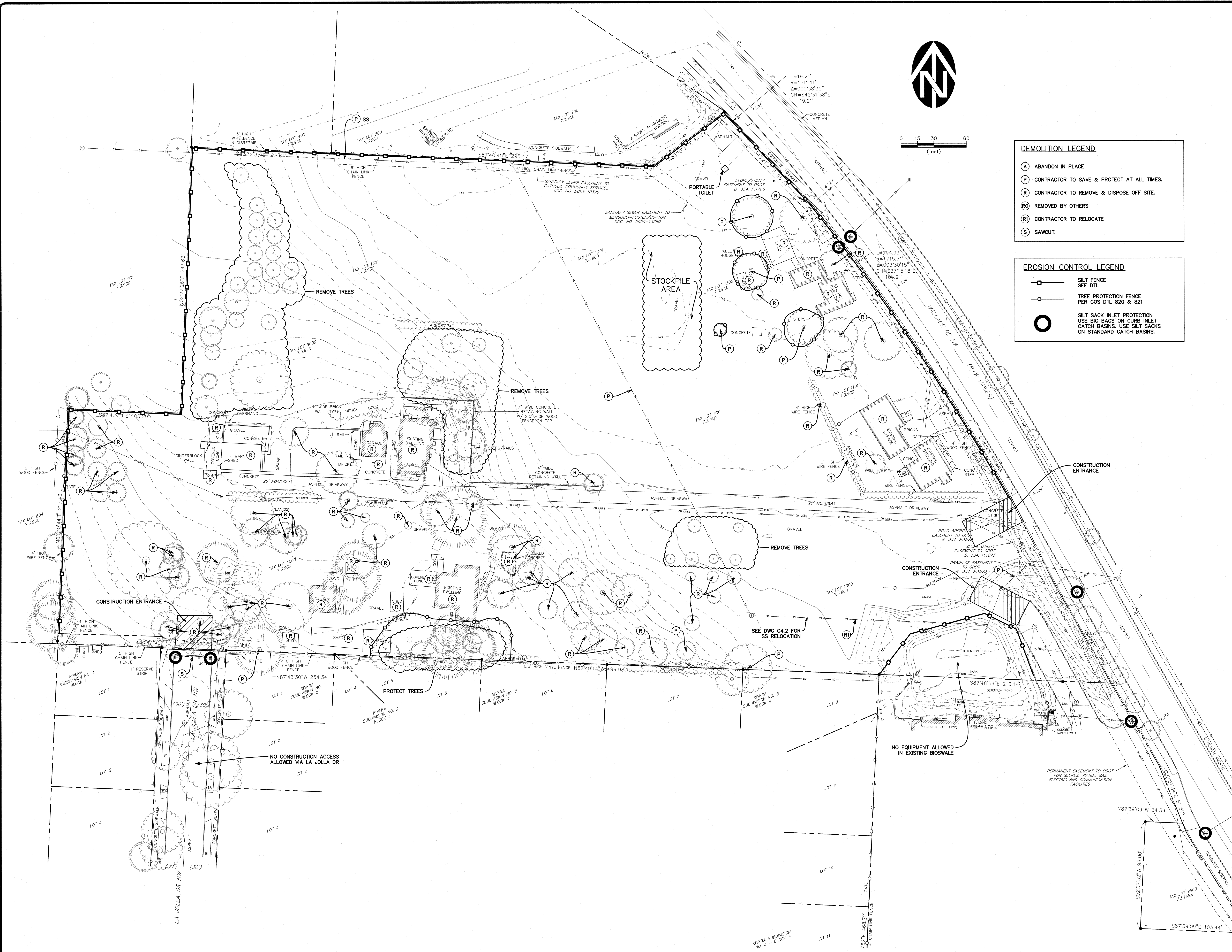


Sam Thomas

Senior Land Use Specialist

Lenity Architecture, Inc.

4/18/2022 2:45:43 PM
R:\King Martin, Scott\Drawings\02-03 Existing Conditions, E.C. Demos.dwg (22.0.0)



0 15 30 60
(feet)

DEMOLITION LEGEND

- (A) ABANDON IN PLACE
- (P) CONTRACTOR TO SAVE & PROTECT AT ALL TIMES.
- (R) CONTRACTOR TO REMOVE & DISPOSE OFF SITE.
- (RO) REMOVED BY OTHERS
- (RI) CONTRACTOR TO RELOCATE
- (S) SAWCUT.

EROSION CONTROL LEGEND

- SILT FENCE
SEE DTL.
- TREE PROTECTION FENCE
PER COS DTL 820 & 821
- SILT SACK INLET PROTECTION
USE BIO BAGS ON CURB INLET
CATCH BASINS. USE SILT SACKS
ON STANDARD CATCH BASINS.

SCALE		HORIZ:		VERT:	
1" = 40'		1" = 40'		1" = 40'	
DATE: FEB. 2022		NO. 1		DATE: FEB. 2022	
REVISIONS		DESCRIPTION		BY	
1		PER DEC COMMENTS		AS	
1		18/03/21		BY	

SCOTT MARTIN
RIVERBEND ROAD SITE PHASE II
EXISTING CONDITIONS, EROSION CONTROL
& DEMOLITION PLAN

DRAWING
C2.0
JOB NUMBER
3048.3002.0

CLASS III SITE PLAN REVIEW

2499, 2501, 2519, 2539 WALLACE RD NW, SALEM, OR 97304

PROJECT TEAM:

OWNER:
3030 RIVERBEND LLC.
PO BOX 5850
SALEM, OR 97304

ARCHITECT:
LENITY ARCHITECTURE
3150 KETTLE CT. SE.
SALEM, OR 97301
PHONE: (503) 399-1090
FAX: (503) 399-0565
PROJECT ARCHITECT: LEE GWYN
lee@lenityarchitecture.com

CIVIL ENGINEER:
WESTECH ENGINEERING, INC.
STEVE WARD, PE
3841 FAIRVIEW IND. DR. STE 100
SALEM, OR 97302
503.585.2474
SWARD@WESTECH-ENG.COM

PROJECT STATISTICS:

OVERBEND PHASE #2: MULTI-FAMILY DEVELOPMENT CONSISTING OF 201 UNIT APARTMENTS/ OFFICE AND POOL BLDGS 2499, 2501, 2519, 2551 & 2539 WALLACE RD SALEM, OR 97304		CITY OF SALEM, POLK COUNTY 7.39 CD - 06900, 01000, 01101, 01301 & 01300
ZONE: USE: EXISTING:	MU-II (MIXED USE/II) SINGLE-FAMILY DWELLINGS	
PROPOSED: ALLOWED BLDG. HEIGHT: PROPOSED BLDG. HEIGHT/ FOOTPRINT: BUILDING #1 BUILDING #2 BUILDING #3 BUILDING #4 BUILDING #5 BUILDING #6 BUILDING #7 BUILDING #8 BUILDING #9 BUILDING #10 BUILDING #11 OFFICE BUILDING POOL, BUILDING TRASH ENCLOSURE	MULTI-FAMILY 55 FT MAX. 33 FT, 4 IN / 5,851 S.F. 31 FT, 6 IN / 7,797 S.F. 31 FT, 6 IN / 7,797 S.F. 31 FT, 6 IN / 7,797 S.F. 31 FT, 6 IN / 4,979 S.F. 31 FT, 6 IN / 7,797 S.F. 31 FT, 6 IN / 5,851 S.F. 31 FT, 6 IN / 4,922 S.F. 31 FT, 6 IN / 2,931 S.F. 31 FT, 6 IN / 6,777 S.F. 31 FT, 6 IN / 2,931 S.F. 27 FT, 4 IN / 2,931 S.F. 15 FT / 1,551 S.F. 6 FT / 248 S.F.	

STANDARD SPACES-	154
ACCESSIBLE SPACES -	8
COMPACT SPACES -	64
TOTAL SPACES -	<u>226</u>

BLDG. 1 18 UNITS 5,851 SQ. FT.	BLDG. 7 18 UNITS 5,851 SQ. FT.
BLDG. 2 24 UNITS 7,797 SQ. FT.	BLDG. 8 15 UNITS 4,922 SQ. FT.
BLDG. 3 24 UNITS 7,797 SQ. FT.	BLDG. 9 9 UNITS 2,931 SQ. FT.
BLDG. 4 24 UNITS 7,797 SQ. FT.	BLDG. 10 21 UNITS 6,777 SQ. FT.
BLDG. 5 15 UNITS 4,979 SQ. FT.	BLDG. 11 9 UNITS 2,931 SQ. FT.
BLDG. 6 24 UNITS 7,797 SQ. FT.	
TOTAL UNITS = 201	

REQUIRED

PROPOSED

3

ADJUSTMENT KEYNOTES:

A1	ADJUSTMENT #1: INCREASE MAXIMUM BUILDING SETBACK ADJACENT TO ALLONG ROAD. REQUEST TO INCREASE MAXIMUM BUILDING SETBACK FROM 10 FEET TO 15 FEET FOR BUILDING 1 ALONG WALLACE RD DUE TO EXISTING ODOT EASEMENTS.
A2	ADJUSTMENT #2: BUILDING SETBACKS ADJACENT TO INTERNAL LOT LINES. REDUCE BUILDING SETBACKS TO 0 FEET FOR INTERNAL PROPERTY LINES.
A3	ADJUSTMENT #3: VEHICLE USE AREAS ADJACENT TO INTERNAL LOT LINES. REDUCE VEHICLE USE AREA SETBACKS TO 0 FEET FOR DRIVE AISLES AND PARKING AREAS.
A4	ADJUSTMENT #4: REDUCE BUILDING FRONTAGE MINIMUM FROM 50% TO 0% FC WALLACE ROAD NW.

SITE / PARKING SUMMARY

PROPOSED PARKING
LOT SHADE TREE

PHASE II MASTER PLAN OVERALL SITE PLAN

SCALE: 1" = 40'
REVISED 2022.01.13

lenity
architecture, inc.
3150 Kettle Court SE, Salem, Oregon 97301
P 503 399 1090 F 503 399 6565 www.lenityarchitecture.com

3030 RIVERBEND LLC
PO BOX 5850 SALEM OR 97304
(503) 931-1739

RIVERBEND APARTMENTS
PHASE 2
WALLACE RD. NW SALEM OR 97304

SITE PLAN REVIEW CLASS III

DATE
05/06/2022

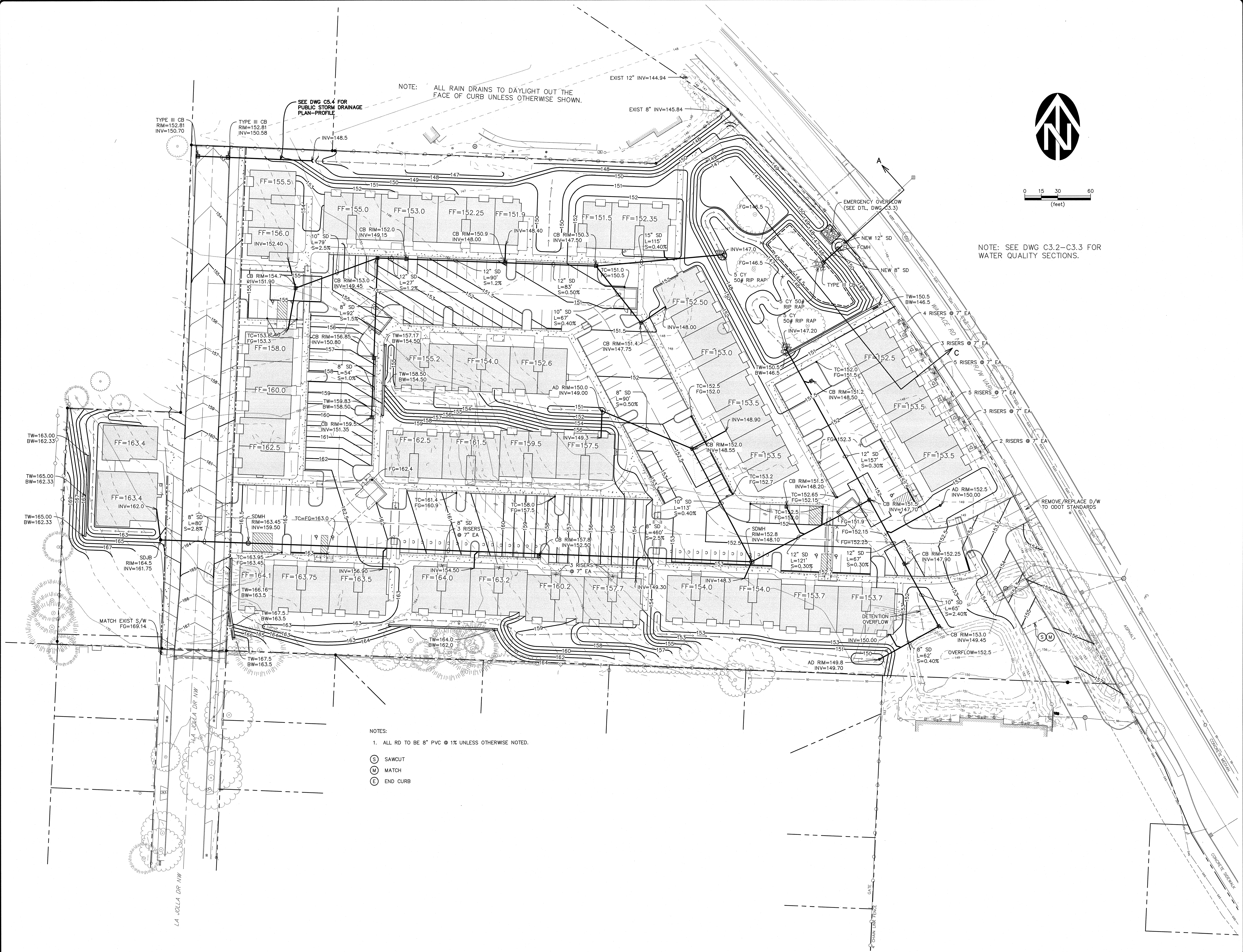
REVISÉD DATE

SHEET

A1.0

SITE PLAN REVIEW SET 05.06.22

save:6/10/2022 10:22 AM rolandb plot:6/10/2022 10:23 AM roland boschmann file:q:\scott martin construction llc\1233 riverbend rd nw salem master plan\prelim\site plan.dwg A1.0



Pamela Cole

From: Pamela Cole
Sent: Friday, June 24, 2022 11:15 AM
To: Sam Thomas; smconstruction@sendmemail.me
Cc: Laurel Christian; Matthew Olney; Steve Ward; Robin Dalke; Tony Martin
Subject: RE: Consolidated Application 2499 Wallace - extension for Tree Regulation Variance decision and cancellation of Class 2 Driveway Approach Permit

Sam and Scott -

While Public Works was writing the memo for the consolidated application, Robin Dalke and Tony Martin determined that the driveways on the La Jolla extension are *exempt* from Class 2 Driveway Approach Permits. I cancelled the Class 2 Driveway Approach Permit application, 22-110467-ZO. Please let me know whether you would like a refund of the \$1168 base fee for that part of the application or would like us to transfer the fee to another active application.

Because the Class 2 Driveway Approach Permit application is not required, the separate application will be only for the Tree Regulation Variance. The authorized 30-day extension will apply only to the current 120-day deadline for the Tree Regulation Variance, which is 10/17/2022. Therefore, the 30-day extension for the Tree Regulation Variance changes the deadline for that decision to 11/16/2022. We will be sending notice / request for comments on the Tree Regulation Variance early next week.

The final deadline of 9/21/2022 for the SPR-ADJ21-25 application cannot be further extended. The decision for SPR21-25 will be issued by the end of next week.

Thanks.

Pamela Cole

Planner II

City of Salem | Community Development Department | Planning Division

555 Liberty St SE, Suite 305, Salem OR 97301

pcole@cityofsalem.net | 503-540-2309

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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: Sam Thomas <samt@lenityarchitecture.com>

Sent: Friday, June 24, 2022 10:44 AM

To: Pamela Cole <PCole@cityofsalem.net>; smconstruction@sendmemail.me

Cc: Laurel Christian <LChristian@cityofsalem.net>; Matthew Olney <MOlney@cityofsalem.net>; Steve Ward <sward@westech-eng.com>; Robin Dalke <RDalke@cityofsalem.net>; Tony Martin <TMartin@cityofsalem.net>

Subject: RE: Consolidated Application 2499 Wallace

Hi Pamela,

Sorry for the delay. We would like to formally request a 30-day extension to the 120-day deadline of September 21, 2022.

Thanks!

Sam Thomas
Senior Land Use Specialist



3150 Kettle Ct SE, Salem, OR 97301
o 503 399 1090 f 503 399 0565
w lenityarchitecture.com

From: Pamela Cole <PCole@cityofsalem.net>
Sent: Tuesday, June 21, 2022 8:23 AM
To: Sam Thomas <samt@lenityarchitecture.com>; smconstruction@sendmemail.me
Cc: Laurel Christian <LChristian@cityofsalem.net>; Matthew Olney <MOlney@cityofsalem.net>; Steve Ward <sward@westech-eng.com>; Robin Dalke <RDalke@cityofsalem.net>; Tony Martin <TMartin@cityofsalem.net>
Subject: RE: Consolidated Application 2499 Wallace
Importance: High

Sam and Scott --

I discussed the extended 120-day deadline for the original case (SPR-ADJ21-25), which is September 21, 2022, with the Planning Manager.

In order to make the timelines work in case of an appeal, we will issue the Class 3 Site Plan Review – Class 2 Adjustment (SPR-ADJ) decision as soon as we receive the revised Public Works memo. That decision will have conditions requiring the Tree Regulation Variance and Class 2 Driveway Approach Permit applications.

Because the Tree Regulation Variance and Class 2 Driveway Approach Permit were not part of the original application, they will be run concurrently with the SPR-ADJ, not consolidated with it. We must send notice / request for comments on them (TRP-DAP) to comply with the procedures ordinance (SRC 300). The Planning Manager asked if you could grant a 30-day extension for the TRP-DAP application in case of appeal.

Thanks.

Pamela Cole
Planner II
City of Salem | Community Development Department | Planning Division
555 Liberty St SE, Suite 305, Salem OR 97301
pcole@cityofsalem.net | 503-540-2309
[Facebook](#) | [Twitter](#) | [YouTube](#) | CityofSalem.net

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: Pamela Cole
Sent: Wednesday, June 15, 2022 9:48 AM
To: Sam Thomas <samt@lenityarchitecture.com>
Cc: smconstruction@sendmemail.me; Laurel Christian <LChristian@cityofsalem.net>; Matthew Olney <MOlney@cityofsalem.net>; Steve Ward <sward@westech-eng.com>
Subject: RE: Consolidated Application 2499 Wallace

All,

I took a quick look at the new submittals and discussed them with Planning Manager Olivia Dias.

Due to the short timeline with my retirement July 15 (one month from today!) and the final extended deadline in September, we will be issuing the decision without renoticing first. The decision will include the first site plan as an attachment but will be based on the revised site plan / elevations and other new submittals.

Thanks.

Pamela Cole

Planner II

City of Salem | Community Development Department | Planning Division

555 Liberty St SE, Suite 305, Salem OR 97301

pcole@cityofsalem.net | 503-540-2309

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Questions on Zoning and Sign Permits can also be submitted by email to Planning@cityofsalem.net

From: Pamela Cole

Sent: Wednesday, June 8, 2022 1:54 PM

To: Sam Thomas <samt@lenityarchitecture.com>

Subject: FW: Consolidated Application Updated Incomplete letter 2499 Wallace

This was the other letter I mentioned in my voicemail today. Please address these issues with uploads and notify me when you have done that.

I would like to be able to send out the renotice and issue the decision before my retirement – last day July 15, 2022. It would be very difficult for another planner to complete this case.

Thanks.

Pamela Cole

Planner II

City of Salem | Community Development Department | Planning Division

555 Liberty St SE, Suite 305, Salem OR 97301

pcole@cityofsalem.net | 503-540-2309

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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: Pamela Cole

Sent: Tuesday, May 17, 2022 5:02 PM

To: smconstruction@sendmemail.me; Sam Thomas <samt@lenityarchitecture.com>; salempermits@lenityarchitecture.com

Cc: Laurel Christian <LChristian@cityofsalem.net>; Matthew Olney <MOlney@cityofsalem.net>

Subject: RE: Consolidated Application Updated Incomplete letter 2499 Wallace

Sam and Scott –

I reviewed the new documents and prepared the attached update. This update does not include comments from Public Works, as they are still reviewing.

Please let me know if you have questions. Thanks.

Pamela Cole

Planner II

City of Salem | Community Development Department | Planning Division

555 Liberty St SE, Suite 305, Salem OR 97301

pcole@cityofsalem.net | 503-540-2309

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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: Pamela Cole

Sent: Friday, May 13, 2022 12:41 PM

To: smconstruction@sendmemail.me; Sam Thomas <samt@lenityarchitecture.com>

Cc: mrobinson@schwabe.com; salempermits@lenityarchitecture.com

Subject: Tree Variance Updated Incomplete letter

Please review the attached notice of incompleteness and address the Tree Variance criteria by uploading a revised written statement.

Thanks.

Pamela Cole

Planner II

City of Salem | Community Development Department | Planning Division

555 Liberty St SE, Suite 305, Salem OR 97301

pcole@cityofsalem.net | 503-540-2309

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

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

Pamela Cole

From: Pamela Cole
Sent: Tuesday, June 28, 2022 9:45 AM
To: Michael Freitas; 'andersonriskanalysis@comcast.net'
Subject: Land use application in West Salem Neighborhood Association area - Tree Regulation Variance 2499 Wallace Road NW

Hello,

This is a courtesy email to let you know that a land use application has been received for property within the boundaries of, or abutting, your neighborhood association. The Planning Division provides this early notice to the Chair(s) and Land Use Chairs of the affected Neighborhood Association(s).

The current proposal is for a Tree Regulation Variance that is necessary in order for the City to approve a previously submitted site plan review application (SPR-ADJ21-25) for a proposed apartment development in the MU-II (Mixed Use-II) zone. Staff is currently drafting the decision for the SPR-ADJ21-25 application, which has an extended 120-day deadline of 9/21/2022. The Tree Regulation Variance will be required as a condition of approval for SPR-ADJ21-25, will be processed concurrently with SPR-ADJ21-25, and will have a separate 120-day deadline in October 2022 or November 2022. The Tree Regulation Variance was submitted in January, 2022, and is subject to the provisions of SRC 808 that were in effect prior to the March 16, 2022 effective date of the recent code amendments to SRC Chapter 808. The Tree Regulation Variance proposes the removal of two Significant trees – Oregon white oaks 33 inches dbh and 39 inches dbh. The tree removals are required in order for the applicant to meet requirements for street connectivity.

The property addresses are: 2499, 2501, 2519, 2539, and 2551 Wallace Road NW (Polk County Assessor map and tax lot number: 073W09CD / 00900, 01000, 01100, 01300, and 01301).

This application has not yet been deemed complete. Once the application is deemed complete, official notice, noting the comment period, will be sent. Please note this proposal may substantially change based on comments City staff provide to the applicant during our review. It is also possible that this application may be withdrawn or may expire before notice is sent.

You can request copies of the application and any documents therein at any time by responding to this email. You can also monitor the status of the application and view attached documents online [here](#) using this application number application number(s): [22-101953-NR](#).

Find other land use applications within your area [here](#).

Thanks.

Pamela Cole

Planner II

City of Salem | Community Development Department | Planning Division

555 Liberty St SE, Suite 305, Salem OR 97301

pcole@cityofsalem.net | 503-540-2309

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

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

REQUEST FOR COMMENTS

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

REGARDING: Tree Regulation Variance Case No. TRV22-02

PROJECT ADDRESS: 2499, 2501, 2519, and 2551 Wallace Road NW, Salem OR 97304

AMANDA Application No.: 22-101953-NR

COMMENT PERIOD ENDS: Wednesday, July 13, 2022 at 5:00 PM

SUMMARY: Tree Regulation Variance to remove two existing significant trees in association with construction of an apartment complex.

REQUEST: A Tree Regulation Variance to remove two existing significant trees, an Oregon white oak tree 33 inches dbh and an Oregon white oak tree 39 inches dbh, processed as a concurrent application to Class 3 Site Plan Review and Class 2 Adjustment application SPR-ADJ21-25 for a proposed development to include apartments, an office/recreation building, pool, and parking on a development site including 7.59 acres located in the MU-II (Mixed Use - II) zone at 2499, 2501, 2519, and 2551 Wallace Road NW - 97304 (Polk County Assessor Map and Tax Lot 073W09CD / 00900, 01000, 01101, 01301) and 0.51 acres located in the RD (Duplex Residential) zone at 2539 Wallace Road NW 97304 (Polk County Assessor Map and Tax Lot 073W09CD / 01300).

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Comments received by 5:00 p.m., Wednesday, July 13, 2022, 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: Pamela Cole, Planner II, City of Salem, Planning Division; 555 Liberty St SE, Room 305, Salem, OR 97301; Phone: 503-540-2309; E-Mail: pcole@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: _____
Salem Electric will provide Electric Service according to the rates and policies at the time of construction.

Name/Agency: Adam Deshon - Salem Electric

Address: 633 Seventh St NW Salem, OR 97304

Phone: 503-362-3601

Email: deshon@salemelectric.com

Date: 6/29/2022

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

Pamela Cole

From: Marcia Kelley <swardenpopor@gmail.com>
Sent: Wednesday, July 13, 2022 2:18 PM
To: Pamela Cole
Cc: Office Prince of Peace
Subject: Tree Regulation Variance Case No TRV22-02

Ms Cole:

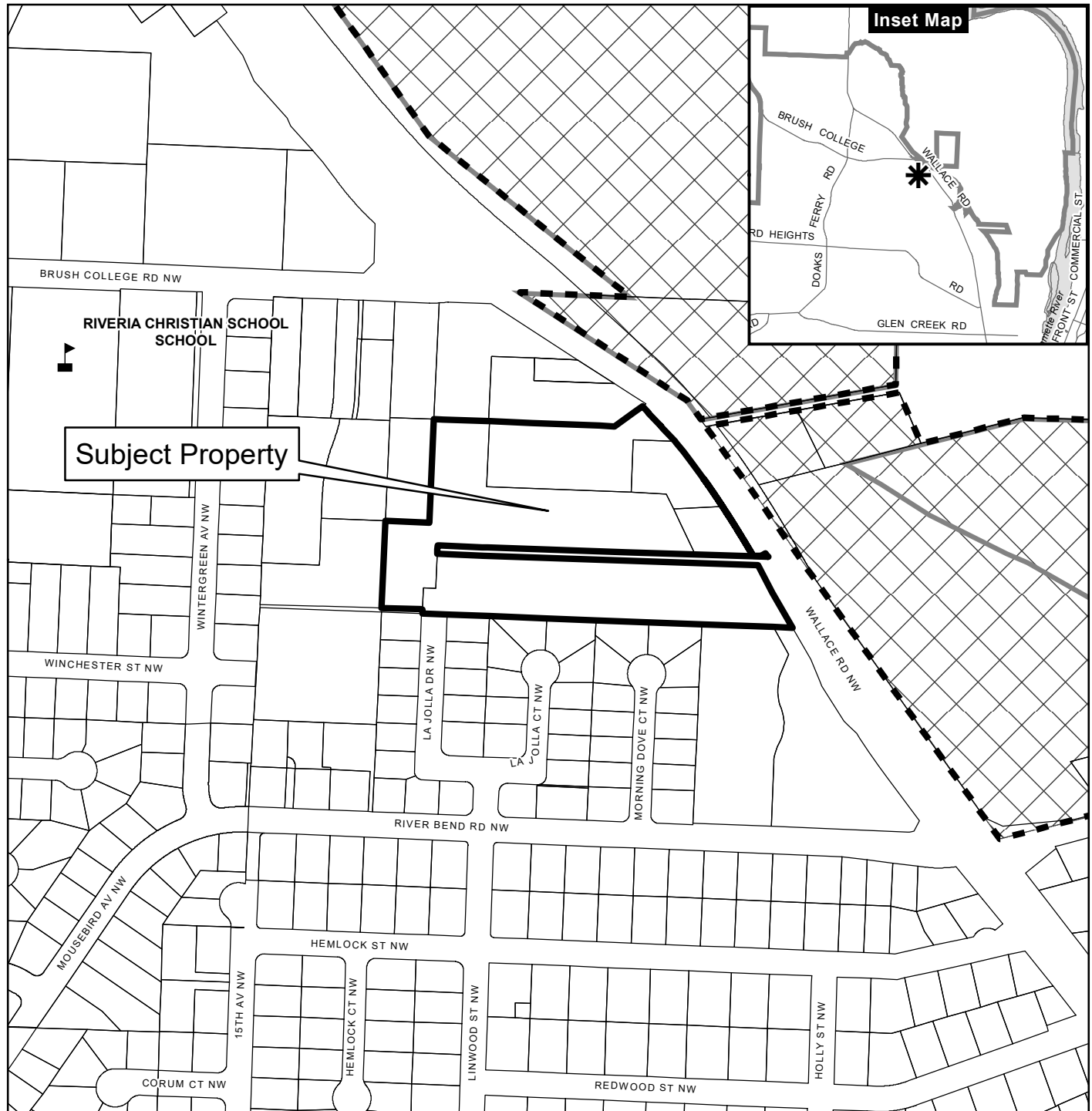
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While the loss of any Oregon White Oak is troubling it seems that housing is also a great necessity. Our church owns adjoining property and when we plan for our property use I will do everything I can to locate white oaks on our property which will in time serve the community.

Marcia Kelley, Senior Warden, Prince of Peace Episcopal Church
PO Box 5757 Salem Oregon 97304 (Property 1442 Brush College Road)
Phone: 503-585-1479 Church Personal 503-920-4776
Email: swardenpopor@gmail.com, officeprinceofpeacesalem@gmail.com
Date: July 13 2022

Vicinity Map

2499, 2501, 2519, 2539, 2551 Wallace Road NW



Legend

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

- Parks

CITY OF Salem
AT YOUR SERVICE
Community Development Dept.

This product is provided as is, without warranty. In no event is the City of Salem liable for damages from the use of this product. This product is subject to license and copyright limitations and further distribution or resale is prohibited.

0 100 200 400 Feet



2499, 2501, 2519, 2539 WALLACE RD NW, SALEM, OR 97304

PROJECT TEAM:

OWNER:
3030 RIVERBEND LLC.
PO BOX 5850
SALEM, OR 97304

ARCHITECT:
LENITY ARCHITECTURE
3150 KETTLE CT. SE.
SALEM, OR 97301
PHONE: (503) 399-1090
FAX: (503) 399-0565
PROJECT ARCHITECT: LEE GWYN
lee@lenityarchitecture.com

CIVIL ENGINEER:
WESTTECH ENGINEERING, INC.
STE 100, RD. 5E
3841 FAIRVIEW IND. DR. STE 100
SALEM, OR 97302
503.585.2474
SWARD@WESTTECH-ENG.COM

PROJECT STATISTICS:

RIVERBEND PHASE #2 MULTI-FAMILY DEVELOPMENT CONSISTING OF 201 UNIT APARTMENTS/ OFFICE AND POOL BLDGS 2499, 2501, 2519, 2551 & 2539 WALLACE RD SALEM, OR 97304		CITY OF SALEM, POLK COUNTY 7.3.9 CD - 00900, 01000, 01101, 01301 & 01300
ZONE: USE: EXISTING:	MU-II (MIXED USE/II) SINGLE-FAMILY DWELLINGS	
PROPOSED:	MULTI-FAMILY	
ALLOWED BLDG. HEIGHT: PROPOSED BLDG. HEIGHT/ FOOTPRINT:	55 FT MAX.	
BUILDING #1	33 FT, 4 IN / 5,851 S.F.	
BUILDING #2	31 FT, 6 IN / 7,797 S.F.	
BUILDING #3	31 FT, 6 IN / 7,797 S.F.	
BUILDING #4	31 FT, 6 IN / 7,797 S.F.	
BUILDING #5	31 FT, 6 IN / 4,979 S.F.	
BUILDING #6	31 FT, 6 IN / 7,797 S.F.	
BUILDING #7	31 FT, 6 IN / 5,851 S.F.	
BUILDING #8	31 FT, 6 IN / 4,922 S.F.	
BUILDING #9	31 FT, 6 IN / 2,931 S.F.	
BUILDING #10	31 FT, 6 IN / 6,777 S.F.	
BUILDING #11	31 FT, 6 IN / 2,931 S.F.	

OFFICE BUILDING	27 FT, 4 IN / 2,931 S.F.
POOL BUILDING	15 FT / 1,551 S.F.
TRASH ENCLOSURE	6 FT / 248 S.F.

BLDG. SETBACK ((T534-3):	
STREET:	0' MIN, 10' MAX WITH PED. AMEN.
SIDE: ZONE-TO-ZONE (T534-4)	
MUII TO RESIDENTIAL:	10' MIN + ((BLDG. HT - 15 FT) x1.5) TYPE "C"
MUII TO COMMERCIAL:	NONE
REAR: ZONE-TO-ZONE (T534-4)	
MUII TO RESIDENTIAL:	10' MIN + ((BLDG. HT - 15 FT) x1.5) TYPE "C"
MUII TO COMMERCIAL:	NONE
ACCESSORY STR. SETBACK (T534-3):	
STREET:	5' MIN
SIDE: ZONE-TO-ZONE (T534-4)	
MUII TO RESIDENTIAL:	10' MIN + ((BLDG. HT - 15 FT) x1.5) TYPE "C"
MUII TO COMMERCIAL:	NONE
REAR: ZONE-TO-ZONE (T534-4)	
MUII TO RESIDENTIAL:	10' MIN + ((BLDG. HT - 15 FT) x1.5) TYPE "C"
MUII TO COMMERCIAL:	NONE

VEHICLE USE AREA SETBACK (TABLE 534-4):	
STREET:	10' MIN TYPE "A"
SIDE: ZONE-TO-ZONE (T534-4)	
MUII TO RESIDENTIAL:	5' MIN TYPE "C"
MUII TO COMMERCIAL:	5' MIN TYPE "A"
REAR: ZONE-TO-ZONE (T534-4)	
MUII TO RESIDENTIAL:	5' MIN TYPE "C"
MUII TO COMMERCIAL:	5' MIN TYPE "A"
BUILDING:	5' MIN TYPE "A"

SITE AREA:	8.08 AC (352,137 S.F.)
LA JOLLA DRIVE NW DEDICATION AREA:	0.58 AC (25,196 S.F.)
NET SITE AREA:	7.49 AC (326,221 S.F.)
DWELLING UNIT DENSITY REQUIRED:	12 UNITS PER ACRE
DWELLING UNIT DENSITY PROVIDED:	24 UNITS PER ACRE
TOTAL LOT COVERAGE:	
NO MAX.	
TOTAL LANDSCAPE AREA:	135,463 S.F. (41%)
(15% SEC. 551.010, d. 3)	
TOTAL PARKING LOT INTERIOR LANDSCAPE AREA:	10,188 S.F. (12.5%)
(8% SEC. 806.035(a), d.	
TOTAL PARKING AREA:	81,314 S.F.

REQUIRED	MULTI-FAMILY: 1 STALL DWELLING UNIT	201 x 1 = 201 SPACES
	OFFICE: 1 SP / 350 S.F.	5,200 / 350 = 15 SPACES
	REQ'D PARKING MIN:	216 SPACES
	ALLOWED PARKING MAX: (175% OF MIN. SPACES)	216 * 1.75 = 378 SPACES MAX
	REQ'D SPACE SPACES: 0.01 SP. PER DWELLING UNIT- MIN. (4 T.806.8) (13,500 S.F. - MIN. (4 T.806.8	201 x 0.1 = 20.1 SPACE 5,200 / 3,500 = 1.5 SPACES TOTAL REQ. 24 SPACES
	LOADING ZONE: (GREATER THAN 100 BUT LESS THAN 1500 SQ. FT.)	2 SPACES

PROPOSED	PROPOSED PARKING SPACES:	
	STANDARD (9' x 19'):	154 SPACES
	ACCESSIBLE:	8 SPACES
	COMPACT (8' x 19'):	37 SPACES
	COMPACT (8' x 15'):	27 SPACES (27.5% COMPACT COMBINED)
	TOTAL NEW:	226 SPACES

NEW BICYCLE SPACES:	24 SPACES
LOADING ZONE (12' x 19'):	2

ADJUSTMENT KEYNOTES:

A1	<p>ADJUSTMENT #1: INCREASE MAXIMUM BUILDING SETBACK ADJACENT TO WALLACE RD. REQUEST TO INCREASE MAXIMUM BUILDING SETBACK FROM 10 FEET TO 15 FEET FOR BUILDING 1 ALONG WALLACE RD DUE TO EXISTING ODOT EASEMENTS</p>
A2	<p>ADJUSTMENT #2: BUILDING SETBACKS ADJACENT TO INTERNAL LOT LINES. REDUCE BUILDING SETBACKS TO 0 FEET FOR INTERNAL PROPERTY LINES.</p>
A3	<p>ADJUSTMENT #3: VEHICLE USE AREAS ADJACENT TO INTERNAL LOT LINES. REDUCE VEHICLE USE AREA SETBACKS TO 0 FEET FOR DRIVE AISLES AND PARKING AREAS</p>
A4	<p>ADJUSTMENT #4: REDUCE BUILDING FRONTAGE MINIMUM FROM 50% TO 0% FO WALLACE ROAD, NW.</p>

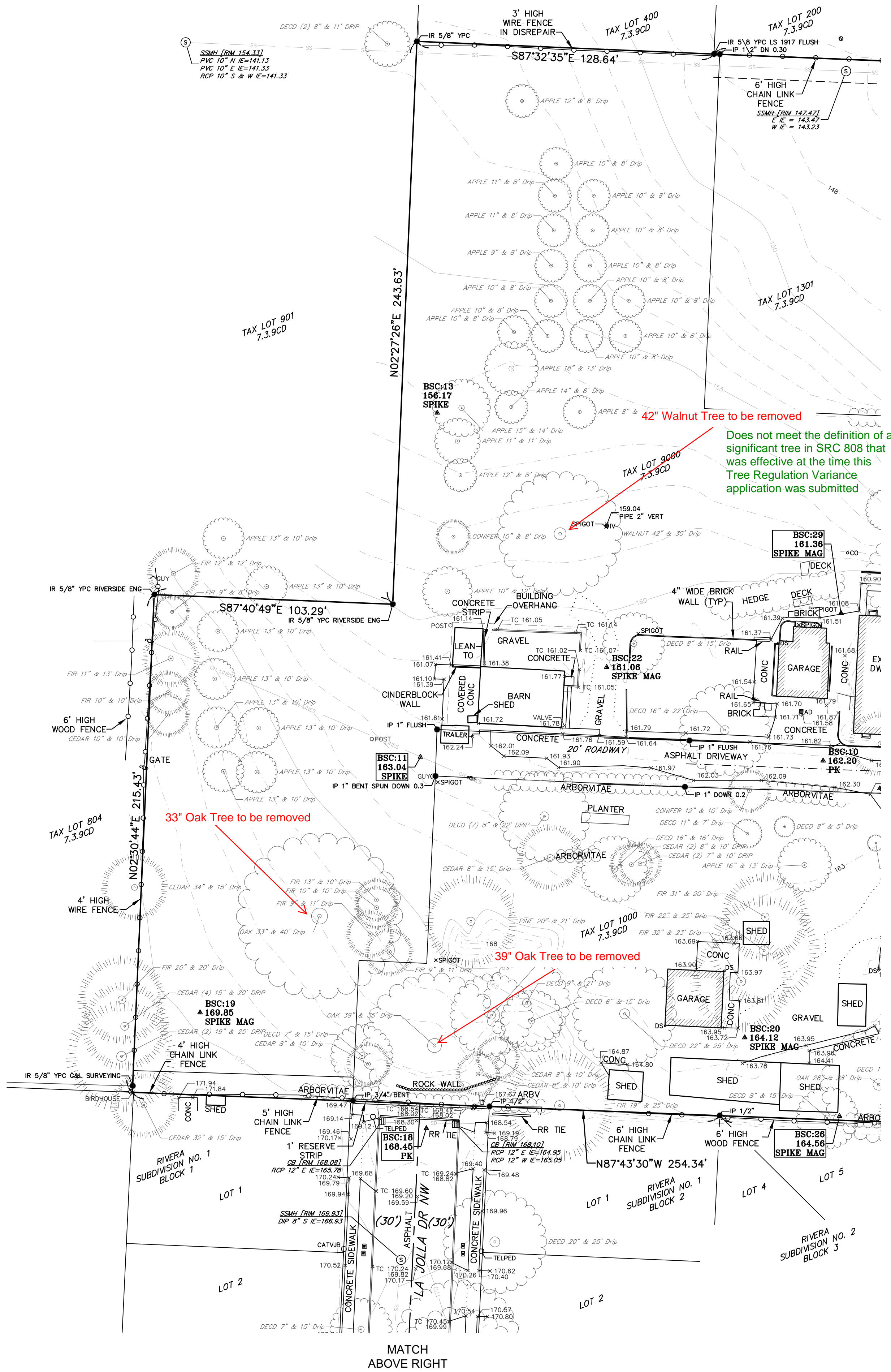
SITE / PARKING SUMMARY

PROPOSED PARKING
LOT SHADE TREE

PHASE II MASTER PLAN OVERALL SITE PLAN

SCALE: 1" = 40'
REVISED 2022.01.13

TOPOGRAPHIC SURVEY



ABBREVIATIONS

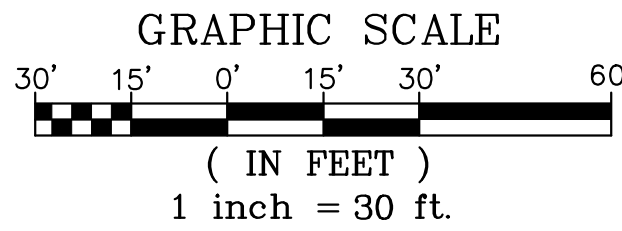
ASPH	ASPHALT	IRR	IRRIGATION
AD	AREA DRAIN	INV	INVERT
ASSY	ASSEMBLY	JB	JUNCTION BOX
BLDG, BLD	BUILDING	LP	LIGHT POLE
BW	BOTTOM OF WALL	M	METER, MAIN
CATV	CABLE TELEVISION	MB	MAILBOX
CB	CATCH BASIN	MH	MANHOLE
CO	CLEAN-OUT	OH	OVER-HEAD
CONC	CONCRETE	P/L, R	PROPERTY LINE
CL	CENTERLINE	PP	POWER POLE
DIP	DUCTILE IRON PIPE	PVC	POLYVINYL CHLORIDE
EG	EDGE OF GRAVEL	PWR	POWER
EOP, EP	EDGE OF PAVEMENT	R, RAD	RADIUS
ELEV	ELEVATION	ROW, R/W	RIGHT-OF-WAY
EX, EXIST	EXISTING	SS	SANITARY SEWER
FDC	FIRE DEPT. CONNECTOR	SD	STORM DRAIN
FT	FEET	SVC	SERVICE
FF	FINISH FLOOR	SWK, S/W	SIDEWALK
FG	FINISH GRADE	TC	TOP OF CURB
FH	FIRE HYDRANT	TEL	TELEPHONE
FI	FIELD INLET	TR	TRANSFORMER
FM	FORCE MAIN	TS	TRAFFIC SIGNAL
GRAV	GRAVEL	TW	TOP OF WALL
GM	GAS METER	TYP	TYPICAL
GP	GATE POST	UG, U/G	UNDER GROUND
GS	GROUND SHOT	UTIL	UTILITY
GV	GAS VALVE	VLT	VAULT
HC	HANDICAP	W/	WITH
HYD	HYDRANT	WM	WATER METER
IR	IRON ROD	WLM	WETLANDS MARKER
IP	IRON PIPE	YPC	YELLOW PLASTIC CAP

SYMBOLS

AD	AREA DRAIN	SP	SIGN POST
CB	CATCH BASIN	MB	MAIL BOX
CO	CLEANOUT	IV	IRRIGATION VALVE
FH	FIRE HYDRANT	LP	LIGHT POLE
GV	GAS VALVE	UP	UTILITY/POWER POLES
WV	WATER VALVE	TP	TEST PIT
GPW	GAS/POWER/WATER METER	MF	MONUMENT FOUND
DSO	DOWN SPOUT		
MT	MANHOLE TELEPHONE		
MSD	MANHOLE STORM DRAIN		
MS	MANHOLE SANITARY SEWER		
TR	TREES - *TREENAME* DIAMETER (INCHES)/DRIP RADIUS (FEET)		
NOTE:	DIAMETER MEASURED AT BREAST HEIGHT		

LINE TYPES

CATV LINE	CATV
COMMUNICATION LINE	COM
EASEMENT LINE	EAS
FENCE LINE	FEN
FIBER OPTIC LINE	FOC
GAS LINE	GAS
EDGE OF GRAVEL LINE	EG
OVERHEAD LINE	OH
PHONE LINE	PH
POWER LINE	ELEC
SANITARY SEWER LINE	SS
STORM DRAIN LINE	SD
WATER LINE	W



BENCHMARK UTILIZED:
ELEV: 178.12' NGVD 29
SURVEY MAG NAIL BSC POINT #11001 IN ASPHALT AS SHOWN
ELEVATIONS ARE BASED ON GPS OBSERVATION WITH A VERTCON ADJUSTMENT
OF -3.36' FROM NAVD 88 TO NGVD 29 DATUM

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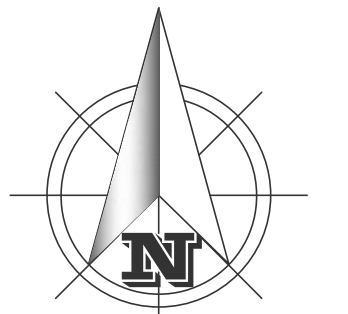
REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 18, 1994
GREGORY L. WILSON
2687

EXPIRATION DATE: 6/30/2020

SURVEY FOR	WESTECH ENGINEERING
LOCATION:	TAX LOTS 900, 1000, & 1301 7.3.9CD
SW 1/4 SECTION 9 T7S, R3W, W.M.	CITY OF SALEM POLK COUNTY, OREGON
SCALE: 1"=30'	BARKER SURVEYING 3657 KASHMIR WAY SE SALEM, OREGON 97317 PHONE (503) 588-8800 FAX (503) 363-2469 EMAIL: INFO@BARKERWILSON.COM
DATE: 4/10/2019	SHEET 1 OF 2
DRAWN BY: R.J.C.	JOB NUMBER: 40843

TOPOGRAPHIC SURVEY



GRAPHIC SCALE
30' 15' 0' 15' 30' 60'
(IN FEET)
1 inch = 30 ft.

ABBREVIATIONS

ASPH	ASPHALT	IRR	IRRIGATION
AD	AREA DRAIN	INV	INVERT
ASSY	ASSEMBLY	JB	JUNCTION BOX
BLDG, BLD	BUILDING	LP	LIGHT POLE
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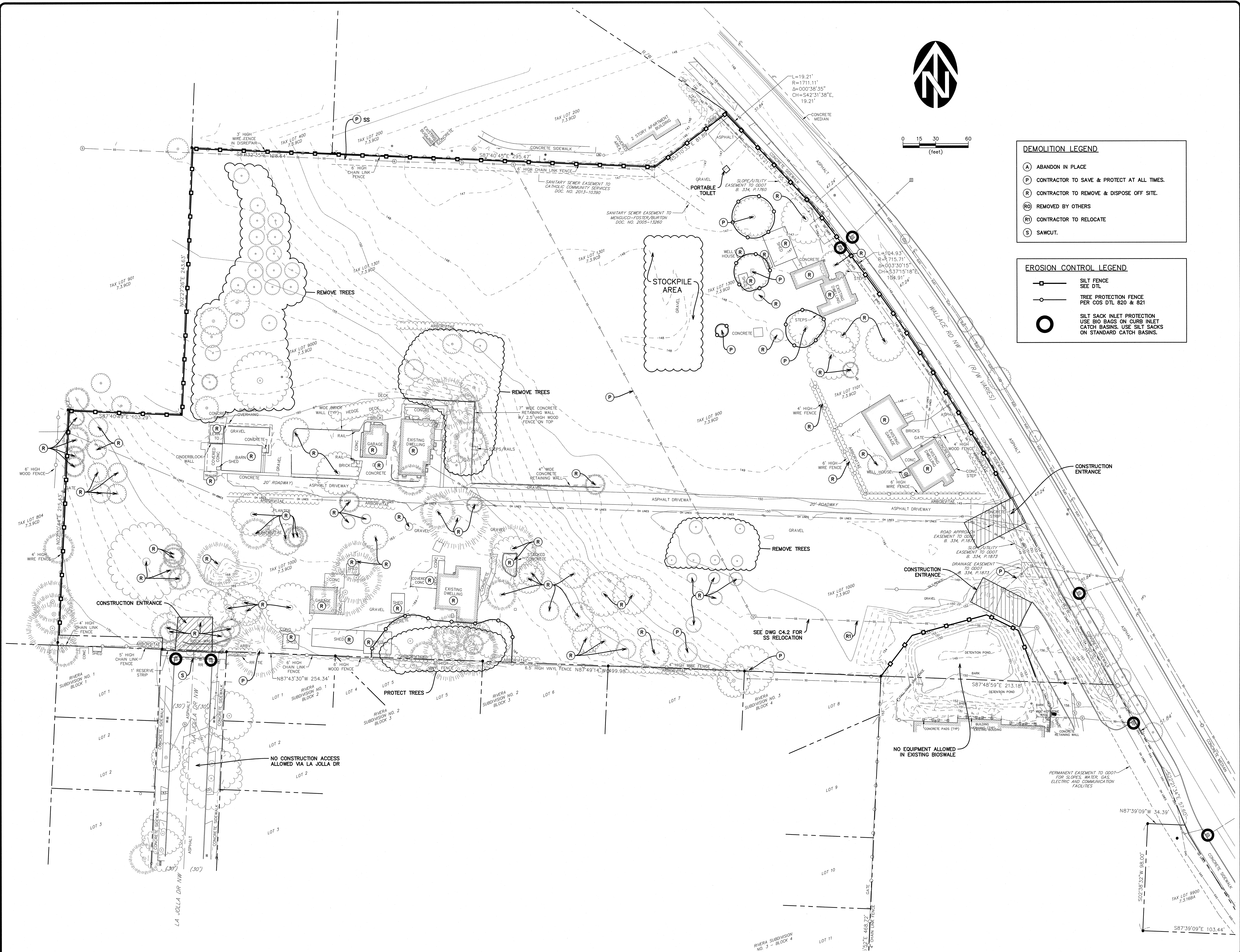


REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 19, 1994
GREGORY L. WILSON
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DATE: 4/10/2019	SHEET 2 OF 2
DRAWN BY: R.J.C.	JOB NUMBER: 40843



SCOTT MARTIN						RIVERBEND ROAD SITE PHASE II								EXISTING CONDITIONS, EROSION CONTROL & DEMOLITION PLAN										DRAWING C2.0		JOB NUMBER 3048.3002.																					
																												SCALE:		HORIZ:		VERT:															
																		D.S.N.		S.A.W																											
																		C.H.D.		P.E.P		D.E.Q		C.O.M		M.E.N		A.S																			
																		NO.		DATE		2022		REVISIONS																							
																		DATE		FEB		2022																									

SCOTT MARTIN
RIVERBEND ROAD SITE PHASE II

DRAWING
C2.0
JOB NUMBER
3048.3002.0

Tree Variance Criteria

808.045(d) Approval criteria. A tree variance shall be granted if either of the following criteria is met:

(1) Hardship.

(A) There are special conditions that apply to the property which create unreasonable hardships or practical difficulties which can be most effectively relieved by a variance; and

(B) The proposed variance is the minimum necessary to allow the otherwise lawful proposed development or activity; or

(2) Economical use.

(A) Without the variance, the applicant would suffer a reduction in the fair market value of the applicant's property, or otherwise suffer an unconstitutional taking of the applicant's property;

Applicant Response: The proposed development is bounded on the south by the stub of La Jolla Drive NW. The applicant is proposing to extend La Jolla Drive NW as a new public street to the northern boundary of the proposed development site.

There are 3 existing trees that would be impacted by the proposed street extension as shown on the tree plan provided herein. This creates a hardship as there is no practical way to construct the road extension without impacting the 3 existing trees.

The removal of these three (3) existing trees is the minimum action necessary to facilitate the proposed road extension.

If you have any questions, please contact me by phone at (503) 399-1090 or samt@lenityarchitecture.com

Sincerely,



Sam Thomas

Senior Land Use Specialist

Lenity Architecture, Inc.

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

REGARDING: Tree Regulation Variance Case No. TRV22-02

PROJECT ADDRESS: 2499, 2501, 2519, and 2551 Wallace Road NW, Salem OR 97304

AMANDA Application No.: 22-101953-NR

COMMENT PERIOD ENDS: Wednesday, July 13, 2022 at 5:00 PM

SUMMARY: Tree Regulation Variance to remove two existing significant trees in association with construction of an apartment complex.

REQUEST: A Tree Regulation Variance to remove two existing significant trees, an Oregon white oak tree 33 inches dbh and an Oregon white oak tree 39 inches dbh, processed as a concurrent application to Class 3 Site Plan Review and Class 2 Adjustment application SPR-ADJ21-25 for a proposed development to include apartments, an office/recreation building, pool, and parking on a development site including 7.59 acres located in the MU-II (Mixed Use - II) zone at 2499, 2501, 2519, and 2551 Wallace Road NW - 97304 (Polk County Assessor Map and Tax Lot 073W09CD / 00900, 01000, 01101, 01301) and 0.51 acres located in the RD (Duplex Residential) zone at 2539 Wallace Road NW 97304 (Polk County Assessor Map and Tax Lot 073W09CD / 01300).

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CASE MANAGER: Pamela Cole, Planner II, City of Salem, Planning Division; 555 Liberty St SE, Room 305, Salem, OR 97301; Phone: 503-540-2309; E-Mail: pcole@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: _____
- _____
- _____
- _____

RECEIVED

Name/Agency: Linda Easton-Warner - West Salem Dog Grooming

Address: 1452 Brush College Rd NW Salem

Phone: 503 551 2397

Email: k9concepts grooming@gmail.com

Date: 7-6-2022

KHH JUL 12 2022

COMMUNITY DEVELOPMENT

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

Pamela Cole

From: Marcia Kelley <swardenpopor@gmail.com>
Sent: Wednesday, July 13, 2022 2:18 PM
To: Pamela Cole
Cc: Office Prince of Peace
Subject: Tree Regulation Variance Case No TRV22-02

Ms Cole:

I have reviewed the proposal and have the following comments:

While the loss of any Oregon White Oak is troubling it seems that housing is also a great necessity. Our church owns adjoining property and when we plan for our property use I will do everything I can to locate white oaks on our property which will in time serve the community.

Marcia Kelley, Senior Warden, Prince of Peace Episcopal Church
PO Box 5757 Salem Oregon 97304 (Property 1442 Brush College Road)
Phone: 503-585-1479 Church Personal 503-920-4776
Email: swardenpopor@gmail.com, officeprinceofpeacesalem@gmail.com
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RECEIVED

SUMMARY: Tree Regulation Variance to remove two existing significant trees in association with construction of an apartment complex. JUL 11 2022

REQUEST: A Tree Regulation Variance to remove two existing significant trees, an Oregon white oak tree 33 inches dbh and an Oregon white oak tree 39 inches dbh, processed as a concurrent application to Class 3 Site Plan Review and Class 2 Adjustment application SPR-ADJ21-25 for a proposed development to include apartments, an office/recreation building, pool, and parking on a development site including 7.59 acres located in the MU-II (Mixed Use - II) zone at 2499, 2501, 2519, and 2551 Wallace Road NW - 97304 (Polk County Assessor Map and Tax Lot 073W09CD / 00900, 01000, 01101, 01301) and 0.51 acres located in the RD (Duplex Residential) zone at 2539 Wallace Road NW 97304 (Polk County Assessor Map and Tax Lot 073W09CD / 01300).

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., Wednesday, July 13, 2022, 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: Pamela Cole, Planner II, City of Salem, Planning Division; 555 Liberty St SE, Room 305, Salem, OR 97301; Phone: 503-540-2309; E-Mail: pcole@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:

THESE TREES HAVE BEEN AN IMPORTANT PART OF THE EOD SYSTEM IN OREGON FOR 100's OF YEARS. THE POPULATION OF THIS SPECIES IS DOWN TO 10-15% IN WASHINGTON STATE HAS IT ENDANGERED. EVEN THOUGH OREGON DOES NOT, THERE IS

GOING TO BE ENOUGH GREENERY CUT DOWN AS IT IS.

DO NOT CUT

Name/Agency:

Address:

Phone:

Email:

Date:

MICHAEL E. HALLER WATSON
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7/5/22

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

THOSE TREES DOWN!