

Bryce Bishop

From: Roz Shirack <rozshirack7@gmail.com>
Sent: Monday, July 17, 2023 7:30 AM
To: Bryce Bishop
Cc: vjdodier@teleport.com
Subject: Comments on Hunsaker Dental Case No. SPR-ADJ-DAP23-24.

Hi Bryce,

The SCAN Land Use Committee has reviewed the Hunsaker Dental site plan and requested adjustments (Case No. SPR-ADJ-DAP23-24). The Committee supports 3 of the 7 requested adjustments as follows:

a) Increase the maximum setback for the proposed building abutting Kearney Street S from 0 ft. to 10 ft. (SRC 533.015(c)). Support. This provides the desired patient privacy and adds additional landscaping along the sidewalk that is pedestrian-friendly.

b) Allow less than 75 percent of the street frontage of the lot abutting Commercial Street SE to be occupied by the building placed at the setback line (SRC 533.015(d)). Support. This is primarily for patient privacy and recognizes that most pedestrians will not be coming into the building for commercial or residency purposes.

c) Reduce the minimum required ground floor height of the proposed building from 14 ft. to 9 ft. (SRC 533.015(h)). Support. The applicant documented many types of large buildings in Salem that have 10-foot ground floors. A 14-foot ceiling is not needed or appropriate for the dental office. A 9-foot ceiling will not prevent other uses in the future, is more pedestrian-friendly, and allows the overall 3-story building to be lower. The Committee also recently supported the 10-ft ground floor height for the Cozy Residential manager's office on Bush St (also in the MU-I zone).

d) Allow the proposed building to include less than a minimum of 65 percent transparent windows on the ground floor facades facing Commercial Street SE and Kearney Street S (SRC 533.015(h)). Oppose. Ground floor windows are an important feature of pedestrian-friendly architecture encouraged by the MU-I zone. If the 10-foot setback along Kearney St is approved, then windows are less of a privacy concern along that façade. The applicant can meet the window standard and control patient privacy with interior blinds and lighting.

e) Allow less than 75 percent of the ground floor facades of the proposed building adjacent to Commercial Street SE and Kearney Street S to include weather protection in the form of awnings or canopies (SRC 533.015(h)). Oppose. Weather protection is an important feature of pedestrian-friendly architecture encouraged by the MU-I zone, and 75% coverage is reasonable. However, if the requested 10-ft setback along Kearney is approved, then there is no reason to have awnings along the Kearney façade, because they would not cover the sidewalk.

f) Allow the proposed development, which is located on a corner lot abutting a local street, to take access to Commercial Street SE (the street with the higher street classification) rather than solely to Kearney Street S (the street with the lower street classification) (SRC 804.035(c)(2)). Oppose. No driveway onto Commercial St, as required in the code, is safer for traffic and pedestrians, given the existing ARCO gas station driveway north of the proposed driveway. Also, drivers exiting a driveway on Commercial St. will be looking north at upstream traffic and may not see pedestrians approaching from the south. The code allows this site plan to

have one driveway onto Kearney St. The parking lot is large enough to allow vehicle maneuvering in and out of that one driveway.

g) Allow the proposed driveway approach onto Commercial Street SE to be located less than the minimum required 370-foot spacing from the intersection of Kearney Street S and nearest driveway to the north of the subject property on Commercial Street SE (SRC 804.035(d)). Oppose, as stated in f).

A Class 2 Driveway Approach Permit for the proposed driveway approaches serving the development onto Commercial Street SE and Kearney Street S. The Committee opposes the Commercial St driveway permit, but supports the Kearney St driveway permit.

Other comments:

The Committee notes that if dental offices are located on the 2nd or 3rd floors, it would avoid all of the patient privacy concerns that drive many of the adjustment requests. The applicant does not address why the dental office must be located only on the ground floor.

The general challenge with this site plan is that outpatient medical offices are permitted uses in the MU-I zone, but the specific operational needs for a dental office, primarily patient privacy, are not a good fit for the zone's development standards, hence the high number of adjustments requested. We recommend Council reconsider the uses allowed in the mixed use zones and target commercial and residential uses that best meet the purpose of those zones; or use less prescriptive development standards that apply to the broad range of uses currently allowed in those zones.

We agree with staff that the current MU-I zone development standards apply to this site plan, even though the (incomplete) development plans were submitted in August 2022 before the zone was changed from CR to MU-I.

Thank you,
Roz Shirack, Chair
SCAN Land Use Committee

Bryce Bishop

From: Roz Shirack <rozshirack7@gmail.com>
Sent: Tuesday, July 18, 2023 10:26 AM
To: Bryce Bishop
Cc: vjdodier@teleport.com
Subject: Re: Comments on Hunsaker Dental Case No. SPR-ADJ-DAP23-24.

Good Morning Bryce,

The SCAN Land Use Committee remains unanimously opposed to a driveway on Commercial St SE, even if it were entrance only.

That block immediately south of Mission St is already hazardous with two lanes of west-bound traffic on Mission St turning left (south) onto Commercial St plus east-bound traffic on Mission St turning right (south) onto Commercial on the same green light, and then jockeying between the three south bound lanes on Commercial St. Plus there is the ARCO driveway onto Commercial St where drivers are looking north at upstream traffic looking for a break to turn right (south). All of this increases the risk to pedestrians. A slow down to turn right into the dental office parking lot will also increase risk to drivers.

Providing a driveway, even an entrance only, conflicts with the purpose of the MU-I zone, current Public Works policy, and the goals of Council to create walkable, pedestrian-friendly mixed use neighborhoods. It also conflicts with the purpose of locating mixed use zones along the core transit network. Locating driveways onto Commercial St. crowds out space for bus stops and pull-ins that will need to be located more frequently along Commercial St.

The massive mixed use rezoning along Commercial St is an experiment. It needs to be supported with a package of standards and traffic controls that give pedestrians precedence over vehicles, and are enforced. Otherwise, the increase in housing and commercial density may have the

unintended consequence of increasing traffic congestion without achieving the goals of walkable neighborhoods and greenhouse gas reduction.

Thank you for your question and the opportunity to respond in more detail. I trust you will be able to consider our comments even though they are after the comment deadline.

Roz Shirack, Chair
SCAN Land Use Committee

On Mon, Jul 17, 2023 at 6:19 PM Roz Shirack <rozshirack7@gmail.com> wrote:

The Land Use Committee did not previously discuss that option, so I am polling them. I'll send our response tomorrow morning so a few more can weigh in, but so far it is 6-0 to continue to oppose a driveway onto Commercial, even if it is entrance only. There are good reasons for our opposition, which I will send tomorrow, but one is the long standing Public Works policy to not allow new driveways onto Commercial St. (and other arterials). The Mission/Commercial intersection is already a messy intersection that has a lot of lane switching on Commercial just south of Mission. More to come ...

Roz

On Mon, Jul 17, 2023 at 9:09 AM Bryce Bishop <BBishop@cityofsalem.net> wrote:

Good Morning Roz,

Thank you for the comments. In regard to the requested driveway onto Commercial Street, would the concerns about access be addressed if the driveway were instead conditioned to be an entrance only driveway?

Thanks,

Bryce

Bryce Bishop

From: HPPG <scanparks2023@gmail.com>
Sent: Sunday, July 16, 2023 11:41 AM
To: Bryce Bishop
Cc: Shelby Guizar
Subject: Comments - Case No. SPR-ADJ-DAP23-24 for 835 to 887 Commercial Street SE and 840 to 890 Saginaw Street S

Thank you for the opportunity to comment.

Concur with Class 2 Adjustments (a)-(e).

2 (d) follows common sense and the adjustment meets the true circumstances of Commercial St SE: heavy traffic and congestion.

Request the landscaping and facade facing Saginaw Street be compatible, well maintained, attractive year around and supportive of the historical context of the area. The area has been determined to be eligible for designation as a National Historic District.

On Saginaw Street are National Register of Historic Places properties (Minto houses, Daue House).

MU zoning allows residential units. Essentially, the project is a commercial office building.

This is the third case in SCAN since 2019 where the opportunity to support residential housing is being sidestepped. Following a pattern for skirting the intent of the zoning, tilt to commercial. A disappointment.

Mr. Ped is a fine architect. Wish Mr. Ped, a successful, attractive project.

Again, I ask the property owner to please maintain the appearance of the grounds, landscaping and complex well. This is a proximity with a stand out mid-19th century-early 20th century building of local, state and national significance.

I would ask the design also be particularly mindful, careful not to have vehicle lights and lighting intrusion into the adjacent properties on Saginaw and Kearney.

We had the experience on Church Street SE where parking lights and building night light were flooding homes following Salem Hospital construction of a rehab pool.

Light flooding was considered, unfortunately, only afterwards by the architect and grounds design. Until modifications and operational hours were refined, light was flooding into the living rooms of some homes.

Jon Christenson MURP

Bryce Bishop

From: HPPG <scanparks2023@gmail.com>
Sent: Sunday, July 16, 2023 12:38 PM
To: Bryce Bishop
Cc: Shelby Guizar
Subject: Clarification: Re: Comments - Case No. SPR-ADJ-DAP23-24 for 835 to 887 Commercial Street SE and 840 to 890 Saginaw Street S

On 2 (d): support for the reduction on facade facing Commercial Street: South Commercial is visually, very unfriendly, cramped with cars, at times heavy speeding traffic:

not the case on Kearny Street: specific types of blinds/shades could address the legitimate needed privacy concern for patients, providers:

reasonable/applicable - adjustable blinds were used at the pediatric dental office at Rural & 2020 Commercial SE. Allowed natural light and privacy.

An example of the visual intrusion/observation into dental care is, has been at dental offices/dental chair window at Vista & South Commercial (into the building on the south side as one drives up eastward from the intersection light).

The concern of visual intrusion/need for privacy is real.

Following the standard on Kearney creates more compatibility with nearby structures and residences. (Yet I can understand Mr. Ped's possible intent for uniformity on Commercial and Kearney).

Thank you.

Regards.

Jon Christenson

Bryce Bishop

From: Evan West <evanwest714@gmail.com>
Sent: Monday, July 17, 2023 9:58 AM
To: Bryce Bishop
Subject: Comments on Hunsaker Dental Case No. SPR-ADJ-DAP23-24

Dear Mr. Bishop,

The application submitted regarding Case No. SPR-ADJ-DAP23-24 should be returned to the applicant for rework. The variances requested are incompatible with the intentions of MU I zoning. The applicant is arguing that, because their property was purchased while it was zoned commercial, they should be allowed to construct a fully commercial building. To allow this request to proceed would establish a damaging precedent in our own community, and would run counter to nationwide legal precedent. Please reject the application as it stands, returning it to the applicant to rework their variance requests so that it matches the requirements of the MU I zoning.

I am happy to answer any questions you might have. Thank you.

Sincerely,

Evan West

--

Evan West, M.A.

He/Him/His

970-980-1445

evanwest714@gmail.com

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 2 Driveway Approach Permit Case No. SPR-ADJ-DAP23-24

PROJECT ADDRESS: 835 to 887 Commercial Street SE and 840 to 890 Saginaw Street S

AMANDA Application No.: 22-117603-PLN

COMMENT PERIOD ENDS: Monday, July 17, 2023 at 5:00 PM

SUMMARY: Proposed new 31,814 square-foot, three-story, medical/office building with associated site improvements and off-street parking.

REQUEST: A consolidated application for a proposed new 31,814 square-foot, three-story, medical/office building with associated site improvements and off-street parking. The application includes:

- 1) A Class 3 Site Plan Review for the proposed development;
- 2) A Class 2 Adjustment to:
 - a) Increase the maximum setback for the proposed building abutting Kearney Street S from 0 ft. to 10 ft. (SRC 533.015(c));
 - b) Allow less than 75 percent of the street frontage of the lot abutting Commercial Street SE to be occupied by building placed at the setback line (SRC 533.015(d));
 - c) Reduce the minimum required ground floor height of the proposed building from 14 ft. to 9 ft. (SRC 533.015(h));
 - d) Allow the proposed building to include less than a minimum of 65 percent transparent windows on the ground floor facades facing Commercial Street SE and Kearney Street S (SRC 533.015(h));
 - e) Allow less than 75 percent of the ground floor facades of the proposed building adjacent to Commercial Street SE and Kearney Street S to include weather protection in the form of awnings or canopies (SRC 533.015(h));
 - f) Allow the proposed development, which is located on a corner lot abutting a local street, to take access to Commercial Street SE (the street with the higher street classification) rather than solely to Kearney Street S (the street with the lower street classification) (SRC 804.035(c)(2)); and
 - g) Allow the proposed driveway approach onto Commercial Street SE to be located less than the minimum required 370-foot spacing from the intersection of Kearney Street S and nearest driveway to the north of the subject property on Commercial Street SE (SRC 804.035(d)); and
- 3) A Class 2 Driveway Approach Permit for the proposed driveway approaches serving the development onto Commercial Street SE and Kearney Street S.

The subject property totals approximately 1.42 acres in size, is zoned MU-I (Mixed-Use-I) and partially within the Saginaw Street Overlay Zone, and located at 835 to 887 Commercial Street SE and 840 to 890 Saginaw Street S (Marion County Assessor Map and Tax Lot Numbers: 073W27CA08900, 073W27CA09000, 073W27CA11200, 073W27CA11300, 073W27CA11400, and 073W27CA11500).

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, JULY 17, 2023, 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: Bryce Bishop, Planner III, City of Salem, Planning Division; 555 Liberty St SE, Room 305, Salem, OR 97301; Phone: 503-540-2399; E-Mail: bbishop@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: _____

see Attached Letter.

Name/Agency: Lacenie Hubbell-Smita, DC
Address: 830 Seaside St. S. Salem, OR 97302
Phone: (503) 798-6272
Email: Stacy.Hornet@notmail.com
Date: 7/17/2023

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

Laurie Hubbell-Smith, DC
830 Saginaw Street South
Salem, Oregon 97302

City Of Salem Planning Division
555 Liberty ST. SE
Room 305
Salem, Oregon 97301

July 17, 2023

RE: Notice of Filing
Case Number: SPR-ADJ-DAP23-24

Attention: Bryce Bishop, Planner III

Dear Sir,

My immediate concern is the preservation of my property that is being encroached by current Planting Of a Blue Spruce tree, half dead, a Cedar type tree planted 2-3 years ago that is putting pressure on my southern fence, with roots that can cross the south boundary of my property, and a banana tree that has already invaded my property. I need this addressed immediately. I would request that only ground cover or low elevation bushes be used along the southern border of my property.

I did not see a traffic survey included in your packet. Parking is an issue in this neighborhood. My entrance into my private parking lot is often hard to navigate for myself and for patients due to parking issues from both the meridian building and surrounding business to include down town businesses. I do note that there will be 109 parking spaces on site. That is good. However, does this consider the number of employees and businesses who will also require parking in the same parking lot who work on site.

In addition, I have observed for 13 years as a small business woman the intersection of Mission and Commercial is not a safe corridor. Cars that are trying to turn right from east bound Mission onto south bound Commercial are being blocked by cars traveling west bound turning left from 2 lanes disregarding the rule of right away. Meaning the person on the right legally has the right away. I strongly suggest a 3 way signal system should be utilized.

The other traffic issue is the Commercial entrance onto said property. The AM/PM gas station' Commercial driveway also impacts the above safety of the Commercial/Mission Intersection. My concern is the new driveway for said site will not only impact traffic flow on Commercial but also the Kearney Street/Commercial intersection. This area is already impacted by cross traffic at that intersection. An additional drive way is not necessary since a driveway off Kearney appears to be adequate for said property. Maybe the older previous city planners had the right idea when Kwans restaurant was built.

I can tell you in closing the House/Office I own was built in 1910, when it was a peaceful neighborhood. That land of the new Dentist Office was a vacant area of land. Imagine that, if you can. I think the building will be a beautiful addition to the neighborhood. But as an immediate neighbor I respectfully

ask that you as the planner do your due diligence, and consider my immediate concerns as stated previously in this letter regarding proper land use concerns. I look forward to your response to my concerns.

Sincerely,

A handwritten signature in cursive script, reading "Laurie Hubbell-Smith, DC". The signature is written in dark ink and is positioned above the printed name.

Laurie Hubbell-Smith, DC
Doctor of Chiropractic
Small business woman
Property owner.

REQUEST FOR COMMENTS

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REGARDING: Class 3 Site Plan Review/ Class 2 Adjustment/ Class 2 Driveway Approach Permit Case No. SPR-ADJ-DAP23-24

PROJECT ADDRESS: 835 to 887 Commercial Street SE and 840 to 890 Saginaw Street S

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 - g) Allow the proposed driveway approach onto Commercial Street SE to be located less than the minimum required 370-foot spacing from the intersection of Kearney Street S and nearest driveway to the north of the subject property on Commercial Street SE (SRC 804.035(d)); and
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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: _____

*I oppose this development as designed
and the proposed exceptions. Please see
details attached.*

Name/Agency: S Carlson

Address: 777 Commercial St SE, Salem 97301

Phone: _____

Email: _____

Date: 7/17/23

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

Case No SPR-ADJ-DAP23-29

835-887 Commercial St SE

840-890 Saginaw St S.

7/17/23

Bryce Bishop
City of Salem Planning

Thank you for the opportunity to review & comment. I have reviewed the application and oppose this development and each of the proposed exceptions.

Commercial St provides one of Salem's best locations to increase housing supply and in turn reduce housing pressures and people living unsheltered. Salem is the 9th worst city in the US for housing shortage, with 10,000 units short of the need and getting worse. This building provides no solutions, ~~providing~~ taking a key parcel and providing ~~no~~ give-aways for a building that offers little for an evolving community. This building is fashioned as 1950's development, featuring too much surface parking, more unsafe driveways onto Commercial and not enough interaction with the street, making this a worse (or at least similar) area to live and walk around. Drivers from Mission will have to cross 1-2 lanes of traffic, slow down, and zip across

the sidewalk to access the building.

I walk here all the time, I can see this parcel from my window, and I would like to see a large, mixed use residential/commercial and pedestrian friendly building here. This proposal is ^{not consistent with} ~~not consistent with~~ the intent of Governor Kotik, state and local agencies, and most Oregonian's goals to increase housing and reduce greenhouse gas emissions by creating more walkable cities.

The property owner certainly has rights to choose their own design, within state and local climate friendly, equitable mandates and goals.

Please work with them to reduce exceptions and design to these goals.