

**From:** [Bill Holmstrom](#)  
**To:** [CityRecorder](#)  
**Cc:** [Therese Holmstrom](#); [Austin Ross](#)  
**Subject:** Public Comment for September 25 City Council Meeting  
**Date:** Monday, September 25, 2023 4:21:33 PM  
**Attachments:** [Support removal of overlays.pdf](#)

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Please see the attached letter for tonight's city council meeting.

Thanks,  
-Bill Holmstrom

Therese and Bill Holmstrom  
350 Hoyt Street SE  
Salem, OR 97302

September 25, 2023

City Council  
City of Salem  
555 Liberty Street SE  
Salem, OR 97301

Via Email: [cityrecorder@cityofsalem.net](mailto:cityrecorder@cityofsalem.net)

Re: Support of removal of the Hoyt/McGilchrist Overlay Zone

Dear Mayor and City Council,

We are Therese and Bill Holmstrom, we live in and own a home in the SCAN neighborhood. Our home is directly across West Nob Hill Street SE from property that would be affected by the proposed removal of the Hoyt/McGilchrist Overlay Zone.

We support the removal of this overlay zone and the removal of the other overlay zones, as proposed.

We support the continued redevelopment of the city, including along the South Commercial Street corridor. The proposed changes will allow a wider range of mixed-use development to be built in these areas. The South Commercial Street corridor is part of the community's core network of transit routes, with the highest level of transit available in the community.

We believe the proposed changes are positive for our neighborhood, and may bring more neighbors and energy. We feel any potential detrimental effects to us or our current neighbors would be outweighed by the potential benefits for the neighborhood, our new neighbors, and the community.

Along with other land use changes recently adopted by the city, the proposed changes are a necessary and positive step toward making our community a more vibrant place to live, work, and go to school.

Sincerely,

/s/

Therese and Bill Holmstrom

**From:** [Beverly Loos](#)  
**To:** [CityRecorder](#)  
**Subject:** Planning Case No. CA23-02 Proposal to eliminate five overlay zones in Ward 2  
**Date:** Monday, September 25, 2023 11:11:53 AM

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Dear Councilor Nishioka,

Our home will be directly impacted if this proposal goes through, as we live on West Nob Hill. We have lived in our home for 32 years. Our home was built in 1927. When we bought the home, it needed significant repairs, as it had previously been a rental. We invested significant effort to live on a limited income so that we could pay our home off prior to retiring. In the past 32 years, we have also invested significant personal time and sweat repairing and maintaining this old house, while raising our four children as they attended the local schools. Now we have grandchildren and great grandchildren. We have made years of family memories that we treasure in every part of this house, including a time capsule placed in the 90's under our bathtub, cramming 20+ people at table for Thanksgivings and Christmases and birthdays and little footprints on the cement floor from painting in the basement. Memories of grandchildren carrying baskets of vegetables in the house, and loving on the dogs are precious.

I have been a Master Gardener for the past 10 years. I grow blueberries and currants and figs in the front yard, which I share with the neighborhood birds, many of whom nest in the big trees across the street. The scrub jays call to us for peanuts when we walk out of the house. I grow a vegetable garden in our back yard to help us with food, as well as sharing that with the local wildlife. Last year I nurtured a baby Virginia Opossum that had fallen from its mother in our garden until it was big enough to venture out on its own. I am a member of the National Wildlife Foundation and have a certified bird habitat also in our back yard.

We are not wealthy. We are getting older now, and are watching our previous work friends and their spouses pass away. We are beginning to experience more mobility issues than before. The possibility of moving from our home and memories at this stage in life is certainly frightening and difficult to fathom.

Our home would be affected by this change in many ways. The sun on our front yard bushes would be completely eliminated except for a few hours per day. That would be insufficient to maintain my fruit. The shade from a high rise building would also further limit the amount of sun on my vegetable garden. If the trees across the street were cut down, our neighborhood birds would suffer. Our view from our front yard would be replaced with an enormous building. Parking on our narrow old street would be continually congested making getting in and out of our driveway problematic, and trash collection difficult. The increase in population would likely increase crime in our neighborhood. We would never again see a sunset from our home.

Please do not approve this change.

Sincerely,

Beverly and David Loos  
2350 W. Nob Hill Street SE  
Salem, OR 97302

**From:** [darcychris777@gmail.com](mailto:darcychris777@gmail.com)  
**To:** [CityRecorder](#)  
**Subject:** Zoning overlays in SCAN area  
**Date:** Monday, September 25, 2023 3:58:42 PM

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I join with my neighbors and SCAN neighborhood association in supporting a 35' height limit in the overlay zones under consideration. Many of us appreciate the City's long-term goals for more and more affordable housing and mixed use development that take advantage of available open space. A 35' common sense maximum building height requirement supports these goals of the city.

SCAN includes a number of designated historic districts, and a large portion of the Fairmount Hill neighborhood has been surveyed and is National Register for Historic Places eligible. Yes, a number of historic homes here are local and national landmarks due to their architectural and historic significance. But historic buildings are scattered throughout SCAN and the rest of Salem – and tell the story of the state of Oregon. They are the former homes of tradespeople, small business owners and artists and writers and are important to more than just our neighborhood. They don't only reflect wealth, and have many stories to tell.

Taking the right steps to protecting the historic character of the Fairmount and Nob Hill neighborhoods does not stonewall or otherwise prevent community development. Actually, preservation is a useful tool in promoting tourism, housing stability, climate resilience and racial justice. -- These are the preservation priorities of the National Trust for Historic Preservation, the national thought leader on preserving the built environments of Americans of all backgrounds and eras.

Historic designation is a cumbersome process. It can and usually does take years, and comes with costs. There are many historic places in our community that are not designated landmarks because of these barriers.

I look forward to the upcoming discussions in the greater SCAN neighborhood that will look into the history of all areas that it serves. In the meantime, I urge you to maintain the 35' height limit for the overlay zones you will consider tonight.

Thank you.

Christine D'Arcy  
Ward 2

(Neighbor to the former Hebel family house, built in 1921. Mr. Hebel founded the famous Cherry-Bud Band, a brass band that started out as an activity for boys in East Salem and became acclaimed for its smart uniforms and presence at Salem's patriotic parades and events.)

503/510-3633  
[darcychris777@gmail.com](mailto:darcychris777@gmail.com)

**From:** [CAROL SNYDER](#)  
**To:** [CityRecorder](#)  
**Subject:** Comments for Council Meeting 9/25/23, Agenda item 5.a  
**Date:** Monday, September 25, 2023 3:17:03 PM

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Dear Mayor Hoy and City Council =

I'm Carol Snyder, and I reside in an apartment complex in the SCAN neighborhood in Ward 2.

I am writing in opposition to the removal of the overlay zones in SCAN, particularly to the allowing of buildings taller than 35' in a residential neighborhood.

As an apartment dweller myself, I certainly favor multi-family dwellings throughout all neighborhoods, but at a smaller scale than 55'. Tall buildings are fine for downtown, but not for residential neighborhoods.

As a related note, I do hope that as we add more density to our city, which we must, we will also add more parks - to replace the green space we call yards.

Thank you for all your time and effort on behalf of Salem.

Carol Snyder

**From:** [Chris Hoy](#)  
**To:** [CityRecorder](#)  
**Subject:** FW: Overlay Zones Case 23-02 CA: Deliberations  
**Date:** Monday, September 25, 2023 4:45:25 PM

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**From:** HPPG <[scanparks2023@gmail.com](mailto:scanparks2023@gmail.com)>  
**Sent:** Monday, September 25, 2023 4:44 PM  
**To:** Trevor Phillips <[TPhillips@cityofsalem.net](mailto:TPhillips@cityofsalem.net)>  
**Cc:** Chris Hoy <[CHoy@cityofsalem.net](mailto:CHoy@cityofsalem.net)>; Vanessa Nordyke <[VNordyke@cityofsalem.net](mailto:VNordyke@cityofsalem.net)>  
**Subject:** Re: Overlay Zones Case 23-02 CA: Deliberations

correction: the word "downtown" should be downward.

I have seen the flooding first hand, myself. And I talked to Aaron Panko, Planner III who is one of the best. And, I asked, "Aaron, did you go to the site?" And he said no. The slope, the height were causing surges of water going to Nob Hill: car lights were going into 2nd floor bedrooms: and that is my concern, land use planning by most of the people who are pushing paper, are not actually looking to what is on the ground, either at the base of Fairmount, not taking the time to look, research inventories (beginning with the initial Goal 5 Inventory in 1984 - which identified National Register properties and resources of value), not walking, looking at slope towards West Nob Hill or the visual context of Pioneer Cemetery - which was once rural, modeled after the famous Mt. Auburn design concept in Boston (Cambridge-Watertown). Height should be moderated to account for slope, context, a City's legacy and significant cultural, historic and architectural features, respect for the continuum of a State Capital. Ours is just a short time on a larger continuum.

Jon

On Mon, Sep 25, 2023 at 3:56 PM HPPG <[scanparks2023@gmail.com](mailto:scanparks2023@gmail.com)> wrote:

Dr. Phillips, Councilor,

Word on the street is you may flip in your support for the Overlay Zones in south central Salem. From your previous vote, in asking for reconsideration of an earlier decision to let it be.

Allow me to be very straightforward. I will try to be brief.

**The recommendation that you have received from Roz Shirack, Chair of the SCAN Land Use Committee, is solid.**

Roz is a walking encyclopedia on land use, modest, analytical, thorough, former president of the Marion-Polk Counties League of Women Voters, experienced in land use analysis for years since 1977, when Roz served as a economist land use professional staff at the Oregon Department of Land Conservation & Development (DLCD). At her core, in land use, Roz leads and follows code, criteria, application and purpose. Recently, I am sure you are aware, Roz received a prestigious

award from Council, following years of volunteer service on the Budget Committee.

Our family strongly supports the recommendation, of the SCAN Land Use Committee to you -- and members of Council, to the Mayor, -- that the five Overlay Zones be retained.

The overlay zones provide moderation to height, -- in and adjacent to valued historic, architectural and cultural resources, and to address the severe downtown slope on south Commercial to West Nob Hill Street (Overlay Zones 1, 2, 4, 5). Moderation of the building height on south Commercial also mitigates mass overshadowing of nearby residences from structures over 35 feet. West Nob Hill swoops up and down.

Also street flooding has occurred from development, from S Commercial towards West Nob Hill Street, downward on Jerris Street. The slope is there. And Community Development staff permitted the building without looking at the site or slope. There was not any consideration of car lights from elevated Commercial Street accessed parking into the 2nd bedrooms of homes. Height moderation is a very serious consideration in protecting street level livability. Homes from shadowing, light and visual intrusion, even more so on steep terrain.

Contextually, height moderation (**Overlay Zones 4 and 5**) also respects the east perimeter of the Historic 19th century **Pioneer Cemetery in Ward 7**, -- by associations, the most historic National Register site in Salem except for the State Capitol.

The east horizon view, sun rising from the Cemetery is very important, symbolically to the Christian Faith, certainly was in the 1800s, of the Resurrection of Christ.

**Overlay Zone 1** moderates height at the edge of Fairmount, a National Register eligible area for district recognition.

**Overlay Zone 2** moderates height in an area of residence built structures of state and national significance (Minto Houses, Assistance League of Salem Daue House). The State of Oregon - State Historic Preservation Office - informed the City decades ago, this area was eligible for national recognition as a historic district. The SHPO opposed a high communications tower. The earliest Minto house dates back to the 1860s.

Part of why the September 25 Staff report has no citizen comment, I would submit to you, Councilor Phillips, -- is **because** -- from the very beginning, in subsequent meetings with the SCAN Land Use Committee, with the SCAN Board, -- from Austin Ross, also in the flyer, that was sent out by Community Development Department, the tone and the message was clear, "**..this is a done deal.**" Look at the flyer that Community Development put together. The actual building height that will be allowed, did not even include a footage. It all seem like a done deal.

### **June 26, 2023 Staff Report**

Absent from the Staff report on June 26, 2023, at which you were expected to ratify the change, -

-- is not a word on the known historic, architectural and cultural resources, and context that would be impacted.

Not a word on slope of the land. Not an analytical drop on potential street flooding, which actually did occur on Jerris Street towards West Nob Hill Street from an office and elevated parking lot built on S. Commercial.

**If you had a Medical Assistant who did not take and report Vital Signs, you would probably can him or her. Or look for somebody else. Look for someone who is going to tell you.** In June, you never got the Vital Signs from Staff, why the Overlays, height moderation, improve livability, protection of the cultural legacy of the City were sought. and placed in the beginning.

### **How This Motion Moved in November 2022**

Pushed at a time by Councilor Virginia Stapleton when Councilor Nishioka (Ward 2) had just been appointed when Tom (Andersen) went to the Legislature. Inexperienced, new to Council. There had been virtually no time for Linda to confer with her constituents when Councilor Stapleton set change in Motion or to assess actual purpose of the Overlays or what was on the ground.

7 months later, you received a report from Staff that still did not acknowledge citizen concerns for important historic, architectural or cultural resources and context, streetscape, the **goals of the Salem Comprehensive Plan (Section # 16, CS-3) on LCDC Goal 5** or the objective in the City's **2020-2030 Historic Preservation Plan** adopted by Council, to "work with neighborhoods to identify" affected resources. The report you have today does not identify those policies. ORS 197.763 recommends policies be identified in quasi-legislative hearings. Excellence should insist such integrative land use policies and goals come forward from Planning staff.

Keeping the current Overlays does not require more staff. It does not require additional budget,

Please don't swallow every pill, supplement that you get. This is the Virginia Stapleton Supplement that is not needed.

Governor Atiyeh wisely said, "*if it ain't broke, don't fix it.*" The current Overlays achieve, without cost or additional staffing or bureaucratic maze, the goals of protection, livability and common sense.

Roz is speaking truth to authority. So is Evan West. And Lorrie Walker. Lorrie ain't no prima donna. She know needs on the street. The plight of the homeless, And what binds community, a socially economically diverse neighborhood.

Thank you for the opportunity to provide comment, feedback.

I admire any ER Doc who takes time to engage in City government. Three in my family practice medicine. Thank you for your service.

Respectfully,



Jon Christenson MURP

PO Box 534

Salem, Oregon 97309

**From:** [lorrie walker](#)  
**To:** [citycouncil](#); [CityRecorder](#); [Chris Hoy](#); [Trevor Womack](#); [lorrie walker](#)  
**Subject:** Fwd: Comments on SCAN Overlay Zones / 5.a on 9/25 Agenda  
**Date:** Monday, September 25, 2023 2:06:00 PM

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Mayor Hoy, City Council,

Good Evening. For the record I am Lorrie Walker. I reside in Ward 2. I am not speaking on behalf of SCAN. I am speaking as a 40-year plus year resident of SCAN.

I was and am concerned regarding negative comments by a few councilors about SCAN in the July 26th council meeting. Comments implied that we think we are special. I think we are representative of all people living in Salem.

We are humble, working class, professional and retired people. Some with children. Some raising grandchildren. Some own homes. Some rent.

Half the children at McKinley Elementary school are on free or assisted lunches. We are economically and racially diverse.

On my street we have a close community. We talk, walk, bike, share fruit and vegetables. We have a family from Ethiopia who have a group home for disabled adults. One woman teaches sewing classes in her home. Children attend local schools. We have two separate apartment buildings of over 10 units.

We have construction workers, hardware workers, retirees. Retirees who volunteer all over the city at the library, food banks, hospital, to name a few.

Just over a block away is St Francis Family Transitional Housing. Over 20 units. Awesome neighbors.

I personally volunteer with unhoused in the Salem area. Mentally ill, disabled, addicts, warming shelters, Arches, provide food and more. Many are former patients of mine from the state hospital. I rec'd the Willard C Marshall award in 2018 for my volunteer services. Salem has many awesome volunteers from SCAN and all over Salem who care deeply about our city and all of our citizens.

People who send in emails, come into council to testify are the voices of reason about livability in our neighborhoods. We embrace progress. We are passionate about our investments in this city. We are also concerned about disruption to livability in regard to overlay zones.

We need careful, thoughtful planning, preservation of neighborhoods throughout Salem. This should be given a very high priority by counsel and city staff. Common sense planning for all of Salem.

I respectfully urge council to support our neighbors and neighborhood livability by retaining overlay zones in SCAN and a 35 foot height requirement.

Respectfully,

Lorrie Walker

SCAN Neighbor, Advocate, Legal Guardian

[dakotalor@msn.com](mailto:dakotalor@msn.com)

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**From:** [Marissa Theve](#)  
**To:** [CityRecorder](#); [citycouncil](#)  
**Subject:** September 25th 2023 Salem City Council meeting agenda item 5a  
**Date:** Monday, September 25, 2023 10:32:48 AM

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Dear Mayor and Salem City Councilors,  
For the same reasons mentioned in my July 10th testimony, I continue to support removing all the special residential overlays (height restrictions) fairly throughout the City.

- I don't believe the privilege of sunlight access near downtown in the second largest city in Oregon overrides our dire need for denser housing within the urban growth boundary. Nearly half (46%) of Salem residents rent vs. own and are in need of a rental market that supplies enough units to keep market rate rents in check. Two thirds of people who work in Salem commute in because they cannot afford to live closer to their places of work due to a lack of housing options.
- Height restrictions make housing more expensive per unit.
- Height restrictions arbitrarily cap the future tax revenue on a property (consider the [Strong Towns approach](#) of building growth into zoning).
- I believe urban community gardening makes most sense on rooftops, rights of way, and other underutilized spaces. The point of UGBs is to preserve farmland and natural areas outside of cities.

I urge you all to consider the commitments made during the adoption of Our Salem and the Climate Action Plan like creating a more walkable/bikeable/rollable/scootable and equitable city. Luxury what-abouts (gardens, historic preservation, “human-scaled architecture”) aside, special height restrictions reduce our ability to achieve those goals. Allowing change is hard when it’s in your own backyard, but the greater good calls for us all to do hard things.

Thank you for the opportunity to provide this comment,  
Marissa  
Ward 1, Grant Neighborhood, 97301

Link: <https://www.strongtowns.org/>

Data source: Our Salem

<https://www.cityofsalem.net/home/showpublisheddocument/5142/637969534610430000>

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Marissa Theve (*ma-RIS-uh Tev*)

Pronouns: she/her/hers

**From:** [Peter Bergel](#)  
**To:** [CityRecorder](#)  
**Subject:** Testimony for tonight's City Council Meeting  
**Date:** Monday, September 25, 2023 11:50:41 AM

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## Testimony of Peter Bergel 9/25/23

Good evening Mr. Mayor and Members of the Council,

My name is Peter Bergel and I live at 1850 Saginaw St., a property that is directly affected by Staff's proposal to remove the zoning overlays.

I recently had a conversation with Councilor Stapleton in which she explained that her support for this proposal was based largely on equity issues. Specifically, she believes that greater density tends to be coupled with poorer access to services and therefore equity demands that greater density be shared by all neighborhoods, not just a few.

But there are other counter-balancing equity issues involved here. I understand the City put the overlays in place originally when Commercial was widened to assure residents that the character of their residential neighborhood would not be degraded by tall buildings along Commercial Street. Those who have moved into the neighborhood since then have relied on that assurance. The City's plan to now remove that protection is an injustice to those who currently live there.

Furthermore, according to Suzanne H. Crowhurst Lennard, co-founder and director of the Making Cities Livable International Council, "the construction industry is a powerful engine for fueling economic development. Tall buildings offer increased profits for developers. However, the higher a building rises, the more expensive is the construction. Thus, the tallest buildings tend to be luxury units, often for global investors... In this way, they increase inequality." -

<https://www.smartcitiesdive.com/ex/sustainablecitiescollective/7-reasons-why-high-rises-kill-livability/561536/>

Indeed, Councilor Nishioka has said words to the effect that we have to let the buildings be big enough to make it worthwhile for contractors to build them.

We do not want to have the quality of our neighborhood determined by its potential profitability to developers.

Additionally, Lennard says, high-rise buildings are built largely of steel and concrete and are less sustainable than low rise and mid-rise buildings built largely of wood; steel and concrete produce a lot of greenhouse gases. Wood traps them. Concrete is 10 times more greenhouse gas-intensive than wood.

I realize that Councilor Nishioka is suggesting that we might be able to retain our protection against tall buildings by becoming a Historic District. That iffy prospect is not what the neighborhood wants. Instead, **we ask that Council simply institute a height limit of 35' in ALL residential neighborhoods to preserve their human scale and livability.**

I completely support the Council's goal of increasing density in order to protect the Urban Growth Boundary, but greater density can be achieved within the height limit we propose. And indeed, if equity is a goal, smaller, less expensive units ought to be preferred.

Thank you for your attention.

Sent from [Mail](#) for Windows