

# NOTICE OF DECISION

PLANNING DIVISION  
555 LIBERTY ST. SE, RM 305  
SALEM, OREGON 97301  
PHONE: 503-588-6173  
FAX: 503-588-6005



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

## DECISION OF THE PLANNING ADMINISTRATOR

**TREE REGULATION VARIANCE CASE NO.: TRV22-02**

**APPLICATION NO.: 22-101953-NR**

**NOTICE OF DECISION DATE:** July 15, 2022

**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).

**APPLICANT:** Sam Thomas, Lenity Architecture Inc. on behalf of Scott Martin Construction LLC (Scott Martin)

**LOCATION:** 2499, 2501, 2519, and 2551 Wallace Road NW, Salem OR 97304

**CRITERIA:** Salem Revised Code (SRC) Chapters 808.045(d) – Tree Regulation Variance

**FINDINGS:** The findings are in the attached Decision dated July 15, 2022.

**DECISION:** The **Planning Administrator APPROVED** Tree Regulation Variance Case No. TRV22-02 subject to the following conditions of approval:

**Condition 1:** A minimum of two replacement Oregon White Oaks shall be replanted for each significant tree removed and shall be incorporated into the landscape design for this development. Replanted trees shall have a minimum two-inch caliper.

The rights granted by the attached decision must be exercised, or an extension granted, by August 2, 2024, or this approval shall be null and void.

Application Deemed Complete:	<u>June 19, 2022</u>
Notice of Decision Mailing Date:	<u>July 15, 2022</u>
Decision Effective Date:	<u>August 2, 2022</u>
State Mandate Date:	<u>November 16, 2022</u>

Case Manager: Olivia Dias, [odias@cityofsalem.net](mailto:odias@cityofsalem.net), 503-540-2343

This decision is final unless written appeal and associated fee (if applicable) from an aggrieved party is filed with the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem OR 97301, or by email at [planning@cityofsalem.net](mailto:planning@cityofsalem.net), no later than 5:00 p.m. Monday, August 1, 2022. The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapter(s) 808. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Hearings Officer will review the appeal at a public hearing. After the hearing, the Hearings Officer may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

The complete case file, including findings, conclusions and conditions of approval, if any, is available for review by contacting the case manager, or at the Planning Desk in the Permit Application Center, Room 305, City Hall, 555 Liberty Street SE, during regular business hours.

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

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503-588-6173*

**BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM**

**DECISION**

**IN THE MATTER OF APPROVAL OF ) FINDINGS & ORDER  
TREE REGULATION VARIANCE )  
CASE NO. TRV22-02 )  
2499, 2501, 2519, 2539 AND 2551 )  
WALLACE ROAD NW ) JULY 15, 2022**

In the matter of the application for a Tree Regulation Variance Permit submitted by Sam Thomas, Lenity Architecture, on behalf of the applicant Scott Martin Construction LLC (Scott Martin), the Planning Administrator, having received and reviewed evidence and the application materials, makes the following findings and adopts the following order as set forth herein.

**REQUEST**

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).

A vicinity map is included as **Attachment A**.

**PROCEDURAL FINDINGS**

**1. Proposal**

A proposed development of multi-family housing at 2499, 2501, 2519, 2539, and 2551 Wallace Road NW, Class 3 Site Plan Review-Class 2 Adjustment Case No. SPR-ADJ21-25, includes a required street connecting to an existing stub of La Jolla Drive NW and extending to the northern boundary of the subject property. Condition 22 of the decision for SPR-ADJ21-25 requires the applicant to submit a Tree Regulation Variance application for approval to remove two existing significant trees, an Oregon white oak tree 33 inches dbh and an Oregon white oak tree 39 inches dbh, to accommodate the connectivity proposed in the site plan.

**2. Background**

On January 14, 2022, an application for a Tree Regulation Variance was filed for the proposed development. After additional materials were submitted by the applicant, the application was deemed complete for processing on June 19, 2022. The 120-day state mandated decision

deadline for this application, including a 30-day extension authorized by the applicant, is November 16, 2022.

The applicant's proposed site plan is included as **Attachment B**, the tree removal plan is included as **Attachment C**, and the applicant's written statement addressing the approval criteria is included as **Attachment D**.

## SUBSTANTIVE FINDINGS

### 3. Summary of Record

The following items are submitted to the record and are available upon request: 1) All materials submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, and stormwater reports; 2) any materials, testimony, and comments from public agencies, City Departments, neighborhood associations, and the public; and 3) all documents referenced in this report. All application materials are available on the City's online Permit Application Center at <https://permits.cityofsalem.net>. You can use the search function without registering and enter the permit number listed here: 22-101953.

### 4. Neighborhood Association and Public Comments

The subject property is located within the boundaries of the West Salem Neighborhood Association (WSNA).

Applicant Neighborhood Association Contact: Neighborhood Association Contact is not required for this application.

Neighborhood Association Comment: Notice was provided, pursuant to SRC 300.520(b)(1)(B)(v) to the neighborhood association. No comments were received from the neighborhood association.

Homeowners Association: The subject property is not located within a Homeowners Association.

Public Comment: Notice was provided, pursuant to SRC 300.520(b)(1)(B)(iii), (vi), & (vii), to all property owners and tenants within 250 feet of the subject property. Comments were received from four persons (**Attachment E**):

- One had no objections.
- One commented that, while the loss of any Oregon white oak is troubling, it seems that housing is also a great necessity.
- Two commented that the trees should be preserved because they have been part of the ecosystem for hundreds of years, the population has been reduced to 10 to 15 percent, and enough other greenery will be cut down.

**Staff Response:** When the stub of La Jolla Drive NW was constructed, the Salem Revised Code did not require preservation of significant trees, which were defined as Oregon white oaks 24 inches or greater in diameter at the time this Tree Regulation Variance application was submitted. The construction of a stub rather than a cul-de-sac bulb indicates that the City intended the street to be extended to the north. To meet the 600-foot spacing standard for north-south streets, La Jolla Drive NW must be extended

through the proposed development, and the applicant's site plan includes the required extension of La Jolla Drive NW. The site plan indicates that the extension of La Jolla Drive NW will require removal of a significant Oregon white oak tree north of the existing stub and another significant Oregon white oak tree farther north.

## 5. City Department Comments

There were no concerns indicated by City Departments.

## 6. Public Agency Comments

Notice was provided, pursuant to SRC 300.520(b)(1)(B) (viii), (ix) & (x), to numerous public agencies. The following comments were received:

- Salem Electric reviewed the proposal and commented that they will provide Electric Service according to the rates and policies at the time of construction.

## DECISION CRITERIA FINDINGS

### 7. Analysis of Tree Regulation Variance Approval Criteria

Salem Revised Code (SRC) 808.045(d) sets forth the following criteria that must be met before approval can be granted to a request for a Tree Regulation Variance. In this case, the applicant has requested to address the hardship criteria in SRC 808.045(d)(1).

**SRC 808.045(d)(1)(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.**

**Finding:** In July of 2022, a new development consisting of apartments, an office/recreation building, pool, and parking on a development site at 2499, 2501, 2519, 2539, and 2551 Wallace Road NW was approved through Class 3 Site Plan Review-Class 2 Adjustment Case No. SPR-ADJ21-25. The subject property contains numerous trees, including significant trees (Oregon white oaks 24 inches or greater in diameter). Significant trees are protected and cannot be removed without a Tree Removal Permit or a Tree Regulation Variance.

To provide a required street connection from an existing stub of La Jolla Drive NW to the northern boundary of the subject property, Condition 22 of the decision requires the applicant to submit a Tree Regulation Variance application for approval to remove two existing significant trees, an Oregon white oak tree 33 inches dbh and an Oregon white oak tree 39 inches dbh. The trees are located within the proposed right-of-way or adjacent to it, and construction of the street would require complete removal of one of the trees and would cause damage to the critical root zone of the other tree that would result in its eventual demise. The request to remove these two significant trees is directly related to the need to provide the required street extension. There are no other options to provide the required street extension of La Jolla Drive NW through the property; retaining the trees creates an unreasonable hardship that can most effectively be relieved by approval of the variance.

Conditions may be imposed on the approval of a tree variance to ensure compliance with the approval criteria and to limit any adverse impacts that may result from granting the tree

variance. To mitigate removal of the two significant Oregon white oak trees, the following condition applies:

**Condition 1:** A minimum of two replacement Oregon White Oaks shall be replanted for each significant tree removed and shall be incorporated into the landscape design for this development. Replanted trees shall have a minimum two-inch caliper.

Staff finds that there are special conditions that apply to the property which create reasonable hardships or practical difficulties which can be most effectively relieved by a variance, and the proposed condition limits the adverse impacts of granting the tree variance. As conditioned, the proposal meets this criterion.

**SRC 808.045(d)(1)(b): The proposed variance is the minimum necessary to allow the otherwise lawful proposed development of activity.**

**Finding:** No other options exist to provide the required street extension of La Jolla Drive NW through the property. Therefore, the applicant's proposal to remove two significant trees within or adjacent to the right-of-way for the street extension is the minimum needed to allow for the lawful development of the subject property.

### CONCLUSION

Based upon review of SRC Chapters 808, the applicable standards of the Salem Revised Code, the findings contained herein, the application complies with the requirements for an affirmative decision.

### ORDER

Tree Regulation Variance, Case No. TRV22-02 is hereby **APPROVED** subject to SRC Chapters 808, the applicable standards of the Salem Revised Code, conformance with the approved tree removal plan included as **Attachment C**, and subject to the following condition:

**Condition 1:** A minimum of two replacement Oregon White Oaks shall be replanted for each significant tree removed and shall be incorporated into the landscape design for this development. Replanted trees shall have a minimum two-inch caliper.



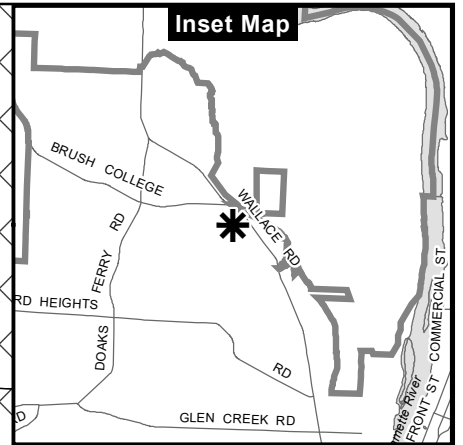
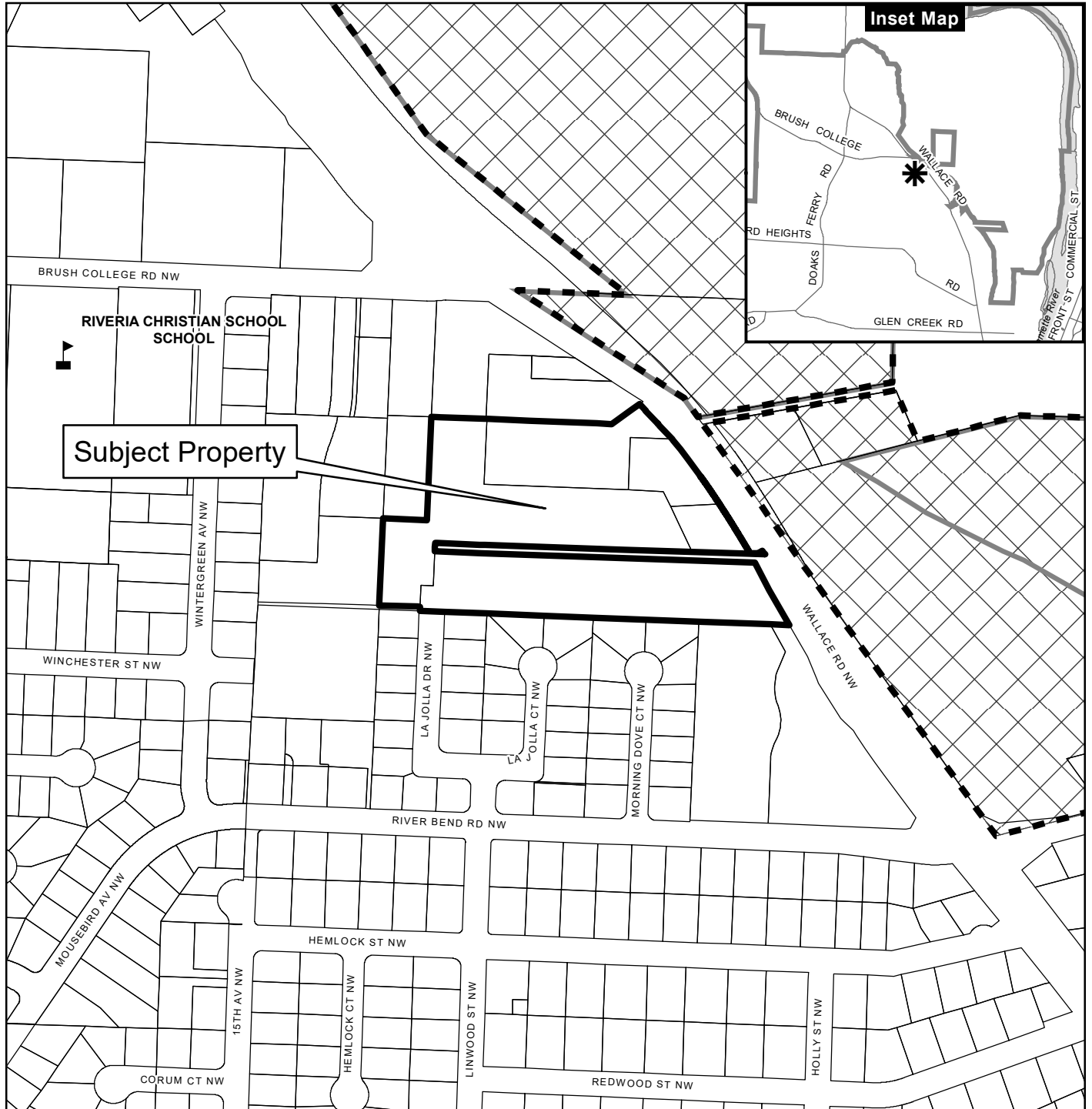
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Lisa Anderson-Ogilvie, AICP, Planning  
Administrator

- Attachments: A. Vicinity Map  
B. Site Plan  
C. Tree Removal Plan  
D. Applicant's Written Statement  
E. Comments from the Public








# Vicinity Map

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



**Subject Property**

**Legend**

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



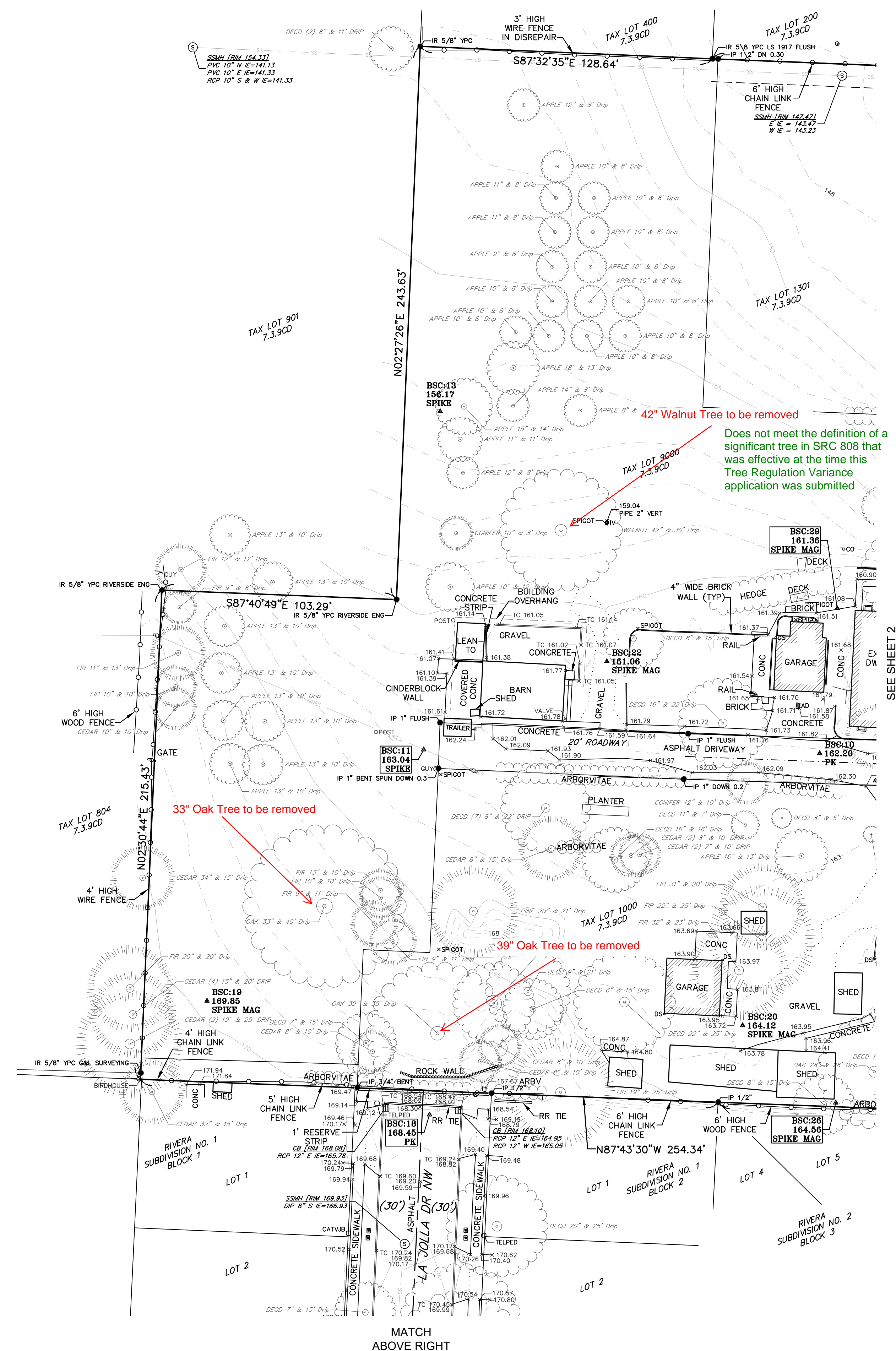
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# TOPOGRAPHIC SURVEY



**ABBREVIATIONS**

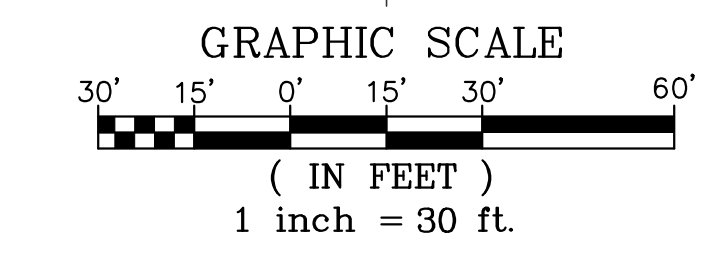
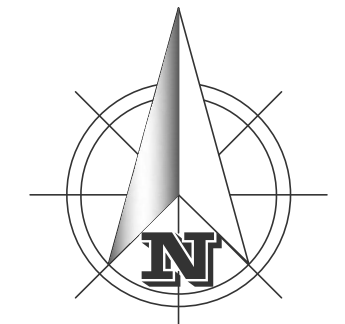
ASPH	ASPHALT	IRR	IRRIGATION
AD	AREA DRAIN	INV	INVERT
ASSY	ASSEMBLY	JB	JUNCTION BOX
BLDG, BLD	BUILDING	LP	LIGHT POLE
BW	BOTTOM OF WALL	M	METER, MAIN
CATV	CABLE TELEVISION	MB	MAILBOX
CB	CATCH BASIN	MH	MANHOLE
CO	CLEAN-OUT	OH	OVER-HEAD
CONC	CONCRETE	P/L, R	PROPERTY LINE
CL	CENTERLINE	PP	POWER POLE
DIP	DUCTILE 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	VL	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	IRV	IRRIGATION VALVE
FH	FIRE HYDRANT	LP	LIGHT POLE
GV	GAS VALVE	UP	UTILITY/POWER POLES
WV	WATER VALVE	TP	TEST PIT
MPW	GAS/POWER/WATER METER	MF	MONUMENT FOUND
DSO	DOWN SPOUT		
MT	MANHOLE TELEPHONE		
MSD	MANHOLE STORM DRAIN		
MS	MANHOLE SANITARY SEWER		

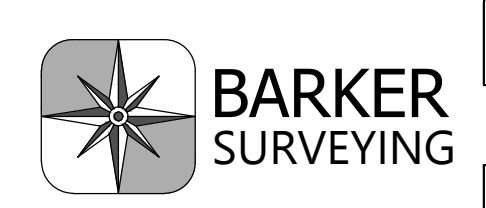
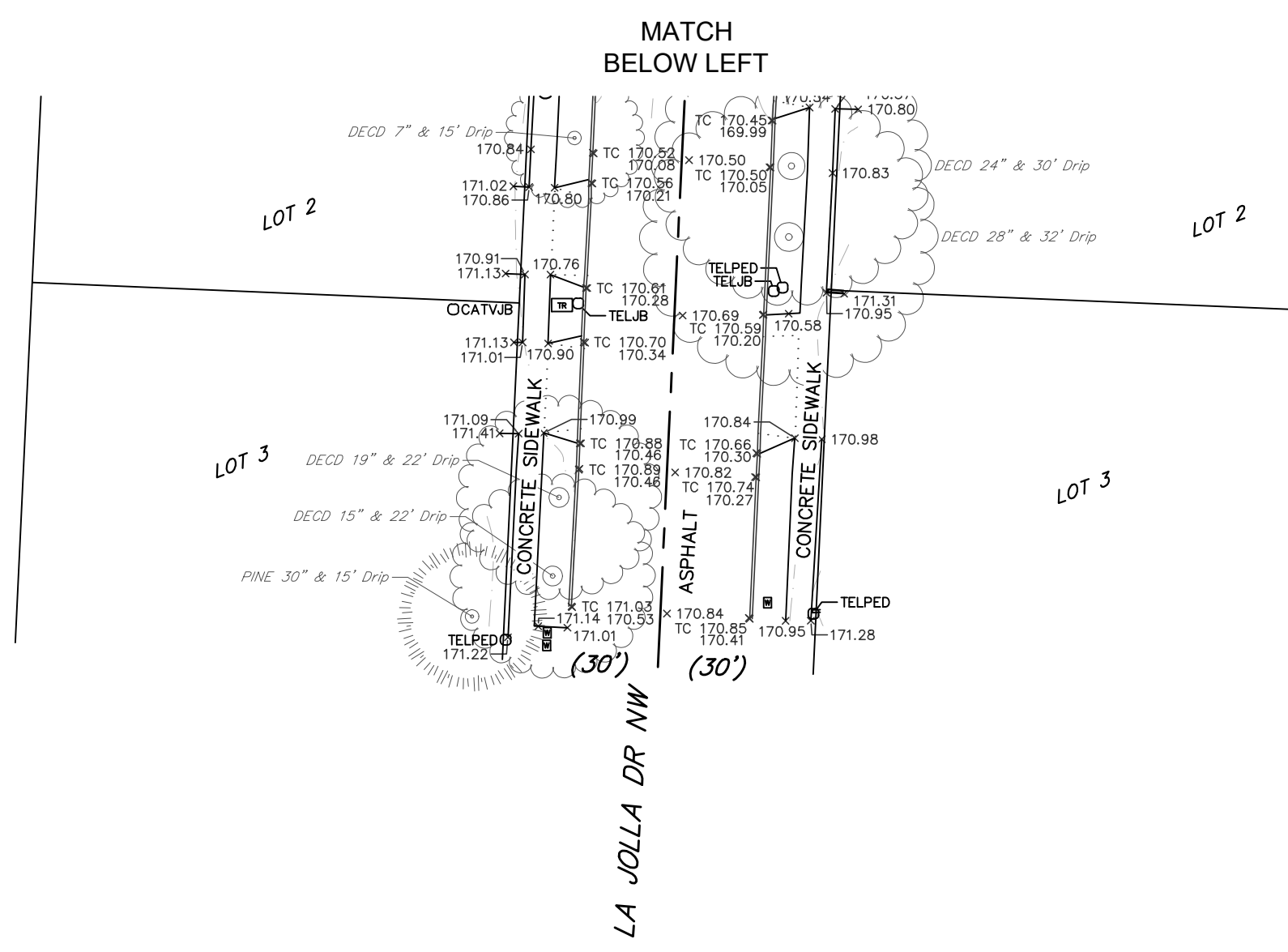
**LINE TYPES**

CATV LINE	---
COMMUNICATION LINE	---
EASEMENT LINE	---
FENCE LINE	---
FIBER OPTIC LINE	---
GAS LINE	---
EDGE OF GRAVEL LINE	---
OVERHEAD LINE	---
PHONE LINE	---
POWER LINE	---
SANITARY SEWER LINE	---
STORM DRAIN LINE	---
WATER LINE	---



**BENCHMARK UTILIZED:**  
**ELEV: 178.12' NGVD29**  
 SURVEY MAG NAIL BSC POINT #1101 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

SURVEY FOR WESTTECH ENGINEERING  
 LOCATION: TAX LOTS 900, 1000, & 1301 7.3.9CD  
 SW 1/4 SECTION 9 CITY OF SALEM  
 T7S, R3W, W.M. POLK COUNTY, OREGON

SCALE: 1"=30'  
 DATE: 4/10/2019  
 BARKER SURVEYING  
 3657 KASHMIR WAY SE  
 SALEM, OREGON 97317  
 PHONE (503) 588-8800  
 FAX (503) 363-2469  
 EMAIL: INFO@BARKERWILSON.COM

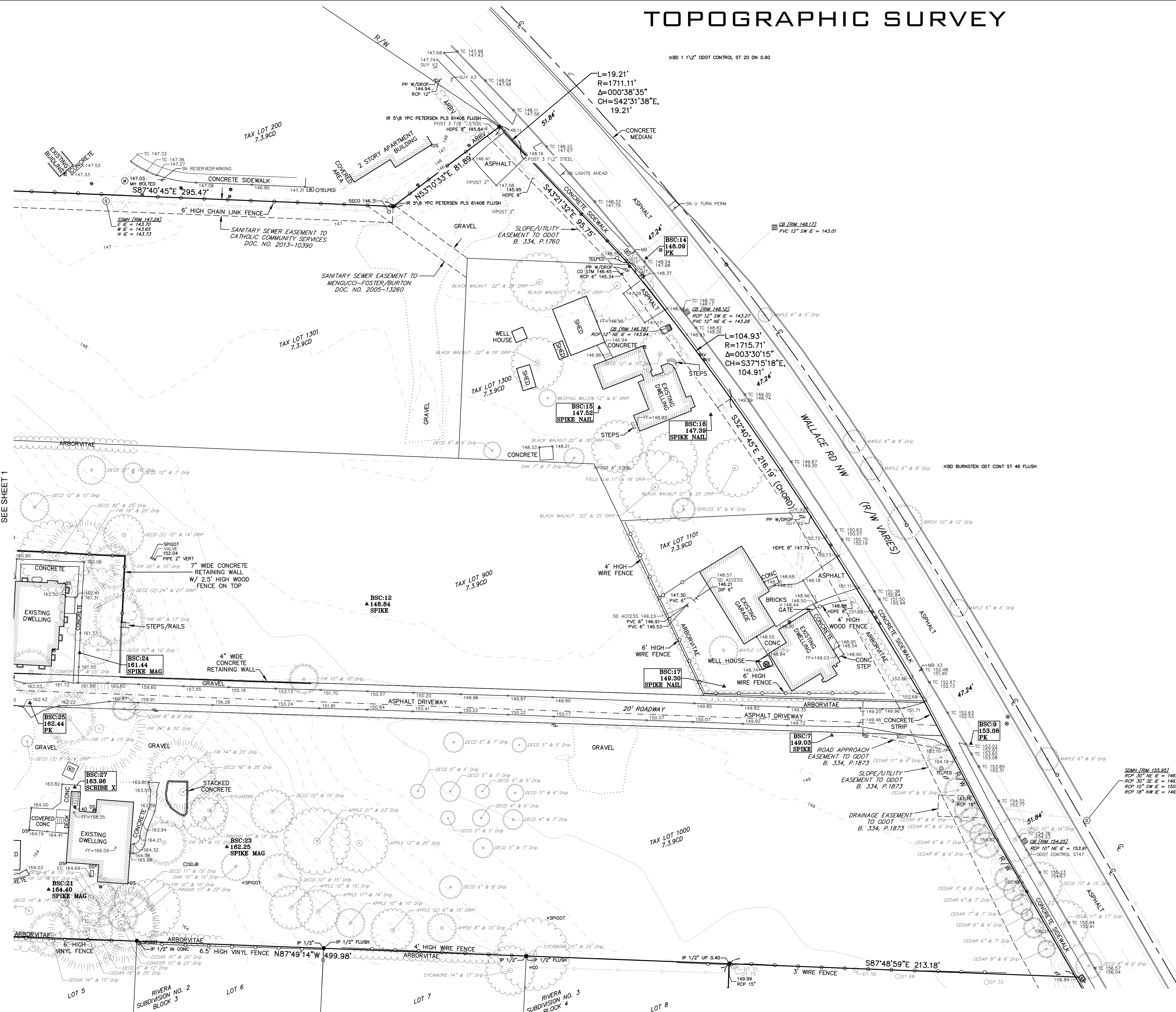
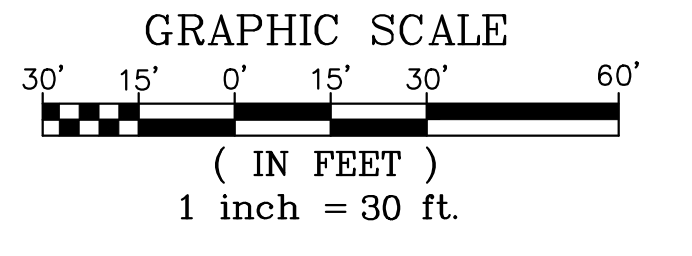
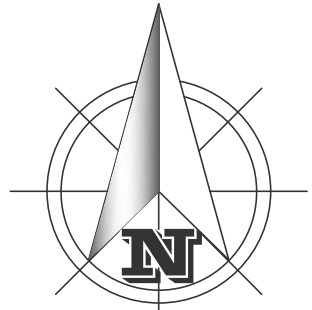
EXPIRATION DATE: 6/30/2020

DRAWN BY: R.J.C. SHEET 1 OF 2  
 JOB NUMBER: 40843



# TOPOGRAPHIC SURVEY

XBD 1 1/2" ODOT CONTROL ST 20 DN 0.90



## 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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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	PE	PEDESTAL
CO	CLEAN-OUT	MB	MAIL BOX
FH	FIRE HYDRANT	IV	IRRIGATION VALVE
GV	GAS VALVE	LP	LIGHT POLE
WV	WATER VALVE	UP	UTILITY/POWER POLES
GM	GAS/POWER/WATER METER	TP	TEST PIT
DSO	DOWN SPOUT	MP	MONUMENT FOUND
MT	MANHOLE TELEPHONE		
MSD	MANHOLE STORM DRAIN		
MS	MANHOLE SANITARY SEWER		
T	TREES - *TREE NAME* DIAMETER (INCHES)/DRIP RADIUS (FEET)		

NOTE: DIAMETER MEASURED AT BREAST HEIGHT

## LINE TYPES

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

BENCHMARK UTILIZED:  
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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, T7S, R3W, W.M. CITY OF SALEM, POLK COUNTY, OREGON

SCALE: 1"=30'  
 DATE: 4/10/2019  
 DRAWN BY: R.J.C.  
**BARKER SURVEYING**  
 3657 KASHMIR WAY SE  
 SALEM, OREGON 97317  
 PHONE (503) 588-8800  
 FAX (503) 363-2469  
 EMAIL: INFO@BARKERWILSON.COM

SHEET 2 OF 2  
 JOB NUMBER: 40843







**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](mailto: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).

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](mailto: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

KHH JUL 12 2022

COMMUNITY DEVELOPMENT

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

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

## Pamela Cole

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**From:** Marcia Kelley <[swardenpopor@gmail.com](mailto: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](mailto:swardenpopor@gmail.com), [officeprinceofpeacesalem@gmail.com](mailto:officeprinceofpeacesalem@gmail.com)  
Date: July 13 2022



# 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

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](mailto: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: MICHAEL & HAVER WATSON  
Address: 2156 LA VOIEA DR NW SALEM, OR 97304  
Phone: (503) 990-8340  
Email: thewatsonsh@yahoo.com  
Date: 7/5/22

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

THESE TREES DOWN!