



**Revised**

# NOTICE of FILING

## LAND USE REQUEST AFFECTING THIS AREA

*There is a development proposal for the property listed in this notice and shown on the attached map. The City is seeking input from neighbors on the proposal. If you have questions or comments about the proposal, contact the case manager.*

*Esta carta es un aviso sobre una propuesta de desarrollo para la propiedad enumerada y que se muestra en el mapa adjunto. La ciudad está buscando la opinión de los vecinos sobre la propuesta. Si tiene preguntas o comentarios sobre la propuesta, póngase en contacto con nosotros al 503-588-6213.*

<b>CASE NUMBER:</b>	Class 3 Site Plan Review / Class 2 Adjustment / Class 2 Driveway Approach Permit / Class 1 Design Review Case No. SPR-ADJ-DAP-DR24-03
<b>PROPERTY LOCATION:</b>	1250 Baxter Rd SE, Salem OR 97306
<b>NOTICE MAILING DATE:</b>	January 4, 2024
<b>PROPOSAL SUMMARY:</b>	Proposed development of 12-unit multiple family dwelling units in three buildings, and associated site improvements.
<b>COMMENT PERIOD:</b>	<b>All written comments must be submitted to City Staff no later than 5:00 p.m. Thursday, January 4, 2024 January 18, 2024. Please direct any questions and/or comments to the Case Manager listed below. Comments received after the close of the comment period will not be considered. Note: Comments submitted are <u>public record</u>. This includes any personal information provided in your comment such as name, email, physical address and phone number.</b>
<b>CASE MANAGER:</b>	<b>Olivia Dias, Current Planning Manager</b> , City of Salem Planning Division, 555 Liberty Street SE, Room 305, Salem, Oregon 97301. Telephone: 503-540-2343; E-mail: <a href="mailto:odias@cityofsalem.net">odias@cityofsalem.net</a>
<b>NEIGHBORHOOD ASSOCIATION:</b>	<i>Neighborhood associations are volunteer organizations of neighbors coming together to make neighborhoods the best they can be. They receive notice of land use applications within their boundaries, and they often submit comments on the applications to the City. Neighborhood association meetings are open to everyone. Contact your neighborhood association to get involved:</i>  South Gateway Neighborhood Association, Glenn Baly, Land Use Co-Chair; Phone: 503-588-6924; Email: <a href="mailto:glennbaly12345@gmail.com">glennbaly12345@gmail.com</a>
<b>ACCESS:</b>	The Americans with Disabilities Act (ADA) accommodations will be provided on request.
<b>CRITERIA TO BE CONSIDERED:</b>	Salem Revised Code (SRC) Chapter(s) 220.005(f)(3)- Class 3 Site Plan Review; 250.005(d)(2) – Class 2 Adjustment; 804.025(d) – Class 2 Driveway Approach Permit; 225.005(e)(1) – Class 1 Design Review  Salem Revised Code (SRC) is available to view at this link: <a href="http://bit.ly/salemorcode">http://bit.ly/salemorcode</a> . Type in the chapter number(s) listed above to view the applicable criteria.

<b>PROPERTY OWNER(S):</b>	Wind River Homes LLC (Angela Tovar, Richard Tovar)
<b>APPLICANT(S):</b>	Brandie Dalton
<b>PROPOSAL REQUEST:</b>	<p>A Class 3 Site Plan Review, Class 1 Design Review, Class 2 Driveway Approach Permit for development of three buildings each containing four multiple family dwelling units and associated site improvements. The applicant requests two Class 2 Adjustment to:</p> <ol style="list-style-type: none"> <li>1) Eliminate the required internal pedestrian access requirements established in SRC 702.020(d)(4).</li> <li>2) Reduce the minimum required setback under SRC535.015(c) Table 535-3 from 10 feet to five feet along the west property line, and from 10 feet to two feet in a portion of the south property line.</li> </ol> <p>For property approximately 0.74-acre property is zoned MU-III (Mixed Use-III) and located at 1250 Baxter Road SE (Marion County Assessors Map &amp; Tax Lot No.083W14BC / 5400).</p>
<b>APPLICATION PROCESS:</b>	<p>Following the close of the Public Comment Period, a decision will be issued and mailed to the applicant, property owner, affected neighborhood association, anyone who submitted written comments, and anyone who received notice of the land use request.</p> <p>Failure to raise an issue in writing prior to the close of the Public Comment Period with sufficient specificity to provide the opportunity to respond to the issue, precludes appeal to the Land Use Board of Appeals (LUBA) on this issue. A similar failure to raise constitutional issues relating to proposed conditions of approval precludes an action for damages in circuit court.</p>
<b>MORE INFORMATION:</b>	<p>All documents and evidence submitted by the applicant are available on the City's online Permit Application Center at <a href="https://permits.cityofsalem.net">https://permits.cityofsalem.net</a>. You can use the search function without registering and enter the permit number listed here: 23 114721. Paper copies can be obtained for a reasonable cost.</p>

**PLEASE PROMPTLY FORWARD A COPY OF THIS NOTICE TO ANY OTHER OWNER, TENANT OR LESSEE**  
**For more information about Planning in Salem:**  
<http://www.cityofsalem.net/planning>

*It is the City of Salem's policy to assure that no person shall be discriminated against on the grounds of race, religion, color, sex, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, gender identity and source of income, as provided by Salem Revised Code Chapter 97. The City of Salem also fully complies with Title VI of the Civil Rights Act of 1964, and related statutes and regulations, in all programs and activities. Disability-related modification or accommodation, including auxiliary aids or services, in order to participate in this meeting or event, are available upon request. Sign language and interpreters for languages other than English are also available upon request. To request such an accommodation or interpretation, contact the Community Development Department at 503-588-6173 at least three business days before this meeting or event.*

TTD/TTY telephone 503-588-6439 is also available 24/7

# 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 / Class 1 Design Review Case No. SPR-ADJ-DAP-DR24-03

**PROJECT ADDRESS:** 1250 Baxter Rd SE, Salem OR 97306

**AMANDA Application No.:** 23-114721-PLN

**COMMENT PERIOD ENDS:** January 18, 2024 at 5:00 p.m.

**SUMMARY:** Proposed development of 12-unit multiple family dwelling units in three buildings, and associated site improvements.

**REQUEST:** A Class 3 Site Plan Review, Class 1 Design Review, Class 2 Driveway Approach Permit for development of three buildings each containing four multiple family dwelling units and associated site improvements. The applicant requests two Class 2 Adjustment to:

- 1) Eliminate the required internal pedestrian access requirements established in SRC 702.020(d)(4).
- 2) Reduce the minimum required setback under SRC535.015(c) Table 535-3 from 10 feet to five feet along the west property line, and from 10 feet to two feet in a portion of the south property line.

For property approximately 0.74-acre property is zoned MU-III (Mixed Use-III) and located at 1250 Baxter Road SE (Marion County Assessors Map & Tax Lot No.083W14BC / 5400).

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. Thursday, January 18, 2024,** 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:** Olivia Dias, Current Planning Manager, City of Salem, Planning Division; 555 Liberty St SE, Room 305, Salem, OR 97301; Phone: 503-540-2343; E-Mail: [odias@cityofsalem.net](mailto:odias@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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name/Agency: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Email: \_\_\_\_\_  
 Date: \_\_\_\_\_

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

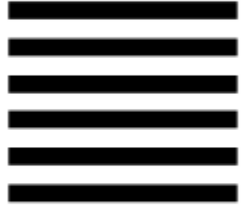
**BUSINESS REPLY MAIL**  
FIRST-CLASS MAIL PERMIT NO. 1508 SALEM, OR

POSTAGE WILL BE PAID BY ADDRESSEE

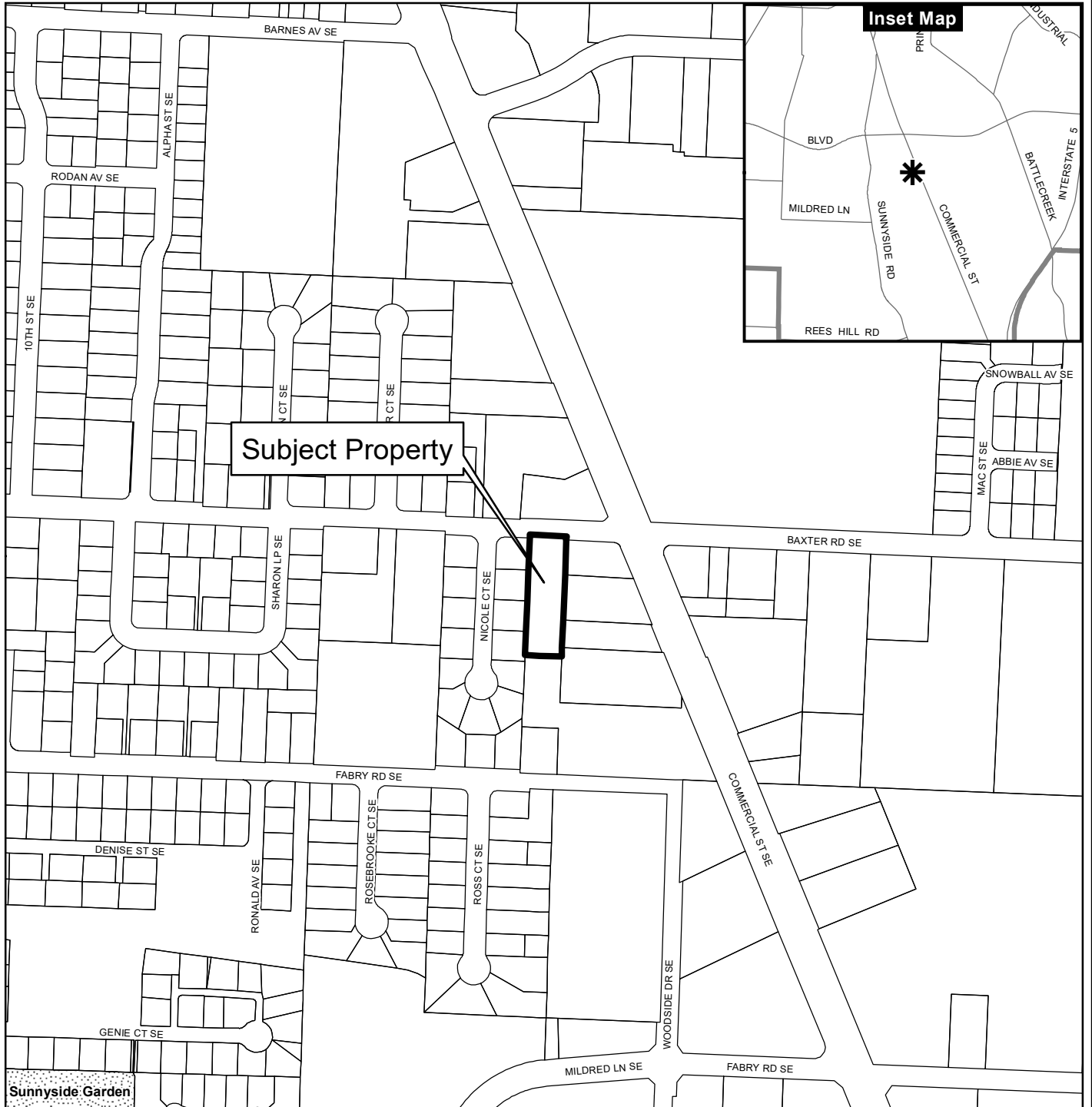
PLANNING DIVISION  
CITY OF SALEM RM 305  
555 LIBERTY ST SE  
SALEM OR 97301-9907



NO POSTAGE  
NECESSARY  
IF MAILED  
IN THE  
UNITED STATES










# Vicinity Map 1250 Baxter Rd SE



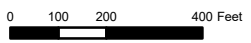
Subject Property

Inset Map

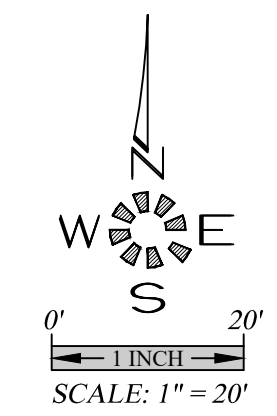
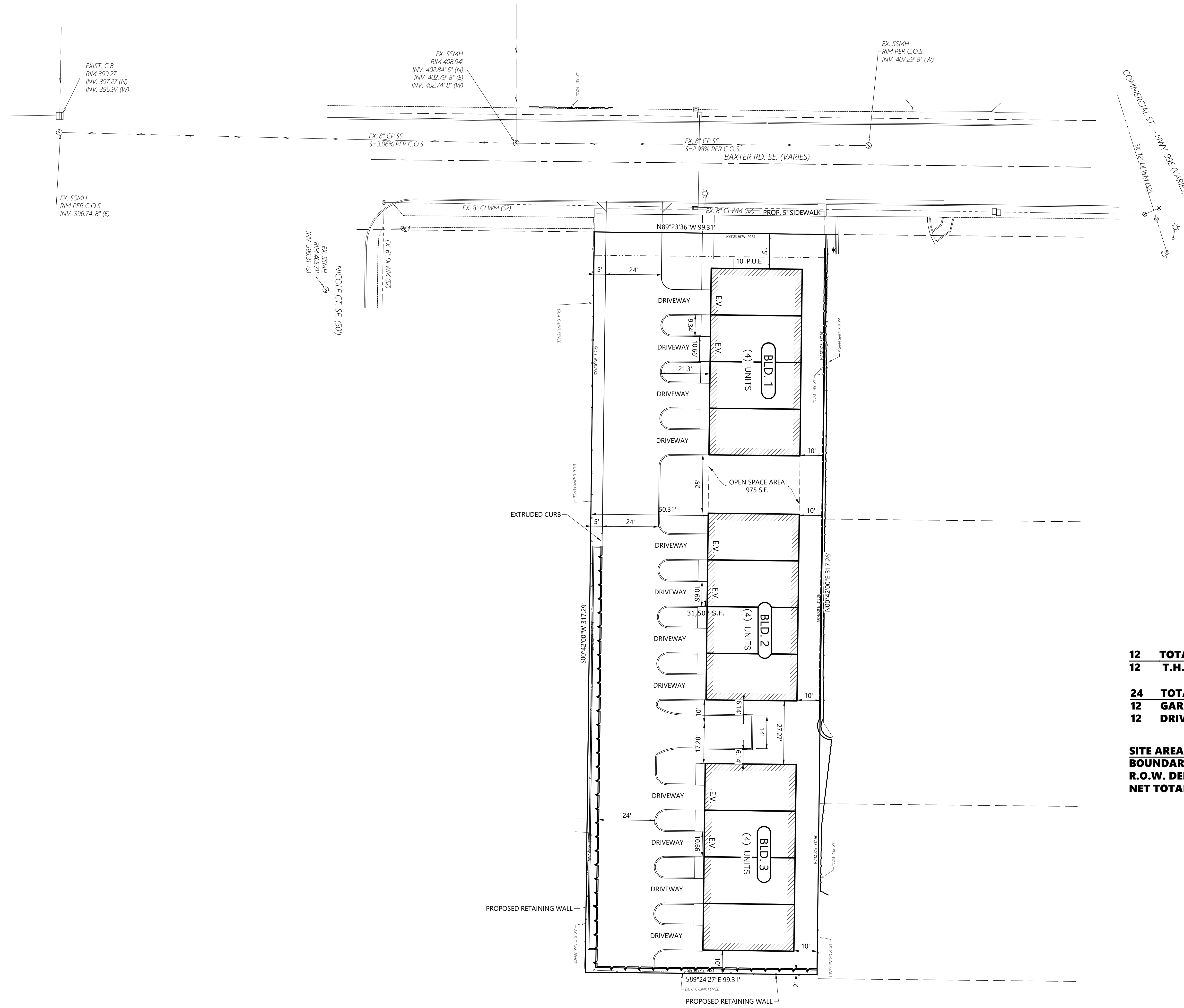
### Legend

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

**CITY OF Salem**  
AT YOUR SERVICE  
Community Development Dept.



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<b>12</b>	<b>TOTAL APARTMENT UNITS</b>	
<b>12</b>	<b>T.H. 2-Bd, 2-Ba</b>	<b>(780 S.F.) UNITS</b>
<b>24</b>	<b>TOTAL PARKING</b>	
<b>12</b>	<b>GARAGE</b>	
<b>12</b>	<b>DRIVEWAY</b>	
<b>SITE AREAS</b>		
<b>BOUNDARY</b>		<b>32,483 S.F.</b>
<b>R.O.W. DEDICATION</b>		<b>976 S.F.</b>
<b>NET TOTAL SITE</b>		<b>31,507 S.F.</b>

**SITE PLAN**

**BAXTER ROAD DEVELOPMENT**

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER. DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

72529 - SDR# 3-SITE  
 Design: M.D.G.  
 Drawn: C.F.G.  
 Checked: M.D.G.  
 Date: 11/21/24  
 Scale: AS SHOWN

