



LAND USE APPEAL APPLICATION

1. GENERAL DATA REQUIRED [to be completed by the appellant]

Class 3 Site Plan Review SPR20-19	June 26, 2020
Case # Being Appealed	Decision Date
725 Market Street NE, 97301	
Address of Subject Property	
Grant NA, c/o 1255 Cottage Street NE, Salem 97301-7342	
Appellants Mailing Address with zip code	
sam@salemLF.org	503-884-8194 - 503-315-8924
Appellant's E-mail Address	Day-time Phone / Cell Phone

Appellant's Representative or Professional to be contacted regarding matters on this application, if other than appellant listed above:

Jeanne Boatwright, Secretary, Grant NA	835 D Street NE, Salem, 97301
Name	Mailing Address with ZIP Code
cjboat835@yahoo.com	503-507-2058 - 503-585-5356
E-Mail Address	Day-time Phone / Cell Phone

2. SIGNATURES OF ALL APPELLANTS

Signature: Date: July 13, 2020

Printed Name: Sam Skillern, Grant NA Co-Chair

Signature: Date: July 13, 2020

Printed Name: Jeanne Boatwright, Grant NA Secretary

3. REASON FOR APPEAL Attach a letter, briefly summarizing the reason for the Appeal. Describe how the proposal does not meet the applicable criteria as well as verification establishing the appellants standing to appeal the decision as provided under SRC 300.1010

FOR STAFF USE ONLY		
Received By: <u>KMS</u>	Date <u>7/13/2020</u>	Receipt No: _____
Appeal Deadline: <u>7/13/2020</u>	Case Manager: <u>Pamela Cole</u>	

GRANT NEIGHBORHOOD ASSOCIATION

SALEM OREGON

July 13, 2020

Pamela Cole, Case Manager
City of Salem, Planning Department
555 Liberty Street SE, Room 320
Salem, Oregon 97301

Re: **CLASS 3 SITE PLAN REVIEW CASE # SPR20-19**
Application #20-104828-RP
Grant Neighborhood – Grant Community School

Dear Ms. Cole and Planning Department,

This letter represents Grant Neighborhood Association's official appeal to Case # SPR20-19 pursuant to the Notice of Decision issued June 26, 2020.

As we will show, bringing a bus-heavy program to the School District's smallest campus (2.59 acres in a dense urban setting) with only eight (8) parking spots will put untenable pressure on the chronically-terrible parking and traffic situations around the school. Especially during the morning drop-off, Cottage Street is a zoo of double-parked cars, kids jaywalking, crossing guards dodging cars, honking horns, and near misses.

Following the City's February 25 notification of application, we asked the City and the School District to meet with us to work out a solution. Even allowing for complications related to COVID-19 restrictions, there was still sufficient time and opportunity for all three parties to meet and forge a solution. This three-party meeting never occurred.

The School District did meet with us: twice on Zoom and once at the Grant School site. While at first resistant to our ideas, they have confirmed in writing they are now committed to studying alternatives—one in particular—for the Cottage Street bus lane that can meet the needs of the students, the school and the neighborhood alike. As currently proposed, the transportation needs of 20-24 students will trump the livability of the neighborhood if the Cottage Street bus lane is built.

We have never wanted to fight the District or the City on this. We are friends and allies. A long public record of our attempts to seek mutually-beneficial solutions is on file with this case. Because the District and the City are persisting with the permitting process for the Cottage Street

bus lane, we are persisting in our quest to reach a mutually-beneficial solution. We hope it doesn't come to a conflict; our resolve to find a solution is strong.

We take heart by comments made in the Staff Response on Page 3 of the Decision document: *"... If the District determines that alternatives to the Cottage Street NE proposal are viable, they may submit a modification of this site plan review application, a new plan review application, or other applications as required by the City."* All three are acceptable if they lead to a solution.

Again, we invite the City to join Grant Neighborhood and the School District in analyzing, problem-solving and forging a viable alternative. Without all three parties at the table with sleeves rolled up, the odds of an alternative solution vetting successfully are greatly minimized.

With good will and diligent work, elegant solutions are always attainable. If one partner must do all the work, the outcome is determined by hurdles and technicalities rather than a mutual vision for the common good. To be specific, in the Notice of Decision, the phrase "the applicant's response indicates (this can't be done)" appears frequently and is not a path to mutual solution-seeking. For reference, please see attached materials including Grant NA letter of May 8.

Grounds for Appeal:

1. The loss of 7-9 parking spots on Cottage creates neighborhood harm. Grant is a low-garage, high-traffic urban neighborhood already heavily burdened by the parking practices of Capitol Mall State employees. Every public parking spot is precious and should be preserved. Most of Grant Neighborhood has been converted to RP-restricted parking (90-120 minutes). The neighbors on Cottage, Gaines and Church streets have resisted such a conversion out of respect for the School and its parking needs. That will certainly end if the bus lane is built.

2. In this scarce-parking environment, Grant School only has 8 onsite parking spots. With 19 classrooms they should have, per current code, 38 parking spots. This shortage forces the school staff to park on the street, competing for space with the residents and the Capital Mall employees. (Salem Alliance Church graciously allows the school staff to park for free on a lot one block to the north, but many staff use the street anyway.)

We can't afford to lose 7-9 parking spots on Cottage to a bus lane that will be used only 60 to 90 minutes a day. Moreover, car speeds on Cottage will increase (as traffic science affirms) with no trees and more pavement. The replacement trees under this proposal will be much smaller in height and crown size and will not afford the same benefits as the current greenway and trees.

3. The loss of five (5) trees and the green park strip violates the compact between Grant School students, Grant Neighborhood and the City of Salem (through its staff arborist). For more than 20 years, the neighbors have come to the aid of a School District so strapped for resources that landscaping and maintenance of schools is minimal. Every April (in concert with Earth Day), neighbors, teachers, parents and students have gathered for the Grant Beautification Project to not only beautify the grounds, but to provide academic intersections for student learning, as well.

As a close-knit community, we build raised gardens, lay paths and pavers, plant flowers and shrubs, build composting bins and—for a period of 6-8 years—plant trees. Not only on the Grant

campus, but on adjacent streets, as well. Not only did this partnership lead to gardens and trees, it resulted in the two volunteer-built playgrounds and the recent covered area (worth \$150,000-\$200,000). The compact is long, deep and valuable, and we do not want to see it shaken by a hasty decision to a difficult problem.

4. Cutting the trees also goes against the Salem policy of preserving the tree canopy. (<https://www.cityofsalem.net/citydocuments/tree-canopy-assessment-report-2019.pdf>)

5. The uncertainties associated with COVID-19 may obviate the need for the Cottage Street bus lane. School-attendance precautions being formulated by the Governor, the Oregon Department of Education, and Salem-Keizer Public Schools make it very unlikely that the medically-fragile students in the Medically Developmental Learning Center (MDLC) will be able to admit students at Grant this Fall. Before any bus lane is approved or built, there should be certainty that this program is actually going to operate at Grant and require specialized bus access. During the time of uncertainty, the existing drop-off area on Market Street could be utilized in the short term. This may not be optimal for the students, but it is certainly doable, prudent and wise given the uncertain times.

6. Not rushing to build the bus lane will allow more time for the alternative(s) to be explored and deployed. We are particularly enthusiastic about a Winter Street bus loop that would ingress and egress off Winter onto school-district property. Only one tree—not five—would have to be removed for a safer drop-off environment for the medically-fragile students (no competing car or sidewalk traffic).

In our enthusiasm to assist in a mutual solution, we have investigated and determined that the Winter Street lot, with the addition of a second driveway, has adequate room for the turning radiuses of the buses used by the District to transport medically-fragile students. We believe this alternative has the most promise, although the Market Street drop-off is the least-expensive option despite District concerns about students coming in the front door of the school. With only one main bus and 4-8 smaller buses coming to Grant, the Market Street bus lane, while not optimal, certainly forms an alternative.

We are eager to see what other options the District may see as they evaluate alternatives. Again, with good will and effort, the District, City and neighborhood can figure this out. With a rushed and rigid approval of the Cottage Street bus lane, only discord will result.

7. The City's policy of promoting positive neighborhood health and active Neighborhood Associations will be adversely impacted if the bus lane is built. This project is a litmus test not just on the procedural technicalities of the code, but the spirit of cooperation and 'can-do spirit' the City of Salem is known for. The imposition of the bus lane on Grant Neighborhood will greatly dent the enthusiasm and allegiance of neighbors/volunteers for the both the City and the School District.

8. A strong community is one that works together. As noted by studies of community and neighborhood associations, Grant is one of the oldest and most active of all such associations in the Northwest. We have earned that reputation from almost 40 years of participation because we are careful to be rational, conservative, and conscious of the benefit of all in every situation. We

want it to work. We come to the City not as strangers, but as constant companions with a long history of partnership. We would not bother the process with trivial or strictly personal objections. We have broad participation in our monthly meetings, we debate the issues vigorously, and we raise objections as a group only when the neighborhood indicates a strong consensus.

We understand that this rebuttal may lack the kind of code-specific, policy-citing documentation that is customary for an Appeal. We are volunteers, neighbors, and everyday North Salem residents who love our neighborhood. We are not professionally-trained technicians or attorneys who do this all the time, so we apologize if this document has shortcomings.

If our case fails to persuade the Hearings Officer, we hereby appeal to the City Council for a wider conversation and path to a solution. Thank you.

Sincerely,

A handwritten signature in black ink that reads "Sam Skillern" with a stylized flourish at the end.

Sam Skillern, co-chair
sam@salem1f.org