



# NEN

**NORTHEAST NEIGHBORS**  
555 Liberty Street SE, Rm 305  
Salem, OREGON 97301

(503) 588-6207  
[www.salemnen.org](http://www.salemnen.org)

June 22, 2018

## NEN SUPPORT FOR CA 18-02 – STATE STREET CORRIDOR PROJECT

At our meeting on June 19, the Northeast Neighbors board voted to support the proposed ordinance for the State Street Corridor Plan.

The revitalization of State Street has been a NEN goal for over 20 years. In 1995 the NEN-SESNA Neighborhood Action Plan assessed the area and made many recommendations that are carried forward in this ordinance. More recently, the NEN SESNA Neighborhood Plan, approved by the Council in 2015, devoted an entire chapter to State Street. Goal 18 of the plan is to “Revitalize State Street as a vibrant, mixed-use corridor that encourages pedestrian activity, is safe and attractive, creates a distinct sense of place, and serves as an asset to surrounding neighborhoods.”

Under the current zoning State Street will never be a vibrant asset to the surrounding neighborhoods. Commercial Office zoning in particular creates dead zones that sit empty after office hours and on weekends, and dominates the street between 14<sup>th</sup> and 17<sup>th</sup>. That’s the area most likely for redevelopment, according to the plan’s market analysis. The street also is not attractive to pedestrians. It’s dominated by stand-alone parking lots allowed by current zoning. Drive-thrus increase traffic volumes and contribute to the pedestrian-unfriendly feel of the street.

The proposed zoning would be an asset to the surrounding neighborhood in a number of ways:

- It allows a broad mix of uses to create a vibrant, walkable area.
- Stand-alone parking lots and drive-thrus won’t be allowed.
- Buildings will be next to the sidewalk, creating an urban feel and street level-interest for pedestrians.
- Parking will be at the side or rear of buildings, making the street more pedestrian-oriented.
- The street design will create wider sidewalks and increase buffering from street traffic.

The road diet and reduced off-street parking are key to the revitalization of State Street. NEN therefore continues to support the Plan's Alternative 2 for street design, which is the full road diet along the entire corridor. SESNA supported the full road diet in its testimony to the Planning Commission and the full road diet was preferred by 65% of the participants at the project's second public workshop. NEN also supports the Planning Commission's recommendation to reduce the parking requirement for retail uses. Parking requirements can be a barrier to mixed use development. We also support funding the city's parking management study planned for the corridor.

Finally, we would like to express our appreciation to city staff involved in the State Street Corridor project for their work in creating a collaborative process to solicit the input of a variety stakeholders and incorporate those viewpoints into this ordinance.

Thank you for your consideration of our testimony,



Nancy McDaniel  
NEN Land Use Chair

## Eunice Kim

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**From:** John L. Poole <jlpoole56@gmail.com>  
**Sent:** Friday, June 22, 2018 4:34 PM  
**To:** PRR; Eunice Kim  
**Subject:** Re: Public Record Request dated June 18, 2018

Hi Amy,

I received a response earlier today referencing PUBLIC RECORDS REQUEST #18-1234 from

Debbie Kees

Legal Assistant

City of Salem Legal Department

I'm assuming her response is the definitive response. Please let me know if that is not the case. I'll forward to you her response forthwith.

Thank you,

John

On 6/22/2018 4:31 PM, PRR wrote:

Mr. Poole:

The City is in receipt of your public records request and will formally acknowledge your request within five business days, as per the City's Public Records Policy <https://www.cityofsalem.net/Pages/public-records-policy.aspx>.

Sincerely,

Amy Johnson  
Deputy City Recorder  
City of Salem  
555 Liberty Street SE, Rm. 205  
Salem, OR 97301  
503-588-6091

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**From:** John L. Poole [<mailto:jlpoole56@gmail.com>]  
**Sent:** Friday, June 22, 2018 5:49 AM  
**To:** CityRecorder <[CityRecorder@cityofsalem.net](mailto:CityRecorder@cityofsalem.net)>; Eunice Kim <[EKim@cityofsalem.net](mailto:EKim@cityofsalem.net)>  
**Subject:** Fwd: Public Record Request dated June 18, 2018

(RRR)

Dear Madam Recorder and Ms. Kim,

Attached please find a public records requests I have submitted to the Oregon Department of Transportation ("ODOT"). I hereby request the following documents (in digital form), **to the extent your office can make some or all of the documents available before June 29th** as there is no need for you to duplicate what ODOT will produce.

For clarity, here is the request:

1. Page 3 Memorandum to Michael Rock from Lucinda D. Jackson, Senior Assistant Attorney General  
Government Services Section,  
dated April 26, 2018, second full paragraph, fourth line: the biennial  
"2017-2019 Interagency Agreement Between ODOT and DLCDC for the TGM Program (IAA)."
2. The "Interagency Agreement Between ODOT and DLCDC for the TGM Program" agreement in effect for the period of 2015-2017 prior to the item requested in paragraph 1 above.
3. The approval of the Federal Highway Administration (FHWA) referenced in Page 3, Memorandum to Michael Rock from Lucinda D. Jackson, Senior Assistant Attorney General  
Government Services Section, dated April 26, 2018, second full paragraph, sixth line: "Once FHWA approves the IAA statement of work to administer the TGM program, there are no further approvals or oversight by FHWA"
4. Page 3, Memorandum to Michael Rock from Lucinda D. Jackson, Senior Assistant Attorney General  
Government Services Section, dated April 26, 2018, third full paragraph, first line: The award and notice of award as referenced in the phrase "ODOT and DLCDC awarded a TGM grant to the City of Salem in August 2014."
5. Page 3 Memorandum to Michael Rock from Lucinda D. Jackson, Senior Assistant Attorney General  
Government Services Section, dated April 26, 2018, third full paragraph, first line:  
"in July 2015 entered into intergovernmental agreement (SSRP IGA) for the City [of Salem] to develop the State Street Refinement Plan (SSRP)."
6. Page 3 Memorandum to Michael Rock from Lucinda D. Jackson, Senior Assistant Attorney General  
Government Services Section, dated April 26, 2018, third full paragraph, sixth line:  
"This draft plan prepared for the SSRP IGA was completed over six months ago."

I would ordinarily await what time is needed, but I am contemplating filing a suit in Federal Court which will include a request for an interlocutory injunction pending determination of the

Court as to whether a Section 106 Review is required and the City's decision to set for hearing on July 13th the State Street Corridor leaves me little time. To assure I have exhausted all possible avenues to procure these documents, I am making this time-limited request.

Thank you for your attention to the request.

Yours very truly,

John L. Poole

----- Forwarded Message -----

**Subject:**Public Record Request dated June 18, 2018

**Date:**Thu, 21 Jun 2018 21:34:26 +0000

**From:**LESMEISTER Cindy <[Cindy.L.LESMEISTER@odot.state.or.us](mailto:Cindy.L.LESMEISTER@odot.state.or.us)>

**To:**'[jlpoole56@gmail.com](mailto:jlpoole56@gmail.com)' <[jlpoole56@gmail.com](mailto:jlpoole56@gmail.com)>

**CC:**ODOT Public Record Requests <[ODOTPRR@odot.state.or.us](mailto:ODOTPRR@odot.state.or.us)>, '[lauri.k.kunze@odot.state.or.us5](mailto:lauri.k.kunze@odot.state.or.us5)' <[lauri.k.kunze@odot.state.or.us5](mailto:lauri.k.kunze@odot.state.or.us5)>, ROCK Michael D <[Michael.D.ROCK@odot.state.or.us](mailto:Michael.D.ROCK@odot.state.or.us)>, LEDET Elizabeth <[Elizabeth.L.LEDET@odot.state.or.us](mailto:Elizabeth.L.LEDET@odot.state.or.us)>

Cindy Lesmeister  
Transportation and Growth Management Program  
555 13th St NE, Suite 2  
Salem, OR 97301  
Phone: 503/986-4349  
Fax: 503/986-4174  
e-mail: [cindy.l.lesmeister@odot.state.or.us](mailto:cindy.l.lesmeister@odot.state.or.us)

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John Laurence Poole  
1566 Court ST NE  
Salem OR 97301-4241  
707-812-1323 office



# PUBLIC RECORDS REQUEST ACKNOWLEDGEMENT AND RECEIPT

Business Services Section MS 51  
355 Capitol St. NE, Salem OR 97301

Phone: (503) 986-3273  
Fax: (503) 986-4025

REQUESTOR NAME John Poole		TITLE	DATE REQUEST RECEIVED 6-18-2018	
PHONE 7078121323	FAX	EMAIL ADDRESS jlpooole56@gmail.com		
FIRM OR TRADE NAME				
MAILING ADDRESS 1566 Court Street NE		CITY Salem	STATE OR	ZIP 97301

In accordance with ORS 192.440(2), this is to acknowledge our receipt of your request for the following record(s):

1. Page 3 Memorandum to Michael Rock from Lucinda D. Jackson, Senior Assistant Attorney General Government Services Section, dated April 26, 2018, second full paragraph, fourth line: the biennial "2017-2019 Interagency Agreement Between ODOT and DLCD for the TGM Program (IAA)." 2. The "Interagency Agreement Between ODOT and DLCD for the TGM Program" agreement in effect for the period of 2015-2017 prior to the item requested in paragraph 1 above. 3. The approval of the Federal Highway Administration (FHWA) referenced in Page 3, Memorandum to Michael Rock from Lucinda D. Jackson, Senior Assistant Attorney General Government Services Section, dated April 26, 2018, second full paragraph, sixth line: "Once FHWA approves the IAA statement of work to administer the TGM program, there are no further approvals or oversight by FHWA" 4. Page 3, Memorandum to Michael Rock from Lucinda D. Jackson, Senior Assistant Attorney General Government Services Section, dated April 26, 2018, third full paragraph, first line: The award and notice of award as referenced in the phrase "ODOT and DLCD awarded a TGM grant to the City of Salem in August 2014." 5. Page 3 Memorandum to Michael Rock from Lucinda D. Jackson, Senior Assistant Attorney General Government Services Section, dated April 26, 2018, third full paragraph, first line: "in July 2015 entered into intergovernmental agreement (SSRP IGA) for the City [of Salem] to develop the State Street Refinement Plan (SSRP)." 6. Page 3 Memorandum to Michael Rock from Lucinda D. Jackson, Senior Assistant Attorney General Government Services Section, dated April 26, 2018, third full paragraph, sixth line: "This draft plan prepared for the SSRP IGA was completed over six months ago." Attached is a screenshot, LucindaJacksonMemo\_PR3.png, of the Memorandum which highlighted areas correlating to the above requests.

Having reviewed your request, we are able to inform you that:

- Copies of all requested public records for which the Oregon Department of Transportation (ODOT) does not claim an exemption from disclosure under ORS 192.410 to 192.505 are enclosed.
- ODOT does not possess or is not the custodian of the requested record(s).
- No such records exist.
- ODOT is uncertain whether it possesses the requested record(s). We will search for the record and make an appropriate response as soon as practicable.
- ODOT is the custodian of at least some of the requested public records. It will require time before the public records may be inspected or copies of the records will be provided (see time estimate in comment section below). We estimate that there will be a fee for making the records available which you must pay as a condition of receiving the records (see cost estimate attached).
- ODOT is the custodian of at least some of the requested public records. We will provide an estimate of the time and fees for disclosure of the public records within a reasonable time (see cost estimate attached).

Comments:

We will have the information to you by close of business June 29, 2018. There will not be a charge for the information.



## COST ESTIMATE FOR REQUESTED PUBLIC RECORDS

Please note that the first 30 minutes of record research and preparation is provided at no charge. The cost estimate below is for work in addition to the initial 30 minutes.

If the Total Estimate Cost field is "\$0.00", there is no charge for the request and a response from the requestor is not required.

The following is a quote for costs for the public records requested from ODOT:

ESTIMATE PREPARED FOR <b>John Poole</b>			EST. DATE RECORDS WILL BE READY <b>June 29, 2018</b>	
ADDRESS 1566 Court Street NE	CITY Salem	STATE OR	ZIP 97301	
EMAIL jlpool56@gmail.com			PHONE 7078121323	

Full rate     Reduced rate (with approved waiver)

TYPE OF SERVICE	HOURLY RATE CHARGED	COST PER INCREMENT	NUMBER OF 6-MINUTE (0.1 HOUR) INCREMENTS	TOTAL HOURS	TOTAL
Clerical	\$25.00	\$2.50		0	\$0.00
Managerial	\$40.00	\$4.00		0	\$0.00
Professional	\$75.00	\$7.50		0	\$0.00
Department of Justice	Actual cost				
<b>SERVICES TOTAL</b>					<b>\$0.00</b>

COPIES	COST PER PAGE	QUANTITY	TOTAL
Black-and-white copies	\$0.07		\$0.00
Color copies	\$0.35		\$0.00
<b>COPIES TOTAL:</b>			<b>\$0.00</b>

OTHER CHARGES	COST EACH	QUANTITY	TOTAL
Shipping			
<b>OTHER CHARGES TOTAL:</b>			

**TOTAL ESTIMATE:** **\$0.00**

NOTES/COMMENTS	
PREPARED BY	UNIT NAME
EMAIL	PHONE

***Send to Requestor***

Please respond within 60 days to accept this quote; work will begin as soon as ODOT receives the response. If ODOT does not receive a response within 60 days, the records request will be canceled.

If the Total Estimate Cost field is "\$0.00", there is no charge for the request and a response from the requestor is not required.

You may respond by clicking the Send Response to ODOT button below, or by faxing to (503) 986-4025.

**Requester response**

YES, I accept this quote; begin records research and preparation       NO, I decline this quote; cancel this records request.

[\*Send Response to ODOT\*](#)

## Eunice Kim

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**From:** John L. Poole <jlpoole56@gmail.com>  
**Sent:** Friday, June 22, 2018 4:35 PM  
**To:** Eunice Kim; PRR  
**Subject:** Fwd: Public records request 18-1234

Amy and Eunice:

FYI

John

----- Forwarded Message -----

**Subject:**Public records request 18-1234  
**Date:**Fri, 22 Jun 2018 18:41:58 +0000  
**From:**PRR <[PRR@cityofsalem.net](mailto:PRR@cityofsalem.net)>  
**To:**[jlpoole56@gmail.com](mailto:jlpoole56@gmail.com) <[jlpoole56@gmail.com](mailto:jlpoole56@gmail.com)>

### PUBLIC RECORDS REQUEST #18-1234

Our office received your request for records and will process your request according to the policy detailed on the City's website at <http://www.cityofsalem.net/Pages/public-records-policy.aspx>.

In response to your public records request:

- The City is the custodian of (maintains) the requested record(s).  
 The City is not the custodian of the requested record(s).  
 The City is uncertain whether it maintains the requested record(s).  
 The City requests the following clarification: \_\_\_\_\_

Pursuant to ORS 192.450 and 192.460, you may appeal this decision to the Marion County District Attorney.

Debbie Kees  
Legal Assistant  
City of Salem Legal Department  
555 Liberty St SE #205  
Salem OR 97301  
503-588-6003



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This e-mail transmission, including any and all attached documents, contains communication intended to be private between the sender and the addressee. They may contain privileged attorney/client communications, and are intended for the sole use and benefit of the addressee. Should this e-mail be intercepted or misdirected, or should a copy come into the possession of anyone other than the addressee without the consent of either the sender or the addressee, please

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