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JAN 05 2018

COMMUNITY DEVELOPMENT

**APPLICANT'S STATEMENT
FOR THE UNION GOSPEL MISSION OF SALEM -
CONDITIONAL USE PERMIT FOR THE NEW MENS SHELTER
AND ZONE CHANGE FOR THE RETAIL STORE**

Revised 1/4/2018

BACKGROUND

The Union Gospel Mission of Salem (UGM) proposes to relocate its men's shelter, currently located at 345 Commercial Street NE in the downtown Central Business District, to the north at a site along the west side of Commercial Street, north of Division Street. UGM's administrative offices and retail/resale store are currently located on this block with the administrative office mid-block at 745 Commercial, and the retail store at the north end of the block at 885-899 Commercial, bordering D Street. The retail store has been at this location since 1987, and the administrative offices have been there since 2009.

The UGM ownership along Commercial Street is composed of five contiguous parcels that extend from Division Street to D Street. These are identified as Tax Lots 1600, 1700, 1800 and 1900 on Marion County Assessor's map 7-3W-22DB; and Tax Lot 3300 on map 7-3W-22AC. The five parcels are addressed as 715, 745, 771, and 885-899 Commercial St. NE. The retail store is on Tax Lot 3300, and the administration office is in a separate building on Tax Lot 1700. An old house occupies parcel 1600, and a vacant office building is on Tax Lot 1900.

The contiguous site totals 2.3 acres. It is currently zoned CO, and is also within the Riverfront Overlay (RO) Zone, Area 2 (SRC Chapter 617). It is designated River Oriented Mixed-Use on the Comprehensive Plan (SACP) map.

The River Oriented Mixed-Use designation and Riverfront Overlay Zone were adopted by the City in 1998 to promote the redevelopment and renewal of the older industrial and commercial area north of the downtown central business district. The intent of the Riverfront Overlay Zone is to "...promote a mixed-use residential and commercial district with an emphasis on office development and pedestrian access to and along the Willamette River." (SRC Chapter 617.001). Area 1 of the Overlay is between the Willamette River and Front Street, and is designated for multiple family high density residential use. Area 2 is between Front Street and Commercial Street, and is currently designated CO, which allows both office uses and multifamily residential use (SRC Chapter 521).

The site for the new Salem Police facility, recently acquired by the City, is directly east across Commercial Street from the UGM property. It is zoned CB, but is not within the Overlay Zone.

In 2014, the City Council amended the Riverfront Overlay Zone to include non-profit shelters serving more than 75 persons as an "Additional Conditional Use" (Code Amendment Case CA14-03, Ordinance Bill 19-14). The amendment was requested by the UGM in anticipation of relocating its shelter to this site with an expanded capacity to address its persistent need to serve more individuals than its current site allowed. Prior to the Code Amendment shelters were included as a Conditional Use in the CO zone, but were limited to serving a maximum of 75 persons. The provision in the RO zone is limited to "Relocation of an existing Non-Profit Shelter from the CB zone serving more than 75 people, provided the shelter continually existed in the CB zone as of September 1, 1993." (SRC 617.015(c), Table 617-2). Because shelters were previously a Conditional Use in the underlying CO zone it is important to note that the Code Amendment did not introduce a completely new use to this location, but only altered the allowable scope of that use, and limited it to satisfaction of specific pre-requisites. The proposed UGM shelter satisfies these specific pre-requisites because it is an existing non-profit shelter that is currently in the CB zone, and it has been at its current location continuously since 1953.

Even with the 2014 amendment to the RO zone, the Zone Code severely limits the possible locations for shelters serving more than 75 persons. The vast majority of zone districts, covering the vast majority of land in the city, do not include this use. Shelters are not allowed, or are limited to 75 persons or less, in the following residential, commercial, industrial, and public zones: RA, RS, RM1, RM2, RH, CN, CO, CR, CG, EC, IC, IBC, IP, IG, II, PA, PC. A shelter serving more than 75 persons can be allowed in certain public use zones, which are PE (Public Education), PH (Public Hospital), PS (Public Service), and PM (Capitol Mall). Land in these public zones are typically owned by public agencies such as the School District, City, State and Federal Governments, or religious organizations, and are occupied by facilities such as schools, parks, the hospital, fire stations, government offices and facilities, and places of worship.

The Proposal

As provided for by the 2014 Code Amendment to the Riverfront Overlay Zone, UGM requests a Conditional Use Permit to allow the relocation of its mens shelter to this site in order to serve more than 75 persons, as provided for in SRC 617.015(c). The new shelter is being planned to serve approximately 300 persons, in order to address the persistent community need that is being experienced for this service.

While the Riverfront Overlay Zone provides for the proposed shelter, the underlying CO zone does not include commercial retail uses such as the UGM store. Under the existing CO zone the store is a non-conforming use, which severely restricts its ability to expand or change its operation. The store was a permitted use before the designation of the property with the Overlay Zone and the CO zone in 1998. Therefore, in order to re-establish its retail store as a permitted use, UGM also requests a Zone Change from CO to CB. The CB zone allows retail stores as a permitted use, SRC Chapter 524.005, Table 524-1 Retail Sales and Services, as described in UDC Chapter 400.045(b). The CB zone implements the River Oriented Mixed-Use Comprehensive Plan designation, and it is consistent with the intent for this area of the Riverfront Overlay Zone. It is also appropriate for the northward expansion of the downtown area.

It is important to note that only the Conditional Use Permit is necessary for the proposed shelter. The Conditional Use Permit is a provision of the Riverfront Overlay Zone, and is available regardless of whether the underlying base zone is CO or CB.

Preliminary Site Plan

A preliminary site plan is provided with this application to show a concept of how the site could be redeveloped for the proposed shelter. This site plan is preliminary pending among other factors any conditions that may be assigned to approval of the application, and future satisfaction of the City's required Site Plan Review process.

The preliminary plan shows the new shelter situated at the south end of the site. It is planned to be a multi-story building providing approximately 54,000 square feet of space. The new facility will replace the existing administration building and the old house and office building currently on the building site. The retail store remains at its current location at the north end of the property, with a possible future addition. Parking area is provided in between the two facilities, with 106 spaces shown. Access to the property is provided by driveways to Commercial St., and also by the alley that runs along the west side of the site. A median in Commercial Street prevents left turns into or out of the Commercial Street driveways, restricting traffic to right-in/right-out southbound movements.

Surrounding Land Uses and Transportation Facilities

The immediate neighborhood surrounding the UGM site is characterized by a mix of commercial retail, service, office, and industrial activities, and the major transportation corridors north of downtown. The surrounding properties, and those across the bordering streets, have experienced little change in use since the adoption of the Overlay Zone. The major change to date has been on the property to the east across Commercial Street, which has been vacated by the former car dealership, and acquired by the City for the new Police facility.

At the south end of the site, along Division Street, an electric motor repair shop is located on Tax Lot 200 and an advertising office is on Tax Lot 2100. West of the alley FCC Inc. occupies Tax Lot 2200, and a heating and cooling contractor occupies Tax Lots 2300 and 2400. West of the site, along Front Street, the McNary Square office building is on Tax Lot 2600 (map -22DB). A vacant auto repair shop is on Tax Lot 2300, and a tavern is on D Street just east of Front, on Tax Lot 2700. An office building is at D Street and the alley, on Tax Lot 2800 (map -22AC). South of Division Street, the offices of the State Teachers Standards and Practices Commission is on Tax Lot 3301.

The west side of Front Street is currently occupied mainly by commercial and industrial uses. Cascade Door & Millwork Co. and Building Materials Bargain Center are on Tax Lot 2000. A church now occupies part of that former commercial space. A warehouse building, currently

leased to UGM and planned for redevelopment as a residential care facility is on Tax Lot 1900 (map - 22AC). The extensive Truitt Bros. food processing operation is located along both sides of Front Street, north of Mill Creek. The Truitt site west of Front Street is now zoned RH (Multiple Family High Rise Residential) which reflects the intent of the River Oriented Mixed-Use designation. However, the industrial operation is included as a "Continued Use" in the Riverfront Overlay Zone, SRC 617.015(a), which provides for its continuing use, intensification, and enlargement, and there as yet is no proposal or approved plan for the redevelopment of that property.

The lands north of D Street, between Commercial and Front and extending to Mill Creek, include the Grocery Outlet store on Tax Lot 3200, and a vacant industrial building west of the grocery store on Tax Lot 2900 (map - 22AC). Those two properties are currently zoned CB, as a result of separate, recent Zone Changes requested by the property owners (DR-ZC-VAR-SPR 12-04, and ZC14-01). North of the creek an office building is located on Tax Lot 1000. North of the office property is an industrial warehouse along Front Street on Tax Lot 1100, and School District 24J's Riverfront Learning Center, a facility providing special programs for high school-age students with specialized learning needs, on Tax Lot 600.

As noted, the new Salem Police facility will be directly east across Commercial St. from the UGM property, on Tax Lot 800 (map -22AC). That site is also zoned CB. An office building is located north of the Police facility site.

There is no property in residential use in the immediate neighborhood surrounding the UGM site. The nearest residential use is the Broadway Town Square development located north of Belmont Street, a half-block east of Liberty Street, approximately three blocks from the site of the proposed UGM shelter. Two single family homes along the north side of Market Street east of Commercial St.

The UGM site is served by the major transportation routes that extend north of the downtown core. The primary access to the site is Commercial St. NE, which borders the east side of the property. This street is classified as a Parkway on the Salem Transportation System Plan (STSP, Map 3-1 Street Plan). This street classification is defined for an average daily traffic (ADT) volume of 30,000-60,000 vehicles per day (Table 3-1). It is the highest volume classification for an urban street in the STSP (the Freeway classification applies to Interstate 5). Front Street, a half-block to the west, is classified as a Minor Arterial, which is defined for an ADT of 7,000-20,000 vehicles per day. An active freight railroad line runs along Front Street at grade, without separation from vehicle travel lanes.

Division Street, which borders the south end of the site, extends east from Front Street and ends in a cul-de-sac. It does not connect to Commercial Street.

Summary

The Conditional Use Permit will allow the UGM to relocate its shelter from the downtown core, where it has been since 1953, to a site approximately three blocks to the north. The proposed location is separate from, and minimizes its proximity to, any existing residential development. The proposal is consistent with the specific terms of the Code Amendment adopted in 2014 to allow the shelter in the RO zone. The Zone Change to CB, which will change the status of the retail store, is appropriate for the location because it implements the Comprehensive Plan designation, and is consistent with the stated intent of the Riverfront Overlay Zone. It will enable the retail store to be a permitted use, and eliminate its non-conforming use status. The proposed zone change is also consistent with the CB zoning to the north and east, and south into the city center. It will result in a uniform zoning pattern along the west side of Commercial Street between the city center and Mill Creek. This is consistent with the intent to expand the area that is compatible with the downtown core.

CRITERIA

Conditional Use Criteria, SRC 240.005(d)

The proposed relocation of the UGM shelter requires approval of a Conditional Use Permit. The criteria for a Conditional Use Permit are addressed as follows:

(d) Criteria. An application for a conditional use permit shall be granted if all of the following criteria are met:

(1) The proposed use is allowed as a conditional use in the zone.

The UGM property is within the Riverfront Overlay Zone. This zone includes "Relocation of an existing Non-Profit Shelter from the CB zone serving more than 75 people, provided the shelter continually existed in the CB zone as of September 1, 1993." as an Additional Conditional Use, SRC 617.015(c), Table 617-2. The UGM shelter satisfies these specific pre-requisites because it is an existing non-profit shelter that is currently in the CB zone, and it has been at its current location continuously since 1953. Because the proposed use is allowed as a Conditional Use in the Riverfront Overlay Zone this criterion is satisfied.

(2) The reasonably likely adverse impacts of the of the use on the immediate neighborhood can be minimized through the impositions of conditions.

Certain "reasonably likely adverse impacts" that are commonly attributed to the presence of the shelter are the result of personal conduct or behavioral issues associated with some of the individuals that it will assist and serve, rather than the operation of the facility itself. The presence of the shelter does not cause or create these conduct or behavioral issues. In addition to providing for basic needs such as housing and meals, the shelter will provide assistance to those individuals in order to help change undesirable conduct or behaviors, and these services require an accommodating and adequate facility in which these needs can be addressed. Without an adequate facility with the capacity to provide needed programs and assistance the needs of those individuals would be less likely to receive attention, and would remain a problem for the community.

The site for the proposed UGM shelter was chosen for the lack of residential uses in the immediately surrounding neighborhood, its separation from existing residential uses, the lower potential for significant adverse impact on existing non-residential uses in the immediate neighborhood, and the ability to minimize potential adverse impacts on the immediate neighborhood, among others. The immediate neighborhood currently includes retail, service, industrial, and office uses, and major transportation corridors. The new City Police facility will be located immediately east across Commercial St. The timing for the construction and occupancy of the Police facility, and the shelter, is expected to be very close. Based on available information the shelter is planned to open in 2020 and the Police facility is expected to be in operation in 2019.

The shelter site is bounded by Commercial Street on the east, Division Street on the south, an alley on the west, and additional UGM property on the north. Commercial Street is a high traffic volume Parkway. The right of way width design standard for this street is 120 feet (STSP Table 3-1). Division Street provides local access east of Front Street and does not intersect Commercial Street.

All of the properties within the block bounded by Division Street, Front Street, D Street, and Commercial Street are used for commercial service and office uses. These include the properties adjacent to the proposed shelter, and those across the alley that runs north-south through the block between Division Street and D Street. There are no residential uses on this block. The properties across the bordering streets are the location for commercial, industrial, office, and public services. An office building is to the south across Division Street, industrial and commercial uses are to the west across Front Street, a grocery store and a vacant industrial building are to the north across D Street, and the new City Police facility will be on the land to the east across Commercial Street. There are no residential uses on the properties across the bordering streets.

The nearest existing residential uses are located north of Belmont Street east of Liberty Street, and at the northeast corner of Liberty and Market. These are approximately three blocks from the proposed shelter site.

The shelter will not create a significant noise impact on the immediate neighborhood. The major noise impacts in the area are from vehicle traffic on Commercial and Front Streets, and the freight trains using the rail line along Front Street. The services provided by the shelter such as sleeping accommodations, meal service, rehabilitation and counseling, and job training, will occur within the building. These activities will not create a significant adverse exterior noise impact. The potential for significant adverse impact from noise at the shelter is minimal, and is not reasonably likely. Similarly, the types of activities and services provided at the shelter will not create significant odors in the immediate neighborhood. Odors may be created by venting of kitchen operations, but these are not reasonably likely to create a significant adverse impact in the immediate area.

There will be motor vehicle traffic associated with the shelter. This will mainly be from employees of the shelter, and deliveries of materials and supplies. Few clients have motor vehicles. These traffic impacts will be typical of existing traffic in this industrial and commercial area. The site is served by Commercial Street, a major street route. Commercial Street serves as a link between the central city, the Willamette River bridges, and the Salem Parkway/I-5, and is designated as a Parkway and intended to serve very high volumes of traffic.

The facility will increase pedestrian traffic in the immediate neighborhood. A purpose of the Riverfront Overlay Zone is to promote pedestrian access in the area. There are existing public sidewalks along the site's Commercial Street frontage, as well as to the north and south of the site; along Division Street and on D Street. At the existing downtown shelter, clients can be seen gathering on the public sidewalk awaiting entry to the shelter. The proposed shelter will provide greater indoor and outdoor space than is available at the

current facility, which will serve to reduce gathering on the public sidewalk. Gathering on the public sidewalk is not an adverse impact, as long as passage on the sidewalk is not obstructed. Measures can be employed by shelter staff to encourage clients to gather inside the building or in spaces provided on the property, to avoid obstructing passage on the sidewalk. A client courtyard entrance on the east side of the building, to be accessed from the alley, will help to minimize gathering on the public sidewalk outside the building.

By providing expanded sleeping capacity over the current shelter the opportunity will exist to reduce camping and sleeping in outdoor spaces in the immediate neighborhood and elsewhere around the community.

The close proximity of the new Police facility to the shelter, and the ability of police to observe activity around the shelter and the surrounding neighborhood will contribute to safety and order in this area.

Because the proposed use will not create reasonably likely adverse impacts from noise, odors, or traffic, and there are no existing residential uses within the block where the shelter will be located or across any bordering street, and site is accessible from major transportation routes that afford access for pedestrians, bicycles, and motor vehicles, and measures are proposed to minimize the occurrence of obstructions to passage on the public sidewalk, the reasonably likely adverse impacts of the use on the immediate neighborhood can be minimized. For these reasons this criterion is satisfied.

(3) The proposed use will be reasonably compatible with and have minimal impact on the livability or appropriate development of surrounding property.

As noted the uses on surrounding properties consist of commercial retail, service, office and industrial uses. In the future the new Salem Police facility will be directly across Commercial Street. The shelter will be reasonably compatible with and have minimal impact on these types of uses because it will create no significant impacts, such as noise,

smoke, dust, odors, or traffic, that would interfere with existing activities on those properties. The uses on the surrounding properties are primarily daytime activities (except for the police facility), with limited evening operations, and are not occupied for sleeping, outdoor recreation, or other activities as are typical of residential uses. There are no residential uses on the surrounding properties within the same block or across the bordering streets. Access to the shelter site is provided by major street routes, classified by the STSP as a Parkway and a Minor Arterial. The proposed shelter will increase pedestrian traffic circulating in the immediate area, but the existing public sidewalks on the bordering streets can accommodate pedestrians. An increase in pedestrian activity is consistent with the intent of the RO zone, and this activity will not create an a significant impact as long as passage on the public sidewalk is not obstructed, as would be the case for any other source of pedestrian activity. The shelter will provide additional indoor and outdoor space for its clients which will decrease clients gathering on the sidewalk and decrease the potential for the sidewalk to be obstructed.

The proposed use is provided for in the Riverfront Overlay Zone. The RO zone was amended by the City in 2014 specifically to provide for this type of use. The RO zone applies to a very limited area, as shown in SRC Figure 617-6, which further limits the possible locations for the proposed shelter.

The UGM property is also within the Riverfront-Downtown Urban Renewal Area (RDURA). The City's Urban Development (UD) Director has stated how the Department staff sees the proposed shelter in relation to the vision of the RDRUA Plan, the urban renewal area's goals, and prior investments and projects (email Kristen Retherford to Dan Clem, Dec. 27, 2017, attached as Exhibit 1). As stated in that communication the RDURA Plan is supportive of housing, and according to the North Downtown Housing Study a wide range of housing options, including shelter capacity, is needed. Allowing the shelter will be consistent with prior RDURA supported housing developments in the area. RDURA previously sold property to the Salem Alliance Church to develop as a free medical clinic

that will serve the homeless and other low income individuals so this area could develop with a mix of housing. The shelter is consistent with these efforts.

The appropriate development of the surrounding property is indicated by their designations as shown on the City Zoning Map (7322S). The property surrounding the site is zoned CB to the north and east, CO and CB to the south, and CO to the west across the alley. The land to the west of Front Street is zoned RH. Except for the land east of Commercial Street the surrounding property is also in the RO zone. The CO and CB zones provide for commercial uses, and multifamily housing. The RH zone provides for residential high-rise development. At this time there are no plans or proposals filed with the City for residential use of the surrounding properties, and there are no approved residential development plans for these properties.

The shelter will occupy a newly designed and built structure that will replace the old buildings presently on the property. It will be subject to City Design Review standards and guidelines. By incorporating these standards and guidelines the new building will be characteristic of the recent building development along north Broadway, in scale and appearance. As a result, the visual appearance of the site will be improved, and it will be consistent with the City's design intentions for the area.

Because the surrounding properties are in commercial and industrial uses, the shelter will not create external impacts that will affect those uses, there are no residential uses on the surrounding properties, there are no plans previously approved or on file with the city for new residential development on the surrounding properties, access to the site is provided by the major streets in the area which include public sidewalks, the type of housing provided by the shelter is consistent with the RDURA and the North Downtown Housing Study and prior RDURA supported housing developments, the proposed use will be reasonably compatible with and have minimal impact on the livability or appropriate development of surrounding property, and this criterion is satisfied.

Zone Change Criteria, SRC Chapter 265

As stated in SRC 265.001, “Because of normal and anticipated growth of the city, changing development patterns, governmental policy decisions affecting land use, community needs, and other factors whose specific future application cannot be anticipated, the zoning pattern established by the Uniform Development Code cannot remain fixed in perpetuity, and the purpose of this chapter is to establish procedures and criteria to, when appropriate, change zoning designations.”

The intent of the Riverfront Overlay Zone is to create a mix of high density housing, commercial uses, and supporting services in proximity to the downtown core. To date, there has been little change in the area since the Overlay was adopted. The development pattern in the area remains a mix of industrial, office, retail and service activities. The proposed Zone Change is consistent with the intent for this area based on the stated intent of the Overlay. The zone change to CB will recognize the long-standing UGM retail outlet, which supports its shelter and service activities, and is consistent with the pattern of recent zone changes to CB to the north. The provision for zone changes recognizes that the zoning pattern cannot remain fixed in perpetuity, but must be responsive to the effects of the factors that determine the development pattern. The proposed Zone Change is consistent with the stated purpose of this chapter.

Proposals for a Quasi-Judicial Zone Change must address the criteria of SRC 265.005(e), as follows:

(1) A quasi judicial zone change shall be granted if the following criteria are met:

(A) The zone change is justified based on the existence of one or more of the following (i-iii):

(iii) A demonstration that the proposed zone change is equally or better suited for the property than the existing one. A proposed zone is equally or better suited than an existing zone if the physical characteristics of the property are appropriate for the proposed zone and the uses allowed by the proposed zone are logical with the surrounding land uses.

The UGM property has included a mix of retail and offices uses since prior to the application of the

Riverfront Overlay Zone and the CO zone. The CO zone caused the UGM retail outlet to become non-conforming. That status limits the opportunities for improvement, expansion, or change of the operation. The physical characteristics of the property are appropriate for the proposed CB zone because it is located along Commercial Street just north of the downtown core, it presents no obstacles or obstructions that prevent its use by activities that are allowed in the CB zone, and the site will consolidate the CB zoning that already exists to the south, north and east. The proposed zone is logical with the surrounding uses because it is consistent with intent of the River-Oriented Mixed-Use Comp Plan designation and provides for activities that are appropriate for the central area of the city. In addition, the land to the east across Commercial St. will be the site of the new Police Facility, which is a compatible use and another major public service to locate in this area.

Because the physical characteristics of the property are appropriate for the proposed zone and the uses allowed by the proposed zone are logical with the surrounding land uses, the proposed designation is equally or better suited for the property than the existing designation, and this criterion is satisfied.

(B) This criterion applies to City-initiated zone changes, and does not apply to this property-owner initiated change.

(C) The zone change conforms to the applicable provisions of the Salem Area Comprehensive Plan.

The site is designated River Oriented Mixed-Use by the Comp Plan. The Goals and Policies for this designation are found in Chapter IV. Part F. of the Plan, and are addressed as follows:

F. Mixed Use Development

Goal: To provide a mixture of complementary land uses that may include housing, retail, offices, services, industrial and civic uses, to create economic and social vitality.

The City has determined this area to be appropriate for a mix of uses. The site is currently zoned CO, but it is also the location of a long-standing retail store. The proposed CB zone implements the

River Oriented Mixed Use Comp Plan designation, and provides for retail uses. It will convert the existing store from a non-conforming use to a permitted use. In addition, the Riverfront Overlay Zone preserves the uses in the underlying base zone. The existing CO zone, and proposed CB zone, both allow non-profit shelters. The Riverfront Overlay was amended to allow the relocation of a non-profit shelter with a larger service capacity than in these base zones. The zone change does not enable, or affect, use of the site for the shelter. The CB zone provides for a complimentary mix of land uses within the area, including service and civic uses, as anticipated by the Plan designation. For these reasons, the proposal is consistent with this Goal.

Mixed Use Development Policies:

1. *Encourage efficient use of land by facilitating compact, high density development and minimizing the amount of land that is needed to accommodate automobile parking.*

The proposal represents the efficient use of land for compact, high-density development by providing for the continuance and future expansion of the existing retail store. The nearby shelter, which is provided for by the RO zone, will have expanded capacity in a building that will include emergency housing, rehabilitation and training services, and administrative offices. This will result in an overall more intensive use of the site than at present. Parking will be contained within the site. These features are consistent with this policy.

2. *Encourage development that preserves open space.*

The site is developed and it is not designated as open space, and it has no open space features that require preservation. New development will include landscaping, as may be required. These factors are consistent with this policy.

3. *Facilitate development (land use mix, density, connectivity, design, and orientation) that reduces the need for, and frequency of, SOV trips and supports public transit, where appropriate.*

The UGM store serves a driving and pedestrian customer base. The shelter serves a predominantly non-driving population. The location of the store in conjunction with the shelter, and the range of services to be provided at the shelter, reduces the need for SOV trips. The site is along a major

street, pedestrian, bicycle, and transit corridor. These factors reduce the need for and frequency of SOV trips, consistent with this policy.

4. Reinforce streets as public places that encourage pedestrian and bicycle travel.

The location of the store, and the future shelter, along major street routes including Commercial Street and Front Street, will encourage pedestrian and bicycle travel. By concentrating and maintaining these support services as a destination in proximity to downtown and the public open spaces in the area, the proposal reinforces the streets as public places that encourage pedestrian and bicycle travel. These factors are consistent with this policy.

5. Provide roadway and pedestrian connections to residential areas.

The subject site is bordered by Commercial Street, Division Street and D Street. D and Division connect to Front Street. These streets provide public access to the urban area in general.

6. Develop commercial and residential areas that are safe, comfortable and attractive to pedestrians.

The retail store is already a part of the local commercial area. It is accessible to pedestrians via the sidewalks on the bordering streets. The shelter will also be served by the existing sidewalks along the bordering streets. The sidewalks provide safe areas for pedestrian activity, consistent with this policy.

7. Provide flexibility in the siting and design of new developments, facilities and redevelopment to respond to changes in the marketplace and infrastructure systems.

Changing the zone to CB as proposed will promote and encourage the future improvement and redevelopment of the existing retail structure, and will provide flexibility for its future use. As new residential development occurs in the this area, as encouraged by the Overlay zone, the store will be able to change in response to the future changes in the marketplace. These factors are consistent with this policy.

8. *Provide appropriate transitions between mixed-use areas and adjacent single-use neighborhoods.*

The CB zone provides for a wider variety of uses than the existing CO zone and thereby contributes to a mixed-use neighborhood as encouraged by the River Oriented Mixed Use designation and the Overlay zone. The subject site is not adjacent to a single-use neighborhood. The zone change will consolidate CB zoning between downtown and Mill Creek, which provides an appropriate transition to the areas to the south and north.

(D) *The zone change complies with applicable Statewide Planning Goals and applicable administrative rules adopted by the Department of Land Conservation and Development.*

The Salem Area Comprehensive Plan is Acknowledged to be in conformance with the Statewide Planning Goals and Administrative Rules. As such, the Plan implements the State Goals and rules. The proposed zone change to CB complies with the applicable Goals and Policies of the Comp Plan. A Comprehensive Plan Map Amendment is not required. Because the proposal complies with the Acknowledged SACP, the proposal satisfies this criterion.

(E) *If the zone change requires a comprehensive plan change from an industrial use designation to a non-industrial use designation...a demonstration that the proposed rezone is consistent with its most recent economic opportunities analysis and the parts of the Comprehensive Plan that which address the provision of land for economic development and employment growth, or be accompanied by an amendment to the Comprehensive Plan to address the proposed rezone, or include both the demonstration and an amendment to the Comprehensive Plan.*

The zone change is from CO to CB. It does not affect an industrial designation. A comprehensive plan change is not required. This criterion does not apply.

(F) *The zone change does not significantly affect a transportation facility, or, if the zone change would significantly affect a transportation facility, the significant effects can be adequately addressed through the measures associated with or conditions imposed upon, the zone change.*

The proposed zone change to CB is to change the status of the existing retail store from

non-conforming to a permitted use. The shelter is allowed by the Riverfront Overlay Zone, and the capacity of the shelter is subject to the Conditional Use Permit, not the Zone Change. The potential effect of the Zone Change on the transportation system has been evaluated the City Traffic Engineer and no significant effect has been determined. Since the retail store already exists no significant affect to a transportation facility will occur as a result of this Zone Change proposal.

(G) The property is currently served, or is capable of being served, with public facilities and services necessary to support the uses allowed in the proposed zone.

All necessary public facilities and services are present in this area and already provide service to the existing uses on the site. Water and sewer mains and storm drain lines are located in Commercial Street and D Street. Future service levels for new uses will be determined at the time development permits area requested. The existing public facilities and services are capable of serving the uses allowed in the proposed CB zone.

Can-Do Neighborhood Plan

The UGM property lies within the Can-Do Neighborhood Plan area. The Can-Do Neighborhood Plan was adopted in September 1978; and its Goals and Policies, and Land Use Plan Map, were adopted by the City Council in May, 1979.

The Neighborhood Land Use Plan Map shows the area of the UGM property designated as "Central Business". This proposal is consistent with that designation. In addition, in the Recommendations section of that Plan (p. 16), "Community Facilities - Transients", No. 96 states "Service agencies should be encouraged to provide counseling and rehabilitation services in conjunction with shelter and hot meals." The UGM shelter provides those services and will continue to do so at its proposed location. The UGM proposal is consistent with the Can-Do plan in terms of the requested zone and its functions.

Summary

The Conditional Use Permit will provide for a shelter with the capacity and facilities to serve the needs of the community. The Zone Change will provide for the long-term maintenance and use of the retail store. Together this combined proposal will serve to consolidate the activities of the UGM at a single site, and also create an opportunity for the future redevelopment and renewal of its current downtown location.

The proposal is compatible with the existing uses and the intended land use pattern of the immediate surrounding area. The shelter location is consistent with the intent of the RO zone and the RDURA. The existing transportation system is adequate to serve the proposed uses. The proposal is consistent with the applicable Comp Plan policies that apply to the zone change. The proposed CB zone is consistent with zoning to the north, east and south of the site, and the anticipated northward expansion of the downtown core area.

For the facts and reasons presented, the proposal satisfies the criteria for a Conditional Use Permit and for a Zone Change.



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EXHIBIT !

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From: Kristin Retherford [<mailto:KRetherford@cityofsalem.net>]

Sent: Wednesday, December 27, 2017 4:06 PM

To: Dan Clem <danclem@ugmsalem.org>

Subject: UGM and Riverfront-Downtown Urban Renewal Plan

Hi Dan. I thought it might be more helpful to give you this information in writing. Here is how UD staff sees the UGM in relation to the vision of the plan, the urban renewal area's goals, and prior investments and projects.

1. The UGM currently owns two locations in the RDURA. By moving the shelter to the northern property and consolidating services and functions in one location, the downtown site, which is a key redevelopment site, will be freed up for private sector investment and revitalization. This will significantly increase the assessed value of this downtown core site. This consolidation is a beneficiary use of land within the RDURA.
2. The RDURA Plan is supportive of housing and according to the North Downtown Housing Study, we need a wide range of housing options. Shelter capacity is a needed housing option.
3. The RDURA previously invested about \$2.1 million in subsidized, very low income housing in the north area. Allowing a shelter in this same general area would be consistent with prior RDURA supported housing development.
4. The RDURA previously sold property to Salem Alliance Church which has been allowed to develop ground floor space for a free-medical clinic and other supportive programs for homeless and low income individuals so that this area of the city could develop with a mix of subsidized and market rate businesses/services and housing. A shelter would be consistent with these prior efforts.

Please let me know if you have any further questions.

Kristin Retherford

Urban Development Director

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