

April 18, 2018

**Sent VIA Email and USPS First Class Mail**

Mayor Bennett and City Council  
c/o Bryce Bishop  
City of Salem  
Planning Division  
555 Liberty St. SE, Room 305  
Salem, OR 97301

Re: City Council Hearing Memo: Case No. CU-ZC 17-14 (Union Gospel Mission)

Dear Mayor Bennett and City Councilors:

**A. Introduction**

I am writing on behalf of Mr. David Glennie and his companies who own residential and commercial properties near the proposed shelter. As you know, Mr. Glennie is a former Salem City Councilor, a developer of mixed use and affordable housing projects in the City of Salem and elsewhere in Oregon, and is a longtime resident of the city. I am a land use attorney and former land use planner, and have served for many years as a land use hearings officer for several cities and counties in Oregon, including the City of Portland and Multnomah County. I mention our respective backgrounds because our experiences provide Mr. Glennie and me with some perspective on how difficult it can be to decide land use cases that involve important public policy issues, like homelessness.

This case, however, is not a public policy case, it is a quasi-judicial land use permit decision. It involves a zone change to allow the expansion of UGM's retail store and a conditional use permit to allow UGM's existing shelter to relocate into North Downtown, with, as the city's hearings officer noted, a "greatly expanded capacity". In our view, the evidence in the record shows that this proposal to greatly expand and relocate UGM's homeless shelter into the City's North Downtown redevelopment area does not meet the relevant approval criteria and should be denied.

In short, the proposed CUP application should be denied for several reasons. First, because the proposed expansion of the relocated shelter from approximately 75 beds, to a maximum of between 300 to 500 beds, is not allowed in the CB zone as a matter of law. Second, because

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there is substantial evidence in the record that the proposed shelter will likely create significant adverse impacts on people, property, homes and businesses in the area. Third, there is substantial evidence in the record that intolerable impacts of the proposed shelter cannot be feasibly minimized through conditions of approval.

## **B. Facts**

From a factual standpoint, we want to make it clear that we are not challenging the requested zone change to allow UGM to expand their retail store. We support UGM's effort in that regard. We also support ongoing efforts to build transitional and affordable housing in this neighborhood, and throughout the city, as both a practical and meaningful solution to homelessness. What Mr. Glennie and many others are challenging is the requested conditional use permit that would allow UGM to expand the capacity of its' existing homeless shelter and relocate it into the City's North Downtown redevelopment area. As you know, UGM's "greatly expanded capacity" would be between 300 and 500 beds. What you may not know is that if UGM's shelter is approved, it would become the largest homeless shelter in Oregon.

From both a factual and legal standpoint, UGM's request is unprecedented. It is unprecedented because it would allow the construction of Oregon's largest homeless shelter, and because it would allow a super- size-shelter in the middle of the City's highly protected mixed use redevelopment area, namely North Downtown. It should be noted that UGM's proposed site is less than a block from the City's Riverfront High Density Residential Overlay Zone, and is only a few blocks from a large residential development was recently approved by the City.(See Case No. 17-104306-RP: involving a two building residential care facility with one 48 unit memory care facility, and one 69-unit assisted living facility, located at 901 Front Street NE)) UGM's proposed super-shelter will severely impact planned residential and commercial developments in the North Downtown, and over time will damage and deter investment in the City's Riverfront High Density Residential Overlay Zone and the Central Business District Zone in this high priority redevelopment area, in a manner that is contrary to the City's zoning code and comprehensive plan. In short, a super-size-shelter is not so super in this high-priority, mixed-use, redevelopment area in North Downtown.

The likely adverse impacts of this super-shelter are well-documented in the record and will be discussed in more detail at the City Council hearing on April 23. It is important to note that the adverse impacts documented in the information previously submitted, have not be been rebutted. Moreover, as the hearings officer stated in his decision, these adverse impacts are "simply intolerable". These intolerable impacts include theft, vandalism, public urination, public defecation, public intimidation, public use of profanity, trespassing, public drug sales and usage, public alcohol sales and consumption, public camping and associated garbage. They also include adverse impacts to the appropriate development of property in the North Downtown

redevelopment area, and especially to the redevelopment of properties in the nearby Riverfront High Density Residential Overlay Zone and Central Business District Zone, which are key zoning districts that implement the city's plan for North Downtown.

The types of impacts that are especially disturbing include an incident that recently occurred on Monday April 9, 2018, a neighborhood of nearby row houses built by Mr. Glennie. That evening at about 7 p.m., owners of the row houses reported that four homeless men came through the neighborhood yelling slurs, and using threatening language and obscenities directed at the residents of the row houses. This incident at the row houses was reported to the Mayor and to the Salem Police Department. This kind of intimidation is precisely the type of behavior that is simply intolerable for residents, workers, and businesses alike. This incident at the row houses is relevant to this case because it:

- 1) Reinforces how aggressive, unpredictable, and unmanageable some homeless individuals can be, especially those who are chronically homeless, and it
- 2) Shows that homeless shelters cannot control the antisocial behavior of some of its' guests, and that proposed conditions of approval are useless in that regard, and it
- 3) Amplifies our main message, that building the largest men's homeless shelter in Oregon, in the City's North Downtown redevelopment area, will exacerbate, not minimize adverse impacts on the immediate neighborhood.

### **C. Criteria**

As you know, the following criteria in SRC Section 240.005(d) must be met before a Conditional Use Permit (CUP) can be granted:

- 1) The proposed use is allowed as a conditional use in the zone."
- 2) The reasonably likely adverse impacts of the use on the immediate neighborhood can be minimized through the imposition of conditions."
- 3) The proposed use will be reasonably compatible with and have minimal impact on the livability or appropriate development of surrounding property."

#### **D. Argument**

On behalf of Mr. Glennie, I am reasserting the arguments contained in the written and oral testimony submitted to the hearings officer, including but not limited to the letter I submitted on January 5, 2018, which is attached for your reference as Attachment 1. In addition, for purposes of the City Council hearing on April 23, 2018, I have summarized our arguments below:

1. With regard to the first CUP criteria, namely SRC 240.005(d)(1), the text and context of the relevant zoning provisions provides that the “relocation of an existing Non-Profit Shelter from the CB Zone serving more than 75 people, can be approved as a conditional use in Riverfront Overlay Zone (RO)” (See SRC Table 617-2). However, an express limitation in the Central Business District Zone (CB), provides that an existing shelter that serves more than 75 people can be relocated from the CB zone, through a CUP process, so long as there is “no increase in bed capacity”. ( See SRC Table 524-1). The proposed expansion of the relocated shelter, from its’ current lawful capacity of approximately 75 beds, to a greatly increased capacity of somewhere between 300 and 500 beds, is therefore not allowed in the CB zone as a matter of law. We would also note that the proposed super-shelter would be the largest homeless shelter in Oregon, and would therefore be unprecedented. For purposes of comparison, the capacity of the Grand Hotel in Salem is 193 rooms, and the capacity of the Marion County jail is 400 beds. The proposed super-shelter would significantly exceed these capacities and would make the proposed super-shelter one, of if not the largest lodging facility in Marion County.
2. With regard to the second CUP criteria, namely SRC 240.005(d)(2), we agree with the hearings officer that there is substantial evidence in the record that proposed shelter with a “greatly expanded capacity” will create significant adverse impacts on people, property, homes and businesses in the area that are, “simply intolerable”. These adverse impacts are well-documented in the record, and include theft, vandalism, public urination, public defecation, public intimidation, public use of profanity, trespassing, public drug sales and usage, public alcohol sales and consumption, public camping and associated garbage.
3. We respectfully disagree with the hearings officer that the proposed conditions of approval, such as signage, use of a screened fence, and surveillance cameras, will minimize these intolerable impacts in any meaningful way. Relocating a homeless shelter into the North Downtown Redevelopment Area, with “greatly expanded capacity” will make these intolerable impacts worse and more frequent, unless the City, UGM, the local business community, and relevant community associations, reach an agreement on how to feasibly minimize them.



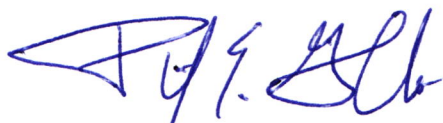
4. With regard to the third CUP criteria, namely SRC 240.005 (d)(3), we believe that the proposed super-shelter will be incompatible with the appropriate development of surrounding property and it's livability, because the surrounding property is planned and zoned for high density residential, office and commercial use and there is substantial evidence in the record that the proposed use will produce adverse impacts in the North Downtown Redevelopment Area that are "simply intolerable". The proposed super-shelter would be located in the immediate vicinity of the City's Riverfront High Density Overlay Zone, which is key to the overall redevelopment of the Riverfront Overlay Zone, and the Central Business District Zone, as detailed in the City's comprehensive plan, the CANDO Neighborhood Plan, the Riverfront Downtown Urban Renewal Plan and the North Downtown Riverfront Plan. All of these plans and policies will be jeopardized by the "intolerable" impacts of the proposed super-shelter.

#### **E. Conclusion**

For all of the reasons mentioned above, the supersize-shelter as proposed by UGM in the City's North Downtown redevelopment area does not meet the relevant approval criteria, and should be denied. Mr. Glennie is receptive to participating in mediation with UGM, the City, the CANDO Neighborhood Association, and other relevant stakeholders, in an effort to agree on a mutually agreeable plan for the relocated shelter that can be approved through the CUP process.

Sincerely,

Davis Wright Tremaine LLP



Phil Grillo

cc: Client

Enclosure: Attachment 1

January 5, 2018

Mr. Jim Brewer  
Land Use Hearings Officer  
City of Salem  
Room 240 Civic Center  
555 Liberty Street NE  
Salem, OR 97301

Re: Case No CU-ZC 17-14 (Union Gospel Mission)

Dear Mr. Brewer,

I am writing on behalf of David Glennie and his companies to expand upon his earlier testimony in the above-mentioned matter. As the Hearings Officer knows, the relevant approval criteria for the applicant's Conditional Use Permit (CUP) request are found in SRC 240.005(d)(1)-(3). To assist the Hearings Officer, I have connected Mr. Glennie's earlier testimony and other evidence that is now in the record to each of the CUP approval criteria set forth below. I have also attached several exhibits in support of our arguments. Those exhibits are referenced in the text of this letter where appropriate. With that introduction in mind, the applicant's CUP request should be denied for the following reasons:

1. Pursuant to SRC 240.005(d)(1), the proposed use is not allowed as a conditional use in the zone:
  - A. Riverfront Overlay Zone (RO) and The Central Business District Zone (CB) allow the "relocation of an existing Non-Profit Shelter from the CB zone serving more than 75 people," but these zones do not allow and, therefore, prohibit the expansion of a relocated shelter.

The relevant provision in the RO overlay zone conditionally allows the:

"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."

(See SRC Table 617-2, attached as Exhibit 17).

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SRC Table 617-2 does not expressly or implicitly allow a relocated shelter to expand. The City authorizes the expansion of a particular use in its Comprehensive Plan and zoning code by using words such as “expansion,” “expand,” or “increase.” (*See* for example, Salem Comprehensive Plan, Exhibit 23, p. 36). In SRC Table 617-2, the City did not expressly or implicitly allow the expansion of relocated shelters. Because the expansion of relocated shelters is not listed as an allowed use in Table 617-2 it is prohibited.

This interpretation is clarified and supported by a parallel provision in the CB base zone, which conditionally allows the:

“Relocation of an existing Non-Profit Shelter within the CB zone serving more than 75 persons, provided the shelter has existed within the CB zone as of September 1, 1993, *and there is no increase in bed capacity.*” (Emphasis added.)

(*See* SRC Table 524-1, attached as Exhibit 16).

It should also be noted that in the CB base zone, *new* non-profit shelters are limited to a maximum of 75 persons. (*See* SRC 524-1, attached as Exhibit 16). It would be inconsistent with the 75-person limitation in the base zone and contrary to the purpose of the CB zone, to allow shelters that are *relocated* from elsewhere in the CB zone, to have no limitation whatsoever. The purpose of the CB zone is to serve Salem and the region as a center of business and commerce, not as a principal center for the location of a massive homeless shelter. (*See* SRC 524.001, attached as Exhibit 16). Likewise, the purpose of the RO 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, not as a center for a massive homeless shelter. (*See* SRC 617.001, attached as Exhibit 17). Taken together, these zones do not allow a relocated non-profit homeless shelter serving more than 75 people to expand beyond the number of people it currently lawfully serves.

The applicant has not indicated how many people its existing shelter serves, but it is our understanding that the existing shelter serves approximately 75 people, which is the maximum number of people a shelter can serve in the CB zone. The relocated shelter as proposed will serve at least 300 persons, which would be at least a 400% increase in the number of persons currently served by the existing UGM shelter and would be a size that clearly exceeds the limits of both the CB and RO zones. (See Exhibits 16 and 17)

B. The CANDO Neighborhood Plan and the Riverfront Downtown Urban Renewal Plan reinforce the need to limit homeless shelters in this area and the need to maximize economic development, pedestrian friendly development and river oriented uses on this site.

The CANDO Neighborhood Plan reinforces the need to limit homeless shelters within its boundary, which includes this site. The CANDO Neighborhood Plan goals and policies were adopted by the Salem City Council on May 21, 1979, by Ordinance 105-79, and have been subsequently amended by Council. (See Exhibit 22). The CANDO goals and policies are legally part of the city's comprehensive plan. (See SRC 64.005(g)(2) attached as Exhibit 18.) One of the key policies under the Community Services Goal of the CANDO Neighborhood Plan specifically addresses "Transients." CANDO Plan Policy 49 provides as follows:

"TRANSIENTS

49. Policy: The current level of transient services and the number of agencies providing such services within the Central Area Neighborhood shall be maintained." (See Exhibit 22 p. 10)

The term "maintain," as used in this plan policy, does not expressly or implicitly allow the expansion of transient services in the area. The word "maintain" is defined in Merriam-Webster's dictionary to mean: "keep in an existing state." Therefore, this comprehensive plan policy does not permit the expansion of transient services or the number of agencies providing such services within the Central Area Neighborhood. Rather, the plan policy requires that the current level of services and the number of agencies providing such services remain constant, rather than increase or decrease.

This limitation is consistent with the overall land use, economic, development and housing goals of the CANDO plan, which are to retain the Central Area Neighborhood as the economic and business center of the Mid-Willamette Valley, (See, for example, CANDO Goal 4 "Economy" and Goal 25 "Housing"). The CANDO plan goal is not to make this neighborhood the center for homeless shelters.

Likewise, the Riverfront Downtown Urban Renewal Plan (RDURP), which was originally adopted by ordinance in 1975 (See Exhibit 21), reinforces the need to maximize the economic development potential of the Central Business District as part of its Core Redevelopment Target Area and the North Downtown Riverfront Plan (NDRP), including this site and surrounding area (See Exhibit 21, pgs 37-41). For example, one of the principle aims of the RDURP is to "create a climate for, and to encourage, the revitalization of a viable and economically sound Central Business District..." (See Exhibit 21, Section 601). As stated in Section 1108 of the RDURP, NDRP is intended to develop a wide range of new housing and



mixed use projects that take advantage of the benefits of being near downtown, the riverfront, and the Capitol Mall. (See Exhibit 21, pgs 25-31).

In addition, within the Riverfront Redevelopment project area of the RDURP, the plan makes it clear that safe pedestrian access between retail activities, offices, public facilities, parking, the waterfront, and related areas is a key aspect of the plan. (See Sections 400 and 1101, in Exhibit 21). These goals and objections are reflected in relevant goals and policies of the City's Comprehensive Plan, including Mixed Use Development Policy 6, which requires the City to "develop commercial and mixed use areas that are safe and comfortable and attractive to pedestrians." (See Exhibit 23, pg. 8).

Overall, the CANDO Neighborhood Plan, the Riverfront Downtown Urban Renewal Plan, and the City's Comprehensive Plan all reinforce the need to limit transient services, including homeless shelters in the downtown area. These plan goals and policies inform the language in both the CB and RO zones that limit the size of new homeless shelters and limit the expansion of existing shelters that are relocated into the CB and RO zones. In this case, Union Gospel Mission ("UGM") is proposing to both relocate *and expand* its existing homeless shelter by approximately 400%, to serve at least 300 people. A massive homeless shelter of this size is not allowed in the CB and RO zones within the CANDO Neighborhood Plan District.

B. There is a lack of substantial evidence in the record that the Union Gospel Mission Non-Profit shelter has continually existed in the zone since September 1, 1993, as required by Table 524.001 and Table 617.2.

Pursuant to SRC 240.005(d)(1), Table 524.001, and Table 617.2, if the applicant intends to relocate an existing shelter that serves more than 75 people in the CB zone, the applicant must prove, based on substantial evidence in the record, that the proposed shelter "has continually existed in the CB zone since September 1, 1993." The applicant has not done so in this case.

The applicant has asserted that its existing shelter, located in the CB zone, "has been at its current location continually since 1953." (See Application at page 2). However, the record is devoid of any evidence supporting this assertion. Furthermore, even if UGM has been at its current location since 1953, there is no evidence in the record that the existing shelter has continually been in operation since September 1, 1993.

For all of these reasons, the applicant has not proved by substantial evidence in the record that the proposed use is allowed as a conditional use in the zone. On the contrary, the text and context of the CB and RO zone provisions, indicates that the relocation and expansion of a homeless shelter that serves more than 75 persons larger than the number it lawfully serves at its current location is not allowed as a conditional use in the zone. The approval criteria in SRC 240.005(d)(1) are therefore not met, and the application should be denied on that basis.

2. Pursuant to SRC 240.005(d)(2), the reasonably likely adverse impacts of the use on the immediate neighborhood cannot be minimized through the imposition of conditions:
  - A. The “immediate neighborhood” has not been adequately defined and analyzed.

In order to properly interpret and apply the so-called “adverse impacts” standard in SRC 240.005(d)(2), the ambiguous term “immediate neighborhood” must be defined. Because the applicant and staff have not performed this critical first step in their analyses, their subsequent conclusions with regard to this standard are fundamentally flawed.

In its application, UGM opines: “The immediate neighborhood currently includes commercial/service and industrial uses, and a grocery store. There are no adjacent residential uses.” (See application at p. 5) The staff report reiterates the applicant’s conclusion that “there are no residential uses in the immediate vicinity...” (Emphasis added, See Staff Report at pg. 17). Based on these and other statements contained in the application and staff report, the applicant and staff apparently believe that the scope of the “immediate neighborhood,” includes only adjacent properties or properties in the vicinity. These conclusions by the applicant and staff are incorrect and constitute both a legal and factual error, as explained more fully below.

Based on its text in context, the definition of the term “immediate neighborhood” should be interpreted to include more than just “adjacent uses” or “uses in the immediate vicinity.” In this case, the term “immediate neighborhood” should be interpreted to include all of the properties within the boundaries of the city-recognized CANDO Neighborhood Plan, not merely the properties that are in the “vicinity” of or “adjacent” to the proposed use. This interpretive issue is important because by looking only at the adverse impacts of adjacent uses or uses in the immediate vicinity, as the applicant and staff have done, as opposed to adverse impacts on uses the immediate neighborhood, as the code requires, the applicant and staff have improperly limited the area where adverse impacts from the proposed use should be measured. In doing so, the applicant and staff have ignored the proximity of existing and planned high density residential and commercial development, and the significant investments that have been made in these significant redevelopment efforts. These properties in the immediate neighborhood will be significantly impacted by the massive homeless shelter proposal for the site.

Support for a broader interpretation of the term “immediate neighborhood” is found in the SRC definition of the term “neighborhood,” and in the City’s Comprehensive Plan, which has adopted the boundaries of the CANDO neighborhood association as the relevant neighborhood in this area.

The term “neighborhood” is defined in SRC 111.070(c) as follows:

“Neighborhood: A localized area within the City with a development pattern that provides infrastructure and services which meets the needs of persons residing or working in the area. A neighborhood encompasses a larger area than vicinity.”

The term “vicinity” is defined in SRC 111.110 (e) as follows:

“The land that is surrounding, near, or within close proximity of a particular place. Vicinity is smaller in size than a neighborhood.”

Likewise, the term “Adjacent” is defined in SRC 111.005(e) as follows:

“Near or close, but not necessarily contiguous with.”

In short, the applicant and staff have improperly conflated the term “immediate neighborhood” to mean the same thing as “vicinity” or “adjacent” and in doing so, have made both an error of law and an error of fact.

Each of these terms is technical for purposes of the SRC and as such has a specialized meaning. Accordingly, for purposes of SRC 240.005(d), the term “neighborhood” has a much broader scope than the terms “vicinity” and “adjacent”. Because the City has adopted the boundaries of the CANDO Neighborhood Plan as the relevant neighborhood for this area (*See* SRC 64.005 (G)(2) included an Exhibit 18), all of the properties located within that boundary (*See* CANDO Neighborhood Plan at pgs. 4 and 8), should be interpreted to constitute the “immediate neighborhood” for purposes of interpreting and applying the CUP criterion in SRC 240.005(d). Because the applicant and staff have failed to properly define the scope of the “immediate neighborhood,” their analyses of SRC 240.005(d)(2) are fundamentally flawed and incorrect.

B. The “reasonably likely adverse impacts of the use on the immediate neighborhood” have not been adequately identified and analyzed by the applicant.

When the definition of “immediate neighborhood” is properly interpreted and applied, as described above, it becomes clear that the reasonably likely adverse impacts of the proposed homeless shelter on the immediate neighborhood have not been adequately identified and

analyzed by the applicant. As indicated by Mr. Glennie in his oral and written testimony, he owns and has developed property within the immediate neighborhood that has a significant residential component, including Broadway Place, which is adjacent to Broadway Town Square, located at the corner of Market and Broadway Streets, just a short distance from the subject site. (See Exhibit 26, photos 27-30): Mr. Glennie's companies have invested over \$25 million in low income housing projects, including Broadway Place, and together with the Broadway Town Square project, which includes the Salem Cinema, also at Broadway and Market Streets, his companies have invested nearly \$30 million in support of the North Downtown Redevelopment Plan. In addition to these residential and commercial projects, the City has identified the area immediately west of the subject site, adjacent to the Willamette River, as a priority location for high-density residential development. (See Exhibit 28 and SRC Chapter 616).

It should be emphasized that a large residential development was recently approved by the planning commission on June 27, 2017 in this high density residential zone. (See Exhibit 31). Both staff and the applicant should have brought this nearby residential development to the attention of the hearings officer, and considered it in their analysis. The impacts from the proposed homeless shelter on this development and others that are planned for the Riverfront High Density Residential Overlay Zone in the future, will be significantly impacted by the proposed massive homeless shelter for the reasons described in this letter and its attachments.

Both the applicant and city staff have not addressed any of these existing and planned high-density residential uses that will be significantly impacted by the proposed homeless shelter. As Mr. Glennie has described in his earlier testimony, and as are evident from the attached exhibits, the impacts from the proposed homeless shelter on the immediate neighborhood will be significant. (See Exhibits 24, 25, 26, 27, 28, 29, 30 and 31). They include theft, vandalism, urination, defecation, intimidation, profanity, trespassing, drug sales or usage, and added garbage and trash. These impacts from the massive homeless shelter proposed on the site are not unique, but are certainly acute, and must be identified and carefully analyzed, because they will significantly affect many properties within the immediate neighborhood, both now and in the future. (See Exhibits 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14).

C. The "reasonably likely adverse impacts of the use on the immediate neighborhood" are significant and cannot be "minimized through the imposition of conditions".

The reasonably likely adverse impacts of the proposed homeless shelter on the immediate neighborhood are significant and cannot be minimized through the imposition of conditions of approval. The full significance of these adverse impacts cannot be fully understood until a more comprehensive analysis is completed, relative to the current and proposed use of properties in the immediate neighborhood. Even without a more comprehensive analysis, the reasonably likely adverse impacts of this massive homeless shelter on the immediate neighborhood are significant, as shown by evidence in the record. (See Exhibits 1-14 and Exhibits 24-28 and 30-31) In

addition, the size of the proposed shelter will produce even more significant impacts. While the applicant has been vague about the proposed number of beds and persons that will be served on a daily basis, the application estimates that “the new shelter is being planned to serve approximately 300 persons...” (Application at p. 2).

It should be noted, however, that the applicant intends to serve up to 500 or more persons per date at the shelter, not the “300 persons” it states in its application. On its website, the Union Gospel Mission plainly admits its real intention:

“A new Men’s Shelter is planned for construction in 2019-2020 and will be located on the west side of Commercial Street, across the street from where the new Salem Police Department Facility is being built. With the anticipated sale of the current Men’s Mission in downtown Salem later this year, the fundraising will commence publicly next year. The new Men’s Mission project titled: ‘Hope Has a New Address’ will double the current capacity for overnight shelter to 300 beds and overflow for another 200 men, add needed recovery services, including health screening and addiction counselors. Currently estimates shared with the Homeless Coalition is that over 450 people are unsheltered each night in the greater Salem area.” (Union Gospel Mission website, January 5, 2018)

Whether it is 300, 500 or more, the proposed homeless shelter would serve as a massive regional homeless shelter, attracting homeless men from the greater Salem area, and beyond. It would also likely become the largest homeless shelter in Oregon. For purposes of comparison to other local lodging facilities, the Marion County jail has a maximum capacity of 400 beds and the Grand Hotel in Salem has a capacity of 193 rooms. (See Exhibit 15). In short, the applicant is not only proposing a massive homeless shelter, it is proposing a massive lodging operation that is larger than any other existing lodging facility in the City, other than the Oregon State Prison. This massive homeless shelter will be located in the City’s Riverfront-Downtown Urban Renewal Area and will be only a stone’s throw from newly redeveloped residential and commercial development and directly across the street from a high priority redevelopment area that is planned, zoned and approved for high-density, waterfront residential use.

Part of the problem with locating a massive homeless shelter in this high-priority commercial and residential redevelopment area, is that even though homeless men would be temporarily lodged in this facility during the evening, most of these men will return to the streets during the day, and a significant percentage of these men will refuse shelter altogether. These men will remain as either transients or chronically homeless. These facts are borne out in recent articles and surveys conducted locally and at the national level. (See Exhibits 1, 4, 5, 6, 7, 8, 9, 10, 11,

12, 13 and 14). For those who choose to use the shelter and for those who choose not to, the provision of meals and other services will attract an even larger number of homeless men and other individuals to this neighborhood. (See Exhibits mentioned above, plus Exhibits 24, 25, 27, 28 and 30-31). Many of these individuals do not come from homes in the downtown area and instead are attracted to downtown by the shelter and the opportunities for food, money, companionship and drugs, that the downtown shelters provide. In other words, evidence shows that a homeless shelter, particularly a massive homeless shelter like the one proposed, will attract more homeless individuals to the immediate neighborhood, which in turn will create more livability problems.

With regard to the imposition of conditions, most of the above-mentioned problems are intractable and cannot be feasibly minimized through the imposition of conditions, especially because the shelter cannot control the activities of its clients and the police have limited resources and tools to control homeless behavior. It is clear from videos and photos taken at and around UGM's existing shelter, (See Exhibits 24 and 25 that all of the above-mentioned adverse impacts are occurring near its existing shelter. These impacts will multiply with the massive shelter proposed. Furthermore, the fact that the Salem Police Department may locate directly across the street from the proposed shelter will have little if any impact on these adverse effects, for several reasons. First, the conditions of approval proposed by City staff do not address the reasonably likely adverse impacts described above. The proposed conditions miss the mark altogether. Second, short of closing the shelter, it is unclear what, if any, enforcement would be available if the applicant failed to conform to any specific condition of approval. Third, the shelter will likely disassociate itself from the conduct of its clients, at least when they are on the street. This is because the shelter has no legal ability to force its homeless "clients" to do anything unless it turns them back onto the street or has them arrested. Likewise, short of making arrests, the police department has few tools or resources to reduce the anti-social behavior associated with the homeless population attracted to a large homeless shelter. Therefore, a nearby police presence, by itself, has not minimized and will not minimize the adverse impacts caused by the proposed homeless shelter, especially one as massive as UGM is proposing.

In the end, when a use proposes to attract and serve a population it cannot control, and that population creates significant adverse impacts in the immediate neighborhood, the City must objectively determine whether the reasonably likely adverse impacts of the use on the immediate neighborhood are significant and, if so, whether it is reasonably likely that these effects can be minimized through conditions of approval. It doesn't matter whether the use is a marijuana dispensary, a bar, a homeless shelter, or a mass gathering. Job number one for the City needs to be the safety and security of all its residents, property owners, and patrons, not just "clients" who use a homeless facility. In this case the reasonably likely adverse impacts on the immediate neighborhood are significant and cannot be minimized through the imposition of conditions.



One other important consideration should be kept in mind with this particular shelter. There is no evidence in the record showing that the UGM or any related entity has the long term financial resources to adequately staff, operate, maintain and enforce regulations within the shelter. Likewise there is no evidence that the city has adequate long term resources to adequately police the immediate neighborhood or that whatever efforts the police and applicant make will minimize the adverse impacts created by the shelter. On the contrary, evidence in the record shows that city police do not have the resources or the tools to adequately police the immediate neighborhood in a way that minimizes these adverse effects. (See Exhibits 5, 6, 7, 8, 9, 10, 24, 27, 29, 30 and 31).

This lack of enforcement is not unique to the City of Salem. These impacts from large shelters are common throughout the West Coast, and in other larger cities throughout the country. All cities have had a difficult time controlling anti-social homeless behavior, even though many large cities, including Portland, Eugene, Corvallis and Salem, have potentially promised that they have the answer. Year after year, however, the problems get worse. (See for example, Exhibits 2, 6, 7, 8, 9, 10, 11, 12, 13, 14, 24, 25, 27, 29 and 30.) There is no reason why a different result should be expected here. On the contrary, the massive size of the proposed shelter and the limited resources of the UGM and the City, make it likely that the adverse impacts from the proposed shelter on the immediate neighborhood will continue and grow, long into the future. For all of these reasons, the above-mentioned approval criterion is not met and the adverse impacts from the use cannot be feasibly minimized and throughout the imposition of conditions is therefore not met. (See SRC 240.005(d)(2)).

3. Pursuant to SRC 240.005(d)(3), the proposed use will not be reasonably compatible with, and will not have minimal impacts on the livability or appropriate development of surrounding property:
  - A. For purposes of SRC 240.005(d)(3), the applicant and staff have failed to adequately define and analyze the key ambiguous terms “livability” and “appropriate development of surrounding property” as used in this criterion.

The applicant and staff have not defined the above mentioned key ambiguous terms mentioned above in SRC 240.005(d)(3). Without defining these ambiguous terms, the analysis of the applicant and staff with regard to this criterion is essentially meaningless, or at the very least inadequate.

The applicant and staff have made no attempt whatsoever to define the term “livability.” Instead, the applicant’s response to this criterion is conclusory and does not address what “livability” means with regard to the text and context of SRC 240.005(d)(3). Furthermore, the applicant’s response ignores all of the reasonably likely impacts on the immediate neighborhood

that are associated with the proposed homeless shelter. Instead, the applicant paints an inaccurately rosy picture of the shelter's impact on livability.

For example, the applicant incorrectly asserts that "there are no residential uses in the immediate vicinity." (*See* application at page 6). As described in detail above, there are significant residential uses that currently exist near the site. In addition, high-density residential uses are planned for the land directly west of the site, along the river. A portion of this high density riverfront residential property, located just a block or so from the site, was recently approved for construction of a 48 unit memory care facility, and a 69 unit assisted living facility. (*See* Exhibit 31). This development will be seriously impacted by the proposed massive homeless shelter just a few hundred yards away. In short, the proposed homeless shelter will have significant adverse impacts on nearby residential and commercial properties, and these impacts will deter future redevelopment of these properties.

Even though the term "livability" is not defined in the SRC, Merriam Webster's dictionary defines the term "livable" to mean suitable for living in, or with; enduring." As described by Mr. Glennie in his testimony, the homeless shelter proposed for this site will attract homeless individuals that create significant adverse impacts including theft, vandalism, urination, defecation, intimidation, profanity, trespass, alcohol and drug usage and sales which significantly affect livability in the area. All of these impacts have been ignored by the applicant and staff. Instead, they rely on the potential relocation of the police department to a nearby location as a panacea for problems. Not only is there no evidence in the record that the potential relocation of the police department to a nearby location will magically minimize the above-mentioned livability problems associated with the massive homeless shelter proposed for this site, but experience in Salem and elsewhere has shown that police enforcement has done little to minimize the livability impacts caused by homeless shelters in dense urban areas like the one proposed here. (*See* Exhibit 1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 24, 25, 26, 27, 29, and 30). The significant problems associated with the UGM shelter are ongoing and will multiply if the shelter is expanded and relocated to the proposed location, with or without added police presence.

With regard to the phrase "appropriate development of nearby property" the applicant and staff have likewise made no attempt to define this ambiguous phrase. The applicant's entire analysis with regard to whether the proposed use will be reasonably compatible with and have minimal impact on appropriate development of surrounding property, is limited to three conclusory and unresponsive sentences. (*See* Application at page 6). While it is true that the site is located along a major transportation route and is accessible for pedestrians and bicycle traffic, the applicant and staff have provided no analysis whatsoever regarding what the "appropriate development of nearby property" is and how the proposed use will impact such development.

On the other hand, Mr. Glennie's testimony, along with other testimony and evidence in the record, make it clear that the proposed homeless shelter will not be reasonably compatible

with and will have significant adverse impacts on the appropriate residential and commercial development on surrounding property. (See Exhibits 24, 25, 27, 29, and 30, See also Exhibits 1, 2, 4, 5, 7, 8, 9, 10, 11, 12, 13 and 14).) The applicant and staff have completely ignored the proximity of the Riverfront High Density Overlay Zone and its importance in the overall redevelopment of the Central Business District. The massive homeless shelter proposed will not only be incompatible with this high-density residential development and associated commercial and office development, it will also create a new type of urban blight that the urban renewal district, the zoning code and the comprehensive plan are all trying to overcome. In short, the homeless shelter that is proposed will make streets less safe, it will deter pedestrian traffic, and it will deter residential and commercial business activity and redevelopment of the surrounding property. In short, the massive homeless shelter proposed for this neighborhood will create a significant deterrent to the planned redevelopment, use, and long-term enjoyment of surrounding property.

- B. The conclusions of the applicant and staff as to whether the proposed use will be “reasonably compatible with and will have minimal impact on the livability or appropriate development of surrounding property” are not supported by substantial evidence in the record.

As described above, the conclusions of the applicant and staff as to whether the proposed use will be reasonably compatible with and will have minimal impact on the livability or appropriate development of surrounding property are incorrect, incomplete and are not supported by substantial evidence in the record. In short, they are woefully inadequate. The impact of this massive shelter on livability in this part of the urban core can easily be seen by viewing the recent video and photos taken in the area surrounding the UGM shelter at its existing location. (See Exhibits 24 and 25). This evidence documents the high level of drug sales and usage, urination, defecation, loitering, and trash that are associated with the homeless shelter. This evidence is consistent with the testimony of Mr. Glennie and as reinforced by other exhibits in the record, (See Exhibits 1-14 and 24, 25, 27, 29, 30 and 31).

Moreover, it should be stressed that if the existing shelter is allowed to relocate and expand to serve an estimated 300-500 people or more, these adverse impacts will multiply. In short, the applicant’s conclusory remarks that the shelter will be reasonably compatible with and will have minimal impacts on livability of surrounding are, are not supported by, and are contrary to an abundance of relevant and reliable evidence in the record.

- C. The proposed use will not be reasonably compatible with and will not have significant impacts on the livability or appropriate development of surrounding property.

As described above, there is substantial evidence in the record that the proposed use will not be reasonably compatible with and will have significant adverse impacts on the livability and appropriate development of surrounding property. Another important example of the fact that the proposed use will have significant impacts on the livability of proposed development of surrounding property, is reflected in the testimony of Mr. Rick Yurk, whose commercial property is directly adjacent to the proposed shelter at 255 Division Street NE. Mr. Yurk's property will be significantly affected by the massive homeless shelter in many ways. For example, the alley entrance will be only a few feet from the door to his office. (See Exhibit 25, photos 3, 4, 5, 6, 8, 9, 10, 11, 12 and 13.) During the day, homeless individuals will loiter, use and sell drugs, urinate, and defecate near the shelter, just as do now at UGM's current shelter location. (See Exhibits 25). The impacts currently caused by the shelter currently will multiply, in proportion to its planned expansion. There is simply no evidence in the record that UGM and the city police department can and will control these impacts, or that it is feasible to do so, either immediately or over the long run. The impacts on small businesses like Mr. Yurk's will make planned redevelopment even harder to sustain, especially for tax-paying businesses and needed housing. Mr. Yurk's testimony in that regard is corroborated and expanded upon by the testimony of Mr. James Schaff, asset manager for another nearby property. (See Exhibit 27) and by the testimony Mr. Blackburn, an owner of another nearby property. Their testimony makes it clear how significant the problems will be for surrounding properties. In short, there is substantial evidence in the record that the massive homeless shelter proposed in this neighborhood will not be compatible with and will have significant adverse impacts on the livability and appropriate development of surrounding property.

### **Conclusion**

For all of the above reasons, the Conditional Use Permit requested by UGM should be denied. A massive homeless shelter at this location will have significant adverse impacts on livability in the immediate neighborhood and on surrounding properties, these significant adverse impacts cannot be feasibly minimized through the imposition of conditions. The adverse impacts from the proposed shelter include urination, defecation, drug sales and usage, trespassing, theft, vandalism, intimidation, profanity, added garbage and trash and illegal camping. These impacts are well-documented by evidence in the record. No contrary evidence has been submitted to date

We recognize and agree that each land use case must be decided on its own merits. In this case, there is overwhelming evidence in the record that the massive homeless shelter proposed by UGM will have significant adverse impacts on the immediate neighborhood and on existing and planned development of surrounding property that cannot be feasibly mitigated through the imposition of conditions of approval. The three conditions proposed by staff do not

Mr. Jim Brewer  
Land Use Hearings Officer  
City of Salem  
January 5, 2018  
Page 14

address or mitigate the significant adverse impacts this massive shelter would have on the immediate neighborhood. UGM has not, and cannot, effectively control the actions of its "clients" when they return to the street. Likewise, City police do not have adequate ongoing resources or tools to control the impacts of this massive homeless shelter. Moreover, this application cannot be conditioned in a manner that would require the applicant or city police to do so.

In closing, a massive homeless shelter like the one proposed by UGM should not be located in this Riverfront Downtown Urban Renewal area, especially in a location that is so close to existing and planned high-density residential development and that is close to existing and planned office and commercial properties that are undergoing significant redevelopment. This residential and commercial redevelopment is critical to the success of the urban renewal district, the neighborhood plan, and the comprehensive plan, and the City as a whole. In short, the City's interests will be jeopardized if this application is approved. Thank you for your continued consideration in this important case.

Respectfully submitted,

Davis Wright Tremaine LLP

A handwritten signature in blue ink, appearing to read "Phil Grillo", is written over a horizontal line.

Phil Grillo

## Amy Johnson

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**From:** Bryce Bishop  
**Sent:** Wednesday, April 18, 2018 10:38 AM  
**To:** Amy Johnson  
**Subject:** FW: Zone Change Case No. CU-ZC17-14 - an additional Condition for proposed Use as Homeless Shelter

**Importance:** High

Amy,

Additional UGM testimony.

Thanks,  
Bryce

---

**From:** alan mela [mailto:alanmela@hotmail.com]  
**Sent:** Wednesday, April 18, 2018 10:09 AM  
**To:** Bryce Bishop <BBishop@cityofsalem.net>  
**Subject:** Zone Change Case No. CU-ZC17-14 - an additional Condition for proposed Use as Homeless Shelter  
**Importance:** High

Bryce,

As you are aware, the Grocery Outlet property is immediately north of the UGM property proposed for use as a new homeless shelter. The GO property is in turn bounded on the north by Mill Creek and the Salem City strip of property along the banks of Mill Creek. Grocery Outlet has experienced problems in this space due to transient use, and I have brought this up. As granted by the Hearing Officer, Conditions have been placed on the physical construction of the UGM facility, but this does nothing to address likely adverse impacts on the neighborhood.

In response to that I would propose an additional Condition:

UGM to actively participate in mitigating adverse impacts beyond its property by requiring, organizing, and supporting its Clients to deal personally and in groups with any homeless issues encountered (within framework of a program to be developed with & supervised by Police / Homeless Task Office).

UGM has to strongly encourage a sense of personal and community responsibility in those who make use of its services and provide means to apply those responsibilities.

regards,  
Alan Mela



## Amy Johnson

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**From:** Bryce Bishop  
**Sent:** Wednesday, April 18, 2018 7:13 AM  
**To:** Amy Johnson  
**Subject:** FW: Written Testimony UGM Hearing

[Additional testimony for the UGM hearing.](#)

Thanks,  
Bryce

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**From:** Lisa Anderson-Ogilvie  
**Sent:** Tuesday, April 17, 2018 7:54 PM  
**To:** Bryce Bishop <BBishop@cityofsalem.net>  
**Subject:** FW: Written Testimony UGM Hearing

[Lisa | 503-540-2381](#)

**From:** Leigha Gaynair [<mailto:leigaynair@gmail.com>]  
**Sent:** Tuesday, April 17, 2018 7:27 PM  
**To:** citycouncil <[citycouncil@cityofsalem.net](mailto:citycouncil@cityofsalem.net)>  
**Subject:** Re: Written Testimony UGM Hearing

To: Mayor Bennett, Salem City Council

Re: UGM Building Project – NE Salem

From: Leigha and Robert Gaynair, Highland Neighborhood

Date: 04/16/18

Dear Mayor Bennett and Council:

We are writing in support of **re-examining** the permit/allowance of UGM to build an extended capacity shelter in NE Salem. Upon hearing the news that the current UGM shelter would be moving out of downtown we were pleased to hear that this business with a history of negative impact on the downtown and the clients of the shelter would be closing its doors. We became very concerned as we heard the news that a new and expanded version would be built in our area.

#### Concerns:

- Neighborhood impact
- Size and scale
- Lack of oversight from the City of Salem
- Ability of UGM to successfully fund and run an operation of this size
- Lack of documentation/research supporting the success/usefulness of a large scale shelter
- Intent vs. concrete plan

We understand that the homelessness issue in our city is of great concern and the Council is being proactive in identifying solutions with the new task force now in operation. We recently attended our neighborhood association meeting for Highland on April 12<sup>th</sup> where Mr. Clem from UGM presented building renderings and a very loose plan of what they hope to build. It appeared from his presentation where he stated numerous times that they have had significant problems running the current facility, that they have little to no concrete ideas of what this will look like in the end, their plans to fund, run or sustain this project. And, this project is NOT a short-term solution for the men needing shelter. From Mr. Clem we glean that this project has a possible completion date in 2021. We mention this vital piece of information as the conversation on Nextdoor.com, a community social media outlet, in support of the facility appears to be centered upon support for a short-term solution, which this is not.

#### The Ask:

- We ask that UGM **not** be granted the permits to build this facility.
- We ask that UGM be tasked with working with the City of Salem and other groups to identify solutions congruent with laws, zoning, neighborhood impact, and usability, and needs of the homeless population.
- We ask that they be given the opportunity to re-visit their plan/ideas and formulate a solid plan of implementation before, during and after building.
- We ask that the Council strongly consider the neighborhood impact on homeowners, current businesses, and future investment in to our area of Salem.

Last, we appreciate the intention of UGM to host a facility and aid in serving the homeless male population in Salem. **Their willingness to help is not the issue and should not be the focus of this hearing nor the decision.** Of course we all want a solution and to help those in need. Again, that is not the issue before the Council in this hearing. It is to determine if this business (non-profit or not, it is a business) has a sound business plan and if their plan supports the community at large, the future of industry, business, and citizens of Salem. I know you will hear from many people that will use the intent of UGM as the basis for making a decision to give UGM the go-ahead, but we urge you (as do many, many of our neighbors who are very

worried, but are unwilling to be called out for somehow being against the plight of homeless persons by voicing their concerns) to consider this as an opportunity for UGM to present a concrete plan and not just an intent with a pretty architectural rendering of what they envision.

Thank you for your time and continued work on behalf of the citizens and residents of Salem. As always, we appreciate you.

## Amy Johnson

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**From:** Bryce Bishop  
**Sent:** Tuesday, April 17, 2018 3:39 PM  
**To:** Amy Johnson  
**Subject:** FW: Conditional Use / Quasi-Judicial Zone Change Case No. CU-ZC17-14

[UGM additional testimony.](#)

Thanks,  
Bryce

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**From:** Larry Nasset [mailto:larrynasset@hotmail.com]  
**Sent:** Tuesday, April 17, 2018 2:05 PM  
**To:** Bryce Bishop <BBishop@cityofsalem.net>  
**Subject:** Conditional Use / Quasi-Judicial Zone Change Case No. CU-ZC17-14

To Bryce Bishop, Planner II

I am writing this letter to comment on David Glinnies appeal of Conditional Use / Quasi-Judicial Zone Change Case No. CU-ZC17-14

**I believe that the Hearing Officer did not err in his decision on this matter.** David Glinnie's Appeal does not bring up any issues that were not adequately addressed in the Hearings Officer's decision.

Mr. Glinnie's appeal is shortsighted and his concerns are unfounded . A successful, active and pleasant downtown is critical to all of Salem's businesses and citizens including those of Mr. Glinnie.

Salem currently has far too few shelter beds for the homeless. This greatly exacerbates homeless people's ability to meet their basic needs without causing harm to downtown businesses and creating an unpleasant atmosphere for people shopping and doing business downtown.

Moving the UGM shelter from its current location and increasing its capacity will greatly relieve the problems caused by the visible presence and activities of so many homeless people in downtown Salem. The additional shelter beds will greatly reduce problems and improve the overall situation.

Larry Nasset  
525 Oregon Ave N.E.  
Salem, OR. 97301

# Ross Hopkins

City Recorder  
555 Liberty Street SE  
Room 205  
Salem, OR 97301

DOCUMENT FILED

APR 18 2018

CITY OF SALEM  
CITY RECORDER

TO: Salem City Council

RE: CASE No. CU-ZC17-14

Dear City Leaders -

My family and I moved to this beautiful community from Atlanta, Georgia in 2012, to work for Salem Health and to enjoy the life that a smaller town has to offer. During the interview process with the hospital, when I first visited Salem, I was immediately impressed with how much sustained effort and investment had been made to revitalize the Salem's unique downtown. The charm and obvious potential were enough to persuade me to move my family across the country and we chose to reside specifically in the revitalized neighborhood of Salem's North Downtown.

After having lived in my home near Broadway and Market for six years, I must say I am still impressed with the progress being made with both commercial and residential development. I applaud your stewardship of this beautiful community. However I recently learned of plans to build a homeless shelter to house up to 500 men in downtown Salem. To say I am shocked is an understatement and I strongly urge the City Council to decline the referenced conditional use application in its current form.

I do not understand how a facility that will house such an enormous number of homeless men can be a good thing for ANYONE. Clearly the city's current policies around homeless people is not working. The fine men and women who serve on The Salem Police Department are already burdened with enforcement that is difficult for them to manage. I have twice been the victim of crimes perpetrated by homeless men. These incidences lead me to fear for the safety of my neighbors as well as for myself and my family. In light of increasing assaults on the personal safety of the citizens, not to mention the recent increase in vandalism on private and public property, why would you want to continue on the same course? Why deliberately increase the concentration of homeless people in the downtown area, thereby increasing criminal activity and adding to the burdens of the police and other agencies already saddled with trying to maintain a livable community?

Further, the City of Salem's staff report on the land use applications in this case ignores a very important aspect of homelessness. Homeless people are pedestrian and tend to wander quite far from the current shelter during the day and at night, so the proposed zoning change will affect not only the property adjacent to the project but will destabilize property values for many blocks beyond the areas currently defined in the report. Zoning ordinances were put in place for many reasons, not the least of which is to protect property values. Where is the precedence for such a large shelter located in such an area? Would it not be better to cultivate stable, permanent housing for the homeless, partnering with social services that do not require mandatory religious indoctrination? Changing ordinances cannot easily be undone. Why risk the negative consequences just for the perceived convenience of expediency?

Thank you for doing what is in the best interest of your constituency and the future of this beautiful community - decline the conditional use application.





|             |              |                  |
|-------------|--------------|------------------|
| Seattle     | 206/264-7790 | fax 503/370-2444 |
| Vancouver   | 360/759-0600 | fax 360/759-0602 |
| Portland    | 503/402-2600 | fax 503/721-4444 |
| McMinnville | 503/434-3000 | fax 503/434-3030 |
| Salem       | 503/363-0056 | fax 503/370-2444 |
| Eugene      | 541/484-5544 | fax 541/393-5115 |
| Bend        | 541/382-3211 | fax 503/370-2444 |
| Toll Free   | 866/601-6115 |                  |

[www.bcanswer.com](http://www.bcanswer.com)

April 18, 2018

To: Salem Mayor and all City Councilors:

Our family is the owner of Business Connections call center and the building at 660 High St. NE, Salem, Oregon. Our business is staffed 24/7 365 days a year. We employ 31 people, many of whom are working mothers and college students.

The proposal by UGM for the expansion and relocation for the homeless center is well intended but seems overly ambitious, both in initial investment and ongoing cost to manage and maintain. Probably more important is the future and long term negative effect to the neighborhood residents and businesses. A development of this size will undoubtedly attract more homeless people to Salem from other areas, cities and perhaps other states. It is probably true that "if you build it, they will come". AND THEY WILL COME! This proposed plan is not a solution to the problem, but simply moving and expanding to another area.

We and our staff have serious concerns about the proposed move and expansion of UGM closer to our neighborhood. We are currently seeing more homeless and vagrant people in our area, and occasionally need to "usher" some of these folks away from our building. Sometimes we need to clean up feces and vomit. Because of the nature of our business, our staff members come and go to work in the middle of the night and early mornings. Therefore, their safety is a serious concern.

The Salem UGM provides wonderful services for the less fortunate of our community, but many of those without mental and health problems could be doing better for themselves. Will the City of Salem and the various supporting contributions be able to fund the initial building and the ongoing costs?

We urge the Mayor and City Council to reject this proposal.

Respectfully,

Clifford Moeller



DOCUMENT FILED

APR 19 2018

CITY OF SALEM  
CITY RECORDER

April 18, 2018

City of Salem Recorder's Office  
555 Liberty Street SE  
Salem, OR 97301

Re: Appeal of Hearing Officer Decision – Case No. CU-ZC117-14

Mayor Bennett and City Councilors:

I am writing regarding the proposed land use action noted above relating to Union Gospel Mission's proposed relocation and expansion of their existing men's homeless shelter. My viewpoint comes from the perspective of a sitting member of the Salem Keizer District 24J School Board, a former educator, small business owner, real estate appraiser and long-standing resident.

Like most of Salem's citizens, I empathize with the plight of the homeless population. We are all well-aware that this issue is a complicated one that has affected the entire nation. Salem itself has seen a pervasive growth in the homeless population in the past five years, and whatever policies the City has followed are clearly not addressing the health and vitality of our urban core.

Regarding the proposed facility, its location nearby the Salem Keizer Learning Center at 1155 Commercial St. NE causes me great concern. It is evident that the present UGM operation is unable to control or monitor the existing incidence of tent camping, loitering, panhandling and public health issues incidental to this population. UGM is reliant upon charitable contributions for its operations and is not a social service agency receiving any government funding.

We know that there is a large segment of the chronically homeless population that does not or will not utilize overnight shelter except in times of severe weather events. Tripling the size of the existing center and becoming the largest shelter in the entire State without any justification or business plan appears to be an ill-considered option.

Our downtown core is at risk; the departure of Nordstrom from Salem Center should not be overlooked as a warning shot across the City's downtown bow.

In our appraisal business, we are well-aware that Salem's future urban growth has been properly planned, with existing ordinances in place, to ensure economic growth and vitality to the Riverfront and North Downtown neighborhoods. Placing a huge, "men-only" shelter at this location we are risking decades of growth and investment for an unproven concept.

Please consider what is best for Salem's future and reject the conditional use permit application now under consideration.

Sincerely,



Kathy Goss

Capital Valuation Group, Ltd  
117 Commercial Street, Suite 205

## Amy Johnson

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**From:** Cindy Lenker <lenker@salemelectric.com>  
**Sent:** Tuesday, April 17, 2018 8:34 AM  
**To:** citycouncil  
**Subject:** UGM's Application for Conditional Use Permit at 700-800 Commercial St NE

**Categories:** Follow-up

Dear City Council:

I would like to lend my support of UGMs request for a permit application. As a Salem resident for my entire life, I see the rise in the homeless population in downtown Salem and it causes me concern on many levels. It's easy to see the outer results of a large homeless population – safety of those who visit or work downtown AND safety of those living on the streets, garbage and refuse, panhandling on multiply corners, etc. However, it's harder to see the inner results – the hopelessness, lack of self-worth, anger, and fear those on the streets live with. How can the community help? Through organizations who are willing to step in and provide assistance. Organizations that have the tools, education, understanding, and hope that these individuals need. UGM has a long history of serving the homeless population by offering long-term, life-changing assistance. They are a wonderful organization who wants to offer hope and long-term solutions for these men. Relocation of their facilities will not only serve more people in need, it's good business. Combining their facilities into one location (store, offices, housing, and New Life Fellowship Program) reduces overall expenses associated with operating multiple facilities – multiple older facilities that are typically more costly to operate.

As a voting member of the Salem community, I see the relocation and building of this new facility a win-win for both Salem and the homeless community --- please vote to approve this permit. Let's work together to be a proactive community who offers hope.

Sincerely,

*Cindy Lenker*

1164 Karen Way NW  
Salem OR 97304