

**NOTICE OF
RECOMMENDATION**

PLANNING DIVISION
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*Si necesita ayuda para comprender esta informacion,
por favor llame 503-588-6173*

**RECOMMENDATION OF PLANNING COMMISSION
CODE AMENDMENT CASE NO. CA18-02**

WHEREAS, on March 12, 2018, the Salem City Council initiated the State Street Corridor Plan Amendments, including amendments to the Comprehensive Plan (Transportation System Plan), Comprehensive Plan Map, Neighborhood Plan Map, Zoning Map, and Unified Development Code (UDC) to revitalize State Street between 12th and 25th streets into a vibrant, walkable, mixed-use corridor through two mixed-use zones and a new street design; and

WHEREAS, after due notice, a public hearing on the proposed amendments was held before the Planning Commission on April 3, 2018, at which time witnesses were heard and testimony received;

WHEREAS, the Planning Commission voted to continue the public hearing to May 1, 2018, at which time additional witnesses were heard and testimony received; and

WHEREAS, the Planning Commission having carefully considered the entire record of this proceeding, including the testimony presented at the public hearing, and after due deliberation and being fully advised; NOW THEREFORE

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SALEM, OREGON:

Section 1. FINDINGS:

The Planning Commission hereby adopts as its findings of fact the staff report on this matter dated April 3, 2018 and the supplemental staff report on this matter dated May 1, 2018, herewith attached and by this reference incorporated herein.

Section 2. ORDER:

Based upon the foregoing findings and conclusions, the Planning Commission RECOMMENDS the City Council take the following action:

That the City Council adopt amendments to the UDC, Comprehensive Plan, Comprehensive Plan Map, NEN-SESNA Neighborhood Plan Map, and zoning map to adopt new zoning and Improved Four Lane Street Design for the State Street corridor with a condition that the off-site parking requirement for retail uses be reduced from one parking space per 250 square feet to one parking space per 400 square feet, and to remove the requirement for a setback for residential uses on the ground floor in the Mixed Use-1 zone.

PLANNING COMMISSION VOTE

YES 8 NO 0 ABSENT 1 (McKinley) ABSTAIN 0


Rich Fry, President
Salem Planning Commission

Pursuant to SRC 300.1110(i), the City Council may proceed with adoption of an ordinance, hold a public hearing to receive additional evidence and testimony, refer the proposal back to the Planning Commission for additional deliberation, or abandon the proposal.

The City Council will make a final decision on the proposal. The appeal of the Council decision would be to the Oregon Land Use Board of Appeals. The appeal period is 21 days from the mailing date of the Council decision.

The case file and copies of the staff report are available upon request at Room 305, Civic Center, during City business hours, 8:00 a.m. to 5:00 p.m. Contact Eunice Kim, Case Manager, at 503-540-2308 or EKim@cityofsalem.net to review the case file.

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FOR MEETING OF:
AGENDA ITEM NO.:

April 3, 2018

6.1

TO: PLANNING COMMISSION
FROM: LISA ANDERSON-OGILVIE, AICP
PLANNING ADMINISTRATOR/COMMUNITY DEVELOPMENT
DEPUTY DIRECTOR
SUBJECT: STATE STREET CORRIDOR PLAN PROJECT

ISSUE:

Shall the Planning Commission recommend to the City Council that it adopt amendments to the Unified Development Code (UDC), Salem Area Comprehensive Plan (Comprehensive Plan), Comprehensive Plan Map, NEN-SESNA Neighborhood Plan Map, and zoning map to adopt new zoning and a new street design for the State Street corridor?

RECOMMENDATION:

Adopt the facts and findings of this staff report and recommend to the City Council that it adopt amendments to the UDC, Comprehensive Plan, Comprehensive Plan Map, NEN-SESNA Neighborhood Plan Map, and zoning map to adopt new zoning and a new street design for the State Street corridor.

SUMMARY AND BACKGROUND:

The following amendments are proposed:

1. Amend the UDC to establish the "Mixed Use-I Zone" and "Mixed Use-II Zone," and amend SRC Chapter 110 (Administration), SRC 220 (Site Plan Review), SRC 702 (Multiple Family Design Review Guidelines and Standards), SRC 703 (Wireless Communications Facilities), SRC 806 (Off-Street Parking, Loading, and Driveways), and SRC 900 (Sign Code);
2. Change the Comprehensive Plan Map and NEN-SESNA Neighborhood Plan Generalized Land Use Map designations of properties in the State Street corridor from "Commercial," "Multi-family Residential," and "Community Service Government" to "Mixed Use";
3. Change the zoning of properties in the State Street corridor from Retail Commercial (CR), Commercial Office (CO), Multiple Family Residential-I (RM-I), Multiple Family Residential-II (RM-II), Single Family Residential (RS), and Public Service (PS) to Mixed Use-I and Mixed Use-II; and
4. Amend the Salem Transportation System Plan (TSP) to adopt a new street design for State Street between 12th Street and 25th Street.

The proposed changes aim to revitalize State Street between 12th and 25th streets into a vibrant, walkable, mixed-use corridor through new zones and a new street design. Specifically, the changes would create two new mixed-use zones - Mixed Use-I (MU-I) and Mixed Use-II (MU-II) - that allow a broad mix of uses and establish standards to encourage pedestrian-

friendly development. The zones would be applied to properties in the State Street corridor, replacing the existing patchwork of zones (**Attachment A**).

The changes would also establish a new street design for State Street to create a safer, more welcoming environment for pedestrians and bicyclists (**Attachment B**). The street design includes wider sidewalks from 12th to 25th Street, pedestrian crossings, and a reconfiguration of the western portion of State Street into two travel lanes, a center-turn lane, buffered bike lanes, and on-street parking.

The proposed changes are the result of more than two years of work on the State Street Corridor Plan (State Street Plan). A booklet that summarizes the plan is attached (**Attachment C**), and the full plan can be found online: <http://www.cityofsalem.net/citydocuments/state-street-corridor-plan.pdf>. The State Street Plan was developed through extensive public engagement efforts, which included a stakeholder advisory committee, public meetings, stakeholder interviews, videos, emails, mailings, social media posts, and a survey. The plan implements recommendations in the NEN-SESNA Neighborhood Plan adopted in 2015 and accomplishes a previous City Council goal to revitalize State Street. A consultant team assisted in the development of the State Street Plan, which was funded by a Transportation and Growth Management (TGM) grant from Oregon Department of Transportation (ODOT) and the Oregon Department of Land Conservation and Development (DLCD).

FACTS AND FINDINGS:

Procedural Findings

1. The City Council adopted the NEN-SESNA Neighborhood Plan as components and support documents to the Salem Area Comprehensive Plan in 2015, and that plan recommended that State Street between 12th and 25th Street be revitalized into a vibrant, pedestrian-friendly, mixed-use corridor.
2. A Council goal for economic development in FY13-14 included a strategy to “Develop a plan for redevelopment of State Street: from 12th Street to the State Penitentiary...”
3. Council authorized staff to apply for and accept a Transportation and Growth Management (TGM) grant from Oregon Department of Transportation and the Oregon Department of Land Conservation and Development to prepare the State Street Plan, and the City was notified that the Plan had been selected for a grant award on August 20, 2014.
4. The City worked with the community for more than two years to prepare the State Street Plan. Community stakeholders, including residents, property owners, business owners, community groups, NEN, SESNA, public agency officials, and developers were afforded the maximum opportunity for involvement in the development of the State Street Plan and its recommendations for land use and street design improvements.
5. The State Street Plan recommended creating two mixed-use zones, MU-I and MU-II, and a new street design for the State Street corridor.

6. Implementation of the recommendations in the State Street Plan require that the zoning code be amended, and the Salem Area Comprehensive Plan Map, NEN-SESNA Neighborhood Plan Map, the Salem Transportation System Plan (a component of the Comprehensive Plan), and zoning for properties in the State Street Corridor to be changed.
7. The changes are considered the following: A “Major Comprehensive Plan Amendment” and “Major Plan Map Amendment” that must be initiated by the City Council under SRC 64.020(e) (1) and SRC 64.025(b)(1), amendments to the UDC that may be initiated by City Council by resolution under SRC 300.1110(a), and legislative zone changes that may be initiated by the City Council under SRC 265.010(c).
8. The City Council may refer the matter to the Planning Commission for public hearing and recommendation pursuant to SRC 300.1110(a)(1). On March 2, 2018, the City Council initiated the amendments with Resolution No. 2018-15 (**Attachment D**) and referred the matter to the Planning Commission for public hearing and recommendation to City Council.
9. SRC 300.1110(e)(1)(A) requires that the City mail notice of the first evidentiary public hearing in a legislative land use proceeding not more than 40 days, but not less than 20 days prior to the first hearing.

Legislative zone changes and amendments to the Comprehensive Plan, Comprehensive Plan Map, Neighborhood Plan Map, and UDC require notice to the Director of DLCDD no later than 35 days before the first public hearing pursuant to SRC 300.1110(d).

Because the proposed code amendment restricts some land uses, ORS 227.186 requires written individual notice to the owner of each affected property. This notice is commonly referred to as a “Ballot Measure 56 notice.” All required notices have been provided for the public hearing on the proposed amendments in accordance with the above requirements.

Planning Process

Beginning in 2015, the City, assisted by a consultant team, worked with the community to identify, evaluate, and select land use and transportation alternatives for the State Street corridor. Between 2015 and 2018, extensive public outreach was conducted, including three public meetings and four meetings of a stakeholder advisory committee (SAC), which included public participation. The SAC included Mayor Chuck Bennett, City Councilors Tom Andersen and Cara Kaser, Planning Commission members, representatives and residents of NEN and SESNA, representatives from Willamette University and the Salem-Keizer School District, business owners and operators, nonprofit organizations, property owners, and others.

Additional public outreach and engagement methods included a [project website](#), interviews with 20 stakeholders; presentations at meetings of NEN, SESNA, and other community organizations; meetings with property owners; a survey that was posted online and mailed to all residents,

business owners, and property owners in NEN and SESNA; and door-to-door canvassing and conversations with business owners and property owners. City staff also mailed public meeting invitations to all residents, business owners, and property owners in the State Street corridor study area; emailed project updates to a list of more than 700 people; announced project updates through the City's Community Connection newsletter, Facebook, Twitter, and E-Blast newsletter; conducted interviews on the radio; and helped develop videos for the City's news show.

In 2017, the State Street Plan was completed, and it recommended that the City:

1. Create two new zones and apply them to State Street to encourage pedestrian-friendly, mixed-use development, and
2. Establish a new street design that creates a safer, more welcoming environment for people walking and bicycling in the State Street corridor.

The proposed amendments to the UDC, Comprehensive Plan, Salem Area Comprehensive Plan Map, NEN-SESNA Neighborhood Plan Map, and Zoning Map will implement those recommendations. The proposed amendments are described below, and code amendment language can be found on the State Street Corridor Plan project website [here](#).

Proposed Amendments

1. Code Amendment:

Create the Mixed Use-I Zone (SRC Chapter 533) and Mixed Use-II Zone (SRC Chapter 534)

The proposed amendments create two new zones, the MU-I and MU-II zones, to promote pedestrian-friendly mixed-use development. Both zones allow a broad mix of uses and establish simple design standards, which are further described below. The main difference between the two zones is that the MU-I zone accommodates and encourages active commercial uses on the ground floor of buildings on State Street, while the MU-II zone supports commercial or residential uses on ground floors. Specifically, development standards in the MU-I zone require the ground floor of buildings be able to accommodate retail uses even if they are first developed for another use.

While the proposed MU-I and MU-II zones were created as part of the State Street Plan, they can be applied to other areas of the city where pedestrian-friendly, mixed-use districts are desired. For example, property owners can apply to change the zoning of their property to either of the proposed mixed-use zones. Currently, this opportunity does not exist in Salem because there are no such mixed-use zones.

a. Uses

Both the proposed MU-I and MU-II zones allow a wide variety of uses, including residential, commercial, recreational, educational, civic, medical, and other complementary uses. Allowing this broad mix of uses provides flexibility in how property owners can develop and use their land. This supports the reuse and redevelopment of property that is currently vacant or underutilized in the State Street corridor. The proposed zones remove other barriers to redevelopment by allowing, for example, multifamily development outright. Currently in the Retail Commercial (CR)

zone, multiple family uses are only allowed through a conditional use permit, which includes a public hearing.

The proposed zones prohibit uses that would detract from a walkable, mixed-use corridor. For example, heavy manufacturing, self-service storage, motor vehicle sales or service, and standalone surface parking lots are not allowed. Any such uses that exist today, however, are allowed to remain operating in the proposed zones as continued uses. For example, motor vehicle service stations that exist on State Street today can continue operating, but new service stations cannot be established. Buildings that contain these continued uses can be rebuilt, enlarged, or altered as long as certain development standards are met.

b) Standards

The two proposed zones include development standards that promote a pedestrian-friendly, urban development while minimizing potential negative impacts on adjacent residential neighborhoods. For example, the proposed MU-I and MU-II zones generally require buildings to be built up to the sidewalk to ensure that they engage the public realm and contribute to a pedestrian-friendly environment. Both proposed zones allow buildings to be up to 55 feet tall, which accommodates a four-story building, but they also establish setbacks from residential zones that increase as the height of a building increases. In other words, the taller a building is in the proposed MU-I or MU-II zone, the further away it has to be from the abutting residential neighborhood.

There are several design-related standards in the proposed MU-I and MU-II zones that encourage pedestrian-friendly development. For example, awnings for weather protection, windows on the ground floor, and building entrances on primary streets like State Street are required. Parking is also required to be located behind or beside buildings.

If a development cannot meet a standard, an applicant can apply for an adjustment or variance to deviate from the standard. The applicant would have to prove that the proposed development could meet the approval criteria for the adjustment or variance. The adjustment process provides the public with an opportunity to comment on applications as does the variance process, which also includes a public hearing. The option to apply for an adjustment to design-related standards in the proposed MU-I and MU-II zones provides flexibility through an administrative process that generally does not exist in other zones or overlay zones with design-related standards. Typically, when an applicant cannot meet a design standard in an overlay zone, they must go through an approval process that includes a public hearing.

The proposed MU-I and MU-II zones also aim to make it easier to improve or alter existing buildings that do not meet the development standards. Currently, if a new zone is applied to a property and an existing building does not meet the new development standards in that zone, that building becomes nonconforming development. Any addition or alternative to a nonconforming development must meet all applicable development standards. In the proposed zones, existing buildings that do not meet the new development standards become continued development. The proposed zones create

flexibility in when and how additions or alterations to continued development are required to meet development standards. For example, small additions are exempt from most development standards, while larger additions that impact a building's façade facing State Street must meet more standards. Continued development that is completely redeveloped must meet all standards. An applicant looking to alter or add to a continued development can apply for an adjustment or variance to deviate from a standard.

c) Other changes

The proposed code amendment includes corresponding changes to various other parts of the UDC to reference and incorporate the two proposed mixed-use zones. For example, the proposal amends SRC 703 (Wireless Communications Facilities) and SRC 900 (Sign Code) to establish development standards for the proposed MU-I and MU-II zones that generally follow standards for existing similar zones. SRC 806 (Off-Street Parking, Loading, and Driveways) is proposed to be amended to reduce the minimum number of off-street parking spaces required for multifamily development in the MU-I and MU-II zones to one space per dwelling unit. This acknowledges that the proposed zones are intended to encourage mixed-use development and urban mixed-use areas where people can walk, bike, or take transit as an alternative to driving. This is also in line with the off-street parking requirement for multifamily development in the Central Salem Development Program Area, which is generally the downtown area where urban, mixed-use development currently exists. Reducing the off-street parking requirement for multifamily development in the MU-I and MU-II zones also results in properties having more development potential because less land is required for cars.

2. Comprehensive Plan Map change, NEN-SESNA Neighborhood Plan Map change, and zone change:

Change the Comprehensive Plan Map and Neighborhood Plan Map designation of properties in the State Street corridor from Commercial, Multi-family Residential, and Community Service Government to Mixed Use

Change the zoning of properties in the State Street corridor from Retail Commercial (CR), Commercial Office (CO), Multiple Family Residential I (RM-I), Multiple Family Residential II (RM-II), Public Service (PS), and Single Family Residential (RS) to MU-I and MU-II

The proposed changes replace the existing patchwork of Comprehensive Plan Map designations and zones in the State Street corridor with one consistent designation and two associated mixed-use zones. The proposed MU-I zone is applied to the properties generally between 12th and 17th Street, and the MU-II zone is applied to the properties generally between 17th and 25th Street. The proposed MU-I zone is applied on the western half of State Street because it encourages development that can accommodate ground-floor retail uses. This aligns with the findings of an economic analysis that was prepared as part of the State Street Plan project. That analysis found that there is more momentum for redevelopment in this western half due to its proximity to catalyst areas such as Willamette University, the State Capitol, and downtown Salem.

Applying the two proposed zones to the State Street corridor overall would streamline the existing zoning by allowing a broad mix of uses throughout the corridor and establishing consistent design standards that promote pedestrian-friendly development. As mentioned above, this would encourage the development and redevelopment of vacant and underutilized property on State Street, which currently detract from the overall vitality and attractiveness of the corridor. It would be easier, for example, for owners of multiple adjacent properties to build larger developments without having to either navigate different sets of regulations or change the zoning of some of their properties.

3. Transportation System Plan

Change the TSP to include a new street design for the State Street corridor

The proposed changes to the TSP establish a new street design for State Street between 12th and 25th Street to provide enhanced bicycle and pedestrian facilities and support the vision of a vibrant, walkable, mixed-use corridor. State Street is designated a major arterial in the TSP, which calls for such streets to be 96-foot-wide with two travel lanes in each direction, a center median, bike lanes, sidewalks, and a planter street. State Street lacks many of these bicycle and pedestrian amenities. Instead, the street generally provides two lanes in each direction, narrow sidewalks, and on-street parking in limited areas. The public has voiced concern that this current state of the street creates an uninviting, unsafe environment for pedestrians and bicyclists. By developing a context-sensitive design for State Street, facilities and amenities for bicyclists and pedestrians can be provided without having to significantly widen the road and acquire large swaths of property.

The proposed street design, which was called the “Hybrid” alternative in the State Street Plan, generally conducts a “road diet” on State Street between 14th and 17th Street and makes pedestrian improvements east of 17th Street. In the western “road diet” portion, the new design reconfigures the street into three lanes (one travel lane in each direction plus a center-turn lane), adds buffered bicycle lanes, widens sidewalks, retains on-street parking, and adds a pedestrian crossing with a median at 15th Street. The bicycle lanes would connect to the existing bike lanes that run north-south on 17th Street as well as the family-friendly bikeways on Chemeketa Street NE and Mill Street SE via 14th Street and 24th Street. The proposed street design also includes a proposed bicycle/pedestrian bridge on 24th Street SE across Mill Creek to improve connectivity to existing bike lanes on State Street that begin at 24th Street.

From 17th to 24th Street, the proposed street design retains the existing four travel lanes, widens sidewalks to 12 to 15-foot wide, and adds pedestrian crossings with rapid flashing beacons at 19th and 21st streets. The City plans to add a pedestrian median on State Street at 25th Street, and that is not changed by the proposed street design. The one-way traffic restriction between 12th and 13th streets is also retained in the proposed street design.

The proposed TSP changes also includes a commitment that the City will evaluate the lane reconfiguration west of 17th Street a year and a half after it is constructed. The evaluation will consider measures – travel time/queuing, neighborhood cut-through traffic, safety, and property improvements – to determine what changes should be made to the street design. The goal of the evaluation is to extend the “road diet” to 24th Street if the findings of the evaluation support such a change. (Implementation of the proposed “Hybrid” street design will

not preclude a future conversion to a “Road Diet.” The curb-to-curb width is 42 feet between 17th and 24th Street under the “Hybrid” and “Road Diet” designs.)

The proposed street design also results in properties along State Street gaining development potential because the amount of land abutting the street that needs to essentially be set aside for future road widening - special setbacks - is reduced. For example, between 17th and 24th Street, the TSP calls for State Street to be 96 feet wide, but the proposed street design calls for the street to be 69 feet wide. The difference in widths is 27 feet, which means properties on both sides of State Street between 17th and 24th Street would each gain back the ability to develop more of the front portion of their property under the proposed street design.

Other Recommendations

During the public outreach conducted for the State Street Plan project, one concern that was frequently raised was parking. For example, community members questioned how new development on State Street would impact parking in the area, particularly in the nearby residential neighborhoods. Others asked if parking requirements would be reduced for commercial and other uses in the proposed mixed-use zones. As mentioned above, the proposed code amendment reduces the off-street parking requirement for multifamily development, but no other changes to minimum parking requirements are proposed.

Staff recommends that the City conduct a parking management study to look comprehensively at parking in the area around the State Street corridor if the proposed amendments are adopted. Such a study could look at parking utilization in the area and parking demand from new development on State Street. It could make recommendations to address any parking issues. This was done for the North Broadway/High Street area, which was a redeveloping area that has become a mixed-use area in Salem. A parking management study for the State Street corridor could address the use of alleys, which has also been raised as a concern by neighbors.

Testimony Received

As of the date of completing this staff report, the following comments have been provided on the proposed amendments. The comments have been summarized below and are included in full as **Attachment E**.

1. On March 10, 2018, a comment was received online opposing any plan that reduces the number of automobile lanes for bike paths due to traffic concerns.

Staff Response: The consultant team working on the State Street Plan conducted traffic analysis on the proposed street design, and it found that the intersections at 14th and 17th Streets would operate over capacity with delays and queuing during the peak period *without* mitigation. The consultants recommended mitigating these impacts by making intersection improvements at 14th and 17th streets (e.g., adding turn lanes). The City would improve both intersections to mitigate the impacts of the proposed street design. The detailed traffic analysis and results can be found online in the [Tier 2 evaluation of street design alternatives](#). Staff recommended the “hybrid” alternative in part because staff does not expect it to significantly worsen traffic congestion or result in a lot of diversion to other major streets as could occur under the full “road diet” alternative. (See **Attachment F** for

more details on staff's recommendation of the "hybrid" alternative.)

2. On March 12, 2018, a 14-page letter, 19-page shadow study, and video link was submitted. They included six main concerns summarized below.
 - a. Notice: No notice of a March 12 hearing was provided, and other residents who have property adjacent to the study area may be unaware of this hearing.

Staff response: There was no public hearing on the proposed amendments on March 12. Instead, City Council was asked at its March 12 meeting to initiate the adoption process for new zoning and a new street design for the State Street Corridor and refer the matter to the Planning Commission for public hearing and recommendation to the Council. The Planning Commission is holding a public hearing on the matter on April 3, and all required notices have been provided as noted in the procedural findings above. City staff also posted notice of the public hearing online and emailed more than 700 people on the project email list to notify them of the public hearing.

- b. Shadows: Shadows from structures within proposed building envelopes on State Street would limit plant growth and solar electric generation on properties to the north of State Street. Shadows could significant impact a property owner's ability to save money on utilities through harnessing solar power, and a shadow analysis should be done. The shadow study and video submitted on March 12 show shadows cast from proposed 55-foot-tall buildings on State Street between 14th and 17th Street onto the adjacent Court/Chemeketa Residential Historic District (historic district) on different days and times.

Staff response: Staff has not conducted a shadow analysis as of the date of completing this staff report, but staff is working with the City's Information Technology Department to see if this is feasible prior to the Planning Commission public hearing. If the City conducts such an analysis, the findings will be available at the public hearing. The graphics and video submitted on March 12 show shadows cast from proposed buildings onto the historic district to the north of State Street. Those proposed buildings are 55 feet tall, which is the maximum height proposed in the proposed MU-I and MU-II zones. They are located on properties between 14th and 17th Streets, which is proposed to be rezoned to MU-I. The vast majority of these properties are currently zoned CO. In the CO zone, the maximum height allowed is 70 feet, with no additional setback based on height required for any use except multifamily housing that abuts property zone Residential Agriculture (RA) or RS. That means a 70-foot office building could be constructed in the CO zone on State Street today. Such a building could potentially cast a longer shadow on the adjacent historic district than a proposed 55-foot-tall building constructed under the proposed MU-I zone.

- c. Section 106 Review: Partial funding for the project may have come from federal funds, and 55-foot-tall buildings and their shadows could change the character of the historic district's use or setting and introduce incompatible visual, atmospheric, or audible elements. A Section 106 review is requested, and the Salem Historic Landmarks Commission (HLC) and NEN is requested to be designated as consulting parties for the City.

Staff response: Section 106 of the National Historic Preservation Act of 1966 “requires Federal agencies to take into account the effects of their undertakings on historic properties, and afford the Advisory Council on Historic Preservation (ACHP) a reasonable opportunity to comment,” according to the ACHP.

Section 106 is intended to review brick and mortar projects that are federally funded. This planning project is a study and not a project to develop a property. A Section 106 review cannot be requested without a federal nexus within a development project. In addition, ODOT has a programmatic agreement with the State Historic Preservation Office (SHPO) that specifically exempts planning studies/projects from Section 106 review.

If a Section 106 review was conducted, the SHPO would take the lead in facilitating the review process, determine whether or not there is an adverse effect requiring mitigation, and determine whether the City was a consulting party. Consulting parties participate in the review process to determine and agree upon mitigation for clear adverse effect to a historic resource.

- d. Historic Buildings: A plan to prevent the demolition of older homes on State Street should be developed, and consideration should be made to either encourage their inclusion in new development or provide for steps to encourage moving them in lieu of demolition.

Staff response: Owners who are interested in designating their buildings as historic resources can contact the City to investigate and potentially start the designation process. The proposed mixed-use zones do not preclude older homes on State Street from being designated as individually listed historic resources. Once designated, such resources cannot be demolished without a historic resource demolition permit. This permit approval process requires the City’s Building Official to determine if the building can be reasonably moved before the HLC determines whether it should be demolished.

The City currently provides incentives for property owners to designate their buildings as historic resources and reuse them instead of demolishing them. For example, SRC 230 allows for the adaptive reuse of designated historic resources through an approval process; the process expands the ways in which such historic resources can be used. The City also offers a Residential Toolbox Grant program through which historically-designated residential properties can receive up to \$1,000 each to enhance or restore their home.

- e. Residential Neighbor Input: The “proposed implied finding that neighbors were fully involved and have buy-in to this proposal” is challenged. It is understood that many neighbors felt they were left out of participating at a November 10, 2017 meeting and were being told what was going to happen, and several neighbors on Court Street seem dissatisfied with the process. There does not appear to be available information, minutes, or an audio recording from that meeting.

Staff Response: As described in this staff report, staff conducted extensive public outreach as part of the State Street Plan project, presenting numerous opportunities for neighbors to be informed and involved if they so desired. For example, staff held several public meetings as well as targeted meetings with property owners. Staff publicized these meetings through mailings, emails, social media posts, e-newsletters, videos, radio interviews, and other means. Staff also attended meetings of NEN, SESNA, and a gathering of residents of the historic district.

The meeting with the residents of the historic district was on October 10, 2017 (*there was no meeting on November 11, 2017*) and was hosted by Tom O'Connor, a resident and member of the State Street SAC. City staff attended the meeting as guests to present information and answer questions about the State Street Plan project. City staff did not compile meeting minutes or record the meeting, as it was not the City's meeting.

- f. Zoning Impacts on Other Residential Neighborhoods: Input from all neighborhoods should be sought and considered since the proposed MU-I and MU-II zones could be applied in other neighborhoods in Salem in the future.

Staff Response: All required notices have been provided for the Planning Commission public hearing on the proposed amendments, as explained earlier in this staff report. This includes notice to all City-recognized neighborhood associations, pursuant to SRC 300.1110(e)(1)(A). If the proposed zones are established and an applicant applies to change their zoning to one of the zones in the future through a quasi-judicial zone change, public notice will be provided pursuant to SRC 300, and a public hearing will be held.

3. On March 14 and 15, 2018, several questions from the same person were received via email. The questions focused on how the proposed zoning would impact existing uses that are prohibited in the proposed zones and existing buildings that do not meet the standards in the proposed zones.

Staff Response: The proposed zoning allows existing uses that would be made nonconforming to remain and continue operating as continued uses. An existing auto repair shop or existing standalone surface parking lot, for example, would become continued uses in the proposed MU-I and MU-II zones. Such uses could be rebuilt, enlarged, or altered as long as certain development standards are met.

A building that exists when the proposed zoning is adopted (if adopted) but that does not meet the development standards in the proposed zone would become a continued development. The owner would "have the burden to demonstrate continued development status," meaning the owner would have to prove that the building existed when the proposed zoning was adopted. This could be done through aerial photos, building permits, or any other information that showed that the building existed when the proposed zoning was adopted. As mentioned above, an addition or alteration to a continued development would have to meet certain development standards based on the degree of the change.

4. On March 15, 2018, a comment was received via email that expressed concerns about flooding from Mill Creek in the State Street area as well as the need for a safer pedestrian experience from 17th Street going east.

Staff Response: The City's Public Works Department is studying the Mill Creek basin as part of an update to the City's Stormwater Master Plan, and it is looking at how to best address flooding and other stormwater issues in Salem. The study will result in a list of recommended projects to improve the stormwater system. The public will get the opportunity to review and weigh in on the list of recommended projects in the summer of 2018.

Pedestrian safety was identified as a priority through the State Street Plan project. The proposed amendments to the TSP address this through a new street design for State Street. As mentioned above, that proposed street design calls for wider sidewalks on State Street from 12th to 25th street and enhanced pedestrian crossings at 15th, 19th, and 21st streets.

5. On March 16, 2018, a comment was received via email that asked about whether the proposal would widen the street or leave the street unchanged and widen the sidewalks.

Staff response: Under the proposed street design, the street width from curb to curb would generally remain the same as existing widths, and the sidewalks are proposed to be widened. The City does not have funding to implement the proposed street design, but the space needed for the wider sidewalks would be effectively reserved or set aside through a special setback when property is redeveloped. If the City secures funding in the future to implement the street design, the street project would generally acknowledge the existing context and accommodate existing buildings that were built up to the sidewalk unless those properties were redeveloped.

6. On March 19, 2018, a comment was received via email that generally asked who in Salem's development community was interviewed as part of the Economic Analysis conducted for the State Street Plan project and what criteria was used to select them.

Staff response: City staff provided the consultant team with a list of developers and real estate professionals with experience in Salem, and the consultant choose from that list. The consultant did not provide the City with the list of people interviewed. The list that the City provided to the consultant team included: Alex Rhoten, broker; Jeff Miller, broker; Michael Tevis, developer; Mike Erdmann, Home Builders Association of Marion and Polk Counties Chief Executive Officer; Noel Johnson, developer; Jennifer Martin, broker; and David Glennie, developer.

7. On March 22 and 26, 2018, questions were received via email that asked about mechanical equipment, maximum heights, and buffering between land uses.

Staff response: The proposed mixed-use zones do not limit the height of mechanical equipment to 55 feet. To address concerns about mechanical equipment being visible on the top of buildings, the proposed zones include the following standard: "Roof top mechanical equipment, with the exception of solar panels and wind generators, shall be

set back or screened so as to not be visible to a person standing at ground level 60 feet from the building.”

There are different ways to provide a buffer between land uses, including landscaping, setbacks, fences, and walls. The proposed zones require a setback, landscaping, and a fence or wall between the proposed mixed-use zones and residential zones.

Substantive Findings

The proposal includes amendments to the UDC, Comprehensive Plan, Salem Area Comprehensive Plan Map, NEN-SESNA Neighborhood Plan Map, and Zoning Map.

1. SRC 110.085 establishes the following approval criteria for an amendment to the UDC (SRC chapters 110 through 900) to be approved:
 - a. The amendment is in the best interest of the public health, safety, and welfare of the City; and
 - b. The amendment conforms with the Salem Area Comprehensive Plan, applicable statewide planning goals, and applicable administrative rules adopted by the Department of Land Conservation and Development.
2. SRC 64.025 establishes the following approval criteria for a major Comprehensive Plan map amendment to be approved:
 - a. The amendment is in the best interest of the public health, safety, and welfare of the City; and
 - b. The amendment conforms to the applicable statewide planning goals and applicable administrative rules adopted by the Department of Land Conservation and Development.
3. SRC 265.010 establishes the following approval criteria for a legislative zone change to be approved:
 - a. The zone change is in the best interest of the public health, safety, and welfare of the City;
 - b. The zone change complies with the Salem Area Comprehensive Plan, applicable statewide planning goals, and applicable administrative rules adopted by the Department of Land Conservation and Development;
 - c. If the zone change requires a comprehensive plan change from an industrial designation to a non-industrial designation, or a comprehensive plan change from a commercial or employment designation to any other designation, a demonstration that the proposed zone change is consistent with the most recent economic opportunities analysis and the parts of the comprehensive plan 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 zone change; or include both the demonstration and an amendment to the comprehensive plan; and
 - d. 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 on, the zone change.

4. SRC 64.020 establishes the following approval criteria for a major Comprehensive Plan amendment to be approved:
 - a. The amendment is in the best interest of the public health, safety, and welfare of the City; and
 - b. The amendment conforms to the applicable statewide planning goals and applicable administrative rules adopted by the Department of Land Conservation and Development.

Attachment G contains findings that indicate that the proposed amendments satisfy the above approval criteria.

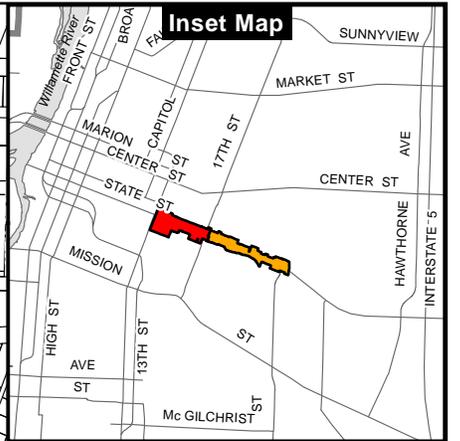
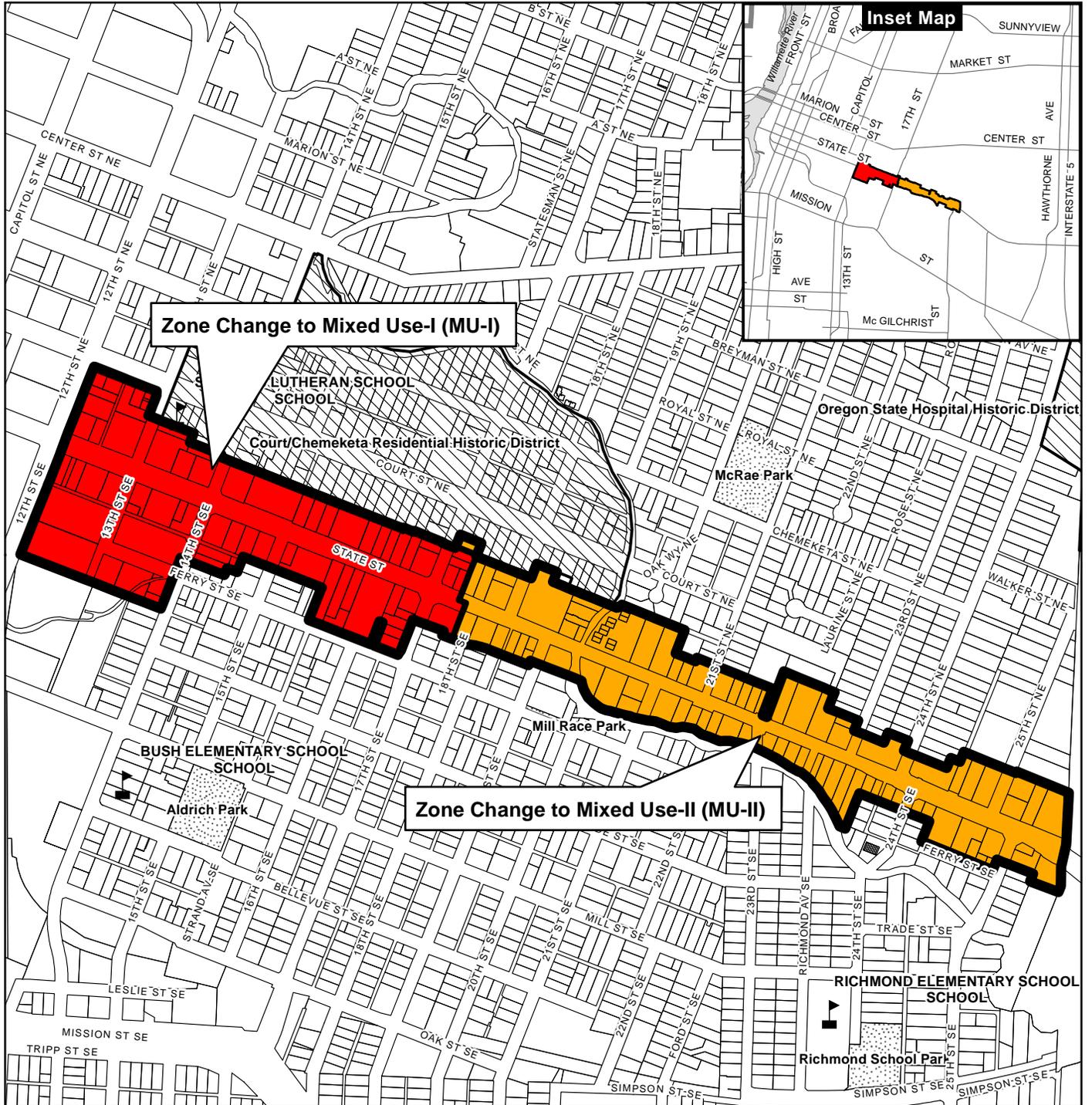


Eunice Kim, AICP, Planner II

Attachments:

- A. Map showing location of proposed zones and map showing existing zoning
- B. Proposed street design for State Street
- C. State Street Corridor Plan Booklet
- D. Resolution No. 2018-15
- E. Public comments
- F. Memo on Preferred Street Design
- G. Findings

State Street Corridor Proposed Zone Change



Legend

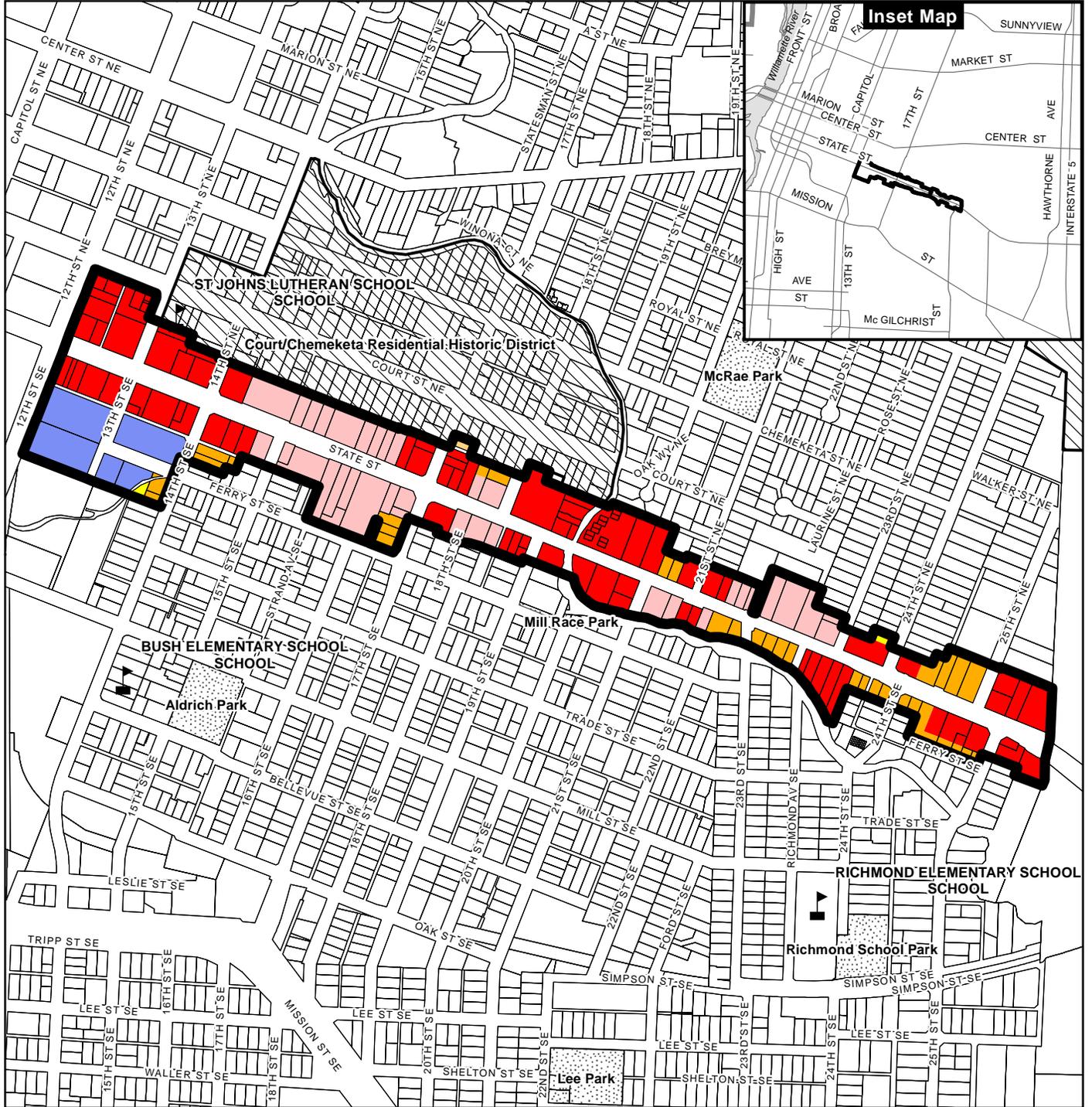
- Taxlots
- Proposed Mixed Use-I Zone
- Historic District
- Proposed Mixed Use-II Zone
- Schools



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State Street Corridor Existing Zoning



Legend

-  Taxlots
-  Single Family Residential
-  Commercial Office
-  Historic District
-  Multiple Family Residential 1
-  Retail Commercial
-  Schools
-  Multiple Family Residential 2
-  Public Service



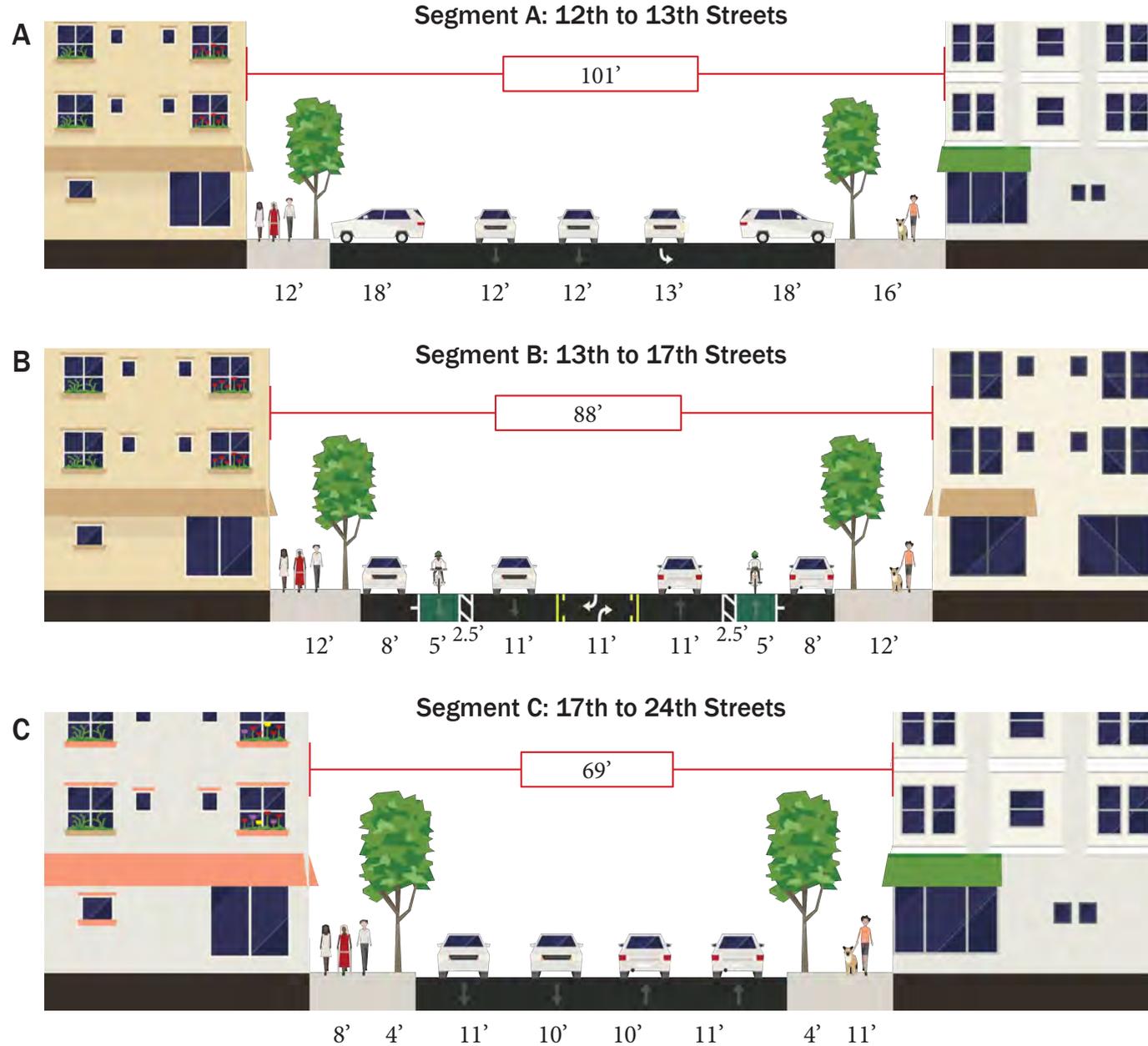
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Community Development Dept.

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0 100 200 400 Feet

Proposed Street Design

Cross sections for State Street from 12th to 24th Streets



Note: The proposed design of State Street between 13th to 14th street does not include bike lanes. It has one lane in each direction and a center turn lane, and it provides wider sidewalks and on-street parking.

State Street Corridor Plan Booklet





State Street Corridor Plan

“This project is partially funded by a grant from the Transportation and Growth Management (TGM) Program, a joint program of the Oregon Department of Transportation and the Oregon Department of Land Conservation and Development. This TGM grant is financed, in part, by federal Moving Ahead for Progress in the 21st Century (MAP-21), local government, and State of Oregon funds.

The contents of this document do not necessarily reflect views or policies of the State of Oregon.”



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Bainbridge.



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ACKNOWLEDGEMENTS

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- » Kevin Boyles; Sassy Onion, Owner
- » Cara Kaser, City Council, Ward 1 Councilor
- » Aurora Cedillo; Resident and representative of the Latino community
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- » Diane Merry; Mid-Willamette Valley Community Action Agency
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TABLE OF CONTENTS

INTRODUCTION 5
 PURPOSE OF THE SSRP 6
 STUDY AREA 6
 SETTING THE STAGE FOR A VIBRANT STATE STREET CORRIDOR 8
 ELEMENTS OF STRONG STREET DESIGN 9
GOALS AND OBJECTIVES..... 10
STAKEHOLDER ENGAGEMENT..... 12
ISSUES AND OPPORTUNITIES 14
 UNDERSTANDING THE CORRIDOR THROUGH CONTEXT ZONES 15
ONE CORRIDOR: RECOMMENDATIONS 17
 PREFERRED LAND USE ALTERNATIVE 18
 NEW ZONING TYPES 19
 PREFERRED STREET DESIGN ALTERNATIVE 20
 ONE CORRIDOR CONCEPT..... 22
PROJECT IMPLEMENTATION..... 24
 LAND USE IMPLEMENTATION 25
 STREET DESIGN IMPLEMENTATION 26
 NEXT STEPS 27

Figure 1. State street corridor study area and context 7
 Figure 2. Storefront-to-streetscape relationship, idealized conditions 9
 Figure 3. State street corridor context zones 15
 Figure 4. State street- existing cross sections 16
 Figure 5. Current zoning 18
 Figure 6. Preferred zoning 18
 Figure 7. Development standards, proposed zoning 19
 Figure 8. State street- proposed hybrid alternative cross sections..... 21
 Figure 9. MU-1 street-level environment 22
 Figure 10. MU-2 street-level environment 22
 Figure 11. Street sections, MU-1 and MU-2 23
 Figure 12. Likely Development Opportunity Sites 25

 Table 1. State street refinement plan goals, objectives, and criteria..... 11
 Table 2. Opportunities, assets, and barriers by segment 15



INTRODUCTION

STATE STREET CORRIDOR PLAN

In 2014, the City of Salem applied for and received grant funds from the Oregon Department of Transportation (ODOT) and Department of Land Conservation and Development (DLCD) Transportation and Growth Management Program to develop a corridor plan for State Street between 12th and 25th streets.

Purpose of the State Street Corridor Plan

The State Street Corridor Plan (SSCP) presents a path to revitalize a section of State Street within the City of Salem into a vibrant, attractive, walkable mixed-use corridor. The coordinated land use and transportation plan includes proposed zone changes and land use regulations to encourage pedestrian-friendly, mixed-use development or redevelopment. It also includes a new street design cross section to support the land use and zoning changes and accommodate facilities and amenities to make pedestrians and bicyclists feel welcome and comfortable.

Study Area

The corridor generally extends from 12th Street (and the railroad tracks) on the west to just beyond 25th Street on the east. It includes parcels fronting on both State Street and Ferry Street SE for the full extent.

This section of State Street is an important commercial and transportation corridor in Salem. State Street is a four-lane street that connects to downtown Salem, and in the study area, it carries up to approximately 20,000 vehicles per day. The study area is home to a variety of offices, retail stores, car repair shops, restaurants, and other businesses as well as a mix of housing and institutional uses, including the State of Oregon and Salem-Keizer School District. It is primarily bordered by residential neighborhoods. Within the city, State Street provides access to Willamette University, downtown Salem, and the State Capitol as well as the State Penitentiary as shown in Figure 1.



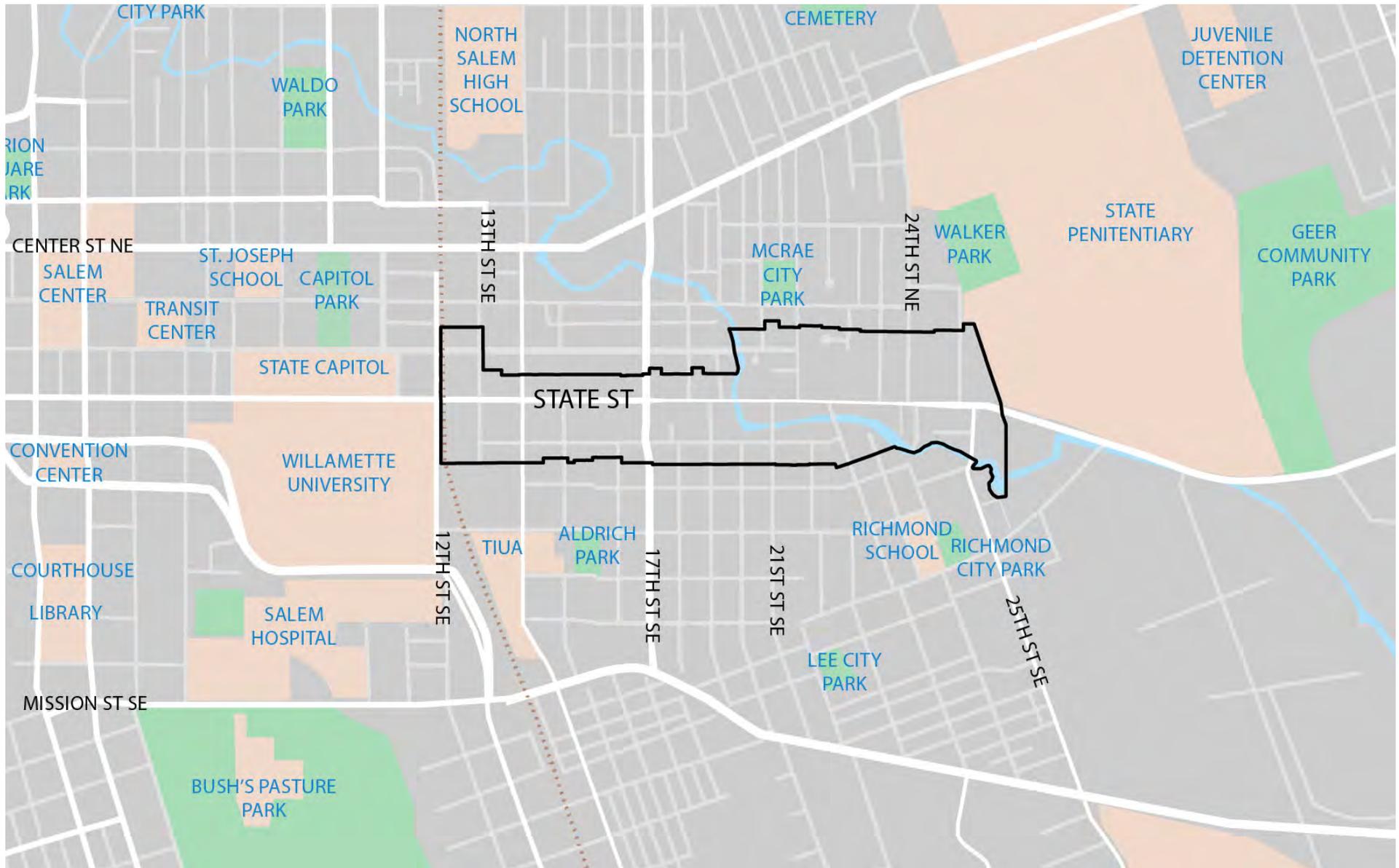
Four travel lanes on State Street



Businesses on State Street

STATE STREET CORRIDOR PLAN

Figure 1. State Street Corridor Study Area and Context



Setting the Stage for a Vibrant State Street Corridor

Revitalization of State Street into a vibrant, attractive, walkable mixed-use corridor will require coordinated land use and transportation improvements. Vibrant mixed-use environments rely on a coordinated and thoughtful balance of **land use, parking, design standards, and street design**. Putting in place regulations that balance these four things is critical for the development of a vibrant State Street corridor.



Regulatory Balance Reflects the Values of The Community

The balance of land use, parking, design standards, and street design should reflect the goals of the community at any given point in time. In the past, State Street was a place for commerce, living, and civic activities. It was a farm to market road in the late 1800s, and it grew into a bustling mixed-use corridor bounded by working-class neighborhoods by the early 1900s. It continued this way until after the second World War (WWII). State Street is one of Salem’s early examples of a vibrant, small city, urban environment. Over the decades since WWII, the focus of State Street shifted to providing faster transportation from outlying development to the city center.

In 2013, Northeast Neighbors (NEN) and Southeast Salem Neighborhood Association (SESNA) partnered with the City of Salem to create a new joint NEN-SESNA Neighborhood Plan through a process called Looking Forward. Ultimately, the *NEN-SESNA Neighborhood Plan* identified the State Street corridor as an opportunity area and was adopted in March 2015. The plan set forward a goal to:

Revitalize State Street as a vibrant, mixed-use corridor that encourages pedestrian activity, is safe and attractive, creates a distinctive sense of place, and serves as an asset to surrounding neighborhoods.

The City Council’s goals for Fiscal Years 2013-2015 also identified a desire to revitalize the State Street corridor. The following strategy was included to help achieve the Council’s goal: “Develop a plan for redevelopment of State Street: from 12th Street to the State Penitentiary...”

This project aims to restore urban vitality that previously existed on State Street. Success will require a conscientious rebalancing of land use and transportation, site and building design, and parking. This SSCP provides a roadmap for the City to accomplish this goal.

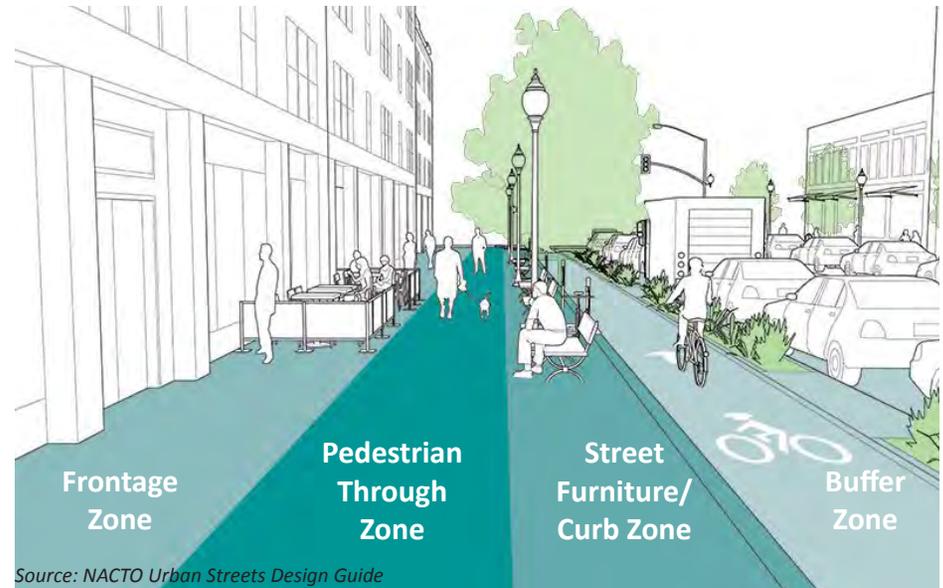
Elements of Strong Street Design

When a concerted effort is made to change the character of the street and provide a safe and attractive pedestrian environment, then the potential for more dense, urban walkable development is greater. Critical elements of the streetscape are described below and shown in Figure 2.

- » **Frontage Zone:** The frontage zone includes the area right in front of the building, including the sidewalk immediately adjacent to the buildings. This zone includes entryways and doors, sidewalk cafes or benches, and signage or sandwich boards.
- » **Pedestrian Through Zone:** The pedestrian through zone is dedicated to pedestrian movement, providing a clear pathway parallel to the street. The minimum clear space required to meet American with Disabilities Act (ADA) standards is four feet; however, greater widths ranging from five to 12' are desirable, depending on surrounding context and pedestrian volumes. A clear width of 5' is the minimum space that can comfortably accommodate two people walking side-by-side or passing one another from opposite directions. In cases where the pedestrian through zone is immediately adjacent to the curb, effective widths are less than the measured width due to the need to walk at least six inches away from the curb to avoid tripping.
- » **Street Furniture/Curb Zone:** The street furniture/curb zone is the area between the pedestrian through zone and the curb, and it is designed to provide space for street furniture, street lighting, parking meters, bicycle parking, and street trees or vegetation.
- » **Enhancement/Buffer Zone:** The enhancement/buffer zone is the space between the sidewalk and the motor vehicle travel lanes and may include on-street parking, bicycle parking, curb extensions, bicycle lanes, stormwater management, or other uses.

On State Street, many areas are not buffered from the adjacent travel lane and instead consist only of a pedestrian through zone.

Figure 2. Storefront-to-streetscape relationship, idealized conditions



Source: NACTO Urban Streets Design Guide



Lack of streetscape features on State Street

GOALS AND OBJECTIVES



2493

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STATE STREET CORRIDOR PLAN



Vacant property on State Street



State Street as a transit route

The project team identified qualitative and quantitative criteria to reflect both the community’s priorities for the State Street corridor as well as its concerns about potential impacts that land use and street design alternatives could have on the corridor’s economic vitality, livability, and travel conditions. The Land Use and Street Design Alternatives that were developed as part of this State Street project were screened using the evaluation criteria at several stages of development and refinement to ensure that the preferred Land Use and Street Design alternatives built from and reflected the community’s vision for the corridor. The projects goals, objectives, and criteria are detailed in Table 1.

Table 1. State Street Refinement Plan Goals, and Objectives

Goals	Objectives
Promote economic vitality and livability	<ul style="list-style-type: none"> » Encourages pedestrian-oriented, mixed-use development and redevelopment of underutilized properties » Creates a safe, attractive, pedestrian-friendly environment » Supports the business environment » Minimizes negative impacts on adjacent neighborhoods
Improve multimodal access and safety	<ul style="list-style-type: none"> » Improves access to all forms of transportation including walking, biking, and riding transit
Encourage feasible improvements	<ul style="list-style-type: none"> » Consistent with adopted and accepted City plans » Maximizes cost effectiveness » Garners broad public support

STAKEHOLDER ENGAGEMENT



STATE STREET CORRIDOR PLAN

The neighborhood and business communities along State Street have been engaged in planning efforts for many years through the *Looking Forward* neighborhood planning process. Carrying forward the vision of the *Northeast Neighbors Neighborhood Association (NEN) - Southeast Salem Neighborhood Association (SESNA) Neighborhood Plan* was critical to the success of the State Street Refinement Plan (SSRP) effort. As such, many of the individuals who were actively engaged in previous planning efforts, were consistently engaged throughout SSRP process.

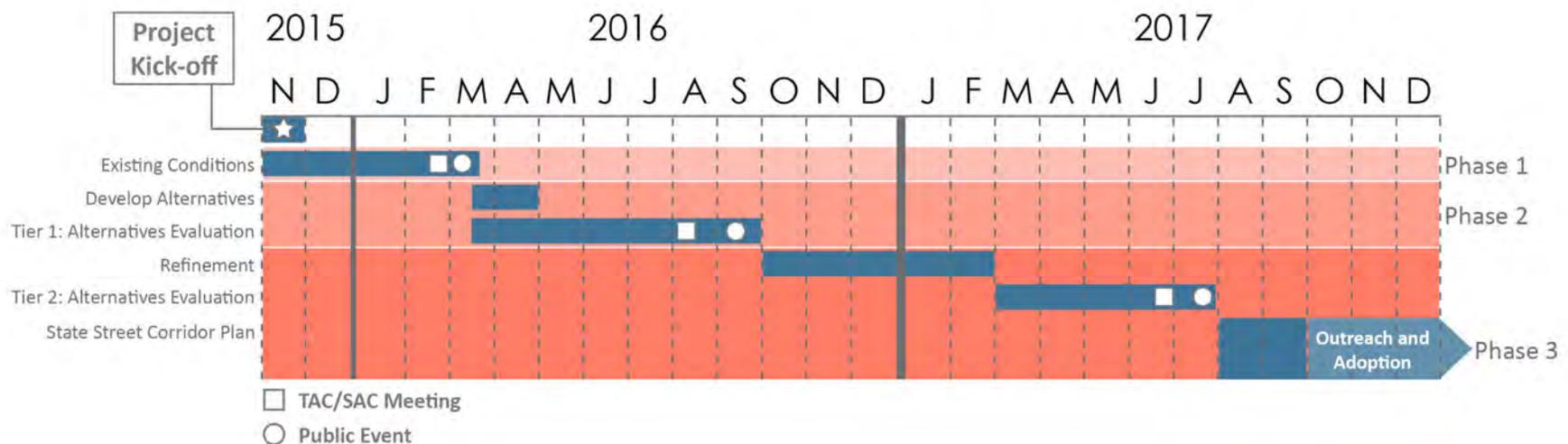
Project engagement occurred through several organized groups and efforts. These included:

- » Stakeholder Advisory Committee (SAC) – comprised of neighborhood, business, development community, City Council, and Planning Commission representatives
- » Technical Advisory Committee (TAC) - comprised of City of Salem technical staff, including representatives from the Public Works Department, Community Development Department, and Urban Development Department; an Oregon Department of Land Conservation and Development and Administrative Services representative; a Salem-Keizer Transit representative, and a Mid-Willamette Valley Council of Governments representative

- » Stakeholder survey – Twenty interviews of residents, property and business owners, neighborhood representatives, City officials, social service agencies, educational institutions, real estate/development community representatives, and others
- » Public meetings
- » Updates through neighborhood associations
- » Emails to more than 730 stakeholders
- » Meetings with developers and study area property owners
- » Door-to-door canvassing and conversations with business owners and operators
- » Social media updates and announcements
- » Videos included in the City’s monthly news show
- » Project website

As detailed in the schedule overview, stakeholder engagement occurred at key project milestones.

On average, more than 80 people attended each public meeting.





ISSUES AND OPPORTUNITIES

Understanding the Corridor Through Context Zones

The State Street corridor does not have one character along its length but rather, multiple characters influenced by a variety of factors, including sidewalk conditions, street widths, building form, and the presence of street trees.

Five distinct context zones, as shown in Figure 3, were identified and qualitatively assessed based on these factors to better understand opportunities and barriers. Public meetings, stakeholder interviews, and community feedback also helped the project team identify issues and opportunities experienced by the public. Based on distinct characteristics, each context zone has different assets, opportunities, and barriers, which are presented in Table 2.

Figure 3. State Street Corridor Context Zones



Table 2. Opportunities, Assets, and Barriers by Segment

	Key Barriers	Key Assets
Context Zone 1	<ul style="list-style-type: none"> » Large amount of surface parking today » Several bicycle-involved crashes at the 12th Street intersection » Insufficient intersection capacity at 12th Street 	<ul style="list-style-type: none"> » Existing urban character » Density of existing retail (south side) is an established lunchtime destination » Generous sidewalks » Existing street trees » Existing on-street parking » Parking lots represent a redevelopment opportunity
Context Zone 2	<ul style="list-style-type: none"> » Many structures set back from the street » Large amount of surface parking today » High crash occurrence at the 17th Street intersection » Insufficient Intersection capacity at 17th Street 	<ul style="list-style-type: none"> » Existing buffered sidewalk » Existing street trees » Existing parallel parking » Parking lots represent a redevelopment opportunity » Adjacent lots under single ownership represent redevelopment opportunities
Context Zone 3	<ul style="list-style-type: none"> » Constrained and narrow right-of-way » Few pedestrian-oriented destinations » Small lots may be difficult to redevelop » No buffer between sidewalk and travel lanes » Flooding of Mill Creek » Minimal existing trees » Many curb cuts 	<ul style="list-style-type: none"> » Engagement with Mill Creek as a community asset » Parking lots represent redevelopment opportunities » Adjacent lots under single ownership represent redevelopment opportunities
Context Zone 4	<ul style="list-style-type: none"> » Constrained and narrow right-of-way » No buffer between sidewalk and travel lanes » Minimal existing trees » Many curb cuts and parking lots » Setback of buildings from the street » Narrow width and poor condition of sidewalk 	<ul style="list-style-type: none"> » Setback of buildings from the existing right-of-way could allow for future sidewalks to be wider while minimizing adverse impacts to existing structures » Several historic structures provide character and contribute to the diversity of building types
Context Zone 5	<ul style="list-style-type: none"> » Minimal street trees » Many curb cuts and surface parking lots » Existing setback of buildings from the street » Narrow width and poor condition of sidewalk 	<ul style="list-style-type: none"> » Wider right-of-way » Bike lanes act as a buffer » Setback of buildings from the existing right-of-way allow for future sidewalks » Historic property at 2493 State Street » Vacant lots represent redevelopment opportunities

STATE STREET CORRIDOR PLAN

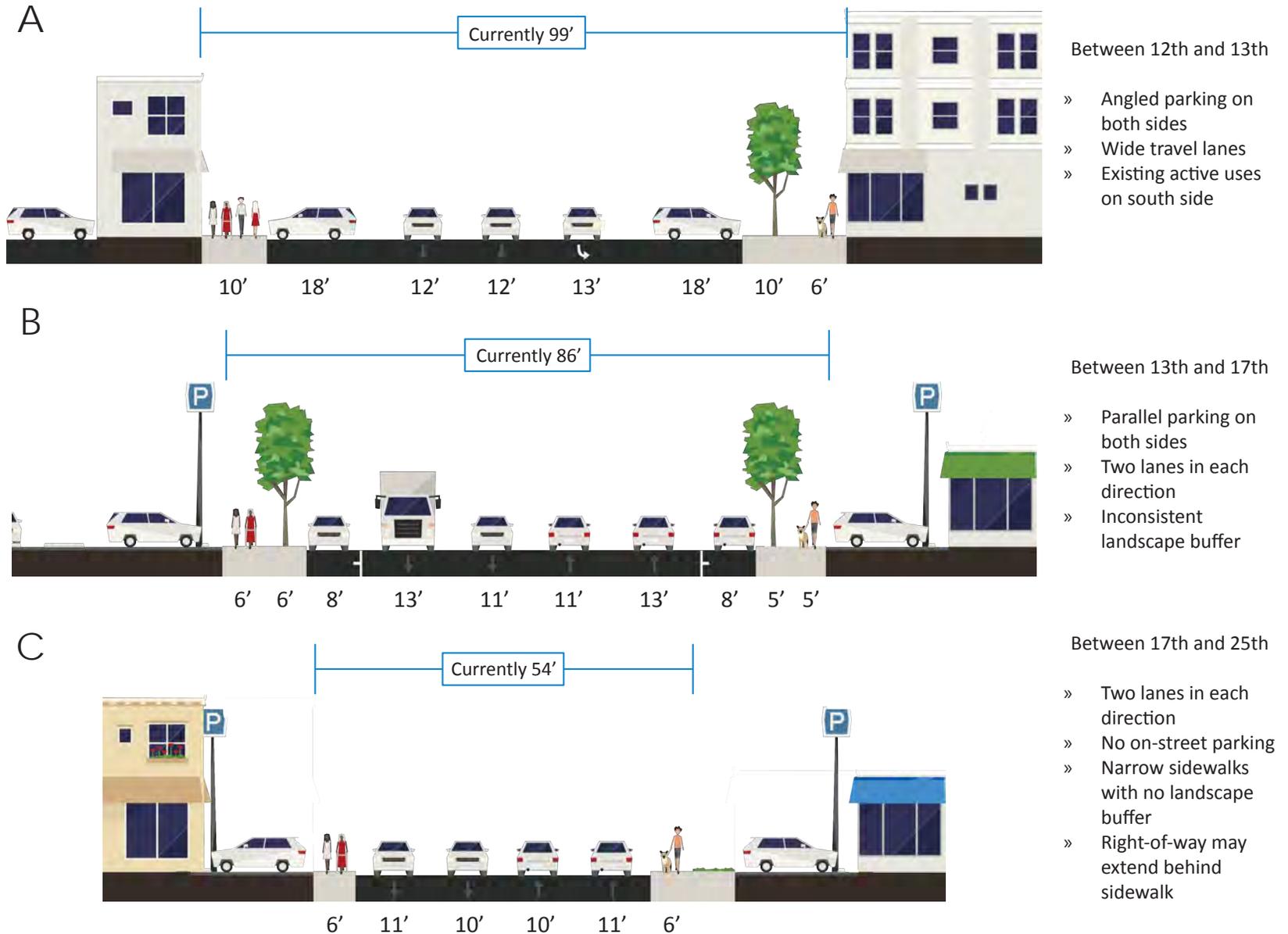
Existing Street Design

Figure 4 illustrates the dimensions and key features of the existing cross section along three segments. The termini for these segments

were chosen based on the available right-of-way width, which varies throughout the length of the study corridor but is relatively consistent within each segment.



Figure 4. State Street- Existing Cross Sections





ONE CORRIDOR: RECOMMENDATIONS

Preferred Land Use Alternative

Four Land Use Alternatives were developed to address the current conditions and community desires for redevelopment along State Street. The alternatives were evaluated against the project’s evaluation criteria. All alternatives are described in the Final State Street Corridor Plan and the supporting project memorandums. The Preferred Land Use Alternative is depicted in Figure 6.

As compared to the current zoning, in keeping with the community vision, the Preferred Land Use Alternative streamlines the zoning and design criteria along the entire corridor. It responds to the market analysis and community stakeholders by allowing greater intensity and requiring more mixed used on the western portion of the corridor. Applying the MU-2 to the eastern portion of the corridor still allows for a mix of uses, but at a lower intensity and without requiring them to be located in one development.

The Preferred Land Use Alternative is also responsive to the preferred street design. On the west side, the preferred street design provides a significantly improved pedestrian environment, along with on-street parking, making it the most viable area for development. The requirement that the ground floor of buildings be “retail ready” is, therefore, limited to the west side.

On the eastern side, pedestrian improvements (and on-street parking) will largely have to be provided through dedication of private property, making it less conducive to multi-story mixed use development in the near term. The proposed land use plan and implementing zoning code correlates with the development potential response to street character. If the street does not support pedestrian activity, development patterns will not either. The east side focuses on encouraging infill residential development, and is very permissive towards other creative mixed-used forms of development.

Figure 5. Current Zoning

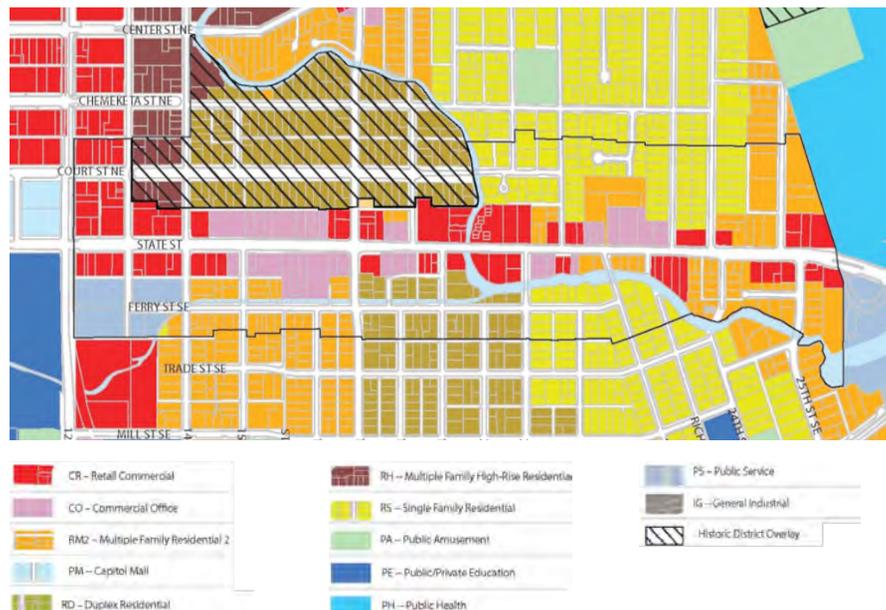
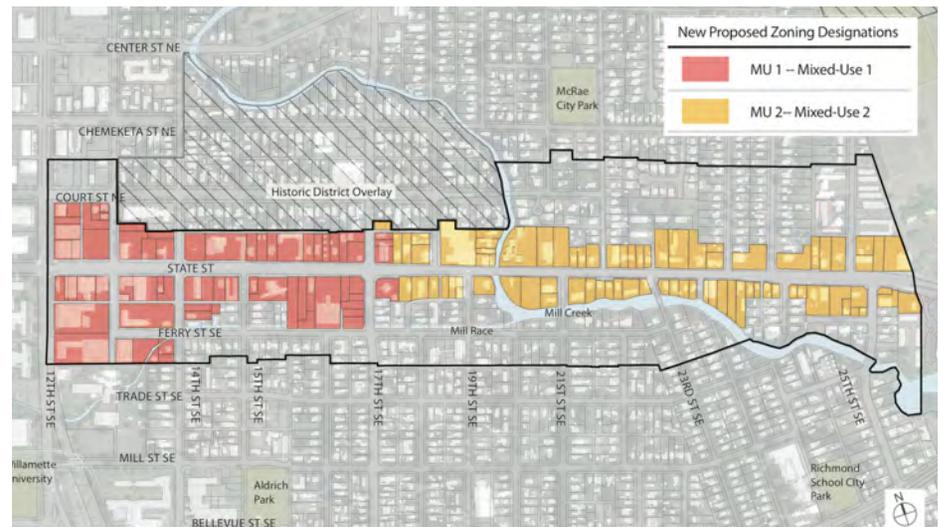


Figure 6. Preferred Zoning



New Zoning Types

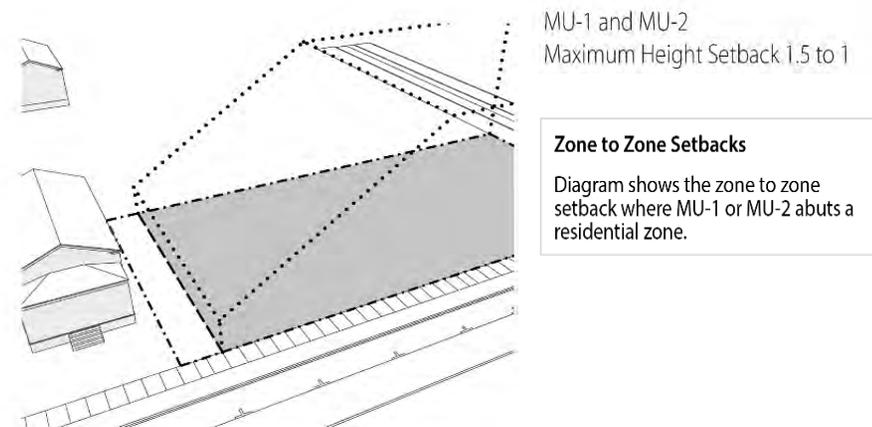
MIXED USE-1 ZONE

- » **Description:** The MU-1 zone is intended to result in the development of primarily multi-story mixed-use buildings that have retail or office on the ground floor and housing or office uses on the upper floors. Ground-floor retail is a priority in this zone; therefore, the zoning requires the ground floors of buildings to be of a minimum floor-to-ceiling height. This standards ensures that retail can be accommodated in the future if it is not economically viable upon construction. Development standards encourage pedestrian-friendly buildings. For example, buildings in this zone have no (or minimal) setbacks, and the facades have a high level of architectural detail.
- » **Uses:** A mix of complementary uses are allowed, including retail, office, and multifamily housing. New auto-related uses such as car sales are prohibited as are higher-impact industrial uses.
- » **Building Envelope:** This zone is urban in nature and requires no setbacks from the street. The proposed maximum height is approximately 4 stories and 55 feet. Buildings in this zone may cover 100 percent of the site. Buildings that are adjacent to residential zones must be set back, with greater setbacks required for upper stories (Figure 7).
- » **Building Design:** The fronts of buildings on State Street are required to provide weather protection such as awnings, a high percentage of ground floor windows, and a primary entrance on State Street. Additional standards to emphasize vertical and horizontal architectural details of the building façade are required, but they are provided in a menu format, so developers and designers can choose which standards to comply with. Examples of such façade standards include the highlighting of structural bays or the base, middle, and top of the building and the expression of the bulkhead and cornice components of a storefront.

MIXED USE-2 ZONE

- » **Description:** The MU-2 zone is a mixed-use zone that allows multifamily housing and mixed-use buildings. Residential uses are permitted at the ground floor, but they are required to be separated from the sidewalk to ensure privacy for residents and provide an adequate transition between dwelling units and the public realm.
- » **Uses:** Similar to the MU-1 zone, a mix of complementary uses are allowed, including retail, office, and multifamily housing. New auto-related uses such as car sales are prohibited as are higher-impact industrial uses.
- » **Building Envelope:** This zone, like the MU-1 zone, is urban in nature. Buildings are allowed to be up to 55 feet tall, which is the same maximum height as the MU-1 zone.
- » **Building Design:** Standards for the design of buildings are proposed to be similar as in the MU-1 zone, except the ground floors of buildings are not required to be as high as in the MU-1 zone. The MU-2 zone also requires a lower percentage of ground-floor windows in buildings compared to the MU-1 zone.

Figure 7. Proposed Development Standards



Preferred Street Design Alternative

Three street design alternatives were evaluated against the project’s evaluation criteria. All alternatives are described in the Final State Street Corridor Plan and the supporting project memorandums. The Hybrid Alternative is the recommended Preferred Street Design Alternative. In the final evaluation, the Hybrid Alternative performed well against the project’s objectives and evaluation criteria with the following key differentiators:

- » **Traffic Diversion** – The Hybrid Alternative is expected to result in some traffic diversion, but it is anticipated to have less of an impact on parallel routes and create less cut-through traffic than the Road Diet Alternative.
- » **Alignment with Market Analysis and Support of Corridor Businesses and Redevelopment** – The market analysis identified the west segment of State Street, the portion between 14th Street to 17th Street, as the most viable for development and redevelopment. The Hybrid Alternative proposes the Road Diet cross section within this segment, which allows for wide sidewalks, including a 23-foot wide sidewalk, landscape, and pedestrian area along the north side of the street between 13th and 14th streets. The pedestrian infrastructure will allow people to stroll and relax on the street. Paired with the Preferred Land Use Alternative, this section of the corridor has potential to become an attractive destination.
- » **Ability to Phase Improvements** – The Hybrid Alternative could be easier to phase than the road diet since some of the improvements west of 17th Street may only require restriping to change the vehicle travel cross section. These improvements could be installed earlier, with the sidewalk and landscape strip plantings being improved as properties redevelop along the corridor. Additionally, the new pedestrian crossings at 15th Street, 19th Street, and 21st Street and the proposed median at 25th Street could be constructed and implemented sooner than the other improvements, if funding becomes available.
- » **Creation of a Safe, Attractive, Pedestrian-Friendly Environment** – The Hybrid Alternative will provide the Road Diet Alternative cross section between 14th Street and 17th Street. These infrastructure improvements will provide a more attractive cross section with safer pedestrian crossings than the Improved Four-Lane Alternative. Along the entire corridor, the

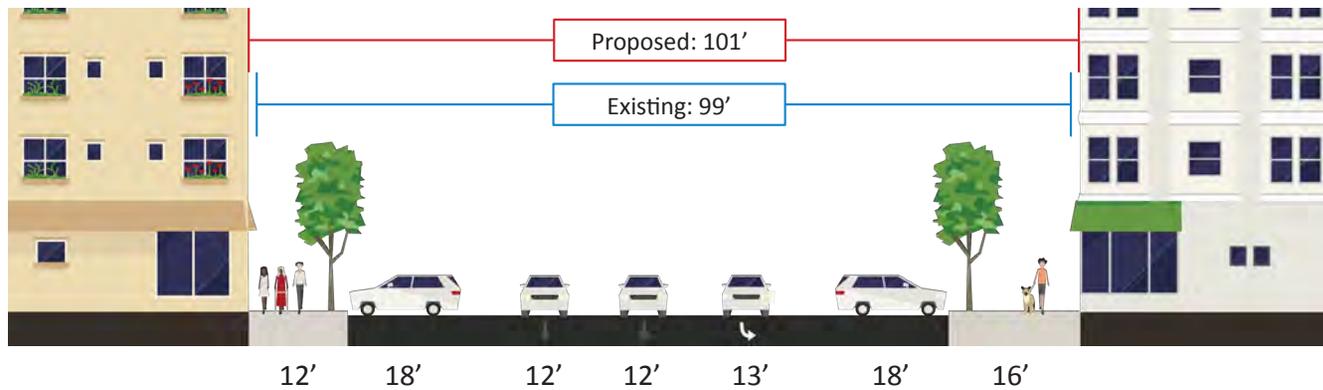
- cross section will provide for landscaping between the sidewalk and the vehicle travel lanes, offering new opportunities for street trees.
- » **Consistency with Adopted Plans** – The *NEN-SESNA Neighborhood Plan* specifically identifies a road diet as a potential street design solution for the corridor, and the Hybrid Alternative includes a road diet from 13th to 17th streets. In this segment, space is provided for pedestrian and bicycle improvements by reducing the number of travel lanes in each direction from two to one and providing a middle turn lane. Improvements include enhancing pedestrian street crossings using bulb-outs to reduce the street crossing distance, adding bicycle lanes between 14th and 17th streets to the cross section, providing wider sidewalks, and installing buffers between the sidewalk and vehicle travel lanes. East of 17th Street, enhanced pedestrian crossings and wider, buffered sidewalks aim to address safety priorities established by the City.

In sum, the Hybrid Alternative, shown in Figure 8, strikes a balance between enhanced pedestrian amenities that support redevelopment potential along the corridor and limiting potential traffic impacts to neighborhood and parallel streets. For more information, please refer to the State Street Corridor Plan report.



STATE STREET CORRIDOR PLAN

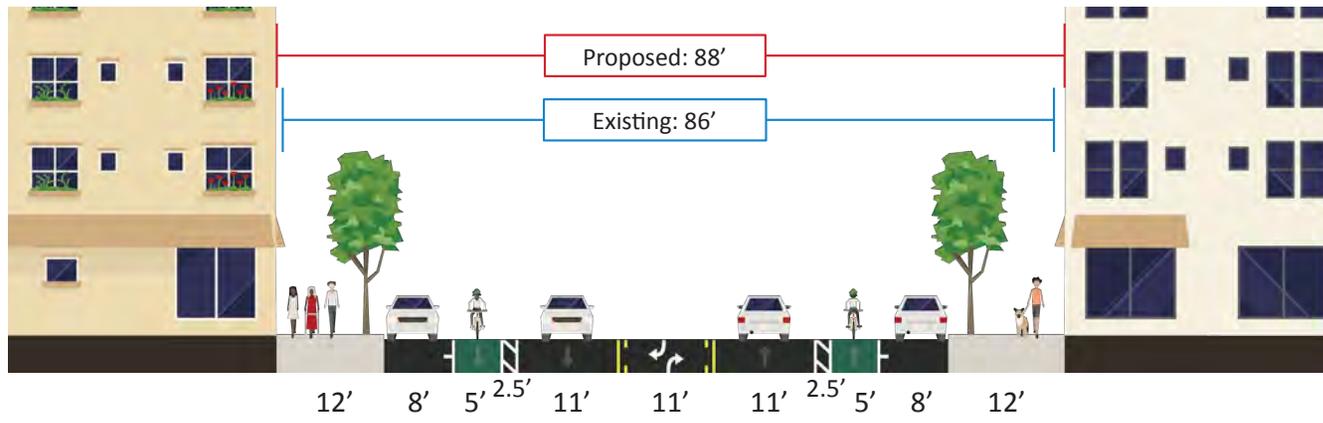
Figure 8. State Street- Proposed Hybrid Alternative Cross Sections



A

Between 12th and 13th

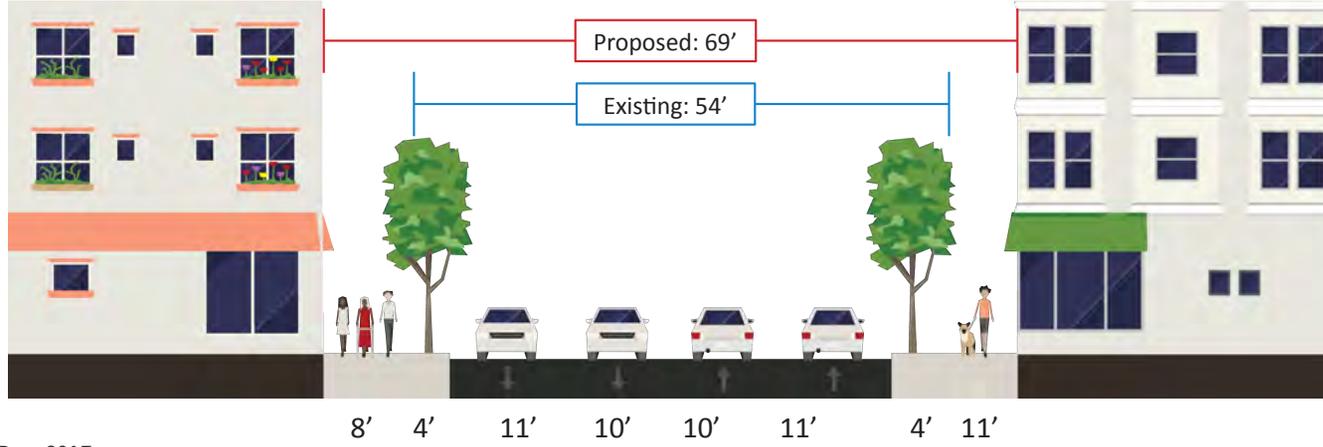
Change from existing:
Right-of-way (ROW) increased to 101' by adding 2' of sidewalk on the south side.



B

Between 13th and 17th

Change from existing:
ROW increased to 88' by adding 2' of sidewalk on the north side. Two travel lanes removed and replaced with two-way left turn lane and buffered bike lanes between 14th and 17th.



C

Between 17th and 25th

Change from existing:
ROW increased to 69' by adding 6' of sidewalk on the south side and 9' on the north side.

One Corridor Concept

As infill development and redevelopment occurs on State Street, the land use regulations will guide building type and façade treatments. When State Street is reconstructed to the Hybrid Alternative cross section standards, the wider buffered sidewalks and enhanced pedestrian street crossings will make pedestrian conditions along the corridor safer and more pleasant. The intent is to encourage people to visit, live, or establish their businesses in the corridor.

The land use regulations will require development on State Street to be set back from residential zones, and that setback distance will increase as building height increases. Figure 11 shows these setbacks within the proposed MU-1 and MU-2 zones and includes the Preferred Street Design Alternative cross sections to depict the full transition from the back of a lot on south side of State Street to the back of a lot on the north. The sections show typical relationships for properties zoned MU-1 or MU-2 on State Street, where the properties are next to an alley, an adjacent property, or a creek. As shown and proposed in the Preferred Land Use Alternative, the land use regulations restrict the building height on properties adjacent to existing residential zones to ease the transition between uses.

The following two figures illustrate how the street and building design come together to make a pedestrian-friendly place. Figure 9 shows the more urban context of the MU-1 zone on the west side of State Street, with wider sidewalks, taller ground floor heights, and a high percentage of façade transparency.

Figure 10 shows required vertical or horizontal separation when residential uses are on the ground floor in the proposed MU-2 zone on State Street.

Figure 9. MU-1 Street-level Environment

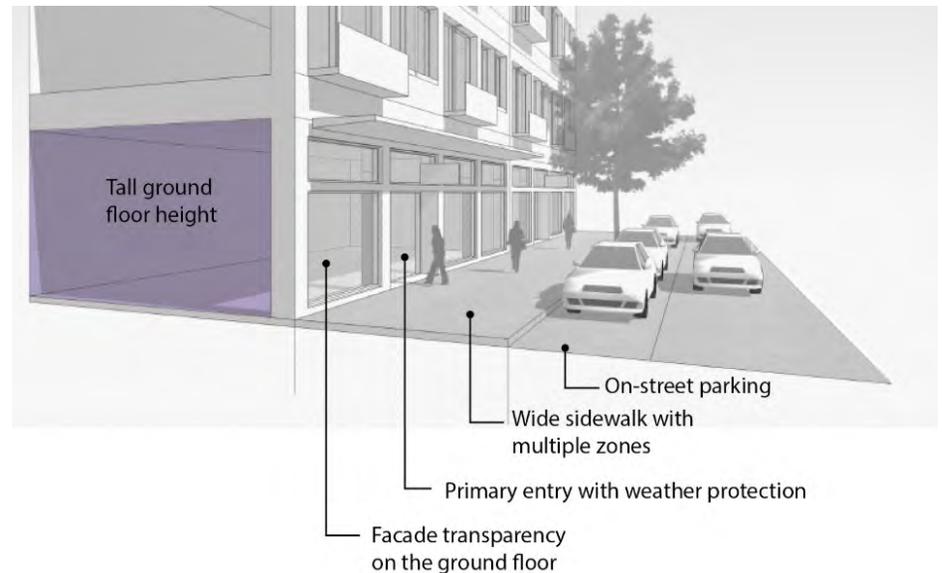
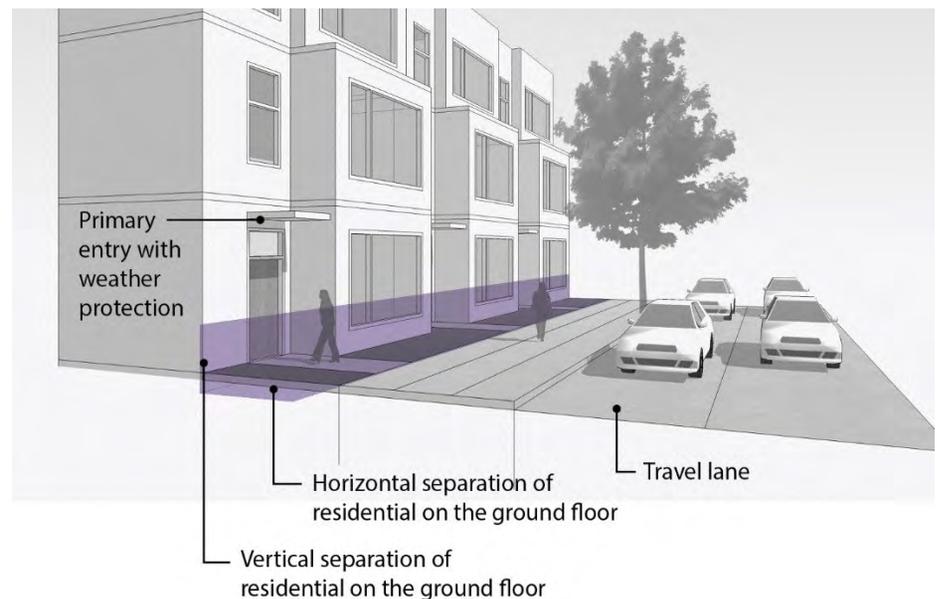
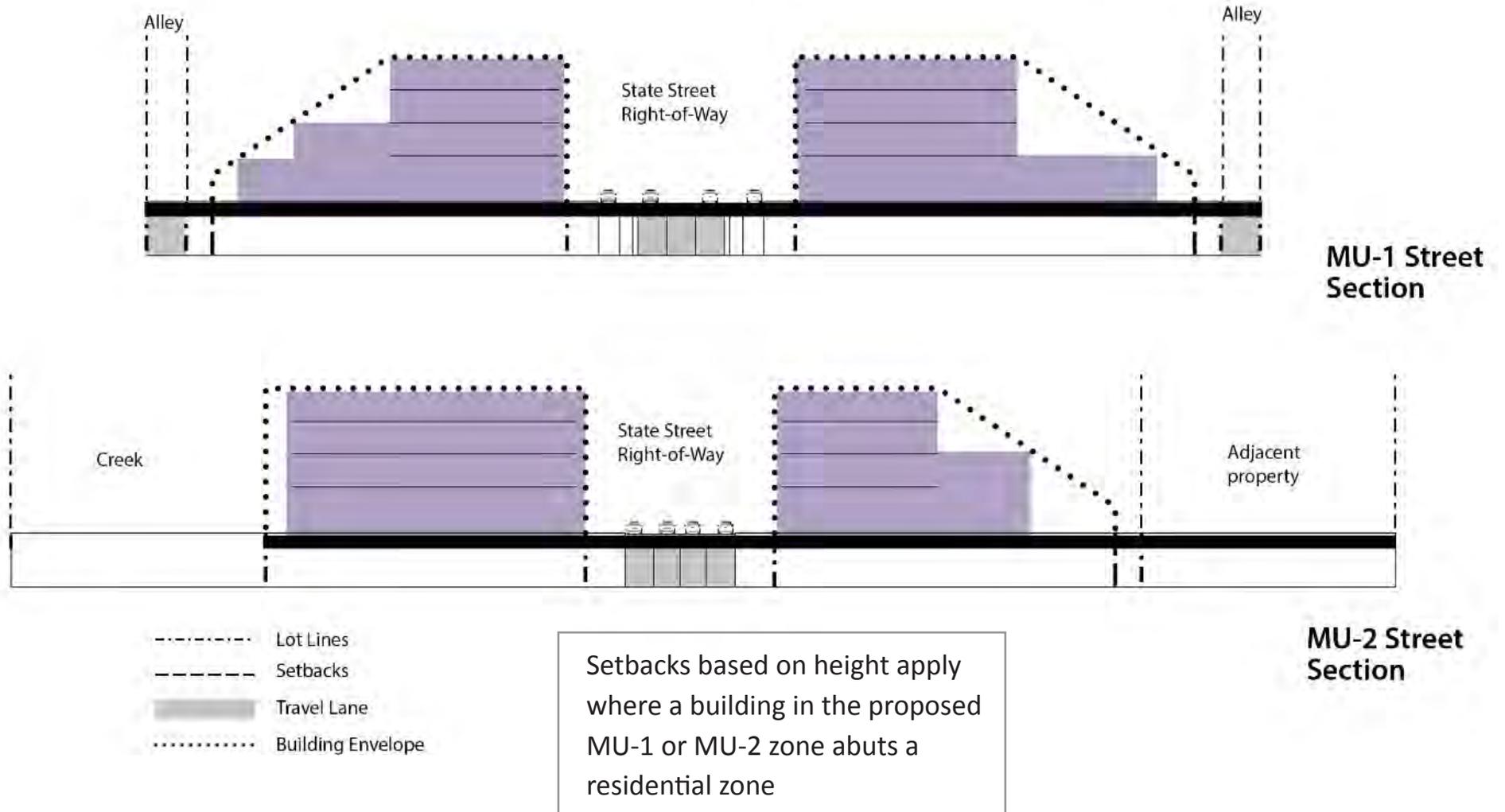


Figure 10. MU-2 Street-level Environment



STATE STREET CORRIDOR PLAN

Figure 11. Street Sections, MU-1 and MU-2



PROJECT IMPLEMENTATION



Source: NACTO Urban Streets Design Guide

Land Use Implementation

Once the proposed mixed-use zones are adopted by the City Council, they are expected to be applied to properties on and near State Street as reflected in the Preferred Land Use Alternative. Existing businesses that are no longer allowed in the new zones can continue operating at their existing locations. However, if such a business is changed into a use that is allowed in the new zones, it will not be allowed to change back to a business that is prohibited in the new zones

Redevelopment Opportunities

There are properties or potential groupings of properties along the corridor that may become viable for redevelopment as the new zones go into effect and the street design is implemented. There is a set of likely opportunity nodes based on currently observed conditions, as presented below in Figure 12. Ownership combinations and site-specific factors vary widely across this set of identified nodes, potentially impacting the timing and likelihood of development activity over the coming decades. Future property sales, particularly involving consolidation of ownership across adjacent properties, could also lead to different or expanded opportunity nodes. For purposes of illustrating the possible impacts of the street improvements and zoning changes contemplated here, these dozen sites appear most ripe to see changes.

Figure 12. Likely Development Opportunity Sites



Street Design Implementation

Phasing Street Improvements

There are two distinct opportunities to phase this project: 1) Constructing the pedestrian crossing improvements ahead of all other improvements and 2) Undertaking the entire improvement between 12th Street and 17th Street.

The first option is for the City to construct the pedestrian crossing improvements at 15th, 19th, and 21st streets as a single standalone project. Since the crossings would be constructed prior to the other roadway improvements, the pedestrian crossing east of 15th Street would need to be constructed to a different standard than proposed in the Preferred Design Alternative. It would need to include a rectangular rapid flashing beacon (RRFB) since it would be crossing four vehicle travel lanes. This would add to the cost of the overall project but would enhance the pedestrian connectivity and access along the corridor much sooner than if the City were to wait to implement the crossings as part of a larger corridor investment.

The second phasing option is for the City to reconstruct the roadway improvements west of 17th Street independently of those to the east. Prioritizing the road diet improvements would be beneficial as they align with the market study findings. There are significant multimodal and safety benefits associated with the improvement of the sidewalk condition and width and the installation of bicycle lanes along the five-block segment; however, this represents costs and impacts to existing properties.

Project	Description	Cost
Pedestrian Crossings	Install RRFB and street crossings located at 15th, 19th, and 21st streets	\$159,500
State Street Improvements*	Construct Road Diet improvements between 12th and 17th streets and improved 4-Lane improvements between 17th and 25th streets	\$3,983,500

*Additional design is required to identify the specifics of the phasing option. A cost estimate for the segments from 12th to 17th streets and 17th to 25th streets were not developed as part of this study.

Parking Management

Minimum parking standards are often too high for walkable, mixed-use places and can inhibit new development as the high costs of parking drives up the overall cost of development. Requiring private property owners to provide parking spaces on every lot is a significant burden and is also detrimental to urban form. At the same time, requiring structured parking is cost prohibitive until land values in the State Street area support the compact, mixed-use development that has been envisioned. Parking concerns, both real and perceived, present a major issue for State Street and other mixed-use areas of Salem.

Recommended strategies for State Street include:

- » Conduct a district-wide or corridor-wide parking strategy
- » Create neighborhood district strategies to manage overflow parking
- » Reduce parking for multifamily housing to 1 space per dwelling
- » Reduce other parking requirements through thoughtful modification to parking regulations
- » Allow parking to be located 800 feet away from the use it serves

The City employs some parking strategies, such as allowing a developer to reduce their number of required off-street parking spaces in exchange for improvements that include transit stops, park and ride lots or other similar facilities. The City of Salem also permits development to share parking between the owners of two or more uses or activities, buildings, or structures through a joint parking agreement. In addition, parking reductions are granted through the City's adjustment process.

“A complete solution requires locally tailored parking management strategies and regulations to ensure that parking does not detract from the urban form.”

Next Steps

The first step to implementing the SSCP is to adopt the two new mixed-use zones, MU-1 and MU-2, as described in this report and presented in Appendix A. Once the codes are adopted, all new development proposals in the corridor will be required to, at minimum, meet the standards laid out in the zoning tables.

In addition, the City needs to develop an implementation plan that clearly identifies how it will implement the Preferred Street Design. This plan should focus on detailing the approach to phasing and timing of improvements, identifying preferred funding mechanisms, and developing a parking strategy for the project. It should be developed in conjunction with the community, including the local development community and other private partners. It should also identify specific actions and assign roles and responsibilities.



Four travel lanes on State Street



Source: NACTO Urban Streets Design Guide



Existing business on State Street

RESOLUTION NO. 2018-15

A RESOLUTION INITIATING PROPOSED AMENDMENTS TO THE SALEM REVISED CODE, SALEM AREA COMPREHENSIVE PLAN, SALEM AREA COMPREHENSIVE PLAN MAP, NEN-SESNA NEIGHBORHOOD PLAN MAP, AND SALEM ZONING MAP TO ESTABLISH AND APPLY TWO NEW ZONES TO THE STATE STREET CORRIDOR AND CREATE A NEW STREET DESIGN FOR THE STATE STREET CORRIDOR

Whereas, the City Council adopted the NEN-SESNA Neighborhood Plan as components and support documents to the Salem Area Comprehensive Plan in 2015; and

Whereas, the NEN-SESNA Neighborhood Plan recommended that the State Street corridor between 12th and 25th Street be revitalized a vibrant, pedestrian-friendly, mixed-use corridor; and

Whereas, a Council goal for economic development in FY13-14 included a strategy to “Develop a plan for redevelopment of State Street: from 12th Street to the State Penitentiary...;” and

Whereas, Council authorized staff to apply for and accept a Transportation and Growth Management (TGM) grant from Oregon Department of Transportation and the Oregon Department of Land Conservation and Development for the State Street Corridor Plan (Plan), and the City was notified that the Plan had been selected for a grant award on August 20, 2014; and

Whereas, the City worked with the community for more than two years to prepare the Plan to advance the City Council goal and the vision for the State Street corridor in the NEN-SESNA Neighborhood Plan; and

Whereas, community stakeholders, including residents, property owners, business owners, community groups, NEN, SESNA, public agency officials, and developers were afforded the maximum opportunity for involvement in the development of the Plan and its recommendations for land use and street design improvements; and

Whereas, the Plan recommended the creation of two mixed-use zones, Mixed Use-I (MU-I) and Mixed Use-II (MU-II), as well as a new street design for the State Street corridor to revitalize it into a vibrant, pedestrian-friendly, mixed-use corridor; and

Whereas, the proposed MU-I and MU-II zones would encourage pedestrian-friendly, mixed-use development by allowing a broad mix of commercial, residential, and other complementary uses and establishing development standards that address site and building design; and

Whereas, the proposed new street design would create a safer, more welcoming environment for pedestrians and bicyclists while accommodating vehicular traffic by including improvements such as wider sidewalks throughout the State Street corridor and bicycle lanes on a portion of State Street; and

Whereas, implementation of the recommendations in the Plan require that the Salem Revised Code be amended and the Transportation System Plan (a component of the Salem Area Comprehensive Plan), Salem Area Comprehensive Plan Map, NEN-SESNA Neighborhood Plan Map, and zoning for properties in the State Street corridor be changed; and

Whereas, a “Major Comprehensive Plan Amendment” and “Major Plan Map Amendment” must be initiated by the City Council under SRC 64.020(e)(1) and SRC 64.025(b)(1), proposed amendments to the Salem Revised Code may be initiated by the City Council by resolution under SRC 300.1110(a), and legislative zone changes may be initiated by City Council under SRC 265.010(c); and

Whereas, a 35-day notification to the Department of Land Conservation and Development is required under SRC 300.1110(d); and

Whereas, the City Council may refer the matter to the Planning Commission for public hearing and recommendation under SRC 300.1110(a)(1);

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SALEM, OREGON,
RESOLVES AS FOLLOWS:

Section 1. The City Council hereby initiates proposed amendments to the Salem Revised Code, Salem Transportation System Plan, Salem Area Comprehensive Plan Map, NEN-SESNA Neighborhood Plan Map, and Zoning Map to establish two new zones and apply them to the State Street corridor and to establish a new street design for the State Street corridor.

Section 2. The City Council hereby refers the matter described in Section 1 above to the Planning Commission for public hearing and recommendation, and public hearing before the Planning Commission shall be set for a future date.

Section 3. This resolution is effective upon adoption.

ADOPTED by the City Council this 12th day of March, 2018.

ATTEST:


City Recorder

Approved by City Attorney: 

Checked by: E. Kim

Eunice Kim

From: Lisa Anderson-Ogilvie
Sent: Saturday, March 10, 2018 12:53 PM
To: Eunice Kim
Subject: Fwd: Contact City Council

Lisa | 503-540-2381

From: NoReply@cityofsalem.net <NoReply@cityofsalem.net> on behalf of tim.hay@outlook.com
 <tim.hay@outlook.com>
Sent: Saturday, March 10, 2018 6:47:50 AM
To: citycouncil
Subject: Contact City Council

Your Name	Tim Hay
Your Email	tim.hay@outlook.com
Your Phone	5033717121
Street	PO BOX 12364
City	SALEM
State	OR
Zip	97309
Message	<p>Dear Salem City Council In regards to the agenda item regarding the State Street Corridor, I am against any plan the reduces the number of automobile lanes for bike paths. In case you haven't noticed, Salem has a real traffic problem on its hands and reducing traffic lanes makes no sense. There is no easy way to get from east to west in Salem, and with State Street being one of major routes, it makes no sense to reduce traffic capacity. I also have yet to see a bicycle using the new bike lanes on High and Church street, and those lanes have been in place for over a year. Please don't make the traffic issues worse than they already are by reducing more traffic lanes. Thank you.</p> <p>Tim Hay</p>

This email was generated by the dynamic web forms contact us form on 3/10/2018.

1566 Court Street NE
Salem, Oregon 97301-4241

Monday,
March 12, 2018

Re: Meeting Agenda, City Council — March 12, 2018,
Agenda Item 3.2a **Resolution**

“Initiate the adoption process for new zoning and a new street
design for the State Street Corridor”

Dear Mayor Bennett and Members of the Salem City Council,

We reside at 1566 Court Street NE. Our house is a contributing
resource in the Court-Chemeketa National Register District¹ and the
former residence of past City Manager Robert Moore (d. 2005).



1566 Court Street NE (circa 1910)

We are enthusiastic preservationists and
new to the neighborhood, having moved
here in October 2017, and chose this
neighborhood because it was within a
National Register District and is, in
our opinion, one of the most charming
neighborhoods in the City of Salem.



1566 Court Street (Fall 2017)

¹ National Historic Preservation Act (NHPA; Public Law 89-665; [54 U.S.C. 300101](#) et seq.) §300311. **National Register**

Mayor Bennett and Members of the Salem City Council
March 12, 2018
Page 2

Our property shares a property line *in the center of the alley* with the Wyndam Knights Inn motel parcel:



Wyndam Knights Inn (State Street)



Wyndam Knights Inn (Alley) - facing south



Wyndam Knights Inn (Alley) - facing north

We had registered² several times with the Planning Department our emails and phone numbers; in fact we asked in an email on February 22nd when the next hearing would be, whether it would be in front of the City Council or Planning Commission and the City's response was that the next hearing would be at the Planning Commission and we would be so notified. February 22nd is 7 days after your Agenda item was created on February 15th.

We have not received *any notice of the hearing referenced above*, from the City either by mail, email, or phone, and only know of today's hearing because a kind neighbor thought to notify us Friday afternoon.

With little time to prepare, we share with you several concerns.

1) **Notice.** Is there some department other than the Planning Department that we must register with to be assured timely written notice? As of March 10, 2018, the Project Updates page has the latest entry dated January 2, 2018; there is no notice of this meeting³. We're concerned other residents whose properties are adjacent to the study area may be unaware of this hearing. The Project Calendar depiction for the month of March, 2018, is empty.⁴ We believe that public participation must be encouraged and that full disclosure of upcoming meetings is essential to the process.

2) **Shadows.** Our property is to the North of the State Street Corridor. As such, it will be subject to shadows during the winter limiting plant growth and solar electric generation. We have asked repeatedly for an analysis of the impact of the shadows that would be created by structures within the proposed building envelopes. Staff concluded no shadow study has been done. From the [Stakeholder Advisory Committee Meeting #4 Summary Notes](#):

- A. Zone-to-zone setbacks are proposed to be required between the proposed mixed-use zones and residential zones even when there is an alley.
- Q: Has a shadow analysis been done?
 - A: No. A SAC member examined shadows during the winter season, and it appears that shadows will not cross into properties to the north of the proposed mixed-use zones.
- Q: What development is be feasible in the State Street corridor?

John was told on the phone February 20th that A) staff would not consider altering the set backs or step backs and B) a shadow study would not be conducted; he confirmed in writing staff's decision.

² See exhibit "A-1".

³ See exhibits "A-2 & A-3".

⁴ See exhibit "A-4".

Several days later staff replied with a "clarification" or revision to say "We are looking into possibly doing a shadow analysis."

John has prepared a Shadow Study which accompanies this Letter. The Shadow Study is a model which can depict the shadow profile of a building at any given latitude and longitude at any give time of day. The work product includes a video showing two entire days from dawn until dusk. The two days are the Winter Solstice, December 21st, the Vernal Equinox, March 20th. **We stongly recommend** you view the video to witness the remarkable effect of shadows on the adjacent Court Chemeketa National Register District. You may view the Video of the Shadow Transitions for the Winter Solstice and the Spring Equinox on YouTube at:

<https://youtu.be/FGv7dhhKt-o>

Attached as Exhibits B-1 through B-3 are several screenshot depicting shadows created at a particular time on a particular day during a time when one might reasonably expect to have some sunshine.

Shadows on properties where the owner wishes to harness solar power to save monies on utilities could have a significant financial impact on the ability to save monies and/or make the decision to make a capital investment for solar equipment. Although there is no right to light statutory framework within Oregon, it seems that before something is going to reduce a property owner's ability to conserve electricity, an analysis should be made. Under the current zoning, such information could be weighed in by the Planning Commission in deciding whether or not to approve a proposed project and/or propose mitigation measure, but under the proposed zoning, an administrative approval could be issued and then the property owner would have secured rights to eclipse a neighbor's property risking disputes and potential claims and litigation.

3) **Federal NEPA or Section 106 Review.** National Historic Preservation Act (NHPA; Public Law 89-665; 54 U.S.C. 300101 *et seq.*) We understand, but have not verified⁵, that partial funding for this

5 John's request of February 26, 2018, to visit and view the project file was effectively thwarted. Staff's response was:

All of the project deliverables are located on the project website at:

<https://www.cityofsalem.net/Pages/state-street-corridor-plan-to-revitalize-the-street.aspx>

Unlike quasi-judicial land use cases, there is no physical case file with all of the project documents in it. If you would like to see previous versions of a specific deliverable, you can request them through a public records request. The process and fee for making such a request is explained here:

project came from Federal Funds. There is no disclosure of federal funding on the Project's "Background" page which identifies other sources of funds. However, Page 2 of the Plan booklet recently posted to the site on January 30th of this year states:

This project is partially funded by a grant from the Transportation and Growth Management (TGM) Program, a joint program of the Oregon Department of Transportation and the Oregon Department of Land Conservation and Development. This TGM grant is financed, in part, by federal Moving Ahead for Progress in the 21st Century (MAP-21), local government, and State of Oregon funds.

Since the proposed zoning changes will permit, by right, 55 foot tall buildings and potentially cast significant shadows into the National Register District located north of the State Street Corridor, causing a change in the character of the District's use or setting and introducing incompatible visual, atmospheric, or audible elements; we request that a Section 106 review be conducted. We further request that the City of Salem Historic Landmarks Commission be designated as the consulting party for the City of Salem and that neighbors directly affected or the North East Neighborhood Association (NEN) also be designated a consulting party.

Given the one (1) business day notice we have had for this hearing, we have not had sufficient time to assert with certainty that the use of Federal Monies on a project adjacent to a National Register District necessarily triggers some sort of review. We believe that there is sufficient effect, e.g. shadows, upon the properties contiguous with the north boundary of the proposed Corridor that there should be some review and consideration given to this National Register District.

We note that staff has repeatedly asserted they will not consider changes to set backs or step-backs, and, yet, we are concerned that even if a Shadow Study is deemed to have a negative impact, the consideration given to the Study would be perfunctory.

4) **Historic Buildings.** We're concerned about the older homes remaining on State Street and that some plan be developed to prevent their demolition. We believe that these homes were left out of the

<https://www.cityofsalem.net/Pages/public-records-request.aspx>

The City has been working on this project since 2015, so there are many documents. If there is a specific document you are looking for, please let me know. I could email it to you. I'm happy to help.

National Register District because the ratio of properties on State Street that would qualify as contributors were outweighed by properties that were not and as such, the ratio did not reach a certain threshold for inclusion. Nonetheless, we submit these homes should not be abandoned and that consideration be made to either encourage their inclusion in new development, or provide for steps to encourage moving the homes in lieu of demolition.

5) **Residential Neighbor Input.** We challenge the proposed implied finding that the neighbors were fully involved and have buy-in to this proposal. We were unable to attend the meeting of November 10, 2017, but understand that many neighbors felt they were being left out of participating and were being told what was going to happen as if the matter was a *fait accompli*. Several neighbors we have spoken to on Court Street seem dissatisfied with the process. There does not appear on the Project's web site information or minutes from that meeting, nor was an audio recording of that meeting made and/or made available to us. Finally, we learned that one member spoke up and demanded that neighbors be allowed to share their thoughts and several joined in unison much to the protest of staff that their input was not planned for that meeting.

6) **Zoning Impacts on Other Residential Neighborhoods.** Since these proposed MU-1 and MU-2 zones would not be parcel specific, but could be applied in other neighborhoods within the City of Salem in the future, we feel that input from all neighborhoods should be sought and that consideration of these additions to the City's zoning code be advertised as such. We feel the association of these zones with this specific project may be causing people in other neighborhoods to be unaware of the fact that the proposed zone changes could eventually affect their neighborhoods.

In conclusion, we hope that going forward with assignment of this matter to the Planning Commission that a Shadow Study be performed for the properties and that an analysis as to whether a NEPA or Section 106 review is warranted, and, most importantly, that the process allow for changes to the building envelope created by the form based code embodied in the Plan and the proposed new Zoning. We suggest keeping an open mind toward mitigation of adverse impacts arising from any zoning changes which dispense with public hearings and give property owners a right to develop upon administrative approval.

Mayor Bennett and Members of the Salem City Council
March 12, 2018
Page 7

Yours very truly,

John L. Poole

Juliana Inman

jlpoole56@gmail.com
707-812-1323

*Encl. A Court-Chemeketa Shadow Study – The Shadow Impacts Of the
Proposed MU-1 Zoning Building Envelope Upon Properties North of The
State Street Corridor Project dated 3/12/2018*

EXIBIT "A-1"

Project map



Background



Get involved



Sign up for the [State Street Corridor Plan email list](#) to get updates about the project, including invitations to future meetings.

Close

Captured, 3/10/2018



EXHIBIT “A-2”

The State Street Corridor Plan project aims to revitalize State Street from 12th to 25th Street into a vibrant, walkable, mixed-use corridor. The project will result in the following:

- Proposed land use regulations that encourage pedestrian-friendly, mixed-use development
- Proposed alternative street designs that are intended to create a safer, more welcoming environment for pedestrians and bicyclists

Project updates

Stakeholder Advisory Committee Meeting	The Stakeholder Advisory Committee for the State Street project will meet Tuesday, January 23, 4-6 p.m., in the Anderson Rooms in the Salem Public Library, 585 Liberty Street SE, Salem. The public is invited to attend. The committee will review revisions to the proposed mixed-use zones on State Street as well as an analysis of development feasibility. The committee will also discuss the preferred street design.	1/2/2018
Public Meeting	Join us July 25 to learn about the options for the State Street Corridor, hear what improvements are recommended, and provide input.	7/28/2017
Stakeholder Advisory Committee Meeting	The Stakeholder Advisory Committee for the State Street project is scheduled to meet on Wednesday, June 28, 4-6 p.m., in the lecture hall at Center 50+, 2615 Portland Road NE, Salem. The public is invited to attend. The committee will review and discuss the revised land use and street design options for the State Street corridor.	6/28/2017
Refining the options	City staff and the consultant team are refining the land use and street design options for the State Street corridor. These options will be analyzed to determine how well they meet the project’s goal of revitalizing the corridor into a vibrant, walkable, mixed-use corridor. The City will present the results of this work to the community at a public meeting this summer.	1/1/2017
Fall 2016 public meeting	More than 100 people weighed in on different options for the State Street corridor at a public meeting on Wednesday, September 14, 2016. See what people thought by reviewing the Public Meeting 2 Presentation Results .	9/14/2016
Project videos - Salem	The Salem Connection, the City’s monthly news show, featured the State Street Corridor Plan project in March and September of 2016.	3/15/2016

Contact us

- Eunice Kim
Project Manager
- Monday–Friday
8:00 a.m.–5:00 p.m.
- 555 Liberty ST SE RM 305
Salem OR 97301
- Email: ekim@cityofsalem.net
- Phone: 503-540-2308

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- YouTube:
[YouTube](#)

Captured: Saturday, 3/10/2018

Screenshot of Project Updates taken on March 10, 2018

EXHIBIT "A-3"

RE: Shadow Study

imap://imap.googlemail.com:993/fetch>UID>/INBOX>77327?hea...

Subject: RE: Shadow Study
From: Eunice Kim <EKim@cityofsalem.net>
Date: 2/26/2018 12:58 PM
To: "jlpoole56@gmail.com" <jlpoole56@gmail.com>

Hi John,

Whether or not staff does a shadow analysis will depend on staff time and resources. A public hearing for the State Street project has not yet been scheduled, but I anticipate it going before the Planning Commission this spring. I will send out an email to the interested parties list when a hearing has been set.

Please feel free to call me if you have any questions,
Best,

Eunice | 503-540-2308

From: John L. Poole [mailto:jlpoole56@gmail.com]
Sent: Monday, February 26, 2018 12:13 PM
To: Eunice Kim <EKim@cityofsalem.net>
Subject: Shadow Study

Hi Eunice,

You wrote today at 11:11 AM:

We are looking into possibly doing a shadow analysis.

Can you advise if the matter will be set for hearing with the Planning Commission or City Council (I'm not sure what the progression here is) *before a decision is made* on whether to conduct a shadow analysis?

I understand that the next step in this project is for a public hearing on this matter and I'm not sure how to interpret your words "looking into possibly doing" or placing them within the schedule. My concern is that if a shadow analysis is to be performed, then I think the members of the Court Chemeketa Historic District should have an opportunity to review and assess any conclusions and provide meaningful feedback before staff makes its conclusions. Would another public meeting be the vehicle to address such a study?

Or, would the analysis be performed after a public meeting when staff has made its recommendations to the hearing body? I'm also trying to plan what time I would have to schedule to perform a comprehensive and accurate analysis and would prefer not to have an unexpected notice of hearing sent to me and then have to scramble within the time period allotted from the date of mailing to the date of the hearing. Darrin Brightman, a real estate project manager with the Department of Enterprise Asset Management (EAM) Administrative Services for the State of Oregon and as Vice-Chair of the South East Salem neighborhood Association (aka "SESNA"), so kindly brought to my attention several shortcomings in my proof-of-concept and it's going to take some time to follow-up on his suggestions.

Best regards,

John

EXHIBIT "A-4"

The State Street Corridor Plan project aims to revitalize State Street from 12th to 25th Street into a vibrant, walkable, mixed-use corridor. The project will result in the following:

- Proposed land use regulations that encourage pedestrian-friendly, mixed-use development
- Proposed alternative street designs that are intended to create a safer, more welcoming environment for pedestrians and bicyclists

Project updates



Meetings



Calendar

There are no events to show in this calendar at this time.

Close

Contact us



Eunice Kim
Project Manager



Monday–Friday
8:00 a.m.–5:00 p.m.



555 Liberty ST SE RM 305
Salem OR 97301



Email: ekim@cityofsalem.net



Phone: 503-540-2308



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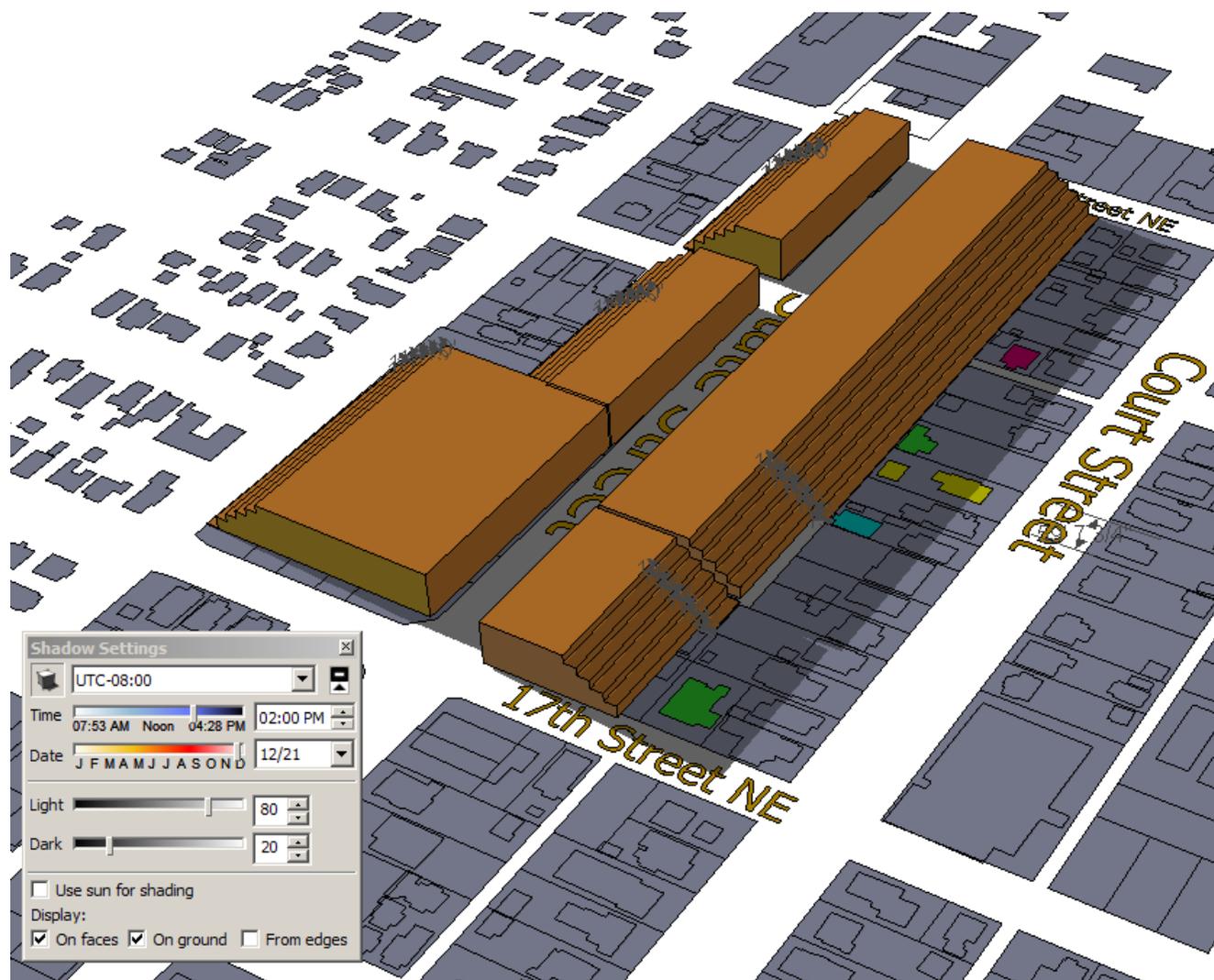


YouTube:
[YouTube](#)

Captured, 3/10/2018

Screenshot of Projects Calender taken March 10, 2018

EXHIBIT "B-1"



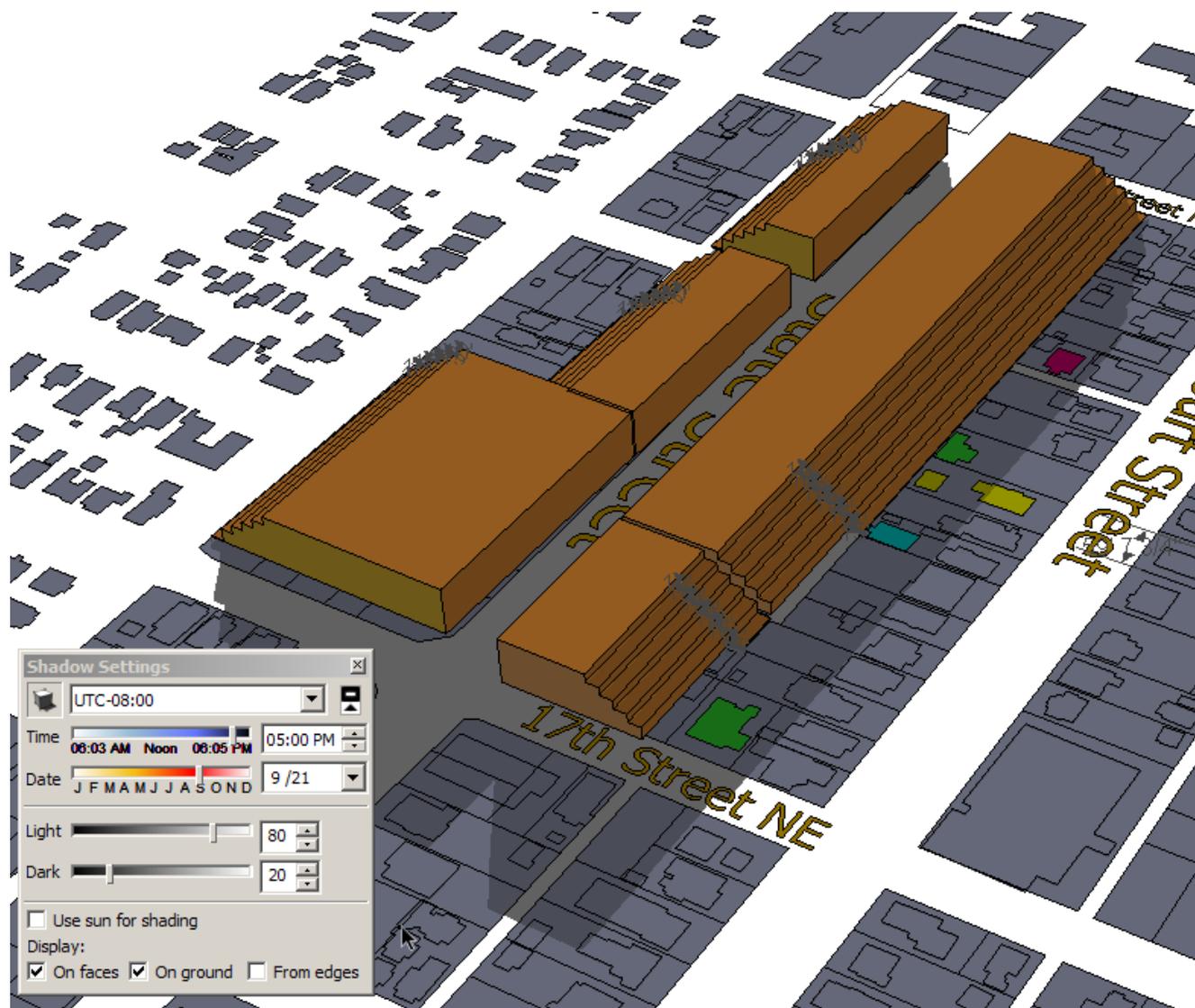
December 21 at 2:00 p.m., 2 1/2 hours before dusk

EXHIBIT "B-2"



March 21st at 4:30 p.m., ~2 hours before dusk

EXHIBIT "B-3"



September 21st at 5:00 PM, 1 hour before dusk



A Court-Chemeketa Shadow Study

The Shadow Impacts
Of the Proposed MU-1 Zoning Building Envelope
Upon Properties North of
The State Street Corridor Project

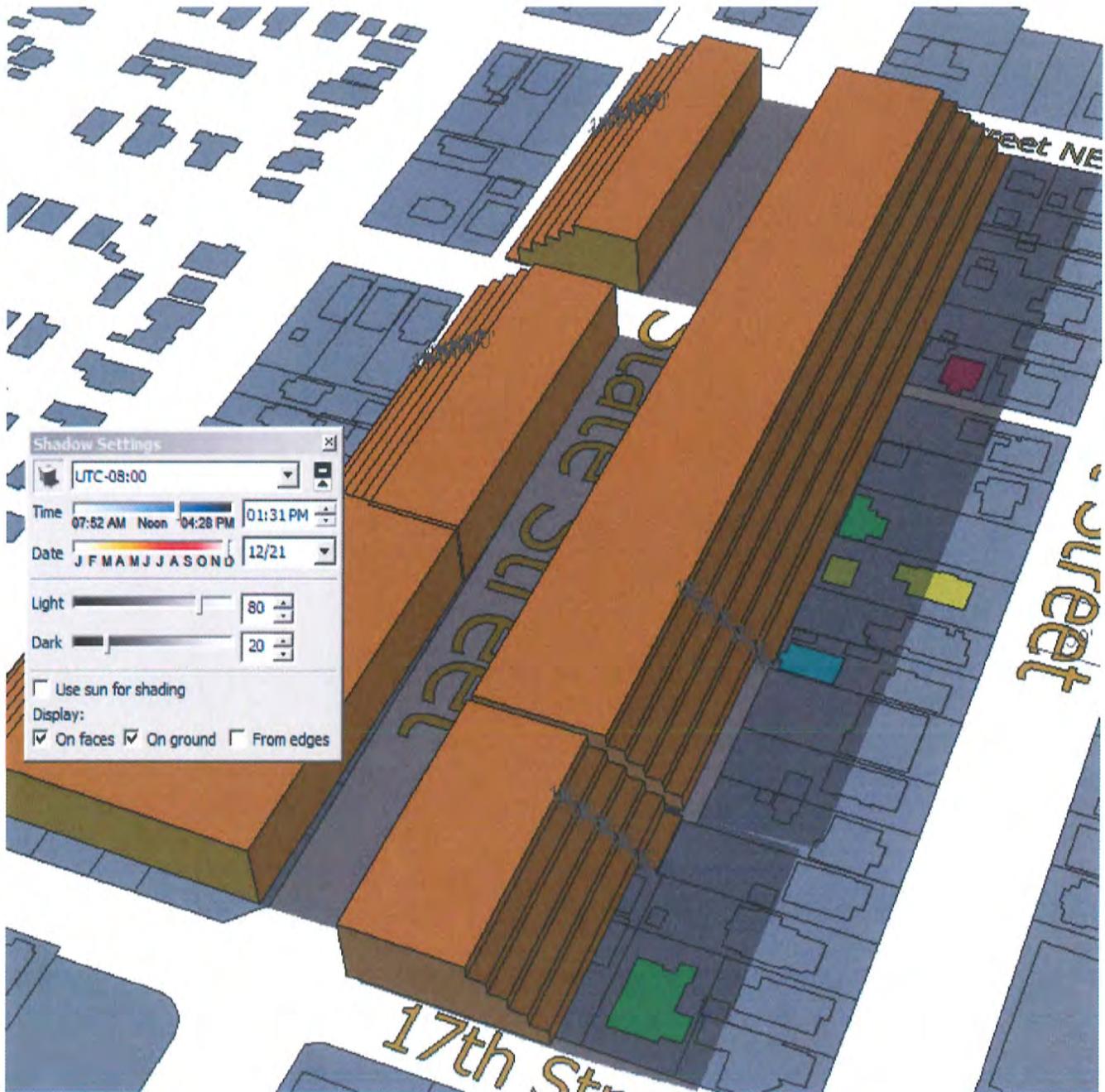


Table of Contents

Introduction.....3
Background.....4
 The need for a shadow study.....4
 Solar Declination and Azimuth.....6
The Model.....9
 Software.....9
 Source Files.....9
 Correlation of Imported Files:.....10
 Geolocation.....10
 Alignment of Imported Shapes to North.....11
 Correction to Scale.....14
 The Building Envelope.....15
 The Animation Video.....16
Conclusion.....16
EXHIBIT "A"17
EXHIBIT "B"18
EXHIBIT "C"19

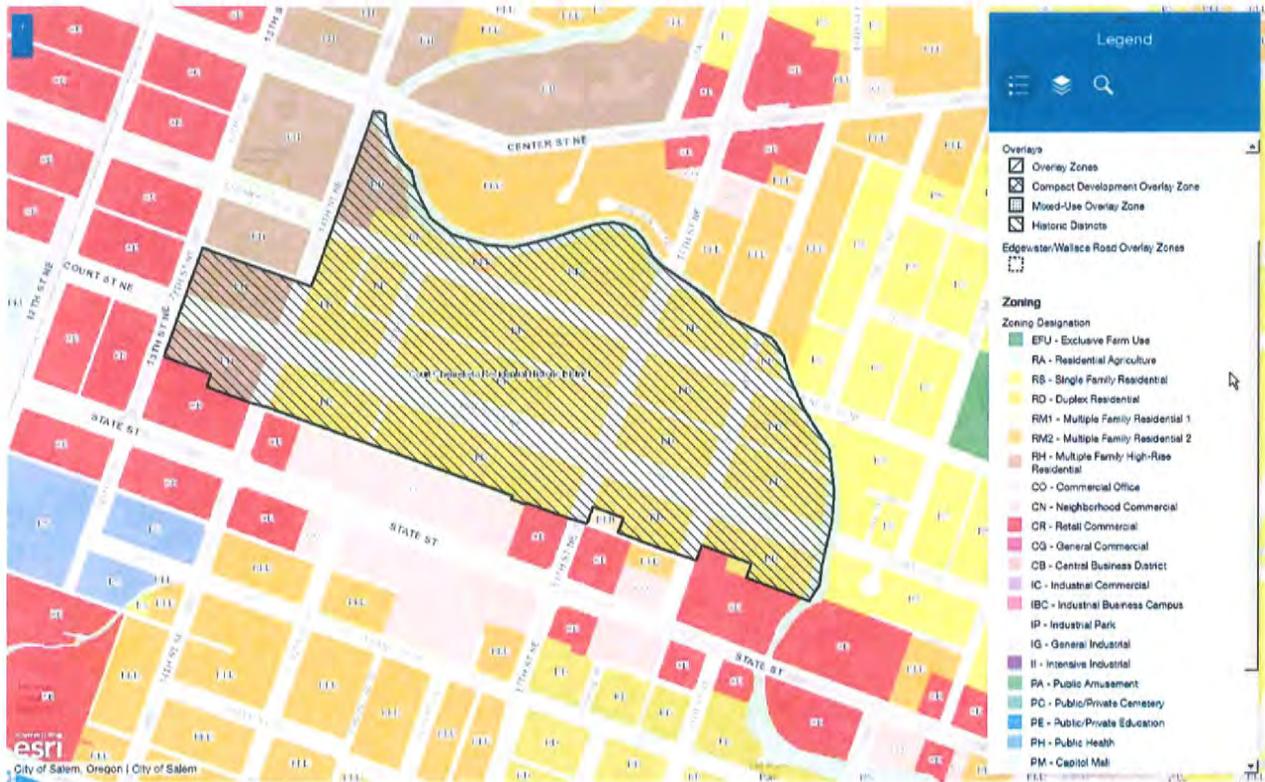
Introduction

This shadow study was prompted from the concerns of adjacent property owners as to the effect of creating a new building envelope on adjacent properties undergoing a rezoning study. City Staff would not perform a shadow study; moreover, the conclusions relied upon by Staff have been proven false.

There is no traditional buffer zone and the solution arrived at was to utilize setbacks (the distance between a building's foot and a property line) and stepbacks (elevated setbacks in a stair-like configuration).

Background

The State Street Study Corridor consists primarily of properties on State Street. On the north side of State Street is a zone with an overlay establishing the Court-Chemeketa National Register District:



The need for a shadow study

At the Stakeholder Advisory Committee Meeting #4 on January 23, 2018, John Poole addressed the committee expressing his concern about shadows and effect on the National Register District adjacent to the State Street Corridor study area. His concerns were duly noted and reflected in the [Stakeholder Advisory Committee](#)



*Stakeholders Meeting 1/23/2018
-- the public's view*

- A: Zone-to-zone setbacks are proposed to be required between the proposed mixed-use zones and residential zones even when there is an alley.
- Q: Has a shadow analysis been done?
 - A: No. A SAC member examined shadows during the winter season, and it appears that shadows will not cross into properties to the north of the proposed mixed-use zones.
- Q: What development is he feasible in the State Street corridor?

Meeting #4 Summary Notes.

It was later revealed in an email dated 2/22/2018 9:23 AM that the City's analysis of shadows consisting of the following:

Jeff Leach, a board member of SESNA [[South East Salem Neighborhood Association](#)] and a Stakeholder Advisory Committee member, said at the meeting that he had examined the shadows in the area and did not see them crossing into properties north of the proposed Mixed-Use zones. He did not submit any photos or analysis.

Since buildings yet to be built in the new building envelope cannot cast shadows, the finding of Jeff Leach and the City is dismissed. Moreover, anecdotal evidence within the premises of 1566 Court Street demonstrated that even a 28' high building (the current Wyndam motel) casts shadows across the alley and into adjacent property to the extent of approximately 20' into the property.

Staff further advised that someone for SESNA was working on a shadow study. It was determined that the person doing so was [Darrin Brightman](#), a Real Estate Project Manager with the Enterprise Asset Management (Department of Administrative Services) for the State of Oregon, who wrote

I used <https://www.findmyshadow.com/> which allows you to set a footprint and height, and pick the latitude and date. So you can then see the difference between midwinter and other times of year.

It is nothing as advanced as SketchUp. I did use that some time ago, but believe I only had a trial version; will check.

Even if the Knights Inn property line is in the middle of the alley, that's only an 8-foot difference (alley being 16').

SESNA has recommended the City do a shadow study, as it is clearly a concern to folks in NEN and was inadequately explained at the meetings; we haven't delved deeply into it ourselves.

An offer was made to include properties within SESNA and nearby the State Street Corridor, however that was declined citing SESNA homes were on the South side, so shadows were not an issue for them. Nonetheless, the entire State Street Corridor has been brought into the model.

Solar Declination and Azimuth

The angle of 23°44' is confirmed at <https://www.esrl.noaa.gov/gmd/grad/solcalc/> by placing the marker at the property known as 1566 Court Street NE, Salem.

Location

Latitude: 44.936559 Longitude: -123.02172 Time Zone: -5 DST?

Date: Day: 21 Month: Dec Year: 2018

Local Time: 01 : 10 : 44 PM Use Current Time

Result

Equation of Time (minutes):	Solar Declination (in°):	Apparent Sunrise (hh:mm):	Solar Noon (hh:mm:ss):	Apparent Sunset (hh:mm):	Az/El (in °) at Local Time:
1.77	-23.44	08:47	13:10:19	17:34	180 / 21.67

Show Sunrise Show Sunset Show Azimuth

The solar declination is a critical component to calculating a shadow triangle. When you have one side of a triangle, e.g. 55 feet, and the angle opposite it, e.g. 23.44, you can calculate the other two side. In order to determine a shadow's fall, you create a right angle triangle as follows:

Using the web-based triable calculator, [TrianCal](#), we can determine what the length of a shadow is from the footing of a building 55' high to the endpoint of the shadow on the ground: 125.1 feet.

TrianCal TRIANGLES SOLVER

Select Language
Español
Jesús S.

Sides

a (C-B)	b (C-A)	c (A-B)
Calculated: 125.1 125.0957071845	> 0 55	Calculated: 136.65 136.6526104982

Angles A B C Degrees and minutes (°')

A (α) = Acute angle	B (β) = Acute angle	C (γ) = Right angle
Calculated: 66° 16' 66° 16'	< 90° > 0° 23° 44'	< 156° 16' > 0° 90°

BASIC PARAMETERS

Heights

h_a (a ⊥ A)	h_b (b ⊥ B)	h_c (c ⊥ C)
Calculated: 55 55	Calculated: 125.1 125.0957071845	Calculated: 50.35 50.3485727061

Basic parameters

Type: (sides)
Calculated:
Scalene (a≠b≠c≠a)

Type: (angles)
Calculated:
Right (Ĉ=90°)

Calculate a triangle (enter ≈ 3 fields)
Cursors Tab=Move, Intro=Ok and Esc=Undo

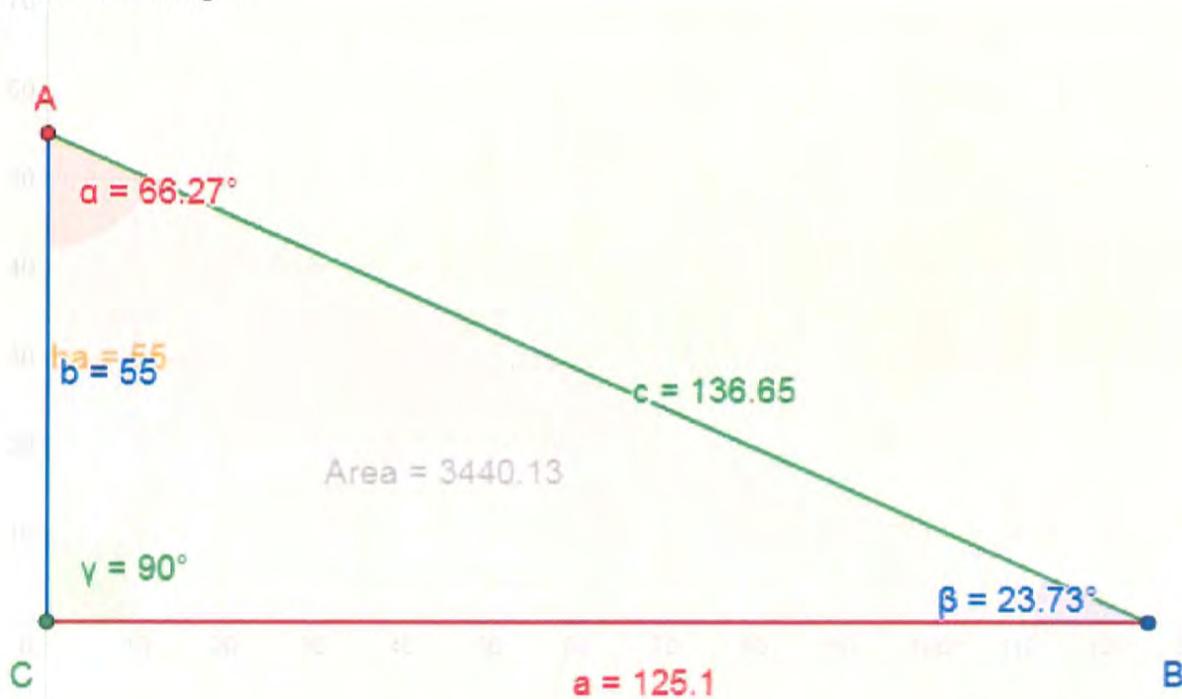
Perimeter
Calculated:
316.75
316.7483176827

Area (units²)
Calculated:
3440.13
3440.1319475731

Decimals: 2

TrianCal solves plane triangles with any values combination including sides, heights, angles, area, perimeter or type of any triangle with the minimum amount of values, usually 3. This site uses "cookies" from third-parties for generate statistics. [Videa](#)

Produces this triangle:



B is the height of the building, 55 feet, the solar declination is 23.73° , so the shadow length on the ground is 125.1 feet. This is the worst case scenario occurring on the solar winter [solstice](#) on December 21st.

The calculations of the solar declination is automatically made in SketchUp, the only values SketchUp needs to know is where is the models location in terms of latitude and longitude.

The Model

Software

SketchUp Pro, version 8.0.16846 purchased from Google. SketchUp that helps in designing 3D models within Google Earth — a virtual map of most of the planet's surface. is a three dimensional “3D” modeling software which allows one to quickly create 3D models on a computer workstation. The platform enables users to create collections of models, including 3D buildings, and share them with fellow modelers around the world. As of June, 2012, there were 30 million license activations of SketchUp.¹

The models can then be imported into Google Earth, a computer program that renders a 3D representation of Earth based on satellite imagery. The program maps the Earth by superimposing satellite images, aerial photography, and GIS data onto a 3D globe, allowing users to see cities and landscapes from various angles. Users can explore the globe by entering addresses and coordinates, or by using a keyboard or mouse

Google sold their SketchUp Division on June 1, 2012 to a private company, Trimble, Inc, of Sunnyvale, California, purchased SketchUp. Trimble is a mapping, surveying and navigation equipment company and continue to develop and sell SketchUp.

OpenJump (Version 1.12 release rev.5704 04. March 2018) was used for importation of ESRI shape files and selecting subsets and exporting same as shape files.

The SketchUp Plugin Spirix Shapefile Importer was used to import ESRI Shape files into SketchUp.

Source Files

Assessor Map parcels files were obtained from the Marion County GIS web site, the Property Records & Data page. A subset of the files was selected within OpenJump (Version 1.12 release rev.5704 04. March 2018) using a bounding box. The selection criteria included the entire Court-Chemeketa National Register District. The selected parcel shapes were then exported as ESRI shapefile format and imported into SketchUp using the plugin Shapefile Importer. The subset was chosen to keep the model simple, nimble and address most properties relevant to the State Street Corridor Study.

These shape files represent the County of Marion drawings of each assessor's parcel. In some cases, properties appearing on an Assessor's maps may appears as more than one lot, but for the Assessor's purposes, the lots are combined into one “Assessor's Parcel” for convenience and tracking within the Assessor's office.

Building footprint shape files were obtained through a public records request from the City of Salem's Enterprise GIS Services department. These files represent the outline of a buildings footprint upon the earth and are correlated with precise coordinates so that their representation within a computer models is very accurate to a degree if several inches.

¹ Reuters, Trimble Navigation to buy Google's SketchUp, April 26, 2012.

Correlation of Imported Files:

Superimposition of the building footprint shapes over the tax parcels was hand edited by selecting the building footprints as a group and then moving and rotating them until a known footprint matched its place on a known tax parcel. The relative integrity of both groups were maintained, so any variation as to location would be applicable to the entire data sets. The building footprints were raised 3" so that the superimposition of them on the tax parcel shapes would keep lines between the two datasets distinct, this was to overcome the SketchUp software to resolve items on the same plane. The tax parcels were colored brown to simulate dirt, and the building footprints colored blue.

Street names were manually added.

Geolocation

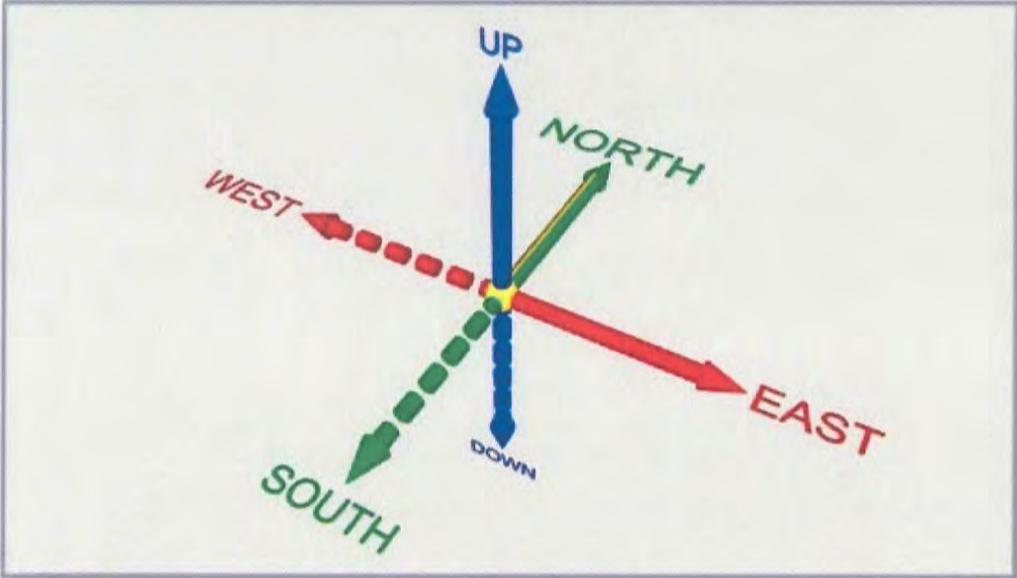
The coordinates were set manually using the Advanced Settings "Set Manual Location" dialog box in SketchUp. The values entered were: Latitude: 44.936566, Longitude: -123.021714 which represents <https://www.latlong.net/> coordinate association with the address 1566 Court NE, Salem, OR.



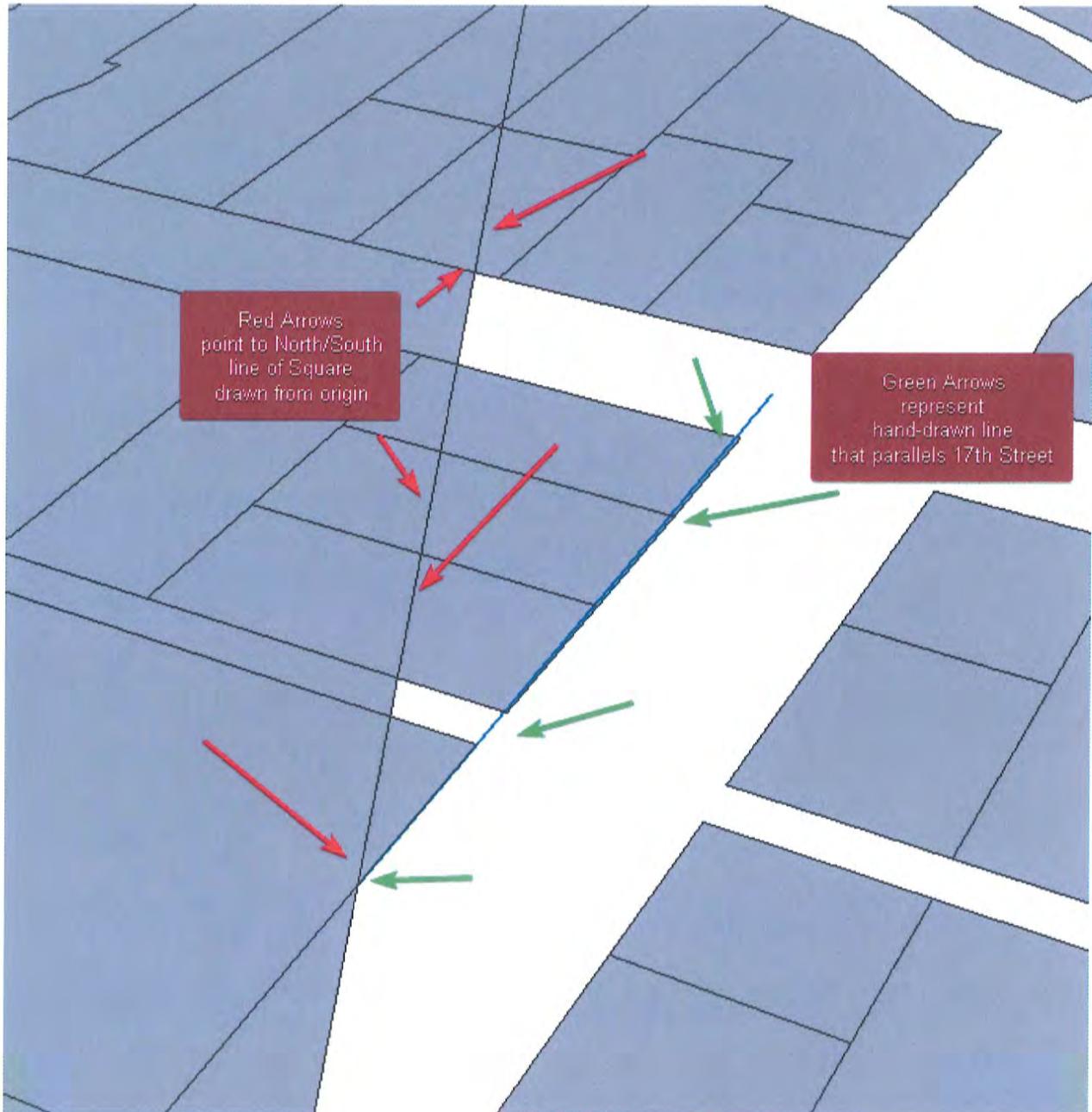
The center point axis is relatively close to the southwest corner of the imported datasets, no attempt was made to realign the Sketchup Axes to 1566 Court Street as the longitude/latitude differences are deemed negligible.

Alignment of Imported Shapes to North

In order for the SketchUp to know how to cast a shadow correctly, the imported objects need to rotate so that their position vis-a-vis North is the same in the model.; this is referred to as Geographic Orientation. In Sketchup, the green axis runs North and South.



I'm not confident about how Sketchup deals with imported models and correctly aligns them. For example, the import of the tax parcels with the building footprints were off and required manual adjustments. A line that runs parallel along 17th Street and between State Street and Court Street was used as a reference line. Also, a rectangle having as two sides lines on the green and red (east/west axis) was created at the axes' origin point and then expanded so the side opposite the green axis intersected 17th Street. The edge of this rectangle provide a SketchUp North/South line. Then an arbitrary line, in blue, was draw over the edge of a block facing 17th Street.

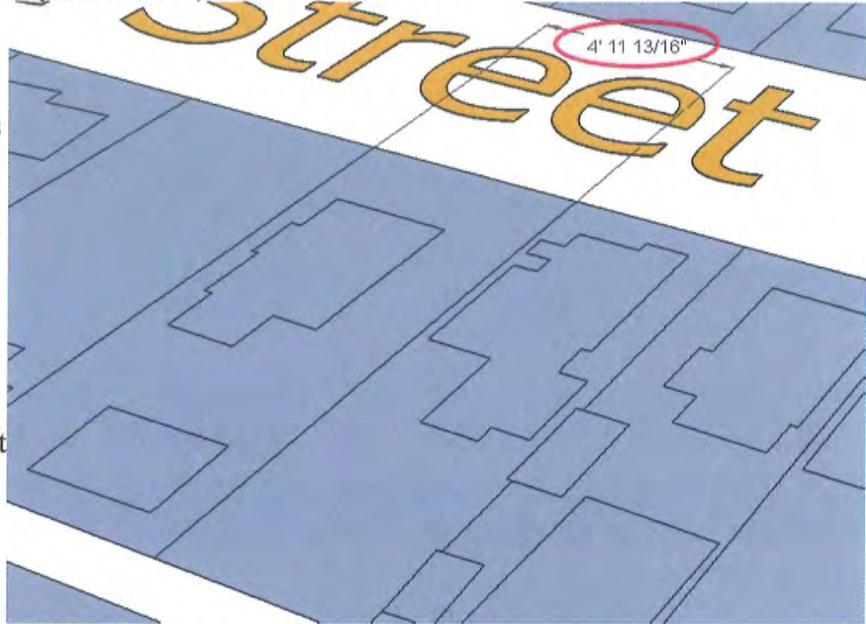


Correction to Scale

The imported shapes appear to be the same relatively, this was exhibited by the footprint for the Wyndam motel and assessor's parcel it sits on. I took a measurement of the line facing the Court Street for 1566 Court Street (Assessor's parcel #2600).

The Assessor has that edge of the parcel at 59.75'. I calculated that 4' 11" 13/16 is approximately 60". $708 + 10 = 718$ inches. So the ratio is $60/718 = 0.0836$, and the scale factor the inverse: **11.967**.

I selected all the objects in all layers, and then scaled everything to 11.967. I then revisited the dimension call-out for parcel 5600 and found its value to be: 59' 7 3/4". The error is 1/4" for 718 which is for all practical purposes negligible.



The Animation Video

SketchUp provides a facility to transition between “scenes” that depict the shadows on a given date and time; the result is a movie video showing the transitions between scenes simulating what shadows during the day time. Two days were selected and scenes were created for every hour during sunlight from dawn until dusk. The days are the worst-case scenario of the Winter Solstice on December 21st, and then an intermediate example from March 21st. An additional perspective was added at 12:30 p.m. to show that buildings on the south side of State Street will produce shadows on the sidewalks on the north side of Street Street.

The video has been uploaded to Youtube and is 2 minutes and 52 seconds long.

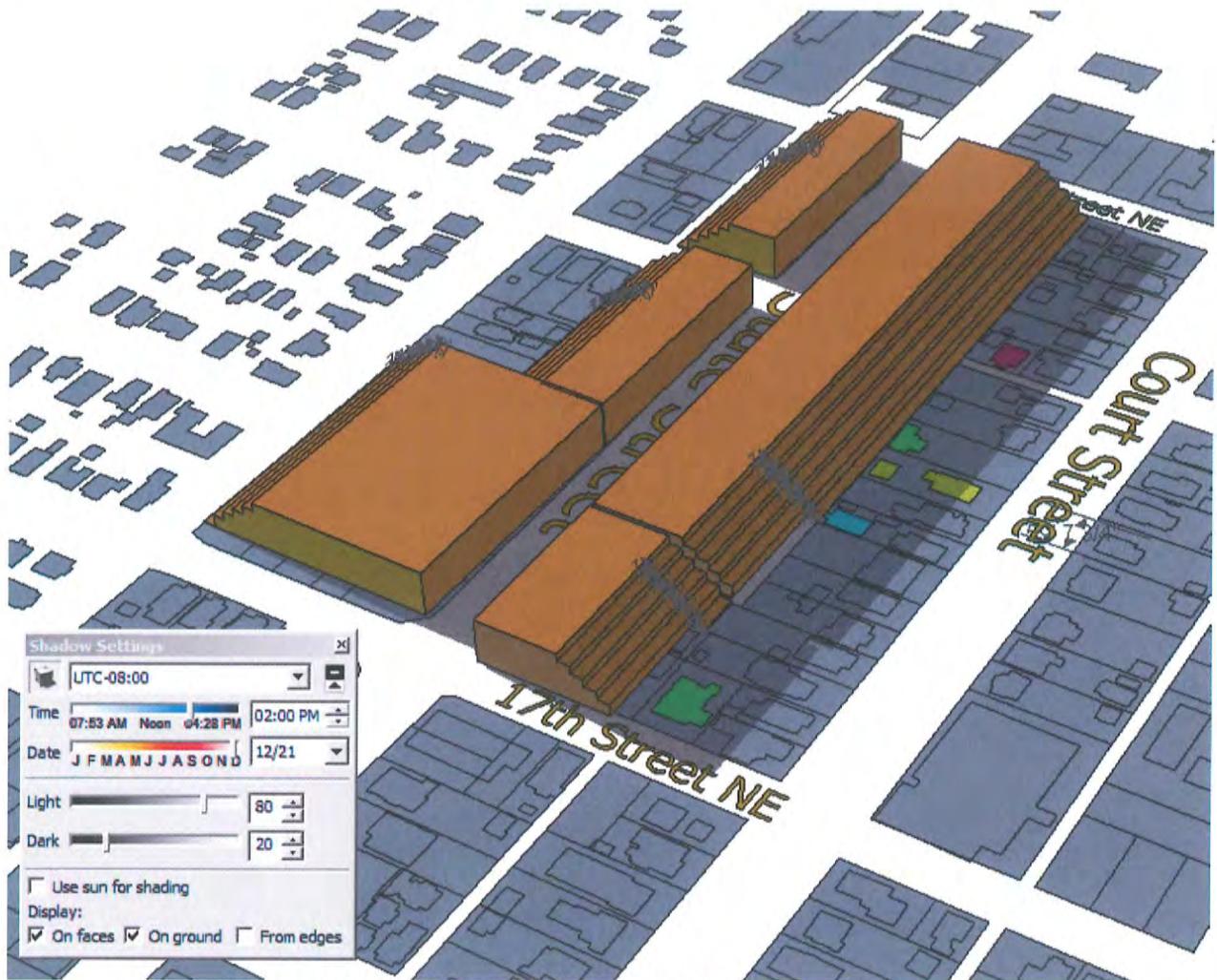
The video is located at: <https://youtu.be/FGv7dhhKt-o>

Conclusion

The study reveals that property owners adjacent to the MU-1 will be experiencing significant shadows in the Winter, Spring and Fall. In the worst cases, there are up to 2 hours (Exhibit A) earlier of shadows if buildings are built 55 feet tall 75' feet back from the center line of the alley.

This study does not go into the effects on horticulture or solar power generation.

EXHIBIT "A"



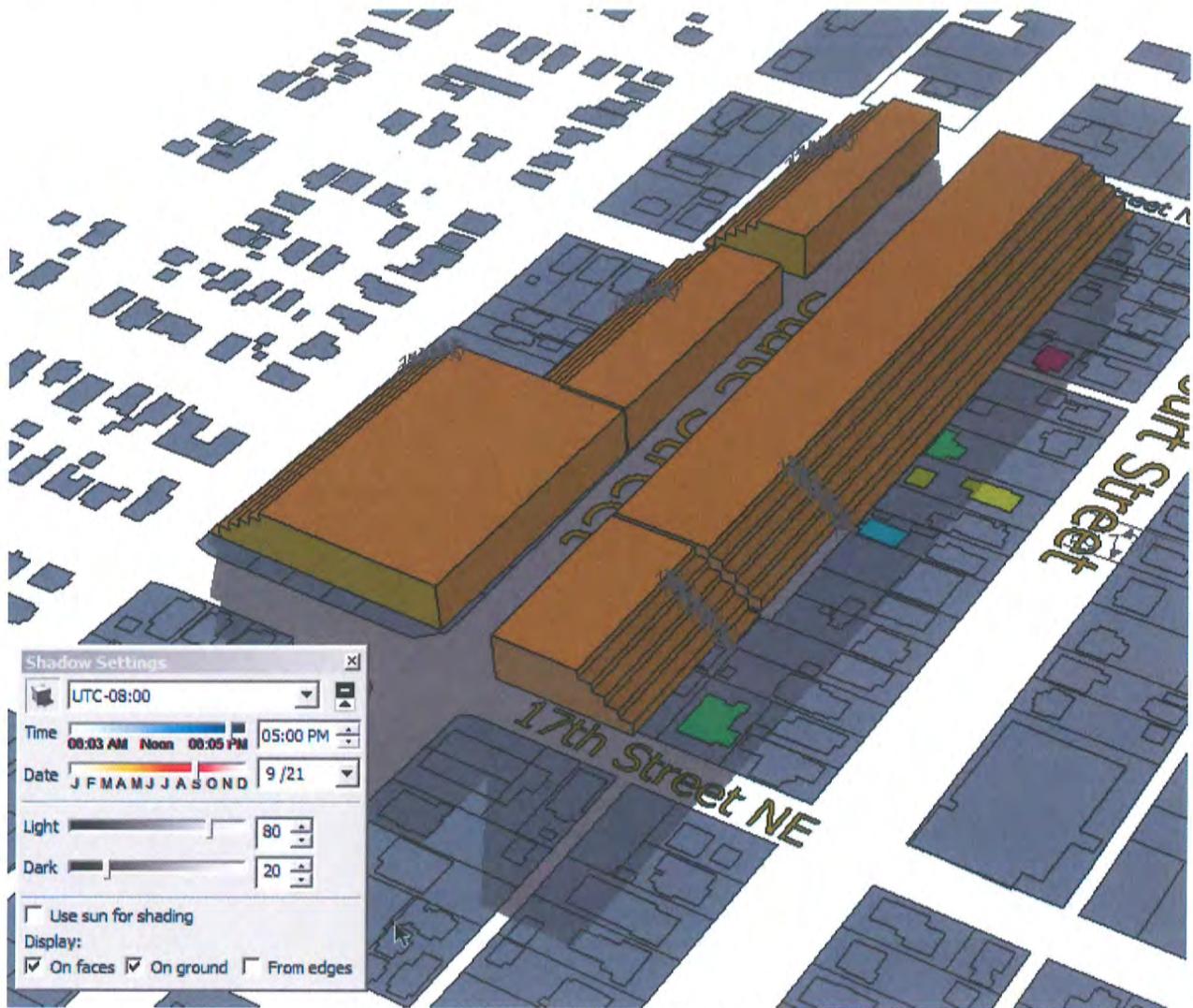
December 21 at 2:00 p.m., 2 1/2 hours before dusk

EXHIBIT "B"



March 21st at 4:30 p.m., ~2 hours before dusk

EXHIBIT "C"



September 21st at 5:00 PM, 1 hour before dusk

Eunice Kim

From: Lynn Bellinger <bellingertire2@me.com>
Sent: Wednesday, March 14, 2018 4:57 PM
To: Eunice Kim
Subject: State Street Corridor

Eunice,

We have an existing business on State Street and I have read the proposed amendments. A question arises after reading that I would appreciate you responding to.

Our business, at 1395 State Street, is an auto repair shop. In the proposed amendments is it correct that I read that if our shop burns down we can no longer continue our business on State St provided this is approved by the City Council?

Thanks for your response.

~Lynn Bellinger
Bellinger Tire, Inc.

Eunice Kim

From: Lynn Bellinger <bellingertire2@me.com>
Sent: Wednesday, March 14, 2018 5:07 PM
To: Eunice Kim
Subject: State Street Corridor

Eunice,

Another question

534.010 Uses ((g) Continued Development

What is the meaning of the sentence “The owner shall have the burden to demonstrate continued development status under this subsection”

~Lynn Bellinger
Bellinger Tire, Inc.
1395 State Street

Eunice Kim

From: Lynn Bellinger <bellingertire2@me.com>
Sent: Wednesday, March 14, 2018 5:09 PM
To: Eunice Kim
Subject: State Street Corridor

Eunice,

We currently have a surface parking lot for monthly state workers - how would this change or affect our situation?

~Lynn Bellinger
Bellinger Tire, Inc.
1395 State Street

Eunice Kim

From: Eunice Kim
Sent: Tuesday, March 20, 2018 8:07 AM
To: 'bellingertire2@me.com'
Subject: RE: State Street Corridor

Hi Lynn,

I've responded to your questions below.

Best,
Eunice | 503-540-2308

From: Lynn Bellinger [mailto:bellingertire2@me.com]
Sent: Thursday, March 15, 2018 1:37 PM
To: Eunice Kim <EKim@cityofsalem.net>
Subject: Re: State Street Corridor

Thanks for your quick response. I am a stickler and rather slow at it so my hypothetical questions below may seem redundant. For that, thank you for accommodating me.

1. Scenario 1: my auto repair shop burns down after the zoning is adopted as-is written. If I can prove continued development at the time I submit my building permits to the city to re-build an existing auto repair shop, the permit will be approved, subject to building standards.

2. In obtaining that permit in that specific situation, I do not need to follow the standards as adopted for landscaping, multi-housing, etc. I can re-build in the confines of the original building. Is my statement correct?

If a building that is considered continued development burns down, the use itself – an auto repair shop would be a continued use – could be reestablished on the property, but the new building would have to meet the development standards in the new zone. If the new building could not meet a standard, the applicant could apply for an adjustment or variance.

3. Scenario 2: I have sold my auto repair shop property on contract to a buyer after the zoning is adopted. Because of that recorded sale nothing changes and the property continues as a 'continued development'. Is my statement correct? **Yes, that statement is correct.**

4. After the contract matures and the new buyer is then deeded the property from my name, nothing changes - it is a 'continued development' Is my statement correct? **Yes, that statement is correct.**

5. Scenario 3: After the zoning is adopted I choose to expand my building. I will alter the existing footprint increasing the size of the building. Subject to building permit rules am I able proceed with the alternation? Additions and alterations can be made to existing buildings that are continued development. The degree to which the alteration or addition would be required to meet the new standards would generally depend on the size and location of that alteration or addition. For example, an addition that was behind a building and was not visible from a street would be exempt from most development standards in the proposed zones.

6. General question: I am not aware of any suggested alterations to my commercial property at this time. Would you be so kind to advise me if either the 1345 or 1395 State St properties I own currently have improvements that would be required to be completed by me if the zoning is adopted? I am unaware of any proposed building improvements at those two locations.

Thank you, Kim. So much is at stake to our business and personal lives and the lives of our employees. I appreciate your slow-walking me through this.

~Lynn Bellinger
Bellinger Tire, Inc.
1395 State St

On Mar 15, 2018, at 1:00 PM, Eunice Kim <EKim@cityofsalem.net> wrote:

Hi Lynn,

The proposed zoning allows existing uses that would be made nonconforming to remain and continue operating as continued uses. An existing auto repair shop or existing standalone surface parking lot, for example, would become continued uses in the proposed MU-I and MU-II zones. Such uses could be rebuilt, enlarged, or altered as long as certain development standards are met.

A building that exists when the proposed zoning is adopted (if adopted) but that does not meet the development standards in the proposed zone would become a "continued development." The owner would "have the burden to demonstrate continued development status," meaning the owner would have to prove that the building existed when the proposed zoning was adopted. This could be done through aerial photos, building permits, or any other information that showed that the building existed when the proposed zoning was adopted.

Please feel free to give me a call if you have more questions.

Best,

Eunice | 503-540-2308

From: Lynn Bellinger [<mailto:bellingertire2@me.com>]
Sent: Wednesday, March 14, 2018 5:09 PM
To: Eunice Kim <EKim@cityofsalem.net>
Subject: State Street Corridor

Eunice,

We currently have a surface parking lot for monthly state workers - how would this change or affect our situation?

~Lynn Bellinger
Bellinger Tire, Inc.
1395 State Street

Eunice Kim

From: Ted Ferry <ted.ferry.rhdj@statefarm.com>
Sent: Thursday, March 15, 2018 1:33 PM
To: Eunice Kim
Subject: RE: State Street public hearing April 3

Thank you again...

I thought I read through the wider sidewalks and didn't see anything for 17th going east... I literally watched two people trying to cross this week by the bridge and was concerned. Last month, I stopped to try and help someone cross close to that bridge.

I really hope they are working on that flooding study and what engineers can do.

I appreciate being invited onto your committee..

Take care.

Ted Ferry

State Farm Agent

Phone or Text: 503-370-7716

Fax: 503-364-4496

2005 State St

Salem, OR 97301

TedFerry.com



From: Eunice Kim [mailto:EKim@cityofsalem.net]

Sent: Thursday, March 15, 2018 1:28 PM

To: Ted Ferry <ted.ferry.rhdj@statefarm.com>

Subject: RE: State Street public hearing April 3

Thank you Ted for your email.

Pedestrian safety has been identified as a priority during the State Street project. The proposal before the Planning Commission on April 3 addresses this through a new street design for State Street. The proposed street design calls for wider sidewalks on State Street from 12th to 25th street and enhanced pedestrian crossings at 15th, 19th, and 21st streets.

Related to flooding, the City is continuing to work on the Mill Creek basin study as part of an update to the City's Stormwater Master Plan. I will check with Public Works to see when recommendations from that study are expected to be drafted and ready for public review.

Thanks for your participation on the SAC.

Best,
Eunice

Eunice | 503-540-2308

From: Ted Ferry [<mailto:ted.ferry.rhdj@statefarm.com>]

Sent: Thursday, March 15, 2018 10:15 AM

To: Eunice Kim <EKim@cityofsalem.net>; Aurora Cedillo <bellaz4@msn.com>; Cara Kaser <CKASER@cityofsalem.net>; Chuck Bennett <CBennett@cityofsalem.net>; David Fox <david@foxbblue.com>; David Fridenmaker <fridenmaker_david@salkeiz.k12.or.us>; jbauer@willamette.edu; jiayoung.fu@gmail.com; Kevin Boyles <Kevin@SassyOnion.com>; Leach, Jeff <jeff.sesna@fastmail.us>; Martin, Jennifer <jennifer.martin@svn.com>; Nancy McDaniel <nanmcdann@yahoo.com>; Obery, Gary <garyobery1@gmail.com>; O'Connor, Tom <oconnortom@aol.com>; Rich Fry <richfry1@comcast.net>; Stewart, Ron <stewartr20@comcast.net>; TJ Sullivan <tj@huggins.com>; Tom Andersen <TAndersen@cityofsalem.net>; Tracy Manasco <tracy.manasco@shangrila-or.org>

Cc: Angela Lazarean (acarnahan@dlcd.state.or.us) <acarnahan@dlcd.state.or.us>; Annie Gorski <AGorski@cityofsalem.net>; Jackson, Ray (RJackson@mwvcog.org) <RJackson@mwvcog.org>; Julie Warncke <JWarncke@cityofsalem.net>; Kevin Hottmann <KHottmann@cityofsalem.net>; Lisa Anderson-Ogilvie <LMAnderson@cityofsalem.net>; Steve Dickey <steve.dickey@cherriots.org>; Tony Martin <TMartin@cityofsalem.net>

Subject: RE: State Street public hearing April 3

Eunice and team –

I appreciate all of the hard work, listening, State St walks and neighborhood meetings. I think this has been very well organized. Eunice has done a great job with communicating and moderating us all.

I do think that the City Council should be reminded that there was a great deal of vocal frustration shared by the neighbors (residence and business) about Flooding and Area Safety.

It was pretty clear, that flooding and the dam on Mill Creek should be addressed. I have heard there is a study going on, but I don't see it referenced here... Maybe I missed it. When we flood again, the city should have a better plan than delivering sand and bags to these homes and businesses. These homes are devastated by this flooding.

Another thing I heard a lot about was creating a safer pedestrian experience from 17th going east. We talked about speed reductions, lighted crossing areas and wider sidewalks. If we recall, when we walked this section as a group....none of us felt safe. The woman who had the little child with her made us all a bit protective of that little one. I heard more people wanting pedestrian and neighborhood safety than anything else at these community meetings. I think we need to value the people living on and off State St. Sidewalks, lighting and crosswalks must be a priority.

Lastly... I know we need to expand our bicycle system in Salem. It is a must. I just don't know what 3 blocks in-between two very busy sections of traffic does to help this. The bicycle commuters I have spoken to, say will never use State St as the rate of speed is too high. They use the side streets and cross at 17th with the lights. I think a speed reduction for State St is overdue.

I appreciate Salem's directive to improve our infrastructure. As a Salem resident and small business owner on State St.... we must improve our streets for the future. I just want to remind the council that "pedestrian safety" and "flooding" are the two things I heard from residents.

Thank you again and I am excited to see changes implemented.

Ted Ferry

State Farm Agent

Phone or Text: 503-370-7716

Fax: 503-364-4496

2005 State St

Salem, OR 97301

TedFerry.com

From: Eunice Kim [<mailto:EKim@cityofsalem.net>]

Sent: Wednesday, March 14, 2018 3:37 PM

To: Aurora Cedillo <bellaz4@msn.com>; Cara Kaser <CKASER@cityofsalem.net>; Chuck Bennett <CBennett@cityofsalem.net>; David Fox <david@foxblue.com>; David Fridenmaker <fridenmaker_david@salkeiz.k12.or.us>; jbauer@willamette.edu; jiayoung.fu@gmail.com; Kevin Boyles <Kevin@SassyOnion.com>; Leach, Jeff <jeff.sesna@fastmail.us>; Martin, Jennifer <jennifer.martin@svn.com>; Nancy McDaniel <nanmcdann@yahoo.com>; Obery, Gary <garyobery1@gmail.com>; O'Connor, Tom <oconnortom@aol.com>; Rich Fry <richfry1@comcast.net>; Stewart, Ron <stewartr20@comcast.net>; Ted Ferry <ted.ferry.rhdj@statefarm.com>;

Eunice Kim

From: Ben Bednarz, Ph.D. <ben@bcwebhost.net>
Sent: Friday, March 16, 2018 6:13 PM
To: Eunice Kim
Subject: Re: State Street Corridor Plan

Hi Eunice,

I was just checking over the documentation for the State Street Corridor Plan, and I have a question: there is a plan for four or five traffic lanes, plus wide sidewalks. Does this mean widening the street? Or leaving the street itself unchanged but widening the sidewalks? I'm concerned about the impact on existing buildings, many of which but up directly to the existing sidewalks.

Thanks,

Ben

From: Eunice Kim
Sent: Thursday, January 14, 2016 3:05 PM
To: Ph.D. Ben Bednarz
Subject: Re: State Street Corridor Plan

Hi Ben,

Thanks for giving me a call this afternoon and agreeing to meeting with me! Let me know if any of the following days/times work for you:

- Tuesday, Jan. 19 at 4:30 p.m.
- Wednesday, Jan. 20 anytime between 2 p.m. and 4 p.m.
- Thursday, Jan. 21 at 10 a.m.

If none of those times work, I can suggest others the following week. I look forward to meeting you!

Best,
Eunice

Eunice Kim
Planner II
City of Salem
Community Development Dept.
555 Liberty St SE / Room 305
Salem, OR 97301
503-540-2308
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>>> "Ben Bednarz, Ph.D." <ben@bcwebhost.net> 12/29/2015 5:04 PM >>>
Hi Eunice,

Eunice Kim

From: John L. Poole <jlpoole56@gmail.com>
Sent: Monday, March 19, 2018 1:31 PM
To: Eunice Kim
Subject: Economic Study Details

Follow Up Flag: Follow up
Flag Status: Flagged

(RRR)

Hi Eunice,

The [state-street-corridor-plan-economic-analysis-memo-2016-01-08.pdf](#) has on page 16 (sheet 18) this following text:

3.6 DEVELOPMENT COMMUNITY STUDY AREA PERCEPTIONS

In an effort to learn of planned and proposed activity and perceptions of the study area, Leland Consulting Group interviewed five members of Salem's development community, including a mixed-use infill developer, a representative of the home builder community, a commercial broker, a local property owner and a regional multi-family builder. Interviews were relatively informal, of varying lengths, and necessarily limited in sample size, so the following opinions and comments should be interpreted accordingly.

What was the criteria used to select whom Leland Consulting Group would talk with? Who are the "five members of Salem's development community" referenced above and what is their contact information?

Thank you,

John

--

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

Eunice Kim

From: Eunice Kim
Sent: Thursday, March 22, 2018 3:28 PM
To: 'Joan Lloyd'
Subject: RE: SSC plan

Hi Joan,

The proposed mixed-use zones do not limit the height of mechanical equipment to 55 feet. To address your concerns about mechanical equipment being visible on top of buildings, the proposed zones include the following standard:

“Rooftop mechanical equipment, with the exception of solar panels and wind generators, shall be set back or screened so as to not be visible to a person standing at ground level 60 feet from the building.”

Best,

Eunice | 503-540-2308

From: Joan Lloyd [mailto:jello879@gmail.com]
Sent: Thursday, March 22, 2018 8:22 AM
To: Eunice Kim <EKim@cityofsalem.net>
Subject: SSC plan

Hi, Eunice.

This had a long gestation period and birthing pains. Almost there.

Question: where in the SRC does it say that the maximum height of 55 feet of a building would include all mechanicals?

Joan

Eunice Kim

From: Joan Lloyd <jello879@gmail.com>
Sent: Monday, March 26, 2018 10:24 AM
To: Eunice Kim; Lisa Anderson-Ogilvie
Subject: buffer

Would you please give some examples of a buffer. It's mentioned in the NEN/SESNA NP but no examples given. They may have been and I'm assuming i know but those assumptions may not be correct.

Joan



MEMO

TO: State Street Corridor Plan Stakeholder Advisory Committee and Technical Advisory Committee

FROM: Eunice Kim, Planner II, Project Manager
Community Development Department

DATE: June 21, 2017

SUBJECT: Recommended Street Design Alternative

This memorandum presents staff's recommendation for a preferred street design alternative for State Street as part of the State Street Corridor Plan project. The State Street project aims to revitalize State Street between 12th and 25th street into a vibrant, walkable, mixed-use corridor. The project will result in proposed land use regulations that encourage pedestrian-friendly, mixed-use development and a proposed street design that is intended to create a safer, more welcoming environment for pedestrians and bicyclists.

This memorandum focuses on proposed street design alternatives of which there are three:

- **Alternative 1 – Improved Four Lane** provides four vehicle travel lanes (two eastbound and two westbound) with no median. It is similar to the existing roadway but provides wider sidewalks.
- **Alternative 2 – Road Diet** makes use of a “road diet,” reducing the number of through travel lanes to one in each direction plus a center median/two-way left turn lane. It provides space for wider sidewalks and buffered bike lanes.
- **Alternative 3 – Hybrid** is a hybrid of Alternatives 1 and 2, with two vehicle lanes (one in each direction) and a center turn lane from 13th to 17th street and four travel lanes from 17th to 25th street.

This memorandum also provides background information on the planning process, including how and why three alternatives have been analyzed in detail. All of this information will be presented to the Stakeholder Advisory Committee (SAC) and Technical Advisory Committee (TAC) on Wednesday, June 28, 2017.

Staff Recommendation

Staff recommends that the City select Street Design Alternative 3 – Hybrid as the preferred alternative for the State Street corridor. The Hybrid alternative generally reduces the number of vehicle travel lanes between 13th and 17th street from four to three (one in each direction and a center turn lane). The reconfiguration of the lanes provides space for wider sidewalks and bike

lanes in addition to the existing on-street parking. From 17th to 25th street, the Hybrid alternative retains the existing four travel lanes but widens the sidewalks.

This alternative would result in the following:

- **Pedestrians:** It would improve the pedestrian environment by widening the sidewalk throughout the corridor from roughly 5-6 feet today to 12-15 feet in the future. It would also improve the attractiveness of the streetscape by providing more public gathering space.
- **Bicyclists:** It would only provide buffered bike lanes between 14th and 17th street, but those lanes would connect to existing bike lanes on 17th Street and proposed family friendly bikeways on Chemeketa Street NE and Mill Street SE via 14th Street.
- **Diversion:** It would have less of an impact on parallel routes and create less cut-through traffic than the Road Diet alternative.
- **Safety:** It would slightly decrease the number of expected crashes in the corridor compared to existing conditions but would slightly increase the number of expected crashes compared to the Road Diet alternative.
- **Traffic Operations:** It would create additional congestion at three intersections, including 12th, 14th, and 17th streets. These impacts could be reduced through the construction of additional turn lanes at those intersections.
- **Travel Times:** It would have very little impact on vehicle travel times in the corridor.
- **Projected Market:** It would align well with the economic analysis that found that the likelihood of investment is greater on the west end of the study area.
- **Public Input:** It responds moderately well to input from the public, which has generally favored a road diet on State Street and opposed keeping four travel lanes along the entire corridor.
- **Implementation:** It would cost roughly the same amount to construct as the Road Diet alternative, but unlike in that alternative, improvements in the Hybrid alternative could be phased as needed.

Background

Last year, the City of Salem, working with a consultant team, developed three street design alternatives – which were very similar to the three described above – and presented them to the SAC, TAC, and public to get input. The SAC and public voiced a preference for the Road Diet alternative, which would reconfigure State Street into a three-lane road. Specifically, 75 percent of the participants at the public meeting in September voted that they preferred the Road Diet alternative, with or without bike lanes. (The Hybrid alternative came in second with 13 percent of the vote.)

Given this overall preference for the Road Diet alternative, the consultant team conducted a traffic analysis of that alternative to determine how it would impact traffic operations on State Street and other streets in the area. That analysis showed that the alternative could work if roughly a third of the traffic on State Street were to divert to other streets in the afternoon peak hour in 2035 compared to the Improved Four Lane alternative (see the table on the next page that shows future afternoon peak hour volumes for the three alternatives). Public Works staff, in

consultation with Community Development staff, reviewed the findings and does not think that high amount of diversion is likely to occur, which means traffic congestion on State Street could significantly worsen under the Road Diet alternative. The other possible outcome would be that traffic would divert to other major streets, many of which are nearing capacity at peak hour, and potentially through nearby neighborhoods.

Location	2015 Existing 30 th Highest Hour Volume		2035 Alternative 1: Improved Four Lane Design Hourly Volume		2035 Alternative 2: Road Diet Design Hourly Volume		2035 Alternative 3: Hybrid Design Hourly Volume	
	EB	WB	EB	WB	EB	WB	EB	WB
Segment A - Between 12th Street to 13th Street	965	0	1,185	0	870	0	900	0
Segment B - Between 13th Street to 17th Street	1,215	775	1,485	1,150	930	600	1,165	745
Segment C - Between 17th Street to 24th Street	1,315	1,000	1,560	1,235	1,055	635	1,335	1,125

To ensure that there were other options for redesigning State Street that meet the project’s goals of making the street more pedestrian and bicycle-friendly, staff applied for and received additional funding from the State’s Transportation and Growth Management Program to design and analyze two street design options in addition to the Road Diet alternative. Those two alternatives, as mentioned earlier, are similar to the two other options previously developed as part of the State Street project. They are Alternative 1 – Improved Four Lane and Alternative 3 – Hybrid.

The City and consultant team have designed, analyzed, and compared the three street design alternatives. The detailed information is provided in the memorandum *Tier 2 Evaluation of the Street Design Alternatives, Technical Memo #7*.

Findings for Proposed Amendments
State Street Corridor Plan project

Substantive Findings

Code Amendment

Amending the Unified Development Code to create the Mixed Use-I (MU-I) and Mixed Use-II (MU-II) zones

SRC 110.085 establishes the following approval criteria for an amendment to the Unified Development Code (SRC chapters 110 through 900) to be approved:

1. *The amendment is in the best interest of the public health, safety, and welfare of the City*

Finding: The proposed code amendment is in the best interest of the public health, safety, and welfare of the City because it will facilitate pedestrian-friendly, mixed-use development and redevelopment in Salem by creating two new mixed-use zones. Specifically, the proposed MU-I and MU-II zones allow a broad range of uses outright, including housing, offices, and retail uses. Currently, there are no other zones in Salem that allow this mix of uses without going through a land use process. By creating these zones, property owners - as well as the City - will have the option to apply these zones to properties where mixed-use development is desired or flexibility in uses, more broadly, is sought. The proposed zones also encourage development to be oriented to pedestrians, which will create more inviting environments to those traveling on foot. In addition, the proposed code amendment will also protect the welfare of the community by establishing standards such as setbacks based on height to ensure that development in the MU-I and MU-II zones is compatible with surrounding neighborhoods.

2. *The amendment conforms with the Salem Area Comprehensive Plan, applicable statewide planning goals, and applicable administrative rules adopted by the Department of Land Conservation and Development.*

Finding: The Salem Area Comprehensive Plan (SACP) is the long-range plan for guiding development in the Salem urban area. The overall goal of the plan is to accommodate development in a timely, orderly, and efficient arrangement of land uses and public facilities and services that meet the needs of present and future residents of the Salem urban area.

The proposed code amendment was reviewed for conformance with the applicable goals and policies of the SACP. It is compatible and consistent with the goals and policies of the SACP as follows:

General Development Policy 1: Citizen Involvement

Opportunities for broad-based citizen involvement in the development, revision, monitoring and implementation of the Salem Area Comprehensive Plan shall be provided by the City of Salem and Marion and Polk Counties. Where neighborhood groups have been officially

recognized by the governing body, they shall be included in the planning process. To help assure citizen participation and information, public hearings shall be held prior to adoption of all land use ordinances.

The proposed zones were developed through a multi-year planning process that included extensive public outreach. The community provided input through a variety of ways, including public meetings, stakeholder interviews, property owner meetings, a survey, and an advisory committee. Representatives of Northeast Neighbors (NEN) and Southeast Salem Neighborhood Association (SESNA) served on the advisory committee, and staff presented the proposed zones at NEN and SESNA meetings and solicited input. The process to adopt this proposed code amendment requires public notice and affords the public an opportunity to review, comment, and take part in the approval process.

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.*

Mixed-Use Policy 1: Development

Encourage efficient use of land by facilitating compact, high-density development and minimizing the amount of land that is needed to accommodate automobile parking. Where appropriate, revise mixed-use design standards to make them simpler and easier to use, including making mixed-use design standards consistent across mixed-use areas.

Mixed-Use Policies 3: Priorities for Mobility and Access

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 applicable.

Urban Growth Policy 4: Infill

Development of land with existing urban services shall be encouraged before the conversion of urbanizable lands to urban uses.

The proposed MU-I and MU-II zones allow a variety of complementary uses such as housing, retail, offices, and civic uses, and they are allowed outright. This will facilitate mixed-use development, which reduces the need for single-occupancy trips and creates social and economic vitality. The proposed zones also establish standards that allow high-density development and reduce parking requirements for multifamily development. This minimizes the amount of land needed for parking.

The proposed zones also encourage infill development because of the broad range of uses allowed. Specifically, property owners looking to develop or redevelop their land – including vacant or underutilized land – can apply for either of the proposed zones to expand the ways in which they can use their property. This flexibility allows property owners to better respond to market changes and develop their property.

Mixed-Use Policies 6: Design

Develop commercial and mixed-use areas that are safe, comfortable and attractive to pedestrians.

Mixed-Use Policies 4: Priorities for Mobility and Access

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

The proposed MU-I and MU-II zones establish design standards that promote pedestrian-friendly development. For example, the zones require the ground floors of buildings on major streets to have windows and weather protection, and parking is required to be behind or beside buildings. Buildings are required to be built up to the sidewalk; they can also be set back by up to 10 feet if that space is used to provide pedestrian amenities such as a plaza. This reinforces the street as public places, encouraging pedestrian activity and travel.

Mixed-Use Policies 8: Design

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

General Development Policy 12: Development Compatibility

Land use regulations which govern the siting of any development shall encourage development to reduce its impact on adjacent properties by screening, landscaping, setback, height, and mass regulations.

Residential Development Policy 8: Protection of Residential Areas

Residential areas shall be protected from more intensive land use activity in abutting zones.

The proposed MU-I and MU-II zones provide transitions and buffers between development and adjacent residential zones. Specifically, a 10-foot setback is required, and that required setback increases as the height of the building increases. In other words, the taller a building is, the farther away it must be from adjacent residential zones. Setback areas are also required to be landscaped.

Residential Development Policy 1: Establishing Residential Uses

The location and density of residential uses shall be determined after consideration of the following factors:

- a) *The type and distribution of housing units required to meet expected population growth within the Salem urban growth boundary...*

The proposed MU-I and MU-II zones facilitate the development of housing by allowing multifamily housing outright and streamlining the approval process for such housing. Specifically, the proposed zones remove the requirement that multifamily developments go through a design review land use application process. The opportunity to meet the housing needs of Salem's diverse and growing population are therefore increased. According to the Salem Housing Needs Analysis, there is expected to be a 207-acre deficit of land for multifamily housing in Salem's portion of the urban growth boundary (UGB) over the next 20 years. One way the HNA recommends meeting that need is to lower barriers to multifamily development, which this proposed code amendment does.

The proposed code amendment was also reviewed for conformance with the applicable Statewide Planning Goals and administrative rules adopted by the Department of Land Conservation and Development. It conforms with the statewide planning goals as follows:

Goals 1: Citizen Involvement

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

The proposed MU-I and MU-II zones were developed through a multi-year planning process that included extensive public outreach. The community provided input through a variety of ways, including public meetings, stakeholder interviews, property owner meetings, a survey, and an advisory committee. Representatives of Northeast Neighbors (NEN) and Southeast Salem Neighborhood Association (SESNA) served on the advisory committee, and staff presented the proposed zones at NEN and SESNA meetings and solicited input. The process to adopt this proposed code amendment requires public notice and affords the public an opportunity to review, comment, and take part in the approval process. The proposed code amendment therefore conforms with this goal.

Goal 2: Land Use Planning

To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

The City has established a land use planning process and policy framework as a basis for all decisions and actions related to the use of land and to assure an adequate factual base for such decisions and actions. The SACP has been adopted by the City and acknowledged by the Land Conservation and development Commission as being in compliance with the statewide goals, state statutes, and state administrative rules. The proposed code amendment establishes two proposed mixed-use zones, which if applied to property in Salem, would be accompanied by amendments to the Comprehensive Plan Map to the “Mixed Use” designation. This would ensure that rezoned areas would be consistent with the SACP. The proposed code amendment therefore conforms with this goal.

Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces

To protect natural resources and conserve scenic and historical areas and open spaces.

The proposed code amendment does not eliminate the requirement for future development in the proposed MU-I and MU-II zones to meet the conditions of SRC Chapter 809 (Wetlands), SRC Chapter 601 (Floodplain Overlay Zone), and Chapter 230 (Historic Preservation). The proposed mixed-use zones require building setbacks when the zones are located adjacent to a residential zone, including residential zones within a historic district. Specifically, a minimum 10-foot setback is required, plus 1.5 feet of additional setback for each 1 foot of building height above 15 feet. This setback provides a buffer between properties that are zoned MU-I or MU-II and properties in a residential zone, including residential zones within a historic district. The proposed code amendment therefore conforms with this goal.

Goal 6: Air, Water and Land Resources Quality

To maintain and improve the quality of air, water, and land resources of the state.

Goal 7: Areas Subject to Natural Disasters and Hazards

To protect life and property from natural disasters.

The proposed MU-I and MU-II zones do not eliminate the requirement for future development in those zones to meet the conditions of SRC Chapter 808 (Preservation of Trees and Vegetation), SRC Chapter 809 (Wetlands), SRC Chapter 601 (Floodplain Overlay Zone), and SRC Chapter 810 (Landslide Hazards). The proposed code amendment therefore conforms with goals 6 and 7.

Goal 8: Recreational Needs

To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destinations resorts.

The proposed MU-I and MU-II zones allow parks, open space, and recreation services such as museums, community centers, nature centers, youth clubs, and zoological gardens. The proposed code amendment therefore conforms with this goal.

Goal 9: Economic Development

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

The Salem Economic Opportunities Analysis (EOA), adopted in 2015, was developed consistent with the requirements with Goal 9 and associated administrative rules. It determined that there is expected to be a 271-acre deficit of commercial land in Salem's portion of the UGB over the next 10 years. The EOA recommends meeting this need in several ways, including redeveloping existing commercial areas and allowing or encouraging mixed-use development in downtown or other employment areas. The proposed MU-I and MU-II zones allow mixed-use development and facilitate the redevelopment of commercial areas, if applied to such areas, by allowing outright a broad array of uses, including retail uses, offices, and other commercial uses. The proposed MU-I zone also establishes design standards that require the ground floor of buildings to accommodate retail uses in the future even if developed initially for other uses. This increases the likelihood that development in the proposed MU-I zone will help the City meet its employment needs. The proposed code amendment therefore conforms with this goal.

Goal 10: Housing

To provide for the housing needs of citizens of the state.

The Salem Housing Needs Analysis (HNA) was intended to comply with Goal 10 and the associated Oregon Administrative Rules 660.008. It determined that there is expected to be a 207-acre deficit of land for multifamily housing in Salem's portion of the urban growth boundary (UGB) over the next 20 years. One way the HNA recommends meeting that need is to lower barriers to multifamily development. The proposed MU-I and MU-II zones accomplishes this by allowing multifamily housing outright and streamlining the approval process for such housing. Specifically, the proposed zones remove the requirement that multifamily developments go through a design review land use application process. The opportunity to meet the housing needs of Salem's diverse and growing population are therefore increased. The proposed code amendment therefore conforms with this goal.

Goal 12: Transportation

To provide and encourage a safe, convenient, and economic transportation system.

The proposed MU-I and MU-II zones encourage a safe and convenient transportation system by facilitating pedestrian-friendly development. This is accomplished through development standards that require, for example, buildings to be built up to or close to the sidewalk, building entrances to face major streets, and parking lots to be located behind or beside buildings. This minimizes potential conflicts between pedestrians and other modes of transportation. The proposed code amendment therefore conforms with this goal.

Goal 13: Energy Conservation

To conserve energy.

The proposed MU-I and MU-II zones facilitate the redevelopment and reuse of vacant land by allowing a broad mix of uses outright. Property owners looking to develop or redevelop their land – including vacant or underutilized land – can apply for either of the proposed zones to expand the ways in which they can use their property. This flexibility allows property owners to better respond to market changes and develop their property. The proposed zones also facilitate mixed-use development, which reduces the reliance on automobile trips.

Goal 14: Urbanization

To provide an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

The proposed MU-I and MU-II zones help accommodate Salem’s urban population and employment inside the UGB by allowing multifamily housing and a range of commercial uses outright. Property owners, as well as the City, can seek to apply the proposed zones to areas where such uses are not currently allowed or are only allowed through conditional use permits. This could increase the amount of land available for multifamily and commercial uses in the city. The proposed zones also ensure the efficient use of land by allowing a mix of uses on the same property. The proposed code amendment therefore conforms with this goal.

Goals 3, 4, 11, 15, 16, 17, 18, and 19

Goals 3, 4, 11, 15, 16, 17, 18, and 19 are not applicable to the proposed code amendment.

Comprehensive Plan Map Amendment

Amending the Comprehensive Plan Map and NEN-SESNA Neighborhood Plan Map to the “Mixed Use” designation

SRC 64.025 establishes the following approval criteria for a major Comprehensive Plan map amendment to be approved:

1. *The amendment is in the best interest of the public health, safety, and welfare of the City.*

Finding: The proposed Comprehensive Plan map and neighborhood plan map changes are in the best interest of the public health, safety, and welfare of the City because they will facilitate pedestrian-friendly, mixed-use development and redevelopment along a highly visible corridor, State Street between 12th and 25th streets, which is referred to as the State Street corridor. The proposed Comprehensive Plan Map and NEN-SESNA Neighborhood Plan Map designation of “Mixed Use” will specifically facilitate development in a manner that complements the surrounding neighborhoods and helps meet Salem’s projected housing and employment needs. The proposed changes implement the vision for State Street that was established by NEN and SESNA in their joint neighborhood plan adopted in 2015.

2. *The amendment conforms to the applicable statewide planning goals and applicable administrative rules adopted by the Department of Land Conservation and Development.*

Finding: The proposed Comprehensive Plan map and neighborhood plan map changes were reviewed for conformance with the applicable Statewide Planning Goals and administrative rules adopted by the Department of Land Conservation and Development. They conform with the statewide planning goals as follows:

Goals 1: Citizen Involvement

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

The proposed Comprehensive Plan map and neighborhood plan map changes were developed through a multi-year planning process that included extensive public outreach. The community provided input through a variety of ways, including public meetings, stakeholder interviews, property owner meetings, a survey, and an advisory committee. The proposed changes implement the vision for State Street that was established in the 2015 NEN-SESNA Neighborhood Plan adopted in 2015. That plan was developed through a collaborative process that included extensive public outreach and input from NEN and SESNA residents, property owners, business operators, and other stakeholders.

The process to adopt these proposed map changes requires public notice and affords the public an opportunity to review, comment, and take part in the approval process. The proposed map changes therefore conform with this goal.

Goal 2: Land Use Planning

To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

The City has established a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions. The SACP has been adopted by the City and acknowledged by the Land Conservation and Development Commission as being in compliance with the statewide goals, state statutes, and state administrative rules.

The NEN-SESNA Neighborhood Plan was adopted by the City Council on February 9, 2015, and that included adopting the generalized land use map as a component of the SACP. The City Council also adopted the NEN and SESNA opportunities maps as support documents to the SACP. The opportunities maps recommend changing the existing zoning along State Street between 12th and 25th street to a mixed-use zone. The proposed Comprehensive Plan map and neighborhood plan map changes allow beneficial use of the properties in the State Street corridor in line with those recommendations in the NEN-SESNA Neighborhood Plan. The proposed map changes therefore conform with this goal.

Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces

To protect natural resources and conserve scenic and historical areas and open spaces.

The proposed Comprehensive Plan map and neighborhood plan map changes do not eliminate the requirement for future development in the State Street corridor to meet the conditions of SRC Chapter 809 (Wetlands), SRC Chapter 601 (Floodplain Overlay Zone), and Chapter 230 (Historic Preservation). There are several local historic resources in the State Street corridor. Generally, any exterior changes to them would be required to go through historic design review under Chapter 230. The proposed map changes therefore conform with this goal.

Goal 6: Air, Water and Land Resources Quality

To maintain and improve the quality of air, water, and land resources of the state.

Goal 7: Areas Subject to Natural Disasters and Hazards

To protect life and property from natural disasters.

The proposed Comprehensive Plan map and neighborhood plan map changes do not eliminate the requirement for future development to meet the conditions of SRC Chapter 808 (Preservation of Trees and Vegetation), SRC Chapter 809 (Wetlands), SRC Chapter 601 (Floodplain Overlay Zone), and SRC Chapter 810 (Landslide Hazards). The proposed changes also do not affect policies established by the SACP and NEN-SESNA Neighborhood Plan associated with goals 6 and 7. The proposed map changes therefore conform with goals 6 and 7.

Goal 8: Recreational Needs

To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destinations resorts.

The Salem Comprehensive Park System Master Plan Update (Parks Master Plan) was adopted on May 13, 2013. Application of the “Mixed Use” Comprehensive Plan map designation to properties in the State Street corridor does not preclude the siting of any facilities identified in the Parks Master Plan. The “Mixed Use” designation, as implemented by the proposed MU-I and MU-II zones, will allow parks, open space, and recreation services such as museums, community centers, nature centers, youth clubs, and zoological gardens. The proposed map changes therefore conform with this goal.

Goal 9: Economic Development

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

The EOA, adopted in 2015, was developed consistent with the requirements with Goal 9 and associated administrative rules. It determined that there is expected to be a 271-acre deficit of commercial land in Salem's portion of the UGB over the next 20 years. The EOA recommends meeting this need in several ways, including redeveloping existing commercial areas and allowing or encouraging mixed-use development in downtown or other employment areas. Currently, the area proposed to be redesignated in the State Street corridor is largely designated on the Comprehensive Plan map and neighborhood map as "Commercial" and "Multi-Family Residential." The proposed Comprehensive Plan map and neighborhood plan map changes to the "Mixed Use" designation, as implemented by the proposed MU-I and MU-II zones, facilitate mixed-use development in the State Street corridor and the redevelopment of the existing commercial corridor by allowing a broad array of uses outright, including retail uses, offices, and other commercial uses. The proposed map changes therefore conforms with this goal.

Goal 10: Housing

To provide for the housing needs of citizens of the state.

The HNA was intended to comply with Goal 10 and the associated Oregon Administrative Rules 660.008. It determined that there is expected to be a 207-acre deficit of land for multifamily housing in Salem's portion of the urban growth boundary (UGB) over the next 20 years. One way the HNA recommends meeting that need is to lower barriers to multifamily development. Currently, the area proposed to be redesignated in the State Street corridor is largely designated on the Comprehensive Plan map and neighborhood map as "Commercial" and "Multi-Family Residential." Under the "Commercial" designation, the predominant use is intended to be commercial. The proposed Comprehensive Plan map and neighborhood plan map changes to the "Mixed Use" designation lowers barriers to multifamily development because that designation encompasses a variety of housing opportunities as well as retail, offices, and other compatible uses. The "Mixed Use" designation, as implemented by the proposed MU-I and MU-II zones, specifically facilitates the development of multifamily housing in the State Street corridor by allowing it outright. Therefore, the "Mixed Use" designation increases the opportunity to meet the housing needs of Salem's diverse and growing population. The proposed map changes therefore conform with this goal.

Goal 12: Transportation

To provide and encourage a safe, convenient, and economic transportation system.

Goal 12 is implemented through Oregon Administrative Rules 660-012. Oregon Administrative Rule 660-012-0060(1) defines when a plan or land use regulation amendment significantly impacts a transportation facility. The proposed Comprehensive Plan map and neighborhood plan map changes are not projected to have a significant impact on the transportation system because the trip generation is similar between the existing and

proposed map designations. The uses allowed in the new mixed-use designation are consistent with the functional classification of State Street as a major arterial.

The Salem Transportation System Plan is being amended concurrently with this Plan map amendment to support the mixed-use, pedestrian-oriented land uses envisioned with this designation. The amendments to the Salem Transportation System Plan also include intersection modifications to accommodate future traffic volumes.

The proposed Comprehensive Plan map and neighborhood plan map changes, as implemented by the proposed MU-I and MU-II zones, also require pedestrian-friendly development in the State Street corridor and connections to pedestrian systems. In addition, lowering barriers to developing a mix of uses is intended to promote trips by modes other than the single-occupant vehicle. This further assures that the proposed map changes conform with this goal.

Goal 13: Energy Conservation

To conserve energy.

The proposed Comprehensive Plan map and neighborhood plan map changes, as implemented by the proposed MU-I and MU-II zones, facilitate the redevelopment and reuse of vacant land in the State Street corridor by allowing a broad mix of uses and expanding the ways in which many properties can be used and developed. The proposed “Mixed Use” designation also facilitates mixed-use development and multifamily housing along State Street, a major transit corridor, which reduces the reliance on automobile trips. The proposed map changes therefore conform with this goal.

Goal 14: Urbanization

To provide an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

The proposed Comprehensive Plan map and neighborhood plan map changes help accommodate Salem’s urban population and employment and ensure efficient use of land inside the UGB by facilitating the development of multifamily housing and commercial uses throughout the State Street corridor. Specifically, the proposed “Mixed Use” designation encompasses a variety of housing opportunities as well as retail, offices, and other compatible commercial uses, and applying it to the State Street corridor increases the opportunities to develop those uses either alone or as part of a mixed-use development. The proposed map changes therefore conform with this goal.

Goals 3, 4, 11, 15, 16, 17, 18, and 19

Goals 3, 4, 11, 15, 16, 17, 18, and 19 are not applicable to the proposed Comprehensive Plan map and neighborhood plan map changes.

Zone Change

Changing the zoning to MU-I and MU-II

SRC 265.010 establishes the following approval criteria for a legislative zone change to be approved:

1. *The zone change is in the best interest of the public health, safety, and welfare of the City.*

Finding: The proposed zone change is in the best interest of the public health, safety, and welfare of the City because it will facilitate and encourage pedestrian-friendly, mixed-use development and redevelopment along a highly visible corridor that includes vacant and underutilized properties. Specifically, the proposed zone change will enable a broad range of uses to be developed throughout the State Street corridor, including multifamily housing, offices, retail uses, and other complementary uses. This consistent, flexible zoning will help Salem meet its future housing and employment needs on State Street. The proposed zone change will also ensure that development on State Street is oriented to pedestrians and compatible with surrounding neighborhoods. The proposed change implements the vision for State Street that was established by NEN and SESNA in their joint neighborhood plan adopted in 2015.

2. *The zone change complies with the Salem Area Comprehensive Plan, applicable statewide planning goals, and applicable administrative rules adopted by the Department of Land Conservation and Development.*

Finding: The SACP is the long-range plan for guiding development in the Salem urban area. The overall goal of the plan is to accommodate development in a timely, orderly, and efficient arrangement of land uses and public facilities and services that meet the needs of present and future residents of the Salem urban area.

The proposed zone change was reviewed for conformance with the applicable goals and policies of the SACP. It is compatible and consistent with the goals and policies of the SACP as follows:

General Development Policy 1: Citizen Involvement

Opportunities for broad-based citizen involvement in the development, revision, monitoring and implementation of the Salem Area Comprehensive Plan shall be provided by the City of Salem and Marion and Polk Counties. Where neighborhood groups have been officially recognized by the governing body, they shall be included in the planning process. To help assure citizen participation and information, public hearings shall be held prior to adoption of all land use ordinances.

The proposed zone change is the result of a multi-year planning process that included extensive public outreach. The community provided input through a variety of ways, including public meetings, stakeholder interviews, property owner meetings, a survey, and an advisory committee. Representatives of Northeast Neighbors (NEN) and Southeast Salem Neighborhood Association (SESNA) served on the advisory committee, and staff presented the proposed zone change at NEN and SESNA meetings and solicited input. The process to

adopt this proposed zone change requires public notice and affords the public an opportunity to review, comment, and take part in the approval process.

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.*

Mixed-Use Policy 1: Development

Encourage efficient use of land by facilitating compact, high-density development and minimizing the amount of land that is needed to accommodate automobile parking. Where appropriate, revise mixed-use design standards to make them simpler and easier to use, including making mixed-use design standards consistent across mixed-use areas.

Mixed-Use Policies 3: Priorities for Mobility and Access

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 applicable.

Urban Growth Policy 4: Infill

Development of land with existing urban services shall be encouraged before the conversion of urbanizable lands to urban uses.

The proposed zone change will allow a variety of complementary uses such as housing, retail, offices, and civic uses in the State Street corridor, and they will be allowed outright. This will facilitate mixed-use development on State Street, which will reduce the need for single-occupancy trips and will create social and economic vitality. The proposed zone change will also allow high-density development and reduce parking requirements for multifamily development in the State Street corridor. This will minimize the amount of land needed for parking.

The proposed zone change to the MU-I and MU-II zones will also encourage infill development in the State Street corridor where there are vacant and underutilized properties. The proposed zones will provide property owners on State Street flexibility in how they use their properties, allowing them to better respond to the market and develop their land.

Mixed-Use Policies 6: Design

Develop commercial and mixed-use areas that are safe, comfortable and attractive to pedestrians.

Mixed-Use Policies 4: Priorities for Mobility and Access

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

The proposed zone change applies the proposed MU-I and MU-II zones to the State Street corridor and will promote pedestrian-friendly development through development standards. For example, the ground floors of buildings on State Street will be required to have windows and weather protection, and parking will be required to be behind or beside buildings. Buildings will be required to be built up to the sidewalk; they could also be set back by up to 10 feet if that space is used to provide pedestrian amenities such as a plaza. This reinforces the street as public places, encouraging pedestrian activity and travel.

Mixed-Use Policies 8: Design

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

General Development Policy 12: Development Compatibility

Land use regulations which govern the siting of any development shall encourage development to reduce its impact on adjacent properties by screening, landscaping, setback, height, and mass regulations.

Residential Development Policy 8: Protection of Residential Areas

Residential areas shall be protected from more intensive land use activity in abutting zones.

The proposed zone change will provide transitions and buffers between development in the State Street corridor and adjacent residential zones. Specifically, development in the MU-I and MU-II zones will be required to be set back at least 10 feet from adjacent residential zones, and that distance will increase as the height of a building increases. Currently, this increasing setback, based on height, is not required for all development on State Street. The proposed zone change seeks to reduce the potential impacts new development on State Street could have on abutting residential areas.

Residential Development Policy 1: Establishing Residential Uses

The location and density of residential uses shall be determined after consideration of the following factors:

- a) The type and distribution of housing units required to meet expected population growth within the Salem urban growth boundary...*

Residential Development Policy 6: Multi-Family Housing

Multi-family housing shall be located in areas proximate to existing or planned transportation corridors, public facilities and services:

- a) To encourage the efficient use of residential land and public facilities, development regulations shall require minimum densities for multiple family development zones;*
- b) Development regulations shall promote a range of densities that encourage a variety of housing types;*
- c) Multiple family developments should be located in areas that provide walking, auto or transit connections to: (1) Employment centers; (2) Shopping areas; (3) Transit service; (4) Parks; (5) Public buildings.*

The proposed zone change will facilitate the development of multifamily housing in the State Street corridor by allowing it outright and streamlining the approval process for such housing. Specifically, the proposed MU-I and MU-II zones will remove the requirement that multifamily developments go through a design review land use application process. The opportunity to meet the housing needs of Salem's diverse and growing population are therefore increased. According to the HNA, there is expected to be a 207-acre deficit of land for multifamily housing in Salem's portion of the UGB over the next 20 years. One way the HNA recommends meeting that need is to lower barriers to multifamily development. The proposed zone change does this in the State Street corridor.

The proposed zone change also allows multifamily housing to be located on State Street, which provides walking, auto, and transit connections to employment centers and public buildings such as State of Oregon offices, Willamette University, the Oregon State Capitol,

and eventually downtown Salem. State Street is also identified as part of Cherriots Core Network for highest priority transit service.

Commercial Development Policy 3: Redevelopment

Redevelopment of existing shopping and service facilities should be encouraged where appropriate to provide neighborhood services or as part of mixed-use development with multifamily housing. The City may use financial and other tools to encourage redevelopment of existing shopping and service facilities, especially in Urban Renewal Areas.

The proposed zone change will facilitate the redevelopment of existing buildings on State Street into mixed-use development by allowing multifamily housing, retail, office, and other complementary uses outright.

The proposed zone change was reviewed for conformance with the applicable Statewide Planning Goals and administrative rules adopted by the Department of Land Conservation and Development. They conform with the statewide planning goals as follows:

Goals 1: Citizen Involvement

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

The proposed zone change is the result of a multi-year planning process that included extensive public outreach. The community provided input through a variety of ways, including public meetings, stakeholder interviews, property owner meetings, a survey, and an advisory committee. The proposed change implements the vision for State Street that was established in the 2015 NEN-SESNA Neighborhood Plan adopted in 2015. That plan was developed through a collaborative process that included extensive public outreach and input from NEN and SESNA residents, property owners, business operators, and other stakeholders.

The process to adopt these proposed zone change requires public notice and affords the public an opportunity to review, comment, and take part in the approval process. The proposed zone change therefore conforms with this goal.

Goal 2: Land Use Planning

To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

The City has established a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions. The SACP has been adopted by the City and acknowledged by the Land Conservation and Development Commission as being in compliance with the statewide goals, state statutes, and state administrative rules.

The NEN-SESNA Neighborhood Plan was adopted by the City Council on February 9, 2015, and that included adopting the generalized land use map as a component of the SACP. The City Council also adopted the NEN and SESNA opportunities maps as support documents to the SACP. The opportunities maps recommend changing the existing zoning along State Street between 12th and 25th street to a mixed-use zone. The proposed zone changes allow beneficial use of the properties in the State Street corridor in line with those recommendations in the NEN-SESNA Neighborhood Plan. The proposed zone change is accompanied by corresponding amendments to the SACP and NEN-SESNA Neighborhood Plan Generalized Land Use Map to ensure that the rezoned areas are consistent with Salem's adopted SACP. The proposed zone changes therefore conform with this goal.

Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces

To protect natural resources and conserve scenic and historical areas and open spaces.

The proposed zone change does not eliminate the requirement for future development in the State Street corridor to meet the conditions of SRC Chapter 809 (Wetlands), SRC Chapter 601 (Floodplain Overlay Zone), and Chapter 230 (Historic Preservation). There are several local historic resources in the State Street corridor. Generally, any exterior changes to them would be required to go through historic design review under Chapter 230.

The area proposed to be rezoned to MU-I is adjacent to the Court-Chemeketa Residential Historic District. The proposed zone change does not include any changes to the historic district or properties within that district. The proposed MU-I zone also requires building setbacks when the zone is located adjacent to a residential zone, including residential zones within a historic district. Specifically, a minimum 10-foot setback is required, plus 1.5 feet of additional setback for each 1 foot of building height above 15 feet. This setback provides a buffer between properties that are zoned MU-I on State Street and residentially-zoned properties in the historic district. The proposed zone change therefore conforms with this goal.

Goal 6: Air, Water and Land Resources Quality

To maintain and improve the quality of air, water, and land resources of the state.

Goal 7: Areas Subject to Natural Disasters and Hazards

To protect life and property from natural disasters.

The proposed zone change does not eliminate the requirement for future development in those zones to meet the conditions of SRC Chapter 808 (Preservation of Trees and Vegetation), SRC Chapter 809 (Wetlands), SRC Chapter 601 (Floodplain Overlay Zone), and SRC Chapter 810 (Landslide Hazards). The proposed zone change also does not affect policies established by the SACP and NEN-SESNA Neighborhood Plan associated with goals 6 and 7. The proposed zone change therefore conform with goals 6 and 7.

Goal 8: Recreational Needs

To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destinations resorts.

The Salem Comprehensive Park System Master Plan Update (Parks Master Plan) was adopted on May 13, 2013. Changing the zoning of properties in the State Street corridor to MU-I and MU-II do not preclude the siting of any facilities identified in the Parks Master Plan. The two mixed-use zones will allow parks, open space, and recreation services such as museums, community centers, nature centers, youth clubs, and zoological gardens. The proposed zone change therefore conforms with this goal.

Goal 9: Economic Development

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

The EOA, adopted in 2015, was developed consistent with the requirements with Goal 9 and associated administrative rules. It determined that there is expected to be a 271-acre deficit of commercial land in Salem's portion of the UGB over the next 20 years. The EOA recommends meeting this need in several ways, including redeveloping existing commercial areas and allowing or encouraging mixed-use development in downtown or other employment areas. Currently, the majority of the properties proposed to be rezoned in the State Street corridor are zoned Commercial Office (CO), Retail Commercial (CR), and Multiple Family II (RM-II). Most commercial uses are prohibited in the RM-II zone, and limited retail uses are allowed in the CO zone. The proposed zone change to the MU-I and MU-II zones facilitate mixed-use development in the State Street corridor and the redevelopment of the existing commercial corridor because both proposed zones allow a broad array of uses outright, including retail uses, offices, and other commercial uses. This increases the amount of land available for commercial uses.. The proposed zone change therefore conforms with this goal.

Goal 10: Housing

To provide for the housing needs of citizens of the state.

The HNA was intended to comply with Goal 10 and the associated Oregon Administrative Rules 660.008. It determined that there is expected to be a 207-acre deficit of land for multifamily housing in Salem's portion of the UGB over the next 20 years. One way the HNA recommends meeting that need is to lower barriers to multifamily development. Today, the majority of the properties proposed to be rezoned in the State Street corridor are zoned Commercial Office (CO), Retail Commercial (CR), and Multiple Family II (RM-II). The development of multifamily housing requires a conditional use permit in the CR zone and design review in all of the existing zones in the State Street corridor. The proposed zone change to the MU-I and MU-II zones lowers barriers to multifamily development because both zones allow multifamily housing outright. Therefore, the proposed zone change increases the opportunity to meet the housing needs of Salem's diverse and growing population. The proposed zone change therefore conforms with this goal.

Goal 12: Transportation

To provide and encourage a safe, convenient, and economic transportation system.

Goal 12 is implemented through Oregon Administrative Rules 660-012. Oregon Administrative Rule 660-012-0060(1) defines when a plan or land use regulation amendment significantly impacts a transportation facility. The proposed zone change to the MU-I and MU-II zones are not projected to have a significant impact on the transportation system because the trip generation is similar between the existing and proposed zones. The uses allowed in the new mixed-use zones are consistent with the functional classification of State Street as a major arterial.

The Salem Transportation System Plan is being amended concurrently with this zone change to support the mixed-use, pedestrian-oriented land uses envisioned with this zone. The amendments to the Salem Transportation System Plan also include intersection modifications to accommodate future traffic volumes.

The proposed zone change to the MU-I and MU-II zones also require pedestrian-friendly development in the State Street corridor and connections to pedestrian systems. In addition, lowering barriers to developing a mix of uses is intended to promote trips by modes other than the single-occupant vehicle. This further assures that the zone changes comply with this goal.

Goal 13: Energy Conservation

To conserve energy.

The proposed zone change to the MU-I and MU-II zones facilitate the redevelopment and reuse of vacant land in the State Street corridor by allowing a broad mix of uses and expanding the ways in which many properties can be used and developed. It also facilitates and encourages mixed-use development and multifamily housing along State Street, a major transit corridor, which reduces the reliance on automobile trips. The proposed zone change therefore conforms with this goal.

Goal 14: Urbanization

To provide an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

The proposed zone change to the MU-I and MU-II zones helps accommodate Salem's urban population and employment and ensure efficient use of land inside the UGB by facilitating the development of multifamily housing and commercial uses throughout the State Street corridor. Specifically, the MU-I and MU-II zones allow a variety of housing opportunities as well as retail, offices, and other compatible commercial uses. Applying the zones to the State Street corridor increases the opportunities to develop those uses either alone or as part of a mixed-use development. The proposed zone change therefore conforms with this goal.

Goals 3, 4, 11, 15, 16, 17, 18, and 19

Goals 3, 4, 11, 15, 16, 17, 18, and 19 are not applicable to the proposed zone change.

3. *If the zone change requires a comprehensive plan change from an industrial designation to a non-industrial designation, or a comprehensive plan change from a commercial or employment designation to any other designation, a demonstration that the proposed zone change is consistent with the most recent economic opportunities analysis and the parts of the comprehensive plan 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 zone change; or include both the demonstration and an amendment to the comprehensive plan.*

Finding: The proposed zone change requires a comprehensive plan change from a commercial designation to a mixed-use designation in some areas in the State Street corridor. The proposed zone change is consistent with the EOA, adopted in 2015, which determined that there is expected to be a 271-acre deficit of commercial land in Salem’s portion of the UGB over the next 20 years. The EOA recommends meeting this need in several ways, including redeveloping existing commercial areas and allowing or encouraging mixed-use development in downtown or other employment areas. The proposed zone change will facilitate the development of mixed-use buildings in the State Street corridor and the redevelopment of the existing commercial corridor. Specifically, the proposed change to the MU-I and MU-II zones will allow a broad array of uses outright, including retail uses, offices, and other commercial uses. The amount of land available for commercial uses in the State Street corridor will be increased, as the MU-I and MU-II zones will replace other zones that allow fewer commercial uses.

The proposed zone change is also consistent with the parts of the Comprehensive Plan that addresses the provision of land for economic development and employment growth. One of the economic development goals in the Comprehensive Plan is to “strengthen the economic base of the Salem area to sustain the economic growth necessary to provide adequate employment opportunities and maintain community livability.” The proposed zone change helps strengthen the economic base by increasing the opportunities for more commercial uses in the State Street corridor.

4. *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 on, the zone change.*

Finding: The proposed zone change to the MU-I and MU-II zones are not projected to have a significant impact on the transportation system because the trip generation is similar between the existing and proposed zones. The uses allowed in the new mixed-use zones are consistent with the functional classification of State Street as a major arterial.

The Salem Transportation System Plan (TSP) is being amended concurrently with this zone change to support the mixed-use, pedestrian-oriented land uses envisioned with this zone. The amendments to the Salem Transportation System Plan also include intersection modifications to accommodate future traffic volumes.

The proposed zone change to the MU-I and MU-II zones also require pedestrian-friendly development in the State Street corridor and connections to pedestrian systems. In addition, lowering barriers to developing a mix of uses is intended to promote trips by modes other than the single-occupant vehicle. This further assures that the zone changes comply with this criteria.

Comprehensive Plan Amendment

Amending the Transportation System Plan to adopt a new street design

SRC 64.020 establishes the following approval criteria for a major Comprehensive Plan amendment to be approved:

1. *The amendment is in the best interest of the public health, safety, and welfare of the City.*

Finding: The proposed amendments to the Transportation System Plan (TSP), a component of the Comprehensive Plan, is in the best interest of the public health, safety, and welfare of the City because it provides enhanced facilities for bicyclists and pedestrians in the State Street corridor through a new street design. By providing buffered bike lanes, wide sidewalks, and pedestrian crossings, the new design seeks to improve safety for those traveling on bike or foot, while supporting the vision of State Street as a vibrant, walkable, mixed-use corridor.

The new street design also results in properties along State Street gaining development potential; with the street design being context sensitive, the amount of land abutting the street that needs to essentially be set aside for future road widening is reduced.

2. *The amendment conforms to the applicable statewide planning goals and applicable administrative rules adopted by the Department of Land Conservation and Development.*

Finding: The proposed amendments to the TSP was reviewed for conformance with the applicable Statewide Planning Goals and administrative rules adopted by the Department of Land Conservation and Development. They conform with the statewide planning goals as follows:

Goals 1: Citizen Involvement

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

The proposed amendments to the TSP were developed through a multi-year planning process that included extensive public outreach. The community provided input through a variety of means, including public meetings, stakeholder interviews, property owner meetings, a survey, and an advisory committee. Representatives of Northeast Neighbors (NEN) and Southeast Salem Neighborhood Association (SESNA) served on the advisory committee, and staff presented the proposed amendments at NEN and SESNA meetings and solicited input. The process to adopt the proposed amendments to the TSP requires public notice and affords

the public an opportunity to review, comment, and take part in the approval process. The proposed amendments therefore conform with this goal.

Goal 2: Land Use Planning

To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

The SACP contains the following transportation goal: “To provide a balanced, multimodal transportation system for the Salem Urban Area that supports the safe and efficient movement of goods and people.”

The TSP is a component of the SACP and is the document that contains goals, objectives, policies, plan maps, and project lists to guide provision of transportation facilities and services in the Salem area. The amendments proposed to the TSP support the overall goal of the Salem Comprehensive Policies Plan by supporting a balanced, multimodal transportation system that supports the safe and efficient movement of goods and people along the State Street corridor. In addition, the amendments align with the Comprehensive Policies Plan, Policy J6, Supportive of Land Use Plan Designations and Development Patterns. The proposed amendments are intended to enhance the corridor for walking, bicycling, and using transit to support the planned land uses and goals of the neighborhood. As such, the amendments are consistent with the overarching goals as contained in the Salem Comprehensive Policies Plan. The proposed amendments therefore conform with this goal.

Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces

To protect natural resources and conserve scenic and historical areas and open spaces.

The proposed amendments include modifying the ultimate right-of-way needed along State Street between 17th and 24th Streets. Reducing the ultimate right-of-way needed and modifying the street cross-section will result in less impervious surface and associated stormwater runoff, thereby reducing impacts to natural resources. In addition, the narrower right-of-way in the section east of 17th Street will minimize impacts to Mill Creek, which crosses under State Street east of 19th Street. Minimizing right-of-way requirements also reduces potential impacts to historic resources located adjacent to the corridor. The proposed amendments therefore conform with this goal.

Goal 9: Economic Development

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon’s citizens.

The EOA, adopted in 2015, was developed consistent with the requirements with Goal 9 and associated administrative rules. It determined that there is expected to be a 271-acre deficit of commercial land in Salem’s portion of the UGB over the next 10 years. The EOA recommends meeting this need in several ways, including redeveloping existing commercial areas and allowing or encouraging mixed-use development in downtown or other employment areas. The proposed MU-I and MU-II zones allow mixed-use development and

facilitate the redevelopment of commercial areas, if applied to such areas, by allowing a broad array of uses, including retail uses, offices, and other commercial uses. The proposed MU-I zone also establishes design standards that require the ground floor of buildings to accommodate retail uses in the future even if developed initially for other uses. This increases the likelihood that development in the proposed MU-I zone will help the City meet its employment needs. The amendments to the TSP are designed to support the new zoning by improving the pedestrian realm and minimizing right-of-way requirements. The proposed amendments therefore conform with this goal.

Goal 10: Housing

To provide for the housing needs of citizens of the state.

The HNA was intended to comply with Goal 10 and the associated Oregon Administrative Rules 660.008. It determined that there is expected to be a 207-acre deficit of land for multifamily housing in Salem's portion of the UGB over the next 20 years. One way the HNA recommends meeting that need is to lower barriers to multifamily development. The proposed MU-I and MU-II zones accomplishes this by allowing multifamily housing outright and streamlining the approval process for such housing. Specifically, the proposed zones remove the requirement that multifamily developments go through a design review land use application process. The opportunity to meet the housing needs of Salem's diverse and growing population are therefore increased. The proposed amendments to the TSP are intended to support the new zoning by improving the pedestrian realm and minimizing right-of-way requirements. The proposed amendments therefore conform with this goal.

Goal 11: Public Facilities and Services

To plan and develop a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

The Public Facilities Plan for the City of Salem includes relevant portions of the Salem Area Wastewater Management Master Plan, Stormwater Master Plan, and Water System Master Plan. The proposed amendments to the Salem TSP do not limit the City's ability to provide a timely, orderly, and efficient arrangement of public facilities and services as identified in the Public Facilities Plan. The proposed amendments therefore conform with this goal.

Goal 12: Transportation

To provide and encourage a safe, convenient, and economic transportation system.

The proposed amendments to the TSP provide for a safe and convenient transportation system by planning pedestrian and bicycle facilities that serve the planned land uses along this corridor. This is accomplished through wide sidewalks, buffered bike lanes (in part), shared-use paths, a new bicycle/pedestrian bridge across Mill Creek, and pedestrian crossing improvements. Intersection modifications are also included to address capacity for motor vehicles. The proposed amendments therefore conform with this goal.

Oregon Administrative Rule 660-012 implements Goal 12. Section 660-012-0015(3) requires that the system of transportation facilities and services identified in the local transportation system plan be consistent with the regional and state transportation system plans.

2015-2035 Regional Transportation Systems Plan

Finding: The Regional Transportation Systems Plan is supportive of a multimodal and comprehensive transportation system designed with safety of all users that is planned to minimize the impact to the natural and built environment. The proposed amendments to the TSP support provision of safe facilities for people walking and biking through wider sidewalks, protected pedestrian crossings, buffered bike lanes, and a shared-use path. The proposed amendments respond to the natural and built environment by minimizing right-of-way needed for future street widening. Finally, the amendments are the result of a multi-year planning process that engaged the public and a wide variety of stakeholders, which is another goal of the Regional Transportation Systems Plan. For the above reasons, the proposed amendments to the TSP are consistent with the Regional Transportation Systems Plan.

Oregon Transportation Plan

Finding: It is a goal of the Oregon Transportation Plan to support economic vitality.

Policy 4.3 – Creating Communities: It is the policy of the State of Oregon to increase access to goods and services and promote health by encouraging development of compact communities and neighborhoods that integrate residential, commercial and employment land uses to help make shorter trips, transit, walking and bicycling feasible. Integrate features that support the use of transportation choices.

The proposed amendments to the TSP are aimed at supporting land uses that respond to the above policy. Safety for people walking and bicycling, together with a context sensitive street design, are intended to support this policy. For this reason, the proposed amendments are consistent with the Oregon Transportation Plan.

Goals 3, 4, 6, 7, 8, 13, 14, 15, 16, 17, 18, and 19

Goals 3, 4, 6, 7, 8, 13, 14, 15, 16, 17, 18, and 19 are not applicable to the proposed amendments to the TSP.

FOR MEETING OF:
AGENDA ITEM NO.:

May 1, 2018

6.1

TO: PLANNING COMMISSION
FROM: LISA ANDERSON-OGILVIE, AICP
PLANNING ADMINISTRATOR/COMMUNITY DEVELOPMENT
DEPUTY DIRECTOR
SUBJECT: SUPPLEMENTAL REPORT FOR THE STATE STREET CORRIDOR
PLAN PROJECT

ISSUE:

Shall the Planning Commission recommend to the City Council that it adopt amendments to the Unified Development Code (UDC), Salem Area Comprehensive Plan (Comprehensive Plan), Comprehensive Plan Map, NEN-SESNA Neighborhood Plan Map, and zoning map to adopt new zoning and a new street design for the State Street corridor?

RECOMMENDATION:

Adopt the facts and findings of this staff report and recommend to the City Council that it adopt amendments to the UDC, Comprehensive Plan, Comprehensive Plan Map, NEN-SESNA Neighborhood Plan Map, and zoning map to adopt new zoning and a new street design for the State Street corridor.

SUMMARY AND BACKGROUND:

On April 3, the Planning Commission held a public hearing on the proposed amendments to adopt new zoning and a new street design for the State Street corridor. At the request of members of the public, the Planning Commission continued the public hearing to May 1, 2018. The Planning Commission requested a formal letter from the Oregon Department of Transportation (ODOT) regarding the applicability of Section 106 of the National Historic Preservation Act of 1966 (Section 106) on the proposed State Street amendments, and it asked that staff conduct any work necessary to potentially recommend a different street design alternative known as the Improved Four Lane alternative.

This report addresses those requests as well as general comments that the public has provided on the proposed amendments since the previous April 3 staff report was made available to the public.

FACTS AND FINDINGS:

Planning Commission Requests

1. Request: Section 106 review

The Planning Commission requested that ODOT provide a formal letter regarding the applicability of Section 106 on the proposed amendments and whether a Section 106 review is required. Members of the public also stated that a Section 106 review of the proposed ordinance

be completed to determine potential adverse impacts on the National Register Court-Chemeketa Residential Historic District.

Staff response: Staff has requested from ODOT a formal letter regarding Section 106 as requested by the Planning Commission. The State is expected to provide a formal letter prior to the May 1 continued public hearing.

2. **Request:** Improved Four Lane alternative

The Planning Commission requested that staff conduct any work necessary to potentially recommend the Improved Four Lane alternative, which would retain four travel lanes on State Street.

Staff response: As part of the State Street Corridor Plan project, a consultant team and staff evaluated the Improved Four Lane alternative. The project included designing that alternative's proposed cross sections for State Street and evaluating its impacts. The Improved Four Lane alternative generally performed the worst of the three street design alternatives in terms of achieving project goals. Staff therefore does not recommend the Improved Four Lane alternative.

Public Testimony

The public provided comments on the proposed amendments before, during, and after the April 3 Planning Commission meeting. The comments that were received after the April 3 staff report was made available to the public and prior to the completion of this supplemental staff report pertained, in summary, to the issues below. (The public comments are included in full as **Attachment A**.) Staff responses have been provided. Issues that have been addressed in the April 3 staff report have not been repeated below.

1. **Comment:** Congestion, Diversion and Traffic Calming

The proposed street design of State Street could result in congestion on State Street and therefore more traffic in the neighborhoods. Traffic calming is needed. There should be a traffic study to show impacts in the neighborhoods, or such a traffic study should be shared with the neighborhoods.

Staff response: As part of the State Street Plan project, a consultant team conducted a traffic analysis of several street design alternatives, including the proposed "Hybrid" street design. The results of that study are included in *Tier 2 evaluation of street design alternatives*, which has been available on the State Street Corridor Plan [project website](#) since June of 2017.

The proposed Hybrid street design would reconfigure State Street between 14th and 17th Streets from four travel lanes, on-street parking, and narrow sidewalks to three travel lanes (one in each direction and a center turn lane), buffered bike lanes, on-street parking, and wider sidewalks. While there would only be one lane in each direction for vehicles traveling through State Street, the center-turn lane would accommodate vehicles that turn left. Currently, left-turning vehicles must stop in a travel lane and wait for a break in the oncoming traffic; this stops through traffic in an entire lane. Reconfiguring a portion of State Street from two lanes in each direction to one lane in each direction with a center-turn lane would

therefore not cut the capacity in half.

The traffic study and existing transportation conditions study – *Transportation Operations and Safety Analysis Memorandum for Existing and Future No Build Conditions* – conducted as part of the State Street Plan project found that three intersections would fail to meet the City’s operational standards if *no changes* were made to State Street, if the proposed Hybrid alternative was implemented *without* intersection improvements, or if the Improved Four Lane alternative was implemented *without* intersection improvements. In all of those scenarios, intersections would not meet the City’s standards. If the City adopted the proposed Hybrid street design, the City would make improvements at the 14th and 17th street intersections (e.g., adding turn lanes). With improvements, the intersections would meet the City’s operational standards. In addition, the City has long-term plans to convert State Street downtown to two-way traffic, which would reduce the number of travel lanes heading east to 12th Street. It would then be easier to accommodate the proposed Hybrid street design.

As part of the evaluation of the proposed Hybrid street design, the traffic study stated that the partial lane removal between 14th and 17th Street, could result in “congestion along narrower segments leading to slower speeds.” Some residents have desired slower speeds on State Street, but congestion could result in some drivers choosing to divert off of State Street. Specifically, the traffic study found that the Hybrid alternative would result in more vehicles on some corridors such as Mission Street, Market Street, and southbound on 17th Street. None of the segments of those streets, though, would be over capacity as a result of the proposed street design. There could also be minor increases in cut-through traffic on other side streets, according to the traffic study. Overall, the proposed Hybrid street design would have less of an impact on parallel corridors compared to the full Road Diet alternative, which would reconfigure State Street into two lanes in each direction, a center-turn lane, bike lanes, and wider sidewalks between 14th and 24th streets.

Staff is recommending that the City evaluate the proposed Hybrid street design, if adopted, a year and a half after it is constructed. The evaluation would consider measures – travel time/queuing, neighborhood cut-through traffic, safety, and property improvements – to determine what changes should be made to the street design. Based on the results of the evaluation, traffic calming measures could be made on neighborhood streets. The goal of the evaluation would be to extend the road diet to 24th Street if the findings of the evaluation warrant such a change.

In addition, residents and neighborhood associations can at any time choose to go through the City’s Neighborhood Traffic Management Program. That program provides a two-step process for addressing traffic and speeding problems. The Neighborhood Traffic Management Program Information and Application Packet provides different types of traffic calming measures that are allowed. This includes everything from the use of speed trailers that indicate approaching vehicle speeds to road closures. Court and Chemeketa Streets NE were closed to through traffic due to concerns about potential cut-through traffic.

Overall, the proposed Hybrid street design could result in more traffic on streets parallel to State Street and in the neighborhoods around State Street, but the proposed design also helps accomplish the broader goals of the State Street Plan project – to revitalize State Street into a vibrant, walkable, mixed-use corridor. The proposed street design, for example, aligns

with the finding of the economic analysis performed as part of the State Street Plan project. That analysis found that there is more development and redevelopment potential on the western side of State Street, which is closer to catalysts areas such as Willamette University, government facilities, and downtown Salem. The study stated that investments in “pedestrian amenities, traffic-calming, streetscape improvements and other public amenities should help to spur redevelopment interest.” In evaluating the proposed Hybrid alternative, the traffic study also concluded that the “the reconstruction and new design of half the entire corridor would have good ability to encourage redevelopment.”

2. Comment: Full Road Diet

A full road diet, one that extends to 25th Street, should be implemented. It was supported by a majority of public meeting participants and is projected to result in a shorter travel time on State Street than the “Hybrid” alternative. The full road diet could be either implemented in phases, or it could be implemented and then modified after an evaluation.

Staff response: The Road Diet alternative received the most votes at the September 2016 public meeting. Given this overall preference for the Road Diet alternative, the consultant team conducted a traffic analysis of that alternative to determine how it would impact traffic operations on State Street and other streets in the area. That analysis showed that the alternative could work if roughly a third of the traffic on State Street were to divert to other streets in the afternoon peak hour in 2035 compared to the Improved Four Lane alternative (see table below). (The Improved Four Lane alternative would generally retain four lanes of traffic between 13th and 25th streets.)

Location	Alternative 1: Improved Four Lane		Alternative 2: Road Diet		Alternative 3: Hybrid	
	Eastbound Trips	Westbound Trips	Eastbound Trips	Westbound Trips	Eastbound Trips	Westbound Trips
Between 12th Street to 13th Street	1,185	0	870	0	900	0
Between 13th Street to 17th Street	1,485	1,150	930	600	1,165	745
Between 17th Street to 24th Street	1,560	1,235	1,055	635	1,335	1,125

Public Works staff, in consultation with Community Development staff, reviewed the findings and did not think that high amount of diversion was likely to occur, which means traffic congestion on State Street could significantly worsen under the Road Diet alternative. The other possible outcome would be that traffic would divert to other major streets, many of which are nearing capacity at peak hour, and potentially through nearby neighborhoods. The proposed Hybrid street design is not projected to result in as much diversion as the Road Diet alternative. This is largely due to the lower volumes of traffic on the western portion of State Street.

Under the Road Diet alternative, travel times through the State Street corridor are slightly less than travel times under the proposed Hybrid alternative as well as the Improved Four Lane alternative. The removal of through travel lanes results in less projected volume on State Street, as mentioned above.

As stated earlier, staff has recommended that the City evaluate the proposed Hybrid street design if it is adopted and constructed. As mentioned in the April 3 staff report, the goal of the evaluation is to extend the “road diet” to 24th Street if the findings of the evaluation support such a change.

3. Comment: Historic Landmarks Commission and State Historic Preservation Office

The Salem Historic Landmarks Commission (HLC) and the State Historic Preservation Office (SHPO) should be formally brought into the process to assess the impact of the State Street project on the National Register Court-Chemeketa Residential Historic District.

Staff response: Generally as authorized under SRC 230, the HLC is responsible for historic design review of proposed new construction, demolition, or alteration of designated historic landmarks within Salem’s jurisdiction. The State Street Corridor Plan is a planning document that has a project area that is adjacent to the Court Chemeketa National Register District but not within the boundaries of this District. Therefore, the HLC does not have any direct jurisdiction over this plan and the resulting proposed amendments.

The Historic Preservation Officer has reviewed the plan and proposed amendments and has not found anything that would result in an immediate and clear direct adverse effect on the historic district. Should it be determined in the future that the proposed design of a federally-funded development project could have a direct adverse effect on the historic district, the HLC would be responsible for reviewing alternative designs and making a recommendation to Council that would avoid this adverse effect. If an adverse effect could not be avoided and the project would require mitigation, the HLC would be responsible for making recommendations to Council on this mitigation. Additionally, should there be any proposed new construction that would extend into the historic district boundary, the HLC would be directly responsible for reviewing any proposed designs as authorized under SRC 230.

Salem is a Certified Local Government (CLG), which generally means the HLC and staff are responsible for ensuring that all designated historic landmarks are protected as defined under our local code (SRC 230). The SHPO does not require consultation on planning documents like the State Street Plan that do not directly result in any impacts to a historic district. However, should a specific public development project be proposed within the historic district, in addition to local design review, the Oregon SHPO may require additional review of potential adverse effects on the historic district.

4. Comment: Historic District and Study Area Boundary

The National Register Court-Chemeketa Residential Historic District was not included in the study area for the State Street Corridor Plan project, and it is unclear why. Its exclusion could have prevented a full examination of the impacts of the project on the district.

Staff response: It is staff’s recollection that during the planning process for the NEN-SESNA Neighborhood Plan between 2014 and 2015, residents of the historic district and other

participants in the process did not want the impression that homes in the district could or should be rezoned and therefore wanted the historic district to be excluded from the State Street project study area.

There was never an intent to rezone the properties in the historic district. The neighborhood plan includes a policy that reflects the desire to preserve the single-family homes along Court Street NE: *P18.2 Existing single-family homes along Court Street NE, west of 21st Street NE, should be preserved.*

The inclusion or exclusion of the historic district from the study area would not have changed the scope of the traffic study conducted as part of the State Street Plan project. The traffic study evaluated the projected impacts of the proposed street design alternatives on not only State Street but on the wider street network. For example, the traffic study looked at impacts on parallel corridors such as Mission Street SE and Market Street NE, both of which are outside the study area.

The intersections that were analyzed as part of the State Street Plan project were the major intersections on State Street itself. The project also looked at the intersections of Court and 12th streets NE and Court and 13th streets NE. Those intersections, while not on State Street, are part of the major arterial streets that branch off of State Street at 13th Street; State Street is a one-way street heading east between 12th and 13th streets, so westbound traffic on State Street is forced to turn north at 13th Street NE and must turn onto Court Street NE to continue heading west.

In addition, while the study area did not include the historic district, staff and the consultant team considered impacts of the proposed zoning on all adjacent properties and areas. For example, setbacks adjacent to residential zones typically do not apply abutting an alley, but based largely on concerns from residents of the historic district, the proposed MU-1 and MU-2 zones require setbacks adjacent to residential zones even when there is an alley. Staff also lowered the maximum height in the proposed MU-1 zone from 65 feet to 55 feet to address concerns from residents of the historic district. In addition, staff modified the proposed development standards to require that rooftop mechanical equipment be screened or setback so that it not be visible from a person standing on the ground 60 feet away. That revision was made to address concerns that were brought up during a meeting of historic district residents.

5. Comment: Parking in the Historic District

The proposed zoning could result in more people parking in the National Register Court-Chemeketa Residential Historic District.

Staff response: Under the existing and proposed zoning, any development in the State Street corridor is required to provide off-street parking. In other words, a development that was proposed today or under the proposed MU-1 and MU-2 zones could not rely on on-street parking on State Street or the adjacent neighborhoods to meet City parking requirements. Also, the proposed street design includes on-street parking on State Street between 12th and 17th streets. Between 17th and 24th streets, the proposed design calls for 15-foot sidewalks on the north side of State Street. This extra space could accommodate potential parking pockets – if desired by an applicant through redevelopment – as well as space for pedestrians.

As mentioned in the April 3 staff report, staff is also recommending that a parking management study be conducted to look comprehensively at parking in the area around the State Street corridor if the proposed amendments are adopted. Such a study would look at parking utilization in the area and parking demand from new development on State Street. It could make recommendations to address any parking issues.

Currently, the Court-Chemeketa Residential Historic District is largely in a residential parking district, Residential Parking District 5. The residential parking permit program was established to address the high demand for parking in residential areas in Salem. The program prohibits non-residents from parking for extended periods of time without guest passes. In the Residential Parking District 5, parking is generally restricted to 90 minutes a day between 7 a.m. and 6 p.m., Monday through Friday.

Residents can request to create or expand an existing residential parking district if certain conditions are met. More information can be found on the [City's webpage](#) about creating districts.

6. Comment: Bicycle and Pedestrian Impacts in the Historic District

The proposed amendments could have biking and pedestrian impacts in the National Register Court-Chemeketa Residential Historic District, particularly on Court and Chemeketa streets.

Staff response: The proposed amendments aim in part to encourage mixed-use development on State Street and to make it easier and safer to bike and walk on State Street. The traffic study conducted as part of the State Street Plan project evaluated the multimodal level of service (e.g., the future anticipated experience of people on foot, bike, or bus) on State Street and largely found that the proposed street design would improve conditions for pedestrians and bicyclists where wider sidewalks and bicycle lanes are provided.

While the traffic study did not specifically project the number of people who will walk and bike in the historic district, more people could choose to walk or bike on State Street and in the surrounding area, including in the historic district. Salem streets are planned to accommodate all modes of transportation, including bicycles, pedestrians, and vehicles. There is existing and proposed infrastructure in the historic district designed to accommodate bicycles and pedestrians. The proposed bicycle and pedestrian improvements on State Street are intended to complement and connect to that infrastructure, and this was discussed during the State Street Plan project.

For example, Chemeketa Street NE, which runs east-west in the historic district, is designated as a family-friendly bikeway in the Salem Transportation System Plan (TSP). The TSP describes these bikeways as “lower-volume, lower-speed streets optimized for bicycle travel through treatments such as traffic calming, bicycle wayfinding signs, pavement markings, and intersection crossing treatments” and they are intended to “prioritize bicycle circulation while discouraging non-local cut-through traffic.” There are bicycle wayfinding signs on Chemeketa Street NE, and the street is blocked off to through vehicular traffic at 14th Street NE. Bicycles and pedestrians are allowed through at 14th Street NE. This bike route on Chemeketa Street NE, as well as the one on Ferry Street SE, would complement the proposed bike lanes on State Street.

Currently, there are also bike lanes on 17th Street, which run north-south in the historic district. The proposed bike lanes on State Street would connect to these existing bike lanes, helping augment the larger bicycle network in Salem.

In addition, there are sidewalks throughout the historic district. All of the sidewalks in the historic district are being repaired as part of the City's sidewalk rehabilitation program. That work is expected to be complete this year. The Court Street NE pedestrian bridge over Mill Creek has also been replaced with a new steel bridge, enhancing pedestrian facilities in and around the historic district.

7. Comment: Maximum Building Heights, Setbacks, and Lot Coverage

The proposed zoning – particularly the maximum height, lot coverage, and setbacks in the MU-1 zone – and resulting developments could have negative impacts on adjacent homes in the National Register Court-Chemeketa Residential Historic District. Impacts could include shadows.

Staff response: Today, the existing zoning adjacent to the historic district is largely Commercial Office (CO) and Retail Commercial (CR). Specifically, the existing zoning adjacent to the historic district between 14th and 17th streets is CO. The maximum height allowed in the CO zone today is 70 feet, which is more than the maximum height of 55 feet proposed in the MU-1 zone. In addition, the proposed MU-1 zone provides a minimum setback abutting a residential zone of 10 feet plus 1.5 additional feet for each additional foot of building height above 15 feet. That means that the taller a building is, the farther away it must be from an abutting residential zone. The intent of this “stepback” – setback based on height – is to provide an additional buffer between development and adjacent homes. This requirement does not exist in the current CO or CR zones, which means taller buildings can generally be built closer to the historic district under existing zoning today.

Also, today there is no required setback adjacent to alleys in the CO and CR zones. The proposed MU-1 zone (and MU-2 zone), on the other hand, requires a setback abutting a residential zone regardless of the presence of an alley. This further mitigates the potential impact of buildings in the proposed MU-1 zone on adjacent homes in the historic district.

To help illustrate this difference in potential impacts and respond to resident comments, staff analyzed the shadow that would be cast by a building on State Street between 14th and 17th Street on the historic district under current zoning and the proposed zoning (**Attachment B**). Staff performed this analysis on March 21 and December 21 (winter solstice) at different times of the days. The analysis showed that the shadow would be longer under the existing zoning that is in place today.

The analysis depicts a building covering almost the entire lot under the proposed zoning. While there is no maximum lot coverage in the proposed MU-1 or MU-2 zones, it is unlikely that a new building would actually cover most of a lot given the City's off-street parking requirements. Today, very few buildings cover their entire lot despite there being no maximum lot coverage in the CR zone, for example. (The maximum lot coverage in the CO zone is 60 percent.) As mentioned above, developments under the existing and proposed zones must meet off-street parking requirements. If they cannot, an applicant must apply for an adjustment; the adjustment process includes an opportunity for residents to comment.

8. Comment: Light, Noise, and Visual Impacts on the Historic District

The proposed zoning could result in light, visual, and noise impacts on the adjacent National Register Court-Chemeketa Residential Historic District.

Staff response: The proposed zoning requires building setbacks, screening, and landscaping between buildings in the proposed mixed-use zones and adjacent residential zones, including residential zones in the historic district. Specifically, a minimum 10-foot setback, 6-foot-tall fence or wall, and landscaping would be required, and they would be required even if an alley existed between the proposed mixed-use zone and residential zone. (A setback, fence/wall, or landscaping is not required under existing zoning if there is an alley.) Also, the proposed setback would be required to increase as the height of the building increased. This would all provide a buffer between new development on State Street under the proposed zoning and the historic district.

In addition, the proposed zoning would require ground-level mechanical equipment to be screened and rooftop mechanical equipment to be screened or setback, as mentioned earlier. Today, these requirements do not exist in the existing zones abutting the historic district. Solid waste service areas, however, are required today to be screened from all abutting residentially-zoned property by a minimum 6-foot-tall fence or wall unless located within an enclosure, pursuant to SRC 800.055. This requirement applies even if there is an alley. The proposed zoning is not removing this requirement.

The Salem Revised Code also regulates exterior lighting today, and the proposed zoning is not removing or altering these regulations. Specifically, SRC 800.060 states the following: "Exterior lighting shall not shine or reflect onto adjacent properties, or cast glare onto the public right-of-way." It also requires that exterior light fixtures be "located and designed so that the light source, when viewed at a height of five feet above the ground at a distance of five feet away outside the boundary of the lot," either be completely shielded from direct view or no greater than five foot-candles in illumination.

SRC 51 also regulates noise levels today, and the proposed zoning is not removing or altering these regulations. Specifically, SRC 51.015 provides maximum sound levels based on the source and receiver of the sound. It is unlawful to exceed the maximum sound levels without an event sound permit. The Neighborhood Enhancement division of the Community Development Department enforces these noise and light regulations.

9. Comment: Use of Alleys

The proposed zoning could result in increased traffic in the alleys in or south of the National Register Court-Chemeketa Residential Historic District.

Staff response: Alleys "provide secondary property access and circulation within a city block," according to Table 3-1 City of Salem Street Classification System and Basic Design Guidelines of the TSP. Alleys are open to the public, and the speed limit on alleys is 15 mph. It is unlawful, pursuant to SRC 100.080, for anyone to park their vehicle in an alley in any way that impedes traffic without a permit. This regulation exists today and is not proposed to be changed as part of the proposed State Street amendments.

The traffic analysis conducted as part of the State Street Plan project did not evaluate the

projected impact on alleys near State Street. As mentioned in the April 3 staff report, however, staff is recommending that a parking management study be conducted if the proposed amendments are adopted, and such a study could address the use of alleys as they relate to parking.

10. Comment: Court and Chemeketa Streets

There are concerns and questions about the potential re-opening of Court and Chemeketa streets NE to through-traffic.

Staff response: The proposed Hybrid street design does not include re-opening Court or Chemeketa streets to through-traffic. The traffic study conducted as part of the State Street Plan project assumed that the barriers on Court and Chemeketa streets would remain in place under all street design alternatives. The traffic study proposed mitigations to improve traffic operations on State Street, and those mitigations did not include opening Court or Chemeketa streets to through-traffic. The proposed mitigations were on State Street at the intersections of 14th and 17th streets. Staff is not proposing or recommending that the barriers on Court or Chemeketa streets be removed.

11. Comment: Intersection of State Street and 25th Street

The intersection of State Street and 25th Street is dangerous, particularly for pedestrians, and should be addressed.

Staff response: Prior to the State Street Plan project, staff proposed to install a pedestrian median on State Street at the intersection of 25th Street SE to address safety concerns. That recommendation has been retained in the proposed Hybrid street design. Staff has also proposed to realign the crosswalk on the east leg of the intersection to improve the visibility of pedestrians crossing State Street.

Eunice Kim, AICP, Planner III

Attachments:

- A. Public comments
- B. Shadow analysis

Eunice Kim

From: Cathie Miles <cmiles@smiproperty.com>
Sent: Thursday, April 05, 2018 10:51 AM
To: Eunice Kim
Subject: State Street Corridor Plan Project

Good morning Ms. Kim: I am a State Street stakeholder and just heard about the State Street project in March, therefore I attended the meeting on Tuesday evening. (I must have been living in a cave by not hearing about it!) I would like to discuss this briefly with you just to be sure I have a understanding of the project. Would you be available to talk in on the phone for a few minutes on Friday? Let me know when a good time for you would be. My husband and I own a rental property at 2390-2392 State Street.

Thanks,
Cathie Miles

Catherine G. Miles, CPM, ARM



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Eunice Kim

From: Kimberli Fitzgerald
Sent: Monday, April 09, 2018 2:25 PM
To: Lisa Anderson-Ogilvie; Eunice Kim
Subject: FW: Court /Chemeketa

From: Hazel Patton [mailto:ptn1363@msn.com]
Sent: Monday, April 09, 2018 12:59 PM
To: Kimberli Fitzgerald <KFitzgerald@cityofsalem.net>
Cc: Tom Oconnor <oconnortom@aol.com>; Joan Lloyd <jello879@gmail.com>; roger hull <rhull@willamette.edu>; Hazel Patton <ptn1363@msn.com>
Subject: RE: Court /Chemeketa

Hi Kimberli,

We have been working well with Eunice but feel the whole process has not fully addressed the concerns of the Historic District. We would like to just sit down with you and find out what protections and advice you might have as our Historic Preservation specialist. Would you please let me know when you return if you could meet with us?
Best wishes on defending your thesis!
Hazel

Sent from [Mail](#) for Windows 10

From: [Kimberli Fitzgerald](#)
Sent: Monday, April 9, 2018 6:29 AM
To: [Hazel Patton](#)
Subject: RE: Court /Chemeketa

Hi Hazel;

I'm sorry to hear that you feel the plan may result in negative impacts to the District. My apologies; I am leaving for Colorado early in the morning on the 11th to defend my thesis (Archaeology!), so I won't be available to attend the meeting on Wednesday afternoon.

I know that your concerns are important to Eunice, and that she will work hard to ensure that all expressed concerns are responded to—so if you/your group can provide a list of your questions/concerns directly to her, I can work with her when I return- so you can get the answers you need prior to the Planning Commission meeting.

Kimberli

Kimberli Fitzgerald, AICP
Historic Preservation Officer,
Cultural Resources Planner
Community Development Department
City of Salem
555 Liberty Street SE, Room 305
Salem OR 97301-3503
Phone: (503) 540-2397
kfitzgerald@cityofsalem.net

From: Hazel Patton [<mailto:ptn1363@msn.com>]
Sent: Sunday, April 08, 2018 9:44 PM
To: Kimberli Fitzgerald <KFitzgerald@cityofsalem.net>
Subject: Court /Chemeketa

Hi Kimberli,

Hopefully this email will pop up on your screen tomorrow morning. (not tonight). Several of we Court /Chemeketa neighbors have been meeting with concerns about the State Street Revitalization project. While we support many of the concepts, we are worried that the impact on our historic district is not being fully considered. We hope you or Sally or both can join us this Wednesday April 11 at 3pm at Roger and Bonnie Hull's home 1658 Court. Some of our concerns are the height of the allowed buildings and the impact on the alley, and the increased traffic that might endanger our barriers. The Planning Commission agreed to give us an extension until May 1 and will look in to a traffic study but we felt they really did not address the significance and fragility of our District. We would appreciate any guidance and help you can offer us.

Sent from [Mail](#) for Windows 10

Eunice Kim

From: Eunice Kim
Sent: Monday, April 09, 2018 8:46 AM
To: 'Jennifer McDonald'
Subject: RE: State Street Corridor Plans

Hi Jennifer,

The State Street project does not propose any changes specifically to Ferry Street SE. The project, however, aims to improve State Street itself, encouraging pedestrian-friendly development and making the street more bicycle and pedestrian-friendly. The project, for example, includes wider sidewalks along State Street and proposed pedestrian crossings at 15th, 19th, and 21st streets. These new enhanced crossings would make it safer for residents south of State Street to cross to the north side of the street.

Best,

Eunice | 503-540-2308

From: Jennifer McDonald [mailto:jennifer.mcdonald3@gmail.com]
Sent: Thursday, April 05, 2018 10:50 AM
To: Eunice Kim <EKim@cityofsalem.net>
Subject: State Street Corridor Plans

Hi Kim,

I am fairly new to the area. My husband and I bought a house on Ferry St. almost a year ago. We are between 16th Street and Strand Street on Ferry. We recall hearing or reading that our street would possibly reap some benefits from this project, but I don't really see anything in the current plans. Can you point me in the right direction to any information on how the plan will directly effect our street (if it will). Also, I will be writing another e-mail with testimony in support of the project. We are very hopeful that the city council will approve the plan and move forward! :)

No rush on this info as well. Thank you for your time!

--
Jennifer McDonald

Eunice Kim

From: Kimberli Fitzgerald
Sent: Monday, April 09, 2018 11:24 AM
To: Lisa Anderson-Ogilvie; Eunice Kim
Subject: FW: removal of barriers denoting the west boundaries of the CCRHD

Follow Up Flag: Follow up
Flag Status: Flagged

From: Chuck Bennett
Sent: Monday, April 09, 2018 11:00 AM
To: Joan Lloyd <jello879@gmail.com>
Cc: Kevin Hottmann <KHottmann@cityofsalem.net>; Kimberli Fitzgerald <KFitzgerald@cityofsalem.net>
Subject: Re: removal of barriers denoting the west boundaries of the CCRHD

Hi Joan,

My comments have not been that barrier removal is being considered rather that it could happen in the future after substantial traffic changes on State St. I think the impact should be considered now as we look at traffic impacts. If it can't ever happen — good. If it can — not so good. But people should know.

Chuck

Sent from my iPhone

On Apr 9, 2018, at 9:33 AM, Joan Lloyd <jello879@gmail.com> wrote:

Hi, Kevin,

The residents on Court St NE in the Court Chemeketa Residential Historic District (CCRHD) are extremely concerned to learn during the hearing stages of the State Street Corridor Plan that there is a possibility, perhaps even the probability, that the barriers that denote the west boundaries (Court and 13th Sts NE; Chemeketa and 14th Sts. NE) of the CCRHD might be removed.

We would like you to explain what will take place in each of these cases:

- A. the road diet is implemented only between 12th and 17th Streets NE
- B. If the road diet were extended farther, approximately to 19th St NE
- C. If the road diet went from 12th St to 25th Streets NE

Verbals comments from City staff and the mayor at two different NEN meetings have indicated that opening Court St; that is, removal of the barriers is being considered. I can't supply the dates of those meetings without checking minutes.

Below is the link to the uploaded recording, 1 hour 40+ minutes of the April 3 Planning Commission hearing meeting :

https://www.dropbox.com/s/ekiv5vmzcdijfxg/SalemPlanningCommission_Apr_3_2018.MP3?dl=0

Here's an excerpt from John Poole's notes. The excerpt starts from the 1 hour 38 minutes 13 seconds. Rich = Richard Fry, president of the Planning Commission. Julie = Julie Warncke Transportation Planning Manager Public Works Department

1:38:27 Rich: If we were to go with the road diet all the way out to 25th Street, do you think that that would direct a lot of or a portion of that traffic that is going away from State Street onto those side streets?

1:38:40 And **I know right now they are blocked off, but, um, there may be a move in the future to open those.**

1:38:50 Julie: Are you talking about if we were, do you think it would direct more car traffic to those side streets?

1:38:52 Yes

Julie: Um, potentially, I mean those are routes that, um, they are connections, so you can get at least from 24th on Chemeketa to 14th and then on Mill you can get on 25th all the way out to 12th, so those are reroutes that could attract cut-through traffic, I guess you could say.

1:39:23 Rich: right, um okay

The following is testimony from the same April 3 Planning Commission hearing:

Michael Rupp Your Email mjrupp@outlook.colm Your Phone 503-363-2887 Street 549 23rd Street NE City Salem State OR Zip 97301 Message Without re-opening traffic corridors on Court St NE and Chemeka St. NE, my wife and I are opposed to reducing traffic on State Street between 12th and 25th. Salem has made it very difficult to travel to downtown from our Rose/23rd St/Hayden St NE neighborhood. You can only get there from Center and State Street. **If you now reduce traffic on State Street without opening Court and Chemeketa to through traffic; it will be even more difficult to travel downtown.** We shop and travel to restaurants downtown quite often. You unnecessarily made Chemeketa useless for autos with more traffic barriers; making it a corridor for bike use. Now if you reduce traffic on State Street (which you made a major arterial), you force all through traffic to Center Street, and our neighborhood business away from downtown. We are not against the State Street Plan if you opened Chemeketa and Court Street to traffic. Please don't do this modification in isolation of the traffic patterns for the entire area. Thank you, Michael Rupp and Leslie LaRosa

Kevin, would you please clarify the status of the barriers in each of the circumstances alluded to in the list above.

With appreciation,

Joan Lloyd

Eunice Kim

From: Joan Lloyd <jello879@gmail.com>
Sent: Tuesday, April 10, 2018 9:05 AM
To: Eunice Kim
Subject: Re: staff report for May 1 hearing

Thanks!

On Tue, Apr 10, 2018 at 7:51 AM, Eunice Kim <EKim@cityofsalem.net> wrote:

Hi Joan,

I plan to have a staff report out a week before the meeting.

Eunice | 503-540-2308

From: Joan Lloyd [mailto:jello879@gmail.com]
Sent: Saturday, April 07, 2018 10:54 AM
To: Eunice Kim <EKim@cityofsalem.net>
Subject: staff report for May 1 hearing

Eunice, when will you send the staff report re: the SSC plan?

Joan

Eunice Kim

From: Kimberli Fitzgerald
Sent: Monday, April 16, 2018 8:44 AM
To: Eunice Kim
Subject: FW: removal of barriers denoting the west boundaries of the CCRHD

From: Joan Lloyd [mailto:jello879@gmail.com]
Sent: Thursday, April 12, 2018 10:05 AM
To: Kevin Hottmann <KHottmann@cityofsalem.net>
Cc: Kimberli Fitzgerald <KFitzgerald@cityofsalem.net>; Juliana Inman <juliana.inman@gmail.com>
Subject: Re: removal of barriers denoting the west boundaries of the CCRHD

Kevin, thank you for your prompt reply.

One of the traffic engineering staff mentioned the possibility of removal of the barrier(s) twice within a year or so and a NEN Board member who is an ODOT employee said that it might happen but I'm unaware of the origin of that thought but guess that it revolves around the State Street Corridor Plan's road diet.

The residents on Court Street hope that the barrier removal would not be considered because it would ruin a wonderful, friendly neighborhood, who cares about the homes and history, for the sake of drivers complaining about having to spend an extra 5-10 minutes on the road.

It's my understanding that the traffic study of State Street led to the recommendation that the road diet be limited to 12th to 17th Streets NE. With the realization that many more vehicles would cut through neighborhood roads if the road diet were extended to the east of 17th street, I am most adamantly opposed to it and will testify to that at the upcoming hearings.

Thank you for the thorough study of the traffic count, patterns etc.on State Street.

Joan Lloyd

On Wed, Apr 11, 2018 at 11:26 AM, Kevin Hottmann <KHottmann@cityofsalem.net> wrote:

Hi Joan,

I have not heard of any efforts to remove the barriers. I did hear Mr. Fry say something about the barriers being considered, but I do not know where he got that information. None of the road diet options in the State Street plan propose removing the barriers on Chemeketa or Court.

There will always be ideas or proposals for traffic changes (like you show below from Mr. Rupp). The City may study a proposed change for many reasons, but we will have outreach to the public, including the neighborhood associations, if the proposed changes become more than just ideas.

Thanks

Kevin Hottmann, P.E.

City Traffic Engineer

City of Salem | Public Works Department

[555 Liberty St SE, Suite 325, Salem OR 97301-3513](https://www.cityofsalem.net/555-Liberty-St-SE-Suite-325-Salem-OR-97301-3513)

khottmann@cityofsalem.net | 503-588-6211

[City of Salem | Facebook | Twitter | YouTube](#)

From: Joan Lloyd [mailto:jello879@gmail.com]

Sent: Monday, April 09, 2018 9:33 AM

To: Kevin Hottmann <KHottmann@cityofsalem.net>

Cc: Kimberli Fitzgerald <KFitzgerald@cityofsalem.net>; Chuck Bennett <CBennett@cityofsalem.net>

Subject: removal of barriers denoting the west boundaries of the CCRHD

Hi, Kevin,

The residents on Court St NE in the Court Chemeketa Residential Historic District (CCRHD) are extremely concerned to learn during the hearing stages of the State Street Corridor Plan that there is a possibility, perhaps even the probability, that the barriers that denote the west boundaries (Court and 13th Sts NE; Chemeketa and 14th Sts. NE) of the CCRHD might be removed.

We would like you to explain what will take place in each of these cases:

- A. the road diet is implemented only between 12th and 17th Streets NE
- B. If the road diet were extended farther, approximately to 19th St NE
- C. If the road diet went from 12th St to 25th Streets NE

Verbals comments from City staff and the mayor at two different NEN meetings have indicated that opening Court St; that is, removal of the barriers is being considered. I can't supply the dates of those meetings without checking minutes.

Below is the link to the uploaded recording, 1 hour 40+ minutes of the April 3 Planning Commission hearing meeting :

https://www.dropbox.com/s/ekiv5vmzcdijfxg/SalemPlanningCommission_Apr_3_2018.MP3?dl=0

Here's an excerpt from John Poole's notes. The excerpt starts from the 1 hour 38 minutes 13 seconds. Rich = Richard Fry, president of the Planning Commission. Julie = Julie Warncke Transportation Planning Manager Public Works Department

1:38:27 Rich: If we were to go with the road diet all the way out to 25th Street, do you think that that would direct a lot of or a portion of that traffic that is going away from State Street onto those side streets?

1:38:40 And **I know right now they are blocked off, but, um, there may be**

a move in the future to open those.

1:38:50 Julie: Are you talking about if we were, do you think it would direct more car traffic to those side streets?

1:38:52 Yes

Julie: Um, potentially, I mean those are routes that, um, they are connections, so you can get at least from 24th on Chemeketa to 14th and then on Mill you can get on 25th all the way out to 12th, so those are reroutes that could attract cut-through traffic, I guess you could say.

1:39:23 Rich: right, um okay

The following is testimony from the same April 3 Planning Commission hearing:

Michael Rupp Your Email mjrupp@outlook.com Your Phone 503-363-2887 Street [549 23rd Street NE City Salem](#) State OR Zip 97301 Message Without re-opening traffic corridors on Court St NE and Chemeka St. NE, my wife and I are opposed to reducing traffic on State Street between 12th and 25th. Salem has made it very difficult to travel to downtown from our Rose/23rd St/Hayden St NE neighborhood. You can only get there from Center and State Street. **If you now reduce traffic on State Street without opening Court and Chemeketa to through traffic; it will be even more difficult to travel downtown.** We shop and travel to restaurants downtown quite often. You unnecessarily made Chemeketa useless for autos with more traffic barriers; making it a corridor for bike use. Now if you reduce traffic on State Street (which you made a major arterial), you force all through traffic to Center Street, and our neighborhood business away from downtown. We are not against the State Street Plan if you opened Chemeketa and Court Street to traffic. Please don't do this modification in isolation of the traffic patterns for the entire area. Thank you, Michael Rupp and Leslie LaRosa

Kevin, would you please clarify the status of the barriers in each of the circumstances alluded to in the list above.

With appreciation,

Joan Lloyd

Eunice Kim

From: Joan Lloyd <jello879@gmail.com>
Sent: Monday, April 16, 2018 11:57 AM
To: Eunice Kim
Subject: Re: SSC plan

Good to know. Thanks, Eunice.
Joan

On Mon, Apr 16, 2018 at 11:06 AM, Eunice Kim <EKim@cityofsalem.net> wrote:

Hi Joan,

SDCs are collected with development or redevelopment if it generates more trips than what was previously there. SDCs that are collected go to growth-related projects and are not earmarked to any specific geographic area.

Best,

Eunice | 503-540-2308

From: Joan Lloyd [mailto:jello879@gmail.com]
Sent: Sunday, April 15, 2018 4:06 PM
To: Eunice Kim <EKim@cityofsalem.net>
Subject: SSC plan

Good morning, Eunice.

Would developers for the mixed use zone on State St (or anywhere else) have system development charges for sidewalks?

Joan

Eunice Kim

From: Joan Lloyd <jello879@gmail.com>
Sent: Thursday, April 19, 2018 9:50 AM
To: Eunice Kim
Cc: Kevin Hottmann
Subject: Fwd: SSC plan/ traffic study

Follow Up Flag: Follow up
Flag Status: Flagged

-Eunice and Kevin,

I've read the paragraph below taken from the State Street Corridor plan and I want to clarify the steps.

1. an evaluation of the initial phase has been done

The others will wait until the plan is approved, correct? And the evaluation after the road diet to the west of 17th would take place one year and a half after its implementation and would include streets to the north and south of State St.?

East of 17th Street, the traffic volumes on State Street are projected to be higher than the volumes west of 17th Street. **For this reason, the lane configuration east of 17th Street will remain as existing pending an evaluation of the initial phase of the project west of 17th Street. Prior to implementing the lane reconfiguration west of 17th Street, an evaluation framework will be developed. This framework will include measures to evaluate performance of the street before and after implementation of the project. Measures will address travel time/queuing, neighborhood cut-through traffic, safety, and property improvements (e.g., property values or new businesses/residences). The evaluation will be used to determine what, if any, future changes should be made to the street design. The goal is to extend the reconfiguration of travel lanes – one lane in each direction, center turn lane, and bike lanes – east to 24th Street if warranted by the results of the evaluation.**

I'll be sending further emails containing excerpts from the Neighborhood Traffic Management Handbook that relate both to the development of the property on State St and the traffic there and on local streets because I have some questions about them.

Joan Lloyd

Eunice Kim

From: Joan Lloyd <jello879@gmail.com>
Sent: Thursday, April 19, 2018 1:50 PM
To: Eunice Kim; Kevin Hottmann
Subject: Re: FW: purposeof Neighborhood Traffic management

Thank you for the information.

On Thu, Apr 19, 2018, 11:29 AM Eunice Kim <EKim@cityofsalem.net> wrote:

Hi Joan,

Whether or not a Traffic Impact Analysis is required depends on the number of new vehicle trips a development generates. See Kevin's response below.

Feel free to call me if you have other questions.

Best,

Eunice | 503-540-2308

From: Kevin Hottmann
Sent: Thursday, April 19, 2018 10:54 AM
To: Eunice Kim <EKim@cityofsalem.net>
Subject: RE: purposeof Neighborhood Traffic management

Hi Eunice,

We require a traffic impact analysis if a development will generate 1000 or more new vehicle trips, and the development has frontage on a collector or arterial street; or 200 or more new vehicle trips, and the development has frontage only on a local street.

Thanks

From: Joan Lloyd [<mailto:jello879@gmail.com>]
Sent: Thursday, April 19, 2018 10:10 AM
To: Eunice Kim <EKim@cityofsalem.net>
Cc: Kevin Hottmann <KHottmann@cityofsalem.net>
Subject: Fwd: purposeof Neighborhood Traffic management

As I explained to Eunice, I was wondering if the developers of the properties on State Street would be required to do a Traffic Impact Analysis before construction as stated in the NTM Handbook

Joan

The purpose of Neighborhood Traffic Management (NTM) is to address the negative impacts of unchecked traffic speed and volume on neighborhood streets. Neighborhood traffic management encompasses a wide range of measures and activities that are effective in curbing the cause of these impacts, thus improving the livability of a neighborhood. While there are a wide range of issues that are commonly addressed by NTM, the bottom line is mitigating the speed and volume of vehicle traffic on local streets.

The NTM element provides a means to implement other policies outlined in the TSP. The TSP policies provide background related to implementation and funding of NTM .

LAND USE REVIEW PROCESS GUIDELINES INCLUDING NTM Policy 1.6 acknowledges that the most opportune time to address neighborhood needs is at the point of development. Whether it is a residential subdivision, commercial development, or a transportation project, incorporating NTM elements into the design, development, and mitigation of the off-site impacts of the project assures that the inventory of neighborhood problems does not grow.

To best address this through policy, a two-tiered approach is recommended. The first tier is aimed at new residential development planning and the second tier is focused on mitigating impacts of new land use or transportation development. If, in either case, it is desired to consider a NTM measure not part of the tool box (refer to Neighborhood Traffic Management Handbook), the applicant—through a registered professional engineer—will be required to provide and certify the appropriate performance and design standards.

Tier 1: Design of New Residential Street System. Using the existing Traffic Impact Analysis requirements, an additional level of analysis should be added into the guidelines for studies. The site plan for a residential site

should designate neighborhood routes (based upon the description provided in this element). On all single family residential projects, any internal street that is forecast to have 500 vehicles per day (either at project completion or ultimately due to stub street connections) will be designed utilizing NTM measures or concepts to ensure traffic speeds and volumes will remain at acceptable levels. For example, long, straight, wide, steep streets should be avoided for neighborhood routes and local streets. In project review, this criteria will be evaluated and if adequate measures are not identified, staff can request that the site plan be modified to reflect the future neighborhood needs for NTM measures.

Tier 2: Mitigating the Impact of New Development. All new major land development projects will be required to provide information in their Traffic Impact Analysis (TIA) that identifies the potential impact on neighborhood or local streets. This goes beyond the capacity analysis that is conducted presently. A section would be added to the TIA that assesses the impact of a land use or transportation project on neighborhood routes or local streets. The TIA should identify if the project add more than 25 vehicles per hour (two-way—AM, PM, and/or retail peak hours) to LAND USE REVIEW PROCESS GUIDELINES INCLUDING NTM

Eunice Kim

From: John L. Poole <jlpoole56@gmail.com>
Sent: Tuesday, April 03, 2018 8:29 PM
To: Eunice Kim
Cc: Lisa Anderson-Ogilvie
Subject: Thank you

Hi Eunice,

Thank you for helping make the video presentation a breeze.

Cordially,

John

--

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

Eunice Kim

From: John L. Poole <jlpoole56@gmail.com>
Sent: Tuesday, April 03, 2018 4:16 PM
To: Eunice Kim; Lisa Anderson-Ogilvie
Cc: Juliana Inman
Subject: Re: Shadow Video

Splendid. See you at 5:30.

On 4/3/2018 4:14 PM, Eunice Kim wrote:

Hi John,

I can help start the video as I anticipate sitting next to the podium.

Eunice | 503-540-2308

From: John L. Poole [<mailto:jlpoole56@gmail.com>]
Sent: Tuesday, April 03, 2018 4:13 PM
To: Eunice Kim <EKim@cityofsalem.net>; Lisa Anderson-Ogilvie <LMAnderson@cityofsalem.net>
Cc: Juliana Inman <juliana.inman@gmail.com>
Subject: Re: Shadow Video

You are very kind to have undertaken this task. Thank you, again.

I am not familiar with how public speakers are chosen, but I suppose I might be called to speak with someone is ready to run the video as I envisioned coming to the podium, introducing myself, and then having the video run and I would ad-lib while it plays. Are you the person who would coordinate the playing of the video, or is that the clerk?

On 4/3/2018 3:53 PM, Eunice Kim wrote:

Hi John,

I just went down to Council Chambers and was able to play your video on the computer there.

Best,

Eunice | 503-540-2308

From: John L. Poole [<mailto:jlpoole56@gmail.com>]
Sent: Tuesday, April 03, 2018 1:39 PM
To: Eunice Kim <EKim@cityofsalem.net>; Lisa Anderson-Ogilvie <LMAnderson@cityofsalem.net>

Cc: Juliana Inman <juliana.inman@gmail.com>

Subject: Re: Shadow Video

Thank you very much. I'll have a USB stick with it on it, as well.

On 4/3/2018 1:38 PM, Eunice Kim wrote:

Hi John,

I have downloaded the video and saved it into a folder that can be accessed from Council chambers. I will check to see if it can be played this afternoon.

Eunice | 503-540-2308

From: John L. Poole [<mailto:jlpoole56@gmail.com>]

Sent: Tuesday, April 03, 2018 1:18 PM

To: Eunice Kim <EKim@cityofsalem.net>; Lisa Anderson-Ogilvie <LMAnderson@cityofsalem.net>

Cc: Juliana Inman <juliana.inman@gmail.com>

Subject: Shadow Video

(RRR)

Hi Kim and Lisa,

I've uploaded a video that runs for 2' 40" to Dropbox at:

https://www.dropbox.com/s/75sycea8baefzq8/2018-03-12_01-03-07.mp4?dl=0

It is in MP4 format and is 45.8 MBs in size. I would like to show this video as part of my 3' presentation to the Commission.

Would you please download this and confirm that it can be displayed at the hearing? I could also bring it on a USB stick, as well. Please let me know.

I wish to have had this to you sooner, but the last several days have had higher priority items such as my Section 106 Memorandum.

Thank you,

John

--

John Laurence Poole
1566 Court ST NE

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Eunice Kim

From: John L. Poole <jlpoole56@gmail.com>
Sent: Wednesday, April 04, 2018 4:01 PM
To: Eunice Kim
Subject: Re: Planning Commission Hearing Recording(s)?

Thank you. I'll come down this very minute, should be there by 4:20.

On 4/4/2018 3:59 PM, Eunice Kim wrote:

The CD is ready for you. You can pick it up in Room 320 (any planner can get it for you), and there is no charge.

Eunice | 503-540-2308

From: John L. Poole [<mailto:jlpoole56@gmail.com>]
Sent: Wednesday, April 04, 2018 1:47 PM
To: Eunice Kim <EKim@cityofsalem.net>
Subject: Re: Planning Commission Hearing Recording(s)?

Of course, if the audio file is available through a web site, I'm happy to just download it and save the expense of a CD.

On 4/4/2018 1:08 PM, Eunice Kim wrote:

Hi John,

We have an audio recording of the meeting. Our staff assistant is going to upload the recording today, so I can burn it onto a CD for you to purchase. I will let you know when the CD is ready for you.

Eunice | 503-540-2308

From: John L. Poole [<mailto:jlpoole56@gmail.com>]
Sent: Wednesday, April 04, 2018 8:53 AM
To: Eunice Kim <EKim@cityofsalem.net>
Subject: Planning Commission Hearing Recording(s)?

(RRR)

Hi Eunice,

Are there, or will there be, any audio and/or video recording of the Planning Commission hearing of last night? If so, I would like to procure a copy.

Regards,

John

--

John Laurence Poole
1566 Court ST NE
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707-812-1323 office

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--

John Laurence Poole
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707-812-1323 office

Eunice Kim

From: Eunice Kim
Sent: Thursday, April 05, 2018 11:54 AM
To: 'jlpoole56@gmail.com'; Lisa Anderson-Ogilvie
Cc: Juliana Inman
Subject: RE: Broken Link -- Fwd: Public Hearing on State Street Corridor Plan Continued

Hi John,

Here is the response from our communications manager (see below). Please feel free to contact him directly if you have any questions.

In our ongoing effort to improve City communications, we collect very basic data to help us measure what forms of communication are most effective for any given project. It is considered a communications best practice. For emails, we measure what percentage of emails sent to a given list are opened (open rate) and we measure what links are clicked on most (click rate). This helps us know how effective we are in getting the word out to the community.

It also helps us diagnose problems that we would be unaware of otherwise. For instance, if we notice that the open rate of a given email is significantly and unexpectedly less than the open rate of other emails related to the project, there might be a technical error that we need to address, and many people likely didn't receive the message. Without this information we would have no way of knowing that there is a problem that needs fixing.

Like I mentioned before, all of this is to help us get better at communicating the information that needs to get out to the public.

Here is Kenny's contact information.

Kenny Larson

Communications & Community Engagement Manager

City of Salem | City Manager's Office

555 Liberty St SE, RM 220

klarson@cityofsalem.net | 503-588-6363

[Facebook](#) | [Twitter](#) | [LinkedIn](#) | [YouTube](#) | [CityofSalem.net](#)

Best,

Eunice | 503-540-2308

From: John L. Poole [mailto:jlpoole56@gmail.com]
Sent: Thursday, April 05, 2018 10:40 AM
To: Eunice Kim <EKim@cityofsalem.net>; Lisa Anderson-Ogilvie <LMAnderson@cityofsalem.net>
Cc: Juliana Inman <juliana.inman@gmail.com>
Subject: Re: Broken Link -- Fwd: Public Hearing on State Street Corridor Plan Continued

Thank you. Also, below my "broken link" report is a question about tracking, you may have missed the question given the large screenshots.

On 4/5/2018 10:39 AM, Eunice Kim wrote:

Hi John,

Thanks for the heads up. The link worked this morning, so I've contacted our web folks to see what happened and how it could be fixed.

Eunice | 503-540-2308

From: John L. Poole [<mailto:jlpoole56@gmail.com>]

Sent: Thursday, April 05, 2018 10:14 AM

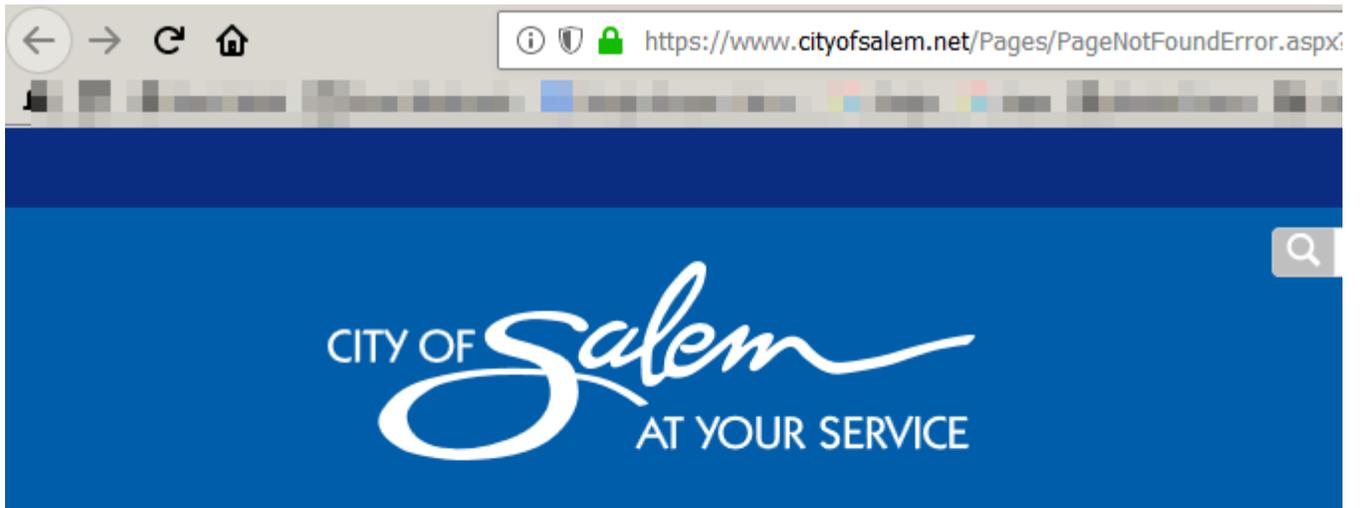
To: Eunice Kim <EKim@cityofsalem.net>; Lisa Anderson-Ogilvie <LMAnderson@cityofsalem.net>

Cc: Juliana Inman <juliana.inman@gmail.com>

Subject: Broken Link -- Fwd: Public Hearing on State Street Corridor Plan Continued

Hi Eunice and Lisa,

The link "[additional testimony](#)" below is broken. Here's where the link took me to:



Oops. We beg your p

We cannot find the page c

We recently reorganized our website. Pleas

- [Go back to home.](#)
- [Search by keyword.](#)

Also, why is the City of Salem tracking us?

From Salem Planning <DoNotReply@cityofsalem.net> ☆

Subject **Public Hearing on State Street Corridor Plan Continued**

To John L. Poole ☆

To protect your privacy, Thunderbird has blocked remote content in this message.

CITY OF *Salem*
AT YOUR SERVICE A Communication of the City of Salem



State Street Corridor Plan

Planning Commission Public Hearing

The Planning Commission voted Tuesday to continue the [Corridor Plan project](#) to May 1 to allow more time to hear

You can read the [staff report](#) on the [proposed amendments](#) new street design for the State Street corridor on the [proposed](#) [additional testimony](#) that has been submitted.

The Planning Commission will make a recommendation and a final decision on the proposal. Staff intends to recommend a subsequent public hearing.

You can submit testimony prior to the May 1 Planning Commission meeting by mailing it to Eunice Kim at ekim@cityofsalem.net or 555 OR 97301. You can also testify or submit information at

Background

The State Street Corridor Plan project builds off of the work of the West and Southeast Salem Neighborhood Association (SESNA) [Neighborhood Plan](#). It also advances City Council's economic development strategies. The project seeks to revitalize State Street to be a vibrant, walkable, mixed-use corridor.

If you have questions or comments, please contact Eunice Kim at ekim@cityofsalem.net.

<https://cityofsalem.us1.list-manage.com/track/click?u=9c537ef0aeb7914e4fe4f6d5c&id=6eab88bc33&e=bc6fb2be6c>

Is there a policy that I may read about the City of Salem's practice to track?

Thank you,

John

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

Subject:Public Hearing on State Street Corridor Plan Continued

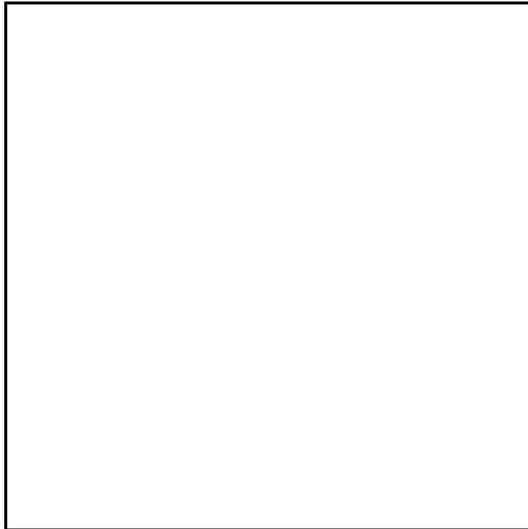
Date:Thu, 5 Apr 2018 17:01:19 +0000

From:Salem Planning <DoNotReply@cityofsalem.net>

Reply-To:Salem Planning <DoNotReply@cityofsalem.net>

To:John <jlpoole56@gmail.com>

 [View this email in your browser](#)
A Communication of the City of Salem



Planning Commission Public Hearing Continued to May 1

The Planning Commission voted Tuesday to continue the public hearing on the [State Street Corridor Plan project](#) to May 1 to allow more time to hear and consider testimony.

You can read the [staff report](#) on the [proposed amendments](#) to adopt new mixed-use zoning and a new street design for the State Street corridor on the [project website](#). You can also read [additional testimony](#) that has been submitted.

The Planning Commission will make a recommendation to the City Council, which will make the final decision on the proposal. Staff intends to recommend that the City Council hold its own subsequent public hearing.

You can submit testimony prior to the May 1 Planning Commission meeting by emailing or mailing it to Eunice Kim at ekim@cityofsalem.net or 555 Liberty Street SE, Room 305, Salem, OR 97301. You can also testify or submit information at the public hearing.

Background

The State Street Corridor Plan project builds off of the work done by Northeast Neighbors (NEN) and Southeast Salem Neighborhood Association (SESNA) in the adopted [NEN-SESNA Neighborhood Plan](#). It also advances City Council's economic development goal and strategies. The project seeks to revitalize State Street between 12th and 25th Street into a vibrant, walkable, mixed-use corridor.

If you have questions or comments, please contact Eunice Kim at ekim@cityofsalem.net.

MEETING DETAILS

Date: May 1, 2018

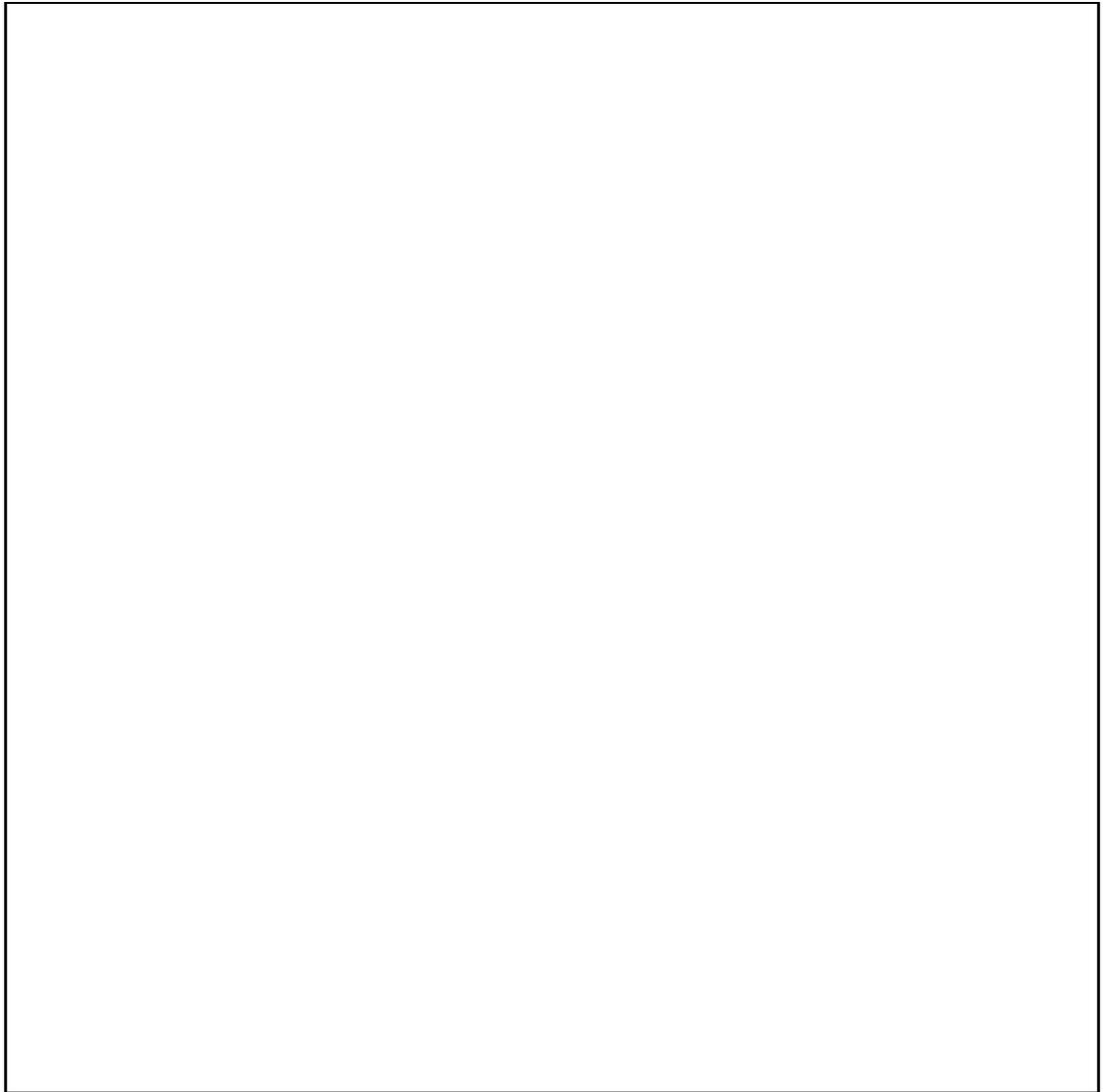
Time: 5:30 p.m.

Place: Salem City Hall, Council Chambers
555 Liberty Street SE, Salem, OR 97301

LEARN MORE

www.cityofsalem.net/Pages/state-street-corridor-plan-to-revitalize-the-street.aspx

STUDY AREA



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CONTACT US

Eunice Kim, Project Manager
ekim@cityofsalem.net
503-540-2308

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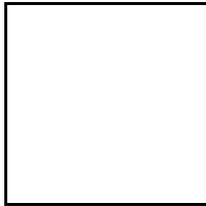
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City of Salem
555 Liberty St SE
Salem, OR 97301

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

Eunice Kim

From: John L. Poole <jlpoole56@gmail.com>
Sent: Tuesday, April 10, 2018 11:55 AM
To: Eunice Kim
Subject: Re: State Street Corridor: Parcels To be Rezoned

Looks good. 160 parcels. Thank you very much.

On 4/10/2018 11:53 AM, Eunice Kim wrote:

Hi John,

I've attached a list of the taxlots.

Best,

Eunice | 503-540-2308

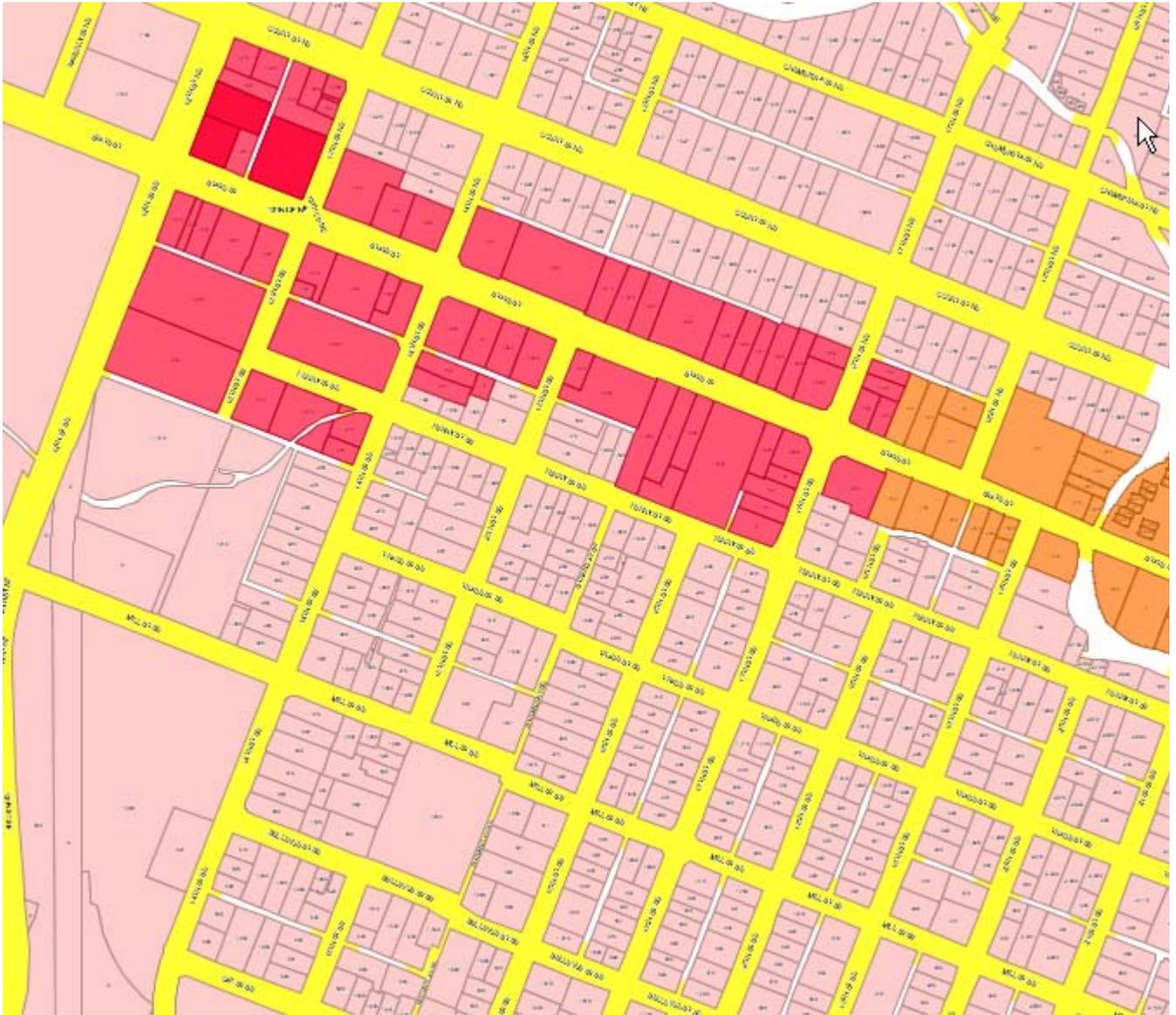
From: John L. Poole [<mailto:jlpoole56@gmail.com>]
Sent: Friday, April 06, 2018 9:11 AM
To: Eunice Kim <EKim@cityofsalem.net>; Lisa Anderson-Ogilvie <LMAnderson@cityofsalem.net>
Cc: Juliana Inman <juliana.inman@gmail.com>
Subject: State Street Corridor: Parcels To be Rezoned

Hi Eunice and Lisa,

Do you have a listing the parcels being rezoned? It can be a comma/tab delimited file of the shapefiles or a listing by Assessor's Account.

I'm attempting to recreate a map of the affected parcels by visually selecting each parcel and I'd like to reconcile my dataset other than by visually interpreting the 8.5x11 map in the state-street-corridor-plan-draft-ordinance-2018-02-26.pdf

I will be running some analysis and want to make sure I have not included or excluded any parcels you have determined shall be rezoned.



Thank you,

John

--

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

--

John Laurence Poole
1566 Court ST NE

Salem OR 97301-4241
707-812-1323 office

TAXLOT

073W26AC06400
073W26AC10300
073W26AC10600
073W26AC10700
073W26AC11200
073W26AC12601
073W26AD10400
073W26BB03800
073W26BB04100
073W26BB04300
073W26BC02200
073W26BD05600
073W26BD06700
073W26DA14400
073W26DA16700
073W26DA17000
073W26DB00400
073W26DB00600
073W26AC10800
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073W26BC01000
073W26BC02500
073W26BD04500
073W26BD07600
073W26BD08200
073W26DA14300
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073W26AC10500
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073W26AC90001
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073W26BD06800
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073W26AC12700
073W26AC12800
073W26AC90008
073W26AC90010
073W26AD10100
073W26AD20200
073W26AD20500
073W26AD20900
073W26BB04200

073W26BB04500
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073W26BD07900
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073W26DA01900
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073W26AC12100
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073W26AC90003
073W26AC90004
073W26AC90005
073W26AC90006
073W26AD10300
073W26BB03900
073W26BC01100
073W26BC02100
073W26BD05400
073W26BD07800
073W26BD08400
073W26DA00300
073W26DA00900
073W26DA15700
073W26DA16600
073W26AC09300
073W26AC11700
073W26AC12400
073W26AC90007
073W26AC90011
073W26AD21000
073W26BC00500
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073W26AC12200
073W26BB04400
073W26BC00100
073W26BD05500
073W26BD07300
073W26BD07400
073W26BD08100
073W26BD08300
073W26DA00800
073W26DA12200
073W26DA16900

Eunice Kim

From: John L. Poole <jlpoole56@gmail.com>
Sent: Thursday, April 05, 2018 11:29 AM
To: Eunice Kim; Lisa Anderson-Ogilvie
Cc: Juliana Inman
Subject: State Street Corridor: 4/3/2018 Public Testimony PDF

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Eunice and Lisa,

Thank you, I was able to download the PDF from this link "[additional testimony](#)" and it contains 374 pages. At the hearing, I picked up a hard-copy of the testimony packet in addition to your packet.

I have noticed discrepancy: The hard copy (and, of course, my original emails) had images in them of maps depicting critical lines. For instance, my email to both of you of Thursday, March 29, 2018 11:19 AM has two images depicting maps. The hard copy available at the hearing contains those images (black and white version). The email starts at sheet 29 of the PDF I just downloaded shows on sheets 30 and 31 large blank spaces where there had been graphics. I think something, e.g. graphics, got dropped when preparing the 374 page PDF. Here's a screen shot of pages 30 and 31 of the PDF

Cc: Joan Lloyd <jello879@gmail.com>; lynntaketa@aol.com; Juliana Inman <juliana.inman@gmail.com>
Subject: State Street Corridor Boundary Lines

(RRR)

Dear Lisa and Kim,

Can you tell me why the northern boundary line on sheet 11 of the TRANSPORTATION AND GROWTH MANAGEMENT PROGRAM GRANT APPLICATION FORM 2014 depicting the "Project Area" is different from NEN-SESNA Plan (see further below)? Here is the diagram from the Grant Application:

In our discussion today at your office, Eunice said she thought the neighbors in the historic district wanted to be excluded from the project study area. Since I was not living in Salem in 2014, I'd like to know who requested the line be tightly drawn to the center of the block and/or why the boundary specifically excludes the Court-Chemaketa National Register Historic District. The file I visited today did not have anything addressing this point.

For reference, sheet 64 of the NEN-SESNA Neighborhood Plan of March 2015 depicts the State Street Corridor thusly and includes the southern portion of the Court-Chemaketa National Register Historic District:

2

Missing diagrams of maps

Also, did the City of Salem prepare the document titled NEN-SESNA Neighborhood Plan, Salem, Oregon, March 11, 2015. I could not find a colophon or statement as to who published

I submit that the diagrams I have submitted, e.g. maps showing boundary lines, are germane to my letter and someone reading my email or seeing my email in a chain would not be able to understand my point.

Although the "dropped graphics" can be rectified, I grow concerned that any version given to the Commissioners may suffer the same defect and make it difficult for them to understand what I am trying to convey.

May I have some assurance that the print and digital versions provided to the Commissioners did include a black and white version in the print and color in the digital versions? Of course, if you simply forwarded my emails to them as I requested, then there would not be any handling of the content therein that has lead to this unfortunate dropped graphics condition.

Please understand I want the record to be very clear and I feel it imperative that problems such as these be addressed at the earliest opportunity so that efforts to correct it may be undertaken.

Cordially,

John

--

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

Eunice Kim

From: John L. Poole <jlpoole56@gmail.com>
Sent: Tuesday, April 10, 2018 4:32 PM
To: Eunice Kim
Cc: Juliana Inman
Subject: Re: State Street Corridor: Request for Ordinance Source File

Thank you. Absolutely. I think what I'll do is create a watermark indicating this is not a City document so there can be no rogues drafts &etc.

On 4/10/2018 4:30 PM, Eunice Kim wrote:

Hi John,

Here is the draft ordinance in Word. If you make any changes, please make it clear that the changes are suggested by you and not by City staff.

Best,

Eunice | 503-540-2308

From: John L. Poole [<mailto:jlpoole56@gmail.com>]
Sent: Monday, April 09, 2018 11:25 AM
To: Eunice Kim <EKim@cityofsalem.net>
Cc: Lisa Anderson-Ogilvie <LMAnderson@cityofsalem.net>; Juliana Inman <juliana.inman@gmail.com>
Subject: State Street Corridor: Request for Ordinance Source File

Hi Eunice,

May we have a copy of the source file, digital that is, for the propose ordinance which is published as state-street-corridor-plan-draft-ordinance-2018-02-26.pdf? I'd like to be able to take the file, activate change tracking, and then make some modifications in order to more easily collaborate with residents in our neighborhood and to suggest changes to the Commission in a way that is very readable. This approach would be akin to what legislatures do when considering bills and going through various revisions.

I use LibreOffice and I do not know what word processing program you use. I'm pretty certain LibreOffice can handle most Microsoft Word files. With all the tables, importation/conversion to LibreOffice may be problematic, but let's see.

Thank you,

John

--

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

--

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

Eunice Kim

From: John Laurence Poole <jlpoole56@gmail.com>
Sent: Thursday, April 12, 2018 12:11 PM
To: Eunice Kim
Subject: Re: FW: State Street Corridor - Expense Breakdown

Done. Thank you.

On Thu, Apr 12, 2018 at 11:49 AM, Eunice Kim <EKim@cityofsalem.net> wrote:

Hi John,

You will need to file a public records request with ODOT. See the email below with instructions.

Best,

Eunice | 503-540-2308

From: LEDET Elizabeth [mailto:Elizabeth.L.LEDET@odot.state.or.us]
Sent: Thursday, April 12, 2018 11:45 AM
To: Eunice Kim <EKim@cityofsalem.net>
Cc: ROCK Michael D <Michael.D.ROCK@odot.state.or.us>; ZWERDLING Naomi <Naomi.ZWERDLING@odot.state.or.us>
Subject: RE: State Street Corridor - Expense Breakdown

If Mr. Poole is interested in the amounts paid to the subconsultants he will need to file a Public Records Request <http://www.oregon.gov/ODOT/Get-Involved/Pages/Public-Records.aspx>. He should list the contract number – PA #27454 WOC #9 – in his request and ask for the Paid Summary Report information.

While the Breakdown of Costs spreadsheet is used to develop the estimated amounts for the contract it is a confidential document. Additionally, it does not necessarily reflect the amounts agreed to by the Price and subconsultants.

Elizabeth Ledet

TGM @ TDD

503-986-3205

From: ZWERDLING Naomi
Sent: Thursday, April 12, 2018 9:43 AM
To: LEDET Elizabeth <Elizabeth.L.LEDET@odot.state.or.us>
Cc: ROCK Michael D <Michael.D.ROCK@odot.state.or.us>
Subject: FW: State Street Corridor - Expense Breakdown

Hi Elizabeth,

Is this something you can help Eunice out with?

Thanks,

Naomi

From: Eunice Kim [<mailto:EKim@cityofsalem.net>]
Sent: Thursday, April 12, 2018 9:38 AM
To: ZWERDLING Naomi
Cc: Juliana Inman; jlpoole56@gmail.com
Subject: RE: State Street Corridor - Expense Breakdown

Hi Naomi,

A resident has requested a breakdown of costs for the State Street project (see his request below). Can TGM provide this information?

Thank you.

Eunice | 503-540-2308

From: John L. Poole [<mailto:jlpoole56@gmail.com>]
Sent: Wednesday, April 11, 2018 10:58 AM
To: Eunice Kim <EKim@cityofsalem.net>; Lisa Anderson-Ogilvie <LMAnderson@cityofsalem.net>
Cc: Juliana Inman <juliana.inman@gmail.com>
Subject: State Street Corridor - Expense Breakdown

(RRR)

Hi Eunice and Lisa,

I'd like to know what the expenses have been for the State Street Corridor. I know that approximately \$290,000 was funded by the Federal Highway Administration through the Oregon Department of Transportation. Particularly, how much was paid to which consultant such as Parsons?

Is this inquiry something I should direct to the Finance Department providing them a particular code for this project? Or would you have a spreadsheet that captures high level amounts, e.g. over \$1,000 expenditures.

Also, the Tax lot data was very helpful and I was able to successfully open the ordinance document in LibreOffice and I have altered the watermark and footer and will retain possession of this source document, any drafts to interested parties will go out in PDF format with my watermarking and footer and change-tracking annotations.

Thank you.

John

--

John Laurence Poole
[1566 Court ST NE](#)
Salem OR 97301-4241
707-812-1323 office

--

John L. Poole

707-812-1323
jlpoole56@gmail.com

Sunday, April 15

Dear Fellow Historic District Homeowner,

Please contact me, John Poole, at:

jlpoole56@gmail.com or 707-812-1323

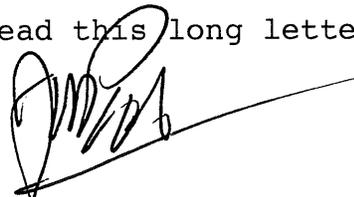
regarding the new proposed MU-1/MU-2 zones currently pending before the Planning Commission set for hearing on May 1, 2018. There was no input from SCAN at the April 3rd hearing and I think people are unaware of the significance of what the City of Salem is about to adopt.

I live at 1566 Court Street, Salem, with my wife, Juliana Inman, an historic architect. Our craftsman house is a contributing member to the National Register Court-Chemeketa Residential Historic District. Our house's back property line borders a CO (Commercial) zoned property on State Street. The proposed new zoning, MU-1/MU-2, will have a significant impact on our property such as shadows, traffic, privacy, and visual impact. I think your situation is identical to ours: a residence in an historic district that shares a back property line/alley with a CO zoned property that could become zoned MU-1/MU-2.

I am contacting you because I would like you to become aware of what is pending rather than after-the-fact when your voice may not be heard because the "zones" have been adopted. The new zones are, in my opinion, deficient insofar as they have not been created with the appropriate safeguards afforded to historic districts under Section 106 of the National Historic Preservation Act of 1966 ("NHPA"). The funding, \$289,950, for this study comes from The Federal Highway Administration through the Oregon Department of Transportation. Section 106 of the NHPA and the Code of Federal Regulations thereunder require the City assess the impacts and consider mitigation measures to properties and district listed on the The National Register. This was not done. We requested the City of Salem at a City Council hearing on March 12, 2018, to conduct a Section 106 Review and the City has denied that request citing a novel interpretation not supported by any case law. We believe this interpretation is legally without authority and currently have a request pending with President's Advisory Council on Historic Preservation – the agency created under the NHPA charged with ensuring the federal undertakings consider impacts and explore mitigations. See www.achp.gov/docs/CitizenGuide.pdf

In the meantime, we're trying to educate people about what the MU-1/MU-2 proposed zoning classification could mean were they applied to property near a National Register District. I believe the CO zoned property near yours could soon be considered to be rezoned under the generous MU-1 or MU-2 zones. I hope you will contact me.

Thank you for taking the time to read this long letter.



Eunice Kim

From: LEDET Elizabeth <Elizabeth.L.LEDET@odot.state.or.us>
Sent: Thursday, April 19, 2018 8:59 AM
To: 'jlpoole56@gmail.com'
Cc: KUNZE Lauri G; Eunice Kim; OFFICE OF CIVIL RIGHTS INFO REQUEST
Subject: RE: Public Records Request for contract #27454 WOC 09 PSR's

Mr. Poole,

Your public records request asked for how much the subconsultants were paid on this contract, which Susan provided. That PRR is now closed.

You mentioned a summary sheet at the end of your re-mail. Can you please detail what you want to see?

Elizabeth Ledet
TGM @ TDD
503-986-3205

From: John L. Poole <jlpoole56@gmail.com>
Sent: Monday, April 16, 2018 3:47 PM
To: OFFICE OF CIVIL RIGHTS INFO REQUEST <OCRINFOREQUEST@odot.state.or.us>
Cc: KUNZE Lauri G <Lauri.G.KUNZE@odot.state.or.us>; LEDET Elizabeth <Elizabeth.L.LEDET@odot.state.or.us>; Eunice Kim <ekim@cityofsalem.net>
Subject: Re: Public Records Request for contract #27454 WOC 09 PSR's

Hi Susan,

I digested all of the PDF files you sent to me as follows:

File	Column 18 "Amounts Paid This Period"				Kittelson	Notes
	Urbsworks	Bainbridge	Leland Consulting	Barney & Worth		
27454 09 B33181 PSR Parsons Brinkerhoff 2016 03	\$3,000.00	\$1,040.00	\$8,930.00	\$3,312.00	\$6,948.00	
27454 09 B33181 PSR Parsons Brinkerhoff 2016 04		\$1,300.00				
27454 09 B33181 PSR Parsons Brinkerhoff 2016 05					\$3,922.00	
27454 09 B33181 PSR Parsons Brinkerhoff 2016 06						Cover letter only
27454 09 B33181 PSR Parsons Brinkerhoff 2016 07						Cover letter only
27454 09 B33181 PSR Parsons Brinkerhoff 2016 08						Cover letter only

27454 09 B33181 PSR Parsons Brinkerhoff 2016 12	\$600.00					
27454 W09 ODOT Summary Report of Subcontractors Paid 0217_Final	\$600.00			\$434.00		
27454 W09 ODOT Summary Report of Subcontractors Paid 0317_Final					All zero	
27454 W09 ODOT Summary Report of Subcontractors Paid 0417_Final					All zero	
27454 W09 ODOT Summary Report of Subcontractors Paid 0517_Final		\$3,070.00		\$29,225.82		
27454 W09 ODOT Summary Report of Subcontractors Paid 0617_Final				1710.43		
27454 W09 ODOT Summary Report of Subcontractors Paid 0717_Final	\$11,250.00					
27454 W09 ODOT Summary Report of Subcontractors Paid 0817_Final					All zero	
	\$15,450.00	\$2,340.00	\$12,000.00	\$3,312.00	\$42,240.25	\$75,342.25

This project received \$289,950 of funds from the Federal Highway Administration. I believe an additional \$25,000 came from another source bringing the total cost of this project to \$314,950 at a minimum. The above table represents a compilation of the files you kindly sent me earlier today and identifies \$75,342.25.

That leaves \$239,607.75 unaccounted for.

I want to know how the \$314,950 was spent. Is there a summary sheet that shows the total costs of this project? If a Commissioner or Councilmember were to ask "Where did the \$314,950 go?" -- what would you and/or the City of Salem show to answer that question?

Cordially,

John L. Poole

On 4/16/2018 2:06 PM, OFFICE OF CIVIL RIGHTS INFO REQUEST wrote:

Good Afternoon,

The requested public records and acknowledgement form are attached.

Thank you,

Susan Kindsvogel
Programs Support Specialist
ODOT Office of Civil Rights - MS 23

3930 Fairview Industrial Dr NW
Salem, OR 97302
(503) 986-3299 phone
(503) 986-6382 fax

--

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

Eunice Kim

From: Justin Emerson Kidd <kiddjustin@gmail.com>
Sent: Thursday, April 05, 2018 9:08 PM
To: Eunice Kim
Subject: Testimony on State Street Corridor Plan

Dear Ms. Kim,

I am testifying in support of the State Street Corridor plan. I am a resident of the Court-Chemekta historic district. I walk to work downtown, and I walk my child to his preschool at St Johns. I completely support the walkable, bikable streetscape that the plan is designed to implement. We need more cafes and pedestrian friendly buildings here in Salem. I also support increasing the density of permissible residential housing along the State Street corridor. Urban density is the green choice, and it helps to make a vibrant walkable community. Count me as a YIMBY.

Thank you,

Justin Kidd
1725 Court St NE

Residents/ Friends of the Court Chemeketa Residential Historic District: Planning Commission Request
April 1, 2018

RECEIVED

APR - 5 2018

Dear Salem City Planning Commission

We the undersigned residents and friends of the Court Chemeketa Residential Historic District in Salem write in praise, support and concern about the State Street Corridor Plan/Draft Ordinance.

COMMUNITY DEVELOPMENT

In Praise and Support

We commend the time and expertise that the city, its planners, consultants and stakeholders have put into this plan. It gives us hope that we can revitalize the State Street Corridor in a way that will also protect the historic district and benefit the surrounding neighborhoods and city. We love the vision of a more vibrant neighborhood with walking access to businesses, shops, dining, housing and other amenities along a State street that is more beautiful, attractive to all comers, safer, and pedestrian/bike friendly. We are fully in support of making this vision come alive and committed to doing everything we can to help make it a reality. In particular we praise and support:

- the change to a more flexible and practicable mixed-use zoning;
- the full road diet plan;
- the use of zoning to encourage more attractive and human scale living;
- the encouragement of business, walking, biking, traffic safety, and beautification; and
- the wider-context thinking that also seeks to improve the surrounding neighborhoods and the city.

In Concern

Our concerns coalesce around the plan needing more work to achieve its vision. We and the city need more time to study, understand and explore all the options and ramifications of a plan. With more time and work we can arrive at a shared and informed voice about the project. We know from research on implementation that projects are more successful when they take sufficient time to engage all the stakeholders, fully consider feasibility, and do a lot of readiness planning before proceeding to implementation. We need to know more about the options for and implications of how this plan will positively or negatively affect many aspects of the Historic District including:

- Compatibility with NEN/SESNA's Joint Neighborhood Plan
- Fostering the integrity of the Historic District boundaries
- Protecting the unique cultural resources of the District
- Overshadowing of the District by out of character with 55 feet or five story buildings
- Traffic flow and parking use in the Historic District
- Pedestrian and biking impact
- Impact on the boundary alley between Court and State (buffers, setbacks, traffic, trash management etc.)

It is our belief that a height limitation of 40 feet, for example, would do more to foster the vision of an integrated commercial, residential and historic district that fosters human interaction, community and businesses, complements the growing vitality of down-town Salem and showcases our city as a friendly, diverse, resourceful and livable space that is on the move.

We respectfully request a continuance of the planning process to give the city enough time to study our concerns and engage us further in discerning how best to make this exciting venture a win-win for everyone. We also request that the Salem Historic Landmarks Commission, in coordination with the State Historic Preservation Office be given a formal role in developing the plan.

Name	Address	Email
Lori Hulme	1410 Court St NE	Lorihulme@gmail
David Hulme	1410 COURT ST NE	davidthulme@gmail.com 1

Eunice Kim

From: Lorraine Milan <milanlm@yahoo.com>
Sent: Friday, April 06, 2018 11:01 PM
To: Eunice Kim
Subject: Fwd: Draft Zoning Ordinance- Written Testimony. Please enter in record.

Eunice,

I would hope if a shadow study is done for the historic district that one would also be done for 17th-24th St.

Thanks,
Lorraine Milan

Sent from my iPhone

Begin forwarded message:

From: L Milan <milanlm@yahoo.com>
Date: April 3, 2018 at 3:36:05 PM PDT
To: Lorraine Milan <milanlm@yahoo.com>
Cc: David Greysmith <greysmith@yahoo.com>
Subject: Re: Draft Zoning Ordinance- Written Testimony. Please enter in record.

Thank you for your time this morning, Eunice.. It was helpful to us. David and I just walked over to State Street and looked at the property behind Victoria Court. We both feel that the proposed ordinance changing the zoning to MU2 is much better than the zoning now in place which does not have the mandatory setbacks. We support MU2 zoning which requires parking at the side and back of buildings. Overall, we think that MU2 is much better to support and protect our well established neighborhood.

We support a well thought out plan for the future of State Street. This plan needs to address traffic impact and how development might impact flooding in our neighborhood.

David would like to see a traffic circle at the beginning of the road diet on 24th street and State if a future decision is made to extend the road diet past 17th.

Lorraine Milan and David Greysmith
1998 Court St. NE
Salem, Or, 97301

On Tuesday, April 3, 2018, 8:50:11 AM PDT, Lorraine Milan <milanlm@yahoo.com> wrote:

Hello,
Can you answer a few questions for us today? By phone or in person?

David and I attended several open houses but we still have questions about the proposed MU 2 zone for our neighborhood. After reading (most of) proposed ordinance last night I'm left needing clarification. We live at 1998 Court Street.

-State Street and the bridge over Mill Creek is flood prone. Does the ordinance address building and road requirements that would protect surrounding areas from flooding? What is impact on flooding under new zoning?

-Clarification of what pocket parking means on State between 17th and 24th Streets.

-What are the main differences between MU 1 and MU2. It isn't just the 14 ft vs 10 Ft first floor requirements on buildings is it? Are height and set back requirements the same? Parking for tenants the same?
It looks like it but not sure.

-We asked why the study area is shaped the way it is in our zone (just east of the historic district). You gave us an answer at an early open house. Please remind us what that answer is. It looks like it cuts right through the neighborhood between Court and Chemeketa streets.

We understand State Street is ripe for urban development. We ask that it continue to be moved forward with care for existing neighborhoods.

Lorraine Milan
503-581/1714

Sent from my iPhone

Eunice Kim

From: Kimberli Fitzgerald
Sent: Monday, April 09, 2018 11:24 AM
To: Lisa Anderson-Ogilvie; Eunice Kim
Subject: FW: removal of barriers denoting the west boundaries of the CCRHD

Follow Up Flag: Follow up
Flag Status: Flagged

From: Chuck Bennett
Sent: Monday, April 09, 2018 11:00 AM
To: Joan Lloyd <jello879@gmail.com>
Cc: Kevin Hottmann <KHottmann@cityofsalem.net>; Kimberli Fitzgerald <KFitzgerald@cityofsalem.net>
Subject: Re: removal of barriers denoting the west boundaries of the CCRHD

Hi Joan,

My comments have not been that barrier removal is being considered rather that it could happen in the future after substantial traffic changes on State St. I think the impact should be considered now as we look at traffic impacts. If it can't ever happen — good. If it can — not so good. But people should know.

Chuck

Sent from my iPhone

On Apr 9, 2018, at 9:33 AM, Joan Lloyd <jello879@gmail.com> wrote:

Hi, Kevin,

The residents on Court St NE in the Court Chemeketa Residential Historic District (CCRHD) are extremely concerned to learn during the hearing stages of the State Street Corridor Plan that there is a possibility, perhaps even the probability, that the barriers that denote the west boundaries (Court and 13th Sts NE; Chemeketa and 14th Sts. NE) of the CCRHD might be removed.

We would like you to explain what will take place in each of these cases:

- A. the road diet is implemented only between 12th and 17th Streets NE
- B. If the road diet were extended farther, approximately to 19th St NE
- C. If the road diet went from 12th St to 25th Streets NE

Verbals comments from City staff and the mayor at two different NEN meetings have indicated that opening Court St; that is, removal of the barriers is being considered. I can't supply the dates of those meetings without checking minutes.

Below is the link to the uploaded recording, 1 hour 40+ minutes of the April 3 Planning Commission hearing meeting :

https://www.dropbox.com/s/ekiv5vmzcdijfxg/SalemPlanningCommission_Apr_3_2018.MP3?dl=0

Here's an excerpt from John Poole's notes. The excerpt starts from the 1 hour 38 minutes 13 seconds. Rich = Richard Fry, president of the Planning Commission. Julie = Julie Warncke Transportation Planning Manager Public Works Department

1:38:27 Rich: If we were to go with the road diet all the way out to 25th Street, do you think that that would direct a lot of or a portion of that traffic that is going away from State Street onto those side streets?

1:38:40 And **I know right now they are blocked off, but, um, there may be a move in the future to open those.**

1:38:50 Julie: Are you talking about if we were, do you think it would direct more car traffic to those side streets?

1:38:52 Yes

Julie: Um, potentially, I mean those are routes that, um, they are connections, so you can get at least from 24th on Chemeketa to 14th and then on Mill you can get on 25th all the way out to 12th, so those are reroutes that could attract cut-through traffic, I guess you could say.

1:39:23 Rich: right, um okay

The following is testimony from the same April 3 Planning Commission hearing:

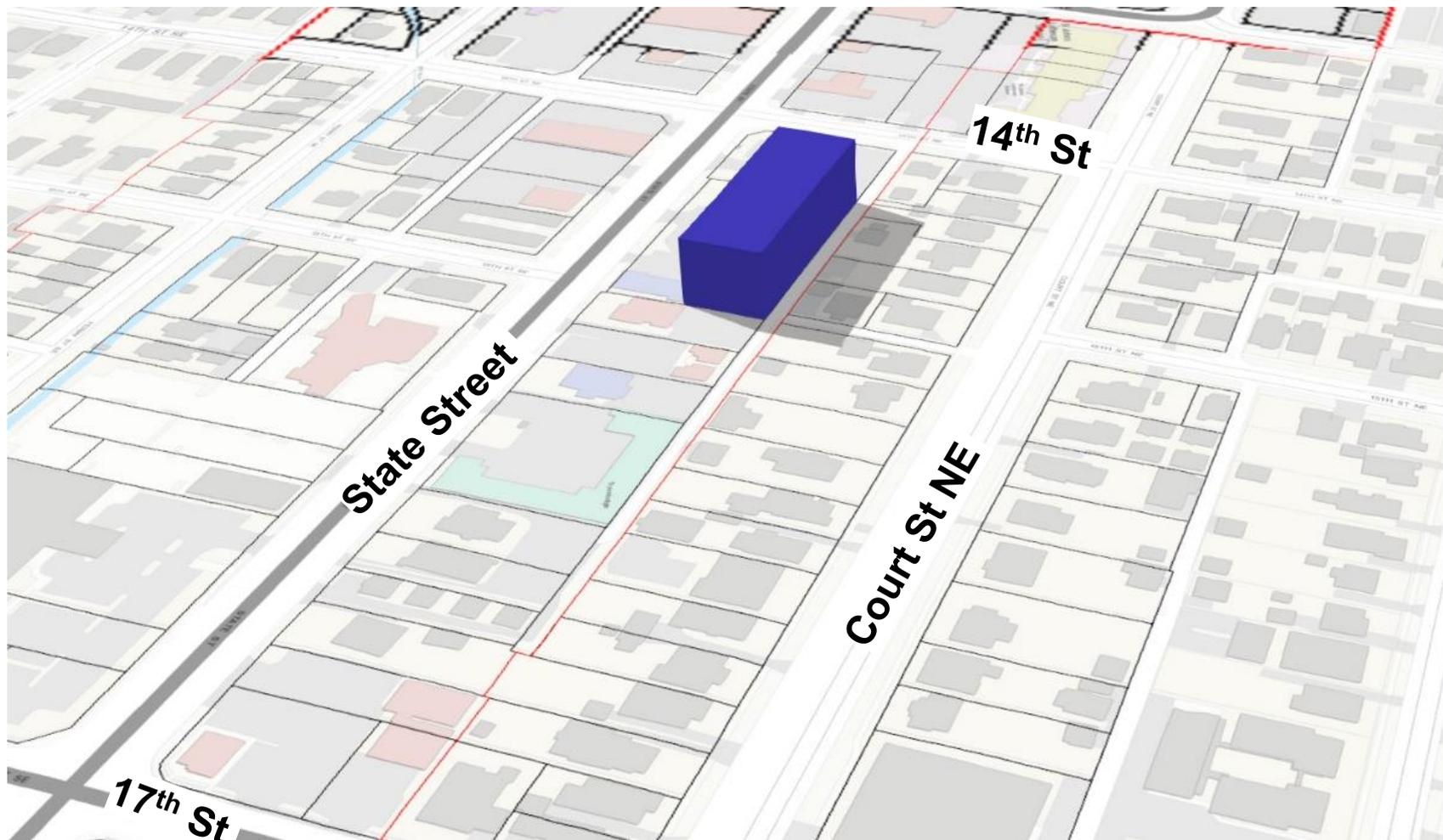
Michael Rupp Your Email mjrupp@outlook.colm Your Phone 503-363-2887 Street 549 23rd Street NE City Salem State OR Zip 97301 Message Without re-opening traffic corridors on Court St NE and Chemeka St. NE, my wife and I are opposed to reducing traffic on State Street between 12th and 25th. Salem has made it very difficult to travel to downtown from our Rose/23rd St/Hayden St NE neighborhood. You can only get there from Center and State Street. **If you now reduce traffic on State Street without opening Court and Chemeketa to through traffic; it will be even more difficult to travel downtown.** We shop and travel to restaurants downtown quite often. You unnecessarily made Chemeketa useless for autos with more traffic barriers; making it a corridor for bike use. Now if you reduce traffic on State Street (which you made a major arterial), you force all through traffic to Center Street, and our neighborhood business away from downtown. We are not against the State Street Plan if you opened Chemeketa and Court Street to traffic. Please don't do this modification in isolation of the traffic patterns for the entire area. Thank you, Michael Rupp and Leslie LaRosa

Kevin, would you please clarify the status of the barriers in each of the circumstances alluded to in the list above.

With appreciation,

Joan Lloyd

Shadow Analysis



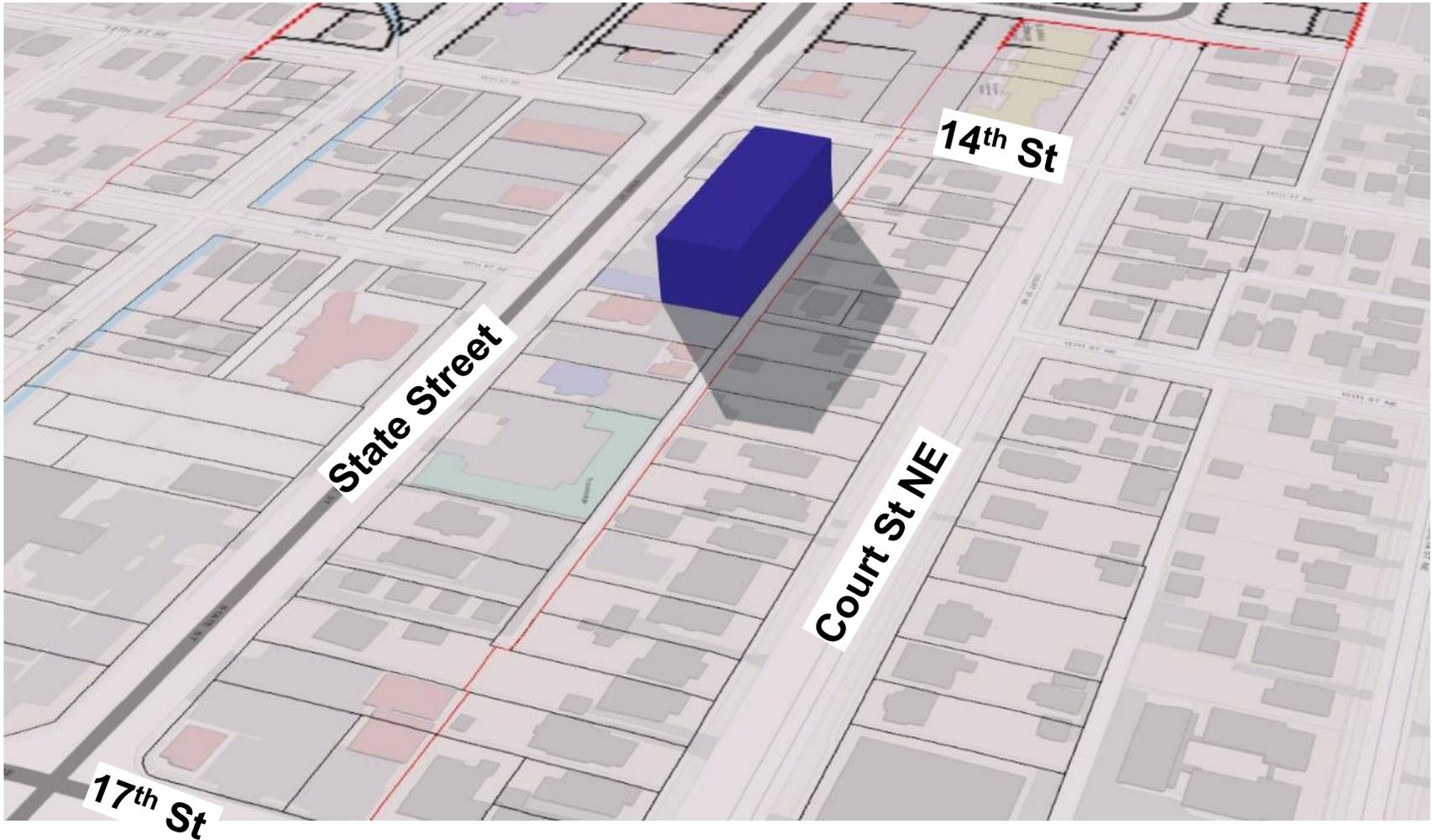
Existing Zoning: March 21 at 2 p.m.

Shadow Analysis



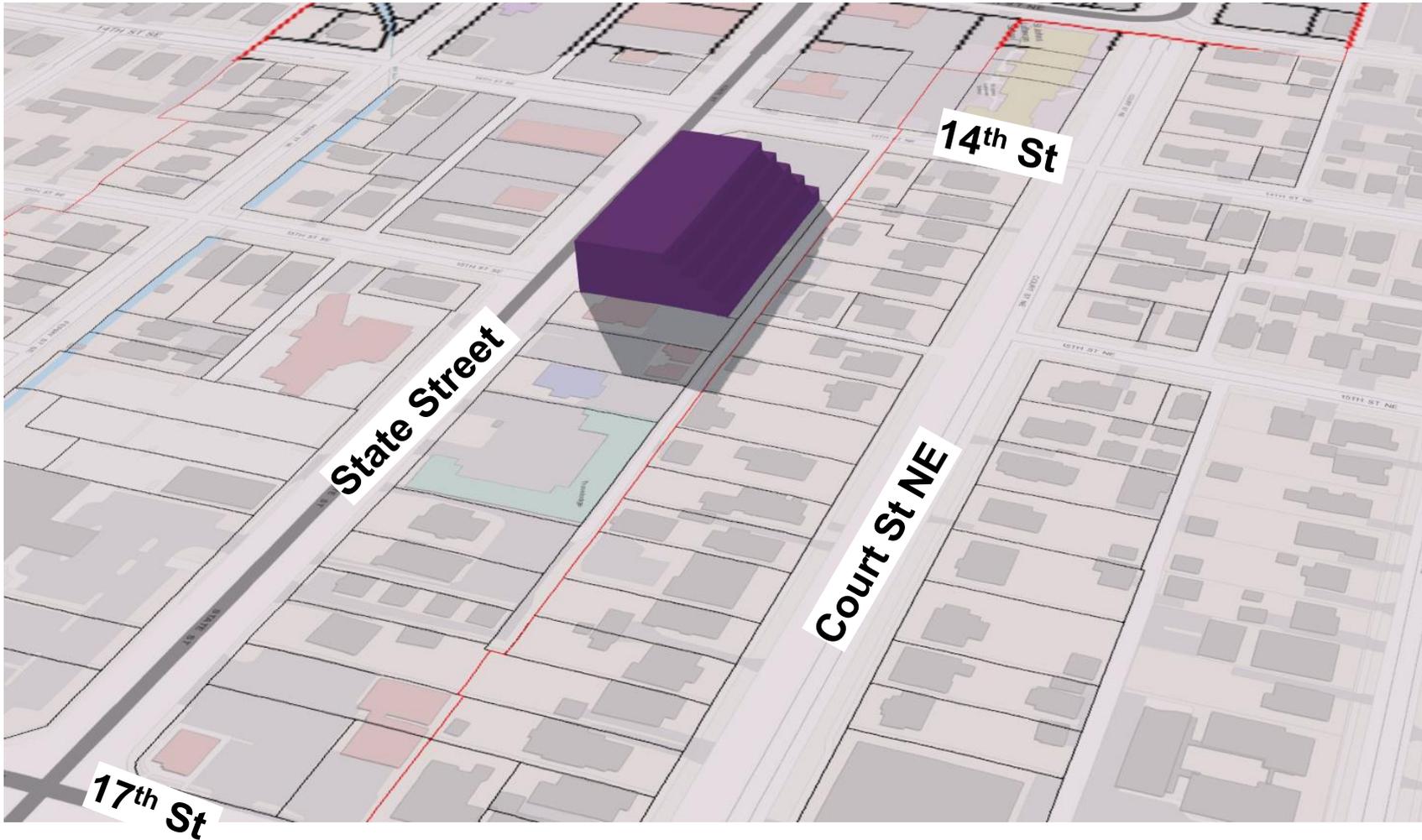
Proposed Zoning: March 21 at 2 p.m.

Shadow Analysis



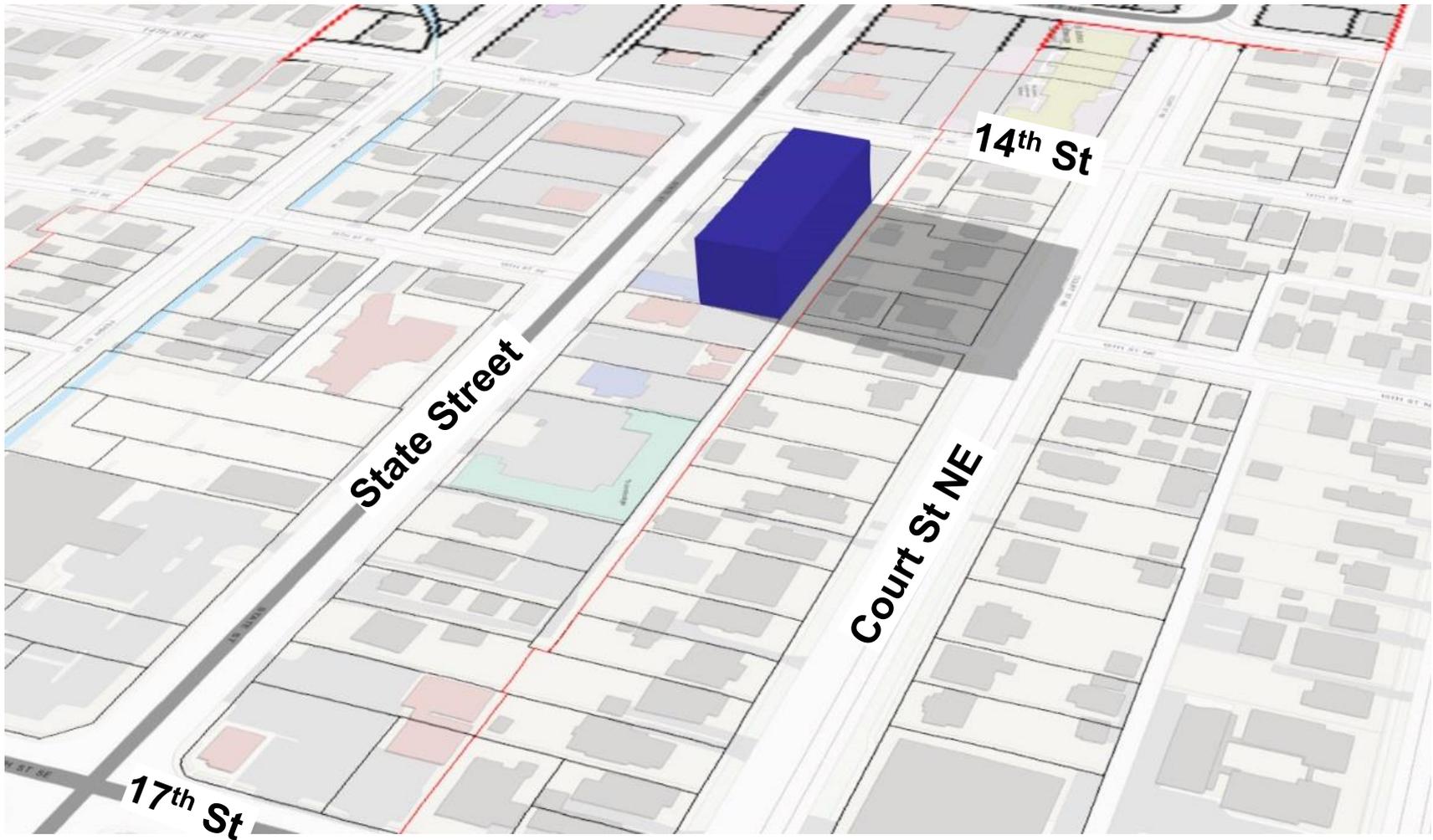
Existing Zoning: March 21 at 4:30 p.m.

Shadow Analysis



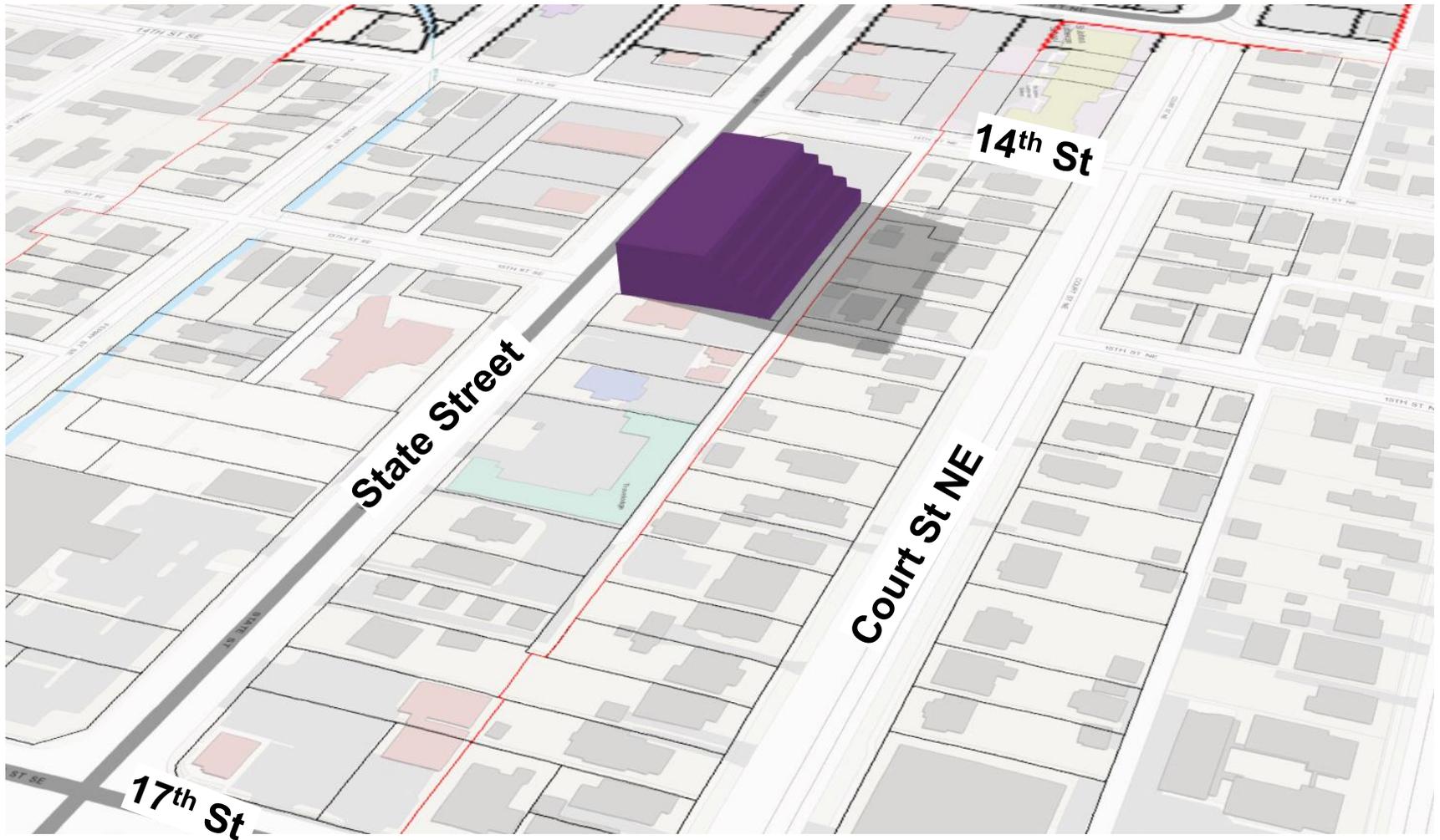
Proposed Zoning: March 21 at 4:30 p.m.

Shadow Analysis



Existing Zoning: December 21 at 2 p.m.

Shadow Analysis



Proposed Zoning: December 21 at 2 p.m.

Shadow Analysis



Existing Zoning: December 21 at 3:30 p.m.

Shadow Analysis



Proposed Zoning: December 21 at 3:30 p.m.