



LAND USE APPEAL APPLICATION

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

CPC-ZC-ZC19-10

September 3, 2019

Case # Being Appealed

Decision Date

2465,2499,2501&2519 Wallace Rd NW & 1221 Riverbend Rd NW

Address of Subject Property

1160 31st Ct. NW, 97304

Appellants Mailing Address with zip code

jimallhiser1@gmail.com

Appellant's E-mail Address

503-508-4321

Day-time Phone / Cell Phone

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

Steve Anderson

3240 Gehlar Rd NW, 97304

Name

Mailing Address with ZIP Code

andersonriskanalysis @comcast.net

503-602-1623 cell

E-Mail Address

Day-time Phone / Cell Phone

2. **SIGNATURES OF ALL APPELLANTS**

Signature: _____

Date: 09/19/2019

Printed Name: _____

Jim Allhiser WSNA Chair

Signature: _____

Date: 09/19/2019

Printed Name: _____

Steve Anderson WSNA Land Use Committee

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

FOR STAFF USE ONLY

Received By: Sally Long

Date: 09/20/2019

Receipt No: 19-108088-ZO, 19-114785-ZO,
& 19-109021-ZO

Appeal Deadline: 09/20/2019 - 5:00 p.m.

Case Manager: Pamela Cole

September 19, 2019

TO: Salem Planning Department Administrator
RE: Appeal of Comprehensive Plan Change / Zone Change / Zone Change No. CPC-ZC19-10
FR: Jim Allhiser, West Salem Neighborhood Association Chair

The West Salem Neighborhood Association town hall meeting on September 14, 2019, voted to appeal to Council the Salem Planning Commission decision approving CPC-ZC19-10. The section of the meeting's Draft Minutes of the discussion and motion are provided below. Complete meeting minutes are available on the WSNA Facebook page. The appeal centers on the three points offered in testimony before the Salem Planning Commission on this matter whereas the WSNA discussed this in detail and voted to appeal the decision as they were not adequately addressed as to points of fact and detail per applicable rules and regulations. Lead representative for this WSNA appeal is Steve Anderson (Land Use Committee) who testified before the Planning Commission (contact information in the appeal form).

Sincerely,

Jim Allhiser
WSNA Chair

DRAFT MINUTES ON THIS MATTER

Land Use – Steve Anderson (speaking for Sarah DuVal) Need for people to be on the land use committee. Please, if you are interested, contact Jim or Sarah. Extensive discussion around 2 issues, related yet separate.1 – discussion to appeal Planning Commission's decision regarding Phase 2 of the Riverbend project on the grounds that traffic impacts, studies, mitigation, etc. including comments from WSNA were not considered and were not even consistent with Phase 1 of the project.2 – discussion to raise issue to the City Council to discuss what the traffic infrastructure plans are for West Salem now that no third bridge is being considered. Since the Salem River Crossing studies are "thrown out" allegedly the traffic counts and studies done to support that effort have no basis or standing for consideration in any current land use issue. That is, since we threw out the data that shows Glen Creek and Orchard Heights at Wallace Road are "failed" in terms of capacity; we don't have any data to cite that they are failed, so, they aren't. As such, no mitigation or considerations necessitated by ODOT or other planning goals apply, because there's no data to show that the intersections have failed. But, anyone who commutes in the morning can tell you the traffic didn't disappear just because we threw away the studies from SKATS/MWVCOG. Furthermore, extensive discussion about how in general all members present at the meeting felt that the city services they receive are not commensurate with the taxes they pay. That is, their level of service for police patrols, emergency public works equipment, and other basic city services are at a lower per-capita level than the rest of the city. Additionally, extensive discussion that traffic mitigation such as trip caps are not effective because not to anyone's knowledge has anyone ever "enforced" a trip cap. That is, who measures the trips after a development is done. How does one enforce a trip cap? How many times has a trip cap been

enforced by either restricting traffic or imposing fines? Who gets fined? Who gets fined 10 years from now? Lastly, extensive discussion that the land use planning process does not take into account the cumulative effects of development over time, and that no link exists between the cumulative effects and road infrastructure improvement processes. Discussion that 309 lists (infrastructure improvement projects) are not prioritized based on where the funding (systems development charges) actually came from. Motion by Kevin Chambers to appeal the riverbend decision based upon the information in the traffic analysis versus Statewide planning goals, and motion to discuss at city council the 3 bullet points raised by our land use committee and the letter from WSNA's past regarding infrastructure improvements. Second by Craig Evans Vote: 30 Aye, 0 Nay, 0 abstain