



NEIGHBORHOOD ASSOCIATION
555 LIBERTY ST. SE RM. 305 SALEM OR 97301 • 503-588-6207 • WWW.CITYOFSALEM.NET/NEIGHBOR

Sept 19, 2022

The Planning Commission
City of Salem
Salem, OR

Dear Planning Commission members

Subject: Remand hearing - **MINOR COMPREHENSIVE PLAN MAP AMENDMENT & ZONE CHANGE CASE NO. CPC-ZC21-04; FOR PROPERTY LOCATED AT 2900 BLOCK OF KUEBLER BLVD SE**

The South Gateway Neighborhood Association wishes to comment on the latest proposed zone change for the property shown as being the 2900 Block of Kuebler Blvd. SE. This property is currently zoned Residential Agricultural (RA) which allows single-family and duplex residential housing and some limited retail and commercial business.

Context: In 2021, the Planning Commission held a public hearing and received testimony for Case No. CPC-ZC21-04. City staff had submitted a report recommending denial of the application. In December of 2021, the Planning Commission closed the hearing, deliberated and voted to grant the Comprehensive Plan and Zone Change application subject to conditions.

In February of 2022, the South Gateway Neighborhood Association appealed the Planning Commission decision.

In May of 2022 City Council, after public hearings, voted to remand the decision back to the Planning Commission for reconsideration.

In the last few years, it has become obvious that the area in southeast Salem along Pringle/Battle Creek Rd. (along with parts of West Salem) is one of the few remaining places within the UGB still available for desperately needed new housing.

Over the past decade, the land to the south of Kuebler Blvd. between Battle Creek and 27th Ave. has been rezoned as CR and CO after the owners gave the neighborhood association verbal assurances that it would not be developed as a regional shopping center. Then, in 2016, the property at NE corner of 27th and Kuebler was also rezoned to CR using the argument that there was already other CR in the vicinity.

The property to the south of Kuebler Blvd. in the 2900 block is currently zoned Residential Agricultural (RA) which allows single-family and duplex residential housing and some limited retail and commercial business. The owners applied for change to CR but the Our Salem project has pointed out that there would be an unacceptable increase in traffic congestion if it were also zoned as CR and suggested that the zone designation could be changed to Commercial

Office (CO) since the resulting increase in traffic would occur at different time periods than the peak shopping hours at the neighboring Costco.

In January 2022, the Planning Commission recommended approval of the change to CR despite the staff recommendation. The South Gateway Neighborhood Association appealed the recommendation and City Council remanded the case to the Planning Commission.

There are currently more than 1500 dwelling units housing more than twice that number of residents within a half-mile distance from the property and plans for construction of hundreds more single and multifamily homes within the next few years. Boone Ridge Retirement center provides both independent and assisted living on property immediately to the south.

The latest proposal we have heard from Mosaic Development indicates rezoning of the entire 24.64 acre property to Mixed Use III which is a new designation arrived at during the 'Our Salem' process to revise the UDC. During past discussions between Mosaic and the SGNA, there were a number of various possibilities for rezoning discussed, many of which included dividing the land into two or three tracts with different zone designations. It soon became obvious that one of the reasons the developers were adamant about retaining a large portion to be zoned CR was to allow drive-throughs, which were not allowed in MU-I or MU-II and limited in CO zones.

Our comments:

- a. **Drive throughs:** The City of Salem Climate Action Plan calls for a 50% reduction in Greenhouse gas emissions by 2035. This will be accomplished by various means but one of the most important will be the reduction of unnecessary motorized vehicle trips by gasoline and diesel-powered vehicles. One of the primary means of achieving this is to encourage more walkable, complete neighborhoods in which a large portion of daily needs can be met without resorting to the use of an automobile. **Drive-through restaurants are the complete antithesis of this.** One of the major sources of greenhouse gas emissions is from idling vehicles, whether due to intersection signals, traffic congestion or simply idling for long periods for things such as air conditioning. Drive-through restaurants, while they may be very lucrative for the franchisee, result in a constant stream of idling vehicles throughout the entire business day. It would also attract many additional automobile trips from outside the area simply because it was near the I-5 exit.

The South Gateway Neighborhood Association, while it believes a Mixed Use -I or Mixed Use -II zone would allow the area to be more walkable, bikeable and safer for pedestrians (especially older ones) **would be willing to consider an MU-III zone but only if no drive-throughs were allowed.**

The staff report provides for no more than 3 F&B drive throughs. We would like to stipulate that no other drive throughs, for any other purpose be permitted within the development.

- b. **Cap on Traffic:** The condition that the site shall not exceed 25,348 vehicles per day is a good one, through unenforceable. SGNA would like to know how the development intends to control the entry of the traffic and the plan to divert the traffic overflow, beyond 25,348 vehicles. Unless there's a
- c. **Other restrictive conditions:** In addition, we would like to propose **the following restrictive conditions** on the use of this property, to be incorporated into any approvals being

communicated to the applicant. We believe these restrictions are necessary to meet the above stated objectives of traffic, safety and neighborhood livability. We have seen in the past that, absent specific restrictions, there is a wide latitude for the type of development to be done, not just by the present owners but any future owners.

We request that restrictive conditions should prohibit the following uses of the site for current and future development plans, binding upon current and all future owners:

1. Motor Vehicle, Tire & Motor Home Sales & Services (gas stations, commercial parking, etc.)
2. Recreation, Entertainment and Cultural Services (except parks and open space and religious assembly)
3. Construction, contracting, repair, maintenance and industrial services (general repair, landscape, lawn and garden, etc.)
4. Wholesale sales, storage and distribution
5. Manufacturing
6. Transportation facilities
7. Utilities
8. Farming, forestry and animal services (except small vet services)

Thank you for your consideration.

Jake Krishnan

Chair

South Gateway Neighborhood Association