

OPINION

Salem City Council should hold new hearing on proposed Costco development at Kuebler Blvd.

Bill Dalton, Lora Meisner and John Miller, Guest Opinion Published 7:12 p.m. PT July 17, 2020

In 2007 PacTrust applied for a zone change (residential to commercial) on 28 acres south of Kuebler Blvd. between Battle Creek and 27th Ave SE. (about the size of the Woodburn Company Stores development).

PacTrust testified that they would develop a neighborhood scale shopping center with no big box stores or gas station.

That request was granted, over significant opposition. Fast forward to 2019. PacTrust submits a Site Plan Review (SPR) application for a Costco, a 30+ pump fueling complex and the destruction of a grove of ancient Oregon White Oaks.

Salem Costco: [State orders second look as PacTrust sues city for nearly \\$10 million \(/story/news/2019/08/14/pactrust-files-10-million-complaint-against-salem-over-proposed-costco-oregon/2013304001/\)](#)

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This application was wisely denied by the Salem City Council. Pactrust then sued the city in federal court for millions of dollars and appealed the SPR denial to the Land Use Board of Appeals (LUBA). LUBA remanded the matter to the city, confirming the city could consider traffic impacts and the removal of the oaks. PacTrust has now requested processing of the remand but without a public hearing.

No one is suggesting that PacTrust cannot develop this property for commercial use. They just have to meet the SPR standards, like everyone else, and those are more stringent than the zone change standards.

The city council previously decided that the PacTrust current proposal did not meet the SPR standards. This was a wise decision: A huge Costco store and large fueling depot would be devastating, not just to the immediate neighborhoods but well beyond.

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New traffic studies submitted to the city demonstrate PacTrust's now outdated traffic report was woefully inaccurate. The new studies show that the Kuebler/Battlecreek Rd., Kuebler/Commercial St. intersections, and I-5 interchange, among others, would fail to meet standards.



Bill Dalton /Photo: Courtesy of Bill

The solution that the city should seek is a proposal that doesn't 'attempt to cram a size 11 foot into a size 6 shoe. The problem can be solved with a good site plan. PacTrust's current proposal for a massive store, with acres of parking and a fueling depot, will generate overwhelming traffic and wipe out the Oaks. A slightly smaller development - like the originally promised Orenco Station style Center - solves those problems. It would be a win/win.

If residents want more information and to see the current plans, go to:

<https://www.cityofsalem.net/Pages/proposed-kuebler-gateway-shopping-center-costco.aspx>

In the 2019 council meeting, the PacTrust attorney argued they were not required to submit a Traffic Impact Analysis (TIA). After questioning by the Council, City staff confirmed that a TIA was indeed required.

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Lora Meisner (Photo: Courtesy of Lora Meisner)

PacTrust now claims it can move (<https://www.cityofsalem.net/CityDocuments/costco-remand-submission-exhibit-b-arborist-report.pdf>), the majestic oaks. But the tree ordinance specifically prohibits removing more than 30% of any tree.

PacTrust previously promised no big boxes, no fueling stations. Yet now they insist on precisely that. No developer has a vested right to mislead the city council.



John Miller (Photo: Courtesy of John Miller)

We need an open and transparent process that allows public input and careful scrutiny by our city council.

Ask for a public hearing by emailing them at citycouncil@cityofsalem.net They need to hear from us.

Bill Dalton, Lora Meisner, and John Miller were appellants on the PacTrust/Costco Development. They can be reached c/o LCAT5016@gmail.com

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