

KEIZER PLANNING COMMISSION
Minutes
Wednesday, September 18, 2002 @ 7:00 p.m.
Keizer City Hall - Council Chambers

1. CALL TO ORDER

Chair Anderson called the meeting to order at 7:00 p.m.

2. INTRODUCTION OF NEW COMMISSIONER

➤ **Mike Hart**

The Commission welcomed Commissioner Hart.

3. ROLL CALL

The following members were present: Bruce Anderson, Ross Day, Stan Compton, Michael Smith, Frank Moore and Mike Hart

Absent: Christopher Andersen

Also present: Planning Director Maria Meier, City Attorney Shannon Johnson, Council Liaison Richard Walsh and Associate Planner Cheryl Vafakos

Planning Director Meier introduced Ms. Vafakos who would be assisting the Commission during Mrs. Meier's maternity leave.

4. APPROVAL OF MINUTES

➤ **July 10, 2002**

Commissioner Day moved for approval of the July 10, 2002 minutes as written.
Commissioner Moore seconded the motion.

The motion passed as follows:

AYES: Anderson, Compton, Day, Moore and Smith (5)

NAYES: None (0)

ABSENT: Andersen (1)

ABSTENTION: Hart (1)

FMAGIC

➤ **July 24, 2002**

Chair Anderson noted a correction in the minutes. The July 24th minutes will be brought back for the Commission to approve during the next scheduled meeting.

5. APPEARANCE OF INTERESTED CITIZENS

No interested citizens appeared before the Commission.

6. DEVELOPMENT REVIEW - 4600 River Road N.

City Attorney Shannon Johnson noted the applicable criteria as submitted in the staff report. With no objection from the effected individuals the reading of the criteria was waived. Mr. Johnson summarized the criteria for submission of testimony pertaining to the Development Review.

No objections were raised pertaining to notice, opportunity to be heard or jurisdiction. The Commission declared no exparte contacts, conflicts of interest or bias.

Planning Director Maria Meier reported that the property owners Marc and Charlene Iwahiro proposed to construct a new building with walkway coverage over the south and a portion of the east side of the building. She noted that the proposed design has overhangs with a vertical clearance of eight-foot three inches rather than the twelve-feet as required. The applicant was requesting a development review to propose their alternative to the Development Code Design Standards.

Planning Director Meier clarified where the property was located and the Commission's purpose of review as it pertains to the Development Code. She answered additional questions from the Commission.

Chair Anderson opened the public hearing.

Public Testimony:

Craig Carlson, Architect, 3095 River Road North, Salem, OR-spoke as the architect for the project. Mr. Carlson indicated the two issues that he wished to address were definitions for building frontage and the height of the overhang. He addressed what he believed to be the definition of building frontage as he addressed it with his design of the building versus staff's definition. (Being any

side of a building with a sidewalk) He indicated that the design has a sidewalk on the east side of the building, which he felt would be considered the rear of the building. The reason for the sidewalk on the east side was to access the handicapped parking spaces. Mr. Carlson further explained that the building was designed to assume that the frontages were the south and east sides of the development. He questioned the height of the overhang requirement noting if compliance of this was mandated that a radical redesign of the building would have to take place.

Mr. Carlson requested that the definition of "frontage" as written in the Development Code be better defined, and that the designed overhang be considered. He also requested that the overhang not be required to extend to the east side of the building.

Responding to questions from the Commission Mr. Carlson summarized the aesthetic design of the building facing River Road and the overhang on this portion of the building. He indicated that a 12-foot overhang was not a requirement that he had worked with before and was surprised when this was addressed by staff.

Rich Duncan, Phair Development, 1395 Commercial Street SE, Salem- responding to questions from the Commission regarding additional costs to increase the overhang height, Mr. Duncan indicated that this would possibly increase the framing costs by 25 percent.

Commissioner Smith questioned if it would be possible for the three columns on the south side and the face of the building to be moved out to meet the five-foot clearance for the walkway.

Mr. Carlson indicated this would not be a problem.

Responding to questions pertaining to the overhang standard Planning Director Meier indicated that the standard was adopted in 1998 and that during the past four years this had been the first time it had become an issue.

Marc Iwahiro, 4734 River Road North, Keizer, Oregon- He indicated that major changes in the design would hinder the development financially, as well as, aesthetically and he asked for the Commission's consideration.

Responding to questions Dr. Iwahrio indicated he is currently practicing General Dentistry in Keizer and if unable to develop the building would have to seek office space elsewhere.

Planning Director Meier answered questions from the Commission pertaining to the Development Code. She indicated that the application was under full review by the Commission.

City Attorney Shannon Johnson explained if the Commission decided to grant the applicant's request to do so without defining "frontage". He indicated that the issue of addressing changes to the Code would take place at another time.

With no additional testimony Chair Anderson closed the public hearing.

Commissioner Smith moved a motion that the Development Review Application be approved as submitted, also suggesting to the architect that five-feet of unobstructed width for the sidewalks between the three columns on the south side and the face of the building be done. Commissioner Compton seconded the motion.

Chair Anderson believed it was necessary to better define building frontage in the Development Code.

The motion passed as follows:

AYES: Anderson, Compton, Day, Frank, Hart and Smith (6)

NAYES: None (0)

ABSENT: Christopher Andersen (1)

ABSTENTIONS: None (0)

7. DEVELOPMENT REVIEW - 7763 Wheatland Road N.

City Attorney Shannon Johnson noted the applicable criteria as submitted in the staff report. With no objection from the effected individuals the reading of the criteria was waived. Mr. Johnson summarized the criteria for submission of testimony pertaining to the Development Review.

No objections were raised pertaining to notice, opportunity to be heard or jurisdiction. The Commission declared no exparte contacts, conflicts of interest or bias.

Planning Director Maria Meier reported that the Marion County Fire District #1 submitted an application for Development Review to construct a new structure at the above mentioned address. The primary issue for the application was material and structures. The applicant was proposing to construct a new building that contained metal siding. The applicant's statement, site plan and elevation drawings were provided in the packet for the Commissions review.

Chair Anderson opened the public hearing.

Public Testimony:

Bob Jung, Assistant Chief, Marion County Fire District, 300 Cordon Road NE, Salem, Oregon-summarized for economical reasons the Fire District had requested the new structure be built with metal siding. Mr. Jung provided pictures of what the building would look like and requested the Commissions consideration.

Aaron Sutton, Boatright Engineering Inc., 2613 12th St SE, Salem, Oregon-reported that a vendor had been chosen to purchase the metal building from but they were waiting on the decision of this hearing before moving forward with the final purchase.

Mr. Jung responded to questions regarding the building and its recommended expansion. He addressed the age of the current facility and ongoing problems with maintenance that the Fire District had battled with over the years.

Parking for the facility was discussed. The applicant believed there was adequate parking to accommodate the need and necessary requirements. The applicant and the Commission also discussed the interpretation of the overhang requirements.

Responding to questions regarding the size of the new facility Mr. Jung indicated his belief that the main fire station would be approximately double the size of the existing facility.

Staff addressed questions pertaining to the development.

Commissioner Compton expressed concern regarding the Development Review of this project being noted in the engineer's letter as possibly, "restricting the District's fire fighting capabilities" if the review was not granted.

Commissioner Day and Chair Anderson reiterated Commissioner Compton's concerns.

Mr. Sutton apologized to the Commission for the misunderstanding of this portion of the language in his letter and restated his intent of the letter.

Responding to comments from the Commission, City Attorney Johnson reminded the Commission that Development Review is not a Variance. He went into a brief explanation of this.

With no additional testimony Chair Anderson closed the public hearing.

Commissioner Day moved a motion to approve the Development Review as submitted. Commissioner Compton seconded the motion.

Commissioner Smith moved a friendly amendment of the addition of a 10-foot covered egress and access area outside of the public gathering space.

Commission's Day and Compton accepted the friendly amendment.

The motion passed as follows:

AYES: Anderson, Compton, Day, Frank, Hart and Smith (6)

NAYES: None (0)

ABSENT: Christopher Andersen (1)

ABSTENTIONS: None (0)

Chair Anderson recessed the meeting for five minutes.

8. PUBLIC HEARING-

➤ TEXT AMENDMENT CASE NO. 02-45 - Variance Criteria

Chair Anderson opened the public hearing.

City Attorney Shannon Johnson reported that Councilor Walsh raised this issue. He expressed his agreement with some of the issues pertaining to language currently in the Development Code, and urged the Commission to review Councilor Walsh's letter, in addition to the Major and Minor Variance criteria.

Councilor Walsh summarized his letter dated June 10, 2002 pertaining to Major and Minor Variances. He suggested that the Minor Variance criteria be

eliminated using the Major Variance criteria with additional language being formed as the new Major Variance criteria. He also suggested, as part of his recommendation that staff would, in the future, examine Minor Variances and the Planning Commission would review Major Variances.

Planning Director Meier provided a synopsis of quantifiable standards, and she supplied examples of these standards for the benefit of the Commission.

As part of the conversation City Attorney Johnson recommended that the Commission visit the issue of not allowing a variance on lot sizes.

Commissioner Smith agreed with Councilor Walsh's suggestions as outlined in his letter. He recommended that staff creates a list of exceptions for the Commission's review.

City Attorney Johnson noted the Commission's history of dealing with legislative matters and some development review hearings. He indicated if the Commission wished to hold regular quasi-judicial hearings that this recommendation could be made to the Council with the understanding that additional meetings may need to take place to meet the requirements of the application.

The Commission discussed the Purpose Section for Variances.

City Attorney Johnson indicated that staff would organize and submit draft language at the next meeting for the Commission's consideration.

Chair Anderson continued the hearing until October 23, 2002

9. NEW BUSINESS/OLD BUSINESS

Planning Director Meier provided a brief update on the City Council's review of the Keizer Station Plan and it's review of Private Streets.

10. ADJOURN

➤ *Next Meeting October 23, 2002 @7:00 p.m.*

Chair Anderson adjourned the meeting at 9:00 p.m.