

**KEIZER PLANNING COMMISSION
MINUTES
Wednesday, July 24, 2002 @ 7:00 p.m.
Keizer City Hall - Council Chambers**

1. CALL TO ORDER

Chair Anderson called the meeting to order at 7:07 p.m.

2. ROLL CALL

Bruce Anderson, Ross Day, Christopher Andersen, Michael Smith and Frank Moore (arrived at 7:10 p.m.)

Absent: Stan Compton

*Richard Walsh also in attendance
corrected 12/11/02
CP*

Also present were: Planning Director Maria Meier, City Attorney Shannon Johnson and Recording Secretary Cindy Perry

3. APPEARANCE OF INTERESTED CITIZENS

None

4. DEVELOPMENT REVIEW CASE NO. 02-41/1150 Candlewood Drive NE

City Attorney Shannon Johnson summarized the applicable criteria and noticing requirements, as the law required. He requested that the Commissioner's declare any exparte contacts or bias. None were declared.

Planning Director Maria Meier reported that Gary's Automotive had submitted an application for Development Review to construct a new structure at the above location with corrugated metal similar to that of the surrounding buildings. The Development Code does not allow this type of finish therefore the applicant was requesting the Commissions consideration of the project.

Chair Anderson opened the public hearing.

Testimony

George Lewis, 1150 Candlewood Drive, Keizer-indicated the reason for wanting the metal on the new structure was that it was conducive to their other building

and that the wrecking yard which is near them was a consideration for the possibility of fire.

Photos of the area were submitted to the Commission for review.

Responding to questions Mr. Lewis indicated that the building was approximately 168 feet from the street in a lot that was 210 feet deep. He also noted that the visibility of the building from the street would be minimal.

Arlin Adamson, PO Box 7124, Salem- owns parcel adjacent to the property in question. Mr. Adamson noted conditions of approval from the properties previous zone change and requested that the applicant be required to meet the earlier conditions, as well as, additional conditions if the application was granted.

Responding to questions, Mr. Adamson indicated he did not object to the application, but requested that the property be brought up to IBP code requirements.

Chair Anderson thanked Mr. Adamson for his testimony.

Planning Director Maria Meier noted that separately with the building permit that the application would be required to meet all landscaping, parking and setback standards in the current IBP zone. She indicated, at this time, an application had not been received requesting a variance to any of those standards.

With no one else wishing to testify Chair Anderson closed the public hearing.

Commissioner Smith moved a motion to accept the application for metal siding as outlined in the application and photos. Commissioner Day seconded the motion.

The motion passed as follows:

AYES: Anderson, Chris Andersen, Day, Moore, Moore and Smith (6)

NAYES: None (0)

ABSENT: Compton (1)

ABSTENTIONS: None (0)

5. DEVELOPMENT REVIEW CASE NO. 02-42/ 4790 River Road N.

City Attorney Shannon Johnson summarized the applicable criteria and noticing requirements. He requested that the Commissioner's declare any exparte contacts or bias.

Chair Anderson noted that he had contact with the applicant discussing general terms regarding the property.

Commissioner Chris Andersen noted the applicant had been a client at his place of business.

Commissioner Day indicated that he had spoken with the applicant's acquaintance, Craig Campbell, regarding other matters.

Commissioner Smith reported that he had spoken to the applicant for informational purposes only.

Chair Anderson opened the public hearing.

Planning Director Maria Meier reported that the tenant for the property owned by Jim McCarter submitted an application for Development Review for approval of exterior remodeling located at 4790 River Road North. The applicant specifically requested that he not have to meet the standard to have no less than 50 percent of the ground floor wall area with windows. Also to be allowed to use plywood as exterior siding and to allow for the color which he painted the building that was not on the color wheel.

Staff recommended that the Commission consider the purpose of the section of the Development Code that pertains to this matter and to render a final decision.

Testimony:

Chad White, 946 Nightengale Court, Keizer/applicant- reported that he leased the building in April to open as Keizer Martial Arts. In an attempt to conform the building to better meet his needs he took the garage door out and painted the

building. Upon doing this he was notified that he would have to go through the development review process. Mr. White noted his limited income to make these changes, and his inability to open his business because of this. He requested the Commissions consideration to allow him to open his business.

Craig Campbell, Fenway Court, Keizer- spoke in favor of the applicant's request. He indicated that the suggested upgrades would cost the applicant approximately \$13,000, which would make it impossible for him to open his business. He urged the Commission to grant Mr. White his request.

The applicant responded to questions, and with no further testimony the public hearing was closed.

The Commission discussed and debated the information. Members of the Commission sympathized with the applicant's plight, but reprimanded him in hopes that he would check into requirements prior to development in the future.

Chair Anderson noted for the record a letter from a neighboring property owner, Dr. Fromherz, requesting conformance with the code.

Commissioner Andersen moved a motion to approve the application noting that the paint on the entire building must be brought up to code within 18 months. Commissioner Day seconded the motion.

The motion passed as follows:

AYES: Anderson, Chris Andersen, Day, Moore, Moore and Smith (6)

NAYES: None (0)

ABSENT: Compton (1)

ABSTENTIONS: None (0)

The meeting was recessed at 8:20 p.m. and called back to order at 8:30 p.m.

It was the consensus of the Commission to authorize staff to forward the notice of decision on Case No. 02-41 and Case No. 02-42.

6. TEXT AMENDMENT CASE NO. 02-21; *Private Streets*

Planning Director Maria Meier reported that at the last meeting the Commission had directed staff to draft language that would require the extension of sidewalks along private streets if sidewalks exist on the connecting streets.

Mrs. Meier briefly reviewed the suggested changes by the Planning Commission.

Chair Anderson believed it would be important for member of the Commission to attend the Council meeting to answer and explain the Commission's reasoning behind their decisions.

Commissioner's Smith and Day agreed to attend the Council meeting.

Commissioner Day moved a motion to recommend Text Amendment Case No 02-21 as amended. Commissioner Andersen seconded the motion.

The motion passed as follows:

AYES: Anderson, Chris Andersen, Day, Moore, Moore and Smith (6)

NAYES: None (0)

ABSENT: Compton (1)

ABSTENTIONS: None (0)

7. NEW BUSINESS/OLD BUSINESS

Vacancy

Planning Director Maria Meier indicated that the Volunteer Coordinating Committee would be making a recommendation to the Council during the August meeting.

Next Meeting

It was the consensus of the Commission to change the September meeting to September 18th at 7:00 p.m.

Variance Criteria

Planning Director Maria Meier reported that on July 15, 2002 the City Council requested that staff forward the comments from Councilor Walsh pertaining to the review and critique of the Keizer Development Code Variance Criteria.

The Commission reviewed the written material and discussed this with staff.

Members of the Commission questioned whether it would be necessary to review the entire Development Code. Mrs. Meier indicated that this process was already in place as a phase process which the Commission would be reviewing *Phase Definitions* in the near future.

Commissioner Day moved a motion to initiate a text amendment in accordance with the recommendation submitted by Councilor Walsh and any related matters that staff feels are appropriate. Chair Anderson seconded the motion.

City Attorney Johnson indicated that he would accept the motion to mean that staff is to review any area of the Code that may not be appropriate for variances.

Chair Anderson indicated that he felt this motion should be targeted to Section 3.105 of the Code, which would be reviewed by the Commission during September's meeting.

The process was briefly discussed.

The motion passed as follows:

AYES: Anderson, Chris Andersen, Day, Moore, Moore and Smith (6)

NAYES: None (0)

ABSENT: Compton (1)

ABSTENTIONS: None (0)

8. ADJOURN

Chair Anderson adjourned the meeting at 9:15 p.m.

➤ *Next Meeting September 18, 2002 @7:00 p.m.*