



**KEIZER PLANNING COMMISSION
MEETING MINUTES
Wednesday, July 10, 2013 @ 6:00 p.m.
Keizer Civic Center**

CALL TO ORDER

Planning Commission Chair Jonathan Thompson called the meeting to order at 6:04 pm.

ROLL CALL:

Commissioners Present:

Jonathan Thompson, Chair
John Rizzo, Vice Chair
Matt Chappell
Hersch Sangster
Jim Jacks
Jared Choc
Greg Rands

Council Liaison:

Joe Egli

Staff Present:

Nate Brown, Community Development Director
Sam Litke, Senior Planner
Shannon Johnson, City Attorney
Debbie Lockhart, Deputy City Recorder

APPROVAL OF MINUTES: Commissioner Sangster moved for approval of the June 2013 Minutes. Commissioner Jacks seconded. Motion passed unanimously as follows: Thompson, Rizzo, Sangster, Chappell, Choc, Rands and Jacks in favor.

APPEARANCE OF INTERESTED CITIZENS: None

**PUBLIC HEARING - CONDITIONAL USE CASE NO. 2013-04 – A 48-BED
RESIDENTIAL CARE FACILITY**

Chair Thompson opened the Public Hearing. City Attorney Shannon Johnson explained that the matter was before the Planning Commission in a quasi judicial hearing and suggested that barring objections the reading of the exact list of criteria set forth in the staff report be waived. There were no objections. He added that any questions could be brought up during testimony and that testimony, arguments and evidence must be directed toward the criteria set forth in the staff report or other criteria believed to apply to this decision. Failure to raise constitutional or other issues related to the proposed conditions of approval with sufficient specificity to allow the Planning Commission or its designee to respond to that issue precludes an action for damages. He noted that if anyone had any objection as to conflict of interest, bias, jurisdiction, notice and opportunity to be heard, it should be brought up at the time of testimony and any Commissioners wanting to disclose conflict of interest, bias or prejudice on this case should do so at this time.

Senior Planner Sam Litke explained that this is a one-story facility behind St. Edwards Church; a new road will be constructed to serve the church, this facility and the rear portion of the church property. Nothing is planned for that area at this time. The conditional use criteria, criteria specifically related to memory care facilities including infrastructure, conditions from the Improvement Agreement, and a landscaping plan are included. Staff would like to see more landscaping on the west including a sight obscuring hedge to the north and south of the facility; the west properties will be impacted to a greater degree than the other sides. The infrastructure has to be done prior to issuance of permits.

Albert Castaneda, Keizer, Director of Growth and Development for Avamere explained that across the street from the proposed project Avamere has independent living, assisted living and skilled nursing but that memory care was not compatible with those. Avamere has wanted to have a memory care unit in Keizer to accommodate this need. Dementia and memory loss is a quiet use and has the youngest resident population and longest tenure. The facility will provide approximately 60 new jobs in Keizer, there are few emergency calls, the building will be secure and the only traffic will be associated with employees and a few visitors. It is a compatible use for a buffer zone between residential and commercial.

Mr. Castaneda then fielded questions regarding buffering, the impact of various outdoor activities held at neighboring McNary High School, parking, landscaping, and the roadway. Mr. Brown pointed out that the Improvement Agreement states that the roadway and infrastructure must be completed before St. Edwards can occupy their new building. Mr. Castaneda explained that the goal is to start at the end of August, get the "first lift" on the road by the end of September and put the second lift and striping on next summer.

Further discussion took place regarding the street width. City Engineer Bill Peterson explained that the Engineering office and Public Works studied the roadway in depth and made the decision that they would be satisfied with a $\frac{3}{4}$ street improvement (curb and gutter on one side only so that the roadway can be widened at a later date if necessary). The roadway would be more than adequate for emergency vehicles as long as parking is not allowed.

Commissioner Sangster urged that two bike racks be installed at the facility to accommodate employees riding to work. Mr. Brown, Mr. Peterson and Mr. Castaneda provided clarification regarding a reference to access off Sandy Road.

With no further discussion Chair Thompson closed the Public Hearing.

Commissioner Jacks moved authorize the Planning Commission Chair to sign an order approving the requested conditional use consistent with the findings and conditions within the staff report with the change to include a minimum of two bike racks and removing the reference to access from Sandy. Commissioner Rizzo seconded. Motion passed unanimously as follows: Thompson, Rizzo, Sangster, Chappell, Choc, Rands and Jacks in favor

NEW/OLD BUSINESS: Commissioner Sangster reported that Salem would be closing State Street from the river to the Capitol Building on September 8 from 11 to 4 for bicycle and pedestrian activities.

OTHER BUSINESS: Commissioner Jacks noted that he knew Mr. Castaneda from when he served on the Planning Commission and questioned if that would be considered bias to which Mr. Johnson responded that bias is rarely found in the courts in land use; it has to be to a degree that the person is unable to reach an objective decision.

Commissioner Jacks then questioned why the Planning Commission was reviewing Conditional Use cases instead of a Hearings Officer and ~~asked staff to~~¹ change the Code so that the Hearings Officer reviews instead of the Planning Commission.

STAFF REPORT: Mr. Brown urged everyone to visit the new Transit Center. He also reported that although the Economic Opportunities Analysis and the Housing Needs Analysis are complete, the City has access to additional funds if they expand that scope to deal with the deficit in the HNA. Staff is working with DLCD on this.

COUNCIL LIAISON REPORT: Councilor Egli reported that the street resurfacing project came in under budget so the paving is being extended; Council approved step increases for the City Attorney and City Manager; Silverton Health had their groundbreaking ceremony; and Keizer Permanente is moving to Keizer. He noted that he had attended the SEDCOR luncheon and the recent Work Session to review Code Enforcement and how to get more support for staff.

COUNCIL REPRESENTATIVE: Commissioner Thompson will report at the July 15 Council meeting.

ADJOURN — The meeting adjourned at 7:36 p.m.

Next Meeting: August 14, 2013

Minutes approved: 09-11-13

¹ Prior to approval Commissioner Rizzo suggested the wording be changed to “suggested staff” change