

MINUTES

KEIZER PLANNING COMMISSION

Wednesday, June 12, 1993

Robert L. Simon Council Chambers

- CALL TO ORDER** Chair Meier called the meeting to order at 7:02 p.m.
- ROLL CALL** The following members were present: Diane Bassett, Lee Dunn, Sam Goesch, Art Gottfried, Marty Matiskainen, Dawn Meier and Elaine Smith (new appointment). Also in attendance were City Attorney Shannon Johnson, John Morgan, Community Development Director and Linda Sanders.
- APPROVAL OF MINUTE** Sam Goesch moved for the approval of the Minutes of the Planning Commission meeting of May 12, 1993. The motion was seconded by Art Gottfried and passed unanimously.
- SWEARING IN** City Attorney Shannon Johnson swore in Elaine Smith as a new Commissioner with a term ending September 30, 1994.
- INTERESTED CITIZENS** There were no citizens to speak at this time on items not on the agenda.
- PUBLIC HEARINGS** Chair Meier discussed the procedures for holding a Public Hearing. Ms. Bassett asked to have Discussion on the Neighborhood Association Ordinance moved up on the agenda since she needed to leave. Chair Meier called up Item d. on the agenda for discussion.
- DISCUSSION**
Neighborhood Association Ordinance Ms. Bassett asked why the number of homes required to form an Association was placed at 300. Mr. Morgan said the number was set fairly high to keep from having Associations formed around a single issue. The goal is also for Associations to have a broad enough base to take a comprehensive view of the issues and to have enough persons for an ongoing Board of Directors. McNary Estates has approximately 300 homes which seemed to be a nice size. He indicated dropping below 100 homes would not be his choice.
- Ms. Bassett said most Associations are built around a single issue, possibly something happening in the city. She said her neighborhood would be hard pressed to come up with 300 households. She opposed the ordinance from the standpoint of restricting the rights of citizens to form together to represent a single interest. Mr. Morgan stated the Ordinance did not restrict people in alliances, task forces or speaking to the City Council, it merely limited those Associations to be recognized by the Council.

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Recognition would result in having the Association on the City mailing list, having issues referred to them and having some standing on land use issues.

In answer to a question regarding the Clear Lake Neighborhood Association, President Ron Bassett-Smith stated they have more than 300 people in the boundaries but never more than 45 attending the meetings. He said their association intentionally chose a large group, believing someday they will split. They formed around the notion of community and are tied to Clear Lake School.

Ms. Smith asked how many homes are now in Keizer. Mr. Morgan stated between 6000-6500 homes are in Keizer. A Public Hearing would take place before the Council in July. The City is developing a mailing list of those who might have interest in the issue including, every elementary school LSAC and Parent's Club, Clear Lake Neighborhood Association, McNary Estates homeowners, Gubser Christmas Lighting area, Terrace Green Association and any other identified groups already in operation.

Chair Meier said she had no problem with setting a floor of 300. Mr. Gottfried agreed. Mr. Matiskainen pointed out the 300 limit is open for review at the Public Hearing. Ms. Smith thought the number was reasonable. Mr. Goesch felt the burden placed on Associations in LCDC would require more than focus on a single issue. He felt the 300 number could be halved without harming visibility. Ms. Bassett was opposed to the 300 home requirement.

A motion was made by Lee Dunn that the Neighborhood Association Ordinance be approved by the Planning Commission and referred to the City Council for approval. The motion was seconded by Sam Goesch. The motion passed with a vote of 5-2 with Commissioners Bassett and Goesch voting in opposition.

**PUBLIC HEARING
Comprehensive Plan
Amendment**

Chair Meier opened the Public Hearing.

Mr. Morgan reviewed the actions initiated by the Commission in past meetings to begin the process of considering zoning on undeveloped land north of Wheatland Road. He concurred with the work of Mr. Sherman on behalf of Mr. Epping and asked to be able to comment at the end of the hearing.

Speaking in the Hearing were:

Ken Sherman, 687 Court Street, Salem, representing CAWS, Inc. Mr. Sherman stated he was speaking for CAWS which was the

owner of 67 acres of property zoned industrial and also for the Clear Lake Owners group with whom they had attempted to coordinate efforts.

Mr. Sherman stated the Commission is dealing with two separate issues:

- Rezoning the Epping property from current Campus Light Industry to Mixed Use and,
- Reclassifying 32 acres of Clear Lake property from Medium High Density to Low Density.

He reviewed the document the Commissioners had received highlighting the principal arguments. The zoning of the Epping property was done to satisfy the projected need for large industrial parcels as a result of the Project 90 study. About 2000 acres of land was added to meet that need. At present about 2135 acres of unused industrial land is available for occupancy. The expected utilization rate was 50 acres a year while in actuality the average over the past 12 years has been 22 acres. Mr. Sherman stated the projected need for large parcels has not proved to be true. The largest piece sold in the past 12 years has been 17 acres.

Mr. Sherman stated Mr. Epping has been marketing his property for the 12 years to no avail. The property is considered to be too far from the freeway. Also the vibration from the nearby railroad track makes it an impossible spot for electrical firms. The impact of transportation into the area could be a problem with large trucks.

Mr. Sherman pointed out the property could be used for mixed use with unique and innovative development on a large scale. This would also allow for a "density transfer" from the Clear Lake property. If the total impact is considered there is a potential gain of 400-500 units for Keizer. Mr. Sherman also stated current trends point to a need for single family ground. The change of zoning and the planned development following would allow the City of Keizer to take advantage of the property being within the Urban Renewal District.

Mr. Sherman closed his comments with a reference to a letter from Eric Moyer who speaks favorably of the proposal.

Mr. Gottfried asked the size of the lots if the high density zoning were reduced. Mr. Morgan said the designation would be the same as the Meadows which could have as many as 8 units per acre.

Larry Glasscock, President of SEDCOR, 350 Commercial Street,

NE, Salem. Mr. Glasscock stated he had been involved in Economic Development for the past 19 years, had worked with every client for Salem and was on Project 90. He also had helped marked the Epping property. He stated the access was too circuitous, the location was too close to residences and schools, the property was too large and other properties were available. He wanted to place on the record that principles of industrial development which guided Project 90 are no longer viable. The trend today is downsizing and interest in large properties has ceased to exist.

Ron Bassett-Smith, President of Clear Lake Neighborhood Association, 965 Bair Road NE, Keizer. Mr. Bassett-Smith thanked Mr. Sherman and Mr. Epping for their work. He stated their Association had been formed about school crowding, traffic enforcement, utilization of Wheatland Road and development and land use issues. He believes the assumptions of the Comprehensive plan are no longer valid today. Mr. Bassett-Smith was concerned that the new school would be crowded even before opening if the zoning change was not made.

Mr. Morgan summarized the next step. He said the City staff, Neighborhood Association and the owner have come to the conclusion the Comprehensive map is in error and to put high density residential land on Wheatland Road is inappropriate as is the industrial zoning on the Epping property. The transfer would give opportunity for better uses of that property and would allow the high density land to be closer to the services needed. The recommendation from the staff is to adopt the facts and findings of fact material given to the Commission and recommend to the City Council their approval.

The LCDC staff is recommending that zone changes not be allowed on industrial properties and land divisions not be split. The City Council's position was adamant and unanimous that Keizer has the right to make the decision. The LCDC will be meeting tomorrow.

Ms. Smith declared a possible conflict of interest due to her employment with LCDC although she did not work on this issue and would like to continue in the discussion of the Commission.

Mr. Gottfried asked what would be the broader implication. Mr. Morgan stated the bigger issue is that LCDC in 1981 developed the Project 90 document laying out the economic strategy and the strategy should not be changed without a major rewrite. The City staff will be going to LCDC with Marion County and Salem and

offering to do that, but also saying that a moratorium at this time is not appropriate.

Chair Meier closed the Public Hearing.

PUBLIC HEARING
Chemawa Activity
Center

Chair Meier opened the Public Hearing.

Mr. Morgan reported no one was present to speak in the hearing this evening. Ongoing dialogue is being held with the neighborhood and he asked the hearing be held over until the July Commission meeting. He could go over the plan draft either this evening or in July if the hearing is held over.

Art Gottfried moved the Public Hearing on the Chemawa Activity Center be held over until the July meeting of the Planning Commission. The motion was seconded by Sam Goesch. The motion passed.

The Public Hearing for the Chemawa Activity Center will be held over until the July meeting.

The meeting was recessed for 3 minutes.

The meeting was called back to order.

DISCUSSION
Clear Lake Area Plan

The Commission discussed the comments made in the Public Hearing.

Dawn Meier moved the Commission adopt the materials on the Clear Lake Plan as findings of fact and recommend to the City Council they adopt the proposed change following their Public Hearing. Marty Matiskainen seconded the motion. The motion passed with Elaine Smith abstaining.

Churches in Residential
Zones

Mr. Morgan reported the zoning ordinance has 3 categories of use in each zone; uses permitted outright, uses requiring conditional use and Public Hearings, and uses which have extraordinary requirements. Churches with fewer than 100 parking spaces can be located in a residential zone without having to go through a special process. Mr. Morgan reported a church on Pleasant View was in for a building permit and met all the special use criteria. Neighbors have expressed great concern about the appropriateness of the church and the special use designation.

Mr. Morgan pointed out the issue of the threshold of 100 parking spaces requiring a special process. He said 100 spaces may not be

appropriate. The Commission may direct the staff to explore and come back with an analysis.

Speaking about the issue were:

Mr. DeLong, 3770 Pleasant View Drive, Keizer. Mr. DeLong stated he was not present to stop the building of the church. He understood it was past that issue. He said he did not understand how a church could be build in a residential area without studying the parking and transportation problems. He said the rest of the neighbors were concerned about how it will impact the neighborhood, especially since plans were already being made for expansion. He would like to have the Commission look at the Ordinance. He thought the neighborhoods should receive public notice and there should be a Public Hearing.

Pastor Michael Hearn, 4775 River Road Drive North, Keizer. Pastor Hearn stated he could appreciate the apprehension about the situation. The house on the property is 70 feet from the road and is being used as a church office until the sanctuary is built when it will be used for Sunday School. Pastor Hearn stated he had talked to the City Planner many times in looking at properties and looked at many properties. The Church is trying to keep the cost at a minimum although they do plan to expand past the 40-45 people attending now. He felt the church would add value to the neighborhood and also could serve as a meeting place for the neighborhood. Pastor Hearn stated the church planned to be a good neighbor.

Chair Meier assured Pastor Hearn he had gone through the proper procedures. Pastor Hearn said the church did plan on expanding and would build a building to meet the need. Mr. DeLong asked where those attending church would park if they don't have parking spaces.

Mr. Goesch stated he had driven around the area and had seen big lots with very nice homes along with derelict lots. The area is going through infill and changes will be resulting. He said he believed the impact on the community would be minimal and that churches in residential neighborhoods are positive. He did not believe any amendments needed to be made.

Ms. Smith asked if there were restrictions on uses of the church for other activities. Mr. Morgan said only those uses which would be permitted in the zone, for example a school would not be allowed without a conditional use permit. A daycare would also require a

conditional use permit since the building permit permits only a church. Mr. Matiskainen noted that as the church grew the land might not be useful and they would move.

Chair Meier asked Mr. Morgan to come up with some comments regarding the issue for the July meeting. Mr. Morgan asked the Commission to look around the community at other situations.

Mr. Gottfried felt Mr. DeLong should be relieved that there are checks and balances in the system. Mr. DeLong was concerned about the 100 parking spaces. He was concerned that if the church grew those attending might park in front of their homes and would have an impact on the neighborhood. He felt there should be some discussion on the impact on the neighborhood.

Ms. Smith thought 100 spaces is a lot and could be a big impact on a neighborhood. If the location were on a collector or arterial it could be appropriate. She thought the threshold might be set too high and maybe other standards should be applied. She commented that a small church is an asset to the community. Mr. Matiskainen stated other standards of development and guidelines will come into play and the church might not be able to get a building permit. Pastor Hearn commented that 100 spaces would require a big building and the church would have to go through hoops which would limit them before they ever got close to that number on that piece of land.

Chair Meier asked Mr. Morgan to bring back information to the next meeting.

ANNOUNCEMENTS/ AGENDA INPUT

Chair Meier mentioned the notice for the infill hearing tonight and next Wednesday. Mr. Matiskainen commented on an article in the Daily Journal of Commerce which tells about case law established in Washington State regarding design review.

ADJOURNMENT

A motion was made by Marty Matiskainen and seconded by Elaine Smith that the meeting be adjourned. The motion passed.

The meeting was adjourned at 9:17 p.m. The River Road Redevelopment Board and the Planning Commission will be meeting in a joint meeting on July 7 at 7:00 p.m. The next regular meeting of the Commission will be July 14 at 7:00 p.m.