



KEIZER PLANNING COMMISSION MINUTES
Wednesday, June 8, 2005 @ 7:00 p.m.
Keizer City Hall – Council Chambers

1. CALL TO ORDER

The meeting was called to order at 7:00 pm.

2. ROLL CALL

Present:

Bruce Anderson, Commissioner
Michael Smith, Commissioner
Tom Wood, Commissioner
Jack Lowery, Commissioner
Jacque Moir, Council Liaison

Staff Present:

Nate Brown, Community Development Director
Shannon Johnson, City Attorney
Tracy Davis, City Recorder

Absent:

Holly Braun, Commissioner
Greg Ego, Commissioner
Stan Compton, Commissioner

3. APPROVAL OF MINUTES ~ Approval of the May 11, 2005, Minutes was moved and seconded. Motion passed as follows:

AYES: Smith, Wood and Lowery (3)

NAYS: None (0)

ABSTENTIONS: Anderson (1)

ABSENT: None (0)

4. APPEARANCE OF INTERESTED CITIZENS ~ None

5. STAFF UPDATE

River Road Renaissance ~ Nate Brown reviewed items discussed at the past meeting explaining that the committee is in the process of getting banners and brackets in place for the 5 districts. He presented an outline of the characteristics which will govern the design of the five focal points adding that distinctive patterns would flow throughout the district. He explained that the committee had discussed, deliberated and approved the 6 conditions. The committee also discussed acquisition of the Wittenberg property and agreed to move forward. Council supports this concept but has not allocated funds. Jack Lowery added that three members were selected to meet with Mr. Wittenberg and they have done so and Christine Dieker with the Chamber was going to try to meet with City Council to discuss the next step: possible letter of intent or friendly condemnation.

6. PUBLIC HEARING – Development Review Case No. 2005-16 ~
Chair Anderson Opened the Public Hearing.

City Attorney Shannon Johnson explained that the matter was before the Commission in a quasi judicial hearing for amendment to Keizer Development Code. He suggested that the reading of the exact list of criteria set forth in the staff report be waived and asked if anyone objected. 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 in the Comprehensive Plan or land use regulations believed to apply to this decision. Failure to raise an issue accompanied by statements or evidence sufficient to afford the Commission and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue. In addition any failure by the applicant or others to raise constitutional or other issues related to the proposed conditions of approval with sufficient specificity to allow the Commission or its designee to respond to that issue precludes an action for damages in Circuit Court. 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.

Nate Brown then explained that the application had been submitted by the City of Salem requesting that the pedestrian connection to the public street be waived for several reasons:

- The facility is set back over 300 feet from the street
- There are currently no sidewalk improvements along this street
- The facility is industrial so there will be little demand for pedestrian access to the site.

Mr. Brown summarized that staff recommendation is not to waive the requirement for the pedestrian connection, but to defer it until pedestrian facilities are developed along the street and that this be a condition of the building permit.

Scott Fleming, 5930 Windsor Island Road, addressed the Commission stating that he lived across from the facility and works at the plant and that he is in favor of deferring the installation of the pedestrian facilities because he is concerned that he will lose a large tree in front of his house that screens the view of the treatment plant. Discussion followed at length regarding locations of trees, Windsor Island Road improvements, the driving range, and the issues at hand. Chair Anderson pointed out that the tree was not an issue in this public hearing.

With no further testimony, Chair Anderson closed the public hearing.

It was moved and seconded to take the staff recommendation and defer the installation of the pedestrian connection until the time that sidewalk improvements are installed along the frontage of this property along Windsor Island Road.

Discussion followed regarding when the sidewalks might be put in, crafting an exception to the development code to address this issue, details of the Salem project, safety, ADA access and uses of surrounding land.

Motion passed unanimously as follows:

AYES: Anderson, Smith, Wood and Lowery (4)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

7. **OTHER BUSINESS** – Nate Brown suggested that the scheduled meeting time be 5:30 or 6:00 instead of 7:00 p.m. Members discussed this and agreed to set the time for 6:00 p.m. with the understanding that if it didn't work out the time would be changed back to 7:00 p.m. Discussion followed regarding the upcoming increased work load in the Community Development Department and whether or not the Commission was required to meet if there was no business on the agenda. Chair Anderson noted that the July meeting should still be planned but if there was nothing on the agenda the meeting could be cancelled and members notified.

8. **ADJOURN**

The meeting adjourned at 8:05 p.m.

Next Scheduled Meeting ~ Wednesday, July 13, 2005