

MINUTES
FINAL SALEM PLANNING COMMISSION Reviewer: Goebel
July 5, 2022

COMMISSIONERS PRESENT

Dan Augustyn
Ronald Eachus
Kaley Fought
Daisy Goebel
Lisa Heller
Ian Levin, Vice-President
Michael Slater

COMMISSIONERS ABSENT

Chane Griggs, Excused

STAFF PRESENT

Lisa Anderson-Ogilvie,
Deputy CD Director and
Planning Administrator
Pamela Cole, Planner II
Thomas Cupani, Assistant City
Attorney
Shelby Guizar, Admin Analyst

Note: This meeting was held digitally during the home quarantine imposed by the Governor to stem the spread of the Covid-19 virus. All attendees were virtual.

1. CALL TO ORDER

Acting President Ian Levin called the meeting to order at 5:30 p.m.

2. ROLL CALL

Roll was taken and with quorum established, Acting President Levin proceeded with the meeting.

- 3. PUBLIC COMMENT:** This time is available for interested citizens to comment on specific agenda items other than public hearings, deliberations and the merits of land use issues that are reviewable by the Planning Commission at public hearings. Each person's comments will be limited to three minutes.

- None

4. CONSENT CALENDAR:

Acting President Levin asked Commissioners Augustyn, Fought, and Heller if they were able to review the last meeting and if they are prepared to vote on the minutes, all three stated they would be abstaining from the vote.

- 4.1 Approval of Minutes: June 21, 2022 Minutes (Commissioner Levin)
Recommended Action: Approve

Motion: Move to approve the minutes.

Motion by: Commissioner Levin
Seconded by: Commissioner Eachus

Discussion on the Motion: None

Vote: Aye: Eachus, Goebel, Levin, Slater (4)
Nay: 0
Absent: Griggs (1)
Abstentions: Augustyn, Fought, Heller (3)

Action: Moved to approve the minutes.

VOTE:

Yes 4 (Eachus, Goebel, Levin, Slater) No 0 Absent 1 (Griggs) Abstain 3

4.2 Resolutions: None

4.3 Action Items: None

5. PUBLIC HEARINGS:

Hearings begin no earlier than 5:30 p.m. unless otherwise noted.

5.1 Comprehensive Plan Change and Zone Change Case No. CPC-ZC22-05 for 5536 Skyline Road S; Ward 7 – Sunnyslope Neighborhood Association; Pamela Cole, PCole@cityofsalem.net

Acting President Levin asked the Commissioners if anyone had ex-parte communications or any conflicts of interest to state into the record. No conflicts or ex-parte contacts were noted. The recorder read the statement of criteria.

SUMMARY: A Comprehensive Plan Change to “Multi-Family Residential” and Zone Change to RM1 (Multiple Family Residential 1) for a property at 5536 Skyline Road S 97306 that is proposed for annexation.

REQUEST: Petitioner-initiated, voter-exempt annexation of territory approximately 1.95 acres, located at 5536 Skyline Road S 97306 (Marion County Assessor Map and Tax Lot 083W17DB01500), currently designated Developing Residential in the SACP and zoned Marion County UT-5 (Urban Transition - 5 Acre), with concurrent comprehensive plan change to Multi-Family Residential and zone change to RM1 (Multiple Family Residential 1).

Case Manager, Pamela Cole, entered the staff report, attachments, and presentation into the record.

Recommended Action: Staff recommends that the Planning Commission adopt the facts and findings of the staff report and make the following recommendation to the City Council for the subject property consisting of approximately 1.95 acres of private property located at 5536 Skyline Road S (Marion County Assessor Map and Tax Lot 083W17DB01500):

- A. That the Salem Area Comprehensive Plan Map Change from “Developing Residential” to “Multi-Family Residential” be APPROVED and

- B. That the zone change request from Marion County UT-5 (Urban Transition - 5 Acre) to City of Salem RM-I (Multiple Family Residential I) be APPROVED and applied upon annexation of the property, contingent on approval of the corresponding "Multi-Family Residential" Comprehensive Plan Map designation.

Questions or Comments for Staff by Commissioners: Commissioners Goebel, Slater, Levin

Testifying Parties:

Applicant/ Representative:

- Britany Randall, BRAND Land Use, 12150 Jefferson Hwy 99E SE, Jefferson OR 97352

Questions or Comments for Applicant by Commissioners: None

General Public: None

Rebuttal by Applicant:

- None

Additional Questions or Comments for Staff by Commissioners: None

With no further questions, and no request to continue the hearing or leave the record open, Acting President Levin closed the public hearing at 5:50 p.m.

Motion: Move to adopt the staff recommendation.

Motion by: Commissioner Slater

Seconded by: Commissioner Goebel

Discussion on Motion: None

Vote: Aye: Augustyn, Eachus, Fought, Goebel, Heller, Levin, Slater (7)

Nay: 0

Absent: Griggs (1)

Abstentions: 0

Action: Motion passes

VOTE:

Yes 7 No 0 Absent 1 (Griggs) Abstain 0

5.2 Comprehensive Plan Change and Zone Change Case No. CPC-ZC22-06 for 3800 Block of Mahrt Avenue SE; Ward 2 – Southeast Salem Neighborhood Association (SESNA); Pamela Cole, PCole@cityofsalem.net

Acting President Levin asked the Commissioners if anyone had ex-parte communications or any conflicts of interest to state into the record. No conflicts or ex-parte contacts were noted. The recorder read the statement of criteria.

SUMMARY: A Comprehensive Plan Change to "Commercial" and zone change to CR (Retail Commercial) for future expansion of Auto Zone on a property in the 3800 block of Mahrt Avenue SE that is proposed for annexation.

REQUEST: Petitioner-initiated, voter-exempt annexation of property approximately 0.42 acres in size, located in the 3800 block of Mahrt Avenue SE 97317 (Marion County Assessor Map and Tax Lot 072W31BB03700), currently designated Single-Family Residential in the Salem Area Comprehensive Plan (SACP) and zoned Marion County RS (Single Family Residential), with a concurrent Comprehensive Plan Change to "Commercial" and Zone Change to City of Salem CR (Retail Commercial).

Case Manager, Pamela Cole, entered the staff report, attachments, and presentation into the record.

Recommended Action: Staff recommends that the Planning Commission adopt the facts and findings of the staff report and make the following recommendation to the City Council for the subject property consisting of approximately 0.42 acres in size, located at 3880 Mahrt Avenue SE 97317 (Marion County Assessor Map and Tax Lot 072W31BB03700):

- A. That the Salem Area Comprehensive Plan Map Change from "Single-Family Residential" to "Commercial" be APPROVED and
- B. That the zone change request from Marion County RS (Single Family Residential) to City of Salem CR (Retail Commercial) be APPROVED, contingent on approval of the corresponding "Commercial" Comprehensive Plan Map designation, subject to the following conditions of approval:

Condition 1: The transportation impacts from the 0.42-acre site shall be limited to a maximum cumulative total of 521 average daily vehicle trips.

Condition 2: A solid fence at least six feet in height shall be provided on the west property line abutting the Marion County RS (Single Family Residential) zone, subject to applicable vision clearance standards.

Condition 3: Exterior lighting on the subject property shall not shine or reflect onto adjacent properties or cast glare onto the public right-of-way; exterior light fixtures on the subject property shall be located and designed so that the light source, when viewed at a height of five feet above the ground at a distance of five feet outside the boundary of the lot, shall be either: (1) Completely shielded from direct view; or (2) No greater than five foot-candles in illumination.

Questions or Comments for Staff by Commissioners: Commissioners Eachus, Slater, Heller, Goebel

Testifying Parties:

Applicant/ Representative:

- Bryan Dickerson, Navix Engineering, 10135 SE Sunnyside Road Suite 200, Clackamas OR 97015

Questions or Comments for Applicant by Commissioners: None

General Public: None

Rebuttal by Applicant: None

Additional questions for staff

With no further questions, and no request to continue the hearing or leave the record open, Acting President Levin closed the public hearing at 6:12 p.m.

Motion: Move to adopt the staff recommendation.

Motion by: Commissioner Slater

Seconded by: Commissioner Heller

Discussion on Motion: Commissioners Slater, Levin, Fought, Eachus

Vote: Aye: Augustyn, Eachus, Fought, Goebel, Heller, Levin, Slater (7)

Nay: 0

Absent: Griggs (1)

Abstentions: 0

Action: Motion passes.

VOTE:

Yes 7 No 0 Absent 1 (Griggs) Abstain 0

6. SPECIAL ORDERS OF BUSINESS: None

7. INFORMATION REPORTS: None

8. PUBLIC COMMENT (other than agenda items): None

9. PLANNING ADMINISTRATOR’S REPORT:

- Our Salem deliberations is on the City Council agenda for July 11, 2022.
- At the last Council meeting, Eunice Kim and Austin Ross were presented an award from the State for citizen involvement on the Our Salem project.
- The July 19, 2022 Planning Commission meeting is cancelled due to no projects.
- There is a subdivision appeal coming before the Planning Commission on August 2, 2022.
- The case that was remanded back to the Planning Commission still does not have a potential hearing date because the applicant is working on updating the proposal.
- Commissioner Slater asked what authority there is to spur development that is more urban and pedestrian and street friendly without preventing a small business from being able to develop or grow.
 - Lisa Anderson-Ogilvie answered that typically if we do not require something, it is difficult to get built or added to the project plans. We are able to make rules in certain zones that could, for example, require that

an addition to an existing building be developed along the street frontage, which could force the development to move the parking lot behind the building instead of along the street frontage as it is currently. Beyond making more rules, the other way would be financial incentives such as grants to develop certain ways.

10. COMMISSIONER COMMENTS FOR THE GOOD OF THE ORDER:

- Commissioner Eachus mentioned an article about Salem being rated 18 out of 150 cities for good operating efficiency.
- Commissioner Slater asked the other commissioners if they have an opinion on how the Planning Commission can continue conversations about creating rules for a more urban and pedestrian and street friendly development.
 - Acting President Levin mentioned that a subcommittee could be formed to discuss options and whatever work comes out of the subcommittee could be brought back to the Planning Commission for discussion and potential action.

11. ADJOURNMENT:

There being no further business for the record, the meeting was adjourned at 6:41 P.M.

SUBMITTED:



Ian Levin, Vice-President

ATTESTED:



Lisa Anderson-Ogilvie, AICP
Deputy Community Development Director and
Planning Administrator