

MINUTES
FINAL SALEM PLANNING COMMISSION Reviewer: Heller
October 4, 2022

COMMISSIONERS PRESENT

Dan Augustyn
Ronald Eachus
Kaley Fought
Daisy Goebel
Chane Griggs, President
Lisa Heller
Ian Levin, Vice-President
Robert Vieyra-Braendle

COMMISSIONERS ABSENT

Michael Slater, Excused

STAFF PRESENT

Lisa Anderson-Ogilvie,
Deputy CD Director and
Planning Administrator
Dan Atchison, City Attorney
Glenn Davis, Chief Development
Engineer and Floodplain
Administrator for Public Works
Olivia Dias, Current Planning
Manager
Shelby Guizar, Admin Analyst
Kevin Hottmann, PW Traffic
Engineer
Julie Warncke, Transportation
Planning Manager

Note: All attendees were virtual.

1. CALL TO ORDER

President Chane Griggs called the meeting to order at 5:30 p.m.

1.1 Oath of Office for New Commissioner

At this time, newly appointed Commissioner, Robert Vieyra-Braendle, recited the Oath of Office and was sworn in by Dan Atchison, City Attorney.

2. ROLL CALL

Roll was taken and with quorum established, President Griggs 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:

4.1 Approval of Minutes: August 2, 2022 Minutes (Commissioner Heller)

Recommended Action: Approve

4.2 Resolutions:

4.2.1: Public Works Code Amendment Resolution No. 22-01; A resolution initiating amendments to the Salem Revised Code (SRC) updating Chapter 86.

Recommended Action: Approve Resolution

4.2.2: Public Works Code Amendment Resolution No. 22-02; A resolution initiating amendments to the Salem Revised Code (SRC) updating Chapters 77, 78, 200, and 803.

Recommended Action: Approve Resolution

Motion: Move to approve sections 4.1 and 4.2 of the consent calendar, which includes the approval of the minutes from August 2, 2022 and Resolutions 22-01 and 22-02 for the Public Works Code Amendments

Motion by: Commissioner Heller
Seconded by: Commissioner Levin

Discussion on the Motion: None

Vote: Aye: Augustyn, Eachus, Fought, Goebel, Griggs, Heller, Levin (7)
Nay: 0
Absent: Slater (1)
Abstentions: Vieyra-Braendle (1)

Action: Motion passes

VOTE:

Yes 7 No 0 Absent 1 (Slater) Abstain 1 (Vieyra-Braendle)

4.3 Action Item: Street Name Change Case No. SNC22-01; Recommendation to name a connection between Rosewood Drive NW and Manorview Lane NW as Westside Circle NW.

Recommended Action: Approve Recommendation

Motion: Move to approve staff recommendation for section 4.3 of the consent calendar.

Motion by: Commissioner Heller
Seconded by: Commissioner Levin

Discussion on the Motion: None

Vote: Aye: Augustyn, Eachus, Fought, Goebel, Griggs, Heller, Levin (7)
Nay: 0
Absent: Slater (1)
Abstentions: Vieyra-Braendle (1)

Action: Motion passes

VOTE:

Yes 7 No 0 Absent 1 (Slater) Abstain 1 (Vieyra-Braendle)

5. PUBLIC HEARINGS:

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

5.1 REMAND of Comprehensive Plan Change and Zone Change Case No. CPC-ZC21-04 for 2900 Block of Kuebler Blvd SE; Ward 4 – SGNA; Olivia Dias, ODias@cityofsalem.net

President Griggs also asked the Commissioners to say “Aye” if they reviewed the past hearings for tonight’s case and are prepared to participate and vote on the hearing, or if they have not reviewed the past hearings to state that they will be abstaining from the hearing tonight.

Roll Call: Aye: Augustyn, Fought, Goebel, Griggs, Heller, Vieyra-Braendle (6)
Nay: 0
Absent: Slater (1)
Abstentions: Eachus, Levin (2)

President Griggs asked the Commissioners if anyone had ex-parte communications or any conflicts of interest to state into the record. Commissioner Vieyra-Braendle mentioned that he did reach out to Dynee Medlock who is running for City Council in that ward, but the case never was communicated.

The recorder read the statement of criteria.

SUMMARY: A consolidated application to change the Comprehensive Plan Map designation and zoning from “Single Family Residential” with RA (Residential Agriculture) zoning to “Commercial” and “Mixed Use” with ~~GR (Retail Commercial), CO (Commercial Office) and MU-II (Mixed Use) and MU-III (Mixed Use)~~ zoning. The applicant previously requested CR zoning for the entire property; the City Council remanded the application back to the Salem Planning Commission for re-consideration.

REQUEST: Updated proposal is to change the Comprehensive Plan Map designation and zoning from “Single Family Residential” with RA (Residential Agriculture) zoning to “Commercial” and “Mixed Use” with ~~GR (Retail Commercial), CO (Commercial Office) and MU-II (Mixed Use) and MU-III (Mixed Use)~~ zoning. The subject property is approximately 24.66 acres in size, zoned RA (Residential Agriculture) and located at the southwest corner of the intersection of Kuebler Boulevard and I-5 (Marion County Assessor Map and Tax Lot Number: 083W12C / 2201).

Case Manager, Olivia Dias, entered the staff report, presentation, and SGNAs comments into the record.

Recommended Action: Staff recommends that the Planning Commission adopt the facts and findings of the staff report and take the following action for the subject property located at southwest corner of the intersection of Kuebler Boulevard and I-5 (Marion County Assessor Map and Tax Lot Number: 083W12C / 2201):

A. APPROVE the Minor Comprehensive Plan Map Amendment from Developing Residential to Mixed Use; and

B. APPROVE the Quasi-Judicial Zone Change from RA (Residential Agriculture) to Mixed-Use II (MU-II) and Mixed-Use III (MU-III) subject to the following conditions of approval:

Condition 1: The subject property shall not contain more than three uses with drive throughs.

Condition 2: The subject property shall have no single building footprint that is constructed with more than 70,000 sq. ft. except for parking structure.

Condition 3: The driveway within the development shall be considered a primary street, as highlighted in the Attachment D. Constructed to a minimum local street standard. Setback and development standards where applicable the back of sidewalk shall be the assumed property line.

Condition 4: The applicant shall coordinate with Cherriots for the location of new bus stops. The applicant shall submit evidence from Cherriots that installation of bus stops as requested is completed.

Condition 5: The site shall not exceed a total trip generation of 25,348 vehicles per day.

Condition 6: Mitigation as detailed in the Transportation Planning Rule analysis shall be completed as follows:

- *Kuebler Boulevard/Commercial Street:*
 - *Implement signal timing improvements and operations.*
- *Kuebler Boulevard/Battle Creek Road:*
 - *Install dual 250-foot-long southbound left turn lanes.*
- *Kuebler Boulevard/27th Avenue:*
 - *Install a second northbound right turn lane to the round-about;*
 - *Install a second northbound left turn lane to the round-about;*
 - *Extend (by restriping) the dual westbound left turn lanes to 650 feet in length.*
- *Kuebler Boulevard/36th Avenue:*
 - *Install a separate 250-foot-long westbound right turn lane, plus transitions.*
- *Site Access on 27th Avenue.*
 - *Add a second westbound right-turn lane.*

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

Testifying Parties:

Applicant/ Representative: Mark Shipman, Saalfeld Griggs Lawyers, 250 Church Street Suite 200, Salem OR 97301 and Lacy Brown, DKS Associates, 117 Commercial St NE Suite 310, Salem OR 97301

Questions or Comments for Applicant by Commissioners: Commissioners Vieyra-Braendle, Goebel

Neighborhood Association: Jake Krishnan, SGNA Chair, 5249 Klamath St SE, Salem OR 97306

Questions or Comments for Applicant by Commissioners: None

General Public: None

Additional Questions or Comments for Staff by Commissioners: Commissioners Griggs, Heller, Vieyra-Braendle

Rebuttal by Applicant: None

With no further questions, and no request to continue the hearing or leave the record open, President Griggs closed the public hearing at 6:17 p.m.

Motion: Move to adopt the staff recommendation

Motion by: Commissioner Heller
Seconded by: Commissioner Goebel

Discussion on Motion: Commissioners Griggs

Vote: *Aye:* Augustyn, Fought, Goebel, Griggs, Heller, Vieyra-Braendle (6)
 Nay: 0
 Absent: Slater (1)
 Abstentions: Eachus, Levin (2)

Action: Motion passes

VOTE:

..... Yes 6 No 0 Absent 1 (Slater) Abstain 2 (Eachus, Levin)

6. SPECIAL ORDERS OF BUSINESS: None

7. INFORMATION REPORTS: None

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

9. PLANNING ADMINISTRATOR'S REPORT:

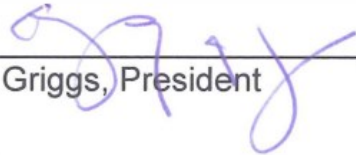
- October is Planning Month, there is proclamation on October 10th and Commissioner Heller will be receiving it on behalf of the Planning Commission.
- Planning event at Fork 40 Food Hall on October 11th at 4:00 p.m. where people can meet planners, play games, and win prizes.
- Both of the Public Works resolutions brought tonight should be coming back for hearings in November, one of them being for the street tree code.
- We are still working on getting back to having meetings in person, still trying to troubleshoot the technical aspect

10. COMMISSIONER COMMENTS FOR THE GOOD OF THE ORDER:

- President Griggs welcomes the new Commissioner, Robert Vieyra-Braendle. Also thanked Commissioner Heller for stepping in and accepting the proclamation from City Council on behalf of the Planning Commission.
- Commissioner Fought mentioned that October 3rd was World Architecture Day.
- Commissioner Vieyra-Braendle introduced himself and gave some background.
- Commissioner Eachus complimented the work done on the case that was heard tonight.

11. ADJOURNMENT: There being no further business for the record, the meeting was adjourned at 6:27 P.M.

SUBMITTED:



Chane Griggs, President

ATTESTED:



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