



Oregon
Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

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www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

09/19/2013

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Roseburg Plan Amendment
DLCD File Number 001-13

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Tuesday, October 01, 2013

This amendment was submitted to DLCD for review prior to adoption pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE:** The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Paul Hintz, City of Roseburg
Gordon Howard, DLCD Urban Planning Specialist
Josh LeBombard, DLCD Regional Representative
Thomas Hogue, DLCD Economic Development Policy Analyst

<paa> Y



FORM 2

DLCD

Notice of Adoption

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

DATE STAMP	☐ In person ☐ electronic ☐ mailed
	DEPT OF
	SEP 12 2013
	LAND CONSERVATION AND DEVELOPMENT
For Office Use Only	

Jurisdiction: **City of Roseburg**

Local file number: **ZC-13-1**

Date of Adoption: **9/9/2013**

Date Mailed: **9/10/2013**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? ☒ Yes ☐ No Date: **4/8/2013**

☐ Comprehensive Plan Text Amendment

☐ Comprehensive Plan Map Amendment

☐ Land Use Regulation Amendment

☒ Zoning Map Amendment

☐ New Land Use Regulation

☐ Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Legislative zone change of 26 industrial planned lots located in SE Roseburg. Seven lots (currently zoned M1) north of NE Odell Avenue and the other 19 lots (currently zoned M2) north and south of NE Diamond Lake Boulevard are being rezoned to the MU district. The zoning will permit more compatible uses, not increase the number of nonconforming uses, and foster economic growth due to the greater variety of allowed uses. ODOT Region 3 approved the zone change.

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from:

to:

Zone Map Changed from: **M-1 & M-2**

to: **MU**

Location: **See attached map**

Acres Involved: **~11.56**

Specify Density: Previous:

New:

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
☒	☒	☐	☐	☐	☐	☐	☐	☒	☐	☐	☒	☐	☐	☐	☐	☐	☐	☐

Was an Exception Adopted? ☐ YES ☒ NO

Did DLCD receive a Notice of Proposed Amendment...

35-days prior to first evidentiary hearing?

☒ Yes ☐ No

If no, do the statewide planning goals apply?

☐ Yes ☐ No

If no, did Emergency Circumstances require immediate adoption?

☐ Yes ☐ No

DLCD File No. 001-13 (19785) {17606}

DLCD file No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

ODOT

Local Contact: **Paul Hintz**

Phone: (541) 492-6750

Extension: 6876

Address: **900 SE Douglas Avenue**

Fax Number: 0- -

City: **Roseburg**

Zip: **97470-**

E-mail Address: **phintz@cityofroseburg.org**

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light green paper if available.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption (ORS 197.830 to 197.845).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

9. **Need More Copies?** Please print forms on 8½ -1/2x11 green paper only if available. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail plan.amendments@state.or.us.

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



Legislative Public Hearing – File No. ZC-13-1

Meeting Date: August 26, 2013
Department: Community Development
www.cityofroseburg.org

Agenda Section: Public Hearing
Staff Contact: Brian Davis, Director
Contact Telephone Number: 541-492-6750

ISSUE STATEMENT AND SUMMARY

This is a legislative action to change the existing zoning of twenty-six properties from M1 (Light Industrial) and M2 (Medium Industrial) to MU (Mixed Use) located in the area of NE Diamond Lake Boulevard, NE Casper Street, NE Boston Street, NE Odell Avenue and NE Fulton Street as shown in the Findings document.

BACKGROUND

A. Council Action History.

May 20, 2013: Planning Commission held a Public Hearing and adopted Findings recommending approval of the zone change.

June, 10, 2013: City Council held a Public Hearing. Proposed action was remanded to the Planning Commission after three residents adjacent to the M1-zoned properties subject to the zone change objected to the matter.

July 9, 2013: Community Development staff held an informal meeting with concerned citizens in an attempt to explain the process and purpose of the zone change.

August 5, 2013: Planning Commission held another Public Hearing and once again recommended City Council approve the zone change after adopting Findings that addressed the objections raised by the remonstrators. Prior to the Commission's second Hearing, two business owners submitted letters of support for the zone change noting that the change would allow them to utilize some existing buildings located in the M1 districts along Odell Avenue that were subject to the remonstrance. Troy Willis and Dave Powell of Cowboy CrossFit, gave testimony during the Hearing regarding their desire to relocate their recreational facility to one of the longstanding vacant buildings. Several residents of the residential neighborhood north of the M1 properties testified that they are concerned about potential issues such as noise, an increase of on-street parking, limited sight distances at some intersections and vehicles exceeding the speed limit along Commercial Avenue (a street one block to the north that parallels Odell Avenue). A petition was submitted from residents of the neighborhood who are opposed to the zone change. Also, a report to the

Planning Commission was submitted from a participant of the informal meeting held with City staff regarding the author's account of that meeting and the information allegedly provided.

B. Analysis.

The request is to change the zoning of twenty-six properties to Mixed Use (MU). Current zoning for seven sites located along NE Odell Avenue is Light Industrial (M1) and zoning for nineteen sites north of NE Diamond Lake Boulevard between Casper and Atlanta Street and south of Diamond Lake Boulevard between Casper and Fulton Street is Medium Industrial (M2). The purpose of the zone change is to promote development of the area and to eliminate "spot" zones amid previously zoned Mixed Use properties.

Current uses of subject properties will not become nonconforming as a result of the zone change. Any currently nonconforming uses will retain their status and associated rights.

Staff received two letters of support for the zone change from business owners for whom the zone change will enable the full use of longstanding vacant buildings. Some area residents are opposed to the zone change; however, the Planning Commission held two Public Hearings and each time the Commission adopted Findings that conclude the proposed zone change satisfies the criteria of the action (conforms to the Comprehensive Plan, the properties are suitable for the proposed zone with respect to the public health, safety and welfare of the surrounding area, and is consistent with the safety and performance measures of the Transportation System Plan).

Area residents seem to agree that their concerns related to traffic (speeding and limited parking on Commercial Avenue as well as poor sight distances at some intersections) will persist regardless of the zone change. The greatest contention regarding the zone change is whether or not Mixed Use zoning is suitable within the area surrounding the subject properties. While this analysis can be somewhat subjective, the Planning Commission determined that because properties within 300 feet of a zone change are required to be notified, the 300 feet radius determines the boundaries of the "surrounding area." The following zoning districts are present within the surrounding area of the M1 properties: C3, MU, M2 and MR14. The Mixed Use (MU) district permits a range of uses that are allowed in either M1 or C3 districts and therefore the uses that would be permitted on the contested M1 properties are already permitted within the surrounding area and thus MU is suitable.

Attached is the Planning Commission's Findings and Order, the pertinent minutes of the City Council's June 10, 2013 meeting, the two letters of support, the minutes from the Planning Commission's August 5, 2013 meeting, the petition opposing the zone change and a report of staff's informal meeting with area residents from the perspective of one participant.

C. Financial and/or Resource Considerations.

None

D. Timing Issues.

None

COUNCIL OPTIONS

1. Proceed with adoption of Findings of Fact, followed by first reading of the Ordinance
2. Modify the proposed action or continue the matter for further consideration
3. Decline to proceed with the proposed action

STAFF RECOMMENDATION

Staff recommends the Council adopt Planning Commission's Findings of Fact.

SUGGESTED MOTION

"I MOVE TO ADOPT THE FINDINGS OF FACT APPROVED BY THE PLANNING COMMISSION FOR FILE NO. ZC-13-1."

Proceed with first reading of the Ordinance. No motion is needed, only consensus to proceed by the Council.

ATTACHMENTS

Planning Commission Findings of Fact & Order
Minutes of June 10, 2013 City Council meeting
Two letters of support
Minutes of August 5, 2013 Planning Commission meeting
A petition opposing the zone change
A report describing a meeting with CDD staff from the perspective of one participant
Draft City Council Ordinance

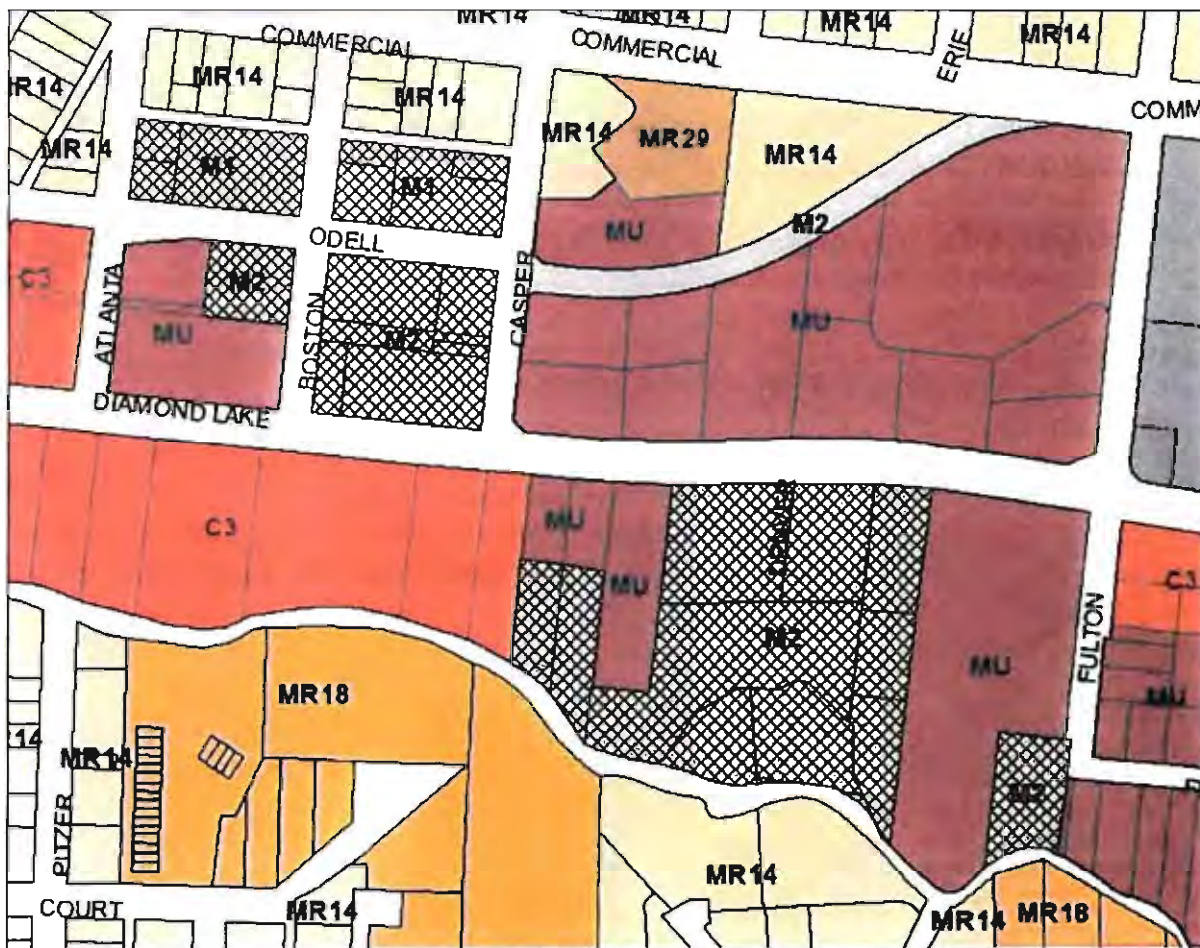
In the matter of the legislative action) Zone Change
by the City of Roseburg) File No. ZC-13-1

BEFORE THE ROSEBURG PLANNING COMMISSION

ORDER OF APPROVAL

I. NATURE OF APPLICATION

The applicant is requesting approval to legislatively amend zoning on 11.56 ± acres of property within the city limits. The proposal is to change zoning from M1 (Light Industrial) and M2 (Medium Industrial) to MU (Mixed Use) on 26 sites identified with cross-hatched markings on the following map.



II. PUBLIC HEARING

Public hearings were held on the application before the Roseburg Planning Commission on May 20, 2013 and on August 5, 2013. At those hearings the Planning Commission reviewed Land Use File ZC-13-1 application for zone change and it was made part of the record.

III. FINDINGS OF FACT

A. EXISTING CONDITIONS

1. The Planning Commission takes official notice of the Roseburg Urban Area Comprehensive Plan adopted by City Council Ordinance No. 2980 on December 9, 1996 and of the Roseburg Land Use and Development Ordinance No. 2363, as originally adopted July 1, 1984, and re-adopted in Ordinance No. 3408 on March 11, 2013, as both may have been amended from time-to-time.
2. Notice of the first public hearing was given by publication in The News Review, a newspaper of general circulation, at least 20 days prior to the hearing. Notice was mailed to all parties at least seven days prior to the second public hearing. Opportunities were provided for all interested parties to be involved in the planning process through the public hearings.
3. The application consists of a request to legislatively amend zoning of twenty-six parcels within the City of Roseburg.
4. The parcels may be described as Tax Lots 2001, 2000, 1900, 1800, 400, 300, 299, 200, and 100 of Section 19BA; Tax Lots 5500, 5400, 5300, 1200, 1000, 900, 800, 701, 700, and 600 of Section 19AB; Tax Lots 4200, 4100, 4000, 3900, 3800, 3700, and 3600 of Section 18CD; Township 27 South, Range 05 West, Willamette Meridian.
5. The seven properties zoned M1 are surrounded by properties zoned Limited Multi-Family Residential (MR14) to the west, north and northeast, MU to the east and southeast, General Commercial (C3) to the southwest and M2 (proposed to be rezoned to MU) to the south. The nineteen M2 properties span a wide area and are generally surrounded by C3, MU, and M1 zoning (proposed to be rezoned to MU) and the southernmost properties are separated from MR14 zoning by Deer Creek.
6. The Comprehensive Plan Designation is Industrial (IND) for all parcels. MU zoning complies with the IND designation.
7. The seven M1 sites contain four single-family homes (nonconforming uses under current and proposed zoning) of which one has been deemed to be a dangerous building resulting from fire damage, a former lumber yard that is partially being used as a brewery, and a former welding/storage building that is currently unused. The nineteen M2 sites include the following: an open storage yard, undeveloped property, a vacant lumber yard, a bulk fuel storage facility (nonconforming use under current and proposed zoning), several auto repair shops, a gas station, a car wash, a restaurant (nonconforming under current

zoning), and a single-family house with a home business (nonconforming under current and proposed zoning). Of the nineteen M2 sites, two are split-zoned between M2 and MU and one is split-zoned between MR14 and M2 due to the division of the lot by Deer Creek right-of-way owned by the Department of State Lands; the two segments of the lot, which have a cumulative area of approximately 872 square feet, that extend across the right-of-way are currently zoned M2. These two portions of the lot are proposed to be rezoned to MU pursuant to LUDO 2.1.060: Interpretation of Zone Boundaries, specifically "boundaries indicated as following shorelines shall be construed to follow the mean high water line."

8. Many of the properties north of Diamond Lake Boulevard were developed prior to the adoption of LUDO and as a result some buildings were erected within the City's Clear Vision Areas, which has created inadequate sight distances at some street intersections.

B. PROPOSAL

The proposal is to change seven lots adjacent to NE Odell Avenue from M1 to MU as well as three lots fronting on NE Boston Street, two lots fronting on NE Casper St, thirteen lots accessed by Diamond Lake Boulevard and one lot fronting on NE Fulton Street from M2 to MU.

C. AGENCY COMMENTS

ODOT Region 3 determined that the allowed MU land uses do not significantly affect state transportation facilities pursuant to Oregon's Transportation Planning Rule (OAR 660-012-0060).

D. PUBLIC COMMENTS

The Community Development Department notified all owners of subject properties per ORS 227.186 and LUDO 5.1.190 and received one letter objecting to this application that was verbally withdrawn prior to the initial Public Hearing. Oral testimony was heard at both the first Planning Commission Hearing as well as the initial City Council Hearing. Said testimony pertained to possible adverse impacts to the residential neighborhood north of the M1-zoned parcels. Two letters from local business owners were received expressing their support because the zone change would allow them to expand and/or relocate their businesses at two of the M1-zoned properties.

E. ANALYSIS

Zone Change applications are required to satisfy approval criteria contained within Roseburg Land Use and Development Ordinance (LUDO) Section 5.4.030.

F. REVIEW CRITERIA

Pursuant to LUDO 5.4.030 the following criteria must be demonstrated as being satisfied by the application:

- 1) The rezoning will conform to the Roseburg Urban Area Comprehensive Plan, including the land use map and written policies.

Roseburg Urban Area Comprehensive Plan Land Use Map

Finding: The Roseburg Urban Area Comprehensive Plan Land Use Map identifies all of the subject properties as "Industrial" (IND). Per the Comprehensive Plan and Land Use and Development Ordinance (LUDO), the proposed MU zoning conforms to the Roseburg Urban Area Comprehensive Plan Land Use Map.

Economic Growth Policy No. 3

The City shall encourage economic activities which strengthen the urban area's position as a regional distribution, trade, and service center.

Finding: The change from Light- and Medium-Industrial (M1 and M2) to Mixed Use (MU) zoning accommodates uses existing on a majority of the parcels. Many of the parcels are either undeveloped or are unused. The MU zoning district provides a greater diversity and number of permitted uses than the M1 or M2 zoning district and with more of an emphasis on commercial and "light" industrial/manufacturing uses. The lots developed with single-family homes are nonconforming uses that will remain as existing nonconforming development under existing or proposed zoning.

Economic Growth Policy No. 6

Areas identified as sites of future industrial development shall be preserved and protected from potential conflicting activities.

Finding: The subject parcels have a Comprehensive Plan designation of Industrial that determines the compatible zoning districts. MU not only complies with the Industrial designation, it also provides uses more compatible to the adjacent multi-family residential zoning district as well as the properties zoned General Commercial along Diamond Lake Boulevard, thereby reducing the potential for conflicting activities.

Economic Growth Policy No. 7

The City shall encourage the development of light Industrial parks with campus-like design which provide areas for offices, warehousing, distributing, and light manufacturing activities.

Finding: The MU district is the only industrial zoning district that accommodates this type of use and development. The undeveloped land included in the proposal would be suitable for this type of development given its expansive area and location.

Industrial Development Policy No. 3

The zoning ordinance shall allow appropriate on-site employee services and facilities in industrial areas. Traffic generated by industrial uses should be

diverted away from residential areas, and should have convenient access to arterial or collector streets.

Finding: MU zoning provides a diverse range of uses that are appropriate for onsite employee services and facilities and encourage industrial development in transition areas such as the location of the subject sites. Among all the industrial zoning districts, the MU district allows the least intensive of uses that typically do not require mass-transportation of manufactured products, therefore, of all the industrial districts MU is most appropriate for parcels that are near residential areas or have minimally-controlled access to arterial streets, such as the parcels proposed to be rezoned. The uses allowed by the change to MU will not adversely impact the transportation system.

Industrial Development Policy No. 1

Industrial uses shall be encouraged to locate in planned industrial parks in order to reduce site development costs, maximize operating economies, and achieve a more harmonious land use pattern; however, location within a planned industrial park shall not be a prerequisite of approval. Except in planned industrial parks, other land uses should be discouraged from districts that have been designated for industrial uses.

Finding: The MU district is the only Industrial zoning district that accommodates this type of use and development. The undeveloped land included in the proposal would be suitable for this type of development given its expansive area and location.

Statewide Planning Goals:

Goal No. 1 - Citizen Involvement - To ensure the opportunity for citizen involvement in all phases of the planning process.

The City of Roseburg and Douglas County have an adopted and acknowledged Comprehensive Plan for the Roseburg Urban Area. In order to implement the Comprehensive Plan, the City has adopted the Roseburg Land Use and Development Ordinance (LUDO). Within LUDO the City identifies procedural requirements for processing land use actions, including notification and hearing procedures. The notice procedures guide the general public through the land use process within the City, as well as through provisions that meet State of Oregon Revised Statutes (ORS).

Roseburg also has an established Planning Commission that has the responsibility to act as the conduit to the City Council on land use matters. The Planning Commission is selected through an open, well-publicized process and the Commission may include one member who resides outside the city limits.

The City of Roseburg provided mailed notice of this Zone Change request as mandated through ORS requirements and LUDO, as well as publishing the notice in the News-Review, a newspaper of general circulation. A public hearing(s) is held in order to provide an opportunity for interested citizens to be involved, provide comments and present issues, influence the Commission and eventually

the Council, provide technical information, and/or provide information regarding conditional approval.

Goal No. 2 - Land Use Planning - To establish a land use planning process and policy framework as a basis for all decisions and actions related to the use of land and to assure an adequate factual base for such decisions and actions.

Part I - Planning

The City of Roseburg has adopted a Comprehensive Plan, which is "acknowledged" by the State of Oregon. This Plan is coordinated and adopted by Douglas County for the unincorporated area located within the City Urban Growth Boundary (UGB). In addition, the City of Roseburg and Douglas County have adopted an Urban Growth Management Agreement (UGMA) that more specifically identifies process and policy framework for urban area issues and coordination within the unincorporated areas. These properties are within the UGB as well as within the City's jurisdictional boundaries and governed solely by City policies and regulations relative to land use activities.

Implementation of the Comprehensive Plan is accomplished through the adopted LUDO. LUDO has been acknowledged by the State of Oregon and has been amended from time-to-time in order to comply with ORS. (Roseburg Urban Area Comprehensive Plan adopted by the City Council in Ordinance No. 2345, effective on July 1, 1982, and re-adopted in Ordinance No. 2980 on December 9, 1996 and the Roseburg Land Use and Development Ordinance No. 2363, as originally adopted July 1, 1984, and re-adopted in Ordinance No. 3408 on March 11, 2013, as both may have been amended from time-to-time).

Part II – Exceptions

The exceptions section within Goal 2 does not apply in this case because there is no exception required and the City has not requested an exception.

Goal No. 9 – Economic Development - To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

The Plan designation will remain Industrial for the 11.56± acres; therefore there will be no change in the existing inventory of industrial acreage. Furthermore, the proposed zoning district will allow uses that are well suited for the local economy. The sites subject to remonstrance have been vacant and underutilized for a considerable amount of time (15 years by some estimates), yet during the few months the zone change has been advertised there is renewed interest in the previously active industrial sites (documented by the enclosed letters of support) for uses that will only be allowed under the proposed zoning. Based on the letters of support from local business owners and the long-term vacancy of the sites subject to remonstrance, the proposed zone change will provide economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Goal No. 12 – Transportation - To provide and encourage a safe, convenient and economic transportation system.

Sufficient capacity is present on the existing roadways to accommodate the current and future development that would be allowed within the requested zone. Roadways will continue to function at an acceptable performance level. Testimony from area residents suggests that there are existing traffic concerns within the street network north Diamond Lake Boulevard pertaining to vehicles exceeding the posted speed limit as well as inadequate sight distances at some intersections; however, no concerns regarding street capacity were raised.

Because the proposal keeps the subject properties planned for industrial uses, the proposed zone change would not change the functional class of any existing or planned transportation facility nor would it allow for levels of development that would reduce or worsen performance of these facilities. The zone change will not change standards implementing a functional classification system. Based on the projected conditions measured at the end of the planning period identified in the adopted Transportation System Plan (TSP); types or levels of travel or access are consistent with the functional classification of the existing and planned transportation facilities; the zone change will not allow a degradation of the performance of existing or planned transportation facilities such that it would not meet the performance standards identified in the TSP; and, the zone change will not result in a degradation of the performance of existing or planned transportation facilities that are identified in the TSP. Therefore, the proposed zone change does not significantly affect the transportation system.

- 2) The site is suitable to the proposed zone with respect to the public health, safety, and welfare of the surrounding area.

Finding: Public health, safety and welfare can be adversely impacted by uses with significant external impacts, dangerous activities, and unsafe or inadequate transportation facilities that provide access to a site.

The proposed zone change applies to numerous properties and therefore each site has a different "surrounding area," however, all of the properties are served by an arterial road (Diamond Lake Boulevard) and subordinately classified streets that are suitable transportation facilities for industrial and commercial uses. Because LUDO 5.1.190 requires that property owners within 300 feet of a site subject to a zone change be notified, 300 feet is an appropriate distance to determine which properties may be significantly impacted by a zone change and therefore within the surrounding area of each subject site. Of the 26 sites subject to the rezoning, each one has a surrounding area that contains properties with C3 and MU zoning and all but seven sites have surrounding areas with properties zoned for multi-family residential development (MR14 and MR18). The current M1-zoned properties, which are the subject of remonstrance by nearby residents within a MR14 district, have surrounding areas that include C3, MU, and MR14 zoning in addition to parcels that are currently zoned M2 but are subject to the proposed zone change.

The MU district permits the same industrial uses permitted in the M1 district that include secondary manufacturing and related establishments, as well as intense commercial uses with limited external impact. The MU district only differs from the M1 district in that it allows specific commercial uses that are also permitted in the C3 zoning district. Based on the Purpose Statement of the C3 district, these commercial uses include retail and wholesale businesses that serve general community-wide and regional commercial needs. Because MU only permits uses that are also permitted in M1 and C3, the district poses no greater adverse impacts than those two districts with respect to public health, safety and welfare.

The City's Zoning Map displays many areas where MU or C3 are directly adjacent to residential zoning districts. Within the surrounding area of the parcels subject to the remonstrance, C3 and MU zoning exists. Therefore, the application of MU zoning, which is a combination of M1 and C3 districts, will be suitable with respect to the public health, safety and welfare of the area surrounding the subject parcels because the current zoning applied to parcels in the surrounding area already permits the uses that will be permitted by MU zoning.

In addition to the determined suitability of the MU zoning within the surrounding areas, all of the subject parcels are buffered from adjacent residential zones by either public alleys/streets or by Deer Creek, furthermore, future redevelopment or development of the sites will require compliance with LUDO screening requirements thereby increasing the innate buffering characteristics from adjacent residential zones. These existing site characteristics and LUDO screening requirements help to physically and visually separate differing zoning districts thereby decreasing any perceived incompatible uses and preserving the character of the nearby residential neighborhood. In addition, as stated above, the uses allowed in the MU zoning have external impacts that are no more adverse than the M1 or C3 zoning and the residential neighborhood to the north is already within a surrounding area that contains C3 and M1 zoning. The applicant (City of Roseburg) is proposing to change the zoning in order to encourage new development as well as redevelopment of some underutilized and/or vacant buildings, specifically the buildings on the M1-zoned parcels. As demonstrated in the letters of support of the zone change, the proposed zoning will permit uses that are in demand and the public health, safety, welfare will be improved with actively used buildings as opposed to vacant structures that have been targeted with vandalism and criminal use. The character of the adjacent neighborhood is in part the result of its location with respect to major transportation facilities, historic industrial uses and the mix of existing C3, MU and M1 zoning districts to the south and therefore the rezoning is suitable within the surrounding area.

Concern has been raised regarding the allowed height of buildings in the MU district. Similar to the C3 district, MU does allow buildings to be 80 feet tall yet no buildings have been constructed to this height in surrounding areas where it is allowed under existing MU or C3 zoning. The construction of a building 80 feet tall would require the existing buildings on the parcels subject to remonstrance to

be demolished and sufficient off-street parking would be required based on the floor area of the building, which would be substantial for a building 80 feet tall, thereby making the construction of such a building difficult to accomplish given the buildable area of the sites and the standards that would be required to be met upon site plan review.

- 3) The rezone is consistent with the safety and performance measures of the transportation system.

Finding: The subject properties can be divided into three categories: developed and in use; developed and not in use; or, undeveloped. The properties that are developed and in use either comply with requirements of the Transportation System Plan (TSP) (to the greatest extent possible given individual site constraints) or are nonconforming with respect to various TSP recommendations and the rezoning will not increase these nonconforming site designs. The properties that are developed and not in use will likely be subject to Chapter 3 of LUDO (Site Development) upon future redevelopment and will be required to comply with TSP recommendations (per LUDO) to the greatest extent possible given individual site constraints. Properties that are undeveloped will comply with LUDO site development requirements upon future development. In addition, the uses allowed by MU zoning are appropriate for the developed streets that provide access to the subject properties and the transportation system will not be adversely impacted by the proposed zoning.

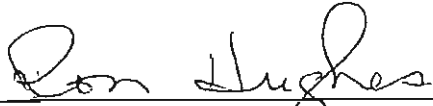
Objection to the zone change was raised on the basis of the Diamond Lake Boulevard Access Management Plan (DLAMP) that notes that "as the corridor (Diamond Lake Boulevard) is further developed and enhanced, industrial properties along the highway may request zone changes to the City's Mixed-Use (MU) designation to permit a greater range of uses when marketing them for redevelopment." The DLAMP includes access management recommendations that balance the City of Roseburg's land use, local street, and economic development goals with State access management requirements for safe and efficient highway operations. Access Management is a collection of techniques that can be applied to increase the operation, efficiency, and most importantly, the safety of a highway and the DLAMP is used for determining if proposed development conforms to the policies established. The statement referenced during testimony reinforces the motivation for the zone change which is to encourage redevelopment of the area through the MU zoning. Although there are inadequate sight distances at some intersections of Diamond Lake Blvd and local streets caused by buildings constructed prior to the adoption of Clear Vision regulations, ODOT determined that the proposed zone change will not significantly affect state transportation facilities pursuant to Oregon's Transportation Planning Rule (OAR 660-012-0060) and properties desiring access to Diamond Lake Boulevard will need to comply with the DLAMP as part of site plan approval. Therefore, the DLAMP is not a basis for denying the zone change and is in fact a resource for ensuring new development does not degrade transportation facilities.

IV. CONCLUSION

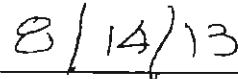
Based on the above findings, the Planning Commission concludes that the application meets the criteria for approval in LUDO 5.4.030 and would provide needed economic opportunities vital to Roseburg's citizens.

V. ORDER

Based on the Findings and Conclusions above, the Planning Commission recommends **APPROVAL** of this application to the City Council and that City staff assess the need and suitability of traffic-calming devices that might prevent the use of Commercial Avenue for non-local traffic.



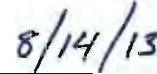
Ron Hughes, Planning Commission Chair



Date



Brian Davis, Community Development Director



Date

Planning Commission Members:

Ron Hughes, Chair
John McDonald, Vice Chair
Patrick Parson
Knut Torvik
Scotty Ingeman
Matthew Powell
Dan Onchuck

Guyett reported on the budget review and adoption process. Annual requirements are \$59,170,394. The Budget Committee approved the budget as presented with a \$10,500 adjustment in the Airport Fund. The Casa contribution would not change the overall budget total but may affect the appropriations on the resolution exhibit.

Ryan moved to adopt Resolution No. 2013-8 adopting the 2013-14 budget as approved by the Budget Committee with revised appropriations to include a \$20,000 addition to the City Manager's budget and \$20,000 reduction in Contingency to cover the donation to Casa de Belen. Motion was seconded by Cotterell and carried unanimously.

PUBLIC HEARING-O'DELL AREA LEGISLATIVE ZONE CHANGE

Rich read the requirements for conducting a legislative hearing. At 8:29 p.m. Rich opened the public hearing regarding zoning of 26 properties totaling 11.56± acres located along Diamond Lake Boulevard, Casper Street, Boston Street, Odell Avenue and Fulton Street. Davis noted the existing zoning of M-1 (Light Industrial) and M-2 (Medium Industrial) would be changed to MU (Mixed Use). The action would encourage development opportunities and eliminate "spot" zoning. A nearby property owner wrote a letter for the record indicating opposition based on their non-conforming use of their property. After assurance that the zone change would not eliminate their rights to continue that usage, the objection was withdrawn. ODOT expressed no objections to the change.

Andrea Brooker, 453 NE Boston Street, noted that the Planning Commission had stated that homeowner's would not lose their rights, but the Comprehensive Plan states zoning is the ultimate control over specific uses on a parcel of land. She cited other references within the zoning ordinance to protecting residential areas from noise pollution, traffic, hazards, etc. Brooker generally expressed concerns about potential impact of mixed uses on residents and noted the Economic Development Commission minutes of January 10, 2012 which stated that within the Roberts Creek Enterprise Zone Amendment, this area is not suitable for industrial development.

Davis stated Brooker's concerns were raised at the Planning Commission hearing where it was explained that issues of safety, traffic, residential buffering etc., would be addressed in the site development process. Inasmuch as homes are currently located in the M-1 zone, those properties should be changed to residential zoning to reflect actual use. Davis explained that Mixed Use allows some residential where Industrial zoning does not.

Robert Smith, 1657 NE Commercial, asked Councilors to look at the area and note the improvements and children in the neighborhood as he was more concerned about the livability of the neighborhood versus the technical aspects. He expressed concern regarding vehicular traffic speed on Commercial Street.

Maura Woodspin, 1636 NE Commercial, spoke about her love for the neighborhood and was concerned that the zone change would change the nature of the whole neighborhood.

As no one else wished to speak, the hearing was closed at 8:53 p.m. Davis reported that the Mixed Use zone serves as a better transitional or buffer zone to residential rather than a strict industrial zone. The subject area has a number of vacant buildings which could be occupied

with a variety of industrial uses. The Mixed Use would provide that-plus a softer list of opportunities. No existing uses would become illegal as a result of the zone change. Several Councilors noted they had not studied the issue in depth as they believed there were no remonstrances and requested additional time to review the record. Cotterell moved to refer the issue back to the Planning Commission to address concerns raised by the homeowners during the public hearing. Motion was seconded by Marks and carried unanimously.

PUBLIC HEARING – POPULATION FORECAST – ORDINANCE NO. 3413

Coalwell noted this is also a legislative hearing with the same criteria as the previous hearing. At 9:09 p.m. Rich opened the public hearing regarding amendment to the Comprehensive Plan to adopt a 2032 population forecast of 34,023 persons for the City and Urban Growth Boundary which is a growth rate of 1.2% for the City and 1% for the UGB. Davis explained the history of attempts to reach a suitable forecast. All parties concerned with the issue including Douglas County, 1000 Friends of Oregon and the Department of Land Conservation and Development reached an agreement to use the "safe harbor" option which provides the cited growth rates.

Kevin Kinser, 1058 NW Troost, reminded Council that he submitted application for development of "Umpqua Village" in Charter Oaks which was impacted by Sane, Orderly Development's appeal of the previously proposed population forecast and indicated he would return to seek inclusion of his property into the Urban Growth Boundary.

Joe Meyer, 943 Charter Oaks, believed the growth was still high, but at least it was recognized as a legitimate legal number that can be used.

As no one else wished to speak, the hearing was closed at 9:17 p.m. Ryan moved to adopt the findings of fact approved by the Planning Commission for File No. CPA-12-1. Motion was seconded by Cotterell. Coen believed Roseburg should be open for business and willing to grow and improve our overall economic development. Although he understood the parties reached an agreement, he was opposed to the motion. Ryan and Cotterell agreed but indicated they would support the motion. Motion was then voted on and carried with Coen voting nay. Cox read Ordinance No. 3413 for the first time, entitled: An Ordinance Declaring a Comprehensive Plan Amendment Adopting a 2032 Population Forecast of 34,023 Persons With a Growth Rate of 1.2 Percent for the City and 1.0 Percent for the Urban Growth Boundary.

ROBERTS CREEK ENTERPRISE ZONE AMENDMENT – RESOLUTION NO. 2013-9

Davis reported on the proposed expansion of the Roberts Creek Enterprise Zone to include the area north of Diamond Lake Boulevard between Winchester Street and Casper Street. The expansion is intended to encourage reinvestment in the subject area. Action on this matter does not impact the zone change discussed earlier. Cotterell moved to adopt Resolution No. 2013-9, requesting an Enterprise Zone boundary change for the Roberts Creek Enterprise Zone and E-Commerce Zone. Motion was seconded by Coen and carried unanimously.

FIR GROVE WEST PARKING IMPROVEMENT – PROJECT 13PW07

Messenger reported on bids received and resources available for the Fir Grove (Guardians of Heroes) Parking Lot and thanked Derek Simmons for his work on fundraising through the

July 5, 2013

To Whom It May Concern,

Hello my name is KC Mckillip and I am the current tenant at the 1640 NE Odell Ave. property. I am currently leasing this property with the plan to purchase this property in two and a half years. I feel that is very important that this property gets a zone change to Mixed Use. I feel the same about the other locations as well, but I am only going to discuss the 1640 location. This location was build for Gerretsen's Building Supply in the mid 60's and worked wonderful for that until they out grew the location. This building/property has amazing potential to be something great one day. It is still very usable. How this property was zoned years ago was accurate for its use at that time, businesses are changing in Roseburg, and things are growing, re-zoning this property will allow this building and property to still be used and not left abandoned with graffiti and homeless people congregating around it like it has been for the past 10 years.

My plan with the property here is to open a brewery with a tasting area. I want to make clear that I am not opening a "bar" and nor do I plan to at any point. The main use for the property will be to produce beer. We will be more of an commercial brewery establishment. I will have a tasting bar inside where patrons can come and try our beer and purchase some if wanted. The brewing industry is growing and expanding especially here in Oregon. My vision with the business is to help stimulate the economy here in Roseburg and make a wonderful place for people to work and come visit. I would like to try and make the area around the property a better place as well. Not that it is a bad place but I am going to fix the building up on the property along with it's surroundings.

The building has also drawn the interest of a couple people who would like to possibly open a small rock climbing gym inside part of the warehouse. They have plans to work with a lot of the local community groups and the schools to create a safe healthy place for the local youth to come rock climb. This is in the works still but a very good example of how this property can be used for good things. We have a positive outlook with our plans and want to do the best we can for the business, community and its surrounding neighbors. We are very flexible and want to work with the neighbors to make this enjoyable for them as well. We want to help our community as much as possible by giving back, and hope to create many jobs with the brewery.

Roseburg is a very diverse and unique place, we have an awesome geographical location, surrounded by all the best things Oregon has to offer, not to mention the wineries. The economy is picking up some and we are seeing some new light here in Roseburg with the entrepreneurial spirit kicking up in some people. Please see that re-zoning the 1640 Odell property is the right thing to do to help add business and life on Odell street and bring support to the local economy. Thank you very much for taking the time to read this letter.

Sincerely, -K.C. MCKILLIP



Letter of Intent

August 15, 2013

To: City of Roseburg

Dear City Officials,

It is our intent to purchase and occupy the building space located 414 Casper here in Roseburg for the use of our physical training programs. It is also known as the old the Flagel Moving and Storage building. Currently the zoning isn't in our favor. It is our understanding that the city is considering a zone change that would favor our use.

We think it would be pertinent information for the neighbors to understand our goal here in the community. First of all not only do we operate a business but we also operate a non-profit for the benefit of kids. We have coaches that go out to schools and teach PE. This current school year we worked with over 1800 kids on a rotational basis with 10 schools. We also held 2 health based fun carnivals where we encourage parents and kids to learn about CrossFit. This summer we will also be holding a summer camp at Celebration Ranch to further educate kids about a lifestyle of health.

If you think it would benefit the re-zoning commission let us know if you would like to see some supporting documentation about the community work we perform.

We need to know the city's decision soonest.

Kind regards,

Troy

**CITY OF ROSEBURG
PLANNING COMMISSION
MEETING MINUTES
Monday, August 5, 2013**

CALL TO ORDER: Chair Ron Hughes called the regular meeting of the Roseburg Planning Commission to order at 7:01 p.m. on Monday, August 5, 2013, in the Roseburg City Hall Council Chambers, 900 SE Douglas Avenue, Roseburg, Oregon.

ROLL CALL

Present: Chair Ron Hughes, Commissioners Scott Ingeman, John McDonald, Daniel Onchuck, Patrick Parson, Matthew Powell and Knut Torvik

Absent: none

Others present: Community Planner Paul Hintz, and Staff Assistant Sandy Cook.

APPROVAL OF MINUTES

McDonald moved to approve the minutes of June 17, 2013 as presented. Motion was seconded by Powell and carried unanimously.

AUDIENCE PARTICIPATION - none

Continued Public Hearing – File No. ZC-13-1, Zone Change M-1 & M-2 to MU [Legislative]

Hughes read aloud the public hearing procedures and opened the public hearing. Commissioners were asked about conflicts of interest to declare, and there were none. Hintz provided a Staff Report and explained that at their meeting on May 20, 2013, the Planning Commission adopted Findings of Fact and recommended City Council approve the proposed Zone Change of M1 and M2 to MU for twenty-six properties located along NE Diamond Lake, NE Casper, NE Boston, NE Odell and NE Fulton Streets. On June 10, 2013, the City Council heard testimony opposed to the proposed zone change and subsequently remanded it back to the Commission for further consideration. The concerns of the opponents and proponents have been addressed in the revised Findings of Fact and submitted to the Commission for review and a recommendation. Notable areas of concern included economic opportunities, suitability of the zoning in respect to health and welfare of the surrounding areas and increased traffic. It was noted there were no additional letters of objection submitted.

Hughes called for those wishing to address the Commission to come forward. **Robert J Smith**, 1657 NE Commercial, noted the neighborhood's major concerns include traffic issues resulting from vehicles speeding and the use of Commercial Avenue as a shortcut for motorists between Winchester Street and Diamond Lake Blvd. The residents would like assurance that permitted businesses blend into the neighborhood without conflict. Mr. Smith submitted a petition signed by residents concerned about changes to the character of the neighborhood. Upon questioning, Mr. Smith agreed the residents would be receptive to a change in traffic flow in an effort to minimize the impact of businesses in the area and to improve traffic circulation.

Hintz displayed a list of permitted uses in the Mixed Use (MU) zone that would be allowed in addition to those already permitted in the current Industrial (M1) zone noting that the MU zone is

a combination of Light Industrial and General Commercial (C3) uses. Discussion followed regarding primary traffic circulation patterns; Hintz noted that there are more stop signs and turning movements required to get from Odell Avenue to Winchester via Commercial Avenue or other local residential streets. Hintz noted that Odell Avenue, which provides access to the subject properties, is projected to be a Collector Street within the time period set by the Transportation System Plan. Mr. Smith noted employees of the local call center and the News Review also park on Odell Street, which impacts the residents who do not have off-street parking for their homes.

Susan Starke, 1647 NE Commercial Ave stated that the old Gerretson's building is directly behind her house on the other side of an alleyway. She was concerned that the allowed uses would increase traffic on the alley and increased noise. Hintz noted that new businesses would be required to meet current off-street parking standards and have primary access from a street, not the alley, but that emergency service providers such as the Fire Department would likely require access to remain in order to provide services in case of emergencies. Ms. Starke suggested that Commercial is used as an access by others because there are fewer stop signs and it is an easy shortcut to Diamond Lake Blvd. It was also noted that the brewery currently in the old Gerretson's building has an OLCC liquor license. The business owner would like to partner with a rock climbing gym in part of the structure that would not be allowed in the M1 zone.

In researching zoning, Staff discovered there was a mapping error that precipitated the legislative zone change and provides an opportunity for redevelopment as well. The intent was to open up some of the different types of uses that are more commercial in nature with the heavier industrial zones further east on Diamond Lake and thereby provide a transition from the commercial areas along the western end of the corridor that becomes more industrial to the west, and that the MU zoning is a better transitional zone for the residential uses due to the allowed residential uses not allowed in M1. The brewery is permitted in both the M1 and MU zoning; however, the tap/tasting room would have to be proportional to the floor area of the building in the M1 zoning. Discussion followed regarding noise restrictions, parking concerns and restricting use of the alley. Hintz noted that noise disturbances would be handled by City police and that a noise disturbance is qualified as such depending on the time of day and the ability to hear the noise from a residence. Hughes clarified that most of the parking on Commercial is from the residents and suggested issuing parking permits to residents in that area.

Andrea Brooker, 453 NE Boston St, expressed concern that the current M1 zone allows manufacturing and distribution of beer, and that under the proposed MU zone, a restaurant is allowed as well as the manufacturing and distributing the beer. Ms. Brooker noted the difficulty of accessing Diamond Lake Blvd when exiting from Atlanta, Boston or Casper Streets because of existing structures located so close to Diamond Lake Blvd. She was concerned the zone change is being rushed and wondered why it couldn't wait. With the new smoking laws in place, she worried that people would be standing around smoking and talking in the alley, etc. In regards to the concerns about clear vision when accessing Diamond Lake, Hintz noted that would not change with a proposed zone change. Ms. Brooker felt the list of proposed uses in the M1 is smaller than that of the MU zone and suggested they wanted to know what developments would occur because not knowing is more of a concern.

Laura Whitman, 1636 NE Commercial, encouraged the Commission to drive through the neighborhood and to access onto Diamond Lake from that area during rush hour. Her concerns included - there are no "concrete" requests for the zone change, why is it occurring at this time in what seems like a big rush, and safety of the residents. She felt a change of this nature would cause irreparable damage to the neighborhood.

Dave Powell, 499 NE Sterling Drive, partner in Crossfit Roseburg, advised they are interested in locating in the old Flegel warehouse building. They are aware of the minimum off-street parking requirement and would consider providing a parking structure/parking lot. The building they want to move into has been vacant for ten years or more and has deteriorated. This business would improve the area and encourage economic growth. Discussion followed regarding parking options and traffic concerns.

Troy Willis, 841 Becker Rd, partner in Crossfit Roseburg, clarified the parking improvements planned and discussed the proposed class sizes/scheduled times.

Hintz noted it was a coincidence that after this process started Crossfit contacted the City with an interest in moving into the former Flegel warehouse building, and the zone change is not proposed for the benefit of any particular landowner or business. Current zoning would not permit the proposed use, but a change to MU would permit it. Staff met with them and discussed the parking issues and noted that access would be permitted from Casper Street, with a possible secondary access permitted off the alley.

Jeff Sprague, 1434 NE Commercial, expressed concern regarding safety of children, alcohol use and existing adverse use in the neighborhood.

There being no others wishing to speak, Hughes closed the public hearing. Discussion followed regarding the process, and the options available to the Commission. Parson was concerned that a buffer between residential and commercial should be provided. It's a balance of helping the businesses in the area, and yet addressing the needs of the residents. Hughes suggested a site obscuring fence, and Hintz advised that would be a requirement of any development.

MOTION: *Powell moved to recommend adoption of modified Findings of Fact and Order recommending approval of File #ZC-13-1, changing the zoning district for the subject properties (shown on maps within Order) from M1 (Light Industrial) and M2 (Medium Industrial) to MU (Mixed Use) as follows - 1) Goal #12 on page 6 - note that traffic access is a concern. 2) Page 7, traffic impact on Commercial is a concern and its effect on residential housing. The Commission recommends Staff look into changes to Commercial Street to preserve that road for residential traffic. And 3) Subsection 3 on Page 9, acknowledge that access onto Diamond Lake from Atlanta Street and Casper Street is an issue of concern. Torvik seconded.*

McDonald suggested this is more of a housekeeping task because the Planning Staff is being pro-active in this instance. McDonald was sympathetic with the resident's concerns noting that some of the concerns should be addressed by the City Council and/or the Public Works Commission. He is supportive of the proposed zone change because allowing the new uses and interested businesses to utilize the existing buildings would be better than doing nothing and likely resulting in the buildings to remain vacant. The current Industrial zone is incorrect and is worse than the MU zone. Any problems that come about regarding development can be resolved later and is better than objecting at the beginning of the proposal. Hughes expressed

concern with the identified intersections at Diamond Lake noting it predates the development and zoning regulations. There are a multitude of uses allowed and some are more favorable than others near a residential area. Hughes supports the proposal stating that this is a reasonable move and provides consistency. Ingeman agrees with the zone change to clean up and make things more usable. He suggested that any business that comes in there and borders the residential uses should work towards blending the uses whenever possible. Hintz requested clarification of the motion and Powell suggested that any measures to mitigate adverse impacts to Commercial Street should be considered even if that includes additional traffic devices.

Hughes requested a roll call vote. *Motion passed with Parson voting no and all others voting yes.*

BUSINESS FROM STAFF - On behalf of Brian Davis, Paul Hintz provided the Director's Report as follows –

- Facade grant opportunities for downtown buildings to beautify historic facades
- Review/selection of the Downtown Plaza project is formally completed with the former Rite-Aide site as the favorite and noting the importance of private/public partnering
- New development to extend Vermillion Street and future commercial development
- Roseburg Valley Mall continues making improvements for new tenants
- Next commission meeting scheduled for August 27 (Tuesday) is a public hearing for Comprehensive Plan Amendment/Zone Change

BUSINESS FROM THE COMMISSION – It was noted that Commissioner Powell is on the IAMP124/125 committee.

ADJOURNMENT - The meeting adjourned at 9:08 p.m.

Respectfully submitted,

SANDY COOK, Staff Assistant

page 1 of 2

NE Commercial Neighborhood -- Opposed to Zoning Change August 5, 2013

Chris Holt	Chris Holt	1718 ^{NE} Commercial
Robert Holt	Robert Holt	1718 ^{NE} Commercial
Eulalie Holt	Eulalie Holt	1718 ^{NE} Commercial
Cheynea Jones	Cheynea Jones	1616 ^{NE} Commercial
Corey Jones	Corey Jones	
Leah James	Leah James	
Amanda R Cox	Amanda R Cox	1616 ^{NE} Commercial
Christine M. Campbell	Christine Campbell	1616 ^{NE} Commercial
Michael J Tate	Michael J Tate	1738 ^{NE} Commercial
Maria L Martinez	Maria L Martinez	1719 ^{NE} Commercial
Andrea D Brooker	Andrea D Brooker	753 ^{NE} Boston
GARY GRASS	GARY GRASS	1617 ^{NE} Commercial
Deborah Dixon	Deborah Dixon	525 ^{NE} Jackson St Rd 90 or 91470
Michelle Galusha	Michelle Galusha	515 ^{NE} Jackson St Rd 90 or 91470
Maurice L Grass	Maurice L Grass	1617 ^{NE} Commercial Rd 90
Gary Pottier Wilfong	Gary Pottier Wilfong	1637 ^{NE} Commercial Rd 90
Rick Ford Halpern	Rick Ford Halpern	1641 ^{NE} Commercial Rd 90
Jeffrey S Sprague	Jeffrey S Sprague	1434 ^{NE} Commercial Rd
Astika Welikala	Astika Welikala	477 ^{NE} Jackson St
Cheynea Jones	Cheynea Jones	1616 ^{NE} Commercial
Laura K Whitman	Laura K Whitman	1636 ^{NE} Commercial

Name	Print Name	Address
Victoria Maisheva	VICTORIA MAISHEVA	443 Boston av.
Rocky Kerber	Rocky Kerber	433 Boston St.
Brea Pedersen	BREA PEDERSEN	433 NE Boston
Chris Watson	Chris Watson	1733 NE Klamoth Ave
Amy Vetter	Amy Vetter	1711 NE Fremont Ave
Robert D. Sawyer	Robert Sawyer	168 NE Fremont
Tony McMahon	Tony McMahon	575 NE Jackson
Lynn D. Kirkendall	LYNN KIRKENDALL	565 NE Jackson

Date: August 5, 2013
 To: Planning Commission
 From: NE Commercial Neighborhood
 Re: Clarification of Concerns

The purpose of this memo is both to summarize selected aspects of the joint NE Commercial Neighborhood-Planning Commission's July meeting regarding Proposed Zone Change File Number ZC-13-1 and to present a persistent question for clarification. Unfortunately there are no minutes of the July meeting.

The following topics were among the Planning Commission's thorough and highly focused presentation:

- 1) The purpose of the Planning Commission is economic development.
- 2) The Planning Commission is not proactive about aspects of development; instead they serve in a responsive role to the requests of the community, developers, etc.
- 3) Per the Planning Commission, there are over 20 business sites within the two areas under consideration for re-zoning. The local neighborhood is not aware of over 20 businesses using workplaces within the two contested areas for their primary business.
- 4) No business within the 2 areas has asked the Planning Commission for a zoning change.
- 5) Once the local neighborhood was informed about the proposed zoning change, which was after the process had begun, concerns were voiced regarding the potential impact to the local neighborhood. These concerns included: safety for children, quality of life, and environmental issues including noise and traffic. The rationale for the zoning change was questioned at the July meeting.
- 6) The Planning Commission Director responded to the above, strongly emphasizing that the two parcels are substantial (20+ businesses).
- 7) Lastly, the Planning Commission explicitly denied any knowledge of the proposed change being related to the Highway 138 Bypass Project.

The question remains unanswered:

- A) If the Planning Commission is not proactive concerning new zoning issues and
- B) there has been no request from a business for a zoning change and
- C) the local neighborhood has voiced opposition to the zoning change,

Why is the proposed zoning change being pursued?

ORDINANCE NO. 3415

AN ORDINANCE DECLARING A ZONE CHANGE FOR TWENTY-SIX PROPERTIES LOCATED ALONG NE ODELL AVENUE AS WELL AS NORTH AND SOUTH OF NE DIAMOND LAKE BOULEVARD BETWEEN ATLANTA STREET AND FULTON STREET

WHEREAS, the Roseburg Urban Area Comprehensive Plan was adopted by the City Council in Ordinance No. 2345, effective on July 1, 1982, and re adopted in Ordinance No. 2980 on December 9, 1996; and

WHEREAS, the Roseburg Land Use and Development Ordinance No. 2363, as originally adopted July 1, 1984, and re-adopted in Ordinance No. 3408 on March 11, 2013, establishes procedures for hearing Comprehensive Plan Amendment; and

WHEREAS, the Planning Commission held two Public Hearings on File No.ZC-13-1 after duly and timely notice; and

WHEREAS, the Planning Commission adopted Findings of Fact supporting a recommendation to approve the Zone Change; and

NOW, THEREFORE, THE CITY OF ROSEBURG ORDAINS AS FOLLOWS:

SECTION 1: The City Council hereby takes official notice of the Planning Commission Findings of Fact and Order dated August 14, 2013, recommending approval of the proposed zone change.

SECTION 2: The City Council hereby adopted the Findings of Fact and Order regarding the proposed Zone Change.

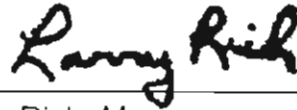
SECTION 3: Based on the evaluation detailed in the Planning Commission staff report and information considered through the public hearing process it has been determined that the proposal conforms to the City of Roseburg Comprehensive Plan and applicable Statewide Planning Goals.

SECTION 4: The City Council hereby approves Zone Change from Light Industrial (M-1) and Medium Industrial (M-2) to Mixed Use (MU) as indicated on maps within Findings of Fact and Order and by reference made a part hereto.

SECTION 5: The City Recorder, at the request of, or with the concurrence of the City Attorney, is authorized to administratively correct any reference errors contained herein or in other provisions of the Roseburg Municipal Code and/or the Roseburg Urban Area Comprehensive Plan as amended by the provisions added, amended or repealed herein.

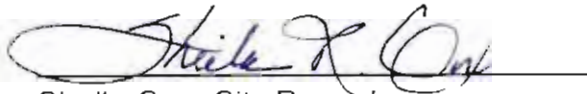
PASSED BY THE CITY COUNCIL THIS 9TH DAY OF SEPTEMBER 2013.

APPROVED BY THE MAYOR THIS 9TH DAY OF SEPTEMBER 2013.



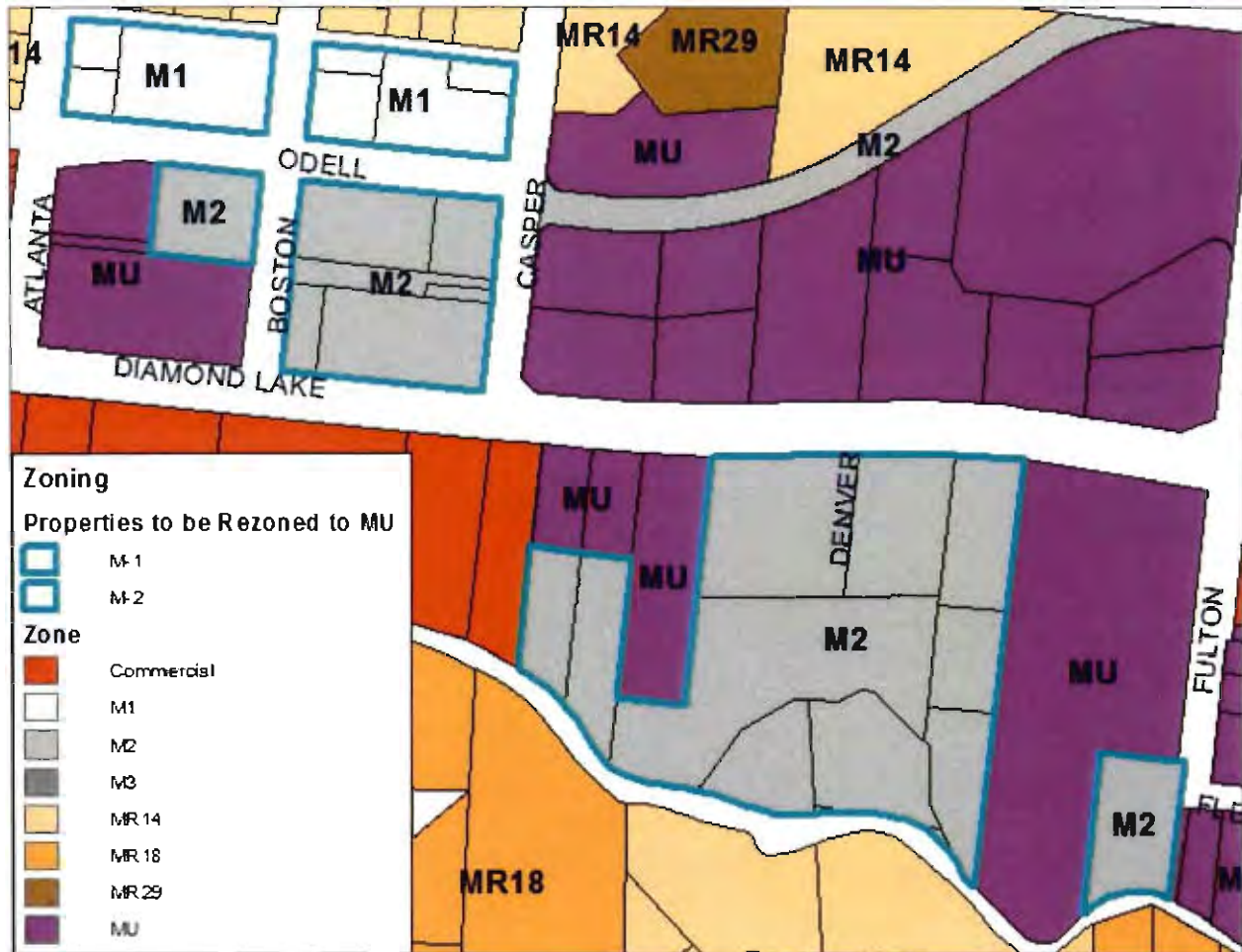
Larry Rich, Mayor

ATTEST:



Sheila Cox, City Recorder

ZC-13-1



CITY OF ROSEBURG

900 S.E. Douglas Avenue
Roseburg, Oregon 97470-3397



|||||
ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540

DEPT OF
SEP 12 2013
LAND CONSERVATION
AND DEVELOPMENT