MINUTES

KEIZER PLANNING COMMISSION
KEIZER CITY HALL - LIBRARY
WEDNESDAY, OCTOBER 9, 1996

SWEARING IN OF NEW COMMISSIONER

City Recorder Tracy Davis administered the Oath of Office to Alan Youse. Mr. Youse took his place at the Planning Commission table.

1. CALL TO ORDER

The meeting was called to order by Vice-Chair Smith at 7:03 p.m.

2. ROLL CALL

The following members were present: Elaine Smith, Dick Inman, Bill Wolf, and Alan Youse.

Also present were: Community Development Director John Morgan, and Recording Secretary Nona Oxe'.

3. SWEARING IN OF NEW COMMISSIONER

In order to have a quorum, Mr. Youse was sworn at the beginning of the meeting.

4. ELECTION OF OFFICERS

Mr. Wolf nominated Elaine Smith for the Office of President of the Planning Commission. Mr. Inman seconded the nomination. There being no further nominations for the Office of President, Vice-Chair Smith declared the nominations closed.

<u>Mr. Wolf moved for a unanimous ballot to elect Ms. Smith as President of the Planning Commission. Mr. Inman seconded the motion. There were no objections.</u>

Ms. Smith nominated Bill Wolf for the Office of Vice President of the Planning Commission. Mr. Youse seconded the nomination. There being no further nominations for the Office of Vice President, Chair Smith declared the nominations closed.

FMAGIC

Mr. Youse moved for a unanimous ballot to elect Mr. Wolf as Vice President of the Planning Commission. Mr. Inman seconded the motion. There were no objections.

5. APPROVAL OF MINUTES

Mr. Inman called attention to an error on page 2, paragraph 2 of the September 11, 1996 minutes. The minutes incorrectly stated that a property improvement program grant was requested to help create a pedestrian plaza "that encompasses the entire corner at Chemawa and Lockhaven." Mr. Inman requested that the minutes be corrected to indicate River Road and Lockhaven instead of Chemawa and Lockhaven.

Ms. Smith questioned comments attributed to Greg Lamb on page 8 of the September 11 minutes. She noted his opposition to traffic passing through the neighborhood, and suggested that the wording in the minutes might be misleading. After discussion, it was agreed that the second sentence under Mr. Lamb's testimony should be changed to say "He perceived" rather than "He felt."

It was moved by Mr. Wolf that the minutes of September 11, 1996, as corrected, be approved. The motion was seconded by Mr. Youse and carried, all present voting aye except Mr. Youse who abstained from voting inasmuch as he was not at that time a member of the Planning Commission.

6. APPEARANCE OF INTERESTED CITIZENS

No one came forward to present any issues to the Commission.

7. PROJECT UPDATES

Staffing Issues

Mr. Morgan reported that Skip Wendolowski, a former Keizer City Planner, has returned to the City of Keizer, replacing Roger Evans in that position. Although Mr. Wendolowski will assume responsibility for day-to-day Planning activity and assist on some on-going projects, Community Development Department workload is such that more authority will need to be yielded to consultants who are now working on specific projects.

Transportation Plan

Mr. Morgan reaffirmed that the Council of Governments (COG) has been asked to assume 100% responsibility for work on the Transportation Plan. It is now anticipated that the stakeholder group meeting will take place sometime within the next 45 days--by about mid-November.

Mr. Morgan conceded that work on the Transportation Plan is behind schedule, and pointed out the impacts on staff time brought about by work on the proposed commerce center and stadium project.

Development Code

Mr. Morgan advised that Mr. Wendolowski's first priority other than his management of planning-related cases and citizen contacts is to finalize the Development Code. Mr. Morgan and Mr. Wendolowski plan to spend two days out of the office to do the final editing. Mr. Morgan anticipated that the finalized code would come to the Planning Commission in November. A Planning Commission hearing will then be held in December, after which a recommendation will go the Council shortly after the first of the year.

Cherry Avenue Design Plan

Mr. Morgan reported that a public meeting is scheduled for next Wednesday, October 16, at 7 p.m. at the Salem Mennonite Church on Candlewood. Notice of the meeting will go in the mail tomorrow. Mr. Morgan noted that over 200 notices will be sent out to property owners and interested citizens. Mr. Spencer will take the lead in presenting the final draft document. Mr. Morgan stated that this will be R3B's last public input into the process. Later this month R3B will finalize the draft and then it will come to the Planning Commission for public hearing in November. The Planning Commission's recommendation will go to the City Council in December.

Willow Lake Study Implementation Strategy

Mr. Morgan reported that staff has been meeting with Salem and the mediators to negotiate the real issues now that the proposed land swap strategy is no longer an option. It was his feeling that coming out of mediation, Keizer would be in a strong position. Mr. Morgan anticipated that the issue would go to the City Council on the 14th, and then move toward a final agreement with Salem. He noted that it will come back to the Planning Commission for formal action and development of a recommendation, probably in December or around the first of next year.

Relative to the Willow Lake Study, Mr. Morgan noted that Salem has developed its Waste Water Management Plan. The 20 - 30 year document looks at wastewater management needs for the entire urban area. Lack of capacity at the Willow Lake Plant, and the imposition of greatly-increased water quality standards necessitated the Plan. Mr. Morgan explained the City Council's involvement due to potential impacts on Keizer.

For the benefit of new member, Alan Youse, Mr. Morgan explained the issues involving the sewage treatment plant. He described the plan to off-load affluent from the canning process for use in irrigating a grove of Poplar Trees, and explained how it would mitigate the odor issue. Mr. Morgan noted that a Council worksession on treatment plant issues is scheduled for October 28. Council's concerns center around three issues: land use, public policy, and public finance.

Mr. Morgan responded to questions about impacts of the Plan on farm land. He confirmed that although the Poplars are intended as a wastewater management strategy, they will be harvested as a timber resource.

Mr. Youse noted his agriculture background, and indicated that he would like to be a part of the water quality program if possible. Mr. Morgan indicated that he would give Mr. Youse a copy of the Plan draft. Mr. Morgan elaborated on the reasons for doing the Poplar plantation around the treatment plant. He noted that Salem is still looking at possibilities.

Mr. Morgan responded to questions about other sewer issues. He noted that the East Salem Sewage District shares many of Keizer's concerns.

Development Activity

Mr. Morgan reported that Council considered the ordinance prohibiting automotive-related uses around River Road and Chemawa. The ordinance was approved on first reading, but with an R3B-recommended July 1, 1997 sunset rather than the February sunset recommended by the Planning Commission. Because the Council vote was not unanimous (5-2), the ordinance must go to second reading before being adopted. Mr. Morgan noted that in the mean time, a new gas station has filed a building permit to put a station immediately next to the Chevron station on River Road, on the vacant lot to the south. Mr. Morgan noted that the second reading on the ordinance is next Monday, October 14.

(The Planning Commission recessed at 7:35 p.m. and reconvened at 7:45 p.m.)

8. DISCUSSION

8.1 Stadium Site Comprehensive Plan Change, Zone Change, and Conditional Use

Mr. Morgan reviewed the history of ballpark issue culminating with Council's direction to go forward and work toward achieving the stadium. He noted that Council had expected to adopt the Chemawa Activity Center Plan and the proposed zoning on October 7. In that process, from the land use perspective, the way would have been cleared for the stadium to occur.

Mr. Morgan reminded the Commission that back in February, staff met with ODOT staff knowing that they had concerns about impacts on the freeway and associated impacts on the interchange. Keizer staff relayed the City's objection to doing a traffic impact analysis at this time because of unknowns with regard to development of the activity center. The Planning Commission-suggested process was presented, that a traffic analysis be done when individual master plans are prepared. Mr. Morgan noted that on February 20 staff got a verbal okay from ODOT--but nothing in writing.

Mr. Morgan called attention to a September 16 letter from ODOT outlining their objections. ODOT's position is that the Transportation Impact Analysis must be done prior to adoption of the Chemawa Activity Center Plan in accordance with the State TPR. Mr. Morgan specifically called attention to ODOT's mistrust of the proposed Conditional Use process as a measure to assure that all the impacts are mitigated.

Mr. Morgan noted that staff discussed the situation several times with ODOT staff after the September 16 hearing, and submitted a letter emphasizing the City's position that the proposed process was the appropriate and rational way to proceed. A response was received from ODOT stating that they will agree to the following: the adoption of the comprehensive plan amendment and necessary zoning only for the sub-area of the activity center in which the baseball stadium is located; the comprehensive plan amendment and zone change for the remainder of the activity center will be deferred; and, ODOT will exclude the stadium site from the requirement for a traffic impact analysis if an event traffic management plan is developed and approved by ODOT.

Mr. Morgan noted that as a result of ODOT's objection, staff's recommendation to Council is to adopt a new strategy with regard to the Activity Center and stadium. He reviewed the actions recommended in the staff report which will go to Council at a rescheduled meeting next Monday night: To not include the stadium site in the Activity Center; to reopen the public hearing on the Activity Center and hold it open until December 16, and in the interim, do the traffic impact analysis (Mr. Morgan noted that ODOT has agreed to fund the $5,000 - $6,000 to complete the analysis); and, to initiate a Comp Plan amendment for the stadium site from General Industrial to Civic, initiate a Zone Change from Urban Transition to Public, and initiate a Conditional Use to allow the development of an athletic stadium in the Public zone. A public hearing on the land use issues would be set for October 21.

Mr. Morgan pointed out that the Planning Commission must submit to the City Council its recommendation regarding the land use designations. He brought up other possibilities that the Planning Commission might wish to consider for recommendation to the Council.

Mr. Inman asked if ODOT could stop the stadium. Mr. Morgan acknowledged that representatives from ODOT had indicated that they would be compelled to appeal if Keizer were to proceed as originally proposed. Mr. Inman also questioned ODOT's area influence around the Chemawa Interchange. Mr. Morgan noted that he had pointed out to ODOT that the stadium site, in mileage, is as far away as Albertson's/Payless. Their counterpoint was that the sole point of access would be right at the interchange. Ms. Smith pointed out that whether or not ODOT might win or loose an appeal, they could delay the process.

Mr. Wolf wondered why it would be necessary to remove the stadium from the Activity Center Plan since the Plan will not be adopted until January or February. He felt it would be appropriate to merely zone the stadium site now for its intended use and let the rest ride. Mr. Morgan conceded that the recommended action to direct staff to not include the stadium site in the Activity Center is superfluous since the Plan will not be adopted until later.

Ms. Smith indicated that she would like to see the area eventually zoned IBP--possibly when the whole Master Plan is adopted. The Planning Commission discussed the pros and cons of applying the IBP zone at this time. Mr. Morgan explained why it would be better to apply the IBP zone as part of the Activity Center process.

> Mr. Wolf moved that the Planning Commission recommend to the City Council that they rezone the land that is to be acquired for the stadium as Public, and that they not change the Chemawa Activity Center draft plan at this time.
>
> Ms. Smith suggested as a friendly amendment to Mr. Wolf's motion, that the Planning Commission also recommend changing the Comp Plan designation to Civic. Mr. Wolf accepted the friendly amendment as part of his motion. Mr. Inman seconded the motion.
>
> The motion carried unanimously by those members present.

Mr. Morgan review the requirements relating to the conditional use process. He pointed out that in the Public zone virtually everything is a conditional use and is subject to the requirements. With regard to the proposed stadium, the issue would be mitigating the impacts. Mr. Morgan noted that staff's recommendation to Council on October 21 will be that an event traffic management plan be prepared and approved by ODOT and by the City Manager before a building permit is issued for the stadium.

Mr. Wolf asked if that would include the Planning Commission's recommendation for Tepper Lane. Mr. Morgan reminded the Commission that the City Council had publicly said that Tepper would be closed during events. He acknowledged that the Planning Commission recommendation could specifically address the issue. Mr. Morgan pointed out that ODOT would like to see that the requirement for an event management plan be permanent--not just in the interim until the Radiant interchange is constructed. He conceded that the plan would have to be updated as conditions change.

After discussion, it was agreed that reference to Tepper Lane closure should be included in the Planning Commission recommendation.

> Mr. Inman moved that the Planning Commission recommend to the City Council that an event traffic management plan be developed and approved by the City Manager and the Oregon Department of Transportation before building permits are issued, and that such plan shall include closing Tepper Lane at the railroad tracks before, during, and after events, except for emergency vehicles. The motion was seconded by Mr. Wolf.

Ms. Smith pointed out that the motion didn't include a recommendation for the Conditional Use. It was agreed that the Conditional Use would be addressed by separate motion.

The motion carried unanimously by those members present.

Ms. Smith moved to recommend to the City Council that they approve the Conditional Use for a commercial sports facility, with the condition that the Planning Commission previously adopted. The motion was seconded by Mr. Wolf.

The motion carried unanimously by those members present.

Mr. Morgan pointed out that after the traffic impact analysis for the Chemawa Activity Center is completed it will come to the Planning Commission--probably for the December meeting.

Mr. Morgan responded to questions about attachments to the staff report being submitted to the Council. In reviewing a matrix addressing issues related to the Chemawa Activity Center Plan, Mr. Morgan pointed out staff-recommended changes to the Planning Commission's comments, which responded to testimony received at the September 16 hearing. The Planning Commission agreed with the changes.

Mr. Morgan acknowledged that the CM Zone will be in place before the Chemawa Activity Center Plan is adopted. Consultant John Spencer is completing the draft and intends to present it to the Planning Commission in November.

Mr. Morgan called attention to the Project Budget, attached to the staff report. He reviewed the estimated costs for street construction, storm drainage, sanitary sewer, water system, and stadium development. He responded to questions about costs relative to the stadium, and efforts to go after Economic Development money. He also answered questions about the stadium lease agreement, and revenue that would come to the City for use of the parking lot.

In response to a question from Ms. Smith, Mr. Morgan indicated that he had no new information regarding the tribal land impacted by the activity center.

9. ANNOUNCEMENTS AND AGENDA INPUT

Meeting Attendance

Mr. Wolf brought up the issue of absenteeism on the Commission. It was Mr. Wolf's recollection that Mr. Pearl had missed several meetings since his appointment last year. Mr. Wolf pointed out the necessity for regular attendance in order to be fully knowledgeable about the many important planning issues facing the City.

Mr. Inman asked how the issue was addressed in the Planning Commission's By-laws. Mr. Wolf had a copy with him, and read from the section dealing with unexcused absences, and sanctions. Mr. Wolf stated that he was not recommending that sanctions be imposed; only, that the message be put out that Commission members must comply with attendance requirements.

After discussion, it was agreed that a review of the By-laws would be placed on the next agenda. The question of attendance will be discussed in that context. It was pointed out that last month Mr. Wolf had requested that the By-laws be updated to reflect the correct meeting day and time. Mr. Morgan was asked to include a copy of the updated By-laws in the agenda packet. Mr. Wolf agreed that it would provide an opportunity to remind all members to be at meetings and actively participate.

Planning Commission Appointments

Mr. Morgan announced that there are two openings on the River Road Redevelopment Board (R3B). He suggested that anyone interested in being appointed to the Board contact City Recorder Tracy Davis or himself.

Mr. Morgan noted that the Planning Commission periodically reviews its appointments to other boards, commissions, and committees. R3B, the Citizens Advisory Committee for the Regional Transportation Plan, and the School District Planning Committee were appointments that he could call to mind. He suggested that next month the Commission consider reassignments to active boards, commissions, and committees.

Other Announcements

Mr. Morgan suggested that sometime within the next three months the Commission participate in a goal setting session. He pointed out that many of the current activities will be coming to closure within the next four to five months. The only major longer-term issue is the Transportation Plan. Mr. Morgan indicated that he would come up with a list of what is seen on the horizon.

Mr. Morgan announced that Mr. Spencer got approval for the tour of *Fairview Village*. Mr. Morgan agreed to look at the possibility of an all-day event including tours of *Fairview Village, Sunnyside Village*, and *Tualatin Commons*, culminating with a goal-setting session in the evening.

Mr. Wolf stated that he would like to see the Planning Commission work on the Claggett Creek area open space preservation. Mr. Morgan agreed that it should be done as part of the Period Review process. Mr. Wolf reported on the work that is being done by SEKNA for Pleasantview Park with regard to wetland mitigation.

9.1 Cherry Avenue Public Forum: October 16, 1996 - 7:00 PM - location TBA

9.2 Regular Meeting: November 13, 1996 - 7:00 PM

10. ADJOURN

The meeting was adjourned by Chair Smith at 8:58 p.m.