MINUTES

KEIZER PLANNING COMMISSION
KEIZER CITY HALL - LIBRARY
WEDNESDAY, SEPTEMBER 11, 1996

1. CALL TO ORDER

The meeting was called to order by Vice-Chair Smith at 7:02 p.m.

2. ROLL CALL

The following members were present: Manny Martinez, Dick Inman, Elaine Smith, Bill Wolf, June Abbott, and Bill Pearl. Marty Matiskainen arrived at 9:00 p.m.

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

3. APPROVAL OF MINUTES

It was moved by Mr. Wolf that the minutes of August 14, 1996 be approved. The motion was seconded by Ms. Abbott and carried, all present voting aye except Ms. Smith and Mr. Pearl who abstained from voting inasmuch as they were not present at that meeting.

4. APPEARANCE OF INTERESTED CITIZENS

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

5. PROJECT UPDATES

Staffing Issues

Mr. Morgan reported that the Community Development Department is now down to one staff person--himself. Mr. Evans has accepted a position with Alvarado County, California. Mr. Morgan estimated it would take 90 to 120 days before Mr. Evans' replacement is hired and on board. In the interim, Mr. Morgan's number one obligation will be to work with the citizens on day-to-day land use matters. He will therefore not be working to any great extent on Planning Commission or R3B projects for the next three months.

Mr. Morgan described measures being taken to avoid temporarily abandoning projects now in the works. Consultant John Spencer has been asked to take 100% responsibility for Cherry Avenue. He will also help with finishing the CM zone and the revisions to the River

FMAGIC

Road Design Plan. COG Consultant Skip Wendolowski will be taking over efforts to complete the Development Code. Wayne Rickert from COG will also be taking a much stronger role in facilitating the Transportation Plan process.

Mr. Morgan pointed out that with the help from the consultants, the Planning Commission will still have productive agenda items to work on.

Development Activity

Mr. Morgan reported on new development in the Staats Lake area. A large office and housing development will soon break ground at the southeast corner of Staats Lake. A subdivision plan and pedestrian plan has been approved for the east end of the lake. In connection with that development, Council approved a property improvement program * grant of $10,000 (the request was for $50,000) to help create a pedestrian plaza that encompasses the entire corner at ~~Chemawa~~ River Road and Lockhaven. Also at Staats Lake toward the northeast corner, Salem hospital is building a major office and clinic facility.

Mr. Morgan reported that a new development is now planned for the northeast corner of River Road and Chemawa Road. The building currently occupied by the Northside Alliance Church will be taken down. A new building will be constructed right at the corner. A nicely-designed 15,000 SF retail store is planned. Mr. Morgan is not yet at liberty to release the name of the retailer. He noted that the Wittenberg grant will not be necessary for the corner because of the new construction. However, the developers have indicated that they will cooperate with the landscaping plans for the entire corner.

Mr. Morgan described a proposal for construction of a 74-unit "senior" housing project on the vacant lot north of the Burger King Restaurant on the south end of River Road. A Comp Plan change will be necessary for the project to happen.

Development Code

With the help of the consultants, Mr. Morgan hopes to bring the development code to the Planning Commission for public hearing within the next two to three months.

Willow Lake Study Implementation Strategy

Mr. Morgan recalled that last month he reported that the plan to amend the Urban Growth Boundary and do a land swap would probably not be possible. He acknowledged that such was the case. House Bill 2709 in effect prohibited the proposed action. Thus, it will be necessary for the participants to return to the table and negotiate on the real issues instead of doing the detour. Mr. Morgan noted that City Attorney Johnson will be leading the effort along with Salem legal staff, hoping to move toward closure within the next 30 days.

* Minutes corrected 10/9/96.

Mr. Morgan responded to questions about the Sewage Treatment Plant (12-year) Master Plan. He commented on the issues of food waste transfer to West Salem for irrigation use to eliminate a great source of the odor at the treatment plant, and plans to encapsulate the out-fall areas.

Mr. Morgan conceded that the question might be raised, "If there is no odor, what's the problem?" He noted that Council will get a full briefing next Monday night at 7:00 o'clock, prior to the Chemawa hearing. The questions raised locally by the people in the area, specifically the two major farmers affected, concern the environmental safety of what is being proposed.

Mr. Wolf wondered if Salem's negotiation position might not be somewhat biased in that they want to expand their plan, but they want to contain Keizer. He asked if there was some way they could be made to go to an arbitrator. Mr. Morgan noted that a mediator is participating in negotiations, but not an arbitrator. Mr. Johnson felt Salem's position would not be considered a conflict of interest. However, there has been some feeling that Salem has restricted the use of the property from the beginning partially to artificially keep the values low because they knew they were going to buy it later.

Mr. Johnson responded to questions about liability issues related to odor from the plant. Mr. Morgan answered questions about sewer rates.

Transportation Plan

Mr. Morgan anticipated that a meeting of all the big stakeholders would be scheduled sometime before the next Planning Commission meeting. Invitations will be sent to the various affected groups. The meeting will be a "kick-off" for the planning process.

Cherry Avenue Design Plan

Mr. Morgan reported plans for a public meeting to be held next Wednesday night. Notice of the meeting will be mailed to virtually every property owner in the corridor. Mr. Morgan anticipates that 50 to 60 people will come out for the meeting. He noted that the final plan draft will be presented that night. R3B will act on the plan at their next meeting. It will then come to the Planning Commission to hold a public hearing for Comp Plan and Zone Code amendments, probably in October or November. The R3B recommendation and Planning Commission recommendation will go to Council for public hearing and formal adoption. Mr. Morgan noted that once the plan is adopted, groundbreaking on the first of the projects will probably take place by late Spring.

Mr. Wolf commented that Salem has just approved bike lanes on their end of Cherry, and will soon try to get the speed limit reduced. He wondered if a joint presentation could be made to the two cities to coordinate a speed reduction on Cherry on both sides of the Parkway. He pointed out that the greatest number of accidents in Keizer occur at Clearview and Cherry. Mr. Morgan agreed that the idea makes sense. He indicated that Public Works Director Mull would be the staff person to carry the request.

Mr. Morgan distributed copies of a brochure depicting *Fairview Village,* a project in the Portland Metro area. He described the mixed-use, neo-traditional project, and noted that he can get a tour with the developer and designer while it's under construction. Mr. Morgan will invite Council and R3B, as well as the Planning Commission, to go on the tour once he is able to put it together.

Mr. Morgan also distributed copies of a brochure depicting another mixed-use project in Clackamas called *Princeton Village*. He saw potential for such a development in Area C of the Chemawa Activity Center. Additionally, Mr. Morgan handed out a flyer depicting *Two Rivers Mall,* a project in Albany. As a member of the "Livable Oregon Good Development Partnership Steering Committee," Mr. Morgan will share their information with the Planning Commission. He noted that on November 22 "Livable Oregon" is doing a one-day symposium on the marketability of these kinds of projects. The Planning Commission will be invited to participate.

Flooding - Labish Ditch

Mr. Morgan reported that a preliminary analysis done by FEMA indicated that the 100-year flood plain along Labish Ditch is much bigger than what flooded last winter. They determined that what flooded was about a 50-year event. Mr. Morgan noted that the City is compelled by law to use the best available information to administrate the building code relative to flooding. Therefore, the City has shut down development of about 40 lots in the area.

Mr. Morgan noted that a variety of ways are being looked at to mitigate the flood impact, which may change the flood plain. He noted that a major one is to increase the flow of water under River Road through expanding the capacity of the culvert. Another is cleaning the ditch. Twelve bad locations along the ditch needing clean-out have been identified. Mr. Morgan noted that many environmental issues have been raised relative to the clean-out. Council has directed that the work proceed, with a lot of restrictions.

Mr. Morgan responded to questions about the City's liability for restricting development of the impacted lots. He also responded to questions about environmental issues.

6. DISCUSSION

6.1 *Chemawa Activity Center Plan*

Ms. Smith called attention to the agenda material which included proposed revisions to the Chemawa Activity Center Plan draft, a draft of the IBP zone, and a letter from Dorothy S. Cofield, Attorney at Law, proposing changes to the Plan and IBP zone.

Mr. Morgan stated that tonight the Planning Commission would have opportunity to develop comments to go into the Council record at Monday night's meeting. He noted that the public hearing was left open by Council for the submission of written comments only in response to the proposed amendments. He suggested that the Planning Commission take action point-by-point or include a body of decisions in a single motion, and submit the recommendation to the Council by way of a letter or memo from the Chair. He stressed that all of the Planning Commission is invited to the Council meeting, and encouraged to participate if any testimony is allowed.

Mr. Morgan reviewed how the City Council's direction on the Plan draft differed from the Planning Commission's recommendation. He then proceeded to "walk through," amendment by amendment, the proposed revisions to the Chemawa Activity Center Plan draft.

Mr. Morgan pointed out that language to accommodate the proposed stadium is included in the proposed amendments. Although not specific to a stadium, it refers to athletic facilities.

Mr. Morgan reviewed the proposed amendments to the Executive Summary and explained why the revisions were needed with regard to Comp Plan and zoning designations for the 11 acres Commercial in Area A, to allow for administrative review. There were no objections to the revisions.

There were no objections to amending the bullet-points on page 6 of the Plan which outlined the benefits of the new business district to the City of Keizer. Mr. Martinez called attention to one bullet-point which stated: "An appropriate site for community facilities such as conference centers and athletic facilities." He asked if the document would allow for construction of the proposed stadium closer to Chemawa than the location currently being proposed. Mr. Morgan acknowledged that the stadium is not sited in the Plan document. The Plan merely establishes the land use framework.

The next amendment considered by the Commission proposed amending the second bullet point on page 8 of the document under "The Final Draft Land Use Plan." Mr. Morgan noted that it adds a reference to athletic facilities. It also provides for the Council-directed 11 acres of commercial retail at the southern end of Area A, and talks about how the zone changes would be established.

A discussion followed regarding the location of the 11 acres commercial retail in Area A. Mr. Morgan pointed out that the proposed amendment would give the designer the flexibility to create the best possible layout for the 11 acres. The zoning would be locked in once the design is accepted. Mr. Inman wondered if the 11 acres could be split throughout Area A. A discussion followed regarding what was believed to be the original intent with regard to consolidation of any commercial. After discussion, it was agreed that the bullet point wording should be amended to clarify that the 11 acres must be contiguous.

Mr. Inman moved that the proposed amendment to the second bullet point on Page 8 of the draft Plan under "The Final Draft Land Use Plan" be changed as follows: ". . . In addition, up to 11 contiguous acres at the southern end of Area A is to be developed as a commercial retail center with no single use exceeding 50,000 square feet in size. ..." The motion was seconded by Ms. Abbott.

Mr. Martinez asked what would be the advantage of having it contiguous. Ms. Smith felt it would allow for a more coherent commercial area and allow easier pedestrian travel from one point to the other. She brought to recollection the transportation goals.

The motion carried unanimously by those members present. (Absent: Marty Matiskainen)

With regard to the same bullet point, Ms. Smith questioned the inclusion of "athletic facilities" in a reference to commercial uses. Mr. Morgan felt that the categorization would apply in the case at hand (the proposed stadium). He also pointed out other possible applications such as membership athletic clubs.

Mr. Morgan pointed out that proposed amendments to "Objectives to the Design Standards" (page 9 of the draft Plan) reflected the changes previously talked about. He called specific attention to two proposed new bullet points which address the changes being proposed to limit the commercial within both the IBP zone and the CM zone. It makes reference to the community's first and highest priority for development of the River Road and Cherry Avenue corridors. He noted the need to be specific on the intent, and also have language to withstand appeal if necessary. Mr. Morgan added that a final bullet point would make a statement within the Plan showing conformity with the Comprehensive Plan policy.

Mr. Morgan read a proposed amendment to the first bullet point under The Design Standards, "Land Use," on page 10 of the draft Plan. It represented the enabling land use language which would allow the proposed stadium.

Noting that the bullet point states that "a master plan shall be developed for the area north of Tepper Lane in accordance with the IBP zone," Ms. Smith seemed to remember the intent to have a single master plan for the entire area. Mr. Johnson recalled that there would be two master plans. Mr. Morgan noted that the existing language provides for two master plans; Tepper north, and Tepper south.

Mr. Martinez asked if "athletic facilities" could be excluded from the IBP zone language. Mr. Morgan answered that the Planning Commission could agree, by motion, not to include language allowing for athletic facilities. Mr. Johnson pointed out that any motion should be specific as to removing the language from the IBP zone, the Plan draft, or both. He asked if Mr. Martinez' was generally objecting to a stadium. Mr. Martinez answered that he was not objecting to a stadium, but to the way it would be financed. It was pointed out that the

Planning Commission's role was to address zoning issues, not financing issues. Mr. Johnson suggested that Mr. Martinez and others who might object to any potential financing mechanism attend tomorrow nights public meeting.

When asked by Mr. Johnson what his response, as a Planning Commissioner, would be if a privately-financed facility were proposed at this location, Mr. Martinez explained his concerns with regard to noise and traffic. He specifically wished to prohibit the use of the stadium for concerts.

> Mr. Martinez moved to remove from the draft Plan and the proposed IBP Zone any reference to athletic facilities. The motion was seconded by Mr. Inman.

Mr. Inman pointed out that the proposed IBP wording refers to "public and private sports facility." He asked if wording existed anywhere in the draft Plan or IBP zone text allowing for a concert in the stadium. Mr. Johnson answered "no," and added that it normally would not be stated in the zoning ordinance. He and Mr. Morgan both pointed out that the City's noise ordinance would be the regulating instrument. Mr. Morgan added that the designers and team owners have been told that they must conform to the noise ordinance.

Mr. Inman questioned the use of a public and private sports facility for a different purpose than what is allowed--something other than an athletic event. Mr. Morgan pointed out opportunities for a high school graduation, Billy Graham type event, etc. He was unsure of the appropriateness of having to list each different type of event.

A discussion followed regarding the intent with regard to public gatherings. Mr. Johnson perceived that the Council's intent, from a land use point of view, was to allow use of the stadium for other events. Although Council would be looking at the secondary effects, concerts would probably be allowed. As lessor, the City would be able to impose control measures via the lease. He emphasized the Council's concern about secondary effects such as noise, traffic, and impacts on the Gubser neighborhood. Mr. Morgan pointed out mitigation measures being considered. Mr. Johnson stressed that Mr. Martinez should separate out the three issues: the financial commitment of the City, the idea of land use generally, and secondary effects.

Mr. Martinez felt that since the Planning Commission had already made its recommendation to the City Council, it was the responsibility of the Council to change the documents if they wanted to include wording for a stadium. Mr. Wolf pointed out that the document was referred back to the Planning Commission to comment on Council-directed changes. Ms. Smith understood that comments on the proposed changes would go to the Council as the Planning Commission's recommendation. Mr. Morgan clarified that the proposed amendments are already in front of the Council as staff's recommendation. The Planning Commission is asked to make comments.

Mr. Wolf called for the question.

The motion failed with Mr. Martinez voting in favor of the motion, Ms. Smith, Mr. Wolf, Ms. Abbott, and Mr. Pearl voting no, and Mr. Inman abstaining. (Absent: Marty Matiskainen)

Mr. Morgan reviewed proposed changes to the third and fourth bullet points under "Land Use" on page 10 of the draft Plan. With regard to the hotel/restaurant/meeting center complex, reference to the CM zone was removed, allowing such facilities to be sited other than within the 11 acres designated for commercial. Provisions for up to 11 acres CM at the southern end of Area A, and provisions for administrative review for setting the zone are specified. Mr. Morgan noted that the amendments responded to Council's direction.

(The Planning Commission recessed at 8:47 p.m. and reconvened at 8:57 p.m.)

Mr. Morgan called attention to the proposed amendment to delete the final bullet point under "Land Use" on page 10 of the document which provided for 30 acres of commercial at the south end of Area A. The amendment also responded to Council's direction.

Under "Site Design" on page 10 of the draft Plan, the proposed change to the first bullet point would provide that "... The design should generally identify individual parcels, circulation and access, landscaping and open space..." Mr. Morgan advised that the word generally was added to avoid prohibiting lot line adjustments as are common in industrial developments.

Mr. Morgan reviewed two bullet points proposed to be added under "Transportation." The first would provide for the proposed Radiant Drive/Lockhaven under-crossing. The second was in response to the proposed stadium, and would require an event-traffic mitigation plan as part of the required master plan for the area.

Greg Lamb, 2323 Latona, Keizer, speaking for the Gubser Neighborhood Association,
* expressed his concerns regarding event-traffic mitigation. He ~~felt~~ perceived that the only one way to mitigate traffic prior to construction of the Radiant underpass would be by directing traffic onto McLeod. He also relayed the Neighborhood Association's concerns about what would happen during the Christmas season with the Gubser Neighborhood's "Miracle of Christmas" lighting display. He noted that while the lighting event is going on, a lot of the corridor is blocked because of the traffic. He wondered if events at the stadium would be prohibited during the "Miracle of Christmas."

(Mr. Matiskainen arrived at 9:00 p.m. and assumed his position as Chair.)

It was Mr. Morgan's belief that an appropriate mitigation measure would be to close Tepper Lane. He pointed out that one of the mitigation measures talked about is to do three lanes on Radiant Drive, specifying two lanes for in-flow and out-flow traffic periods, with police

*Minutes corrected 10/9/96.

officers directing traffic. He pointed out that the Gubser neighborhood would be involved in creating the mitigation plan.

Mr. Inman moved that the proposed amendment to add a new bullet point on Page 11 of the draft Plan at the end of the "Transportation" section be changed as follows: ". . . This Plan shall include provisions to block off traffic to Tepper Lane west of the BNRR before and after events. . ." The motion was seconded by Mr. Martinez.

Mr. Lamb confirmed for Mr. Pearl that the proposed mitigation measure would help alleviate a lot of the concerns of the neighborhood. Mr. Lamb, however, had other concerns relative to ball park traffic, such as litter that might be discarded by spectators leaving an event.

The motion carried with all members voting in favor except Ms. Smith who abstained.

Mr. Morgan pointed out that a final amendment under Area A "Transportation" would change the wording on the last bullet point on page 11 of the document to reflect the Planning Commission's recommendation to Council regarding the acceptable LOS at signalized intersections on Lockhaven. It specified that master plans for development be crafted and coordinated to respect the limitations. Ms. Smith had concerns that the limitations might pose problems for the last quadrant to develop. Mr. Johnson was unsure how to word the requirement quantitatively. He suggested the possibility of adding some very general language in the plan that addresses the issue.

With regard to Area B, Mr. Morgan read a proposed amendment to the first bullet point on page 12 under "Transportation." He noted that the reworded bullet point would soften the requirement regarding a single access to Lockhaven and create an opportunity for additional or alternative access.

Under Area C, "Site Design," on page 12 of the document, Mr. Morgan proposed eliminating the first bullet point requiring that "the site design shall focus on landscaping with generous use of trees." Mr. Morgan pointed out that with the likelihood of development by a multiple of small developers it would be difficult to create in a master plan a landscaping plan for the entire area.

After discussion, it was most generally felt that the requirement should remain.

Mr. Wolf moved that the proposed amendment to eliminate the first bullet point on Page 12 of the "Area C - Site Design" section of the draft Plan be deleted. The motion was seconded by Mr. Inman.

The motion carried unanimously.

Still in Area C, a proposed amendment to change the second bullet point under "Transportation" on page 12 of the draft Plan would add more flexibility regarding access to St. Croix once it is disconnected from Lockhaven Drive.

A lengthy discussion followed with several suggestions for St. Croix access via connecting streets. Mr. Wolf felt that the bullet point should include something that would speak to the disconnection off Lockhaven.

> Ms. Smith moved that the proposed amendment to change the second bullet point on Page 12 of the "Area C - Transportation" section of the draft Plan be changed as follows: "St. Croix Street will connect with the realigned extension of Ridge Drive. The motion was seconded by Ms. Abbott.

A friendly amendment by Mr. Wolf to maintain language from the statement in the draft Plan that "St. Croix Street will be disconnected from Lockhaven Drive" did not receive a second. Ms. Smith explained her preference for keeping the connection. It was pointed out that St. Croix is right turn only and would have no impact on traffic flow.

> The motion carried with all members voting in favor except Mr. Wolf who voted no.

There was agreement with a final proposed amendment for Area C "Transportation," to change the third bullet point on page 12 of the draft to clarify the language to allow access to Lockhaven Drive via Chemawa Road only.

A proposed amendments to change the fourth bullet point on page 13 of the Area D "Transportation" section responded to the Planning Commission's direction with regard to LOS provisions.

Proposed amendments dealing with "Transportation Facilities" under the Public Improvements section of the draft Plan also dealt with LOS requirements and strategies. Mr. Morgan reviewed and more fully explained the master plan requirements with regard to LOS projections.

Mr. Johnson conceded a need to address in a broad general sense Ms. Smith's concerns that LOS requirements might restrict development of a final quadrant. In response to comments from Attorney Dorothy Cofield, Mr. Johnson felt that one issue with merit was the question of how LOS gets accomplished--what capitol improvements would be needed off-site to accomplish the required level of service. Mr. Johnson relayed his concerns with the legality of requiring a developer to pay 100% of the costs. He emphasized that a developer cannot be required to do improvements when the traffic is not specific to the development. He saw a need for an overall financing plan to be put together very soon.

Mr. Morgan pointed out that a bullet point proposed to be added to the Public Improvements "Transportation Facilities" section gets specific on the issue of the City's responsibility for street improvements. He noted that without the proposed language, the developer might attempt to apply Supreme Court Case "Nolan" which could obligate the City to widen Lockhaven and pay some of the costs. The proposed language specifically says that the City is not obligated to even approve a street improvement project because there are other strategies to establish a level of service. Mr. Morgan felt that the proposed language might create a stronger defense against the "Nolan" argument.

Mr. Morgan responded to questions about street improvements proposed in the Plan draft. It was his perception that the proposed improvements would be sufficient to meet LOS requirements when combined with developer strategies. He acknowledged that a financing strategy, fair and equitable to the developer and the City, would be developed to pay for the improvements proposed in the Plan. He emphasized that if a land use is established that by its traffic generation demands more physical improvement, the City is not obligated to approve the physical improvement regardless of who pays for it.

Ms. Abbott questioned the possibility of urban renewal dollars being used for improvements related to the Chemawa Activity Center. Mr. Morgan perceived that any urban renewal dollars spent in connection with the Activity Center would be used to the do the sewer and water extension at the north end. He did not anticipate that the proposed extension of the Urban Renewal Plan would change plans to use the money for River Road and Cherry Avenue.

Mr. Morgan and Mr. Johnson responded to questions and comments about the proposals stated in Attorney Cofield's letter.

Ms. Smith suggested that for clarification the bullet point more specifically refer to "off-site" street improvements rather than just street improvements.

> Ms. Smith moved that the proposed amendment to add a new bullet point on Page 14 of the draft Plan after the fourth bullet point be changed as follows: "The City's responsibility to participate in or facilitate any off-site street improvement project or other transportation program is limited to the improvements and programs cited in this Plan, all of which are included in the "Regional Transportation System Plan" adopted in July 1996 by the Salem/Keizer Area Transportation Study Policy Committee. The city is not obligated to approve or participate in any off-site street improvements or transportation programs which are proposed by a developer to meet the LOS standards which are not included in this Plan document. The motion was seconded by Mr. Wolf.
>
> The motion carried unanimously.

Mr. Morgan indicated that he and Mr. Johnson would work on the LOS comments to address the concerns regarding development of a final quadrant.

Mr. Morgan quickly reviewed the remaining proposed amendments dealing with street improvements relative to Lockhaven Drive. He explained that the changes were in response to recommendations made by Traffic Engineer Woelk in his traffic study.

Mr. Morgan explained that a proposed change to the first paragraph under "The Master Planning Process" would clarify how the system works.

Under "Financial Strategy" on page 18 of the draft Plan a proposed change to paragraph 9 would establish a more-likely date for engineering, design and financing work, after the Plan is adopted.

Mr. Morgan anticipated that as soon as the Plan is adopted, the City will hire a consultant with particular expertise in municipal finance to do the detailed financial plan analysis and create a proposal for adoption by the City Council.

IBP Zone

Mr. Morgan pointed out that the draft IBP zone represented text worked on by the Planning Commission over the last several months. He noted that it is now before the City Council for adoption.

Mr. Morgan called specific attention to the introductory statement proposing use of the IBP zone in conjunction with overlay zones which might include more restrictive use and development standards. The AC (Activity Center) overlay zone was cited as an example. He emphasized that the IBP zone was developed for use throughout the City, not just the Chemawa Activity Center.

Mr. Morgan pointed out that in the draft, the SIC (Standard Industrial Classification) numbers were left off each individual use, but would be added in the final ordinance draft. Mr. Morgan proceeded to review the text of the draft IBP zone.

In the introductory paragraph, "Classification of Uses," Mr. Matiskainen felt that a specific reference to the Chemawa Activity Center was unnecessary. Mr. Morgan agreed that the reference could be removed.

Mr. Matiskainen moved to remove from the first paragraph of the IBP Zone, "Classification of Uses," the reference to the Chemawa Activity Center. The motion was seconded by Mr. Wolf.

The motion carried unanimously.

On page 3 of the draft, Mr. Inman pointed out that the category "Services" was used twice under "Permitted Uses." Mr. Morgan indicated that the categories were taken from the SIC. He was unsure why Services was listed twice.

Also on page 3, under "Retail trade" was the sub-category "Eating and drinking places." Ms. Smith recalled the concept that retail within the IBP zone would be limited to services that would support the light industrial uses. She suggested that the sub-category be amended to exclude drive-through services.

> Ms. Smith moved that subsection j) (Retail trade) i) (Eating and drinking places) under "Permitted Uses" be amended to add "excluding drive-through windows or car service associated with eating and drinking places." The motion was seconded by Mr. Martinez.

Mr. Wolf noted the benefits of fast-food establishments for workers with short lunch breaks. It was pointed out that delicatessens or even establishments such as McDonald's express would be permitted. Also, that fast-food drive-through establishments would be allowed in the CM zone.

> The motion carried unanimously.

On page 4 under "Flexible Space Uses," Mr. Morgan indicated that he would make sure that the permitted "Miscellaneous Repair Services" would exclude automotive repair services.

Also under "Flexible Space Uses," subsection b) listed development limits that would apply to permitted flexible space uses. Mr. Morgan responded to questions about the proposed aggregate floor area limitation for all retail uses. The Commission also discussed development limits for outdoor storage. Ms. Smith questioned the wording of sub-section vi) under b). It stated: "Buildings fronting a street and within fifty feet of an abutting property shall have glass frontage not less than thirty-five percent of the area of the street front wall." The Commission agreed that it did not make sense to exclude buildings beyond fifty feet of an abutting property from the glass frontage requirement.

> Ms. Smith moved that under "Flexible Space Uses," subsection b) (. . .development limits . . .) vi) be amended to delete "and within fifty feet of an abutting property," and read as follows: "Buildings fronting a street shall have glass frontage not less than thirty-five percent of the area of the street front wall." The motion was seconded by Mr. Matiskainen.

> The motion carried unanimously.

There were no changes to the remainder of the draft IBP zone. Mr. Morgan requested that Secretary Oxe' put the motions in the form of a letter or memorandum from Chairman

Matiskainen to the City Council. He will submit it to the Council along with his report next Monday, September 16.

With regard to the letter from Attorney Dorothy Cofield, Mr. Johnson and Mr. Morgan indicated that they would respond to her comments.

7. ANNOUNCEMENTS AND AGENDA INPUT

Mr. Wolf suggested that the Planning Commission Bi-laws be updated to reflect the current meeting date and time. It was suggested that he put it in the form of a motion.

> Mr. Wolf moved that the Planning Commission By-laws be change to reflect that the Planning Commission shall meet at 7:00 p.m. on the second Wednesday of every month. The motion was seconded by Ms. Smith.
>
> The motion carried unanimously.

Mr. Morgan called attention to the upcoming APA Planning Commission Training Seminar which will be held on Saturday, November 23 in Gresham. He noted that the City will pay the registration fee for Commissioners, and suggested that anyone interest in attending let Ms. Oxe' know so that she can submit the registration form.

Mr. Morgan reminded the Planning Commission that this would be Mr. Matiskainen's last meeting after six years on the Commission.

7.1 City Council public hearing on stadium project - Thursday, September 12, 1996 - 7:00 PM

7.2 City Council final hearing and action on the Chemawa Activity Center Plan - Monday, September 16, 1996 - 7:00 PM

7.3 Cherry Avenue Public Forum: September 18, 1996 - 7:00 PM - location to be announced

7.4 Regular Meeting: October 9, 1996 - 7:00 PM

8. ADJOURN

The meeting was adjourned by Chairman Matiskainen at 10:55 p.m.