

MINUTES
KEIZER CITY COUNCIL
Monday, September 9, 2002
Keizer City Hall
Robert L. Simon Council Chambers
Keizer, Oregon

CALL TO ORDER

Mayor Christopher called the regular meeting to order at 6:03 p.m. Roll Call was taken as follows:

Present:

Lore Christopher, Mayor
Charles E. Lee, Councilor
Jerry McGee, Councilor
Jacque Moir, Council President
Judy K. Smith, Councilor
Richard Walsh, Councilor (arrived at 6:05 p.m.)

Absent:

Michel Gaynor, Councilor

Staff:

Chris Eppley, City Manager
Rob Kissler, Public Works Director
Maria Meier, Senior Planner
Shannon Johnson, City Attorney
Tracy L. Davis, City Recorder

PUBLIC TESTIMONY

No public testimony was brought before the Council.

**ADMINISTRATIVE
ACTION**

**A. Chemawa Activity
Center/Keizer Station Plan-
Text
Amendment/Comprehensive
Plan Change/Zone Case No.
01-50 (Cont. From 9-3/02**

Planning director Maria Meier recommended that Council discuss the remaining attachments and the Keizer station plan. Staff would make available the recommended changes to the document during the first meeting in October.

Planning Director Meier reviewed the changes in Attachment "B".

It was the consensus of the council to accept this language.

Attachment C

FMAGIC

Attachment "C" was noted as a new proposed chapter for the Development Code.

Mayor Christopher asked for consensus from the Council regarding the sections in the Keizer Station Plan noted as centers (i.e.: Village Center, Retail Center, Commerce Center etc.). She requested that these areas be referred to as "A/Village", "A/Sports" "b", "c" and "d".

It was the consensus of the Council to accept Mayor Christopher's suggestion.

Public Works Director Rob Kissler answered questions regarding the traffic impact analyses and the areas the triggers that would require this analysis.

Planning director Meier commented on Section 3.113.03 Submittal Requirements. She indicated that number eleven might not be necessary for Development Code purposes. She requested that the Council reviewed this.

City Attorney Johnson indicated that this was listed in the development agreement and he agreed with staff's comments that it was not necessary to have as part of the development code.

The Council briefly discussed this and came to the consensus to **add to section 3.113.03 (a-1), after proposed roads, Transportation Facilities (including proposed right of way), remove section 3.113.03 (A-11), approve section 3.113.03 (A-12)**

Council debated 3.113.04b(2). It was suggested that the wording for this section be "*transportation system standards current and future right of way needs*".

City manager Eppley spoke strongly in favor of this wording noting the difficulty in acquiring right of way once development had taken place.

Councilor Smith suggested stipulating a set amount of right of way for the main streets in the development. She expressed uneasiness with the

vagueness of using the wording "*future needs*".

Councilor's Walsh and McGee debated this issue. Mitigation versus the .87 standard was discussed and whether this should be addressed now or during the master planning process.

Councilor Walsh urged prudent planning for future right of way need.

City Attorney Shannon Johnson summarized the authority of the Council pertaining to right of way standards. He indicated that regulating the standards for collectors and arterials as written in the transportation system plan was allowable, but mandating above and beyond these standards could be challenged.

Public Works Director Rob Kissler noted some of his visions for radiant drive. He indicated that staff had been able to create some innovative processes in this area that had allowed for greater right of way width.

Responding to questions Mr. Kissler indicated that if Radiant was to be used was a pass through that it might be appropriate to review making a change to its current designation. He believed that the needs of the area could be served under the current designation, but this could change depending upon the final use of the area.

City Attorney Johnson indicated that he believed additional language was not necessary if the council's concern was regarding impacts of the development. He indicated that there were sufficient criteria to address this concern.

Council President Moir moved a motion to leave Section 3.113.04b(2) Review Criteria as written.
Councilor Lee seconded the motion.

The motion passed as follows:

AYES: Christopher, Lee, McGee, Moir and Smith (5)

NAYS: Walsh (1)

ABSTENTIONS: None (0)

ABSENT: Gaynor (1)

Staff recommended that the submittal requirement (3.113.03) for Area A/Sports be the same as area A/Village Center.

Planning Director Meier responded to questions pertaining to development requirements for Area A versus the other areas of the development. She noted that the Planning Commission at the request of the developer could review development review standards. She further noted that a master planning process was not required for routine development throughout the city as it was with the Keizer Station Plan.

Council President Moir moved a motion to make Area A/sports to contain the same submittal requirements as Area A/village. Councilor Walsh seconded the motion.

The motion passed as follows:

AYES: Christopher, Lee, McGee, Moir, Smith and Walsh (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Gaynor (1)

Mayor Christopher read the new language added to 3.113.04 review criteria(c) development strategies. (Page four, attachment c) as discussed by the council at previous meetings. *Vehicular movement* on page four was also discussed.

It was the consensus of the council to accept page four, attachment c as submitted.

Page five, attachment c was discussed. It was the consensus of the council to eliminate from 3(a) the sentence reading, "*generally, people protect and maintain territory that they feel is their own and have a certain respect for the territory of others.*"

Page six *Creating and Protecting Public Spaces* was briefly discussed and the following motion was made.

Council President Moir moved to eliminate *Creating and Protecting Public Spaces* item 5, Attachment C.
Councilor McGee seconded the motion.

Councilor McGee expressed concern about removing 5(b).

Councilor McGee moved to amend the motion to not eliminate 5(b). Council President Moir accepted the amendment.

Councilor's Smith and McGee debated green space. Councilor Smith believed the amount of green space was being reduced more than necessary, whereas Councilor McGee believed the reduction was only in areas where the addition of trees or shrubbery could cause vision and/or enforcement problems.

City Manager Eppley interjected that eliminating item "a" would make item "b" difficult to understand.

Mayor Christopher suggested a friendly amendment for (a) to read, "the development provides an appropriate amount of public space, in addition to required sidewalk(s) and landscaping." Council President Moir and Councilor McGee accepted the friendly amendment.

The motion passed as follows:

AYES: Christopher, Lee, McGee, Moir, Smith and Walsh (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Gaynor (1)

Mayor Christopher read page six, *Human Scaled Building Design*.

Responding to questions City Manager Eppley cautioned the Council that this section acted as a guideline for development. He indicated the intent

was to create a development that does not oppose pedestrians.

It was the consensus of the Council to approve page six, Attachment C.

Planning Director Maria Meier explained the activity overlay zone and how it pertained to pages 7-8, Attachment C.

Mayor Christopher suggested under *Pedestrian and Bicycle Circulation* that 12-foot promenades are placed for the use of multi-modal transportation, also adding landscaped barriers between the promenade and the roadway.

City Attorney Johnson noted if this was used that it should be placed in the section pertaining to standards.

Councilor Smith questioned the ability of the council to require the development to adhere to this because of the "takings" rule.

Consultant Keith Liden indicated if the bicycle facility would be used as part of the multi-modal transportation that doing this would not be increasing the amount of property used, but moving the bike lanes off of the streets.

ODOT standards for multi-modal transportation were discussed along with a green way barrier between the walkway.

Councilor McGee moved to accept the concept of a 12-foot promenade with some type of landscaping barrier between the walkway and the street.

Due to the lack of a second the motion died.

Public works Director Rob Kissler indicated that there were standards for dual direction bike paths of which the minimal standard was 12-feet without pedestrians.

Mayor Christopher moved a motion to direct staff to come back with 12-foot promenades on both sides of the street with an appropriate landscape safety barrier determined by staff. Council President Moir seconded the motion.

Mayor Christopher indicated her main goal was to get bicycles off the roadways to increase the safety of bicyclists and pedestrians. She agreed that the promenade could be considered part of the landscaping requirements.

The Council discussed the issue of safety along the promenade. Mayor Christopher questioned whether it would be appropriate to suggest that the landscaping include light fixtures and trees inside of the barrier.

It was noted that there were additional things that enabled for the creation of safety.

Council discussed the motion with staff noting that standards could be developed understanding the intent of the council.

The motion passed as follows:

AYES: Christopher, Lee, McGee, Moir, Smith and Walsh (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Gaynor (1)

Mayor Christopher recessed the meeting at 7:45 p.m. And reconvened the meeting at 7:55 p.m.

Attachment D

Planning Director Maria Meier noted the minor changes to this attachment that included inclusion of the EG Zone.

The color chart in the Development Code was discussed. Planning Director Meier answered questions from the council regarding these

standards.

Councilor Walsh believed that the current color standards were too harsh. He suggested more flexibility in this area.

City Manager Eppley suggested one possibility would be to use a "*better than or equal*," clause similar to homeowner standards.

Council President Moir moved a motion to accept the color standards as in Attachment D. Councilor Smith seconded the motion.

Council President Moir indicated if the Council believed it was important to review that this could be forwarded to the Planning Commission at a later date for further analysis.

Councilor Smith recommended a friendly amendment that the color standards are forwarded to the Planning Commission for review. Council President Moir did not accept the friendly amendment.

The motion passed as follows:

AYES: Christopher, Lee, McGee, Moir, Smith and Walsh (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Gaynor (1)

Attachment E

Councilor Smith expressed an interest in limiting the boat, RV and recreational storage in the CM zone.

Planning Director Meier noted some of the use restrictions in Section 2.110.04. She indicated an item C12 could be added reflecting this.

Councilor McGee expressed concern regarding spot zoning.

Planning Director Meier addressed section 2.110.04(c) and the location restrictions. She indicated these restrictions were placed because of traffic concerns in these areas.

After further discussion it was the consensus of the Council to add to section 2.110.04 (c) number twelve to include, boat and RV storage area and Recreational Vehicle Storage Space.

Council discussed section 2.110.06 Development Standards.

Councilor Smith noted concern with Section 2.110.06a (3) *off street parking*. She suggested that the requirement be increased from one to two spaces per unit.

Councilor Smith moved a motion to change 2.110.06a(3) off-street parking requirements for residential uses from one space per unit to two spaces per unit for the Keizer Station Plan. Councilor Walsh seconded the motion.

City Manager Eppley noted as part of this requirement the intent was to make this area more pedestrian friendly by limiting the amount of off-street parking available. He discouraged the standard in a mixed use setting because of the size of the lots and the compact development.

After a brief discussion Councilor Walsh suggested a friendly amendment to the motion to add traffic management plan language. Councilor Smith did not accept the friendly amendment.

The motion failed as follows:

AYES: McGee And Smith (2)

NAYS: Christopher, Lee, Moir And Walsh (4)

ABSTENTIONS: None (0)

ABSENT: Gaynor (1)

Planning Director Meier noted the changes on page

eight of Attachment E.

It was the consensus of the council to accept the changes as written on page eight of Attachment E.

Attachment F

Planning Director Meier noted language in section 2.107.02. She recommended that council discuss the use of minimum/maximum language to alleviate the exactness of the 75/25 split.

Mayor Christopher moved a motion to change 2.107.02 commercial and residential regulations for Keizer Station to read, "property located within the MU Zone in the Keizer station plan must be developed to a minimum of 75% residential and a maximum of 25% commercial in use. Residential development shall meet minimum density requirements as identified in this section. A master plan shall be required for any development in this sub-area as defined by the Keizer station plan." Councilor McGee seconded the motion.

Councilor McGee expressed concern with concept of the Mixed-Use zone. He believed that the MU Zone was not practical for this area.

Planning Director Meier noted that the Mixed-Use Zone in the development code as it is currently written does not require a percentage mix.

Councilor McGee agreed with the idea of urging mixed use rather than mandating it.

The motion failed as follows:

AYES: None (0)

NAYS: Christopher, Lee, McGee, Moir, Smith and Walsh (6)

ABSTENTIONS: none (0)

ABSENT: Gaynor (1)

Councilor McGee moved a motion to strike 2.107.02 from Attachment F. Council President Moir seconded the motion.

The motion passed as follows:

AYES: Christopher, Lee, McGee, Moir and Walsh (5)

NAYS: Smith (1)

ABSTENTIONS: None (0)

ABSENT: Gaynor (1)

Planning Director Meier requested direction from the Council to verify that the language for the commuter transit station to be listed as a special permitted use.

Mayor Christopher moved a motion to include under 2.107.03 number 12 to add Transit Station as a Special Permitted Use. Council President Moir seconded the motion.

The motion passed as follows:

AYES: Christopher, Lee, McGee, Moir, Smith and Walsh (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Gaynor (1)

The Council reviewed Attachment F, page seven, Section 2.107.06(i) Density.

The maximum unit requirement for this section was questioned.

Councilor Walsh moved a motion to eliminate the maximum requirement for density on Attachment F, page seven. Councilor McGee seconded the motion.

The motion failed as follows:

AYES: McGee, Smith and Walsh (3)

NAYS: Christopher, Lee and Moir (3)

ABSTENTIONS: None (0)

ABSENT: Gaynor (1)

Council President Moir moved to eliminate 2.107.06(i)(1) allowing consistency with the Development Code. Mayor Christopher seconded

motion.

The motion passed as follows:

AYES: Christopher, Lee, Moir and Walsh (4)

NAYS: McGee and Smith (2)

ABSTENTIONS: None (0)

ABSENT: Gaynor (1)

Attachment G

Planning Director Meier noted that this attachment was a new proposed section.

The Council by consensus accepted Attachment G as written.

Attachment H

Mayor Christopher requested that the Council consider adding gasoline service stations to 2.113.02(l) services opposed to 2.113.02(n) flexible space uses.

Planning Director Meier indicated the reason for gasoline service stations being listed in 2.113.02(l) it would affect all IBP properties. As listed in sub 2.113.02n(1)(2) were permitted uses only in area d of the plan.

The Council was in consensus to accept the amendments on Attachment H, pages five and six.

Councilor McGee expressed some concern with the exclusion of the manufacturing of grain mill products and certain types of plastic products.

Councilor Walsh indicated that variance type language be included to allow for the review of these types of industries.

Responding to questions regarding special permitted uses Planning Director Meier noted under this set of criteria that a conditional use would be more appropriate.

Council discussed further whether it would be advantageous to have staff review this issue further.

Councilor Smith moved a motion to accept Attachment H pages six and seven as submitted by staff. Mayor Christopher seconded the motion.

The motion passed as follows:

AYES: Christopher, Lee, McGee, Moir, Smith and Walsh (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Gaynor (1)

Councilor Smith questioned Attachment H pages 8-4(c) *Height*. She did not believe that the council changed the height maximum height of 15 feet within 50 feet of any residential zone.

Pages eight through eleven of Attachment H were reviewed with no additional changes suggested from council.

Planning Director Meier noted that no changes had been made to Attachment I.

Mayor Christopher noted the recommended changes in Attachment J. No additions were suggested.

The Council reviewed the Planning Commission's recommended alternative Keizer Station Plan document dated march 20, 2002.

Noted changes included pages two, five, six and nine indicating the renaming of the Areas A-D.

Planning Director Meier noted a change to page four of the proposed plan. She recommended that the *staff's recommendation* language be changed to *the proposed Keizer development code changes in attachment a* and to include the reference of *Attachment J*.

Page eleven, paragraph two was scrutinized. Planning Director Meier suggested that this language

be changed to match what the public works department had recommended. The paragraph read; *"the transportation requirements of the Keizer station plan may include an underpass of Chemawa road. The underpass is one of several optional elements of the overall transportation system needed to provide safe access to and from the development areas of the Keizer station plan. Provisions for construction of the underpass and/or other improvements shall be in place so as to not allow the intersection of Radiant Drive with Chemawa Road to fall below a volume to capacity ratio of .87 as calculated by the critical movement analysis methodology as development occurs. "*

The Council was in consensus with the suggested language.

Councilor Walsh believed it was important to revisit transportation review procedures and criteria for future needs.

Councilor Walsh moved a motion for Council to review this section for the inclusion of the appropriate language to address the criteria for future needs.

Due to the lack of a second the motion died.

On page 12 of the document Mayor Christopher expressed an interest in making the lighting fixtures at the development consistent to those along river road.

Mayor Christopher moved a motion to recommend on page 12, general a; that the street lighting be consistent with and/or equal or better than the decorative lighting along river road. Councilor McGee seconded the motion.

City Manager Eppley indicated the concept of decorative lighting was important, but cautioned the council against specifying a certain type of lighting.

Public Works Director Rob Kissler suggested that the decorative lighting be of a type that would aim the lighting down. Mayor Christopher agreed with this.

The motion passed as follows:

AYES: Christopher, McGee, Moir, Smith and Walsh
(5)

NAYS: Lee (1)

ABSTENTIONS: None (0)

ABSENT: Gaynor (1)

Planning Director Meier recommended removal of the map on page 15. It was the consensus of the Council to do so.

On page 16 Planning Director Meier suggested that the second bullet point under I (A) be to, *Transportation Facilities.*"

Mayor Christopher moved a motion to recommend the second bullet point under I (A) be changed to, *Transportation Facilities.* Councilor McGee seconded the motion.

The motion passed as follows:

AYES: Christopher, Lee, McGee, Moir, Smith and Walsh (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Gaynor (1)

Councilor Walsh addressed page 19 under *Parking.*

Planning Director Meier noted that this sentence might be more appropriately worded by stating, *"location of parking-if the building is located within 20-feet of the right of way or property adjacent to the street, there shall be no parking or maneuvering between the building and the street."*

Council was in consensus with this suggested language.

Mayor Christopher recommended on pages 22 and 25, V (a) landscape; that language be included that no trees be removed until the final approval of the

master plan.

Council was in consensus to have this language included.

Planning Director Meier noted figure 3 on page 25. Staff suggested that the map be amended to not specifically show radiant loop until further transportation facility designs were created.

The Council was in agreement with this suggested amendment.

Councilor Walsh requested that language be included to include pedestrian connectivity.

It was the consensus of council to specify connection with the existing path if this is possible.

The remainder of the document was reviewed.

Mayor Christopher expressed her intent to retain the significant trees on the site until completion of the master planning process.

Planning Director Meier indicated that staff would bring back language to meet this request.

Mayor Christopher expressed an interest in language being added to demonstrate that transportation evaluation and alignment should be considered for Chemawa road.

Public Works Director Rob Kissler recommended that this issue be reviewed during the reexamination of the Transportation System Plan.

Mayor Christopher believed it was important to include this language in the plan as an option.

Staff agreed to work on language for the Council to review.

Council President Moir moved to direct staff to come back with a final draft of the Keizer Development

Code Amendments and Proposed Keizer Station Plan. Mayor Christopher seconded the motion.

Public hearing requirements were discussed.

The motion passed as follows:

AYES: Christopher, Lee, McGee, Moir, Smith and Walsh (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Gaynor (1)

Mayor Christopher requested consensus of the Council to direct staff to contact the elected official sub-committee to develop a timeline for SKAPAC bypassing the staff subcommittee.

It was the consensus of the Council for staff to do this.

Council President Moir expressed an interest in a licensed arborist inventorying the trees to determine which are viable.

City Manager Eppley indicated that this process would be more beneficial during the master planning process.

Councilor Lee addressed the related community issues brought to the Council via the Planning Commission. He suggested that it might be beneficial to respond to the Commission pertaining to these issues.

City Manager Eppley indicated the Council's findings would be prepared whereupon most of the answers to the Commission's questions would be answered.

OTHER BUSINESS

There was no other business to come before the Council.

ADJOURNMENT

Mayor Christopher adjourned the meeting at 9:52 p.m.

Cindy Perry
Cindy Perry
Recording Secretary

APPROVED:

MAYOR:

Christopher
Lore Christopher

COUNCIL MEMBERS:

Judy K. Smith
Councilor #1 - Judy K. Smith

M ABSENT
Councilor #2 - Michel Gaynor

Charles E. Lee
Councilor #3 - Charles E. Lee

Jacque Moir
Councilor #4 - Jacque Moir

Richard Walsh
Councilor #5 - Richard Walsh

Jerry McGee
Councilor #6 - Jerry McGee

Minutes approved:

October 7, 2002