KEIZER PLANNING COMMISSION MINUTES
Wednesday, September 8, 2010 @ 6:00 p.m.
Keizer Civic Center

CALL TO ORDER
Chair Greg Rands called the meeting to order at 6:00 pm.

ROLL CALL

Commissioners Present:
Greg Rands, Chair
Albert Castaneda
Doug Schneider
Holly Graf
Jonathan Thompson
John Rizzo
Mark Caillier, Council Liaison

Absent:
Jim Jacks, Vice Chair

Staff Present:
Nate Brown, Community Development Director
Sam Litke, Senior Planner
Shannon Johnson, City Attorney
Rob Kissler, Public Works Director
Debbie Lockhart, Deputy City Recorder

APPROVAL OF MINUTES ~ John Rizzo moved to approve the August 2010 Minutes. Doug Schneider seconded. Motion passed as follows: Rands, Schneider, Graf, Rizzo and Thompson in favor with Castaneda abstaining and Jacks absent.

APPEARANCE OF INTERESTED CITIZENS ~ None

PUBLIC HEARING: Keizer Station Area B Master Plan
Chair Rands opened the Public Hearing.

City Attorney, Shannon Johnson, suggested that reading of the criteria set forth in the staff report be waived due to size and asked if anyone objected. There were no objections. He added that testimony arguments and evidence must be directed to the criteria or other criteria in the Comprehensive Plan or land use regulations believed to apply to this decision. Failure to raise an issue accompanied by statements or evidence sufficient to afford the Planning Commission and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue. In addition, any failure by the applicant to raise constitutional or other issues related to the proposed conditions of approval with sufficient specificity to allow the local government to respond to that issue precludes an action for damages in Circuit Court. He noted that if anyone had any objection as to conflict of interest, bias, jurisdiction, notice and opportunity to be heard, it should be brought up at the time of testimony and any Planning Commission members wanting to disclose conflict of interest, bias or prejudice on this case should do so at this time. Commissioners indicated that they had nothing to disclose.

Senior Planner Sam Litke then attempted to summarize the 83 page staff report covering the main points including the master plan, lot line adjustment, conditional use for the transit station and for creating a small park. He explained that on three of the applications, the applicant is the City of Keizer; the property is largely owned by the City with the exception of a small parcel owned by Northwest National LLC. He noted that the purpose of the master plan is to enable development of the property and explained that some portions are for residential development and the rest has commercial/mixed use zoning and it is proposed to be developed for commercial uses as envisioned during the master planning of the entire development. He noted that the property is slightly more than 10 acres and bisected by Keizer Station Boulevard, so will be referred to as Area B East and Area B West. Five buildings are proposed: two in Area B East for the Transit Station, and three in Area B West. Two buildings have pending proposals: The corner of Lockhaven and McLeod for a medical doctors' office/clinic and on the east side the Transit Station.

Mr. Litke then reviewed the process that had already taken place to get to this point including the Traffic Impact Analysis, determination of how this development would impact existing neighborhoods and review of the aesthetics of the development. He noted that there will be a 20-foot buffer and extension of the existing sight-obscuring wall to mirror that on the other side of the property and that a park is planned to provide "passive recreation opportunities". The park will probably be used by the neighborhood residents and possibly employees of the office building; it will have a multiuse path so that pedestrians can access the Transit station; it will fill the need for storm drainage and will be unique in that it will have a "greener" stormwater detention than normal. He provided extensive explanation regarding percolation of the area grounds noting that the landscaping will be built lower than the parking area so that stormwater will run into it and percolate into the ground. The park will hold water during high rain events.

Regarding the aesthetics of the development Mr. Litke explained that the intent was not to require buildings identical to those in Area A but to have buildings that would complement what is already in Area A and whatever comes to Area C.

Mr. Litke explained that Planning Commission is asked to recommend this to Council who will take the final action. He added that this property is very visible and will have a lasting impact on Keizer as visitors come in from I-5 and urged the Commission to take time to review the aesthetics and layout of the development.

He went on to review Area B east where the Transit Station is proposed noting that the location was important, that this area is sort of an island bordered by residential tracts and even though they are nearby, they are separated. He explained that the Transit District is proposing that this will be a satellite operation, unlike the operation in downtown Salem and that it would be a connection point allowing passengers to connect to different places with the possible future operation of connecting with rail transportation. The area would have a 3,000 square foot building with a parking lot and park and ride component.

In conclusion, Mr. Litke drew attention to the last five pages of the staff report listing the conditions of approval. He noted that the master plan will lock in the buildings and parking areas shown; there may be some shifting but nothing significant. He also

explained the process the City went through in order to ensure that the City was treated the same as any other applicant. He noted that the City had Peterson Engineering draw up the plans, came up with the conditions which were sent out to a third party engineer, additional work was done by Kittelson Associates and that work was reviewed by another traffic engineer.

Community Development Director Nate Brown distributed changes to the Traffic Impact Analysis that Traffic Engineer Wolk had suggested to provide adequate queuing. He noted that Mr. Wolk has suggested that southbound Keizer Station Boulevard should have two left turn lanes, one through lane, a bike lane and a right turn lane. Both Mr. Brown and Mr. Litke apologized to Commissioners noting that they had received these changes the morning of the meeting. Mr. Brown then added that these changes will require adjustments to the underlying site plan but the buildings will not change much. He noted that the parking lot may shift but staff is recommending preservation of the building setbacks and Commission approval of the master plan for the concept plan. He added that the drawings are not intended to be construction drawings. He noted that both Areas B and C will impact the same intersections so reports were prepared as a result of the same study. He noted that the underlying concern is that these intersections must work traffic wise because they are vital to the Keizer transportation system. He then reviewed the mitigations called out in the Executive Summary of the Traffic Impact Analysis.

Mr. Brown noted that one improvement not on the list that will need to be addressed is the intersection of Chemawa and Verda. He noted that it is estimated that 15% of the traffic from Area B will travel down that corridor, that the intersection is already failing and the City is already under obligation to fix it.

Public Works Director Rob Kissler then fielded questions regarding location of driveways in Area B and timing of building the transportation improvements. Mr. Litke directed Commission attention to Condition #28 noting that it allows for wiggle room by using the word "substantially". Mr. Brown explained that when the City gets a building permit, it is virtually impossible to tell who the client is and what the footprint will be so they have to determine substantial conformance. They do not wish to come back to the Planning Commission for little discrepancies.

Jeanne Bond-Esser, Keizer, Chair of the Parks Advisory Board, addressed the Commission not as a representative of the Board but as a private citizen. She noted that the Board had not had an opportunity to discuss the addition of this park to the system and voiced concern regarding access, size, topography, budget and maintenance. She questioned: (1) if the park benefit was adequate compared to the maintenance costs, (2) if the area should indeed be called a park, and (3) if once this goes to Council the park could be made more park-like.

Garry Whalen, Keizer, a member of the Parks Advisory Board, addressed the Commission not as a representative of the Board but as a private citizen. He echoed Ms. Bond-Esser's comments noting that it would have been nice if the Parks Board would have been made aware of these plans prior to it appearing in the newspaper. He suggested that perhaps maintenance costs could come from stormwater management

fees rather than from the Parks budget and requested that the issue be referred to the Parks Board so that they could evaluate if it is a benefit to the parks community.

Mr. Brown explained that "Park" was used loosely just as it was in Area A. He noted that the developer was obligated to provide a certain percentage of land for park purposes and there are areas that are counted as park area but they are maintained by the developer and are more "open space" rather than a "park". He concurred that discussion on whether this was a public park or an open space would be appropriate. Mr. Litke explained how the park came to be and Mr. Brown suggested that perhaps maintenance could be undertaken by the homeowners' association. Discussion then took place regarding contacting Council members regarding this issue.

Mr. Johnson explained that because this is a quasi-judicial matter, contact with the Parks Board or anyone on the Planning Commission or Council would be an exparte contact. Ms. Bond-Esser clarified that she is not recommending that the area is not a park but she wants to get the full value of the space for possible park uses. She noted that it may be a buffer right now, but once the Parks Board discusses it, they may have suggestions.

Further discussion took place regarding the exit on McLeod Lane, location of the transit facility, trips generated by the medical facility, timing of improvements for the Chemawa/Verda intersection, elevation/leveling/grading of Area B, and lighting of the Transit District portion of Area B (east).

Steve Dickie with the Transportation District provided additional information regarding connection to the future rail facility and to the transit facility, the difference between high speed rail and commuter rail and noted that legislative support continues to grow. He noted that traffic projections indicate no break in traffic from Salem to Vancouver in the future but that rails need upgrading. He added that there are many issues that would need to be addressed from Keizer to Salem but there are few between Wilsonville and Keizer. He noted that it is the District's hope to have the Keizer area become a primary location for passenger rail with bus service to downtown and the Chemeketa area.

Commissioner Graf requested a more distinct drawing showing the traffic changes that were proposed. Mr. Brown indicated that it could be posted on the website. Mr. Litke noted that this issue would not come before Council at their September 20 meeting but would be addressed at their October 4 meeting so that ODOT could review the Kittelson report

With no further testimony, Chair Rands closed the Public Hearing.

Commissioner Rizzo moved to recommend to Council that the reference to the park in Area B be noted as a greenway, green space or buffer zone. Jonathan Thompson seconded.

Commissioner Castaneda noted that making the park private limits who can use it and calling it a park allows everyone to use it. Mr. Brown noted that staff recommendation is that it is a combined use between a stormwater facility and passive open space used by the public; a shared dual use area with minimum maintenance. He clarified that it would be a natural infiltration, low impact development-supporting facility as well as a seating/picnicking area with a path through it. Mr. Kissler noted that there are different

levels of maintenance and shared information regarding Northridge Park noting that it would always be a greenway and never a soccer field. He encouraged the Commission to consider if they want the public to use a green space in a development and, if so, to let the Council know. Commissioner Thompson added that he is comfortable flagging this issue for the Council saying it is a note of concern for the Planning Commission and letting the Council decide what this area is called.

Commissioner Graf recognized Parks Board participation in the meeting tonight, commended the volunteers who help with maintenance of the parks and urged the "flagging" of this issue regarding the park.

Commissioner Rizzo amended his motion to include "public access and use". Commissioner Thompson accepted the amendment.

Motion passed as follows: Rands, Schneider, Graf, Rizzo, Castaneda and Thompson in favor with Jacks absent.

Regarding Condition #28 under Design, page 80 of 83, Commissioner Castaneda suggested the following verbiage: *"Buildings shall be substantially located as shown on the master plan as determined by the Community Development Director."*

Commissioner Castaneda moved to recommend approval to Council with the public space already voted on along with the change of wording for Condition #28 *"Buildings shall be substantially located as shown on the master plan as determined by the Community Development Director."* Commissioner Rizzo seconded. Motion passed as follows: Rands, Schneider, Graf, Rizzo, Castaneda and Thompson in favor with Jacks absent.

KURB REPORT ~ Doug Schneider reported that the Board did not have a meeting during the past month. He encouraged everyone to support Rich Duncan's "Extreme Makeover" project that his company is doing this month.

COUNCIL LIAISON REPORT ~ Councilor Caillier expressed his appreciation of the Planning Commissioners and their dedication and continued donation of their time.

OTHER BUSINESS ~ Commissioner Graf volunteered to get a card for Commissioner Jacks for Commissioners to sign. Chair Rands informed Commissioners that Area C would not be discussed at the October 13 meeting. Mr. Johnson explained that the Commission would address amendments to follow through with the annexation changes made with the possible expansion of Keizer Rapids Park.

ADJOURN ~ The meeting adjourned at 8:20 p.m.

Next Meeting: (Special Meeting on Sign Code) September 29, 2010

Next Regular Meeting: October 13, 2010

Minutes approved: 9-29-10