MINUTES

KEIZER PLANNING COMMISSION
KEIZER CITY HALL - LIBRARY
WEDNESDAY, AUGUST 14, 1996

1. CALL TO ORDER

The meeting was called to order by Chairman Matiskainen at 7:40 p.m.

2. ROLL CALL

The following members were present: Marty Matiskainen, Dick Inman, June Abbott, Bill Wolf, and Manny Martinez. Elaine Smith and Bill Pearl had asked to be excused.

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

3. APPROVAL OF MINUTES

<u>It was moved by Ms. Abbott that the minutes of July 10, 1996 be approved. The motion was seconded by Mr. Wolf and carried, all present voting aye.</u>

Mr. Wolf pointed out that although the minutes correctly reflected Mr. Morgan's comment that the ordinance restricting automotive related uses had an August 31 sunset date, it was his understanding that the actual sunset date was July 31. Mr. Morgan acknowledged that he had incorrectly stated the sunset date. July 31 was the correct date.

4. APPEARANCE OF INTERESTED CITIZENS

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

5. PROJECT UPDATES

Development Activity

Considerable activity is taking place. Mr. Morgan will report at a later date.

Development Code

FMAGIC

Mr. Morgan reported that because of the phenomenal amount of time required of him on the Chemawa Activity Center project, it has been necessary for him to put aside work on several other projects, including work on the Development Code. He relayed his plans to spend about four days, away from the office, fine-tuning the draft to have it ready for a hearing, hopefully in September. He proposed that the Planning Commission hold a public hearing in September on the entire development code.

Willow Lake Study Implementation Strategy

Mr. Morgan reported that there has been oral indication from the State that the proposed strategy to amend the Urban Growth Boundary is probably unfeasible. Therefore, it will likely mean coming back to negotiations with Salem as to where the boundary line is.

City Attorney Johnson interjected that perhaps rather than unfeasible, impractical might be the more appropriate term. He pointed out that there would be some very difficult obstacles. The time and the resources for the studies that the State would require might make it impractical. He elaborated that it would be very expensive to do the studies because of the lack of staffing and resources to do them in-house.

Mr. Morgan explained the requirements for an Urban Growth Boundary amendment as defined in Oregon Bill 2709. He pointed out that it would require the study for Salem as well as Keizer, making it impractical for this project.

Chemawa Activity Center

Mr. Morgan reported that the Council didn't adopt the Planning Commission recommendation. They concurred in a proposal to have an absolute restriction of 11 acres of commercial retail. The hotel complex could go anywhere. He noted that staff was directed to come back on September 16 with the amended plan and supporting documents ready to adopt. Mr. Morgan stated that much of his time is being spent preparing those documents. He noted that the Planning Commission will have a meeting before the public hearing and will have the final draft to look at. The Planning Commission can comment on it in writing or present testimony at the Council meeting. Mr. Morgan reiterated that once the Plan is adopted, methods for funding the infrastructure will be looked at.

Transportation Plan

Mr. Morgan noted that efforts are underway to set up a meeting with all the "stake-holder" groups to talk about Keizer's Transportation Plan. The contract with the State for the grant was signed about two weeks ago, allowing COG to begin its work. Wayne Rickert with COG is now working full time on Keizer's project. Mr. Morgan noted that all organized groups having an interest will be notified of the meeting.

Sign Code

Mr. Morgan reported that final warning letters were sent to businesses with signs not in compliance. 51 letters were mailed. Council had set aside an additional $15,000 with a September 1 ending date for grant application. Signs must be in compliance by May 7, 1997--those not in compliance will be referred to legal counsel. Mr. Morgan responded to questions about signs still not in compliance.

7. DISCUSSION

7.1 CM Zone

There was agreement that the Planning Commission would consider the CM zone when the entire Development Code is presented later this fall rather than reviewing it independently at this time. Mr. Morgan, however, called attention to a potential problem with applying a CM zone along all of River Road.

Mr. Morgan noted that his expectation was to blanket River Road with a CM zone and eliminate the CR, CO and multi-family zoning. He explained that a land-use issue came up recently around Maine and Linda Streets causing him to rethink the issue. Both have substantial homes on them, and are dead-end streets with the only access from River Road. The property owners have already been impacted by the changes to River Road over the years, and are afraid of further damage to the character of the two dead end streets by allowing less than desirable land uses at the end of the streets. Mr. Morgan noted that property owners voiced considerable objection when some of the current businesses at the corners were established.

Mr. Morgan noted that recently a proposal was presented to Council for a zone change for property on River Road near the Linda and Maine intersections. The proposal was to do an attractive retail building to be occupied by Dazy Maze, a consignment clothier. He noted that if the CM zone were applied, a liquor store could have gone in, or what is Dazy Maze could convert to something the neighborhood would find objectionable. Mr. Morgan suggested that it might be best to retain the CO zone for certain areas where retail use might not be appropriate, rather than applying a blanket CM zone. He noted that Council approved the zone change for the Dazy Maze, but with conditions prohibiting certain uses.

STADIUM PROPOSAL (Added Item)

Mr. Morgan perceived that the Commissioners were aware of a recent proposal to build a stadium in Keizer near the Chemawa interchange. Due to the impacts on the Chemawa Activity Center Plan, Mr. Morgan wished to make the Commission aware of what was being proposed. He noted that the proposed stadium would be located where Labish Stables is currently located, at the far northern corner of the site. He pointed out that the

BPA right-of-way cuts a swath limiting what can happen on the ground. He noted that the stadium would fit between the two rights-of-way, and parking would be under the power lines.

Mr. Morgan responded to questions about the proposal. He noted that the stadium would seat 6,000, and a single-A baseball team, the owner and builder of the stadium, would be the primary tenant.

Mr. Morgan explained that the issue relative to the Activity Center Plan was that the Plan might need to somehow reflect the stadium use. A suggestion has been that the IBP zone allow athletic facilities.

Mr. Morgan also pointed out how the proposal impacts the urban renewal district. He noted that the City would acquire the land, build the parking lot and put in the infrastructure and lease it to the stadium owner for $1 per year. The theory being that this would be the jump start to make the industrial park go. The River Road Redevelopment District would be amended to include this land. Mr. Morgan noted that over the next two months the Council will be working towards a commitment.

Mr. Inman asked if Council had looked at the traffic impact. Mr. Morgan answered that an analysis is being done right now. He noted that the biggest impact issue is what to do with Radiant Drive. Mr. Morgan pointed out possible interim measures to manage the traffic.

Mr. Morgan responded to questions about other potential users of the stadium. He acknowledged that other users would be solicited in order to make the stadium pay. He was unable to provide the name of the single-A team, but noted that an announcement would be made after the first of the month.

Ms. Abbott pointed out that noise issues would need to be addressed.

Mr. Martinez felt that Council wanted to push the proposal through as fast as possible with minimal public input.

Mr. Morgan explained the Planning Commission's involvement in the review process. He noted that there would be proposed amendments to the Activity Center Plan, allowing opportunity for Planning Commission comment. Because a conditional use permit is required in an activity center overlay zone, there will be a public hearing from a land use perspective on the proposal. Mr. Morgan noted that an amendment to the renewal plan also requires a public hearing, with notice going out to a broad circulation. He perceived that it would be sent to the utility bill mailing list. He emphasized that there would be two or three formal opportunities for input to the Council. He acknowledged that the proposal is on the fast track, working toward a "yes or no" no later than October. The goal of the team owner is to be playing ball next year.

Several comments were made about potential impacts on the neighborhood and surrounding area. Mr. Morgan felt that all the concerns would be raised in a public hearing.

Mr. Wolf asked if the City would receive any revenue from the gate. Mr. Morgan answered that the City would receive 5%.

A discussion followed regarding potential costs to the City for infrastructure and property. Mr. Morgan explained how, after taking everything into consideration, the City would have about a $2 million investment. It was felt that it could be seen much like the City's undergrounding project, as a catalyst for economic development. Mr. Morgan also answered questions about possible financing sources.

Mr. Morgan felt that more information would be available by the September Planning Commission meeting. The first forum for public input would likely be the Council public hearing on September 16. There would be opportunity for the Commission to make written comment at that time, and then again later an opportunity for comment on the Plan and Conditional Use.

7.2 Automotive Related Uses

Mr. Morgan stated that if the Planning Commission wished to see the ordinance reinstated restricting automotive related uses in the River Road and Chemawa Road area, it would be necessary to make a recommendation to the Council and suggest a sunset date. He anticipated that the new Development Code would be adopted sometime around the first of next year. He suggested that in order to allow time for the Development Code to be in place, the sunset not be before January 1 or February 1, 1997.

Ms. Abbott pointed out that R3B had supported reinstating the ordinance. She emphasized the importance of maintaining the restriction on automotive related uses in order to accomplish the renewal efforts for the area.

Mr. Matiskainen recommended that the Planning Commission recommend to the Council that the ordinance be extended because the reasons for its previous extension still exist. He suggested a mid-January sunset.

City Attorney Johnson responded to questions about the legal aspects of extending the ordinance. He noted that the ordinance could be adopted without a sunset clause, as merely a change to Chapter 28 of the Development Code. But, because a new code is being drafted and evidence is being developed to support the restriction on automotive related uses in the area, the emergency ordinance was intended to act as an interim measure. He pointed out that because the sunset date on the ordinance extension has now expired, the proposed ordinance would be the same as starting from scratch. Noticing and a public hearing would be required.

Mr. Wolf noted Council's previous reluctance to extend the ordinance, and asked what other options might be available. Mr. Morgan responded that the only two options were to either prohibit automotive related uses, or to hope that none would show up.

It was moved by Mr. Matiskainen that the Planning Commission forward to Council a Bill for an Ordinance amending the Keizer Zoning Ordinance, restricting automobile related uses in the River Road-Chemawa Road area, with a sunset clause establishing February 1, 1997 as the date of sunset. The motion was seconded by Mr. Inman.

Mr. Johnson could not recall what change from the original ordinance was in the extending ordinance. Mr. Morgan pointed out that in the original ordinance drive-up windows were prohibited. In the extending ordinance any business already having drive-up window facilities was excluded from the prohibition.

The motion carried unanimously by those members present.

7.3 Cherry Avenue Design Plan

Mr. Morgan called attention to the draft Cherry Avenue Design Plan included in the agenda packet. He noted that R3B reviewed and agreed to the draft at its last meeting. The draft will be finalized by the consultant and released to the public. Mr. Morgan invited Planning Commission members to attend a public meeting on September 18. He noted that the draft plan will be distributed to affected property owners prior to the meeting.

Mr. Morgan noted that after final review of the draft by R3B, they will move to recommend its approval to the City Council, but pass it to the Planning Commission to review and develop a recommendation for Comprehensive Plan and zone amendments. The document will also need to be adopted as an element of the Urban Renewal Plan.

Mr. Morgan called attention to a map included in the Plan depicting the proposed zoning up and down the corridor. The UT (Urban Transition) zoning would be eliminated and replaced with the appropriate zoning for each section. He called particular attention to the proposed MU (Mixed Use) zoning for the area surrounding the Bi-Mart center. It was intended to create more residences in the immediate environs to help make the shopping center successful. Moving south on Cherry, a conglomeration of zoning would all be changed to the IBP (Industrial Business Park) zoning. Mr. Morgan noted that it would accommodate most uses currently there, and would establish a much higher design standard for the area as it redevelops. He reiterated that the Planning Commission would formally review all the necessary Comp Plan and zone changes.

Mr. Morgan reviewed the latest street design proposal endorsed by R3B. He pointed out east/west streets recommended for improvements, beginning with Iris Lane. He noted that the Plan does not do anything to the two trailer parks as was originally discussed. The proposals were found to be too expensive. The Plan assumes that over time the market will cause them to be replaced.

Mr. Wolf wondered if the idea of an open public space or park in the area had ever been discussed. Ms. Abbott could not recall that it had ever come up in R3B discussions. She was not aware of any available public land. She noted, however, that wider sidewalks that would lend to out-door cafe-type areas near Iris Lane were discussed. Mr. Wolf recalled that the area occupied by the City's Christmas tree was discussed as a possible public area. Ms. Abbott noted that only the tip of the land is owned by the City; the remainder is private property. She did recall that at some time in the past the proposal was discussed. It was felt, however, that access across the two major streets would be too dangerous.

A discussion followed regarding improvements to east/west streets. Mr. Morgan acknowledged that money is in the budget to begin making the improvements by next Spring.

Mr. Wolf surmised that Cade Street was named the number two priority because of the potential for east/west access. He noted, however, based on the comments of the residents at the meeting earlier tonight on Cade Street, a cul-de-sac would be the least course of resistance. He wondered if maybe Plymouth might not now be more of a priority than Cade.

Ms. Abbott agreed that R3B might wish to change its list of priorities since the people on Cade were not anxious for change. She felt that the desire of the residents to merely have the street paved, with no further improvements would be rejected by R3B. Mr. Martinez, also a member of R3B, agreed.

The Commission discussed whether Cade Street should remain at the top of the list of priorities. Mr. Morgan was asked why Cade improvements were considered so important. He stated that the original reason was to eliminate blight and generate private investment. It was felt that getting rid of the gravel street and doing street improvements would bring about upgrades to the houses as well as providing a better access.

Mr. Morgan responded to questions about street priorities and the correlation with the transportation plan.

After discussion, it was the consensus to recommend to R3B to move Plymouth to position 2, and to move Cade down on their street improvement priority list. Mr. Martinez, the Planning Commission's appointment to R3B, will carry the recommendation.

8. ANNOUNCEMENTS AND AGENDA INPUT

8.1 Regular Meeting: September 11, 1996 - 7:00 PM

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

8.3 Cherry Avenue Public Forum: September 18, 1996 - 7:00 PM - location TB

Mr. Morgan noted that a notice will go out in the mail within the next couple weeks. It is anticipated that the meeting will be held at the Mennonite Church on Candlewood.

* Mr. Matiskainen reminded the Commission that his term would expire at the end of September. Mr. Morgan noted that the Volunteer Committee was meeting tonight. The City Council will be making appointments at their next meeting.

* Mr. Morgan distributed copies of a memo from Elaine Smith regarding Conflict of Interest requirements. City Attorney Johnson called attention to some of the points.

* Mr. Morgan responded to questions from Ms. Abbott about a subdivision concern.

9. ADJOURN

The meeting was adjourned by Chairman Matiskainen at 9:12 p.m.