

KEIZER PLANNING COMMISSION

MINUTES

Wednesday, August 11, 1999

7:00 PM

Keizer City Hall - Library

1. CALL TO ORDER

Chair Wolf called the meeting to order at 7:05 p.m.

2. ROLL CALL

The following members were present: Bill Wolf, Dan Nelson, Jere Clancy, Dick Inman, Manny Martinez and Bruce Anderson

Absent: June Abbott

Also present were: Senior Planner-Amy Drought, City Attorney-Shannon Johnson, Council Liaison-Garry Whalen, City Engineer-Bill Peterson and Recording Secretary-Cindy Perry

3. APPROVAL OF MINUTES - Regular Session Minutes, July 14, 1999

Mr. Iman moved for approval of the July 14, 1999 with the suggested additions. Chair Wolf seconded the motion and carried, all present voting aye.

4. APPEARANCE OF INTERESTED CITIZENS

No interested citizens appeared before the Commission

5. PROJECT UPDATES

Ms. Drought explained the Hearing that took place at the City Council Meeting on August 2, 1999. She illustrated the Wittenberg's wishes to replat property next to the Wittenberg Inn to zone for a banquet facility and additional parking. Ms. Drought indicated that Council closed the public hearing and requested that staff put together an Order to bring back to the Council at the August 16, 1999 Council Meeting.

Pertaining to commercial development Ms. Drought shared that they were in development and review of a commercial office building, as well as a Blockbuster Video at the LaBrisa site.

Ms. Drought indicated that the approved subdivisions on Chemawa Road and off of Barnick Road are under way.

Ms. Drought shared that she had applied for an in-fill grant through the State Department of Land Conservation and Development and ODOT. She indicated that she should be notified by Friday whether the City would be in receipt of the grant.

6. DISCUSSION

Chair Wolf moved to alter the agenda and move the Drainage Issues to the top of the agenda. Mr. Clancy seconded the motion and carried, all present voting aye.

➤ Drainage Issues (please see attached material) (taken out of order)

Ms. Drought shared copies of draft language for drainage standards that the Commission reviewed and requested staff to bring back the additional draft language for the Commission to reexamine. She indicated that specific concerns that were raised by the public included:

- ❖ No drainage plan to review at the time of preliminary subdivision and partition approval. Therefore, lack of opportunity for the public to review and comment at the time of public hearing.
- ❖ Lack of enforcement/inspection of drainage facilities during construction.
- ❖ Lack of performance standards and/or review criteria for evaluating drainage plans.

Ms Drought presented suggested revisions and requested the Commissions input. Ms. Drought submitted copies of Eric Meurer's comments and suggested revisions of the standards to the Commission. She summarized the Drainage Standards and the Drainage Design Guideline Handout explaining how they would be used.

Mr. Peterson reviewed Keizer's drainage system in various parts of the City, and how more than one standard was used depending on a variable of conditions. He went on to explain storm water treatment and how this would be used in the new subdivision on Chemawa Road and how eventually this would be required. Mr. Peterson felt it would be difficult to apply a single drainage standard to all construction in Keizer, but noted more information is being required of the engineer regarding what is going on around the surrounding property, and indicated he felt the standards were written more as a micro-management situation dealing with a small local issue.

Responding to questions, Mr. Peterson noted the standards could be listed as the "preferred" Drainage Standards to use where applicable as determined by the Department of Public Works.

There was a lengthy discussion regarding the use of swales and easements and the difficulty it would pose regarding the inspection and maintenance of these.

Mr. Clancy expressed his concern that most of the discussion was revolving around future construction and asked what was being done to correct the problems in the Highland Subdivision.

Ms. Drought explained that the builder of this area did not follow the grading and drainage plan that he submitted. She noted this was part of the issue of inspection and enforcement, with this language in the code she felt it would better inform future builders.

Chair Wolf brought to the attention the letter submitted from O.M. Alleman pertaining to swales in the Forest Ridge Estates and how property owners are destroying them. Chair Wolf asked what procedure a property owner would need to go through to have a neighbor repair a damaged swale.

Mr. Johnson noted unless there was a public easement or was listed in the Restrictions and Covenants of the Homeowners Association the City could not enforce. Thus, it would become a civil matter between the property owners.

Pertaining to the Alleman's situation Mr. Peterson felt there were viable options to resolve this situation.

Mr. Nelson expressed his frustration that micro-management from the City may not be the way to handle run-off.

Chair Wolf suggested reviewing each of the drainage standards in the handout to receive additional comment from the Commission.

Ms. Drought noted Mr. Meurer's conversation with her earlier regarding item three of the Preliminary Plan Required. Mr. Meurer had indicated to Ms. Drought that the estimates of runoff would be difficult to provide and would be something that could be argued. He indicated to Ms. Drought that he felt flow lines on and off of the site would be sufficient.

Mr. Johnson noted that part of the decision of the Commission would be how much of the standards would be part of the preliminary plan and/or the detailed plan.

Mr. Peterson stated in the subdivision submittal there were no funds written into this fee that would cover the Public Works Department review of the storm drain system. He felt that during the preliminary plan was not the time for this to be reviewed. He felt a pre-application process would be more advantageous and informative.

After continued discussion Mr. Peterson indicated if the Commission felt it was important to have a preliminary storm drain design to add language that would read that the design could be modified after detailed information was reviewed by the engineering department.

After a lengthy debate it was the consensus of the Commission to make the following changes to the draft language:

Under *Preliminary Plan Required* the changes would read:

- Preliminary site drainage and grading plans for subject area and adjoining area with 100 feet of the perimeters of the subject property are required to be submitted for all developments listed in Section 2.306.02 above. Preliminary site drainage and grading plans shall consist of the following information:
- Estimates of existing runoff pattern from subject property onto adjacent properties, and estimates of existing runoff from adjacent properties onto subject property.
- Existing contours at one- foot intervals.

Mr. Van Meter also suggested adding whether the developer is proposing storm drainage information.

Under *Plan for Storm Drainage and Erosion Control* changes would read:

- Proposed contours of finished grade in one-foot intervals or less if required by the city engineer.

Under *General Standards* the Commission requested that item E be reworked.

Mr. Johnson suggested to the Commission that the move to initiate the legislative change process. He explained in doing this Ms. Drought could then set the matter for a public hearing and the Commission then could make a recommendation to the Council who would then hold another public hearing and make their decision from there.

Chair Wolf made the motion to initiate the legislative changes to the Development Code regarding drainage issues and requested that staff set a time and date for the public hearing. Mr. Nelson seconded the motion and carried, all present voting aye.

Ms. Drought shared that DLCD just passed a law that indicated they must receive notice of proposed plan amendments at least 45-days before the first evidentiary hearing.

In light of this information the Commission decided to bring this issue back on next months agenda.

Chair Wolf requested a brief recess at 9:10 p.m. The Commission re-adjourned at 9:20 p.m.

- Retail Sales at the Stadium (please see attached material)

Mr. Johnson reviewed the handout with the Commission and felt as an initial matter, the Commission should decide whether the exception pertaining to "Temporary commercial activities" applied in this circumstance.

The Commission went into a discussion of the definitions of the words "subordinate and ancillary".

Chair Wolf polled the Commission and it was the consensus that the retail use occurring at the stadium parking lot was non-conforming with the Development Code.

Mr. Nelson made a motion to direct staff to initiate a legislative text amendment to create a limited use overlay zone for the Public Zone on the subject property. Mr. Anderson seconded the motion and carried, all present voting aye.

Ms. Drought reminded the Commission that she needed to give a 45-day notice prior to the DLCD and this issue would be placed on next month's agenda for additional discussion.

➤ Interpretation of Keizer Development Code Section 2.302 Street Standards. Section 2.302.02 Scope E. Exceptions. (please see attached material)

This item was pulled from the agenda, as the City Council would be reviewing the issue.

7. ANNOUNCEMENTS AND AGENDA INPUT

7.1 - Joint Meeting of Planning Commission/KURB/City Council
Wednesday, August 18th at 5:30 p.m. in Council Chambers

7.2 - Work Session
Tuesday, August 24th at 6:00 p.m. in Police Auditorium

7.3 - Joint Meeting of Planning Commission/KURB/City Council
Wednesday, August 25th at 5:30 p.m. in Council Chambers

Chair Wolf noted he would be unable to attend the meetings on the 18th and the 25th.

Mr. Anderson complemented Ms. Drought for her work on the information that she had provided to the Commission.

7. ADJOURN

Chair Wolf adjourned the meeting at 9:55 p.m.