MINUTES
KEIZER PLANNING COMMISSION
KEIZER CITY HALL - COUNCIL CHAMBERS
JUNE 11, 1997

1. CALL TO ORDER

The meeting was called to order by Acting Chair Abbott at 7:15 p.m.

2. ROLL CALL

The following members were present: Manny Martinez, Dick Inman, June Abbott, Jere Clancy, and Alan Youse. Elaine Smith and Bill Wolf were excused.

3. APPROVAL OF MINUTES

Because only three of the Commissioners present attended the May 14 meeting, City Attorney Johnson suggested that the minutes be continued to the July meeting.

4. APPEARANCE OF INTERESTED CITIZENS

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

5. PROJECT UPDATES

Chemawa Activity Center Plan

Mr. Morgan reported that a developer is actively working to acquire the land in Area A and has offers in on virtually all the property. Staff has met with Area C property owners who are trying to come up with a strategy. Since the Council hearing in April, there has been no contact with the Grand Ronde and Siletz Nations regarding Area D. The Tribes have pledged to work with the City toward development of the area.

Mr. Martinez had read in the paper that Tepper Lane would not be blocked off as was previously indicated. He wondered why the plan was being changed. Mr. Morgan was unsure what was reported in the paper. He noted that blocking Tepper had been discussed in two contexts. A proposal to permanently close Tepper did not go anywhere in the Council hearing proceedings. Mr. Morgan suspected that it would come up again when a developer submits a master plan for the area. With regard to the issue of closure of Tepper for events at the stadium, he explained how the original event plan was modified to open Tepper one way eastbound when Radiant Drive becomes one way southbound. It was done to accommodate property owners along Radiant Drive, and emergency access.

Mr. Inman recalled that the Planning Commission took action on the request to close Tepper during a stadium event. He wondered why a proposed change to the plan did not come back to the Planning Commission for review. Mr. Morgan explained that Council's action in approving the stadium lease called for an Event Traffic Management Plan to be put together by the city manager. There was no procedural reason for it to come back to the Planning Commission.

Mr. Morgan commented on plans for widening Radiant Drive with the goal of clearing out all stadium traffic within 30 minutes. He noted that plans for traffic disbursement are very flexible, depending on how the Traffic Management Plan works.

Cherry Avenue/Iris Lane/Plymouth Drive

Mr. Morgan reported that the Salem Electric plans for Cherry Avenue undergrounding are finalized and they are beginning work. ODOT will begin right-of-way acquisition work right away. The entire project is on a 24-month schedule.

Preliminary sketches for Plymouth Drive are completed. Survey work is underway. Since a number of properties will be impacted with a narrow right-of-way, there will be a fair amount of right-of-way acquisition. The intent is to do right-of-way acquisition and design between now and next spring. A year from now the project will be under construction.

Staff is working with ABC Properties and Bi-Mart to reach agreement for building Iris Lane and related frontage improvements. Issues that will lead to their donation of the land for building Iris Lane are near resolution. Mr. Morgan commented on the proposed improvements. The goal is to begin building the street in October.

Development Activity

Development activity continues strong. Mr. Morgan noted that ten subdivisions are actively underway in the Clearlake area. In this year alone, close to 1000 lots are being created in Keizer. The issue of concern is that the pace of growth is far ahead of the capability to plan for sewer and water. Over the next couple months, some tough cases revolving around water issues will be going to Council .

Mixed Use Zone

Consultant John Spencer is working on revisions to the Mixed Use zone relative to Cherry Avenue. The proposals should come to the Planning Commission in July to be incorporated into the Development Code, if found acceptable. The Planning Commission also may wish to give some thought to changing the Chemawa corridor or some other areas to the Mixed Use zoning.

Wireless Communication Facilities

The City Council, on July 7, will hold a public hearing on an ordinance regulating wireless communication facilities. The proposed code is similar to the Springfield ordinance reviewed by the Planning Commission. Staff has been working with the providers in addressing some of the issues brought to the forefront by the Planning Commission with regard to River Road. Additionally, staff is working with current applicants to place towers in acceptable locations. City Hall property is one location being considered. Mr. Morgan anticipated some resolution within the next four to six weeks.

Transportation Plan Update

Mr. Morgan noted that Mr. Wolf and Ms. Smith attended the bicycle planning workshop last Wednesday, June 4. About 20 people were present and participated in discussion about bicycle needs in the City. COG staff will use the input and material received to put together a draft plan over the summer. Mr. Morgan, today, had received an inventory of Keizer streets that would help in determining needed improvements. Mr. Morgan anticipated COG staff would return in September with material for the Planning Commission to review.

Budget

Mr. Morgan noted that the budget hearing is scheduled for Monday, June 23. Changes proposed in the Community Development budget include the addition of a Code Enforcement/Zoning Technician. If the position is approved, code enforcement will be handled through the Community Development Department rather than the Police Department. Additionally, City Planner Amy Drought may have more time to spend helping Mr. Morgan on issues relative to the Planning Commission and R3B. Mr. Morgan was unsure whether the person would be deputized. He noted that the City's infraction ordinance does not require a deputy to issue an infraction citation.

Mr. Youse asked if the Iris Lane official design was available. Mr. Morgan excused himself briefly and returned with the Plan for Iris Lane, and also the inventory of street conditions he commented on earlier. He noted that the inventory was a product of the GIS system which is up and running. Mr. Morgan responded to questions about the Iris Lane plan.

Mr. Morgan introduced City Planner Amy Drought who was present in the audience.

6. PUBLIC HEARING

6.1 Development Code

Acting Chair Abbott announced that this was a continuation of the public hearing opened on May 14. After receiving testimony, the hearing would be continued to July 9 for conclusion.

Mr. Morgan noted that Ms. Drought is working with the Traffic Safety Commission on the vision clearance issues raised by them at the hearing last month. Specific recommendations will come to the Planning Commission in July.

Mr. Morgan met one more time with building industry representatives. They went through list of proposed revisions reviewed by the Planning Commission last month, and came to an understanding on some points. Before the July meeting, Mr. Morgan will have specifics on how to resolve some of the issues, and will comment on a few areas where there continues to be disagreement.

Mr. Morgan called attention to the Commercial Mixed zone and draft Design Standards included in the agenda packet. He noted that there was comment in the newspaper regarding the draft standards. He was unsure whether anyone might be present to comment on them. Mr. Morgan indicated that he was not yet comfortable in crafting final language. Any guidance received from the Planning Commission tonight would help in crafting final language to be considered in July.

Mr. Morgan also called attention to written testimony from the Keizer Fire District requesting an opportunity to work with the City toward adopting a well-defined fire sprinkler system ordinance. The letter commented on what the fire district perceived as a loophole in the code, allowing developers, in some situations, to dismiss the code requirement for a fire suppression sprinkler system. The letter spoke specifically to an apartment unit recently built containing three distinctive floors of living area, but with one floor built at basement level, dismissing the code requirement for a fire suppression sprinkler system.

Mr. Morgan explained how some apartments are constructed, excavating and backfilling, to allow the first floor to be considered basement level. He gave other examples of where it has occurred in Keizer. He pointed out the cost factor involved in meeting the sprinkler system requirement. Mr. Morgan suggested that if the Planning Commission concurred in the District's concern, it would be appropriate to direct staff to look at the City's code and come up with a way to eliminate the loophole.

Presenting testimony to the Planning Commission were:

Garry Whalen, 1156 Glaze Meadow Street NE, Keizer, agreed with Mr. Morgan's summarization of the Fire District's issue. For further clarification, he relayed Division Chief Stein's request for an opportunity to interact with the Planning Commission or staff in crafting language to address the District's concerns.

Mr. Whalen responded to questions and comments about the code provision requiring sprinklers for three-story units. He reiterated comments made by Mr. Morgan that an apartment building can quality as a two-level building by excavating and backfilling. Mr. Morgan added that the Uniform Fire Code refers to the number of stories, but doesn't define story. He noted that the City's definition of story allows backfilling.

Mr. Clancy pointed out that this type of construction is being done everywhere, not just in Keizer.

In light of the fact two codes were being commented on, the Uniform Building Code, and the Keizer Development Code, Mr. Inman questioned what could be changed in the City's code to address the issue. Mr. Morgan suspected it could be addressed by changing the definition of basement, and the grade requirements.

Agnes Ewing, 595 Manbrin Drive N, Keizer, had reviewed the proposed standards for parking recreational vehicles on private property. She indicated support for the proposed changes. She strongly encouraged adoption of the standards, noting that they address all the concerns voiced by her at a City Council meeting in 1995.

Mr. Morgan confirmed for Mr. Inman that a driveway is considered off-street parking in a residential zone. He reviewed the changes from the current code.

Hersch Sangster, 832 Maine Drive, Keizer, chairman of the Keizer Bikeway Committee, indicated that he was here as a representative of that committee to talk about the bicycle parking provision in the ordinance. The Committee wished to go on record in support of the proposed ordinance, but were suggesting revisions to certain sections. They strongly supported proposed rack design, but opposed the proposed 100-foot distance from a building. They suggested cutting it down to possibly 50 feet and adding the words "safe access." Mr. Sangster also questioned the provision for exemptions. He explained why bike parking facilities might be necessary at some of the businesses on the exemption list. Mr. Sangster reaffirmed for Mr. Morgan the Bikeway Committee's preference for the rack design as written rather than the Planning Commission recommendation for securing only one wheel. He noted that the rack installed just outside the Council Chambers would meet the requirement as written, and the cost to install such a rack is no greater than it would be for the less secure type.

Gilbert Arendt, 878 Greenwood Drive, Keizer indicated that he would like to get more information about the RV parking requirements. With regard to screening requirements mentioned in the newspaper, he pointed out that it would require a fairly good size fence to cover a motor home. Mr. Morgan gave him a copy of the standards to look over and then possibly comment again. Mr. Morgan pointed out under "definitions," the different types of vehicles that would be covered by the regulations. He agreed that Mr. Arendt raised a good point with regard to motor homes. Because of their height, the screening requirement might not accomplish screening the entire vehicle.

Dave Wittman, 1645 Danwood Lane, Keizer wished to comment on several issues. He first questioned the point of having an ordinance against parking cars in front yards or adjacent to the street if it is not enforced. Mr. Morgan agreed that code enforcement had been ineffective for the last couple years due to resource limitations in the Police Department. He anticipated better enforcement if the new code enforcement position is approved in the budget. He confirmed that citations would be written for violations.

Mr. Wittman questioned provisions for no parking fire lanes on private streets, noting that the Keizer Police Department will not enforce the current no parking in fire lanes regulations. Mr. Wittman responded to questions from City Attorney Johnson about past complaints to the Police Department. Mr. Johnson indicated that staff would follow up on the issue.

Mr. Wittman questioned proposed minimum yard setback requirements in relation to private drive roadway easements. Mr. Morgan recalled that the Planning Commission had specifically talked about Danwood when discussing the issue. He explained how setbacks are today measured from the property line, which in the case of a private drive is the center of the street. The draft code provided for measuring the setback from the edge of the easement, however, the Planning Commission speculated that might be too much for an infill situation, and suggested looking at requiring at least five feet separation from the edge of the asphalt.

Finally, Mr. Wittman questioned the appropriateness of bringing up the proposed development of the SE Claggett Creek area by Staats Development. Mr. Morgan indicated that comment would be appropriate only as related to the development code. Mr. Wittman's comments were relative to flooding problems in the area. It was his feeling that the proposed construction would impact the area to such a degree that existing homes would be flooded. He indicated that he had photos depicting three consecutive years flooding in the area.

Mr. Morgan noted that the City's flood plain ordinance meets the requirements of federal law. He suggested that in the context of the development code, the Planning Commission might wish to give some thought to additional provisions. He briefly commented on current provisions for construction in a flood plain. Mr. Morgan noted that SEKNA will have a meeting on Tuesday, June 24 to talk about development in that area.

No other speakers had signed in or indicated a desire to provide testimony. Ms. Abbott continued the public hearing to July 9.

Ms. Abbott noted that a draft of the CM zone and draft Development Standards were provided in the agenda packet. She questioned whether Mr. Morgan was looking for comment on the drafts.

Mr. Morgan had expected testimony regarding the color standards. He was not yet prepared to recommend to the Planning Commission either the draft of Development Standards or the CM zone. He noted that the two had not yet been melded together. He, however, felt that it might be good to get from the Planning Commission a sense as to whether or not they liked the standards and how they work, and the appropriateness of incorporating the standards into the CM zone itself. Two other zones where the standards might be applied were the Mixed Use zone and the Commercial Office zone. Mr. Morgan was looking for direction as to whether or not to incorporate the standards into the zoning or to reference them. He was also interested in hearing whether they should be applied only along River Road, or also in other locations such as the Chemawa Activity Center.

Mr. Morgan responded to questions about proposed color standards. He noted that some opposition had been expressed regarding putting regulations on color. On the other hand, he had received a lot of negative comment about the new Keizer Florist color scheme. When asked about trademark color schemes, Mr. Morgan noted that any current color would be grandfathered only until the structure is repainted. Then it would be necessary to conform to the color standards. For new construction, a copy of the ordinance would be attached to the building permit. City Attorney Johnson saw no problem with having fairly flexible design standards. He commented on the likelihood that there would be some complaints or variance requests, similar to what has happened with the sign code. Mr. Morgan confirmed for Mr. Inman that repainting would not apply for graffiti cover-up.

Mr. Morgan reviewed the major components of the CM zone. A discussion followed regarding where the CM zone would be applied. Mr. Morgan confirmed that the CM zone is proposed for River Road, Cherry Avenue, and Area A (11 acres) and Area D of the Chemawa Activity Center. He commented on the different aspects of the River Road corridor from those of the Chemawa Activity Center. He noted that two sub-components of the language could be crafted; one that would exclude the Chemawa Activity Center, and one specifically for the Chemawa Activity Center. Ms. Abbott indicated that she would like to see the color and material standards stay in place, but suggested that Mr. Morgan craft separate language regarding the site design.

The Commission also discussed whether the Development Standards should be applied to the CO zone and MU zone as well as the CM zone. After discussion, it was the consensus to also apply the standards in the MU and CO zones.

Mr. Morgan questioned whether the Commission wished to comment on the Fire District's request. Mr. Clancy indicated that he would like information as to the cost to a developer to add the sprinkling system. He suggested that the Fire District come back with numbers on the benefit cost ratio. Mr. Youse indicated that he would also like to take a closer look at the definitions talked about earlier.

Mr. Morgan indicated that next month staff would come back with revised language for the commercial district. Staff would also work on the bicycle parking issue, and Mr.

Wittman's issues on easements. The flood plain issue might take more study than time would allow for a response next month.

7. DISCUSSION

7.1 Planning Commission Goals

Chair Smith had requested that the list of goals developed by the Planning Commission earlier this year be brought back for review. A copy was provided in the agenda packet. Acting Chair Abbott suggested that after reviewing the goals, the Planning Commission formally adopt them and send them forward for City Council consideration. Mr. Morgan added that the recommendation would be submitted to the City Council at its July 7 regular meeting.

> <u>Mr. Youse moved to adopt the goals set by the Planning Commission for the next two years, and forward them to the City Council for approval. Mr. Inman seconded the motion.</u>

Mr. Martinez was interested in finding out if any developers had approached the City with specific proposals, and what kinds of development might be expected. He indicated that he would like to see efforts by the City to attract developers and potential businesses. He felt that the Planning Commission should have some role in the City's economic development.

Mr. Morgan noted that Mr. Martinez had hit the core of a discussion that had gone on since he first started with the City: "What's the City's role in economic development?" He explained that although there has been considerable work with respect to zoning and creating better physical spaces, nothing has been done by the City to actively market the community. He commented on economic development efforts being done by some other communities, but stressed that it takes time and resources. He noted, however, that he has suggested to SEDCOR (Salem Economic Development Corporation) that they bring forward a proposal for what they could do for Keizer.

Although economic development was identified as a third priority Planning Commission goal, Mr. Martinez felt that it should be moved to a higher priority on the list of Planning Commission goals.

Mr. Youse pointed out that the identified first priority goals essentially were projects that were either eminent or legally required. He was unsure whether economic development should be included with those projects.

Mr. Morgan and Mr. Johnson perceived that more than four in the first priority would not be attainable. Mr. Morgan explained how the Council-approved list helps drive budget decisions. Putting economic development as a highest priorities would indicate to the Council the need to allocate resources.

After discussion, it was agreed to move economic development to priority two.

> With the consent of the second, Mr. Youse accepted a friendly amendment to move "Economic Development" to the second highest priority.
>
> The motion as amended carried unanimously by those members present.

Mr. Morgan will prepare a report or letter for Ms. Smith to carry forward to the City Council on July 7.

8. ANNOUNCEMENTS AND AGENDA INPUT

8.1 Regular Meeting: July 9, 1997 - 7:00 PM

Mr. Johnson noted that he will be out of town for the July Planning Commission meeting. He suggested that anyone with legal questions contact him a week before the July 9 meeting. Mr. Youse indicated that he would also be away on vacation.

9. ADJOURN

The meeting was adjourned by Acting Chair Abbott at 9:20 p.m.