KEIZER PLANNING COMMISSION
MINUTES
Wednesday, May 24th, 2000 @ 7:00 p.m.
Keizer City Hall - Council Chambers

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, Dick Inman, Michael Smith, Stan Compton, Bruce Anderson and Jere Clancy

Absent: June Abbott

3. APPROVAL OF MINUTES/April 26, 2000 and May 10, 2000
Mr. Inman moved for approval of the April, 2000 minutes. Mr. Anderson seconded the motion.

The motion passed as follows:

AYES: Anderson, Clancy, Compton, Inman, Smith and Wolf (6)
NAYES: None (0)
ABSENT: Abbott (1)
ABSTENTIONS: None (0)

Mr. Anderson moved for approval of the May 10, 2000 minutes as written. Chair Wolf seconded the motion.

The motion passed as follows:

AYES: Anderson, Clancy, Inman, Smith and Wolf (5)
NAYES: None (0)
ABSENT: Abbott (1)
ABSTENTIONS: Compton (1)

4. DELIBERATIONS

➢ **Chemawa Activity Center**

City Attorney, Shannon Johnson reported that the Commission would vote separately on the remaining eight items submitted in an informal recommendation to the Council via the motions made in the minutes.

Responding to questions, Mr. Johnson indicated since no final vote had been taken that it would be appropriate by simple majority to revisit the four issues discussed during the April 26th Planning Commission meeting.

At Mr. Compton's request, Chair Wolf summarized the four items discussed during the last meeting.

4. The Requirement that No Single Use be More than 50,000 Square Feet.
Mr. Inman relayed his memory of the 50,000 square foot rule was to protect the businesses along River Road.

Chair Wolf agreed with Mr. Inman's recollection and added that traffic was also an issue that was a deciding factor.

Responding to questions, Councilor Keller indicated if a viable developer brought a master plan before the council indicating that they needed more than the 50,000 square feet of retail the Council would have to review all the options with traffic being a major concern. He was unsure at this point exactly what the Council's reaction would be to this scenario.

With the intent of drawing discussion from the Commission, Chair Wolf indicated that the Chemawa Activity Center Plan, which was updated in 1997 went through rigorous debates and received a great deal of public testimony. He felt the plan was satisfactory and he stressed he was not ready to eject the plan and start over.

Mr. Inman felt that the more retail that was allowed in the area would drive the jug handle requirement and would add to the traffic problems in the area.

Mr. Compton expressed mixed emotions regarding increasing the 50,000 square foot requirement. He stressed as a past member of the Keizer Urban Renewal Board that a great deal of money had been spent to upgrade Cherry Avenue and River Road within the Urban Renewal District. He indicated he did not wish to jeopardize the property values by increasing the amount of commercial in the Chemawa Activity Center, which could take away business from these areas.

Responding to questions, Mr. Johnson indicated any proposal for change in the Chemawa Activity Center Plan would have to go through the legislative process.

Mr. Johnson answered questions pertaining to various scenarios with the jug handle and how costs of the project could be handled.

Mr. Clancy suggested making the area solely an industrial commercial area that would not effect downtown Keizer and would eliminate the jug handle requirement.

The Commission discussed the IBP zone and the types of commercial uses that would be allowed in this zone. Mr. Johnson read from the Development Code regarding flexible space uses.

Mr. Johnson stressed that by reducing the amount of retail would not necessarily eliminate the need for the jug handle.

Mr. Smith moved a motion that the requirement is retained in the CM portion of the Chemawa Activity Center and that no single use be more than 50, 000 square feet. Chair Wolf seconded the motion.

The Commission discussed Area D and whether the City would have the power to place restrictions on this property since the Bureau of Indian Affairs owned it.

Mr. Johnson indicated he did not feel that ownership of the land would prevent the City from planning for this property in the future, although enforcing this could be another issue.

Mr. Compton asked for options regarding eliminating commercial retail in the area and going specifically with light industrial.

Mr. Smith felt it was important to remain with the intent of the plan.

Mr. Anderson expressed his support of the motion.

Mr. Inman provided a brief history of the IBP zone as it was reviewed by the Planning Commission in 1997.

Responding to questions, Mr. Johnson noted in order for him to draft language allowing flexibility beyond the 50,000 square feet would require specific criteria set forth by the Planning Commission.

The motion passed as follows:

AYES: Anderson, Clancy, Compton, Inman, Smith and Wolf (6)
NAYES: None (0)
ABSENT: Abbott (1)
ABSTENTIONS: None (0)

It was the consensus of the Commission to change the order of the items reviewed and work with item number one next.

1. ***The Appropriate Amount of Commercially Zoned Property in Area A and whether it is Appropriate to Change the Eleven Acre Maximum of Allow for More Flexible Zoning.***

Responding to questions, Mr. Johnson read from page 28 of the Chemawa Activity Center Plan pertaining to Flexible Space Uses.

Mr. Inman indicated that the IBP zone was modeled from the City of Salem.

Chair Wolf cautioned the Commission stressing that the retail in the IBP would not replace a commercial retail zone.

Mr. Johnson answered questions regarding the differences between the IBP and the CM zone.

Mr. Smith argued against eliminating the CM zone but was unsure what the maximum size of the CM zone within the plan should be.

Mr. Clancy felt that eliminating the CM zone would be a more viable option due to the expensive of the jug handle that retail development would require. He also stressed the lack of cooperation with the Bureau of Indian Affairs and the land in Area D that would be required to develop the jug handle.

Mr. Anderson agreed with Mr. Clancy's comments.

Responding to questions, Mr. Johnson referred to page 17 of the Chemawa Activity Center Plan and noted if a developer was interested in this area, but did not wish to build a jug handle he would have to amend the Plan.

With further discussions, Mr. Smith noted that it would be a reasonable to conclude that a jug handle configuration would be required regardless of the amount of commercial property and would be left to the Council to negotiate this issue. Mr. Smith felt it would be appropriate to change the eleven- acre maximum to allow more flexibility to the plan.

<u>Mr. Smith made the motion that the CM zone in Area A, of the Chemawa Activity Center, not exceed 25 acres. Mr. Inman seconded the motion.</u>

Chair Wolf indicated he was comfortable with the 11 acres listed in the plan. He stressed that 25 acres of commercial property would have an enormous impact upon the city. He went on to state that he felt some commercial retail in the area would be needed to make the project viable.

Mr. Compton expressed his opposition to the motion. He stressed that a great deal of thought and discussion had gone into the plan and did not feel he was qualified to make this type of change to the plan.

Chair Wolf noted the ability of a developer to go to zero commercial as written in the Chemawa Activity Center Plan. He stated that he felt the Comprehensive Plan's original intention was being met and the area should remain primarily industrial business. He noted he would not support the motion.

<u>After discussions Mr. Smith stated he would withdraw his motion. Mr. Inman withdrew his second to the motion.</u>

Mr. Compton suggested supplying the Council with criteria that would allow the Council flexibility to adjust the amount of commercial acreage without holding the process hostage.

With further discussion of this option Senior Planner, Maria Meier suggested considering 11 acres the maximum in the CM zone with the latitude upon Council approval of a change up to 10% of the standard.

Responding to questions, Mr. Johnson indicated, currently the master plan would be approved at the staff level unless appealed. He went on to state if the Commission added the amount of discretion and policy decisions in terms of increasing the commercial acreage that this would cause the format to become more difficult for staff to manage as it is currently written.

Mr. Smith wondered if adding the stipulation of not more than 10% of area A, which is approximately 14.4 acres, and allow the developers to place this portion of the development within area A where they would see fit. He asked for input from the Commission.

Chair Wolf indicated he felt the commercial development should take place along the southern end of area A and did not feel a developer would want to place this type of development in another section within area A.

Mr. Compton reiterated his earlier comments regarding how increasing the commercial acreage in the Chemawa Activity Center could effect downtown Keizer. He did not feel adding this percentage of leeway would solve the issues for a developer.

Councilor Keller suggested that the Planning Commission forward their recommendations to the Council and once a master plan was submitted that it goes through a public hearing process which could address the concerns of the public rather than leaving the process at the staff level.

Mr. Johnson indicated a number of processes could be initiated and he shared the various options with the Planning Commission. He stressed the need for criteria to be set to allow these options to be viable.

Mr. Smith suggested that the ultimate answer in terms of the number of acres involved could be subject to review of a master plan by the City Council.

Chair Wolf reiterated his feeling that the 11 acres should not be changed. He felt the current document was flexible if a developer wished to follow the process.

Mr. Inman and Mr. Johnson supplied a history of decisions made within the Chemawa Activity Center Plan.

The Planning Commission debated the issues and concerns addressed earlier in the meeting.

With further debate, Mr. Smith indicated he felt there was consensus among the Commission that there was difficulty with the eleven- acre restriction and that it conveyed the wrong message to a potential developer. He suggested that a statement be added to the Chemawa Activity Center Plan noting that there is a process for exception and to outline the process for exception through the submission of a master plan.

Mr. Johnson indicated that the master plan process was a quasi-judicial matter and that some type of standards would need to be set to afford objectivity to the plan.

Mr. Anderson urged flexibility in the plan similar to Mr. Smith's earlier comments.

After additional debate the following motion was made.

<u>Mr. Inman moved a motion to retain the amount of commercial zoning in Area A with the recognition that a developer has the option to made a proposal for future changes within the Chemawa Activity Center Plan. Mr. Compton seconded the motion.</u>

<u>The motion passed unanimously as follows:</u>

<u>AYES:</u> Anderson, Clancy, Compton, Inman, Smith and Wolf (6)
<u>NAYES:</u> None (0)
<u>ABSENT:</u> Abbott (1)
<u>ABSTENTIONS:</u> None (0)

Chair Wolf recessed the meeting at 9:15 p.m. and reconvened at 9: 25 p.m.

Chair Wolf requested that issue number eight, (*Protecting the Residential Property to the West of Are A from the Traffic Impacts),* which was addressed at the last Commission meeting be re-addressed. He noted that he wished to see the recommendation that no other streets could connect within 200 feet west of Radiant

Drive to Tepper Lane NE. He stressed the need to keep traffic from infiltrating through the Gubser Neighborhood.

<u>Chair Wolf made the motion to add a fifth bullet to page 12 of the Chemawa Activity Center Plan to state that no street can connect to Tepper Lane NE from the south more than 200 feet west of the current intersection of Radiant Drive. Mr. Inman seconded the motion.</u>

Chair Wolf stated that the intent was for the traffic to use the intersection of Chemawa and not to be exiting through the neighborhood.

Mr. Anderson indicated he was not sure how the motion fit into the plan as Chair Wolf was proposing to make a change to the Chemawa Activity Center Plan. Mr. Anderson stressed that earlier conversations were only making recommendations to the Council.

Responding to questions Mr. Johnson noted that the meeting was noticed appropriately to make changes to the plan.

Chair Wolf clarified that through his motion he was making a recommendation to the Council to amend the plan.

Mr. Compton suggested for clarification of the motion that it read that a street within a selected number of feet from the west boundary of the Chemawa Activity Center could not intersect with Tepper Lane. He felt this would be necessary as Radiant Drive may be realigned in the near future.

Chair Wolf agreed with Mr. Compton's suggestions and withdrew his earlier motion. Mr. Inman withdrew his second to the motion.

<u>Chair Wolf made a motion to recommend to Council that the language in the Chemawa Activity Center Plan be amended involving the placement of Radiant Drive so that no other street may intersect Tepper Lane from the south within a specified number of feet east of the boundary that would be the equivalent to 200 feet west of the current intersection of Radiant Drive. Mr. Inman seconded the motion.</u>

The motion passed unanimously as follows:

AYES: Anderson, Clancy, Compton, Inman, Smith and Wolf (6)
NAYES: None (0)
ABSENT: Abbott (1)
ABSTENTIONS: None (0)

2. The Street Connection of Area A to Area D with an Underpass Loop or "Jug handle" Design.

Mr. Smith moved a motion to recommend to Council that the preferred model would be the jug handle and to pursue development as in accordance to the master plan. Mr. Inman seconded the motion.

Mr. Clancy urged the Commission to keep in mind the land, which is owned by the Bureau of Indian Affairs that could put a halt to the concept of a jug handle.

Mr. Smith stressed that this was an unknown and the Commission must focus on the issues that ODOT had addressed and allow Council to decide how the remainder of this would be accomplished.

Mr. Johnson addressed questions regarding ODOT's specifications for the jug handle. He read from page 12 of the Chemawa Activity Center Plan that he felt mandated the use of the jug handle.

Responding to questions, Councilor Keller indicated that the jug handle was ODOT's preferred option, as it would protect the interchange. He indicated that ODOT also shared additional options, which would be predicated on discussions with ODOT.

Mr. Compton stressed if there were other options available he did not wish to tie the plan into the most expensive option.

After further discussions regarding the motion Mr. Smith agreed to withdraw his motion. Mr. Inman withdrew his second to the motion.

Mr. Smith moved a motion to leave the language as written in the plan pertaining to the underpass loop or "jug handle" design. Mr. Clancy seconded the motion.

The motion passed unanimously as follows:

AYES: Anderson, Clancy, Compton, Inman, Smith and Wolf (6)
NAYES: None (0)
ABSENT: Abbott (1)
ABSTENTIONS: None (0)

3. Landscaping Requirements for the Activity Center and/or Area A Property. Chair Wolf referred to page 11, bullet two under Site Design noting that this requirement was taken from Salem's IBP.

Mr. Compton relayed the extensive costs involved following the landscaping requirements and the upkeep for the landscaping which was done at his business located in Salem.

Mr. Clancy expressed that he felt the 20% restriction was too much.

Discussions of the Chemawa Activity Plan and the Keizer Development Code took place. Mr. Johnson ultimately stated that any changes made should allow for consistency between them both.

Chair Wolf stressed that he had not heard or received any evidence to move away from the 20% requirement.

After additional discussion the following motion was made.

Mr. Inman moved a motion to remove from page 11, second bullet under Site Design in the Chemawa Activity Center Plan the sentence that reads; *Individual industrial parcel sizes should be minimum 5-acres with a minimum 20% landscaping requirement.* Mr. Smith seconded the motion.

The motion passed unanimously as follows:

AYES: Anderson, Clancy, Compton, Inman, Smith and Wolf (6)
NAYES: None (0)

ABSENT: Abbott (1)
ABSTENTIONS: None (0)

5. ADJOURN

➢ **Discuss next meeting date**

Ms. Meier noted that the 21st Century Plan that was scheduled for the June meeting had been pulled. She suggested that the June meeting be cancelled.

It was the consensus of the Planning Commission to cancel June's regular meeting.

Chair Wolf adjourned the meeting at 10:10 p.m.