



MINUTES
KEIZER PLANNING COMMISSION
Wednesday, May 21, 2025
Robert L. Simon Council Chambers
930 Chemawa Road NE
Keizer, Oregon

- 1. CALL TO ORDER** **CALL TO ORDER:** Chair Matt Lawyer called the meeting to order at 6:00 pm.

Present: Matt Lawyer, Chair Jeremy Grenz, Vice Chair Sara Hutches Robb Witters	Council Liaison Present: Councilor Juran Youth Liaison Present: Open Position
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Absent: Fernando Lopez Frank Hostler Lindsey King	Staff Present: Shane Witham, Planning Director Joseph Lindsay, City Attorney Adam Brown, City Manager Dawn Wilson, Deputy City Recorder
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- 2. ANNUAL VOLUNTEER RECOGNITION ~ by Leslie Risewick** Leslie Risewick, member of the Volunteer Coordinating Committee, recognized the Community Diversity Engagement Committee volunteers, acknowledged the proclamation, read a sentiment, and handed out City of Keizer lapel pins, cookies, and Certificates of Appreciation.

3. APPROVAL OF MINUTES

- a. March 2025** Commissioner Grenz moved for approval of the March 2025 Minutes as presented. Commissioner Witters seconded. Motion passed unanimously as follows: Lawyer, Grenz, Hutches, and Witters in favor with Lopez, King, and Hostler absent.

- 4. APPEARANCE OF INTERESTED PERSONS** The interested persons testified during the Public Hearings.

5. PUBLIC HEARING:

a. Text Amendment Case 2025-06: Amending Keizer Code Appendix A - Development Code Section 2.110 - Commercial Mixed Use (related to auto-oriented uses)

Chair Lawyer announced that the Planning Commission would consider a text amendment case 2025-06 amending Keizer code appendix A development code section 2.110 – Commercial Mixed Use related to auto-oriented uses.

Chair Matt Lawyer opened the floor for the Public Hearing at 6:03 p.m.

Planning Director Shane Witham shared that this was the first public hearing tonight was for a text amendment to modify the Commercial Mixed-Use zoning designation.

Mr. Witham summarized the Keizer Station Area B Zoning Discussion as follows:

Keizer Station was divided into four subareas (A, B, C, and D). Area B, located West of the train tracks and north of Lockhaven, includes the transit center and mostly City-owned land, except for a small parcel called the docks. The area was zoned Commercial Mixed-Use (CM) with longstanding use restrictions prohibiting drive-thrus and auto-oriented businesses, originally carried over from a different part of the City to manage traffic congestion.

Recently, a development group interested in purchasing City-owned land in Area B (including Raising Cane’s and Terra Firma LLC) requested the City to amend the zoning code to allow drive-thru restaurants and gasoline service stations as conditional uses instead of outright prohibiting them. This change would enable projects like Raising Cane’s drive-thru to move forward.

The staff report noted this request also involved cleaning up outdated zoning language leftover from the 2019 River Road revitalization plan, where similar restrictions were replaced by a new overlay district. The proposed amendment would clarify that drive-thrus and gas stations could be conditionally approved in Area B, subject to City-imposed conditions to address traffic, esthetics, and other concerns.

The Planning Commission was asked to consider whether allowing these uses as conditional was appropriate and if any additional specific conditions should be included. This text amendment was a City-initiated process, not a developer-driven land use application, which would come later if the zoning was changed.

The existing Master Plan for Area B currently envisions office, retail, and a movie theater but would need amending language to accommodate any new proposals. Future development applications would undergo public hearings and more detailed review by Planning Commission and City Council.

Chair Lawyer acknowledged receipt of written testimony from Emily Holden with a letter in support and from Kristofer Rash with a letter in opposition of the amendments.

Brittany Randall, Salem, owner and principal planner at Brand Land Use, expressed support for the City's proposed amendments and noted that she submitted information to the City. She acknowledged that additional reviews, including a transportation impact analysis, had already been completed and would occur before any development. She believed it was possible to accommodate multiple uses that serve all transportation modes while completing the development of the area in Keizer.

Robert Vann, Development Manager for Raising Canes, shared that his first location in Oregon has considerably less square footage than what Mr. Witham mentioned, and he was in support of the project and site.

Tasha Rash, Keizer and representative of the Greater Gubser Neighborhood Association, and Kim Peggels, Keizer. Ms. Rash opposed allowing a gas station in Area B, citing it as a threat to the livability and safety of the nearby Gubser neighborhood. She expressed concerns about increased noise, pollution, and constant traffic, especially at the McLeod entrance, which would lengthen, stress commutes, and disrupt the community's peaceful environment. She also said the change would reduce neighborhood attractiveness, lower home values, and damage community pride.

Ms. Peggles supported Raising Cane's but opposed the gas station at that location due to severe traffic congestion on McLeod, especially from Whiteaker traffic. She highlighted serious safety risks to students and pedestrians who walk along McLeod to local schools, noting the need for an updated traffic impact analysis, because the last one was done in 2017, due to recent housing growth. She also raised concerns about the impact on the neighborhood's charm and requested more public hearings to involve the community.

Mr. Witham clarified the current process was a general zoning amendment, not a specific development proposal with site plans or engineering studies yet. Any actual development would require a new or amended Master Plan, public hearings before the Planning Commission, detailed reviews including traffic and site design, and City Council approval. Tonight's hearing was about whether to allow drive-thrus and gas stations as conditional uses. Future hearings would address specific project details, allowing more focused community input.

Overall, safety concerns for students and residents due to increased traffic were emphasized as a key issue by opponents.

Alvin J (AJ) Nash, Aumsville, landscape and real eState broker, expressed

care for the Keizer Lights area and noted potential future developments like apartments with height considerations and three access points on McLeod traffic. Mr. Nash supports the text amendment to allow drive-thrus, believing it would help direct traffic to I-5 and ease side street congestion. He clarified the amendment addresses allowed uses, not specific projects. He spoke about current zoning permits for apartments and medical offices with traffic and height safeguards. The gas station would mainly serve local residents. He trusts the local developer's commitment and emphasized that future developments would face thorough reviews and community input.

Commissioner Grenz asked about the process for requiring updated Traffic Impact Analysis (TIAs) with Master Plan amendments or conditional use permits.

Mr. Witham explained that Master Plan amendments in Keizer Station Area B have limits—no increase in square footage or traffic was allowed without a full new Master Plan, which was costly and time-consuming. Existing TIAs define allowed uses and traffic levels, including restrictions like limited access points. For conditional use permits, applicants must demonstrate adequate transportation facilities and safety. While the existing code includes some gas station-specific provisions from past cases, any new traffic or safety concerns raised by the Planning Commission could prompt additional requirements or language changes.

Mr. Witham acknowledged the need for clearer code language to ensure thorough traffic scrutiny by relying on traffic engineers' expertise.

Commissioner Grenz summarized that amendments require traffic evaluations confirming no increased impact, typically via a memo, and Mr. Witham agreed.

Commissioner Hutches asked if drive-thru restaurants and gas stations must be considered together or separately. Mr. Witham said the Planning Commission could recommend separate language for each since they are a policy advisory body.

Commissioner Grenz inquired whether a new Master Plan for Area B would require a new TIA. Mr. Witham explained that a full new Master Plan would trigger a new TIA, while an amendment was limited by no increase in building size or traffic. He noted some uncertainty whether future proposals would be amendments or new Master Plans.

Commissioner Witters questioned how significantly different uses like a movie theater or doctor's office relate to current proposals since their size and impact differ. Mr. Witham clarified that the original Master Plan for Area B envisioned community-serving retail and medical uses would be consistent with the transit center's presence. The key test was whether new proposals

align with the area's purpose and objectives, which the applicant must justify and staff must evaluate.

On the question about traffic access on McLeod, Mr. Witham said that access points shown in the Master Plan could be reconsidered during amendments or new plans. He acknowledged traffic was a major community concern and that decisions rely heavily on expert traffic engineering analyses to ensure transportation systems can handle proposed development.

Chair Lawyer explained that the issue before the Commission was a text amendment to Section 2.110, the Commercial Mixed Use (CM) zone. While it feels like a "chicken and egg" situation—since it's hard to consider the text without thinking about potential projects—the focus was strictly on policy and permitted uses, not any specific development. He acknowledged significant traffic concerns in the area, noting past incidents and community sensitivity.

It was asked whether the CM zone applies only to Keizer Station or City-wide. Mr. Witham responded that the zoning generally applies City-wide unless superseded by overlay districts, such as River-Cherry Overlay District (RCOD). He noted Area B in Keizer Station was one of the last remaining CM zoned areas, since River Road properties were changed to a mixed zone overlay for flexibility. Thus, if new CM zones arise, this text amendment's rules would apply City-wide. Specifically, gas stations and drive-thru restaurants would be conditional uses in all CM zones.

It was noted that no State comments had been received on this amendment, despite it seeming contradictory to recent State-required amendments. Mr. Lindsay added that this amendment does not make uses outright permitted; it just changes them from not allowed to conditional, meaning proposals must come before the Commission for review.

Chair Lawyer addressed concerns from the Greater Gubser neighborhood, explaining that conditional uses require legal notification to adjacent property owners, and the City often provides notice beyond minimum requirements. He encouraged residents to stay engaged since this text amendment was one of the few remaining opportunities for community input on development, given recent State regulations limiting local control.

With no further testimony, Chair Lawyer closed the Public Hearing at 6:58 p.m.

Commissioner Grenz said the text amendment overall wasn't troubling but suggested the Commission discuss adding clear criteria for staff to evaluate conditional uses more closely.

Mr. Lindsay advised that any added standards should be clear and objective

because vague or subjective criteria were harder to enforce.

Chair Lawyer proposed a hypothetical motion to approve the amendment but retain certain conditions (C1 and C2) to clarify the intent.

Mr. Lindsay responded that such a motion would be preferable because clear, objective standards provide better guidance and prevent decisions based on emotions or unenforceable criteria.

Mr. Lindsay also emphasized that making a motion helps facilitate the Commission's discussion and amendments, and Commissioners could ask questions and comment before moving to a formal motion during the public hearing for the record.

Commissioner Grenz moved the Planning Commission recommend the proposed text amendments to City Council with the changes I'm going to discuss right now with keeping 2.110.04 (C) (5), (6) and (7). Hutches seconded.

Commissioner Grenz made a friendly amendment to clarify that the intent would be to impose the sub-conditions under gasoline service stations, Section C to also Section D. Hutches seconded.

Chair Lawyer further clarified that (C) (5), (6) and (7) to become (1), (2) and (3) D, adding (5), (6) and (7) to D, which would become D (1), (2) and (3).

Mr. Witham asked if Commissioners were comfortable letting City Attorney Lindsay add clarifying language introducing the criteria sections.

Mr. Lindsay proposed adding a sentence under section C (gasoline service stations) stating these uses in commercial mixed-use zones are subject to additional requirements. He also suggested a similar introductory sentence be added under section D to ensure consistency, with the same structure of numbered requirements. The Commissioners agreed.

Discussion ensued to possibly add lighting.

Motion passed unanimously as follows: Lawyer, Grenz, Hutches, and Witters in favor with Lopez, King, and Hostler absent.

Chair Lawyer encouraged the speakers from Greater Gubser Neighborhood Association to keep an eye on this and listen to this subject. He was confident that the City's consultant would make sure everyone had an opportunity to comment and be engaged.

**b. Text Amendment
Case 2025-05:
Keizer Code
Appendix A
(multiple
sections) -**

Chair Lawyer announced that the meeting was moving on to the second public hearing which was text amendment case 2025-05 Keizer Code appendix A multiple sections amending parking regulations to eliminate minim parking requirements.

Chair Matt Lawyer opened the floor for the Public Hearing at 7:16 p.m.

amending parking regulations to eliminate minimum parking requirements

Chair Lawyer began by thanking staff for their hard work on the text amendments, acknowledging the difficulty of the task. The amendment focused on eliminating minimum parking requirements Citywide, a State-mandated change that has been in progress for years but was delayed.

Mr. Witham explained that the State required these changes by the end of the previous year, despite extensions granted for other matters, and the City now faces a June deadline. Though the deadline likely won't be met, there were no penalties. The amendment would mainly remove minimum parking mandates, leaving some existing maximums, and serve as a compliance step with State rules. He noted the State pushed back on some aspects, especially parking lot landscaping standards for large lots, so further revisions would be necessary.

Mr. Witham shared that since the parking reform went into effect in late 2022, developments have continued to provide parking voluntarily—developers rely on market demand rather than minimum mandates. The goal of the changes were to reduce barriers that promote excessive automobile use.

Mr. Witham emphasized that while the amendments weren't about liking the changes, adopting them was necessary for State compliance. Failure to comply risked the loss of funding from ODOT and puts the City in a less favorable regulatory position.

Rhonda Rich, Keizer, President of the West Keizer Neighborhood Association, expressed concern about the removal of minimum parking requirements, which she finds disturbing for her neighborhood and others with large lots being subdivided. She acknowledged the State mandate but worried this change would increase street parking, reduce neighborhood livability, and create safety issues for pedestrians and bicyclists—especially since West Keizer lacks sidewalks.

Ms. Rich shared a comment from a neighbor who was very concerned about the parking reduction, fearing crowded streets and reduced bike safety. She also cited a local quadplex with insufficient parking, resulting in cars parking on neighborhood streets.

Ms. Rich asked about a specific code section (2.303.04, D.) related to parking plans for developments on private access streets and whether duplexes were required to provide parking. Mr. Witham explained that although older provisions required more parking, the State now limits requirements to one space per dwelling unit. Parking plans were required for subdivisions with private access to demonstrate how parking would be provided, but minimums have been reduced.

Regarding transit, Mr. Witham clarified that since December 2022, parking minimums cannot be required within half a mile of frequent transit service (roughly 15-minute intervals), which covers most of Keizer, except for a couple of areas. The State does not allow extensions on this rule, so the City must comply City-wide.

Ms. Rich acknowledged this was a difficult change to accept but appreciated the explanation.

Chair Lawyer agreed with Ms. Rich's concerns about increased on-street parking, emphasizing safety and environmental issues like oil leaks impacting stormwater. He noted how parked cars narrow sight lines, making it harder for drivers to see children playing, which raises safety risks. Chair Lawyer expressed concern about the State's approach to reducing car use, saying it doesn't fit well with their community's current economic realities. He thanked staff for their efforts to navigate a difficult State mandate.

Commissioner Witters asked about existing City rules on how long cars could stay parked on streets and whether cars can be parked on grass. Mr. Witham explained the City's parking code allows street parking for up to 72 hours in legal spots, but enforcement was challenging due to limited staff. He also noted parking on front yards was generally prohibited unless it's a driveway area, with enforcement being complaint-driven.

Commissioner Witters acknowledged there was some recourse for problem parking but recognized enforcement limits. Chair Lawyer agreed enforcement required high noise levels or major issues to prioritize and praised Code Compliance Officer Ben Crosby for his hard work despite being one person with many challenges.

Commissioner Grenz and Chair Lawyer noted the challenges with the State policy as inappropriate for communities like theirs outside Portland. Chair Lawyer recalled earlier local hopes to improve bike paths and transit that have been hampered by these regulations, calling the situation "handcuffed."

Overall, the group appreciated staff's efforts to manage an unfavorable situation while expressing concern about the negative impacts of reduced parking minimums on neighborhood safety, livability, and enforcement.

With no further testimony, Chair Lawyer closed the public hearing at 7:44 p.m.

Commissioner Grenz moved that we recommend not approving the proposed changes to City council.

Commissioner Grenz withdrew the motion.

Chair Lawyer expressed concern about the practical consequences if the City doesn't adopt the required code changes. Without adoption, the State's model code effectively applies, but there wasn't a specific model code for parking, which means the City couldn't require parking at all and any local protections would be lost.

Mr. Witham explained that the relevant State rules in Oregon Administrative Rule (OAR), Sections 660-12-0405 through 0455, require Cities to update their plans and codes by certain deadlines or apply provisions directly. Keizer had delayed adopting these changes, receiving some leniency initially, but now the State was pressing for compliance because it was in a previously agreed work program. He acknowledged that the City was currently out of compliance, which could risk losing transportation funds and grants.

Mr. Lindsay noted that even if parts of the City code were out of compliance, it was important to keep existing provisions that still have merit and benefit the community.

Chair Lawyer agreed, emphasizing that while some code provisions must be removed, others—such as those ensuring sidewalks, American with Disabilities Act (ADA) ramps, street widening, traffic management plans, or transportation studies—were still valuable and should be preserved. He stressed the duty to protect Keizer's interests, even if it was frustrating.

Commissioner Grenz moved the Planning Commission recommend approval of the proposed text amendments to City Council with no changes along with any other identified changes necessary to maintain consistency with Keizer code. Seconded by Commissioner Hutches. Motion passed unanimously as follows: Lawyer, Grenz, Hutches, and Witters in favor with Lopez, King, and Hostler absent.

**6. NEW-OLD
BUSINESS/STAFF
REPORT**

Mr. Witham reminded the Commissioners that this body would be the decision-maker at the public hearing for the properties on River Road by McNary Estates Drive and not to discuss this matter outside of the public hearing.

Mr. Lindsay added that the Commissioners should avoid conversations. Mr. Lindsay further commented that if Commissioners did have a conversation, they need to declare ex parte contact by presenting on record that there were conversations, site-visits, media interactions or anything that could be considered to be introduced as part of the record that would not otherwise occur as part of the public process that was relative to the case at the public hearing. Additionally, if an ex parte contact was declared, declaring ex parte contact must be declared at every step of the process.

Mr. Witham commented that they were moving forward with the Transportation System Plan, and the City has an online survey for the

Walkable Design Standards.

Tuesday, May 27th, from 6 - 8pm, there would be a Town Hall to talk and listen about the urban growth boundary and everyone was invited.

Mr. Lindsay reminded the Planning Commissioners not to deliberate, which means not to give an opinion or argue, because it turns a simple quorum into a serial or public meeting. Listening and asking questions were allowed. Moreover, the Planning Commissioners shouldn't participate in a way that deliberates because the urban growth boundary subject would eventually go before the Planning Commission.

Mr. Lindsay confirmed that the Commissioners could participate in the online survey.

**7. COUNCIL
REPRESENTATIVE
REPORT**

Councilor Juran reported that they completed the budget, which still needs to go to the Council. He encouraged everyone to attend the Town Hall to listen, and he shared about a fundraiser, called the Summer Getaway Benefit Concert, for the Gold Star Memorial on May 31st from 7:00 p.m. to 9:00 p.m.

Chair Lawyer shared that the City received the grant from the Oregon Parks and Recreation for the Gold Star Memorial and the past fundraisers have been very successful.

Coming up this Saturday would be the Soggy Day in the Park, and the Big Toy dedication and cleanup would be in June.

**8. COMMISSIONER
REPORTING TO
COUNCIL: Robb
Witters on
Monday, June
16th - 6pm**

Commissioner Witters would be reporting to Council on either June 2nd or June 16th.

**9. NEXT MEETING:
June 11th**

10. ADJOURNMENT

Meeting adjourned: 8:04 p.m.

Minutes approved: _____

"Agenda Management Services are being supported, in whole or in part, by federal award number 21.019 awarded to City of Keizer by the U.S. Department of the Treasury."