MINUTES
URBAN RENEWAL AGENCY BOARD
OF THE CITY OF KEIZER
Monday, October 30, 1995
Robert L. Simon Council Chambers
Keizer City Hall

CALL TO ORDER

Dennis Koho, Chair, called the meeting to order at 6:04 p.m. Roll Call was taken as follows:

Present
Dennis Koho, Chair
Carl Beach
Jim Keller
Bob Newton
Al Miller
Jerry Watson (arrived at 6:06 p.m.)

Absent
Jerry McGee

Staff
Dotty Tryk, City Manager
John Morgan, Community Development Director
Tracy L. Davis, City Recorder

PUBLIC TESTIMONY

There was no public testimony to come before the Agency Board.

ADMINISTRATIVE ACTION

Frontage Improvements as Part of Undergrounding Project

Community Development Director Morgan advised that with the current phase of the undergrounding project along River Road, an opportunity has become available to implement design elements on certain properties in accordance with redevelopment design goals. He recalled that moving sidewalks back to create planting strips, and closing and consolidating driveways were identified as opportunities to enhance the aesthetic appeal of the corridor and enhance safety while reducing congestion. Mr. Morgan reminded the Board that the property improvement program calls for the standards to apply to new construction, and to be retro-fitted into existing developments working in partnership with the property owners and using renewal funds as appropriate.

FMAGIC

Mr. Morgan noted that the PGE portion of the River Road undergrounding project involves placing the conduit under the western sidewalk. The sidewalk is being removed and then replaced after the conduit is in place. Mr. Morgan noted that the specific property now being considered for retro-fitting is the St. Edward's Catholic Church frontage.

Mr. Morgan presented the proposal which included three changes to the St. Edward's frontage: Project one - sidewalk relocation; Project two - southern driveway relocation; and, Project three - northern driveway consolidation. He called attention to a drawing included in the agenda packet, which depicted the three proposed changes.

Mr. Morgan noted that Project two might be considered the most controversial of the three proposals in that the driveway is proposed to align with Claggett Street. A signal will be installed at Claggett as part of the Wittenberg project, making it necessary for the existing southern driveway to the Church to be either closed or moved to align with the new signal. Mr. Morgan presented two alternative designs for the new drive; a "curb-return" design, and a "drop-curb" design.

Mr. Morgan briefly explained Project three which called for consolidation of the northern driveway with the adjacent drive serving the office complex and apartment immediately to the north.

Mr. Morgan called attention to projected costs for each project. He noted that the aggregate cost for doing all three projects would be $52,000 to $57,000, depending upon the driveway configuration for the realigned drive. A cost of about $13,000 to realign the driveway would accrue to the St. Edward's property.

Mr. Morgan noted that the River Road Redevelopment Board considered the proposal, and after lengthy discussion, took action on the seven specific questions now being presented for Agency action. R3B recommended: (1) relocation of the southern driveway; (2) a "drop-curb" driveway design; (3) the Agency pay for realignment of the internal drive; (4) relocation of the sidewalk; (5) not to consolidate the north driveway; and, (6) to pursue other sidewalk relocations as part of the undergrounding project and/or as other opportunities arise. The question of whether a grant or loan should be given to St. Edward's for landscaping the areas around the new driveways (7), was tabled.

Mr. Morgan pointed out the urgency for an Agency decision since PGE equipment is at the site and ready to start work.

Tim Smith, Chairman of the River Road Redevelopment Board, responded to questions about R3B's discussions and recommendations. He indicated R3B's strong support for moving back sidewalks and creating a planting strip wherever possible in the corridor, thereby enhancing aesthetics and pedestrian opportunities.

Mr. Watson asked if the Agency would be acquiring property from St. Edward's. Mr. Smith pointed out that retro-fitting would occur within the right-of-way on about 80% of the property. Noting that representatives of the Church were present during the R3B discussion, Mr. Smith surmised that there would be no problem getting an easement from the Church for the remainder. Mr. Morgan interjected that acquiring an easement would be a simpler process than acquiring the property.

Mr. Newton indicated that for safety reasons he would like to see the northern driveway consolidated. Mr. Smith relayed his, and R3B's preference for consolidating driveways. He emphasized that the $27,750 estimated cost was the reason for R3B's "no" vote.

Mr. Keller declared a potential conflict of interest in that he is a member of St. Edward's Catholic Church. He stated that it would have no bearing on his decision, and that he would participate in the discussion and vote. Mr. Keller felt that the north driveway represented an issue only during higher congestion periods--on Sunday mornings, and during Keizerfest. He asked Mr. Morgan if the long-term plan would be toward consolidating the St. Edward's driveways or trying to close one and limit St. Edward's to one driveway. Mr. Morgan didn't envision any need to close a driveway. With regard to the proposal to consolidate the north driveway, he emphasized the redevelopment goal to take advantage of opportunities to consolidate whenever they are presented.

Mr. Keller asked what landscaping was proposed for the planting strip. Mr. Morgan answered that the estimated cost was based on ground cover and one tree about every 30 feet. Mr. Smith pointed out that landscaping around the proposed realigned south driveway was not included in the cost estimate. Mr. Morgan confirmed for Mr. Keller that four existing pine trees would have to be removed.

Chair Koho advised that he is also a member of St. Edward's, and would participate in the discussion and vote.

Mr. Beach noted that he was in attendance at the R3B meeting when the proposal was discussed. No other option for the north driveway was presented at that time. He now saw a possibility for a less expansive consolidated driveway, and indicated that he would like to see alternative designs to cut the costs possibly in half.

Mr. Miller questioned why the issue wasn't brought to the Agency sooner, rather than in an urgency situation. Mr. Morgan explained that the idea had just occurred to him as he was working through designs on the undergrounding project. He pointed out the time that it took to arrange meetings with Church representatives, and the need for R3B to consider the proposal.

Mr. Miller noted that Salem Electric only had to do small sections of sidewalk. He wondered why PGE's work required the entire sidewalk to be torn up. Mr. Morgan explained that in this case the location of the utilities made it necessary to go under the sidewalk rather than the street. He also pointed out the advantage of not having to close travel lanes.

Mr. Miller asked about the effects of planting trees over the utilities. Mr. Morgan explained that it was a design issue for PGE.

Mr. Miller asked about dirt and gravel piles on the Church property. Mr. Morgan believed it to be excavation from vault location.

Mr. Miller recalled that a property owner is responsible for maintaining a planting strip at his property. He noted that the staff report leaves the issue opened. Mr. Morgan acknowledged that the City's ordinance is written indicating property owner responsibility. He noted that St. Edward's has indicated concern and has raised the question of maintenance.

Mr. Miller relayed an issue brought up by Mr. McGee that the property in the rear of the church would someday be developed. He noted that when development occurs in Keizer, a property owner is required to share in the costs of improvements. It was Mr. Miller's feeling that if the Agency fronts the costs of the driveway, etc., there should be some kind of agreement with the church that they will reimburse the City for half of the costs of the improvement if and when the rear property is developed.

Mr. Morgan advised that the Arch Diocese was informed of that proposal. He anticipated that they would respond at tonight's meeting.

Mr. Watson responded to Mr. Miller's comments by stating that he felt it would be a change in policy if the City were to start charging for prospective development that hasn't occurred.

Mr. Watson asked if any of the retro-fitting allowed an opportunity for a bus turnout. Mr. Morgan had talked with the Transit District and it was felt that there was not sufficient time to explore the issue. Mr. Watson suggested that at the north end, the plantings and utility locations be structured to allow for pursuit of the idea in the future.

In response to a question from Mr. Watson about impacts on the north driveway if construction were to occur on the pad in front of the church, Mr. Morgan noted that the church has never talked about doing anything on the front pad. Mr. Watson then questioned whether it might be possible, in the future, to place a south turn only out at the north driveway if problems should occur. Mr. Morgan conceded that such a solution has been used at other locations.

Mr. Watson agreed that the R3B-recommended drop curb for the southern driveway would probably be sufficient at this time. He felt that if the back property should develop, there would be a source of funding and an opportunity to again consider the more expensive curb return.

Mr. Watson noted the hazard of entering and leaving the large service station at the corner of Sandy and River Road. He raised as a possibility the idea of a signal light at Sandy, and suggested a design alternative. He conceded that a signal at Sandy and one at Claggett would be too close.

Mr. Newton asked if the caution light on Sandy would be removed. Mr. Morgan answered that it would, when the signal goes in. Mr. Newton liked the idea of a turn lane on Claggett Street leaving the church property onto River Road. He also felt a bus turnout would be a good idea to pursue in the future.

In response to Mr. Watson's comments regarding the south driveway, Mr. Miller indicated that he would prefer to have the curbing constructed to handle future development rather than having to tear the improvements out and reconstruct at a later time. He felt the additional cost would be justified.

Mike Hemming, representing the St. Edward's Catholic Church, commented that when he first heard of the proposed retro-fitting it was his belief that the church owned the property from the curb on back. He now was aware that the city owns the right-of-way. Therefore, he felt that the City should be responsible for maintenance of the improvements.

Chair Koho asked Mr. Morgan how the circumstance would compare with an individual property owner's responsibility for maintenance. Mr. Morgan answered that there would be no difference. To say that the church is responsible for landscaping maintenance would be in keeping with the way all property is treated. Mr. Miller pointed out that existing property owners now have the duty to maintain the sidewalk, whether set back from the street or immediately at the street. Chair Koho thought it might be possible that as other improvements are done along River Road, the current policy might be revisited. He, however, stressed the City's current position with regard to property owner responsibility.

Mr. Morgan and Mr. Smith responded to questions from Mr. Henning about the proposed Claggett Street configuration.

Deliah Wilson, property manager from the Arch Diocese, indicated support for the urban renewal efforts to improve River Road. She indicated that the church is willing to work with the City on logistics, and to grant easements if required. She, however, prefaced her comments by saying that the church has a very comfortable complex that meets the needs of its parishioners. She noted that there are no plans in the immediate future to make any upgrades similar to what has been proposed. In that context, she asked that the Agency support the decision to provide any associated funding for the proposed projects. She emphasized that the church is involved in a variety of planning and funding projects, and that the proposed improvements would not likely be high on their priority list. She noted, however, that the church does wish to be good neighbors. She requested that if the Agency accepts the recommendation, it also approve maintenance of the planting strip with renewal funds.

Ms. Wilson addressed a comment made earlier about establishing an agreement between the Agency and St. Edward's Church, that the church would participate in funding of a signal when development occurs on the back portion of the property. She emphasized that the church currently has no plans regarding development, and saw the suggestion as a deviation from the City's standard practice. She concluded by saying that the church supports the project; however, they see it as motivated with the development occurring along River Road, and the Urban Renewal Plan--not a direct benefit to the church.

Mr. Hemming added that he could not justify an agreement for the church to participate in the future for installation of a traffic signal. He saw the signal as a means for the City to make River Road traffic safer.

Chair Koho referred to the following recommendations from the River Road Redevelopment Board:

1. Relocate southern driveway
2. Drop-curb driveway design
3. Agency pay for realignment
4. Relocate Sidewalk
5. Do not consolidate north driveway

He suggested the issue regarding a loan or grant for landscaping be considered if and when it is brought forward. At that time the maintenance issue can be revisited.

<u>Chair Koho moved that the Urban Renewal Agency adopt recommendations on issues number 1 through 5 from the River Road Redevelopment Board. Mr. Keller seconded the motion.</u>

For clarification, Mr. Miller advised that his comments regarding sharing costs were not with regard to a traffic signal--they were directed to the actual costs of the driveway as a street improvement. He pointed out that if the City were to totally front that cost now with no requirement for the church to participate, and the property at the rear of the church is developed at a later time, it would require participation. He saw it as only reasonable that the church be required to pay half of the costs for the current improvement, when that development occurs.

A motion by Mr. Miller to amend the motion on the floor to include that the City pay all the costs for the driveway improvements, the street, the curb, etc., and if the property

in the rear of the church is developed at some future date, the church be required to reimburse the city half of the costs the city is putting up died for lack of a second.

Mr. Watson felt that removal of the flashing light would make it hazardous for pedestrian traffic crossing River Road at Sandy. He wondered if anything would be done to discourage crossing there and promote crossing at the signal. Mr. Morgan responded that the issue had not come up before.

A motion by Mr. Watson to amend the motion on the floor that steps be taken to discourage pedestrian traffic across Sandy if the flashing light is removed died for lack of a second.

Chair Koho noted that lack of support for the amendment didn't mean that staff would not come back with some recommendations regarding pedestrian traffic.

Mr. Newton indicated support for Chair Koho's motion provided consolidation of the north driveway is pursued for safety reasons. He hoped a way to get costs down would be identified so that the issue could be revisited.

Mr. Beach noted that he would have been inclined to support Mr. Miller's motion had the church's participation been clearer. Requiring the church, down the road, to pay half the costs of improvements was not specific enough for his support. Mr. Morgan clarified for Mr. Beach that the estimate for the work on the private property is $13,000 based on the recommendation for a drop curb.

Mr. Beach moved to amend the motion on the floor to require that the city pay all the costs of improvements at this time, including the $13,000 for work on the private property owned by the church, but that the church be required to reimburse the City for that amount if and when the property behind the church is developed. Mr. Miller seconded the motion.

Mr. Watson indicated his support for the five recommendations in the original motion. He questioned the legality of the action proposed by Mr. Miller and Mr. Beach, and therefore would not support the amendment.

Mr. Keller indicated that he would be in support of the reimbursement concept if the church had initiated the proposed improvements. However, it was his feeling that since the idea was generated by the City, even though it involved improvements on private property, the City should bear the costs. He felt that future possibilities for the property had no bearing on what is currently occurring.

The motion failed with the following vote:

AYES: Newton, Miller, and Beach (3)
NAYS: Keller, Koho, and Watson (3)
ABSTENTIONS: (0)
ABSENT: McGee (1)

Mr. Miller moved to amend the motion on the floor, to reject R3B recommendation number 2 for a drop-curb driveway design for the southern driveway, and instead approve constructing the driveway with the curb-return design and storm drain.. The motion was seconded by Mr. Newton.

Mr. Miller stated that he would like to see the work "done right" the first time instead of having to make changes sometime in the future. He also felt that the additional $5,200 cost would be considerably greater in the future.

Mr. Koho pointed out the opportunity for sharing the costs with a developer if the church property were to be developed at a later date. Mr. Watson concurred.

The motion failed with the following vote:

AYES: Newton and Miller (2)
NAYS: Keller, Koho, Beach, and Watson (4)
ABSTENTIONS: (0)
ABSENT: McGee (1)

The original motion passed as follows:

AYES: Keller, Koho, Beach, Watson, Newton and Miller (6)
NAYS: (0)
ABSTENTIONS: (0)
ABSENT: McGee (1)

Chair Koho thanked the representatives from the church for their participation. He acknowledged that the landscaping issue would be discussed at a future date.

OTHER BUSINESS There was no other business to come before the Agency Board.

WRITTEN COMMUNICATIONS There were no written communications to come before the Agency Board.

EXECUTIVE SESSION The Urban Renewal Agency adjourned to Executive Session under ORS 192.660(1)(e) - Acquisition of Real Property at 6:58 p.m. The regular session reconvened at 7:05 p.m. Chair Koho announced that no action was needed from the Executive Session.

ADJOURN The meeting was adjourned at 7:06 p.m.

Tracy L. Davis
City Recorder

APPROVED:
URBAN RENEWAL AGENCY BOARD CHAIR

Dennis Koho

BOARD MEMBERS:

Jerry Watson	**Carl Beach**
Bob Newton	**Al Miller**
Jim Keller	**(absent)** **Jerry McGee**