

CITY OF KEIZER MISSION STATEMENT
**KEEP CITY GOVERNMENT COSTS AND SERVICES TO A MINIMUM BY
PROVIDING CITY SERVICES TO THE COMMUNITY IN A
COORDINATED, EFFICIENT AND LEAST COST FASHION**

A G E N D A
KEIZER CITY COUNCIL

Tuesday, September 7, 1993
7:30 p.m.

Robert L. Simon Council Chambers
Keizer City Hall
Keizer, Oregon 97303

*original
council
packet
9-7-93*

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PUBLIC TESTIMONY**

This time is provided for citizens to address the Council on matters not scheduled for public hearing.

4. **COMMITTEE REPORTS**

- a. Volunteer of the Month Award

5. **PUBLIC HEARINGS**

- a. Chemawa Activity Center (cont. from 8-16-93) (Adopt Ordinance)
- b. Clear Lake Area Comprehensive Plan Land Use Map Amendment (cont. from 8-16-93) (Adopt Ordinance)
- c. Keizer Little League Park Conditional Use Permit (Reopened from 8-2-93) (Adopt Ordinance)

6. **ADMINISTRATIVE ACTION**

- a. Formation of Local Improvement District in Keizer
- b. Bid Award - Lockhaven and Trail Avenue Construction
- c. An Ordinance Establishing the Charge and Terms of the Budget Committee (Adopt Ordinance & Resolution)

7. CONSENT CALENDAR

- a. RESOLUTION - Bid Award - North River Road Pump Overflow Line and Water Main Improvements
- b. Keizer Police Department Annual Report
- c. RESOLUTION - Purchase of Mailing System
- d. RESOLUTION - Authorizing City Manager to Enter into An Agreement with JVR
- e. Approval of August 16, 1993 Regular Session Minutes

8. OTHER BUSINESS

This time is provided to allow Council members the opportunity to bring matters before the Council which are not on tonight's agenda.

9. WRITTEN COMMUNICATIONS

To inform the Council of significant written communications and petitions.

10. AGENDA INPUT

September 20, 1993

7:30 p.m. City Council Meeting

ADA Self Evaluation Public Hearing
Keizer Little League Park Alternative Uses
Housing Issues
Certification of Lighting Districts
Building Code Administration

October 4, 1993

7:30 p.m. City Council Meeting

Library Task Force Report

11. ADJOURN

Upon request, auxiliary aids and/or special services will be provided to participants with disabilities. To request services, please contact us at 390-3700 at least two working days (48 hours) in advance.



City of Keizer

930 Chemawa Rd. N.E. • P.O. Box 21000

Keizer, Oregon 97307-1000 • (503) 390-3700 • Fax # 393-9437

COUNCIL MEETING: September 7, 1993

AGENDA ITEM NUMBER: 4a

TO: MAYOR KOHO AND CITY COUNCIL MEMBERS

THROUGH: DOTY TRYK
CITY MANAGER

FROM: TRACY L. DAVIS *tracy*
CITY RECORDER

SUBJECT: VOLUNTEER OF THE MONTH AWARD

The Volunteer Coordinating Committee recently selected Marty Matiskainen as the recipient of the September Volunteer of the Month Award. Mr. Matiskainen, a member of the Planning Commission, was nominated by John Morgan, Community Development Director.

A member of the Volunteer Coordinating Committee will be on hand to present the award to Mr. Matiskainen.

"Pride, Spirit and Volunteerism"



City of Keizer

Community Development Department

MEMORANDUM

DATE: August 26, 1993

TO: Tracy Davis,
City Recorder

FROM: John N. Morgan, AICP
Community Development Director

SUBJECT: Volunteer of the Month

I am pleased to nominate **Marty Matiskainen** for City of Keizer Volunteer of the Month.

Marty is a model of the "citizen" volunteer regularly serving in positions of community leadership. He has a long history of serving the Keizer community.

Marty was a member of the original Urban Renewal Advisory Committee. He is finishing his first three year term on the Keizer Planning Commission where he is a very active and thoughtful participant in the Commission's work. He recently served on the Commission's Chemawa Activity Center subcommittee which added many extra hours to his volunteer commitment. As a Planning Commissioner, Marty represents Keizer on the Salem/Keizer Public Schools Boundary Advisory Committee. He also participates with the rest of the Commission in the Mid-Valley Planning Forum. His commitment to serving as a "citizen planner" is reflected in his participation in activities and conferences of the American Planning Association.

Marty serves his Community in many ways outside of City Hall as well. He volunteers many hours to the Chamber of Commerce, Little League, Boy Scouts, St. Edward's Church, the Salem Chapter of the American Institute of Architects, and Keizer Rotary where he serves as Newsletter Editor.

Marty richly deserves to be recognized for his volunteer efforts to his community. I am honored to nominate him.



City of Keizer — *Community Development*

Phone: 390-3700 • Fax # 383-9437
930 Chemawa Rd. N.E. • P.O. Box 21000 • Keizer, Oregon 97307-1000

CITY COUNCIL MEETING: Sept. 7, 1993

AGENDA ITEM NUMBER: 5a

TO: MAYOR AND CITY COUNCIL

THROUGH: DOTTY TRYK,
CITY MANAGER

FROM: JOHN N. MORGAN, AICP
COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: CHEMAWA ACTIVITY CENTER PLAN

DISCUSSION:

The City Council opened this hearing on July 6, 1993. The hearing was continued until August 16 and then on to tonight. During the prior hearings a great deal of testimony was received.

At the Council's direction, an ordinance adopting the Chemawa Activity Center Plan as an element of the Keizer Comprehensive Plan has been prepared for the Council's consideration.

Two amendments to the Plan are proposed. The first was presented to the Council on July 6. It includes language clarifying the intent of the Plan relative to regional scale shopping centers. The amendment is attached and is also incorporated into the ordinance.

The second amendment is presented this evening. It is in response to the Council's direction to include language in the Plan stressing that the land west of the railroad tracks may not be appropriate for continued consideration as part of the Activity Center, and that any analysis of

"Pride, Spirit and Volunteerism" _____

future land uses should first analyze the need to include the area. The proposed language amendment is attached and is also incorporated within the adopting ordinance.

The recommendation below also proposes a process for Council involvement in undertaking the market study proposed for after this Plan is adopted. This process needs clarification. The intent is to secure predominantly outside funding for a study to essentially analyze the Planning Commission's outline found at the end of the Plan document. The study will determine which of these uses is realistic in terms of market need and capability to be developed, what other uses should also be considered, which uses should be specifically targeted, and what land will be necessary to support the recommended uses.

RECOMMENDATION:

It is recommended Council:

1. Reopen the public hearing and take any testimony, followed by closing the hearing.
2. Adopt the Chemawa Activity Center Plan, as amended, as an element of the Keizer Comprehensive Plan by adopting the attached ordinance.
3. Direct Staff to pursue funding for the market study.
4. Direct Staff to return to Council after funding is secured with a plan to establish a joint City Council/Planning Commission task force to work with Staff in developing the specifications of the market study, in preparing the request for proposals, and in the consultant selection process. This task force may continue as the "over-sight" body during the planning process.

1 BILL NO. _____

2 A BILL

ORDINANCE NO.

3 FOR

93-_____

4 AN ORDINANCE

5 ADOPTING THE CHEMAWA ACTIVITY CENTER PLAN
6 (AMENDING ORDINANCE NO. 87-077)

7 WHEREAS, the Keizer Comprehensive Plan calls for the
8 preparation and adoption of an Activity Center Design Plan for
9 the Chemawa Activity Center;

10 WHEREAS, the Keizer Planning Commission and the City
11 Council have held numerous public hearings to consider the draft
12 of the Chemawa Activity Center Design Plan;

13 WHEREAS, the City of Keizer has adopted the findings set
14 forth below regarding such design plan;

15 NOW, THEREFORE, the City of Keizer ordains as follows:

16 Section 1. FINDINGS. The City of Keizer adopts the
17 findings set forth in Exhibit "A" attached hereto and by this
18 reference incorporated herein.

19 Section 2. ADOPTION OF THE CHEMAWA ACTIVITY CENTER DESIGN
20 PLAN. The City of Keizer hereby adopts the Chemawa Activity
21 Center Design Plan as set forth in Exhibit "B" attached
22 (including Addenda 1 and 2) and by this reference incorporated
23 herein, and such design plan is hereby made a part of the Keizer
24 Comprehensive Plan.

25 Section 3. AMENDMENT OF ORDINANCE NO. 87-077. Ordinance
26 No. 87-077 (Keizer Comprehensive Plan) is hereby amended by the
27 addition of the Chemawa Activity Center Design Plan.

28 ///

1 - ORDINANCE NO. 93-_____

LIEN, HOBSON & JOHNSON

Attorneys at Law
4855 River Rd. N.
Keizer, Oregon 97303
(503) 390-1635

1 Section 4. OFFICIAL RECORD. One copy of the Chemawa
2 Activity Center Design Plan referenced above shall be marked
3 "Official Text" and kept on file in the office of the City
4 Recorder.

5 Section 5. SEVERABILITY. If any section, subsection,
6 sentence, clause, phrase, or portion of this Ordinance is for
7 any reason held invalid or unconstitutional by any court or
8 board of competent jurisdiction, such portion shall be deemed
9 a separate, distinct, and independent provision and such holding
10 shall not affect the validity of the remaining portions hereof.

11 Section 6. EFFECTIVE DATE. This Ordinance shall be
12 effective thirty days after its passage.

13 PASSED this _____ day of _____, 1993.

14 SIGNED this _____ day of _____, 1993.

15 _____
16 Mayor

17 _____
18 City Recorder

19 824.118

EXHIBIT "A"

Findings Regarding the Adoption of the Activity Center Design Plan (See criteria set forth at Keizer Zoning Ordinance 4.15)

The City of Keizer finds that:

1. The design plan complies with the statewide land use goals and related administrative rules as follows:

GOAL 1: CITIZEN INVOLVEMENT

Public hearings were conducted on this matter with the review and adoption proceedings consistent with local land use regulations.

GOAL 2: LAND USE PLANNING

The proposal amends an acknowledged Comprehensive Plan. The adoption proceeding was conducted in a manner consistent with the requirements of the Keizer Comprehensive Plan, the Keizer Zoning Ordinance and applicable state law.

GOAL 3: AGRICULTURE LAND

This goal does not apply as the proposal does not occur on land designated for agricultural use.

GOAL 4: FOREST LANDS

This goal does not apply as the proposal does not occur on land designated for forestry uses.

GOAL 5: OPEN SPACES, SCENIC AND HISTORIC AREAS, AND NATURAL RESOURCES

The subject area does not contain any identified natural and scenic areas, critical cultural and historical resources or other natural resources.

GOAL 6: AIR, WATER AND LAND RESOURCES QUALITY

Sewer, water and other public facilities are or will be in place ensuring adequate capacity for waste and process discharges. Further, the Activity Center Plan does not accommodate or encourage uses that will adversely affect air, water or land quality.

///

This goal does not apply as there are no identified hazards within the Activity Center.

The Activity Center Plan does not reduce or eliminate existing recreational opportunities.

Approval of the Activity Center Plan will permit significant development, providing economic opportunities during construction and continued opportunities as a viable commercial and/or industrial area.

The Keizer Comprehensive Plan establishes that the Chemawa Activity Center would primarily be developed for regional service center, light industry, hotel/motel and supporting facilities, convention facilities and/or retail shopping facilities. It is not designated as a housing development. Other properties have been designated and developed throughout the city for housing opportunities.

Adequate public facilities (including sewer, storm sewer and water) are in place to serve the Activity Center.

The existing traffic network is adequate to serve the Activity Center. Access to major arterials will be restricted to avoid traffic congestion. Policies will be in place to encourage pedestrian and bicycle traffic. Prior to allowing development, the City will prepare a Transportation Impact Study (TIS).

///

GOAL 13: ENERGY CONSERVATION

The Activity Center will establish an integrated development which combines both commercial and industrial uses. Alternative modes of transportation will be encouraged when final planning is done. The development of the property as an integrated center and the promotion of alternative transportation modes is expected to maximize the conservation of energy.

GOAL 14: URBANIZATION

The Activity Center Plan will establish urban type uses, utilizing urban levels of public service within an incorporated city. This is entirely consistent with the purpose and intent of Goal 14.

GOAL 15: WILLAMETTE GREENWAY

This goal does not apply as the Activity Center Plan will not occur within the Greenway.

GOALS 16, 17, 18 AND 19: ESTUARINE RESOURCES, COASTAL SHORELANDS, BEACHES AND DUNES, AND OCEAN RESOURCES

These goals do not apply as the Activity Center is not located in an ocean shoreland area.

2. The design plan conforms with the Comprehensive Plan goals, policies and intent in that the appropriate policies have been addressed and implemented as set forth in Keizer Comprehensive Plan Chapter III(2)(D)(h) (Activity Centers).
3. Public need is best satisfied by these amendments in that it allows flexible development within the Activity Center while meeting the goals of the Activity Center section of the Comprehensive Plan.
4. These amendments will not adversely affect the health, safety and welfare of the community.
5. Adequate public facilities, services and transportation networks are in place.

Findings with regard to this Ordinance are based on all written and oral testimony received at the numerous Planning Commission and City Council hearings on this matter. Such testimony includes, but is not limited to, staff reports, letters, and other written documents submitted in connection with this Ordinance. This evidence is incorporated by this reference as if fully set forth herein.

Justification for Ordinance

Keizer Comprehensive Plan directs that a Design Plan be prepared for the Chemawa Activity Center. At this time, the Plan being adopted is interim in nature. It will direct further feasibility and marketing studies which will guide the development of a final, and more detailed Plan.

This Plan was developed after numerous public hearings and meetings with interested citizens and property owners. This interim plan is designed to be flexible to meet changing market conditions and development of further information.

The development of this Plan will allow property owners more flexibility with regard to building improvements and will direct the establishment of a final plan.

824.118

Chemawa Activity Center Plan

Public Hearing Draft
July 1, 1993

City of Keizer, Oregon

1. INTRODUCTION

The Chemawa Activity Center, located at the intersection of Chemawa Road and I-5, represents the gateway to the Community and a significant development opportunity for the region. The Keizer Comprehensive Plan recognized this opportunity, and calls for a mix of light industry, hotel/motel, conference center, retail and supporting uses. See Figure 1.

A major shopping center developer evaluated several potential sites in the Salem/Keizer area in 1987, including the Chemawa area. An Activity Center plan was drafted and included in the City of Keizer's proposed local periodic review order. The plan was withdrawn when the developer decided not to invest in the region, and the local periodic review order needed additional work. Later in 1990, another developer conducted preliminary efforts to option much of the area and study the potential for a shopping center. Property owners, City officials and the community have had high expectations, but have been disappointed as exciting prospects have not materialized.

The Keizer Planning Commission focused on the Chemawa area in early 1993, and produced an Outline of Issues and Ideas which is included in the Appendix. This working document illustrates the opportunities for the area, the land use and infrastructure issues which need to be addressed, and the requirement for strong public/private leadership to implement the Activity Center Plan.

2. PURPOSE of the ACTIVITY CENTER PLAN

This Activity Center Plan establishes City policy to guide the intense development allowed by the 1987 Keizer Comprehensive Plan and Zoning Ordinance for the Chemawa Activity Center. The purpose of the Activity Center Plan is to establish policies for a mix of land uses, to identify basic public facilities needed to handle anticipated growth, and to develop a financial strategy to pay for necessary improvements.

This document represents a Phase 1 plan for the Chemawa Activity Center. In considering the possible land uses for the area, the Planning Commission noted that light industrial uses may be one of several acceptable primary uses. A shift from light industrial will require major changes to the Keizer Comprehensive Plan and delay adoption of the Chemawa Activity Center Plan. The Phase 1 plan:

1. Implements the Comprehensive Plan,
2. Defines a broad vision for the Chemawa Activity Center which is consistent with the current Comprehensive Plan land use designations and provides for flexibility,
3. Identifies the basic public facilities which will support a range of potential uses,
4. Considers short-term regulations to assure that future opportunities are preserved, and
5. Identifies the public and private roles to achieve this vision.
6. Sets the stage for more detailed economic analysis, planning, and implementation.

Additional phases of this plan may be undertaken as new opportunities are identified.

3. THE COMPREHENSIVE PLAN FRAMEWORK

3.1 The Activity Center Plan Area

The Activity Center Plan covers the area designated as the Chemawa Activity Center in the Keizer Comprehensive Plan. The area is an "urban transition" district: existing single-family dwellings on large lots are mixed with small farms, nurseries and other agricultural uses. Approximately 10 percent of the land area is developed. (See Figure 1)

The Keizer Comprehensive Plan establishes general land use patterns and policies for this area. North of Lockhaven Drive, Area A is designated Commercial and Campus Light Industrial. Area B is also designated for light industrial uses. South of Lockhaven Drive, Area C is designated for light industrial uses. Policies in the Keizer Comprehensive Plan determine that an employment area service center should be located within the Chemawa Activity Center, and require that Activity Center plans are prepared and approved before specific development applications in the activity center are approved.

The land use designations shown on Figure 2 in the Keizer Comprehensive Plan, and on the zoning map before an Activity Center plan is adopted, are generalized and will be refined during the preparation of Activity Center plans. Transfer of development rights within activity centers are allowed and planned developments are encouraged. Activity Center plans will be prepared for entire activity centers, not individual parcels or for individual projects.

3.2 Comprehensive Plan

The Keizer Comprehensive Plan identifies several policies for the Chemawa Activity Center:

1. Primary uses are employment area service center, light industry, hotel/motel and supporting facilities, convention facilities, and retail shopping facilities.
2. Improve access to the district and Lockhaven Drive. Coordinate transportation improvements with the industrial district to the north.

An Employment Area Service Center is to be located near the Chemawa Interchange in the Chemawa Activity Center. Policies for Employment Area Service Centers are stated in the Plan:

1. Allowed uses are retail, service, and office uses related to nearby industrial districts, and area commercial uses serving the traveling public such as restaurants, hotels, conference centers and shopping facilities.
2. A employment area service center should:
 - a. Be from 20 to 50 acres in size.
 - b. Have direct access from I-5 and an arterial street.
 - c. Provide facilities and services to adjacent industrial areas and to the traveling public.
 - d. Not encourage traffic through residential neighborhoods.

4. CHEMAWA ACTIVITY CENTER PLAN

4.1 Role of This Plan

The Chemawa Activity Center Plan will be adopted as an element of the Keizer Comprehensive Plan. All development activity within the area will be reviewed and approved in accordance with the provisions of this Plan. The Comprehensive Plan will be revised concurrent with the adoption of this Plan to acknowledge and incorporate it.

The Plan has 16 policies which are found in subsections below. These are the functional components of this Plan, and all development proposals will be evaluated based on these policies. All material in this Plan other than the policies is description and analytical and is subservient to the policies. Recommended actions and strategies found in the Plan provide direction for additional work tasks necessary to implement this Plan.

4.2 Summary

The Chemawa Activity Center Plan calls for the future development of a dynamic, attractive mixed use area incorporating a mix of retail, office, service commercial, public and semi-public, and light industrial uses near the I-5 Chemawa interchange. South of Lockhaven Drive, Ridge Drive will require realignment to better serve adjacent land uses and solve traffic conflicts at Lockhaven. The intersection of Chemawa Road and Lockhaven Drive will be closed.

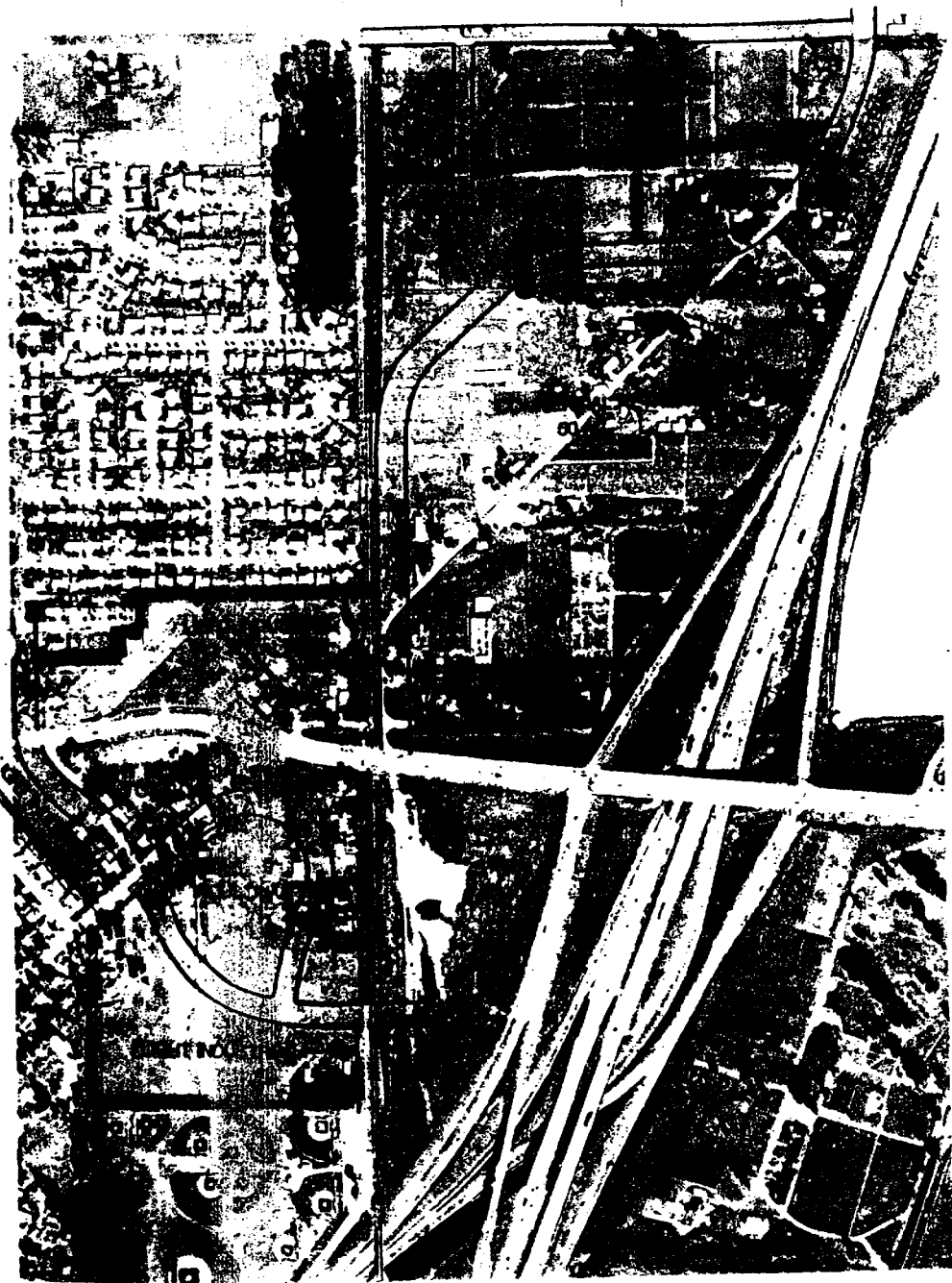
North of Lockhaven Drive, basic public facilities such as sanitary sewer, water, drainage, and streets must be provided to serve a mix of commercial and light industrial uses. These public facilities are located and designed in a way that allows some flexibility in the amount and location of specific commercial developments, and permits the City to respond to individual development opportunities as they occur. Major improvements to the Radiant Drive/Lockhaven Drive intersection will be required, as will future improvements to the I-5 Chemawa on and off ramps.

In order for the Activity Center Plan to be realized, the City of Keizer must take an aggressive posture regarding public facility planning and financing. The City should pursue designating the Chemawa area as an Urban Renewal District, and should utilize tax increment funds, as well as development fees and assessment fees to finance needed public improvements. Grants and loans from the Oregon Economic Development Department should also be pursued.

It is also imperative the City of Keizer take an aggressive economic development posture, taking leadership and partnership with the private sector in marketing and developing the properties within the Activity Center.

4.3 The Plan Area

The Comprehensive Plan identifies the area within the Chemawa Activity Center. These lands, when the Plan was adopted in 1987, were those lands within the City where more detailed planning and development was required. Since the Comprehensive Plan was adopted, the area south of Chemawa Road east of the railroad was annexed. This area is approximately 20 acres, and was originally acquired by ODOT for construction of the I-5/Chemawa interchange. Because this area is a significant vacant parcel located adjacent to the I-5 interchange, it is appropriate to include it within the Chemawa Activity Center.



Chemawa Activity Center Plan - PUBLIC HEARING DRAFT

Area D: ODOT Property

This area includes approximately 20 acres originally acquired by ODOT for construction of the I-5/Chemawa interchange. The area is identified for future transportation use including park and ride facility, and transit center. Limited supporting commercial uses may also be provided.

Policies:

1. *The future land use shall be campus light industrial.*
2. *The future use of this area shall be retained and protected by continuing the Urban Transition (UT) zoning designation. The UT zone shall remain until public facilities including streets, sanitary sewer, water and drainage improvements described in this Plan are provided.*

4.5 Public Improvements

The Chemawa Activity Center will require a full range of public improvements in order to develop to the densities called for in this Plan. A discussion of public improvement issues and requirements is included in the Appendix. A public facilities plan was prepared for the Chemawa Activity Center in 1988, and subsequently updated and included in the City's Public Facility Plan. A summary of all projects and their estimated cost is also found in the Appendix.

The public facility plan for the Chemawa Activity Center is described below.

Transportation Facilities

The Chemawa Interchange area is quickly developing into a major transportation hub. At this intersection automobiles are served by Interstate 5, by Salem Parkway as a major access to downtown Salem and the Capitol Mall, and by Lockhaven, Chemawa, and Hazelgreen as east/west arterials. Transit and car and vanpools are served by the future park and ride on the ODOT property and by the immediate access to major travel routes. Finally, passenger rail service will interface with the area via the near-term development of high-speed rail on the Southern Pacific tracks immediately east of the interchange, and via the future rail link between the interchange and downtown Salem and the Capitol Mall along the Burlington Northern tracks.

This "hub" of travel activity provides a strong catalyst for the top-quality economic development of the interchange area. It also is a function that should be strengthened and supported through this Plan. Major areas of planned improvements are discussed below.

Street Improvements

The Activity Center Plan has been developed to provide for a traffic circulation pattern which will provide for a minimum of conflicts on the major arterial. Specific planned changes include:

1. The Radiant Drive intersection with Chemawa Road will require signalization.
2. Chemawa Road's intersection with Lockhaven will be closed, with traffic rerouted north on McLeod to access Lockhaven at this newly signalized and improved intersection.

Chemawa Activity Center Plan - PUBLIC HEARING DRAFT

No major sewer projects are proposed to serve areas B and C. Service to Area A will require the construction of the Labish trunk from the intersection of North River Road and Wheatland Road to a point approximately in the center of Area A. The line will have the capacity to serve other presently unserved areas of Keizer.

Proposed is the construction of a 10 inch water main from the intersection of Lockhaven Drive and McLeod Lane to a new well in Area A. This extension will provide the basis for domestic water service and fire protection. Future extensions of this system to the North will provide service to the light industrial area north of the activity center.

Storm Drainage Facilities

Development of the activity center will require construction of major storm drainage systems. The system which would serve Area C and a portion of Area B was shown on the Keizer Master Storm Drain Plan. The system which serves the balance of Area B and Area A is proposed to be constructed to Labish Ditch. Local detention basins are not shown but would be required as development occurs as per the City's present policy of requiring stormwater detention.

Public Improvement Policies:

1. *The public improvement plan outlined above and included in the City's Public Facilities Plan, shall be incorporated as part of this Plan.*
2. *A comprehensive transportation plan shall be prepared by the City. This transportation plan shall consider traffic circulation within the Activity Center and to I-5, and alternative modes. The transportation plan will refine project activities previously described in this Plan.*
3. *The comprehensive transportation plan described above shall include a financing plan. The financing plan shall identify potential funding sources, and a cost-sharing strategy for all new development.*

4.6 Phasing and Interim Improvements

The transportation and public facility requirements noted above will be required to support full development of the Chemawa Activity Center. However, interim improvements may be possible to support early phases of development. These interim improvements should be identified as specific development applications are considered by the City. In no case, however, should interim improvements preclude the later development of transportation and public facility projects as outlined above, and all new development should be required to participate in funding these longer-term projects.

Policy:

1. *Interim improvements public improvements shall not preclude the later development of transportation and public facility project adopted as part of this Plan.*

4. CHEMAWA ACTIVITY CENTER PLAN

4.1 Role of This Plan

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The Plan has 16 policies which are found in subsections below. These are the functional components of this Plan, and all development proposals will be evaluated based on these policies. All material in this Plan other than the policies is description and analytical and is subservient to the policies. Recommended actions and strategies found in the Plan provide direction for additional work tasks necessary to implement this Plan.

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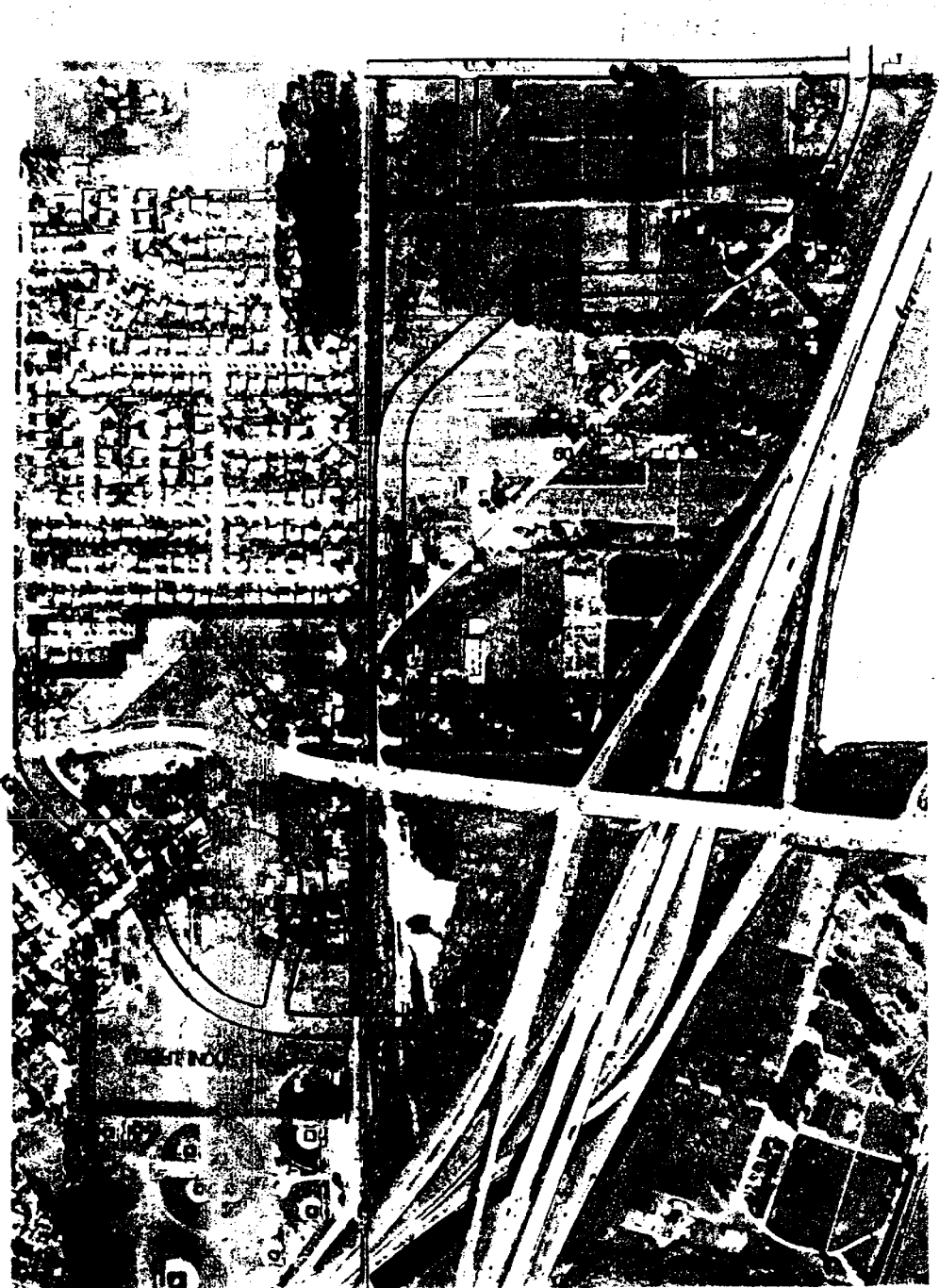
North of Lockhaven Drive, basic public facilities such as sanitary sewer, water, drainage, and streets must be provided to serve a mix of commercial and light industrial uses. These public facilities are located and designed in a way that allows some flexibility in the amount and location of specific commercial developments, and permits the City to respond to individual development opportunities as they occur. Major improvements to the Radiant Drive/Lockhaven Drive intersection will be required, as will future improvements to the I-5 Chemawa on and off ramps.

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It is also imperative the City of Keizer take an aggressive economic development posture, taking leadership and partnership with the private sector in marketing and developing the properties within the Activity Center.

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Chemawa Activity Center Plan - PUBLIC HEARING DRAFT

Area D: ODOT Property

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Policies:

1. *The future land use shall be campus light industrial.*
2. *The future use of this area shall be retained and protected by continuing the Urban Transition (UT) zoning designation. The UT zone shall remain until public facilities including streets, sanitary sewer, water and drainage improvements described in this Plan are provided.*

4.5 Public Improvements

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The public facility plan for the Chemawa Activity Center is described below.

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Chemawa Activity Center Plan - PUBLIC HEARING DRAFT

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Public Improvement Policies:

1. *The public improvement plan outlined above and included in the City's Public Facilities Plan, shall be incorporated as part of this Plan.*
2. *A comprehensive transportation plan shall be prepared by the City. This transportation plan shall consider traffic circulation within the Activity Center and to I-5, and alternative modes. The transportation plan will refine project activities previously described in this Plan.*
3. *The comprehensive transportation plan described above shall include a financing plan. The financing plan shall identify potential funding sources, and a cost-sharing strategy for all new development.*

4.6 Phasing and Interim Improvements

The transportation and public facility requirements noted above will be required to support full development of the Chemawa Activity Center. However, interim improvements may be possible to support early phases of development. These interim improvements should be identified as specific development applications are considered by the City. In no case, however, should interim improvements preclude the later development of transportation and public facility projects as outlined above, and all new development should be required to participate in funding these longer-term projects.

Policy:

1. *Interim improvements public improvements shall not preclude the later development of transportation and public facility project adopted as part of this Plan.*

5. FINANCIAL AND IMPLEMENTATION STRATEGY

Implementation of the Activity Center Plan cannot be accomplished without targeting substantial sources of revenue for recommended projects. Commitment of City resources and energies will also be required. If the City truly wants to encourage economic development, it must enthusiastically support and promote the effort, it must commit adequate staff resources, it must be willing to commit public funds, it must be willing to exercise its legal rights for the benefit of the community, it must be flexible and able to respond quickly to changing conditions, and perhaps most importantly, it must be willing to take chances in pursuit of a vision. The Activity Center Plan is the blueprint for that vision.

5.1 Financial Strategy

Based on the examination of the local revenue options described in the Appendix and considering other federal, state and regional sources, it was found that:

Federal revenue sources could substantially contribute to the implementation of needed projects. However, these revenue sources could not meet total revenue needs and under any circumstance, local revenue would need to match the federal funds.

The development community can contribute through land dedications to the betterment of the area. LID's and service fees are proven methods of providing sewer and water service when done in conjunction with development.

The public improvement problems in the Activity Center Plan area require a comprehensive approach and tax increment financing provides such a comprehensive approach. This financing method can accomplish needed improvements quickly, and can have long-term, positive impacts on the total assessed value of the City. However, with Measure 5 limitations on tax increment funding, as interpreted by the Oregon Supreme Court, there may be serious limitation on the capability to use these fund. Equivalent tax rates for urban renewal activities must be counted in the \$10.00 per thousand limitation. Therefore, there is concern about counting on tax increment financing as the financial foundation of this project.

State of Oregon Economic Development Funds may be appropriate for development of the infrastructure to serve the Activity Center. These funds are primarily used when there is a clear showing of positive economic impacts, especially in the creation of jobs. The thrust of this Plan is to create such an impact, and therefore Economic Development funds become an important part of the financing strategy.

In conclusion, no single source of funds can be targeted as the way to pay for needed infrastructure improvements.

Financial strategy:

1. *Use federal, state, and regional revenue sources, particularly in the area of transportation, to the fullest extent possible.*
2. *Continue the current use of service fees and LID's to provide various utilities where practical.*
3. *Encourage developers and local property owners to be responsible for outright dedication of needed public right of way.*

Chemawa Activity Center Plan - PUBLIC HEARING DRAFT

5. Send information packages to representatives of targeted developers or users, promoting economic development opportunities in the Activity Center area.
6. Send information packages to commercial real estate brokers in the Keizer-Salem and Portland areas, to local Chambers of Commerce, and to representatives of the Oregon Economic Development Department.
7. In addition to the traditional marketing steps outlined in items 1-5, the City, or the Renewal Agency, in co-operation with property owners in the Activity Center area could prepare a form of solicitation for development proposals in the Activity Center area. This solicitation would identify market opportunities, cite the availability, price and terms for land, state any requirements imposed on the development, and note any assistance available through the City, or the Redevelopment Agency. Interested developers could be invited to submit proposals for evaluation by the City, the Renewal Agency, or an appointed citizens panel.

Steps in implementing the Marketing Strategy

1. Retain an economist to do a low-level "highest and best use" analysis of the Activity Center area.
2. When the highest and best use analysis is completed, prepare a development and marketing strategy paper, defining the types of used desire by the City, and their preferred location within the Activity Center area.
3. Define the level of assistance, if any, the City, or urban renewal agency is willing to extend to attract various types of developments to the Activity Center.
4. Prepare market and demographic information about the Keizer market, and relevant information about the Activity Center site.
5. Prepare a marketing brochure for the Activity Center incorporating at least the demographic and site specific information from item 4. This brochure might include desired uses, and level of assistance, or those might be incorporated into a more detailed report to be used for follow up on initial expressions of interest.
6. With the assistance of the economic consultant, area brokers, and other knowledgeable sources, prepare a target list of parties to receive the marketing package.
7. Identify a central source at the City for distributing the marketing information, and receiving inquiries about the Activity Center.
8. Send the brochure to the targeted list of brokers, developers, and end users.
9. Establish a procedure for handling inquiries, and for request for City and/or urban renewal financial assistance to developers.

5.3 Activity Center Plan Approval

The Chemawa Activity Center Plan is to be implemented through the zoning and subdivision process.

Actions:

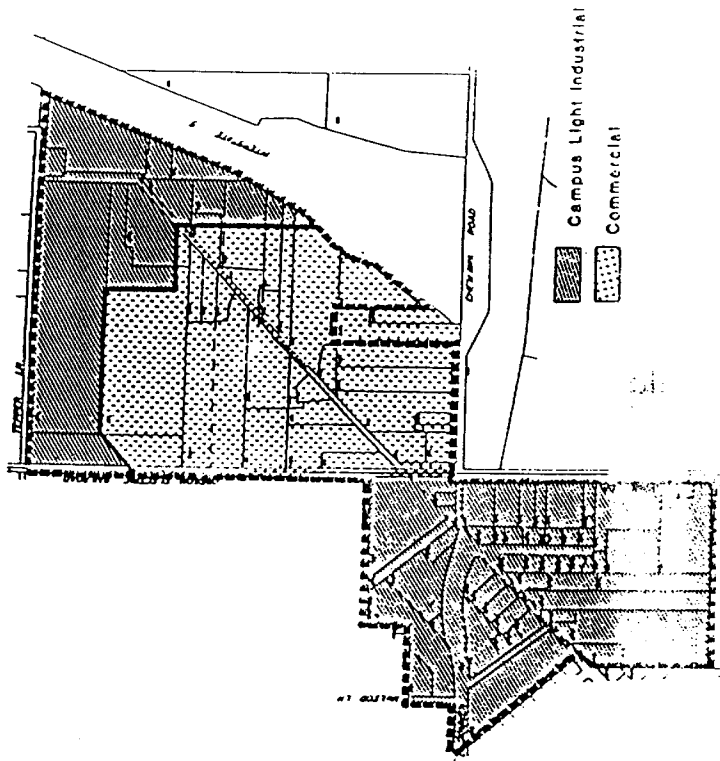


CHEMURA ACTIVITY CENTER
DESIGN PLAN
REVISED DRAFT
January, 1964

for
CITY OF KEIZER
OREGON

Prepared by
William J. Peterson, Registered Professional Engineer
Civil, Mechanical, Electrical

— FIGURE 3 —
COMPREHENSIVE PLAN
LAND USE MAP



757

EXHIBIT "2"

ISSUES and PROBLEMS

Traffic and Circulation

Main arterial access for the Chemawa Activity Center will be via I-5 and Chemawa Road. Present access to these arterials is adequate to handle the existing volumes of traffic. As the Activity Center develops, traffic volumes will increase to the extent that major improvements to the transportation system will be required. The design plan anticipates growth in traffic in the area and is developed in such a way as to provide for that growth.

The Activity Center is divided by the Oregon Electric Railroad tracks. The present rail traffic in this area is quite low, which minimizes interruptions to through traffic. New crossings of the railroad should be kept at a minimum. The present access to the activity center on the east side of the railroad (Area A) is provided by Radiant Drive. This access is approximately 800 feet west of the signalized off ramp from I-5. It is anticipated that additional accesses to Chemawa Road between Radiant Drive and I-5 will be disavored by ODOT. The Radiant Drive access will become the main entrance to the activity center on the north. The large volumes of traffic using this access will create the need for a signalized intersection. The design plan provides for a boulevard type street for the Radiant Drive access. It is proposed that a divider island be used along the Radiant Drive arterial to the first main side street. The right of way needs for the southerly 1800 feet will be approximately 120 feet. The right of way proposed will accommodate two north bound lanes, one north bound bike path, two south bound left turn lanes and one south bound right turn lane and one south bound bike path.

Main power distribution lines along the east side of the railroad present additional challenges for determining the final placement and width of the Radiant Drive arterial.

Additional access to Area A is available from Tepper Lane. This roadway presently serves the residential areas west of Area A and the Bonneville Power and P.G.E. substations. It is not anticipated that the traffic volumes will be large from the residential areas west of the railroad to Area A via Tepper Lane. The Keizer Comprehensive Plan indicates a future roadway from Area A to North River Road which would provide for additional access. The design plan provides for improving Tepper Lane to a collector standard along the north line of Area A.

The I-5 - Salem Parkway access to Area A will require a high volume of left turn movements from the northbound off ramp of I-5 to Chemawa Rd. and from the southbound Radiant Drive Boulevard to I-5 on Chemawa Road.

Public Facilities/Utilities

The Chemawa Activity Center will require full municipal services to develop fully. The City of Keizer provides water service, sewer service, street and storm drainage maintenance, police service and other city services. The Keizer Fire District provides fire protection to this area of the City of Keizer. Portland General Electric Company provides power service to this area of Keizer. Northwest Natural Gas Company provides gas service to all of Keizer. Telephone service is available to the area as is cable TV.

The City of Keizer is currently undertaking a revision of its master water plan. The plan currently being used as a guide by the city was developed by the Keizer Water District prior to the incorporation of the city when a large portion of the activity center was not under the District's jurisdiction. The design plan assumes that a new water main will be constructed along Lockhaven Drive to serve the activity center. In addition, it is anticipated that a new source of water supply in Area A will be

Chemawa Activity Center Plan - PUBLIC HEARING DRAFT

No specific development proposal or single developer has committed to the Activity Center Plan area. Therefore, a range of development options including several land use scenarios were prepared for the Activity Center Plan including a range of land use mixes.

Keizer considers the current Activity Center Plan proposal to be conceptual in nature. Further development of detail would be completed as part of the zoning process once a specific development proposal had committed itself to the area. A flexible plan is needed to support and attract future development proposals.

LAND USE SCENARIOS

Three land use scenarios were prepared for the Activity Center Plan area which represent a range of land use mix. Light industrial development was assumed for each scenario in Area C south of Lockhaven Drive and Area B west of the railroad line. A mix of light industrial and commercial uses were assumed for Area A north of Lockhaven Drive. The following scenarios describe land use options for the Activity Center Plan area.

Scenario A

This scenario is based on designating approximately 35 percent of Area A for light industrial uses, with the remaining area designated for a variety of commercial uses. A hotel/conference center and related commercial uses such as restaurants, would need about 8 acres, office uses about 8 acres, and low density retail shopping uses about 24 acres. The retail center may be enclosed, or may be a series of smaller centers or single-user buildings.

Scenario B

Approximately 25 percent of Area A is designated for light industrial uses, with a greater area used for commercial purposes. A hotel/conference center and related commercial uses would need about 7 acres, office uses about 7 acres and a high density retail shopping facility about 35 acres. This scenario assumes an enclosed shopping center is developed in Area A, with supporting commercial and office uses located nearby.

Scenario C

Scenario C provides for about 7 acres of light industrial uses in Area A, with the majority of the area devoted to commercial uses. The same scale of hotel, office and support commercial uses are assumed here as with the other scenarios. The retail commercial uses with this scenario could take a variety of different forms. A closed or enclosed shopping center is possible, along with single-user structures with their own access and parking. A similar retail center is developing in the East Delta Park area in Portland. Many of the single-user operations are discount stores offering durable goods such as building materials, appliances and furniture. These structures are often used for warehousing merchandise as well as selling goods to the public.

Chemawa Activity Center Plan - PUBLIC HEARING DRAFT

PROJECT IMPROVEMENTS and COSTS

A. Street Construction

1. Radiant Drive Boulevard	\$ 287,200
2. Signalization of Radiant Drive @ Chemawa Road	159,500
3. Balance of street system in Area A	625,400
4. Improvements to Lockhaven	
Between I-5 and Radiant Drive	229,700
Between McLeod Lane and Radiant Drive	204,20
Improvements to signals at on and off ramps	108,500
5. Signal at McLeod Lane	127,600
6. Roadway Improvement within Area C	523,300
Subtotal Street Construction	\$2,265,400

B. Storm Drainage Construction

1. Storm drain trunk system Area A	\$ 772,200
2. Storm drain trunk system Area B	439,900
Subtotal Storm Drainage	\$1,266,100

C. Sanitary Sewer Construction

1. Trunk Line to serve Area A	\$ 1,266,100
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D. Water System Construction

1. Well and distribution	\$478,600
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TOTAL COST	\$5,401,200
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FINANCING ALTERNATIVES

Local Improvement District

A Local Improvement District (LID) is a method used to finance public improvements and facilities by distributing the costs of the improvements to surrounding property owners. This tool has the advantages of insuring that all the benefiting property owners pay an equitable amount towards an improvement, and it allows property owners to finance their assessment over time at attractive interest rates. The disadvantage is that if property owners do not benefit from the improvement, the costs may be a substantial economic burden.

Tax Increment Financing

Tax Increment Financing is a vehicle made available under the provisions of Oregon's Urban Renewal Statutes. Once a governmental body adopts an urban renewal plan, a statement of the total true cash value of all the real and personal property in a renewal area is made and it is called the "frozen base." The "frozen base" is used to calculate tax increment proceeds that go to the local renewal agency. Property tax revenues from the frozen base still are distributed to local taxing bodies, but during the life of the Urban Renewal Plan, the local renewal agency will receive tax revenues from any increase or "increment" in true cash value in the renewal area. These "increment" funds can be used for public improvements and other purposes specified in the local Urban Renewal Plan prepared for a specific area. An advantage of this method is that needed up-front improvements such as sewers, water and streets can be financed by bonds repaid by tax increment funds.

Systems Development Charge and Donations

Traditionally, developers have constructed, at their expense, streets, water supply and sewage systems, and drainage systems within their developments. Donation of land for public right of way and improvements is also typical. All new development, however, creates additional public costs. Some of these are capital costs such as utilities, schools and the like. Others are operating costs such as police and fire protection and general government. A systems development charge is a method to assess the off-site impacts caused by a development, and require the development to pay for these impacts which are related to and benefiting the development.

Municipal Bonds and Special Tax Levy

Municipal bonds are issued to finance public capital improvements, and represent public borrowing from a financial institution with repayment and interest specified by an agreement. Bonds are typically backed by a municipality's taxing power. A special tax levy is usually needed, requiring a public election to approve the added property tax needed to retire the bonds. This method may not be reliable for public improvements in a largely undeveloped area where the improvements do not directly benefit the majority of voters.

Chemawa Activity Center Plan

Outline of Issues and Ideas

I. Purpose

- A. Create Gateway to Community**
- B. Maximize potential of activity center area**
- C. Prevent haphazard, disjointed development**
- D. Plan for best system of public infrastructure**
- E. Maximize return to community**
 - 1. Economic**
 - a) Property Values
 - b) Employment
 - c) Secondary Dollars
 - d) Compliment to River Road Commercial Corridor
 - e) Support Housing Market
 - 2. Social**
 - a) Community Focal Point
 - b) Source of Pride
 - c) Supporting Community Values
 - d) Support Cultural Base

II. Issues

- A. Defining market with best value to Community**
 - 1. Highest Chance of Economic Success**
 - 2. Least Negative Impact on Community**
- B. Land Use Pattern**
 - 1. Acceptable uses**
 - 2. How to Zone, yet allow flexibility to respond to market**
 - 3. Overcoming "allocation" questions**
 - a) Housing
 - b) Industrial
- C. Infrastructure**
 - 1. Sewer**
 - 2. Water**
 - 3. Storm Drainage**
 - 4. Transportation**
 - a) Circulation Patterns
 - b) Access to Lockhaven
 - c) Alternative Modes
 - (1) Park and Ride
 - (2) Transit Service
 - (3) Rail Service
- D. Implementation**
 - 1. Who Owns?**
 - 2. Who puts in infrastructure?**
 - 3. Who finances infrastructure?**
 - 4. Who markets?**

III. Land Use/Economic Pattern

- A. "Nature" or "Theme" of the Activity Center**

Chemawa Activity Center Plan

Outline of Issues and Ideas

- (1) Fred Meyer
 - (2) Joe's
 - b) Smaller Retail
 - (1) Transportation Oriented
 - (2) Sports Related
 - (3) Entertainment
 - (4) Food Service
 - (5) Personal Services
 - (6) Day Care
 - 7. Mixed
 - a) All Above
 - b) Residential
- C. Land Use Pattern**
- 1. Area 1 - CLI south of Tepper Lane
 - a) Keep as CLI
 - b) Expand commercial area to south
 - c) Golf Resort
 - 2. Area 2 - Commercial NW of Interchange
 - a) Focal Point of Project
 - b) Commercial
 - (1) Hotel/Restaurant/Conference Center
 - (2) Major Retail
 - (3) Small Retail
 - 3. Area 3 - ODOT Property
 - a) Park and Ride
 - b) Transit Center
 - c) Support Retail
 - 4. Area 4 - West of Railroad Tracks
 - a) Residential
 - b) Expansion of Little League Park
 - (1) Little League/Adult Leagues
 - (2) Tournament Play
 - c) Campus Light Industrial
 - d) Major Retail south of Lockhaven
 - e) Small Retail

IV. Public Infrastructure

- A. Sewer**
 - 1. Main coming from north
 - 2. Collection system
- B. Water**
 - 1. New well
 - 2. Reservoir
 - 3. Distribution system
- C. Storm Drainage**
 - 1. Lines to north and south
 - 2. On-site detention

Chemawa Activity Center Plan

Outline of Issues and Ideas

1. Who

- a) City
- b) Developer
- c) Development Commission

2. How

- a) Private Party Assembly
- b) Urban Renewal Agency Assembly

C. Infrastructure Financing

1. Developer

2. Tax Increment

- a) Revenue Stream
- b) Bond

3. Economic Development Grant/Loan

4. Combination

5. Must come first

Chemawa Activity Center Plan

Proposed Amendments - September 7, 1993

Amend the Descriptions of Area B and Area C on Page 10 as follows:

Area B: North of Lockhaven

This area includes approximately 13 acres, and is located north of Lockhaven Drive. The predominant land use is planned for light industrial, but medium and high density housing may also be considered at a later date.

The need to keep this area as part of the Activity Center should be a top priority for consideration during the detailed planning process resulting from the adoption of this Plan. If it appears there is no need to use the land for a significant use that requires City intervention, such as assembly of parcels, provision of infrastructure, or promotion through the City's economic development efforts, then the land should be removed from consideration. In this case, a subsequent planning process will need to be immediately undertaken to determine the best future Comprehensive Plan land use designation for the area.

Policies:

1. *The future land use shall be campus light industrial.*
2. *The future use of this area shall be retained and protected by continuing the Urban Transition (UT) zoning designation. The UT zone shall remain until public facilities including streets, sanitary sewer, water and drainage improvements described in this Plan are provided.*
3. *The number of vehicle access points on Lockhaven Drive shall be minimized. Combining access points for adjacent parcels shall be required.*
4. *A minimum spacing standard for vehicle access points shall be 400 feet apart along an arterial street and 200 feet along a collector street.*
5. *The need to keep the area in the Activity Center shall be a first priority for consideration in subsequent planning processes following adoption of this Plan.*
6. *If the land is removed from the Activity Center, then it should be immediately studied for determination of the appropriate Comprehensive Plan land use designation.*

Area C: West of Railroad

Area C includes approximately 37 acres south of Lockhaven Drive and west of the Railroad. The predominant land use is planned for light industrial, but medium and high density housing, recreation or commercial uses may also be considered at a later date.

The need to keep this area as part of the Activity Center should be a top priority for consideration during the detailed planning process resulting from the adoption of this Plan. If it appears there is no need to use the land for a significant use that requires City intervention, such as assembly of parcels, provision of infrastructure, or promotion through the City's economic development efforts, then the land should be removed from

consideration. In this case, a subsequent planning process will need to be immediately undertaken to determine the best future Comprehensive Plan land use designation for the area.

The circulation system in Area C consists of the realignment of the intersection of Chemawa Road to the west to form an intersection on Lockhaven Drive opposite McLeod Lane. This proposed circulation system in Area C presents the opportunity for a simple rail crossing and local street access to Area D. Because of the need for a major signalized intersection at Radiant Drive, and the heavy turning volumes anticipated between that intersection and the freeway ramps, access from Area D directly to Lockhaven is not recommended.

Policies:

1. *The future land use shall be campus light industrial.*
2. *The future use of this area shall be retained and protected by continuing the Urban Transition (UT) zoning designation. The UT zone shall remain until public facilities including streets, sanitary sewer, water and drainage improvements described in this Plan are provided.*
3. *The number of vehicle access points on Lockhaven Drive shall be minimized. Combining access points for adjacent parcels shall be required.*
4. *A minimum spacing standard for vehicle access points shall be 400 feet apart along an arterial street and 200 feet along a collector street.*
5. *The need to keep the area in the Activity Center shall be a first priority for consideration in subsequent planning processes following adoption of this Plan.*
6. *If the land is removed from the Activity Center, then it should be immediately studied for determination of the appropriate Comprehensive Plan land use designation.*

Amend Section 5.2 - Marketing Strategy - on Page 16 to include a new item 2 as follows, renumbering the other sections accordingly:

2. As a principal part of the economic evaluation, determine if the land west and/or south of the railroad tracks is appropriate for removal from the Activity Center.

Chemawa Activity Center Plan

Proposed Amendments - July 6, 1993

Amend Section 4.2 on Page 7 to add a new second paragraph as follows:

The intent of the commercial development is to build a mix of retail and office uses in a cohesive, planned, well landscaped commercial center. This development may include an community scale shopping center of approximately 200,000 to 300,000 square feet. It is not the intent of this plan to create a regional scale shopping center at the Chemawa interchange.

Amend Scenario B on Page 25 by adding the following sentence:

Such a shopping center will be a community center in scale, not a regional shopping center.



City of Keizer — Community Development

Phone: 390-3700 • Fax # 393-9437
930 Chemawa Rd. N.E. • P.O. Box 21000 • Keizer, Oregon 97307-1000

CITY COUNCIL MEETING: Sept. 7, 1993

AGENDA ITEM NUMBER: 5b

TO: MAYOR AND CITY COUNCIL

THROUGH: DOTTY TRYK, *Dotty*
CITY MANAGER

FROM: JOHN N. MORGAN, AICP
COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: AMENDMENTS OF THE COMPREHENSIVE PLAN LAND USE MAP
IN THE CLEAR LAKE AREA

DISCUSSION:

The Public Hearing on this proposed amendment to the Comprehensive Plan Land Use Map was opened on August 16. That evening testimony was received from several citizens as well as the owners of the affected properties. The testimony was generally supportive of the proposed changes.

Two specific issues were raised that required more analysis by Staff. Results of the analysis and specific recommendations are given below.

Park Designation

The Planning Commission and Staff recommendations are to place a "P" on the Land Use Map on the north side of Labish Creek, indicating that the Park is to be developed at this site. The intent is to have the developer of the Epping property donate this park land in lieu of some of the Parks Systems Development Charges that will be due on the property. This concept has been accepted by all parties.

There needs to be a description of the proposed park included in the "Keizer Comprehensive Parks System Development Plan", a detailed element of the Comprehensive Plan. This description will state the Council's intent for the development of the park and will guide the developer and staff in determining the final configuration and plan.

Legal Council has determined that an amendment to the Parks Plan needs to be separately noticed and heard. Therefore, Staff recommends that the attached language be referred by the Council to the Parks Committee for review and development of a recommendation. The language in the form of an amendment to the text of the Parks Plan will be returned to the Council for public hearing and adoption following proper public notice.

Residential Density

At the close of this item at the last Council meeting, staff, property owners, and interested parties left with direction to determine if an agreement could be reached defining the maximum density to be placed on the Epping property and giving some definition to the location of differing density types.

The parties have met and agreed on a proposed Comprehensive Plan and zoning pattern that will meet the needs of the future development of the Epping property while also addressing the concerns of the adjacent owners. This Plan and zoning pattern is shown on the attached map and is reflected in the findings and adoptive ordinance attached to this report.

RECOMMENDATION:

It is recommended Council:

1. Receive any additional testimony and then close the hearing;
2. Adopt the attached ordinance which includes these specific changes:
 1. Change the Comprehensive Plan Land Use Map designation of the subject properties on Wheatland Road from Medium High Density Residential (MHDR) to Low Density Residential (LDR).
 2. Change the Comprehensive Plan Land Use Map designation of the subject property on River Road from Campus Light Industrial (CLI) to Mixed Use (MU) and Low Density Residential (LDR).
 3. Change the zoning of the subject property on River Road from Urban Transition (UT) to Mixed Use (MU) and Single Family Residential (RS).

4. Amend the Comprehensive Plan Land Use Map by adding a "P" (Parks) designation at the southeast corner of the Epping Property.
3. Refer the attached narrative describing the proposed park to the Parks Committee for consideration for inclusion within the Comprehensive Parks System Development Plan, directing the Committee to return to the Council with a recommendation for consideration at a public hearing.

Proposed Amendment to the Comprehensive Park System Development Plan

Add a new entry to the list of Proposed Facilities/Costs on Page 3 of Section 1 as follows:

Proposed Linear Park - North of Labish Creek

- Develop a linear park 100 to 200 feet in width along the north side of Labish Creek across from Rock Ledge Addition Subdivision. This park is intended to be a relatively natural greenway without recreational equipment. \$50,000.00

1 BILL NO. _____

2 A BILL

ORDINANCE NO.

3 FOR

93-_____

4 AN ORDINANCE

5 ADOPTING LEGISLATIVE AMENDMENTS TO THE
6 KEIZER COMPREHENSIVE PLAN AND KEIZER ZONING
7 ORDINANCE REGARDING THE CAWS PROPERTY AND
8 THE CLEARLAKE PROPERTIES (AMENDING
9 ORDINANCE NOS. 87-077 AND 87-078)

10 WHEREAS, certain property owners of two distinct and
11 separate areas of Keizer known as the CAWS property and the
12 Clearlake properties petitioned the Keizer Planning Commission
13 to initiate legislative amendments to the Keizer Comprehensive
14 Plan and the Keizer Zoning Ordinance and such properties are
15 described in Exhibits "A" and "B" attached to the Findings;

16 WHEREAS, the Keizer Planning Commission initiated the
17 legislative amendment process to consider amending the
18 Comprehensive Plan designation and zone designation of the area
19 north of the Wheatland Road/River Road intersection including
20 the CAWS property and the Clearlake properties;

21 WHEREAS, the Keizer City Council has held numerous hearings
22 on this matter and has determined that the plan and zone changes
23 made herein are appropriate and meet the criteria set forth in
24 state law, the Keizer Comprehensive Plan and the Keizer Zoning
25 Ordinance;

26 NOW, THEREFORE, the City of Keizer ordains as follows:

27 Section 1. FINDINGS. The City of Keizer adopts the
28 findings set forth in Exhibit "1" attached hereto and by this
29 reference incorporated herein.

1 - ORDINANCE NO. 93-_____

LIEN, HOBSON & JOHNSON

Attorneys at Law
4855 River Rd. N.
Keizer, Oregon 97303
(503) 390-1635

1 Section 2. COMPREHENSIVE PLAN MAP CHANGE. The

2 Comprehensive Plan map designation for the CAWS property
3 (Exhibit "A") is hereby changed from Campus Light Industrial
4 (CLI) to Mixed Use (MU) for the area described in Exhibit "A" -
5 Parcel I and from Campus Light Industrial (CLI) to Low Density
6 Residential (LDR) for the area described in Exhibit "A" - Parcel
7 II. The Comprehensive Plan designation for the Clearlake
8 properties (Exhibit "B") is hereby changed from Medium and High
9 Density Residential (MHDR) to Low Density Residential (LDR).
10 In addition, the general southeasterly area of the CAWS property
11 is designated as Park (P) subject to further study. The Keizer
12 Comprehensive Plan map shall be modified to reflect these
13 changes.

14 Section 3. ZONE CHANGE. The zoning of the CAWS property
15 is hereby changed from Urban Transition (UT) to Mixed Use (MU)
16 for the area described in Exhibit "A" - Parcel I and from Urban
17 Transition (UT) to Single Family Residential (RS) for the area
18 described in Exhibit "A" - Parcel II. Those areas are set forth
19 on the map attached as Exhibit "C" attached to the Findings.

20 Section 3. AMENDMENT OF THE KEIZER ZONING ORDINANCE AND
21 KEIZER COMPREHENSIVE PLAN. Ordinance No. 87-077 (Keizer
22 Comprehensive Plan) and Ordinance No. 87-078 (Keizer Zoning
23 Ordinance) are hereby amended as set forth herein.

24 ///

25 ///

26 ///

1 Section 4. EFFECTIVE DATE. This Ordinance shall be
2 effective thirty days after its passage.

3 PASSED this _____ day of _____, 1993.

4 SIGNED this _____ day of _____, 1993.

5 _____
6 Mayor

7 _____
8 City Recorder

9 824.119

3 - ORDINANCE NO. 93-_____

LIEN, HOBSON & JOHNSON

Attorneys at Law
4855 River Rd. N.
Kaiser, Oregon 97303
(503) 390-1635

**CITY OF KEIZER
MARION COUNTY, OREGON**

In the Matter of	)	
	)	FINDINGS AND CONCLUSIONS
Certain Legislative	)	
Changes to the	)	
Comprehensive Plan and	)	
Zoning Maps of the	)	
City of Keizer, Oregon	)	

I. GENERAL

A. Petitions for Legislative Amendments

1. CAWS Property. By letter dated March 3, 1993, Lawrence T. Epping, President of C.A.W.S., Inc., an Oregon corporation, petitioned the Planning Commission of the City of Keizer to initiate legislative amendments to the Keizer Comprehensive Plan and the Keizer Zoning Ordinance, to redesignate and rezone a 67 acre parcel located on the east side of River Road, North, immediately north of the proposed Hidden Creek development, from Campus Light Industry/Urban Transition to Mixed Use/Mixed Use. This petition was filed with the Planning Commission pursuant to and in accordance with the provisions of Sections 4.12 through 4.14 of the Keizer Zoning Ordinance. The property in question is hereinafter referred to as "the CAWS Property". The legal description for this property is set forth in Exhibit A, attached hereto and by this reference incorporated herein.

2. Clear Lake Properties. By letters and petitions dated March 2 and 17, 1993, the Clear Lake Neighborhood association and approximately 165 residents and owners within the Clear Lake area petitioned the Keizer Planning Commission to initiate legislative amendments

to the Keizer Comprehensive Plan, redesignating ____ parcels located in the 7200 to 7400 blocks of Wheatland Road, North from Medium and High Density Residential to Low Density Residential. These letters and petitions were filed with the Planning Commission pursuant to and in accordance with the provisions of Sections 4.12 through 4.14 of the Keizer Zoning Ordinance. The parcels in question, which total 32.88 acres, more or less, are hereinafter referred to as "the Clear Lake Properties". These parcels are located slightly more than 1/2 mile north of the Wheatland Road/North River Road intersection. The legal descriptions for these parcels are set forth in Exhibit B, attached hereto and by this reference incorporated herein.

B. Planning Commission Consideration and Recommendation. The Keizer Planning Commission held a hearing on the petitions relating to the CAWS and Clear Lake properties. Following the close of the hearing, the Planning Commission adopted a resolution initiating an amendment to the Keizer Comprehensive Plan Land Use Map for the entire area north of the intersection of Wheatland Road and River Road.

C. LCDC Action

1. On May 21, 1993, the Department of Land Conservation and Development of the State of Oregon ("the Department") issued its report on the final periodic review orders for the Cities of Salem and Keizer. The report found that Salem and Keizer had not met the requirements for periodic review with regard to adequately protecting large industrial properties against division or conversion to other uses. The Department's report recommended that Salem and Keizer be required to amend their Periodic Review Orders to provide further protection for undeveloped large industrial properties.

2. On June 10, 1993, the Land Conservation and Development Commission ("the Commission") held a public hearing on the Periodic Review Orders for the cities of Salem and

Keizer. The Commission received testimony and other evidence on the industrial lands protection issue. Keizer requested that it be permitted to redesignate and rezone the CAWS Property to non-industrial uses, and Salem requested that it be permitted to redesignate and rezone a parcel of up to 30 acres to non-industrial uses, to accommodate the siting of a new public school. Both jurisdictions indicated a willingness to undertake a new review and analysis of industrial lands within the Salem/Keizer urban growth boundary. At the conclusion of the hearing, the Commission voted to permit Salem and Keizer to redesignate and rezone up to 100 acres to non-industrial uses now, while the new industrial lands analysis is pending.

D. City Council Hearing. Based upon the resolution adopted March 17, 1993, and in accordance with the provisions of Section 4.13 of the Keizer Zoning Ordinance, the Keizer City Council ("the Council") held a hearing on the proposed legislative comprehensive plan and zoning amendments on August 16, 1993. During this hearing, the Council heard testimony and received evidence from representatives of the CAWS Property, representatives of the Clear Lake Neighborhood Association, owners of properties abutting the CAWS and Clear Lake properties and other interested citizens.

II. APPLICABLE CRITERIA

The criteria applicable to the proposed comprehensive plan and zone changes are set forth in Sections 4.16 and 4.17 of the Keizer Zoning Ordinance.

III. FINDINGS AND CONCLUSIONS CONCERNING APPLICABLE CRITERIA

A. Comprehensive Plan Criteria

1. Compliance is demonstrated with the statewide land use goals that apply to the subject properties or to the proposed land use designation. If the proposed designation on the subject property requires an exception to the Goals the applicable criteria in the LCDC Administrative Rules for the type of exception needed shall also apply. (Section 4.17(a), KZO)

The proposal is in compliance with the following applicable statewide goals:

a. Goal 1 - Citizen Involvement: The proposals have been the subject of public hearings before the Keizer Planning Commission and the Keizer City Council. Notice of these hearings has been given by publication in a newspaper of general circulation in Keizer. The public hearings have been well attended, and the commission and council have received substantial public testimony and evidence on the proposed changes.

b. Goal 2 - Land Use Planning: The proposals are being considered by the city within the framework of the city's acknowledged comprehensive plan and its adopted zoning and other implementing ordinances. The comprehensive plan specifically provides for amendments to reflect changing conditions and circumstances in the community.

c. Goal 9 - Economic Development: Keizer originally included the CAWS Property in its inventory of industrial lands in order to encourage economic development on that property. However, industrial development has not occurred, and seems increasingly unlikely to occur on this property in the future. The proposed reclassification of this property for mixed use would facilitate economic development by permitting a mixture of commercial and residential uses on the property.

d. Goal 10 - Housing: By permitting residential development on the CAWS property, the proposed changes will increase the total number of dwelling units which may be built on the CAWS and Clear Lake properties, even though the density of development on the Clear Lake Properties will be decreased. Reclassification of the CAWS Property will also permit the transfer to it of a portion of the higher density residential development that would have occurred on the Clear Lake Properties.

e. Goal 11 - Public Facilities: Adoption of the proposed changes will facilitate

the orderly and efficient arrangement of public facilities and services. The redesignation of the Clear Lake Properties will lower the potential traffic volumes on Wheatland Road, and will concentrate the higher residential densities nearer to the core of the city, and closer to public transportation. Trunk sewer and water lines already in place or about to be installed on or in the vicinity of the CAWS Property are of sufficient capacity to accommodate the development of that property under the mixed use designation and zone.

f. Goal 12 - Transportation: Approval of the proposals will promote the goal of providing and encouraging a safe, convenient and economic transportation system because it will reduce the potential vehicular traffic on Wheatland Road, a minor arterial, eliminate the potential for heavy truck traffic passing through the residential areas around the CAWS Property, and concentrate higher residential densities on a major arterial nearer to the center of the city.

g. Goal 13 - Energy Conservation: The proposed changes will facilitate energy conservation by locating higher-density residential development closer to the city center and on property that is convenient to public transit services.

2. **Consistency with the applicable goals and policies in the Comprehensive Plan is demonstrated.** (Section 4.17(b), KZO)

a. The proposals are consistent with the Energy Conservation Policies of the plan. Reclassification of the CAWS Property to mixed commercial and residential use will help to create a multicentered land use pattern, decreasing travel needs and placing an emphasis on close locational relationships among developments for living, working, shopping and recreation. (Policy #4)

b. The proposed changes are consistent with the Goals and Policies for Residential Development. Specifically:

i. Transferring the higher residential densities out of the Clear Lake

Properties will help to stabilize and protect the low-density, single family residential environment of that neighborhood; and converting the CAWS Property from industrial to mixed commercial and residential uses will stabilize that neighborhood and confirm its characteristics as a residential area. (General Goal #7)

ii. Removal of the industrial classification from the CAWS Property will protect the surrounding properties from conflicting non-residential uses. (General Goal #9; General Policy #16)

iii. The unexpected rates of residential development now being experienced in Keizer may lead to an exhaustion of the supply of residential land before the end of the 20 year planning cycle. Approval of the proposals will help the city meet its goal of providing a 20 year supply of residential land because there will be a significant increase in potential residential acreage and in the number of units which may be constructed. (General Policy #15)

iv. Reclassification of the CAWS Property for mixed use will be in keeping with the policy calling for implementation of mixed use zoning, particularly in established neighborhoods where compatible. (General Policy #16)

c. The proposed changes are compatible with the following applicable Goals and Policies for Economic, Commercial and Industrial Development:

i. General Goal #3, which calls for reserving large parcels for special developments requiring larger lots. While the CAWS Property was

- classified for industrial use under this policy, changes in industrial development strategy and demographics and in area surrounding the property make it impractical to retain an industrial classification on this property. (See also General Policy #1(a) and General Policy #10)
- ii. Reclassification of the CAWS Property will be in keeping with General Policy #4, which calls for insuring compatibility between industrial properties and the lands near them. The CAWS Property is nearly surrounded by developed and developing low-density residential neighborhoods, and it would be virtually impossible to create an efficient, compatible industrial development in the midst of this residential environment. In addition, General Policies #2 and #4 prescribe a number of conditions and limitations for industrial development adjacent to residential areas, some of which (ie, avoidance of large expanses of blank walls, screening of equipment, setback requirements and compliance with noise standards) would be difficult to satisfy on the CAWS Property. (See also Policy #3, Special Land Use Policies for Industrial Development)
- iii. General Policy #5 permits the mixing of compatible commercial retail, commercial office and residential uses, which will be made possible by the reclassification of the CAWS Property to Mixed Use.
- iv. General Policy #4, Goals and Policies for Public Facilities, calls for encouraging development in areas already served by major public facilities. Services are being provided to the CAWS Property. Despite the owner's vigorous efforts to market this parcel for industrial

use, it is apparent that the property suffers from several major disadvantages as industrial land, and that if left in that zone, it may well lie unused for many years to come. Reclassification of the property for mixed uses would be consistent with this policy.

3. **The Plan does not provide adequate areas in appropriate locations for uses allowed in the proposed land use designation and the addition of this property to the inventory of lands so designated is consistent with projected needs for such lands in the Comprehensive Plan. (Section 14.7(c), KZO)**

a. **The CAWS Property.** The Mixed Use designation and zone were developed to "promote development that combines commercial and residential uses in a single building or complex..." encouraging "the formation of neighborhood 'nodes' of activity where residential and commercial uses mix in a harmonious manner." To date, there has been no mixed use development in Keizer, although small areas within two larger properties (Staats Lake and Hidden Creek) have been designated for mixed use development. The mixed use concept is best suited to larger parcels, into which a variety of building types and uses can be incorporated, and development can occur on a scale large enough to achieve the "neighborhood nodes of activity" envisioned by the plan. Keizer has few large undeveloped parcels left, and none which are zoned or designated Mixed Use. Addition of the CAWS Property to this inventory will be consistent with projected needs.

b. **The Clear Lake Properties.** Keizer is developing its residential properties in a ratio of approximately 55% single family and 45% multi-family. If the community meets its predicted population growth target of 30,200 residents by 2005, it will need approximately 2,800 new residential units by then, with approximately 1,540 single family and 1,260 multi-family units. At current development densities, this will require about 340 acres for single family residential development and about 80 acres for multi-family. At the present rate of

development (240 single family units per year), Keizer will exhaust its supply of single family property within about 6 years, and much of the land remaining undeveloped is in small parcels which will be difficult to develop efficiently. Thus, there is a need to increase the supply of available single family land, and reclassification of the Clear Lake Properties will facilitate that need. Conversion of the Clear Lake Properties to LDR will permit the development of approximately 130 additional single family units on those properties.

4. The Plan provides more than the projected need for lands in the existing land use designation. (Section 4.17(d), KZO)

a. The CAWS Property. This property was zoned CLI in 1980 pursuant to Project 90, which called for setting aside large industrial tracts to attract major new industrial users. This report predicted that the Salem/Keizer area would use approximately 500 acres of industrial land within the 10 year period from 1980 to 1990. Other large properties were also added to the industrial inventory at that time. The area now has an inventory of approximately 2,135 acres, not including a 271 acre parcel located at the Brooks freeway interchange. Average annual utilization of industrial properties in the area since Project 90 has been less than half the acreage predicted (actual 22 acres per year vs. predicted 50 acres per year). At the current rate of utilization, the 2,135 acre inventory constitutes approximately a 90 year supply. The predicted need for large parcels has also been proven inaccurate. The CAWS property and other large parcels have stood vacant, while in the 13 years since Project 90, the largest industrial development has taken only 17.5 acres. In addition to the CAWS Property, Keizer has 20 other industrial parcels, totaling 287.07 acres. These are evenly distributed in size, ranging from four parcels over 25 acres down to 4 parcels less than five acres. More specifically, Keizer has a good inventory of Campus Light Industry property. Its inventory includes two other tracts, each about 50 acres in size.

Properties in the industrial inventory must compete with one another for new development. The evidence has shown that the CAWS Property is at a severe disadvantage in such competition. Industrial developers have described the parcel as too large to attract most potential users. It also suffers from the fact that it is remote from the freeway and is surrounded by residential uses, which would make compatible industrial development difficult. Industrial traffic, including heavy truck traffic, would have to go several miles through residential areas in order to reach the freeway.

b. Clear Lake Properties. These properties were added to the MHDR inventory to help satisfy a perceived 88- to 100-acre shortage of MHDR land. To date, Keizer has exceeded its target of residential units per acre in the MHDR areas (16 units per acre) by about 40%, by building nearly 26 units per acre. If the city continues to experience this density of development in MHDR areas, it will not need as much MHDR acreage as was originally anticipated.

In addition, there have been and continue to be high-density residential developments on lands not previously designated for such use. For example, The Triple Tree Apartments contain 60 units built on land previously zoned and designated for commercial use; the preliminary plan for the Staats lake development includes 220 multi-family units on land previously designated for commercial use; and about 20 acres of vacant, developable property previously designated Commercial and Low Density Residential have been redesignated Mixed Use, with the potential of housing additional multi-family units. Finally, redesignation of the CAWS Property for Mixed Use will create the same opportunity as exists on the above-described portion of the Staats Lake development (also designated and zoned for mixed use), to construct multi-family units on portions of the CAWS Property.

In combination, these circumstances mean that there will in all likelihood be an excess

of MHDR acreage in Keizer for the 20 year planning period, unless the Clear Lake Properties are redesignated and rezoned for low density residential development.

5. **The proposed land use designations will not allow zones or uses that will destabilize the land use patterns in the vicinity.** (Section 4.17(e), KZO)

The proposed changes will stabilize, rather than destabilize, the prevailing land use patterns in the areas in which the CAWS and Clear Lake properties are located. Industrial use of the CAWS Property would create serious traffic problems in that area by mixing significant volumes of industrial truck traffic with passenger traffic in a rapidly developing residential area. To comply with applicable standards, any industrial development on this property would have to be buffered and isolated from adjacent residential uses to an extent that would significantly reduce the percentage of the 67 acres that could be placed in productive use.

On the other hand, development of the CAWS Property to mixed commercial and residential uses would confirm and augment the established residential character of the surrounding neighborhood.

Much the same situation exists with respect to the Clear Lake Properties. This 33 acre combination of parcels lies in the midst of a developing low-density residential area. The introduction of 250 to 500 apartment units in this area would tend to destabilize the neighborhood, while redesignation of the Clear Lake Properties for low-density use would have the affect of confirming and stabilizing the character of the neighborhood.

6. **Uses allowed in the proposed designation will not significantly adversely affect existing or planned uses on adjacent lands.** (Section 4.17(f), KZO)

Because the proposed changes will tend to confirm and stabilize the land use patterns in the neighborhoods surrounding both the Clear Lake and CAWS properties, the uses proposed for those properties should have no adverse affect on existing or planned uses in the neighborhoods

in question.

7. **Public facilities and services necessary to support uses allowed in the proposed designation are available or are likely to be available in the near future. (Section 4.17(g), KZO)**

Public streets, sanitary sewer and water lines are either in place or will be available to serve both the Clear Lake and CAWS properties if and when they are developed to the uses permitted under the proposed designations and zones. The proposed changes in land uses may be expected to have some impact on the demand for space in public schools, particularly due to the previously unanticipated development of residential units on the CAWS Property. However, the corresponding decrease in density on the Clear Lake Properties will result in a "density transfer", and the Clear Lake and CAWS properties are close enough to each other that students from both areas will attend the same schools. So even though these changes will increase the total number of residential units which may be built, that increase should be marginal and the impact on school crowding should not be significant.

B. Zone Change Criteria

1. **The proposed zone is appropriate for the Comprehensive Plan land use designation on the property and is consistent with the description and policies for the applicable Comprehensive Plan land use classification. (Section 4.16(1)(a), KZO)**

If the comprehensive plan designation for the CAWS Property is changed Mixed Use, a corresponding change to the mixed use zone will be both appropriate and necessary, since the MU zone is the only zone that is compatible with the Mixed Use comprehensive plan designation. In addition, as discussed in Section A. 2. of these Findings, the rezoning to MU of the CAWS Property would be consistent with the description and policies for the Mixed Use comprehensive plan designation.

2. **The uses permitted in the proposed zone can be accommodated on the**

proposed site without exceeding its physical capacity. (Section 4.16(1)(b), KZO)

The CAWS Property is 67 acres in size. It would be by far the largest property in Keizer to carry the MU zone. As a larger parcel, it is particularly well suited for MU development, and a mixture of commercial and residential uses can be accommodated on it without exceeding its physical capacity.

3. **Allowed uses in the proposed zone can be established in compliance with the development requirements in Chapters 17 to 20 of the KZO without need for adjustments or variances. (Section 4.16(1)(c), KZO)**

If the CAWS Property is rezoned MU, it can be developed in conformance with the general development standards and regulations, landscaping, parking and loading standards and development standards for secondary, accessory and temporary structures.

4. **Adequate public facilities, services and transportation networks are in place or are planned to be provided concurrently with the development of the property (Section 4.16(1)(d), KZO)**

This criteria is virtually identical to the 7th criteria for the comprehensive plan map changes, and the findings and conclusions set forth above in Section A. 7. of these Findings are also applicable here.

5. **Satisfaction of any zone change review criteria in the Keizer Comprehensive Plan is demonstrated. (Section 4.16(1)(e), KZO)**

There are no zone change review criteria in the comprehensive plan to which this provision would apply.

6. **For residential zone changes, the criteria listed in the purpose statement for the proposed zone shall be met. (Section 4.16(1)(f), KZO)**

The purpose of the Mixed Use zone is "to promote development that combines

commercial and residential uses in a single building or complex... to allow increased development on busier streets without fostering a strip commercial appearance... and to encourage the formation of neighborhood 'nodes' of activity where residential and commercial uses mix in a harmonious manner.... The emphasis of nonresidential uses is primarily on locally-oriented retail, service and office uses. While no specific development proposal for the CAWS Property has as yet been put forth by its owner, the owner's representative has suggested a mixture of commercial retail and commercial offices uses on the westerly portions of the property, to be buffered from an area of single family residential development on the east side by a mixture of apartments and two- to four-dwelling structures laid out across the middle of the property. Such a development would combine commercial and residential uses in a single complex, increase commercial development on a non-strip basis, and form a neighborhood 'node', all in keeping with the criteria contained in the Mixed Use purpose statement.

IV. ADDITIONAL FINDINGS AND CONCLUSIONS

A. Buffering Adjacent Land Uses

1. Residents of the Rock Creek Court area, adjacent to the CAWS Property on its southeast side, expressed concerns about the nature and density of potential development on that portion of the CAWS Property which is adjacent to and immediately northwest of their lots. Generally, this portion of the CAWS Property is lower than the balance of the property. It is separated from the Rock Creek Court area by Labish Ditch. Residents indicated they knew the CAWS Property was industrial when they bought and developed their residences, and they assumed that little or no development would occur on the portion of the CAWS Property which is immediately adjacent to them.

2. Through a series of meetings involving neighboring property owners, city staff

and Mr. Epping, a proposal has evolved for a linear park in this area, running along the northwest side of Labish Ditch opposite the Rock Creek Court area. ~~As conceived, this park would be approximately 100 feet in depth, running north-south and westerly from the ditch.~~ The proposed park might be maintained in its natural state.

3. Mr. Epping indicated that he would be willing to dedicate land for a linear park along the northwesterly side of Labish Ditch, provided that C.A.W.S., Inc. would receive full credit against the city's parks systems development charge for the fair market value of the acreage dedicated for park purposes, and provided further that C.A.W.S., Inc. would be able to select the lots within the CAWS Property to which these systems development charge credits would be applied.

4. City staff testified that the city's Parks Advisory Committee and Parks Staff are generally supportive of the idea of designating the area in question for a linear park; and that when the city's Parks Plan was adopted, consideration was given to designating this area for a park, and that idea was dropped only because the CAWS Property was designated for industrial use.

5. A linear park on the northwest side of Labish Ditch opposite the Rock Creek area would serve both the interests of the city, in adding to its inventory of public parks, and the interests of the Rock Creek Court neighborhood in obtaining a buffer against the potential development to the north and west. The exact location, configuration and size of this park should be determined at such time as this portion of the CAWS Property is submitted for final development approval.

B. Mix of Residential Uses

1. The original petition presented by C.A.W.S., Inc. requested that the entire

CAWS Property be redesignated and rezoned for Mixed Use. The Mixed Use designation and zone are designed to promote development that combines commercial and residential uses in a single building or complex. The Keizer Comprehensive Plan specifically provides residential development in the Mixed Use designation and zone should be at a density of between 8 and 16 dwelling units per acre.

2. The Mixed Use zone and designation afford great flexibility to the developer in terms of the mixture of commercial and residential uses. If the entire CAWS Property were designated for mixed use, it is possible that virtually the entire property could be developed for multi-family use. If densities were maximized, this could yield a total of over 1,000 multi-family units on this property.

3. During the hearing before the city council, the owner and developer of the Hidden Creek development, which abuts the CAWS Property on the south, testified to a concern about the number of multi-family units that might be constructed on the Hidden Creek and CAWS properties. The Hidden Creek property has already been approved for approximately 250 multi-family units. The Hidden Creek representative suggested that one way to respond to the concern about the potential number of multi-family units on the CAWS Property would be to designate and zone a portion of this property for low density residential/residential single family use.

4. A representative of C.A.W.S., Inc. testified that while no specific development plan has yet been formulated for the CAWS Property, the owner anticipates developing approximately the easterly one-half of the property for single family residential use, and developing the westerly half of the property with a mixture of commercial and residential uses under the MU zone. The representative indicated that C.A.W.S., Inc. would find acceptable a

redesignation and rezoning of approximately the westerly 33 acres of the CAWS Property as Mixed Use, and a redesignation and rezoning of approximately the easterly 33.5 acres as LDR/single family residential, with a strip of land along the north side of Labish Ditch in the southeast corner of this easterly portion being designated for the development of a linear park as discussed in Section IV. A. above.

5. A division of the CAWS Property into MU/MU and LDR/RS parcels as described in paragraph 4 above would afford the owner the opportunity to develop a substantially greater number of multi-family units on the CAWS Property than the owner has indicated it wishes to develop, and would eliminate the possibility that substantially the entire property might be developed as apartments, overloading this portion of the community, and the streets, schools and other public facilities and services. Such a division of land uses on the CAWS Property would also create development thereon which would be compatible with existing and projected developments on the properties to the south. Accordingly, it is appropriate to depart from the request initially made by C.A.W.S., Inc., by redesignating and rezoning the westerly portion of the CAWS Property (approximately 33 acres) as MU, and redesignating and rezoning the easterly portion of the property LDR/RS.

EXHIBIT A

Parcel I (MU/MU)

Beginning at a point on the North line of the Southeast quarter of Section 26, Township 6 South, Range 3 West of the Willamette Meridian in Marion County, Oregon which bears North 89°56' West 937.61 feet from the quarter corner on the East line of said section; thence South 0°25'19" West 590.57 feet; thence South 45°04'43" West 374.93 feet; thence South 61°58'52" West 152.03 feet; thence South 73°43'24" West 491.53 feet; thence South 0°01'21" East 259.91 feet to a point on the South line of the North one-half of the Southeast quarter of said Section 26; thence South 89°58'39" West along the South line of said North one-half, a distance of 808.00 feet to an iron rod on the East right-of-way line of North River Road (Market Road No. 36); thence northeasterly along the East right-of-way line of said North River Road along the arc of a spiral curve to the right (the chord of which bears North 6°38'34" East 343.81 feet) a distance of 344 feet, more or less, to an iron pipe opposite Engineer Station PCS 204+86.51; thence continuing northeasterly along the arc of a 676.20 foot radius curve to the right (the chord of which bears North 23°02'11" East 148.74 feet) a distance of 149.04 feet to an iron rod opposite Engineer Station PCS 206+44.36; thence continuing northeasterly along the arc of a spiral curve to the right (the chord of which bears North 40°05'38" East 387.50 feet) a distance of 389 feet, more or less, to an iron rod opposite Engineer Station PT 210+44.36; thence North 44°38'58" West 9.85 feet to an iron pipe marking an angle point in said easterly right-of-way line; thence North 45°26'45" East along said easterly right-of-way line, a distance of 775.11 feet to an iron pipe on the North line of the Southeast one-quarter of said Section 26; thence South 89°56' East along said North line, a distance of 790.82 feet to the point of beginning and containing 33.071 acres of land, more or less.

Parcel II (LDR/RS)

Beginning at a stone marking the Northeast corner of the Southeast one-quarter of Section 26, Township 6 South, Range 3 West of the Willamette Meridian in Marion County, Oregon; thence South 00°01'39" East along the East line of said Section 26, a distance of 1077.74 feet to a point marking the Northeast corner of Lot 7, ROCKLEDGE ADDITION as platted and recorded in Book of Town Plats for Marion County, Oregon; thence westerly along the northerly boundary line of said subdivision a distance of 872.23 feet to the most westerly boundary corner of said subdivision; thence South 89°58'39" West along the South line of the North one-half of the Southeast quarter of said Section 26, a distance of 1026.49 feet; thence North 0°01'21" West 259.91 feet; thence North 73°43'24" East 491.53 feet; thence North 61°58'52" East 152.03 feet; thence North 45°04'43" East 374.93 feet; thence North 0°25'19" East 590.57 feet to a point on the North line of the Southeast quarter of said Section 16; thence South 89°56' East along said North line, a distance of 937.61 feet to the point of beginning and containing 33.543 acres of land, more or less.

EXHIBIT "B"

CLEAR LAKE PROPERTIES

Tax Map Numbers:

6	3W	26BA	400
6	3W	26BA	900
6	3W	26BA	1000
6	3W	26BA	1100
6	3W	26BA	800
6	3W	26BA	700
6	3W	26BA	600
6	3W	26BA	1200
6	3W	26BA	3500
6	3W	26BA	3600
6	3W	26BA	3700
6	3W	26BB	3300
6	3W	26BB	3400
6	3W	26BB	3500

EXHIBIT "C"

CLEARLAKE PROPERTIES

(Map is located with original Ordinance)



City of Keizer — *Community Development*

Phone: 390-3700 • Fax # 393-9437

930 Chemawa Rd. N.E. • P.O. Box 21000 • Keizer, Oregon 97307-1000

CITY COUNCIL MEETING: Sept. 7, 1993

AGENDA ITEM NUMBER: 5c

TO: MAYOR AND CITY COUNCIL

THROUGH: DOTTY TRYK,
CITY MANAGER

FROM: JOHN N. MORGAN, AICP
COMMUNITY DEVELOPMENT DIRECTOR 

SUBJECT: CONDITIONAL USE CASE 93-8, CITY OF KEIZER AND KEIZER LITTLE LEAGUE

BACKGROUND

The Keizer Little League is requesting conditional use approval to install field lights at five ball fields within the Keizer Little League Park. The City Council originally heard the application on August 2, 1993. The Council voted to approve the request, with conditions, and directed staff to return with an adoption order for the August 16, Council meeting. Prior to that meeting the applicant, and opponents, raised several issues with City staff. At staff's suggestion, the City Council elected to reopen the hearing for the September 7, 1993, Council meeting.

The original staff report addressing the specific conditional use criteria is attached to this memorandum. The following section discusses the key issues raised during, and subsequent to, the initial public hearing. Recommendations, including some alternatives, conclude this memorandum.

DISCUSSION

In the original report, the Planning staff concluded the proposal complied with the decision criteria contained in Chapter 8 of the Keizer Zoning Ordinance. Staff recommended approval

of the request subject to conditions involving limiting the lights to specific fields, requiring all lighting to be directed away from adjacent properties, and establishing specific hours of operation. Staff also noted the Keizer Park regulations needed amending to allow use of the fields beyond sunset.

The applicant and opponents raised three key issues at the August 2, hearing: hours of operation, fencing, and field lighting. Each item is reviewed separately, below.

- (1) Hours of Operation: During the original hearing, League officials noted national Little League rules require the last inning of a game to begin no later than 10:30 p.m. The proposed 10:00 p.m. park closure (during March 1, to May 31), may restrict games at the park. Staff's original recommendation regarding hours of operation was based, in part, on guidelines suggested by the Parks Director. The Parks Director, however, is not opposed to extending the park operation to 11:00 p.m. from March 1 through October 31 recognizing a separate agreement can be reached with the Little League to ensure the park is vacated and the lights are off by 11:00 p.m.

This issue also raised the possibility of changing operating hours by Council decree at some future date. Staff notes the conditional use approval is a land use decision. Conditions of approval cannot be arbitrarily withdrawn or modified at some future date without re-opening the hearing. Section 5.36 of the Zoning Ordinance establishes procedures whereby the conditions of approval in the original decision may be revoked or modified.

- (2) Fencing: During the August 2 meeting, opponents noted several instances of trespass on their property, apparently due to inadequate fencing along the Park's western boundary. A subsequent site visit revealed a portion of the existing fence was damaged and in need of repair. Installation of the field lights will increase the times when people will be at the park which may, in turn, increase the problem of trespass. For this reason staff believes it appropriate to require repair and maintenance of the existing fence as a condition of approval.
- (3) Field Lighting: The Little League requested the Council approve lighting for five fields. The League is able to reduce the overall costs of installing necessary equipment by sizing the power line and control mechanisms to light all five fields. Otherwise, the original power line and control equipment may need to be replaced as additional fields are lighted.

It must be noted adjacent property owners voiced concern regarding possible impacts on their property. While staff originally recommended approving lights for five fields, the Council may want to consider lighting only one field (probably Reimann Field) to ensure there are no adverse affects on adjacent property. The installation of additional field lights can be reviewed as a separate application.

RECOMMENDED ACTION

This particular case highlights the conflict between a city-wide public interest for improved recreational facilities and protection of neighborhood interests. The evidence suggests the field lights can be installed with minimal neighborhood impact. Staff still recommends approval of the conditional use application but recommends the City Council consider the following modified conditions of approval:

- A. Staff recommends approval of the conditional use request subject to the placement of the following conditions:
1. Installation of the lights shall be limited to the following playing fields: Reimann Field, Rotary Field, Kiwanas Field, Keizertimes Field and the Jerry Bull Field.

(Note: if the City Council believes it appropriate to limit the number of fields, staff suggests the following alternative to Condition #1:

1. *Installation of the lights shall be limited to the Reimann Field. A request to install lights at any remaining field shall require a separate conditional use application before the City Council.)*
2. The lights shall be designed and installed in a manner as to direct the lighting onto the field or fields they are intended to light.
3. The operation for the Keizer Little League Park and field lights shall be limited to the following hours:
 - (a) The use of the field lights shall be limited to the following dates: March 1 to October 31.
 - (b) The park shall close, and the lights shall be off, at 11:00 pm.
 - (c) Extended hours shall be limited to Monday through Saturday; the park shall close at sunset on Sundays.
4. Prior to using the field lights, the fence along the western boundary of the Little League Park shall be repaired. The fence shall be permanently maintained.
5. Prior to using the field lights, the Keizer Park Regulations shall be amended to include the change in hours of operation.

- B. The Keizer Zoning Ordinance establishes specific development requirements. These requirements are mandatory and in some cases cannot be modified even through the variance or adjustment process. These requirements are included for the benefit of the applicant.
 - 1. Development of the property shall comply with the applicable requirements of the Keizer Zoning Ordinance and building requirements of the Marion County Building Inspection Division.

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

ORDER

IN THE MATTER OF THE APPLICATION OF THE CITY OF
KEIZER AND KEIZER LITTLE LEAGUE, INC., FOR A
CONDITIONAL USE PERMIT TO ALLOW CERTAIN BALL
FIELDS TO BE LIGHTED AT THE KEIZER LITTLE LEAGUE
COMPLEX (CONDITIONAL USE CASE NO. 93-8)

Section 1. THE APPLICATION. This matter comes before the
Keizer City Council on the application of the City of Keizer and
Keizer Little League, Inc. for a conditional use permit to allow
certain ball fields to be lighted at the Keizer Little League Complex
located at 5135 Ridge Drive, Keizer, Oregon.

Section 2. JURISDICTION. The land in question in this order
is within the city limits of the City of Keizer. The City Council
is the governing body for the City of Keizer. As the governing body,
the City Council has the authority to make final land use decisions
concerning land within the city limits of the City of Keizer.

Section 3. PUBLIC HEARING. A public hearing was held on this
matter before the City Council on August 2, 1993 and September 7,
1993. The following persons either appeared at the hearing or
provided written testimony on the application:

- 1) Skip Wendolowski, Acting Community Development Director
- 2) Terry Rogers, Musco Sports Lighting Representative
- 3) Dennis Wise, Neighbor
- 4) Jim Taylor, Keizer Little League
- 5) Clint Holland, Jr., Keizer Little League
- 6) Kevin Wickman, Parks Director

1 7) Tim Irmén, Neighbor

2 8) Andy Orcutt, Neighbor

3 Section 4. EVIDENCE. Evidence before the City Council in this
4 matter is summarized in Exhibit "A" attached.

5 Section 5. OBJECTIONS. No objections have been raised as to
6 notice, jurisdiction, alleged conflicts of interest, evidence
7 presented or testimony taken at the hearing.

8 Section 6. CRITERIA AND STANDARDS. The criteria and standards
9 relevant to the decision in this matter are set forth in Exhibit "B"
10 attached.

11 Section 7. FACTS. The facts before the City Council in this
12 matter are set forth in Exhibit "C" attached.

13 Section 8. JUSTIFICATION. Justification for the City Council's
14 decision in this matter is explained in Exhibit "D" attached.

15 Section 9. ACTION. The decision of the City Council is set
16 forth in Exhibit "E" attached.

17 Section 10. FINAL DETERMINATION. This order is the final
18 determination in this matter.

19 Section 11. EFFECTIVE DATE. This order being necessary for the
20 immediate preservation of the public health, safety, and
21 welfare, an emergency is declared to exist and this order
22 shall take effect immediately upon its passage.

23 ///

24 ///

25 ///

26 ///

1 Section 12. APPEAL. A party aggrieved by the final
2 determination in a proceeding for a discretionary permit or a
3 zone change may have it reviewed under ORS 197.830 to ORS 197.845.

4 PASSED this _____ day of _____, 1993.

5 SIGNED this _____ day of _____, 1993.

6

7

Mayor

8

9

City Recorder

10 3847COK.001

EXHIBIT "A"

Evidence

Official notice has been taken of the Planning Department files and reports in this matter, including the application and exhibits contained therein.

Mayor Koho opened the public hearing on August 2, 1993.

Skip Wendolowski, Acting Community Development Director stated the Keizer Little League through the City of Keizer has applied for a conditional use to allow placement of lights at the 15-acre park which contains 10 playing fields. Lights would be installed at the Reimann Field this year and possibly four other fields during the next five years. The lights will be designed to direct light only onto the playing field and are shielded to eliminate the scattering of light onto adjacent areas.

Mr. Wendolowski noted ball parks are conditionally permitted uses in the P (public) zone. Lights are considered an accessory to the existing baseball diamonds and will not establish new uses at the park. However, when staff reviewed the proposal, they determined the lights may change the way the fields are used; therefore the conditional use review is appropriate.

Mr. Wendolowski summarized staff findings with regard to the conditional use criteria listed in Keizer Zoning Ordinance 8.30 as follows:

- The use is listed as a conditional use in P (Public) Zone.
- The parcel is suitable for the proposed use. The property has been successfully operated as a baseball and softball facility for 10 years and there is adequate area to install the lights.
- The installation will not adversely affect existing wind and solar energy systems in the area.
- There are adequate public facilities available to power the lights.
- The proposed use will not materially alter the character of the surrounding area.

The two primary concerns in the last criteria focus on the light glare to adjacent property owners and a change in use of the facility. The initial field to receive the lights is separated from the adjacent property by embankments and trees. The other proposed fields to be lighted are separated from the adjacent residential property by at least 150 feet or more. It was noted

that this action will not increase the number of games played nor the number of people at the Park at any one time. Mr. Wendolowski stated he feels it is appropriate to establish a time limit for operation of the facility and lights.

Mr. Wendolowski concluded the proposal complies with the conditional use criteria provided the installation is limited solely to the subject fields and the conditions are placed on the hours of operation. He recommended approval of the request with the following conditions:

1. Installation of the lights shall be limited to the following playing fields: Reimann Field, Rotary Field, Kiwanis Field, Keizertimes Field and the Jerry Bull Field.
2. The lights shall be designed and installed in a manner as to direct the lighting onto the field or fields they are intended to light.
3. The lights shall be installed within 5 years of the date of the final decision.
4. The operation for the Keizer Little League Park and field lights shall be limited to the following hours:
 - a. The park hours may be extended by lighting from March 1 to October 31.
 - b. The park will close and the lights will be off at 10:00 p.m. from March 1 to May 31 and the day after Labor Day to October 31.
 - c. The park will close, and the lights be off, at 11:00 p.m. from June 1 to August 31.
 - d. Extended hours are limited to Monday through Saturday; the park will close at sunset on Sundays.
5. Prior to using the field lights, the Keizer Park Regulations shall be amended to include the change in hours of operation.

Shannon Johnson, City Attorney outlined the rules and procedures for a conditional use hearing.

Speaking in the public hearing were:

Terry Rogers, manufacturer's representative for Musco Sports Lighting, provided background information on himself and the company. Musco Sports Lighting provides equipment that projects

light to the playing field and meets all the safety requirements of Little League. The lights provide minimal glare impact on the neighbors.

Dennis Wise, 5405 Ridge Drive NE, Keizer stated the youth sports program in Keizer is a true example of community spirit and is essential for the young people. As a neighboring resident of the Keizer Little League Park, he has dealt with trespassing on his property, the noise of maintenance machinery during the early hours of the morning, and the malfunction of the security system. Regarding the installation of the lights at the Keizer Little League field, Mr. Wise suggested the City review the present noise ordinance to make amendments to accurately address community events including baseball games, changing the hours for use of the lights until 10:00 p.m. rather than the recommended 11:00 p.m. and the possibility of a permit system to address other activities not related to a baseball game. Mr. Wise also addressed his concern with the traffic safety on Ridge Drive. He recommended the installation of lights in the parking area or constructing speed reducing devices around the parking area. In response to a question from Councilor McGee, Mr. Wise stated his main concern is the additional noise rather than the installation of lights.

Jim Taylor, 6151 Bingtree Court NE, Keizer stated he has been involved with Keizer Little League for approximately ten years and is presently a member of the Keizer Parks Advisory Committee. Mr. Taylor said the number of children involved in Little League has doubled during his tenure. There is land available to build additional fields but the initial expense and overall maintenance would be a great financial strain. With the installation of lights, the hours will be extended and allow the fields to be utilized for additional games. Mr. Taylor said parking at the Park has been a problem, but with the lighted fields this will allow games to be spread out and reduce the cars leaving. In response to a comment from Mr. Wise, he stated the Little League rules prohibit an inning from starting after 10:30 p.m. By leaving the lights on until 11:00, this would allow the safe departure of players from the fields.

Councilor Keller asked if there could be a compromise to shut the lights off at 10:30 p.m. Mr. Taylor stated this could be an option, but he would need to discuss the matter with the board of directors.

Councilor Watson inquired of the hours recommended for lighting. Park Director Kevin Wickman stated if the regulations state the Park is closed at 11:00 p.m., it would be a violation to be in the park after this hour. Councilor Wellin inquired of the closure times in Holland Youth Park and Wallace Marine Park. In response to another question from Councilor Wellin, Mr. Taylor stated parking is adequate for the facility with the new addition of the south parking lot.

Councilor Miller inquired of the use of the Park on Sundays. Mr. Taylor stated the park is normally not used on Sunday but due to the weather this year, games were scheduled. It is also used on Sunday when a tournament is scheduled. In response to another question from Councilor Miller, Mr. Taylor stated tournaments are held during July, August, September and sometimes in October. Soccer teams also use the Park during the fall. Councilor Miller stated there are several other organizations in Keizer that are in need of playing facilities.

Andy Orcutt, 2100 Kinglet Way, Keizer noted he is the closest property owner to Reimann Field. He is not opposed to the lights but what can happen during the darkness and also the noise problems associated with later games. He stated the fencing around the Park is inadequate and should be repaired before the lights are installed. He cited instances of trespassing of players and spectators in his backyard. He asked the Council to consider imposing a condition to repair the fence prior to the installation of lights.

Mr. Orcutt also is concerned with the noise level. He voiced his opposition to opening the Park for additional tournaments and uses. This would add additional noise from public address systems and the increased amount of spectators. Mr. Orcutt would also like time restrictions placed on the maintenance machinery.

Tim Irmén, 2107 Kinglet Way, Keizer addressed the Council regarding his concern and opposition to the installation of lights at the Keizer Little League Park. Prior to purchasing his home, he was concerned of the possible changes or addition of lighting to the Park. He was assured there was not any plans to add lights to the fields in the near future. Mr. Irmén voiced his concern for the value of his property with the addition of the lights. Mr. Irmén also cited his concern for curfew of the children, noise of the spectators and maintenance machinery after 11:00 and the effect of the lighting on his home. He also cited instances of trespassing and vandalism on his property due to the inadequate fence.

Councilor Miller inquired of the Keizer Little League representatives of the money raised to install the lights. Clint Holland stated money has not been received but has possible donations lined up. He stated it might be possible to have the lights installed prior to next season.

There was no other testimony to come before the Council.

Mayor Koho closed the public hearing.

Mayor Koho, after required notice, reopened the public hearing on September 7, 1993 and additional testimony was taken.

EXHIBIT "B"

Criteria and Standards

The criteria and standards relevant to this application are found in the Keizer Zoning Ordinance (KZO) and the Keizer Comprehensive Plan (KCP).

Of importance in this particular application are criteria set forth KZO Chapter 8. No other criteria were specifically identified in the record.

EXHIBIT "C"

Facts

1. The applicant is the City of Keizer as owner of park. Because the City was the applicant, the City Council elected to call the case directly before the Council so there would be no perception of bias in the staff decision. The real party in interest is Keizer Little League, Inc., who operates the Little League complex.
2. The subject property contains 21.42 acres and is located on the west side of Ridge Drive just north of Keizer Road. The address is 5135 Ridge Drive and the County Assessor identifies the property as located within Section 36CD; Township 6 South; Range 3 West; Tax Lot #'s 101, 200 and 301; and, Section 01B; Township 7 South; Range 3 West; Tax Lot # 1201. The property contains the Keizer Little League Park and includes 10 playing fields used for both baseball and softball.
3. The property is designated "Park" in the Keizer Comprehensive Plan and is zoned P (PUBLIC). The purpose of this Plan designation is to provide land for public and semi-public uses.
4. Property to the north of the subject property is zoned UT (URBAN TRANSITION) and is primarily developed with single family homes on large lot and acreage parcels. Land to the west is zoned UT and RS (SINGLE FAMILY RESIDENTIAL). This area contains both large lot homesites and residential subdivisions. To the south is RM (MEDIUM DENSITY RESIDENTIAL) and UT zoned land with the Kennedy Mobile Home Park the dominant land use. Ridge Drive and the Salem Parkway border the property to the east.
5. The Keizer Little League Park contains 10 playing fields on approximately 15 acres. The proposal calls for the installation of field lights at Reimann Field this year and anticipates lighting as many as four fields over the next five years. These four additional fields are located in the center of the complex and include the Rotary Field, Kiwanis Field, Keizertimes Field and the Jerry Bull Field. The lights will be designed to direct light only onto the playing field and are shielded to eliminate the scattering of light onto adjacent areas.

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6. Ball parks are identified as conditionally permitted uses in the P zone [Section 37.02(i)]. The proposed field lights are "accessory" to the existing baseball diamonds and will not establish new uses at the park. However, installation of the lights may change the way the fields are used and a conditional use review is appropriate.
7. The following facts are relevant with regard to the conditional use criteria found at Section 8.30 of the Keizer Zoning Ordinance (KZO):
 - a. KZO Section 37.02(i) identifies ball parks as conditional uses in the Public zone. [KZO 8.30(a)].
 - b. The subject property has operated as a baseball and softball facility for approximately 10 years. There is adequate area to install the lights and there are no physical features on the property that would prevent their installation. The parcel is suitable for use as ball fields considering the factors found at KZO 8.30(b) and suitable for change in use caused by the proposed lights. [KZO 8.30(b)].
 - c. The available evidence indicates that the proposed lights are not expected to impact adjacent residences because of their specific design and because of an embankment and trees buffering such residences. In addition, the four additional fields proposed to be lit are on the interior of the complex, and that fact in addition to the design of the lights, will cause the lights to have limited impact on residences.

Other concerns are the effect on adjacent residences from the later operating hours of the field due to the fact that the field will be operated at night. These concerns included noise from the players, fans and public address system, as well as invasion of the neighbors' privacy by individuals trespassing on their properties.

The conditions set forth in Exhibit "E" specify that the Little League complex is still subject to the noise ordinance as now enacted or later amended and will have to comply with all regulations in that respect. In addition, another condition requires the fence to be repaired prior to any lights being used. The proposed use, as conditioned, will not materially alter the character of the surrounding area in a manner which substantially limits, impairs, or precludes the use of surrounding properties for residential purposes. [KZO 8.30(c)].

- d. There is no evidence regarding any existing wind or solar energy systems in the area, and therefore the proposed change in use will not adversely affect any such systems. [KZO 8.30(d)].
- e. Electricity is available to power the proposed lights. Other public and utility facilities are available and will not need to be expanded in relation to the change in the use of the ball fields. [KZO 8.30(e)].

EXHIBIT "D"

Justification

The applicants have the burden of proving that the application meets the relevant standards and criteria to be applied in a particular case.

This case involves the application of the City of Keizer (owner) and Keizer Little League, Inc. for a conditional use permit to allow the installation and operation of field lights on up to five (5) ball fields at the Little League complex. Because the City of Keizer is owner of the park, the City Council called the decision before itself for initial review.

Though the use itself (ball fields) would not be changed by the addition of the field lights, the lights would allow for an intensification or later use of the fields and therefore a review under the conditional use permit process is appropriate.

The criteria set forth in Keizer Zoning Ordinance (KZO) 8.30 were the only criteria identified as applicable in this case. The criteria set forth at KZO 8.30(a)(b)(d)(e) are clearly complied with according to the evidence presented at the hearing, and no concerns were raised with respect to those criteria. However, concerns were raised regarding KZO 8.30(c):

The proposed used, as conditioned, will not materially alter the character of the surrounding area in a manner which substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed in the applicable zone.

The first concern was regarding the lights themselves and whether glare, scattered light or spilled light would disturb residents in the area. A second concern was whether the use of the facility for extended hours (rather than the lights themselves) would cause negative impacts to a substantial degree.

With regard to the first issue, testimony at the hearing supported the contention that the lights would have minimal affect on the adjacent residents. This is due both to the directional design of the lights, as well as the embankment adjacent to the first field to be lit and trees separating such field from the residences. In addition, the four fields that would be lit later are on the interior of the Little League complex and further from the neighboring homes.

The second concern focused mainly on the invasion of the neighbors' privacy by trespassers and concerns regarding noise from players, spectators, the public address system and mowers or other power equipment. These possible impacts should be mitigated by the condition that requires the fence to be repaired where the old fence has fallen down and a condition that the Keizer noise ordinance will apply to all activities at the complex. In addition, a condition will be placed that prohibits power equipment from operating after 10:00 p.m.

When this application is approved with the appropriate conditions, possible adverse impacts to the neighboring residents can be mitigated, and the applicant can gain use of the ball fields during the evening hours.

EXHIBIT "E"

Action

The City of Keizer ORDERS that the request of a conditional use permit is hereby GRANTED subject to the following conditions:

1. Installation of the lights shall be limited to the following playing fields; Reimann Field, Rotary Field, Kiwanis Field, Keizertimes Field and the Jerry Bull Field. The lights to be installed at Reimann Field shall be installed substantially as designed and indicated on Exhibit E-1 attached, and shall consist of no more than six poles located approximately where indicated on such exhibit.
2. The lights shall be designed and installed in a manner as to direct the lighting onto the field or fields they are intended to light. The amount of light which shall fall on adjacent residential property shall be minimal and shall not unduly interfere with the neighboring residents' ability to enjoy their properties.
3. The lights shall be installed within two (2) years of the date of the final decision. However, pursuant to Keizer Zoning Ordinance Section 5.34, application may be made to extend the effective period of the rights granted hereunder, provided that the rights are exercised within five (5) years of the date of this decision. This condition specifically gives notice to all parties that possible extension may be granted.
4. The operation for the Keizer Little League Park and field lights shall be limited to the following hours:
 - a. The use of the field lights shall be limited to the following dates: March 1 to October 31.
 - b. The park shall close, and the lights will be off, at 11:00 p.m.
 - c. Extended hours shall be limited to Monday through Saturday; the park shall close at sunset on Sundays.
5. Prior to using the field lights, the Keizer Park Regulations shall be amended to include the change in hours of operation.
6. After a hearing, pursuant to Keizer Zoning Ordinance Section 5.36, rights granted hereunder may be revoked if certain circumstances occur, including, but not limited

to the non-compliance with these conditions of approval. The parties are hereby notified that under such Section, the City can restrict hours of lighting, modify the lighting, or eliminate lighting to further minimize the effect on adjacent property owners, or take further action as allowed under the Keizer Zoning Ordinance.

7. All activities at the Keizer Little League complex shall comply with all ordinances, including, but not limited to the Keizer Noise Ordinance (Ordinance No.90-190) as now enacted, amended, or replaced.
8. No power equipment shall be operated at the Keizer Little League complex after 10:00 p.m. However, compliance with this condition does not exempt such activity from application of the Keizer Noise Ordinance.
9. Prior to using the field lights, the fence along the western boundary of the Little League Park shall be repaired. The fence shall be permanently maintained.
10. Development of the property shall comply with the applicable requirements of the Keizer Zoning Ordinance and building requirements of the Marion County Building Inspection Division.

KEIZER LITTLE LEAGUE / URBAN FIELD
300' BASEBALL FIELD & FIELDS 60' & 70' IN
COMPUTER LIGHT SCAN - MAINTAINED FC

Figure Type: SC-2 MZ
Lamp Type: 1500 watt Metal Halide MZ
Luminaire: 15000
File Number: QLS0002
Project: TNO 18154
Site: 11-MAR-83
Date:



GUARANTEED PERFORMANCE

HORIZONTAL FOOTCANDLES

Output
Average: 2000
Maximum: 2,350
Number of Poles: 1,867
Number of Luminaires: 8
KW Consumption: 78.60

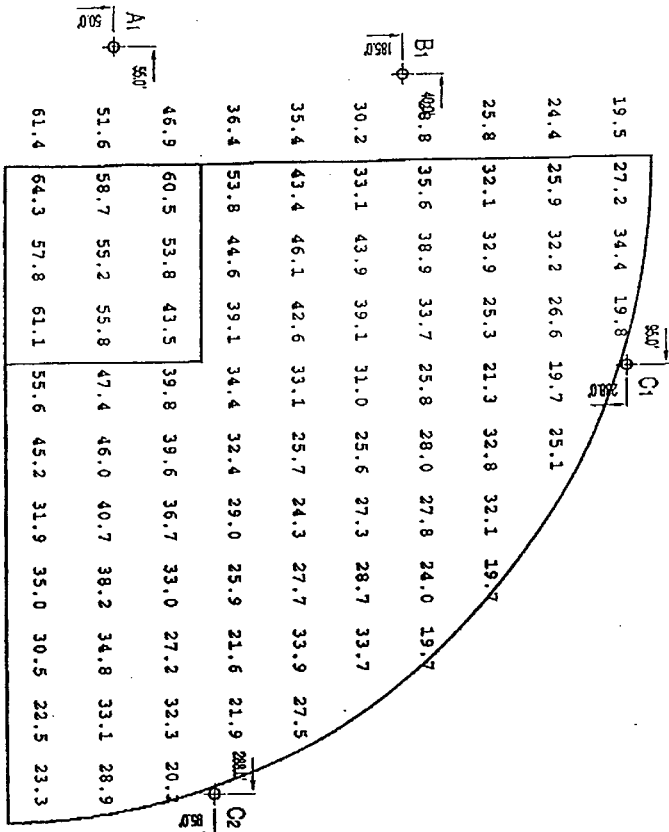
Field Dimensions: ☐ OK ☐ MODIFIED
Light Levels: ☐ ☐ ☐ ☐

Pole Locations: ☐ ☐ ☐ ☐
Voltage: ☐ ☐ ☐ ☐

POLE ID MTG HT FIXTURES

A1	70	8
B1	70	12
C1	60	6
C2	60	6
B2	70	12
A2	70	6

EXHIBIT "E-1"



This preliminary information is subject to confirmation and any modifications indicated.

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☉ = Pole Location

SCAL FEET



City of Keizer

930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700 • Fax # 393-9437

CITY COUNCIL MEETING: Sept. 7, 1993

AGENDA ITEM NUMBER: 6a

TO: MAYOR AND CITY COUNCIL

FROM: WALLY G. MULL, PUBLIC WORKS DIRECTOR

THROUGH: DOTTY TRYK, CITY MANAGER

SUBJECT: FORMATION OF A LOCAL IMPROVEMENT DISTRICT TO UPGRADE UNIMPROVED STREETS

BACKGROUND

When the City of Keizer was incorporated in 1982 the City Council adopted a policy of not maintaining any street that was not up to City of Keizer Street Standards at the time of incorporation.

In the past few months the City Public Works Department and the City Manager have received requests to look at the possibility of upgrading the unimproved streets in Keizer.

Council instructed staff in July to investigate property owners interest in forming a Local Improvement District (LID) on Orchard St, two sections of Fillmore St and Sieberg Ave.

On August 19, 1993, a meeting was held in the Council Chambers of City Hall with the effected property owners. Twenty (20) of a possible 48 property owners were represented.

Staff explained the Council's interest in upgrading the unimproved streets and listed the different options to fund the improvements, which were to:

1) Do nothing; 2) Grade & Gravel; 3) The formation of an (LID) paid for by the property owners; 4) City/Property Owners form an (LID) and split the costs; 5) City pay for improvements with street fund.

All property owners attending the meeting showed an interest in doing some type of improvement using one of the funding options discussed.

The City Council has the authority, Ordinance No 84-028, to initiate public improvements and special assessments.

The first step will be to direct the city engineer to file a written report detailing the project and estimating the costs. Upon receipt and approval of the report, a public hearing will be held and property owners objecting to the project will have the opportunity to remonstrate at that time.

If the total number of property owners **objecting** to the proposal is **less than 2/3** of affected properties, **the Council may proceed to approve the improvement.**

If the total number of property owners **objecting** to the proposal is **greater than 2/3** of the affected properties, **the improvement would be suspended for 6 months.**

The action requested tonight of the Council would begin this process.

FISCAL IMPLICATIONS

Street Funds are available for the construction. Council and the affected property owners would form an (LID) with each party responsible for 50% of the cost of improvements. This is estimated at approximately \$75,000 in street funds with \$75,000 divided among the property owners based on front footage.

RECOMMENDATION

It is recommended that the Council adopt a Resolution of intention to form a local improvement district for improvements on Orchard St; two sections of Fillmore Street and Sieberg Avenue; and direct the City Engineer to make a survey of the improvements and file a written report with the City Recorder by October 1, 1993.

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R93_____

DECLARING THE CITY'S INTENT TO FORM A LOCAL IMPROVEMENT DISTRICT
AND IMPROVE ORCHARD STREET, FILLMORE STREET AND SIEBERG STREET

WHEREAS, the City Council is interested in making improvements
to streets within the City of Keizer; NOW THEREFORE

BE IT RESOLVED by the City Council of the City of Keizer that
the City Engineer is to make a survey of the improvements and file
a written report with the City Recorder

BE IT FURTHER RESOLVED funding for these projects will be a
50% match from the street fund.

PASSED this_____day of_____, 1993

SIGNED this_____day of_____, 1993

Mayor

City Recorder



City of Keizer

930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700 • Fax # 393-9437

CITY COUNCIL MEETING: Sept. 7, 1993

AGENDA ITEM NUMBER: 6b

1 September 1993

TO: MAYOR AND CITY COUNCIL

FROM: WALLY G MULL, PUBLIC WORKS DIRECTOR

SUBJECT: BID AWARD (LOCKHAVEN DRIVE WIDENING AND STORM DRAIN
IMPROVEMENTS)

The City of Keizer Public Works Department has issued an invitation to bid for the construction of Lockhaven Dr Widening and Storm Drain Improvements. This project will include the addition of a turn lane from in front of Dairy Queen to the East side of Trail Ave on Lockhaven.

Bids will be opened at 11:00 am on Tuesday September 7, 1993 at the City of Keizer Council Chambers.

A staff report and recommendation will be available prior to the Council meeting on Tuesday night.

CITY COUNCIL MEETING: Sept. 7, 1993

AGENDA ITEM NUMBER: 6b

1 September 1993

TO: MAYOR AND CITY COUNCIL

FROM: WALLY G MULL, PUBLIC WORKS DIRECTOR

SUBJECT: BID AWARD (LOCKHAVEN DRIVE WIDENING AND STORM DRAIN
IMPROVEMENTS)

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A staff report and recommendation will be available prior to the Council meeting on Tuesday night.

1 September 1993

TO: MAYOR AND CITY COUNCIL

FROM: WALLY G MULL, PUBLIC WORKS DIRECTOR

SUBJECT: BID AWARD (LOCKHAVEN DRIVE WIDENING AND STORM DRAIN
IMPROVEMENTS)

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Bids will be opened at 11:00 am on Tuesday September 7, 1993 at the City of Keizer Council Chambers.

A staff report and recommendation will be available prior to the Council meeting on Tuesday night.

S:\DQImp



City of Keizer

930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700 • Fax # 393-9437

CITY COUNCIL MEETING: Sept. 7, 1993

AGENDA ITEM NUMBER: 6c

TO: MAYOR KOHO AND COUNCIL MEMBERS

FROM: DOTTY TRYK, CITY MANAGER

SUBJECT: ESTABLISHING THE CHARGE AND TERMS OF THE BUDGET COMMITTEE

BACKGROUND:

The Council expressed an interest in clarifying the functions and terms of all the City Committees. The ordinance attached restates the statutory charge given to the Budget Committee and clarifies the expiration date for the terms of the committee members. This date will be August 31 of the year.

The Resolution adjusts the terms of the current members to coincide with the staggered terms and the expiration date of appointment. The two volunteers whose terms are being extended have agreed to serve the longer terms.

RECOMMENDATION:

It is recommended that Council:

1. Adopt the Ordinance Establishing the Charge and Terms of the Budget Committee;
and
2. Adopt the Resolution Establishing Adjusted Terms for Budget Committee Members.

1 BILL NO. _____

2 A BILL

ORDINANCE NO.

3 FOR

93-_____

4 AN ORDINANCE

5 ESTABLISHING THE CHARGE AND TERMS
6 OF THE BUDGET COMMITTEE

7 WHEREAS, the Keizer Budget Committee was established in
8 1983 as provided by ORS 294.336; and

9 WHEREAS, the City of Keizer wants to clearly establish the
10 charge of the Budget Committee; and

11 WHEREAS, the City of Keizer wants to revise commencement
12 of the term of the Budget Committee members to coincide with
13 the budget preparation schedule; NOW, THEREFORE,

14 The City of Keizer ordains as follows:

15 Section 1. COMMITTEE CHARGE. The Budget Committee shall
16 be the fiscal planning committee for the City of Keizer. The
17 Committee will review and may revise a proposed budget
18 according to Oregon Local Budget Law. The Budget Committee
19 will encourage citizen involvement and provide public exposure
20 to the budget to allow the taxpayers to have a better
21 understanding of how their tax dollars are spent.

22 Section 2. TERM. The appointive members of the Budget
23 Committee shall be appointed for terms of three years
24 commencing on the 1st day of September. The member's term
25 shall expire on August 31st three years later. The terms of
26 the appointive members shall be staggered so that approximately
27 one-third of the terms of the appointive members expire each
28 year. If the appointive member is not able to complete a term,

1 - ORDINANCE NO. 93-_____

LIEN, HOBSON & JOHNSON

Attorneys at Law
4855 River Rd. N.
Keizer, Oregon 97303
(503) 390-1635

1 the governing body shall choose another individual to fill the
2 position for the duration of the term.

3 Section 3. APPOINTMENT. The City Council shall appoint
4 Budget Committee members by resolution.

5 PASSED this _____ day of _____, 1993.

6 SIGNED this _____ day of _____, 1993.

7
8 _____
Mayor

9
10 _____
City Recorder

11 824.115

2 - ORDINANCE NO. 93-_____

LIEN, HOBSON & JOHNSON

Attorneys at Law
4855 River Rd. N.
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(503) 390-1635

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2 Resolution R93-_____

3 ESTABLISHING ADJUSTED TERMS FOR BUDGET
4 COMMITTEE MEMBERS

5 WHEREAS, the City of Keizer wants to adjust the
6 termination date of the Budget Committee member terms to
7 achieve the staggered terms required by Oregon law; NOW,
8 THEREFORE,

9 BE IT RESOLVED that the City Council shall adjust
10 termination date of the current appointed Budget Committee
11 members to provide for termination dates as follows:

12		Current	Current	Adjusted
13		Appointment	Expiration	Expiration
14	<u>Member</u>	<u>Date</u>	<u>Date</u>	<u>Date</u>
15	Carl Beach	1/21/92	2/2/95	8/31/95
16	JoAnne Beilke	1/21/92	2/2/95	8/31/95
17	Robert Emmerich	10/5/92	2/2/95	8/31/96
18	Mark Caillier	2/3/92	2/2/95	8/31/96
19	Dick Inman	2/19/91	2/2/94	8/31/94
20	Bob Simon-Chair	2/19/91	2/2/94	8/31/94
21	Roy Duncan	1/21/91	2/2/96	8/31/96

22 PASSED this _____ day of _____, 1993.

23 SIGNED this _____ day of _____, 1993.

24

25

Mayor

26

27

City Recorder

28 824.116

PAGE 1 - Resolution R93-_____



City of Keizer

930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700 • Fax # 393-9437

CITY COUNCIL MEETING Sept 7, 1993

AGENDA ITEM NUMBER: 7a

TO: MAYOR AND CITY COUNCIL

FROM: WALLY G MULL, PUBLIC WORKS DIRECTOR

SUBJECT; BID AWARD (MEADOWS WELL OVERFLOW LINE AND WATER LINE)

ISSUE

Shall the City Council approve a Resolution awarding a bid for construction on the Meadows Well Overflow line and Water Main?

BACKGROUND

On 27 August 1993 ten bids were received and opened in the Council Chambers, Keizer City Hall, for the construction of the Meadows Well Overflow line and Water Main.

Bill Booker Const.	\$73,915.80
Pro Excavating	\$74,913.30
Gelco Construction	\$77,323.00
MOCON Corporation	\$82,323.00
JT, Inc	\$83,992.00
TSI Excavation	\$85,667.25
John Arnold Co	\$85,805.00
K & R Plumbing	\$94,183.20
N.B. Hatch Co	\$98,270.00
Cushing Bros	\$98,541.50

U S West will be installing conduit in our trench for future service to the new grade school. They will pay the City approximately \$4,300 for the use of our trench.

RECOMMENDATION

Approval of a Resolution awarding the Meadows Well Overflow Line and Water Main Installation to Bill Booker Const. Co. at a cost of \$73,915.80.

CITY COUNCIL MEETING Sept 7, 1993

AGENDA ITEM NUMBER: 7a

TO: MAYOR AND CITY COUNCIL

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1982

City of Keizer

930 Chemawa Rd. N.E. • P.O. Box 21000

Keizer, Oregon 97307-1000 • (503) 390-3700 • Fax # 393-9437

CITY COUNCIL MEETING: Sept. 7, 1993

AGENDA ITEM NUMBER: 7d

TO: MAYOR KOHO AND COUNCIL MEMBERS

FROM: DOTTY TRYK, CITY MANAGER *Dotty*

SUBJECT: CONTRACT WITH JVR, INC. FOR REIMBURSEMENT OF SEWER LINE COSTS

BACKGROUND:

JVR, Inc. acted as the general contractor for the installation of sewer lines to serve several pieces of property in north Keizer. Although the line was built to serve developments belonging to JVR, it was located and sized to serve a much larger area. The JVR agreed to finance the installation and the City agreed to reimburse JVR through the collection of System Development Charges from the served properties. During the design and acquisition of necessary easements, this project became much larger and the size of the benefiting area grew. The project costs now total near \$1 million. Of that, \$510,290 has been reimbursed or is the responsibility of JVR. The additional \$487,177 is still outstanding with reimbursement to be made as development occurs in the served area. JVR understands that reimbursement may take some time and so requested the attached agreement.

The purpose of this contract is to pay JVR interest on its invested funds in the amount of prime interest plus 2% on outstanding the balance. Additionally, the City will receive 1% service charge for administering the funds. This interest would be collected from the developers at the time they pay their SDCs.

Another provision of this agreement is that the City will collect SDCs as development commences on large parcels rather than in phases as lots are developed.

Staff believes that the agreement is fair in that JVR has invested money to the benefit of future developers and, therefore, deserves a return on its investment. The City will be collecting, disbursing and accounting for funds in this transaction and deserves reimbursement for additional effort. And, the agreement to collect SDCs as development occurs is the current City policy and as such is no burden.

CITY COUNCIL MEETING: Sept. 7, 1993

AGENDA ITEM NUMBER: 7d

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The staff would like to make one addition to this contract. That is that the reimbursement amounts be subject to a final audit of the costs.

The original SDCs were based on estimated costs for this line. As the costs were greater than the estimate, SDCs for the remaining undeveloped parcels must be recalculated to cover repayment of the project. Staff will be returning in October with a recommendation on new SDCs for the Clear Lake area.

FISCAL IMPACT:

There will be no negative fiscal impact on the City as the developers will pay the accrued interest at the time they pay their SDCs. The City will be able to recoup any additional costs for administering the funds.

RECOMMENDATION:

It is recommended that the Council adopt a resolution authorizing the City Manager to enter into this agreement with the addition of a clause requiring a final audit of the project costs.

September 01, 1993

	<u>O'Neil</u>	<u>Wheatland</u>	<u>Totals</u>
Construction	\$580,000.00	\$282,512.00	\$862,512.00
Engineering & Surveying	37,471.85	14,063.50	51,535.35
Permits	34,589.45	15,190.00	49,779.45
Fencing & Miscellaneous	4,000.00		4,000.00
Foundation Stabilization	29,640.00		29,640.00
Total	\$685,701.30 1	\$311,765.50	\$997,466.80

Total Cost of Project	\$997,466.80
Less: CAWS	(96,754.00)
Nolans	(86,340.00)
JVR, Inc.	(216,016.00)
Meadows, Phase 6	(23,730.00)
Meadows, Phase 7	(50,850.00)
BeiERS, Phase 1	(36,600.00)
Balance loaned by JVR, Inc.	\$487,176.80

1. Berning Line Addition \$221,605.00.
2. Due from Bernings' on January 4, 1994 \$150,000.00.

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2 Resolution R93-_____

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4
5
6 AWARDING OF BID FOR

7
8 MEADOWS WELL OVERFLOW LINE AND WATER MAIN IMPROVEMENTS
9

10
11 WHEREAS, an invitation to bid was submitted for advertising for construction
12
13 of Meadows Well Overflow Line and Water Main line Improvement project;
14

15
16 WHEREAS, on August 27, 1993, ten bids were opened. Low bidder on the project
17
18 was Bill Booker Const Co. with a bid of \$73,915.80 for construction of the Meadows
19
20 Well Overflow Line and Water Main Improvement project; NOW THEREFORE;
21

22
23 BE IT RESOLVED by the City Council of the City of Keizer to authorize the City
24
25 Manager to sign the necessary contracts.
26

27
28
29 PASSED this____ day of _____,1993

30
31 SIGNED this____ day of _____,1993
32

33
34
35
36
37 _____
38 Mayor
39

40
41 _____
42 City Recorder

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R93-_____

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT
WITH PITNEY BOWES, INC.

WHEREAS, the City of Keizer has determined that in-house mailing will provide better customer service; and

WHEREAS, in-house mailing systems offer greater control over quality and timeliness;
NOW THEREFORE;

BE IT RESOLVED by the City Council of the City of Keizer to authorize the City Manager to negotiate an agreement with Pitney Bowes, Inc. for the lease purchase of mailing equipment.

PASSED this _____ day of _____, 1993

SIGNED this _____ day of _____, 1993.

Mayor

City Recorder

AGREEMENT

This agreement, made and entered into the 6th day of July, 1993, by and between:

JVR, INC., an Oregon corporation, doing business as "The Meadows Group", hereinafter called "JVR"; and

THE CITY OF KEIZER, OREGON, an Oregon municipal corporation, hereinafter called "The City";

WITNESSETH:

JVR and The City, together with C.A.W.S., Inc, an Oregon corporation, and Al Nolan and Dorothy Nolan, husband and wife, are parties to an agreement dated October 14, 1992, (hereinafter called "the 1992 Agreement"), under which the parties agree to the creation and acquisition by The City of certain easements for sanitary sewer lines, the installation of said lines, the contributions by JVR, C.A.W.S., Inc and the Nolans to the costs of said installations, the initial payment of installation and other costs, the reimbursement by The City to JVR of certain costs incurred by it in connection with the installation of said lines, and other related issues. The 1992 Agreement remains in full force and effect.

On February 20, 1993, The City entered into a second agreement, with Louis Berning and Elsie Berning, husband and wife (hereinafter called "the Bernings"), pertaining to the installation of the aforesaid sewer lines. Said second agreement is hereinafter referred to as "the Berning Agreement".

Under the terms of the Berning Agreement, that portion of the sewer line which runs across the Bernings' property is relocated and substantially lengthened. As a result, the cost of installing this portion of the line will be substantially greater than was estimated in the 1992 Agreement.

Under the terms of the 1992 Agreement, JVR is to initially pay, first from funds collected through the city from JVR, C.A.W.S., Inc. and the Nolans, and then from JVR's own funds, the costs of installing the sewer lines described in said agreement.

The City requests that JVR initially pay the additional costs of installing the sewer line on the Bernings' property, in accordance with the provisions of the 1992 agreement; and JVR is willing to initially pay such additional costs provided that the amounts to be reimbursed to it by the City under the 1992 Agreement bear interest as provided for hereinbelow, and provided further that The City commits to establish and maintain in effect throughout the reimbursement period the policy regarding the collection of sewer assessments on developments within the Clear

Lake Sector which is set forth more fully hereinbelow.

NOW, THEREFORE, in consideration of their mutual covenants contained herein, JVR and The City agree as follows:

1. MODIFICATION OF 1992 AGREEMENT The City and JVR hereby agree to modify the provisions of the 1992 Agreement as follows:

A. Reimbursement Amounts to Bear Interest. The City and JVR hereby agree that, notwithstanding any contrary provision contained in the 1992 Agreement, all amounts which The City is to reimburse to JVR under the terms of the 1992 Agreement (including without limitation all additional costs JVR incurs in installing that portion of the sewer line which crosses the Bernings' property in the revised location described in the Berning Agreement) shall bear interest from the date of each disbursement of such funds by JVR, at a variable rate equal to two percent (2%) over the then-current base or prime rate being charged by United States National Bank of Oregon (or by any successor in interest of said bank). All payments of reimbursement amounts and interest accrued thereon shall be applied first to the payment of all interest accrued to the date of such payment, and then to the reduction of the principal balance of the amount to be reimbursed. In addition to collecting and remitting to JVR the principal and interest payments described above, The City shall be entitled to collect and retain for its own use additional sums equal to one percent (1%) of the principal sums remitted to JVR, to compensate The City for its administration of the reimbursement fund described herein.

B. City to Continue Assessment Policy. The City and JVR hereby agree that so long as there remains outstanding and unpaid any principal or interest owing by The City to JVR under The City's obligation to reimburse JVR pursuant to the 1992 Agreement and this agreement, The City shall establish and maintain in full force and effect from and after the date of this agreement the policy of collecting sewer assessments on developing properties within the Clear Lake Sector Plan in a single lump sum at the time development of the same is commenced, rather than collecting such assessments on an installment basis as each lot or phase of the property is developed. This new policy shall not invalidate any previous agreements which The City may have with other developers on developments approved prior to the date of this agreement. The parties intend by this provision to insure that the reimbursements and interest thereon to be paid JVR by the City will be paid in full as quickly as possible following the installation of the sewer lines in question.

2. RATIFICATION AND CONFIRMATION OF 1992 AGREEMENT. By these presents, JVR and The City hereby declare that except as modified hereby, the terms, covenants and conditions of the 1992 Agreement remain in full force and effect, and said parties hereby ratify and confirm said agreement as modified hereby.

3. BINDING EFFECT OF AGREEMENT. The City and JVR acknowledge that they have not requested that C.A.W.S., Inc. or the Nolans be parties to this agreement because, even though it modifies the 1992 Agreement to which C.A.W.S., Inc. and the Nolans are parties, this

agreement only modifies provisions of the 1992 Agreement which are applicable solely to JVR and The City, and the modifications set forth hereinabove have no effect on C.A.W.S., Inc. or the Nolans, or on the relationship between them or with either JVR or The City. JVR and The City each agree that the modifications to the 1992 Agreement which are set forth in Section 1 above shall be binding upon and shall inure to the benefit of and be enforceable by JVR and The City as fully as though C.A.W.S., Inc. and the Nolans were parties to this agreement; and JVR and The City each irrevocably waive any right to assert against the other any defense to this agreement based on the fact that C.A.W.S., Inc. and the Nolans are not parties hereto.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed the day and year first hereinabove written.

CITY OF KEIZER

JVR, INC.

by: _____
Dennis Koho, Mayor

by:  _____
James V. Reimann, President



City of Keizer

930 Chemawa Rd. N.E. • P.O. Box 21000

Keizer, Oregon 97307-1000 • (503) 390-3700 • Fax # 393-9437

CITY COUNCIL MEETING: Sept. 7, 1993

AGENDA ITEM NUMBER: 7c

TO: MAYOR KOHO AND COUNCIL MEMBERS

FROM: DOTTY TRYK, CITY MANAGER

SUBJECT: PURCHASE OF MAILING EQUIPMENT

SUMMARY:

The Finance Department has been looking at changing our utility billing to a letter billing with a return envelope in order to provide better service to our customers. This approach would provide better service to the customers, give them some confidentiality, and the postcard bills sent now get misplaced in the mail contributing to our large number of delinquencies. In addition, sending bills in envelopes allows the City to utilize the bills for sending other information to our customers.

The staff compared the current cost of postcard bills and separate newsletter mailings to envelope bills both mailed by a contractor and purchasing a mailing system. These comparisons show that with 6 extra mailings, the cost of sending letter bills using an in-house mailing system is the most cost effective method of providing the service.

BACKGROUND:

The City currently mails postcard bills to our utility customers. These are hand-burst, sorted and mailed by staff.

This year, a quarterly newsletter was also mailed to all Keizer residents. In addition, there were two mailings this year to the entire community concerning the Renewal District. These larger mailings are now being sent by a mailing service.

The staff has evaluated a modular mailing system that includes a folder, inserter, high speed laser printer, sealer and postage. This also includes address management software.

This system would allow us to do several things in a cost effective manner. First, we could provide better service to our customers by providing utility bills mailed in envelopes so that the billing information remains private. We could also provide them with return envelopes for

CITY COUNCIL MEETING: Sept. 7, 1993

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This system would allow us to do several things in a cost effective manner. First, we could provide better service to our customers by providing utility bills mailed in envelopes so that the billing information remains private. We could also provide them with return envelopes for

their payments.

Secondly, we would have greater opportunity to communicate with our citizens and customers. In addition to newsletters and large scale mailings, other inserts could be mailed at no extra postage cost to utility customers.

We would also retain control over our mailings in that they would be in-house. And, there is a labor savings of at least 3 hours per billing due to the automation.

FISCAL IMPACT:

The vendor has offered a lease purchase agreement which would allow the City to own the equipment after 60 months. In addition, they will allow us to exchange equipment in the interim. The total cost of the 60 month lease is \$26,460. This would be paid in monthly payments of \$245 for the first year and \$490 for the ensuing four years for an average of \$444/month.

The costs of using this system would break even with our current procedure at six additional mailings a year which is the number we would probably send over a twelve month period. There are certainly many other smaller mailings which the City does which would contribute to the benefit of owning the system.

COUNCIL GOAL:

This action contributes to the Council Goal to "Improve communication with residents by use of a newsletter, town hall meetings, newspaper columns and an open and responsive City Hall".

RECOMMENDATION:

It is recommended that the Council adopt a resolution authorizing the City Manager to sign a contract with Pitney Bowes for the lease purchase of mailing equipment.

MAILBE.XLS

Utility Bill/Newsletter Mailing
Annual Average Costs

	Current Annual	Contract Annual	Cost (Savings)	In House Annual	Cost (Savings)
Printing	984	876		876	
Envelopes	0	1020		1020	
Return Envelopes	0	900		900	
Machine Rent	1224	1224		0	
Postage	7334	10066		10066	
Labor Saving	0	-540		-540	
Subtotal	9542	14086	4544	12862	3320

6 Newsletters/year

Printing	2976	2976		2976	
Folding	2088	2088		0	
Stuffing	0	2400		0	
Machine Rental	0	0		5328	
Postage	6696	0		0	
Subtotal	11760	7464	-4296	8304	-3456
Total	21302	21550	248	21166	-136

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2 Resolution R93-____

3
4
5 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT

6
7 WITH PITNEY BOWES, INC.

8
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10 WHEREAS, the City of Keizer has determined that in-house mailing will provide
11 better customer service; and

12
13 WHEREAS, in-house mailing systems offer greater control over quality and timeliness;
14 NOW THEREFORE;

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16 BE IT RESOLVED by the City Council of the City of Keizer to authorize the City
17 Manager to negotiate an agreement with Pitney Bowes, Inc. for the lease purchase of mailing
18 equipment.

19
20 PASSED this ____ day of _____, 1993

21
22 SIGNED this ____ day of _____, 1993.

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27 _____
28 Mayor

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30 _____
31 City Recorder
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MINUTES

KEIZER CITY COUNCIL Monday, August 16, 1993 Robert L. Simon Council Chambers Keizer City Hall

CALL TO ORDER

Mayor Koho called the regular meeting to order at 7:33 p.m.
Roll call was taken as follows:

Present

Dennis Koho, Mayor
Jim Keller, Councilor
Jerry McGee, Councilor
Al Miller, Councilor
Chet Patterson, Councilor
Jerry Watson, Councilor
Marlene Wellin, Councilor

Staff

Dotty Tryk, City Manager
John Morgan Community Development Director
Wally Mull, Director of Public Works
Charles Stull, Chief of Police
Shannon Johnson, City Attorney
Kevin Wickman, Director of Parks
Tracy L. Davis, City Recorder

PUBLIC TESTIMONY

There was no public testimony to come before the Council.

VOLUNTEER OF THE MONTH AWARD

Ray Boucher, member of the Volunteer Coordinating Committee introduced Darrell Richardson as the recipient of the August Volunteer of the Month Award. Mayor Koho presented a clock to Mr. Richardson in honor of his voluntary mowing of Sunset Park over the years.

SOLID WASTE MANAGEMENT PROGRAM

Jim Sears, Solid Waste Manager for Marion County, appeared before the Council. Mr. Sears advised the Council disposal fees for Marion County will not be increased over the next year. Mr. Sears stated Marion County has hired a consultant to develop a 20-year solid waste management plan and will be presenting this plan at future public meetings. He requested the Council appoint a representative to attend these meetings in order to assure the plan will meet the future needs for the City of Keizer.

Councilor McGee inquired if the possibility of a transfer station being located within the City could be discussed during the development of this plan. Mr. Sears said it may be the appropriate time to look at this issue.

Mayor Koho nominated Councilor McGee to represent the City of Keizer. The Council agreed by consensus to this appointment. Councilor McGee stated it may be appropriate for a City staff person to fill this position. City Manager Tryk and Councilor McGee will discuss the appointment.

Mr. Sears thanked Councilor McGee for his past contributions to the Marion County Solid Waste Management Program.

PUBLIC HEARING

Chemawa Activity Center Plan

Mayor Koho opened the public hearing which had been continued from August 2, 1993.

Community Development Director John Morgan briefed the Council on the responses he had received from the City of Salem and the Oregon Department of Transportation regarding the Chemawa Activity Center Plan. The City of Salem responded with a "no comment" letter to the draft Plan. The Oregon Department of Transportation (ODOT) letter stated they concur with the City's position that the appropriate study can be done, agrees public improvement policies are adequate and they believe the conditions proposed for design and construction improvements within the right-of-way are appropriate.

Mr. Morgan informed the Council a letter was sent to the property owners in the area responding to questions and concerns raised during previous testimony. In response to the

removal of the area west of the railroad tracks, Mr. Morgan stated it is premature to do so at this point for three reasons; the Comprehensive Plan designates the area for light industrial use, the impact of the properties with the realignment of Ridge Drive and to allow time to determine the best future use as it impacts the entire community.

A letter from Mildred Hayes, a major property owner in the area, was received which expressed her support to move ahead with the plan.

Mr. Morgan recommended the Council direct staff to prepare an order for adoption of the Plan at the September 7, 1993 Council meeting.

In response to a question from Councilor McGee, Mr. Morgan stated the adopted regional transportation plan designates Lockhaven as a principal arterial which would end with a bridge over the Willamette. However, Keizer has not adopted this plan. Mr. Morgan stated a study for a bridge is underway with completion estimated within the next 18-36 months. As a member of the Salem Keizer Area Transportation Committee, Mayor Koho has voiced his opposition to the bridge at the end of Lockhaven. Councilor McGee also inquired of the improvements the City may be required to do to the I-5/Chemawa Road Interchange. Mr. Morgan stated the plan addresses this issue.

Councilor Watson voiced his concern for not addressing the issues regarding Lockhaven as a major arterial or the possibility of a bridge at the end as stated in the plan. He asked staff to send a letter to ODOT thanking them for their support but noting we have not committed to a bridge over the river at the end of Lockhaven. The Council concurred with this direction to staff.

Presenting testimony during the public hearing was:

Ron Ziebart, 6783 Rock Ledge Court, Keizer owns property within the activity center area. He feels the overall plan would be damaged if some of the areas were removed. He hopes the Council will determine the direction and then move forward.

Barb Griffith, 1497 Greenwood Drive, Keizer stated she has lived in Keizer all of her life and would like the area to remain as it is. She cited development of a shopping mall would deter people from "downtown" Keizer and increase traffic.

Rick Bladorn, 2285 Chemawa Road, Keizer stated the total assessed value of the property located within the triangle at Lockhaven and Chemawa Road is approximately \$1,000,000. He estimated it would cost \$200,000 to remove all structures from the land. After those initial costs, the bare land would be worth approximately \$125,000 per acre. These costs would discourage any individual from developing the property. Mr. Bladorn would like the City to manage its present growth rather than encourage additional growth.

Josephine Ditchen, owner of property at 6353 Radiant Drive, Keizer wanted to confirm the comments contained in the letter submitted by Mildred Hayes. She stated most of the property owners in the area are interested in the development. She supported the idea of a outlet mall or hotel that could put Keizer on the map. Ms. Ditchen stated this development has been talked about for 14 years, therefore she would like to have the plan move forward.

Charlene Mutschler, 280 Alice Avenue S, Salem owns property at 6250 Radiant Drive, Keizer. Ms. Mutschler voiced her support to move forward with the plan. This will be an enhancement to the City. She urged the City Council to provide a plan that will progress and not keep the residents in limbo any longer.

Irene Pacleb, 2330 Chemawa Road NE, Keizer moved to her house approximately two year ago. She is very satisfied with her home in Keizer and does not want to move.

Pat Chapman, 2335 Chemawa Road NE, Keizer, voiced her opposition to the entire plan. She inquired of the financial profit the City would gain on this plan. Ms. Chapman is concerned if this plan is implemented, her property would be taken from her.

There was no other testimony to come before the Council.

Mayor Koho continued the public hearing to September 7, 1993.

The Council discussed the procedure for public hearings and determined deliberations will be held this evening at the appropriate agenda time.

**Clear Lake Area
Comprehensive Plan
Land Use Map
Amendment**

Mayor Koho opened the public hearing.

Community Development Director, John Morgan stated this is a legislative amendment to the comprehensive land use map. This amendment involves two areas; an area designated MHDR located on both sides of Wheatland Road and the "Keizer Industrial Park" property located on River Road. The Planning Commission initiated the proposed amendment to the comprehensive plan.

Mr. Morgan highlighted the reasons why the Wheatland Road property should not be developed as a MHDR area. These reasons include the area is isolated from supporting services, the area has no transit service, the development of this type of density will degrade the efficiency of Wheatland Road, and the surrounding single-family area will be de-stabilized by development of higher density housing.

Mr. Morgan stated there are many reasons why the River Road Industrial area should not be industrial. These reasons include: the property is not well oriented or close to Interstate 5; it is difficult access for truck traffic due to the distance and nature of River Road; it is surrounded by residential development on two sides; the property is at a distinct competitive disadvantage compared to other vacant industrial properties; the concern of having the property developed industrial when the surrounding land is residential; and the land is particularly suited for residential development.

Mr. Morgan stated it is apparent the need for change in both of these areas; the Wheatland Road property to low-density residential and mixed-use designation for the industrial park

property. The relationship between the properties is an important issue. The Department of Land Conservation and Development Commission (DLCD) raised some concern that if density is transferred, housing type should also be transferred, i.e. multi-family dwelling units. In response to this concern, Mr. Morgan stated there has been a significant increase in the amount of multi-family development outside of the lands originally designated for multi-family units.

Another issue of the industrial park area is the concern raised by the abutting property owners on Rock Ledge Court. A meeting was held with the residents of the area and Mr. Epping. Among the several options discussed, the group favored the dedication of land along the north bank of LaBish Ditch as a park, in lieu of some of the Parks System Development Charges. Mr. Morgan suggested the specific park dimensions should be discussed during the design process. He recommended the Council designate the area "P" on the comprehensive land map at this site. He further recommended the Council direct staff to draft the appropriate ordinances adopting the changes including adding the Parks designation and narrative to the Comprehensive Park System Development Plan for the proposed park.

Councilor Keller inquired of the impact on the school. Mr. Morgan stated the school is aware of the change but the City has not received any response.

Ken Sherman Jr., 687 Court Street, Salem represents C.A.W.S. Inc., in which Larry Epping is the owner. Mr. Sherman highlighted the evidence supporting the zone changes. He reminded the Council at this step of the process the change from industrial to mixed-use is conceptual and will return with a plan at a later date. The proposed changes comply with the statewide land use goals in such areas as land use planning, economic development, public facilities and services, transportation, energy conservation and citizen involvement. The changes are also consistent with the applicable goals and policies in the Comprehensive Plan; encourages master planning of large parcels, encourages stabilization and protection of the character of residential areas and maintains an adequate inventory of industrial land. This proposed change is consistent with the projected needs for lands in the proposed classifications; the

67-acres will add to the residential stock.

In closing, Mr. Sherman stated the mixed-use zone was chosen for the greatest amount of flexibility. However, within this zone there is a density parameter of 8-16 units per acre. He will be working with the City to achieve a compatible balance of housing sites within the area. Mr. Sherman also concurred with designation of a park on the property hoping the City will allow the flexibility to lay out the development. He also hoped they would receive reasonable credit towards the SCDC for the donation of land and to be able to apply this credit to the lots of their choice.

Councilor McGee complimented Mr. Epping on his negotiations with the neighboring property owners. He inquired of the plans to establish vegetation along LaBish Ditch. Mr. Sherman was sure this could be included but could not be specific until a plan for the park is developed. In response to a question from Councilor Keller regarding single-family units around the park, Mr. Sherman stated this is possible since this area is conducive to single-family units.

Councilor Watson favored the development of a park within the area but questions the overall access and use by the citizens of the community. Mr. Sherman supports a community park development and an integrated neighborhood that maximizes the liveability for all residents.

Barb Griffith, 1497 Greenwood Drive, Keizer - no comments.

Ron Bassett-Smith, 965 Bair Road NE, Keizer, president of the Clear Lake Neighborhood Association, supported the proposed amendments. They also would favor the lowest possible density for the area found in single-family units; possibly four units per acre. He cited concerns for crowding of the Clear Lake school.

Jim Reimann, 5309 River Road N., Keizer supports the acts of Mr. Epping but has some concern. He owns the property, Hidden Creek, to the south of the property in question and is concerned with the development of too many units, primarily rental, in one area. He suggested the upper section of the property be designated mixed-use and the lower section be

designated single-family. His overall concern is for good planning and urges the Council to take a good look at the potential of this area.

Councilor Watson shared Mr. Reimann's concern with the density factor in the area. In response to a question from Councilor McGee, John Morgan stated it would be appropriate to attach conditions to the mixed-use zone, possibly a maximum density condition.

Ray Hansen, 7482 2nd Avenue N, Keizer supports the Clear Lake Neighborhood position.

Greg Rand, 6813 Rock Ledge Court, Keizer stated he is a property owner that borders LaBish ditch. When he purchased the property he was led to believe this area was zoned industrial and would stay this way. He supports the proposed park to provide a natural buffer to his home. Mr. Rand stated the homeowners are willing to contribute trees and bushes to the area and would like to continue working with Mr. Epping. He also supports the idea of a access trail or path to the Hidden Creek development.

There was no further testimony to come before the Council.

With the consensus of the Council, Mayor Koho left the hearing open.

**Indoor Golf Classics
Inc. Liquor License
Application**

Mayor Koho opened the public hearing.

City Manager Tryk advised the Council an application had been received for a Restaurant Liquor License for Indoor Golf Classics, Inc which will be located at 5065 River Road North. The Keizer Police Department and the Keizer Planning Department has reviewed the application and it has been determined there would not be any issues that should preclude the issuance of this license. City Manager Tryk recommended approval of the application.

Mayor Koho advised the Council he had previously met with the owner of the business.

There was no testimony to come before the Council.

Mayor Koho closed the public hearing.

DELIBERATION

Chemawa Activity Center Plan

Councilor Watson favors the plan and suggests staff be directed to find a way to remove the area south of Chemawa Road from the activity center but not to implement the removal until a designation could be determined. This would allow the City to proceed forward with the planning for the remainder of the activity center plan.

Councilor McGee hopes the City can move forward with the plan. He voiced his concern for spending money for the marketing study stating the buyer would be the appropriate person to determine the use. He would like a fiscal impact analysis of the best development for the property; residential or industrial. Councilor McGee stated the City should not be in the business of marketing, only determining the best designation for the future of the community. After clarification of the intent of the marketing study, he stated he would support the such as study as long as it is clearly defined.

Councilor Patterson supports the plan as it is currently drafted. He also supports the removal of land west of the railroad tracks to provide a buffer between the residential area and potential development. Councilor Patterson hopes the City will remain involved in this plan in order to guide it and have a say in the development.

Mayor Koho also hoped the City would remain involved in the development of the area. He asked that staff put together options of what the overall impact on the plan by removal of the property west of the railroad tracks and the property south of Lockhaven.

Councilor Watson stated the Council should determine the legitimate role the City will play in effecting property rights.

He is concerned with the impact on the overall community, particularly the impact on Lockhaven with the proposed bridge. Councilor Watson also cited his concern for the effect on the tax base.

Councilor Keller asked staff to provide an analysis of the funding for the market study. He is also supportive of the removal of area "c" from the plan as Councilor Watson stated. He supports the idea of a survey for the balance of the area to determine the need for industrial or commercial designation.

In response to a question from Councilor Miller, John Morgan affirmed that if the plan was adopted and the study concludes an area should be removed from the plan, it then could be taken out. Councilor Miller supports the adoption of the plan in order to move forward. He asked staff to prepare a specific report outlining the exact task the consultant would conduct during the marketing study.

Councilor Watson asked staff to include the consideration of developing the activity center without the property to the west or property to the south of the tracks.

The Council directed staff to prepare a draft order for consideration at the September 7, 1993 Council meeting.

**Clear Lake Area
Comprehensive Plan
Land Use Map
Amendment**

Councilor Keller inquired about restrictions being placed on the amount of property units within a development. Mr. Morgan stated a minimum standard is usually set for developments. A restriction could be set for the density on the Epping property. Mr. Morgan recommended allowing staff to explore the possibilities with the property owners and return with an Order in September.

Councilor Watson suggested staff come back with a proposal that splits the property; the front portion along River Road would carry a mixed-use designation and the remaining property designated single-family residential. This would offset the loss from the Clear Lake property.

Councilor Miller suggested staff work out the ideas with the parties involved. The Council agreed by consensus to direct staff to meet with the parties and bring back specific ideas on September 7, 1993.

The hearing was continued until September 7, 1993.

**Indoor Golf Classics
Inc. Liquor License
Application**

Councilor Patterson moved for approval of the application for a Restaurant Liquor License for Indoor Golf Classics Inc.
Councilor Wellin seconded the Motion.

The Motion passed unanimously as follows:

AYES: Keller, Koho, McGee, Miller, Patterson, Watson and Wellin (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**Keizer Little League
Park Conditional
Use**

John Morgan stated after the hearing was closed on August 2, 1993, there had been additional discussion regarding this issue. Therefore it is necessary to reopen the hearing to allow these discussions to become part of the record.

Mayor Koho ordered the hearing to be reopened on September 7, 1993.

Councilor Miller clarified this hearing will not deal with the expanded use of the Park. That matter will be discussed on September 20, 1993.

**CONSENT
CALENDAR**

The Consent Calendar consisted of the following:

a. RESOLUTION - Marion County Street Maintenance Intergovernmental Agreement

b. RESOLUTION - Initiate Orchard Crest Phase 3 Street Lighting Local Improvement District

- c. Appointment - Mid Willamette Valley Economic Development District
- d. Donation of Radar Guns
- e. Approval of August 2, 1993 Regular Session Minutes

Councilor Patterson moved for approval of the Consent Calendar. Councilor Keller seconded the Motion.

The Motion passed unanimously as follows:

AYES: Keller, Koho, McGee, Miller, Patterson, Watson and Wellin (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

WRITTEN COMMUNICATION

There was no written communication to come before the Council.

OTHER BUSINESS

Councilor Keller submitted a memo regarding city planning and asked the City Manager to file a response to the Council within 2-3 weeks.

Councilor Patterson asked for an update on the McNary Traffic Access. City Manager Tryk advised the Council negotiations with the school district were still underway.

AGENDA INPUT

Mayor Koho reminded the Council of the Work Session scheduled for Monday, August 30, 1993 at 7:00 p.m. The Agenda will include a report from the Cable TV Task Force, report from the Noise Ordinance sub-committee and a presentation on public hearing procedures. Councilor Miller reminded the Council he would be absent from this meeting and asked to receive a copy of the minutes.

Mayor Koho also reminded the Council of the Budget Committee meeting on August 23, 1993 at 7:00 p.m.

City Manager Tryk advised the Council the Library Task Force will hold their first town hall meeting on Thursday, August 19, 1993 at 7:00 in the Auditorium.

Councilor Patterson advised the Council he may be out of town for the Budget Committee meeting.

Councilor Wellin also advised the Council she will be out of town for the Budget Committee meeting.

Councilor Miller stated he will be out of town for the Budget Committee meeting and Council Worksession.

ADJOURNMENT

The meeting was adjourned at 10:17 p.m.

TRACY L. DAVIS
City Recorder

APPROVED:

MAYOR:

PUBLIC TESTIMONY

IF YOU ARE INTERESTED IN ADDRESSING THE COUNCIL ON AN ISSUE NOT LISTED ON THE AGENDA OR AN ITEM ON THE AGENDA NOT SCHEDULED FOR A PUBLIC HEARING, PLEASE FILL OUT THE INFORMATION BELOW AND GIVE TO THE CITY RECORDER OR STAFF GREETER PRIOR TO THE START OF THE MEETING. THE MAYOR WILL RECOGNIZE YOU AND ASK FOR YOUR TESTIMONY AT EITHER THE PUBLIC TESTIMONY SECTION OF THE MEETING OR THE APPROPRIATE AGENDA ITEM.

EACH PERSON'S COMMENTS WILL BE LIMITED TO FIVE MINUTES.

Name:

GLENN PUTMAN

Address:

745 ORCHARD

Subject or Agenda Item Number:

STREETS

Your Comments:

Proponent

Opponent

General

X

Date

9-7-93

PUBLIC TESTIMONY

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EACH PERSON'S COMMENTS WILL BE LIMITED TO FIVE MINUTES.

Name:

RICK ANSTINE

Address:

858 ORCHARD

Subject or Agenda Item Number:

6A
Street Improvement

Your Comments:

Proponent

Opponent

General

Date

Wgt

PUBLIC TESTIMONY

IF YOU ARE INTERESTED IN ADDRESSING THE COUNCIL ON AN ISSUE NOT LISTED ON THE AGENDA OR AN ITEM ON THE AGENDA NOT SCHEDULED FOR A PUBLIC HEARING, PLEASE FILL OUT THE INFORMATION BELOW AND GIVE TO THE CITY RECORDER OR STAFF GREETER PRIOR TO THE START OF THE MEETING. THE MAYOR WILL RECOGNIZE YOU AND ASK FOR YOUR TESTIMONY AT EITHER THE PUBLIC TESTIMONY SECTION OF THE MEETING OR THE APPROPRIATE AGENDA ITEM.

EACH PERSON'S COMMENTS WILL BE LIMITED TO FIVE MINUTES.

Name: _____

Jerry Taylor

Address: _____

5060 Jean De N

Keigee, DE 97303

Subject or Agenda Item Number: _____

6a

Your Comments:

Proponent _____

Opponent _____

General _____



Date _____

9/7/93

PUBLIC TESTIMONY

IF YOU ARE INTERESTED IN ADDRESSING THE COUNCIL ON AN ISSUE NOT LISTED ON THE AGENDA OR AN ITEM ON THE AGENDA NOT SCHEDULED FOR A PUBLIC HEARING, PLEASE FILL OUT THE INFORMATION BELOW AND GIVE TO THE CITY RECORDER OR STAFF GREETER PRIOR TO THE START OF THE MEETING. THE MAYOR WILL RECOGNIZE YOU AND ASK FOR YOUR TESTIMONY AT EITHER THE PUBLIC TESTIMONY SECTION OF THE MEETING OR THE APPROPRIATE AGENDA ITEM.

EACH PERSON'S COMMENTS WILL BE LIMITED TO FIVE MINUTES.

Name: Jack Grossnickle

Address: 508 Dearborn N.

Subject or Agenda Item Number: Street Improvement

Your Comments:

Proponent ☒ Opponent ☐ General ☐

Date 9/7/93

