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 COMUNICATION

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: