

CITY COUNCIL AGENDA PACKET

MONDAY, JULY 1st, 2002

- 6:30 P.M. EXECUTIVE
SESSION
- 6:45 P.M. URBAN
RENEWAL AGENCY
- 7:00 P.M. CITY COUNCIL
REGULAR SESSION

*Please contact Chris Eppley, City Manager if
you have any questions or need additional
information regarding any of the staff
reports or issues contained on the agenda.
Thanks!!*

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

EXECUTIVE SESSION

Monday, July 1, 2002

6:30 p.m.

Keizer City Hall

Keizer, Oregon 97303

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. DISCUSSION**
 - a. Pursuant to ORS 192.660(1)(h) (Litigation)**
- 4. ADJOURN**

Upon request, auxiliary aids and/or special services for those with disabilities will be provided. To request services, please contact us at (503) 390-3700 or through Oregon Relay 1-800-735-2900 at least two working days(48 hours) in advance.

The Oregon Public Meeting Law authorizes governing bodies to meet in executive session in certain limited situations. An executive session is defined as any meeting or part of a meeting of a governing body which is closed to certain persons for deliberations on certain matters as defined by ORS 192.660. These sessions are closed to the public and under certain circumstances the media also. The governing body is not allowed to take any final action or make any final decisions during the executive sessions. Any final action or decision must be made after returning or at the next regularly scheduled meeting.

CITY OF KEIZER MISSION STATEMENT
**KEEP CITY GOVERNMENT COSTS AND SERVICES TO A MINIMUM BY PROVIDING CITY
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A G E N D A
URBAN RENEWAL AGENCY
OF THE CITY OF KEIZER

Monday, July 1, 2002

6:45 p.m.

Robert L. Simon Council Chambers
Keizer, Oregon

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **PUBLIC TESTIMONY**

This time is provided for citizens to address the Urban Renewal Agency on any matter not scheduled for public hearing.

4. **PUBLIC HEARING**

5. **ADMINISTRATIVE ACTION**

- a. **RESOLUTION** – Authorizing the City Manager to Enter Agreement for North River Road Overlay Project

6. **CONSENT CALENDAR**

7. **OTHER BUSINESS**

This time is provided to allow Urban Renewal Agency members the opportunity to bring matters before the Agency that are not on tonight's agenda.

8. **ADJOURN**

Upon request, auxiliary aids and/or special services will be provided to participants with disabilities. To request services, please contact us at (503) 390-3700 at least two working days (48 hours) in advance.



URBAN RENEWAL AGENCY BOARD
July 1, 2002

AGENDA ITEM 5a

NORTH RIVER ROAD OVERLAY PROJECT



City of Keizer

Phone: 390-3700 • Fax: 393-9437

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

Administration • Public Works • Community Development • Municipal Court • Police (business only) Phone 503.390.3713 Fax 503.390.8295

CITY COUNCIL MEETING: _____

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

**FROM: ROB KISSLER, PUBLIC WORKS DIRECTOR
WILLIAM I PETERSON, CITY ENGINEER**

**SUBJECT: NORTH RIVER ROAD OVERLAY
Chemawa Road to Lockhaven Drive**

ISSUE:

On May 29, 2002 bids were received and opened for the construction of an overlay on North River Road between Chemawa Road & Lockhaven Drive. The project was bid as follows:

Approximately 3,050 lineal feet of HMA inlay/overlay work on North River Road (2 traffic lanes in each direction and 1 turning lane), cold plane pavement removal, manhole grade adjustments, and appurtenances common to overlay projects.

All bids were received on time and have been certified by the City Engineer. After bid certification, the low bidder on this project is J.C. Compton Co., dba Salem Road & Driveway Co., for a total amount of \$253,000.20. The average of all the bids is \$277,309.37. The highest bid received for was \$311,148.00. The Engineer's estimate for this project is \$298,062.00

FISCAL IMPACT:

Funds for this project were included in the 2002/2003 Urban Renewal Fund.

RECOMMENDATIONS:

It is recommended the City Council adopt the attached Resolution authorizing the City Manager to sign the necessary contract awarding the project to J.C. Compton Co., dba Salem Road & Driveway Co., for construction of the North River Road Overlay for a total cost of \$253,000.20.

"Pride, Spirit and Volunteerism"

Incorporated 1982



PROJECT: N. RIVER ROAD OVERLAY				BID TABULATION				BID DATE: May 29, 2002			
PROJECT #: 0736											
OWNER: CITY OF KEIZER											
Item	Description	Quantity	Units	Salem Road - Driveway Co.	Roy L. Horck Const. Co.	D & D Paving	AVERAGE OF 3 LOW				
				Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1	Mobilization		1 L.S.	\$3,800.00	\$3,800.00	\$13,200.00	\$13,200.00	\$9,560.00	\$9,560.00	\$8,853.33	\$8,853.33
2	Temporary Traffic Control		1 L.S.	\$17,500.00	\$17,500.00	\$14,200.00	\$14,200.00	\$15,326.67	\$15,326.67	\$15,326.67	\$15,326.67
3	Cold Plane Pavement Removal	21,145	Sq. Yd.	\$1.76	\$37,215.20	\$1.55	\$32,774.75	\$1.47	\$31,083.15	\$1.59	\$33,691.03
4	HMAC Inlay (19.00mm Dense)	4,400	Tons	\$23.50	\$103,400.00	\$29.00	\$127,600.00	\$30.55	\$134,420.00	\$27.68	\$121,806.67
5	HMAC Overlay (12.5mm Dense)	2,800	Tons	\$28.75	\$80,500.00	\$29.00	\$81,200.00	\$30.55	\$85,540.00	\$29.43	\$82,413.33
6	Adjust Manholes to Grade	24	Ea.	\$400.00	\$9,600.00	\$750.00	\$18,000.00	\$605.00	\$14,520.00	\$585.00	\$14,040.00
7	Restoration & Clean Up		1 L.S.	\$985.00	\$985.00	\$550.00	\$550.00	\$2,000.00	\$2,000.00	\$1,178.33	\$1,178.33
				CHECKED		CHECKED		CHECKED		CHECKED	
				\$253,000.20		\$287,524.75		\$291,403.15		\$277,309.37	

#	CONTRACTOR	AMOUNT
4	Morse Bros.	\$303,581.00
5	North Sunbeam Paving Company	\$311,148.00

URBAN RENEWAL AGENCY, CITY OF KEIZER, STATE OF OREGON

Resolution R2002-_____

AUTHORIZING THE CITY MANAGER TO ENTER AN AGREEMENT

WITH SALELM ROAD AND DRIVEWAY FOR N. RIVER ROAD OVERLAY PROJECT

WHEREAS, in May 2002 the City of Keizer published an invitation to bid for construction of an overlay on North River Road between Chemawa Road and Lockhaven Drive; and

WHEREAS, on May 29th, 2002, bids were received and opened. A low bid of \$253,000.20 was submitted Salem Road and Driveway Company for this project; NOW, THEREFORE,

BE IT RESOLVED by the Urban Renewal Agency of the City of Keizer that the **City Manager** is hereby authorized to enter an agreement with Salem Road and Driveway Company for construction of an overlay on North River Road between Chemawa Road and Lockhaven Drive at a total cost of \$253,000.20.

PASSED this _____ day of _____, 2002.

SIGNED this _____ day of _____, 2002.

Agency Chair

City Recorder

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

REGULAR SESSION

Monday July 1, 2002

7:00 p.m.

**Robert L. Simon Council Chambers
Keizer, Oregon 97303**

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC TESTIMONY

This time is provided for citizens to address the Council on any matters other than those on the agenda scheduled for public hearing.

4. COMMITTEE REPORTS

a. Traffic Safety Commission Appointment

b. Council Liaison Reports

- Emergency Operations Committee – Council President Moir
- Claggett Creek Watershed Council – Council President Moir
- Bikeways Committee – Councilor Smith
- Salem-Keizer Area Transportation Study – Councilor Smith
- Traffic Safety Commission – Councilor Lee
- Keizer Urban Renewal Board – Councilor Gaynor
- Volunteer Coordinating Committee – Councilor McGee

5. OTHER BUSINESS

This time is provided to allow the Mayor, Council members or staff an opportunity to bring new or old matters before the Council that are not on tonight's agenda.

a. New Business

b. Old Business

- Charter Amendment for Park Funding

6. PUBLIC HEARINGS

a. Naming of Focal Point Area

b. Buffalo Pit Liquor License Application

- c. **Chemawa Activity Center/Keizer Station Plan – Text Amendment/Comprehensive Plan Change/Zone Change Case No. 01-50 (continued from June 3, 2002)**

7. ADMINISTRATIVE ACTION

- a. **RESOLUTION – Intent to Develop 21st Century Library in the City of Keizer**
b. **Partnership with Oregon Parks and Recreation for Potential Park in West Keizer**
c. **Approval of SKAPAC Minutes from May 23, 2002 Meeting**

8. CONSENT CALENDAR

- a. **RESOLUTION – Authorizing the City Manager to Enter Lease Agreement for Police Department Vehicles**
b. **ORDER – Solid Waste Franchise Fee Increase**

9. WRITTEN COMMUNICATIONS

To inform the Council of significant written communications.

10. AGENDA INPUT

July 8, 2002

5:30 p.m. City Council Work Session

- **Keizer Station Plan**

July 15, 2002

7:00 p.m. City Council Regular Session

- **RFP to Further Explore 21st Century Library Proposal**
➤ **Resolution – No Parking on Portion of Alder Drive**
➤ **Adoption of Chalmers Jones Park Master Plan – Public Hearing**
➤ **Comprehensive Plan Map Designation Interpretation Hearing**

August 5, 2002

7:00 p.m. City Council Regular Session

- **City of Salem Presentation on Satellite Treatment Plant**

11. ADJOURN

Upon request, auxiliary aids and/or special services will be provided. To request services; please contact us at 503-390-3700 or through Oregon Relay 1-800-735-2900 at least two working days (48 hours) in advance.



July 1, 2002

AGENDA ITEM 4a

TRAFFIC SAFETY COMMISSION APPOINTMENT

CITY COUNCIL MEETING: July 1, 2002

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

**FROM: TRACY L. DAVIS, CMC
CITY RECORDER** 

SUBJECT: TRAFFIC SAFETY COMMISSION APPOINTMENT

ISSUE:

In April 2002, Jeff Hanson resigned from his position on the Traffic Safety Commission. Mr. Hanson was serving a three-year term scheduled to expire on December 30, 2002.

At the June 19th Volunteer Coordinating Committee meeting three applications were reviewed and discussed. Two of the three candidates appeared before the Committee to give brief oral presentations on their backgrounds and qualifications for the appointment. The third candidate submitted his presentation via letter due to a scheduling conflict. Upon conclusion of the presentations and discussion, the Committee unanimously recommended the appointment of David Dehlin to fill this vacancy. In addition, the Committee unanimously agreed to recommend Mr. Dehlin fill the unexpired term (ending December 2002) and then be appointed to an additional three-year term. Mr. Dehlin's term would expire in December 2005.

Mr. Dehlin has been invited to attend the City Council meeting to receive a proclamation for this appointment.

RECOMMENDATION:

It is recommended the Council accept the recommendation of the Volunteer Coordinating Committee and appoint David Dehlin to fill the vacancy on the Traffic Safety Commission for the remainder of the unexpired term and to an additional three-year term.

Recd 6/7/02

David J. Dehlin
6884 Pierce Drive North
Keizer, OR 97303

June 5, 2002

City of Keizer Volunteer Coordinating Committee
P.O. Box 21000
Keizer, OR 97307-1000

Attention: Tracy L. Davis, City Recorder

Dear Committee,

Enclosed is a signed Volunteer Application Form for the vacant position on the Traffic Safety Commission.

I have spent my career serving in the public sector, and now that I am retired, I would like to continue serving my community as a volunteer. While I would consider serving in most any capacity, I feel that my professional career and education would best serve the Traffic Safety Commission.

Listed below are some highlights of my experience, training, and education in the field of traffic safety and law enforcement:

- California Highway Patrol Officer. Served in high-crime areas (Watts and East Los Angeles). Certified commercial vehicle inspector and police motorcycle instructor.
- Chief of Police, Washington Terrace, Utah. Received National Junior of Commerce Distinguished Service Award for development of model police records system for city.
- Deputy Director, Utah Safety Council (state chapter of National Safety Council). Carried out state-wide accident prevention and public information program. Certified Instructor Trainer for National Safety Council Defensive Driving Course.
- Director, Idaho Traffic Safety Commission. Served Commission members in developing a comprehensive statewide plan for improvement of traffic safety at state and local level (enforcement, education, engineering). Responsible for developing Comprehensive Plan for federal funds in accordance with national Highway Safety Act.
- Commander, United States Coast Guard. Intelligence and Port Safety Designators (MOS). Following active service during Korean War, transferred to Active Reserve. Served as Commanding Officer of Coast Guard Bases in Houston and Galveston. Retired after 30 years total service.
- Graduate, Northwestern Traffic Safety Institute, Chicago, Illinois.
- Graduate, Traffic Engineering course, University of California.
- Graduated cum Laud from Compton College with degree in police science. California Special Secondary Teaching Credential in Traffic Safety and Accident Prevention.

Thank you for your consideration. I look forward to serving the city of Keizer.

Sincerely,


David J. Dehlin



CITY OF KEIZER

VOLUNTEER APPLICATION FORM

NAME DAVID DEHLIN DATE 6-5-02

ADDRESS 6884 PIERCE DRIVE NORTH

PHONE NUMBER: DAY: 503-393-7275 EVENINGS: _____

EMAIL ADDRESS: daviddelin@cs.com YEARS AS KEIZER RESIDENT 13

PLEASE CHECK THE FOLLOWING ACTIVITIES IN WHICH YOU ARE INTERESTED

IN VOLUNTEERING FOR: MOST ANY COMMITTEE OR BOARD,

BUDGET COMMITTEE _____	PLANNING COMMISSION _____
PARKS ADVISORY BOARD _____	COMMUNITY POLICING COMM _____
TRAFFIC SAFETY COMMISSION <u>X</u>	KEIZER URBAN RENEWAL BOARD _____
BICYCLE SAFETY COMMITTEE _____	OTHER _____
SPECIAL PROJECT TASK FORCE _____	

PLEASE WRITE A BRIEF NARRATIVE DESCRIBING YOUR INTEREST, QUALIFICATIONS AND WHAT YOU HOPE TO ACCOMPLISH IN THIS POSITION. PLEASE INCLUDE YOUR SKILLS, EXPERIENCE, AND KNOWLEDGE THAT YOU WOULD CONTRIBUTE IN THIS VOLUNTEER POSITION. (Please feel free to attach a cover letter, resume, or other helpful information.)

PLEASE SEE COVER LETTER

Number of hours per week you can volunteer:

20+

Days and times of week available:

MOST ANY TIME EXCEPT SUNDAYS

** I understand the time commitment and duties involved for the position I am seeking as outlined in the attached committee information sheet.

☒ Yes

☐ No

EDUCATION BACKGROUND

High School SEE COVER LETTER
College _____

Graduate or GED _____
Degree _____ Year _____

PERSONAL REFERENCE

Name WILLARD SAMPLES Telephone 503-393-8932

Address 6905 PIERCE DRIVE NORTH, KEIZER, OR 97303

CURRENT PLACE OF EMPLOYMENT

Employer's Name RETIRED

Employer's Address and Telephone _____

Your Position _____

May we contact you at work? _____

PREVIOUS VOLUNTEER EXPERIENCE

BOY SCOUTS OF AMERICA. SUNDAY SCHOOL TEACHER.

(Volunteer Agency) _____

Address _____ Telephone _____

Duties SCOUTMASTER, ASSISTANT SCOUTMASTER, COMMITTEEMAN etc.

AUTHORIZATION WAIVER

I HAVE COMPLETED THE ABOVE QUESTIONS AND TO THE BEST OF MY KNOWLEDGE, WHAT HAS BEEN STATED IS TRUE. IF APPOINTED TO A VOLUNTEER POSITION, I AGREE TO SERVE WITHOUT REIMBURSEMENT OF ANY KIND AND WITH THE UNDERSTANDING AND AGREEMENT THAT MEDICAL INSURANCE IS NOT PROVIDED BY THE CITY OF KEIZER. VOLUNTEERS FOR THE CITY OF KEIZER ARE COVERED UNDER THE CITY'S LIABILITY INSURANCE AND WORKERS COMPENSATION PROGRAM.

David McCallin

Signature of Applicant

6-5-02

Date

PLEASE RETURN COMPLETED APPLICATION TO:
CITY OF KEIZER VOLUNTEER COORDINATING COMMITTEE
ATTENTION: TRACY L. DAVIS - CITY RECORDER (503-390-3700, EXTENSION 108)
P.O. BOX 21000 (CITY HALL - 930 CHEWAWA ROAD NE)
KEIZER, OREGON 97307-1000



AGENDA ITEM 5b

July 1, 2002

OLD BUSINESS – CHARTER AMENDMENT FOR PARK FUNDING

CITY COUNCIL MEETING: July 1, 2002

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND COUNCIL MEMBERS
THROUGH: CHRISTOPHER C. EPPLEY, CITY MANAGER
FROM: E. SHANNON JOHNSON, CITY ATTORNEY 
SUBJECT: CHARTER AMENDMENT FOR PARK FUNDING

At its last meeting, the Council moved to direct staff to pursue a charter amendment for dedicated funds for park services with a recommendation to put \$318,000 in a ballot measure for the November 2002 ballot.

I have not been able to get all the information I need to present the formal ordinance for Council adoption to place the matter on the ballot. The deadline for submitting that to the county Election Office is September 5, 2002. I have been working with Rob Kissler regarding the practical side of park funding, but Rob is currently on jury duty until at least July 8, 2002.

I am investigating how to structure the charter amendment so there is no violation of state budget law or Ballot Measure 5 or 50. I believe I will have more complete answers for you by the next Council meeting.

Thank you.

ESJ/tmh



July 1, 2002

AGENDA ITEM 6a

NAMING OF FOCAL POINT AREA

COUNCIL MEETING: _____

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCILOR MEMBERS

**FROM: CHRIS C. EPPLEY
CITY MANAGER**

SUBJECT: NAMING OF FOCAL POINT

ISSUE:

The Focal Point Task Force met on June 10, 2002 to review all of the suggested names submitted for the focal point area. At the June 17th City Council meeting, Councilor Lee requested a public forum be scheduled for July 1st to gather public input and suggestions on the naming of this area, which is located at the corner of Chemawa and River Road.

A press release was distributed on June 18, 2002 announcing this public forum.



FAKED

For Immediate Release
June 18, 2002

KEIZER – The Keizer City Council will hold a public forum to gather input and suggestions on the naming of the “focal point” area located at the southwest corner of intersection of River Road North and Chemawa Road. This public forum will take place at the Keizer City Council meeting on **Monday, July 1, 2002 at 7:00 p.m.** The meeting will be held in the Robert L. Simon Council Chambers, Keizer City Hall, 930 Chemawa Road NE, Keizer, Oregon.

Anyone wishing to make comment or provide additional name suggestions may appear at the meeting or submit a written statement to the City Recorder by 7:00 p.m. on **Monday, July 1, 2002**. Testimony may be delivered to Keizer City Hall or mailed to Tracy Davis, City Recorder at P.O. Box 21000, Keizer, Oregon 97307.

If there is a need for any special accommodations in order to participate in the forum, please contact the City Recorder at (503) 390-3700, extension 108 at least 48 hours prior to the time of the meeting.

Questions regarding this matter may be directed to Chris Eppley, City Manager at (503) 390-3700, extension 102.

“We’re Building a Better Community - Together”

(Draft)
MINUTES
Focal Point Task Force (TF)
Thursday, June 10, 2002
Conference Room B, City Hall
Keizer, OR 97303

Call to Order. The meeting was called to order by Chair Chuck Lee at 3:34 p.m. Attending were Chair Lee, Councilor Jerry McGee, Joe Egli, Clint Holland, Rick Day and Jim Taylor of the Keizer Rotary Club, Greg Rands of Cascade Landscape Management, Christine Jones of the Keizer Chamber of Commerce, and Bob Newton, citizen.

Minutes. Bob Newton agreed again to act as secretary for the meeting. The minutes of the last TF meeting were not available for review.

Appearance of Interested Parties. The only people in attendance were TF members.

Chairman's Report. Chairman Lee reported that the City Council, by consensus, gave the TF approval to proceed with the focal point project once the Public Works Director gives the OK. This council also approved of the change to the lighter color of brick to be used in the water feature. The Chair explained that the company working on the River Road project is scheduled to be done by July 1st, although the TF was given an earlier date. Joe Egli will unofficially approach this crew about scarifying the area and to perhaps remove some of the overburden.

New Business. The Chair led a discussion about naming the Focal Point. The TF agreed to recommend four names to the City Council for the consideration. The names are Keizer Center, Keizer Corner(s), Keizer Unity Point and Heart of Keizer.

Discussion then moved to the groundbreaking. Jerry McGee recommended this as a media event with the Council, TF and media invited. The TF agreed by consensus that the larger, more public event is the dedication ceremony, once the project is complete.

Discussion was directed to the prevailing wage issue. It appears that this matter is manageable. Rob Kissler, Public Works Director, is the monitor to ensure compliance.

The next meeting of the TF will be within a couple of weeks, at some time/date that will definitely allow attendance of the Public Works Director.

The meeting adjourned at about 4:45 p.m.

Respectfully submitted,

Bob Newton, Acting Secretary



July 1, 2002

AGENDA ITEM 6b

BUFFALO PIT LIQUOR LICENSE APPLICATION

CITY COUNCIL MEETING: July 1, 2002

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

THROUGH: CHRIS C. EPPLEY
CITY MANAGER

FROM: TRACY L. DAVIS, CMC
CITY RECORDER *TL*

SUBJECT: BUFFALO PIT LIQUOR LICENSE APPLICATION
LIMITED ON PREMISES SALES LICENSE

BACKGROUND:

On June 11, 2002 Paul Wittenberg submitted an application for a Limited On-Premises Sales liquor license for the Buffalo Pit Restaurant located at 5024 River Road North, Keizer, Oregon. This is the former site of Bray's Family Restaurant.

As required by Keizer Ordinance 95-318, a public hearing was scheduled; notice was published in the Keizer Times and mailed to all property owners within 200 feet of the proposed establishment. ORS 471.166 requires the City to make a recommendation within thirty (30) days of receipt of the application.

On June 17, 2002 a request was sent to the Keizer Police Department to conduct a background check on the applicants. The response is attached to this report. In addition, the Keizer Planning Department finds the location of the establishment to be properly zoned.

RECOMMENDATION:

It is recommended the public hearing be opened to allow testimony from the applicant or other interested individuals and upon completion, the hearing be closed. It is further recommended the Council approve the application for a Limited On-Premises liquor license for the Buffalo Pit Restaurant under the guidelines as established by ORS 471.178 and the Ordinances of the City of Keizer. This recommendation shall then be forwarded to the Oregon Liquor Control Commission.

City Council Meeting of _____

Agenda Item No. _____

To: Mayor and City Council
Thru: Chris Eppley, City Manager
From: Marc Adams, Chief of Police
Rita Powers, Police Support Supervisor
Subject: Liquor License Application for the Buffalo Pit,
(formerly known as Bray's Family Restaurant)

Issue

Shall the City Council approve the liquor license application of Buffalo Pit, 5024 River Rd. N., Keizer, Oregon?

Background

The Keizer Police Department responded to 14 calls for service at the address of 5024 River Rd. N. Keizer, OR from June 1, 2001 through May 31, 2002. This address was formerly known as Brays Family Restaurant.

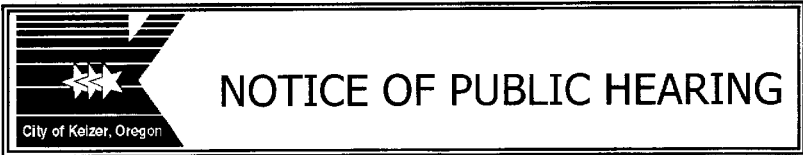
5 of the 14 calls for service were in conflict with the ordinance. 2 pertained to noise levels, 3 involved intoxicated subjects.

The applicants, Paul, Judy and Misti Wittenberg, and Robert Brown have no criminal history on record.

Thus, the background review did not reveal any history or events that would be in direct conflict with the City of Keizer City Ordinance 95-318.

Recommendation

The Keizer Police Department recommends approval of the liquor license for Buffalo Pit, 5024 River Rd. N. Keizer, Oregon.



NEW LIQUOR LICENSE APPLICATION BUFFALO PIT

NOTICE is hereby given that the City Council of the City of Keizer will hold a public hearing to consider a new liquor license application for **Buffalo Pit**, located at 5024 River Road N, Keizer, Oregon. This application is for an Limited On-Premises Sales Liquor License.

The hearing will be held on **Monday, July 1, 2002 at 7:00 p.m.** at the Robert L. Simon Council Chambers, Keizer City Hall, 930 Chemawa Road NE, Keizer, Oregon.

Anyone wishing to make comment on this matter may provide testimony at the hearing or submit written response to the City Recorder no later than 5:00 p.m. on **July 1, 2002**. Responses may be mailed to Tracy L. Davis CMC, City Recorder, P.O. Box 21000, Keizer, Oregon 97307.

The location of the hearing is accessible to the disabled. Please contact the City Recorder at (503) 390-3700, extension 108 at least 48 hours prior to the hearing if you will need any special accommodations to attend or participate in the hearing.

If you have any questions, please contact the City Recorder at 390-3700, extension 108

Dated this 17th day of June, 2002.

Tracy L. Davis, CMC
City Recorder

publish June 21 and June 28, 2002 editions of Keizertimes



Application is being made for: LICENSE TYPES ☐ Full On-Premises Sales (\$402.60/yr) ☒ Commercial Establishment ☐ Caterer ☐ Passenger Carrier ☐ Other Public Location ☐ Private Club ☒ Limited On-Premises Sales (\$202.60/yr) ☐ Off-Premises Sales (\$100/yr) ☐ Brewery Public House (\$252.60) ☐ Winery (\$250/yr) ☐ Other: _____		ACTIONS ☐ Change Ownership ☒ New Outlet ☐ Greater Privilege ☐ Additional Privilege ☐ Other _____	FOR CITY AND COUNTY USE ONLY The city council or county commission: (name of city or county) recommends that this license be: Granted ☐ Denied ☐ By: _____ (signature) (date) Name: _____ Title: _____
Applying as: ☐ Individuals ☐ Limited Partnership ☒ Corporation ☐ Limited Liability Company		OLCC USE ONLY Application Rec'd by: <u>S. Mitchell</u> Date: <u>6/11/02</u> 90-day authority: ☐ Yes ☒ No	

1. Applicant(s): [See SECTION 1 of the Guide]

① Buffalo Pit, Inc. ③

② _____ ④

3. Business Location: 5024 River Rd N Keizer Marion OR 97303
(number, street, rural route) (city) (county) (state) (ZIP code)

* 4. Business Mailing Address: 5125 Wittenburg Ln N Keizer OR 97303
(PO box, number, street, rural route) (city) (state) (ZIP code)

5. Business Numbers: (503) 390-1936 (503) 390-6203
(phone) (phone)

6. Is the business at this location currently licensed by OLCC? ☐ Yes ☒ No

7. If yes to whom: _____ Type of License: _____

8. Former Business Name:

9. Will you have a manager? ☒ Yes ☐ No Name: Bob Brown **SALEM REGIONAL OFFICE**
(manager must fill out an individual history form)

10. What is the local governing body where your business is located? Kaizer
(name of city or county)

11. Contact person for this application: Paul Wittenberg (name) (503) 390-1336 (phone number(s))
5125 Wittenberg Ln N, Kaiser (address) (503) 390-6203 (fax number) teammanagement@west.net (e-mail address)

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Applicant(s) Signature(s) and Date:

① Paul L. Uttenberg Date 6-3-02 ③ Date _____

② _____ Date _____ ④ _____ Date _____

OREGON LIQUOR CONTROL COMMISSION
BUSINESS INFORMATION



Please Print or Type

Applicant Name: Buffalo Pit, Inc. Phone: (503)390-1936

Trade Name (dba): _____

Business Location Address: 5024 River Rd N

City: Keizer ZIP Code: 97303

DAYS AND HOURS OF OPERATION

Business Hours:

Sunday 11am to 8:00pm
Monday 11am to 8:00pm
Tuesday 11am to 8:00pm
Wednesday 11am to 8:00pm
Thursday 11am to 8:00pm
Friday 11am to 8:00pm
Saturday 11am to 8:00pm

Outdoor Area Hours:

Sunday 11am to 8:00pm
Monday 11am to 8:00pm
Tuesday 11am to 8:00pm
Wednesday 11am to 8:00pm
Thursday 11am to 8:00pm
Friday 11am to 8:00pm
Saturday 11am to 8:00pm

Seasonal Variations: ☒ Yes ☐ No If yes, explain: _____

ENTERTAINMENT

Check all that apply:

- | | |
|--|--|
| ☐ Live Music | ☐ Karaoke |
| ☒ Recorded Music | ☐ Coin-operated Games |
| ☐ DJ Music | ☒ Video Lottery Machines |
| ☐ Dancing | ☐ Social Gaming |
| ☐ Nude Entertainers | ☐ Pool Tables |
| | ☐ Other: _____ |

DAYS & HOURS OF LIVE OR DJ MUSIC

Sunday _____ to _____
Monday _____ to _____
Tuesday _____ to _____
Wednesday _____ to _____
Thursday _____ to _____
Friday _____ to _____
Saturday _____ to _____

SEATING COUNT

Restaurant: 60 Outdoor: 30
Lounge: 0 Other (explain): _____
Banquet: 0 Total Seating: 90

OLCC USE ONLY

Investigator Verified Seating: (Y) (N)

Investigator Initials: _____

Date: _____

I understand if my answers are not true and complete, the OLCC may deny my license application.

Applicant Signature: Paul G. Wittenburg Date: 6-3-02



July 1, 2002

AGENDA ITEM 6C

**CHEMAWA ACTIVITY CENTER/KEIZER STATION PLAN PUBLIC
HEARING**

To: Mayor Christopher and City Council

From: Maria Meier, Planning Director

Through: Chris Eppley, City Manager

Date: June 26, 2002

Re: Potential Design Standards for Development in Keizer Station Plan:
Text Amendment/Comprehensive Plan Amendment/Zone Change
Case No. 01-50; Amendment to Chemawa Activity Center Plan –
Proposed Keizer Station Plan

On June 3, 2002, the Keizer City Council continued the public hearing for Text Amendment/Comprehensive Plan Amendment/Zone Change Case No. 01-50; Amendment to Chemawa Activity Center Plan – Proposed Keizer Station Plan until July 1, 2002. Additional testimony may be received and continued to a date certain or the Council may close the record.

Staff has compiled some potential design standards that the City Council may choose to add to the draft Keizer Station Master Plan Review Section of the Code (Attachment C Revised). In addition, the City Council may elect to add standards relating to setbacks and landscaping within the EG zone.

Attached is a copy of an existing section of the Keizer Development Code, Section 2.315, Development Standards. Also, attached are copies of two proposed new sections for the Keizer Development Code including Section 2.119 General Employment (EG) Zone and Section 3.113 Keizer Station Master Plan Review. These sections had previously been submitted to the record in the Keizer staff recommendation. No changes are made to the Development Standards from originally submitted to the record. Additional design standards have been prepared for Council consideration and written into the EG Zone and Keizer Station Master Plan Review sections – **added language different from the original recommendation is underlined and in bold print.**

Staff recommends the City Council review the potential design standards within the recommended new sections for the Keizer Development Code.

2.119 GENERAL EMPLOYMENT (EG)

2.119.01 Purpose

The General Employment (EG) zone is located in an area of the City reserved for a mix of commercial and industrial development. The zone promotes a mix of allowed uses, the allowed intensity of development, and the development standards. The zone allows a wide range of employment opportunities. The regulations promote areas, which consist of uses and developments, which will support the economic viability of the specific zoning district and of the City. The regulations protect the health, safety and welfare of the public, address area character, and address environmental concerns. The intent is to promote viable and attractive industrial/commercial areas. In addition, the regulations provide certainty to property owners, developers, and neighbors about the limits of what is allowed. The General Employment zone is suitable for the Special Planning District (SPD) Plan designation.

2.119.02 Other Zoning Regulations

The regulations in this section state the allowed uses and development standards for the EG zone. Specific uses or development types may be subject to other applicable regulations in this Ordinance.

2.119.03 Commercial and Industrial Use Limitations

The EG zone is designed to promote a mixed development pattern with industrial and commercial uses to serve as an employment center within the City. This area is a subset of Area A of the Special Planning District (SPD) Comprehensive Plan designation. The EG zone is specifically designed for the property identified as the Village Center in the Keizer Station Plan, physically bound by Tepper Lane to the north, Interstate 5 to the east, Burlington railroad tracks to the west, and Chemawa Road to the south. Uses in the gross acreage described shall be developed as a maximum seventy-five percent (75%) commercial and a minimum twenty-five percent (25%) industrial park. Uses shall be established in conformance with this Section and all other applicable regulations within the Keizer Development Code.

2.119.04 Permitted Industrial Park Uses

Industrial Development. The following uses, when developed under the applicable development standards in the Zoning Ordinance, are permitted in the EG zone on a minimum 25% gross acreage of the Village Center:

A. Manufacturing;

1. Grain mill products. (204)
2. Bakery products. (205)
3. Beverages. (208)
4. Miscellaneous food preparations and kindred products. (209)

ATTACHMENT A

5. The manufacture of meat products (201) but excluding both meat packing plant (2011) and any on site abattoirs and slaughtering, rendering of fats, processing of hides and maintenance of live animals or fowl. (Poultry slaughtering and processing (2015))
6. Textile mill products. (22)
7. Apparel and other finished products made from fabrics and similar products. (23)
8. Wood kitchen cabinets. (2434)
9. Nailed and lock corner wood boxes and shook. (2441)
10. Wood products, not elsewhere classified. (2499)
11. Furniture and fixtures. (25)
12. Paperboard containers and boxes. (265)
13. Printing, publishing, and allied industries. (27)
14. Drugs (283)
15. Soaps detergents, and cleaning preparations, perfumes, cosmetics, and other toilet preparations. (284)
16. Miscellaneous plastic products. (308)
17. Leather and leather products (31) BUT EXCLUDING leather tanning and finishing. (311)
18. Glass products, made of purchased glass. (323)
19. Pottery and related products. (326)
20. Metal cans and shipping containers. (341)
21. Cutlery, hand tools, and general hardware. (342)
22. Heating equipment, except electric and warm air, and plumbing fixtures. (343)
23. Fabricated structural metal products. (344)
24. Screw machine products, and bolts, nuts, screws, rivets, and washers. (345)
25. Metal forgings and stampings. (346)
26. Metalworking machinery and equipment. (354)
27. Special industry machinery, except metalworking machinery. (355)
28. Pumps and pumping equipment. (3561)

ATTACHMENT A

29. Office, computing, and accounting machines. (Computer and Office Equipment (357); Calculating and Accounting Machines. Except Electronic Computers (3578); Office Machines, Not Elsewhere Classified (3579))
 30. Electrical and electronic machinery, equipment, and supplies. (Electronic and other electrical equipment and components, except computer equipment (36))
 31. Transportation Equipment. (37)
 32. Measuring, analyzing, and controlling instruments; photographic, medical, and optical goods; watches and clocks. (38)
 33. Miscellaneous manufacturing industries. (39)
- B. Transportation, communications, electric, gas, and sanitary services;**
1. Motor freight transportation and warehousing. (42)
 2. Communication. (48)
 3. Public Utility Structures and Buildings. (Electric, Gas, and Sanitary Services (49))
- C. Wholesale trade-nondurable goods (51) BUT EXCLUDING poultry and poultry products (5144), livestock (5154), farm-product raw materials, not elsewhere classified (5159), chemicals and allied products (516), tobacco and tobacco products (5194), and nondurable goods, not elsewhere classified. (5199)**
- D. Wholesale trade-durable goods (50) BUT EXCLUDING automobiles and other motor vehicles (5012), lumber and other construction materials (503), coal and other minerals and ores (5052), construction and mining machinery and equipment (5082) and scrap and waste materials. (5093)**
- E. The uses listed in above sections 2 through 4, excluding 2c shall:**
1. Be within an enclosed building; and
 2. Permit retail sales of products manufactured on the site.
- F. Services**
1. Computer and data processing services. (737)
 2. Research and development laboratories.
 3. Management, consulting, and public relations services. (Management and Public Relations Services (874))

ATTACHMENT A

4. Noncommercial educational, scientific, and research organizations.

2.119.05 Special Permitted Industrial Park Uses

A. The following uses, when developed under the applicable development standards, are permitted in the EG zone with the ability to occupy up to a maximum of 10% of the area identified for industrial use within the EG zone:

1. Public administration;

- a. Fire protection. (9224)
- b. Medical Centers.

2. Office Uses:

- a. Any use allowed in Section 2.108, Commercial Office excluding those residential uses listed in Section 2.108.02A, B, C, PP, and RR and parking lots U.
- b. Finance, Insurance, and Real Estate;
 - 1) Commercial and Stock Savings Banks. (602)
 - 2) Mutual Savings Bank.
 - 3) Savings and Loan Associations. (603)
 - 4) Personal Credit Institutions. (614)

B. Accessory structures and uses prescribed in Section 2.203.

2.119.06 Permitted Commercial Uses

Commercial Development. The following uses, when developed under the applicable development standards in the Zoning Ordinance, are permitted in the EG zone on a maximum 75% gross acreage of the Village Center:

- A. One or more buildings with one or more dwelling units or guest rooms, and/or, one or more other uses allowed in this section on a lot.
- B. Residential homes and facilities.
- C. Child day care service, including family day care provider. (8351)
- D. Public parks, playgrounds, community clubs including swimming, tennis and similar recreational facilities, and other public and semi-public uses.
- E. Landscape counseling and planning (0781).
- F. Offices for any use listed in SIC Division C - Construction.

ATTACHMENT A

- G. **Commercial printing (275).**
- H. **Transportation, Communication and Utilities.**
 - 1. **Public utility structures and buildings.**
 - 2. **Post office (43).**
 - 3. **Travel agency (4722).**
 - 4. **Communications (48).**
- I. **Retail Trade.**
 - 1. **Building materials, hardware, retail nurseries, and garden supply (52), BUT EXCLUDING mobile home dealers (527).**
 - 2. **General merchandise stores (53).**
 - 3. **Food stores (54).**
 - 4. **Apparel and accessory stores (56).**
 - 5. **Home furniture, furnishings, and equipment stores (57).**
 - 6. **Eating and drinking places (58).**
 - 7. **Miscellaneous retail (59), BUT EXCLUDING fuel and ice dealers (598).**
 - 8. **Electrical and lighting shops and office machines and equipment stores.**
- J. **Business, Professional and Social Services.**
 - 1. **Finance, insurance and real estate (60, 61, 62, 63, 64, 65, 67).**
 - 2. **Hotels, motels and tourist courts (701).**
 - 3. **Organization hotels and lodging houses on membership basis (704).**
 - 4. **Personal services (72) BUT EXCLUDING industrial launderers (7218).**
 - 5. **Business services (73) BUT EXCLUDING disinfecting and exterminating services (7342).**
 - 6. **Parking lots in accordance with Section 2.303.04 of this Ordinance. (7521)**
 - 7. **Miscellaneous repair services (76).**
 - 8. **Motion pictures (78), BUT EXCLUDING drive-ins (7838).**

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9. **Amusement and recreation** (79), BUT EXCLUDING golf courses (7992) and amusement parks (7996).
 10. **Health services** (80), BUT EXCLUDING hospitals (806).
 11. **Legal services** (81).
 12. **Elementary and secondary schools** (8211).
 13. **Correspondence schools and vocational schools** (824).
 14. **Schools and educational services** not elsewhere classified (829).
 15. **Social services** (83).
 16. **Museums, art galleries, botanical and zoological gardens** (84).
 17. **Membership organizations** (86).
 18. **Miscellaneous services** (89).
- K. **Public Administration** (91 - 97).

2.119.07 Special Permitted Commercial Uses

The following uses, when developed under the applicable development standards in the Ordinance and special development requirements, are permitted in the EG zone:

- A. **Any commercial use, as identified in Sections 2.119.06 I. and 2.119.07 C(4) below, structures that exceed 60,000 square feet in floor area in accordance with Section 2.119.08 A below.**
- B. **Accessory structures and uses** prescribed in Section 2.203.
- C. The following **special uses** subject to the applicable standards in Section 2.4 and shall be considered commercial uses in the EG zone:
 1. **House of Worship** (Section 2.423).
 2. **Veterinary services** (074) (Section 2.414).
 3. **Funeral service and crematories** (726) (Section 2.415).
 4. **Used Merchandise Store** (Section 2.417).
 5. **Service stations** (554) (Section 2.419) except as provided in Section 2.119.07 below.
 6. **Automobile services** (75) (Section 2.420) BUT EXCLUDING automotive rental and leasing, without drivers (751), automotive repair shops (753), automotive repair (754).
 7. **Commuter Rail Station**

ATTACHMENT A

2.119.08 Use Restrictions

- A. In the EG zone, a maximum number of three (3) commercial use structures as permitted in 2.119.07 A, may be allowed a maximum of 120,000 square feet ground floor area each or a maximum total of 350,000 square feet ground floor area for all three buildings.
- B. The following uses are **prohibited** to be established in the EG zone:
1. Farm Use.
 2. The rendering, processing, or cleaning of animals, fish, seafood's, fowl, poultry, fruits, vegetables, or dairy products for wholesale use.
 3. Vehicle sales and secondary repair.
 4. General Storage, including boat and RV storage.
 5. Recreational vehicle parks (7033).
 6. Automotive Dealers (55), except as provided in Section 2.119.06 above.
 7. Automotive rental and leasing, without drivers (751).
 8. Automotive repair shops (753).
 9. Automotive services, except repair (754).

2.119.08 Development Standards

- A. **Purpose.** The Keizer Station Plan requires the development of Master Plans for each of the five sub-areas. This process provides the City Council with an opportunity to review development proposals in conformance with the Keizer Development Code and the adopted Keizer Station Plan. Master Plans for each sub-area are required to meet the criteria identified in Section 3.113 of the Code.
- B. **Master Plan Required.** A master plan must be reviewed and approved by the City Council prior to subdivision platting. The Master Plan shall be reviewed through a Type II-B review process in accordance with this Section. It is recognized that the applicant of the master plan for the area may not own or control all the land within the master plan boundary. At least 50% of the gross acres within the EG zone must be owned by the same person prior to application for master plan approval. The master plan shall still cover the entire EG zone. For those portions not owned or controlled by the applicant, the Master Plan shall focus on a cohesive interconnected system of planned public facilities and shall set general guidelines to be used throughout the Master Plan area. Subdivision approval shall be based upon the zone and Section 3.108 as applicable.
1. The Master Plan will be developed and considered in accordance with the requirements of the Activity Center Overlay provisions (Section 2.125 of the Keizer Development Code). Once a Master Plan is adopted, the proposed development of each use shall be

ATTACHMENT A

reviewed through Development Review as required in Section 2.315 of the Keizer Development Code. In the case of conflicts between the Keizer Station Plan and the Keizer Development Code, the Keizer Station Plan standards will apply.

2. The Master Plan shall include a detailed transportation system design plan for the EG zone. The location of transit facilities shall conform to Section 2.305 of the Code.

2.119.09 Dimensional Standards

- A. Purpose. The lot size standards promote new lots with sizes and shapes that are practical to assemble and develop. The standards are intended to prevent the creation of small lots, which are difficult to develop or to aggregate with other lots. The standards also discourage narrow lots, which increase demand for curb cuts. The EG zone is specifically designed for the property described as follows: physically bound by Tepper Lane to the north, Interstate 5 to the east, Burlington railroad tracks to the west, and Chemawa Road to the south. Uses in the gross acreage described shall be developed as a maximum seventy-five percent (75%) commercial and a minimum twenty-five percent (25%) industrial park. Uses shall be established in conformance with this Section and all other applicable regulations within the Keizer Development Code. Therefore, the division of such ground shall be approved to the standards in subsection 2.119.09.B. below.

B. Minimum Lot Dimension Requirements.

1. Within the acreage identified for commercial uses, at least eighty percent (80%) of the lots must meet Standard A stated in the table within this subsection and the remainder lots must meet Standard B.
2. Within the acreage identified for industrial uses, at least eighty percent (80%) of the lots must meet Standard C stated in the table within this subsection and the remainder of the lots must meet Standard D.
3. Exempt Lots. Lots or tracts created for the purposes of providing a right-of-way or dedicated open space are exempt from the lot size and shape standards of this section.

Development Type	Lot Standard	Minimum Lot Area	Average Width	Average Depth
Commercial	Standard A	20,000 sq. ft.	100 ft.	100 ft.
	Standard B	10,000 sq. ft.	75 ft.	75 ft.
Industrial Park	Standard C	4 acres	350 ft.	350 ft.
	Standard D	1 acre	150 ft.	150 ft.

2.119.10 Development Standards

- A. Setback from Residential Areas. Where the EG zone abuts a residential district, except another Industrial type zone, directly or across an alley or railroad tract, there shall be a minimum required yard of forty (40) feet in depth adjacent to the lot line separating the EG zone from the abutting district. The 40-foot required yard shall not be varied and shall be landscaped in accordance with Section 2.309. **[Alternative additional language: The 40 foot required buffer shall not be included in the minimum percentage for landscaping on a lot.]**

ATTACHMENT A

B. Height, Setback, Coverage, and Landscaping Requirements

Development Type	Building Standards			Building Setbacks				Minimum Landscaping
	Maximum Height	Maximum Building Size	Maximum Lot Coverage	Street-side		Side/Rear Not Adjacent to Residential zone	Adjacent to Residential zone	Percentage of Lot Area
				Min	Max			
Commercial	50 ft. (1)	60,000 sq. ft. (2)	85% (3)	10 ft.	20 ft. (4)	None	40 ft.	15% (5)
Industrial Park	80 ft. (1)	None	80% (3)	25 ft.	None	None	40 ft. plus 2 ft. for each foot of bldg. height over 50 ft.	20% (5)

(1) Height Exceptions. Exceptions to the maximum height standard are stated below.

- a. Projections allowed. Chimneys, flag poles, satellite receiving dishes, and other items similar with a width, depth, or diameter of 5 feet or less may rise 10 feet above the height limit, or 5 feet above the highest point of the roof, whichever is greater. If they are greater than 5 feet in width, depth, or diameter, they are subject to the height limit.
- b. Rooftop mechanical equipment. All rooftop mechanical equipment must be set back at least 15 feet from all roof edges that are parallel to street lot lines. Elevator mechanical equipment may extend up to 16 feet above the height limit. Other rooftop mechanical equipment which cumulatively covers no more than 10 percent of the roof area may extend 10 feet above the height limit.
- c. Radio and television antennas, utility power poles, and public safety facilities are exempt from the height limit.

(2) Structures that exceed 60,000 sq. ft. must comply with Sections 2.119.06.A and 2.119.07.A.

(3) Maximum lot coverage allowed for buildings, accessory structures and paved parking.

(4) Alternative maximum setback option for large commercial uses.

- a. Purpose. The intent of these regulations is to allow deeper street setbacks for very large retail stores locating along transit street or street in a pedestrian district in exchange for a pedestrian and transit-friendly main street type of development. These large commercial sites can still be transit-supportive and pedestrian-friendly by placing smaller commercial buildings close to the street and by creating an internal circulation system that is similar to streets to separate the parking area into blocks.

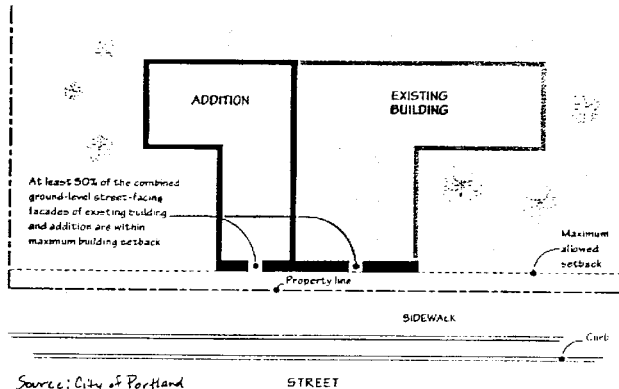
ATTACHMENT A

The intent is to encourage development that will, over time, form a pedestrian-friendly main street along the perimeter of the parking blocks.

- b. Regulation. Commercial buildings that exceed 60,000 square feet of floor area are exempt from the maximum setback requirements identified in Section 2.119.10.B, if all of the following are met:
- (i) Other buildings on the site have ground level walls within the maximum setback for at least 25 percent of the frontage on a transit street or street in a pedestrian district. For sites with frontage on more than one transit street or in a pedestrian district, the following regulations below apply. These buildings must be constructed before or at the same time as the large commercial use;
 - (a) Frontage on more than one transit street. Where the site is adjacent to more than one transit street, the following standards apply:
 - (b) If two or more of the transit streets intersect, at least 50% of the length of the ground level street facing façade of the building must be within the maximum setback along two of the intersecting transit streets, but does not need to be met along others; the applicant may choose which intersection; and
 - (c) If none of the transit streets intersect, at least 50% of the length of the ground level street facing façade of the building must be within the maximum setback; the applicant may choose which street.
 - (ii) Connections between sites. The system must connect the buildings on the site to all adjacent properties.

[Alternative (4) At least 50 percent of the length of the ground level street facing façade of a building must be within the maximum setback.]

Alteration to Existing Building in Conformance with Maximum Setback Standard



- (5) **Landscaping.** Landscaping shall meet all applicable standards identified in Section 2.309 of the Code.

D. Design Standards. All development in the EG zone shall comply with applicable standards in Section 2.315 of the Code, in addition to the standards below:

- 1. Exterior Display, Storage, and Work Activities.**
 - a. Exterior display and storage is allowed.** Exterior display and storage shall not be located within required setbacks nor required landscaped areas. Exterior display and exterior storage areas shall not be located within 100 feet of any property line within 60 feet of a residential zone.
 - b. Exterior work activities are allowed in the areas identified for industrial development.** Exterior work activities shall not be located within required setbacks nor required landscaped areas. Such exterior work activities shall not be located within 100 feet of any property line within 60 feet of a residential zone.
- 2. All development must comply with the applicable standards identified in the Code including, but not limited to, the following:**

Section 2.125	Activity Overlay Zone
Section 2.3	General Development Standards
Section 2.301	General Provisions
Section 2.302	Street Standards
Section 2.303	Off-Street Parking and Loading
Section 2.305	Transit Facilities
Section 2.306	Storm Drainage
Section 2.307	Utility Lines and Facilities
Section 2.308	Signs
Section 2.309	Site and Landscaping Design
Section 2.310	Development Standards for Land Divisions
Section 2.312	Yard and Lots Standards
Section 2.315	Development Standards
Section 2.4	Special Uses

3.113 KEIZER STATION MASTER PLAN REVIEW

3.113.01 Area of Application

The Keizer Station Plan requires the development of Master Plans for each of the five sub-areas. This process provides the City Council with an opportunity to review development proposals in conformance with the Keizer Development Code and the adopted Keizer Station Plan. Each Master Plan shall be reviewed through a Type II-B review process.

3.113.02 Review Procedures

Type II-B actions follow the procedures found in Section 3.204.02. Staff has an advisory role. The Zoning Administrator shall make a recommendation to the City Council for public hearing and decision bypassing the Hearings Officer. Public notice and a public hearing are provided. Section 3.202 lists the notice requirements. Section 3.206 sets forth the hearings process.

3.113.03 Submittal Requirements

A. Village Center.

1. Engineering and architectural site plans showing all structures in relation to projected final topography of the project, all proposed connections to existing or proposed roads, utilities, open space and parking areas, depicting the number and types of spaces.
2. Landscape plans showing the common and botanical name of plant species, the number and size of plantings and demonstrating the location and type of irrigation.
3. Plans, elevations, typical cross-sections and typical wall sections of all building areas.
4. Elevations of the buildings to determine the specific configuration and relationship of design elements of the building exterior, which describe the aesthetic and technical aspects of the building exterior, including materials.

(ATTACHMENT C)

5. Plants, elevations, typical cross sections of the interior space layout of the building areas, entrance canopies, interior public courts, specialty areas, and service area layouts.
6. Proposed layouts for exterior signage and graphics.
7. Preliminary outline specifications describing exterior construction materials and methods, including indications of colors, finishes, and patterns.
8. An outline of amenities, including, but not limited to, public art, furniture, handrails, seating areas and food areas, if any.
9. A description of servicing requirements, trash compactors and related areas, loading docks, etc.
10. Calculation of gross building, parking and open space.
11. Detailed cost estimate pertaining to the construction of the improvements as presented in the Design Development Drawings, for review and comment only.
12. For any project for which the projected daily average daily traffic will exceed 250 vehicle trips per day, in accordance with the Institute of Traffic Generation Manual, a traffic impact analysis will be required and a written explanation how negative impacts will be mitigated.

B. Retail Service Center.

1. Location of land uses, open spaces, and pedestrian and vehicular circulation and a written explanation showing how these features achieve the purpose of the activity center design plan.
2. For any project for which the projected daily average daily traffic will exceed 250 vehicle trips per day, in accordance with the Institute of Traffic Generation Manual, a traffic impact analysis will be required and a written explanation how negative impacts will be mitigated.

C. Keizer Station Center.

1. Location of land uses, open spaces, and pedestrian and vehicular circulation and a written explanation showing how these features achieve the purpose of the activity center design plan.
2. For any project for which the projected daily average daily traffic will exceed 250 vehicle trips per day, in accordance with the Institute of Traffic Generation Manual, a traffic impact analysis will be required and a written explanation how negative impacts will be mitigated.

D. Commerce Center.

1. Location of land uses, open spaces, and pedestrian and vehicular circulation and a written explanation showing how these features achieve the purpose of the activity center design plan.
2. For any project for which the projected daily average daily traffic will exceed 250 vehicle trips per day, in accordance with the Institute of Traffic Generation Manual, a traffic impact analysis will be required and a written explanation how negative impacts will be mitigated.

3.113.04 Review Criteria

Approval of a Master Plan for a subarea of the Keizer Station Plan shall require compliance with the following:

- A. The master plan shall meet the purpose and objectives identified in the Keizer Station Design Plan.
- B. The master plan shall meet the following standards as identified in the Keizer Station Plan:
 1. Design standards
 2. Transportation system standards
 3. Utility standards
 4. Parking standards

5. Landscape standards

C. Development Strategies

1. Pedestrian Access, Safety and Comfort

- a. If in the EG zone, the building(s) shall have at least one primary entrance facing every abutting street, or is /are directly accessed by a sidewalk or plaza within 20 feet of the primary entrance.
- b. Building entrances in the EG zone open directly to the outside; every building has at least one entrance that does not require passage through a parking lot or garage to gain access; corner buildings have corner entrances whenever possible.
- c. Parking and vehicle drives are located away from building entrances, and not between a building entrance and the street, except as may be allowed when a direct pedestrian connection is provided from the sidewalk to the building entrance.
- d. Surface parking is oriented behind or to the side of a building when possible; parking shall be accessed from an alley when possible; and parking shall not be located on street corners if in the EG zone.
- e. For driveways that service uses that require more than 100 parking spaces, such driveway intersections with Radiant Drive shall not have any parking within twenty-five feet of the driveway intersection. This area shall be landscaped in accordance with Section 2.309 of the Keizer Development Code.

2. Vehicular Movement

- a. Encourage a traffic design to loop or turn around at the north end of Radiant Drive to encourage traffic to return south to interchange access rather than through Tepper Lane.

3. Crime Prevention and Security

Crime prevention shall be considered in the site design through application of all of the following guidelines:

- a. **Territoriality** – All proposed building entrances, parking areas, pathways and other elements are defined with appropriate features that express ownership. (Generally, people protect and maintain territory that they feel is their own and have a certain respect for the territory of others.) For example, landscaping, fences, pavement treatments, art and signs are some physical ways to express ownership through design. Such features should not conflict with the need for natural surveillance, as described in b.; and
 - b. **Natural Surveillance** – The proposed site layout, building and landscape design promote natural surveillance. Physical features and activities should be oriented and designed in ways that maximize the ability to see throughout the site. For example, window placement, the use of front porches or stoops, use of low or see-through walls, and appropriate use of landscaping and lighting can promote natural surveillance. Sight-obscuring shrubs and walls should be avoided, except as necessary for buffering between commercial uses and lower density residential districts, and then shall be minimized; and
 - c. **Activity Support** – The proposed site layout and building design encourage legitimate activity in public spaces. For example, locating outdoor seating in areas that are visible from inside a restaurant helps to discourage crime and supports the activity of dining; and
 - d. **Access Control** – By properly siting and designing entrances and exits (i.e., in clear view from the store), and through the appropriate use of lighting, signs and/or other features, the proposed plan controls access in ways that discourage crime; and/or
 - e. The proposal contains an equally good or superior way to achieve the above criterion and guidelines.
4. **Reduced Parking**
- Reduce or waive minimum off-street parking standards. The applicant may request a reduction to or waiver of parking standards based on a parking impact study. The study allows the applicant to propose a reduced parking standard based on estimated peak use, reductions due to easy pedestrian accessibility; availability of transit service, and likelihood of car pool use; and adjacent on-street parking. The parking study is subject to review and approval or modification by the City.

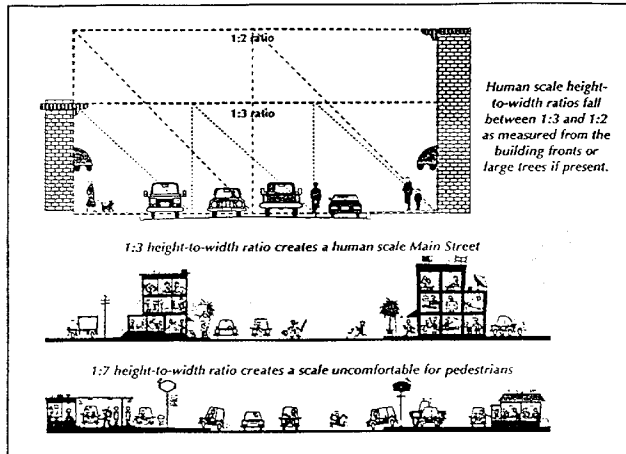
5. Creating and Protecting Public Spaces

- a. The development provides at least 20 square feet of public space, in addition to required sidewalk(s), for every 10 off-street surface parking spaces or 1,000 square feet of floor space, whichever is greater.
- b. Public space may be a landscaped open space or plaza with pedestrian amenities, as approved by the City Council.

6. Human Scaled Building Design

Building facades are designed to a human-scale, for aesthetic appeal, pedestrian comfort, and design character of a development.

- a. Height to width ratios of 1:2 and 1:3 shall be developed for structures built within 20 feet along Radiant Drive.



(Source: Main Street Handbook).

- b. The City Council may determine architectural character, continuity of building sizes, roof forms, rhythm of window and door spaces and the general relationship of buildings to public spaces such as street, plazas, other open space and public parking.
- c. The City Council may determine a minimum distance along Radiant Drive that may require development to be constructed to abut Radiant Drive to the above referenced standards.

3.113.04 Conditions of Approval

The City may attach conditions to any development within an Activity Center to achieve the following objectives:

- A. **Transit Orientation.** The development shall emphasize transit usage by residents, employees and customers. This may require:
 - 1. Orienting building and facilities towards transit services.
 - 2. Minimizing transit/auto conflicts.
 - 3. Encouraging transit supportive uses.
 - 4. Minimizing walking distance to transit stops.
 - 5. Avoiding excess parking areas.
 - 6. Encouraging shared parking and structures or under-structure parking.
- B. **Pedestrian/Bicycle Circulation.** The development shall facilitate pedestrian/bicycle circulation. This may require:
 - 1. Providing efficient, convenient, and continuous pedestrian and bicycle transit circulation systems, linking developments with the Activity Center facilities, and surrounding development.
 - 2. Separating auto and truck circulation and activities from pedestrian areas.
 - 3. Pedestrian-oriented design.
 - 4. Pedestrian amenities.
 - 5. Bicycle parking.
 - 6. Outdoor lighting.
- C. **Coordination.** Coordination of development within an Activity Center area. This may require:
 - 1. Continuity and/or compatibility of landscaping, circulation, access, public facilities, and other improvements.
 - 2. Siting and orientation of land uses.

2.315 DEVELOPMENT STANDARDS

2.315.01 Purpose

The Development Standards are intended to implement the Keizer Comprehensive Plan and the purpose of each zoning district. They do this by promoting functional, safe, and attractive developments that maximize compatibility with surrounding uses and commercial corridors, and that are compatible with and enhance the transportation system. Development Standards mitigate potential conflicts and problems, and maximize harmonious relationships. Alternatives to the Design Standards on a case-by-case basis may be reviewed and approved as a land use action. In such cases, the purpose of this ordinance shall be met through factual findings and conclusions about the proposed design, and attachment of specific conditions if necessary, by the review body. Application of Development Standards does not evaluate the proposed use, nor the specific architectural style or design. Rather, the Development Standards focus on the structural elements of texture, color, and materials, and on the site elements of building placement. (5/98)

2.315.02 Application of the Development Standards

Development Standards are applied in one of three ways: (5/98)

- A. The Development Standards embodied in this ordinance are administratively reviewed at the time of a building permit. Compliance to the standards is a condition of building permit approval. These standards are intended to be objective and to serve as a guide to designers of developments. (5/98)
- B. The Development Standards embodied in this ordinance are to be perpetually maintained on all properties. This particularly applies to color and facade materials, which may possibly change without requiring a building permit. (5/98)
- C. In the event a development proposal or a change to an existing building does not conform to the standards contained in this ordinance due to an applicant wishing to propose alternatives, the applicant may choose to apply for approval of a Development Review application, which is a land use application processed in the same manner as a conditional use. (5/98)

2.315.03 Relationship to Other Regulations

The Development Review process does not supersede or is not superseded by other regulations. Approval of an application for Development Review does not relieve the applicant of responsibility for compliance with other applicable codes, ordinances, statutes, or regulations. (5/98)

2.315.04 Review Procedures

- A. No building permit will be issued for a use requiring Development Review until the application for Development Review is approved. (5/98)
- B. In instances where conformance to the standards is outside of the scope of a building permit, such as repainting a building, the owner shall be responsible for conformance with these standards. (5/98)
- C. When an applicant wishes to proposed an alternative to the Development Standards, they may apply for a Development Review. A Development Review application shall comply with the procedures for a Conditional Use Permit in Section 3.103, with the initial decision rendered by the Planning Commission (Section 3.103.06.C.). (5/98)

2.315.05 Applicability

Conformance with the Development Standards is required in these instances, except where modified in the specific standard: (5/98)

- A. The following buildings and uses are subject to these standards: (5/98)
 - 1. Any commercial or office use
 - 2. Any industrial use
 - 3. Any public buildings designed for regular human occupancy, other than schools. (5/98)
 - 4. Any residential development involving four or more attached dwelling units or apartments
- B. The Standards shall specifically apply only in the following circumstances: (5/98)
 - 1. Construction of new buildings
 - 2. Expansions of existing buildings by 500 square feet or more. (5/98)
 - 3. Any external remodeling of a structure that requires a building permit. (5/98)
 - 4. All buildings in matters relating to color or facade materials. (5/98)

2.315.06 Non-Applicability

Development Standards specifically do not apply to the following uses: (5/98)

- A. Agricultural uses
- B. Any residential building housing three or fewer dwelling units
- C. Accessory structures of less than 500 square feet. (5/98)
- D. Any interior remodeling
- E. A temporary business

2.315.07 Non-Conforming Buildings

Any building that does not conform to the development standards for color or facade materials on the date this ordinance is effective is considered non-conforming as defined and regulated within the zoning ordinance. (5/98)

2.315.08 Development Standards

All applicable development must meet the following standards: (5/98)

- A. Internal Pedestrian Circulation
 - 1. Connection Required. The internal pedestrian circulation system for the proposed development must connect to other areas of the site, to other building entrances, to adjacent streets and to nearby transit stops. (5/98)
 - 2. Location, Design. Walkway(s) shall be located so that a pedestrian can conveniently walk between a transit street and the main entrance to a building(s). A raised walkway or a walkway that is separated from the auto travel lane and parking by a raised curb or other physical barrier, other than where it crosses a driveway, shall be provided. If a raised path is used the ends of the raised portions must be equipped with curb ramps. (5/98)
 - 3. Driveway Crossings. Driveway crossings shall be minimized and in no case exceed 30 feet in width. Where the pedestrian system crosses driveways, parking areas and loading areas, the system must be clearly identifiable through the use of elevation changes, a different paving material or other similar method. (5/98)

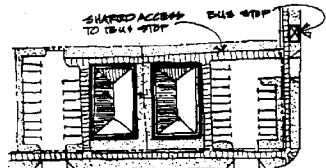


Figure 1 – Pedestrian Access Standards

4. **Lighting.** Lighting shall be provided along all walkways. Pedestrian walkways must be lighted to a level where the system can be used at night by employees and customers. (5/98)
5. **Walkway Coverage.** Walkways along building frontages shall be covered with awnings, or building overhangs. The minimum vertical clearance shall be 9 feet for awnings and 12 feet for building overhangs. (5/98)
6. **Dimensions.** Walkways shall be at least five feet in paved unobstructed width. Stairs or ramps shall be in place where necessary to provide a direct route between the transit street and the building entrance. Walkways without stairs shall have a maximum slope of 8% and a maximum cross slope of 2%. (5/98)
7. **Additional Street Access.** A walkway from a building entrance to a public street shall be provided for every 300 feet of street frontage or for every eight rows of vehicle parking, whichever is the greater distance. (5/98)
8. **Access to Adjacent Property.** If it can be reasonably expected that the proposed development has the potential of being a significant attractor or generator of pedestrian traffic, potential pedestrian connections between the proposed development and existing or future development on adjacent properties other than connections via the street system shall be identified. (5/98)
9. **The building permit or site plan review application shall designate walkways and pedestrian connections on the proposed site plan or findings shall be submitted demonstrating that the walkway or connection is infeasible. The findings will be evaluated during the building permit or site plan review process.** (5/98)

B. Building Design

1. **Ground floor windows – In the CM, CR, EG and MU zones, all street-facing elevations containing permitted uses as listed under Sections 2.110.02 F, G, H, I, J and K shall have no less than 50 percent of the ground floor wall area with windows, display areas or doorway openings.** (5/98)

2. **Building facades** - Facades that face a public street shall extend no more than 30 feet without providing a variation in building materials, a building off-set of at least 2 feet, or a wall area this is entirely separated from other wall areas by a projection, such as a porch or a roof over a porch. No building facade shall extend for more than 300 feet without a pedestrian connection between or through the building. (5/98)
-
- The diagram shows a perspective view of a two-story building facade. A horizontal line across the upper story is divided into segments by vertical arrows pointing to the facade. Above these segments are labels: '100 FT FACADE' for the entire length, and '10% 20% 30% 40% 50% 60%' for the individual segments. A bracket on the right side of the upper story is labeled 'BLANK WALL'. Below the building, a series of parallel lines represent the street, with the text 'STREET FRONTAGE' written along them. A legend at the bottom right contains two bullet points: '• 50% MIN. FRONTAGE MUST BE OPENING' and '• 30% MAX. FRONTAGE CAN BE BLANK WALL'.
- Figure 2 – Façade Standards

published 9/90 (or the equivalent color from another manufacturer) with the following numbers: 2001 - 2004; 2008 - 2011; 2015 - 2020; 2022 - 2027; 2029 - 2034; 2036 - 2097; 2099 - 2104; 2106 - 2111; 2113 - 2118; 2120 - 2125; 2127 - 2131; 2134 - 2139; 2141 - 2237; 2239 - 2250; 2253 - 2258; 2260 - 2265; 2267 - 2272; 2274 - 2279; 2281 - 2384; 2386 - 2391; 2393 - 2398; 2400 - 2405; 2407 - 2412; and 2414 - 2419

- b. For the purpose of this ordinance, "main color" is the principal color of the building which must be at least 75% of the surface of the building excluding windows; the trim colors of all buildings may be any color. (5/98)
- c. In no case shall the main color or the trim color of any structure be "florescent", "day-glo", or any similar bright color. (5/98)
- 6. Roof Lines - Roof lines shall establish a distinctive "top" to a building. When flat roofs are proposed, a cornice a minimum 12 inches high projecting a minimum 6 inches from the wall at the top of the wall or parapet shall be provided. (5/98)
- 7. Roof-mounted equipment – In a CM, CR, CO, EG or MU zone, all roof-mounted equipment, including satellite dishes and other communication equipment, must be screened from view from adjacent public streets. Solar heating panels are exempt from this standard. (5/98)

E. Accessory Structures

Accessory Structures including buildings, sheds, trash receptacles, mechanical devices, and other structures outside the main building, shall either be screened from view by the public by a hedge or fence, or painted the same color as the main color of the building. (5/98)

2.315.09 Determination of Conformance to Development Standards as Part of Building Permit Review

The Zoning Administrator, or designee, during the normal course of reviewing a building permit application shall include as part of that review determination of the proposal's conformance with the Development Standards. Corrections may be noted on the plans, or required to be submitted as amended plans, to assure conformance to the standards. Building plans shall not be approved unless there is conformance to the standards. (5/98)

2.315.10 Criteria for Development Review

The Planning Commission, or Council upon appeal, may approve the proposed design alternatives, or approve them with conditions, if it finds the alternative design



July 1, 2002

AGENDA ITEM 7a

RESOLUTION OF INTENT REGARDING LIBRARY SERVICES

CITY COUNCIL MEETING: July 1, 2002

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND COUNCIL MEMBERS
THROUGH: CHRISTOPHER C. EPPLEY, CITY MANAGER
FROM: E. SHANNON JOHNSON, CITY ATTORNEY *ESJ*
SUBJECT: *RESOLUTION OF INTENT REGARDING LIBRARY SERVICES*

At its last meeting, the Council directed staff to prepare a "philosophical" resolution indicating Council's intent to move forward with a 21st Century or "gap" library. It is my understanding that the exact amount and nature of the funding for such library services is yet to be finalized.

I have prepared a resolution for the Council's consideration and it is attached to this staff report.

RECOMMENDATION:

If the resolution meets the Council's intent, adopt the resolution.

Please let me know if you have any questions. Thank you.

ESJ/tmh
enclosure

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2 Resolution R2002-_____

3 IN THE MATTER OF RESOLUTION OF INTENT TO DEVELOP "21ST
4 CENTURY" LIBRARY IN THE CITY OF KEIZER

5 WHEREAS, the City Council of the City of Keizer created and charged the
6 Library Task Force to review library services options;

7 WHEREAS, such Library Task Force has completed its work and presented its
8 report to the City Council;

9 WHEREAS, the City Council has by motion accepted such report;

10 WHEREAS, the City Council has determined that it is appropriate to indicate its
11 intent to move forward and publicly proclaim the library services option chosen by the
12 Council;

13 NOW, THEREFORE,

14 BE IT RESOLVED by the City Council of the City of Keizer that the Council
15 proclaims that it intends to move forward to establish a branch-size "21st Century"
16 library within the City of Keizer.

17 ///

18 ///

19 ///



July 1, 2002

AGENDA ITEM 7b

**PARTNERSHIP WITH OREGON PARKS AND RECREATION FOR
POTENTIAL PARK IN WEST KEIZER**

CITY COUNCIL MEETING: _____

AGENDA ITEM NUMBER: _____

TO: MAYOR AND CITY COUNCIL

**FROM: CHRISTOPHER C. EPPLEY
CITY MANAGER**

SUBJECT: OREGON PARKS & RECREATION DEPARTMENT GROUND

BACKGROUND

The Oregon Parks & Recreation Department (OPRD) owns two parcels of ground totaling nearly 85-acres to the west of the Keizer city limits. This ground is located roughly at the western terminus of Chemawa Road then south to the Willamette River and west approximately 1,400 feet. Generally, the ground slopes downward toward the river, is hilly in spots and heavily treed in the up-slope areas. Much of the lower area lies in the flood way and would not be suitable for extensive development and/or construction of hard surfaces.

Three weeks ago, Councilor Walsh asked that I explore a potential opportunity to form a partnership with OPRD to develop a community or regional park on the 85-acres. Earlier this month, staff visited with representatives of OPRD to discuss the concept and assess potential costs and benefits to Keizer of forming such a partnership.

At this staff meeting, OPRD expressed a great interest in developing such an arrangement with a couple of caveats:

- The property must be utilized as a park.
- The property must be accessible for use by the public.
- OPRD recommends use of the ground with minimal enhancements and in a natural state.

OPRD commented on the potential of developing a low-cost lease option with the City or possible direct ownership by the City. Costs to the City of either of these options were not discussed in detail.

Concept: One possible concept for such a park would be to keep it generally as natural open space with, perhaps one or two "destination points" near the river. The destination points would be softly defined areas marked by one or two picnic tables and mowed grass. Trails throughout the park would be hard packed earthen singletrack and would be maintained in partnership with area bike/hike clubs. Parking would be attained through use of an existing paved access road heading south from Chemawa to a wide area approximately 200-yards in. This area would need to be widened, delineated, graded and paved to provide parking stalls. Some work might also need to be done to the access road to create on-street parking to augment the total number of possible parking spots. A variation to this concept would be to partner with Marion County and/or the City of Salem to help support ongoing costs and to develop a similar park based upon a more regional model.

RECOMMENDATION

Staff recommends that the City Council deliberate this issue and provide direction to staff as to possible options of exploratory action by the City. Such exploration could include some or all of the following actions:

- Open discussions with Marion County regarding partnering on a regional park concept.
- Open discussions with the City of Salem regarding partnering on a regional park concept.
- Explore costs and benefits of a local community park versus a regional park model formed in partnership with Marion County, the City of Salem or both.
- Explore costs and benefits of leasing versus owning the ground.
- Explore costs and benefits of a lease purchase arrangement for acquisition of the ground.
- Thoroughly explore funding methods for capital improvements and legal issues surrounding all options.



July 1, 2002

AGENDA ITEM 7C

APPROVAL OF MAY 23, 2002 SKAPAC MINUTES

KEIZER CITY ATTORNEY
MEMORANDUM

TO: SKAPAC GOVERNING BODIES
AND STAFF

FROM: E. SHANNON JOHNSON
KEIZER CITY ATTORNEY

SUBJECT: **SKAPAC GOVERNING BODY MEETING MINUTES (MAY 23,
2002)**

DATE: JUNE 27, 2002

Previously the governing bodies were sent both the draft minutes and transcript from the May 23, 2002 meeting. Although all jurisdictions have now approved the minutes, I do not believe that a majority of the jurisdictions have approved the same set of minutes. I have enclosed the draft minutes and the transcript from the meeting.

On June 24, 2002, the Elected Official Subcommittee held a conference call meeting to discuss procedural issues regarding the minutes for both the Elected Officials Subcommittee and the Governing Bodies meetings. The Elected Official Subcommittee voted unanimously to extend the timeline for the SKAPAC record an additional two weeks in order to allow the minutes for the meetings to be approved.

Salem suggested two changes. First, to clarify in two places that Councilor Rick Stucky was a "councilor" and not a planning commissioner. The second change by Salem was on page 3 under the heading "Discussion by Governing Bodies" regarding the statement "Concurrence is not required." Salem suggests indicating that statement be identified as "Keizer's opinion."

I have reviewed the transcript, draft minutes and portions of the audiotape. Much of the discussion in the minutes are someone's opinion. Though open to different interpretations, the Regional Policies section and the SKAPAC agreement speak for themselves. The real difficulty with this portion of the minutes is the speaker is not identified. I would suggest that at the beginning of the paragraph the phrase "Mayor Christopher indicated" be inserted and immediately prior to the "concurrence statement" the words "She also indicated..." be added.

SKAPAC Governing Bodies
and Staff
Page 2
June 27, 2002

Keizer suggested two changes. First, at page 4 in the fourth full paragraph, last sentence, the addition of "more" before the word "upland" be added. This change allows the sentence to make sense and matches the transcript. The second change has to do with correctly stating the motion.

With regard to the first voted-upon motion, the transcript is accurate and I would suggest that the actual motion be inserted verbatim in the minutes.

To summarize, my suggestion is that the governing bodies all vote to approve the May 23, 2002 minutes with the following changes:

1. With regard to the two references to Rick Stucky to change "Commissioner" or "Planning Commissioner" to "Councilor."
2. With regard to the text under "Discussion by Governing Bodies" insert at the beginning of the paragraph the phrase "Mayor Christopher indicated" and immediately prior to the "concurrence statement" insert the words "She also indicated....".
3. Insert the word "more" prior to the word "upland" on page 4.
4. To change the motion at the bottom of page 4 to read as follows: "Mayor Lore Christopher moved that SKAPAC does not approve of the Keizer Station Plan as submitted to the City of Keizer by Northwest National LLC, but does agree with the confirmation of the population figures and growth rate from the staff committee."

I would request that all of the governing bodies place this on their next agenda and hopefully vote for approval of the minutes as amended without any additional deletions so that all the jurisdictions are voting on the same set of minutes. The transcript will also be made part of the record.

The SKAPAC record closes at 5:00 p.m., July 8, 2002. Please submit written confirmation of the governing body's approval to the City of Keizer by this date and time. Please send to the attention of Maria Meier, Keizer Planning Director.

If you have any questions in this regard, please contact me. Thank you.

ESJ/tmh
enclosures

Salem-Keizer Area Planning Advisory Committee (SKAPAC)
Meeting of Governing Jurisdictions
Verbatim Transcript
Keizer Heritage Community Center
980 Chemawa Road NE, Keizer, Oregon
Thursday, May 23, 2002

Mayor Christopher: Okay. We are going to do introductions and then review the agenda. Hopefully, our Salem City Council will be here by then. I understand that a couple of fire engines on River Road have slowed them up. Of course, I won't say it, but some managed to make it through.

Cathy Hoffman from the City of Salem please call the role, and then I will review what the agenda is. Then do minutes and then (unintelligible). Shannon starts with a summary of SKAPAC (unintelligible) and Maria starts with her description of what is going on. With that Cathy please call the role.

Cathy Hoffman called the roll:

City of Keizer: Mayor Lore Christopher Councilor Mike Gaynor Councilor Chuck Lee Councilor Jerry McGee Councilor Jacque Moir Councilor Judy Smith Councilor Richard Walsh	Chris Eppley, City Manager Maria Meier, Planning Director Shannon Johnson, Legal Counsel Keith Liden, Planning Consultant Rob Kissler, Public Works Director
Marion County: Commissioner Mike Ryan (not available at roll call) Commissioner Randy Franke	Les Sasaki, Principal Planner
Polk County: Commissioner Mike Propes Commissioner Tom Ritchey	
City of Salem: Mayor Mike Swaim Councilor Kasai Quillinan Councilor Bill Smaldone Councilor Bard Nanke Councilor Rick Study	Bob Wells, Assistant City Manager Vickie Wood, Interim Director Sharman Meiners, Interim City Attorney Cecilia Urbani, Principal Planner Klaus Schilde, Senior Planner Mark Bechtel, Transportation Planner

Mayor Christopher: That's it? Okay. What we are doing is getting started with the preliminary steps, hopefully (unintelligible). Now you were also given the minutes from the staff subcommittee. The staff subcommittee has to approve the minutes that were put into the packet, but only the staff subcommittee.

Maria Meier: Right. Salem staff, Keizer staff, Polk County staff and Marion County staff. Polk County staff is not here (unintelligible)

Unidentified Male Voice: Jim will not make it.

Mayor Christopher: So a motion to approve those minutes.

City Manager Eppley: So moved.

Attorney Shannon Johnson: That is the staff subcommittee, so we have three.

Klaus Schilde: May we make corrections?

Mayor Christopher: Yes

Klaus Schilde: If possible, on the March 21st subcommittee meeting minutes, page three, first full paragraph, first line it says, " After further discussion the group noted the items which they were in agreement about..." This should read "were not" in agreement about.

Mayor Christopher: Okay, so after, "the discussion the group noted the items, which they were not in agreement about." That is Page three of the minutes on March 21st.

Maria Meier: The issue of "Population" and the "Acreage Comparison Chart" was agreed upon by the staff subcommittee. Would that be a correct Klaus?

Mayor Christopher: So you will eliminate "Population?"

Maria Meier: Correct

Mayor Christopher: Okay, so line out "Population" but "Acreage Comparison Chart" (unintelligible is reading something, but reading too fast to understand)

Maria Meier: Actually, also the Acreage Comparison Chart, at that time, was agreed upon.

Mayor Christopher: So the first two "Population" and "Acreage Comparison Chart" and eliminating all the rest.

Maria Meier: That's it.

Mayor Christopher: All in favor of approval of the minutes.

Staff members voted unanimously to approve the minutes of March 21, 2002.

Mayor Christopher: The next thing we need to do is to have approval of minutes for the Elected Official Subcommittee, which is Mayor Swaim, Commissioner Ryan, Commissioner Propes, correct? Okay.

Unidentified Male Voice: I move for approval.

Second Unidentified Male Voice: Second.

Mayor Christopher: Thank you, great. Any changes? Yes.

Mayor Swaim: Corrections. The notes from April 10, 2002 first of all. The fifth line, page two that says, (unintelligible.... a lot of paper shuffling.) Page three; next to the last paragraph towards the bottom it talks about control factors.

Mayor Christopher: Control factors should be control figures?

Mayor Swaim: Control totals.

Maria Meier: Agree.

Mayor Swaim: Page five, third line it starts with the word proposed and goes into the next sentence that says, "He suggested that the City of Keizer.....(unintelligible)

Mayor Christopher: Were there any changes for the 16th?

Mayor Swaim: Yes, I have two.

Mayor Christopher: Then let's do both of them.

Mayor Swaim: Okay for the 16th, on Page two that (unintelligible) is still too high and figured out is actually 3.5%. And page three then, second paragraph where it says I was pleased with the staff's alternative Keizer Station Plan, I believe it should say that, "He believes the Keizer Station Plan, Alternative Plan, as recommended by the Planning Commission is better than the original Keizer Station Plan.

Everyone is talking at once.

Councilor McGee: What do you mean by the original plan?

Mayor Swaim: The original submission from the developer.

Jerry McGee: That is not the original plan. You mean the first plan presented by the developers?

Mayor Swaim: Yea that is what I had in mind. The original Keizer Station Plan. The point was that I believe is that the staff's proposal is better than the developer's.

Down in the next to the last paragraph that sentence begins; "Mayor Swaim stressed the importance of allowing a third party..." What I said was engaging an independent third party and then suggested an independent third party be DLCD. I stressed the importance of allowing an independent third party, Department of Land Conservation Department who holds no economic interest, strike the words, an opportunity, and go onto to complete the sentence.

Mayor Christopher: Who holds no economic interest and then what?

Mayor Swaim: Strike the words, an opportunity and then funding available through DLCD. Almost through, on page five, bottom paragraph.....

Unidentified Male Voice: There was a tape of our proceedings, correct?

Mayor Christopher: Correct.

Unidentified Male Voice: And the minutes came from the tape?

Maria Meier: Correct. The minutes were transcribed from both written notes and an audiotape.

Unidentified Male Voice: So if I may, I was wondering how we could be so off in the minutes?

Mayor Swaim: Let me assure you we see it with some regularity with our Council, even though we are taped we have to go back. I could actually say there is a problem with these unless you have the tapes and I will sit with the Mayor and listen to them, but I do recall what I said. I would be happy to sit and listen to the tapes.

Mayor Christopher: Why don't we make arrangements for Mayor Swaim or any other concerned citizen to listen to the tapes and to approve the minutes at a later date.

Mayor Christopher: And with that, we have one hour now so we are going to go to our City Attorney, Shannon Johnson, who will give us summary of the SKAPAC process. Then we will have a summary of the existing Chemawa Activity Center Plan, the proposed Keizer Station and the Planning Commission's recommended alternative Keizer Station Plan from Maria Meier. Then we will review the conclusion of the two subcommittee's including the staff subcommittee, the elected official subcommittee and we will review those conclusions. Then we will have a discussion (unintelligible) and I

will give you a little bit of background on the information I have, and then we will (unintelligible). We are going to do all that now. Okay, you are on Shannon.

Attorney Shannon Johnson: Thanks, I will abbreviate this. We have a pretty good microphone in the middle of the room, but no P.A. System here.

As most of you know the SKAPAC process is between the two counties and the two cities as a coordination mechanism. It is designed for goal two purposes, and sets fourth a process with regards to working out regional issues or other issues. In this process where we are at the tail end of now, begins with the staff subcommittee, an elected officials subcommittee and then finally all the governing bodies all in one room. This is where we are at today. The SKAPAC process allows at the very end to be used for what other reasons we can identify other reasons to use the SKAPAC process other than regional, and it is under that provision that Keizer initiated that. So with that I'm looking at the timeframe and I wanted to abbreviate the process.

Mayor Christopher: The other thing I want to emphasize is that this process is not required to reach concurrence, because this is not been made as a regional issue. Am I correct in that?

City Attorney Johnson: That is correct.

Mayor Christopher: Okay and so although we don't need concurrence, we would love to have it. Keizer shares the process so we can hear all the corresponding jurisdictions issues and concerns regarding the proposed planing of the Chemawa Activity Center.

Mayor Swaim: I need to ask because I am a little uncertain as to the characterization. I understand that Keizer does not consider this to be a regional issue and that Salem's position is that we do consider it to be a regional issue and that is one of the points of disagreement. I would like the staff to (unintelligible). We do consider this matter a regional issue.

Klaus Schilde: As I understand it, it is not one of the six regional issues that's in each of the jurisdiction's comprehensive plans, but it is a driven policy and cites regional impacts and that is where our concern is that this action, although it is not regional as defined in our comprehensive plan, it has regional impacts.

Unidentified Male Voice: Then would you recommend that it is a regional aspect of the comprehensive plan?

Attorney Shannon Johnson: It is not listed as a regional policy and it has not been identified for me where it is listed as a third area policy. I haven't been able to identify that. I haven't seen that.

Klaus Schilde: What I am saying is SKAPAC can be initiated when an amendment is proposed for an urban policy.

Mayor Christopher: Now your urban area policies are located in your comprehensive plan, pages 18-22 that is my understanding. Is this where it is identified....

Unidentified Female Voice: No, no the regional policies are on page 18-22. The urban area policies start on page 23, I'm sorry I don't have a copy of Keizer's Comprehensive Plan in front of me to decide what number the pages are in your plan. I don't know if you want to get into this right now because of the presentation.

Attorney Shannon Johnson: The difficulty is that has never been confirmed and was kind of bypassed in previous meetings and in Keizer's plan there isn't a list of urban area policies, and I don't know where it is listed in Salem's plan.

Unidentified Female Voice: Do you have your comprehensive plan in front of you? This is our section right after regional that is our urban area policies and I thought you guys plan was exactly the same.

Attorney Shannon Johnson: We don't have a list of urban area policies, and I think the reason for that is the urban area policies have to do with Marion County and Salem and Polk County. There are not any identified urban area policies concerning Keizer.

Unidentified Female Voice: In the regional policy section, that is common, that is word for word in all four of our comprehensive plans, there is a section that is called Procedures For Amendments. That is Section C and there is subsection two that is not a regional planning action procedures. And Section C sub two; sub (a) says; "any amendment to an urban area policy shall follow the regional planning action procedures, except that the _____ requirement will be limited to jurisdictions within the urban area." And yes, we agree concurrence of all four jurisdictions are not necessary, but if you refer back up to what is the process, what is the procedure, SKAPAC, this process is part of that. That is our own point.

Mayor Christopher: It is not a regional policy, but a non-regional planning actions procedures.

Unidentified Female Voice: Right.

Attorney Shannon Johnson: But it still makes a difference, the issue is that SKAPAC has already been initiated, so that is not the question. If there is an urban area policy, the question then becomes where is the concurrence? It says under that section, ours is labeled differently. "Any event of an urban area policy shall follow the regional planning policy, except from the current requirement with the limited jurisdictions within the urban area."

Unidentified Female Voice: Right and then in this situation that is the City of Keizer and Marion County, right?

Attorney Shannon Johnson: Except it would be perhaps if we were talking about an urban growth management agreement and a UGB area outside of the city limits, but this is all entirely within the city limits. So that is where I am saying the urban area policies are specifically listed in your folks plan because you do more in Polk and Marion county with wide areas outside the city limits and inside the UGB.

Unidentified Male Voice: I'll get back to what Shannon was saying. (unintelligible)

Mayor Christopher: So it is not a regional issue, however, it does fall under the non-regional planning action procedures of the Salem Comprehensive Plan? Correct?

Attorney Shannon Johnson: Under Sub (b) not Sub (a). In other words it is a non-regional planning action that is not an urban area policy or a regional policy.

Mayor Christopher: Correct. Are we all good with that?

Councilor McGee: Madam Chairperson, I suggest we go ahead with the program, hold our questions, if we can, jot them down, but let's hear the whole presentation and then submit the questions.

Mayor Christopher: We're good. Shannon are you through with

Attorney Shannon Johnson: The only other comment I would have is if we to a point for a motion tonight, because these are independent jurisdictions and this group is made up of formal governing bodies. So the process, as I recall from many years ago, we would need a separate vote by each jurisdiction. The majority of each jurisdiction and I want to make sure there are no questions on that.

City Manager Eppley: A quorum is necessary for a vote of each jurisdiction.

Maria Meier: What I'm gonna do, I'm gonna try to condense this as much as possible and if you have questions, please ask. I'll start with the description of the current Chemawa Activity Center Plan.

The current Chemawa Activity Center Plan was adopted in 1997 and is divided into four primary areas, "A", "B", "C" and "D". Area "A" is north of Lockhaven and Chemawa and goes from I-5, goes to the western boundary of the railroad tracks. You will notice the boundary does not currently include the baseball stadium, but includes the BPA property and includes all property up to the urban growth boundary. Consider Area "A", there has never been a survey of the entire Chemawa Activity Center. You'll notice in some comparisons between _____ there are some differences in the acreage's, but for this discussion there is approximately 133 acres and is primarily all zoned Industrial Business Park. Approximately eleven (11) acres is zoned for Commercial Retail. This area has a requirement that it has to be master planned, these properties, south of Tepper, have to be consolidated in order to be developed and have a master planning process to approve _____ development. It is also is very dependant on

access, which is, plans include a loop design that would go onto _____ that is essentially called Area "B", and the property would have a loop through there and go underneath Chemawa Road for access.

Area "B" is currently zoned Commercial Office. Area "C" is this area south of Lockhaven with the property through Chemawa Road, extending down to the Keizer Little League Park. This area is zoned Mixed Use and allows both Commercial and Residential Uses. It does not require a mixed amount. In Area "B", this is the property that recently was exchanged from the ownership of the BIA, to both the Grande Ronde and the Siletz Tribe. Currently, it is _____ zoned Commercial Mixed and zoned for public. The Commercial Mixed Zone, just to let you know, in Keizer, we have a Commercial Retail Zone, the same way with any Commercial Retail Zone, our Commercial Mixed Zone also allows for a high density residential. That's our current plan.

Over here the City of Keizer was approached by a developing team called Northwest National LLC and the City of Keizer Council agreed to initiate a Legislative Review based on _____ plan. After their _____ plan was submitted to the City they further refined it and came up with proposed document to the Chemawa Activity Center Plan. They changed it, they changed the zoning. What they found is, first of all, they changed the boundary of the plan. They extend this boundary that originally included the Baseball Park to include it all the way up to _____. Changes in Area "A" include, changing most of the zoning to Commercial Mixed, very similar to our Commercial Retail Zone and Commercial Retail as part of their plan also. They left this bottom two acres outside the _____ as Industrial General. They have changed the zoning of the BPA from the park immediately north to Industrial General, which gives specific uses and potential uses _____. They proposed to change the Public Zoning of the Baseball Stadium to Industrial Business Park. In the City of Keizer our Industrial Business Park developed _____ of the Baseball Stadium and once there's some discussion and plans for _____. There is some vacant land north of the Ball Stadium so it is not all currently used. So there is some potential for industrial development to the north.

With Area "B" they have proposed to change it from Commercial Office to a mix of Commercial Mix and Commercial Retail. Area "C" they suggest to change the zoning of this _____ along the south side of Lockhaven to Commercial Retail and remain this area of Mixed Use to be Mixed Use. One primary factor they proposed to change here is to allow for a commuter rail station in the Mixed Use Zone. They also suggested change in Area "D" to the Industrial Business Park Zone. This proposal was considered by the Keizer staff and analyzed and considered by Comprehensive Plan Goal Policies, development code requirements, criteria to the zone change, Comp plan change and text amendments.

Keizer staff came up with an alternative plan. Consideration of five primary goals and policies in the Comp plan that we have considered. We suggested this to the Planning Commission. We agreed with the developer on some issues. We agreed that this area north of Tepper Lane actually could be zoned for Industrial Business _____ for

Industrial Zone. We disagree on Area "A". We found in our Comp Plan Goals and Policies that there was an intent to have a mix of industrial and commercial mix for staff to _____ on those documents. We came up with this idea based on some _____ in the Portland area. It allows for a lot of possibilities _____ and how development is going to occur. It allows a lot of flexibility to the design. Industrial Business Park uses are specifically listed. We wrote out the proposal for an EG Zone, specifically to _____ to our Development Code. We suggested some changes to this area to require a minimum of 25% of acres in this area to be used as Industrial Business and a maximum of 75% to be used as Commercial Use. Those uses are very specific and listed out in those zones. Currently, our IBP zone allows for some mix of Commercial Use Zone and _____. What we recommended is we eliminated any of those Commercial Uses out of the Industrial Business Park Uses in that section and kept it _____. We also suggested some limitations on _____ and building size. We recognize the maximum number of three buildings over 60,000 square feet could be built in that area. A maximum of three with the potential for a maximum of 120,000 square feet or a total of 250,000 square feet between all three buildings or even if it was two buildings, but that would be the maximum. We also recommended, actually go to the primary changes in this area. We also recommended some conditional _____. Another area that we disagreed with initially last year was in Area "B". We had _____ concerns.

Currently, in the City of Keizer we have a section at the intersection of River Road and Chemawa we have limitations on land use where we don't allow for vehicular intensive uses such as gasoline stations, fast food restaurants. We added that description to this zone and recommended _____ Commercial Mixed, but to put those restrictions on that property. _____ approximately one acre to divide up into a cul-de-sac so we don't have additional traffic going into that neighborhood and to allow pedestrians and bicycle traffic to access this _____. We did agree with the change _____ to commercial on the south side of Lockhaven in Area "D", however we did also have traffic concerns and a traffic impact analysis would be required for any use on these properties. We did suggest that the Mixed Use Zone which currently did not have a requirement for a balance of Commercial and Residential Uses. We recommended a minimum _____ 75% high density residential be built in this area and 25% commercial would be allowed along with the commuter rail.

Relating to the commuter rail we also did suggest this for a potential thought that the commuter rail could be located in the Employment Zone. We did discuss as an avenue to it, such a large project, to consider Area "A" fiber optic easement or some type of infrastructure going through here that take up about 100-125 feet. So that would make it a little bit difficult, but I wanted leave that potential there. And also we agreed change this property to Industrial Business Park. The City of Keizer has been working very well with the Grande Ronde and Siletz Tribes. We have come to agreements relating to access easement and _____. We have been very successful to evolve this loop through this path _____. Questions?

Mayor Christopher: The current Chemawa Activity Center Plan is as it is now can you tell me what the zoning looks like out there prior to the _____.

Maria Meier: Sure. In your exhibits _____ there were not necessarily a survey done. The previous plan identified the acreages differently. They required 50 acres of commercial in Area "A", in this location here. You had as one of your exhibits _____ but the 1988 Chemawa Activity Center Plan _____.

Mayor Christopher: So prior to 1997 there was 35 acres of Commercial Retail out there.

Maria Meier: Approximately fifteen (15).

Mayor Christopher: So that change happened in 1997, and that was reduced to eleven (11). Now we go through another change and that is to take it up to.....How many acres in the staff alternative plan?

Maria Meier: This area here. The proposed, if it were to go to the maximum 35% for commercial, that would be approximately 70 acres.

Mayor Christopher: Questions?

Commissioner Franke: Thank you Madam Mayor. Where will I find the definition for your new Commercial Use Zone that you've got in the section there where you have the 75%/25% split?

Mayor Christopher: EG

Maria Meier: EG Zone, and where you would find it is, read through the copy of the proposed, the Planning Commission recommendation.

Commissioner Franke: Which one of all of these papers might that be?

Maria Meier: (laughter from the audience unable to hear what her response was)

Maria Meier: If you look through it there is approximately 45 pages or so _____ there is a staff report and a staff recommended alternative Keizer Station Plan. This is the proposed text for the replacement of the Chemawa Activity Center Plan. Then it would be the page labeled Chapter Two, Page One and then what it does is it refers to a number of different code amendments in the Keizer Development Code. The first page that looks like this, it has a bar across the top and says EG Zone. It's Page One of the third section of the report.

Commissioner Franke: Third section of the report?

Maria Meier: And what it does is it blends permitted industrial park uses and justifies what those uses can be. (Unintelligible sentence) It limits the uses to the 25/25 percent ratio.

Commissioner Franke: Thank you.

Maria Meier: You're welcome.

Mayor Christopher: Any other questions?

Councilor Stucky: Does the Planning Commission's recommendation differ from the staff recommendation?

Maria Meier: Thank you for asking. Slightly, the zoning recommendation of the Planning Commission is the same. They made some minor amendments in the text of the EG zone and the _____ zone just to make it very clear that it would be a maximum 25 percent and a minimum of 25 percent for the ratio of commercial and industrial. And then they also _____ because they wanted to ensure a 40 foot landscape buffer adjacent to residential.

Mayor Christopher: Okay. There is the presentation on that. The next thing I want to cover....the resolutions by the staff subcommittee, they already had confirmed the population figures and the growth rate and the acreage's for zoning the plan or the latest study. The issues that they identified for the elected official subcommittee, which was, Commissioner Propes, Commissioner Ryan and Mayor Swaim. Consistency with state-wide planning goals, land-use planning _____ and formation, economics and planned housing and (b) the differences between the land supply and commercial industrial and residential land between _____ and (c) the definition of the primary trade area. Keizer finds the City of Keizer limits where the City of Salem _____ in primary trade area should be considered to actively access the regional impacts of the proposed amendments. So those are the issues that came to the elected officials subcommittee. In the elected official subcommittee a recommendation was moved, a motion was moved recommending from the SKAPAC elected officials subcommittee to not approve the Keizer Station Plan, and that is the one on the far right, but do agree to the alternative staff proposed plan, the one with the great big orange block that says EG, as recommended by the Planning Commission. The motion voted three to one (3-1) in favor of the motion; Mayor Christopher, Commissioner Ryan, and Commissioner Propes are in favor of the motion. Mayor Swaim voted against the motion.

And that brings us to discussion of the governing bodies, and just prior to that I want to remind you how we got here today. It was the unanimous agreement by the staff subcommittee that _____ the process. If the elected official subcommittee _____ that is the process. Neither of those two things happened so that is why we are here today. If it is not unanimous today, it we don't reach concurrence, then the proposing jurisdiction, in this case the City of Keizer, can take whatever action it deems

appropriate. Okay, there does not have to be concurrence today, so I just want to put that on the table and then open for discussions and okay. So with that I will get to discussions and take.....I will start by saying that the original letter from Mayor Swain spoke to the Keizer Station Plan. We have some of the same concerns that he had and those were addressed in the staff alternative plan. The major changes that have been made is to Area "A" which changed that one _____ from Commercial Retail to Employment General and put the limitations on there of 25 percent Industrial Park Uses, and mandates that, and 75 percent Commercial Uses. The other thing _____ you've got that. It created an EG Zone, it also limited the "Big Box" construction to three buildings total and a maximum of 350,000 square feet total for all three. So, you can have one building of 350,000 square feet or three with approximately 120,000 or any mix, but three maximum over 50,000 square feet. On the original plan there was_____. So we limited ourselves, we limited ourselves to three. The MU, Mixed Use Zone, was changed to mandate that the 75 percent housing. (unintelligible sentence)

Commissioner Franke: Thank you Madam Mayor. I am still looking at my original question. What I am trying to understand, and I think I found all the definitions and restrictions here, but a couple more questions. What I am trying to understand is the change that you made in your Commercial Zone, cause you said that you dropped Commercial Retail with this EG Zone.

Mayor Christopher: Correct

Commissioner Franke: So is there, is there a difference between the retail activities allowed here and say that are allowed on River Road as an example?

Maria Meier: I can answer that. The uses that are listed under Commercial Uses in the EG Zone come directly from the Commercial Mixed Zoning that you find the majority on River Road.

Mayor Christopher: My understanding is that 75 percent.....

Maria Meier: There are no changes to the Commercial Mixed Zone, the commercial uses that are identified in the EG Zone are that which are seen in the Commercial Mixed Zone and the change _____ with Industrial Business Park Zone will limit any of those commercial uses included in the 25 percent to those that that happen strictly to be the IBP's as listed in the EG Zone.

Attorney Shannon Johnson: Just to clarify that, or maybe muddle it, one or the other. Previously the IBP Zone allowed some retail, so it wasn't pure industrial business park. With the staff alternative, the staff wanted to be sure that if there is going to be 25 percent it's really, that is the minimum industrial and that needed to be pure. So those allowances for partial retail in industrial Business Park were pulled out. So previously there was more retail allowed in the existing plan, right now, on the far left, even though it only shows the little red area, the blue area or teal of IBP would allow some retail _____. So there is more retail and is currently more retail allowed than _____

on the map.

Commissioner Franke: Thank you.

Unidentified Male Voice: (Unintelligible)

Maria Meier: There is approximately 133 acres. Actually, I think after our agreement on the process there is approximately 127 acres.

Unidentified Male Voice: (Unintelligible)

Maria Meier: Right, 127 acres in the entire Area "A" and only 11 acres of it is commercial. But IBP Zone did allow for some commercial uses in that zone and there were some limitations on those commercial uses.

Attorney Shannon Johnson: In IBP there was.

Mayor Christopher: Councilor Quillinan

Councilor Quillinan: Good try. Is there actually a definition of a building and how we would define building for the person that reads the maximum of three buildings _____?

Mayor Christopher: It is the "Big Box" (remainder of sentence unintelligible)

Councilor Quillinan: How do you define that with everything under one roof (remainder of sentence unintelligible)

Maria Meier: In the current Development Code we have definitions for structure, we have definitions for buildings. A structure having a roof and built for the support, shelter or enclosure of a person, animal or property (remainder of sentence unintelligible)

Councilor Quillinan: So for instance all that _____ under one roof. Would that be considered one building?

Mayor Christopher: That is the maximum 350, 000 square feet, it cannot exceed that. Commissioner Ritchey, Mayor Swaim.

Commissioner Ritchey: Do I understand that all of the proposal, that staff has worked with all of the city _____?

Mayor Christopher: Correct.

Mayor Swaim: Our staff is prepared to give a presentation, but (remainder of sentence unintelligible) But what I understand staff's position to be is still very similar to what it

was when the subcommittee met last. What concerned me in a global sense concern about the potential for impacts to a system, not only to existing commercial retail by sustaining commercial retail (remainder of sentence unintelligible). There is also the impact of availability of industrial lands, which we were told by SEDCOR, that we are in severe need of. Additional acreage now and I have not heard whether SEDCOR has changed that position. I am _____ to the letter in the record. Also, is still concern, and it is my understanding, unless someone has a written document that I haven't seen yet, that DLCD and Thousand Friends of Oregon maintain _____ concerns about the impact that these adjustments in uses commercial and industrial for _____ and whether or not there has been an accurate analysis of the impact to the areas in addition to the City of Keizer. So, (remainder of sentence unintelligible)

Mayor Christopher: And to answer some of your questions. I don't believe that we have heard from SEDCOR. SEDCOR's original response was in regards to the Keizer Station Plan. They have not given us any response on the staff alternative plan. Thousand Friends and DLCD, same thing. Everyone gave us their opinions on the Keizer Station Plan and we are currently going through the public hearing process.

Maria Meier: (unintelligible sentence) The packet that was delivered on Friday and the City Council of Keizer held their hearing on I believe Monday (remainder of sentence unintelligible)

Mayor Christopher: _____ was SEDCOR?

Maria Meier: Correct.

Mayor Christopher: Okay.

Everyone is speaking at once.

Attorney Shannon Johnson: It doesn't specifically list it, but it, as of May 6th, so I am not certain which one you are referring to.

Mayor Christopher: Okay and then Thousand Friend also in that exhibit is number, Thousand Friends?

Unidentified Male Voice: (Unintelligible)

A number of voices speaking at once.

Councilor McGee: _____ in regards to the one we saw in housing. The staff alternative recommended plan (remainder of sentence unintelligible). So, there is certainly no (remainder of sentence unintelligible). One could say that there is not enough, but to me the plan as it is now we having less housing for _____, under the staff alternative plan. But I don't see that the housing, I don't understand the issue of this.

Mayor Christopher: Well, the notes that I have on housing is that both (remainder of sentence unintelligible). Therefore, _____ in Keizer currently. No one contended that Keizer lacked an adequate number of housing after the adjustment of commercial and industrial uses in the staff alternative plan. Keizer will still have adequate opportunities for _____. And as you stated the staff alternative plan actually increased the opportunity for housing on property where it did not before. There is no direct, or secondary effect, on the city housing inventory, and no adverse effect on the city's goals the statewide goals for planning of housing.

Unidentified Male Voice: (Unintelligible)

Mayor Christopher: No, but I have from, that we received from the public hearing on Monday night (remainder of sentence unintelligible)

Unidentified Male Voice: One of my concerns at this time (remainder of sentence unintelligible)

Mayor Christopher: And as I read we already have a _____ inventory for _____ and higher _____ houses for all citizens. This increases that additional inventory. We have the inventory currently to sustain any of the _____. (unintelligible sentence) But that is the worst case scenario.

Attorney Shannon Johnson: Madam Mayor if I could respond additionally. The staff alternative adds in Area "C" minimum of 75 percent of high density residential there. So that is one additional use, but more importantly the administrative rules under goal ten don't require that type of analysis. That maybe philosophically what some planning departments might want to do with the project like this, just to say, okay let's really investigate this. But goal ten talks about not the exact economy of the city, but the economy of the state generally and general income levels and planning for general income levels and planning your housing based on that. There is no requirement to do that extra planning step which, I mean, sure people can think differently, but I would think you could get into a kind of a, ya know, how's the _____ doing that sort of thing. And each time you go through, you are changing your housing inventory every time a project comes through.

Mayor Christopher: Mayor Swaim.

Mayor Swaim: I guess I just want to understand _____, and I think the council _____ address the issue that it is not just how many houses, but (remainder of sentence unintelligible). I don't understand isn't the position of Keizer that even if you expand the job opportunities in this area that you currently have sufficient housing stock to handle retail and _____ that would pick up as many 70 acres of retail development? I mean, for example you've got that type of multiple housing _____?

Mayor Christopher: That is my understanding.

Mayor Swaim: I need to hear that.

Attorney Shannon Johnson: We reviewed this quite some time ago and did not see any need to do the type housing analysis called for here. We were not ____; we were not taking any portions out of the housing stock. If we were doing that, we obviously have a goal ten problem. If Area "A" instead of being Industrial Business Park was residential and there was emerging commercial we would have a goal ten problem we would have to analyze. But under the ____ we have here, we don't have that analysis.

Unidentified Female Voice: (unintelligible sentence)

Mayor Swaim: We have a difference of opinion of whether or not it should be done.

Mayor Christopher: Commissioner Propes.

Commissioner Propes: Actually on the housing, and maybe I am not correct in this. My first question is, when I looked at the current plan and this plan, the current plan could be developed where it would require a lot of housing today. The plan that you are switching to could be developed where it would require a lot of housing depending on how it would develop. So we are talking about a smoke screen here. So, I mean it is kind of an issue that is not a real issue here, when you are comparing the two plans.

Mayor Christopher: Unintelligible.

Commissioner Propes: Impacts are exactly the same or we are missing something.

A number of voices speaking at once.

Councilor McGee: Unintelligible.

Commissioner Propes: So that wasn't going to be my comment until I heard the last exchange. Because we spent quite a bit of time on that housing issue before and that was the result that came up is that the current plan and the new plan, the housing is basically a wash, is that right?

Maria Meier: The current Mixed Use Zone, it allows for a mix of commercial and residential, but it doesn't require a ratio. So the way that it could be (remainder of sentence unintelligible).

Commissioner Propes: Right.

Maria Meier: And so ____ tries to force a ratio (remainder of sentence unintelligible)

Commissioner Propes: So you really have _____. What my real _____ before I got into that was, first of all, I'd really like to compliment your staff as Keizer. I think

they did an excellent job, sitting on the committee, the information that I received was very good to be able to understand this. As a commissioner, sometimes information we get is very confusing and hard to understand that was not the case. They brought us up to speed, as a committee member in a way that was really understandable of what has gone on here and that is not always the case when we have to make decisions. Very good job. There is a lot of information here and I think probably as those of us that received it for this, you didn't have the opportunity to study it the way the committee got to study it. They have done that job, your staff. I also think they have done an excellent job of taking a proposal and changing it to meet the needs of Keizer. Now, maybe it is not meeting the needs of Salem, but I think they have really listened to the people of Keizer and tried to meet the needs of Keizer. And that is what is important here, is trying to meet the needs of Keizer.

It appears to me they came up with a very flexible plan, that when somebody comes in to meet the economy, the needs of today's economy, and Keizer's concerns, and that what we as a region should be concerned about here. We should be here congratulating you for what you have done. I think you have done an excellent job and you should be proud of your Planning Commission and your staff. You guys have done a great job. So that is my comment.

Mayor Christopher: Commissioner Franke.

Commissioner Franke: Thank you Madam Chairman. Two questions. First I am just trying to get a feeling looking at the old SEDCOR letter, what is the difference between the industrial zoning on the Chemawa Activity Center and then the revised plan. How does the industrial zoning balance out?

Mayor Christopher: On the 1997 Chemawa Activity Center and the staff's proposal it is a reduction of 43 acres, which is 3.5 percent in the overall UGB. A reduction of 3.5 percent of the UGB, 43 acres.

Maria Meier: Are you asking more specifically about the zone? What's the difference between the current and the 1997?

Commissioner Franke: Nope just....

Mayor Christopher: Acreage.

Commissioner Franke: Second question.

Mayor Swaim: Process question. I cannot sit and look at my staff _____ and hyperventilating about when I ask these questions it is obvious to me that they have different answers, with factual questions being asked. And I know that we have a real constrictive time limit (remainder of sentence unintelligible). I think we need to hear from those that have a different point of view that are intimately involved in some staff or another.

Let me just finish and say that you guys are doing a great job in terms in doing what you are trying to do for Keizer and nobody believes differently than that. It is that we have a legitimate concern about the impact that causes us to question. If this were something that we honestly believe, let's get back to Keizer, (remainder of sentence unintelligible). But our staff is a professional staff that believes that this will have a consequence beyond the jurisdiction and the city limits of Keizer, and will impact the rest of the region. And then that does concern us as well. So I don't know what Propes is here to do with Mike and I

Multiple voices

Mayor Swaim: Oh I'm sorry he had another question?

Mayor Christopher: Just a second. I'm trying to let all the elected officials to get on record as much as I can and

Mayor Swaim: I apologize to the commission.

Commissioner Franke: Just a quick clarification. Early on in the presentation, Maria mentioned that there is property north of the ballpark. Is that property line to the edge of the Labish Ditch area or it is to the center of the Labish Ditch?

Attorney Shannon Johnson: The exact location I am not certain.

Commissioner Franke: I asked that because I go to the games a lot and I don't recall there being much ground north of the park, outside of the ditch.

A number of voices.

Attorney Shannon Johnson: I think the legal description is the center of the ditch.

Commissioner Franke: Okay

Attorney Shannon Johnson: I don't think it is the edge of the ditch, but I'm not

Councilor McGee: Approximately five acres.

Commissioner Franke: So some of that may be impacted being part of the peak?

Councilor McGee: No

Mayor Christopher: Part of what?

Councilor Franke: Part of Labish peak.

Mayor Christopher: unintelligible

City Manager Eppley: We haven't done a swales analysis out there so we don't know.

Public Works Director Rob Kissler: Commissioner Franke, I believe that the area on the south side of Labish ditch is a more upland type of situation and is much higher in topography than the peak area which you are speaking to which is on one side.

Mayor Christopher: Any other government officials?

Mayor Swaim: (unintelligible)

Vickie Hardin-Woods: A little bit more information that I want to respond from the questions that I have heard. One piece had to do with industrial land and the others generally _____ a little bit of a reduction from what's there. But here's a key piece of information, I think when the periodic review order for Keizer was done in 1989, there was a projected need of 211 to 243 acres of industrial land that Keizer needed. And right now Keizer has 133 acres of industrial land. So by taking away from that supply you are getting further away from the goal rather closer to the goal, and that's why that is an important issue. It is supplying an adequate of industrial land for the general area of Salem-Keizer together.

And then the other piece that I wanted to respond to, for just a minute was Commissioner Propes, you're right, in that as far as residential units it is about the same with the new Keizer proposal, as far as, how many residential units can be developed on a site now. What changes here is there is an increase in the demand for housing because there are more jobs generated as a result of this. Whereas, you might have needed 100 housing units, now because there are more jobs you need 200 housing units. In fact, it is six to eight times more. Right now, for Salem, at least, when we did the Salem Futures Process and we tried to guess what kind of jobs, the number of jobs that might be generated on this site, the guess was a little over a 1,000 jobs. The fiscal impact analysis that was done for the Keizer Station Plan guessed that there would be 3,000 jobs there, and with some skim off from that the indirect jobs another 1,000. So there is a lot more jobs that are generated and they want people to live close to where they work then there would be a demand for more housing units. And that analysis hasn't really been done to determine where those houses might be. And that is kind of just the other side. The same answer, just a little more information.

Mayor Christopher: Any questions?

Councilor Smith: I'm just curious and I'm just going by personal scenario. My husband works for, did work for _____. (unintelligible) I am trying to figure out how to do more houses.....I guess I am not really understanding what you said, please clarify.

Vickie Hardin-Woods: There will be more people employed on this property than had originally been intended. So therefore, if you want people to live near where they work,

there needs to be more houses for people to live near there. And if you are going to look at the housing, the price of those houses, the houses would be aligned with the pay levels of the people who work there. Your fiscal analysis, that you are relying on, that evaluates this proposal says that you are going to have 3,034 new jobs in the next ten years on that property. So, it's because there will be more people working there.

Councilor Smith: Okay, (unintelligible)

Vickie Hardin-Woods: Well actually, we make a guess with a little bit of a stretch. What we did is we took the information that the planning agencies, including the Transportation Plan for the City of Keizer and the COG/SKATS Agency for transportation analysis. We used those numbers and that projected 1,000 jobs.

Attorney Shannon Johnson: I wanted to go back and then (unintelligible). I do not recall that from the period review order, the number of _____. That is from the 94-95 order?

Vickie Hardin-Woods: 1989.

Attorney Shannon Johnson: That is probably the beginning of periodic review.

Vickie Hardin-Woods: I think we are still in it myself.

A number of voices speaking.

Attorney Shannon Johnson: Maria and I are just not aware of any precise total that is demanded by periodic review.

Mayor Christopher: Okay, it is twenty to seven and I am mindful that Commissioner Ryan needs to leave. So what I would like to do, unless there is any further questions from Council what I am going to do is propose a motion and then have each jurisdiction vote on the motion.

Mayor Swaim: I don't know (unintelligible)

A number of voices talking.

Mayor Christopher: Here is the motion: For the governing jurisdictions. The motion will be that as the city testified you do not approve the Keizer Station Plan as submitted by the developers, which is the one on the far right. We agree with the confirmation of the population projection figures and acreage for zoning per plan or related. We recommended the staff alternative plan as modified by the Planning Commission.

SKAPAC does not approve the Keizer Station Plan submitted by the developers, Northwest National LLC. We agree and confirm the population growth rate from the staff subcommittee and we recommend the staff alternative plan as modified by the Keizer Planning Commission.

Unidentified Male Voice: (unintelligible)

Mayor Christopher: Okay, motion number one. SKAPAC does not approve of the Keizer Station Plan as submitted to the City of Keizer by Northwest National LLC, but does agree with the confirmation of the population figures and growth rate from the staff subcommittee. Further discussion?

Mayor Christopher: Marion County, all those in favor of that motion.

Marion County: Aye

Polk County: Aye

City of Salem: Aye

City of Keizer: Aye

Mayor Christopher: Okay, so that is unanimous. Okay second motion. SKAPAC recommends the staff alternative plan as modified by the Keizer Planning Commission.

Marion County: Aye

Polk County: Aye

City of Salem: Nay

City of Keizer: All voting Aye with the exception of Richard Walsh.

Mayor Christopher: I believe that concludes our business here. Keizer will take whatever action is appropriate (unintelligible). We will go forward. Shannon, we will go forward....

Attorney Shannon Johnson: That is correct. There is a fourteen- day period for submitting, I think fourteen-days for a joint meeting, each jurisdiction considered responded. So in addition to the vote you do have the right to submit in writing your position. With regards to the minutes I open to suggestions about how you would like to handle approval of these minutes for today. Perhaps individual action with the jurisdictions, they could be submitted as part of the agenda under individual jurisdictions and voted on in that matter.

Mayor Christopher: Okay, thank you very much and we are adjourned at 6:50 p.m.

**Salem-Keizer Area Planning Advisory Committee (SKAPAC)
Meeting of Governing Jurisdictions
Meeting Minutes**

May 23, 2002

Keizer Heritage Community Center
980 Chemawa Road NE, Keizer, Oregon

City of Keizer Mayor Lore Christopher called the meeting to order at 5:31 p.m. In attendance were the following representatives:

City of Keizer

Mayor Lore Christopher
Councilor Mike Gaynor
Councilor Chuck Lee
Councilor Jerry McGee
Councilor Jacque Moir
Councilor Judy Smith
Councilor Richard Walsh

Chris Eppley, City Manager
Maria Meier, Planning Director
Shannon Johnson, Legal Counsel
Keith Liden, Planning Consultant
Rob Kissler, Director of Public Works

City of Salem

Mayor Mike Swaim
Councilor Kasia Quillinan
Councilor Bill Smaldone
Councilor Brad Nanke
Councilor Rick Stucky
Councilor Linda Bierly

Bob Wells, Assistant City Manager
Vickie Woods, Interim Director
Sharman Meiners, Interim City Attorney
Cecilia Urbani, Principal Planner
Klaus Schilde, Senior Planner
Mark Bechtel, Transportation Planner

Marion County

Commissioner Mike Ryan
Commissioner Randy Franke

Les Sasaki, Principal Planner

Polk County

Commissioner Mike Propes
Commissioner Tom Ritchey

Introductions and Review of Agenda

Mayor Christopher reviewed the agenda and explained the procedure for approving previous minutes.

Chris Eppley moved to approve the March 21, 2002 minutes of the Staff Subcommittee as presented. Klaus Schilde, Salem Senior Planner, requested a correction be made on page 3, first full paragraph to read "After further discussion the group noted the items which they were *not* in agreement about..." Maria Meier, Keizer Planning Director, stated that the issues of "Population" and "Acreage Comparison Chart" were agreed upon by staff and should be shown as agreed upon.

The April 10 and April 16, 2002 minutes of the Elected Officials Subcommittee were discussed and numerous changes were proposed by Mayor Mike Swaim. Maria Meier, reported that the minutes were transcribed from both written notes and audio tapes of the meetings. It was the consensus of the group that arrangements should be made for Mayor Swaim and any concerned member to listen to the tapes of the April 10 and April 16 meetings to verify the wording in the minutes, and then approve those minutes at a later date.

Summary of SKAPAC Process

Shannon Johnson, Keizer City Attorney, provided a brief summary of the Salem-Keizer Area Planning Advisory Committee (SKAPAC) process. The process allows for a Staff Subcommittee, Elected Official Subcommittee, and a Governing Bodies Subcommittee. Mr. Johnson explained that the SKAPAC process was initiated by Keizer to hear comments from all the jurisdictions even though under the provision identified by Keizer, the process does not require the jurisdictions to reach concurrence.

Mayor Mike Swaim stated that Salem considers this to be a regional issue. Klaus Schilde concurred and stated that Salem believes the Keizer Station Plan is not one of the six issues in the comprehensive plans, but is an urban policy that has regional impacts. Shannon Johnson stated that Keizer disagrees, does not believe this is an urban area policy. Cecilia DeSantis Urbani, Salem Principal Planner, referred to Salem's Comprehensive Plan list of urban areas. Mr. Johnson responded that Keizer does not have a list and stated that the lists that are known to exist pertain to Salem and to Marion County. Ms. Urbani referred to the Comprehensive Plan section that outlines procedures for amendments (Section C, Subsection 2) Nonregional Planning Action Procedures, Subsection A, "Any amendment to an urban area policy shall follow the..." and stated that procedures interpret that SKAPAC is part of that subsection. Mayor Christopher confirmed that the quoted section deals with Salem's nonregional planning action procedures. Mr. Johnson stated that the section is limited to jurisdictions within the area and reminded the group that the subject property is within the Keizer city limits. Les Sasaki, Marion County Principal Planner, spoke about the original concurrence requirement. Mayor Christopher stated this is not a regional issue; however, it does fall under the nonregional action, Subsection b (not Subsection a). Keizer Councilor Jerry McGee suggested the group hear the whole presentation before getting into this type of discussion.

Mr. Johnson informed the group that if they get to the point of making a motion at this meeting, the vote will be recorded by a separate vote by each jurisdiction. He reminded them that a quorum will be required from each jurisdiction for the vote to be valid.

Summary of Existing Chemawa Activity Center Plan, Proposed Keizer Station Plan, and Planning Commission Recommended Alternative Keizer Station Plan

Maria Meier reviewed the boundaries and current and proposed zones of the four areas of the Chemawa Activity Center Plan/Keizer Station Plan. Over a year ago, Northwest National LLC, simplified the original plan, proposed to change the zoning and change the boundary to extend to the Urban Growth Boundary (UGB). The changes included two acres for a substation, recreational entertainment plans, and potential industrial

development.

Keizer staff came up with an alternative plan and presented it to the Keizer Planning Commission. The Commission agreed with some areas and disagreed with others. Areas of change included: Area a - a ratio of a minimum of 25% industrial park uses and maximum of 75% commercial uses; Area b - added a restriction to prohibit traffic intensive uses and if commercial retail is introduced, a traffic impact analysis would be required; and allowance for commuter rail in the the Employment General area. The City of Keizer has also been working with the Grand Ronde and Siletz tribes on this issue.

Mayor Christopher asked for clarification to what the zoning looked like prior to the plan that is currently in force and was referred to the 1988 Chemawa Activity Center Plan. Marion County Commissioner Randy Franke inquired about the definition for the new commercial use zone and was referred to Attachment A of Exhibit B of the December 5, 2001 Staff Recommendation which outlined the General Employment (EG) zone. Salem Planning Commissioner Rick Stucky requested clarification of how the Keizer Planning Commission recommendation differs from the staff recommendation and was informed that minor amendments were made.

Conclusion of Staff Subcommittee

It was reported that the Staff Subcommittee was in agreement on:

- a) Population Projections, and
- b) Acreage for Zoning per Plan or Related Study.

The issues identified for Elected Official Subcommittee consideration included:

- a) Consistency with Statewide Planning Goals (2) Land Use Planning and Coordination, (9) Economics, and (10) Housing;
- b) Differences regarding land supply and demand for commercial, industrial, and residential lands, including assumptions, analysis, and techniques; and
- c) Definition of Primary Trade Area - Keizer defined as the City of Keizer city limits, whereas the City of Salem says that a larger primary trade area should be considered to accurately assess the regional impacts of the proposed amendments.

Conclusion of Elected Official Subcommittee

It was reported that the Elected Official Subcommittee moved the recommendation that the Elected Official Subcommittee cannot agree with the Keizer Station Plan but does agree to the Alternative Proposed Plan as recommended by the Planning Commission. (The motion voted 3 to 1 in favor of the motion. Mayor Christopher, Commissioner Ryan, and Commissioner Propes voted in favor of the motion. Mayor Swaim voted against the motion.)

Discussion by Governing Bodies

If the Governing Jurisdictions do not pass a unanimous motion, the City of Keizer can move forward with its recommendation. Concurrence is not required.

It was stated that the major changes in the plan include: changes the zone in Area a from Commercial Retail to Employment General; limited big box construction to a total of three buildings; the Mixed Use zone must be developed as 75% residential and 25% commercial in use.

Commissioner Franke requested clarification in the changes in the commercial zone and inquired if there is a difference between the retail activities allowed in this plan from the activities currently allowed on River Road. He was informed that in the EG zone, the allowable activities come from the commercial mixed use allowed on River Road.

Commissioner Rick Stucky asked how much acreage is identified as Industrial and was informed that 133 acres are proposed.

Salem City Councilor Kasia Quillinan requested the definition of "building" for the purpose of determining how much space "three buildings" could potentially require. Maria Meier read the definition of "building" from Keizer's code which states "...under one roof...built for support, shelter of persons..." Councilor Quillinan pointed out that the Woodburn outlet mall is under one roof.

Polk County Commissioner Tom Ritchey asked if all of the subject property is within the Keizer City limits and was informed that it is.

Mayor Swaim stated that Salem staff's position, in a global sense, concerns the potential for the impact of expanding commercial lands when groups like SEDCOR are indicating a severe need of industrial lands and the Department of Land Conservation and Development and 1,000 Friends of Oregon have expressed concern on the impact of the adjustment of commercial and industrial land, and housing stock. He asked if an analysis has been done. It was reported that SEDCOR's correspondence does not specifically address this issue.

Councilor McGee pointed out that the staff alternative creates more housing than what the existing plan calls for and there would be no deterioration of housing. Mayor Christopher stated that in line with Goal 10, there is no indication for a lack of housing with the plan and as stated, the staff recommendation increases the opportunity for housing.

Salem City Councilor Bill Smaldone expressed concern with how to meet the housing needs of a relatively large number of people with a low density of housing. Mayor Christopher stated the numbers are based on current inventory. Shannon Johnson added that the staff alternative adds to Area c, a minimum of 75% of high density residential and that Goal 10 does not require that type of analysis.

Mayor Swaim inquired if it was Keizer's position that even if there is an expansion of job opportunities, Keizer currently has sufficient housing, multiple housing. Mr. Johnson replied that it is not Keizer's position and that when it was reviewed some time ago, it was perceived that there was not a need for a housing analysis because no portion of the subject property is being taken out of the existing housing stock. Mayor Swaim stated there is a difference of opinion of whether or not a housing analysis should be done.

Polk County Mike Propes requested clarification with regard to housing as outlined in the two plans and questioned whether they are essentially the same. It was reported that the current Mixed Use zone allows for commercial and residential but doesn't list a ratio and that under this plan, a ratio is established to ensure that housing is included.

Commissioner Propes complimented Keizer on the information that was presented, the efficient manner of bringing committee members "up to speed" on the issue, and Keizer's willingness to listen to the concerns of its citizens. He stated that although Salem doesn't agree, he felt the plan is very flexible to meet the needs of economy and protect the needs of Keizer.

Commissioner Franke requested the difference between the industrial zone of the Chemawa Activity Center and the staff proposal. Mayor Christopher responded that there is a reduction of 43 acres or 3.5% in the overall UGB.

Mayor Swaim introduced a process question and requested that Salem staff be allowed to provide a different point of view to the information being presented at the meeting. He stated that Salem believes Keizer is doing a great job in this process and is hopeful that the plan works the way Keizer wants; however, Salem feels there will be an impact on the rest of the region.

Commissioner Franke asked if the property line on the acreage north of the current ball park is to the edge of Labish ditch or the center of Labish ditch and if it included the area known as the "Labish peat." It was reported that the line is the center of the ditch and the land is upland than the peat area.

Salem staff was asked to provide additional comments. Vickie Hardin Woods, Community Development Interim Director, stated that Salem does not have different answers to questions posed at this meeting, just additional information. She reported that the industrial land numbers are generally close, but represent a bit of a reduction. She stated this is a key piece of Periodic Review and stated that by taking away from industrial lands, Keizer is getting further away from the goal rather than closer. Residential units are about the same; however, what changes is the increase in the demand for housing because 6-8 times more jobs are created. She stated that in the Salem Futures process, the estimation of jobs is considerably less than what this plan could produce. If employees want to live close to where they work, there would be a demand for more housing units than what is being proposed. The analysis of where they might be has not been done.

Keizer City Councilor Judy Smith requested clarification on the conclusion that there would be an increase in the demand for housing. Ms. Woods stated that the plan indicates establishment of more jobs than originally calculated, and if employees want to live close to where they work, the housing needs would be higher. Councilor Smith inquired about the Salem Futures' projection of 1,000 jobs. Ms. Woods indicated that the projected figure was derived from Salem's transportation plan and the Council of Government's strategy figures.

Shannon Johnson requested clarification of the Periodic Review Order on industrial land acres and asked if that was from the 1994 Order. It was stated that the information was from the 1989 Order.

Mayor Christopher stated that she would like to propose a motion and ask each jurisdiction to vote.

Mayor Swaim requested a four minute break to give each jurisdiction an opportunity to caucus before the vote.

Recess: 6:41 p.m.

Reconvene: 6:46 p.m.

Mayor Lore Christopher moved that the SKAPAC governing jurisdictions do not approve the Keizer Station Plan as submitted by the developers, but do agree with the confirmation of the population projection figures and acreages for zoning.

The vote on the motion:

Ayes - Marion County (unanimous)

Polk County (unanimous)

City of Keizer (unanimous)

City of Salem (unanimous)

Nays - none (0)

Mayor Lore Christopher moved that the SKAPAC governing jurisdictions recommends the staff alternative plan as modified by the Keizer Planning Commission.

The vote on the motion:

Ayes - Marion County (unanimous)

Polk County (unanimous)

City of Keizer (Richard Walsh voted Nay)

Nays - City of Salem (unanimous)

Mayor Christopher stated that the City of Keizer will go forward indicating the votes on these two motions and stated that the separate jurisdictions have the right to submit their comments in writing within 14 days.

Mayor Christopher stated she was open to suggestion for approval of the minutes from this meeting and suggested the issue be included on the agendas of the individual jurisdictions.

There being no further business, the meeting was declared adjourned at 6:50 p.m.

Respectfully submitted,

Cathy Hoffman, Recording Secretary



July 1, 2002

AGENDA ITEM 8a

**RESOLUTION – AUTHORIZING THE CITY MANAGER TO ENTER
LEASE AGREEMENT FOR POLICE DEPARTMENT VEHICLES**

COUNCIL MEETING: July 1, 2002

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCILOR MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

**FROM: H. MARC ADAMS
CHIEF OF POLICE**

SUBJECT: VEHICLE LEASE AGREEMENTS

ISSUE:

Since the mid-1990's the Keizer Police Department has used a leasing program for unmarked vehicles used by the Detectives and Administrative Staff. The unmarked cars are assigned to Police Department personnel who are on call and expected to respond directly to crime scenes or emergencies. The City has utilized a standard lease program through Willamette Auto Group for these vehicles. On June 30th, 2002, the lease will expire on two of these vehicles. Bids were requested and received to replace these two vehicles under a leasing program. Willamette Auto Group is offering the City the best rates for this lease program.

FISCAL IMPACT:

The funding to cover this leasing of these two vehicles is in the General Fund – Police Department budget. This budget was approved by the City Council on June 3rd, 2002. The lease is a four-year lease. Leasing of the unmarked vehicles has proven to be the most cost effective and efficient manor to maintain our needed unmarked fleet.

RECOMMENDATION:

It is recommended the City Council adopt the attached Resolution authorizing the City Manager to enter a lease agreement through Willamette Auto Group for the leasing of two vehicles.

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City Recorder



July 1, 2002

AGENDA ITEM 8b

ORDER – SOLID WASTE FRANCHISE FEE INCREASE

CITY COUNCIL MEETING: July 1, 2002

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND COUNCIL MEMBERS
THROUGH: CHRISTOPHER C. EPPLEY, CITY MANAGER
FROM: E. SHANNON JOHNSON, CITY ATTORNEY *esj*
SUBJECT: *SOLID WASTE FRANCHISE FEE INCREASE*

At its last meeting, the Council directed staff to formally adopt the franchise fee increase for solid waste haulers to five percent. Though it may be necessary to change the franchise agreement also, the franchise ordinance calls for adopting such franchise fee by Order. Such order is attached for your review.

RECOMMENDATION:

Adopt the attached Order.

Please let me know if you have any questions in this regard. Thank you.

ESJ/tmh
enclosure

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2 ORDER

3 IN THE MATTER OF THE INCREASE IN FRANCHISE
4 SOLID WASTE COLLECTION FEES WITHIN THE CITY
5 OF KEIZER EFFECTIVE JULY 1, 2002

6 This matter comes before the City Council of the City of Keizer for consideration
7 of an increase in the franchise fees from three percent (3%) to five percent (5%);

8 IT APPEARING that under Ordinance No. 96-350 and the terms and provisions
9 of those certain agreement between the City of Keizer and Loren's Sanitation and that
10 certain agreement between the City of Keizer and Valley Garbage and Recycling, the
11 City of Keizer has the authority to increase the allowed franchise fee to a maximum of
12 five percent (5%);

13 IT FURTHER APPEARING that the City Council held a public hearing with
14 regard to the proposed increase from three percent (3%) to five percent (5%) on June
15 17, 2002;

16 IT FURTHER APPEARING the City Council of the City of Keizer and the
17 Council so finds that is necessary and appropriate to increase such franchise fee as set
18 forth herein;

19 IT FURTHER APPEARING that the franchise solid waste collectors in the City
20 of Keizer have been notified of such increase; NOW, THEREFORE;

21 IT IS HEREBY ORDERED that the solid waste franchise fee is hereby increased
22 to five percent (5%) of the gross revenues as defined in Ordinance No. 96-350;



NOTICE is hereby given that the City Council of the City of Keizer will meet in executive session on **Monday, July 1st, 2002 beginning at 6:30 p.m.** The Executive Session is being held pursuant to ORS 192.660(1)(h) – Litigation.

The Executive Session will be held at Keizer City Hall, 930 Chemawa Road NE, Keizer, Oregon.

Questions regarding this session may be directed to Chris Eppley, City Manager at 390-3700, extension 102.

Dated this 27th, day of June, 2002.

Tracy L. Davis, CMC
City Recorder

Notice for Information Purposes Only.

Upon request, auxiliary aids and/or special services for those with disabilities will be provided. To request services, please contact us at 390-3700 or through Oregon Relay 1-800-735-2900 at least two working days (48 hours) in advance..



URBAN RENEWAL AGENCY MEETING

NOTICE is hereby given that the Urban Renewal Agency of the City of Keizer will hold a meeting on **Monday, July 1st, 2002 at 6:45 p.m.** The Agency will consider a Resolution Authorizing the City Manager to Enter an Agreement for overlaying of North River Road.

The meeting will be held at Keizer City Hall, Robert L. Simony Council Chamber, 930 Chemawa Road NE, Keizer, Oregon.

Questions regarding this session may be directed to Chris Eppley, City Manager at 390-3700.

Dated this 27th day of June, 2002.

Tracy L. Davis, CMC
City Recorder

Notice for Information Purposes Only.

Upon request, auxiliary aids and/or special services for those with disabilities will be provided. To request services, please contact us at 390-3700 or through Oregon Relay 1-800-735-2900 at least two working days (48 hours) in advance..



DATE: July 1, 2002 TIME: 7:00 p.m. AGENDA ITEM # 6c

BEFORE THE: KEIZER CITY COUNCIL PLACE: ROBERT L. SIMON COUNCIL CHAMBERS
(PLEASE PRINT)

[illegible]

DATE: July 1, 2002 TIME: 7:00 p.m. AGENDA ITEM # 6b

ROBERT L. SIMON COUNCIL CHAMBERS

[illegible]