



May 1992



CITY OF KEIZER CALENDAR OF EVENTS

SUNDAY

MONDAY

TUESDAY

WEDNESDAY

THURSDAY

FRIDAY

SATURDAY

					1 1:00pm SUE DARBY (LIB)	2 8:45am A.A. (LIB)
3	4 7:30pm CITY COUNCIL (NEW)	5 10:00am WATER DEPT.(LIB)	6 8:00am MUNI- COURT (NEW) 7:00pm R3B (LIB)	7 11:30am RAIN (AUD) THEY'LL SET UP 7:00pm PAC (LIB)	8 8:30am ELECTION SCH.(NEW) NEEDS OVERHEAD PROJECTOR	9 8:45am A.A. (LIB)
10	11 5:00pm MUNI- COURT(LIB) 7:00pm BUDGET COMMITT- EE(NEW)	12 2:00pm MC SOLID WASTE(NEW) 6:00pm VOL. COORD.ADV. COMML(LIB) 7:30pm CHARTER REV.(LIB)	13 8:00am MUNI- COURT(NEW) 10:00am RAIN SOUTH(NEW)(LIB) 1:30pm RAIN USERL (LIB) 4:00pm EGAC(LIB) 7:30pm PLAN. COMML(LIB)	14 3:00pm CHARTER REV.(NEW) 5:00pm MUNI- COURT(LIB)	15 7:30pm OB. CHEVY (LIB)	16 8:00am KPD- MIRANDA (NEW, ALL DAY) 8:45am A.A. (LIB)
17	18 2:00pm R3B-SUB- COMML(LIB) 5:00pm MUNI- COURT(LIB) 8:00pm ELECTION MC (LIB) 7:30pm CITY COUNCIL	19 6:00am MC ELECTIONS (NEW) 6:30- 9:30 NEEDS PHONE ACCESS	20 8:00am MUNI- COURT (NEW) 4:00pm R3B (LIB)	21 10:00am ALL CITY MTG.(AUD) 11:00am RAIN BOARDING 7:00pm PAC(LIB) 7:30pm CHARTER REV.(NEW)	22	23 8:45am A.A. (LIB)
24	25	26 6:00pm MC SOLID WASTE (NEW)	27 8:00am MUNI- COURT (NEW)	28 5:00pm MUNI- COURT(LIB)	29	30 8:45am A.A. (LIB)
31						

**ROOM AVAILABILITY SUBJECT TO CHANGE ON A DAILY BASIS

5/12/1992

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

A G E N D A
KEIZER CITY COUNCIL
Monday, May 18, 1992

7:30 p.m.

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

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

This time is provided for citizens to address the Council on matters not on the agenda.

4. COMMITTEE REPORTS

- a. Parks System Comprehensive Plan *Kevin*
- b. Keizer Tomorrow Presentation *JOHN/STAFF REP.*

5. PUBLIC HEARINGS

Appeal of Zone Change Case #92-1/Richard Beck *JOHN/STAFF REP?*

6. CONSENT CALENDAR

- a. Hearings Officer Award of Contract *JOHN/STAFF REP*

- b. RESOLUTION
Certifying That The City Provides Four or More
Municipal Services

- c. RESOLUTION *Dons Office*
Local Agency Agreement Federal-Aid Urban Project
Construction and Construction Engineering of Lockhaven
Drive Between Joan Drive North and Windsor Island Road
(Phase II)

- d. May 4, 1992 regular session minutes *SUE*

7. OTHER BUSINESS

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

8. WRITTEN COMMUNICATIONS

To inform the Council of significant written communications and petitions.

CITY OF KEIZER MISSION STATEMENT

KEEP CITY GOVERNMENT COSTS AND SERVICES TO A MINIMUM BY
PROVIDING BASIC CITY SERVICES TO THE COMMUNITY IN A
COORDINATED, EFFICIENT AND LEAST COST FASHION

*** S U P P L E M E N T A L A G E N D A ***

KEIZER CITY COUNCIL
Monday, May 18, 1992

7:30 p.m.

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

7. OTHER BUSINESS

DISCUSSION

7a. Terrace Green Reserve Strip

NOTIFY TERRACE GREEN ASSOCIATION.
GO BACK OVER HISTORY.
CONTINUE JUNE 1.

KEIZER CITY COUNCIL AGENDA
PAGE 2

9. AGENDA INPUT

June 1, 1992

- Public Hearing: Zoning Ordinance Amendment to allow
printing and publishing in the CR Zone
- Resolution: Revenue Sharing
- Continued Public Hearing: Periodic Review
- Resolution: Agent of Record

10. ADJOURN

K:\agendas\council.316



City of Keizer - Public Works Department

Phone: 390-3700 • 393-1608

930 Chemawa Rd. N.E. • P.O. Box 21030 • Keizer, Oregon 97307-1030

COUNCIL MEETING: May 18, 1992

AGENDA ITEM NO.: 4 a

TO: Mayor and City Council

THRU: Donald Otterman, City Manager, MSPA *DO*

FROM: Wally Mull, Public Works Director *WM*

SUBJECT: Comprehensive Park System Development Plan

ISSUE

Shall The City of Keizer adopt a Comprehensive Park System Development Plan as prepared by OTAK of Lake Oswego under the direction of city staff and the Parks Advisory Board?

BACKGROUND

On May 6, 1991 the City Council adopted goals for the 91-92 budget year. One of those goals was to establish the direction of Keizer's park system by developing a comprehensive parks plan.

City staff, along with the Parks Advisory Board, established criteria outlining all the items that this plan should address. Items included in this plan are;

- . Park classifications
- . Park standards analysis
- . A complete inventory of our park facilities
- . The results of a public opinion phone survey
- . Proposed park improvements
- . Existing and proposed facilities costs
- . Maintenance cost both at current levels and proposed levels
- . Management of our park system
- . Potential funding sources
- . Maps/Air photos of all parks
- . Maps identifying schools, zoning, and the Comprehensive Plan

OTAK was chosen as the company best suited to our needs after proposals were received from seven firms. On October 21, 1991 the City Council voted to proceed with OTAK and begin developing a Comprehensive Park System Development Plan for Keizer.

Our City has had no previous plan outlining the future and direction of our parks. A plan such as this is required in many

cases when requesting grant monies for park improvement projects. System Development Fees also must be based on a plan that documents the fiscal impact development has on, in this case, the City Park System.

ANALYSIS

OTAK Inc. has proven to be very complete and sensitive to our needs as a City wishing to provide basic services to our residents. The wishes of the Parks Advisory Board, City Staff and most importantly the residents of the City of Keizer have been put directly into this plan.

Major consideration was given to the results of the Community Attitude Survey. This phone survey was conducted during the week of January 13, 1992 by members of the Parks Advisory Board and volunteers from our community. The survey was specifically designed to determine what our residents like about our parks, what they would like to see in our parks, how we should prepare for the future and what they are willing to pay for.

As the City of Keizer continues to grow it becomes increasingly important that we have a plan that specifies how we will preserve open space. This Comprehensive Park System Development Plan can be used to determine how open space is selected and used for many years to come.

This plan will be sent to LCDC to be reviewed for a period of 45 days. The Keizer Planning Commission will be reviewing the plan at their June 10th meeting. It will affect parts of the overall City Comprehensive Plan and will therefore be incorporated into that document. After being reviewed by the above mentioned parties the Comprehensive Park System Development Plan will come back to the City Council for a public hearing and adoption on July 6, 1992.

FISCAL IMPACT

The plan if adopted will allow our City to apply for grants for park improvements. It will also allow us to collect a Systems Development Fee to be specifically used for park improvements and acquisition.

There will be no negative impact because of adopting this plan. It does however recommend spending monies in areas where they have not previously been spent but would likely save us money because of those recommendations.

SYSTEMS DEVELOPMENT FEES

The Comprehensive Park System Development Plan recommends collecting a Systems Development Fee based on building permits for new housing units to be applied to maintaining the current level of

service. The fee will be used for improvements or development of existing park facilities as well as the acquisition and development of new park facilities. Based on the conclusions of the plan the fee should be set at \$400.00 per unit. Unit denotes dwelling or residence not to be confused with structure. A fifty unit apartment building would pay \$20,000.00 in Park System Development Fees. This fee is comparable to other Parks System Development Fees collected by cities in our area.

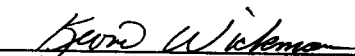
The System Development fee would be set at \$400.00. A donation of land or park improvements could be factored in lieu of paying the fee. However, prior approval by the Parks Department and Parks Advisory Board would be required.

The results of the Community Attitude Survey indicate that a development fee is most supported by voters in Keizer. 54% of those surveyed indicated that new development should fund the additional burden on the parks system.

RECOMMENDATION

That the City Council accept the Comprehensive Park System Development Plan as prepared by OTAK Inc. and recommend the public hearing process begin. That this document be forwarded to the Keizer Planning Commission and LCDC for their review to be back before the City Council on Monday July 6, 1992.

In addition to the above mentioned items staff also recommends that a Park System Development Fee of \$400.00 be adopted in the form of a resolution to be collected based on the supporting information in the document prepared by OTAK Inc. Staff recommends that this be adopted immediately.


Kevin Wickman, Parks Director

Additional Documents:

- * Bound copy of the Comprehensive Park System Development Plan
- * Resolution allowing a Parks System Development Fee

MEMO

DATE: May 13, 1992

TO: Mayor Orcutt and the Keizer City Council

FROM: Terry Witham
Chairman Keizer Parks and Recreation Advisory Board

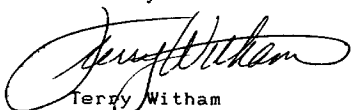
RE: Comprehensive Parks System Development Plan

In late summer of 1991 during a joint meeting with the Keizer City Council and the Keizer Parks and Recreation Advisory Board it was your charge to us to develop a Comprehensive Development Plan for the Keizer Park System. Since that time the bulk of our efforts have been to accomplish this directive.

Our efforts have been to cooperate with OTAK Inc., the firm the City of Keizer hired to put together the Comprehensive Development plan. Mr. Don Hansen did a fantastic job of getting the pulse of the City of Keizer both by his relationship with the Advisory Board and the general citizenry. Through many hours of work with the telephone survey and many other citizen volunteers we have come to this final product.

Gentlemen I highly recommend this plan. I look at this as a guide book to Keizer's future. I realize also that it cannot be accomplished immediately, nor should it be. As we go forward into the future, however the work that has been done will be an invaluable guide for those that come and serve after us. This plan is the final result of much labor, involvement and expertise. I urge the Keizer City Council to adopt it.

Thank you



Terry Witham
Chairman Keizer Parks & Recreation Advisory Board



City of Keizer — Community Development

Phone: 390-3700 • Fax # 390-8295

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

CITY COUNCIL MEETING: May 18, 1992

AGENDA ITEM NUMBER: 4b

TO: MAYOR AND CITY COUNCIL

THROUGH: DONALD H. OTTERMAN M.S.P.A.,
CITY MANAGER

FROM: JOHN N. MORGAN, AICP
COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: PRESENTATION OF THE
KEIZER TOMORROW COMMUNITY VISION

DISCUSSION:

The Keizer Tomorrow Committee has been working since October 1990 to create a vision of how the community wants Keizer to be in the future. Tonight, the committee members will present their draft vision to you.

RECOMMENDATION:

It is recommended Council:

1. Receive and accept the draft vision statement;
2. Refer it to the public for review and comment; and
3. Set a public hearing for July 6, 1992 to receive the comments, followed by adoption of the vision statement and the Committee's specific recommendations.





Keizer Tomorrow

Community Vision

**Prepared by the
Keizer Tomorrow Committee**
with the assistance of
John N. Morgan, Community Development Director

May 1992

This is a report about the future.

It is taking the values, character, hopes, and dreams of the community we call Keizer and forging them into a vision of where we want to go.

It defines those things that are most important to us as a community, and works to maximize their place and role in our future.

It is the people of this community making a choice to invent their future, based on these values, rather than let the future happen to them.

Most of all, it is people working together to achieve a very special result: the creation and implementation of a vision that keeps Keizer a very wonderful place to call home.

Community Vision

The Keizer Tomorrow Committee

Doug Arensmeier,
Dave Bauer,
Mark Caillier,
Kris England,
Don Flesch,
Bob French,
Jack Grossnickle,
Becky Halter,
Jim Keller,
Mike Kirby,
Chuck Lawson,
Wendel Mann,
Ray McKee,
Dawn Meier,
Bob Mettling,
Eric Meurer,
Louis Neuman,
Lori Parks,
Jim Reimann,
Sandy Staats,
Velma Tepper,

Marion County Fire District Representative
School District 24j Representative
Northeast Primary Representative
Southwest Primary Representative
Northeast Alternate Representative
Senior Citizen Primary Representative, **Chair**
Keizer Fire District Representative
McNary Student Body Representative
Governmental Affairs Committee Representative
Southwest Alternate Representative
Clearlake Primary Representative, **Vice Chair**
Residential Real Estate Representative
Business At-Large Representative
Keizer Fire District Representative
Clearlake Alternate Representative
Developer Representative
Senior Citizen Alternate Representative
Southeast Alternate Representative
Building/Commercial Real Estate Representative
Chamber Representative
Chamber Representative

Keizer Tomorrow

Keizer, Oregon

DATE: May, 1992

TO: The Citizens of Keizer

FROM: Bob French, Chair

SUBJECT: Your Future

I am writing you as the chair of the Keizer Tomorrow committee. In this memorandum I will introduce the committee's Community Vision Statement, as well as give a description of its background and the history of its development.

The Vision Statement is extremely important to all Keizer residents and I strongly commend it to your reading and further involvement.

The document proposes the direction for your community and your government for the next two decades. It proposes choices about the future character and nature of the city. Thus it will guide important budget decisions.

The vision statement is not "cast in concrete." Rather, it will go through an evolutionary process; being updated and revised as conditions and community attitudes change over the years. Your input in this evolutionary process is essential.

This is an on-going document in an on-going process. Even since this document was drafted, several of the recommendations have begun to be carried out. We all must continue to be involved in defining and carrying out the future we want for Keizer.

You should take particular interest in the implementation strategies as these are the specific actions identified for achieving the vision. By design, almost all of these strategies are general in nature and will be refined in detailed committee work and public input over the next year. You are encouraged to pick a topic that is of particular interest to you and volunteer to help define and carry out its implementation strategy.

The first meeting of the Keizer Tomorrow committee was held October 10, 1990. Except for time-off during the holiday season, the committee met at least twice a month through June 1991 and "as required" through April of 1992 when its recommendations were submitted to the City Council.

The visioning process included five phases as listed below.

Phase One: Committee Dialogue - This phase covered two meetings. All committee members were urged to express their thoughts about the adequacy of current city services and what, if any, should be added at some future time. The visioning process was a new experience for all members and, as expected, resulted in a rather free-flowing discussion.

By the end of the second meeting there had developed a general understanding of the divergent positions and some ground rules for future actions. It was agreed:

Not to let visioning about what services should be provided become a "wish list." Rather, there must be a reasonable degree of public willingness to fund services and activities in order for them to be included in the recommendations to Council.

Not to become involved in day to day city operations or city/community problems.

Not be seen as a vehicle for promoting city budget or tax base elections.

Phase Two: Learning About City Government: - Three meetings were spent on briefings by the City Manager and department heads on their functions and issues. Also, other districts that operate in Keizer, including school, fire, and transit, made presentations.

Phase Three: Developing the Vision: - As the committee began to developing the vision, there was a great divergence of opinion that surfaced on a wide range of issues. Never-the-less, a substantial number of important concerns arose on which there was unanimous agreement. Planning for growth, school overcrowding, urban renewal, development of activity centers, creating good stable light industry, youth activities, increased city services, and volunteer burn-out were the most frequently mentioned.

Midway through the process, the committee deemed it essential that the Vision Statement have its unanimous support. While this had a limiting effect on the statement, members were encouraged to submit minority opinions or areas of concern they felt deserved community consideration.

To prioritize the issues, the first meeting in March was devoted to identifying the city's strengths, weaknesses, opportunities, and threats. In this SWOT process, the committee addressed the list in numerical order. Issues raised were listed without any discussion. When this part of the process was completed the four areas were prioritized by vote of the members. The results of this process set the stage for the development of the vision and set the priorities for areas of focus.

Discussion and evaluation of the SWOT results, plus how to communicate them to the public, occupied the next two meetings. After considering several ways of communication, it was agreed to use a written vision statement, a slide presentation, and a community evaluation form.

Finalizing the public review draft of the Vision Statement occupied the next three meetings with final approval coming at the last meeting in June.

Phase Four: Taking the Vision to the Community - During the next four months, sixteen presentations to community groups were made using the slide show and the evaluation forms. Included were such diverse groups as: Rotary, Chamber of Commerce, Governmental Affairs Committee, Keizer Seniors, Keizer Pioneers, Optimists Club, Planning Commission, City Staff, McNary High School students, local Realtors, and a city-wide meeting. Without exception, these meetings were well attended and generated substantial interest.

Neighborhood meetings were held in October and November with minimal attendance.

Phase Five: Review of Community Input and Preparation of the Final Draft - The Committee reviewed all the input from December through March. Several changes were made to incorporate community recommendations.

Planning can never be any better than the follow-up. Realizing this responsibility and understanding that our charge is completed with submission of this report, the Keizer Tomorrow members recommend its adoption to the Council, urge the Council to make the Vision's implementation the top community priority, and stand ready to assist in the implementation process.

The Committee believes that responsibility should be set now for overseeing and implementing each of the recommendations within the various topic areas. Therefore, it is recommended the Council assign topics to each of the following groups, and ask for regular reports on the progress in achieving the vision. It is assumed the City Staff will be involved in the work of each committee, as will individual Councilors.

EDUCATION AND YOUTH ACTIVITIES

Adopt as Council Goal

COMMUNITY FACILITIES & PUBLIC SERVICES

Create Community Center/Library task force to study these issues in detail and make recommendations to the Council.

Assign the sewer and water goals to the Planning Commission.

PARKS AND RECREATION

Assign to Parks Committee

LAND USE AND ECONOMIC DEVELOPMENT

Assign land use issues to Planning Commission.
Assign economic development issues to Planning Commission, Keizer Chamber Governmental Affairs Committee, and the River Road Redevelopment Board.

HOUSING

Assign to Planning Commission

TRANSPORTATION

Assign to Council Streets Subcommittee and Planning Commission.

EMERGENCY SERVICES

Assign police issues to Police Advisory Committee.
Assign fire issues to new Council Subcommittee on intergovernmental relations.

COMMUNITY INVOLVEMENT

Adopt as Council Goal.
Assign to Volunteer Coordinating Committee.

REGIONAL/INTERGOVERNMENTAL ISSUES

Assign to new Council Subcommittee on intergovernmental relations.

FINANCE

Assign to new citizen committee on municipal finance alternatives.

It has been a pleasure for all members of Keizer Tomorrow to serve our community. We are grateful for the opportunity.

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Values

No vision can be legitimately created without it being rooted in a common sense of values. This became evident as the Keizer Community Vision was being developed. These values provide the major "themes" for the vision statement:

- *We value our youth as a major resource.*
- *We value the family as the backbone of our community's character.*
- *We value the vibrancy, viability, diversity, and quality of our neighborhoods.*
- *We value the health and growth of commerce and industry; thereby providing employment opportunities, economic diversity, financial strength, and increased property valuation.*
- *We value people volunteering their time and talents to others, including to the City. We also value citizen involvement and the active participation of all citizens in their government.*
- *We value our heritage as an independent group of people who banded together to form a city so they could control their own destiny and assure their own identity.*
- *We value a unique government ideal, where local government is lean, aggressive, and responsive providing the services people need with an entrepreneurial spirit and in the most efficient manner possible.*

TRENDS AND INFLUENCES

Keizer is a community caught in a tremendous tide of change. As this vision statement was being created, many of these trends of change were identified so that a clearer picture of Keizer's future could be understood. The identified trends are listed in the appendix. However, some of the most important are described here.

- A Changing World and Oregon Economy - The overall economy will become less defined by national borders. Oregon is being influenced, and will be much more so in the future, by trade and finance activities around the world and especially along the Pacific Rim.
- Changing Family Structures - Pressures on the conventional two-parent family will continue.
- Commuting and Tele-Commuting - Many employees will continue to choose to live in different communities from their jobs. While this will result in increased inter-city commuting, it also will help drive the increase in tele-commuting.
- Energy Supplies - A growing need to reduce energy consumption, as well as reduce congestion and improve air quality, will create an increasing market for alternatives to the conventional single-occupant automobile.
- Reduction in "Growth" Economy - Keizer's dependence on growth to drive much of its economy may change as the urban growth boundary fills up, large-scale housing development projects cease, and the population stabilizes.

CREATING A VISION

The mission statement of the City of Keizer reads as follows:

**Keep city government costs and services to a minimum
by providing basic city services to the community in a
coordinated, efficient and least cost fashion**

Almost since incorporation on November 2, 1982, Keizer city government has been challenged to define basic services, or to obtain substantial citizen involvement in resolving the dilemma. Basic service, like beauty, was in the eyes of the beholder.

Several years of unprecedented population increases, ^{OVERSTATED BOB NEWTON} largely made up of prior citizens of "full service" cities created great pressure on the City to provide a wider range of services. This, coupled with continuing budget problems, made it increasingly evident that action must be taken to reach community consensus about what constituted basic services.

To assist them in resolving this issue, the Council established the Keizer Tomorrow committee in June of 1990. The Council charge to the committee was:

"To prepare for review and approval by the City Council, a vision of the City in the future and a recommendation for the services that will be provided by the City and a mechanism for funding these services. This vision is to be prepared after extensive input from all constituencies within the Community, including, but not limited to, residents, businesses and special interest groups involved in the growth of Keizer."

The City set the first meeting for October 10, 1990. Except for "time-off" during the holiday season, the committee met at least twice a month through June 1991 and as required until the completion of this report.

The committee extends its appreciation to all members of the Council for their extensive involvement; as well as their continuing interest and support.

THE VISION

The following statements deal with our vision of the nature and character of Keizer itself.

Keizer, in our vision of this city's future, is a strong community with pride and spirit setting it apart from other communities its size.

Keizer will remain a suburban community with appropriate major employers or shopping areas.

Keizer will be a community with land uses and public facilities and services oriented to the needs and wants of families.

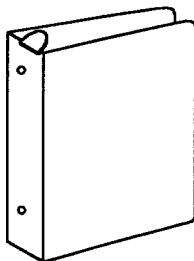
Keizer will become more involved as an active and equal partner in regional issues affecting the urban area and the Willamette Valley.

EDUCATION AND YOUTH ACTIVITIES

**Keizer schools
will be of the
highest quality
at all grade
levels.**

Implementation Strategy - This vision will be partially achieved by a high degree of communication between Keizer city government and the school district. It will also be achieved by a high level of volunteerism in the schools by local citizens. The City's role will be several fold, including the following functions:

- The City will work closely with the District in planning for school facilities and services to meet current and future needs in a timely manner;
- The City will press the District to actively participate in current planning activities in order to determine capacity and adequacy of facilities and sites, as well as plans for providing needed capacity;
- City staff will develop a very close working relationship with all schools providing information, input, and assistance to staff and parent groups working on community issues;
- The City will, as a priority, make educational opportunities available to students including providing guest speakers, providing work-study opportunities, and using students to help with special projects.



Cost to Implement - It will be a priority for staff time, as identified in work programs and the City Budget, to deal with school issues and projects. Work study opportunities may involve paid part-time positions.

Source of Funds - General fund predominantly through property tax revenue.

**School facility
development
will keep pace
with growth.**

Implementation Strategy - The City will work closely with the District in planning for school facilities and services to meet current and future needs in a timely manner. The City will work with the District to find and implement strategies for funding capital improvements.

Cost to Implement - It will be a priority for staff time, as identified in work plans and the City Budget, to deal with school issues and projects.

Source of Funds - General fund predominantly through property tax revenue.

COMMUNITY FACILITIES & PUBLIC SERVICES

Keizer will build and operate a community center. This center, which will probably be on the current city hall site, may include a youth center, senior center, recreation complex, public meeting rooms, and City Hall. It will provide a broad array of services to the citizens and serve as the focal point for the community.

BOD NOT SUPPORTIVE
BIC NEW BUILDING. COUNCIL GO TO COMMUNITY.

Implementation Strategy - A study will be undertaken to determine the specific needs of the community that can be met by a community center. The study will also set design and use alternatives and financing alternatives. After broad review and input by the citizens, the Council will act on the study. If approved, the financing program will commence followed by development of the project. Such a complex will probably require a small staff to administrate the facility and run the programs.

plan, build, and equip a community center could range from approximately \$3,000,000 to \$5,000,000. Assuming a two person staff above and beyond the existing city hall staff, the annual operating budget for the center could range from \$100,000 to \$250,000.

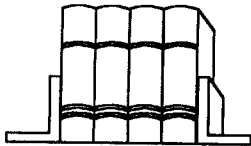
Cost to Implement - Depending on the facilities included, the costs to

Source of Funds - Four potential sources are identified. This project could be financed through the Urban Renewal District; it could be funded in the traditional manner through a General Obligation bond repaid through property tax; private fund raising could assist in the financing; or another alternative might be a public/private partnership where a private developer would develop the property with the community facilities as well as other uses such as offices and housing and lease the community space back to the City. Operation of the community center would be through the general fund predominantly through property tax revenue.

Library service for all citizens will be provided within Keizer.

Implementation Strategies - There are three strategies that have been identified for providing library services. These are: 1) Develop a city library as a function of city government; 2) Develop a branch library of the Salem Public Library; or 3) Develop a city library in conjunction with a school library. In order to decide the best

approach to creating a library, a study would be undertaken. The development of the library would probably be funded by a general obligation bond and/or urban renewal funds. Ongoing operation would be funded by the general fund.



Cost to Implement -- \$130,000-\$150,000 per year plus start-up costs estimated between \$500,000 and \$1,000,000.

Source of Funds - Development of the Library may be funded as part of the community center. Otherwise, it would probably be funded through a General Obligation bond. Operation would be through the General fund predominantly through property tax revenue.

Keizer will continue to have its own high quality water system.

Implementation strategy -- The Water Master Plan will be finalized, adopted, and updated on regular intervals. A Capital Improvements Program will be annually developed and adopted programming water system construction for five years. New wells and distribution systems will be added concurrent with growth. The water system will be regularly maintained to assure purity, pressure, and efficiency in operation. The funds to expand and maintain the system will come from water rates, construction within new developments, and system development charges.

Cost to Implement - The cost to complete the planned water system is between \$200,000 and \$300,000. The annual cost to maintain and operate the system is \$400,000 to \$500,000.

Source of Funds - Utility Rates and systems development charges will predominate. Major expansions may require bonding with repayment from utility rates.

Keizer will continue to provide a high quality sewer system through agreement with the City of Salem.

Implementation strategy -- The sewer Master Plan will be finalized, adopted, and updated on regular intervals. A Capital Improvements Program will be annually developed and adopted programming sewer system construction for five years. New collection systems will be added concurrent with growth. The sewer system will be regularly maintained to assure safety and efficiency in operation. The funds to expand and maintain the system

will come from sewer fee revenue, construction within new developments and system development charges. There is a significant interest in the possibility of creating a regional sewerage agency to own and manage the collection system and the Willow Lake Treatment Plant. This should be given serious consideration during discussions of regional cooperation strategies.

Cost to Implement - Annual cost for the City of Salem to maintain and operate the system is \$100,000 to \$150,000.

Source of Funds - Utility Rates and systems development charges will predominate. Major expansions may require bonding with repayment from utility rates.

PARKS AND RECREATION

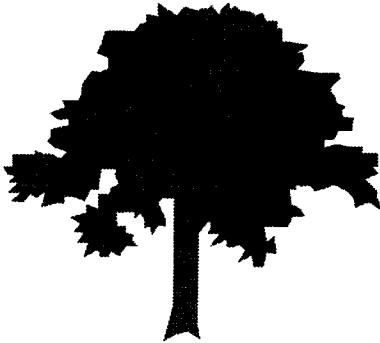
Additional Park acreage and facilities will be developed within the City in order to bring the Kelzer park system up to accepted standards and then to keep pace with growth.

Development of parks and facilities will have varying costs.

Source of Funds - Acquisition and development of parks will be funded by a combination of property taxes, systems development charges, and state and federal grants. Maintenance is supported by property taxes.

Implementation Strategy - A Comprehensive Parks plan is developed that outlines future park land needs as well as needed facilities and services. This parks plan is integrated into the Capital Improvements Program so that facilities are programmed for funding on an ongoing basis. Land is acquired for additional parks as part of the development process or when opportunities are present.

Cost to Implement - The preparation of the parks plan will be done by a consultant at a cost between \$18,000 and \$19,000.



LAND USE AND ECONOMIC DEVELOPMENT

Keizer will continue to be predominantly single family residential. Alternative housing types will be provided to meet the community's needs over time.

Implementation Strategy - New single-family subdivisions will continue to be encouraged by the City. Alternative housing types, including attached single family, condominiums, townhouses, and apartments will be encouraged in appropriate areas in a timely manner. This will become increasingly important as densities increase in response to planning for more efficient land use patterns and the protection of resource lands.

Cost to Implement - See Housing Strategy, below.

North River Road will revitalize as the result of the urban renewal program and it's aesthetic, traffic control, and building quality improvements. It will be redeveloped into a unique commercial corridor marked by distinctive and attractive urban design and a thriving business community.

Implementation Strategy - The City, Chamber, and Community will aggressively pursue the successful implementation of the strategies and programs within the North River Road Renewal Plan, and will support its various goals, objectives, and standards.

Cost to Implement - None above expected urban renewal budget. The Urban Renewal Plan anticipates a total project cost of \$19,000,000.

A new focal point for community and commercial activity will be established around the intersection of River Road and Chemawa Road.

This new node will expand the commercial area from Elizabeth on the West to Bailey on the east providing the depth necessary to encourage significant retail and office development that is attractive and pedestrian oriented. This area will be anchored on the east by the new community center. Part of the activity in this node will be a new transit transfer facility.

Implementation Strategy - The City will amend the Comprehensive Plan and zoning maps, as well as the zoning regulations, to plan for this commercial area. The Urban Renewal District boundaries will also be expanded to include it in the District's plan, activities and financing area. A design plan will be prepared as an amendment of the Urban Renewal Plan. The City will actively work to attract developers for this area, as well as oversee the projects to assure high quality and conformance with the intent of the area.

Cost to Implement - There will be minimal expense to administrate the plan and zone amendments, limited primarily to about 40 to 80 hours of staff time. The cost and time for preparing the design plan are estimated at 100 to 200 hours of staff time or contracted out for \$10,000 to \$15,000, or combination of both. Administration and promotion of the area will take additional staff time in proportion to the degree of work.

Source of Funds - A combination of Urban Renewal funds and General Fund will probably support this activity.

A major commercial/ service/light industrial complex is developed at the interchange along with many ancillary commercial uses in the immediate area.

This project will provide services and employment to Keizer citizens, will draw many customers from Interstate -5, will enhance Keizer's identity and will greatly increase the assessed valuation of the community. While many different uses may be appropriate in this area, it is envisioned to include a major motel/restaurant/meeting room

facility as well as significant office buildings and light commercial uses. The industrial lands at the north end of the area will be developed with light industrial uses oriented to the freeway access.

Implementation Strategy - The City, through a new urban renewal district, will plan and carry the project through to completion. The City will also be actively involved in economic development efforts to secure the developer for the project.

st to Implement - Staff time will be involved in promoting and managing the project. The actual costs of administering the urban renewal program will be borne through an urban renewal district funded through tax increment financing. It is estimated the cost of a consultant to prepare the renewal plan will be \$25,000 to \$30,000 with 40 to 80 hours of Staff time involved in managing the project.

Source of Funds - The planning work for the project would normally be funded by the General Fund. However, the developer of the property may be asked to contribute to the costs. Development of the property will be through private funds, while public improvements will be through tax increment financing through the Urban Renewal District.

Light industrial areas providing employment to local citizens and significant property valuation will be developed within the community.

Implementation Strategy - The two existing industrial areas, the Keizer Industrial Park and the lands around the Chemawa interchange, will be developed privately. However, the City, in cooperation with the Chamber and possibly with Salem and other regional programs, will actively engage in economic development efforts to promote development of these areas providing staff time as well as resources.

Cost to Implement - One fifth to one quarter of a staff member's time equaling approximately \$10,000 per year.

Source of Funds - This work can be funded through both the Urban Renewal District and the General Fund.



A new industrial area is developed just north of the intersection of Salem Parkway and Cherry Avenue.

Implementation Strategy -- A study of industrial land needs and the appropriateness of this area to meet the need is undertaken. On the basis of its recommendations, the Comprehensive Plan is amended to show the new industrial area. The Urban Renewal program is possibly used to implement all or part of the industrial plan.

Cost to Implement - The study would cost approximately \$5,000 to \$15,000.

Source of Funds - Urban Renewal funds from tax increment financing may be necessary to fund up-front property acquisition and improvements.

HOUSING

New single-family subdivisions are developed out to the urban growth boundary, which means primarily in the Clear Lake and Windsor Island Road areas. Single-family and condominium projects will be used to make more efficient use of the land, to provide housing in a broader range of prices, and to in-fill in the existing portions of the City. Apartments will continue to develop near arterial streets.

All housing in Keizer will be in a safe and sanitary condition.

implementation of a multi-family housing code and inspection program.

Cost to Implement - Several thousand dollars in staff time may be necessary for the start-up effort, and up to one-quarter of a staff for on-going administration.

Source of Funds - These types of programs generally receive the majority of their funds from federal and state sources. However, it must be anticipated there will be some local costs, including start-up expenses and a portion of the administration, paid through either General Fund or the Urban Renewal District. The multi-family inspection program should be self supporting through licensing fees.

Implementation Strategy - Continued community development efforts including code administration and developer liaison.

Cost to Implement - The City Planning Office will continue to operate according to its Strategic Plan for Community Development.

Source of Funds - Planning fees and solid waste franchise fees will continue to carry most of the cost of the function, with the balance shared by other funds.

Implementation Strategy - Keizer will begin a housing rehabilitation program. This can take several forms including, but not limited to, urban renewal, community development block grant, regional housing agency, and public/private partnerships. The process will include a detailed housing inventory and needs analysis followed by development of a housing plan and implementation program. A high priority is the development and

TRANSPORTATION

Keizer will be served by pedestrian and bicycle facilities that link major areas of the City. Emphasis is given to facilities needed to enhance the safety of children.

deficiencies over time, approximately \$50,000 to \$100,000 will be necessary. However, the city budget contribution to this effort can be significantly leveraged by volunteer assistance in construction.

Source of Funds - Gas tax revenues could be used, but at a loss of money going to maintenance. Other options are General Fund tax revenues, a General Obligation bond repaid from property tax, or local improvement districts with the cost assessed to benefited property owners.



Keizer will be served with transit service that links it to major employment centers in a manner that significantly reduces peak hour congestion on major arterials, highways, and the freeway, that leads to energy savings, and that provides an attractive, convenient transportation alternative for our citizens.

Implementation Strategy - There are two components of implementation involving intra-city and inter-city transit. The Salem Mass Transit District provides transit service to Keizer with three routes accessing downtown Salem and the Capitol Mall. The City will work closely with the Transit District and other area governments to plan for transit service improvements that not only meet the current market, but that significantly increase ridership.

Keizer, as one of the I-5 corridor cities and recognizing the high percentage of its population that commutes to the Portland metropolitan area, will actively work with ODOT and other jurisdictions to see that alternative modes of transportation are encouraged and provided along the I-5 corridor.

Cost to Implement - Keizer's greatest involvement will be in staff time supporting inter-governmental planning. Keizer may be called upon to help provide specific facilities such as bus shelters, transfer stations, and park & ride lots.

Source of Funds - General Fund will support the coordination and planning functions. Facilities may be funded through General Fund, Gas Tax, or Urban Renewal funds.

Keizer has an ongoing system of street maintenance to assure long-term quality and value.

Implementation Strategy - The City will maintain its pavement management system.

Cost to Implement - Approximately \$350,000 will be required each year.

Source of Funds - Gas Tax revenue is the primary source.

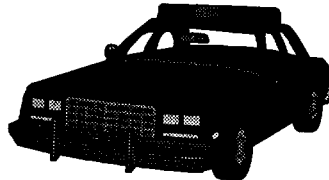
EMERGENCY SERVICES

Kelzer will maintain a relatively low crime rate.

Implementation Strategy - The Police Department has a high, positive presence in the Community with expanded activities in the schools. The Department expands to keep pace with growth. Volunteerism, especially through the Reserve Program, helps to meet needs.

Cost to Implement - The current budget of \$1,500,000 expanded with population growth.

Source of Funds - General Fund through property tax revenue.



The City of Kelzer will have a relatively low rate of loss due to fire and medical emergencies.

Implementation Strategy - The City works closely with the Fire District to keep it informed of anticipated growth so the District can plan for expanded services.

Cost to Implement - Staff time will be involved in coordinating planning functions.

Source of Funds - General Fund through property tax revenue.

COMMUNITY INVOLVEMENT

Keizer will continue to benefit and leverage its budget through volunteerism.

Implementation Strategy - The Council and Staff will maintain solicitation and support of volunteers as a high priority, actively using the Volunteer Coordinating Committee as a conduit for volunteers for both boards and commissions, and day-to-day volunteer activities. Particular



attention will be given to involving the children of Keizer in community service. Analysis will be made of the value of a half or full-time volunteer coordinator position on City staff.

Cost to Implement - Staff time plus possibly \$13,000 to \$26,000 per year for a volunteer coordinator.

Source of Funds - General Fund for a paid volunteer coordinator.

Citizens will be better informed about and more involved in City government.

Implementation Strategy - The Council and Staff will develop and implement a citizen involvement program which may include such strategies as forums, newsletters, polling, neighborhood associations, and outreach to existing groups.

Cost to Implement - Various strategies have varying costs. Active support to neighborhood associations can involve one or more full time staff. A city newsletter can vary in cost from \$1,500 to \$2,000 per issue depending on the size, quality, and distribution system. Providing a speakers' bureau to attend various functions and discuss city programs has minimal cost.

Source of Funds - General Fund through property tax revenue.

REGIONAL/INTERGOVERNMENTAL ISSUES

Keizer will have a peer relationship with Salem and all other governments in the region.

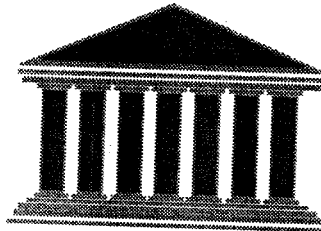
Implementation Strategy - Keizer officials will participate on a variety of regional bodies and will take leadership positions when available.

Cost to Implement -- Staff time

Source of Funds - General Fund through property tax revenues.

The City will foster and maintain a strong, mutually beneficial relationship with the community's schools.

Implementation Strategy - The strategy outlined in "Education and Youth Activities," above, is followed.



Keizer will work with other units of government to share and cooperate in the provision of services in order to increase efficiency and cost effectiveness.

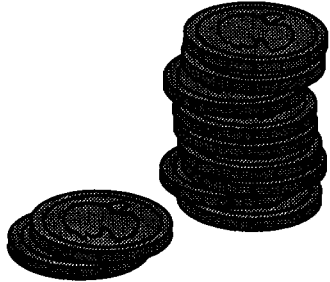
Implementation Strategy - The staff, working in cooperation with the City Council, will inventory the existing relationships with other governments, identify opportunities for new areas of cooperation, and explore strategies for improving cooperation and initiating new cooperative programs. Existing areas of cooperation include the enhanced 911 system, solid waste, and housing programs. Potential new areas include building and safety, purchasing, and personnel.

Cost to Implement - Staff time.

Source of Funds - General Fund through property tax revenues.

FINANCE

In order to finance the various components of the vision, there will need to be expanded revenues to support city government functions. With the expanded services outlined earlier in this vision statement, there will be a need for capital construction and expanded operational expense including additional staff. It is envisioned there will be an expanded list of revenue sources used to meet the community's needs. The following sources have been identified:



Property Tax Based Funding Sources - Property Taxes are traditionally used for many major projects and to fund on-going operation of many city functions.

General Obligation Bonds - These bonds are issued pledging the City's credit. They are generally repaid out of special voter-approved levy. These bonds are commonly used for one-time capital construction projects.

Operating Levies - For any needs above the tax base amount, the City must use operating levies. These are voter-approved levies, repaid through property taxes, usually for a one or two year period. They are commonly used to balance the City's annual operating budget.

New Tax Base - After other sources are brought into the budget picture, there will probably still be a gap to be filled by property tax revenue. Due to ballot measure 5, the City is limited in its capability to significantly increase the tax rate, however, some increase may be necessary. State law allows the City budget to increase only six percent a year without a voter approved levy or new tax base. Therefore, the City can continue to approve levies annually or adopt a new tax base. Adopting a new tax base that reflects the services the citizens want the City to provide will create stability in the City budget process.

One important way to minimize the impact of a new base is to increase the valuation of the community. With increased property valuation, and with a new voter approved tax base to take advantage of it, the city budget can be "spread around" to more properties, including some with relatively high value, reducing the impacts on each property and especially on homes. This is an important reason to aggressively pursue economic development programs.

User Based Funding Sources - User fees cover a broad variety of city costs where services are provided to benefit an individual user rather than the city as a whole.

Urban Renewal for Redevelopment Areas - Tax increment financing will be used to fund the various improvements in these areas plus possibly providing grants and loans for private improvements.

User Fees - User fees may be necessary to carry some of the costs of new facilities such as the community center. Other fees that may need adjustment include planning fees, hook-up charges, etc.

Utility Rates - Rates will need to adjust to meet budgeting needs. Major expansions of the utility systems may require bonding to be repaid out of rate revenue and/or system development charges.

Citizen Based Funding Sources - Keizer's foundation in volunteerism calls for continued use of citizens' time and funds to help with special projects and on-going needs.

Private Fund Raising - Many community projects could be at least partially funded through community fund raising. This may include the creation of a private foundation to support community projects.

Volunteers - The City will benefit from volunteers serving on citizen committees, assisting with city events, helping to provide maintenance, etc.

Alternative Provision of Services - The traditional means of providing municipal services must be examined to determine if there are places where private sector organizations could be more effective and cost efficient.

APPENDIX

The Vision Statement Appendix contains the following items:

1. Trend Identification - March 1991
2. Issue Identification and Prioritization - March 1991
3. Summary of Top Priority Issues - March 1991
4. Community Survey Results - November 1991
5. Staff Analysis of Community Input - November 1991



Keizer Tomorrow

TREND IDENTIFICATION

March, 1991

Trends in Culture and Community

Nature and Role of the Community

- Bedroom community will continue due to lack of major employers
- Increased commuting to and from other cities along I-5 corridor
- In-migration will continue at rapid pace for many reasons
- Increased demand on services provided by government
- Trends in education - different schedule - innovation in techniques
- Increased demand for youth/family services

Demographic Changes

- Increasing average age
- Growth in ethnic diversity

Changes in Family

- 2 Income households have increased buying power
- Small circle of activities due to lack of time - reduces volunteerism
- Single parent households

Physical Changes in Community

- Activity Centers developed - changing community focus
- Substandard housing - increasing amounts and problems
- Increased housing density/change in housing types
- Urban Growth Boundary - reaching limits
- Brooks/Hopmire Area with more growth
- Telecommuting/Telecommunications - more working at home

Trends In Energy Environment, and Planning Issues

Shifts in Energy Use Patterns

Energy conservation, costs, and change will shift activity patterns

Growing Environmental Concerns

Environment-Quality will increase in importance

Beautifying of both old and new developments

Major Planning Issues

Balanced growth - development vs environmental and cost factors

Direction of Growth

Trends In Economy

Local, Regional, and National Economy

Price of Land and Houses will continue to raise

Taxes-Assessments will increase to cover costs

Business/sales dollars will be lost to larger markets

Increased computer networking will decentralize economic centers

Employment

Job creation and diversification will be community focus

Unemployment will continue to be worry

Telecommuting/Telecommunications will change daily activity patterns

Trends In Government

Structure and Role

Relationships with other governments will improve as Keizer strengthens

Changes in federal and state regulations will impact local activities

Increased demand on services with growth and changes in community

Finance

Impacts of Measure 5 will limit traditional financial tools

Infrastructure repair and improvements will be large financing issue

KEIZER TOMORROW

ISSUE IDENTIFICATION AND PRIORITIZATION

MARCH 6, 1991

STRENGTHS

- Public education and support for	11
- Youth activities	9
- More affordable housing	8
- Volunteers (including fire department)	6
- Water System	6
- Location (I-5, metro-cultural, leisure, beaches)	6
- Lower taxes	6
- Government accessibility	3
- Expandability	3
- Stable employment base	1
- Heritage and independence	1
- Diversity of population	0
- Bedroom community	0
friendly - low crime rate	
support - single secondary schools - unity	
friendly - good (basic) services	

WEAKNESSES

- Planning for growth	14
- School overcrowding	10
- Apathy	6
- Lack of commerical and industrial base	6
- Lack of sidewalks, curbs, bike paths, some paved streets	5
- Lack of traffic engineering	5
- Growth restrictions	3
- Environmental vulnerability	3
- Storm drainage	3
- Lack of control over certain aspects of growth	2
- Lack of downtown (major retailers)	2
- Ethnic and language differences	1
- Flood control	1
- Lack of park development and maintenance	1
- Lack of library service	1
- Shallow depth of volunteerism	0
- Graying of the community	0
- Independence of people	0
- Prejudices	0
- Nuisance abatement (abandoned)	0
- Lack of employment opportunity	0

OPPORTUNITIES

- Development of activity center(s)	12
- Urban renewal program	12

- Ability to create good, stable, clean industrial businesses — 10
- River/recreational access and bridge — 7
- Larger retailers attracted — 7
- Ability to give input to future of Keizer — 5
- Regionalization potential — 1
- Land use inventory — 0
- Develop health clinic — 0

THREATS

- School overcrowding — 14
- Increased demand for city services — 9
- Less volunteerism - burnout — 9
- Growth of government — 7
- Changes resulting from more people moving into Keizer — 6
- Measure 5 and its effect — 5
- Increase in Federal/State regulations — 1
- Bridge to West Salem — 1

Police/Parks/Planning



Keizer Tomorrow

SUMMARY OF TOP PRIORITY ISSUES

March, 1991

**Future of the School System and its role in the community -
youth activities**

**Planning for growth -
balance impacts against benefits
assure quality of life
financial capability for support growth
expansion of city services to meet growing needs**

**Economic development -
need for strong, stable industrial and commercial base
urban renewal/activity centers present good opportunities**

**Housing -
availability of affordable housing
growing problem with substandard housing**

**Community
volunteers are strength but will be lessening in impact**

Keizer Tomorrow

Community Response Sheet

Ranking by Agreement - Adults

	Rank
Highest Quality Schools	1.35
Low Crime and Fire Loss Rates	1.37
High Quality Sewer and Water	1.43
School Development Keep Pace with Growth	1.46
All Housing is Safe, Decent, and Sanitary	1.50
Strong City/School Relationship	1.57
High Degree of Volunteerism	1.67
Regional Cooperation on Services	1.70
More Involved and Educated Citizens	1.76
Peer Relationship with Other Governments	1.78
Revitalize River Road Commercial Area	1.80
High Street Quality	1.87
Pedestrian & Bike Facilities Linking City	1.89
Bring Parks up to Standards	2.15
Predominantly Single Family	2.26
Significant Transit Improvements	2.31
New Industry between Parkway and Cherry	2.43
Industrial Development	2.48
Provide Library Service	2.54
Commercial Center @ River & Chemawa	2.63
Develop a Community Center	2.67
Mall at Chemawa/I-5 Interchange	2.93

Ranking by Importance - Adults

Low Crime and Fire Loss Rates	1.28
Highest Quality Schools	1.30
School Development Keep Pace with Growth	1.39
High Quality Sewer and Water	1.46
All Housing is Safe, Decent, and Sanitary	1.67
Regional Cooperation on Services	1.67
Strong City/School Relationship	1.72
More Involved and Educated Citizens	1.81
High Degree of Volunteerism	1.85
High Street Quality	1.87
Peer Relationship with Other Governments	1.96
Revitalize River Road Commercial Area	2.07
Pedestrian & Bike Facilities Linking City	2.20
Bring Parks up to Standards	2.44
Predominantly Single Family	2.50
Industrial Development	2.50
Significant Transit Improvements	2.54
New Industry between Parkway and Cherry	2.63
Provide Library Service	2.74
Commercial Center @ River & Chemawa	2.78
Develop a Community Center	2.93
Mall at Chemawa/I-5 Interchange	3.19

Keizer Tomorrow Community Response Sheet

Ranking by Agreement - Students

	Rank
Highest Quality Schools	1.44
High Quality Sewer and Water	1.57
All Housing is Safe, Decent, and Sanitary	1.61
School Development Keep Pace with Growth	1.62
Low Crime and Fire Loss Rates	1.65
Strong City/School Relationship	1.68
Bring Parks up to Standards	1.78
More Involved and Educated Citizens	1.79
High Street Quality	1.85
Pedestrian & Bike Facilities Linking City	1.88
Provide Library Service	1.95
High Degree of Volunteerism	1.97
Develop a Community Center	2.09
Revitalize River Road Commercial Area	2.11
Significant Transit Improvements	2.17
Peer Relationship with Other Governments	2.17
Regional Cooperation on Services	2.18
Commercial Center @ River & Chemawa	2.27
Mall at Chemawa/I-5 Interchange	2.30
Predominantly Single Family	2.37
New Industry between Parkway and Cherry	2.79
Industrial Development	2.85

Ranking by Importance - Students

Highest Quality Schools	1.33
Low Crime and Fire Loss Rates	1.50
School Development Keep Pace with Growth	1.54
High Quality Sewer and Water	1.56
All Housing is Safe, Decent, and Sanitary	1.56
Strong City/School Relationship	1.75
More Involved and Educated Citizens	1.82
High Street Quality	1.88
Pedestrian & Bike Facilities Linking City	1.99
Regional Cooperation on Services	2.04
High Degree of Volunteerism	2.09
Provide Library Service	2.15
Bring Parks up to Standards	2.16
Significant Transit Improvements	2.21
Peer Relationship with Other Governments	2.22
Mall at Chemawa/I-5 Interchange	2.28
Develop a Community Center	2.40
Revitalize River Road Commercial Area	2.44
Predominantly Single Family	2.53
Commercial Center @ River & Chemawa	2.56
New Industry between Parkway and Cherry	2.85
Industrial Development	2.88

11/20/91



Keizer Tomorrow

Staff Analysis of Community Input

Themes

There are several themes that have continued to be prevalent during the many discussions with the community. Each of these provides a framework for analyzing the specific points of the visions, as well as serves as a guide to budgeting decisions and to future work on strategies to implement the visions. These themes are listed below with a brief analysis:

1. **KEEP KEIZER AS IT IS**

People enjoy Keizer, with the exception of students who want more to do and few police to watch them do it. There is an inherent quality of life here representing traditional values, a clean environment, and family activities. While the draft Vision anticipates that "normal" single-family neighborhoods will continue to be the norm, many participants in the process suggest this may not be necessary to keep the quality of life. It also may be necessary to anticipate changing housing styles and needs.

There is a fair resistance to encouraging the development of more commercial and industrial land. People value vacant land for its open space, aesthetic, and resource qualities.

2. **MAKE KEIZER BETTER**

While Keizer should retain its character, there is strong interest in "cleaning it up." The support for code enforcement was strong. People want to know that neighborhoods will be clean and trim, without building, zoning, or solid waste violations. There is very strong support for improving the housing stock, recognizing that many homes do not meet basic standards for health and safety.

Quality commercial development is important to the Community. There is support for new and more "significant" businesses. Continued development of stores oriented

to day-to-day needs may be accepted, but the community seems to hunger for larger stores dealing in more durable goods and services. The City wants to "grow-up."

3. STRESS SCHOOLS

The unique relationship between the citizens of Keizer and their schools showed strongly in the conversations. The notion of creating a strong working relationship tying the City to providing educational opportunities and the schools to providing services to help the community was broadly accepted.

There is concern about the incapability of school facility construction to keep with new growth.

4. IMPROVE OUR COMMUNITY INFRASTRUCTURE - CAUTIOUSLY

Park development, library, community center, pedestrian and bicycle facilities, all received a degree of support, but none emerged as being so exciting to the citizens that they would accept them right now. But, the interest was strong enough that further study is in order.

5. KEEP TAXES DOWN

Keizer's heritage as a "least cost government" came through during the discussions. Yet, there was great interest in new and enhanced government services. The charge appears to be to find ways to create the best of both worlds.

Issues

EDUCATION AND YOUTH ACTIVITIES

In order for Keizer to assist the School District in providing highest quality schools, staff time and resources will be necessary. Providing speakers for classes, giving tours and lectures, supervising interns, or many other activities will require a significant amount of staff time. If this is to be a priority, than it must be programmed into the work and budget of the City staff.

The City can continue to monitor schools facility development, yet short of a moratorium on new development, there is little the City can do except support the District in finding new sources of revenue.

COMMUNITY FACILITIES AND PUBLIC SERVICES

A community center and library are dreams that many members of the community believe should be pursued, while others do not agree. Yet, it appears the positive interest outweighs the negative. Again, caution and patience will be necessary in addressing such major fundamental issues for the City. It is recommended that an Ad Hoc committee be formed to study these two issues, assess public opinion, and to return to the Council in a year with specific recommendations.

The importance of good, safe water and sewer service was stressed by the Citizens.

PARKS AND RECREATION

Parks are seen as a major quality of life issue and were often discussed. Yet, it does not appear the Community is ready to embark on a major park acquisition and development drive, probably due to the cost. However, the interest in the on-going Parks Master Plan process shows strong support for a great parks system - someday.

LAND USE AND ECONOMIC DEVELOPMENT

There were many topics and interests in this category, yet overall these "growth" issues are not as important to people as "public service" issues such as police and schools.

It appears the Community is not wedded to traditional single family development as the predominate land use pattern for the future, at least to the degree it is today.

Support for the River Road Redevelopment project was not as strong as might have been anticipated which to a degree must be attributed to the lack of understanding of the urban renewal hocus-pocus financing methods.

Industrial development was not embraced by the Citizens. A fear of the traditional industrial plant was strong, as was fear of the impacts such as traffic. Few people equated the value of industrial development with the capability to keep a low tax rate. A great deal of time has been spent looking at Keizer Industrial Park. There is great interest, including from the owner, in changing its Comprehensive Plan designation so it can be used for housing. However, the interest is just a strong in retaining the designation recognizing the unique value of having an industrial parcel of this size and the financial benefit its development could bring to the City. This issue is no where near resolution.

Finally, a mall at Chemawa and I-5 raised about as much strong comment on both sides of the issue as anything else. However, the prevailing opinion, as is reflected in the surveys, is against developing a mall.

HOUSING

The big issue here is housing quality. The need eliminate housing that is not safe, decent, and sanitary is embraced by the majority of the participants. This may extend to providing assistance for housing rehabilitation and to mandatory code compliance for apartments and other housing types. The Community appears to be strongly behind this objective.

TRANSPORTATION

Transportation did not receive a great deal of interest. This is possibly due to the fact that Keizer does not have any significant transportation problem today. Yet there was recognition of problems on the horizon, as well as the need to provide better facilities for pedestrians and cyclists.

Transit service did not attract much attention, nor did discussions of alternative modes between Keizer and the Portland metropolitan area.

EMERGENCY SERVICES

The public is very aware that police and fire are "basic city services" that should be supported. Concern was expressed over the capability of the agencies to keep up with the growth of the Community.

COMMUNITY INVOLVEMENT

The capability of Citizens to understand, participate in, and influence local government was an important theme for many participants. Volunteers are generally seen as continuing to be important to the City. Yet, there is concern over the capability to efficiently supervise and continually motivate volunteer help.

REGIONAL/INTERGOVERNMENTAL ISSUES

Keizer's role with other governments is moderately important to the public. Of greatest interest is the potential to provide some services on a regional basis and at less cost. Again, the City's relationship with the School District is stressed.

Recommendations

These recommendations are simple, and intended to not only offer direction, but to stimulate discussion of other alternatives. They recognize that decisions must be made now the 92-93 budget as well as a proposed tax base.

1. Use the concept of LEVERAGE to its greatest advantage in City Hall. Leverage will multiply the power of the budget, the staff, and the Citizens in providing the most services for the least cost. Specific areas where leverage can be applied include:

Volunteerism - A government that can truly take advantage of volunteer assistance must be willing to invest up-front in the catalyst to make it occur. It is recommended that a Volunteer Coordinator position be included in the 92-93 budget. This position should pay for itself many times over.

Economic Development - Increasing the overall assessed valuation of the City will be the biggest help in keeping the property tax rate down. This is best accomplished by actively working to promote and sell Keizer as a great place to locate and do business. It is recommended that the Community Development Department have the staff resources available to carry out this function.

School Relations - Actively working with teachers and students to jointly provide educational activities and to promote Keizer will lead to a strengthening in the Community and better on-going support for the City's funding needs. It is recommended that it be a priority in the City's work plan to foster and carryout this relationship with the necessary staff resources included in the budget.

2. Invest in the STRUCTURE AND FABRIC of the community. There are two critical areas where this must occur:

Housing - The City must take significant steps now to provide assistance to those without the means to rehabilitate their homes, and to assure that rental housing is safe, decent, and sanitary. It is recommended the City enter into a housing program that provides assistance for rehabilitation and that mandates minimum code compliance for apartments and other types of homes. These objectives can be achieved several ways. First, this is an area where regional cooperation must be explored it is may provide the most cost-effective plan. Second, grants, renewal, fees and other sources of funding must be explored to find a way to provide this service without property tax funding. It is recommended that a Housing Committee be formed, with the necessary staff

support to explore these issues are develop a specific, implementable Keizer Housing Strategy within one year.

Transportation - Even though interest in these issues was not large, the City should recognize it is in a position now to avoid the transportation problems of other communities, instead of working to solve existing problems ten years from now. It is recommended the Planning Commission be directed to develop a more comprehensive transportation plan for Keizer, in conjunction with SKATS, Salem, and the Transit District, that is far-reaching in its scope. Staff resources will need to be allocated to this project.

Water and Sewer - Changing EPA requirements plus the demands of growth will change the degree of attention these two utilities have received. For example, there needs to be greater planning to meet the requirements of the Safe Drinking Water Act. This will require a non in-significant investment of rate payer revenue, as well as the future costs to implement required system changes. The budget needs to anticipate immediately the demands to carry out this work.

3. Direct the Planning Commission to take the lead on immediately resolving the LAND USE ISSUES. The Chemawa Activity Center Plan must be prepared and adopted so that the appropriate development activity at the interchange can move ahead. The Commission should also be prepared to consider Comprehensive Plan amendments for changes in industrial land. Again, staff resources will be necessary.
4. Define and Achieve the minimum levels of staffing and support for EMERGENCY SERVICES. This means setting public policy on the acceptable levels of service and on-going measurement of the capability to provide the service in light of continued growth.
5. Provide the on-going forum to PLAN AND DREAM for major new facilities in the Community. Charter the Community Center and Library Committee right away so that these issues can be resolved and the appropriate future actions taken. Keep Keizer Tomorrow on track to finish the Vision, develop specific strategies for implementation, and review the City's Mission Statement.

In summary of the specific budget recommendations:

1. Create a volunteer coordinator position.

2. Add an additional planner so the Community Development Staff can provide economic development services, housing planning and program implementation, and work more closely with the schools.
3. Budget for necessary assistance in water, sewer, and transportation planning
4. Add Police staff as necessary to meet acceptable levels of service.



City of Keizer — Community Development

Phone: 390-3700 • Fax # 390-8295

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

MEMORANDUM

TO: MAYOR AND CITY COUNCIL

THROUGH: DONALD H. OTTERMAN, M.S.P.A.; CITY MANAGER *DM*

FROM: JOHN N. MORGAN, AICP; COMMUNITY DEVELOPMENT DIRECTOR *DM*

SUBJECT: ZONE CHANGE CASE No. 92-1 (RICHARD BECK/PIZZA HUT);
APPEAL TO CITY COUNCIL

DATE: MAY 13, 1992

DISCUSSION

This is an appeal of the Hearings Officer's denial of a zone change request. The subject property is located on the southeast corner of the intersection of River Road and Linda Avenue and is currently zoned CO (COMMERCIAL OFFICE). The proposal would change the zoning to CR (COMMERCIAL RETAIL) thereby permitting the establishment of a Pizza Hut restaurant.

The above noted case was originally scheduled to be heard at your May 18, 1992 City Council meeting. Due to prior conflicts, the appellant/applicant is unable to attend the hearing and requested, by letter, the hearing be rescheduled for June 15, 1992.

As the appellant is also the applicant, the Development Department does not oppose rescheduling of the hearing to the June 15, 1992 date. For the record, the appellant/applicant waived the 120 day limitation for a local decision.

RECOMMENDED ACTION

It is recommended Council continue the above noted hearing until June 15, 1992.

The hearing rescheduling is technically a continuance whereby additional public notice is not required. However, due to the level of community interest on this matter, staff also recommends written and published notice be provided for the June 15 hearing.

BEFORE THE HEARINGS OFFICER OF THE CITY OF KEIZER

In the Matter of the Application of) Zone Change/
) Case No. 92-1
RICHARD BECK, PHYLLIS J. NELSON,)
J. LARRY FUGATE and FUGATE) RECOMMENDATION
ENTERPRISES,) RECEIVED
(Owners/Applicants))

A. The Application:

This matter comes before the Hearings Officer on the application of Richard Beck, Phyllis J. Nelson, J. Larry Fugate and Fugate Enterprises (Owners/Applicants) for a zone change from CO (Commercial Office) to CR (Commercial Retail) for property located on the east side of River Road N. at its intersection with Linda Avenue NE. The subject property, which is identified as 4710 River Road N. and 524 Linda Avenue NE, consists of two parcels combined for a total area of 0.53 acres. The property is designated commercial in the Keizer Comprehensive Plan. There is a single family dwelling currently located on the property. The property adjoins a parcel on the south which is presently zoned CR (Commercial Retail) and has been approved for development as a Taco Bell restaurant. Property to the north across Linda Avenue is zoned CO and contains a medical office complex. Land to the west across River Road is zoned CR and CO and includes a bank, gas station and medical offices. To the east, along Linda Avenue, property is zoned RS (single-family residential) and contains single-family residences.

The Applicants request the zone change in order to develop the subject parcel as a Pizza Hut restaurant.

B. Public Hearing:

A public hearing was conducted in the Robert L. Simon Council Chambers on Thursday, March 26, 1992, by Sandra Smith Gangle, Keizer Hearings Officer, pursuant to notice sent to affected property owners on March 6, 1992. The notice of hearing contained the land use decision criteria that would be applicable to the zone change request.

At the beginning of the hearing the Hearings Officer read into the record the land use criteria contained in Keizer Zoning Ordinance Section 4.16. She advised all parties that failure to raise an issue with sufficient specificity to afford the decision maker and other parties an opportunity to respond would preclude an appeal based on that issue. The Hearings Officer took official notice of the file in this matter, including the application and supporting documentation, the responses to requests for comments from affected public agencies and the

Certified to be a true and correct copy of the original and the whole thereof filed herein:

of attorney — for

Planning Staff Report dated March 20, 1992.

Mr. Skip Wendolowski of the Keizer Planning Department was present at the hearing and presented the Staff Report. Mr. Wendolowski offered into the record a supplemental traffic engineering report, prepared by Richard L. Woelk, of Associated Transportation Engineering and Planning, dated March 25, 1992. Mr. Wendolowski also submitted into the record letters, many of which were notarized, signed by the following individuals: Dave Bowerly, Wilbur L. Bluhm, Elizabeth Shelton, Edward Schunke, Gerald J. Bowerly, James J. Cassidy, Joan Suckow, Roy L. Shelton, Carol G. Shelton, Evelyn J. Franz, James S. Tanner and Gary and Beverly Ryder.

The Applicants' representatives, Jeff Tross and Sue Hill, as well as the contractor for the proposed Pizza Hut restaurant, Ron Phair, appeared on behalf of the application. Their addresses are as follows:

Jeff Tross
1720 Liberty St. SE
Salem, OR 97302

Sue Hill
486 Valleywood Dr. SE
Salem, OR 97306

Ron Phair
510 Winding Way SE
Salem, OR 97302

The following witnesses appeared and offered testimony before the Hearings Officer in opposition to the proposed application:

Mary Lou Copeland
703 Main Ave. NE
Keizer, OR 97303

Gary Ryder
663 Linda Ave. NE
Keizer, OR 97303

Wilbur Bluhm
743 Linda Ave. NE
Keizer, OR 97303

Roy and Carol Shelton
723 Linda Ave. NE
Keizer, OR 97303

Jim Tanner
643 Linda Ave. NE
Keizer, OR 97303

George Suckow
773 Linda Ave. NE
Salem, OR 97303

George C. and Jackie Miller
744 Linda Ave. NE
Keizer, OR 97303

Lillian Walston
513 Linda Ave. NE
Keizer, OR 97303

Additional witnesses, who had signed in to testify, advised the Hearings Officer that they concurred with other witnesses who opposed the zone change and did not need to offer separate testimony. Those witnesses were as follows:

Evelyn J. Franz
693 Linda Ave. NE
Keizer, OR 97303

Edward Schunke
644 Linda Ave.
Keizer, OR 97303

Isabelle Cassidy
733 Linda Ave. NE
Keizer, OR 97303

Beth Shelton
724 Linda Ave. NE
Keizer, OR 97303

Kelly and Betty Peters
195 Evans Ave. N.
Keizer, OR 97303

At the end of the hearing, the Applicants' representative requested that the record be left open for seven (7) days to allow submission of supplemental testimony on the issue of availability of CR-zoned property in Keizer. The Hearings Officer granted the request and announced that the record would be left open until 5:00 p.m. on Thursday, April 2, 1992, for submission of supplemental written testimony by any witness. The Applicant submitted supplemental written testimony which was received into the record and the record was officially closed at 5:00 p.m. on April 2, 1992.

C. Findings of Fact:

The Hearings Officer, having reviewed all the evidence in the record and the Staff Report, hereby makes the following findings of fact:

1. The Applicant wishes to establish a Pizza Hut restaurant on the subject property which has a combined lot area of 23,000 square feet. The proposed building would contain approximately 2900 square feet and there would be parking for 41 automobiles. The site development plan calls for access to and from both Linda Avenue and River Road. At the request of the City Planning Staff, the Applicant has amended its original plan to allow for a shared access on the River Road side, half of which would be located on the subject property and the other half of which would be on the adjoining parcel to the south. The combined access would serve both the proposed Taco Bell restaurant on the south and the proposed Pizza Hut restaurant. The Applicant also has amended its original proposal to provide for an alley along the eastern boundary of the subject parcel that would connect with a similar alley on the Taco Bell parcel existing on Maine Ave. N. The alley would be constructed in such a way that through access would only be allowed during daytime business hours when deliveries were being made to the two restaurants. At all other times, direct access between Linda Avenue N.

and Maine Avenue N. would be blocked.

2. The Public Works Department has noted that adequate public facilities are available to serve the property. Other than the required half street improvement along the property's Linda Avenue frontage, no public facility improvements are necessary.
3. River Road N. is a major arterial. Much of the property along both sides of River Road N. is already committed to commercial uses, including professional offices, retail stores and other businesses.
4. The current zoning on the subject property, CO (Commercial Office), would not allow the development of a restaurant. The proposed CR zone would allow more intensive uses than are permitted in a CO zone, including uses that are more intensive than a restaurant use. Staff has recommended that, in the event the Hearings Officer grants the proposed zone change, a limited use overlay zone be imposed which would limit the uses otherwise permissible in the CR zone to the proposed Pizza Hut restaurant.
5. According to Applicants' representative, Jeff Tross, many of the uses that are allowed under the present zoning are at least as intensive as the proposed restaurant use. He cited the following as examples: vocational schools, medical or dental clinics, travel agencies, news stands, barber or printing shops, and parking lots. He testified that many of those uses would have at least as great if not greater impact on the surrounding residential properties than the proposed Pizza Hut restaurant. He also testified that the Keizer Comprehensive Plan calls for strip commercial development along River Road N.
6. Representative Tross also testified that the restaurant building will cover only twelve percent of the lot size, whereas normally, a commercial building covers twenty percent or more of a commercial lot. As a result, greater parking availability will be provided than is ordinarily required for a restaurant.
7. Applicants' representative Sue Hill testified that the proposed Pizza Hut restaurant will be a full service restaurant serving pizza, pasta, salads, and a family menu. It will have a drive-up window, to be designed for phone-in orders only. There will be no speaker box for drive-thru orders. The restaurant will be open until 11:00 p.m. on Sunday through Thursday night and until midnight on Fridays and Saturdays.

8. The Applicant did not request any variance or adjustment to the development standards contained in Chapters 17-20 of the Keizer Zoning Ordinance. Staff concluded, based upon its review of the proposal, that the proposal could meet the City's development standards and recommended that a condition be imposed requiring compliance with those standards.
9. Contractor Ron Phair testified that he is willing to make construction changes as required. Although he expressed concerns about the City's recommendation for a combined access, based upon the "tunnel effect" design of the access, he testified he has been willing to incorporate the City's recommendation into his proposed construction plan.
10. Opponents expressed serious objections to the proposed plan. Their objections can be summarized as follows:
 - a) Opponents Bluhm, Ryder, Shelton and Suckow complained that there is already a serious traffic congestion problem at the intersection of Linda Avenue and River Road. Because of the traffic light at Dearborn, northbound traffic on River Road tends to back up for one or more blocks, prohibiting access to River Road for vehicles exiting from Linda Avenue. Sometimes it takes five minutes to make the exit. A commercial use of the subject property will further aggravate the existing problem which tends to be more severe during rush hours at noon and 4-6 p.m. The proposed Taco Bell restaurant will be a high-traffic fast food restaurant. When that use is in place, the traffic problem will be aggravated. An additional commercial activity on the subject property will make it virtually impossible for vehicles to exit from Linda Avenue onto River Road.
 - b) Linda Avenue is a short dead-end street, approximately three blocks in length. There are no sidewalks and there is no cul-de-sac at the end. A semi trailer truck cannot turn around on Linda Avenue. If vehicles are allowed to access and egress from the subject property onto Linda Avenue, many vehicles will naturally tend to turn eastward on Linda Avenue, believing that there is an exit from the neighborhood in that direction. Those vehicles will have to turn around at the end of Linda Avenue and head back in a westerly direction towards River Road. The experience of Linda Avenue residents has shown that when cars erroneously head eastward on Linda Avenue, those

vehicles speed back toward River Road, creating a dangerous hazard to residents.

c) Linda Avenue is a livable street. Many of the residents have lived in their present homes for twenty or thirty years. There are a number of young children who live in the neighborhood. Those children play on the street because there are no sidewalks. Their safety will be endangered by the increased traffic due to a restaurant use of the subject property.

11. Opponents Tanner and Suckow testified that they believe the character of businesses that would be allowed in the CO zone is quite different from the character of the proposed Pizza Hut restaurant. Specifically, commercial office uses operate during daytime business hours almost exclusively, whereas a restaurant use will be open until 11:00 p.m. or midnight. Restaurants are also open on weekends. Their busiest times tend to be during the congested rush hour traffic times. They also involve considerable noise, and lighting that adversely affect neighborhood residential uses. The current office uses of the property on the northeast corner of Linda Avenue and River Road are quite compatible with nearby residential uses. There is very little traffic and no noise or lighting problems.
12. Opponent Bluhm pointed out that in other areas where there is commercial retail property, there is buffering between the retail uses and the neighboring residential uses. Such buffering can include church use, apartment houses or other less intensive uses. The subject property adjoins residential property on the east with no intervening development of a buffering nature. Bluhm recommended as a minimum that twenty-foot conifer trees be required along the east boundary in order to limit the intrusion of light and noise.
13. Opponent Suckow pointed out that there is a park-like area on the eastern end of Linda Avenue. That park, which is actually private property and is not a public park, would tend to attract customers from the Pizza Hut restaurant who would picnic there and leave their debris and litter on the property. That litter would then be disseminated throughout the neighborhood, adversely affecting the liveability for the residents.
14. Opponents Miller and Walston testified that there is a private driveway across from the proposed property on the north side of Linda Avenue running parallel to River Road N. and ending at Dearborn. The driveway is not a public way, but is sometimes used by others as an

access route. Customers from the proposed Pizza Hut would tend to use the alley improperly, creating a further hazard to the owners of the property.

15. The Applicant submitted evidence showing that there is a shortage of available property zoned CR in Keizer. The following sites were identified as available for sale at the present time: a parcel consisting of approximately 15 acres on the east side of River Road south of Claggett Street; a 3.35 acre parcel on the southwest corner of River Road and Hollyhock; three properties which are not located on street corners, but are identified as 3976 River Road N., 4913 River Road N., and 4680 River Road N. According to the Applicant, the first two parcels are too large for the proposed use. The Applicant expresses no opinion with regard to the utility of the remaining three available parcels for the proposed Pizza Hut restaurant.

D. Applicable Legal Provisions:

The zone change review criteria are found in Section 4.16 of the Keizer Zoning Ordinance. The criteria are as follows:

- (1) The following criteria shall be used to review and decide either legislative amendments or applications that involve a change in the zoning classification of and:
 - (a) The proposed zone is appropriate for the Comprehensive Plan land use designation on the property and is consistent with the description and policies for the applicable Comprehensive Plan land use classification.
 - (b) The uses permitted in the proposed zone can be accommodated on the proposed site without exceeding its physical capacity.
 - (c) Allowed uses in the proposed zone can be established in compliance with the development requirements in Chapters 17 to 20 without need for adjustments or variances.
 - (d) Adequate public facilities, services, and transportation networks are in place, or are planned to be provided concurrently with the development of the property.
 - (e) Satisfaction of any zone change review criteria in the Keizer Comprehensive Plan is demonstrated.

- (2) The following additional criteria shall be used to review all non-residential zone changes:

- (a) The supply of vacant land in the proposed zone is inadequate to accommodate the projected rate of development of uses allowed in the zone during the next 5 years; or, the location of the appropriately zoned land is not locationally or physically suited to the particular uses proposed for the subject property, or lack site specific amenities required by the proposed use.
- (b) The supply of vacant land in the existing zone is adequate, assuming the zone change is granted, to accommodate the projected rate of development of uses allowed in the zone during the next 5 years.
- (c) The proposed zone, if it allows uses more intensive than other zones appropriate for the land use designation, will not allow uses that would destabilize the land use pattern of the area or significantly adversely affect adjacent properties.

The Keizer Comprehensive Plan contains the following provisions which are relevant to the application:

Commercial Goals and Policies:

- (3)(b) Strip Commercial will be located along North River Road generally south of Claggett Street, and along Cherry Avenue.
- (d) Ensure that future improvements and land use changes in the area provide adequate sound, light and visual buffers to adjacent residential areas.
- (e) Work with existing businesses, property owners and residents to establish an access policy along N. River Road so that the number of driveways can be reduced, and traffic flows and safety improved.

E. Conclusions of Law:

Having carefully reviewed the facts and the applicable legal provisions, the Hearings Officer concludes that the proposed zone change meets the criteria of KZO Section 4.16(1). The application does not meet the criteria of KZO Section 4.16(2) in the following particulars:

- 1. The applicant has not persuaded the Hearings Officer that there is an inadequate supply of land in the

proposed zone in Keizer to accommodate the proposed Pizza Hut restaurant use or to accommodate the projected rate of development of CR (Commercial Retail) uses over the next five years. While other available property may not be as locationally advantageous to the applicant as the subject property, there are several adequately-sized parcels available for sale on River Road N. with the appropriate zoning in place. While some of the available parcels may be larger than the applicant desires for the restaurant use, there is no evidence that any of them is too small.

2. Even if a limited use overlay zone were applied, the proposed use would tend to destabilize the land use pattern of the neighborhood and would adversely affect adjacent residential uses on Linda Avenue. The Hearings Officer is persuaded that there is a significant problem of traffic congestion at the intersection of River Road N. and Linda Avenue N., especially at noon and between 4:00 and 6:00 p.m. That congestion will worsen when the Taco Bell restaurant is in operation. The addition of the Pizza Hut restaurant would be likely to create further hazards as follows:

- a) Emergency vehicles would not be able to enter or exit Linda Avenue with ease;

- b) Vehicular traffic would back up on Linda Avenue, especially during rush hours, and would be unable to exit onto River Road;

- c) Vehicles exiting the Pizza Hut lot onto Linda Avenue would be likely to use the private driveway on the north side of Linda in order to reach Dearborn without exiting onto River Road;

- d) Some Pizza Hut customers would drive easterly on Linda Avenue in the mistaken belief that they could exit the neighborhood in that direction;

- e) Some customers would drive easterly on Linda Avenue in order to use the private park area for eating purposes;

- f) Noise and lights from the Pizza Hut restaurant would interfere with the peace and quiet of the residential neighborhood late at night, particularly on weekends.

The current zone, CO (Commercial Office) allows uses which are considerably less intensive than the proposed Pizza Hut restaurant. Even though professional offices have customers arriving in vehicles, their business hours are usually limited to 8:00 a.m. to 5:00 p.m. daytimes, with few, if any, weekend hours.

RECOMMENDATION

For the foregoing reasons, the Hearings Officer recommends denial of the proposed zone change.

DATED this 17th day of April, 1992.

~~S/ SANDRA SMITH GANGLE~~

Sandra Smith Gangle
Hearings Officer

APPEAL RIGHTS

The decision of the Hearings Officer is final unless a written appeal is filed with the Keizer City Council, Keizer City Hall, 930 Chemawa Road NE, Keizer, Oregon, within the ten (10) days from the date of the mailing of this decision by any person aggrieved by this decision. The appeal must be in writing, must be filed in duplicate and must state wherein this decision is in error. A copy of the appeal notice form is attached hereto.

Questions about this decision or about appeal rights may be addressed to the City of Keizer Planning Department at the above address, telephone 390-3700. An appeal fee of \$100.00 plus costs will be collected at the time of filing an appeal. The appeal fee will be refunded in the event the Hearings Officer's decision is reversed.

APPEAL OF HEARINGS OFFICER'S LAND USE DECISION

The undersigned hereby appeals the decision of the Keizer Hearings Officer in the following matter. I understand that this appeal form must be filed in duplicate with the City Recorder of the City of Keizer and must accompany the appropriate appeal fee and costs as determined by the Keizer City Recorder, made payable to the City of Keizer. I further understand that only the applicant, owners and purchasers of the property or those who submitted testimony themselves or through a representative at the Hearings Officer's hearing are aggrieved and have standing to appeal the decision by the Hearings Officer.

LAND USE CASE NO.: _____

APPLICANT: _____

APPELLANT: _____

APPELLANT'S ADDRESS: _____

BASIS FOR APPEAL (Use additional sheet if necessary): _____

DATE HEARINGS OFFICER'S DECISION WAS MAILED: _____

Date of Appeal	Signature of Appellant
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***** OFFICE USE ONLY *****

* DATE APPEAL RECEIVED: _____ By: _____ *

* APPEAL FEE/COSTS PAID:	\$ 100.00	Appeal Fee
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\$	\$	Mailing of Notice
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* NOTE: In accordance with	\$	Photocopies
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* Resolution R87-260, a	\$	Advertisement
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* portion of the appeal fee	\$ _____	Staff Cost
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* may be refunded if the	\$	TOTAL PAID - Receipt
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* decision is reversed.	\$	TOTAL PAID - Receipt
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CITY OF KEIZER
930 Chemawa Road N.E.
P. O. Box 21000
Keizer, Oregon 97307-1000
Telephone: 390-3700

CERTIFICATE OF MAILING

I hereby certify that I served a true copy of the foregoing Order on the following persons:

KEIZER CITY COUNCIL
Keizer City Hall
P.O. Box 2100
Keizer, OR 97307

KEIZER CITY COUNCIL
ATTN: SKIP WENDOLOWSKI
P.O. Box 2100
Keizer, Oregon 97307

ALICE LINKER, Keizertimes
680 Chemawa Rd. NE
Keizer, OR 97303

SHANNON JOHNSON
Attorney at Law
4855 River Road N.
Keizer, OR 97303

J. LARRY FUGATE
208 S. Maize Rd.
Wichita, KS 67209

RICHARD BECK
c/o Dave Curry
Caldwell Banker
615 Commercial St. NE
Salem, OR 97301

JEFF TROSS
1720 Liberty St. SE
Salem, OR 97302

SUE HILL
486 Valleywood Dr. SE
Salem, OR 97306

RON PHAIR
510 Winding Way SE
Salem, OR 97302

MARY LOU COPELAND
703 Main Ave. NE
Keizer, OR 97303

GARY RYDER
663 Linda Ave. NE
Keizer, OR 97303

WILBUR BLUHM
743 Linda Ave. NE
Keizer, OR 97303

ROY & CAROL SHELTON
723 Linda Ave. NE
Keizer, OR 97303

JIM TANNER
643 Linda Ave. NE
Keizer, OR 97303

GEORGE SUCKOW
773 Linda Ave. NE
Keizer, OR 97303

GEORGE C. & JACKIE MILLER
744 Linda Ave. NE
Keizer, OR 97303

LILLIAN WALSTON
513 Linda Ave. NE
Keizer, OR 97303

EVELYN J. FRANZ
693 Linda Ave. NE
Keizer, OR 97303

EDWARD SCHUNKE
644 Linda Ave.
Keizer, OR 97303

ISABELLE CASSIDY
733 Linda Ave. NE
Keizer, OR 97303

BETH SHELTON
724 Linda Ave. NE
Keizer, OR 97303

KELLY & BETTY PETERS
195 Evans Ave. N.
Keizer, OR 97303

which included those witnesses who appeared at the hearing and requested, in writing, copies of this decision by mail duly posted to them at the above addresses through the United States Post Office at Salem, Oregon, on the 17th of April, 1992.

SANDRA SMITH GANGLE

SANDRA SMITH GANGLE
Hearings Officer



City of Keizer — Community Development

Phone: 390-3700 • Fax # 390-8295

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

STAFF RECOMMENDATION

SUBJECT: Keizer Zone Change Case No. 92-1

APPLICANT: Fugate Enterprises (Property Owners: Richard Beck and Phyllis J. Nelson)

DATE: March 20, 1992

The Planning staff reviewed the above referenced case and offers the following comments.

I. Request

A. Fugate Enterprises is requesting approval of a zone change from CO (COMMERCIAL OFFICE) to CR (COMMERCIAL RETAIL) on 0.53 acres of land located at 4710 River Road North and 524 Linda Avenue NE, Keizer; (Sec. 02BD; T7S; R3W) Tax Lot #'s 7900 and 8000. The property is owned by Richard Beck and Phyllis J. Nelson.

B. The purpose of the zone change is to permit the development of a Pizza Hut restaurant.

II. General Information

A. The subject area is designated Commercial in the Keizer Comprehensive Plan and is zoned CO (COMMERCIAL OFFICE).

B. The 0.53 acre subject area consists of two parcels located on the southeast corner of the intersection of River Road and Linda Avenue. A single family dwelling is located on the property.

C. Property to the south is zoned CR (COMMERCIAL RETAIL). Buildings plans were approved to construct a Taco Bell restaurant on the site. Property to the north is also zoned CO and contains a medical office complex. Land to the west is zoned both CR and CO and includes a bank, gas station and medical offices. To the east is RS (SINGLE FAMILY RESIDENTIAL) zoned land containing single family residents.

III. Agency Comments

A. Keizer Fire District noted fire hydrants are located on both Maine Street and Linda Avenue; fire suppression will not be a problem.

B. The City Public Works Department noted that public water and sewer services are available to the site. The applicant will be required to provide a half-street improvement along the property's Linda Avenue street frontage. Required improvements will include paving, curbs, drainage and sidewalk facilities.

C. The City Traffic Engineer provided comments regarding access to the property. These comments apply to both the proposed zone change and the Taco Bell property located to the south. In general, the Traffic Engineer is opposed to any access to River Road, preferring the access to be limited to the side streets of Maine Street and Linda Avenue, with a connecting alley on the east side of both properties. If access to River Road is permitted, the access should be directly opposite Evans Street and serve both the Pizza Hut and Taco Bell properties. The engineering report is contained within the file and is made part of the submitted record.

IV. Findings

A. The zone change would permit the establishment of a Pizza Hut restaurant. The restaurant building would contain approximately 2900 square feet with parking for 41 automobiles. The site development plan calls for access to both Linda Avenue and River Road. The restaurant will also feature a drive-up pick-up window located on the north side of the building.

B. The zone change review criteria are found in Section 4.16 of the Zoning Ordinance. The criteria include: (1) the zone must be appropriate for the Plan designation; (2) potential uses can be accommodated on the property; (3) allowed uses can comply with the development standards found in Chapters 17 to 20 of the Zoning Ordinance; (4) adequate public facilities are available; (5) the zone change complies with applicable Comprehensive Plan policies; (6) the location of existing appropriately zoned land is not locationally or physically suited for the particular uses proposed for the property; (7) the supply of vacant land in the existing zone is inadequate to accommodate the 5 year projected rate of development; and, (8) the proposed zone, if it allows uses more intensive than other zones appropriate for the land use designation, will not allow uses that would destabilize the land use pattern of the area or significantly adversely affect adjacent properties.

C. Staff reviewed the criteria against the proposal and offer the following comments:

1. Section 4.02 identifies Comprehensive Plan designations and their corresponding zones. Pursuant to this Section, the CR zone is appropriate for the Commercial Plan designation.

2. The applicant submitted a site plan indicating the proposed restaurant can be physically located on the subject property. The site plan complies with CR zone development requirements regarding setbacks and landscaping areas. The proposed plan will also be able to comply with the requirements in Chapters 17 to 20, regarding access, parking, buffering, vision clearance areas, special setbacks, and other applicable standards. These issues will be reviewed in Section V., below. Staff is unaware of any physical limitation preventing development of the proposed use in compliance with the Zoning Ordinance development requirements.

3. The Public Works Department noted adequate public facilities are available to serve the property. Other than the required street frontage improvements on Linda Avenue, no additional public facility improvements are necessary.

4. The Comprehensive Plan provides several goals and policies applicable to the request. The Plan seeks to diversify the local economy while ensuring compatibility with adjacent property. Design features such as special setbacks are encouraged to reduce impacts on adjacent residential uses. Commercial development should be located along major arterials and avoid traffic filtering through adjacent residential areas. Adequate public facilities and should be available.

Regarding these goals and policies, the proposal will convert underutilized property to commercial uses thereby diversifying the local economy. Design features creating adequate buffering are incorporated within the Zoning Ordinance and are included on the site plan. The development is located along a major arterial and access to this arterial, either directly or indirectly, is available. While access would be available to Linda Avenue (a designated local street) the use of Linda Avenue will not generate, or filter, commercial traffic through the adjacent residential area as Linda Avenue dead-ends. Finally, as noted, adequate public facilities are available to serve the site.

5. Restaurants are only permitted in the CR and CG (COMMERCIAL GENERAL) zones. According to the applicant, appropriately zoned land suitable for the restaurant is unavailable elsewhere within the City. Evidence in support of this statement was not supplied by the applicant. Staff, however, recognizes this type of restaurant requires a location adjacent to an arterial street making this site physically or locationally suited for the business.

6. Information on the supply of vacant land to accommodate the 5 year projected rate of development in the CO zone was also not provided. In response, staff recognizes the unique character of River Road, a street whose entire length is designated by the Plan for commercial development. In many respects the CO and CR zones can be used interchangeably, with the CR zone capable of providing for most of the uses permitted in the CO zone. In addition, the City recently establishment a Mixed Use zone which permits commercial office activities. This zone is now available to over 50 acres of land within the McNary Activity Center area and provides additional opportunities for commercial office activities. In general, staff does not believe the reduction of 0.53 acres of property will adversely affect the availability land for uses permitted in the CO zone.

7. The proposed CR zone would allow more intensive uses than currently permitted in the CO zone. However, the uses within the CR zone are generally less intensive than those permitted in the CG (COMMERCIAL GENERAL) zone. The Zoning Ordinance permits the placement of conditions, or the establishment of the limited use overlay zone, to ensure compatibility with adjacent land uses.

D. The proposal generally complies with the zone change criteria found in Section 4.16. However, the CR zone may permit activities that are detrimental to the residential area. The use of development conditions and the placement of a limited use overlay zone may be necessary to ensure future development of the site does not significantly affect adjacent residential areas.

V. Site Plan

A. The restaurant is identified as a permitted use in the CR zone [Section 28.01(9)]. The CR zone establishes certain development standards. The building must maintain a minimum 5 foot setback from any street-side and a minimum 3 foot setback from any adjacent residential property. The maximum building height is 50 feet; there is no minimum lot area or lot dimension. Based on the site plan, the proposed restaurant complies with all setback provisions. Building height information was not provided by the applicant, however, compliance with the height limitation can be placed as a condition of approval. The CR zone also requires the landscaping of all required yard (setback) areas. This is indicated on the site plan and can be further enforced as a condition of approval.

B. Other applicable development requirements are contained in Chapters 17 to 20. The applicable requirements are reviewed below:

1. Section 17.32 limits commercial structures to a maximum of 20 feet within 50 feet of residentially zoned property. As noted, height information was not provided by the applicant. This requirement can be placed as a condition of approval.

2. Section 17.40 requires additional buffering between commercial and residential uses. The site must provide a 20 foot landscaped area or a two-way driveway between the development and adjacent residential property. The site plan calls for a 26 foot, two-way driveway along the east property line in addition to the required 3 foot landscaped strip. Combined with additional building setbacks, the restaurant will be separated from adjacent residential property by at least 38 feet.

3. This Section also requires all lighting to be directed away from the adjacent residential uses and the screening of any outdoor storage areas and roof equipment. These are requirements and can be placed as a condition of approval.

4. Chapter 18 establishes landscaping requirements. These include permitted and prohibited landscaping materials, maintenance requirements, installation, parking lot landscaping, and the need to provide a landscaping plan. The applicant did not provide detailed landscaping information. However, at this preliminary stage detailed information is not required and compliance with the requirements in Chapter 18 can be placed as a condition of approval.

5. Chapter 19 establishes parking requirements. At a minimum, the restaurant is required to supply 13 parking spaces. The submitted site plan calls for 41 spaces (and a subsequent modified plan provided 34). Each parking space must be at least 9 feet wide and 17 feet in length. All two-way driveways must be at least 24 feet in width. Based on the submitted site plan, the parking spaces are 9 feet wide and 18 feet in length; all two-way driveways are at least 25 feet in width. The proposal complies with the parking requirements in Chapter 19.

6. Chapter 20 reviews the requirements for accessory structures and fences. The site development will not include accessory structures. A fence is required along the east property line, adjacent to the residential property. This fence must be sight-obscuring and at least six feet in height. The location or height of the fence was not indicated on the site plan but compliance with this requirement can be placed as a condition of approval.

C. Staff recognizes many of the above comments were not conclusive. This is partially based on the limits of the submitted site plan. However, based on this plan, staff concludes the proposal is capable of complying with the applicable requirements in Chapters 17 to 20. The applicant did not request any variance or adjustment to these standards. The issuance of a building permit will require evidence, either with a detailed site plan or other written information, that the development can and will comply with all Ordinance development standards.

D. The site plan did identify the placement of a sign along River Road. Specific details as to the sign's design were not provided. This sign may need to be relocated as it interferes with the vision clearance area at the driveway intersection. Whether or not relocation is required depends on the height and the structure of the sign. All signs require sign permits.

VI. Traffic

A. A major issue facing development of the property is street access. Part of the concern lies with development of the CR zoned property to the south for a Taco Bell restaurant. The Taco Bell building permit was approved with a primary access to River Road and a secondary access to Maine Street. Subsequently, the City reconsidered the access question in light of the Pizza Hut restaurant proposal. The City Traffic Engineer strongly urged, at a minimum, the establishment of a joint access off of River Road to serve both properties and the creation of an alley along the eastern property line of both parcels.

B. During the completion of the staff report, the operators of both Pizza Hut and Taco Bell agreed to a joint access. The applicant submitted a new site plan on March 19, 1992 showing the revised layout. This joint access would be located opposite and approximately 23 feet to the south of Evans Street. The driveway would be extended at least 75 feet into the property before traffic could turn left or right into an adjoining restaurant. The City Traffic Engineer found the location acceptable as Evans Street does not generate a significant amount of traffic onto River Road.

C. The revised site plan, however, will make it difficult to maneuver trucks within and between both restaurants. Staff is very concerned the trucks will be forced to use the side streets for unloading merchandise. This situation is totally unacceptable. For this reason, staff believes it is appropriate to require a connecting alley located on the east side of the property. This will allow the unloading of material without using the Linda Avenue or Maine Street. Reciprocal easements for both Taco Bell and Pizza Hut will be required and issuance of an access permit to River Road will be conditioned on the establishment of the alley.

VII. Other

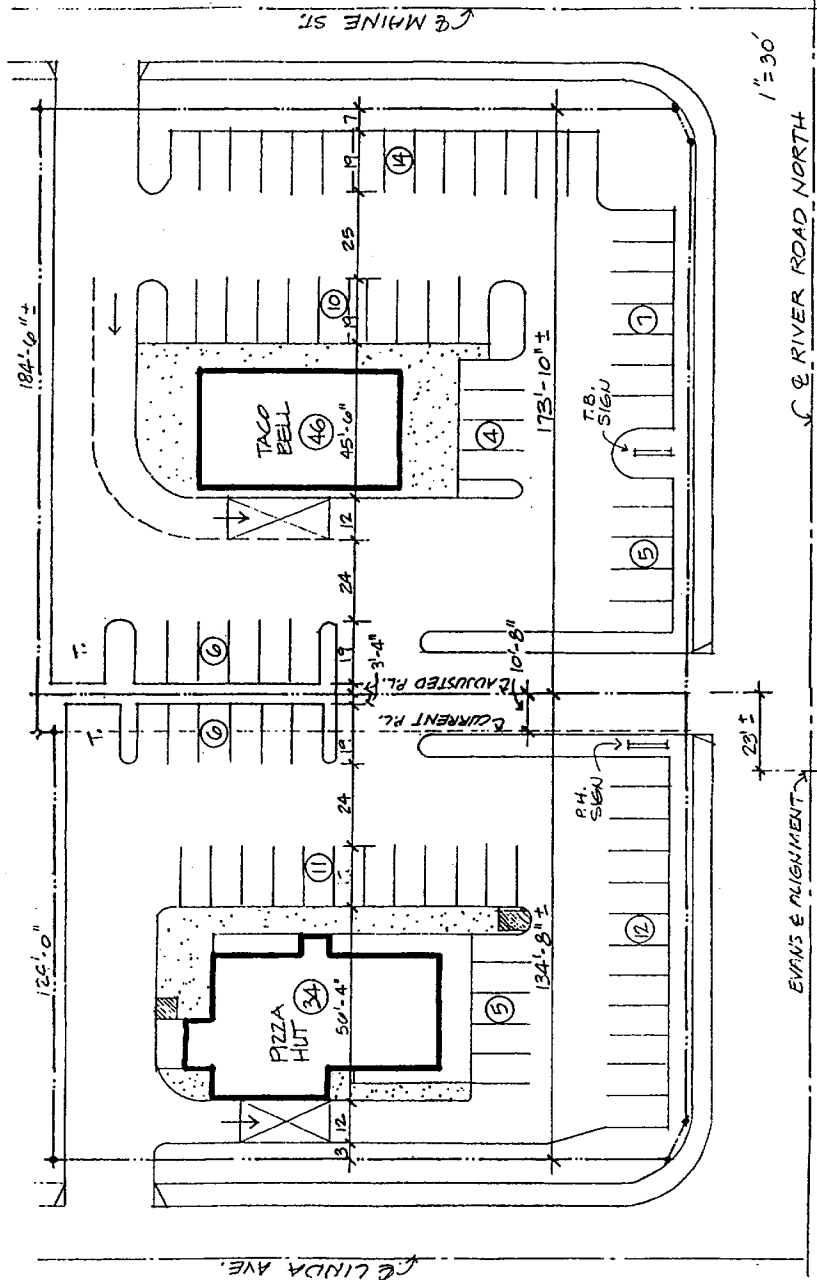
A. Staff previously noted the CR zone permits certain uses that could be detrimental to adjacent residential uses. The Zoning Ordinance permits the placement of a Limited Use Overlay Zone which limits the number of permitted uses while requiring conditional use approval for the remainder. Staff recommends placement of the limited use overlay restricting development to the proposed restaurant. This will ensure the site is developed as proposed by the applicant and in a manner that is compatible with adjacent residential uses.

VIII. Conclusions

A. Staff recognizes the current CO zoning on the property automatically entitles the property owner to some type of commercial development, without the need for any land use authorization other than a building permit. The zone change provides an opportunity to ensure the activity can be made compatible with area residential uses.

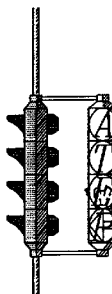
B. The application is capable of complying with a majority of the zone change decision criteria. If sufficient findings can be established to justify the zone change, staff recommends the zone change be modified to a CR-LU (COMMERCIAL RETAIL-LIMITED USE OVERLAY) zone, limiting the permitted uses to those found in Section 28.01(9) of the Keizer Zoning Ordinance. In addition, staff recommends placement of the following conditions:

1. Development of the site shall substantially conform with the revised site development plan, submitted March 19, 1992. The applicant shall create a shared access to River Road with the parcel to the south. This access shall be located approximately opposite Evans Street with the entrance-way extending a minimum of 65 feet before access is permitted to either property. The applicant shall also establish an alley located on the east side of the property which connects to the property located to the south.
2. No driveway permit granting access to River Road shall be issued unless the development is in compliance with the access requirements in item VIII.B.1., above. The applicant shall provide evidence of reciprocal easements with the property to the south prior to obtaining any building permits.
3. The applicant shall install the half-street improvements along the property's Linda Avenue frontage. These improvements shall be reviewed and approved by City Department of Public Works prior to the issuance of building permits. The necessary improvements shall be in place prior to occupancy of the structure.
4. The applicant shall connect to public sewer and water service.
5. The applicant shall obtain all necessary building permits from the Marion County Building Inspection Division.
6. Development of the site shall comply with all applicable development standards contained within the Keizer Zoning Ordinance.



March 25, 1992

Mr. Skip Windolowski
City of Keizer
P.O. Box 2100
Keizer, OR 97307



ASSOCIATED
TRANSPORTATION
ENGINEERING &
PLANNING (ATEP)

(503) 636-9232 (503) 743-4491

199203 97305

RE: Pizza Hut-Taco Time

Dear Skip:

In review of the proposed uses for this property, as I described to you last week, while the location of the proposed shared approach on River road is not in the perfect position, the low volumes of traffic on Evans Street probably will not conflict with the turning movements for this driveway.

As to the need for an alley through the east side of the property, I feel it is important to the internal circulation of the parking lots. Without the alley any truck traffic entering the site will not be able to negotiate turning around in the parking lots and will need to back out of the site. With the alley, the trucks could stop in the alley and unload and then proceed through the alley to the adjacent street. This is a much better circulation pattern than the pattern proposed without the alley.

I feel that this alley could be blocked with ballards or some type of removable post that could be removed to allow the truck traffic and then replaced to prohibit vehicular pass through between the two streets.

If you have any questions regarding this analysis please contact me at 743-4491.

Sincerely,

ASSOCIATED TRANSPORTATION ENGINEERING & PLANNING, (ATEP)

Richard L. Woelk P.E., T.E.
Principal



1982

City of Keizer — Community Development

Phone: 390-3700 • Fax # 390-8295
930 Chemawa Rd. N.E. • P.O. Box 21000 • Keizer, Oregon 97307-1000

CITY COUNCIL MEETING: May 18, 1992

AGENDA ITEM NUMBER: 6a

TO: MAYOR AND CITY COUNCIL

THROUGH: DONALD H. OTTERMAN M.S.P.A. *DAO*
CITY MANAGER

FROM: JOHN N. MORGAN, AICP *JN*
COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: AWARD OF CONTRACT FOR PROVISION OF
HEARINGS OFFICER SERVICES

*EXPLORE QUALIFICATIONS
OF APPLICANTS.
BOB -
LIKE TO
NUMBER OF CASES
WE HAD PROBLEM
WITH
COPY OF CONTRACT
COPY OF CORRESPONDANCE
KTO AND FROM
MOTION TO CONTINUE
3-3.
FAILS*

DISCUSSION:

The City has contracted with Sandra Smith Gangle to act as the Hearings Officer for land use cases for the last four years. This contract was terminated on May 1 in order to allow the City the opportunity to explore new options and organization for its relationship with its Hearings Officer.

A request for proposals (RFP) was sent to all law firms in the community specializing in land use, plus to all legal divisions in the various units of government found in the Salem/Keizer Urban Area. A copy of this RFP is attached. It lists the expectations of the Hearings Officer, the minimum qualifications, and the process for making a selection.

Four proposals were received. A panel made up of Dennis Koho, City Councilor; Skip Wendolowski, City Planner; and John Morgan, Community Development Director, reviewed the written proposals and interviewed each of the applicants.

The committee used four general criteria in evaluating the proposals. First was the knowledge of the Oregon land use system and law. Second was direct experience in this type of work. Third was the expertise and experience in writing decisions that are well constructed in terms of meeting the standards for administrative law. Fourth was the fee proposal.

All candidates had a general knowledge of the land use system and law, but Ms. McCoy and Mr. Hansen best expressed it in as a body of objective standards by which to judge applications.

All candidates have served as a hearings officer.

City Council
May 18, 1992

The written material of each candidate was reviewed. The committee found that the best work, in terms of clear construction, solid findings of fact, defensible conclusions of law, and good recommendations came from Ms. McCoy followed by Mr. Hansen.

The fee proposals were as follows:

Mike Hansen	\$35/hour [†]
Janet McCoy	\$50/hour
Sandra Smith Gangle	\$60/hour
Carolyn Baker	\$90/hour

[†] Mr. Hansen proposed a flat fee of \$350/month with \$35/hour charged for more than 12 hearings or 14 cases in a year.

These fees do not include expenses.

The committee recommends to Council that the Hearings Officer contract be awarded to Janet McCoy and a contract for back-up Hearings Officer be awarded to Mike Hansen.

The committee is recommending a back-up Hearings Officer so that the regularly scheduled hearings will be handled if the Hearings Officer is not able to attend or has a conflict of interest.

RECOMMENDATION:

It is recommended Council direct staff to negotiate and prepare a contract with Janet McCoy for Hearings Officer and Mike Hansen for back-up Hearings Officer and authorize the Mayor to sign the contracts for the City.

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R92-____

CERTIFYING THAT THE CITY PROVIDES FOUR OR
MORE MUNICIPAL SERVICES

WHEREAS, ORS 221.760 provides as follows:

Section 1. The officer responsible for disbursing funds to cities under ORS 323.455, 366.785 to 366.820 and 471.805 shall, in the case of a city located within a county having more than 100,000 inhabitants according to the most recent federal decennial census, disburse such funds only if the city provides four or more of the following services:

- (1) Police protection
- (2) Fire protection
- (3) Street construction, maintenance and lighting
- (4) Sanitary sewer
- (5) Storm sewers
- (6) Planning, zoning, and subdivision control
- (7) One or more utility services

and

WHEREAS, city officials recognize the desirability of assisting the state officer responsible for determining the eligibility of cities to receive such funds in accordance with ORS 221.760, NOW, THEREFORE,

BE IT RESOLVED that the City of Keizer hereby certifies that it provides the

1 following four or more municipal services enumerated in Section 1, ORS 221.760:

- 2 (1) Police protection
- 3 (2) Street construction, maintenance and lighting
- 4 (3) Planning, zoning and subdivision control
- 5 (4) One or more utility services

6 PASSED this ____ day of _____, 1992.

7 SIGNED this ____ day of _____, 1992.

8 _____
9 MAYOR

10 _____
11 CITY RECORDER

EXECUTIVE
DEPARTMENT

MEMORANDUM

RECEIVED

ACCOUNTING
DIVISION

Date: May 1, 1992

MAY 5 AM 9 56

To: Finance Director

From: *Janice Jamison*
Janice Jamison, Revenue Sharing Coordinator
Control Accounting

Re: Required Resolution: State-Shared Revenue

The Accounting Division is responsible for certification of eligibility of cities for state-shared revenues (cigarette, liquor and highway taxes) under ORS 221.760.

The law provides that cities located within a county having more than 100,000 inhabitants, according to the most recent decennial census (1990), must provide four or more of the following municipal services to be eligible to receive the revenues:

- Police protection,
- Fire protection,
- Street construction, maintenance, and lighting,
- Sanitary sewers,
- Storm sewers,
- Planning, zoning, & subdivision control,
- One or more utility services.

In order to gain this certification, we will need to have a Resolution from your Council which states that four or more of these services are being provided. A model resolution, applicable to your city under ORS 221.760 is enclosed for your City Council action.

Please return a copy of the Resolution to this office by July 31, 1992, to assure your city's certification. IF YOU ARE NOT CERTIFIED BY JULY 31, 1992, YOU WILL NOT RECEIVE YOUR PORTION OF THE STATE-SHARED REVENUES.

If you have any questions concerning the level of services or type of services which might qualify, or any other questions, please call 378-3158 ext. 248.

JJ:vs

Enclosure

s:\section\control\resolution



155 Cottage Street NE
Salem, OR 97310-0310
(503) 378-3156
FAX (503) 378-8940

Return to: Executive Department
Accounting Division
Attn: Janice Jamison
155 Cottage Street NE
Salem OR 97310

RESOLUTION NO. _____

WHEREAS, ORS 221.760 provides as follows:

Section 1. The officer responsible for disbursing funds to cities under ORS 323.455, 366.785 to 366.820 and 471.805 shall, in the case of a city located within a county having more than 100,000 inhabitants according to the most recent federal decennial census, disburse such funds only if the city provides four or more of the following services:

- (1) Police protection
- (2) Fire protection
- (3) Street construction, maintenance, and lighting
- (4) Sanitary sewer
- (5) Storm sewers
- (6) Planning, zoning, and subdivision control
- (7) One or more utility services

and

WHEREAS, city officials recognize the desirability of assisting the state officer responsible for determining the eligibility of cities to receive such funds in accordance with ORS 221.760, now, therefore,

BE IT RESOLVED, that the City of _____ hereby certifies that it provides the following four or more municipal services enumerated in Section 1, ORS 221.760:

Approved by the City of _____

this _____ day of _____ 1992.

ATTEST:

Mayor

Recorder



City of Keizer — Community Development

Phone: 390-3700 • Fax # 390-8295

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

COUNCIL MEETING: MAY 18, 1992

AGENDA ITEM NO.: 6c

DATE: MAY 13, 1992

TO: MAYOR AND CITY COUNCIL

FROM: WALLY MULL, PUBLIC WORKS DIRECTOR *WM*

THROUGH: DON OTTERMAN, CITY MANAGER *DO*

SUBJECT: LOCAL AGENCY AGREEMENT FEDERAL-AID URBAN
PROJECT CONSTRUCTION AND CONSTRUCTION
ENGINEERING OF LOCKHAVEN DRIVE BETWEEN JOAN
DRIVE NORTH AND WINDSOR ISLAND ROAD (PHASE II)

DISCUSSION

In April of 1991 the City of Keizer Contracted with Marion County Public Works Department to do the preliminary engineering on Lockhaven Drive. Phase II. At that time the City also entered into an agreement with the Oregon Department of Transportation for funding to pay for the preliminary engineering.

It has now been determined by State and Agency that the aforementioned agreement, although remaining in full force and effect, shall be supplemented by this agreement providing funding of project construction and add construction engineering responsibilities.

The construction of this project will be financed with a maximum of approximately 87 percent Federal Funds, with State and City each providing 50% of the match. Keizers 6.5% has been budgeted in the Olson Rd Improvement Fund and there are adequate funds to cover the City's Responsibilities.

RECOMMENDATION

I recommend the City Council approve a resolution authorizing the Mayor and City Recorder to sign the project construction and construction engineering agreement for Lockhaven Drive North (Phase II), between Joan Drive North and Windsor Island Road North.



CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R91-____

LOCAL AGENCY AGREEMENT FEDERAL-AID URBAN
PROJECT CONSTRUCTION AND CONSTRUCTION ENGINEERING
OF LOCKHAVEN DRIVE NORTH BETWEEN JOAN DRIVE NORTH
AND WINDSOR ISLAND ROAD (PHASE II)

WHEREAS, the City of Keizer is eligible to receive Federal
Aid Urban (FAU) funds to finance the construction of Lockhaven
Drive North between Joan Drive North and Windsor Island Road;

WHEREAS, the project was approved by the State Highway
Engineer on July 17, 1990, under delegated authority from the
Oregon Transportation Commission;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the
City of Keizer that the City of Keizer enter into the attached
Local Agency Agreement within the State of Oregon and that the
Mayor and City Recorder are authorized to sign said Agreement on
behalf of the City of Keizer.

PASSED this _____ day of _____, 1992.

SIGNED this _____ day of _____, 1992.

Mayor

City Recorder

MINUTES

KEIZER CITY COUNCIL
Monday, May 4, 1992
Robert L. Simon Council Chambers
Keizer City Hall

CALL TO ORDER

Mayor Orcutt called the regular meeting to order at 7:32 p.m. Roll call was taken as follows:

Present

Andrew J. Orcutt, Mayor
Mike Hart, Councilor
Dennis Koho, Councilor
Jerry McGee, Councilor
Al Miller, Councilor
Bob Newton, Councilor
Joe Van Meter, Councilor

Staff

Donald H. Otterman, City Manager
John Morgan, Community Development Director
Shannon Johnson, City Attorney
Linda Sanders, Recording Secretary

PUBLIC TESTIMONY

Public testimony was given by:

Jim Keller, 1919 Mistwood Drive NE, Keizer, Oregon 97303. Mr. Keller informed the Council that a 10th year anniversary committee had been formed to research the history of the city. The committee and their assigned areas are as follows:

Councilor McGee - City Government
Greg Frank - Keizer Fire Department
Scotta Callister - Inviting Public Dignitaries
Wally Mull - Public Works
Jim Reiman - Fundraising
Bob Simon - City Government
Ray Boucher - Merchants
Bob French - Schools
Ernie Fish - Developers
Paul Koch - Churches

The Committee will meet in about two weeks.

COMMITTEE REPORTS

Mark Caillier, 1388 Marigold St., Keizer, Oregon 97303. Mr. Caillier is a member of the Volunteer Coordinating Committee. He announced that Louis Neuman is May's recipient of the City Volunteer of the Month award. Mr. Neuman was nominated by John Morgan for his significant contribution to the

City through the Keizer Tomorrow Committee. Mr. Morgan commented on Mr. Neuman's loyal and active involvement, his common sense and long range view of the city, and his helpful ideas and proposals. Mr. Neuman also helped with the painting of the City Hall, began research for the new City Hall building and volunteered to help with the upcoming analysis of the structural soundness of the building.

Mayor Orcutt presented the May Volunteer of the Month plaque to Mr. Neuman. Mr. Neuman stated he was totally surprised by the honor.

Mr. Otterman, in the absence of Chalmers Jones, reported on the work of the Charter Review Committee. The committee has been meeting on a routine basis and has reviewed all the sections of the charter. The current City Charter has been compared with the model City Charter prepared in 1990. Input has also come from officials on the City Council. A Charter draft with projected revisions has been prepared. The Committee will sponsor three public meetings at City Hall to receive input on the draft. Those meetings will be held May 12 at 7:30 p.m., May 14 at 3:00 p.m. and May 21 at 7:30 p.m. The results of the meetings will be taken back to the committee who is scheduled to have a recommendation before the Council in July. The Council will finalize the recommendations for the ballot in November.

Council President Bob Newton requested the McNary Student Body Council come forward. A proclamation was read proclaiming the week of May 4, 1992 as Student Government Recognition Week in the City of Keizer. Each member received a proclamation and pictures were taken of the Student Body Council and the City Council. Councilor Newton introduced Ms. Diane McKellum, Activity Director of the Student Body Council, who commented on the dedication and hard work of this year's Council.

PUBLIC HEARING PERIODIC REVIEW

Mayor Orcutt opened the Public hearing on the matter of the Periodic Review.

Mr. Morgan gave the staff report, stating the Comprehensive Plan should be updated about every 5 years. This allows for looking at changes occurring over time. Four factors are considered.

Factor 1 relates to substantial changes in the circumstances in the past years. The area of greatest change includes acceptance of Regional policies which will become a part of the Keizer document. Mr. Morgan commented on the areas where anticipated work had not been done. New deadlines were set for those areas including Historic and Cultural Resources, Land Use and Economic Development, Plan and Ordinance Review, and Public Facilities to Support Development.

Mr. Morgan also reported changes resulting from the development of the SKATS Plan and changes in the mapping of the city. The Planning Commission recommended that the draft be amended on Page 1-32 in the Goals and Policies: Transportation Section d. v, with deletion of the following:

"...recognizing that a primary alternative is an extension of Lockhaven Drive. This project would support commercial and industrial

development in Keizer, but could also create negative impacts. It must be carefully studied."

Adoption of the recommendation would still allow for active participation in the SKATS Bridge Study.

In the area of Transportation, a new policy will have the City of Keizer working with the City of Salem and the Transit District to increase transit ridership to 20% by 2005. Another policy will allow for coordinating with Salem to pursue acquisition of the Burlington Northern right-of-way through the cities as a transportation corridor.

Factor 2 relates to New or Amended Goals or Rules Adopted Since the Date of Acknowledgement. One of the changes, if adopted, would make a policy of 6.5 dwelling units per acre for all new development. A new public facilities plan is included under this section, setting out in one place all capital construction projects needed for the next 20 years.

Factor 3 requires response to New or Amended State Agency Plans. The major change is a response to new DEQ standards and a policy is included stating everything that happens has to meet those standards.

Factor 4 did not apply to the City of Keizer.

Mr. Morgan stated the procedure for dealing with the Periodic Review. The Council will take testimony from the hearing and then close the hearing. After deliberation, the Council will order the City Staff to prepare an order for adoption of the document approved by the Council. The order will be returned to the Council for adoption. Once adopted, the document will go for acknowledgement by the Land Conservation Development Commission. The document will lastly be printed and bound.

The City of Salem has requested an extension until July due to their work load. Their Planning Commission has scheduled a hearing on next Tuesday. Mr. Morgan was unaware of any practical reason not to delay the City of Keizer's adoption. Councilor Hart stated the document could still be adopted by the City of Keizer City Council tonight and could wait until the City of Salem completes their process. Mr. Morgan noted the City of Salem had wanted to comment on the document and might find some technical questions. Councilor Koho said that although he was ready to consider the document, he also was willing to wait if it would encourage better city relations.

Councilor Miller brought up the I-5 Chemawa interchange and the anticipated use of the Chemawa Activity Center. Mr. Morgan stated the wording in the current Comprehensive Plan does not limit the type of use for that area. An issue raising interest at the Planning Commission meeting related to the Chemawa Activity Center. Historically, the McNary and Chemawa Activity Centers were set aside as outstanding land, needing further study. The McNary plan has been adopted but not the Chemawa one. A moratorium was placed on all development in that area including changes in personal residences. The Planning Commission chose to alleviate some of the original provisions of the Comprehensive Plan in the Periodic Review and defined

development to be subdivisions and partitionings. This would alleviate some of the restrictions on residential work. Furthermore, a design plan must be adopted by July 1, 1993. The work has already begun and the plan will hopefully go before the Council in the winter. The big issue will be the question of a regional shopping center. The two different concerns of Chemawa area residents who testified in the Planning Commission hearing were adoption of the change in the Comprehensive Plan and being annexed into Keizer in the first place.

Councilor Newton questioned who owned the pie shaped land east of the railroad track and west of the Parkway and whether it was in the City of Keizer. Mr. Morgan stated that land is owned by ODOT and is in Keizer. Councilor Newton was concerned the land be kept in the greenway.

Speaking in the hearing was:

Josephine Ditchen, 7332 74th Ave. NE, Salem, owns property at 6350 Radiant Drive which is a part of the Chemawa Activity Center. Ms. Ditchen was encouraged by the action of the City on the Activity Center. The development land is presently listed with Prudential. She encouraged the Council to speed creation of the Activity Center Plan so that developers could envision the potential property. She also requested ideas for future use of the property not be limited to a shopping center.

Mayor Orcutt closed the Public Hearing.

DELIBERATION PERIODIC REVIEW

Mayor Orcutt began the deliberation by focusing on the request by the City of Salem for an extension of the approval date to July. He spoke for granting the request as a good will gesture. Councilor McGee questioned whether it would be a disadvantage to Salem if Keizer City Council voted tonight. Mr. Morgan noted a vote tonight would preempt Salem's opportunity to make comment and Keizer's opportunity to hear their comments. Councilor McGee spoke for moving ahead to stay with the present schedule. Mr. Shannon Johnson stated the Public Hearing should probably be kept open unless the consensus is to move ahead tonight. He also stated the Local Review Order is not effective unless all four jurisdictions have concurred. The City of Salem will not pass their own Local Review Order until all the jurisdictions concur. In answer to a question by Councilor Miller, Mr. Morgan stated his comments related to the procedure once the Council approves the Order and were not a recommendation for the Council concerning the time frame. Mr. Morgan also noted there might be some sentiment which would not be positive between the two cities if Keizer passed their document tonight.

Councilor Koho moved that the Public Hearing be extended until June 15, 1992.
Councilor Newton seconded the motion.

Councilor McGee spoke against the motion stating that although he did not want to offend the sister city, he did want to demonstrate Keizer could think for themselves. Mayor Orcutt spoke for the motion. He said the give and take has worked both ways and he wanted to keep the relations with Salem good.

Postponement would not affect the City of Keizer. Councilor Miller did question whether the postponement would put the change to the Chemawa Activity area on hold. Mr. Morgan stated this was the case and officially nothing could be done until all jurisdictions concur. The interpretation of development could be made more lenient by the staff.

The motion passed with voting as follows:

AYES: Hart, Newton, Van Meter, Orcutt, Miller, Koho (6)

NAYS: McGee (1)

ABSTENTIONS: None

ABSENT: None

Mr. Morgan stated the postponement would be corresponded to Salem immediately.

The Public Hearing remains open until June 15.

DISCUSSION ACKERLY COMMUNICATIONS SIGN VARIANCE

Mr. Morgan stated that if the normal process of appeals is followed for the Ackerly Communications Sign Variance, the case will come before the City Council about August. The staff recommends the Council call the case up so that the sign can be removed. The recommended date is June 1st. Councilor McGee questioned the present status of the sign. Mr. Morgan stated the sign is being used but the plywood sign for the business hanging below has not been put back up. Councilor Miller also mentioned the Ackerly crew was at the sign across from McNary estates on the same day.

A motion was made by Councilor Koho that the Ackerly Communications Sign Variance request be called up and a public hearing be set for June 1, 1992. The motion was seconded by Councilor Van Meter.

The motion passed unanimously with the following votes:

AYES: Hart, Koho, McGee, Miller, Orcutt, Newton, Van Meter (7)

NAYS: None

ABSTENTIONS: None

ABSENT: None

CONSENT CALENDAR

The Consent Calendar included:

- Resolution Authorizing An Agreement with the City of Salem Providing for Access to Salem's Mobile Digital Terminal
- April 20, 1992 regular session minutes

A motion was made by Councilor Hart that the Consent Calendar be approved. The motion was seconded by Councilor Newton.

The motion passed unanimously with the following votes:

AYES: Hart, Koho, McGee, Miller, Orcutt, Newton, Van Meter (7)

NAYS: None

ABSTENTIONS: None

ABSENT: None

OTHER BUSINESS

Police Department/ LSAC Meeting

Councilor Newton brought the attention of the Council to a letter from Police Chief Stull to the Local School Advisory Committees in the Keizer area regarding youth gangs and their impact in our community. The Police Department is sponsoring a meeting on May 13, 1992 to begin addressing the issue. The Council encouraged the letter be sent to other youth organizations in the City.

Assessment Growth

Councilor McGee asked for a clarification regarding the 5-6% growth in assessed valuation featured in the Keizer Times. This would differ from the 10% used by the Council. Mr. Otterman had not gotten the figures from the County Assessor. He stated it was hard to believe growth would only be 5-6% when 300 dwelling units and a minimum of 2-2.5% growth in construction is projected. Councilor McGee stated the highest authority should be used to determine the percentages. He was also concerned that the Voter's Pamphlet stated the information came from the Assessor's office. Councilor Koho stated he thought the value of residential property would go up 5% and then new construction would be added to that. Councilor Hart noted the 5% information came out long after the work of the Council. Councilor Miller was also concerned about incorrect information in the Voter's Pamphlet.

Layoff Notices

Councilor McGee asked about requested information from the staff on the possibility of delaying lay off notices to August 1. Mr. Otterman stated the Budget Committee would be meeting on Monday, May 11. Tentative projections will be done regarding delaying until August 1 and the amount the one month delay would cost as well as the impact to services. Information will be done for the Monday meeting. Councilor McGee asked whether, if the information showed a delay to August 1 was possible, the budget committee meeting could be held on May 20 and still meet the time requirements for notification. Mr. Otterman answered that the budget meeting could take place following the May 19th election if he knew whether the City Council, after analyzing the impact, wanted to lay off in July or in August. He would prefer to go ahead with the meeting planned for May 11. It would allow time for presenting information and discussing the ramifications. Mayor Orcutt spoke for going ahead with the meeting on the 11th. Councilor McGee agreed the meeting should be held since the information regarding the date of lay offs was not available. He stated if the time lines had allowed, having the meeting after the election would have taken out any possibility of the Budget Committee meeting being considered a political move. Mr. Otterman stated if the decisions could be made in a 10 day time limit, then the meeting could be after the election. Mayor Orcutt thought that would cut the time too close since those 10 days included a 4 day weekend.

WRITTEN COMMUNICATIONS

There were no written communications to come before the council.

AGENDA INPUT

Mr. Otterman stated the Pizza Hut Public Hearing will take place at the next meeting. Councilor Miller questioned whether the information on the signal at Sandy Drive would be on the agenda. Mr. Morgan stated he would have a report at the next Council meeting.

ADJOURNMENT

The meeting was adjourned at 8:45 p.m.

Linda Sanders,
Recording Secretary

APPROVED:

MAYOR



City of Keizer — Community Development

Phone: 390-3700 • Fax # 390-8295

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

CITY COUNCIL MEETING: May 18, 1992

AGENDA ITEM NUMBER: 7a

TO: MAYOR AND CITY COUNCIL

THROUGH: DONALD H. OTTERMAN M.S.P.A.,
CITY MANAGER

FROM: JOHN N. MORGAN, AICP
COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: TERRACE GREEN RESERVE STRIP

DISCUSSION:

This matter came up after the agenda was finalized. There is some urgency in having it resolved, hence it is being brought to the Council as a supplemental agenda item.

BACKGROUND:

In 1968, the Marion County Planning Commission approved Terrace Green No. 2 subdivision. One of the conditions of approval was that a "reserve strip", which was designated Lot 41, would be conveyed to the County once Nottingham Drive NE was improved and the assessments were paid. However, it appears that the developer conveyed such reserve strip to the Terrace Green Association instead of the County.

In 1988, Gerald P. Horner contracted the City of Keizer and asked for assistance in gaining access from his lot to Nottingham Drive. Mr. Horner's property virtually abuts Nottingham Drive on the north, with the reserve strip separating his property from the right-of-way. He has 750 feet of frontage on Nottingham Drive.

During 1989 the City's Legal Council, after being unable to solve this problem by discussing it with the Terrace Green Association, met with the County legal staff. At that time, they indicated they would follow up on the problem and file suit against Terrace Green if necessary.

Since that time, the City's Legal Council has kept in touch with Marion County about the progress on this issue. However, there has been no action by the County until a letter from Bob Cannon, Marion County Legal Council, was received by Joe Hobson last month. A copy of the letter is attached.

City Council
May 18, 1992

In the letter, Mr. Cannon indicates they feel Keizer should move forward and make a policy decision regarding the reserve strip. He feels it is really a planning matter and needs to be decided by the City. Shortly thereafter, Lien and Hobson received a letter from Chris Lillegard, an attorney representing Mr. Horner. Mr. Lillegard asked to have this matter brought to the Council for resolution.

The question for the Council is whether Staff and the Legal Council should pursue this matter, or whether Mr. Horner should be left to resolve it himself without the assistance of the City. Shannon Johnson will be at the Council meeting to discuss the financial and time implications of being involved in this matter.

RECOMMENDATION:

It is recommended Council, by motion, decide if the City should be involved in resolving the Terrace Green/Nottingham reserve strip issue.

attachments:

Letter from Chris L. Lillegard to Lien and Hobson
Letter from Bob Cannon to Joe Hobson



Marion County
OREGON
OFFICE OF LEGAL COUNSEL

**COPY FOR YOUR
INFORMATION**

April 3, 1992

LEGAL COUNSEL
Robert C. Cannon

BOARD OF
COMMISSIONERS
Randall Franke
Gary Heer
Mary Pearmine

ASSISTANT LEGAL
COUNSEL
Timothy T.A. Jensen
Michael J. Hansen
Jane Ellen Stonecipher

Joseph Hobson
Attorney at Law
4855 River Road N.
Keizer OR 97303

RE: Terrace Green Reserve Strip

Dear Joe:

Just a short note to follow up on our telephone conversation concerning the reserve strip at Terrace Green. I just finished a review of the file, and I have come to several conclusions. I wanted to run these concepts by you before any final decision is made.

The road, as well as all planning decisions concerning this area, are the exclusive domain of the City of Keizer. The future development of the area and the type of development along Wheatland Road are really the City's issue, not Marion County's.

I would propose that Marion County transfer this case back to you folks. Should you need Marion County to join with you in any subsequent litigation, we would be delighted to do so.

I am inclined to believe that a policy decision, as compared to a legal decision, needs to be made in this case. It may well be that the appropriate decision is to leave the reserve strip in place and continue the present situation. However, I believe that policy decision has to be made by the City of Keizer, rather than Marion County. I don't believe it is good policy for Marion County Legal Counsel to bring action inside the City of Keizer on a purely planning matter when we have received no direction from the City's administration. I believe the City is ultimately entitled to the 1-foot reserve strip, should you believe it necessary to obtain its legal title. I also don't believe the Association can enforce the 1-foot reserve strip against the City of Keizer, should the City of Keizer wish to make any subsequent decisions regarding access to abutting properties.

Joseph Hobson
April 3, 1992
Page 2

At any rate, I would ask you to review this matter with the appropriate players and get back to me concerning your decision.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Cannon', is positioned above the printed name.

Robert C. Cannon
Marion County Legal Counsel

RCC:cg
870334

CHRIS L. LILLEGARD, P.C.

ATTORNEYS AT LAW
236 S.W. Mill
DALLAS, OREGON 97338
Telephone (503) 623-6676

COPY FOR YOUR
INFORMATION

CHRIS L. LILLEGARD
DOUG BERG
DAVID J. HASSENSTAB

FAX (503) 623-8339

Of Counsel
PHILIP HAYTER

April 20, 1992

Lien and Hobson
Attorneys at Law
4855 River Road North
Keizer, Oregon 97303

Gentlemen:

Please be advised that this office represents Gerald Horner of 7050 Wheatland Road, N.E., in Keizer. Mr. Horner owns property which is separated from Nottingham Drive, N.E. by a one foot reserve strip. This is Lot 41. Lot 41 should have been deeded to Marion County and the City of Keizer is apparently the successor in interest to the County.

We have been informed by Bob Cannon at the County that the matter has been forwarded by the County to the City of Keizer for action. The one foot reserve strip, Lot 41, was mistakenly deeded to the Terrace Green Association. A condition of approval of the final subdivision was that the one foot reserve strip would be deeded to Marion County when the street improvement costs had been assessed and paid. The County paid the costs for constructing Nottingham Drive, N.E., accepted the street into the County road system on August 13, 1969, and assessed the cost of the lots by the road. By December 31, 1975, apparently all the assessments had been paid in full, but the successor to the developer, Bohemia Lumber Company, deeded Lot 41 to the Terrace Green Association rather than Marion County.

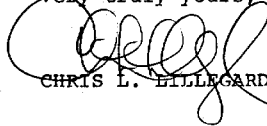
Therefore, the terms of the condition for approval of the subdivision have not been met. Lot 41 should be deeded to the City of Keizer. This strip is important access to Mr. Horner. Apparently Terrace Green Association has planted a hedge in the strip which would, of course, impede Mr. Horner's access to his property over what should be public right of way.

Lien and Hobson
April 20, 1992
Page Two

Please take whatever steps are necessary to have this matter placed on the agenda of the City Council's first meeting in May. The matter needs to be resolved as soon as possible. As Mr. Horner is an affected party by this mistaken deed, I believe he is in a position to commence an action to correct the matter on his own if that is necessary. We are, of course, hoping that the City and the Association will get this resolved without an action by an affected property owner.

If you have any question about Mr. Horner's position, please give me a call.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Chris L. Lillegard", written over a circular stamp or seal.

CHRIS L. LILLEGARD

CLL/lb
cc: Mr. Gerald Horner



Marion County
OREGON
OFFICE OF LEGAL COUNSEL

**COPY FOR YOUR
INFORMATION**

April 3, 1992

LEGAL COUNSEL
Robert C. Cannon

BOARD OF
COMMISSIONERS
Randall Franke
Gary Heer
Mary Pearmine

ASSISTANT LEGAL
COUNSEL
Timothy T.A. Jensen
Michael J. Hansen
Jane Ellen Stonecipher

Gerald Horner
7050 Wheatland Road NE
Keizer OR 97303

RE: Terrace Green reserve strip

Dear Mr. Horner:

I have reviewed the file relating to the reserve strip associated with the Terrace Green development. I have forwarded my comments to the City of Keizer, and I am awaiting their response.

In essence, I have suggested that the City of Keizer take over this matter and make whatever decisions are necessary concerning future access, if any, across the reserve strip.

As soon as I have heard from the City of Keizer, I will notify you.

Sincerely,

Robert C. Cannon
Marion County Legal Counsel

RCC:cg
870334
cc: Joseph Hobson



City of Keizer - Public Works Department

Phone: 390-3700 • 393-1608

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COUNCIL MEETING: May 18, 1992

AGENDA ITEM NO.: 4 a

TO: Mayor and City Council
THRU: Donald Otterman, City Manager, MSPA *DO*
FROM: Wally Mull, Public Works Director *WM*
SUBJECT: Comprehensive Park System Development Plan

ISSUE

Shall The City of Keizer adopt a Comprehensive Park System Development Plan as prepared by OTAK of Lake Oswego under the direction of city staff and the Parks Advisory Board?

BACKGROUND

On May 6, 1991 the City Council adopted goals for the 91-92 budget year. One of those goals was to establish the direction of Keizer's park system by developing a comprehensive parks plan.

City staff, along with the Parks Advisory Board, established criteria outlining all the items that this plan should address. Items included in this plan are;

- . Park classifications
- . Park standards analysis
- . A complete inventory of our park facilities
- . The results of a public opinion phone survey
- . Proposed park improvements
- . Existing and proposed facilities costs
- . Maintenance cost both at current levels and proposed levels
- . Management of our park system
- . Potential funding sources
- . Maps/Air photos of all parks
- . Maps identifying schools, zoning, and the Comprehensive Plan

OTAK was chosen as the company best suited to our needs after proposals were received from seven firms. On October 21, 1991 the City Council voted to proceed with OTAK and begin developing a Comprehensive Park System Development Plan for Keizer.

Our City has had no previous plan outlining the future and direction of our parks. A plan such as this is required in many