

**CITY OF CORVALLIS  
COUNCIL ACTION MINUTES  
March 16, 2015**

**SUMMARY OF DISCUSSION**

Agenda Item	Information Only	Held for Further Review	Decisions/Recommendations
<b>Executive Session</b> 1. City Manager Recruitment Page 113	Yes		
<b>Visitors Propositions</b> 1. Open carry of loaded firearms proposed policies (Price, Highburger) 2. Simple Shelter (Treadaway) Page 114	Yes  Yes		
<b>Consent Agenda</b> Pages 114-115			<ul style="list-style-type: none"> <li>• Adopted Consent Agenda <u>passed U</u></li> </ul>
<b>Unfinished Business</b> 1. Status of City Manager Recruitment  2. MOU with OSU  3. Coronado Deliberations  4. Adoption of 2013 PR Master Plan  Pages 115-117		4/6/15 Council Meeting	<ul style="list-style-type: none"> <li>• Directed Mayor and Council President to negotiate a tentative contract with top candidate <u>passed U</u></li> <li>• Approved MOU and directed City Manager to sign <u>passed U</u></li> <li>• Denied the major planned development modification request <u>passed U</u></li> </ul>
<b>HSC Meeting – 3/3/15</b> 1. The Arts Center Annual Report 2. PASC Annual Report  3. CPRR: 4.12, "Guidelines for Public Art Selection" 4. Other Business: HSC meeting time Pages 117-118	Yes		<ul style="list-style-type: none"> <li>• Accepted Report <u>passed U</u></li> <li>• Accepted Report and thanked those who served on PASC <u>passed U</u></li> <li>• Amended Policy <u>passed U</u></li> </ul>
<b>USC Meeting – 3/3/15</b> 1. CPRR: 9.03, "Parking Permit Fees" 2. Downtown Parking Structure Discussion 3. SDC Annual Review 4. OSU Parking Utilization Study Review Pages 118-119	Yes Yes  Yes		<ul style="list-style-type: none"> <li>• RESOLUTION 2015-09 <u>passed U</u></li> </ul>
<b>Public Hearing</b> 1. CPA related to PR Master Plan  Pages 119-123			<ul style="list-style-type: none"> <li>• Approved CPA with revisions <u>passed U</u></li> </ul>

Agenda Item	Information Only	Held for Further Review	Decisions/Recommendations
<b>Mayor's Reports</b> 1. OSU interim development draft agreement  2. Simple Shelter  Pages 123-125		Assigned to HSC	<ul style="list-style-type: none"> <li>Directed Council Leadership to resume discussions with OSU and scheduled public hearing on 4/6/15 <u>passed U</u></li> </ul>
<b>ASC Meeting – 2/18/15</b> 1. Open Carry of Loaded Firearms Policy and Resolution  2. CPRR: 2.10, "Use of Electronic Mail by Mayor and City Council"  3. Livability Code/Neighborhood Outreach Department Advisory Committee update Pages 125-127	Yes		<ul style="list-style-type: none"> <li>Adopted CP 5.02, "Public Safety and Constitutional Rights" and CP 5.03, "A Family Friendly Community" <u>passed 6-3</u></li> <li>Directed staff to establish for each Council position a separate archiveable email account <u>passed U</u></li> </ul>
<b>ASC Meeting – 3/4/15</b> 1. Second QOR 2. CPRR: 10.01-10.08, "Financial Policies" Page 127			<ul style="list-style-type: none"> <li>Accepted Report <u>passed U</u></li> <li>Amended Policies <u>passed U</u></li> </ul>
<b>City Legislative Committee – 2/19/15 and 3/3/15</b> Page 127	Yes		
<b>Council Reports</b> 1. Visiting Ukrainian doctors (York) 2. GCC discussions (Brauner) 3. Resident concerns near SW 35th St and SW Western Blvd, proportionality (Bull) 4. Sustainability Coalition endowment fund, closing of Searing Electrical and Plumbing, meeting with OSU to discuss parking in Ward 7 and other livability issues (Glassmire) 5. New one-page handout to help residents respond to land use issues (Hann) Pages 127-128	Yes Yes Yes Yes Yes		
<b>Staff Reports</b> 1. CMR – February 2015 2. EDMBAR – February 2015 3. PC/HRC Interview Process Page 128	Yes Yes Yes		

Glossary of Terms

ASC	Administrative Services Committee
CMR	City Manager's Report
CP	Council Policy
CPA	Comprehensive Plan Amendment
CPRR	Council Policy Review and Recommendation
EDMBAR	Economic Development Monthly Business Activity Report
GCC	Government Comment Corner
HRC	Historic Resources Commission
HSC	Human Services Committee
IGA	Intergovernmental Agreement
MOU	Memorandum of Understanding
OSU	Oregon State University
PASC	Public Art Selection Commission
PC	Planning Commission
PR	Parks and Recreation
QOR	Quarterly Operating Report
SDC	System Development Charge
U	Unanimous
USC	Urban Services Committee

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Mayor Traber read a statement, based upon Oregon law regarding executive sessions. The statement indicated that only representatives of the news media, designated staff, and other Council-designated persons were allowed to attend the executive session. News media representatives were directed not to report on any executive session discussions, except to state the general subject of the discussion, as previously announced. No decisions would be made during the executive session. He reminded Council members and staff that the confidential executive session discussions belong to the Council as a body and should only be disclosed if the Council, as a body, approved disclosure. He suggested that any Council or staff member who may not be able to maintain the Council's confidences should leave the meeting room.

Council entered executive session at 5:31 pm.

PRESENT: Mayor Traber; Councilors Beilstein, Brauner, Glassmire, Hann, Hirsch, Hogg, York, Baker (5:34 pm), Bull (5:45 pm)

Pursuant to ORS 192.660(2)(a), Councilors, Human Resources Director Altmann Hughes, and Waldron Senior Consultant Gantz discussed City Manager candidates who were interviewed on March 11, 2015. Councilors Baker and Bull were provided a copy of the introductory remarks provided by Mayor Traber at the start of the executive session.

Mayor Traber adjourned the executive session at 6:19 pm.

I. CALL TO ORDER

The regular meeting of the City Council of the City of Corvallis, Oregon was called to order at 6:31 pm on March 16, 2015 in the Downtown Fire Station, 400 NW Harrison Boulevard, Corvallis, Oregon, with Mayor Traber presiding.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

PRESENT: Mayor Traber; Councilors Baker, Beilstein, Brauner, Bull, Glassmire, Hann, Hirsch, Hogg, York

Mayor Traber directed attention to items at Councilors' places, including a draft Council Policy, "A Family-Friendly Community" (Attachment A), a letter from Rolland Baxter concerning a downtown parking structure (Attachment B), a letter from DP Couch concerning the Parks and Recreation Master Plan (PRMP) (Attachment C), a memorandum from City Manager Brewer concerning interim measures with Oregon State University (OSU) (Attachment D), a letter from OSU concerning interim measures (Attachment E), a draft of the Parks and Recreation Capital Improvement Program recommendations (Attachment F), and two memoranda from Planning Division Manager Young concerning Coronado Tract B (Attachments G and H), and a memorandum from Community Development Manager Gibb concerning Comprehensive Plan Findings and Policies - Proposed Revisions Based on 2013 Parks and Recreation Master Plan Update (Attachment I).

Mayor Traber recognized City Manager Brewer for receiving the 2015 Honorary Life Member Award from the Oregon Municipal Finance Officers Association.

IV. PROCLAMATION/PRESENTATION/RECOGNITION – None

V. VISITORS' PROPOSITIONS

Carl Price encouraged the Council to adopt the proposed Council Policy 5.03, "Public Safety and Constitutional Rights," as prepared by staff; however, he did not support the "Family-Friendly Community" Council policy proposed by Councilor York. He cited concerns with inclusion of the phrase "all physical violence" in Guidelines 2), noting that some forms of violence are permitted, such as participation in wrestling, karate, judo, and football. He also noted that verbal threats and insults as noted in Guidelines 3) are protected forms of free speech under the United States Constitution.

Ron Highburger read a letter to the editor published in the Corvallis Gazette-Times regarding openly carrying weapons (Attachment J). He said the only people who benefit from a disarmed public were criminals and tyrants.

Scott Washu Treadaway spoke in support of Simple Shelter and hoped to meet individually with Councilors to identify strategies to assist those in the community who had the greatest level of unmet needs. Mayor Traber said he planned to discuss Simple Shelter during Mayor's Reports.

VI. CONSENT AGENDA

Councilors York and Hirsch, respectively, moved and seconded to adopt the Consent Agenda as follows:

- A. Reading of Minutes
  - 1. City Council Meeting – March 2, 2015
  - 2. City Council Special Meeting – March 10, 2015
  - 3. City Council Executive Session – March 11, 2015
  - 4. For Information and Filing (Draft minutes may return if changes are made by the Board or Commission)
    - a. Economic Development Advisory Board – February 9, 2015
    - b. Housing and Community Development Advisory Board – February 17 and 18, 2015
    - c. Land Development Hearings Board – February 18, 2015
    - d. Library Advisory Board – February 4, 2015
    - e. Parks, Natural Areas, and Recreation Advisory Board – February 19, 2015
    - f. Planning Commission – February 18, 2015
- B. Announcement of vacancies on the Watershed Management Advisory Board (Eckert, Zahler)
- C. Announcement of an appointment to the Transportation System Plan Steering Committee (Dierwechter)
- D. Confirmation of appointments to Community Relations Advisory Group (various)

- E. Schedule an Executive Session for 5:30 pm on April 6, 2015 under ORS 192.660(2)(a) (employment of a public officer) – City Manager recruitment and (d) (status of labor negotiations) – International Association of Fire Fighters

The motion passed unanimously.

VII. ITEMS REMOVED FROM CONSENT AGENDA – None

VIII. UNFINISHED BUSINESS

A. Status of City Manager Recruitment

Councilors Hirsch and Hann, respectively, moved and seconded to direct the Mayor, Waldron Senior Consultant Gantz, and Human Resources Director Altmann Hughes to negotiate for Council's approval a tentative employment contract with the preferred City Manager candidate.

The motion passed unanimously.

B. Memorandum of Understanding (MOU) with Oregon State University

Councilors York and Brauner, respectively, moved and seconded to approve the Memorandum of Understanding as proposed and direct the City Manager to sign the agreement.

Councilor Glassmire did not intend to modify the MOU; however, he would have preferred that Section 2.3.7 included a structure for student involvement.

Councilor Bull appreciated that a list of OSU/City Collaboration (Collaboration) projects and their status was attached to City Manager Brewer's memorandum. In response to her inquiry, Ms. Brewer said costs were not tracked for items that had been completed; however, costs for new projects could be tracked. Ms. Brewer added that contractor costs would be easy to provide, but estimating staff time on the projects would be more difficult. Ms. Brewer confirmed that a parking study was completed in 2012; however, a neighborhood livability survey had not been conducted in prior years.

Councilor Baker supported the MOU and continuing with Collaboration projects that were previously agreed to by Council and OSU. He was in favor of continued collaboration with the University, although it may not be in the same form it was in the past.

In response to Councilor York's inquiry, Ms. Brewer confirmed that the list represented a status report and projects approved by formal action would be completed. Those that had not received previous approval could still progress if formal action was taken to approve them.

The motion passed unanimously.

- C. Deliberations related to an appeal of a Planning Commission decision (Coronado Tract B – PLD 14-00005)

Mayor Traber said the public hearing and written record of the application were closed and public testimony regarding the application would no longer be accepted; he read the order of proceedings.

Declarations of New Conflicts of Interest – None

Declarations of New Ex Parte Contact – None

Declarations of New Site Visits – Councilor Hann made a site visit.

Rebuttal of Declarations – None

Staff Report

Assistant Planner Bell noted Council's receipt of the applicant's final written argument (Attachment G) and additional testimony that was submitted after the close of the written record (Attachment H). Staff recommended Council not consider as part of deliberations the testimony that was received after the deadline.

In response to Councilor Hann's inquiry, Ms. Bell confirmed the proposed project represented a major modification to a planned development overlay on an existing planned development overlay originally filed by The Regent. Councilor Hann understood that the application could be reviewed in whole or in part, and it was being reviewed in whole as a planned development overlay that originally existed with The Regent when it was first created. Changes were made when the Coronado subdivision was created. In response to Councilor Hann's inquiry, Mr. Young said staff's view was that it was acceptable to consider subjective, value-laden elements such as scale, fit with the neighborhood, and impacts to the neighborhood such as traffic; however, he believed the applicant had presented a different view. City Attorney Coulombe said while the applicant's case citations support their position, they represented only one interpretation. He said the Land Use Board of Appeals had held that when an applicant requests a variance, that variance process was not subject to the needed housing statute. Councilor Hann said he considered the scale of The Regent compared with the scale of the neighborhood, and the reason for the setback was clear to him.

Councilors Beilstein and Hirsch, respectively, moved and seconded to deny the major planned development modification request based on City Council's findings in deliberation on the planned development request, subject to adoption of formal findings at a subsequent City Council meeting. The motion was based on the evidence submitted during these proceedings, including, but not limited to, the January 14, 2015 Staff Report to the Planning Commission and the January 29, 2015 Memorandum to the Planning Commission, supporting the Planning Commission's decision to deny the application. The motion was also based on the criteria, discussions, and conclusions contained within the January 21 and February 4, 2015 Planning Commission minutes; the February 23, 2015 Memorandum to the Mayor and the City Council from the Planning Division Manager; and the reasons given by the City Council, as reflected in the meeting minutes, during their deliberations on this matter.

Councilor Beilstein said there was a need for the setback and open space, and the level of development proposed by the applicant did not amend the planned development. Instead, it would overturn the intent of the original planned development. He believed some residential development on Tract B was possible; however, he did not believe the current proposal was appropriate for the site.

Councilor York agreed with comments made by Councilors Hann and Beilstein.

The motion passed unanimously.

Mayor Traber directed staff to prepare formal findings for consideration at the April 6, 2015 Council meeting.

D. Adoption of 2013 Parks and Recreation Master Plan

The item was moved to the April 6, 2015 Council meeting agenda.

IX. STANDING COMMITTEE REPORTS, ORDINANCES, RESOLUTIONS, AND MOTIONS

A. Human Services Committee (HSC) – March 3, 2015

1. The Arts Center Annual Report

Councilor Beilstein said The Arts Center is located in a City-owned building and received \$42,000 in City funding, which comprises less than ten percent of the Center's total budget.

Councilors Beilstein and Glassmire, respectively, moved and seconded to accept The Arts Center Annual Report for Fiscal Year 2013-14.

The motion passed unanimously.

2. Public Art Selection Commission (PASC) Annual Report

Councilor Beilstein noted the new process of advisory boards reporting annually to the Council through Standing Committees. PASC's annual report was their final one, as their functions had been incorporated into the Arts and Culture Advisory Board.

Councilors Beilstein and Hirsch, respectively, moved and seconded to accept the Public Art Selection Commission Annual Report and to thank those who served on the Pubic Art Selection Commission.

Councilor Hirsch thanked Parks and Recreation Department staff for their support of art in Corvallis.

Councilor Glassmire recognized The Arts Center's Director Cynthia Spencer's efforts to include arts and culture in the Economic Development Strategy.

The motion passed unanimously.

3. Council Policy Review and Recommendation: 4.12, "Guidelines for Public Art Selection"

Councilors Beilstein and Hirsch, respectively, moved and seconded to amend Council Policy 4.12, "Guidelines for Public Art Selection" as recommended by staff.

The motion passed unanimously.

4. Other Business

Councilor Beilstein said a community member had requested that HSC meet during the evening so that more members of the public could attend. Members of HSC considered the request; however, due to room scheduling conflicts, and staff and Councilor schedules, they decided to continue meeting at 2:00 pm on Tuesdays following Council meetings. The item was for information only.

B. Urban Services Committee – March 3, 2015

1. Council Policy Review and Recommendation: 9.03, "Parking Permit Fees"

Councilor Hogg said USC requested more information from staff regarding parking permit fees, minimum citation fine amounts, the Parking Fund deficit, and OSU financial support for the Residential Parking District Program. USC members supported maintaining the ten-hour parking permit fee.

The item was for information only.

2. Downtown Parking Structure Discussion

Councilor Hogg said the Downtown Advisory Board would evaluate the May 2015 parking utilization study and update USC. He noted in 2002 a Downtown parking study was conducted and in 2012 the Downtown Parking Committee conducted a smaller parking study. The 2002 study recommended consideration of a future Downtown parking structure. The May 2015 study would provide insight as to whether a comprehensive update of the 2002 study should be conducted.

Councilor Bull said Downtown parking capacity not only affected the possible location of employers; it could also impact Downtown residential development. She requested that the discussion also include how a parking structure would impact Downtown growth and vitality, independent of the utilization of current parking.

The item was for information only.

3. Systems Development Charge (SDC) Annual Review

Councilor Hogg said SDC rates are reviewed annually. Non-park SDCs generally involve construction, so staff uses an Engineering News Record Construction Cost Index (CCI) for Seattle, Washington to calculate the

inflationary rate of adjustments. In 2014, the CCI increased 2.5 percent and for parks, two-thirds of the projects involved construction and one-third of the projects involved property acquisition. For the one-third portion, estimated costs are based on the Benton County Assessor's Office Real Market Value of property, which increased 2 percent. Combining the two rates for parks equates to a 2.3 percent rate increase.

City Attorney Coulombe read a resolution to set Systems Development Charge rates.

Councilors Hirsch and Hogg, respectively, moved and seconded to adopt the Systems Development Charge resolution.

Councilor Bull noted the 2013 Parks and Recreation Master Plan discussed significantly expanding SDC rates to cover other parks expenses. She supported the rate increase and hoped next year Council could have a broader discussion about the SDCs.

RESOLUTION 2015-09 passed unanimously

4. OSU Parking Utilization Study Review

Councilor Hogg said USC reviewed OSU's 2014-15 parking utilization study as it related to provisions of Land Development Code Chapter 3.36. Staff planned to work on an update of the parking utilization study in April 2015. From 2003 to 2007, OSU completed annual neighborhood studies. In 2007, the City and OSU agreed to complete neighborhood studies every five years. In 2010 the last study was completed. The 2015 study would coincide with the pending OSU District Plan update.

The item was for information only.

Mayor Traber recessed the meeting from 7:23 pm to 7:32 pm.

XII. PUBLIC HEARINGS

A. Comprehensive Plan Amendment related to the Parks and Recreation Master Plan (CPA14-00001)

Mayor Traber opened the public hearing at 7:34 pm.

Declarations of Conflicts of Interest – None

Staff Overview

Parks and Recreation Director Emery recognized Parks, Natural Areas, and Recreation Advisory Board member Deb Rose, who was in attendance, and read from a prepared statement concerning the Parks and Recreation Master Plan (PRMP) (Attachment K).

Park Planner Rochefort provided a PowerPoint presentation (Attachment L) regarding the PRMP study.

Senior Planner Johnson provided the staff overview via a PowerPoint presentation concerning related amendments to the Comprehensive Plan (CP) (Attachment M). Ms. Johnson noted when the matter was reviewed by the Planning Commission on February 18, the League of Women Voters provided testimony which included a request to add a climate change mitigation goal to the PRMP. The Planning Commission recommended adoption of the PRMP, approval of the CP amendment request and associated revisions to CP findings and policies, and that Council consider inclusion of a climate change mitigation goal in the PRMP. Ms. Johnson said climate change mitigation was in line with statewide planning goals and applicable CP Policies. An analysis of CP Policies related to the environment was provided in staff's memorandum to the Council.

Public Testimony - Support

Tina Empol noted CP section 5.6.6 (Exhibit 2, page 449). She did not support inclusion of the statement *School grounds may be considered a contributing facility to the City's inventory of parkland as they can only be used during non-school hours*. She questioned whether the review process or criteria for development of that property would change, if it would result in placing a planned development overlay on the property, and whose liability insurance would cover the school property during non-school hours. She believed the school grounds and City parks should remain separate. Councilor Bull said she understood that inclusion of the statement related to how service levels were evaluated, not ownership or liability. In response to Councilor Brauner's inquiry about how joint projects such as Wildcat Park would be addressed, Ms. Empol said cooperative agreements were acceptable; however, Wildcat Park and Garfield Park were located on School District 509J property and they were free to develop it within the bounds of City code. Councilor Bull was interested in knowing which level of service calculations included schools.

Scott Treadaway was working with people who needed parks as a place to feel safe and to sleep. He asked how the needs of the indigent who used the park full-time were included in the proposed PRMP. He wanted to meet with Parks and Recreation staff and/or members of the Human Services Committee to further discuss the matter. He observed the land on the east side of the Willamette River was being impacted as a result of homeless camps. He hoped to find harmony with the community's needs as a whole that included respecting green space and the environment, such as development of biodegradable structures that were breathable and natural.

Public Testimony - Opposition - None

Public Testimony - Neutral - None

Mayor Traber closed the public hearing at 8:12 pm.

In response to Councilor Bull's inquiries, Ms. Rochefort said only City properties were considered in the service level analysis; contributing properties, such as Corvallis School District 509J (509J) properties, were evaluated concurrent with the analysis. When capital improvement plans are reviewed, staff considers surveys, public participation, and City facilities.

Ms. Emery agreed with Ms. Empol's comments that City property and school property were quite different. Ms. Emery said the City's decisions about where to build parks were influenced by school properties because they were available after school and during the summer. In response to Councilor Hirsch's inquiry, Ms. Emery said while the City made contributions to support Wildcat Park, funding for the playground equipment was raised privately and the City did not manage Wildcat Park.

In response to Councilor Hann's inquiry, Ms. Rochefort said dedicated parking near trail areas was discussed with the Council in 2000 when the City acquired natural areas. However, until management plans for those areas were completed, the trail heads were not readily open to the public. When the areas were made available to the public, it was intended that small parking areas would be created that could accommodate six to eight vehicles. Ms. Rochefort said due to its proximity and past use, the Timberhill natural area was more popular than some of the other areas. When the property was purchased, it was with the idea that as growth occurred, a street would need to be constructed along the property line between the natural area and private property. The street could potentially accommodate parking or a parking turnout area could be created. As natural areas become more popular and funding becomes available, parking areas would be considered through the Capital Improvement Program (CIP).

In response to Councilor Hann's inquiry, Ms. Emery said top criticisms included deferred maintenance of parks and trails, and the need for more programs and facilities for teenagers.

In response to Councilor York's inquiry, Ms. Emery said multiuse paths were categorized as one type of trail. Councilor York said from policy and user perspectives, multiuse paths were part of the transportation system. Ms. Emery said the multiuse paths managed by Parks and Recreation Department staff were not specific to transportation, although they could be used that way. She said multiuse paths were constructed for a variety of users, such as someone on rollerblades or parents with strollers. Councilor York said her point was that the paths should be looked at for both transportation and recreation purposes.

Councilor Baker said the criticisms related to funding due to competing resources and that was important to consider during the budget process. In response to his inquiry, Ms. Rochefort said *contributing facility* was not specifically defined in the PRMP; however, several areas around Corvallis beyond 509J properties were examined, such as facilities at OSU, athletic clubs, and gyms. When contributing facilities were considered, staff was looking at where community needs may or may not be met, and where the City could or could not fill the gaps.

In response to Councilor Glassmire's inquiry, Ms. Emery confirmed that an estimated \$140 million in CIP funding was needed to implement the PRMP. She said projects in the CIP were funded through grants, donations and SDCs; additional funding could come from bond measures. Projects were prioritized based on safety, risk, deferred maintenance, and opportunities to receive funding. Ms. Brewer said it was a good example of the work that would be done during sustainable budget discussions as part of asset systems reviews.

In response to Councilor Bull's inquiry, Ms. Emery said SDCs can fund growth-related projects, such as property acquisition or trail construction. The level of service analysis

in the PRMP evaluated not only that a park existed, but also the state of that park. She added that service levels could be increased through amenities such as adding a trailhead or replacing play equipment.

Councilor Beilstein agreed with the League of Women Voters' request to add a climate change mitigation goal to the PRMP. In response to his inquiry about whether such an addition would be appropriate for PRMP Section B, Ms. Rochefort said that section made sense to staff.

Councilor Baker requested adding to the list of planning documents and policies that inform the PRMP a reference to Resolution 94-13, which addresses parks and land acquisition. Ms. Johnson said doing so would be reflected as a change recommended in the adoption of the PRMP; it would not need to be reflected in the CP amendment findings.

Councilors Hann and Hirsch, respectively, moved and seconded to approve the Comprehensive Plan Amendment with revisions as described in the February 11, 2015 staff report and discussions and findings during deliberations at the March 16, 2015 City Council meeting, and subject to review and adoption of formal findings at a subsequent Council meeting.

Councilor York said if the City wanted to become a place where pedestrian travel was easier, it was important to acknowledge that trails, especially paved multiuse paths, could be part of the transportation plan. From a policy perspective, inclusion would facilitate such consideration when plans were being developed.

Councilors York and Hann moved and seconded to amend the motion to add to Comprehensive Plan Section 5.2.6 *Trails and multi-use paths also may serve as part of the City's transportation system.*

Ms. Rochefort said trails were available for use as non-motorized transportation facilities; however, they were not designed or built to reflect the most expedient route possible.

In response to Councilor Hirsch's inquiry about whether including the language proposed by Councilor York could provide additional resources for Parks and Recreation, Ms. Emery said while she could not speak to the funding aspect, a path developed for transportation purposes would have a different standard than what would be used for multiuse paths.

In response to Councilor Baker's inquiry about whether adding Councilor York's suggested language to CP Article 5, Urban Amenities, was the most appropriate section, Ms. Johnson offered that CP Article 10 related to Transportation Facilities. Councilor York said adding the language to Article 10 would place more emphasis on multiuse paths than she intended. She did not expect transportation to be the primary use for paths. Rather, she wanted to ensure transportation was considered as a secondary use.

The amendment passed six to three based on the following roll call vote:

Ayes: York, Baker, Bull, Beilstein, Glassmire, Hann

Nays: Brauner, Hogg, Hirsch

The amended motion passed unanimously.

Mayor Traber directed staff to prepare formal findings and an ordinance for consideration at a subsequent Council meeting. The findings would be delivered to Council after adoption of the PRMP to ensure any amendments to the Plan that needed to be included in the findings were reflected.

Per Councilor York's observation, staff agreed to make a note for a future CP review that references to Historic Preservation Advisory Board should be changed to Historic Resources Commission in CP 5.4.3 and CP 5.8.

## XI. MAYOR, COUNCIL, AND STAFF REPORTS

### A. Mayor's Reports

Mayor Traber said OSU interim measures (IM) discussion included several substantive meetings that included a conversation about neighborhood parking impacts and traffic management, community perceived impact, the need to prevent additional damage to neighborhoods due to OSU development, and a need for Council review of OSU development plans. The purpose was to reach a voluntary interim agreement that would preclude other action by the Council. City staff sent a draft agreement to OSU representatives, who returned a substantively re-written agreement that appeared to reflect the status quo. Council Leadership reviewed OSU's agreement and Mayor Traber concluded a point had been reached where the two parties were not negotiating in good faith and it was not clear there would be value in having another meeting. Mayor Traber referred to Ms. Brewer's memorandum regarding alternatives to an interim agreement (Attachment D) and noted the letter that OSU provided to Council (Attachment E). For tonight's discussion, he wanted to explore Council's consideration of findings related to the Campus Master Plan (CMP) and Land Development Code (LDC) that concluded the CMP traffic improvement plan had expired, thus all development would be reviewed as a major adjustment to the CMP. As such, development would not stop; it would instead be subject to the regular City process for major adjustments. He suggested scheduling a public hearing for the April 6, 2015 Council meeting on the subject of the proposed finding. Testimony would be received and Council could decide whether to make the finding.

Councilor York said at its first meeting with OSU, Council Leadership was clear there was urgency to the matter. OSU was invited to meet with Leadership to discuss the issue of stopping the decrease in parking capacity that occurred from building projects that eliminating parking spaces. One reason for the urgency was that the Council had delayed a decision on determining an expiration date on the CMP. She said those points were disclosed from the beginning and the City was eager to see if a voluntary interim agreement could be reached. OSU representatives were invited to attend the Council meeting where other interim measure land use options were presented in case a voluntary agreement could not be reached. Council did its best to inform OSU of the City's desire to move quickly on the matter.

Councilor Beilstein said at the April 6 Council meeting he would like a full staff response and a response from Council Leadership to the letter provided by OSU (Attachment E). Referring to item 6 in the letter, *The City maintains critical enforcement authority through issuance or non-issuance of the final occupancy permit on the subject*

*development*, he requested a clear analysis of how much protection the City could provide to residents regarding the effects of increased parking demand created by OSU.

Councilor Glassmire supported OSU's proposal in the letter to resume discussions using an objective third party mediator while simultaneously planning for a public hearing on April 6, 2015.

Councilor Brauner was in favor of scheduling a public hearing on April 6. He suggested providing to the Council the draft agreement the City sent to OSU and notes from the joint meetings, as well as the draft agreement that was returned by OSU so Councilors could see the differences between the two. He was hopeful that a draft agreement could be reached without the Council needing to take more drastic measures. In his opinion, instead of moving toward creating a development agreement, the draft version provided by OSU was moving toward an agreement that represented the status quo.

Councilor Bull believed the CMP had expired and she was concerned about the statement regarding a possible legislative interpretation of existing LDC 3.36 language that reads, *The OSU zone is currently valid and in effect and governs development on the OSU campus within the current city limits*. She wanted to ensure any adopted wording did not create a new finding that indicated the City believed the CMP had not expired.

Councilor Hirsch supported continued conversations with OSU and he did not want the conversation to escalate to an adversarial level.

Councilor Hann supported the simultaneous approach of resuming discussions with OSU and scheduling the hearing on April 6.

Councilor Baker noted the need to act quickly and recalled testimony at prior meetings where residents asked the Council for help in addressing the impacts to neighborhoods as a result of OSU development. He agreed that a simultaneous approach of scheduling the hearing and resuming discussions with OSU was acceptable.

Councilor Hogg said parking problems in neighborhoods near OSU was caused by a heavy concentration of non-resident vehicles parking in the area all day. He said, however, it was not clear why these vehicles were parking in the neighborhoods. At the last OSU-Related Plan Review Task Force meeting, former City Councilor Brown brought to the group's attention portions of Corvallis Municipal Code Section 6.15.010 – Legislative findings:

- 1) There exists within the areas described in Section 6.15.030, heavy concentration of vehicles which are parked all day by nonresidents.*
- 2) The presence of these vehicles causes vehicular congestion, impedes the movement of traffic, and unduly restricts entry of residents to their homes.*
- 3) Such vehicular congestion creates polluted air, excessive noise, and litter.*
- 4) The conditions and evils mentioned above in subsections 1), 2), and 3) create blighted or deteriorated residential areas.*

Councilor Hogg noted the language originated from Ordinance 82-66, which was adopted by Council 33 years ago. At that time, OSU had about half of its current student population, it had not replaced parking lots with new buildings, and it provided parking at the football stadium. Yet there were still parking problems in the areas adjacent to OSU.

He said it was important to find out the real cause of the problem and work to address it. Instead, he believed the City was venting its frustration with a problem that had been ongoing for over 30 years by insisting on parking solutions that lack a factual basis. He was supportive of Council Leadership's position, but he cautioned that a real solution may be inadvertently delayed.

Councilor Bull said significant development on campus was creating additional trip demand. The 60,000 square foot Johnson Hall project near 26th Street and Monroe Avenue was scheduled to be built on a parking lot and no new parking was being added. She believed that project and others that impacted neighborhoods provided evidence that there there was an urgent need for Council action.

Councilors Hann and Brauner, respectively, moved and seconded to direct Council Leadership to resume discussions with Oregon State University regarding an interim measure agreement and to schedule a public hearing on April 6 to consider the recommendations made in Ms. Brewer's March 16, 2015 memorandum regarding interim measures.

Councilor Hirsch said non-residents parking in neighborhoods 33 years ago only meant the problem was worse today.

In response to Councilor Glassmire's inquiry, no disadvantages to holding the public hearing on April 6 were voiced.

The motion passed unanimously.

Mayor Traber distributed a list of requests from Simple Shelter (Attachment N). On February 24, he and Ms. Brewer met with representatives from Simple Shelter to discuss the general subject of homelessness, needs in the community, the urgency to act, and the lack of progress on Benton County's Ten Year Plan to End Homelessness. The representatives were referred to the Homeless Oversight Committee, which met on February 25. He proposed, and Council supported, sending to Human Services Committee items on the list that involved City government.

IX. STANDING COMMITTEE REPORTS, ORDINANCES, RESOLUTIONS, AND MOTIONS - Continued

C. Administrative Services Committee – February 18, 2015

1. Open Carry of Loaded Firearms Policy and Resolution

Councilors Hirsch and Brauner, respectively, moved and seconded to adopt the proposed Council Policy 5.03, "Public Safety and Constitutional Rights."

Councilors Brauner and Hirsch, respectively, moved and seconded to amend the motion to include the proposed new Council Policy "A Family Friendly Community." (Attachment A).

Councilor Brauner believed both policies would work together and Councilor Hirsch considered the policies complementary.

In response to inquiries by Councilors Baker and Bull, Councilor York supported having the two policies considered together as companion policies. She believed the Policy she proposed responded to requests initially brought by the community, the Policy did not include the word "guns," and it focused on civil behavior around families.

Councilors Baker and Hogg were concerned the Policy had not been reviewed by the public.

Police Chief Sassaman said item three in the Policy concerning verbal threats and insults was close to raising free speech concerns. He wanted to be clear the police could not act on verbal threats alone.

Councilor York said the language regarding verbal threats and insults was taken directly from Council Policy 5.03, "Hate/Bias Violence." The words "not acceptable" were used, which did not speak to legality of the speech.

In response to Councilor Hogg's inquiry, Chief Sassaman said Council Policy 5.03 language mirrors Oregon Revised Statutes that address hate crimes.

The amendment passed six to three based on the following roll call vote:

Ayes: Brauner, York, Bull, Beilstein, Hirsch, Glassmire

Nays: Hogg, Baker, Hann

Councilors Glassmire and York, respectively, moved and seconded to amend proposed Council Policy, "A Family Friendly Community" to add the words *in everyday life* after *are not acceptable* in Guidelines clause 2 and in the Policy heading.

The amendment failed three to six, with Councilors York, Bull, and Glassmire supporting.

Councilors Glassmire and Hann, respectively, moved and seconded to add a new clause after Guidelines clause 3 to read *The City welcomes community member efforts to build relationships of respect and tolerance among individuals and families of the community.*

In response to Councilor Baker's inquiry, Ms. Brewer said the Policy did not ask community members to take action. Rather, it supported action community members would choose to take on their own.

The amendment passed unanimously.

The motion, as twice amended, passed six to three, with Councilors Hogg, Baker, and Hann opposing.

2. Council Policy Review and Recommendation: 2.10, "Use of Electronic Mail by Mayor and City Council"

Councilors Hirsch and Brauner, respectively, moved and seconded to direct staff to establish for each Council position a separate archiveable email account for Council-related email messages to which Council members would forward Council-related email messages from their personal email accounts for archiving.

Councilor Hirsch said the motion did not replace the PEAK email account where messages were posted on the City's website.

Mayor Traber said the matter would be further discussed at Council's March 30 work session.

The motion passed unanimously.

3. Livability Code/Neighborhood Outreach Department Advisory Committee Update

Councilor Hirsch said members of the Department Advisory Committee were identified.

Councilor Baker asked that a natural resources damages fine be included.

The item was for information only.

Administrative Services Committee – March 4, 2015

1. Second Quarter Operating Report

Councilors Hirsch and Brauner, respectively, moved and seconded to accept the Second Quarter Operating Report and the updated broker dealer listing.

The motion passed unanimously.

2. Council Policy Review and Recommendation: 10.01-10.08, "Financial Policies"

Councilors Hirsch and Brauner, respectively, moved and seconded to amend Council Policies 10.01-10.08, "Financial Policies" as recommended by staff.

The motion passed unanimously.

D. Legislative Committee – February 19, 2015 and March 3, 2015

The minutes were provided for information only.

XI. MAYOR, COUNCIL, AND STAFF REPORTS, CONTINUED

B. Council Reports

Councilor York recognized a visiting delegation of young doctors from Ukraine.

Councilor Brauner said at Government Comment Corner on March 7 three residents spoke to him about open carry of firearms, water conservation, the need for OSU to meet LDC standards required for the rest of Corvallis, homeless issues, and transportation matters related to the Linn-Benton Loop Commission.

Councilor Bull planned to meet with neighbors about concerns near SW 35th Street and SW Western Boulevard and she was interested in how proportionality a decision was reached related to sidewalks around Western Boulevard. She wanted to ensure pedestrian and bicycle standards for developments met City standards.

Councilor Glassmire said an endowment fund was being established by the Sustainability Coalition in honor of Annette Mills; he thanked Charlie and Maria Tomlinson for their involvement in the matter. He noted the pending closure of Searing Electrical and Plumbing on NW Ninth Street. He met with Steve Clark and Jonathan Stoll from OSU to discuss parking in Ward 7 and other livability issues.

Councilor Hann said Development Services was creating a one-page handout to help residents respond to land use issues so they did not feel they were left out until the last minute.

Mayor Traber encouraged residents to apply for the Planning Commission and Historic Resources Commission, noting the application deadline was March 23.

C. Staff Reports

1. City Manager's Report – February 2015

The item was for information only.

2. Economic Development Monthly Business Activity Report – February

The item was for information only.

3. Planning Commission/Historic Resources Commission Interview Process

The item was for information only.

XI. NEW BUSINESS – None

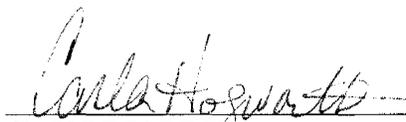
XIII. ADJOURNMENT

The meeting adjourned at 10:32 pm.

APPROVED:

  
\_\_\_\_\_  
MAYOR

ATTEST:

  
\_\_\_\_\_  
CITY RECORDER

# DRAFT

## Policy Area 5 – Community Safety

**CP # xxx** A Family-friendly Community

**Policy:** Violence, threat of violence, intimidation and/or tumultuous behavior are not acceptable in the City of Corvallis.

**Purpose:** To establish a policy regarding a safe and family-friendly environment in Corvallis.

**Guidelines:**

- 1) This policy reflects the community's values regarding the importance of providing an environment that is harmonious, respectful and safe for all individuals and families.
- 2) All physical violence or threatening behavior, including, but not limited to the intent to cause fear or alarm, or recklessly creating a risk thereof regardless of the individual recipient's or family's beliefs, status, or origin are not acceptable in the City of Corvallis.
- 3) Verbal threats and insults regardless of the individual recipient's or family's beliefs, status, or origin are not acceptable in the City of Corvallis.
- 4) The Corvallis City Council and City staff encourages community members who have concerns about public safety or their personal safety to contact law enforcement.
- 5) This policy directs City staff to investigate incidents compromising public safety in Corvallis within the framework of existing criminal law.

**Review/Update:** The Police Chief will prepare this Council Policy for review at the end of its first year, then every three years thereafter for Council approval.

2/23/2015 py

RE: DOWNTOWN PARKING STRUCTURE

Mayor and Council,

As a citizen who often goes downtown, I have some comments or observations regarding parking and the need for a parking structure downtown. This topic is discussed in the Urban Services Committee minutes of March 3. I believe these minutes are on your March 16 agenda for acceptance.

Parking in general and parking downtown are obviously major issues for the community. Parking is also expensive and requires a major monetary commitment by someone or many. Securing a parking structure downtown will not be an easy task to pursue or achieve.

Parking downtown is currently tolerable from my perspective. I can usually find parking within a reasonable distance from the business or businesses where I want to shop. I find parking more difficult in the evening when going downtown to a restaurant. When parking gets to the point that it is no longer convenient, I will likely shop on-line or go to other locations in Corvallis where parking is more abundant. Convenience is important.

So for me the questions about a parking structure are these:

- \*Does the City expect more square feet of retail space downtown in the future?
- \*Will the government centers remain downtown?
- \*Will restaurants and evening entertainment venues remain downtown?
- \*Does the City want the CBD to remain the core shopping area for the community?
- \*Do the retailers want to increase their sales per square foot or attract more shoppers downtown?
- \*Will some existing vacant parcels be built upon?
- \*Will the Corvallis population grow?
- \*Does the community want to retain and expand the number of customer visits downtown?

If you answered yes to many or most of these questions, then a parking structure of some sort is probably needed. While parking may be working tolerably well now, it won't work well for much longer. I have noticed a significant change in parking availability in the last year and I would be surprised if your constituents (including retailers) were not making similar observations.

I notice that the Downtown Advisory Board (DAB) is recommending a parking utilization study. The DAB apparently also feels it is appropriate to wait until the average utilization across the entire downtown is 85% before initiating action to gain a parking structure. I do not think this is sound planning for something (parking) that is so crucial to the long term success of a downtown. The City needs to get out front and show some leadership toward achieving an undertaking that has long been in the works and is becoming increasingly critical each year. I would prefer a study that focused on sites, costs and financing rather than current utilization. And I do not think an 85% utilization over a broad area is

appropriate measure of need given that there are several blocks in the central core that are frequently over 85% utilization.

It takes considerable time to implement a project to acquire a site and construct parking. One cannot wait until the structure is critically needed to start the effort. If we wait, opportunities will be lost.

I have no idea if downtown merchants and downtown property owners are willing to pay part of the cost of parking facility. If they are unwilling to make an investment in parking, it is doubtful if the community as a whole will be willing to finance a portion of the cost. Perhaps the first place to start is with merchants and property owners to see their level of interest and support.

Thank you for reading and serving our community.

Rolland Baxter

Here's what the 2013 Parks and Recreation Master Plan did NOT say.

It did not say, "There is a toddler playground in a city park that is near the end of its life span for safe use."

It did not say, "Here's the plan to replace it."

It did not say, "This is the cost to replace it."

It did not say, "Here's the schedule for replacing it."

It did not say, "We do not recommend notifying the neighborhood of this fact."

It did not say, "We'll just knock it down without notice, so that pesky citizen activists won't raise troublesome issues."

It did not say, "We'll just apologize after the fact for expected (and warranted) citizen outrage."

It did not say, "We plan to leave the park without a play structure through at minimum two Springs and two Summers."

It did not say, "There has been a play structure in that park for the past 50-70 years, but not now, not with this city government."

It did not say, "We will put the neighborhood on notice that they have to raise the funds to replace it."

It did not say, "We will inflate the cost figures."

It did not say, "We will pay lip service to the idea of public participation."

So they cynically knocked it down.

After the fact, they said "Oh, gee. We were so concerned about the safety that we couldn't have waited an extra day."

After the fact, they said "Oh, gee. We do place a high value on public notification and public participation."

With NO plan in hand....with NO structural design in hand.....they notified the neighborhood that the cost of a new structure will be \$120,000.

Please look at the enclosed item #2. That is a park that was built in Knoxville, TN in 2014. Cost: **\$47,000**. That cost was "in total" – including knocking down the old equipment, removal of the old materials to the dump, purchase of new equipment, landscape re-design and implementation, assembling the structures, all finish work, and cleaning up. 100% of the job cost them \$47,000; I can put you in touch with the project manager. And our department says that it will cost \$120,000!

Please look at the enclosed item #3. The very most expensive structure (and available now) at Costco is \$14,999.99. A structure that is comparable to what was there before costs \$1,999.99 at Costco. Structures comparable to what used to be there are priced by Home Depot at \$899 and \$1,599. [Of course, the Parks Department response would be that those structures are not built for long term wear and tear. Of course they are not, but at those throw-away prices, something could have been placed in the park for the couple of years until a permanent structure is designed and funded.]

The park has now been missing its play structure through two Springs and one Summer. Since there is no plan or activity to replace it underway, it will no doubt be missing through the second Summer. In fact, in our Parks Department view of how to proceed, current neighborhood toddlers will have grown to middle school age before anything is done.

By any measure, this is incompetence. Or else it has been brilliantly cynical. Whatever, the Parks Department has gotten away with it, and there is no consequence to their ineptitude. Submit this episode to any City Planning graduate school in the country, and the professor of the Planning 101 course would give it a resounding F.

I will not be attending the March 16th public hearing. I am so incensed, I'm afraid I could not be civil.

The city needs to place a priority on replacing the play structure in Franklin Square.

*DPCorb*

ATTACHMENT C

Page 128-d

**RECEIVED**

MAR 13 2015

CITY MANAGERS OFFICE  
CITY OF CORVALLIS

**NOTICE OF LAND USE  
PUBLIC HEARING**

**Monday, March 16, 2015, 7:30 PM  
Corvallis City Council**

**Downtown Fire Station Meeting Room, 400 NW Harrison Boulevard**

**CASE:** Comprehensive Plan Amendment to Adopt the Updated 2013 Parks and Recreation Master Plan and Incorporate it as a Supporting Document to the Corvallis Comprehensive Plan (CPA14-00001)

**HEARING TOPIC:**

The public hearing will consider an update to the Parks and Recreation Master Plan (2013). The City Council will consider a proposal to adopt the 2013 Parks and Recreation Master Plan and incorporate it as a supporting document to the Corvallis Comprehensive Plan. The Council is also asked to consider amendments to specific applicable Comprehensive Plan Findings and Policies where warranted, based on the updated Master Plan. The Planning Commission held a public hearing and considered this proposal at its February 18, 2015, meeting, and voted to recommend the City Council approve the request.

**LOCATION:**

The Parks and Recreation Master Plan guides planning and development of City-owned parks, natural areas, and facilities throughout the City, as well as City-owned properties in Benton and Linn Counties, both within and outside the Urban Growth Boundary.

**WHOM TO CONTACT FOR MORE INFORMATION:**

Sarah Johnson, Associate Planner (Planning Division) at (541) 766-6574, or via email at Sarah.Johnson@corvallisoregon.gov  
Mailing Address: City of Corvallis, Planning Division, P.O. Box 1083, Corvallis, OR 97339  
Office Location: City Hall, Main Floor, 501 SW Madison Avenue  
OR  
Jackie Rochefort, Parks Planner (Parks and Recreation Department), at 541-766-6918, or via email at Jacqueline.Rochefort@corvallisoregon.gov

**THE HEARING PROCESS / OPTIONS FOR PROVIDING COMMENT:**

The City Council will hold a public hearing on the proposed Comprehensive Plan Amendment and will consider a recommendation from the Planning Commission on whether to adopt the 2013 Parks and Recreation Master Plan, and whether to adopt the Plan as a supporting document to the Comprehensive Plan. The following outlines the options for providing public comment, and the hearing process that will be used by the City Council. Testimony may be submitted to the City Council. The City Council will make the final local decision on the proposed Text Amendments, and this decision may be appealed to the Oregon Land Use Board of Appeals as described below.

- At the hearing, the City Council will receive public testimony and may deliberate and make a decision before adjourning the meeting. However, the City Council may schedule additional meetings for deliberations and decisions on this case.
- Based on consideration of applicable review criteria, testimony, and City Staff and Planning Commission recommendations, the City Council will decide whether to approve, modify, or deny the proposed Comprehensive Plan Amendment.
- If you wish to testify on the proposal, you may provide written or oral testimony to the City Council during the public hearing. Written testimony is encouraged. While written testimony will be accepted up to and including the night of the public hearing, written testimony submitted to the Planning Division by noon, 12 days prior to the public hearing, will be included in the City Council packets that are delivered prior to the hearing. The Mayor will set a time limit of three minutes per person for oral testimony at the public hearing.
- Any person participating in the hearing may request that the hearing be continued to a second hearing or may request the written record remain open for seven days to allow for the submittal of additional written testimony. However, because this hearing is a legislative hearing, it is not mandatory for the City Council to grant such requests.
- Notwithstanding the requirements of ORS 197.830(2), persons who participated either orally or in writing in the local government proceedings leading to the adoption of a text amendment may appeal the decision to the Land Use Board of Appeals.

**PUBLIC HEARING DATES AND APPEAL PROCESS:**

On March 16, 2015, the City Council will hold a public hearing on the Comprehensive Plan Amendment proposal. The City Council's decision on this matter will be final unless the case is appealed to the State Land Use Board of Appeals (LUBA). Appeals may be filed within 21 days of the date a notice of disposition is mailed and must be filed by 5:00 p.m. on the final day of the appeal period. Where the final day of an appeal period falls on a weekend or holiday, the appeal period shall be extended to 5:00 p.m. on the next working day.

**DECISION-MAKING CRITERIA:**

This request will be evaluated based on policies of the Corvallis Comprehensive Plan and from review criteria in Section 2.1.30.06 of the Land Development Code. Generally, these criteria specify that the Comprehensive Plan may be amended whenever there is a demonstrated public need for the change, the advantages to the public resulting from the change outweigh the disadvantages, and the change proposed is a desirable means of meeting that public need. Such amendments must also be consistent with the Comprehensive Plan and other applicable policies, including Statewide Planning Goals.

Citizens are encouraged to become familiar with the application and applicable review criteria. A staff report presented to the Planning Commission for consideration at their February 18, 2015, Planning Commission meeting is available for review. A staff report discussing the request in relation to the Planning Commission's recommendation to the City Council will be available seven days before the City Council hearing. All documents may be reviewed at the Planning Division office without charge; copies may be purchased upon request. All documents, including the Land Development Code and Comprehensive Plan documents, are available in the Corvallis-Benton County Public Library (645 NW Monroe Avenue), and on the City's web site ([www.corvallisoregon.gov/ced-publications](http://www.corvallisoregon.gov/ced-publications)).

**THE CORVALLIS PLANNING DIVISION ENCOURAGES YOU TO NOTIFY YOUR NEIGHBORS AND OTHER PERSONS YOU BELIEVE WOULD BE AFFECTED BY THIS MATTER.**

Sequoyah Hills playground – West View



Sequoyah Hills playground – North View



## Costco

<http://www.costco.com/CatalogSearch?storeId=10301&catalogId=10701&langId=-1&refine=&keyword=Play+structures>



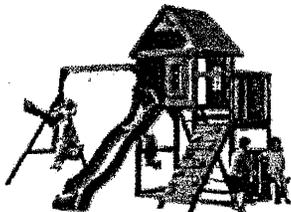
The very most expensive – \$14,999.99



Comparable to what was there before - \$1,999.99

## Home Depot

<http://www.homedepot.com/b/Residential-Playsets-Swing-Sets/N-5yc1vZc5p2/Ntk-Extended/Ntt-play%2Bstructures?Ntx=mode+matchpartialmax&NCNI-5>



Comparable to what was there before - \$899.00



Comparable to what was there before - \$1,599.00

**MEMORANDUM**

March 16, 2015

TO: Mayor and City Council  
FROM: Nancy Brewer, City Manager *NB*  
SUBJECT: **Interim Measures with Oregon State University**

Council Leadership and I have met several times with leadership from OSU to discuss drafting interim measures that would improve the near campus parking situation. It seems clear that we will not be able to get an agreement in the near future. As a result, I am requesting further Council direction on a course of action. Alternatives include:

1. Do nothing and wait to address neighborhood parking when the OSU Master Plan is submitted for review/approval after the current Comprehensive Plan and likely Land Development Code review/update process is completed.
2. Direct Council Leadership and the City Manager to continue to work to mutual agreement on interim measures.
3. Pursue one of the other options discussed in December 2014/January 2015.

As an interim measure, and as part of the ongoing comprehensive review of the Campus Master Plan, its policies and related traffic and parking studies, and LDC Chapter 3.36, while the work on the related Comprehensive Plan policies (and any resulting code or Campus Master plan language that is part of the comprehensive review) is being completed by the Task Force, the Council could schedule a narrow legislative public hearing to consider whether to adopt the following legislative interpretation of existing LDC 3.36 language:

*In 2004, the City adopted the Oregon State University ("OSU") Zone under Land Development Code ("LDC") Chapter 3.36. The OSU zone is currently valid and in effect and governs development on the OSU campus within the current City limits. LDC 3.36 specifically adopts the standards in the Campus Master Plan Traffic Improvement Plan. Based on unanticipated events and significant changes in conditions associated with the Campus Master Plan Traffic Improvement Plan, the City Council has determined that the Campus Master Plan Traffic Improvement Plan has expired. Consistent with the plain language of LDC 3.36, Development in the OSU Zone area shall be reviewed for compliance with the LDC, and not the expired TIP. As no development can meet the requirements of LDC 3.36.40.04.g, all development in the OSU Zone area shall be reviewed as a major adjustment to the CMP, pursuant to LDC 3.36.40.02.b.1.*

If the City Council determines that option 3 is the direction to take, a motion would be required to schedule the public hearing for April 6, 2015 and direct staff to prepare a staff report and the required notices.



Oregon State University, Corvallis, Oregon 97331  
T 541-737-1000 | www.oregonstate.edu

March 16, 2015

Dear Mayor Traber,

We are writing each member of the Corvallis City Council to share our disappointment that Council leadership has decided to recommend to the full City Council that the City of Corvallis should terminate future discussions with Oregon State University regarding a proposed Interim Development Agreement.

We respectfully request that the Council's leadership group reconvene with OSU to discuss both the university and City's draft development agreements to find a common ground that serves the best interests of concerned neighbors, the greater Corvallis community, the City of Corvallis and OSU.

We propose that discussions resume with the assistance of an objective, mutually agreeable third-party mediator, who can evaluate the relative positions and help Council leadership and OSU produce a mutually acceptable resolution to present to the full City Council. We believe the community expects and deserves such an effort from both parties.

By way of background, OSU's proposed development agreement was offered to the City in an attempt to address community concern that there has been an increase in off-campus, on-street parking in nearby campus neighborhoods and that this increase is related to OSU growth.

OSU understands this concern.

The University's proposed development agreement sought to respond to this concern in the following manner:

1. All campus parking removed to accommodate net new building square footage over 5,000 square feet that will be occupied by net new students or staff will be replaced by OSU by the time the City of Corvallis issues the final occupancy permit for that development;

2. All new parking demand for that new development will be accommodated by the date the City issues the final occupancy permit for those developments. The net new demand ratio includes all part-time and full-time students and staff;
3. OSU is committed to meeting its parking demand while embracing and implementing carbon smart solutions.
4. OSU and the City will mutually agree to a methodology for an off-campus parking utilization study to be conducted in the spring and fall of 2015. The methodology will evaluate parking utilization by user type, time of day and location. The information gathered from this study will help inform our future planning efforts;
5. The interim development agreement carries a termination date that encourages the sunset of this interim agreement as early as possible to incentivize the completion of a more comprehensive planning process that includes OSU's new District Plan; and
6. The City maintains critical enforcement authority through issuance or non-issuance of the final occupancy permit on the subject development.

We agree on intended results: meet new parking demand; replace parking removed by new construction; be sure the parking is on campus and serves the user. We can do all of that. We would like the City to come back to the table to discuss best practices for achieving that result together.

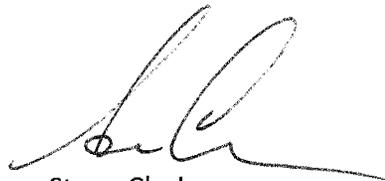
We appreciate your consideration of this invitation to further discuss matters that are most important to our neighbors, the overall Corvallis community, the City Council and Oregon State University. With the assistance of a mediator, we are hopeful that we can reach a mutually beneficial resolution.

We look forward to your response.

Sincerely,



Glenn Ford  
Vice President  
Finance and Administration



Steve Clark  
Vice President  
University Relations and Marketing

Capital Improvement Plan - Recommendations

Corvallis Parks & Recreation Capital Improvement Recommendations 2013						Preliminary Cost Estimates and Phasing				Notes
Recreation Master Plan Priority Sites	Location	Park/Site Type	Acres	Rehab Renovate or Improve	Growth or Develop	Preliminary Cost *	Status Quo - Immediate Improve what the City currently has funds for and maintenance	Mid-Term 3-5 years	Longer-Term beyond 5 years	
* Estimates shown represent the actual component cost in a competitive bid process. The costs represented do not include, design, engineering or permitting or other consulting services.										
<b>A. Specific Site Priority Improvements</b>										
Dave, confirm these 4 columns Client to provide narratives and costs										
<b>27th and Coolidge</b>	Northwest	Mini Park	0.10							General enhancements.
Upgrade site (to enhance walkability and provide greenspace in commercial area)					X	\$ 20,000		\$20,000		
<i>27th and Coolidge Total Cost Expenditures</i>						\$ 20,000	\$0	\$20,000	\$0	
<b>29th and Grant</b>	Northwest	Mini Parks	0.20		X					General enhancements.
Upgrade site (to enhance walkability and provide greenspace in commercial area)						\$ 40,000		\$40,000		
<i>29th and Grant Total Cost Expenditures</i>						\$ 40,000	\$0	\$40,000	\$0	
<b>Allen B. Berg Park and Natrual Areas</b>	East of Willamete River in Linn County	Large Urban	65.1							
Flomatcher Building -					X	\$ -				
<i>Allen B. Berg Park Total Cost Expenditures</i>						\$ -	\$0	\$0	\$0	
<b>Arnold Park</b>	Northwest	Neighborhood	3.5							
Master Plan (Picnic Shelter, Community Garden, Improved Circulation, TBD)					X	\$ 275,000		\$275,000		
Renovations (new development TBD)					X	\$ -				Picnic Shelter/New or Improved Playground.
<i>Arnold Park Total Cost Expenditures</i>						\$ 275,000	\$0	\$275,000	\$0	
<b>Avery Park and Natural Area</b>	Southwest	Large Urban	67							Upgrades to various elements, connect to Pioneer Park with a pedestrian bridge, improve buildings.
Site Master Plan, construction documents, engineering, permits				X		\$ 600,000	\$600,000			
Loop walks, interpretive signs and ADA improvements				X		\$ 125,000		\$125,000		
Playground upgrades at 2 small playgrounds				X		\$ 200,000			\$200,000	
Lion's shelter (new kitchen and renovate restrooms)				X		\$ 250,000		\$250,000		
Maple Grove Shelter (full replacement - floodable)				X		\$ 150,000	\$150,000			
New Shelter at destination playground					X	\$ 90,000		\$90,000		
New Restrooms at destination playground					X	\$ 175,000		\$175,000		
Parking updagrades (paved and stripped parking with ADA access - 4000 spaces)				X		\$ 400,000		\$400,000		
Upgrade main (destination) playground and all-purpose surface					X	\$ 250,000		\$250,000		
Install pedestrian bridge to Pioneer Park				X		\$ 350,000			\$350,000	
Marys River House				X		\$ -			\$0	
Parks and Recreation Admin Office re-purposed for Park Operations				X		\$ 150,000			\$150,000	
Parks Operation Office repurpose				X		\$ 45,000			\$45,000	
Avery House Nature Center				X		\$ 450,000		\$450,000		
<i>Avery Park and Total Cost Expenditures</i>						\$ 3,235,000	\$750,000	\$1,740,000	\$745,000	
<b>sub total page 1</b>							\$750,000			

**Draft - Master Plan  
Capital Improvement Plan - Recommendations**

Corvallis Parks & Recreation Capital Improvement Recommendations 2013									
Recreation Master Plan Priority Sites	Location	Park/Site Type	Acres	Rehab Renovate or Improve	Growth or Develop	Preliminary Cost Estimates and Phasing			Notes
						Preliminary Cost *	Status Quo - Immediate Improve what the City currently has funds for and maintenance	Mid-Term 3-5 years	
* Estimates shown represent the actual component cost in a competitive bid process. The costs represented do not include, design, engineering or permitting or other consulting services.									
<b>Bald Hill Natural Area</b>	West	Natural Open Space	284.4						Enhance as a walking destination and play area. Repair trail as needed .
Site Management Plan				X		\$ -	\$0		
Barn renovation including construction documents, engineering and permits (roof and stabilization)				X		\$ 130,000		\$130,000	1.3 - 2.7 miles of trail
Restoration TBD						\$ -			
Add amenity features for walking destination (paving, etc.)				X		\$ 250,000	\$250,000		
Add nature play area					X	\$ 30,000		\$30,000	
<i>Bald Hill Natural Area Total Cost Expenditures</i>						<b>\$ 410,000</b>	<b>\$250,000</b>	<b>\$0</b>	<b>\$160,000</b>

**Draft - Master Plan  
Capital Improvement Plan - Recommendations**

Corvallis Parks & Recreation Capital Improvement Recommendations 2013										
Recreation Master Plan Priority Sites	Location	Park/Site Type	Acres	Rehab Renovate or Improve	Growth or Develop	Preliminary Cost Estimates and Phasing				Notes
						Preliminary Cost *	Status Quo - Immediate Improve what the City currently has funds for and maintenance	Mid-Term 3-5 years	Longer-Term beyond 5 years	
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<b>BMX Track (Pioneer Boat Basin)</b>	Southwest	Special Use	5.8							Should include a public process to consider what upgrades are needed and also look for partnerships to help implement these.
Relocate BMX to another site and re-purpose (Cycle Sports Study)					X	\$ 50,000	\$50,000			Repurpose Pioneer Boat Basin and include with the master plan for Shawala Park).
<i>BMX Track Total Cost Expenditures</i>						<b>\$ 50,000</b>	<b>\$50,000</b>	<b>\$0</b>	<b>\$0</b>	
<b>Bruce Starker Arts Park</b>	Southwest	Special Use	15.7							Improvements to enhance this site as an event venue and as a destination playground.
Upgrade existing playground				X		\$ 100,000	\$100,000			
Restrooms and picnic shelter, construction documents, engineering, permitting					X	\$ 260,000		\$260,000		
Parking lot upgrades				X		\$ 200,000		\$200,000		
Pond Rehab				X		\$ 100,000		\$100,000		
Improvements to performance stage				X		\$ -				
<i>Bruce Starker Park Total Cost Expenditures</i>						<b>\$ 660,000</b>	<b>\$100,000</b>	<b>\$560,000</b>	<b>\$0</b>	
<b>Caldwell Natural Area</b>	Southwest	Special Use	36.0							
Management Plan					X	\$ -	\$0			
Add amenities for walking destination					X	\$ 350,000		\$350,000		Potential issue: Currently no public access unless a Special Use Permit has been obtained.
Add nature play area					X	\$ 30,000		\$30,000		
<i>Caldwell Natural Area Total Cost Expenditures</i>						<b>\$ 380,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$380,000</b>	
<b>Central Park</b>	Southwest	Neighborhood	3.8							General enhancements to upgrade the park.
Site Master Plan				X		\$ 70,000	\$70,000			
Re-purpose fountain				X		\$ 250,000		\$250,000		
Art and aesthetic upgrades				X		\$ 75,000		\$75,000		
Upgrade playground, power, gazebo, TBD (possible destination playground), plus soft costs (30%)					X	\$ 1,500,000		\$1,500,000		
Arts Center - Facility Improvements			Indoor	X		\$ 100,000		\$100,000		
<i>Central Park Total Cost Expenditures</i>						<b>\$ 1,995,000</b>	<b>\$70,000</b>	<b>\$1,825,000</b>	<b>\$100,000</b>	
<b>Chepenefa Springs Park</b>	Northwest	Neighborhood	5.0							Low priority but also low-hanging fruit.
Re-purpose old basketball court for new use (like a ground mural or maze)						\$ 50,000	\$50,000			
Site master plan for remaining acres						\$ 45,000	\$45,000			
<i>Chepenefa Springs Park Total Cost Expenditures</i>						<b>\$ 95,000</b>	<b>\$95,000</b>	<b>\$0</b>	<b>\$0</b>	
<b>Chintimini Park</b>	Northwest	Neighborhood	7.4							
Upgrade pathways, playground and restrooms plus soft costs (30%)				X		\$ 350,000		\$350,000		
<i>Chintimini Park Total Cost Expenditures</i>						<b>\$ 350,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$350,000</b>	
<b>Chintimini Senior Center</b>	Northwest	Special Use	Indoor Facility							Related to the park improvements listed above - one affects the other.
Re-purposing to Parkland or Enterprising Venture - TBD					X	\$ -				This may have a higher priority due to its location and
<i>Chintimini Senior Center Total Cost Expenditures</i>						<b>\$ -</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	

**Draft - Master Plan  
Capital Improvement Plan - Recommendations**

Corvallis Parks & Recreation Capital Improvement Recommendations 2013										
Recreation Master Plan Priority Sites	Location	Park/Site Type	Acres	Rehab Renovate or Improve	Growth or Develop	Preliminary Cost Estimates and Phasing				Notes
						Preliminary Cost *	Status Quo - Immediate Improve what the City currently has funds for and maintenance	Mid-Term 3-5 years	Longer-Term beyond 5 years	
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<b>Cloverland Park</b>	<b>Northwest</b>	<b>Neighborhood</b>	<b>4.7</b>							This park is well-used, so priority could be high or low depending on point of view.
Add picnic shelter					X	\$ 120,000	\$120,000			
Upgrade playground plus soft costs (30%)					X	\$ 325,000		\$325,000		
Upgrade tennis courts				X		\$ 100,000		\$100,000		
Add walking loops and ADA elements				X		\$ 50,000	\$50,000			
<i>Cloverland Park Total Cost Expenditures</i>						<b>\$ 595,000</b>	<b>\$170,000</b>	<b>\$425,000</b>	<b>\$0</b>	

**Draft - Master Plan  
Capital Improvement Plan - Recommendations**

Corvallis Parks & Recreation Capital Improvement Recommendations 2013										
Recreation Master Plan Priority Sites	Location	Park/Site Type	Acres	Rehab Renovate or Improve	Growth or Develop	Preliminary Cost Estimates and Phasing				Notes
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<b>Dr. Martin Luther King Jr. Park</b>	Northwest	Natural Open Space	36							Various upgrades could make this a signature park for the NW part of the city.
Repurpose ballfields					X	\$ 100,000			\$100,000	1.0 mile of trail
Refurbish/upgrade existing playground (destination) plus soft costs (30%)					X	\$ 325,000	\$325,000			
Refurbish barn				X		\$ 500,000	\$500,000			
Loop walks and ADA/circulation improvements					X	\$ 150,000	\$150,000			
Parking lot upgrades (\$1000 per space)				X		\$ 150,000		\$150,000		
<i>Dr. Martin Luther King Jr. Park Total Cost Expenditures</i>						<b>\$ 1,225,000</b>	<b>\$975,000</b>	<b>\$150,000</b>	<b>\$100,000</b>	
<b>Forest Dell Park</b>	Northwest	Natural Open Space	6.6							Enhance as a destination for walking and play.
Add amenities for walking destination					X	\$ 100,000			\$100,000	
Add nature play area					X	\$ 30,000			\$30,000	
<i>Forest Dell Park Total Cost Expenditures</i>						<b>\$ 130,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$130,000</b>	
<b>Franklin Square Park</b>	Northwest	Mini Park	1.4							General enhancements for Corvallis' oldest park.
Upgrade existing playground				X		\$ 150,000	\$150,000			
<i>Franklin Square Park Total Cost Expenditures</i>						<b>\$ 150,000</b>	<b>\$150,000</b>	<b>\$0</b>	<b>\$0</b>	
<b>Herbert Farm and Natural Area</b>	Southwest	Special Use	221							Enhance as a destination for walking and play. Potential issue: Outside city limits; no public access unless a Special Use Permit has been obtained.
Add amenities for walking destination					X	\$ 750,000		\$375,000	\$375,000	
Add nature play area					X	\$ 30,000			\$30,000	
<i>Herbert Farm and Natural Area Total Cost Expenditures</i>						<b>\$ 780,000</b>	<b>\$0</b>	<b>\$375,000</b>	<b>\$405,000</b>	
<b>Majestic Theatre</b>	Downtown	Theatre								
Re-purposing to Enterprising Venture - TBD				X		\$ 2,500,000			\$2,500,000	
<i>Majestic Theatre Total Cost Expenditures</i>						<b>\$ 2,500,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$2,500,000</b>	
<b>Marys River Natural Area</b>	Southwest	Natural Open Space	74							Enhance as a destination for walking and play.
Repair or replace boardwalk				X		\$ 260,000	\$260,000			
Add bridge and extend boardwalk					X	\$ 650,000			\$650,000	
<i>Marys River Natural Area Total Cost Expenditures</i>						<b>\$ 910,000</b>	<b>\$260,000</b>	<b>\$0</b>	<b>\$650,000</b>	
<b>North Riverfront Park</b>	Northwest	Waterfront Park	4.5							This site could provide needed amenities for play, etc. Potential issue: re-routing of highway could affect site.
Develop site as a park					X	\$ 3,200,000			\$3,200,000	
<i>North Riverfront Park Total Cost Expenditures</i>						<b>\$ 3,200,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$3,200,000</b>	
<b>Osborn Aquatic Center</b>		Special Use	Indoor Facility							
Repurpose balcony for fitness and wellness space, and gym					X	\$ -		\$0		
Upgrades to proshop and remodel lobby				X		\$ 100,000		\$100,000		
Seasonal Pool covering (bubble) for outdoor pool - increase recreation swimming time and creates more swim time)					X	\$ 50,000		\$50,000		

**Draft - Master Plan  
Capital Improvement Plan - Recommendations**

Corvallis Parks & Recreation Capital Improvement Recommendations 2013										
Recreation Master Plan Priority Sites	Location	Park/Site Type	Acres	Rehab Renovate or Improve	Growth or Develop	Preliminary Cost Estimates and Phasing				Notes
						Preliminary Cost *	Status Quo - Immediate Improve what the City currently has funds for and maintenance	Mid-Term 3-5 years	Longer-Term beyond 5 years	
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Facility Improvement (filtering system, increase capability in small pool, play structure replacement)				X	X	\$ 1,750,000		\$1,750,000		
<i>Osborn Aquatic Center Total Cost Expenditures</i>						\$ 1,900,000	\$0	\$1,900,000	\$0	
<b>Owen's Farm House and Barn</b>	North	Special Use								
Upgrade existing historic structure to resotre or rebuild					X	\$ -				
<i>Owne's Farm House and Barn Total Cost Expenditures</i>						\$ -	\$0	\$0	\$0	
<b>Peanut Park</b>	Southwest	Mini Park	0.5							
Site Master Plan				X		\$ 30,000	\$30,000			Consider needs of neighborhood based on new construction and changing demographics.
Future amenities and ADA improvements					X	\$ 125,000		\$125,000		
Upgrade existing playground					X	\$ 75,000		\$75,000		
<i>Peanut Park Total Cost Expenditures</i>						\$ 230,000	\$30,000	\$200,000	\$0	
<b>Pioneer Park</b>	Southwest	Special Use	17.7							Consider creating an outdoor gym rather than fitness course, perhaps in a different location, such as Avery, MLK, or other.
Pioneer Garage - demolish				X		\$ 5,000	\$5,000			
Upgrade existing fitness course						\$ 75,000		\$75,000		
<i>Pioneer Park Total Cost Expenditures</i>						\$ 80,000	\$5,000	\$75,000	\$0	
<b>Porter Park</b>	Northwest	Neighborhood	6.4							Improvements to playground.
Upgrade existing playground (surfacing)				X		\$ 75,000		\$75,000		
<i>Porter Park Total Cost Expenditures</i>						\$ 75,000	\$0	\$75,000	\$0	
<b>Shawala Point</b>	South	Waterfront Park	20.0							
Master Plan, Egeineering and Willamate Greenway Permit						\$ 150,000	\$150,000			Sensitive area needs careful planning, but is a unique and special place that deserves to be addressed.
Implementation (skatepark feature, playground, event space or enterprising venuture TBD)						\$ -				
<i>Shawala Point Total Cost Expenditures</i>						\$ 150,000	\$150,000	\$0	\$0	
<b>Tunison Community Room</b>	South	Special Use	Indoor Facility							
Upgrade facility				X		\$ 100,000		\$100,000		
<i>Tunison Community Room Total Cost Expenditures</i>						\$ 100,000	\$0	\$100,000	\$0	
<b>Village Green Park</b>	Northeast	Neighborhood	10.6							
Site Master Plan					X	\$ 70,000	\$70,000			
Upgrade existing group shelter and upgrade playground					X	\$ 120,000		\$120,000		
<i>Village Green Park Total Cost Expenditures</i>						\$ 190,000	\$70,000	\$120,000	\$0	

**Draft - Master Plan  
Capital Improvement Plan - Recommendations**

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<b>Washington Park</b>	Central	Neighborhood								General enhancements for Corvallis' oldest park.
Gaylord House - Master Plan and Cultural Assessment				X		\$ 50,000	\$50,000			
Gaylord House - stabilize and renovate historic building				X			\$0			
<i>Washington Park Total Cost Expenditures</i>						<b>\$ 50,000</b>	<b>\$50,000</b>	<b>\$0</b>	<b>\$0</b>	
<b>Walnut Community Room</b>		Special Use	Indoor Facility							
Facility Improvement				X		\$ 225,000			\$225,000	
<i>Walnut Community Room Total Cost Expenditures</i>						<b>\$ 225,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$225,000</b>	
<b>Willamette Boat Landing</b>	Southeast	Special Use	NA							
Redevelop boat ramp				X		\$ 250,000		\$250,000		
<i>Willamette Boat Landing Total Cost Expenditures</i>						<b>\$ 250,000</b>	<b>\$0</b>	<b>\$250,000</b>	<b>\$0</b>	
<b>Willamette Park &amp; Natural Area</b>	Southeast	Large Urban	287.0							
Upgrade existing playground for destination play						\$ 325,000		\$325,000		Great park that could be even greater.
Add new playground to serve neighborhood						\$ 100,000		\$100,000		
Create walking loops						\$ 300,000		\$300,000		
Site improvements with water quality						\$ 500,000		\$500,000		
Off-site improvements						\$ -			\$0	
Add community garden						\$ 275,000	\$275,000			
Add picnic shelter						\$ 90,000		\$90,000		
Add restrooms (1 top and 1 bottom)						\$ 300,000		\$300,000		
Volleyball court improvements						\$ 40,000		\$40,000		
<i>Willamette Park &amp; Natural Area Total Cost Expenditures</i>						<b>\$ 1,930,000</b>	<b>\$275,000</b>	<b>\$1,655,000</b>	<b>\$0</b>	
<b>Woodland Meadow Park</b>	Northwest	Special Use	33.0							
Barn renovation and repurpose				X		\$ 300,000		\$300,000		Overlooks Woodland Meadow Park.
Coil House - parking access and lighting/facility improvement		Indoor Facility		X		\$ 125,000		\$125,000		Overlooks Woodland Meadow Park.
<i>Woodland Meadow Park Total Cost Expenditures</i>						<b>\$ 425,000</b>	<b>\$0</b>	<b>\$425,000</b>	<b>\$0</b>	
<b>Section A Total</b>						<b>\$ 22,605,000</b>	<b>\$ 3,450,000</b>	<b>\$ 10,210,000</b>	<b>\$ 8,945,000</b>	<b>\$22,605,000</b>
<b>B. System-Wide Lifecycle Repair/Replacement</b>										
<b>System-wide lifecycle replacement and facility improvements</b>										
Lifecycle replacement and minor facility improvements - see specific departmental project list						\$ -				
<i>Lifecycle replacement and facility improvements Total Cost Expenditures</i>						<b>\$ -</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Section B Total</b>						<b>\$ -</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**Draft - Master Plan  
Capital Improvement Plan - Recommendations**

Corvallis Parks & Recreation Capital Improvement Recommendations 2013										
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<b>C. Trails System Network</b>										
<b>Corvallis Trail Element Plan (Trail Network)</b>		Trails	N/A				Tier 1	Tier 2	Tier 3	Total LF of new trails? Total LF of trails improved or on-street lane improvements for system connectivity.
	Regional Trails					\$ 35,378,900	\$11,480,900	\$13,106,500	\$10,791,500	
	Connector Trails					\$ 50,014,500	\$5,000,700	\$19,387,500	\$25,626,300	
	Park Trails					\$ 1,176,200	\$906,200	\$35,000	\$235,000	
	Cost per liner foot of trail ranges from \$75-840 depending on trail facility type									New development is aspirational and requires a funding mechanism.
	<i>Corvallis Trail Element Plan Total Cost Expenditures</i>					\$ 86,569,600	\$17,387,800	\$32,529,000	\$36,652,800	
		<b>Section C Total</b>				\$ 86,569,600	\$17,387,800	\$32,529,000	\$36,652,800	\$86,569,600
<b>D. Additional Growth and LOS Improvements - Site TBD</b>										
<b>General Consulting Services</b>										
	Design, engineering, & permitting services				X	TBD				
	Indoor Facility Studies				X	TBD				
	<i>General Consulting Services Total Cost Expenditures</i>					\$ -	\$0	\$0	\$0	
<b>Partner on Learning Landscape Beta Site</b>										
		Neighborhood	TBD							Select a service area site for this project.
	Design/Development/Construction				X	\$ 400,000			\$400,000	New development is aspirational and requires a funding mechanism.
	<i>Partner on Learning Landscape Beta Site Total Cost Expenditures</i>					\$ 400,000	\$0	\$0	\$400,000	

**Draft - Master Plan  
Capital Improvement Plan - Recommendations**

Corvallis Parks & Recreation Capital Improvement Recommendations 2013										
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<b>New Parks</b>		<b>Neighborhood/Co</b>	<b>TBD</b>							
Land Acquisition					X	TBD				Includes site acquisition, planning, and development of two new parks.
Planning and implementation					X	TBD				
<i>New Parks Total Cost Expenditures</i>						\$ -	\$0	\$0	\$0	
<b>Pathways for Play Improvements</b>		<b>Trails</b>	<b>TBD</b>							
Play elements along trails						TBD				Includes the installation of elements for play along trails and greenways.
<i>Corvallis Trail Element Plan Total Cost Expenditures</i>						\$ -	\$0	\$0	\$0	
<b>New Fields and Courts</b>		<b>Varies</b>	<b>TBD</b>							
Install new playing fields and courts as needed					X	\$ 5,000,000		\$2,500,000	\$2,500,000	Includes additions and improvements per the key Issues Matrix.
<i>New Fields and Courts Total Cost Expenditures</i>						\$ 5,000,000	\$0	\$2,500,000	\$2,500,000	
<b>Recreational Lighting</b>		<b>Varies</b>	<b>TBD</b>							
Install recreational lighting at sites TBD					X	TBD			\$0	Includes additions and improvements per the Key Issues Matrix.
<i>New Fields and Courts Total Cost Expenditures</i>						\$ -	\$0	\$0	\$0	
<b>Synthetic Fields</b>		<b>Varies</b>	<b>TBD</b>							
Replace existing turf or create new					X	\$ 6,000,000	\$1,500,000	\$1,500,000	\$3,000,000	Per Key Issues Matrix.
<i>Synthetic Fields Total Cost Expenditures</i>						\$ 6,000,000	\$1,500,000	\$1,500,000	\$3,000,000	
<b>Future Multi-Generational Recreation Center (Replace Chintimini)</b>	<b>TBD</b>	<b>Indoor Facility</b>	<b>TBD</b>							<b>Select a service area site for this project.</b>
Feasibility Study for development and operational costing						\$ 120,000	\$120,000			New development is aspirational and requires a funding mechanism.
Design/Development/Construction						\$ 12,500,000		\$12,500,000		
<i>Future Multi-Generational Recreation Center Total Cost Expenditure</i>						\$ 12,620,000	\$120,000	\$12,500,000	\$0	

**Draft - Master Plan  
Capital Improvement Plan - Recommendations**

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<b>Future Opportunistic Ventures</b>	TBD	Special Use	TBD							
Land Acquisitions						TBD				
Feasibility Study or Cost:Benefit Analysis for purchasing, development and operational costing for a municipal golf course						\$ 120,000	\$120,000			
Golf Course Purchase and Renovation						TBD			New development is aspirational and requires a	
Feasibility Study or Cost:Benefit Analysis for purchasing, development and operational costing for an indoor event space						\$ 120,000	\$120,000			
Indoor Event Space/Field House (hurling and rugby, lacrosse, roller skating/roller derby, climbing wall, multiple flooring types, etc.)						TBD				
Develop Sports Complex						\$ 2,600,000		\$2,600,000	Wildlife viewing area, all permitting costs.	
Adventure Park, Pump Track, Archery, Challenge Course	TBD		TBD			TBD				
<i>Future Opportunistic Ventures Total Cost Expenditure</i>						\$ 2,840,000	\$240,000	\$0	\$2,600,000	
	<b>Section D Total</b>					<b>\$ 26,860,000</b>	<b>\$1,860,000</b>	<b>\$16,500,000</b>	<b>\$8,500,000</b>	<b>\$26,860,000</b>
	<b>Total of A, B, C and D</b>					<b>\$136,034,600</b>	<b>\$22,697,800</b>	<b>\$59,239,000</b>	<b>\$54,097,800</b>	<b>\$136,034,600</b>



## MEMORANDUM

**DATE:** March 13, 2015

**TO:** Mayor and City Council

**FROM:** Kevin Young, Planning Division Manager

**SUBJECT:** Applicant's Final Written Argument  
(**Coronado Tract B, PLD14-00005**)

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Attached please find the applicant's final written argument, submitted on March 13, 2015. In addition to distributing this electronically, Staff will provide the City Council with paper copies at the March 16, 2015 City Council meeting.



13 Friday 2015

City Council  
City of Corvallis  
P.O. Box 1083  
Corvallis, OR 97339-1083

SUBJECT: Coronado Tract B Subdivision  
PLD14-00005

Ladies and Gentlemen:

**A. WE HAVE SUBMITTED THE FOLLOWING NEW EVIDENCE DURING THE OPEN RECORD PERIOD:**

The March 9, 2015 Letter from Group B, LLC, distributed with the March 10 materials to the Council, explains:

The City expressed no interest in buying the site for a park.

The City planners said that they would not support a plan change/zone change for single family use.

The Regent expressed no interest in purchasing the site.

The March 9, 2015, Letter from DEVCO Engineering, explaining that use of the compacter is feasible from a technical standpoint and that it should have fewer impacts on the neighbors than the traditional dumpster approach.

**B. HERE IS THE LOGICAL ORDER OF THE MOST IMPORTANT QUESTIONS:**

**1. What options has the owner attempted for reasonable economic use of this property?**

**Public Park use:** The City has expressed no interest to acquire Tract B for a public park. During approval of the Satinwood (Coronado) Subdivision, the City identified a more suitable location for a neighborhood park at the northeast corner of NW Coronado Street and NW Mirador Place. Known as Coronado Park, it is classified as a Mini Park in the City Parks and Recreation Master Plan. The Parks and Recreation Master Plan does not identify Tract B as an existing or proposed public park nor is the property listed on the inventory of natural areas. The Parks and Recreation Master Plan does not list Tract B as a future potential acquisition site nor is it identified as a proposed projected capital improvement project.

SCANNED

Date: 3/13 By: AB

**RECEIVED**

MAR 13 2015

**Private Park use:** The Regent did not include Tract B in the parcel purchased from The Elks. The current owners of The Regent have not expressed interest in buying Tract B.

**Single family use:** City staff have not expressed interest in City-initiating a change in zoning to allow for single family use.

**Multi-family use:** Although in 2013 staff recommended approval of a similar multi-family proposal for the tract B property, said proposal was denied by the Planning Commission.

**Present Proposal:** This proposed application seeks a use that is consistent with the zoning and which avoids requests for discretionary review. Based on the existing site characteristics and projected construction costs, it is not economically feasible for the property owner to meet the minimum number of required dwelling units and substantially reduce the square footage of the apartment building. Designing smaller units, such as studios, would significantly reduce projected rent incomes although the costs to construct the project would not decrease proportionally. For example, designing smaller dwelling units would not decrease the cost of constructing the parking area.

## 2. What land use designations apply?

**Size, Plan and zone:** 0.81 acres; MDR and LDR; RS-12 and RS-5

/PD overlay

Footprint of the 1981 DDP for The Regent, as modified. Whether this application is viewed as a Major Modification of The Regent DDP or a new DDP, the substantive standards are the same.

The City determined in the 2008 DDP modification for The Regent that the signature of the Tract B owner was not needed; same rule applies here; this application can be processed without the signature of owner of The Regent.

## 3. Does the Corvallis plan and code intend that this site be developed?

Yes. The comprehensive plan Buildable Land Inventory (1998) says this vacant land is intended to accommodate projected population growth. See BLI map.

Yes. The site is planned and zoned for the use proposed here. The multi-family plan designation is the City's ultimate policy choice for this site.

Yes. Every site specific decision touching on this site has been consistent with developing this site for the planned Multi-family use: Separating the site from The Regent in 1992; creating a separate Tract B in 2006; stubbing utilities to it; specifying that it go through a separate DDP process for development.

**4. If the plan intends development, what are the residential density options allowed by the plan and code?**

Applicant calculates minimum required units is 10.

Staff calculates minimum required units is 9.

There is no basis in the standards for approving 9 but not 10.

**5. Is there anything in any previous decision that prohibits this site from being developed under the plan and zone designations?**

No. The 1981 Regent decision limited the location of The Regent building with a setback; it did not prohibit development of the setback area with another other uses or accessory uses allowed by the plan and code. Condition 12 said: (See PD-81-1/DC-81-2; Record PDF page 1021)

“The building shall be set back from Elks Drive no less than 30 feet, no less than 135 feet from the south property line, and no less than 55 feet from the east property line.”

A building setback is not an open space requirement. If, as opponents argue, the 135-foot setback from the south line prohibits development in that area, then the 30-foot building setback from Elks Drive and the 55-foot setback from the east would have prohibited development of the driveway, sidewalks, sidewalk light fixtures, and signage in those areas.

No. None of the subsequent partition and subdivision decisions prohibited development of the Tract B area. The subdivision approval deferred approval of a specific multi-family project on Tract B until a DDP was approved. The pending application includes a traffic study for the ten dwellings and concludes that after construction of the apartments NW Mirador Place will still function as a local street. The City Engineer told the Council there is no capacity issue on the street. It was designed and constructed according to City local street standards. The narrow street design was intentional to help slow traffic.

No. Whatever gloss the staff or opponents might believe was intended by the setback language of the 1981 decision, the subsequent partitioning away of The Regent site from the Tract B acreage ended the discussion. One cannot say now that Tract B is prohibited from development by the 1981 decision without mounting a prohibited collateral attack of the 1992 and 2006 land division decisions.

**6. Can the City deny the application based on numerical standards in the code related to the cul-de-sac length and loading? LDC 4.0.60.c.2. (600 feet and 18 units)**

No. By its plain terms, this code standard only applies when the street system is being designed, not when an existing cul-de-sac is being used. It says:

*"To further address traffic speeds and volumes on Local Connector and Local Streets, the following street designs, along with other designs intended to reduce traffic speeds and volumes, shall be considered:*

*\* \* \* \**

*"2. Cul-de-sacs should not exceed 600 ft. nor serve more than 18 dwelling units."  
[emphasis added]*

"No." Even if it were applicable to this decision, the standard is not a mandatory standard because (1) is only a "consideration," and (2) it is qualified by the word "should," which makes it non-mandatory under the code definitions. "Should" is defined in LDC 1.6.30 as being non-mandatory: *"Should – Expressing what is desired, but not mandatory."*

7. Can the City deny the application based on failure to comply with numerical standards for a 25-foot maximum building setback (LDC 3.6.30) and 40% minimum frontage building coverage (LDC 4.10.60.01.b.n.) that were adopted in 2006, after Tract B was platted as a flag lot?

No. State law prohibits applying the new code standards to development of land that was platted under previous standards. As discussed at length in Item D.3. on page 7 of our Final Argument to the PC (PDF page 38) and at I.B. of our Summary Table of Issues (PDF page 45), LUBA has applied this statute to prohibit exactly what the City is doing here. ORS 92.040(2) says:

*"(2) After September 9, 1995, when a local government makes a decision on a land use application for a subdivision inside an urban growth boundary, only those local government laws implemented under an acknowledged comprehensive plan that are in effect at the time of application shall govern subsequent construction on the property unless the applicant elects otherwise."*

*(3) A local government may establish a time period during which decisions on land use applications under subsection (2) of this section apply. However, in no event shall the time period exceed 10 years, whether or not a time period is established by the local government."*

8. Can the City say no based on "compatibility" standards in the code?

No. The code says there can be no compatibility issue between this site and the adjacent single-family residential zone. LDC 2.4.30.01.g.4.b(2) says:

*"For Residential Subdivisions - Uses permitted outright within a zone are considered to be compatible and not to conflict. Between zones, compatibility is addressed at the time the zone is established. A Residential Use permitted outright within an existing zone is considered to be compatible with Uses permitted outright within existing neighboring zones;" [Emphasis added]*

9. Can the City say no based on any discretionary standards in the code that allow the City to make subjective judgments?

No. The Needed Housing Statute, ORS 197.307 applies directly to decisions like this and prohibits the City from applying standards that are not clear and objective, which means the standards may not allow discretionary or subjective judgments. ORS 197.307(4) says:

*“Except as provided in subsection (6) of this section, a local government may adopt and apply only clear and objective standards, conditions and procedures regulating the development of needed housing on buildable land described in subsection (3) of this section. The standards, conditions and procedures may not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay.”*

“Needed housing” means types of housing, not who will buy or rent it. By definition in ORS 197.303(1):

*“[N]eeded housing means housing types determined to meet the need shown for housing within an urban growth boundary at particular price ranges and rent levels, including at least the following housing types: (a) Attached and detached single-family and multiple family housing for both owner and renter occupancy;”*

This proposal is for “needed housing” in the meaning of the statute because it proposes multi-family housing on vacant land in the Buildable Land Inventory (BLI) in the comprehensive plan.

Because the statute says the City may “adopt and apply only clear and objective standards,” it is triggered by any City decision -- legislative amendments to the plan and code, periodic review decisions, and site specific decisions such as this one.

It is well settled that this statute, like any statute, cuts through the local code and applies directly. *Forster v. Polk County*, 115 Or App 475, 478, 839 P2d 241 (1992)(EFU Statute); *Rudell v. City of Bandon*, 62 Or LUBA 279 (2010)(Needed Housing Statute). It is immaterial whether the City has imposed a PD overlay with discretionary standards (as here), or requires a conditional use permit with discretionary standards (as in *Rudell*), or has discretionary standards in a required Site Review process (as in *Parkview Terrace Dev’t Inc. v. City of Grants Pass*, \_\_\_ Or LUBA \_\_\_ (No. 2014-024, July 23, 2014)(Any application of standards that are not clear and objective is “outside the range of discretion allowed the local government.”).

The City Attorney correctly advised the Commission that the statute prohibits applying subjective standards if the statute applies. City Attorney Memo, Staff Report to Council at PDF page 396, 397).

The Staff is struggling mightily to find a legal hook to sidestep this statute. They have suggested successive theories as this application moves through the City process. None holds water. To summarize the staff's theories:

(1) The Jan. 28 Memo from the City Attorney to the Commission (see Staff Report to Council at PDF pages 396, 397) suggests the City can escape the statute because LDC 2.5.60.03.c. says the City "may consider" a DDP modification request if it finds the request "reasonable and valid." The City therefore has discretion to not review the application at all. We debunked this theory in our Final Argument to the Commission at Item B.1. (Staff Report to Council at PDF page 113, 115). Statutes require the City to make a decision on the application, to base that decision on the relevant standards, and to apply only clear and objective standards. A standard calling for a "reasonableness" determination is not clear and objective; it may not be applied.

(2) Next, in the February 23 Staff Report to the Council, staff shifted gears a bit, suggesting that by applying for the 1981 DDP for The Regent, the owner committed this site to develop under the "alternative" discretionary track that now appears in the Needed Housing Statute, and the City, therefore, may continue to apply discretionary standards now. Staff Report at 10; PDF page 10. We explained in our hearing letter to the Council why this theory is not sound. The alternate discretionary track for review of Needed Housing applications was not even added to the Needed Housing Statute until 1997. See HB 2772, 1997 Or Laws, Chapter 733. There was no discretionary track in 1981 for The Regent to opt into. To the extent the City applied discretionary standards to The Regent decision in 1981, it violated the statute then; that does not justify violating it again.

(3) The next fall-back argument to avoid the statute is in Staff's March 2 Memo to the Council. Staff explain, correctly, that a decade ago in the Periodic Review process, in response to a landowner objection, the state required the City to include code language allowing an owner with a /PD overlay and no active DDP to strip the /PD overlay. Staff extrapolates from these Periodic Review amendments to opine that the Needed Housing statute does not apply in situations where land is in the footprint of an active DDP. It is illogical to say that what the state required the City to do across the board in a Periodic Review proceeding limits the rights of a landowner in a site-specific application. The plain language of the statute says that an applicant for needed housing is entitled to only clear and objective standards. The LCDC fixed a big problem with the code in Periodic Review; that does not negate this applicant's rights under the statute.

(4) The March 10 memo to the Council answering questions has a fourth approach, which is kind of a mashup of the others. Starting with the statute's guarantee to an "applicant" that it has a right to clear and objective standards, staff suggests the Council could find that this "applicant" is not the real applicant; that the real applicant was the applicant in 1981, and that applicant opted into the discretionary standards (even though the discretionary standards option did not exist in 1981, as discussed above); this applicant is just a "successor applicant." Staff suggests that this applicant always has the option of asking the City to nullify the existing Planned Development under the LDC

2.5.80 standards, which makes nullification highly discretionary with the City. This is the weakest of the four theories. The City may not deny this applicant rights that the statute affords to applicants, just because the City has a procedure for requesting permission from relief the PD overlay.

The Council should decline staff suggestions to violate the statute; it should disregard discretionary standards; and it should approve this use under the remaining clear and objective standards.

**10. What are the clear and objective standards that apply?**

There are clear and objective standards remaining in the code to apply to this application, which has been carefully designed to meet those standards. To summarize, generally, using the Staff Report to the Commission as a touchstone (Council Packet at PDF page 541 and following):

The density requirements of the plan and zone. PDF page 542-543. Staff found compliance.

There are 14 factors that relate to an ultimate finding of "compatibility." LDC 2.5.40.04.a. None may be applied because they call for a subjective judgment. PDF page 543-562.

As staff explained to the Commission, the proposal must meet the clear and objective development standards in Articles III and IV of the code. Staff Report PDF page 563, referencing LDC 2.5.50.04. These include:

Permitted uses. LDC 3.6.20. Staff Report PDF page 564.

Green Area, etc. LDC 3.6.50. Staff Report PDF page 564.

Pedestrian oriented design standards. LDC 3.6.90. Staff Report PDF page 565.

Timing of Improvements. LDC 4.0.20. Staff Report PDF page 567.

Pedestrian requirements. LDC 4.0.30. Staff Report PDF page 568.

Note: LDC 3.6.30.e.1. states the clear and objective requirement for 25 foot maximum building setback from front lot line. ORS 92.040(2) prohibits application of this standard because it was adopted after the subdivision plat created Tract B.

Public Utility Requirements. LDC 4.0.70. Staff Report PDF 573.

Land for Public Purposes. LDC 4.0.100. Staff Report PDF page 575.

Stormwater Management Measures. LDC 4.0.130. Staff Report PDF 576.

Pedestrian Oriented Design Standards. LDC 4.10.60. Staff Report PDF page 577.

Note: LDC 4.10.60.b. states the clear and objective requirement that 40% of the street frontage must be occupied by a building; ORS 92.040(2) prohibits application of this standard because it was adopted after the subdivision plat created Tract B.

11. What will be the costs to the City if the Council denies this application and the applicant its right under ORS 227.184 to have the City approve a project that meets the density requirements of the code?

If the Council denies the application, the applicant will invoke its right to require the City to approve a design for at least the minimum development required by the code. The City would need a professional design team to do this, if it wants to make any material changes to what is proposed here. That could involve engaging the services of an interdisciplinary team to include at least an architect, engineer, surveyor, and landscape architect. If the City determines that no development should be allowed, it will have to purchase the property.

#### C. RESPONSE TO STAFF MARCH 10 ANSWERS TO COUNCIL QUESTIONS:

The points below respond to selected staff March 10 answers to Council questions.

##### Question 4, page 4:

Staff suggest that ORS 92.040(2), which requires the City to apply the code standards in effect at the time land is platted, only applies to development that was "contemplated" at the time the land is platted, and no development was contemplated at the time of the plat. This is flatly contrary to the Court of Appeals decision in *See The Athletic Club of Bend, Inc. v. City Bend*, 61 Or LUBA 349 (2010), *rev'd and remanded* 239 Or App 89, 243 P3d 824 (2010). See our Summary Table of Issues at I.B. The development requested there under ORS 92.040(2) was not contemplated at the time of the platting. The City may not escape the statute based on this theory, which the Court has said is wrong. Tract B may develop regardless of the new standards for maximum building setback and minimum lot frontage building coverage.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,



Lyle E. Hutchens  
Project Manager

LEH/nre

08.402 final arguments to pc 03.13.2015.doc



## MEMORANDUM

**DATE:** March 16, 2015

**TO:** Mayor and City Council

**FROM:** Kevin Young, Planning Division Manager

**SUBJECT:** Coronado Tract B (PLD14-00005)  
Recommended Motion & Written Testimony Received on March 10,  
2015, After Close of Written Record

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In this memorandum, Staff provide a recommended motion for the appeal on the Planning Commission's decision to deny the Coronado Tract B (case file #PLD14-00005) request for a Major Planned Development Modification. Additionally, Staff provide testimony received after the close of the written record.

### Motion for Consideration

**MOTION:** I move to **deny** the Major Planned Development Modification request, based on City Council's findings in deliberation on the Planned Development request, subject to adopted of Formal Findings at a subsequent City Council meeting.

This motion is based on the evidence submitted during these proceedings, including but not limited to the January 14, 2015 Staff Report to the Planning Commission and the January 29, 2015 Memorandum to the Planning Commission, supporting the Planning Commission's decision to deny the application. This motion is also based on the criteria, discussions, and conclusions contained within the January 21, 2015 and February 4, 2015 Planning Commission minutes; the February 23, 2015 Memorandum to the Mayor and the City Council from the Planning Division Manager; and the reasons given by the City Council, as reflected in the meeting minutes, during their deliberations on this matter.

Should the City Council decide to approve the appellant's Major Planned Development Modification request, staff recommend that the City Council adopt the Conditions of Approval provided in the February 23, 2015 Staff Report to the City Council.

**Testimony Received After Close of Record**

Additionally, the written record for PLD14-00005 closed on March 9, 2015 at 5 pm. An additional piece of written testimony was received on March 10, 2015, after the close of the written record, and is attached to this memorandum. Staff recommend that the City Council not consider this written testimony, given that it was received after the close of the written record. This has been provided to you in consultation with the City Attorney.

**From:** Renee Marie Edwards, FNP, MN, RN, BS  
**To:** Bell, Amber  
**Subject:** Tract B  
**Date:** Tuesday, March 10, 2015 12:53:06 PM

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March 09, 2015

Amber Bell  
City of Corvallis Planning Commission  
Planning Division, P.O. Box 1083  
Corvallis, OR 97339

To: City of Corvallis Planning Commission

Subject: Coronado Tract B Apartments. Additional written testimony in opposition to proposed apartments on the Mirador Cul-de-Sac (PLD14-0005)

I am opposed to the construction of apartments at the end of the Mirador Cul-de-Sac.

In the larger realm of things, what we have here is a situation where most people who have ever lived before us or who will ever live after us would be content to go on their merry ways and live very comfortably and happily after having already made large amounts of financial gain, as the involved developers have. But on the contrary, they have taken the paradoxical, disturbing approach in their search of ever more profits to the point of knowingly and willingly, and by wrong-doing, deeply upsetting residents from whom they have derived original benefit.

If not now, when can or will you or any of us humans base decisions simply on what is inherently right and what is inherently wrong?

Thank-you, Renee Edwards

## MEMORANDUM

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TO: Mayor and City Council

FROM: Ken Gibb, Community Development Director



DATE: March 16, 2015

SUBJECT: **Comprehensive Plan Findings and Policies – Proposed Revisions  
Based on 2013 Parks and Recreation Master Plan Update**

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This memo contains proposed changes to Corvallis Comprehensive Plan Findings and Policies. These proposed changes are based on changes in terminology, updates to City policies and procedures (e.g., Natural Features protections), and conditions that have changed (school ground availability).

These proposed changes are also included in the Staff-identified Applicable Criteria that have been made available to the public at this public hearing. Proposed deletions are shown in ~~striketrough and shading~~, and proposed additions are shown with double underline.

### Article 5 – Urban Amenities

#### Proposed Revised Findings

- 5.6.f Major drainageways could be valuable recreation linkages for bike paths, hiking and jogging trails throughout the Urban Growth Boundary; however, trails can affect natural resources and adjacent land uses. Sensitivity to the surrounding environment, such as habitat and natural features areas, must be considered carefully during trail alignment studies and design. New trails or trails that are significantly renovated should avoid or minimize local environmental impacts along natural corridors, through the use of elevated boardwalks or pervious trail materials and by avoiding creek and wetland crossings when possible. Other considerations include minimizing impacts on water quality, soil compaction, and erosion.
- 5.6.n There is a long tradition of interagency cooperation among the City, Corvallis School District 509J, and private non-profit groups and agencies. School grounds may be considered a contributing facility to the City's inventory of parkland. This has resulted in the effective joint use of facilities and has eliminated needless duplication of public recreational resources. Sometimes a During non-school hours, school site can effectively serve the neighborhood needs for park and recreational activities. It is especially effective if a neighborhood park and school site are combined.

## Proposed Revised Policies

- 5.2.6 The City shall ensure that trails are established, in addition to roads, which follow scenic routes to connect open space to residential areas, public sites, shopping areas, and downtown Corvallis. The trails network plan chapter of the 2013 Parks and Recreation master Plan shall be used as the basis of trail development.
- 5.6.1 The City shall re-evaluate and update park and open space plans that identify community standards for open space, parks and recreation facilities, the criteria for siting facilities, the optimum locations for facilities, the service areas, the special needs of all users, and the relationships to other recreational resources. The facility plan shall also contain conceptual plans for known and planned sites. Master planning activities shall adhere to national accessibility standards. Level of Service analysis as described in the 2013 Parks and Recreation Master Plan, or an alternative City Council-approved methodology, should be evaluated on a regular basis to determine that the community is being served appropriately.
- 5.6.6 The City shall continue to use cooperative agreements with the Corvallis School District 509J, Benton and Linn Counties, Linn - Benton Community College, Oregon State University, and other leisure service providers to ensure that adequate recreation and open space lands and facilities will be provided. School grounds may be considered a contributing facility to the City's inventory of parkland as they can only be used during non-school hours.
- 5.6.8 When possible, trails should be constructed prior to or concurrent with development or with the improvement of public facilities. Trail construction by private developers should adhere to the construction standards provided in the 2013 Parks and Recreation Master Plan. Sensitivity to the surrounding environment, such as habitat and natural features areas, must be considered carefully during trail alignment studies and design. New trails or trails that are significantly renovated should avoid or minimize local environmental impacts along natural corridors, through the use of elevated boardwalks or pervious trail materials and by avoiding creek and wetland crossings when possible. Other considerations include minimizing impacts on water quality, soil compaction, and erosion.
- 5.6.13 The City shall actively seek out and include in park plans, suitable locations for active recreation areas such as sports fields. Corvallis Parks and Recreation staff will periodically assess national recreational trends and be responsive to community needs. The Capital Improvement Plan will be revised annually to ensure the City has adequate facilities to meet current recreation needs.

## LETTERS TO THE EDITOR

### **There's more to consider about banning e-cigs for minors**

I read your opinion page about banning e-cigarettes for minors (Editorial, March 5, "Banning e-cigs for minors is smart").

On one hand, I agree, but on the other hand, I don't agree because, like you mentioned in the article, the e-cigarette doesn't contain tobacco. So why ban them?

I agree with banning them because it could teach little kids it is OK to smoke, even though it doesn't contain tobacco. It's still teaching them that it's OK to smoke pretty much.

I don't agree with it because, like you guys said, it's helping people to quit smoking. If you guys want to lower the lung cancer rate, then e-cigarettes are a good way to go.

**Lakeesha Johnson, age 16**  
Corvallis

### **There's no need to fear those who openly carry weapons**

There is no need to regulate the open carry of firearms. Only the innocent carry openly. Criminals hide their weapons up to the point of the crime.

Furthermore, it's already a crime to threaten someone with a gun, point or shoot at someone from across a roadway or near a residence or within a city, except on a shooting range or in self-defense.

The suggestion that we regulate open

carry comes from those who would ban guns altogether and assumes all gun owners are criminal.

Think about it. The only ones who benefit from a disarmed public are criminals and tyrants, which is the reason we have the Second Amendment.

**P.M. deLaubenfels**  
Corvallis

### **Hold 47 GOP senators who signed Iran letter accountable**

While I am grateful that neither of Oregon's U.S. senators signed on to the Republican letter to the Iranian government, which sought to undermine peace negotiations, I do not think the matter should be allowed to drop.

Those 47 senators violated the Logan Act, and their oath of office.

**John M. Burt**  
Corvallis

### **Lack of sick leave encourages spread of illness**

The Gazette-Times has now published its second editorial opposing paid sick leave legislation, framing the issue as a pet project of Democrats that would harm Oregon's small businesses (Editorial, March 3, "Legislators take leave of their senses").

Yet in January the G-T also published an editorial encouraging people to stay home while sick, without any apparent irony.

*Remarks from Parks and Recreation Director Karen Emery  
March 16, 2015 City Council Meeting*

This plan replaces the adopted 2000 Parks Facilities Plan. This plan is intended to bring a balanced approach of current service delivery, future investment and asset development, capital improvement projects and lifecycle replacement, with alignment of available resources. This is the Planning document that staff utilizes to guide decision making for the next ten years. It incorporates general public and stakeholders opinion, level of service assessments, parks walk ability and demographics, with Capital Improvement Projects. This is a ten year plan with a 5 to 6 year update to check our course. This is a Plan that will be actively used by staff.

Capital Improvements are currently funded through Grants, donations and System Development Charges when appropriate. Up until this FY, we also used general fund resources. Due to the 5 year average budget methodology, we discontinued using General Fund resources for CIP as we would have had to reduce other services. Other funding options are described on pages 213-226 of the Plan.

Our facilities are multi-use facilities. We consider and plan for mixed use as we design parks. For example we have natural areas that we preserve and at the same time develop them for controlled public access. By controlling access through a carefully planned trail system, we give people a path to access nature in a controlled way.

The Master Plan doesn't provide guidance for fees. This is provided through the Department's cost recovery plan. It has prioritized which services should be provided at no additional cost to the public, such as a park, and which should recover 200% of costs, such as a private birthday party at the aquatic center. The Majestic Theatre, because of the two year commitment, is being operated to cover all costs by non-general fund revenue.

The Master Plan is not an operational plan. This is provided through the Department's Sustainable Operations Plan described on pages 15 and 16 of the Master Plan. With that Jackie Rochefort will describe what the Master plan is.

**2013 PARKS AND RECREATION  
MASTER PLAN UPDATE**

**CITY COUNCIL PRESENTATION**

**Karen Emery, Director  
Jackie Rochefort, Park Planner  
March 16, 2015**



**KEY TO THE PLANNING  
PROCESS**

**Values** – What is important

**Vision** – Our future position; the condition(s) we hope to have influenced in the future

**Mission** – Who we serve; the services we are in the business of providing; what we do to work towards and achieve our vision; why we do what we do



**Department Mission . . .**

*“Corvallis Parks and Recreation preserves and creates a community heritage by providing places and programs designed to enhance the quality of life.”*

**Department Vision . . .**

*“Corvallis Parks and Recreation Department will play a pivotal role in maintaining a high standard of livability in our community. We will enhance the quality of life for residents with our green network of attractive, well managed parks, trails, and natural areas and create a premier destination for visitors.”*

**KEY POINTS**  
**What's Changed?**

- Increased public participation
- Extensive evaluation of public need and national trends
- Incorporates Natural Features Inventory
- OSU Collaboration Area considered
- New Approach to Trails Section
- Level of Service Analysis
- Integration of Facilities and Programs
- Maintenance Considerations
- Comprehensive Approach to Funding Considerations

**The Process**

- Rooted in values, vision & mission
- Needs assessment
- Demographics & trends
- Community-wide survey
- Public outreach & citizen participation
- Inventory & capacity
- Public & private providers
- Partnerships & collaborations
- SDC & funding analysis



**PUBLIC OUTREACH**

- 7 public meetings and stakeholder focus groups January 31 - February 2, 2012
- 4 meetings were held May 3-4, 2012 (including a Spanish-speaking outreach meeting)
- Mail Back Survey; 4,500 households, 15.6% return
- On-line survey also available on the City Website

**Top 5 Issues: Survey Results**

1. Maintaining what we have
2. Healthy Active Lifestyles
3. Connectivity / alternative transportation (trails, etc.)
4. Implementing planned parks and trails projects
5. Positive activities for youth

### Public Meeting Results

- The Department is doing a lot right and citizen satisfaction is high
- Users express the desire to maintain the level of service currently enjoyed
- Connect the community through a comprehensive bike and pedestrian system
- Alternative & public transportation coordination
- OSU's growth will have a significant impact on the Corvallis parks and recreation system

### Public Meeting Results

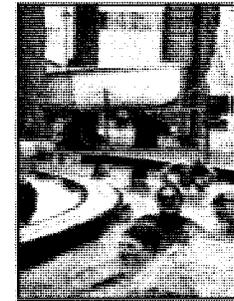
- Disadvantaged and growing populations need neighborhood services within walkable distances
- There is a high value placed on walkable services in the Corvallis community
- There may be neighborhoods in Corvallis that are underserved
- River access is important

### Public Meeting Results

- School gym space is at or past capacity and the public needs an available drop-in gym to use
- Gym space, playgrounds, neighborhood parks, restrooms, open and synthetic turf are all areas for future expansion, and some have need for cardiovascular fitness equipment and class spaces

### Level of Service (LOS) Analysis Methodology

- Uses individual components to determine cumulative values
- Relates cumulative values to geographic location
- Supplements traditional LOS standards to create a more useful and dynamic set of tools



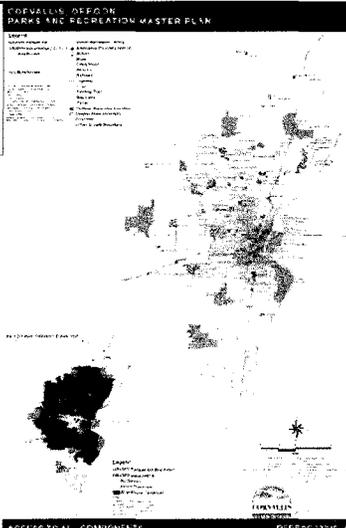
## Corvallis Inventory

- ❑ Indoor Facilities & Outdoor Assets
  - ❑ Mini Parks
  - ❑ Neighborhood
  - ❑ Community
  - ❑ Large Urban
  - ❑ Special Use
  - ❑ Linear
  - ❑ Natural Areas
  - ❑ Greenway
  - ❑ Gateway
- ❑ Trails



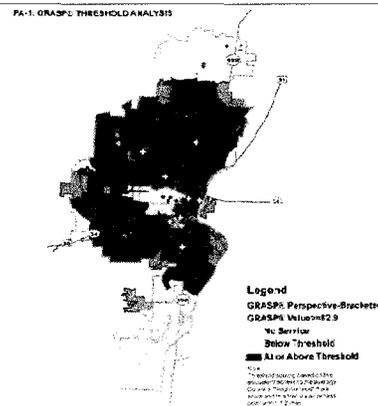
## LOS Analysis: Community Access to All Components

- ❑ Examines access to facilities using a one-mile radius; easily reachable by driving or bicycling
- ❑ Adds a 1/2-mile catchment area premium, within which access to the component can be achieved by walking 15 minutes or less



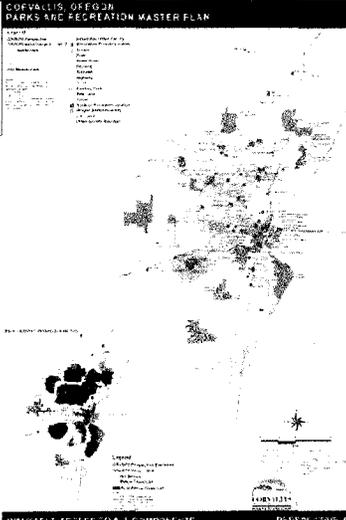
## Level of Service Analysis: Community Access to All Components

- ❑ 93% has some service
- ❑ Level of service meets or exceeds service threshold in 71% of the study area (UGB)
- ❑ Airports, nature preserves, industrial areas, and undeveloped areas typically fall below the threshold



## LOS Analysis: Walkable Access

- ❑ Examines access to facilities using a 1/2-mile radius for walkable proximity
- ❑ Accounts for impact of arterial roadways as barriers
- ❑ Demonstrates gaps in walkable access in the study area



### Level of Service Analysis: Walkable Access

- Level of service meets or exceeds service threshold in 35% of the study area
- Service gaps – 55% under threshold, 22% no service
- Opportunity exists to fill this service gap by purchasing or developing property, improving connectivity, or collaborating with others

### LOS Analysis: Playground Access

- Analysis of walkable playground access
- New threshold score based on quality of existing components
- 62% appear to have little to no walkable access
- Allows for additional demographic analysis of under served areas

### Level of Service Analysis: Playground Access

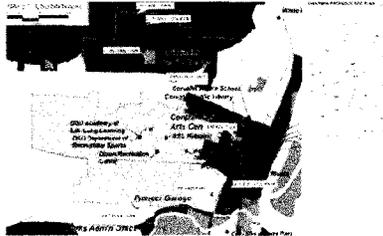
- 48% of all children in the study area live within walking distance of a playground that meets or exceeds the playground threshold score
- Analyze sub-area with demographics to identify un-met needs

### LOS Analysis: Walkable Access to Variety

- Walkable access to a mix of three categories of components
- Developed Park Components, Natural Areas, and Trail Access
  - Dark blue = 1 of each
  - Pink/purple = any 2 of 3
  - Green = 1 or more from 1 category

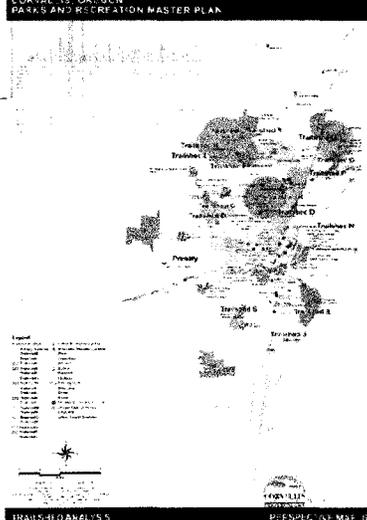
## Level of Service Analysis: OSU Study Area

- Transitioning area
- Dense urban student residential population
- Parking issues
- Most 50+ residents live > 1-mile away



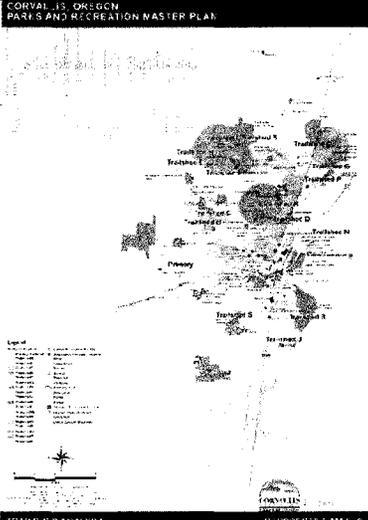
## TRAILS Key Goals

- The goals of the trails plan is to maintain and accommodate an interconnected network of multiple use recreational trails that provide a connection between parks and natural areas, while supporting environmental sustainability where trails are in proximity to natural features. The plan acknowledges necessary connections and linkages to the transportation system by demonstrating a trail hierarchy via trail types and construction standards.



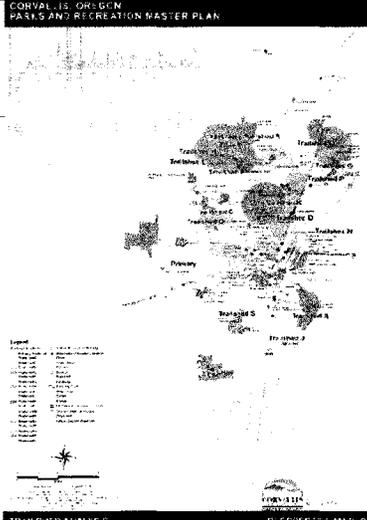
## TRAILS Key Issues

- Separate Trail Stakeholder Group
- Trails map includes natural features overlay
- Trail hierarchy clearly established
- Trails designed with sensitivity to natural features
- Trails appropriately incorporated with planned growth
- Trails plan is not conceptual
- Trail plan designed to coincide with large parcels of land rather than small private parcels
- Construction specifications included



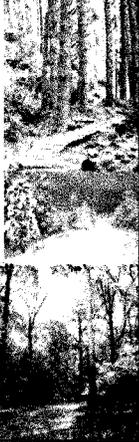
## LOS Analysis: Trailshed

- Access to a trail defined as 1/2-mile proximity to any trail access point (or trailhead) & 150 foot proximity to any portion of a trail
- Corvallis has 19 unique trailsheds
- Strong, well-connected central spine – provides access to 19 outdoor & 5 indoor facilities
- Opportunity to connect these



## Trail Elements

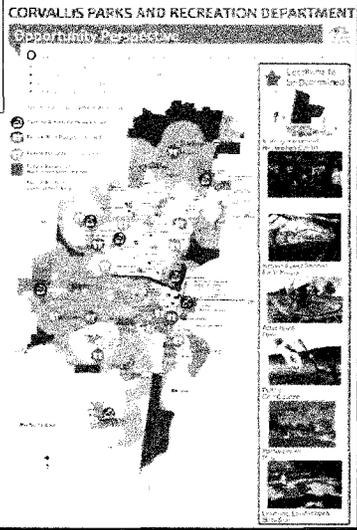
- Regional Trail – Acts as the spine of the trail network and may extend beyond the city limits.
- Connector Trail – Provides recreational opportunities by linking regional trails to parks and natural areas.
- Local Trail – Provides local connections to features such as parks, community centers, and schools.
- Park Trail – Interior to parks and natural areas. Careful design considerations should be given where trails are in proximity to natural features.



## Opportunities Perspective

Preservation, restoration and refurbishment of cultural and historic sites. Priorities include:

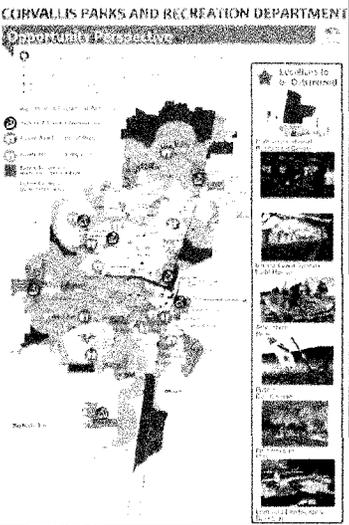
- Bald Hill Natural Area and barn
- Dr. Martin Luther King Jr. Park
- Owens Farmstead and Natural Area
- Gaylord House at Washington Park
- The barn at Woodland Meadow Natural Area
- Herbert Farm & Natural Area
- Orleans & Berg Natural Areas
- Shawala Point



## Opportunities Perspective

Walkable access to playgrounds

- The orange children symbol represents areas in the City that currently have playgrounds in need of upgrades
- The red children symbol represents areas in the City that currently have a population of children without current walkable access to a playground



## Indoor and Outdoor Assets CIP

Phased investment projects into three categories:

- Critical improvements and revenue enhancements to be accomplished immediately or over the next 1-2 years
- 3-5 years
- 5 years and beyond
- Plan includes a five year detailed list of CIP projects including SDC eligible projects

**THANK YOU  
Questions?**

- I move the City Council approve the adoption of the 2013 Parks and Recreation Master Plan.



## **Parks and Recreation Master Plan Comprehensive Plan Amendment**

**City Council  
Public Hearing  
March 16, 2015**

### **Request**

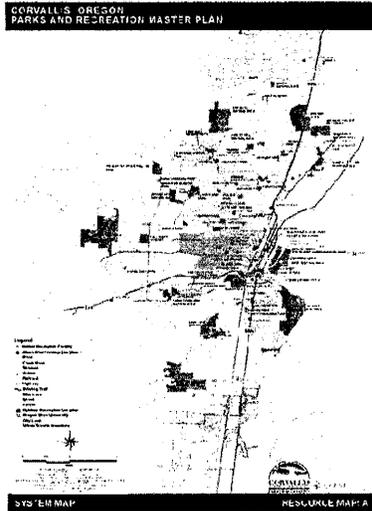
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◎ **The City Council is asked to decide on the following:**

- **Incorporate the 2013 Parks and Recreation Master Plan as a supporting document to the Corvallis Comprehensive Plan (Comprehensive Plan Amendment)**
- **Amend/Revise Selected Comprehensive Plan Findings and Policies based on information and findings resulting from the master planning process**

## Vicinity

- ◎ City-wide Parks and Natural Areas, Facilities
- ◎ Some areas outside City Limits, in UGB
- ◎ Benton County, Linn County



- ◎ Planning Commission Public Hearing and Deliberations – February 18, 2015
  - LWV Testimony – Include climate change mitigation as goal in Plan
  - PC decision – recommend City Council approve CPA, recommend consideration to include climate change mitigation as goal
- ◎ Staff evaluation in memo – Consistent with Comprehensive Plan

## **Review Process**

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- ◉ **Planning Commission Review and Recommendation**
- ◉ **Council Public Hearing Regarding Comprehensive Plan Amendment**
- ◉ **Deliberate on Incorporation and Proposed Revisions**
- ◉ **Vote on Comprehensive Plan Amendment**
- ◉ **Consideration of Adoption of the Plan Following CPA Decision**

## **Review Criteria**

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- ◉ **Applicable Oregon Statewide Planning Goals**
- ◉ **Applicable Comprehensive Plan Policies**
- ◉ **Land Development Code Criteria (CPA)**

## **Staff Conclusions on Statewide Planning Goals**

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- ◎ **Plan complies**
  - Citizen Involvement
  - Land Use
  - Economic Vitality
  - Natural Resources and Features
  - Community Need

## **Review Criteria**

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- ◎ **Applicable Comprehensive Plan Policies**
  - Land Use Guidelines
  - Natural Features, Land, and Water Resources
  - Urban Amenities
  - Public Utilities, Facilities, and Services
  - Transportation

## **Article 5 – Urban Amenities Proposed Revisions**

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- **Natural Features – Includes language for avoiding or minimizing impacts (alternate materials)**
- **Trail Construction by Private Developers – Required to comply with Plan**
- **School District Grounds – Removes definition as joint assets, changes to contributing facilities**
- **Parks and Facilities Needs**
  - **Level of Service Analysis**
  - **National recreation trends**
  - **Annual CIP review for adequate facilities**

## **Staff Conclusions on Article 5 Changes and Compliance**

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- **Plan includes recommendations on trails development. Changes to Finding 5.6.f and Policy 5.6.8 specify the responsibility of developers to reference the Plan and construct planned trails**
- **Proposed changes to language better represents the City's expectations and realities**
- **Plan and proposed changes are not in conflict with Article 5 Findings or Policies**
- **Proposed changes are consistent with existing Comprehensive Plan, 2013 Plan, and applicable LDC provisions**

## **Staff Conclusion on Comprehensive Plan Compliance**

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- ◎ **Plan addresses Findings and Policies of Comprehensive Plan**
- ◎ **Plan is consistent with Findings and Policies of Comprehensive Plan**

## **Review Criteria**

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- ◎ **Applicable Land Development Code Provisions  
– Chapter 2.1 – Comprehensive Plan  
Amendment Procedures**
  1. **There is a demonstrated need for the change**
  2. **The advantages to the community outweigh the disadvantages**
  3. **The change proposed is a desirable means of meeting public need**

## Staff Conclusion on Land Development Code Provisions

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### Demonstrated Need

- Updated information based on community input, needs, etc.
- Needs assessments, analyses, and recommendations on future development of Parks properties, facilities, and trails
- The 2013 Plan acknowledges the Natural Features Inventory and LDC protections provisions
- Inclusion of the Plan by reference is necessary to implement the Plan

## Staff Conclusion on Land Development Code Provisions

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### Advantages

- Public process helps ensure Plan meets community expectations
- Natural Features Inventory consideration
- Comprehensive trails chapter to guide development

## **Staff Conclusion on Land Development Code Provisions**

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### **Desirable to Meet Public Need**

- ◎ 2013 Plan adopted as supporting document to be referenced for planning
- ◎ Update relevant information about Parks properties, facilities, trails, community needs

## **Overall Staff Conclusion**

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- ◎ Consistent with Statewide Planning Goals, Comprehensive Plan Policies, LDC provisions
- ◎ Proposed changes to Article 5 Findings and Policies are consistent with goals of community, current conditions, Natural Features Inventory
- ◎ The 2013 Plan should be incorporated as a supporting document to the Comprehensive Plan

## Planning Commission & Staff Recommendation

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- ◎ **Planning Commission and Staff Recommendation**  
Approve CPA14-00001, to revise selected sections of Article 5, and incorporate Plan
  
- ◎ **Options for Council Consideration**
  - Approve CPA as presented by staff
  - Approve with changes, Council Findings of Fact
  - Deny CPA
  
- ◎ **Motions on page 3 of Staff Memo**
  
- ◎ **Adoption of 2013 Plan following CPA decision**

## **SIMPLE SHELTER**

### **REQUESTS TO THE CITY OF CORVALLIS**

**SUBMITTED TO THE MAYOR 02/24/15**

- 1. Allow the public bathrooms on the waterfront to be available for use throughout the year.**
- 2. Allow area for free camping e.g. re-open the Willamette campground.**
- 3. Work with representatives from the homeless community to identify and allocate land and resources for the formation of a Tiny Home community.**
- 4. Increase financial investment in Corvallis Housing First program.**
- 5. Re-zone the old Gazette Times building to be converted into a new homeless shelter where couples, families and people with pets can remain together.**
- 6. Lower the fairground overnight camping fee and remove the exclusion placed on Benton County impoverished families.**
- 7. Cease all police action, and prosecution of trespassing, on peaceable citizens committing no harm while found on commercial properties.**
- 8. Cease all ticketing and prosecution with camping laws on individuals using vehicular shelter in the City of Corvallis.**
- 9. Provide coin-operated showers for the homeless to offer support for the care of their physical needs.**
- 10. Provide lockers for the homeless to offer basic security for their belongings.**