

LAWSUIT, continued from Page A1

Fair housing laws require that reasonable accommodations be made for those with disabilities to "use and enjoy their dwelling." Steinman said lawyers for the McNary Estates HOA are basing their argument on a case out of Arizona state court which found that an owner could have made modifications to his garage to house an RV.

Because the Kuhns lived in a condominium and had a garage that shared a wall with their neighbor, there was no way to make changes to accommodate the RV, Steinman said.

"The Ninth Circuit Court and others have unanimously said that parking near where you live is essential to use and enjoyment of a dwelling," Steinman said. "The issue here is that we feel the established law has been rock-solid in allowing these types of accommodation."

The previous lawsuit had also listed the The Fountains at McNary, McNary Estates, the Phase 8 HOA and Richard LeDoux as defendants. The Kuhns settled with those defendants in mediation.

Steinman was not able to discuss mediation matters in the continuing case, but shed light on the ones already settled. At issue was the location of board meetings held in the homes of board members.

"There was a community space available that was wheelchair accessible, but they chose not to use it," Steinman said.

Mediation resulted in all the Fountains and Phase 8 board members attending a fair housing training, review and adoption of reasonable accommodation procedures and monetary damages of \$25,000.

CONDITIONS: Portion of the property will be park

(Continued from A1) move the home and then another year to complete the project if it is accepted.

Keizer Community Development Director Nate Brown said no parameters have been established for what constitutes a viable plan, but those would likely be forthcoming.

In lieu of preservation, the house will be documented and an informational display created marking its significance.

Councilor Bruce Anderson expressed concern about creating unnecessary delays in construction, but Brown said any development will take time to move through the permitting process and even then construction could be staged in such a way as to allow the house to remain while other elements are developed.

Other conditions of the approval address a wide array of concerns brought up through the public hearing process.

An expanded park
As part of the rezoning the lower acreage nearest to Claggett Creek Park will be

deeded or dedicated to the city as park space. While the space would be largely unusable during rainy months when Claggett Creek overflows, Public Works Director Bill Lawyer said it could be used seasonally as an open space.

Frontage
All buildings fronting Verda Lane Northeast will be no more than two stories. Buildings not fronting Verda can be three stories and they recede down the incline to Claggett Creek.

Construction
Buildings along Verda will must be built with residential construction materials (e.g. wood instead of concrete). Building colors will be varied and residential in character. Developers will need to meet with city staff to have all plans pre-approved in terms of architecture style and landscaping.

Stormwater
Claggett Creek Basin will be protected through the implementation of stormwater quality and quantity measures.

Kroc Center hosts Family Fair Sept. 24

The Kroc Community Center will be celebrating its seventh anniversary with the Kroc Family Fair on Sept. 24. It's located at The Salvation Army Ray and Joan Kroc Corps Community Center, 1865 Bill Frey Drive N.E. The fair runs from 11 a.m. to 4 p.m.

There will be free access to the Kroc Center, including swimming, rock wall, bounce houses, arts and crafts, music, demos, food, vendor fair, and basketball. It will also feature the grand opening of the Wildcat Boxing Club.

The Family Fair is a fundraising event for the Kroc Scholarship Fund, which assists thousands of local residents.

PASTURE, continued from Page A1

the space as a "Central Park" for Keizer as he drove by, but that the applicants had made some good faith adjustments to alleviate concerns of residents.

"They met the burdens. It's like being an umpire, someone is always going to be unhappy with the call," Herrera said.

Councilor Marlene Parsons was part of the council when a previous petition to rezone the property was rejected. She said she went into the second go-around hoping to find another reason to deny it.

PARADE: Entries, sponsorship at top priority as planning begins

(Continued from A1) in what is happening. We want the focus to be on small business, and that may mean a food stand or something else, but we are welcoming even non-Chamber members to participate," White said.

Prices for entry into the parade are the same as those for the Iris Festival parade: \$35 for non-profits, civic organizations, military organizations and per car for auto clubs; \$100 for a commercial entry from Chamber members and political groups/candidates; and \$200 for non-member commercial entries.

White said a title sponsorship was already in the works, but a variety of other sponsorship packages are available.

"One of the big ones is sponsoring the local high school bands. They've all been invited, but they need help covering the costs of buses to transport them," White said.

The Keizer Chamber's

"I wanted to turn it down again, but they met the qualifications. I'm still concerned," Parsons said.

Emotion threatened to overtake Councilor Kim Freeman as she spoke about her vote.

"To the people that testified, thank you, thank you, we take our job very seriously, but I can't find fault," she said.

Councilor Bruce Anderson said he looks forward to a quality facility while Councilor Amy Ryan said those concerned about school impacts need to direct their frustration at the Salem-Keizer School District.

"My kids had to rush to class just so they wouldn't have to sit on the floor in some cases," Ryan said. "McNary (High School) is overflowing and has been for some time. The school district needs to hear that."

Mayor Cathy Clark had the final say before the votes were tallied.

"We have housing needs and the city is bound by state law to make accommodations for our growing population. This is a significant change to the landscape of Keizer ... but we are all family here and housing is a key part of making sure our families are well taken care of," Clark said.

annual Jingle Dash, a 5K fun run, will be held just prior to the start of the parade on River Road North.

Danielle Bethell, executive director of the Keizer Chamber of Commerce officially announced the new parade at a city council meeting Monday, Sept. 19. She also requested help from the city to cover the additional costs of police overtime and public works services. The total for both would be about \$5,200.

"We're trying to avoid taking a huge loss given that we are in the 11th hour of planning," Bethell said.

Bethell added the Chamber is trying to address complaints regarding the prior parade, which some local owners found to be a hindrance to their business.

While city staff and councilors were happy to hear of the parade's resurrection, they did not offer on-the-spot assistance.

"In the past, we've tried to absorb the costs associated with the prior parades and we're willing to do those types of things, but we've already set the budget for the coming year and finding something to eliminate would be a challenge," said City Manager Chris Eppley.

Councilor Amy Ryan suggested that new transit occupancy taxes collected when a hotel at Keizer Station begins operating could be invested to offset the costs in the future.

Mayor Cathy Clark said she was reticent to pull funding from another place in the budget, but that she would be listening closely after the parade.

"If businesses start saying they are getting a great return on investment, that's the story I'm wanting to hear. Right now, I'm holding tight to funds that could go into our parks," Clark said.

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