

**BEFORE THE KEIZER CITY COUNCIL**

In the Matter of the Application of Herber )  
Farm, LLC, and the Herber Family )  
individually as successors in interest, for a )  
Comprehensive Plan Map Change from )  
Low Density Residential to Medium and )  
High Density Residential, a Zone Change )  
from Single Family Residential to Medium )  
Density Residential, and a Lot Line )  
Adjustment to Consolidate the Existing )  
lots into one large parcel for an )  
approximate 7.5 acre parcel located in the )  
4800 Block of Verda Lane, Keizer, OR )

Case No. 2014- 11

**APPLICANT'S  
Final Summary  
MEMORANDUM**

September 6th, 2016

This application has been presented to the City of Keizer in keeping with the Keizer Development Code. All of the relevant criteria as set out in KDC3.109.04 and 3.110.04 have been addressed by the Applicants.

On June 12, 2014 the application was presented to the Keizer Hearings Officer. At that time much of the same testimony was provided by the residents of the area to the Hearings Officer.

On July 8th, 2014 the Hearings Officer issued a decision recommending that the City Council approve the application noting that all of the criteria had been adequately addressed.

The application has now been brought back to the City Council with adjustments to and modification of the request in an effort to address the issues that were raised by the opponents and expressed by the prior council.



## HERBER PROPERTY - REMAND

Multi/Tech Engineering

The issues of concern expressed were:

### **Traffic**

The applicants provided expert information from a registered professional traffic engineer. His information supported that the existing transportation systems in the area are sufficient to handle the expected traffic from the project. His information takes into account the improvements that the City of Keizer has undertaken with the construction of the roundabout at the Verda-Chemawa intersection.

To further insure that the changes in the zoning for this site does not have greater impacts a traffic cap was recommended and agreed to by the applicant. This cap prevents the future developer of the property from increasing the number of units or uses on the property without having to return to the City for approval to change the cap.

The City's Traffic consultants reviewed the information and agreed with that provided by the applicants consultant.

No testimony was provided by an expert that raised any questions related to the information the applicant provided or in support of the statements made by the opponents that traffic created by the project would be detrimental to the area.

## Need

The applicant, through its land use consultants, has provided clarification of the present “Housing Need Assessment” that the City of Keizer has had prepared for the community. That information clearly demonstrates a need for additional multi-family property in Keizer. The City has an adopted Housing Need Analysis (HNA) that was acknowledged by DLCD in a public process. The HNA has identified a need in the City for 362 multi-family living unit in order to accommodate the growing population over the next 20 years. This application as proposed will fill only one-third of that need.

The opponents did not provide any expert information that disputed the information contained in the Needs analysis that the City has and as referenced in the applicants information. The opponents stated that there are too many apartments in this area.

At the public hearings, we have shown and noted that the applicants property meets all of the siting criteria recommended by the experts.

- On or near major transportation systems. (This site is located on two arterials and one collector roadway)
- Near transit facilities. (This site has three (3) transit stops along its frontage)
- Close to Parks. (This property is adjacent to a major city park and the applicants have agreed to donate to the City of Keizer xx acres of additional land adjacent to the existing park).
- Close to shopping. (The site plan below shows the proximity of this site to shopping in the area).
- Close to schools. (The site is within walking distance of two elementary schools and one middle school).



## Impacts to the adjoining area

Prior information noted concerns with the location of the units on the site as well as the height of the buildings along Verda Lane.

The adjusted site plan shows that the majority of the units have been located away from the roadway, with the height of the buildings along Verda have been proposed as two story only. This proposal matches the common height of single family homes.

The intent is that the buildings along Verda would be designed to give an appearance more like homes than apartments.

The added elements are proposed along Verda to buffer the adjoining properties and provide added screening, reducing the perceived visual impacts.

Additions have been made to the intended design of the buildings such that they will have more architectural features.

## BUILDING ARTICULATION AND DESIGN FEATURES



To insure that future development of the site will be in keeping with the proposed site plan elements, the Applicant has proposed the following special conditions to be included in the approval of this application:

**Special Condition No. 1:** All buildings located along Verda Lane shall be no more than 2-stories in height.

**Special Condition No. 2:** All buildings along west side of the property shall project a 2 story view.

**Special Condition No. 3:** In order to provide building articulation, detailed design shall be provided by using at least three of the following architectural features on all elevations, as appropriate for the proposed building type and style (may vary features on rear/side/front elevations):

- a. Dormers;
- b. Gables;
- c. Recessed entries;
- d. Covered porch entries;
- e. Cupolas or towers;
- f. Pillars or posts;
- g. Eaves (minimum six-inch projection);

- h. Off-sets in building face or roof (minimum 16 inches);
- I. Window trim (minimum four inches wide);
- j. Bay windows;
- k. Balconies;
- l. Decorative patterns on exterior finish (e.g., scales/shingles, wainscoting, ornamentation, and similar features);
- m. Decorative cornices and rooflines (e.g., for flat roofs);
- n. An alternative feature providing visual relief, similar to options in subsections (C)(3)(a) through (m) of this section.

**Special Condition No. 4:** The side of the building facing the street shall contain windows covering a minimum of 20% of the facade.

**Special Condition No. 5:** All offsets and/or projections shall vary from other wall surfaces by 2 feet.

**Special Condition No. 6:** All buildings located along Verda Lane shall be designed to be residential in nature.

**Special Condition No. 7:** A Pre-Design meeting with the City of Keizer staff will be required prior to the submittal of any plans.

**Special Condition No. 8:** The proposed development shall provide a minimum of 30% landscaping on the site. Landscaping shall be provided along the buildings, r-o-w, and parking areas within the development. All landscaping plans will be reviewed at the Pre-design meeting with staff.

**Special Condition No. 9:** All building elevations shall be varied in texture and building materials. All building elevation will be reviewed at the Pre-design meeting with staff.

**Special Condition No. 10:** All building colors shall be consistent with the color renderings approved as part of this application packet. All building colors will be reviewed at the Pre-design meeting with staff.

**Special Condition No. 11:** A minimum 36" berm and block wall (brick or decorative block) shall be provided above sidewalk grade.

**Special Condition No. 12:** A minimum 54" berm and block wall (brick or decorative block) shall be provided above parking lot grade.

**Special Condition No. 13:** Green Stormwater Infrastructure shall be provided. Stormwater quantity shall be done to not adversely impact Claggett Creek Basin or flooding.

## Schools

The School District has stated that its estimate of the number of school age children can be accommodated within the existing school facilities for schools such as Kennedy Elementary and Claggett

Creek Middle School. While there is determined to be a lack of capacity for students at McNary High School, that issue is one for the School District to address, not the City. The site could have up to 60 single family homes, which would generate a significant number of children as well. As such, there would be impacts to the system in a similar amount from such single family homes.

## **Flooding**

As stated in the prior public hearings, this project will not be constructed within any portion of the identified flood plain of Claggett Creek. Any grading operations will be in complete compliance with the City of Keizer's development code.

The special conditions noted above include requirements to use low-impact design methods (also known as green stormwater infrastructure) to improve water quality of the surface water leaving the site. The existing use of the site to presently raise cattle has a very negative impact on the water quality from the area. The new use will have only a positive impact in this area.

The project will as well be required to provide storm water detention. Such detention designs are intended to limit the quantity of water that exits the site to not exceed the rate that exists prior to the project.

## **Historic House**

There was extensive discussion at the public hearing and in the following written information regarding the "Historic House".

In an effort to evaluate the house, relative to its ability to be restored or retained, our office provided a detailed report on the structural condition of the structure. The results of that review was self evident, the house is not in our opinion a structure that can be restored without major work and significant costs. The report notes that the house has been remodeled and added onto such that a significant part of the home is not historic at all.

As to the issue that it **is or is not** Historic, the true fact is that the house has never been designated as a historic structure. The Herber Family has not made such a request, nor have they been contacted prior to this application to have the house designated as a historic structure.

What's even more important is that the status of the "house" is not a criteria included in the City of Keizer Development Code relative to the comprehensive plan/zone change process.

Whether the property is Residential Single Family or Medium Density Residential, the status of the house is irrelevant.

## Conclusion

*The applicants request that the application be approved with the special conditions that they have proposed.*