

1 CITY COUNCIL, CITY OF KEIZER, STATION OF OREGON

2
3 ORDER

4
5 **IN THE MATTER OF THE APPLICATION OF**
6 **NORTHWEST NATIONAL, LLC FOR A SECOND**
7 **AMENDMENT TO THE KEIZER STATION MASTER**
8 **PLAN AND PARKING MASTER PLAN (AREA A -**
9 **VILLAGE CENTER), A PRELIMINARY SUBDIVISION**
10 **PLAT FOR THE FORMER "LOWERY" PARCELS, AND A**
11 **REPLAT OF A PREVIOUSLY APPROVED SUBDIVISION**
12 **FOR AREA A - VILLAGE CENTER (MASTER PLAN**
13 **AMENDMENT/SUBDIVISION/REPLAT CASE NO. 2006-42)**
14

15 The City of Keizer orders as follows:

16 Section 1. THE APPLICATION. This matter comes before the Keizer City
17 Council on the application of Northwest National, LLC for a second amendment to the
18 Keizer Station Master Plan and Parking Master Plan (Area A - Village Center), a
19 preliminary subdivision plat for the former "Lowery" parcels and adjoining parcels, and
20 a replat of a previously approved subdivision for Area A - Village Center.

21 Section 2. JURISDICTION. The land in question in this Order is within the city
22 limits of the City of Keizer. The City Council is the governing body for the City of
23 Keizer. As the governing body, the City Council has the authority to make final land
24 use decisions concerning land within the city limits of the City of Keizer.

25 Section 3. PUBLIC HEARING. A public hearing was held on this matter before
26 the Keizer City Council on November 20, 2006. The following persons either appeared

1 at the City Council hearing or provided written testimony on the application:

- 2 1. Nate Brown, Community Development Director
- 3 2. Wendie Kellington, Attorney for Applicant
- 4 3. Alan Roodhouse, Applicant Representative

5 Section 4. EVIDENCE. Evidence before the City Council in this matter is
6 summarized in Exhibit "A" attached.

7 Section 5. OBJECTIONS. No objections have been raised as to notice,
8 jurisdiction, alleged conflicts of interest, evidence presented or testimony taken at the
9 hearing.

10 Section 6. CRITERIA AND STANDARDS. The criteria and standards relevant
11 to the decision in this matter are set forth in Exhibit "B" attached.

12 Section 7. FACTS. The facts before the City Council in this matter are set forth
13 in Exhibit "C" attached.

14 Section 8. JUSTIFICATION. Justification for the City Council's decision in this
15 matter is explained in Exhibit "D" attached.

16 Section 9. ACTION. The decision of the City Council is set forth in Exhibit "E"
17 attached.

18 Section 10. FINAL DETERMINATION. This Order is the final determination in
19 this matter.

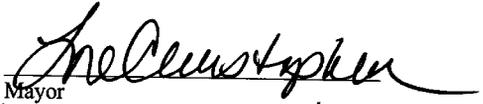
1 Section 11. EFFECTIVE DATE. This Order shall become effective thirty (30)
2 days after its passage.

3 Section 12. APPEAL. A party aggrieved by the final determination in a
4 proceeding for a discretionary permit or a zone change may have it reviewed under ORS
5 197.830 to ORS 197.834.

6 PASSED this 4th day of December, 2006.

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8 SIGNED this 4th day of December, 2006.

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Mayor


City Recorder

EXHIBIT "A"

Evidence

Official notice has been taken of the Planning Department files and reports in this matter, including the application and exhibits contained therein.

City Attorney, Shannon Johnson, suggested that reading of the applicable substantive criteria set forth in the staff report be waived due to size and asked if anyone objected. There were no objections. He explained that testimony, arguments and evidence must be directed to the criteria or other criteria in the Comprehensive Plan or land use regulations believed to apply to this decision. Failure to raise an issue accompanied by statements or evidence sufficient to afford the Council and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue. In addition any failure by the applicant to raise constitutional or other issues related to the proposed conditions of approval with sufficient specificity to allow the local government to respond to that issue precludes an action for damages in Circuit Court. He noted that if anyone had any objection as to conflict of interest, bias, jurisdiction, notice and opportunity to be heard, it should be brought up at the time of testimony and any Council members wanting to disclose conflict of interest, bias or prejudice on this case should do so at this time.

Nate Brown directed attention to additional handouts not originally included in the packet:

- A page with two site plans describing the previous plat vs. the new plat
- Previous Master Plan approval for the designation of commercial and industrial uses
- Current proposal for the land use designations for commercial and industrial uses.

Mr. Brown pointed out that the proposed amendments and changes implement issues that Council has already considered and taken action on.

- Implementation of the qualified abutting lots concept (previously approved) which allows that lots can be aggregated to account for the minimum dimensional standards set forth in the Keizer Station Plan. This proposal creates additional lots which fall under these criteria.
- Master Plan for parking that allows Keizer Station to be viewed as a whole as long as the entire development is able to document that they are providing the minimum and maximum number of parking stalls. This issue was considered in a previous meeting approving the allowance for it in the Development Code.

- A replat of Lots 1, 7, 9 and 11 (4 lots) into 11 lots (26.19 acres) as allowed by the earlier-approved text amendment to the EG zone allowing a reduction in lot sizes.
- Subdivision of 9 unplatted lots (4.01 acres). This area was not included in the original platting of the Keizer Station Subdivision.

Mr. Brown explained that a maximum of 75% of Keizer Station can be commercial and a minimum of 25% must be industrial. He then fielded questions regarding parking requirements and the duties of the developer related to the parking issue, and explained areas noted on the map, issues relating to clarification of calculation of sewer charges and restricted access to the old Chemawa Road and how this affects the park requirement for the area. He also reviewed the public amenities already planned for the area adding that these should be included in the park requirement calculation. He suggested the following verbiage for a Council adopted condition: "Park areas must meet area requirements specified in the Disposition and Development Agreement and shall include tracts A and H and other plaza areas that include public seating, public art and overhead elements." Additional verbiage should include the linear nature of the multi-use path and its accompanying landscape improvements.

Discussion took place regarding the three acres at the entryway to the city which is owned by ODOT and the need for Keizer residents to be allowed access to the land.

Mr. Brown requested Council allow staff to reinforce that setbacks shall comply with zone and the previous master plan conditions as amended to ensure that the developer meets the zoning requirements for setbacks.

Mayor Christopher opened the public hearing.

Responding to questions, Mr. Brown explained the location of fencing, the meandering pathway and property maintenance responsibilities.

Mayor Christopher closed the public hearing.

EXHIBIT "B"

Criteria and Standards

The criteria and standards relevant to this application are found in the Keizer Development Code (KDC). The specific criteria are set forth below:

1. Section 602 (Development and Construction of Private Improvements) of the Agreement for Disposition and Development of the Keizer Station Project.
2. Section 603 (Construction of Public Park, the Plazas, and the Pathway) of the Agreement for Disposition and Development of the Keizer Station Project.
3. Keizer Station Master Plan.
4. KDC 2.119 (General Employment).
5. KDC 2.3 (General Development Standards).
6. KDC 2.301 (General Provisions).
7. KDC 2.302 (Street Standards).
8. KDC 2.303 (Off-Street Parking and Loading).
9. KDC 2.305 (Transit Facilities).
10. KDC 2.306 (Storm Drainage).
11. KDC 2.307 (Utility Lines and Facilities).
12. KDC 2.308 (Signs).
13. KDC 2.309 (Site and Landscaping Design).
14. KDC 2.310 (Development Standards for Land Divisions).
15. KDC 2.312 (Yard and Lot Standards).
16. KDC 2.315 (Development Standards).
17. KDC 2.4 (Special Uses).
18. KDC 2.419 (Service Stations).
19. KDC 2.420 (Automotive Services).
20. KDC 3.101.02 (Type II Actions – Summary).
21. KDC 3.108 (Subdivisions)
22. KDC 3.113.04 (Keizer Station Master Plan Review Criteria).

No other specific criteria and standards were identified at the hearing.

EXHIBIT "C"

Facts

FINDINGS: GENERAL

1. The applicant is Northwest National, LLC. The application also contains the signature of David Shelton on behalf of Lowes and John Dews on behalf of Target.
2. The agent for the applicant is Alan Roodhouse, RPS Development.
3. The subject property is located at the Chemawa/Interstate 5 interchange. The subject property consists of Area A (Village Center) of the Keizer Station Plan.
4. The subject property covered by this amendment contains approximately 82 acres.
5. The subject property has street frontage onto Chemawa Road, Lockhaven Drive, Tepper Lane and Keizer Station Blvd. (formerly Radiant Drive), which are public streets. I-5 and the Chemawa Interchange are immediately east of the site. Public water and sanitary sewer are available to the subject site. Public bus transit is provided by Salem Area Transit with Route numbers 4 and 9 currently serving the intersection of Lockhaven and McLeod.
6. The subject property is designated Special Planning District on the Comprehensive Plan Map and is zoned EG (Employment General) for the parcels in "Area A".
7. The subject property is bordered on the north by Tepper Lane, Interstate 5 (I-5) to the east, Portland and Western Railroad to the west, and Chemawa Road to the south. A residential neighborhood is located on the west side of the railroad tracks, and Tepper Lane is now closed to vehicular and pedestrian traffic. A pedestrian under crossing will be constructed over the next few months. Industrial properties, electrical utility facilities, and the baseball stadium lie to the north of Tepper Lane. The surrounding properties are zoned RS – Single Family Residential to the west, IG – Industrial General and IBP to the north – Industrial Business Park to the northeast and south.
8. The proposal is for a second amended Keizer Station Master Plan and Parking Master Plan for Area A. The related applications are a preliminary subdivision plat

for the former "Lowery" parcels; and a replat of a previously approved subdivision for the Area A - Village Center.

The replat of four of the lots is for Lots 1, 7, 9, and 11 within the Keizer Station Subdivision into 11 lots and involves 26.19 acres. The subdivision involves 9 unplatted Tax Lots (01300, 01400, 01200, 01100, 03000, 03100, 01000, 01001 and 02900) comprised of 4.01 acres into 4 new Lots. The area involved in the Master Plan amendment and Master Parking Plan is 82 acres. The subject property is located within Area A of the Keizer Station and is identified on the Marion County Tax Assessor's Maps as Township 6 South; Range 3 West; Section 36A; Tax Lots # 00900; 01000; 01001; 01002; 03000; 03100; 01100; 01200; 01300; 01301; 01400; 01500; 01600; 01700; 01800; 01900; 02000; 02100; 02200; 02300; 02400; 02500; 02600; 02700; and 02800.

9. Second Amended Master Plan for Keizer Station Village Center Land Uses. No change is sought to the original development authorization except for the following particulars:

The most notable change is the introduction of the radius at the North end of Keizer Station Blvd. where it intersects with Tepper Lane. This change was requested by the City to improve the traffic flow to and from areas to the north. Other notable changes have been to the building footprints and the area of each building. Below is a summary of those changes.

- Lot '2' (formerly Parcel '5') depicting a building of 134,563 S.F. with a Garden Center of 31,202 S.F. remains unchanged.
- Lot '3' (formerly Parcel '6') depicted a building of two tenants along the Westerly property line with an overall area of 130,110 S.F. The footprint of this building has been changed and now reflects four tenants with an overall area of 93,976 S.F. Along the Northerly property line was a building of three tenants with a total area of 83,354 S.F. The footprint was modified and now reflects six smaller tenants with an overall area of 84,717 S.F.
- Lot '4' (formerly Parcel '7') depicted a building of 7,265 S.F. The footprint of this building has been changed and is now 7,291 S.F.
- Lot '5' (formerly Parcel '8') depicting two buildings of 6,310 S.F. and 10,478 S.F. remains unchanged.

- Lot '6' (formerly Parcel '9') depicting a building of 123,735 S.F. remains unchanged. However the location of the building has moved to the East and the loading area was moved from the West side of the building to the East. These changes were necessitated by the introduction of the radius on Keizer Station Blvd.
- Plat Two – Lots 9, 10, 11, 12 & 13 (formerly Parcel '12') depicted a restaurant of 6,141 S.F. along the southern property line, a 42,000 S.F. hotel, three restaurants to the North of the hotel and two small shop buildings 3,777 S.F. each. This has now been modified slightly with the removal of one of the restaurants to the North of the hotel. The two remaining restaurants were reduced in area to 6,200 S.F. and 6,350 S.F. The hotel and shop buildings remain unchanged.
- Lot '8' (formerly Parcel '10') depicting a building of 6,564 S.F. remains unchanged.
- Plat Two – Lots 14 & 15 (formerly Parcel '11') depicted a building of two tenants with an overall area of 60,394 S.F. The footprint of this building has been changed and now reflects three tenants with an overall area of 53,586 S.F. The building of one tenant with an area of 21,328 S.F. remains unchanged.
- Lot '10' (formerly Parcel '13') depicted three buildings. The Pad 'C' building of 4,382 S.F. remains unchanged. The Shops 'C' building with an area of 7,100 S.F. has been relocated and replaces the Anchor 'B' building. The footprint has been modified slightly and now has an area of 6,976 S.F. A restaurant building with an area of 6,661 S.F. has been added and is located at the corner of Stadium Drive and Ulali Drive.
- Plat Two Lots 7 & 8 (formerly Parcel '14') depict an Office building of 100,000 S.F. and a Pad 'D' building with an area of 6,568 S.F. These buildings remain unchanged.
- Plat Two – Lot '1' (formerly a part of Parcel '1') originally depicted a car wash with an area of 900 S.F. This is being replaced with Pad 'F' with an area of 2,994 S.F. and a double drive-thru.
- Plat Two - Lot '2' (formerly a part of Parcel '1') depicted a fuel station and Pad 'E' building with an area of 6,496 S.F. The fuel station has been

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removed and Pad 'E' has been modified to an area of 5,094 S.F. and has been relocated along Stadium Drive.

- Plat Two Lot '3' (formerly Parcel '2') depicted four drive-thru pads. The new layout now contains only three drive-thru pads and parking has been modified to work with the new layout.
- Plat Two Lot '4' (formerly Parcel '15') depicted Pad 'B' with an area of 4,501 S.F. The footprint of this building has been modified and now has an area of 2,940 with the right to expand to approximately 4,400 S.F. The building has been relocated to allow for a drive-thru.
- Plat Two Lot '5' (formerly Parcel '4') depicts Pad 'A' with an area of 4,000 S.F. and remains unchanged.
- Plat Two Lot '6' (formerly Parcel '3') depicts three buildings. Anchor 'A' with an area of 60,184 S.F., Shops 'A' with an area of 7,800 S.F. and Shops 'B' with an area of 6,000 S.F. These buildings remain unchanged.
- Regarding the use type designation the following changes are proposed in this second amendment master plan:

The changes to the Village Center zoning plan include the renumbering of lots, changes to the zoning designations, lot sizes and the division of some of the original lots. Under the proposed amendment to the approved amended master plan, 2.80 acres of land designated for industrial use has been changed to commercial use. Under the current amended master plan the total amount of land designated for industrial use is 20.46 acres and is 25.2% of the combined area. Under the proposed second amended master plan the total amount of land area designated for industrial use is 19.63 acres and is 25.0% of the combined area. Under the current amended master plan the total amount of land area designated for commercial uses is 60.80 acres and is 74.8% of the combined area. Under the proposed second amended master plan the total amount of land designated for commercial use is 61.52 acres and is 75.0% of the combined area.

- Lot '2' was formerly Parcel '5'. The area remains at 12.25 acres. The designated zoning use remains as commercial.

- Lot '3' was formerly Parcel '6'. The area has changed from 16.53 acres to 16.76 acres due to the radius added to Keizer Station Blvd. The designated zoning use remains as commercial.
- Lot '4' was formerly Parcel '7'. The area remains at 1.29 acres. The designated zoning use has changed from industrial to commercial.
- Lot '5' was formerly Parcel '8'. The area remains at 1.84 acres. The designated zoning use remains as commercial.
- Lot '6' was formerly Parcel '9'. The area has changed from 10.48 acres to 10.14 acres due to the radius added to Keizer Station Blvd. The designated zoning use remains as commercial.
- Tract 'B' located on the east side of Lot '6' was reduced from .95 acres to .70 acres. This change was a result of the changes made to the building on Lot '6' and required for truck movements. The designated zoning use remains as industrial.
- Plat Two – Lots 9, 10, 11, 12 & 13 make up what was formerly Parcel '12'. The area has changed from 7.88 acres to 7.79 acres. Plat Two – Lot '9' equals 1.0 acres, Plat Two – Lot '10' equals 2.5 acres, Plat Two – Lot '11' equals 1.7 acres, Plat Two – Lot '12' equals 1.8 acres and Plat Two – Lot '13' equals .79 acres. The designated zoning use remains as industrial on all the new lots except Plat Two - Lot '13' which has been changed to commercial.
- Lot '8' was formerly Parcel '10'. The area remains at 1.00 acres. The designated zoning use remains as industrial.
- Plat Two – Lots '14' & '15' combined were formerly Parcel '11'. Lot '14' equals 1.27 acres and Lot '15' equals 5.6 acres. The designated zoning use remains as commercial.
- Lot '10' was formerly Parcel '13'. The lot is shown partitioned into two separate areas, Lot '10' - Parcel '1' equals .74 acres and Lot '10' - Parcel '2' equals 2.23 acres. The designated zoning use remains as commercial.
- Tract 'A', located along Interstate '5' north of the proposed office building and south of the proposed hotel, remains at 1.25 acres.

- Plat Two – Lots ‘7’ & ‘8’ combined were formerly Parcel ‘14’. The area has changed from 5.60 acres to a combined area of 5.40 acres due to adjustments to the boundary. Lot ‘7’ equals 4.30 acres and Lot ‘8’ equals 1.1 acres. The designated zoning use remains as industrial.
- Plat Two – Lot ‘1’ & ‘2’ combined were formerly Parcel ‘1’. The area has changed from 1.64 acres to 2.2 acres due to adjustments to the boundary. The designated zoning use has changed from commercial to industrial.
- Plat Two – Lot ‘3’ was formerly Parcel ‘2’. The area has changed from 3.13 acres to 1.80 acres due to adjustments to the boundary. The designated zoning use remains as industrial.
- Plat Two – Lot ‘4’ was formerly Parcel ‘15’. The area has changed from 1.07 acres to .72 acres due to adjustments to the boundary. The designated zoning use remains as commercial.
- Plat Two – Lot ‘5’ was formerly Parcel ‘4’. The area remains at .75 acres. The designated zoning use remains as commercial.
- Plat Two – Lot ‘6’ was formerly Parcel ‘3’. The area has changed from 5.99 acres to 5.98 acres due to adjustments to the boundary. The designated zoning use remains as commercial.

No changes are proposed to the parks, totaling 2.07 acres, previously approved:

- Chemawa Park (1.10 acres) is located outside the master plan area, between the relocated ODOT access control fence along Chemawa Road, road A and B and lot 1. It will act as the village center entry point for pedestrians. Amenities include open space lawn area, ornamental shrubs and trees, benches, tables, trash receptacles, and pedestrian scale lighting fixtures.
- Central Park (.97 acres) is located adjacent to I-5, at the east end of the site. The park surrounds a 0.28 acre wetland area and will combine existing native vegetation with ornamental plants and trees, and plaza/hardscape amenities. Plaza construction and amenities will include: concrete pavers and poured in place concrete; a range of concrete finishes from standard broom finish to colored stamped patterns; natural stone faced retaining wall to define the wetland area and relationship to the park/plaza area; benches, tables and

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movable chairs; and bollards, cast iron tree grates, trash receptacles and movable planters. A multi-use shelter/gazebo will create a community gathering space for special events throughout the year.

No change is proposed to the approved four public plaza areas. Amenities include seating, tables, articulated plaza features, trellises, water features, specialty lighting, and more intense landscaping. The plazas are located between shop A and B, south of Major 9 and Retail 7, between Retail 2 and 3, and between Retail 4 and 5.

The green space parcel located in the northeast of the Village Center entitled "Tower Park" by the developer is a 1.05 acre parcel that is not counted toward the required park area due to the proximity to the freeway and the location of a large high power structure on the property. It has an open space environment consisting of lawn and ornamental shrubs and trees to create an informal park. Design elements will include benches, picnic tables, trash enclosures and a pedestrian pathway that connects the overall Village Center pedestrian circulation system to the Volcanoes baseball stadium complex to the North of the site.

The applicant shall provide the required minimum park area and has shown that there is ground available for such park land.

10. Second Amended Master Plan for Keizer Station Village Center Circulation.

The most notable change to the circulation under the approved master plan is the introduction of the radius at the north end of Keizer Station Blvd. where it intersects with Tepper Lane. This change was made to improve the traffic flow to and from areas to the north. Otherwise, circulation remains as previously approved.

11. Second Amended Master Plan for Keizer Station Village Center Water Service.

Water service is provided by a connection to a new reservoir south of Chemawa Road NE as well as connection to the existing water mains in Tepper Lane and Lockhaven Drive. The public water system is constructed in dedicated public right of ways within the realigned Keizer Station Boulevard and Stadium, Ulali and Jorie Lane, roads previously designated as Roads A, B and C. Fire hydrants have been spaced between 250 and 500 feet to any point on the buildings.

12. Second Amended Master Plan for Keizer Station Village Center Sanitary Sewer.

Sanitary sewer service has been provided through a connection to the existing 21-inch sewer main at the intersection of Keizer Station Boulevard and Tepper Lane at the existing ball field entrance. The public sewer main has been

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extended to the south along the realigned Keizer Station Blvd., within the rights of way for Stadium Dr., Ulali Dr., and Jorie Lane. Each lot has been and will continue to be provided with at least one sewer service connection.

13. Second Amended Master Plan for Keizer Station Village Center Storm Drainage. Storm drainage facilities have been provided within the public roadway system to collect and convey runoff from development. The project area is identified as a critical drainage basin, requiring higher runoff control standards. The public storm drain system provides an overcapacity conveyance system. Each private lot now provides and will provide water quality treatment and detention of its storm water runoff.

14. Second Amended Master Plan for Keizer Station Village Center Landscaping. Most of the existing deciduous trees are a combination of alder, ash, poplar, maple, birch, oak, unidentified sucker and common orchard fruit and nut trees. Existing evergreen trees include cedar, fir, pine, and sequoia. Twelve significant evergreen and two deciduous trees have been incorporated into the approved site plan. A grove of aspen and ash/alder have been preserved within the wetland delineation area (Former Tract A). The approved landscape master plan is not changing and it shows a proposed ratio of 7.7 new trees for every one tree removed.

FINDINGS: KEIZER STATION MASTER PLAN STANDARDS

This is the second amendment to the approved KSP master plan. This master plan amendment is subject to a Type II-B procedure (KDC 3.101.02), which includes a public hearing and decision by the City Council. Following City Council approval, subsequent city review of the project design and construction details is completed as part of the building permit approval process.

The criteria that apply to a master plan range from overall master plan objectives and arrangement of uses to landscaping, site planning, and architectural details. Here, most of the original approved master plan approval remains intact. Therefore, criteria are addressed where there are changes. As this project will occur over a number of years involving buildings for tenants which are not known at this time, not all of the specific building design details are available or required as part of this amended master plan review. The concepts that are approved herein, however, provide a basis for specific building permit review and administrative approval. Design details will be evaluated during the building permit process.

15. The Review Criteria for the Keizer Station Master Plan are listed in Section 3.113.04 of the Keizer Development Code (KDC). The criteria and findings are listed below:

A. The master plan shall meet the purpose and objectives identified in the Keizer Station Design Plan. KDC 3.113.04(A).

1. Purpose: The Village Center will provide the opportunity to establish a true economic activity center that will focus on offering a variety of industrial and commercial activities. Key issues that will need to be considered as Area A – Village Center develops include:
 - Location and design of transportation facilities.
 - Traffic operations at the Chemawa Interchange.
 - Physical constraints (e.g. power lines, utility easements, rail right-of-way) that will influence the amount of buildable land and building locations; and
 - Phasing of development.

FINDINGS: The proposed changes to the Village Center Master Plan originally approved are minor and the plan still follows the original intent to provide a true economic activity center. The most notable change herein as noted above is the introduction of the radius at the North end of Keizer Station Blvd. where it intersects with Tepper Lane. This change was made to improve the traffic flow from the baseball park to Chemawa Road to the South. Other notable changes have been to the building footprints and the area of each building. All changes improve the ability of the Village Center to function as an economic activity center.

2. Objectives: Development in Area A – Village Center will be focused on achieving the following objectives:
 - Provide a northern gateway to Keizer;
 - Develop a variety of employment opportunities;
 - Create a focal point for commerce and community activities;
 - Establish a place for multiple activities;
 - Provide a gateway to sports activities; and
 - Be a source of employment opportunities.

FINDINGS: The landscaping and pathway improvements along Chemawa Road and I-5 and a “Welcome to Keizer” monument sign along the north side of Chemawa Road just west of the I-5/Chemawa Road interchange remain unchanged. The proposed mix of commercial and IBP uses on the site continues to provide new and varied employment opportunities. The proposed master plan will provide desired employment, a focal point for community and multiple activities, and a gateway to sports activities (primarily the baseball park to the north).

B. The master plan shall meet the following standards as identified in the Keizer Station Plan in addition to standards within applicable zones:

1. Design standards

2. Transportation system standards

3. Utility standards

4. Parking standards

5. Landscape standards

If a conflict exists between standards within the Keizer Station Plan and the Keizer Development Code, the Keizer Station Plan standards shall be applied. KDC 3.113.04(B).

FINDINGS: The applicable zone within the subject site is General Employment (EG). Sections 2.119.02 through 2.119.07 identify the various uses allowed in the EG zone as well as the required mix of industrial and commercial uses. Sections 2.119.08 through 2.119.10 define the development standards, dimensional standards, height, setback, coverage and landscaping requirements, and design standards. Section 2.119.10 states that all development in the EG zone must comply with the applicable standards identified in the KDC including, but not limited to, the following:

Section 2.3	General Development Standards
Section 2.301	General Provisions
Section 2.302	Street Standards
Section 2.303	Off-Street Parking and Loading
Section 2.305	Transit Facilities
Section 2.306	Storm Drainage
Section 2.307	Utility Lines and Facilities
Section 2.308	Signs
Section 2.309	Site and Landscaping Design

Section 2.310	Development Standards for Land Divisions
Section 2.312	Yard and Lots Standards
Section 2.315	Development Standards
Section 2.4	Special uses
Section 2.419	Service Stations
Section 2.420	Auto Services

16. Keizer Development Code Sections 2.119.02 through 2.119.07 identify the use requirements for the EG zone, including the permitted, special permitted, and use restrictions, which apply to the site. A minimum of 25% of the land area must be devoted to industrial uses listed in Sections 2.119.03 and 2.119.04.

FINDINGS: The applicant has identified the proposed industrial (subject to 25% minimum requirement) and commercial (up to 75% maximum) use types for the site. The uses proposed under the industrial and commercial categories comply with the KDC requirements.

17. Keizer Development Code Section 2.119.09.B. identifies minimum lot dimension requirements.

FINDINGS: The concurrent subdivision plan submitted as part of the application shows compliance with the minimum lot dimensions and is discussed further in these findings. The proposed master plan amendment will have no affect on this provision.

18. Keizer Development Code Section 2.119.10 identifies development standards.

FINDINGS: All building envelopes on the application site plans demonstrate it is feasible to comply with these standards. Specific building location will be established on applications for development approval of specific uses. The proposed master plan amendment will have no affect on this provision.

19. Keizer Development Code Section 2.119.10(A)(3) identifies the alternative maximum setback option for large commercial uses.

FINDINGS: Adequate pedestrian walkways are proposed to ensure adequate walkable connections to various points in the master plan area. The proposed master plan amendment will have no affect on this provision.

20. The general provisions for street standards are listed in Section 2.302.03 of the Keizer Development Code (KDC). The criteria and findings are listed below:

A. General Requirement. The location, width, and grade of streets shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and to the proposed use of the land to be served by the streets. KDC 2.302.03(A).

FINDINGS: No new streets are proposed that were not contemplated in the previous Master Plan approval. Rather, the proposal shows how existing streets will be extended to serve the new preliminary plat area as contemplated in the previous master plan approval and final plat. All public streets will be constructed to the requirements of the City of Keizer Department of Public Works Design and Construction Standards.

B. Continuation of Streets. Development proposals, including subdivisions and partitions, shall provide for the continuation of, and connection to, streets where necessary to promote appropriate traffic circulation in the vicinity of the development. Where necessary to give access or permit a satisfactory future division of adjoining land, streets and utilities shall be extended to property boundaries to allow the future extension of streets and infrastructure. A temporary turnaround shall be constructed for stub streets in excess of 150 feet in length. No street or utility extensions are required when any of the following circumstances exist:

1. Less than three additional existing or future lots on adjoining parcels would gain access from the extension. For purposes of this criterion, the size of said future lots shall be no greater than two times the minimum lot size of the zone.
2. Parcel shape or size prevents new lots from meeting lot width or depth standards when a public street or infill street is proposed through the parcel.
3. Partial-width streets where adjoining development would provide a full-width public street or infill street; does not eliminate the need for variances to lot depth or width requirements.
4. Natural physical obstructions or barriers, such as parkland, floodplain, slopes, or significant trees, make access and connectivity unreasonable or impracticable.

5. Providing access and connectivity to one or more adjoining parcel(s) would not be useful given that at least one of the following conditions exist:

a. A future street plan demonstrates that adequate access and connectivity is provided from the adjacent parcel(s).

b. The development potential of the adjoining parcel(s) is (are) limited due to physical or jurisdictional constraints to such a degree that connectivity is unreasonable or impracticable.

KDC 2.302.03(B).

FINDINGS: The proposed master plan amendment will ensure that the development provides the necessary street and pedestrian/bicycle connections to adjoining properties.

C. Alignment. All streets other than minor streets or cul-de-sacs, as far as practical, shall be in alignment with existing streets by continuation of the existing centerlines. The staggering of street alignments resulting in "T" intersections shall, wherever practical, leave a minimum distance of 200 feet between the center lines of streets having approximately the same direction and otherwise shall not be less than 100 feet. KDC 2.302.03(C).

FINDINGS: All street extensions are in alignment with existing streets and existing street centerlines as shown on the plans submitted at the public hearing and the proposed master plan amendment will not impact this provision.

D. Future extension of streets. When it appears possible to continue a street, bicycle path and/or pedestrian accessway into a future subdivision, adjacent acreage or area attractors such as schools and shopping centers, streets, bicycle paths and/or pedestrian accessway facilities shall be platted and built to a boundary of the subdivision. The street may be platted without a turnaround unless the Public Works Department finds a turnaround is necessary for reasons of traffic safety. Any street extension exceeding 150 feet in length shall be provided with an approved turnaround as set forth in Section 902.2.2.4 "Dead Ends" of the Uniform Fire Code, 1994 edition. KDC 2.302.03(D).

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FINDINGS: Existing streets are continued as shown on the plans submitted at the public hearing and the proposed master plan amendment will not impact this provision.

- E. Intersection angles. Streets shall be laid out to intersect at angles as near to right angles as practical, except where topography requires lesser angles. Intersections of less than 60 degrees shall require special intersection designs. Streets shall have at least 50 feet of tangent adjacent to intersections unless topography requires lesser distances. Intersections that are not at right angles shall have minimum corner radii of 15 feet. Major arterial intersections shall have curb radii of not less than 35 feet. Other street intersections shall have curb radii of not less than 20 feet. KDC 2.302.03(E).

FINDINGS: The proposed street extensions are designed to be linear extensions at right angles. The street intersections must have a curb radius of no less than 35 feet and the proposed master plan amendment will not impact this provision.

- F. Existing Streets. Whenever existing public streets adjacent to or within a tract are of a width less than the street design standards, additional right-of-way shall be provided at the time of subdivision, partitioning, or development. KDC 2.302.03(F).

FINDINGS: There are no substandard public streets in the area of the proposed master plan.

- G. Street Names. Street names and numbers shall conform to the established standards and procedures in the City. KDC 2.302.03(I).

FINDINGS: Street names will be continuations of existing streets and street numbers shall conform to the established standards and procedures in the City. Street names shall be approved by the City of Keizer.

- H. Grades and Curves. Grades shall not exceed 7 percent on arterials, 10 percent on collector streets or 15 percent on any other street. Street grades of 15 percent shall not exceed 200 feet in length. To provide for adequate drainage, all streets shall have a minimum slope of 0.5 percent. On arterials there shall be a tangent of not less than 100 feet between reversed curves. KDC 2.302.03(J).

FINDINGS: The proposed arterial street grades are relatively flat and in no case do they exceed 7%. All streets have a minimum profile grade of 0.60%.

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- I. Frontage Streets. If a development abuts or contains an existing or proposed arterial or collector street, the City may allow frontage streets, or may require reverse frontage lots with suitable depth, screen planting contained in a non-access reservation along the rear or side property line, or such other treatment as may be necessary for adequate protection of residential properties, to afford separation of through and local traffic, and to preserve the capacity and safety of the collector or arterial street. KDC 2.302.03(K).

FINDINGS: No frontage streets are proposed.

- J. Alleys. Alleys shall be provided in commercial and industrial zones unless other permanent provisions for access to off-street parking and loading facilities are provided. The corners of alley intersections shall have radii of not less than 10 feet. KDC 2.302.03(L).

FINDINGS: No alleys are proposed within the development. The site provides adequate access to off-street parking and loading facilities and the proposed amendment will not affect this requirement.

- K. Street Landscaping. Where required as part of the right-of-way design, planting strips shall conform with the following standards:

1. Street trees shall be planted at a ratio of no less than one tree per 30 feet of property frontage. Street trees shall conform with the list of acceptable trees included in the City's Street Tree Ordinance. Installation of street trees shall be included in any improvement agreement covering the installation of public facilities and services on a property.
2. Planting strips shall be planted and maintained in predominantly living groundcover materials with hard surfaces consisting of bricks, pavers, rocks, decorative concrete work, etc., only being included as part of an overall landscape design where living plant material is predominant. In no case shall asphalt be used within the planting strip.

KDC 2.302.03(M).

FINDINGS: The existing conceptual landscaping plans remain unchanged. No changes are necessitated by this proposed amendment to the existing master plan.

21. The provisions for off-street automobile parking and loading requirements are listed in Section 2.303 of the Keizer Development Code (KDC). The criteria and findings are listed below:

A. Off-Street Automobile Parking Requirements. KDC 2.303.06.

FINDINGS: The applicant has submitted a master parking plan for approval that meets the city parking standards. Specifically, the site has been designed to provide direct and convenient vehicular access throughout all areas of the Village Center while addressing the needs of the variety of businesses planned for the center. The parking layout has been modified from the original submittal to reflect adjustments to property boundaries, building footprints and simplify any congested areas. The original master plan submittal contained a total of 4,492 parking spaces and the proposed submittal shows a total of 4,028 parking spaces. Below is a breakdown of parking per use for both the approved and proposed submittals.

The Keizer Station Parking Breakdown is established on the parking plan submitted for approval as a part of this second amended master plan submittal. A comparison of the existing approved parking and parking under the proposed parking plan is shown below.

	<u>Existing Approved Submittal</u>			
	<u>Building S.F.</u>	<u>Parking Provided</u>	<u>City Minimum</u>	<u>City Maximum</u>
RETAIL:	691,484 S.F.	3,137 Spaces	2,305 Spaces	3,458 Spaces
RESTAURANT:	58,019 S.F.	405 Spaces	232 Spaces	348 Spaces
OFFICE:	100,000 S.F.	333 Spaces	333 Spaces	500 Spaces
HOTEL :	42,000 S.F.	124 Spaces	124 Spaces	186 Spaces
TOTAL :	848,376 S.F.	3,999 Spaces	2,994 Spaces	4,492 Spaces

Proposed Parking Plan

	<u>Building S.F.</u>	<u>Parking Provided</u>	<u>City Minimum</u>	<u>City Maximum</u>
RETAIL:	631,438 S.F.	2,970 Spaces	2,105 Spaces	3,157 Spaces
RESTAURANT:	59,431 S.F.	669 Spaces	238 Spaces	357 Spaces
OFFICE:	100,000 S.F.	275 Spaces	333 Spaces	500 Spaces
HOTEL :	42,000 S.F.	124 Spaces	124 Spaces	186 Spaces
TOTAL :	832,869 S.F.	4,038 Spaces	2,800 Spaces	4,200 Spaces

As shown in the table above when viewing the Village Center as a whole, parking is consistently below city maximums per use and in total meets applicable city standards. The master parking plan was developed by Benner Stange and Associates based on both the city's off-street parking regulations and with the master plan for the Keizer Station. The intent of the master parking plan is to take into consideration the unique development patterns associated with the Keizer Station Area A and to recognize that it is intended to be developed as an integrated business center where individual lot lines are not an impediment to the use of the site. It allows individual businesses to not be treated as if they were isolated from the availability of nearby parking areas and to consider parking space allocation in the aggregate. The master parking plan will conform with the intent of the city's off-street parking regulations and with the conditions of approval of the original Keizer Station master plan. The master parking plan will allow for the development of the Keizer Station Area A in a manner which is both practical and realistic and takes into account the unique characteristics of the development.

B. Bicycle Parking shall be required in all public and semi-public, commercial and industrial development as well as park-and-ride lots. Bicycle parking shall be provided in the following amounts:

- Retail store: 1 per 10 required vehicle parking spaces with a maximum of 6 required
- Service repair center, retail store handling bulky merchandise (e.g. furniture): 1 per 30 required vehicle parking spaces with a maximum of 6 required
- Bank, offices, medical clinic: 1 per 20 required vehicle parking spaces with a maximum of 6 required

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- Eating and drinking establishment: 1 per 20 required vehicle parking spaces with a maximum of 6 required
- Hotel: 1 per 40 required vehicle parking spaces

KDC 2.303.08(A).

C. Bicycle Parking Development Requirements

1. Space Size. Each bicycle parking space shall be a minimum of six feet long and two feet wide and be accessible by a minimum four foot aisle.
2. Location. All bicycle parking areas shall be within 50 feet of a building entrance and located within a well-lit area.
3. Rack Design. Bicycle racks must be designed to secure the bicycle frame and at least one wheel, and, accommodate a locking device. Racks, lockers or other related facilities shall be securely anchored to the ground or to a structure. As an alternative, the bicycle spaces can be provided within a secured compound.
4. Access. Access to a public right-of-way and pedestrian access from the bicycle parking area to the building entrance must be provided.

KDC 2.303.08(B).

FINDINGS: Bicycle parking will be as required and as previously approved.

- D. Off-Street Loading Requirements. All other commercial or industrial buildings shall require a minimum loading space of 12 feet wide, 30 feet long, and 14 feet high in the following amount: for buildings containing over 5,000 square feet of gross floor area, 1 space; for each additional 40,000 square feet of gross floor area, or any portion thereof, 1 space. KDC 2.303.10(B).

FINDINGS: Sufficient paved areas and designated loading areas are provided on-site throughout the project area in a manner, which is appropriate for the size and character of the buildings and businesses they contain.

E. Parking and Loading Area Development Requirements

- 1. Surfacing.** All driveways, parking and loading areas shall have a durable, hard, dust free surface built to Department of Public Works standards, KDC 2.303.11(A).

FINDINGS: Pavement conforming to adopted City of Keizer standards will be provided as part of the building permit process.

2. Parking Spaces

- a. Dimensions.** Parking spaces shall be a minimum 9 feet wide and 18 feet in length.
- b. Compact Spaces.** Compact parking spaces, at a reduced width of 8.5 feet, shall be permitted on sites with more than five (5) parking spaces. No more than 30% of the required parking shall be compact spaces and each space must be identified as a "Compact Space." KDC 2.303.11(B).

FINDINGS: The proposed parking plan meets these requirements.

3. Aisle The following minimum aisle dimensions shall apply:

- 1. Without adjacent parking:**
- a. One-way: 12 feet**
- b. Two-way: 22 feet**
- 2. With adjacent parking:**

<u>PARKING ANGLE</u>	<u>DRIVEWAY WIDTH</u>
<u>0 to 40</u>	<u>14 feet</u>
<u>41 to 55</u>	<u>15 feet</u>
<u>56 to 70</u>	<u>18 feet</u>
<u>71 to 90</u>	<u>24 feet</u>

KDC 2.303.11(C).

FINDINGS: The parking plan meets these standards.

4. Screening. When any public or loading area abuts a residential zone, the parking or loading area shall be screened or buffered as is required in Section 2.309.05, KDC 2.303.11(D).

FINDINGS: No change is proposed in this second amended master plan that affects the master plan's compliance with this standard. The master plan continues to comply with this standard.

5. Lighting. All lighting shall be directed entirely onto the loading or parking area and away from any residential use. The lighting shall not cast a glare or reflection onto the public rights-of-way. KDC 2.303.11(E).

FINDINGS: The residential properties to the west are separated by the railroad right-of-way. The proposed lighting plan demonstrates that the proposed site lighting will not cast any light or glare toward these properties.

6. Landscaping. A tree shall be planted for every eight lineal parking spaces not located adjacent to a building. The planting space shall measure no less than 4 feet square and be surrounded by concrete curbing. The plant shall be of a species that the root system will not interfere with underground utilities or the parking surface, and, is capable of achieving a 15 foot radius. KDC 2.303.11(F).

FINDINGS: No change is proposed that affects the existing master plan's compliance with this standard. The second amended master plan complies with this standard based on the manner in which the existing master plan complies with this standard.

7. Traffic Flow. Service drives to off-street parking areas shall be designed and constructed to allow flow of traffic, provide maximum safety of traffic access and egress and the maximum safety of pedestrians and vehicular traffic on the site. KDC 2.303.11(G).

FINDINGS: The access to and from the various parking lots is controlled and designed to provide suitably spaced street or driveway intersections. This design will provide for safe and efficient traffic flow throughout the site.

8. Entrance/Exits. Service drive exits shall have a minimum vision clearance area of 15 feet from the intersection of the street and driveway. KDC 2.303.11(H).

FINDINGS: There is no change to any entrances and all entrances continue to have adequate vision clearance. The final choice of landscaping materials during the building permit approval stage should be made so that minimal maintenance will be necessary to maintain adequate site distance.

9. Bumper Rails. Parking spaces along the outer boundaries of a parking area shall be contained by a curb or a bumper rail to prevent a motor vehicle from extending over an adjacent property, a street, or a sidewalk. The bumper shall be at least 4" high and located a minimum of 3 feet from the property line. KDC 2.303.11(I).

FINDINGS: This is a design detail, which is not shown in the submitted plans, however, will be provided as part of the building permit review.

22. The provisions for transit facilities are listed in Section 2.305 of the Keizer Development Code (KDC). The criteria and findings are listed below:

A. Siting Requirements. The location of transit facilities shall be based upon the size and trip generation potential of major new development adjacent to a transit street. Section 2.305.02 outlines the maximum transit facilities that may be required by the City. Determination of specific requirements will be made on a case by case basis for each development by evaluation the following factors:

1. Expected transit ridership generated by a development.
2. The level of existing or planned transit service adjacent to the development. Planned transit service is defined as service that is planned to be established within five years after the completion of development according to the latest officially adopted transit plan by the Transit District.
3. The location of existing facilities.
4. The proximity of other transit ridership generators.

KDC 2.305.01(A).

FINDINGS: The applicant will continue to work with the Transit District to ensure compliance with these requirements, making adjustments where necessary to accommodate the needs of the district.

- B. Design Requirements - Retail /industrial/institutional peak hour traffic trips of more than 200 require a concrete boarding pad and transit turnout. KDC 2.305.02.

FINDINGS: The applicant will continue to work with the Transit District to ensure compliance with these requirements, making adjustments where necessary to accommodate the needs of the district.

23. The provisions for storm drainage are listed in Section 2.306 of the Keizer Development Code (KDC). The criteria and findings are listed below:

A. General Standards. All development shall be planned, designed, constructed and maintained to:

1. Protect and preserve existing natural drainage channels to the maximum practicable extent;
2. Protect development from flood hazards;
3. Provide a system by which water within the development will be controlled without causing damage or harm to the natural environment, or to property or persons within the drainage basin;
4. Assure that waters drained from the development are substantially free of pollutants, through such construction and drainage techniques as sedimentation ponds, reseeded, phasing of grading;
5. Assure that waters are drained from the development in such a manner that will not cause erosion to any greater extent than would occur in the absence of development;
6. Provide dry wells, french drains, or similar methods, as necessary to supplement storm drainage systems;
7. Avoid placement of surface detention or retention facilities in road rights-of-way.

KDC 2.306.05(A).

FINDINGS: Plans have been submitted indicating the present drainage patterns and runoff characteristics. No increase in runoff is contemplated

Storm water detention including roof drains which will be connected to an approved system designed to provide adequate drainage for proposed new driveways, parking lots and other impervious surfaces. Where on-site private detention is planned, adequate covenants, conditions and restrictions (CCRs)

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will be recorded to alert future owners/developers that detention and/or treatment will be constructed to applicable city standards.

A grading and drainage plan has been developed for the subject property including proposed lot corner elevations. Details include showing adequate conveyance of storm water from adjacent property across the subject property. However, the adoption of the master parking plan in and of itself will result in no change to the developed storm water drainage associated with the development.

24. The standards for utility lines and facilities are listed in Section 2.307 of the Keizer Development Code (KDC). The criteria and findings are listed below:

- A. Impact. The location, design, installation and maintenance of all utility lines and facilities shall be carried out with minimum feasible disturbances of soil and site. KDC 2.307.02(A).

FINDINGS: The applicant will locate, design, install and maintain all utility lines and facilities with the minimum feasible disturbance to soil and site and comply with best management practices for erosion control and vegetation protection.

- B. Water. All development that has a need for water service shall install water facilities and grant necessary easements pursuant to the requirements of the City. KDC 2.307.02(B).

FINDINGS: No change is contemplated to approved water conveyance systems previously approved by the city.

- C. Private Utilities. All development that has a need for electricity, gas and communications services shall install them pursuant to the requirements of the district or company serving the development. Except where otherwise prohibited by the utility district or company, all such facilities shall be underground. KDC 2.307.02(C).

FINDINGS: All electricity, gas and communications services will be installed pursuant to the requirements of the district or company serving the development.

- D. Sanitary Sewers. All development that has a need for public/private sanitary sewers shall install the facilities pursuant to the requirements of the city. Installation of such facilities shall be coordinated with the extension of necessary water services and storm drainage facilities. KDC 2.307.02(D).

FINDINGS: No change is contemplated to the previous approved master plan program for sewer service to the Village Center.

- E. Street Lights. When required, installation of street lights shall be pursuant to the requirements of the city and the company serving the development. KDC 2.307.02(E).

FINDINGS: A street lighting master plan has been proposed and is not proposed to be changed in this second amended master plan except that street lights shall be provided to the preliminary plat areas.

- F. Easements. Easements shall be provided along property lines as deemed necessary by the City, special districts, and utility companies. Easements for special purpose uses shall be of a width deemed appropriate by the responsible agency. Such easements shall be designated on the final plat of all subdivisions, and on the final plat of all partitions. KDC 2.307.02(F).

FINDINGS: All easements will be located in the appropriate locations based on actual approved plans.

25. The provisions for signs are listed in Section 2.308 of the Keizer Development Code (KDC). The criteria and findings are listed below:

- A. Commercial and Industrial Signs, Integrated Business Centers: Total allowed area. For wall, canopy and projecting signs on individual businesses within an integrated business center, one and one-half square feet of total allowed sign area for each lineal foot of building frontage for the individual business, up to a total maximum of 150 square feet per business. Individual businesses may not assign their unused allowed area to other businesses in the integrated business center. Free standing signs are permitted only as set forth below and in Section 2.308.08.C. KDC 2.308.08(B)(1)

FINDINGS: No signs are proposed in this approval request.

26. The provisions for site and landscaping design are listed in Section 2.309 of the Keizer Development Code (KDC). The criteria and findings are listed below:

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- A. Minimum Area Requirements. Landscaped areas may include landscaping around buildings; open spaces and outdoor recreation areas; islands and perimeter planting areas in parking and loading areas; and areas devoted to buffering and screening as required in this Section and elsewhere in this Ordinance. The minimum areas devoted to landscaping are established within the applicable zone district the property is located in. KDC 2.309.03

FINDINGS: The approved landscaping plan is unchanged except that landscaping is proposed to be continued to soften and create interest to the preliminary plat areas.

B. Screening and Buffering

- A. Screening and Buffering shall be used to eliminate or reduce the impacts of the following uses:

1. Commercial and industrial uses when abutting residential uses.
2. Industrial uses when abutting commercial uses.
3. Service areas and facilities, including garbage and waste disposal containers, recycling bins, and loading areas. (5/98)
4. Outdoor storage areas.
5. Parking areas for 20 or more vehicles for multi-family developments, or 30 or more vehicles for commercial or industrial uses.
6. At and above-grade electrical and mechanical equipment, such as transformers, heat pumps, and air conditioners.
7. Shall be used to mitigate adverse visual impacts, dust, noise, or pollution, and to provide for compatibility between dissimilar adjoining uses.

- B. Where screening or buffering is determined to be necessary, one of the following alternatives shall be employed:

1. Width not less than 15 feet shall be planted with the following materials:
 - a. At least one row of deciduous or evergreen trees staggered and spaced not more than 15 feet apart.
 - b. At least one row of evergreen shrubs that will grow to form a continuous hedge at least five feet in height within one year of planting.
 - c. Lawn, low-growing evergreen shrubs or evergreen ground cover covering the balance of the area.
2. Width not less than 10 feet shall be developed in accordance with the following standards:
 - a. Berm form should not slope more than 40 percent (1:2.5) on the side away from the area screened from view. The slope for the other side (screened area) may vary.
 - b. A dense evergreen hedge shall be located so as to most effectively buffer the proposed use.
 - c. The combined total height of the berm and hedge shall be not less than five feet.
3. Width must not be less than five feet shall be developed in accordance with the following standards:
 - a. A masonry wall or sight-obscuring fence not including vinyl slatted chain link fences not less than six feet in height. In addition, a fence shall be maintained in a safe and attractive manner.
 - b. A mixture of lawn, low-growing evergreen shrubs, and evergreen ground cover covering the balance of the area.
4. Other alternative methods which produce an adequate screening or buffering may be approved by the Zoning Administrator.

KDC 2.309.05

FINDINGS: The existing landscaping plans will be adhered to and extended to cover the preliminary plat areas. No additional buffering beyond what is already

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required is proposed except for the addition of buffering materials, such as arborvitae, along Stadium Drive adjacent to the railroad. Otherwise, the existing plans regarding buffering are adequate.

C. Planting and Maintenance

A. No sight-obscuring plantings exceeding 30 inches in height shall be located within any required vision clearance area in accordance with Section 2.312.09 of this Ordinance. KDC 2.309.06(A).

FINDINGS: No planting are contemplated that would be contrary to this standard.

B. Plant materials shall not cause a hazard. Landscape plant materials over walkways, pedestrian paths and seating areas shall be pruned to a minimum height of eight feet and to a minimum height of 15 feet over streets and vehicular traffic areas. KDC 2.309.06(B).

FINDINGS: Based upon the plant list proposed by the applicant, this problem is not anticipated. Street trees will be pruned to comply with this requirement.

C. Landscape plant materials shall be selected, which do not generally interfere with utilities above or below ground. KDC 2.309.06(C).

FINDINGS: Utilities are and will continue to be placed underground. No conflicts are foreseen between the approved landscaping plan and the utility plan.

D. Landscape plant materials shall be properly guyed and staked to current industry standards as necessary. Stakes and guy wires shall not interfere with vehicular or pedestrian traffic. KDC 2.309.06(D).

FINDINGS: The existing landscaping plan includes typical planting details for trees that will be applied to the preliminary plat areas as well as the existing master plan areas. This will be monitored as part of the building permit approval process.

E. Plant materials shall be suited to the conditions under which they will be growing. As an example, plants to be grown in exposed, windy areas that will not be irrigated should be sufficiently hardy to thrive under these

conditions. Plants should have vigorous root systems, and be sound, healthy, free from defects, diseases, and infections. KDC 2.309.06(E).

FINDINGS: The plants in the approved landscaping plan are appropriate, given the conditions of the site.

F. Deciduous trees shall have a minimum of 2 inches, and a minimum height of 8 feet at the time of planting. KDC 2.309.06(F).

FINDINGS: All trees either meet or will be required to meet this standard.

G. Evergreen trees shall be a minimum of 6 feet in height and fully branched at time of planting. KDC 2.309.06(G).

FINDINGS: All evergreens planted will meet this standard.

H. Shrubs shall be supplied in a minimum 1 gallon containers or 8 inch burlap balls with a minimum spread of 12 to 15 inches. KDC 2.309.06(H).

FINDINGS: All shrubs will be planted consistently with this standard. Additionally, the shrub plant materials will be planted at spacing necessary to achieve the landscape design objectives within five years of growth.

I. Ground cover plants shall be spaced in accordance with current nursery industry standards to achieve covering of the planting area. Rows of plants are to be staggered for a more effective covering. Ground cover shall be supplied in a minimum 4 inch size container. KDC 2.309.06(I).

FINDINGS: Plantings will meet this standard.

J. All developments are required to provide appropriate methods of irrigation for the landscaping. Sites with over 1,000 square feet of landscaped area shall be irrigated with automatic sprinkler systems to insure the continued health and attractiveness of the plant materials unless otherwise approved by the Zoning Administrator. Sprinkler heads shall not cause any hazard to the public. Irrigation shall not be required in wooded areas, wetlands, floodplains, or along natural drainage channels or stream banks. KDC 2.309.06(J).

FINDINGS: An irrigation system has previously been approved for the entire development and will be extended to serve the preliminary plat areas.

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K. Trees or shrubbery which die-off shall be replaced with a new plant of the same or similar type. Replacement is ultimately the responsibility of the property owner. KDC 2.309.06(K).

FINDINGS: This will be done as necessary if any of the plants die.

L. Landscaping shall be continually maintained. Appropriate methods of care and maintenance of landscaped plant material shall be provided by the owner of the property. KDC 2.309.06(L).

FINDINGS: This is a continuing obligation imposed by the city's code that the applicant must adhere to.

M. Landscape plant material shall be protected from damage due to heavy foot traffic or vehicular traffic by protective tree grates, pavers or other suitable methods. KDC 2.309.06(M).

FINDINGS: There is no change contemplated to the approved landscaping plan.

27. The provisions for development standards are listed in Section 2.315 of the Keizer Development Code (KDC). The criteria and findings are listed below:

A. Pedestrian Circulation. As used herein "walkway" means a hard surfaced area intended and suitable for use by pedestrians, including both public and private sidewalks.

1. Connection Required. The pedestrian circulation system for the proposed development must connect uses, building entrances, adjacent streets, and nearby transit stops. KDC 2.315.08(A)(1).

FINDINGS: Sidewalks are provided to allow safe and convenient pedestrian access throughout the site.

2. Walkway Location and Design. Walkway(s) shall be located so that a pedestrian can conveniently walk between a transit street and the entrance(s) to a building(s). Except where it crosses a driveway, a walkway shall be separated by a raised curb or other physical barrier from the auto travel lane and parking. If a raised path is used the ends of the raised portions must be equipped with curb ramps which comply with Oregon State Building Code Requirements. KDC 2.315.08(A)(2).

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FINDINGS: While transit service is ultimately anticipated, route locations and stops have not been established.

3. Additional Street Access. A walkway from a building entrance to a public street shall be provided for every 300 feet of street frontage. KDC 2.315.08(A)(3).

FINDINGS: This standard will be met as each building is designed.

4. Driveway Crossings. Driveway crossings shall be a maximum of 36 feet in width. Where the pedestrian system crosses driveways, parking areas and loading areas, the system must be clearly identifiable through the use of elevation changes, a different paving material, texture, or other similar method. KDC 2.315.08(A)(4).

FINDINGS: All driveways will continue to meet this standard. Pedestrian crossings at streets, driveways and parking areas will continue to be constructed with a different paving material and texture.

5. Lighting. Lighting shall be provided for all walkways. Pedestrian walkways must be lighted to a level where the system can be used at night by employees and customers. KDC 2.315.08(A)(5).

FINDINGS: The lighting proposed for the site provides appropriate illumination for the development.

6. Walkway Coverage.

- a. Any portion of a walkway located within three feet of a building frontage shall be covered with awnings or building overhangs. The minimum vertical clearance shall be 9 feet for awnings and building overhangs. The maximum vertical clearance shall be 15 feet.
- b. In the EG zone, Any portion of a walkway located within three feet of a building frontage shall be covered with awnings or building overhangs as provided in Subsection a, except for buildings, which have greater than 300 feet of lineal frontage, where this requirement shall apply to at least 33 percent of the

building frontage. The maximum vertical clearance shall be 15 feet.

KDC 2.315.08(A)(6).

FINDINGS: Compliance with this standard will be continued. Compliance with this standard is confirmed during the building permit review.

7. Dimensions. Walkways shall be at least five feet in paved unobstructed width. Walkways that serve multiple uses or tenants shall have a minimum unobstructed width of eight feet. KDC 2.315.08(A)(7).

FINDINGS: The preliminary plat area is the only new plans triggering review under this criterion. The walkways in this area are consistent with this criterion. All sidewalks within the Keizer Station Village Center serve multiple use destinations for pedestrians. In order to be consistent with the standards set in the Development Standards for walkway design all sidewalks strive to be a minimum of eight feet.

8. Stairs or ramps shall be in place where necessary to provide a direct route between the transit street and the building entrance. Walkways without stairs shall comply with the accessibility requirements of the Oregon State Building Code. KDC 2.315.08(A)(8).

FINDINGS: This is a standard that is evaluated and assured during building permit review.

9. Access to Adjacent Property. If the proposed development has the potential of being a significant attractor or generator of pedestrian traffic, potential pedestrian connections between the proposed development and existing or future development on adjacent properties other than connections via the street system shall be identified. KDC 2.315.08(A)(9).

FINDINGS: Existing approved pedestrian amenities will be continued to serve the new preliminary plat area as well as the remainder of the Master Plan area.

10. The building permit application or Development Standards Alternative application shall designate walkways and pedestrian connections on the proposed site plan. If the applicant considers walkways are infeasible, proposed findings shall be submitted demonstrating that the walkway or

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connection is infeasible. The findings will be evaluated in conjunction with the building permit or Development Standards Alternative process. KDC 2.315.08(A)(10).

FINDINGS: This will be performed as part of building permit review.

B. Building Design

1. Ground floor windows - In the EG zone, one elevation of any building with more than 100,000 square feet of floor area, which contains permitted uses listed under Sections 2.119.05 F, G, H, I, J, and K, shall have no less than 33 percent of the ground floor wall area, defined from the ground to the height of the awning, with windows or window facsimiles or other architectural features that simulate windows, display areas or doorway openings. KDC 2.315.08(B)(1)(b).

FINDINGS: The buildings will meet this standard, and compliance will be confirmed during permit review.

2. Building facades - In the EG zone, facades facing a public street shall extend no more than 60 feet without providing a variation of building materials for buildings over 20,000 square feet. In the EG zone, no building facade shall extend for more than 400 feet without a pedestrian connection between or through the building, provided that there is a pedestrian purpose being served. KDC 2.315.08(B)(2)(b).

FINDINGS: Compliance will be confirmed during the building permit review.

3. Awnings – Awnings or canopies, shall be provided along building storefronts abutting a public sidewalk. Awnings and canopies shall be constructed of canvass, acrylic fabric, laminated vinyl, metal or similar standard material. Awnings and canopies of corrugated fiberglass or polycarbonate roofing shall be prohibited. Awnings and canopies shall not be back lit. KDC 2.315.08(B)(3).

FINDINGS: Compliance will be confirmed during the building permit review.

4. Materials and Texture

a. Building Materials.

1. All buildings shall have wood, brick, stone, or stucco siding, or vinyl siding made to look like wood siding. Metal siding as described in this section shall be allowed. In the EG zone, all buildings shall have wood, brick, stone, architectural block, slump stone, architectural concrete or stucco siding, or vinyl siding made to look like wood siding.
2. Metal siding other than corrugated or reflective material are allowed except for residential buildings housing 3 or more dwellings and buildings within the EG zone metal siding is allowed with the exception of corrugated or reflective metal.
3. Plain concrete block, plain concrete, plywood and sheet press board may not be used as exterior finish materials.

KDC 2.315.08(B)(4)(a).

FINDINGS: Compliance will be confirmed during the building permit review.

- b. Trim Material. Building trim shall be wood, brick, stone, stucco, vinyl siding material made to look like wood, or metal. KDC 2.315.08(B)(4)(b).

FINDINGS: Compliance will be confirmed during the building permit review.

- c. Roofing Material. Any roofing material is allowed including metal roofs. KDC 2.315.08(B)(4)(c).

FINDINGS: Compliance will be confirmed during the building permit review.

- d. Foundation Material. Foundation material may be plain concrete or plain concrete block where the foundation material is not revealed for more than 3 feet. KDC 2.315.08(B)(4)(d).

FINDINGS: Compliance will need to be confirmed during the building permit review.

28. KEIZER STATION PLAN DESIGN STANDARDS

- A. KDC Section 2.315 *Development Standards* requires new development to apply for Development Review and to comply with standards identified in

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KDC Section 2.315.08 as part of the building permit approval process. These standards are intended to be objective and to serve as a guide to designers of developments. A building permit shall be issued when the proposal:

1. Is consistent with the Development Standards of KDC Section 2.315; and
2. Is in substantial conformity to the approved Master Plan.

FINDINGS: These standards are addressed in the building permit approval process and will be binding on all structures.

B. Development throughout Area A – Village Center will also be controlled by a set of design standards aimed at establishing an environment that promotes a coordinated approach to developing the entire 95 acres. The intent is to establish design standards in addition to the standards identified in KDC Section 2.315 that will guide future development in a manner that will achieve the development objectives for Area A – Village Center. The following Design Standards shall also apply to new development in Area A – Village Center area as part of the Master Plan approval process:

1. Gateway. In order to achieve the objective of making Area A – Village a gateway to Keizer, a gateway feature visible from I-5 shall be provided.

FINDINGS: This has been achieved by the proposed landscaping on the perimeter of the site and the “Welcome to Keizer” monument sign located near the Chemawa interchange.

2. Weather protection. Weather protection for pedestrians, such as awnings, canopies and arcades, shall be provided at building entrance(s). Weather protection is encouraged along building frontages abutting a public sidewalk or a hard-surfaced expansion of a sidewalk, and along building frontages between a building entrance and a public street or accessway.

FINDINGS: The applicant intends to provide these amenities. Provision of the required amenities will be confirmed during the building permit review process.

3. Landscaping. All required yards, except driveways, are required to be landscaped; that portion within the required yard, which is landscaped, may be included in the calculation to meet minimum landscape area requirements. Landscaping shall meet all applicable standards identified in Section 2.309 of the Keizer Development Code. In addition to landscaping provisions identified in Section 2.309, landscaping for properties within the EG zone shall be defined as follows: (2.03)

“Landscaped Area” must be native or non-native trees, vegetation, ponds, rocks, ground cover, bark chips, cinders, terraces, vegetable or flower gardens, trellises, pathways, or structural features including but not limited to fountains, reflecting pools, outdoor art work, screen walls, fences and benches, which reasonably requires and continues to reasonably require human management to distinguish the area from a natural area. (2.03)

Within the EG zone, landscape area requirements may be determined by the City Council to have a portion of landscaped or streetscaped area within the right-of-way to be included within the minimum landscape area requirement. KDC 2.119.10(A)(4).

FINDINGS: Landscaping and water features have been previously approved and will be continued. Other features, which are not shown, but which could be a condition of approval include other structural features such as benches, trellises, screen walls and outdoor art. The applicant shall work with the planning director to provide such amenities in a manner that is acceptable.

4. Streetscaping. Streetscaping is defined as pedestrian oriented improvements to property. Streetscaping may include, but is not limited to, walkways with varied materials (other than plain concrete or asphalt), art features, water features, planters, benches, hanging plant baskets, and plazas. (2.03)

(a) In accordance with Section 3.113 Keizer Station Master Plan Review, at the time of master plan approval by the Council, the Council may determine if streetscaped areas may be included in the minimum landscape area for a proposed development. KDC 2.119.10(A)(5).

FINDINGS: In keeping with the intent of the overall design of the Village Center, special attention is required for the pedestrian circulation system. The application continues to show that pedestrian crossings at streets and parking areas are distinguished from vehicular traffic with the use of distinct patterns

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and different materials such as colored and patterned concrete at those crossing areas.

29. KEIZER STATION PLAN TRANSPORTATION SYSTEM

A. Radiant Drive is relocated to bisect Area A – Village Center and will provide a landscaped entry as well as providing a direct connection into Area A – Village Center. The design of Radiant Drive and internal streets shall include landscape features identified in KDC Section 2.119.10.A.4.

FINDINGS: The area along the new location of Radiant Drive as well as the entry of the Keizer Station Plan at Lockhaven is to be landscaped according to these requirements under the existing approvals and this requirement remains unchanged in this approval request.

B. Access from Radiant Drive to adjoining property shall be controlled. The intent of Radiant Drive is to provide efficient through traffic. Signalized access connections will be located at least 600 feet apart, except where approved by the City Traffic Engineer. Additional access connections on Radiant Drive should be limited and designed to maximize the flow of traffic. All internal signalized intersections on Radiant Drive will operate at a V/C standard of 0.87 or better.

FINDINGS: Traffic signals remain as already approved and the need and proposal therefore remains unchanged.

C. The on-site pedestrian circulation system shall be continuous, connecting the ground-level entrances of primary structure(s) to the following:

- a. Streets abutting the site;
- b. Parking areas;
- c. Shared open spaces and play areas;
- d. Abutting transit stops;
- e. Any pedestrian amenity such as plazas, resting areas and viewpoints; and
- f. Adjacent buildings.

FINDINGS: The Keizer Station Village Center is pedestrian friendly while at the same time provides an economic center for the city. This will continue to be achieved under the second amended master plan.

D. There shall be at least one pedestrian connection to an abutting street frontage for each 300 linear feet of street frontage.

FINDINGS: This criterion is satisfied as all improvements in the new area of the master plan – the preliminary plat area or the “Lowrey” area meet this standard.

30. KEIZER STATION PLAN UTILITIES

In addition to the development standards of Utility Lines and Facilities – Section 2.307 the following standard shall apply to new utilities:

- A. All utilities located adjacent to Radiant Drive and connecting transportation facilities shall be located underground.
- B. All other new utility connections and lines shall be located underground where practicable.

FINDINGS: Utilities will be underground. This will be assured through the building permit and other permit review requirements.

31. KEIZER STATION PLAN PARKING

Parking standards for Area A – Village Center shall follow the standards located in the corresponding base zone as well as Off-Street parking and Loading – Section 2.302. In addition to these standards, the following shall also apply:

- A. Location of parking – If the building is located within 20 feet of the Radiant Drive right-of-way, there shall be no parking or maneuvering between the building and the right-of-way.

FINDINGS: The approval of the proposed parking plan establishes compliance with this standard.

32. KEIZER STATION PLAN LANDSCAPE

In addition to the development standards of Site and Landscape Design – Section 2.309 the following standards shall apply:

- A. A coordinated landscape plan shall be provided for the frontage portion of the Village Center along I-5 with the request for master plan approval.
- B. Restriction on Tree Removal. From the date of adoption of this ordinance, no trees shall be removed from any property within Area A - Village Center without approval from the City. The City recognizes that factors such as disease and safety concerns or other practical considerations may require the approval to remove such trees. The City otherwise may determine existing trees to remain on the property.

Upon application for master plan approval, the applicant shall submit a tree inventory of all existing trees and trees removed since the date of this ordinance.

FINDINGS: The existing landscaping plan shall be continued under this second amended master plan. Moreover, the landscaping plan details will be refined during the building permit review process. A tree inventory has been submitted by the applicant, and approved by the city. No change is proposed to either the landscaping plan or tree plan in this proposed master plan, except that both will be extended to serve the preliminary plat area.

33. The review criteria for development strategies for Area A – Village Center are listed in Section 3.113.04 of the Keizer Development Code (KDC). The criteria and findings are listed below:

A. Pedestrian Access, Safety and Comfort

1. To ensure safe, direct, and convenient pedestrian circulation, development in the EG zone, shall provide a continuous pedestrian and/or multi-use path system.
2. The pathway system shall extend throughout the development site, and connect to all future phases of development, adjacent trails, public parks and open space areas wherever possible.
3. Pathways with developments shall provide safe, reasonably direct and convenient connections between primary building entrances and all adjacent streets and parking areas.
4. For all developments subject to Master Plan review, pathways shall connect all building entrances to one another. In addition, pathways

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shall connect all parking areas, storage areas, recreational facilities and common areas (as applicable), and adjacent developments to the site, as applicable.

5. Recessed entries, canopies, and/or similar features shall be used at the entries to a building in order to create a pedestrian scale.
6. For driveways that service more than 100 parking spaces, such driveway intersections with Radiant Drive shall not have any parking within twenty-five feet of the driveway intersection. This area shall be landscaped in accordance with Section 2.309 of the Keizer Development Code.
7. The proposal contains an equally good or superior way to achieve the intent of the above criterion and guidelines.

KDC 3.113.04(C)(1).

FINDINGS: These criteria are a requirement of the Master Plan approval that is ensured at the time of building permit application and approval.

- B. Vehicular Movement - Encourage traffic to enter and exit the development at locations other than Tepper Lane. KDC 3.113.04(C)(2).

FINDINGS: No changes to the approved circulation plan is contemplated in this second amended master plan. The requirements of the approved Master Plan continues to apply.

C. Parking Requirements

FINDINGS: The city parking requirements are met with the proposed parking plan as explained above. The requirements of the approved Master Plan continues to apply.

D. Creating and Protecting Public Spaces

1. The development provides an appropriate amount of public space as determined by the City Council in addition to sidewalks and landscaping.

2. Public space may be a landscaped open space or plaza with pedestrian amenities, as approved by the City Council.

KDC 3.113.04(C)(5).

FINDINGS: The applicant is proposing an appropriate amount of public spaces and parks. The requirements of the approved Master Plan continues to apply.

E. Human Scaled Building Design - Building facades are designed to a human-scale, for aesthetic appeal, pedestrian comfort, and design character of a development. The City Council may determine architectural character, continuity of building sizes, roof forms, rhythm of window and door spaces and the general relationship of buildings to public spaces such as street, plazas, other open space and public parking. KDC 3.113.04(C)(6).

FINDINGS: Building facades will be approved at the time of building permit approval. The requirements of the approved Master Plan continues to apply.

F. The Village within Area A shall contain a public improvement design to include a promenade/sidewalk design that may vary in width to meet a minimum width of 8 feet on both sides of Radiant Drive. The promenade/sidewalk shall be separated from the street with a landscape belt, to include decorative lighting and trees. KDC 3.113.04(C)(7).

FINDINGS: The existing approved Master Plan establishes the Village Center complies with this standard. All walkways will be continued as they are approved in the existing master plan. The requirements of the approved Master Plan continues to apply.

34. The provisions for development and construction of private improvements are listed in Section 602 and 603 of the Agreement for Disposition and Development of the Keizer Station Project. The criteria and findings are listed below:

A. Developer Design Drawings and Construction Drawings for the Project; Related Documents

Agency, in its sole discretion, may withhold its approval of any drawings that fail to meet the following standards:

1. The Public Improvement Plan, the Development Agreement and Master Plan
2. The Urban Renewal Plan objectives.
3. All applicable State and City codes and standards, including but not limited to the development standards of the Development Code, and
4. Agency's expectations as to inclusion of pedestrian-friendly design elements, extensive landscaping and streetscaping elements and other architectural design features to provide a first class, attractive development.

Section 602(A).

FINDINGS: In order for the Master Plan to receive final approval the applicant will be required to submit documentation demonstrating compliance with all applicable federal, state and local requirements. This includes all conditions adopted by the City Council which apply to this Master Plan. These will be submitted to the Community Development Director for verification and final approval.

- B. General Design Standards. As a benchmark for comparison but not as a substitution for compliance with the Keizer Station Plan or the Development Code, the drawings submitted by Developer for the Anchor Tenants in the Village Center Area will be expected to be substantially similar to or better than the design employed by the major tenants within Argyle Square in Wilsonville, Oregon. Section 602(B).

FINDINGS: The elevations of buildings will be reasonably varied in materials, and reasonably human in scale and meet this provision.

- C. Construction. The parties agree that the following areas shall be included within the Project: the public park, the plazas, and the pathway. Section 603(A).

The terms are defined in Section 101, Definitions, of the Developer Agreement, as follows:

“Pathway” shall mean a multi-purpose pathway, which shall be at least twelve feet in width, starting from Chemawa Road on the southern boundary of the Village Center Area and extending to the northern boundary thereof, constructed by the City or the Developer and owned by the Agency or the City, all in accordance with the terms and conditions of this Agreement.

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“Plazas” shall mean the four separate areas, none of which shall measure less than 1,000 square feet and all of which together shall measure at least 8,000 square feet, owned by the Developer and constructed by the Developer, all in accordance with the terms and conditions of this agreement.

“Public Park” shall mean the area measuring at least two acres in size and consisting of public park day-use amenities (e.g., public tables, benches and related hardscape like Millennium Park in Lake Oswego) to be constructed by the City or the Developer and owned by the Agency or the City, all in accordance with the terms and conditions of this Agreement. The Public Park area shall be in addition to any area established to contain a wetlands/mitigation park-like environment. For purposes of satisfying the minimum acreage requirement, the Public Park may include any property immediately adjacent to Area A which Developer so improves.

FINDINGS: No changes are proposed to the approved existing master plan elements in this regard.

Based on the above discussed findings the proposed master plan amendment complies with the applicable review criteria.

FINDINGS: SUBDIVISION

35. The review criteria for a subdivision is listed in Section 3.108.06 of the Keizer Development Code. The criteria and findings are listed below:

A. The proposal shall comply with the applicable development standards in Section 2.405 and Section 2.3 as appropriate, including provisions for streets and utilities. KDC 3.108.06(A).

FINDINGS: Section 2.405 contains development standards for manufactured home parks and are therefore, not applicable in this situation. Section 2.3 of the Keizer Development Code contains the policies and standards, which guide all development approvals within the City of Keizer and will need to be complied with.

B. Each lot shall satisfy the dimensional standards and density standard of the applicable zoning district, unless a variance from these standards is approved. KDC 3.108.06(B).

FINDINGS: The proposed lots will comply with the Dimensional Standards within Section 2.119.09. This section indicates that the standards are intended

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to prevent the creation of small lots or parcels, which are difficult to develop or to aggregate with other lots or parcels. The standards also discourage narrow lots or parcels, which increase demand for curb cuts. The EG zone is specifically designed for the property Contained in Area A – Village Center in the Keizer Station Plan. Uses in the gross acreage described shall be developed as a maximum seventy-five percent (75%) commercial uses listed in Sections 2.119.05 and .06 and a minimum twenty-five percent (25%) industrial uses listed in Sections 2.119.03 and 04. Uses shall be established in conformity with this Section and all other applicable regulations within the Keizer Development Code. Therefore, the division of such ground shall be approved to the standards in subsection 2.119.09.B which allows that:

1. Unless exempted under Section (4) below, within the acreage identified for commercial uses, at least eighty percent (80%) of the lots or qualified abutting lots must meet Standard A stated in the table within this subsection and the remainder lots or parcels must meet Standard B.
2. Unless exempted under Section (4) below, within the acreage identified for industrial uses, at least eighty percent (80%) of the lots or qualified abutting lots must meet Standard C stated in the table within this subsection and the remainder of the lots or parcels must meet Standard D.
3. Qualified abutting lots:
 - a. Qualified abutting lots are defined as lots or parcels having the same classification as either all industrial or all commercially designated lands, lots that abut one another on at least one side and where there is no plan or proposal for curb cuts that would otherwise not be allowed if each individual lot was required to meet the dimensional standards of this section. Qualified abutting lots may be considered in the aggregate as if they were a single whole lot for purposes of determining such qualified abutting lots' compliance with the dimensional standards of this section. Qualified abutting lots may be considered in the aggregate as if they were a single whole lot for purposes of classification of such qualified abutting lots under Section A, B, C, or D below.
 - b. In the absence of the approval of a variance, for purposes of determining compliance with the dimensional standards below, any groups of qualified abutting lots shall consist of no more than four (4) individual lots or parcels.

4. Exemption Lots, Parcels or Tracts. Individual Lots, parcels or tracts created (a) only for the purposes of providing a right-of-way or dedicated utilities, public drainage facilities or open space or (b) having public rights of way frontage in excess of 40% of the perimeter of such individual lots or tracts are exempt from the lot size and shape standards of this section. Lots, parcels, or tracts that are less than one acre in size, the perimeter of which is 80% or more surrounded by existing public rights of way or land that has previously been dedicated to the public for public access purposes are exempt from the classification standards and dimensional standards in the chart in the section that immediately follows.

COMMERCIAL (2.119.05 & .06)	Standard A	20,000 sq. ft.	100 ft.	100 ft.
	Standard B	10,000 sq. ft.	75 ft.	75 ft.
INDUSTRIAL (2.119.03 & .04)	Standard C	3 acres	350 ft.	350 ft.
	Standard D	1 acre	150 ft.	150 ft.

* Note: by definition, Qualified Abutting lots are lots or parcels of the same use type designation – either commercial or industrial – that may be considered as if they are a single lot or parcel for purposes of determining compliance with applicable dimensional standards and to determine classification as Standard A-D under this chart. Individual lot minimum width and depth averages may be calculated in the aggregate

For the purposes of this application the lots that are “qualified abutting lots” are lots 1, 7, 9, and 11. These lots are the ones involved in the replat and will be governed by the abutting lot provisions. The lots that will be created through the subdivision process are shown complying with the dimensional standards.

C. Adequate public facilities shall be available and shall serve the existing and newly created parcels. KDC 3.108.06(C).

FINDINGS: As part of the development of the Keizer Station Area A streets, storm drainage, sanitary sewer lines, and water lines were required to be installed or constructed. Public facilities is available to serve the lots involved in the replat and are also available to serve the proposed subdivision. Section 2.301.03 requires the following public facilities to be provided: fire hydrants, street improvements, water hook-up, sewer hook-up, storm drain, and street lights. No development permit, including building permit, shall be approved or issued unless the improvements are provided prior to occupancy or operation.

D. Rough Proportionality. Improvements or dedications required as a condition of development approval, when not voluntarily accepted by the applicant, shall be roughly proportional to the impact of development. Findings in the development approval shall indicate how the required improvements or dedications are roughly proportional to the impact. KDC 3.108.06(D).

FINDINGS: The City has a legitimate governmental interest in assuring the development does not cause a public problem of inadequate, unsafe and inefficient public transportation facilities. This is done by ensuring that adequate streets and sidewalks that logically continue the City's street system are provided in order to avoid traffic generation that exceeds the street system's carrying capacity, which then causes dangerous or hazardous traffic conditions. The conditions requiring the applicant to make particular street improvements address that public interest by improving the adjacent streets to preserve their carrying capacity.

The applicant proposes a four (4) lot subdivision for non-residential development and a replat of four of the existing lots (Lots 1, 7, 9, and 11) into 11 lots. The property to be subdivided fronts Radiant, Jory, Ulali, and Chemawa Road. The primary access to and from the subdivision is off of Radiant, Jory, and Ulali. ODOT has commented that access to Chemawa Road should be restricted. Chemawa road is an arterial street, and the streets within the Keizer Station are all newly constructed streets designed to provide access to the development within the Keizer Station. The necessary improvements for local streets are identified in Keizer Development Code Section 2.302.04. The table set forth in such section indicates that sidewalks will be required to provide safe and convenient bicycle and pedestrian access to nearby residential areas, transit stops, and neighborhood activity centers such as schools and parks.

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Without the required street improvements the streets fronting the property will be made unsafe and inadequate by the addition of the trips generated by the applicant's development.

The improvements of the streets are necessary to provide a safe and convenient transportation network to serve the residents of the applicant's subdivision. The Keizer Development Code requires that new development make road improvements to bring their road frontage up to the road classification and construction standards. The legislative adoption of the street standards require road improvements and the road construction to be provided by the development as it occurs in proportion to its impacts. The customers, employees and property owners of the subdivision will utilize road systems constructed by other developments at no cost to them or the applicant.

The functional classification of a street is based on the cumulative traffic impacts from the development of properties in the area which will use the street. Functional classification is established in order to ensure that the streets have adequate carrying capacity for the traffic which will utilize it to avoid traffic generation that would cause dangerous or hazardous traffic conditions. The proposed development will generate additional vehicle, bicycle and pedestrian trips per day that will contribute to the cumulative traffic impact, by the addition of such traffic. Construction of street improvements to comply with the City standards is required to ensure adequate carrying capacity of the adjacent street.

The construction of the required street improvements are roughly proportional to the traffic generation caused by the applicant's subdivision. The required improvements for the portion of the street which abut the property is the minimum improvement necessary to provide traffic safety for users of the adjacent streets. Other benefits which necessarily flow to the future residents of this development from the completion of the street improvements include access for vehicles, bicyclists and pedestrians to the arterial road system serving this area of the City and improved access for emergency vehicles to the subject property and its residents.

The City of Keizer has traditionally required developers to dedicate property for and construct standard street, sidewalk, sanitary sewer, storm drain and water supply improvements in subdivisions to meet the basic needs created by the development. The absence, in this instance, of the required street improvements would be cause for denial of the application on the basis that adequate street facilities are not available to serve the site. These traditional

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street improvements have been imposed to avoid excessive congestion, negative safety impacts and provide basic services to preserve the health of the community and the residents of the proposed development. Such street improvements and dedications are now, and have traditionally been, part of the cost considered in the developer's reasonable investment-backed expectations for constructing the subdivision. The improvements shall include a curb-line sidewalk and modifications to provide a proper turning radius at each corner with appropriate handicap ramps. Construction shall be to City of Keizer Street standards.

36. The provisions for development standards and land divisions are listed in Section 2.310 of the Keizer Development Code (KDC). The criteria and findings are listed below:

- A. Minimum lot area shall conform to the requirements of the zoning district in which the parcel is located. KDC 2.310.03(A).

FINDINGS: The EG zone district specifies that the minimum lot size as:

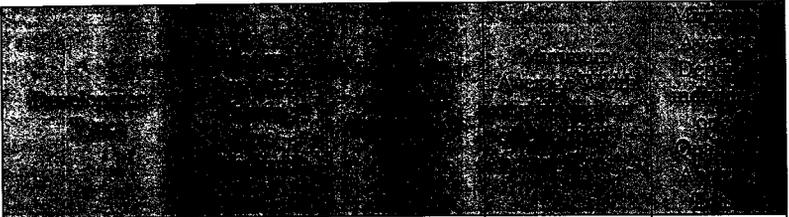
1. Unless exempted under Section (4) below, within the acreage identified for commercial uses, at least eighty percent (80%) of the lots or qualified abutting lots must meet Standard A stated in the table within this subsection and the remainder lots or parcels must meet Standard B.
2. Unless exempted under Section (4) below, within the acreage identified for industrial uses, at least eighty percent (80%) of the lots or qualified abutting lots must meet Standard C stated in the table within this subsection and the remainder of the lots or parcels must meet Standard D.
3. **Qualified abutting lots:**
 - a. Qualified abutting lots are defined as lots or parcels having the same classification as either all industrial or all commercially designated lands, lots that abut one another on at least one side and where there is no plan or proposal for curb cuts that would otherwise not be allowed if each individual lot was required to meet the dimensional standards of this section. Qualified abutting lots may be considered in the aggregate as if they were a single whole lot for purposes of determining such qualified abutting lots' compliance with the dimensional standards of this section. Qualified abutting lots may be considered in the aggregate as if

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they were a single whole lot for purposes of classification of such qualified abutting lots under Section A, B, C, or D below.

- b. In the absence of the approval of a variance, for purposes of determining compliance with the dimensional standards below, any groups of qualified abutting lots shall consist of no more than four (4) individual lots or parcels.
4. Exemption Lots, Parcels or Tracts. Individual Lots, parcels or tracts created (a) only for the purposes of providing a right-of-way or dedicated utilities, public drainage facilities or open space or (b) having public rights of way frontage in excess of 40% of the perimeter of such individual lots or tracts are exempt from the lot size and shape standards of this section. Lots, parcels, or tracts that are less than one acre in size, the perimeter of which is 80% or more surrounded by existing public rights of way or land that has previously been dedicated to the public for public access purposes are exempt from the classification standards and dimensional standards in the chart in the section that immediately follows.



COMMERCIAL (2.119.05 & .06)	Standard A	20,000 sq. ft.	100 ft.	100 ft.
	Standard B	10,000 sq. ft.	75 ft.	75 ft.
INDUSTRIAL (2.119.03 & .04)	Standard C	3 acres	350 ft.	350 ft.
	Standard D	1 acre	150 ft.	150 ft.

*** Note: by definition, Qualified Abutting lots are lots or parcels of the same use type designation – either commercial or industrial – that may be considered as if they are a single lot or parcel for purposes of determining compliance with applicable dimensional standards and to determine classification as Standard A-D under this chart. Individual lot minimum width and depth averages may be calculated in the aggregate**

FINDINGS: For the purposes of meeting the Qualified Abutting Lot standard, Lots 1, 2 and 3 are aggregated to meet the standard. Likewise, Lots 9, 10, 11 and 12 are aggregated to meet the standard.

- B. The depth of a lot or parcel shall not be more than 3 times the width of the parcel, with the following exceptions:
1. Individual lots for townhouse units shall not be less than 20 feet in width. Lot depth may vary, but shall be adequate to provide a minimum of 300 square feet with no dimension less than 6 feet of semi-private outdoor living space for each unit.
 2. Individual lots for single-family attached dwelling units shall be designed so that lot depth is not greater than 3 1/2 times lot width.
 3. Parcels created for public utility uses or in zones where there is no minimum lot area requirement shall be exempt from width to depth ratio provisions.

KDC 2.310.03(C).

FINDINGS: This section is not applicable as the lots are not located in a residential development. Section 2.119.09 contains the standards governing lot width and depth requirements. The applicant's site plan indicates that each lot does not contain a depth that exceeds three (3) times the width of the parcel.

- C. All lots and parcels created after the effective date of this Ordinance shall provide a minimum frontage, on an existing or proposed public street, equal to the minimum lot width required by the underlying zone. KDC 2.310.03(D).

FINDINGS: All of the lots created within the subdivision and replat provide a minimum street frontage that meets with this provision.

- D. The side lines of lots, as far as practicable, shall run at right angles to the right-of-way line of the street upon which the lots face. The rear lot line shall be no less than 1/2 the dimension of the front lot line. KDC 2.310.03(G).

FINDINGS: The side lines of the lots run at right angles to the right-of-way lines upon which the lots face for almost all of the lots therefore finds this criterion has been met.

- E. Utility easements shall be provided on lot areas where necessary to accommodate public utilities. Such easements shall have a minimum total width as specified in Section 2.302.04 of this Code. KDC 2.310.03(H).

FINDINGS: Section 2.302.04 states that utility easements shall be between five and 10 feet adjacent to the right of way. The width may be increased as determined by the Department of Public Works on a case by case basis. The width of the utility easements range from 15 feet to 50 feet within each lot, based on the preliminary plat provided by the applicant. Consistent with city requirements all easements to be located in the appropriate locations based on actual approved plans. No final plat shall be approved prior to approval of construction plans including easement widths and locations.

- F. Standards for Blocks

1. General: The length, width, and shape of blocks shall be designed with regard to providing adequate building sites for the use contemplated; consideration of needs for convenient access, circulation, control, and safety of street traffic; and recognition of limitations and opportunities of topography.

2. Sizes: Blocks should not exceed 600 feet in length between street lines, except blocks adjacent to arterial streets, or unless the previous adjacent development pattern or topographical conditions justify a variation. The recommended minimum distance between intersections on arterial streets is 1,800 feet. KDC 2.310.04(A).

FINDINGS: The distance between the intersections is more than 600 feet and less than 1,800 feet. The blocks within the Keizer Station Area A have been laid out to provide adequate building sites for the proposed uses, convenient access and circulation, and safety of traffic signals. Multiple entrances off the streets are provided within each block to serve the various uses proposed. These entrances are adequately spaced to provide convenient access and circulation. Entrances into the blocks are located away from street intersections and should

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not provide conflicts with the intersections. The lots within the proposed replat and the subdivision will comply with this requirement.

- G. The proposed subdivision shall be laid out to provide safe and convenient vehicle, bicycle and pedestrian access to nearby residential areas, transit stops, neighborhood activity centers such as schools and parks, commercial areas, and industrial areas; and to provide safe and convenient traffic circulation. At a minimum, "nearby" is interpreted to mean uses within ¼ mile which can be reasonably expected to be used by pedestrians, and uses within 1 mile of the subdivision boundary which can reasonably be expected to be accessed by bicyclists. KDC 2.310.04(B).

FINDINGS: This criterion has been addressed not only in the previous Master Plan/Subdivision Cases permitting the development of the property but also with subsequent cases. The proposed subdivision/replat will allow for development to be done that will be consistent with this requirement. There will be an internal pedestrian accessway and sidewalk system throughout the development in recognition that it will be an attractor to pedestrians.

- H. Connectivity. To achieve the objective in B., above, the Director may require the following:

1. Stub Streets: Where the potential exists for additional residential development on adjacent property.

2. Pedestrian/Bicycle Accessways: Public accessways to provide a safe and efficient connection from a residential area to nearby residential areas, transit stops, neighborhood activity centers, including schools, parks, shopping centers, other community services and other commercial and industrial areas when such connections are not available by streets and when a pedestrian must go at least one quarter of a mile out of his or her way to make that connection using the street system. KDC 2.310.04(C).

FINDINGS: This criterion has been addressed not only in the previous Master Plan/Subdivision Cases permitting the development of the property but also with subsequent cases. The proposed subdivision/replat will allow for development to be done that will be consistent with this requirement. There will be an internal pedestrian accessway and sidewalk system throughout the development in recognition that it will be an attractor to pedestrians.

I. Design Standards. Pedestrian/bicycle accessways shall meet the following design standards:

1. Minimum dedicated width: 10 feet
2. Minimum improved width: 10 feet
3. Maximum length: 250 feet. A clear line of vision for the entire length of the accessway shall be required.
4. Lighting shall be provided illuminating any walkway exceeding 150 feet in length to a level where the system can be used at night. Lighting shall be included in the lighting district(s) established for the subdivision.
5. The accessway shall be designed to prohibit vehicle traffic.

KDC 2.310.04(D).

FINDINGS: The pathway along Interstate 5 is required by the Disposition and Development agreement between the City of Keizer and the Developer to be a minimum of 12 feet in width. The pathway along Interstate 5 is 12 feet wide and the bike and pedestrian access along Radiant Drive are 18 feet wide. The pathway running through Chemawa Park connecting Chemawa Road and Road A to Road B is 12 feet wide, consistent with the pathway along Interstate 5. The pathways shall be designed to prohibit vehicle traffic and shall include lighting.

J. Improvement Requirements – Subdivisions.

1. Street improvements to full City Standards shall be required for all public streets on which a proposed subdivision fronts in accordance with Section 2.303 of this Code. Such improvements shall be designed to match with existing improved surfaces for a reasonable distance beyond the frontage of the property. Additional frontage improvements shall include: sidewalks, curbing, storm sewer, sanitary sewer, water lines, other public utilities as necessary, and such other improvements as the City shall determine to be reasonably necessary to serve the development or the immediate neighborhood. KDC 2.310.06(A). (The criteria set forth at KDC 2.310.06(B) involves walkways for private streets and is not applicable in this situation.)

FINDINGS: This criterion has been addressed not only in the previous Master Plan/Subdivision Cases permitting the development of the property but also with subsequent cases. The proposed subdivision/replat will allow for development to be done that will be consistent with this requirement. Staff therefore finds this criterion has been met with conditions.

2. All public or private streets within the subdivision shall be constructed as required by the provisions of Section 2.302, KDC 2.310.06(C).

FINDINGS: The proposed lots involved in the subdivision/replat will all be served by public streets. Most of the streets have been already constructed or are nearing completion. The construction of the streets was a requirement in the previous Master Plan/Subdivision Case No. 2004-21 and with 2005-07. Public Works commented that the proposed development requires construction of an underpass under the BNRR as well as an underpass of Chemawa Road. Additionally, other off-site improvements have been identified in the Transportation Plan developed for the Keizer Station Plan. These improvements including but not limited to, construction of an extension of Radiant Drive to Lockhaven Drive and continuing to Chemawa Road to a point south of the intersection of Chemawa Road and McLeod Lane, construction of a pedestrian undercrossing of the BNRR at Tepper Lane, and other improvements necessary to provide compliance with the adopted Keizer Station Plan adopted Feb. 3, 2003. Additionally, a regional multi-use pathway has been identified on the Keizer Station Village Center Master Plan. The path location shall be coordinated with the Area D development, ODOT and the Keizer Community Development Department. The path shall be of P.C.C. and constructed to a width of 12 feet.

All new public streets shall be constructed to the requirements of the City of Keizer Department of Public Works Design and Construction Standards and in conformance with the final Transportation Impact Analysis adopted for the Keizer Station Plan. Tepper Lane shall be constructed as a $\frac{3}{4}$ width street designed to Collector Street standards with an appropriate turnaround at the west end accommodating emergency vehicles. All other streets shall be designed to arterial standards in terms of structural section and geometrical configuration. Preliminary construction specifications and plans for all transportation mitigation measures necessary to satisfy the improvements identified in the "Transportation Impact Analysis, Keizer Station Plan" for all street construction, including retaining walls, fencing, landscaping, sidewalks, signing, etc. shall be submitted to the Department of Public Works for review prior to submitting final plans for approval. The Department of Public Works

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will review the proposed plans and make recommendations for any additional work and coordination with other development in the area as needed.

The developer's engineer shall submit detailed traffic signal plans indicating phasing, recommended interties, materials to be used, etc. to the City of Keizer Department of Public Works for approval prior to construction. All traffic signal plans shall be designed to City of Salem/ODOT Standards where appropriate. With this placed as conditions of approval will satisfy this criterion.

3. Upon completion of street improvements, centerline monuments shall be established and protected in monument boxes at every street intersection and all points of curvature and points of tangency of street center lines. KDC 2.310.06(D).

FINDINGS: This is a development requirement and a condition of subdivision approval.

4. Elevation bench marks shall be set at intervals established by the City Engineer. The bench marks shall consist of a brass cap set in a curb or other immovable structure. KDC 2.310.06(E).

FINDINGS: This is a development requirement and a condition of subdivision approval.

5. Surface Drainage and Storm Sewer System. Drainage facilities shall be provided within the subdivision and to connect the subdivision drainage to drainage-ways or to storm sewers outside the subdivision. Design of drainage within the subdivision shall take into account the capacity and grade necessary to maintain unrestricted flow from areas draining through the subdivision and to allow extension of the system to serve such areas. Drainage shall be designed to avoid impacts on adjacent property. KDC 2.310.06(F).

FINDINGS: This criterion has been addressed in the previous Master Plan/Subdivision Case No. 2004-21 and Case No. 2005-07. The development of the property is being done consistent with these requirements. It will be a requirement that the development if the lots associated with this application be done in a manner consistent with the previous approvals and with Keizer Public Works department's requirements. The developer has submitted plans indicating the present

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drainage patterns and runoff characteristics. The property is within a critical drainage basin and strict compliance with city ordinances will be necessary. No increase in runoff will be allowed as development occurs. Prior to any development of the subject property an overall storm water master plan including invert elevations, pipe sizes, detention calculations, water quality measures and an approved point of discharge shall be submitted to the Department of Public Works for approval. A point of discharge has been identified on the ODOT system in Interstate 5. ODOT approval shall be required for water quality, conveyance systems and points of discharge.

Storm water detention will be required for this site. All storm water including roof drains are to be connected to an approved system designed to provide adequate drainage for proposed new driveways, parking lots and other impervious surfaces. Where on-site detention is planned, adequate covenant, conditions and restrictions (CCRs) shall be recorded to alert future owners/developers that detention and/or treatment shall be required to be constructed to the standards in effect at the time of building permit application. A grading and drainage plan shall be developed for the subject property including proposed lot corner elevations. Details shall include adequate conveyance of storm water from adjacent property across the subject property.

If it is anticipated that the property will develop in phases, prior to any development, a phasing plan shall be submitted to indicate how the storm water management will be developed to provide service to each area. The developer shall submit to the Department of Public Works a master plan for erosion control for the entire site. The master plan shall be approved by the Department of Public Works. Prior to any development, including site grading, the applicant shall obtain an NPDES permit from the Oregon Department of Environmental Quality.

The drainage plan for the project includes a proposed storm drain pump station for a portion of the realigned Radian Drive. The street section requiring pumping shall be minimized to the fullest extent possible. The Department of Public Works shall determine the criteria for design of the station. The developer's engineer shall provide three sets of an approved operation and maintenance manual for the station including a provision for emergency or standby operation. The developer shall also submit a plan for financing the annual operation and maintenance expense of the station.

With this as a condition of approval will ensure compliance with this requirement.

6. Sanitary Sewers. Sanitary sewer shall be installed to serve the subdivision and to connect the subdivision to existing mains both on and off the property being subdivided. KDC 2.310.06(G).

FINDINGS: This criterion has been addressed in the previous Master Plan/Subdivision Case No. 2004-21 and Case No. 2005-07. The development of the property is being done consistent with these requirements. It will be a requirement that the development if the lots associated with this application be done in a manner consistent with the previous approvals and with Keizer public Works department's requirements. The subject property is located outside of the original Keizer Sewer District and therefore an acreage fee is required. The current acreage fee is \$7,460.00 per gross acre prior to platting of the subdivision. The acreage fee applied will be the fee in place at the time of development of the property. The Master Sewer Plan provides for a sewer trunk line to be constructed through the subject property with adequate size and depth to provide for additional capacity for areas located within the original sewer district west of the BNSF railroad. Additionally, Area D, south of Chemawa Road shall be served with a sewer trunk line to be constructed along with the proposed under crossing of Chemawa Road. A review of the construction plans for the subject property will be required to assure that capacity of the master plan sewer trunk lines is not exceeded. Additionally, the following requirements shall be applied:

Prior to development of the subject property, a master sewer plan for the proposed development shall be submitted to the Department of Public Works for review and approval. The plan shall include proposed rim and invert elevations. The entire project shall be served by an existing 18" trunk sewer line adjacent to Keizer Stadium.

City of Salem approval for both sewer trunk lines and local sewers is required. Permits from the City of Salem shall be issued prior to construction. Prior to submitting plans to the City of Salem for approval, the developer's engineer shall submit plans to the City of Keizer for review and determination of compliance with the City's Master Sewer Plan for the area. Connecting to existing sewers that serve the general area will be the responsibility of the developer of the property. Appropriate easements will be required for any public sewer mains located within the subject property if located outside platted right of ways.

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It will be the responsibility of the developer's engineer to locate any existing wells (including those on adjacent property) in the vicinity of the proposed new sanitary sewer lines for the subject property. Any conflicts between existing wells and proposed sanitary sewers shall be addressed by the developer prior to issuance of public works construction permits. With these as conditions of approval will ensure compliance with this requirement.

7. 2.310.06.G.Water System. Water lines with valves and Fire District approved fire hydrants serving the subdivision and connecting the subdivision to the City mains shall be installed and operating prior to start of combustible construction. KDC 2.310.06(H).

FINDINGS: This criterion has been addressed in the previous Master Plan/Subdivision Case No. 2004-21 and Case No. 2005-07. The development of the property is being done consistent with these requirements. It will be a requirement that the development of the lots associated with this application be done in a manner consistent with the previous approvals and with Keizer public Works department's requirements. The developer has submitted a master water system plan showing proposed routes of public water mains, fire hydrants and individual services. The master plan is generally acceptable to the Public Works Department, however, prior to submittal of final construction plans the developer's engineer shall arrange for a pre-design conference to discuss water main sizing, meter sizing and locations, fire hydrant locations, fire sprinkler line locations and easement width for all public lines located outside of proposed right of ways. Final location of all meters to be approved by the Keizer Department of Public Works. To provide for adequate peak consumption and fire protection requirements it has been determined that additional public facilities will be required including but not limited to elevated storage facilities, wells, connection to existing mains on the west side of the BNRR right of way, and any other off-site construction required to provide required peak flows to the proposed development. Appropriate easements for all public water mains and fire hydrants will be required if construction is to be outside of public right of ways. Dedication of property to the City shall be required for any wells or storage facilities developed. Any system development charges for water system improvements will be those in place at the time of individual service connections.

Final development plans shall be reviewed by the Keizer Fire Department with regard to access and adequate location of fire hydrants prior to any issuance of public works construction permits by the City of Keizer. It will be

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the responsibility of the developer to abandon all existing wells prior to site grading in accordance with the rules of the Oregon State Water Resources Department unless the City has determined that water rights are available in some cases that could be transferred to municipal use by the city. With this as a condition of approval will ensure compliance with this requirement.

8. Sidewalks. Sidewalks shall be installed along both sides of each public street and in any pedestrian ways within the subdivision. KDC 2.310.06(I).

FINDINGS: Sidewalks are proposed along both sides of Radiant Drive, Road A, Road B, and Road C. Tepper Lane is recommended by the Public Works Department to be constructed as a ¼ width street and therefore is proposed to have sidewalks on one side of the street only. Additional sidewalks are proposed as conditions of approval as noted in the previous Master Plan/Subdivision Case No. 2004-21 Section III, Master Plan findings for Section 2.315.08.A. Council therefore finds this criterion has been met with conditions.

9. Street Lights. The installation of street lights is required at locations and of a type required by City standards. KDC 2.310.06(J).

FINDINGS: This criterion has been addressed under Section III, Keizer Station Master Plan findings for KDC 2.307.02.E in the previous Master Plan/Subdivision Case No. 2004-21. Council therefore finds this criterion has been met with conditions.

10. Street Signs. The installation of street name signs and traffic control signs is required at locations determined to be appropriate by the City and shall be of a type required by City standards. Each street sign shall display the one hundred block range. Street signs shall be installed prior to obtaining building permits. KDC 2.310.06(K).

FINDINGS: This is a condition of subdivision approval. No building permits will be issued until all required street signs are installed.

11. Public Works Requirements. All facility improvements shall conform to the requirements and specifications of the Keizer Department of Public Works. KDC 2.310.06(L).

FINDINGS: This is a condition of subdivision approval. Public Works conditions are included in Exhibit "E" of this Order. These comments are applicable to the subdivision application.

12. Curb Cuts. Curb cuts and driveway installations, excluding common drives, are not required of the subdivider, but if installed, shall be according to the City standards. KDC 2.310.06(M).

FINDINGS: All curb cuts and driveway installations shall be constructed according to City standards.

13. Street Trees. Street tree planting is mandatory where a planting strip is part of the street design. Plantings shall conform to Section 2.302.03 (M). KDC 2.310.06(N).

FINDINGS: This criterion has been addressed in the previous Master Plan/Subdivision Case No. 2004-21 and Case No. 2005-07. Consistent with the master landscaping plan any frontage that is not planted in street trees will be required to have street trees planted. With this as a condition, this criterion is complied with.

14. Grading and Fills. All grading which results in fill in excess of 3 feet located within the identified building envelope on a subdivision lot or parcel must be engineered. KDC 2.310.06(O).

FINDINGS: This is a development requirement and must be a condition of subdivision approval.

Based on these findings the requested subdivision/replat conforms with the applicable review criteria.

37. The City's System Development Charge for park development (if applicable) shall be the fees in place at the time of building permit application. These Development charges, as well as those involving the extension of transportation, sewer, water, and storm drainage, will apply to this request.

38. All grading which results in fill in excess of three (3) feet located within the identified building envelop on a subdivision lot or parcel must be engineered.

39. Unless otherwise required by this decision, development of the individual lots shall comply with the applicable requirements of the Keizer Development Code, and building requirements of the Marion County Building Inspection Division.

EXHIBIT "D"

Justification

The applicant has the burden of proving that the application meets relevant standards and criteria to be applied in the particular case.

In this case, the applicant is requesting a second amendment to the Keizer Station Master Plan and Parking Master Plan (Area A - Village Center), a preliminary subdivision plat for the former "Lowery" parcels, and a replat of a previously approved subdivision for the Area A - Village Center Area A.

The applicant has proposed changes to the subdivision plat and amended master plan pursuant to recent ordinance amendments allowing qualified abutting lots, comprehensive parking plan provisions and other changes. For the most part, the changes involve the reconfiguration of lots and the submittal of a parking master plan. The second amended plan and replat meets the criteria of the current Keizer Station Plan and Keizer Development Code provisions.

The applicant has also requested preliminary approval of a subdivision for the remaining portion of Area A. This includes the "Lowery" parcels and some adjoining parcels in the south portion of Area A – Village Center. Upon review and pursuant to the evidence and findings set forth herein, the subdivision of these parcels meets the applicable criteria.

The applicant has demonstrated that when the conditions set forth in Exhibit "E" are imposed and complied with, the proposal meets the applicable criteria set forth in the Keizer Development Code. As conditioned, the application should be granted.

EXHIBIT "E"

Action

The City of Keizer hereby ORDERS as follows:

The requested second amendment to the Keizer Station Master Plan and Parking Master Plan (Area A - Village Center), a preliminary subdivision plat for the former "Lowery" parcels, and a replat of a previously approved subdivision for the Area A - Village Center is hereby GRANTED subject to the following conditions and requirements:

General:

1. A street lighting master plan shall be developed. A street lighting district shall be created while the property is under the control of the developer to provide for adequate street lights along the frontage of all new street rights of way. Decorative lighting approved by the Department of Public Works shall be used.
2. Construction permits are required by the Department of Public Works prior to any public facility construction. The developer shall contact the City Engineer's office at 390-7402 for the necessary permit information that is required.
3. A Pre-design meeting with the City of Keizer Department of Public Works will be required prior to the Developer's Engineer submitting plans to either the city of Keizer or the City of Salem for review.
4. Street opening permits are required for any work within the City Right of Way that is not covered by a Construction Permit.
5. Facility phasing plans and arrangements for reimbursing developers for providing additional capacity to serve future development shall be approved by the Keizer Department of Public Works and the City Council.
6. All easements to be located in the appropriate locations based on actual approved plans. No final plat shall be approved prior to approval of construction plans including easement widths and locations.
7. An improvement agreement or other acceptable form of guarantee for all required construction shall be in place prior to construction permits being issued or the final subdivision plat approval.

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8. The above represents the conditions that are currently governing the development of the overall Keizer Station Area A project. Modification of the lot configuration will require revised storm water calculations to be submitted and approved by the Department of Public Works for each lot prior to the submittal of plans for building permits.

9. When a building permit is requested on an individual lot, prior to issuance of the building permit, the entire acreage fee for sanitary sewers for said lot shall be paid or otherwise secured as approved by the City Attorney. The revised plan will require a new calculation of the individual acreages that will be used to determine the acreage fee for each lot. Pursuant to agreement with the applicant, the acreage is calculated including the adjacent right-of-way.

10. Where lots are proposed that will require common sanitary sewer services, the developer shall submit a sewer master plan that indicates how the individual buildings will be serviced and how maintenance of the common sewers will be managed.

11. No additional street cuts will be allowed for new trenches for sanitary sewer services, storm drain services or other utility lines.

SANITARY SEWERS:

12. Prior to issuance of any construction permits, a master sewer plan for the proposed development shall be approved by the Department of Public Works. The plan shall include proposed rim and invert elevations. The entire project shall be served by an existing 18" trunk sewer line adjacent to Keizer Stadium.

13. City of Salem approval for all sewer trunk lines and local sewers is required. Permits from the City of Salem shall be issued prior to any construction. Prior to submitting plans to the City of Salem for approval, the developer's engineer shall submit plans to the City of Keizer for review and determination of compliance with the City's Master Sewer Plan for the area.

14. Connecting to existing sewers that serve the general area will be the responsibility of the developer of the property.

15. Appropriate easements are required for any public sewer lines located outside platted right of ways.

16. It will be the responsibility of the developer's engineer to locate any existing wells (including those on adjacent property) in the vicinity of the proposed new sanitary sewer lines for the subject property. Any conflicts between existing wells and proposed sanitary sewers shall be addressed by the developer prior to issuance of public works construction permits.

WATER SYSTEM:

17. The developer has submitted a master water system plan showing proposed routes of public water mains, fire hydrants and individual services. The master plan is generally acceptable to the Public Works Department, however, prior to submittal of final construction plans the developer's engineer shall arrange for a pre-design conference to discuss water main sizing, meter sizing and locations, fire hydrant locations, fire sprinkler line locations and easement width for all public lines located outside of proposed right of ways. Final location of all meters shall be approved by the Keizer Department of Public Works. To provide for adequate peak consumption and fire protection requirements it has been determined that additional public facilities will be required including but not limited to elevated storage facilities, wells, connection to existing mains on the west side of the BNRR right of way, and any other off-site construction required to provide required peak flows to the proposed development. Appropriate easements are required for all public water mains and fire hydrants located outside of platted right of ways. Dedication or conveyance of property to the City shall be required for any wells or storage facilities developed. Any system development charges for water system improvements will be those in place at the time of individual service connections.

18. Final development plans shall be reviewed by the Keizer Fire District with regard to access and adequate location of fire hydrants prior to any issuance of public works construction permits by the City of Keizer.

19. It will be the responsibility of the developer to abandon all existing wells prior to site grading in accordance with the rules of the Oregon State Water Resources Department unless the City has determined that water rights are available in some cases that could be transferred to municipal use by the city.

STORM DRAINAGE IMPROVEMENTS:

20. The developer has submitted plans indicating the present drainage patterns and runoff characteristics. The property is within a critical drainage basin and strict compliance with city ordinances will be necessary. No increase in runoff will be allowed as development occurs. Prior to recording the final plat, an overall storm

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water master plan including invert elevations, pipe sizes, detention calculations, water quality measures and an approved point of discharge shall be submitted to the Department of Public Works for approval. A point of discharge has been identified on the ODOT system in Interstate 5. ODOT approval shall be required for water quality, conveyance systems and points of discharge.

21. Storm water detention will be required for this site. All storm water including roof drains are to be connected to an approved system designed to provide adequate drainage for proposed new driveways, parking lots and other impervious surfaces. Where on-site private detention is planned, adequate covenants, conditions and restrictions (CCRs) shall be recorded to alert future owners/developers that detention and/or treatment shall be required to be constructed to the standards in effect at the time of building permit application.

22. A grading and drainage plan shall be developed for the subject property including proposed lot corner elevations. Details shall include adequate conveyance of storm water from adjacent property across the subject property.

23. If it is anticipated that the property will develop in phases, prior to recording the final plat, a phasing plan shall be submitted to indicate how the storm water management will be developed to provide service to each area.

24. The developer shall submit to the Department of Public Works a master plan for erosion control for the entire site. The master plan shall be approved by the Department of Public Works. Prior to any development, including site grading, the applicant shall obtain an NPDES permit from the Oregon Department of Environmental Quality.

25. A storm drain pump station for a portion of Keizer Station Boulevard has been constructed. The developer's engineer shall provide three sets of an approved operation and maintenance manual for the station including a provision for emergency or standby operation. The developer shall also submit a plan for financing the annual operation and maintenance expense of the station. Such manual and plan shall be approved by the Public Work's Department prior to recording the final plat.

TRANSPORTATION:

26. The proposed development requires construction of an underpass under the BNRN as well as an underpass of Chemawa Road. Additionally, other off-site improvements have been identified in the Transportation Plan developed for the

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Keizer Station Plan. These improvements include, but are not limited to, construction of an extension of Radiant Drive to Lockhaven Drive and continuing to Chemawa Road to a point south of the intersection of Chemawa Road and McLeod Lane, construction of a pedestrian undercrossing of the BNR at Tepper Lane, and other improvements necessary to provide compliance with the adopted Keizer Station Plan adopted Feb. 3, 2003. Additionally, a regional multi-use pathway has been identified on the Keizer Station Village Center Master Plan. The path location shall be coordinated with the Area D development, ODOT and the Keizer Community Development Department. The path shall be of P.C.C. and constructed to a width of 12 feet.

27. All new public streets shall be constructed to the requirements of the City of Keizer Department of Public Works Design and Construction Standards and in conformance with the final Transportation Impact Analysis adopted for the Keizer Station Plan. Tepper Lane shall be constructed as a $\frac{3}{4}$ width street designed to Collector Street standards with an appropriate turnaround at the west end accommodating emergency vehicles. All other streets shall be designed to arterial standards in terms of structural section and geometrical configuration. Preliminary construction specifications and plans for all transportation mitigation measures necessary to satisfy the improvements identified in the "Transportation Impact Analysis, Keizer Station Plan" for all street construction, including retaining walls, fencing, landscaping, sidewalks, signing, etc. shall be submitted to the Department of Public Works for review prior to submitting final plans for approval. The Department of Public Works will review the proposed plans and make recommendations for any additional work and coordination with other development in the area as needed.

28. The developer's engineer shall submit detailed traffic signal plans indicating phasing, recommended inerties, materials to be used, etc. to the City of Keizer Department of Public Works for approval prior to construction. All traffic signal plans shall be designed to City of Salem/ODOT Standards where appropriate.

29. Completion, submittal and recording of the final subdivision plat shall comply with the requirements contained in the Keizer Development Code.

30. The applicant shall submit a detailed site plan (plat) to the Keizer Community Development Department for review and approval prior to submittal of a final plat. The detailed plan shall include the following provisions:

- a. The plan shall substantially conform to the proposed subdivision request. Subject to state and local plat requirements, the numbering system for the lots shall be changed to be logical and sequential.
 - b. Include all engineering elements as required by the Department of Public Works requirements.
 - c. Lots shall comply with all area and dimension requirements for lots within the Employment General (EG) zone. Upon approval of the detailed site plan and engineering plans, the applicant shall submit a final plat for the subdivision, which conforms to the detail plan approval. The plat shall be prepared by a registered professional surveyor and conform with the requirements in ORS Chapter 92 and Marion County. A bond will be required by the County Surveyor for post monumentation of the subdivision plat.
31. Access shall be provided to existing lots through a public street, a private street or a private access easement which comply with Section 2.302 and 2.303 of the KDC. Way.
32. Master parking plan is adopted for Keizer Station Area A and shall be used in development review application as submitted at the hearing (plan dated July 18, 2006).
33. All previous conditions of approval shall remain in force.
34. All use of the lots shall also be consistent with requirements within the EG zone and with all development and design requirements adopted as part of the Keizer Station Master Plan.
35. No lot shall have direct vehicle access onto Chemawa Road.
36. QWEST indicated that any changes to the telecom duct path resulting from modification of building orientation will be the responsibility of the developer.
37. The approval of this amendment does not alter any setback, landscaping or design standard requirements of the zone or previous master plan approval.
38. The amount of land counted as park area may include all spaces (excluding Plazas) that are improved for public use and which include appropriate amenities suitable for Public Parks. These amenities must include a mixture of benches, lighting, public art, covered areas, decorative pavement, and water features. The

development of a “string of pearls” is acceptable and may include the multi-use path between Interstate-5 and the project, provided suitable amenities are constructed.