

1 CITY COUNCIL, CITY OF KEIZER, STATION OF OREGON

2
3 ORDER

4
5 **IN THE MATTER OF THE APPLICATION OF ACP I LLC**
6 **FOR A THIRD AMENDMENT TO THE KEIZER STATION**
7 **MASTER PLAN (AREA A -- VILLAGE CENTER)**
8 **(MASTER PLAN CASE NO. 2017-17)**
9

10 The City of Keizer orders as follows:

11 Section 1. THE APPLICATION. This matter comes before the Keizer City
12 Council on the application of ACP I LLC for a third amendment to the Keizer Station
13 Master Plan (Area A - Village Center).

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

18 Section 3. PUBLIC HEARING. A public hearing was held on this matter before
19 the Keizer City Council on September 18, 2017. The following persons either appeared
20 at the City Council hearing or provided written testimony on the application:

- 21 1. Nate Brown, Community Development Director
22 2. Dana Krawczuk, Attorney for Applicant
23

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

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

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

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

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

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

14 Section 10. FINAL DETERMINATION. This Order is the final determination in
15 this matter.

16 Section 11. EFFECTIVE DATE. This Order shall take effect immediately upon
17 its passage.

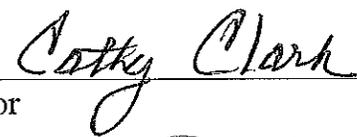
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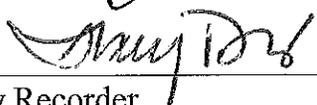
Section 12. APPEAL. A party aggrieved by the final determination in a proceeding for a discretionary permit or a zone change may have it reviewed under ORS 197.830 to ORS 197.834.

PASSED this 16th day of October, 2017.

SIGNED this 16th day of October, 2017.



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.

The minutes of the City Council meeting of September 18, 2017 are incorporated herein as if fully set forth.

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 2.125 (Activity Center Overlay Zone).
6. KDC 2.3 (General Development Standards).
7. KDC 2.301 (General Provisions).
8. KDC 2.302 (Street Standards).
9. KDC 2.303 (Off-Street Parking and Loading).
10. KDC 2.305 (Transit Facilities).
11. KDC 2.306 (Storm Drainage).
12. KDC 2.307 (Utility Lines and Facilities).
13. KDC 2.308 (Signs).
14. KDC 2.309 (Site and Landscaping Design).
15. KDC 2.310 (Development Standards for Land Divisions).
16. KDC 2.312 (Yard and Lot Standards).
17. KDC 2.315 (Development Standards).
18. KDC 2.4 (Special Uses).
19. KDC 3.101.02 (Type II Actions – Summary).
20. 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 Thomas Fallon of Benner Stange Assoc. Arch. Inc. on behalf of ACP I LLC (Contact: Alan Roodhouse).
2. The subject property is within Area A (Village Center) of the Keizer Station Plan which is located at the Chemawa/Interstate 5 interchange. The specific area covered by this amendment contains approximately 4.3 acres and is addressed as 5910-5940 Ulali Dr NE, Keizer, OR 97303.
3. Keizer Station Area A (Village Center) has street frontage along 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. The specific area of this amendment has street frontage along Ulali Dr NE and Keizer Station Blvd. Public water and sanitary sewer are available to the subject site. Public bus transit is provided by Salem Area Transit.
4. 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".
5. 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.
6. The proposal is for a third amendment to the Keizer Station Master Plan for Area A to allow two separate office buildings instead of one single large building for the subject area. Originally, the Area A master plan approved an office building of approximately 100,000 square feet in area. Subsequently, the property has been developed with a 20,132 square foot medical office building. The applicant is now proposing to construct a new 16,788 square foot dental office building, and is therefore requesting an amendment to the master plan. The following modifications are sought to the previously approved master plan:

- Replace the 100,000 square foot office building with 2 separate buildings. This includes the existing 20,132 square foot medical office building, as well as the proposed dental office building which is to be located adjacent to Ulali Dr.
- Modification to the parking lot layout and number of parking spaces consistent with the uses proposed.
- Elimination of the right in/right out access point to Ulali Dr located at the southern boundary of the property.
- Minor modification to the “Pad D” site layout to reflect what is currently being constructed.

FINDINGS: KEIZER STATION MASTER PLAN

This is the third 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 only addressed where there are changes. 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.

7. 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 applicant provided a trip generation comparison which demonstrates consistency with the original Traffic Impact Analysis, and the proposed development will ultimately result in fewer trips than originally anticipated. This will assure traffic operation concerns are met as specified in the requirements of the original proposal. In addition, the elimination of the right in/right out access point at the southern boundary of the site will assure that all access to the site be governed by the signalized intersection. The proposed amendment is consistent with the purpose identified in the Keizer Station Design Plan.

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 proposal to allow the construction of a dental office building is consistent with the objectives regarding employment by providing additional job/employment opportunities. This amendment will result in a cluster of medical and dental uses which provide high quality employment, as well as convenient service for the community. The proposed amendment is consistent with the objectives identified in the Keizer Station Design Plan.

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:

Design Standards. The Development Standards of Section 2.315 will be regulated as a part of the building permit review and approval process. The applicant has submitted a materials/color sample which generally demonstrates compliance with the City's standards, and which will be incorporated into the master plan design palette. The exact design of the proposed building will be approved through the building permit review and approval process to assure compliance with these standards. The new dental office building will be consistent with the design of the existing medical office building, which is acceptable to the City and has been determined to comply with the previous master plan approval.

Transportation system standards. There will be no significant change to the streetscape, but access and pedestrian circulation will be modified by this amendment. The site layout for this specific area is proposed to be modified to eliminate the right in/right out vehicular connection to Ulali Dr, which will improve traffic safety by utilizing the signalized intersection. Appropriate public construction permits will be required as a part of the development of the new building. The removal of the right in/right out access point will necessitate the installation of a public sidewalk to connect the existing sidewalk system, replacing the driveway crossing. Appropriate streetscape plantings shall be provided to match the existing development along Ulali Drive. Pedestrian connections are provided to the public street system and will be regulated at the time of building permit review and approval.

Utility Standards. Utilities will be underground. This will be assured through the building permit and other permit review requirements. This proposed amendment does not modify utility requirements.

Parking Standards. The proposed site plan shows the location of parking spaces to generally comply with the requirements of the Keizer Station Plan. The KDC includes minimum parking standards, with a 50% increase in parking allowed outright. Multiple uses can share parking so that the sum of the combined total required parking is provided in a shared lot. The segment of Area A that is amended by the Modified Plan is bordered by Ulali Drive, Keizer Station Boulevard, and the I-5 off ramp, and is anchored by a pocket park to the north. This area includes multiple uses that share a total of 220 parking spaces, which is less than the

allowed maximum. The total parking count includes 14 handicapped spaces, four drop off spaces and four EV charging stations that are voluntarily provided as a site feature. When these spaces, which are not available to the general public for parking, are removed from the total parking count, 198 spaces are provided. The new medical office will also voluntarily provide 5 bike lockers. The proposed amendment demonstrates compliance with the City's parking standards. It should be noted, the parking lot layout will be reviewed for compliance with the Keizer Development Code at the time of building permit approval.

Landscape Standards. The existing landscaping plan shall be continued under this amended master plan. Landscaping plan details for the subject site will be reviewed during the building permit review process. No change is proposed to either the landscaping plan or tree plan in this proposed master plan.

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

1. Pedestrian Access, Safety and Comfort

a. To ensure safe, direct, and convenient pedestrian circulation, development in the EG zone, shall provide a continuous pedestrian and/or multi-use path system.

b. 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.

c. Pathways with developments shall provide safe, reasonably direct and convenient connections between primary building entrances and all adjacent streets and parking areas.

d. For all developments subject to Master Plan review, pathways shall connect all building entrances to one another. In addition, pathways shall connect all parking areas, storage areas, recreational facilities and common areas (as applicable), and adjacent developments to the site, as applicable.

e. Recessed entries, canopies, and/or similar features shall be used at the entries to a building in order to create a pedestrian scale.

f. 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.

g. The proposal contains an equally good or superior way to achieve the intent of the above criterion and guidelines.

FINDINGS: These criteria are a requirement of the Master Plan approval that is ensured at the time of building permit application and approval. The site plan demonstrates compliance with these standards. A pedestrian circulation system is provided on the site to connect uses to the public street system and the multi-use path serving the development.

2. Crime Prevention and Security

FINDINGS: The proposed amendment is consistent with the original approval and complies with the crime prevention and security development strategies of the Keizer Station Plan.

3. Reduced Parking

FINDINGS: The applicant is not requesting a parking reduction. Therefore, this criterion is not applicable.

4. Creating and Protecting Public Spaces

FINDINGS: The proposed amendment is consistent with the original approval and complies with this strategy of the Keizer Station Plan.

5. Human Scaled Building Design

FINDINGS: The proposed amendment is consistent with the original approval and this requirement will be regulated at the time of building permit review and approval.

6. Request for Reallocation of Retail Square Footage Limit

FINDINGS: No request for reallocation is being made with this amendment, therefore this criterion is not applicable.

8. Compliance with applicable standards of the General Employment (EG) Zone - KDC 2.119 is required in addition to compliance with the Keizer Station Plan:

FINDINGS: The proposed master plan amendment demonstrates compliance with the standards of the General Employment (EG) Zone. Sections 2.119.02 through 2.119.09 identify the various uses allowed in the EG zone as well as the required mix of industrial and commercial uses. A minimum of 25% of the land area must be devoted to industrial uses. The area affected by the proposed amendment was previously allocated for industrial use. A

dental office building is listed as an allowed industrial use in the EG zone. No alteration to the previously approved allocation of land area for industrial and commercial uses is proposed. Therefore this amendment is consistent with this provision.

Sections 2.119.10 through 2.119.12 define the development standards and dimensional standards of the EG zone. The proposed amendment does not modify the size or dimensions of any parcel but simply modifies the previously approved site plan to provide for two separate buildings. The new dental office building complies with the required setbacks of the EG zone. The specific building location, height, and site landscaping requirements will be reviewed as a part of the building permit approval process.

Section 2.119.12.B. requires that all development in the EG zone comply with the applicable standards in Section 2.315. It also regulates exterior display/storage/work activities, and requires that all development comply with Section 2.125 (Activity Center Overlay Zone) and Section 2.3 (General Development Standards) as applicable. The building permit review and approval process will assure the proposed development complies with Section 2.315. No exterior display, storage, or work activities are proposed for the development. A site master plan has been provided along with a traffic generation memo, which demonstrates the proposed change will result in less traffic than the original traffic impact analysis approved for Keizer Station Area A. Together, these items satisfy the requirements of Section 2.125. The standards embodied in Section 2.3 are numerous, but for the most part not applicable to this amendment. The proposed changes are consistent with the original masterplan approval and as such comply with the applicable sections contained with KDC 2.3. Due to the elimination of the right in/right out access point to Ulali Drive and the modified parking lot layout and number of parking spaces provided, this proposal must demonstrate compliance with Section 2.302 (Street Standards) and Section 2.303 (Off-Street Parking and Loading). The elimination of the right in/right out access point to Ulali Drive has been reviewed by the Public Works Department and is not only acceptable, but also desirable to improve traffic safety. At the time of development, the removal of the access point to Ulali Drive and the construction of appropriate sidewalk and street improvements will be governed by a public improvement construction permit. This will assure the new sidewalk and streetscape is developed consistent with Section 2.302 (Street Standards) and the Public Works Design Standards. The parking lot is being modified to provide an appropriate level of parking for the dental office building and existing uses in the subject area. This area includes multiple uses that share a total of 220 parking spaces and demonstrates compliance with the City's parking standards. It should be noted, the parking lot layout will be reviewed for compliance with the Keizer Development Code at the time of building permit approval.

9. Compliance with Keizer Development Code Section 2.315 (Design Standards) is required in addition to compliance with the Keizer Station Plan.

FINDINGS: Specific building elevations were not submitted as a part of the application. However, a materials/color sample was submitted as a part of the application which demonstrates compliance with the design elements previously approved in the master plan area.

EXHIBIT "C"

Page 7 of 8

The site plan complies with building location, pedestrian circulation, and design requirements. The proposed dental office building will be designed generally consistent with the existing medical office building. The specific requirements of Section 2.315 will be regulated and assured through the building permit review and approval process. As such, the proposed master plan amendment can be consistent with Section 2.315.

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

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 third amendment to the Keizer Station Master Plan (Area A - Village Center).

The applicant has proposed changes to the amended master plan to modify the site plan to allow construction of a new dental office building, which will be a companion to the existing medical office building. The total approximate 37,000 square feet for both buildings is much less than the 100,000 square foot office building previously approved. The third amended plan meets the criteria of the current Keizer Station Plan and Keizer Development Code provisions.

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.

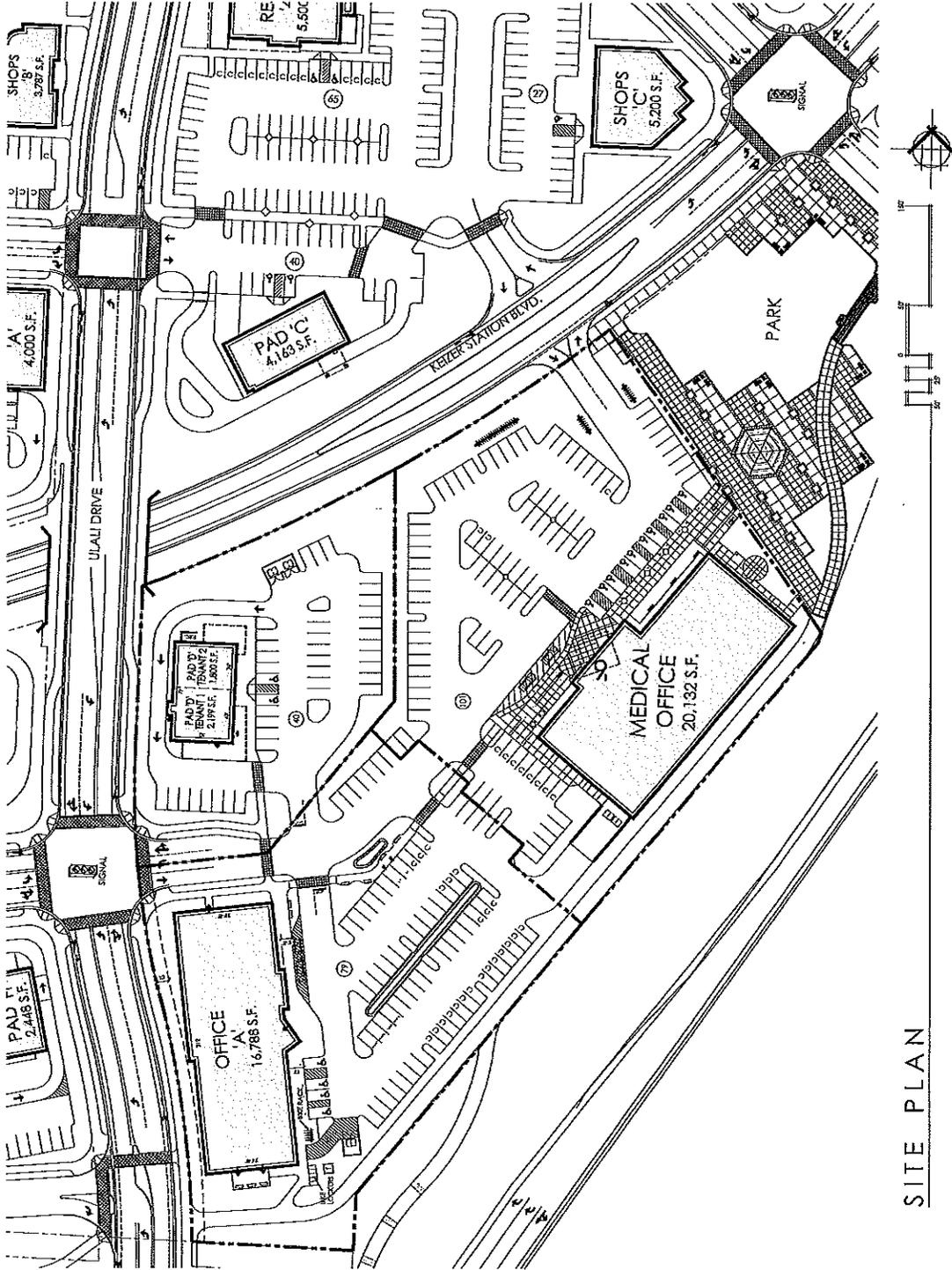
EXHIBIT "E"

Action

The City of Keizer hereby ORDERS as follows:

The requested third amendment to the Keizer Station Master Plan (Area A - Village Center) is hereby GRANTED subject to the following conditions and requirements:

1. Except as amended herein, all previous conditions of the approved Master Plan for Keizer Station Area A Village Center shall remain in full force.
2. The proposed dental building and improvements shall be located and constructed in substantial conformance to the attached site plan.
3. The right in/right out access point to Ulali Drive located at the southern boundary of the property will be eliminated.
4. The materials/color sample attached is to be incorporated into the master plan design palette.



OFFICE SITE DATA

SITE AREA: 87,518 S.F. SITE COVERAGE: 19.7%

1,200 VEHICLES

PARKING REQUIREMENT

BUILDING: (1,740)

AREA: 16,788 S.F.

16,788 S.F.

TOTAL BUILDING AREA:

MINIMUM PARKING REQUIRED: 48 SPACES

MAXIMUM PARKING ALLOWED: 75 SPACES

STANDARD PARKING PROVIDED: 50 SPACES

COMPACT PARKING PROVIDED: 25 SPACES

HANDICAP PARKING PROVIDED: 4 SPACES

TOTAL PARKING PROVIDED: 79 SPACES

PARKING RATIO: 4.75 SPACES/1,000 S.F.

SITE PLAN

August 14, 2017

BENNER STANGRE ASSOCIATES ARCHITECTS, INC.
 80 SE MADISON STREET
 PORTLAND, OR 97124
 PHONE: (503) 675-0234
 FAX: (503) 675-0235
 bsa@bstarch.com
 bstarch.com

Keizer Station Village Center
 Keizer, Oregon

RPS Development Company, Inc.
 Developer
 2653 High Heaven Road
 McMinnville, OR 97128
 Phone: 503 435 4907
 Fax: 503 435 4909

Aspen Capital
 9400 SW Beaverton-Hillsdale Hwy,
 Suite 131
 Beaverton, OR 97005
 Phone: (503) 295-5800
 Fax: (503) 525-5849



MEDICAL OFFICE & DENTAL OFFICE BUILDING

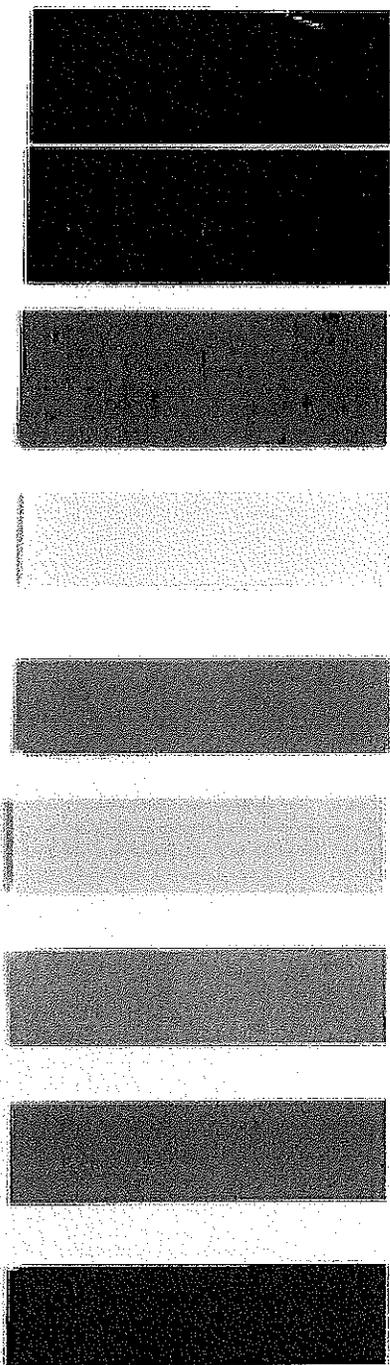
Keizer Station, Oregon

COLOR/MATERIAL SCHEDULE

August 16, 2017

Architect's Project No. 10-1023-17-123
80 SE Macklawn Street, Suite 400, Portland, Oregon 97214 Tel: (503) 670-0534 Fax: (503) 670-0235

COLOR



- A. SCOTT SYSTEM BRICK SUMMITWELL
500 Brand of SF VALLEY FORGE
TO NEW AMSTERDAM
- B. SCOTT SYSTEM BRICK SUMMITWELL
96 WILLIAMSTONS
- C. 'MS METAL SALES' METAL COATING
KYNAR 500 SANDSTONE (WS1)
- D. 'GLIDDEN' RA1793 SCROLL BOGE
- E. 'GLIDDEN' RA1793 DAMASK SIL
- F. 'ALUMINUM STOREFRONT' CLEAR ANODIZED
- G. 'MS METAL SALES' METAL COATING
KYNAR 500 WAUPE (PA)
- H. 'MS METAL SALES' METAL COATING
KYNAR 500 WEATHERED COPPER (WS2)