



KEIZER COMMUNITY DEVELOPMENT DEPARTMENT

NOTICE OF DECISION Partition 2019-01

I. REQUEST

The following report reviews a land use application to divide a 63,162 square foot parcel at 1120 Candlewood Dr NE into two lots containing 17,429 square feet and 45,738 square feet respectively. Both parcels will be accessed from an existing private access easement. (Exhibit 1)

II. BACKGROUND

- A. **APPLICANT/ PROPERTY OWNERS:** West Candlewood Business Park LLC
- B. **AGENT:** Brad Harris - Barker Surveying
- C. **PROPERTY LOCATION:** The subject property is located at 1120 Candlewood Dr NE. The Marion County Tax Assessor's office identifies the property as Township 7 South, Range 3 West, Section 11AC, Tax Lot 6900. (Exhibit 2)
- D. **PARCEL SIZE:** The subject property contains approximately 63,162 square feet.
- E. **EXISTING DEVELOPMENT AND PUBLIC FACILITIES:** The subject property currently contains a 6,474 square foot industrial building served by City water and has a septic system.
- F. **ZONING:** The subject property is designated General Industrial on the Comprehensive Plan map and zoned Industrial Business Park (IBP).
- G. **ADJACENT ZONING AND LAND USES:** Properties to the east are zoned Medium Density Residential (RM) and developed with apartments. Properties to the west and north are zoned Industrial Business Park (IBP) and developed with a recycling business and an auto repair business. Properties to the south are within the city limits of Salem.
- H. **PREVIOUS LAND USE ACTIONS:** Property Line Adjustment 2018-03 was approved February 23, 2018.

III. DECISION

Notice is hereby given that the Community Development Director for the City of Keizer has **APPROVED THE PARTITION WITH CONDITIONS AND REQUIREMENTS** which are found in Section IV.

of this staff report. Findings in support of this decision are found in Section VII. of this staff report. Any interested person, including the applicant, who disagrees with this decision, may request an appeal be considered by the Keizer Hearings Officer at a public hearing. The appeal is subject to the appellant paying a \$250.00 fee. This fee may be refunded if the appeal is successful.

An appeal request for a hearing in front of the Hearings Officer must be submitted in writing on a form provided by the City of Keizer. The appeal request must be received in the Keizer Community Development Department, 930 Chemawa Road NE, Keizer by **5:00 p.m. on February 19, 2019.**

Unless the decision is appealed, this decision becomes final on February 20, 2019.

Partition plat approval is valid only when the final plat is recorded by February 20, 2020.

IV. CONDITIONS AND REQUIREMENTS

The available evidence indicates the partition proposal complies with the decision criteria. Staff recommends approval of the partition subject to the following conditions, which shall be completed, including review and approval by the appropriate department, prior to the time lines outlined below. Compliance with the Conditions of Approval shall be the sole responsibility of the applicants and/or property owner.

General Conditions:

1. The private access easement must be paved/surfaced according to the requirements of the City of Keizer. It should be noted the applicant previously signed an Improvement Agreement as a part of Property Line Adjustment Case 2018-03 regarding the improvements to the access easement, which may need to be modified. The design of the access easement, extension of the easement, and turnaround area must be reviewed and approved by the Keizer Fire District and City of Keizer.

Prior to Preliminary Plat Approval:

2. A detailed preliminary plat shall be submitted to the Marion County Surveyor's Office for review. The Marion County Surveyor's Office will then submit the preliminary plat to Keizer for review. The Preliminary Plat must be submitted for review prior to submittal of a final plat.
 - a. Parcels ten acres and less must be surveyed.
 - b. Per ORS 92.050, plat must be submitted for review.
 - c. Checking fee and recording fee is required by the Marion County Surveyor's Office.
 - d. A current or updated title report must be submitted to the Marion County Surveyor's Office at the time of review. Title reports shall be no less than 15 days old at the time of approval of the plat by the Surveyor's office, which may require additional updated reports.

The detailed preliminary plat shall include the following provisions:

- e. Include all engineering elements as required by the Department of Public Works requirements.
- f. All dimensional standards and lot sizes must comply with the IBP zone as stated in this report.
- g. All access easement and turnaround areas must be shown on the plat.
- h. Include language on the plat regarding the maintenance of the access easement.

Prior to Final Plat approval (Mylar):

3. The applicant shall submit a final partitioning plat prepared by a registered professional surveyor which conforms to the approved preliminary plat. Following plat approval, the final plat and title transfer instruments accomplishing the property adjustments shall be recorded with the Marion County Clerk by February 20, 2020. The plat shall include all engineering elements as required by the Department of Public Works and shall show all lot sizes and dimensions.
4. An overall plan showing how parking will be provided for Parcel 2 must be provided to the Community Development Department for review and approval. This may necessitate a shared parking agreement or cross easement with Parcel 1, or it may require the relocation of some of the existing graveled parking area. Modification to the existing improvement agreement may also be necessary.
5. A designated turnaround must be provided for the existing access easement and must be shown on the plat. The design of the easement and turnaround area must be approved by the Keizer Fire District and City of Keizer prior to recording the final plat.
6. Maintenance of the access easement area must be provided in the form of a maintenance agreement or other instrument acceptable to the City and shall be recorded with the Marion County Clerk. A copy of the agreement shall be submitted to the Community Development Department for review and approval prior to final plat approval. The agreement shall also include language stipulating that the agreement cannot be extinguished without written approval of the City of Keizer.

Public Works Department Conditions and Requirements:

7. The following applicable requirements/conditions of the Public Works Department must be met as outlined below:

GENERAL CONDITIONS

The application is for creating 2 lots where 1 currently exists. The existing lot is indicated on Marion County Tax Records as an approximate 63,162 sq. ft. parcel. The new lots, Lots 1 and 2 will be approximately 17,429 sq. ft., and 45,738 sq. ft. respectively. Proposed Lots 1 and 2 will have access to Candlewood Drive N via a proposed access easement on an adjoining parcel, indicated as Parcel 1, Partition Plat 2018-52, Marion County Tax Records. Preliminary Site Improvement Plans were submitted with this application but will not be reviewed until the proposed partition plan is approved.

SANITARY SEWERS:

It is the developer's responsibility to connect the proposed development to the appropriate master plan sewer lines designed to serve the area.

- a.) City of Salem approval for local sewer permits will need to be issued prior to construction. Construction permits will be required for any construction within a public street or access easement.

- b.) Connecting to existing sewers that serve the general area will be the responsibility of the developer of the property. The existing building on proposed Parcel 2 is currently served by a septic system. Each parcel will be required to have its own sanitary sewer service and will be required to connect to an approved public sanitary sewer line. Proposed Lots 1 and 2 will be required to connect to the existing sewer line in Candlewood Drive N. Plans for connection to the sanitary sewer system shall be submitted to the City of Keizer and the City of Salem for all parcels and shall be permitted by the City of Salem. The existing septic system shall be decommissioned, and existing building connected to public sewer system prior to recording of the Partition Plat.
- c.) Appropriate easements will be required for any public sewer mains located within the subject property if located outside of the platted right of ways. Easements will be required for all private sewer lines that cross private properties.
- d.) The property is within the original Keizer Sewer District and is therefore not subject to an acreage fee for sanitary sewer.
- e.) Any septic tank and drain field on the subject property shall be abandoned according to the requirements of the appropriate agency. Evidence of satisfactory compliance shall be submitted to the City of Keizer prior to recording of the Partition Plat.

WATER SYSTEM:

- a.) The application will require two new individual water services for proposed Lots 1 and 2. Preliminary plans indicate that a new 8" public water line will be extended to a fire hydrant, the new services will be a part of the new water line construction and constructed by the developer.
- b.) It is the Public Works Departments understanding that the Keizer Fire District will be requiring at least one new fire hydrant for the proposed development. Location shall be submitted for approval to the Fire District and Public Works Department. A minimum 8-inch diameter public water line shall be provided for any proposed fire hydrant and be located within a minimum 10-ft easement to the City of Keizer. Plans for the new water main shall be submitted and approved prior to approval of the proposed Partition Plat.
- c.) Location of water meters shall be submitted for approval to the Public Works Department after all proposed utility locations are known.
- d.) Any existing wells on the subject property shall be abandoned in accordance with the Oregon State Water Resources Department requirements.
- e.) The existing building on Proposed Lot 2 shall be connected to the City water system at a location determined by the city after final plans for a new main providing service to the required fire hydrant have been reviewed and approved by the City.

STREET AND DRAINAGE IMPROVEMENTS:

- a.) Access to the proposed partition is proposed to be from Candlewood Drive NE via a private access and utility easement. A Public Half Street Improvement to Candlewood Drive will be required along the frontage of Parcel 1, Partition Plat 2018-52. The Public Improvements will be constructed to Collector Street Standards and shall include a separated sidewalk, pavement widening, curb, storm water improvements and a tapered street improvement on each end of the improvement. Street plans for Candlewood Drive shall be submitted to the City for approval and permitting prior to approval of the proposed Partition Plat.
- b.) The new sidewalk shall be constructed as part of the Public Improvements to Candlewood Drive. A storm drainage plan shall be designed for the improvements proposed to keep all storm water runoff on-site. No storm water runoff from the new development shall be directed to Candlewood Drive. The submitted Preliminary plan depicts a proposed drainage facility be constructed on Parcel 1, Partition Plat 2018-52, the proposed facility shall be sited such that it does not interfere with any Public Facilities. Plans for stormwater drainage, including stormwater quality, detention, outlet, drainage calculations and infiltration test results for each proposed infiltration facility shall be submitted to the City of Keizer Public Works Department for review and approval prior to recording of the Partition Plat.
- c.) A grading and drainage plan will be required for the proposed development and all lot corners shall have finished grade elevations indicated on the plan. The onsite grading and drainage plan shall be submitted for review and approval prior to issuance of a building permit.
- d.) Erosion control permits shall be obtained from the City of Keizer prior to the disturbance of any soil on the subject property.

OTHER

- a.) Construction permits are required by the Public Works Department prior to any public facility construction as well as private utility construction within existing right of ways.
- b.) A Pre-design meeting with the City of Keizer Public Works Department will be required prior to the Developer's Engineer submitting plans to either the City of Keizer or the City of Salem for review.
- c.) Street opening permits are required for any work within the City Right of Way that is not covered by a Construction Permit.
- d.) A Pre-construction conference shall be required prior to commencement of any construction under permits issued by the City.
- e.) The Partition Plat shall include a signature line for the City Engineer.

V. COMMENTS

AGENCY COMMENTS:

- A. The Keizer Public Works Department submitted comments (Exhibit 3).
- B. The Marion County Surveyor's office submitted comments (Exhibit 4) regarding the process for platting the partition.
- C. The Keizer Police Department submitted that they have reviewed the proposal and have no comments.

CITIZEN COMMENTS:

A letter requesting comments was sent to the surrounding property owners within 250 feet of the subject property. No comments were received in response to the request.

VII. FINDINGS AND CONCLUSIONS

The proposal is to divide an existing 63,162 square foot parcel at 1120 Candlewood Dr NE into two lots containing 17,429 square feet and 45,738 square feet respectively. The approval, or denial, of a partition application is based on compliance with the decision criteria found in Section 3.107.07 of the Keizer Development Code. The review criteria of section 3.107.07 and staff's findings for the applicable sections of the Keizer Development Code are listed below:

A. EACH PARCEL SHALL MEET THE ACCESS REQUIREMENTS OF SECTION 2.310.03.D.

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.

FINDINGS: The existing parcel is accessed from an existing access easement, so there is no frontage on an existing or proposed public street. The proposed partition will result in both lots obtaining access from this existing access easement which is specifically allowed in Section 2.310.03.D.1 which grants an exemption to this standard and states, "*Lots or parcels may be accessed via an access easement developed in accordance with the provisions of Section 2.302.08.*" The standards regulating the access easement will be addressed later in this report. Staff finds this criterion does not apply to this proposal.

B. EACH PARCEL SHALL SATISFY THE DIMENSIONAL STANDARDS OF THE APPLICABLE ZONING DISTRICT, UNLESS A VARIANCE FROM THESE STANDARDS IS REQUESTED AND APPROVED.

FINDINGS: The subject property is located in an IBP (Industrial Business Park) zone. There are no specific dimensional standards in the IBP district. Therefore, staff finds this request satisfies this criterion.

It should be noted that future development will be required to comply with the provisions of the IBP district in relation to setbacks and lot coverage, which will effectively limit what size of building will be able to be placed on the proposed parcel.

C. EACH PARCEL SHALL COMPLY WITH THE REQUIREMENTS OF SECTION 2.310.

- 1. *Section 2.310.03.A. Minimum lot area shall conform to the requirements of the zoning district in which the parcel is located.***

FINDINGS: There are no minimum lot area requirements in an IBP district. Therefore, staff finds this request satisfies this criterion.

- 2. *Section 2.310.03.C. Lot width and depth. The depth of a lot or parcel shall not be more than 3 times the width of the parcel.***

FINDINGS: The applicant submitted materials that conflict. There was an initial site plan that showed one set of dimensions and, a second set of plans that showed a different set of dimensions for the proposed parcels. The preliminary “site improvement plans” submitted to the Community Development Department on December 13, 2018 show Parcel 1 is approximately 85 feet by 250 feet, which complies with this standard. Parcel 2 is proposed to be approximately 165 feet by 230 feet which also complies with this standard. It is unclear from the applicants’ submitted materials as to how exactly Parcel 1 will be accessed and where the access easement will end. As a condition of partition approval the dimensions of both lots must be shown on the preliminary and final plat, which will ensure this standard is met. The depth of each lot shall not be more than 3 times the width of each lot. Staff finds with the above conditions, this request satisfies this criterion.

- 3. *Section 2.310.03.G. The side lines of lots, as far as practicable, shall run at right angles to the right-of-way line of the adjacent street. The rear lot line shall be no less than ½ the dimension of the front lot line.***

FINDINGS: The proposed property lines create two regular shaped parcels, and lot lines generally at right angles to the access easement and existing property lines. Therefore, staff finds that this request satisfies this criterion.

- 4. *Section 2.310.03.H. Utility easements shall be provided on lot area where necessary to accommodate public facilities. Such easements shall have a minimum total width as specified in Section 2.302.04 of the Keizer Development Code.***

FINDINGS: The Public Works Department submitted comments regarding easements. This is a development requirement and must be adhered to. At the time of development, if it is determined that additional easements or facilities are required, appropriate easements must be provided. Staff finds this request satisfies this criterion.

- 5. *Section 2.310.05A Private Access. Private driveways serving flag lots, or private streets and access easements, shall be surfaced per the requirements of this Code.***

FINDINGS: The private access easement must be paved/surfaced according to this requirement. It should be noted the applicant previously signed an Improvement Agreement

as a part of Property Line Adjustment Case 2018-03. It is anticipated the access easement will need to be modified/enlarged to accommodate access and turnaround requirements, which will likely necessitate a modification to the previously signed improvement agreement. Therefore staff finds this request can satisfy this criterion.

6. *Section 2.310.05.C. Street Frontage Improvements. (2.) If the street frontage of the subject property exceeds 100 feet or is located along a collector or arterial street, or extends an existing dedicated right-of-way, the applicant shall improve the following unless it is determined by the City that any or all of the required improvements may not be practical or desirable due lack of connecting facilities, or topographical or engineering constraints that may preclude the placement of improvements:*

a. *Public Streets upon which the property fronts to public standards including: surfacing from center line to curb, installation of curbing, storm sewers, sanitary sewers, water lines and other necessary public utilities.*

b. *Sidewalks, meeting City standards, along public street frontage.*

c. *The installation of storm sewers, sanitary sewers, water lines and other utilities necessary to serve lots accessing off of the new street.*

FINDINGS: The property is accessed from an existing private access easement and has no street frontage. However, street frontage improvements to Candlewood are being required as a part of this partition approval. The public works department submitted comments which outline the required improvements. It is important to note the street frontage improvements being required are necessitated by the “development” proposed on the existing parcel containing the access easement, (which fronts on Candlewood Drive) not by the sole act of partitioning the subject property. The Keizer Development Code is very clear that new commercial or industrial developments provide street frontage improvements (as outlined in Section 2.302 General Standards), and due to the fact that a storm water facility, as well as the surfacing of the access easement are necessitated by this act of partitioning, frontage improvements along Candlewood will be required as outlined in the Public Works Department comments. With this placed as a condition of approval, staff finds this request complies with this criterion.

D. IMPROVEMENTS OR DEDICATIONS THAT ARE REQUIRED AS A CONDITION OF DEVELOPMENT APPROVAL, IF NOT VOLUNTARILY ACCEPTED BY THE APPLICANT, SHALL BE ROUGHLY PROPORTIONAL TO THE IMPACT OF THE DEVELOPMENT.

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 street improvements are provided in order to provide safe traffic and pedestrian and bicyclist access without which dangerous or hazardous traffic conditions are created. The site is designated to allow for industrial business park development consistent with the Keizer Development Code, and obtains its access via an access easement which is connected to a substandard collector street.

Street frontage improvements are required for new commercial and industrial development. In this particular case, a drainage facility is proposed to be located on the parcel fronting on

Candlewood and the access easement will be improved. The drainage facility, as well as the development of the access easement must be provided to allow development of the newly created lot. Therefore, the need to improve Candlewood is solely driven by this partition request, and is clearly proportional to the impact of this proposal. If the partition was not requested, the drainage improvements and access improvements would not be necessary and the improvements would not be required. Instead, the improvements to Candlewood would be required at the time of development of the parcel fronting on Candlewood (not part of this partition request). Therefore, if the lot fronting Candlewood were to develop first, the same street frontage improvements would be required as a part of any building permit or development permit on that lot. In this case, a development permit will be required for that particular lot to build the proposed drainage facility and access easement.

With these requirements placed as conditions of approval the request shall satisfy this criterion.

E. EACH PARCEL SHALL COMPLY WITH THE APPLICABLE REQUIREMENTS WITHIN SECTIONS 2.301 (General Provisions); 2.302 (Street Standards); 2.303 (Off-Street Parking and Loading); 2.305 (Transit Facilities); 2.306 (Storm Drainage); 2.307 (Utility Lines and Facilities); 2.309 (Site and Landscaping Design); and 2.316 (Infill Standards).

1. *Section 2.301 General Provisions. Public Facilities must be provided for all developments meeting the minimum requirements as outlined in Section 2.301.03. Public Facilities Improvements Requirements Table:*

FINDINGS: The Public Works Department submitted comments that have been made conditions and requirements of this partition request which will ensure the provisions of Section 2.301 are satisfied. Both parcels must be served by appropriate public facilities. This will be placed as a condition of partition approval. It should be noted that the existing septic system and drain field serving Parcel 2 will be required to be abandoned and connecting to existing sewers will be the responsibility of the developer of the property. In addition street frontage improvements are being required along Candlewood as a part of this partition request, due to the location of the necessary facilities serving the partition. The specific requirements and justification for improvements is addressed elsewhere in this report. Therefore, staff finds that the proposal satisfies this criterion.

2. *Section 2.302 Street Standards. Street standards are established to provide for safe, efficient, and convenient vehicular movement; adequate access to all proposed developments; and to provide adequate area in all public rights-of-way for sidewalks, sanitary sewers, storm sewers, water lines, natural gas lines, power lines and other utilities commonly and appropriately placed in such rights of way:*

FINDINGS: Improvements to Candlewood are being required as a condition of Partition approval. Improvements must comply with the standards outlined in Section 2.302 and will be regulated through the Public Improvement Permit review and approval process. Therefore, staff finds this request can comply with this criterion.

3. *Section 2.302.08 Private Access Easements. (5.) Multi-Family/Commercial Development: Access easements serving multi-family and commercial uses may be allowed if it is the only feasible method to provide access to a parcel without public street frontage, or if it is impractical to serve the development with a public street. Access easements are subject to*

Fire District review and City approval. The design of the easement must be reviewed by the local Fire District for compliance with the Fire Code and must meet the requirements outlined in Section 2.303 for parking lot aisle widths, and all other city standards governing vehicle access contained in the KDC and adopted Public Works Street Standards.

FINDINGS: The proposed partition is accessed from an existing access easement of 26 feet in width. This proposal will require extending the easement into the property so both parcels have a legal means of access. A designated turnaround must be provided for the access easement and must be shown on the plat. The design of the easement and turnaround area must be approved by the Keizer Fire District and City of Keizer prior to recording the final plat. Maintenance of the access easement area must be provided in the form of a maintenance agreement or other instrument acceptable to the City. With this placed as a condition of partition approval, staff finds this request can satisfy this criterion.

4. Section 2.303.06. Off-Street Parking shall be provided according to the requirements in Section 2.303.06.

FINDINGS: Parcel 1 is undeveloped. Future development on Parcel 1 will be required to provide adequate off-street parking consistent with city parking requirements. This will be ensured through the building permit review and approval process. Parcel 2 contains an existing business with a gravel parking area that is required to be paved and was assured through an existing Improvement Agreement with the City. Prior to plat approval, an overall plan showing how parking will be provided for Parcel 2 must be provided to the Community Development Department for review and approval. This may necessitate a shared parking agreement or cross easement with Parcel 1, or it may require the relocation of some of the existing graveled parking area. Modification to the existing improvement agreement may be necessary. Staff finds, with this placed as a condition of approval, this request can comply with this criterion.

5. Section 2.305 Transit Facilities:

FINDINGS: No additional transit facilities are proposed with this development. However, the development code does allow for the transit district to review development proposals and determine whether or not transit facilities should be provided. No comments were received from the transit district regarding this proposal. Staff finds this request can satisfy this criterion.

6. Section 2.306 Adequate storm drainage shall be available to serve the existing and newly created parcels.

FINDINGS: The Public Works Department submitted comments outlining the requirements for providing an adequate storm drainage system. These requirements have been made conditions of partition approval. A grading and drainage plan, erosion control plan, and appropriate storm drain design plan must be developed for both on-site improvements and street improvements required along Candlewood Dr. These plans will be regulated, reviewed, and approved through the Public Works Departments as appropriate and prior to final plat. Staff finds, with these conditions, this request can satisfy this criterion.

7. **Section 2.309 Site and landscaping design. Landscaping must be provided as outlined in section 2.309:**

FINDINGS: Parcel 1 is undeveloped. At the time of development, a landscaping plan will be required to be submitted as a part of the building permit review and approval process. Parcel 2 contains an existing building and has landscaping along the perimeter of the property which complies with section 2.309 of the development code. Staff finds that this proposal satisfies this criterion.

8. **Section 2.316.03-Infill Development Parcel Criteria. An infill development parcel is any residential parcel not more than two (2) acres in size that is a lot of record, and which meets any two of the following criteria: 1) A parcel with less than 250 feet of frontage along a public street; 2) A parcel with an existing structure; 3) A parcel that is irregular in shape, such that it cannot be partitioned or subdivided to meet the maximum density of the underlying zone without a variance; 4) A parcel that is bounded on two or more sides by existing development or natural constraints (i.e. waterways, steep slopes, resource protections areas).**

FINDINGS: The subject parcel does not meet the criteria listed above. The property is zoned Industrial Business Park and is not a residential parcel, therefore, the criteria for Infill Development within Section 2.316 of the Keizer Development Code are not applicable, and shall not be considered as part of this review.

F. **SECTION 3.107.07.F - ADEQUATE PUBLIC FACILITIES SHALL BE AVAILABLE TO SERVE THE EXISTING AND NEWLY CREATED PARCELS:**

FINDINGS: Public water and sewer are available to the subject property. Both parcels will be required to be connected to the public system as outlined in the Public Works Departments requirements and conditions. Staff finds this request satisfies this criterion.

Based on the above findings, staff concludes the proposal complies with the decision criteria of Section 3.107 of the Keizer Development Code and approves the proposal subject to conditions outlined in the Conditions and Requirements of this report.

If you have any question about this application or the decision please call (503) 856-3441 or visit the Community Development Department at 930 Chemawa Rd NE, Keizer, Oregon.

REPORT PREPARED BY: Shane Witham, Senior Planner

Approved by:

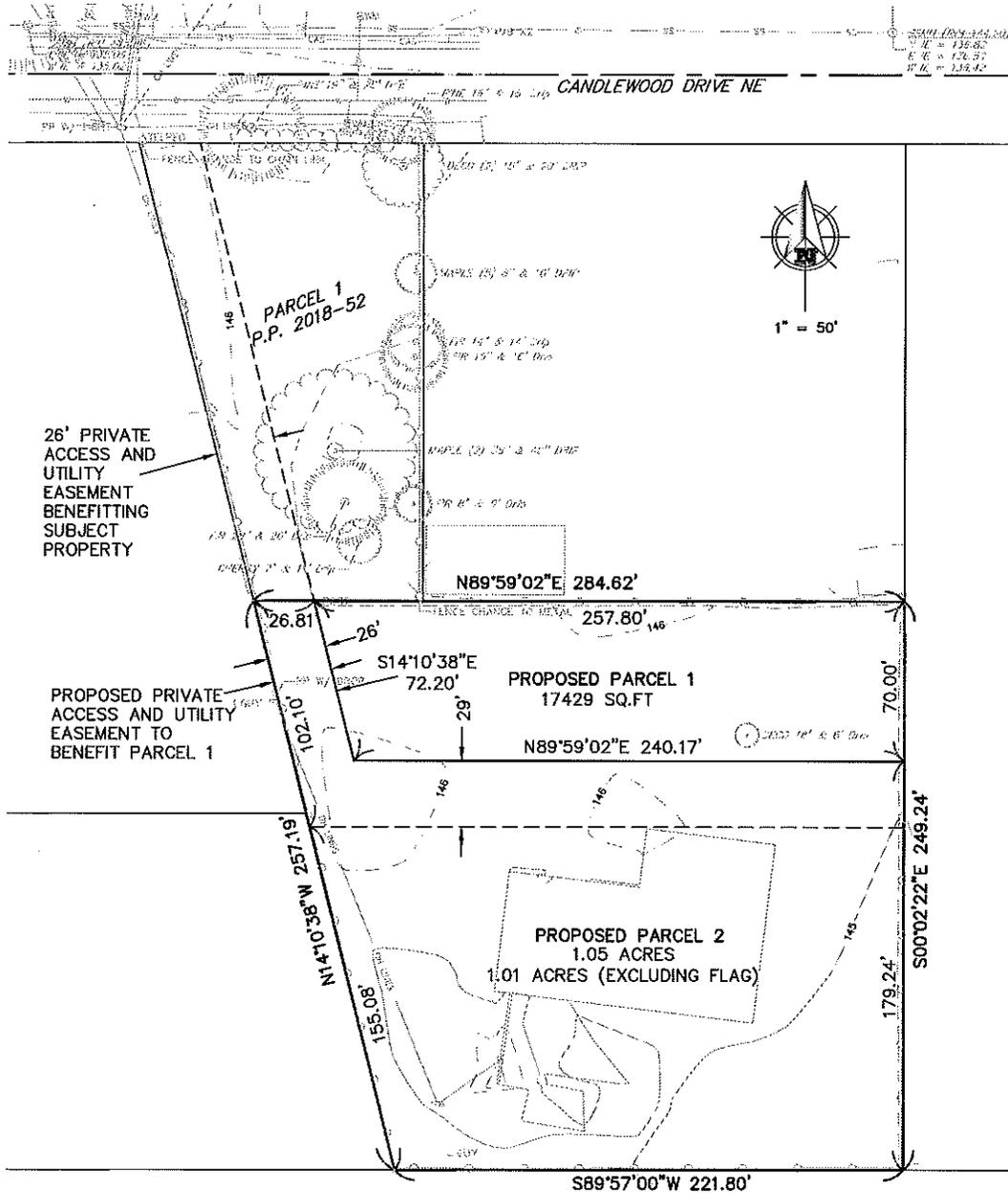


Nate Brown, Community Development Director

DATE: 2/6/19

PRELIMINARY PARTITION PLAT

EXHIBIT 1



PROPERTY INFO

West Candlewood Business Park LLC
360 Belmont St NE
Salem, OR 97301

TAX LOT:

073W11AC 06900

SITE ADDRESS:

1120 Candlewood Drive NE
Keizer, OR 97303

ZONING:

Industrial Business Park (IBP)

TREE REMOVAL PLAN:

No proposal for tree removal at this time.

SITE DRAINING AND GRADING PLAN:

See existing surface contours on map above. Site is essentially flat; no grading, drainage channels, swales, ditches, or berms, or storm drain connections are proposed at this time.

SURVEYOR:

Jamison Best
Barker Surveying
3657 Kashmir Way S.E.
Salem, OR 97317
(503) 588-8800 ext. 6
jyb@barkerwilson.com

TOTAL AREA:

63129 SQ.FT. - 1.45 ACRES

BENCHMARK UTILIZED
ELEV: 146.05 (NGVD 29)
SURVEY MAG NAIL CONTROL # 1
ELEVATIONS ARE BASED ON GPS OBSERVATION WITH A VERTICAL ADJUSTMENT OF -3.36 FEET FROM NAVD 88 TO NGVD 29 DATUM.





MARION COUNTY, OREGON
 SW 1/4 NE 1/4 SEC 11 T7S R3W W.M.
 SCALE 1" = 100'

LEGEND

- LINE TYPES**
- Taxlot Boundary
 - Road Right-of-Way
 - Railroad Right-of-Way
 - Private Road ROW
 - Subdivision/Plat Bndry
 - Waterline - Taxlot Bndry
 - Waterline - Non Bndry
 - Historical Boundary
 - Easement
 - Railroad Centerline
 - Taxcode Line
 - Map Boundary
- CORNER TYPES**
- + 1/16TH Section Cor.
 - ⊕ 1/4 Section Cor.
 - ⊙ DLC Corner
 - ⊕ Section Corner
- NUMBERS**
- Tax Code Number
 - 000 00 00 0
- NOTES**
- Tick Marks: A tick mark in the road indicates that the labeled dimension extends into the public ROW

CANCELLED NUMBERS

1401
1501
1600
1701
1800
1801
1901
4500
9500

DISCLAIMER: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY



FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT www.marion.or.us

PLOT DATE: 11/13/2018

KEIZER

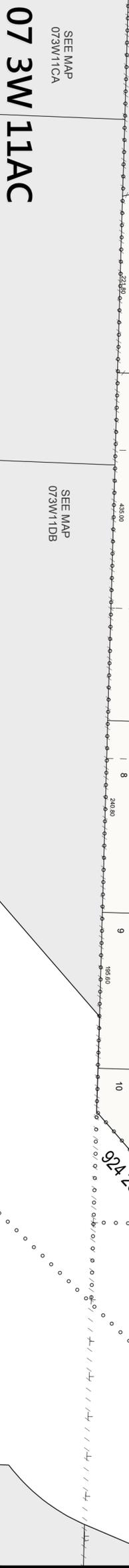


EXHIBIT 3

PARTITION CASE NO. 2019-01
ADDRESS – 1120 CANDLEWOOD DRIVE NE
ZONE: IBP

PUBLIC WORKS DEPARTMENT CONDITIONS AND REQUIREMENTS

GENERAL CONDITIONS

The application is for creating 2 lots where 1 currently exists. The existing lot is indicated on Marion County Tax Records as an approximate 63,162 sq. ft. parcel. The new lots, Lots 1 and 2 will be approximately 17,429 sq. ft., and 45,738 sq. ft. respectively. Proposed Lots 1 and 2 will have access to Candlewood Drive N via a proposed access easement on an adjoining parcel, indicated as Parcel 1, Partition Plat 2018-52, Marion County Tax Records. Preliminary Site Improvement Plans were submitted with this application but will not be reviewed until the proposed partition plan is approved.

SANITARY SEWERS:

It is the developer's responsibility to connect the proposed development to the appropriate master plan sewer lines designed to serve the area.

- a.) City of Salem approval for local sewer permits will need to be issued prior to construction. Construction permits will be required for any construction within a public street or access easement.
- b.) Connecting to existing sewers that serve the general area will be the responsibility of the developer of the property. The existing building on proposed Parcel 2 is currently served by a septic system. Each parcel will be required to have its own sanitary sewer service and will be required to connect to an approved public sanitary sewer line. Proposed Lots 1 and 2 will be required to connect to the existing sewer line in Candlewood Drive N. Plans for connection to the sanitary sewer system shall be submitted to the City of Keizer and the City of Salem for all parcels and shall be permitted by the City of Salem. The existing septic system shall be decommissioned, and existing building connected to public sewer system prior to recording of the Partition Plat.
- c.) Appropriate easements will be required for any public sewer mains located within the subject property if located outside of the platted right of ways. Easements will be required for all private sewer lines that cross private properties.
- d.) The property is within the original Keizer Sewer District and is therefore not subject to an acreage fee for sanitary sewer.

- e.) Any septic tank and drain field on the subject property shall be abandoned according to the requirements of the appropriate agency. Evidence of satisfactory compliance shall be submitted to the City of Keizer prior to recording of the Partition Plat.

WATER SYSTEM:

- a.) The application will require two new individual water services for proposed Lots 1 and 2. Preliminary plans indicate that a new 8" public water line will be extended to a fire hydrant, the new services will be a part of the new water line construction and constructed by the developer.
- b.) It is the Public Works Departments understanding that the Keizer Fire District will be requiring at least one new fire hydrant for the proposed development. Location shall be submitted for approval to the Fire District and Public Works Department. A minimum 8-inch diameter public water line shall be provided for any proposed fire hydrant and be located within a minimum 10-ft easement to the City of Keizer. Plans for the new water main shall be submitted and approved prior to approval of the proposed Partition Plat.
- c.) Location of water meters shall be submitted for approval to the Public Works Department after all proposed utility locations are known.
- d.) Any existing wells on the subject property shall be abandoned in accordance with the Oregon State Water Resources Department requirements.
- e.) The existing building on Proposed Lot 2 shall be connected to the City water system at a location determined by the city after final plans for a new main providing service to the required fire hydrant have been reviewed and approved by the City.

STREET AND DRAINAGE IMPROVEMENTS:

- a.) Access to the proposed partition is proposed to be from Candlewood Drive NE via a private access and utility easement. A Public Half Street Improvement to Candlewood Drive will be required along the frontage of Parcel 1, Partition Plat 2018-52. The Public Improvements will be constructed to Collector Street Standards and shall include a separated sidewalk, pavement widening, curb, storm water improvements and a tapered street improvement on each end of the improvement. Street plans for Candlewood Drive shall be submitted to the City for approval and permitting prior to approval of the proposed Partition Plat.

- b.) The new sidewalk shall be constructed as part of the Public Improvements to Candlewood Drive. A storm drainage plan shall be designed for the improvements proposed to keep all storm water runoff on-site. No storm water runoff from the new development shall be directed to Candlewood Drive. The submitted Preliminary plan depicts a proposed drainage facility be constructed on Parcel 1, Partition Plat 2018-52, the proposed facility shall be sited such that it does not interfere with any Public Facilities. Plans for stormwater drainage, including stormwater quality, detention, outlet, drainage calculations and infiltration test results for each proposed infiltration facility shall be submitted to the City of Keizer Public Works Department for review and approval prior to recording of the Partition Plat.
- c.) A grading and drainage plan will be required for the proposed development and all lot corners shall have finished grade elevations indicated on the plan. The onsite grading and drainage plan shall be submitted for review and approval prior to issuance of a building permit.
- d.) Erosion control permits shall be obtained from the City of Keizer prior to the disturbance of any soil on the subject property.

OTHER

- a.) Construction permits are required by the Public Works Department prior to any public facility construction as well as private utility construction within existing right of ways.
- b.) A Pre-design meeting with the City of Keizer Public Works Department will be required prior to the Developer's Engineer submitting plans to either the City of Keizer or the City of Salem for review.
- c.) Street opening permits are required for any work within the City Right of Way that is not covered by a Construction Permit.
- d.) A Pre-construction conference shall be required prior to commencement of any construction under permits issued by the City.
- e.) The Partition Plat shall include a signature line for the City Engineer.

Comments on Planning Action: Keizer Partition 2019-01

Date 1/9/2019 Person Commenting Phil Jones

Subdivision:

- 1. Subdivision name must be approved per ORS 92.090.
- 2. Must be surveyed and platted per ORS 92.050.
- 3. Subdivision plat must be submitted for review.
- 4. Checking fee and recording fees required.
- 5. Per ORS 92.065 - Remaining monumentation bond may be required if some of the plat monuments have not been set and/or the installation of street and utility improvements has not been completed, or other conditions or circumstances cause the delay (or resetting) of monumentation.
- 6. A current or updated title report must be submitted at the time of review. Title reports shall be no more than 15 days old at the time of approval of the plat by the Surveyor's Office, which may require additional updated reports.

Partition:

- 1. No survey required on parcels created over ten acres.
- 2. Parcels ten acres and less must be surveyed.
- 3. Per ORS 92.050, plat must be submitted for review.
- 4. Checking fee and recording fees required.
- 5. A current or updated title report must be submitted at the time of review. Title reports shall be no more than 15 days old at the time of approval of the plat by the Surveyor's Office, which may require additional updated reports.

Property Line Adjustment:

- 1. No survey required. The resultant property is greater than ten acres.
- 2. Must be surveyed per ORS 92.060 (7) and the survey submitted for review.
- 3. Survey checking fee required at the time of review.

(See Page 2 for additional comments)

Property Line Adjustment (continued):

- ___ 4. Property line adjustment deeds shall be recorded with the Marion County Clerk's Office prior to submitting the property line adjustment survey. Deed recording reference numbers shall be noted on the survey map. Per ORS 92.190 (4): The deed shall contain the names of the parties, the description of the adjusted line, references to original recorded documents and signatures of all parties with proper acknowledgment. [See Marion County Zoning Code MCC 16.33.140(E) and MCC 17.172.120(E)]

Marion County Planning requires perimeter descriptions of the resultant properties.

- ___ 5. A re-plat (in the form of a partition plat) is required, due to the adjustment of a partition plat parcel line or subdivision lot line. A property line adjustment deed shall be recorded with the Marion County Clerk's Office, prior to the recording of the re-plat. Deed recording reference numbers shall be noted on the plat. As per ORS 92.190 (4): The deed shall contain the names of the parties, the description of the adjusted line, references to original recorded documents and signatures of all parties with proper acknowledgment.

The resultant property deeds shall be recorded after the recording of the re-plat.

Re-plat: (Re-configuration of lots or parcels and public easements within a recorded plat)

- ___ 1. Must comply with all provisions per ORS 92.185 (6)
- ___ 2. Must be surveyed and platted per ORS 92.050, and the plat submitted for review.
- ___ 3. Checking fee and recording fees required.
- ___ 4. A current or updated title report must be submitted at the time of review.
- ___ 5. The portion of the subdivision or partition plat proposed for replatting contains utility easement(s) that will need to be addressed. Per ORS 92.185 (4), when a utility easement is proposed to be realigned, reduced in width or omitted by a replat, all affected utility companies or public agencies shall be notified, consistent with a governing body's notice to owners of property contiguous to the proposed plat. Any utility company that desires to maintain an easement subject to vacation must notify the governing body in writing within 14 days of the mailing or other service of the notice.

If it is necessary to re-configure the utility easement created by this partition plat (see map), then it will be the responsibility of the applicant to determine the names of all of the utility companies affected by the proposed re-configuration, and give this list of names to the Marion County Surveyor's Office. Letters of notice will be sent by this office to the affected utility companies, who will determine whether or not the easement is to be maintained.

Other comments specific to this Planning Action: