



## KEIZER COMMUNITY DEVELOPMENT DEPARTMENT

### NOTICE OF DECISION Partition/Minor Variance 2020-07

#### I. REQUEST

The following report reviews a land use application to divide an existing parcel totaling approximately 15,360 square feet into three parcels comprised of approximately 4,739 square feet (Parcel 1), 4,607 square feet (Parcel 2) and 4,607 square feet (Parcel 3). The proposal also includes a 7' right-of-way dedication along Griswold Av NE and a minor variance request to the minimum lot sizes and average lot depth. (Exhibit 1)

#### II. BACKGROUND

- A. **APPLICANT:** Alex Snegirev
- B. **PROPERTY OWNER:** Alex Snegirev and Anna Vshivkov
- C. **AGENT:** Corbey Boatwright
- D. **PROPERTY LOCATION:** The subject property is located at 3745 Pleasant View Dr NE Keizer; Marion County Tax Assessor's Map 073W11AA Tax Lot 03500. (See Exhibit 2)
- E. **PARCEL SIZE:** The subject property contains approximately 15,360 square feet.
- F. **EXISTING DEVELOPMENT AND PUBLIC FACILITIES:** The subject property contains an existing home which is served by both public water and public sewer.
- G. **ZONING:** The subject property is zoned Single Family Residential (RS) and is designated Low Density Residential on the Comprehensive Plan.
- H. **ADJACENT ZONING AND LAND USES:** Surrounding properties are zoned RS (Residential Single Family) and are developed with single family homes.

#### III. COMMENTS - AGENCY

- A. The Keizer Public Works Department submitted comments (Exhibit 3) regarding requirements for public facilities and improvements necessary to serve the subject property.

- B. The Marion County Surveyor's Office submitted comments (Exhibit 4) regarding the process for platting the partition consistent with state law.
- C. Salem Keizer School District 24J submitted comments (Exhibit 5) regarding school capacity.
- D. The City of Keizer Police Department, Keizer Fire District and the City of Salem Community Development Department state they have reviewed the proposal and have no comments.

**IV. FINDINGS AND CONCLUSIONS – PARTITION**

**The following are findings that address the Partition request to divide the property into three parcels in accordance with the Keizer Development Code. The approval, or denial, of a partition application is based on compliance with the decision criteria found in Section 3.107 of the Keizer Development Code. The criteria and staff's findings for the applicable sections of the Keizer Development Code are listed below:**

**A. SECTION 3.107.07.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 width required by the underlying zone.*

**FINDINGS:** The intent of this provision is to ensure that all lots have a minimum frontage along a street so that access to serve the lot will meet city standards and the lot can be developed in a manner that will ensure that all building setback requirements are met. The minimum lot frontage requirement on a public street in a RS zone is forty (40) feet for a single family home. Parcel 1 will have approximately 69.8 feet of frontage along Pleasant View Dr NE which exceeds the minimum lot frontage requirement. Parcel 2 and Parcel 3 will have approximately 66 feet along Griswold Av NE, an existing local public street. Staff finds this proposal exceeds the minimum width requirement of the RS zone and can satisfy this criterion.

**B. SECTION 3.107.07.B - EACH PARCEL SHALL SATISFY THE DIMENSIONAL STANDARDS OF THE APPLICABLE ZONING DISTRICT, UNLESS A VARIANCE FROM THESE STANDARDS IS APPROVED.**

**FINDINGS:** The RS zone requires lots to have a minimum width of 40' and a minimum depth of 70' for a single family home. The applicant's site plan and written statement indicate all three parcels exceed the minimum width requirements of the RS zone but do not meet the minimum depth of 70'. Parcel 1 depth is proposed to be approximately 68'; Parcel 2 and Parcel 3 both are proposed to be approximately 69.8' in depth. A Minor Variance to this standard was applied for and will be addressed later in this report.

The RS zone also regulates setback requirements in the dimensional standards section of the development code. The existing home on Parcel 1 is proposed to be demolished and replaced with a newly constructed one-story dwelling. Setbacks will be reviewed and approved during the building permit process of the new dwelling. The existing dwelling on Parcel 1 will be required to be removed prior to the recording of the final plat OR if the existing home on Parcel 1 is decided to remain, a minimum rear yard setback of 14' is required for a one-story home. Prior to final plat approval, a site plan prepared by a licensed engineer or surveyor must be submitted which shows the existing home in relation to the proposed rear lot line to ensure the 14 foot setback requirement is met.

As a condition of partition approval and variance approval shown later in this report, each lot must meet the minimum required width of the RS zone along with the varied depth requirement as approved. All dimensions must be shown on the preliminary and final plat. With these conditions, staff finds this request can satisfy this criterion.

**C. SECTION 3.107.07.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:*** The property is located in the RS zone which requires a minimum lot area of 5,000 square feet for a detached single family dwelling and 4,000 square feet for zero side yard dwellings. In no case can the proposed parcels be less than the minimum required by the RS zone without variance approval. Parcel 1 is approximately 4,739 square feet in area; Parcel 2 and Parcel 3 are both approximately 4,607 square feet in area. All three parcels are below the minimum 5,000 square feet required for a detached single family dwelling, but exceed the minimum requirement for zero side yard dwellings. The applicant is requesting minor variance approval in order to construct detached single family dwellings. Findings supporting the variance request and approval will be reviewed later in this report. As a condition of partition approval and variance approval shown later in this report, the preliminary and final plat must show net and gross area calculations, which will ensure this requirement is met. Therefore, with this condition of approval, 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 intent of this provision is to prevent the creation of parcels which are unusually deep and narrow which can be difficult to serve and develop, and to promote an orderly and efficient development pattern and use of property. The submitted site plan shows the proposed parcels comply with this standard. Parcel 1 is approximately 69.8 feet wide and 68 feet deep. Parcel 2 and Parcel 3 are both approximately 66 feet wide and a depth of approximate 69.8 feet. None of the parcels will have a length which is three times its width and therefore meets the minimum lot width and depth ratio requirements as outlined the KDC. This proposal complies with 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 intent of this provision is to allow the division of property that will result in a more or less uniform shape thereby avoiding difficult to develop parcels. The subject property is a rectangular shaped property that will result in dividing the parcel into 3 rectangular shaped parcels. This development proposal will allow the property to be developed consistent with the provisions of the KDC. The proposed lot lines run at right angles. The rear lot lines are all uniform with each front line not less than ½ the dimension of the front lot line. Therefore, staff finds 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 pertaining to utility easements and facilities which have been included as conditions for the partition approval. This is a development requirement and shall be placed as a condition of approval of this partition application. Therefore, this request can comply with this criterion.

5. ***Section 2.310.05.C. Street Frontage Improvements.***

**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 without creating dangerous or hazardous traffic conditions. 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 public street which it fronts to current public standards.

The subject property exceeds 100' of street frontage along a public street; improvements are required to both Pleasant View Drive and Griswold Av. The applicant submitted a site plan showing that right of way dedication and street frontage improvements will be provided. The Public Works Department has submitted comments (Exhibit 3) on the requirements and specifics of improvements to include widening of the existing pavement, new curb/gutter and a curbside sidewalk along Pleasant View Drive and the reconstructing of Griswold Av that would eliminate the existing "hourglass" configuration. These requirements will be placed as a condition of final plat approval and will be reviewed as part of the public construction permit. Therefore, with the above conditions placed as a condition of approval, staff finds this request may comply with this criterion.

6. ***Section 2.310.05.D - Completion Requirements.***

***FINDINGS:*** All required improvements are to be completed prior to the issuance of any building permits for the subject property. Alternatively, improvements required under this Section are to be completed or assured through a performance bond or other instrument acceptable to the City prior to the approval of the final plat of the partition. Improvements are approved through the Public Works Construction Permit process. At the discretion of the Public Works Director, certain improvements may be further postponed through a non-remonstrance agreement, or other performance agreement. This requirement will be placed as a condition of final plat approval.

7. ***Section 2.310.07 - In addition to other requirements, improvements installed by a developer for any land division, either as a requirement of these regulations or at his own option, shall conform to the requirements of this Ordinance and improvement standards and specifications adopted by the City.***

***FINDINGS:*** The site plan submitted by the applicant shows that right of way dedication and street frontage improvements are proposed. The Public Works Department submitted comments with specific requirements for public improvements. Required improvements will be regulated through the Public Works Departments Construction Permit process. Plans for improvements must be prepared in accordance with the City requirements and work shall not start until plans have been approved by the City. Improvements shall be constructed under the inspection of the City Engineer and the Director of Public Works and may require changes in typical sections and details in the public interest, if unusual conditions arise during construction to warrant the change. All underground utilities, sanitary sewers, and storm drains installed in streets by the developer shall be constructed prior to the surfacing of the streets. Stubs for service connections for underground utilities and sanitary sewers shall be placed to a length eliminating the necessity for disturbing the street improvements when service connections are made. Upon completion of the public improvements and prior to final acceptance of the improvements by the City, the developer shall provide certified as-built drawings of all public utility improvements to the City. Staff finds this request can comply with this criterion.

D. **SECTION 3.107.07.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 streets that logically continue the City's street system are provided to avoid traffic generation that exceeds the street system's carrying capacity. 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 new developments to meet the

basic needs created by the development. The KDC requires that new development make road improvements to bring their road frontage up to the designated 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 residents of the partitioned lots will utilize road systems constructed by other developments at no cost to them or the applicant. 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 road system serving this area of the City and improved access for emergency vehicles to the subject property and its residents.

The applicant proposes a 3-lot partition for residential development. The development features access to proposed Parcel 1 from an existing street (Pleasant View Dr NE) and proposed Parcel 2 and Parcel 3 gaining access from an existing street (Griswold Av NE). The applicant proposes to dedicate additional right of way along Griswold and provide street frontage improvements to both Griswold and Pleasant View.

The Public Works Department submitted comments (Exhibit 3) regarding this application which requires street improvements, as discussed earlier in this report, and right of way to be dedicated as a part of the partition process. Section 2.302 of the KDC requires additional right of way to be provided at the time of subdivision, partitioning, or “development” whenever existing streets are of a width less than the street design standards. Griswold Av NE was originally constructed to an “infill street” standard that no longer exists. Therefore, Griswold is substandard in both street improvement width as well as right of way width. The applicant proposes, the Public Works Department is will require 7’ of dedication along Griswold Av, resulting in 22 feet from the existing centerline consistent with the requirements of the KDC for a local type III street. This dedication is necessary to allow for the reconstruction of the street serving the proposed parcel being partitioned. The right of way dedication shall be shown on the partition plat. Street improvements and dedications are now, and have traditionally been, part of the cost considered in the developer’s reasonable investment-backed expectations for development.

Staff finds the required dedication and improvements are roughly proportional to the impact of the partition request, since they are necessitated by the development.

**E. SECTION 3.107.07.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 intent of this provision is to ensure that new development is served by adequate public facilities and avoid having the situation where the public facilities are inadequate to serve the new development. The KDC requires that appropriate public facilities be provided. The Public Works Department

submitted comments which specifically outline the requirements for the provision of public facilities to the proposed development of the three parcels. These comments have been attached as Exhibit 3 of this partition approval. Connection to the sanitary sewer system and water system will be required. Each parcel shall have its own water service, and an overall plan indicating how water service will be provided shall be submitted to the Public Works Department for approval. The proposed sanitary sewer service must be approved by both the City of Salem and City of Keizer. The installation of appropriate public facilities will be ensured through the permit review and approval process and will be placed as a condition of partition approval. Therefore, staff finds with the above mentioned conditions of approval, this proposal satisfies this criterion.

**2. Section 2.302 - Street Standards.**

**FINDINGS:** 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. Construction specifications for all public streets shall comply with the standards of the most recently adopted public works/street standards of the City of Keizer. Construction permits are required by the Public Works Department.

Parcel 1 has an existing driveway that connects to Pleasant View Dr NE. As mentioned earlier in the report, Public Works requires improvements along Pleasant View Dr NE within the existing 60' right of way and is detailed in Exhibit 3.

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. Parcel 2 and Parcel 3 will gain access from Griswold Av NE. Griswold Av NE is currently a 30' public right of way making it less than the current street design standard as stated in Section 2.302.04 of the KDC. Public Works has submitted comments requiring an additional 7' of right of way along the frontage of Griswold Av and shall be dedicated as part of the final plat process. The required dedication will result in 22' from the existing centerline of Griswold Av.

With these conditions placed as a condition of final plat approval, staff finds this request can satisfy this criterion.

**3. Section 2.302.03.O Trees Along Public Streets.**

**FINDINGS:** Site and landscaping design requirements provide standards that can be used to enhance the appearance of not only the subject property but also that of the City. Streetscape trees are required along public streets. Parcels measuring less than 45' are required to plant 1 tree and parcels measuring more than 45' are required to plant 2 trees.

Parcel 1 has 69.8' frontage along Pleasant View Drive, both Parcel 2 and Parcel 3 have 66' of frontage along Griswold Av. Therefore, each parcel will be required

to plant 2 streetscape trees from a list of approved trees. Streetscape trees shall be planted within the boundary of the lot within 10 feet of street improvements in accordance with Section 2.309.C.b. and will be required to be planted prior to a building permit's Certificate of Occupancy. With the planting of streetscape trees placed as a condition of final occupancy, staff finds this request can satisfy this criterion.

**4. Section 2.303 - Off-Street Parking and Loading.**

**FINDINGS:** Section 2.303.06 requires that 2 on-site parking spaces per unit are required for single family development. An additional parking space is required for single family dwellings having their access via an access easement or flag lot. All proposed parcels gain their access from a public street therefore 2 onsite parking spaces will be required per dwelling. Parking spaces will be reviewed at the time of building permit approval. Staff finds this proposal can comply with this criterion.

**5. Section 2.305 Transit Facilities:**

**FINDINGS:** No transit facilities are proposed with this development, and are not necessary. Therefore, this criterion is not applicable to this proposal.

**6. Section 2.306 – Storm Drainage**

**FINDINGS:** The intent of this provision is to ensure that adequate storm drainage is provided to avoid having runoff from the property become either a nuisance or hindrance to other properties. The Public Works Department has submitted comments regarding the requirements for storm drainage facilities and these requirements have been attached as Exhibit 3 of this report and as conditions of approval of the partition. Plans for storm water drainage, including storm water quality, detention, and outlet, will be required to be designed to keep all storm water runoff on-site and not directed to Pleasant View Drive or Griswold Avenue. Plans shall be submitted to the Public Works Department for review and approval prior to final plat approval. As a condition of approval, a final grading and drainage plan will be required for the proposed development and all lot corners shall have finished grade elevations indicated on the plan. Storm drainage plans shall be designed to be consistent with Section 2.306 of the KDC. With this placed as a condition of approval, staff finds this request can satisfy this criterion.

**7. Section 2.307 – Utility Lines and Facilities**

**FINDINGS:** The intent of this provision is to allow new development to be served by public facilities thereby avoiding the need to connect into private systems and avoid any potential groundwater contamination issues. Public water and sewer are available to serve the development. The Public Works Department submitted written requirements which have been made conditions of this partition approval addressing the specific public facility requirements relating to sanitary sewer, water, and street and drainage improvements necessary to accommodate the development. Appropriate easements will be required for any public sewer mains located within the subject property if located outside platted right of ways.

With these conditions of approval, staff finds that this request complies with this criterion.

**8. Section 2.309 Site and landscaping design.**

**FINDING:** The City recognizes that factors such as disease, safety concerns, and site development requirements may require removal of mature/significant trees. Significant trees are defined in Section 2.309.04.C of the KDC as having a height of more than 50' and/or having a trunk diameter more than 12" at breast height. In particular, this provision aims to replace significant trees at a ratio of 2:1.

The applicant submitted a tree removal plan that shows 9 significant trees will be removed from the site - 6 cedar trees, 2 walnut trees and one plum tree. Therefore, in order to be consistent with the city's 2:1 replacement ratio, 18 replacement trees are required to be provided to replace the trees that are removed from the property. Replacement trees are required to be a minimum 2" caliper and be planted prior to final building permit approval and are in addition to the required streetscape trees addressed previously in this report .

It will be a condition of final Mylar approval that a *Tree Replacement Plan* be submitted to and approved by the Community Development Department. The replacement plan could propose planting trees on the subject parcels and/or off-site through our off-site tree mitigation program. Development of the property in conformance with an approved *Tree Removal and Replacement Plan* will be a condition of Certificate of Occupancy of any new dwellings. Staff finds with the above mentioned conditions, this request will comply with this criterion.

**9. Section 2.316.03 - Infill Development**

The purpose of this section is to allow residential infill development to achieve the planned densities specified in the Comprehensive Plan and to conserve livability and neighborhood quality while promoting neighborhood compatibility. Infill developments shall be designed to be sensitive to the established patterns of existing neighborhood development.

The subject property proposed to be partitioned is less than 2 acres in area and is adjacent to existing residential development, therefore infill development standards of Section 2.316 of the KDC will be required to be met for the new proposed homes. Additional mitigation measures may be required for new dwellings that exceed 5' above the height of the existing abutting dwellings. Acceptable mitigation measures may utilize a combination of increased setbacks from property lines or screening. Setbacks would include an additional one foot for every foot over the maximum height allowed based upon the height of the directly abutting dwellings. Increased setback is intended to be the primary method used to mitigate negative impacts between structures. Alternative methods such as screening and landscaping will require approval by the Community Development Director.

The applicant's written statement indicates the existing homes on adjacent properties are predominately one-story homes and one-story homes are planned to be built on the 3 newly created lots eliminating the additional mitigation requirement. Infill standards will apply to the newly proposed homes and will be regulated at the time of building permit approval and are made a condition of this partition approval. With the above mentioned conditions of approval, staff finds this proposal complies with the provisions of Section 2.316, therefore, staff finds this request satisfies this criterion.

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

**FINDINGS:** The applicant has indicated that public water and sewer are available or can be extended to serve the subject property. As a condition of partition approval, the requirements of the Public Works Department regarding public facilities must be adhered to as outlined in the conditions of this report and will be placed as a condition of partition approval. This request satisfies this criterion.

**V. FINDINGS AND CONCLUSIONS: MINOR VARIANCE**

The following are findings that address the Minor Variance request to reduce the 5,000 square feet minimum required lot size and to reduce the average lot depth requirement of 70'. The approval, or denial, of a Minor Variance application is based on compliance with the decision criteria found in Section 3.105.04 of the Keizer Development Code.

- 1. a. The intent and purpose behind the specific provision sought to be varied is either clearly inapplicable under the circumstances of the particularly proposed development; or,*
- b. The variance requested is consistent with the intent and purpose of the provision being varied; or*
- c. The applicant in good faith is unable to comply with the standard without undue burden which is grossly disproportionate to the burden born by others affected by the specific provisions of the code sought to be varied.*

**FINDINGS:** The intent of this provision is to ensure the provisions being varied area satisfied or that there is some unique burden that is borne by this property more than others that impact its ability to be developed. The property is currently developed with a single family home that is planned to be demolished. The Public Works department has submitted comments (Exhibit 3) requiring 7' of right of way dedication along Griswold Av. This need for additional right of way impacts the property by not only reducing the overall area of the site, but also constricts the depth of the proposed parcels fronting onto Griswold Av.

**Lot Depth:** Due to the additional right of way dedication, the lots will be slightly less than 70' in depth. The intent of lot depth provisions is to provide parcels with adequate depth to build a home, providing adequate room for the home and associated open space required by the code. The applicant proposes to build single

family dwellings which meet all setback requirements and adhere to the requirements for overall lot coverage. The site plan submitted shows the proposed building footprints, required parking area, and required setbacks can be met. Therefore, staff finds the applicant's request is consistent with the intent and purpose of the lot depth requirement of the RS zone.

**Lot Size:** The applicant is requesting minor variance approval to the proposed lot size, to allow for the construction of detached single family dwelling on each of the lots. It should be noted that the proposed lots could be developed with zero side yard dwelling units without variance approval. The applicant desires to construct detached single family dwellings instead, consistent with the surrounding development pattern. The intent the underlying RS zone is to allow the development of RS zoned parcels with single family homes and uses determined to be consistent with the RS zone. Minimum lot sizes have been established to ensure development is orderly and efficient, and that adequate lot sizes are provided to accommodate homes and required setbacks. In this case, the applicant's proposal demonstrates that the proposed lots will be constructed with homes that comply with all setback and lot coverage requirements. Therefore, staff finds the applicant's request is consistent with the intent of the lot size requirement of the RS zone.

All other requirements of development code will be adhered to pertaining to lot coverage, setback requirements, parking, and required open spaces. The proposed parcels will be developed with single family homes that will be required to comply with all other development code provisions. Taking into consideration these factors, staff feels that this request demonstrates consistency with the intent and purpose of the provisions outlined in the development code. The applicant must comply with all other design standards outlined in the code, which will be regulated as a part of the building permit and review process. Therefore, staff finds this request satisfies this criterion.

2. ***The impact of the development due specifically to the varied standards will not unreasonably impact adjacent existing or planned uses and development.***

**FINDINGS:** The applicant is only requesting a variance to allow the minimum lot size and lot depth be reduced. All other design requirements of the development code relating to aesthetics, location, height, property setbacks, building separation, exterior finish, and lot coverage must be followed and will be regulated as a part of the building permit review. The property could be developed with zero side yard dwellings as allowed in the Keizer Development Code. However, the applicant's is proposing to develop the parcel with traditional detached single family dwellings, consistent with the established pattern of development in the neighborhood. Staff feels that this proposal will have no more impact on adjacent properties than allowed zero side yard dwellings would. Especially considering that if zero side yard dwellings were required, it is likely that Parcel 2 and Parcel 3 would have to be developed as an attached dwelling. This would result in the appearance of a duplex style development oriented toward existing detached single family development on Griswold. The overall building massing would be larger and less consistent with the existing development pattern on adjacent properties.

Taking all of these factors into consideration, staff finds the proposal will not unreasonably impact adjacent existing or planned uses. Therefore, this request satisfies this criterion.

3. *The minor variance does not expand or reduce a quantifiable standard by more than 20 percent and is the minimum necessary to achieve the purpose of the minor variance.*

**FINDINGS:** The proposed variance request does not reduce a quantifiable standard by more than 20 percent. The minimum lot size required in the RS zone for a detached single family dwelling is 5,000 square feet in area and the minimum lot depth is 70 feet. The applicant is proposing lots sizes of 4,739 square feet (Parcel 1) and 4,607 square feet (Parcel 2 and 3) with lot depths of 68 feet (Parcel 1) and 69.8 feet (Parcel 2 and 3). The reduction to lot size is 5.2% for Parcel 1 and 7.9% for Parcel 2 and Parcel 3. The reduction to lot depth is 2.9% for Parcel 1 and 0.3% for Parcel 2 and Parcel 3. Due to the required right of way dedication along Griswold Avenue, and desire to construct detached single family dwellings, staff finds this is the minimum necessary to achieve the purpose of the minor variance. Staff finds this request satisfies this criterion.

4. *There has not been a previous land use action approved on the basis that a minor variance would not be allowed.*

**FINDINGS:** There are no other previous land use actions affecting this property that would not allow these particular variances. Staff therefore finds this request satisfies this criterion.

The proposed Partition complies with Section 3.107 of the Keizer Land Development Code. The proposed Minor Variance complies with Section 3.105 of the Keizer Land Development Code. Based on the above findings, staff concludes the proposal complies with the applicable decision criteria and approves the proposal subject to conditions outlined in Section VI. Conditions and Requirements starting on page 13 of this report.

## VI. DECISION

Notice is hereby given that the Zoning Administrator for the City of Keizer has **APPROVED THE PARTITION WITH CONDITIONS AND REQUIREMENTS** noted below. Findings in support of this decision are found in Section IV starting on page 2 of this staff report.

Notice is hereby given that the Zoning Administrator for the City of Keizer has **APPROVED THE MINOR VARIANCE WITH CONDITIONS AND REQUIREMENTS** noted below. Findings in support of this decision are found in Section V starting on page 10 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 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 May 11, 2020.**

**Unless appealed, this decision becomes final on May 12, 2020.**

**Partition approval is only valid if the final plat is recorded prior to May 12, 2021.**

## **VII. CONDITIONS AND REQUIREMENTS**

The following conditions 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:**

1. The KDC requires the developer to connect to public utility services. The Development Code also requires all utility services to be placed below ground. These requirements apply to this request. Further, the developer is responsible for all utility connection costs. The City's System Development Charges for park development, water system improvements and transportation improvements shall be the fee in place at the time of building permit application. These Development charges, as well as those involving the extension of sewer, water, and/or storm drainage, will apply to this request.

### **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 required.
  - d. A current or updated title report must be submitted 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. The preliminary plat shall substantially conform to the proposed partition request.
- f. Lots shall comply with minor variance approval for both average lot depth and minimum lot size.
- g. The final plat must show both gross and net area calculations.
- h. Include all engineering elements as required by the Department of Public Works requirements.
- i. Include a signature line for the City Engineer.

**Prior to Final Plat approval (Mylar):**

3. The existing dwelling on Parcel 1 will be required to be removed OR a site plan prepared by a licensed engineer or surveyor must be submitted which shows the existing home in relation to the proposed rear lot line to ensure the 14 foot setback requirement is met.
4. Following plat approval, the final plat and title transfer instruments accomplishing the property adjustments shall be recorded with the Marion County Clerk by May 12, 2021. The plat shall include all engineering elements as required by the Department of Public Works and shall show all lot sizes and dimensions.
5. Required improvements shall be completed or assured through a performance bond or other instrument acceptable to the City prior to the approval of the final plat of the partition. At the discretion of the Public Works Director, certain improvements may be further postponed through a non-remonstrance agreement, or other performance agreement.
6. A Tree Replacement Plan must be submitted to and approved by the Community Development Department. The replacement plan could propose planting trees on the subject parcels and/or off-site through our off-site tree mitigation program. If the applicant wishes to pay into the off-site mitigation fund, payment must be made prior to final plat approval.
7. **Public Works Department Conditions and Requirements (Exhibit 3):**

GENERAL CONDITIONS

The application is for creating 3 lots where 1 currently exists. The existing lot is indicated on Marion County Tax Records as an approximate 15,360 sq. ft. parcel. Proposed Parcel 1 has an existing home that will be removed and will have 4,739 sq. ft. net area, Proposed Parcel 2 will have 4,607 sq. ft. net area and proposed Parcel 3 will have 4,607 sq. ft. net area. Proposed Parcel 1 will have access to Pleasant View Drive and Proposed Parcels 2 and 3 will have access to Griswold Avenue NE.

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.
- b.) Connecting to existing sewers that serve the general area will be the responsibility of the developer of the property. Proposed Parcel 1 is currently served by an existing sewer service connected to the sewer line in Pleasant View Dr NE. Proposed Parcels 2 and 3 will be required to connect to the existing sewer line in Griswold Ave. NE. Plans for connection to the existing sanitary sewer system

shall be submitted to the City of Keizer and the City of Salem for permitting 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 located 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 located on the subject property and within the City of Keizer 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 issuance of any building permits on the subject property.

#### WATER SYSTEM:

- a.) The application will require two new individual water services for proposed Parcels 2 and 3. The existing service line serving the existing residence that will be removed on Proposed Parcel 1 shall be abandoned and a new service line shall be installed in Pleasant View Drive at approximately the location of the existing mail boxes. The new lines shall be installed by City forces and paid for by the developer or builder. New water meters for the individual parcels shall be located at a location determined by the City of Keizer Public Works Department within a 5 foot by 5 foot easement adjacent to the existing or new right of ways.
- b.) It is anticipated the no new fire hydrants for the proposed development will be required by the Keizer Fire District.
- c.) Location of the new water services 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 requirements of the State of Oregon.

#### STREET AND DRAINAGE IMPROVEMENTS:

- a.) Proposed Parcel 1 has an existing driveway that connects to Pleasant View Drive. That driveway shall be removed and a new driveway shall be constructed to new improvements to Pleasant View Drive. The new widening of Pleasant View will include widening of the existing pavement, a new curb and gutter and a curbside sidewalk. The widening shall result in a 17 foot wide half street from the existing centerline of Pleasant View Drive. A 5 foot PUE shall be indicated on the partitioning plat along both Pleasant View Drive and Griswold Ave. Right of Way dedication along Griswold Ave. shall be required. The dedication requirement is 7 feet, resulting in 22 feet of right of way from the existing centerline of Griswold Ave. Griswold Avenue shall be reconstructed along the frontage of the subject property resulting in a 30 foot wide curb to curb improvement, and elimination of the existing “hourglass” configuration of the

street. Preliminary plans for the Griswold Avenue improvement shall be submitted to the City of Keizer Public Works Department showing how the existing drainage system and curbing can be modified to obtain the required improvement width. It appears that the existing catch basin on the north side of Griswold Avenue can be removed and a new catch basin constructed along the new curb line as part of the new construction. A 5 foot sidewalk shall be required at the time of the new home construction along both Pleasant View Drive and Griswold Avenue. 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 Pleasant View Drive or Griswold Avenue.

- b.) 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 grading and drainage plan shall be submitted for review and approval prior to recording of the partition plat.
- c.) 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.
- f.) No building permits shall be issued prior to the completion and acceptance of the required Public Improvements.

#### **Prior To Obtaining Building Permit(s):**

- 8. All required public utility services shall be completed to the satisfaction of the Department of Public Works.

**Prior to Obtaining Building Permit Final for each dwelling within the partition:**

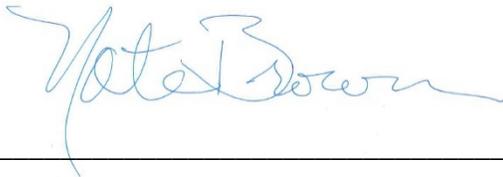
9. Two streetscape trees will be required to be planted on each parcels as a condition of final building permit approval.
10. Replacement trees identified on the final Tree Removal and Replacement plan must be installed as shown on the approved plan.
11. The residential address requirements found in the Oregon Uniform Fire Code shall be completed as approved by the Keizer Fire District and City of Keizer Community Development Department.

The proposed Partition complies with Section 3.107 of the Keizer Land Development Code. The proposed Minor Variance complies with Section 3.105 of the Keizer Land Development Code. Based on the above findings, staff concludes the proposal complies with the applicable decision criteria and approves the proposal subject to conditions outlined in Section VII. Conditions and Requirements starting on page 13 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.

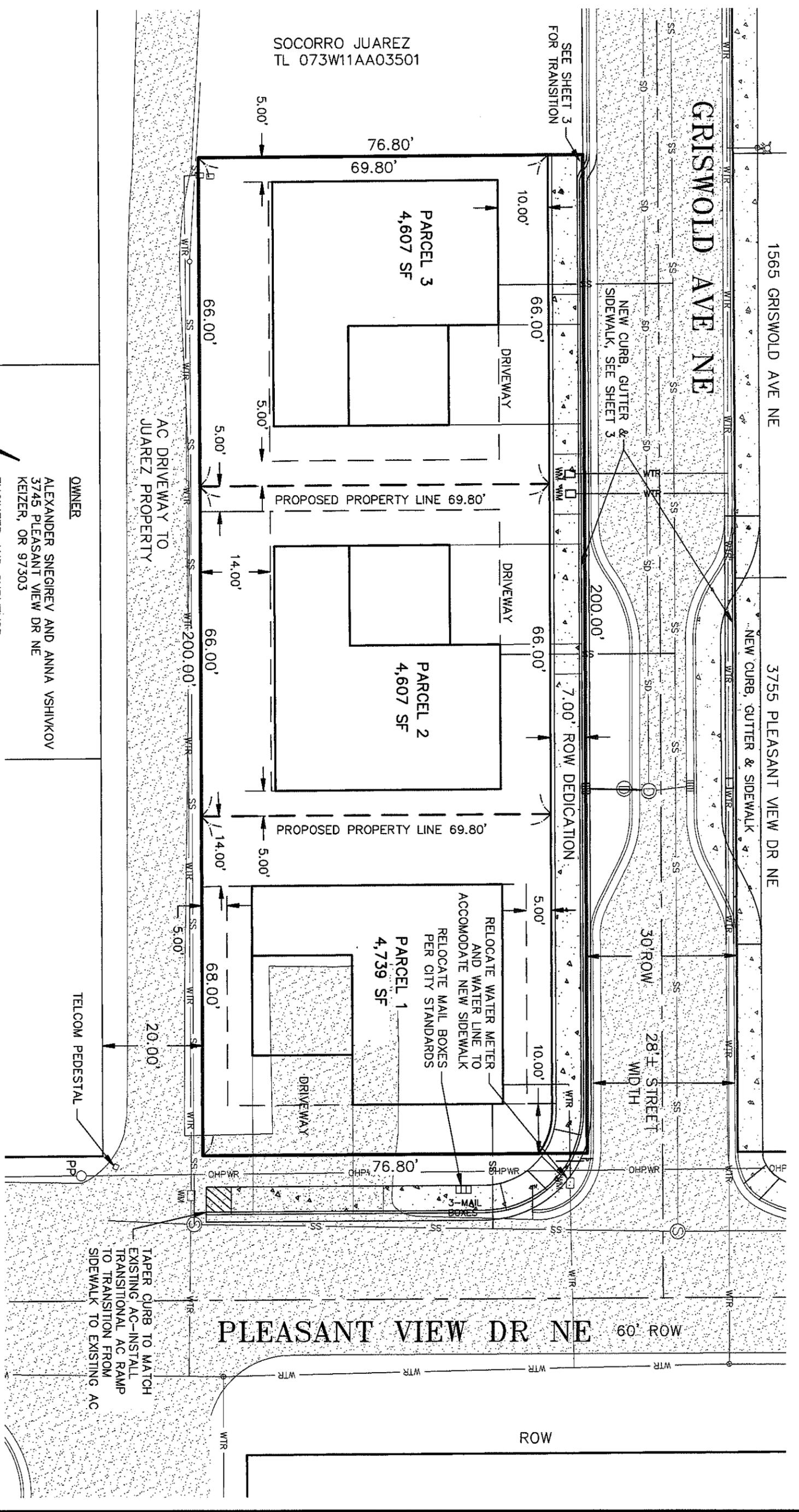
REPORT PREPARED BY: Dina Russell, Assistant Planner/Shane Witham, Senior Planner

Approved by:

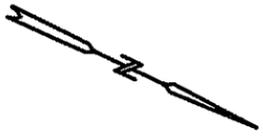
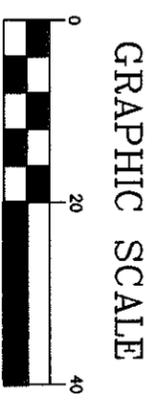


DATE: May 1, 2020

Nate Brown, Community Development Director



SOCORRO JUAREZ  
TL 073W11AA03501



**OWNER**  
ALEXANDER SNEGIREV AND ANNA VSHIVKOV  
3745 PLEASANT VIEW DR NE  
KEIZER, OR 97303

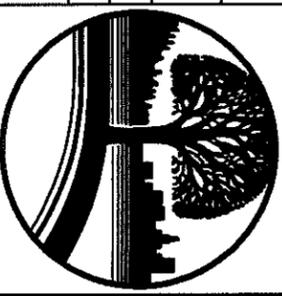
**ENGINEER AND SURVEYOR**  
CORBEY BOATWRIGHT, PE  
2613 12TH ST SE  
SALEM, OR 97302

**PROPERTY**  
3745 PLEASANT VIEW DR NE  
KEIZER, OR 97303  
TAX LOT: 073W11AA03500  
15,360 SF, 0.35 AC



RENEWAL DATE: 12/31/2021

<b>ALEXANDER SNEGIREV &amp; ANNA VSHIVKOV</b>	
<b>PROPOSED PARTITION</b>	
3745 PLEASANT VIEW DR NE	
MARION COUNTY, OREGON	
Scale: 1" = 20'	Date: MARCH, 2020
Design: CFB	Revised:
Drawn: PHD	Job No. 8/20
Chkd: CFB	Sheet
Boatwright Engineering, Inc. 2613 12th Street SE, SALEM, OREGON 97302 TEL: (503) 363-9225 • FAX: (503) 363-1051	
2 of 5	





# EXHIBIT 3

PARTITION CASE NO. 2020-07  
ADDRESS – 3745 PLEASANT VIEW DR NE  
APPLICANT ALEX SNEGIRIV  
ZONE: RESIDENTIAL SINGLE FAMILY(RS) in the City of Keizer

## PUBLIC WORKS DEPARTMENT CONDITIONS AND REQUIREMENTS

### GENERAL CONDITIONS

The application is for creating 3 lots where 1 currently exists. The existing lot is indicated on Marion County Tax Records as an approximate 15,360 sq. ft. parcel. Proposed Parcel 1 has an existing home that will be removed and will have 4,739 sq. ft. net area, Proposed Parcel 2 will have 4,607 sq. ft. net area and proposed Parcel 3 will have 4,607 sq. ft. net area. Proposed Parcel 1 will have access to Pleasant View Drive and Proposed Parcels 2 and 3 will have access to Griswold Avenue NE.

### MINOR VARIANCE REQUEST

The Public Works Department has no comments regarding the proposed variance request.

### 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.
- b.) Connecting to existing sewers that serve the general area will be the responsibility of the developer of the property. Proposed Parcel 1 is currently served by an existing sewer service connected to the sewer line in Pleasant View Dr NE. Proposed Parcels 2 and 3 will be required to connect to the existing sewer line in Griswold Ave. NE. Plans for connection to the existing sanitary sewer system shall be submitted to the City of Keizer and the City of Salem for permitting 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 located 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 located on the subject property and within the City of Keizer 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 issuance of any building permits on the subject property.

## WATER SYSTEM:

- a.) The application will require two new individual water services for proposed Parcels 2 and 3. The existing service line serving the existing residence that will be removed on Proposed Parcel 1 shall be abandoned and a new service line shall be installed in Pleasant View Drive at approximately the location of the existing mail boxes. The new lines shall be installed by City forces and paid for by the developer or builder. New water meters for the individual parcels shall be located at a location determined by the City of Keizer Public Works Department within a 5 foot by 5 foot easement adjacent to the existing or new right of ways.
- b.) It is anticipated the no new fire hydrants for the proposed development will be required by the Keizer Fire District.
- c.) Location of the new water services 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 requirements of the State of Oregon.

## STREET AND DRAINAGE IMPROVEMENTS:

- a.) Proposed Parcel 1 has an existing driveway that connects to Pleasant View Drive. That driveway shall be removed and a new driveway shall be constructed to new improvements to Pleasant View Drive. The new widening of Pleasant View will include widening of the existing pavement, a new curb and gutter and a curbside sidewalk. The widening shall result in a 17 foot wide half street from the existing centerline of Pleasant View Drive. A 5 foot PUE shall be indicated on the partitioning plat along both Pleasant View Drive and Griswold Ave. Right of Way dedication along Griswold Ave. shall be required. The dedication requirement is 7 feet, resulting in 22 feet of right of way from the existing centerline of Griswold Ave. Griswold Avenue shall be reconstructed along the frontage of the subject property resulting in a 30 foot wide curb to curb improvement, and elimination of the existing "hourglass" configuration of the street. Preliminary plans for the Griswold Avenue improvement shall be submitted to the City of Keizer Public Works Department showing how the existing drainage system and curbing can be modified to obtain the required improvement width. It appears that the existing catch basin on the north side of Griswold Avenue can be removed and a new catch basin constructed along the new curb line as part of the new construction. A 5 foot sidewalk shall be required at the time of the new home construction along both Pleasant View Drive and Griswold Avenue.  
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 Pleasant View Drive or Griswold Avenue.

- b.) 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 grading and drainage plan shall be submitted for review and approval prior to recording of the partition plat.
- c.) 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.
- f.) No building permits shall be issued prior to the completion and acceptance of the required Public Improvements.

Marion County Surveyor's Office

Comments on Planning Action: Keizer Partition 2020-07

Date 4/7/2020 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 for the area being transferred 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 deeds conveying the re-platted parcels 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:**



# EXHIBIT 5

## REQUEST FOR COMMENTS

April 2, 2020

TO: City of Keizer Public Works  
 City of Keizer Police Dept  
 City of Salem Public Works  
 City of Salem Community Dev  
 Salem-Keizer School District  
 Southeast Neighborhood Assoc.

AKS Engineering  
 Keizer Fire District  
 Marion County Community Dev  
 Marion County Surveyor's Office  
 Marion County Tax Assessor's

FROM: Dina Russell, Assistant Planner  
 CASE: Partition/Minor Variance Case No. 2020-07

RESPONSE DATE: **April 16, 2020**

APPLICATION: The applicant is requesting to partition a 15,360 square foot parcel into 3 parcels comprised of 4,739 square feet (Parcel 1), 4,607 square feet (Parcel 2) and 4,607 square feet (Parcel 3). The proposal also includes a 7' right-of-way dedication along Griswold Av NE and a minor variance request to the minimum lot sizes and average lot depth. The property is designated Low Density Residential on the Comprehensive Plan map and is zoned Residential Single Family (RS).

APPLICANT: Alex Snegirev  
 ADDRESS: 3745 Pleasant View Dr NE, Keizer

The Community Development Department is soliciting comments from affected agencies on the above referenced land use application. These comments will be considered as part of the staff report. Please return your comments to our office by **April 16, 2020** in order that we may process the application in a timely manner. Phone calls are acceptable if it is not possible to respond in writing by this date. If we receive no response, we will assume your agency has no concerns. You may use this response form, or, attach a separate letter. Please return your written responses to the Keizer Community Development Department, P.O. Box 21000, Keizer, Oregon 97307-1000. Questions regarding the application may be directed to Dina Russell, Assistant Planner, at (503) 856-3442. Thank you for your assistance.

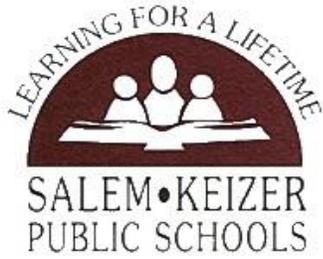
### PLEASE CHECK THE APPROPRIATE ITEMS:

- Our agency reviewed the proposal and determined we have no comment.
- Our agency would like to receive a copy of the staff decision/report and notice of any public hearings in this case.
- Our comments are in the attached letter.
- Our Agency's comments are: \_\_\_\_\_

Response Date: 4/13/20 Person commenting: David Fridenmaker

### ATTACHMENTS

Salem-Keizer Public Schools  
 3630 State St.  
 Salem OR 97301  
 Phone: 503-399-3335



DAVID FRIDENMAKER, Manager  
Facility Rental, Planning, Property Services  
3630 State Street, Bldg. C ● Salem, Oregon 97301-5316  
503-399-3335 ● FAX: 503-375-7847

---

Christy Perry, Superintendent

April 13, 2020

Dina Russell, Planner  
Keizer Community Development Department  
P.O. Box 21000  
Keizer OR 97307-1000

RE: Land Use Activity Case No.

The City of Keizer issued a Request for Comments for a Land Use Case as referenced above. Please find below comments on the impact of the proposed land use change on the Salem-Keizer School District.

### **IDENTIFICATION OF SCHOOLS SERVING THE SUBJECT PROPERTY**

The School District has established geographical school attendance areas for each school known as school boundaries. Students residing in any residence within that boundary are assigned to the school identified to serve that area. There are three school levels, elementary school serving kindergarten thru fifth grade, middle school serving sixth thru eighth grade, and high school serving ninth thru twelfth grade. . The schools identified to serve the subject property are:

<b>School Name</b>	<b>School Type</b>	<b>Grades Served</b>
Weddle	Elementary	K thru 5
Claggett Creek	Middle	6 thru 8
McNary	High	9 thru 12

*Table 1*

### **SCHOOL CAPACITY & CURRENT ENROLLMENT**

The School District has established school capacities which are the number of students that a particular school is designed to serve. Capacities can change based on class size. School capacities are established by taking into account core infrastructure (gymnasium, cafeteria, library, etc.) counting the number of classrooms and multiplying by the number of students that each classroom will serve. A more detailed explanation of school capacity can be found in the School District's adopted Facility Plan.

School Name	School Type	School Enrollment	School Design Capacity	Enroll./Capacity Ratio
Weddle	Elementary	413	407	101%
Claggett Creek	Middle	1,006	995	101%
McNary	High	2,091	1,869	112%

Table 2

### POTENTIAL ADDITIONAL STUDENTS IN BOUNDARY AREA RESULTING FROM APPROVAL OF LAND USE CASE

The School District anticipates the number of students that may reside at the proposed development based on the housing type, single family (SF), duplex/triplex/four-plex (DU), multi-family (MF) and mobile home park (MHP). The School District commissioned a study by the Mid-Willamette Valley Council of Governments in 2014 to determine an estimate of students per residence, for the Salem-Keizer area, in each of the four housing types. Since the results are averages, the actual number of students in any given housing type will vary. The table below represents the resulting estimates for the subject property:

School Type	Qty. of New Residences	Housing Type	Average Qty. of Students per Residence	Total New Students
Elementary	3	SF	0.194	1
Middle	3	SF	0.101	0
High	3	SF	0.143	0

Table 3

### POTENTIAL EFFECT OF THIS DEVELOPMENT ON SCHOOL ENROLLMENT

To determine the impact of the new residential development on school enrollment, the School District compares the school capacity to the current enrollment plus estimates of potential additional students resulting from land use cases over the previous two calendar years. A ratio of the existing and new students is then compared with the school design capacity and expressed as a percentage to show how much of the school capacity may be used.

School Name	School Type	School Enrollment	New Students During Past 2 yrs	New Student from this Case	Total New Students	School Design Cap.	Enroll./Cap. Ratio
Weddle	Elem.	413	0	1	1	407	102%
Claggett Creek	Mid.	1,006	2	0	2	995	101%
McNary	High	2,091	5	0	5	1,869	112%

Table 4

### ESTIMATE OF THE EFFECT ON INFRASTRUCTURE – IDENTIFICATION OF WALK ZONES AND SCHOOL TRANSPORTATION SERVICE

Civic infrastructure needed to provide connectivity between the new residential development and the schools serving the new development will generally require roads, sidewalks and bicycle lanes. When developing within one mile of school(s), adequate pathways to the school should be

provided that would have raised sidewalks. If there are a large number of students walking, the sidewalks should be wider to accommodate the number of students that would be traveling the path at the same time. Bike lanes should be included, crosswalks with flashing lights and signs where appropriate, traffic signals to allow for safe crossings at busy intersections, and any easements that would allow students to travel through neighborhoods. If the development is farther than one mile away from any school, provide bus pullouts and a covered shelter (like those provided by the transit district). Locate in collaboration with the District at a reasonable distance away from an intersection for buses if the distance is greater than ½ mile from the main road. If the distance is less than a ½ mile then raised sidewalks should be provided with stop signs where students would cross intersections within the development as access to the bus stop on the main road. Following is an identification, for the new development location, that the development is either located in a school walk zone or is eligible for school transportation services.

School Name	School Type	Walk Zone or Eligible for School Transportation
Weddle	Elementary	Walk Zone
Claggett Creek	Middle	Walk Zone
McNary	High	Eligible for School Transportation

Table 5

## ESTIMATE OF NEW SCHOOL CONSTRUCTION NEEDED TO SERVE DEVELOPMENT

The School District estimates the cost of constructing new school facilities to serve our community. The costs of new school construction is estimated using the Rider Levett Bucknall (RLB) North America Quarterly Construction Cost Report and building area per student from Cornerstone Management Group, Inc. estimates. The costs to construct school facilities to serve the proposed development are in the following table.

School Type	Number of Students	Estimate of Facility Cost Per Student*	Total Cost of Facilities for Proposed Development*
Elementary	1	\$54,925	\$54,925
Middle	0	\$64,045	\$0
High	0	\$73,164	\$0
TOTAL			\$54,925

Table 6

\*Cornerstone Management Group, Inc. estimates based on RLB cost index average, 2019 Fourth Quarter.

Sincerely,

*David Fridenmaker*

David Fridenmaker, Manager  
Planning and Property Services

c: Mike Wolfe, Chief Operations Officer, David Hughes, Director-Custodial, Property and Auxiliary Services, Michael Shields, Director of Transportation