



**KEIZER PLANNING DEPARTMENT
NOTICE OF DECISION
Partition Case 2025-02**

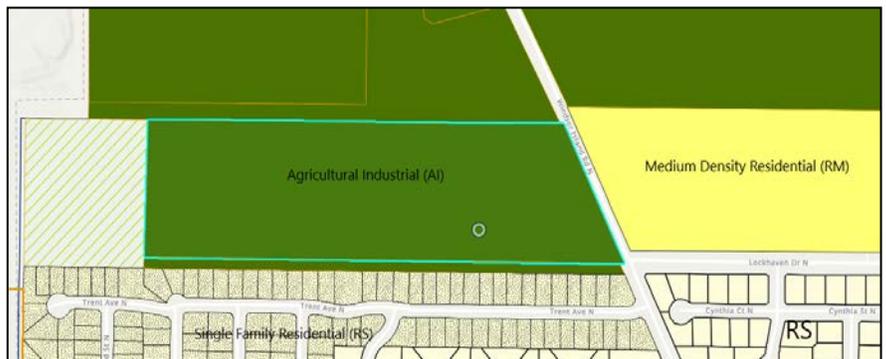
I. REQUEST

The following report reviews a land use application to divide an 18.12 acre parcel into three parcels. Parcel 1 will contain approximately 3.93 acres, Parcel 2 will contain approximately 4.99 acres and Parcel 3 will contain approximately 9.20 acres. The development will be served by a private access easement from Windsor Island. Parcel 1 is developed with a storage facility. No development is proposed with this application. (Exhibit 1)

II. BACKGROUND

- A. APPLICANT/PROPERTY OWNER:** Windsor Willows LLC - Charles Weathers
- B. AGENT:** Keith Kohler – Barker Surveying
- C. PROPERTY LOCATION:** The subject property is located at 5555 Windsor Island Road N, identified on the Marion County Tax Assessor's as Township 6 South, Range 3 West, Section 34C Tax Lot 00100. (Exhibit 2)
- D. PARCEL SIZE:** The subject property is approximately 18.12 acres in area.
- E. EXISTING DEVELOPMENT AND PUBLIC FACILITIES:** The subject property is developed with a storage facility. The property is currently served by both public water and public sewer.
- F. ZONING:** The subject property is zoned AI (Agricultural Industrial) and designated Special Policy Area Limited Use (SPA-LU) in the Comprehensive Plan.

- G. ADJACENT ZONING AND LAND USES:** The property to the north is zoned AI and features a single-family dwelling along with a commercial wedding and garden venue. To the south, properties are zoned Single Family Residential (RS) and contain single-family homes. To the east, the land is zoned Medium Density Residential (RM) and is developed as a manufactured home park.



III. COMMENTS

- A. The Keizer Public Works Department submitted comments (Exhibit 3) regarding requirements for development .
- B. The Marion County Surveyor’s office submitted comments (Exhibit 4) regarding the process for platting the partition.
- C. The City of Salem Public Works Department submitted comments pertaining to a 75” sanitary sewer interceptor pipe located across the property and information about future development and requirements. (Exhibit 5)
- D. The City of Salem Planning Department submitted that they have reviewed the proposal and have no comments.
- E. A letter requesting comments was sent to the surrounding property owners within 250 feet of the subject property. Comments were received from the following:
 - a. John Blake of 5655 Windsor Island Road NE submitted that they have reviewed the proposal and have no comments. (Exhibit 6)

IV. FINDINGS AND CONCLUSIONS

The following are findings that address the Partition request to divide the property into three lots 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 following:

- 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. Exceptions apply for Lots or parcels that are accessed via an access easement and flag lots.

FINDINGS: This provision is intended to ensure that all lots have sufficient frontage along a public street, allowing development to comply with city standards and building setback requirements. However, an exception is made for lots or parcels accessed via an easement. The applicant’s proposed site plan shows that the existing private drive will be designated as an access and utility easement serving all three lots, making this criterion inapplicable.

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 REQUESTED AND APPROVED.

FINDINGS: The subject property is situated within the AI zone, which does not impose specific dimensional or lot size requirements. Instead, it requires that parcels be large enough to accommodate all structures within the designated yard setbacks. Setback compliance is assessed during the building permit review process. Staff determines that this request meets the applicable 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: As previously stated, the AI zone does not impose specific dimensional or lot size requirements. Instead, it only requires that parcels be sufficiently sized to accommodate all structures within the required yard setbacks. Setback compliance is evaluated during the building permit review process. Staff concludes that this request meets the applicable criterion.

2. *Section 2.310.03.D. Access. All lots and parcels shall provide a minimum frontage, on an existing or proposed public street, equal to the minimum lot width required by the underlying zone. The following exceptions shall apply - lots accessed via an access easement, lots in townhouse or Planned Unit Developments, cul-de-sac lots and flag lots.*

FINDINGS: As noted earlier, the applicant's site plan shows that all three lots will have vehicular access via the proposed private access and utility easement, each exceeding the minimum 20-foot frontage requirement. Therefore, staff determines that this request meets the applicable 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 purpose of this provision is to ensure that property divisions create uniformly shaped lots, preventing the formation of parcels that are difficult to develop. The subject property, which is rectangular, will be divided into two rectangular lots and one larger irregularly shaped parcel. Although Parcel 3 is irregular, all property lines are oriented at right angles. This division supports future development that aligns with the provisions of the KDC. Therefore, staff determines that this request meets the applicable 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 City of Keizer Public Works Department (Exhibit 3) and the City of Salem Public Works Department (Exhibit 5) provided comments regarding utility easements and facilities, which have been incorporated as conditions for partition approval. As this is a development requirement, it will be included as a condition of approval for this partition application. Therefore, this request complies with the applicable criterion.

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

FINDINGS: The applicant's proposed site plan shows that all three parcels will be accessed via a private access and utility easement. The existing driveway was originally constructed to meet easement standards during the development of Parcel 2, with approval from the Keizer Fire District and the City of Keizer Public Works Department. It will be formally platted as an access easement as part of this partition. Future development may require extending the access easement further into Parcel 3 and providing a fire district-approved turnaround. Final development plans must be reviewed by the Keizer Fire District before the City of Keizer issues any construction permits. The platting of the access easement will be included as a condition of approval for this partition application. Therefore, staff finds that this request may comply with the applicable criterion.

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

FINDINGS: The City has a valid governmental interest in ensuring that development does not create public issues related to inadequate, unsafe, or inefficient transportation facilities. This is achieved by requiring adequate street improvements. As part of the Conditional Use process for the development on Parcel 2, street improvements, utility connections, and right-of-way dedication were completed along Windsor Island Road. Since no additional street improvements or dedication are necessary for this application, staff determines that this request may comply with the applicable 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: As previously mentioned, since no street improvements or dedications are required, this criterion is not applicable.

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 (Stormwater Management); 2.307 (Utility Lines and Facilities); and 2.309 (Site and Landscaping Design).

1. *Section 2.301 General Provisions.*

FINDINGS: The purpose of this provision is to ensure that new development is supported by adequate public facilities, preventing situations where such facilities are insufficient. The Keizer Development Code mandates the provision of necessary public facilities. While no development is proposed with this partition, the Public Works Department has submitted comments (Exhibit 3) detailing the requirements for public facilities for any future development. The installation of these facilities will be ensured through the Public Works construction permit and building permit approval processes, and this will be included as a condition of partition approval. Therefore, staff finds that this proposal meets the applicable criterion.

2. *Section 2.302 Street Standards.*

FINDINGS: The subject property is currently served by the existing public street, Windsor Island Road. As previously stated in this report, no improvements are required at this time. The applicant proposes to provide access to the newly created parcels via a private access easement. Staff determines that this request satisfies the applicable criterion.

3. *Section 2.302.03.0 Trees Along Public Streets.*

FINDINGS: Streetscape trees are required along public streets, with one tree to be planted on lots less than 60 feet in width and two trees on lots 60 feet or more in width. Trees were previously planted along Windsor Island Road during the street improvement process. Staff finds that this criterion has been met.

4. ***Section 2.302.08. Private Access Easements. A. Width; B. Maintenance; C. Turn-around; D. Parking; E. Trees Along Access Easements; F. Screening:***

FINDINGS: The purpose of this provision is to ensure that private access easements are constructed in accordance with city standards, preventing the creation of substandard access that could be unusable for vehicular traffic and emergency personnel. Access easements are limited to a maximum length of 300 feet for single access to a public street, unless approved by the Keizer Fire District and the City of Keizer. For approval, the easement must allow for effective development where a public street would be impractical and should not hinder future development. In this case, the access easement is 312 feet long and was previously built as a private driveway with approval from both the City of Keizer Public Works and the Keizer Fire District. Future development may require the extension of the platted access easement and the provision of a fire department-approved turnaround.

Width: Access easements serving commercial developments must be at least 22 feet in width and are subject to review by the Fire District, as well as compliance with Section 2.303.11 of the KDC. In this case, the access easement exceeds this requirement. The applicant's site plan shows an access easement that is 43 feet wide and 312 feet long. As a condition of partition approval, the access easement area and its location must be shown on the partition plat to ensure that all standards are met.

Maintenance: Provisions for the maintenance of the access easement, fencing/hedges along the easement, address display signage, and "no parking" signs must be outlined in a maintenance agreement, homeowners association, or another instrument acceptable to the City. This agreement must be recorded with the Marion County Clerk and include language specifying that it cannot be terminated without written approval from the City of Keizer. The City of Keizer Planning Department will review and approve the agreement before it is recorded. The applicant is required to record the Maintenance Agreement immediately after the Plat is recorded and provide a copy to the City. Proof of recording must be submitted to the City before the issuance of a building permit for any new construction. This will be a condition of partition approval.

Parking: Improvements to the access easement have been completed. Curbs along Parcel 1 and Parcel 2 are marked as a fire lane, and "No Parking" signage has been installed.

Trees Along Access Easements: In some cases, streetscape trees are required along access easements. When required, these trees must meet the provisions outlined in Section 2.309 of the KDC. Lots that are more than 60 feet wide along an access easement must plant two streetscape trees. The trees are selected from an approved list and must be planted within 10 feet

of the access improvements, within the boundaries of each lot. Both Parcels 1 and 2 exceed 60 feet along the access easement. Two streetscape trees were planted on Parcel 2 during the development of the storage facility. Upon future development of Parcel 1, two streetscape trees will be required. Planting of the streetscape trees will be a condition for any final building inspection.

Based on the submitted site plan, the proposed private access easement can comply with Section 2.302.08. With the aforementioned condition regarding the turnaround, staff concludes that this request satisfies the applicable criterion.

5. *Section 2.303 Off-Street Parking and Loading:*

FINDINGS: No development is proposed at this time. When development occurs, parking requirements as specified in KDC Section 2.303.06 will be evaluated during the building permit approval process. Parking spaces must meet a minimum size of 9' x 18'. Staff concludes that this request can comply with the applicable criterion.

6. *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.

7. *Section 2.306 Provide for the management and control of stormwater runoff from all new development.*

FINDINGS: The purpose of this provision is to ensure adequate storm drainage is provided, preventing runoff from properties from becoming a nuisance or causing issues for neighboring properties. The Public Works Department has submitted comments (Exhibit 3) outlining the requirements for storm drainage facilities. Stormwater runoff from all proposed building rain and foundation drains must be directed to the proposed stormwater facilities. Before final plat approval and the issuance of construction permits for development, the applicant's engineer must submit a final storm drainage plan and design calculations to demonstrate compliance with the Standards. A final grading and drainage plan, showing finished grade elevations, must be provided prior to the recording of the partition plat. Additionally, a Private Stormwater Maintenance Agreement must be submitted to the City of Keizer before final plat approval, stormwater facility operation, or issuance of a certificate of occupancy, whichever occurs first. An Erosion Control Permit must also be obtained from the City of Keizer before any soil disturbance on the property. With these requirements as conditions of approval, staff finds that this request can satisfy the applicable criterion.

8. Section 2.309 Site and landscaping design.

FINDING: The purpose of this provision is to require the planting of new trees to replace those removed during development, particularly "significant trees." Significant trees are defined as those that are 50 feet or more in height or 12 inches or more in diameter. The applicant's site plan indicates that no trees have been removed for development or within the past two years. Staff concludes that this criterion is satisfied.

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

FINDINGS: The applicant has stated that public water and sewer services are available or can be extended to serve the subject property. As a condition of partition approval, the requirements set forth by the Public Works Department regarding public facilities, as outlined in Exhibit 3 of this report, must be met. This request satisfies the applicable criterion.

V. DECISION

Notice is hereby given that the Zoning Administrator for the City of Keizer has **APPROVED THE PARTITION WITH CONDITIONS AND REQUIREMENTS** noted below.

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 Planning Department, 930 Chemawa Road NE, Keizer by **5:00 p.m. on April 4, 2025.**

Unless appealed, this decision becomes final on April 5, 2025.

Partition approval is only valid if the final plat is recorded prior to April 5, 2027.

VI. 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 Keizer Development Code 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 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 is 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. Both gross and net area calculations must be shown on the preliminary and final plat.
- g. Include all engineering elements as required by the Department of Public Works requirements.
- h. Include a signature line for the City Engineer.

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 April 5, 2027. The plat shall include all engineering elements as required by the Department of Public Works.
4. Provisions for the maintenance of the access easement, address display signage and "no parking" signs shall be provided in the form of a maintenance agreement, homeowners association, or other instrument and provided to the City of Keizer Planning Department for review and approval.

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

General:

- a) The partition plat map and exhibits shall show the location of all existing easements on the properties, shall provide easements for all existing utilities crossing the proposed Parcels, and provide access and utility easements to serve all three proposed Parcels.
- b) No structures shall be permitted within City of Salem or City of Keizer rights-of-way or easements.
- c) It is recommended that the applicant or applicant's engineer request a pre-design meeting with City staff prior to submitting construction drawings to the City of Keizer and City of Salem for review, to aid in the plan review and permitting process.
- d) Erosion control permits shall be obtained from the City prior to the disturbance of any soil on the subject property. (KDC 2.306.05)
- e) Construction permits will be required for any construction within a public street, right-of-way, or City easement, for any public infrastructure on private property, and for erosion control and stormwater management on private property. (KDC 2.302.06)
- f) Street opening permits are required for any work within the City right-of-way or easements that is not covered by a construction permit. (KDC 2.302.06)
- g) A pre-construction conference shall be required prior to commencement of any construction under permits issued by the City.
- h) New electricity, gas, and communications services to serve the development shall be installed underground and pursuant to the requirements of the company serving the development. (KDC 2.307.02.C)
- i) The Applicant shall coordinate the location of individual or cluster box unit (CBU) mailboxes with the U.S. Postal Service.

Street System:

- a) Final development plans shall be reviewed by Keizer Fire District regarding fire apparatus access across the properties prior to issuance of any construction permits by the City of Keizer.

Sanitary Sewer System:

- a) City of Salem approval for local sewer permits and for any development within their sanitary sewer easement will need to be secured prior to construction.

Water System:

- a) Any existing wells on the property shall be abandoned in accordance with the Oregon State Water Resources Department requirements. The Applicant shall provide evidence to the Public Works Department that the

abandonment of existing wells has been completed in accordance with such requirements.

- b) Final development plans shall be reviewed by Keizer Fire District regarding adequate service and location of fire hydrants prior to issuance of any construction permits by the City of Keizer.
- c) Location of all water meters shall be approved by the Public Works Department.

Storm Drainage System:

- a) A grading and drainage plan shall be developed for Parcel 3 in conformance with the Keizer Design Standards. The plan shall include details of adequate stormwater conveyance from all contributing areas across the subject property and shall include existing elevations and proposed lot corner elevations. The plan shall be submitted to and approved by the Public Works Department prior to the issuance of any erosion control or construction permits for the development.
- b) Construct stormwater collection, conveyance, treatment, and retention facilities to accommodate future impervious surfaces on proposed Parcels 3, in accordance with Keizer Design Standards Chapter 400.
- c) Stormwater runoff from all proposed building rain and foundation drains shall be conveyed to the proposed stormwater facilities.
- d) The Applicant's engineer shall submit a final overall storm drainage plan and design calculations, demonstrating conformance to the Standards, for review and approval prior to issuance of construction permits for development of Parcel 3.
- e) The Applicant shall complete and submit to the City an executed Private Stormwater Maintenance Agreement for all private stormwater facilities on the property prior to City approval of the plat, putting the stormwater facilities into operation, or the release of any certificates of occupancy, whichever occurs first. (KDC 2.306.03.F. Keizer Design Standards 400.2.W.2)

Prior To Obtaining Building Permit(s):

- 6. All required public utility services shall be completed to the satisfaction of the Department of Public Works.
- 7. The property owner must submit documentation to the City of Keizer Planning Department that the Maintenance Agreement for the access easement has been recorded with Marion County Recorder's Office.

Prior to Obtaining Building Permit Final:

- 8. 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 Planning Department. Address display signs are required at Windsor Island Road identifying addresses on access easement.

The proposed Partition complies with Section 3.107 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 the Conditions and Requirements section of this report.

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

REPORT PREPARED BY: Dina Horner, Assistant Planner

Approved by:



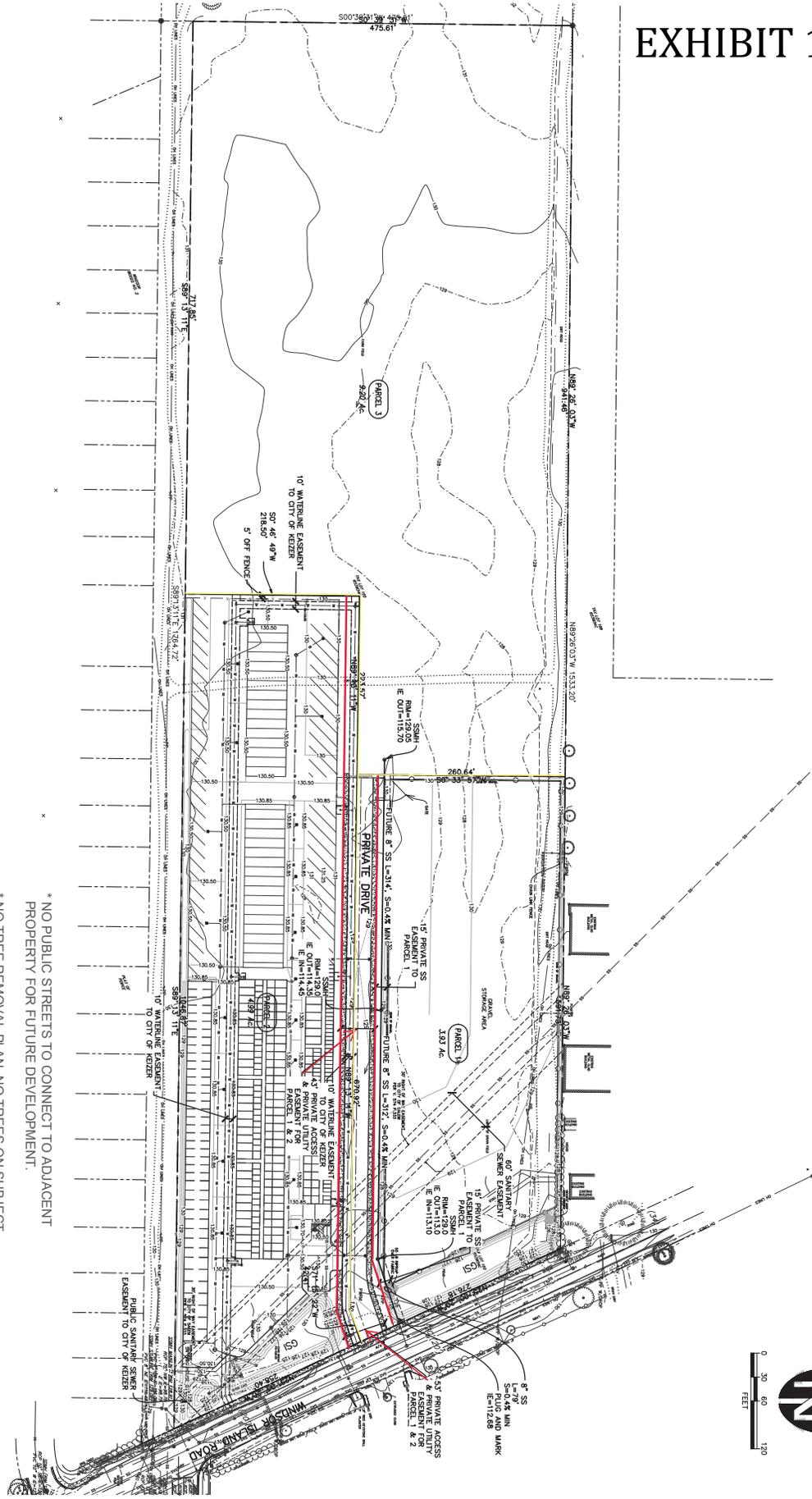
DATE: March 25, 2025

Shane Witham, Planning Director

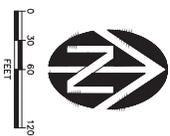
EXHIBIT 1

SUBJECT PROPERTY:
 063W34C4000100
 5555 WINDSOR ISLAND RD N
 18.12 ACRES

PRELIMINARY PARTITION PLAN



* NO PUBLIC STREETS TO CONNECT TO ADJACENT PROPERTY FOR FUTURE DEVELOPMENT.
 * NO TREE REMOVAL PLAN, NO TREES ON SUBJECT PROPERTY EXCEPT THOSE IN LANDSCAPES.



CHARLES WEATHERS
 WINDSOR ISLAND ROAD DEVELOPMENT
 PARTITION PLAN
 DRAWING
 C2.0
 JOB NUMBER
 3602.2000.0

WESTTECH ENGINEERING, INC.
 CONSULTING ENGINEERS AND PLANNERS
 3541 FairView Industrial Dr. S.E., Suite 100, Salem, OR 97302
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EXHIBIT 3

(3 PAGES)

PARTITION CASE NO. 2025-02

PROPERTY ADDRESS: 5555 WINDSOR ISLAND ROAD N

The applicant is requesting to partition an 18.12-acre parcel located at 5555 Windsor Island Road N into three parcels. Parcel 1 will contain approximately 3.93 acres, Parcel 2 will contain approximately 4.99 acres, and Parcel 3 will contain approximately 9.20 acres. The development will be served by a private access easement from Windsor Island Road N with Parcel 2 recently developed as a storage facility. The subject property is designated in the Keizer Comprehensive Plan map as Special Policy Area Limited Use (SPA-LU) and is zoned Agricultural Industrial (AI). The property is located at 5555 Windsor Island Road N (Tax Lot 063W34C 00100).

EXISTING CONDITIONS:

- a) The existing property has access to and street frontage along Windsor Island Road N, a Collector street in the Keizer Transportation System Plan (TSP). This street has an approximate 32-foot-wide improvement within a 54-foot-wide right-of-way.
- b) The existing storage unit complex has an existing 40-foot-wide driveway approach onto Windsor Island Road N.
- c) The subject property is located inside the Special Policy Area adjacent to the Willow Lake Wastewater Treatment Plant facility.
- d) An 8-inch City of Keizer PVC sanitary sewer main is located along the middle of Windsor Island Road N. The existing storage unit complex is connected to this main.
- e) A 75-inch City of Salem reinforced concrete sanitary sewer interceptor main is located within a 60-foot-wide sanitary sewer easement across the east quarter of the property, running diagonally southeast to northwest. No new connections are allowed into this main, and no structures are allowed in this easement.
- f) A 12-inch City of Keizer ductile iron water main is located along the west side of Windsor Island Road N, terminating at the north end of the public improvements on Windsor Island Road N.
- g) An 8-inch looped City of Keizer ductile iron water main is located within a 10-foot-wide City of Keizer waterline easement along the south side of the proposed private driveway and through the existing storage facility. The developed storage complex is connected to this main.
- h) The subject property is not located within a stormwater "Critical Basin" as defined in Keizer Design Standards Chapter 100. No stormwater system is available to serve the property and therefore is located in an Unserved Stormwater Area.
- i) A 10-inch City of Keizer storm main is located along the west side of Windsor Island Road N and is registered as a City Underground Injection Control system.
- j) Runoff from the existing storage facility complex is collected and controlled by a private stormwater system. This system has an emergency overflow to the City storm system at the northwest corner of the intersection of Windsor Island Road N and Lockhaven Drive N.
- k) Wetland areas or hydric soils are not indicated in the vicinity of this project per

the Oregon Rapid Wetland Assessment Protocol & Stream Function Assessment Method maps.

- l) Per Flood Insurance Rate Map Number 41047C0193G, the properties are located outside of mapped Special Flood Hazard Areas (SFHA).

PUBLIC WORKS DEPARTMENT REQUIREMENTS. The Public Works Department has reviewed the development application and supporting information, and recommends the following conditions of approval and development requirements:

General:

- a) The partition plat map and exhibits shall show the location of all existing easements on the properties, shall provide easements for all existing utilities crossing the proposed Parcels, and provide access and utility easements to serve all three proposed Parcels.
- b) No structures shall be permitted within City of Salem or City of Keizer rights-of-way or easements.
- c) It is recommended that the applicant or applicant's engineer request a pre-design meeting with City staff prior to submitting construction drawings to the City of Keizer and City of Salem for review, to aid in the plan review and permitting process.
- d) Erosion control permits shall be obtained from the City prior to the disturbance of any soil on the subject property. (KDC 2.306.05)
- e) Construction permits will be required for any construction within a public street, right-of-way, or City easement, for any public infrastructure on private property, and for erosion control and stormwater management on private property. (KDC 2.302.06)
- f) Street opening permits are required for any work within the City right-of-way or easements that is not covered by a construction permit. (KDC 2.302.06)
- g) A pre-construction conference shall be required prior to commencement of any construction under permits issued by the City.
- h) New electricity, gas, and communications services to serve the development shall be installed underground and pursuant to the requirements of the company serving the development. (KDC 2.307.02.C)
- i) The Applicant shall coordinate the location of individual or cluster box unit (CBU) mailboxes with the U.S. Postal Service.

Street System:

- a) Final development plans shall be reviewed by Keizer Fire District regarding fire apparatus access across the properties prior to issuance of any construction permits by the City of Keizer.

Sanitary Sewer System:

- a) City of Salem approval for local sewer permits and for any development within their sanitary sewer easement will need to be secured prior to construction.

Water System:

- a) Any existing wells on the property shall be abandoned in accordance with the

Oregon State Water Resources Department requirements. The Applicant shall provide evidence to the Public Works Department that the abandonment of existing wells has been completed in accordance with such requirements.

- b) Final development plans shall be reviewed by Keizer Fire District regarding adequate service and location of fire hydrants prior to issuance of any construction permits by the City of Keizer.
- c) Location of all water meters shall be approved by the Public Works Department.

Storm Drainage System:

- a) A grading and drainage plan shall be developed for Parcel 3 in conformance with the Keizer Design Standards. The plan shall include details of adequate stormwater conveyance from all contributing areas across the subject property and shall include existing elevations and proposed lot corner elevations. The plan shall be submitted to and approved by the Public Works Department prior to the issuance of any erosion control or construction permits for the development.
- b) Construct stormwater collection, conveyance, treatment, and retention facilities to accommodate future impervious surfaces on proposed Parcels 3, in accordance with Keizer Design Standards Chapter 400.
- c) Stormwater runoff from all proposed building rain and foundation drains shall be conveyed to the proposed stormwater facilities.
- d) The Applicant's engineer shall submit a final overall storm drainage plan and design calculations, demonstrating conformance to the Standards, for review and approval prior to issuance of construction permits for development of Parcel 3.
- e) The Applicant shall complete and submit to the City an executed Private Stormwater Maintenance Agreement for all private stormwater facilities on the property prior to City approval of the plat, putting the stormwater facilities into operation, or the release of any certificates of occupancy, whichever occurs first. (KDC 2.306.03.F. Keizer Design Standards 400.2.W.2)

Comments on Planning Action: Keizer Partition 2025-02

Date 3/19/2025 Person Commenting Kent Inman

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. Per ORS 92.055 – Parcels over 10 acres can be unsurveyed.
- 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. The adjusted line must be surveyed and monumented per ORS 92.060 (7).
- 2. 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. 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.

- ___ 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. 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.

Other comments specific to this Planning Action:

March 17, 2025

Dina Horner, Assistant Planner
City of Keizer Planning Division
930 Chemawa Road NE
Keizer, OR 97303

Delivered by email to:
Hornerd@keizer.gov

SUBJECT: **Response to Request for Comments**
 City of Salem Public Works Recommendations
 CASE No. Partition 2025-02
 5555 Windsor Island Road N, Keizer, OR 97303

Dear Ms. Horner:

Thank you for the opportunity to comment on the proposed development in the City of Keizer. Below are the City of Salem Development Services comments regarding the proposed Partition 2025-02:

75" Willow Lake Interceptor Pipe – There is an existing City of Salem 75-inch sanitary sewer interceptor pipe which conveys sanitary sewer flow from the east side of the Willamette River to the Willow Lake Treatment Plant (Attachment 1). The existing sanitary sewer pipe is approximately 30-feet below ground level and is the most critical sewer pipe in the City's entire sanitary sewer collection system.

- The City of Salem has an existing 30-foot-wide easement for this main (Attachment 2), which does not meet current *City of Salem Public Works Design Standards* (PWDS) for easement width (PWDS Section 1.8).
- In order to comply with *Keizer Development Code*, Section 2.307.02(F), **the City of Salem requests that as a condition of approval, an easement is dedicated to the City of Salem to ensure continued maintenance of, and access to, the City's interceptor main.** Easements dedicated to the City of Salem shall comply with *City of Salem Public Works Design Standards*, Section 1.8.

Sanitary Sewer Service for Future Development – Direct connections to the City's interceptor main running through the subject property are not permitted. There is an existing 8-inch sanitary sewer main located in Windsor Island Road N available to serve future development of the property. Any connections to the sanitary sewer main located in Windsor Island Road N will require construction permits in accordance with the *City of Salem Revised Code*, the *City of Salem Public Works Design Standards*, and the *City of Salem Standard Construction Specifications*. Permits will not be issued by the

City of Keizer
March 14, 2025
Page 2

City of Salem until all construction plans have been approved by the Public Works Department.
Construction drawings can be submitted by email to: DevelopmentServices@cityofsalem.net

If you have questions, please call me at 503-584-4632.

Sincerely,



Laurel Christian

Infrastructure Planner III

City of Salem | Community Planning and Development | Development Services

555 Liberty St SE, Suite 320, Salem OR 97301-3515

lchristian@cityofsalem.net | Office: 503-584-4632

Enclosures: Attachment 1: Utility Map
Attachment 2: Easement 584

Cc: Richard Walker, Richardw@aks-eng.com
Matt Reyes, ReyesM@keizeror.gov
Kyle Cochran, KCochran@cityofsalem.net

JP\\allcity\PWCommon\Common\PAC\DevSvcsLandUse\00_Outside City_Response to RFC\Keizer\Keizer_PAR25-02_5555 Windsor Island Road NE\City of Salem_Response to RFC_PAR25-02.doc

584
E A S E M E N T

KNOW ALL MEN BY THESE PRESENTS, That ROY J. HOFFMAN, a single person, for the consideration of One thousand four hundred six and 20/100 (\$1,406.20) Dollars to him paid, the receipt whereof is acknowledged, hereby does forever grant unto the CITY OF SALEM, a municipal corporation, a permanent right of way and easement over and along the full width and length of the premises described as follows, to-wit:

Description for a 30 foot permanent easement 15 feet on each side of the following described center line:

Beginning at a point on the North Line of a tract of land in Township 6 South, Range 3 West of the Willamette Meridian, Marion County, Oregon, conveyed to Roy J. Hoffman as recorded in Volume 120 page 274 Deed Records for Marion County, Oregon, said point being westerly 335.07 feet from the northeast corner of said Hoffman tract; thence South 44° 49' East 735 feet more or less to a point on the South line of said Hoffman tract;

ALSO: Beginning at a point on the South Line of a tract of land in Township 6 South, Range 3 West of the Willamette Meridian, Marion County, Oregon, conveyed to Roy J. Hoffman as recorded in Volume 120 page 274 Deed Records for Marion County, Oregon, said point being westerly 67.24 feet from the southeast corner of said Hoffman tract; thence north 44° 49' West 42 feet more or less to a point which is northerly 30 feet from the South Line of said Hoffman tract if measured perpendicular thereto; thence easterly and parallel with the South Line of said Hoffman tract to a point on the West Line of Windsor Island Road; thence southerly along the West Line of said Windsor Island Road to a point on the South Line of said Hoffman tract; thence westerly along the South Line of said Hoffman tract to the point of beginning;

together with a temporary working easement as follows, to-wit:

Description for a 100 foot temporary easement 50 feet on each side of the following described center line:

Beginning at a point on the North Line of a tract of land in Township 6 South, Range 3 West of the Willamette Meridian, Marion County, Oregon, conveyed to Roy J. Hoffman as recorded in Volume 120 page 274 Deed Records for Marion County, Oregon, said point being westerly 335.07 feet from the northeast corner of said Hoffman tract; thence South 44° 49' East 735 feet more or less to a point on the South Line of said Hoffman tract;

ALSO: Beginning at a point on the South Line of a tract of land in Township 6 South, Range 3 West of the Willamette Meridian, Marion County, Oregon, conveyed to Roy J. Hoffman as recorded in Volume 120 page 274 Deed Records for Marion County, Oregon, said point being westerly 32.18 feet from the southeast corner of said Hoffman tract; thence North 44° 49' West 135 feet more or less to a point which is northerly 100 feet from the

South Line of said Hoffman tract if measured perpendicular thereto, thence easterly and parallel with the South Line of said Hoffman tract to a point on the West Line of Windsor Island Road; thence southerly along the West Line of said Windsor Island Road to a point on the South Line of said Hoffman tract; thence westerly along the South Line of said Hoffman tract to the point of beginning.

The temporary working easement shall be effective only for and during the time of the initial construction and laying of the pipeline hereinafter described.

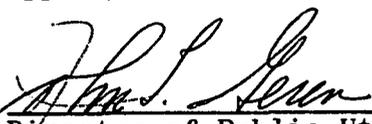
The permanent right of way and easement shall include the right, privilege and authority, to the said City of Salem, to excavate for and to construct, install, lay, operate, maintain and remove an underground sewer pipeline or pipelines, with all appurtenances attached thereto or necessary therewith, for the purpose of catching, carrying and conveying sewage, waste and surplus waters, and for similar uses, in, under and across the said premises, together with the right of the said City of Salem to place, install, maintain, inspect, add to the number of and relocate pipelines and necessary appurtenances, and make excavations therefor from time to time in, under and through the above described premises within said right of way, and to cut and remove from said right of way any trees and other obstructions which may endanger the safety or interfere with the use of said pipelines or appurtenances attached to or connected therewith, and the right of ingress and egress to and over said above described premises at any and all times for the purpose of patrolling the pipeline or repairing, renewing or adding to the number of pipelines and appurtenances, and for doing anything necessary, useful or convenient for the enjoyment of the easement hereby granted.

It is understood and agreed that the City of Salem shall, during the time of the construction and laying of said pipeline, provide for the grantor and his successors a crossing over the aforesaid described right of way, sufficient to permit grantor and his successors to move farm machinery on his property from one side of the easement to the other.

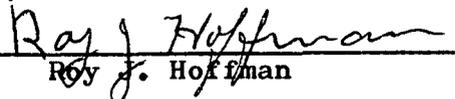
The City of Salem, upon the initial installation, and upon each and every occasion that the same is repaired, renewed, added to or removed, shall restore the premises of the grantor and his successors, and any buildings, fences or improvements disturbed by the City, including any and all buildings, fences or improvements hereafter constructed by the grantor and his successors, to as good condition as they were prior to any such installation, and upon each and every occasion that the same is repaired, renewed, added to or removed, including the restoration of any topsoil.

WITNESS my hand and seal this 5 day of July, 1963.

Approved:

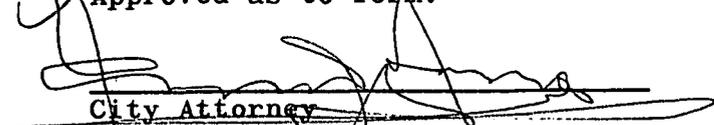


Director of Public Utilities

 (SEAL)

Roy J. Hoffman

Approved as to form:



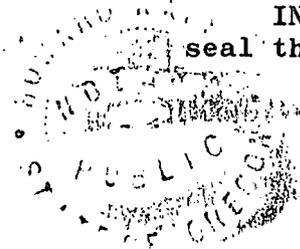
City Attorney

698260

STATE OF OREGON,)
)ss.
County of Marion.)

On this, the 5th day of July, 1963, before me, a Notary Public in and for said County and State, personally appeared ROY J. HOFFMAN, a single person, known to me to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above written.



Harold Koffen
NOTARY PUBLIC FOR OREGON
My Commission Expires: 8-8-65

INDEXED
698260
PHOTOSTAT

STATE OF OREGON,)
County of Marion,)

I Certify that the within was received and duly recorded by me in

MARION COUNTY RECORDS

Book of Deeds Vol. 574

Page 333 on the

day of JUL 11 1963

at 8:37 o'clock A. M.

Norman W. Fankle
Recorder

Recorder

Deputy

*City of Salem
Finance Dept.
City Hall
Salem, Ore. 3.50*

RODGERS PAPER CO., SALEM, ORE. - NO. 30065

This Indenture Witnesseth, That Susie M. Jones, widow,
for the consideration of the sum of Three Thousand (\$3000.00) DOLLARS,
to her paid, ha s bargained and sold and by these presents do es bargain, sell and convey unto Roy J. Hoffman
the following described premises, to-wit:

Beginning at a point in the middle of the County Road leading from Salem to Spongs Ferry;
said point being 55.22 chains West and 49.56 Chains N. 26°45' W. from the most southerly
southeast corner of the Donation Land Claim of John Ford and wife in T. 6 S., R. 3 W. of
the Willamette Meridian in Marion County, State of Oregon, and said point being also S.
26°45' E. 100 links from where the center line of said County Road intersects the north
line of the said John Ford Claim; from the beginning point running thence S. 89°42' W.,
23.65 chains; thence South 7.81 chains; thence N. 89°42' E. 27.59 chains parallel with
Claim
the line to the center of the County Road; thence N. 26°45' W. 8.75 Chains to the place of
beginning, containing 20 acres of land, more or less.

To Have and to Hold the said premises, with their appurtenances unto the said Roy J. Hoffman
his Heirs and Assigns forever.

And the said Susie M. Jones, widow do es hereby covenant to and with the said
Roy J. Hoffman
his heirs and assigns that she is the owner in fee simple of said premises; that they are free from all incumbrances

and that she will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 22nd day of November A. D. 1911

Executed and delivered in the presence of

F. A. Turner

Mailene Carlton

Susie M. Jones

(SEAL)

(SEAL)

(SEAL)

(SEAL)

STATE OF OREGON,

COUNTY OF Marion } ss.

On this the 23rd day of November A. D. 1911 personally came before me a Notary Public
in and for said County and State, the within named Susie M. Jones, widow xxxx
~~XXXX~~ to me personally known to be the identical person described in and who executed the within instrument, and who each personally acknowledged to me that she
executed the same freely and voluntarily for the uses and purposes therein named and without fear or compulsion from any one.

WITNESS, my hand and seal this 23rd day of November A. D. 1911

F. A. Turner

Recorded November 23 1911 at 3:50 o'clock P. m.

(Seal)

Notary Public for Oregon

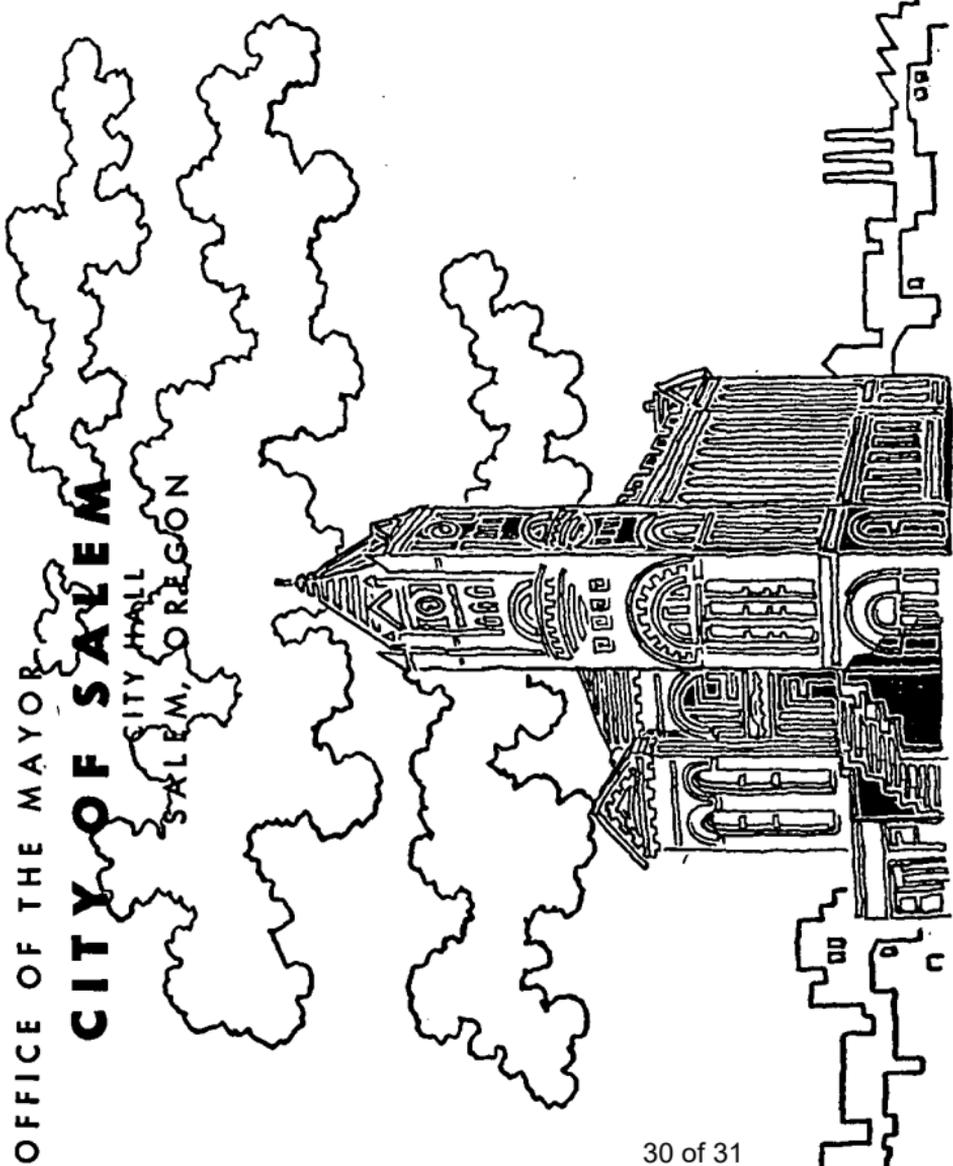
WILLOW LAKE PROJECT

ROY J. HOFFMAN

July 5, 1963

MCDR VOL. 574, pg. 333

See No. 8335





City of Keizer

Phone: (503) 856-3442 • Fax: (503) 390-8288
930 Chemawa Rd. N.E. • P.O. Box 21000 • Keizer, OR 97307-1000

REQUEST FOR COMMENTS

TO: Neighboring Property Owner of 5555 Windsor Island
DATE: March 4, 2025
CASE: Partition 2025-02

The Planning Division is soliciting comments you may wish to have considered in the City's review of the above land use case. Application materials are attached.

Comments must be submitted in writing and received in our office by 5:00 pm on March 18, 2025.

Send comments or questions to:

Dina Horner, Assistant Planner
Email: Hornerd@keizer.org Phone: (503) 856-3442
City of Keizer Planning Division
930 Chemawa Rd NE, Keizer OR 97303

REQUEST: The applicant is requesting to partition an 18.12 acre parcel located at 5555 Windsor Island Rd NE, Keizer into three parcels. Parcel 1 will contain approximately 3.93 acres, Parcel 2 will contain approximately 4.99 acres and Parcel 3 will contain approximately 9.20 acres. The development will be served by a private access easement from Windsor Island Road with Parcel 2 recently developed as a storage facility. The subject property is designated in the Keizer Comprehensive Plan map as Special Policy Area Limited Use (SPA-LU) and is zoned Agricultural Industrial (AI). The property is located at 5555 Windsor Island (063W34C 00100).

APPLICANT: Charles Weathers
ZONE: Agricultural Industrial (AI)

PROPERTY OWNER: Windsor Willows LLC
COMP PLAN: Special Policy Area Limited Use (SPA-LU)

PLEASE CHECK THE APPROPRIATE ITEMS:

- I/We reviewed the proposal and determined I/we have no comment.
- My/Our comments are in the attached letter.
- My/Our comments are: _____

Name: John Blake Phone: 503 798 8329
 Date: 3/7/2025 Email: johnblake1949@gmail.com
 Address: 5655 Windsor Island Rd N
Keizer, OR 97303