



**KEIZER PLANNING DEPARTMENT  
STAFF RECOMMENDATION  
Subdivision Case 2023-17**

**TO:** Jim Brewer, Keizer Hearings Officer  
**FROM:** Shane Witham, Planning Director  
**SUBJECT:** Subdivision Case No. 2023-17  
**DATE:** November 14, 2023

**I. GENERAL INFORMATION**

- A. **APPLICANT/PROPERTY OWNER:** Trademark Enterprises
- B. **AGENT:** Multi-Tech Engineering
- C. **PROPERTY LOCATION:** The property is located at 1326 Oppek Street NE and is identified on Marion County Tax Assessor Maps as Township 6 South; Range 3 West; Section 23DC Tax Lot 00200. (Exhibit 1)
- D. **EXISTING PARCEL SIZE:** The property is approximately 1.70 acres in area.
- E. **EXISTING DEVELOPMENT AND PUBLIC FACILITIES:** The property contains a single-family home and multiple outbuildings. Public facilities are available and are proposed to be extended to serve the development.
- F. **PLAN DESIGNATION AND ZONING:** The property is designated Low Density Residential on the Comprehensive Plan Map and is zoned Urban Transition (UT). Section 2.118.10 of the UT zone provides for the automatic rezoning of land to Single Family Residential (RS) upon approval and recordation of the plat.
- G. **ADJACENT ZONING AND LAND USES:** Properties to the north and west of the subject property are zoned Single Family Residential (RS) and are developed with detached single-family dwellings. The properties to the south and east are zoned UT and also developed with single family dwellings.
- H. **PROPOSAL:** The subject property is proposed to be subdivided into 10 lots. The proposal is for residential dwelling to be located on each lot. The newly proposed lots 1-6 will have frontage and direct access along Oppek Street NE, a public street. Lots 7-10 will be served by a private access easement. The applicant's written statement, preliminary plans, and preliminary stormwater analysis (Exhibit 2) are attached.
- I. **NOTICE:** Public notice was mailed, published and posted consistent with notice requirements in KDC § 3.204.

## **II. COMMENTS**

### AGENCY COMMENTS:

- A. The Keizer Public Works Department submitted comments which contain development requirements regarding sanitary sewer, water system, street and drainage improvements and other general development requirements (Exhibit 3).
- B. The Marion County Surveyor's Office submitted comments outlining the requirements for surveying and platting the proposed subdivision in compliance with State requirements (Exhibit 4).
- C. The City of Salem Public Works Department submitted comments (Exhibit 5) regarding sanitary sewer system standards.
- D. The Keizer Police Department submitted they have no comments.

### **CITIZEN COMMENTS:**

A letter requesting comments was sent to the surrounding property owners within 250 feet of the subject property. Four separate comments were received:

Anna McKenzie of 7522 Camden St NE submitted comments regarding the increased traffic expected on Camden Street and the removing of sequoia trees. (Exhibit 6)

Doug and Phyllis Lovejoy of 7542 Camden St NE submitted comments regarding increased traffic on Camden St NE and requesting that no additional traffic be allowed on Camden St NE. (Exhibit 7)

Jesse Mecham of 1315 Barnick Rd NE submitted more of a question than a comment. His question is about possible future access to his property from the proposed private access easement. (Exhibit 8)

Joseph Youngblutt of 1323 Barnick Rd NE submitted comments regarding the removal of sequoia trees, the type of homes allowed and the possibility of moving the existing barricade along Barnick Rd. (Exhibit 9)

### STAFF'S RESPONSE TO CITIZEN COMMENTS:

Traffic/transportation concerns: Concerns were raised about additional traffic from the subdivision using Camden Street and Barnick Road. Camden street was previously developed in accordance with City standards as an infill street which allowed for a limited number of dwellings to be served solely by the street and Barnick Road is not constructed to current City Standards. However, both of these facilities are public streets and are available for use. The proposal will provide a new street within the subdivision and improvements to Oppek Street to the east to provide access to the site. While it will connect to Camden Street, it will not be the only or primary point of access for the subdivision and

the conditions and requirements recommended with this approval will help to address these concerns. In addition, a request was made that an existing barricade on Barnick Road be relocated east of Camden to prevent traffic from coming down Barnick Road. The barricade on Barnick Road was installed specifically in response to bus traffic and is not related to this development or the future development.

*Tree Removal:* The applicant submitted a tree removal and replacement plan. While the City does not have the legal authority to outright prohibit the removal of trees, staff is encouraging the applicant consult with an arborist in order to possibly reduce the overall number of trees being removed.

*Housing Type/Height:* The Keizer Development Code has standards contained within the Residential Single Family zone which regulate allowed uses, heights, and setbacks. These are outright allowed and staff is unable to arbitrarily prevent 2 story homes on individual lots. Any new development proposed within the new subdivision will be required to adhere to the standards for housing types allowed, allowable building heights, and required setbacks and landscaped areas at the time of construction of new dwellings.

### **III. FINDINGS**

The review criteria for a subdivision are listed in Section 3.108.06 of the Keizer Development Code (KDC). The criteria and findings for the subdivision request are listed below:

**A. SECTION 3.108.06.A – THE PROPOSAL SHALL COMPLY WITH THE APPLICABLE DEVELOPMENT STANDARDS IN SECTION 2.405 AND SECTION 2.3 AS APPROPRIATE, INCLUDING PROVISIONS FOR STREETS AND UTILITIES.**

Section 2.405 KDC contains development standards for manufactured home parks and is therefore not applicable in this situation. Section 2.3 contains the standards which guide all development approvals within the City of Keizer. Listed below are the applicable development standards contained in Section 2.3 that are pertinent to this subdivision review.

**1. SECTION 2.301.03 - APPLICATION OF PUBLIC FACILITY STANDARDS**

**FINDINGS:** In order to promote and maintain healthy, safe environments and to minimize development impacts upon surrounding properties and neighborhoods the public facilities improvement requirements specified in the table found in Section 2.301.03 are found to be the minimum necessary. The applicant will be required to provide the following public facilities: Fire Hydrant (Where required by Fire District), Street Improvements, Water Hook-up, Sewer Hook-up, Storm Drain and Street Lights. The Public Works Department has submitted comments which have been incorporated into the recommended conditions of approval that outline specific requirements for the installation of public facilities. With these items placed as conditions of approval this request can meet this criterion.

2. **SECTION 2.302.03 - STREET STANDARDS – GENERAL PROVISIONS**

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

**FINDINGS:** The subject property is proposed to be subdivided into 10 lots. Oppek Street will be extended through the subdivision providing access to the subdivision. In addition, a private access easement is proposed within the subdivision which will provide sole access to 3 of the proposed lots.

The City has adopted minimum street standards that are found to be necessary to promote and maintain a healthy environment and to minimize impacts from the development upon surrounding properties and the area. These standards can be found in Section 2.302 and the Public Works Department comments include specific conditions of approval in conformance with these standards to ensure public convenience and safety which are adopted into the recommended conditions of approval for this subdivision. The applicant's plans show that the right-of-way width for Oppek Street, within the subdivision, is proposed to be 46 feet in width which is acceptable. Details on right-of-way dedication and design will be reviewed and approved through the public construction permit review and approval process by the Public Works Department. Prior to submitting construction plans for the proposed subdivision a pre-design meeting with the developer's engineer and the Department of Public Works.

With the above-mentioned conditions, staff finds this proposal can satisfy this criterion.

- b. ***Section 2.302.03.B - Continuation of Street. Development proposals shall provide for the continuation of, and connection to, existing streets where necessary to promote appropriate traffic circulation in the vicinity of the development. Where necessary to give access or permit a satisfactory future division of land, streets and utilities shall be extended to property boundaries to allow the future extension of streets and infrastructure. A temporary turnaround shall be constructed for stub streets in excess of 150 feet in length. Exemptions from these street extensions can be found in Section 2302.03.B.1 – 5.***

**FINDINGS:** The intent of this provision is for new developments to incorporate the continuation of a street as a means to avoid creating new subdivisions which do not provide for street connectivity. In this particular case, the property is surrounded by developed single family homes and Oppek Street connects to the subject property on both the east and west boundary of the subdivision. The applicant proposes to connect Oppek Street through the subdivision which is consistent with this requirement.

The property owner directly south of the proposed subdivision submitted comments inquiring as to whether he would be able to access the proposed private access easement within the subdivision to serve the rear of his property. The access easement proposed is private and is not a public street, and is not technically subject to this criterion. However, staff analyzed this proposal and determined there is not a need for a public street connection to the south of the subdivision. There is adequate room and opportunity for the adjacent property owner to access the rear of his property from Barnick Road upon which his property fronts. While staff encourages the private property owners to work together, this is not something staff recommends as a requirement or condition of approval.

Taking these factors into consideration, staff finds this criterion is met.

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

**FINDINGS:** The purpose of this provision is to require that new streets in subdivisions meet the city's alignment and spacing standards so as to ensure safe vehicle travel. The applicant proposes to extend Oppek Street through the subdivision and the plans show the street is aligned appropriately. This requirement will be assured through the public construction permit review and approval process with the Public Works department. Therefore, this proposal satisfies this criterion.

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

**FINDINGS:** The proposed subdivision application proposes to extend Oppek through the site connecting to O'Neil Road and Camden Street, which does not necessitate a turnaround. A new private access easement is also proposed to serve lots 7-10 of the subdivision and an alternate style turnaround is proposed, but this requirement will be addressed further in this report and is not applicable since it is not a public street. Therefore, this provision is not applicable.

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

**FINDINGS:** No new public street intersections are proposed. The applicant proposes to create a new private access easement which will intersect with the new proposed public street serving the development (Oppek) and will be regulated through the driveway permit approval process with the Public Works Department. Therefore, this criterion is not applicable.

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

**FINDINGS:** The intent of this provision is to require that developers of new residential subdivisions be responsible for making needed improvements to the existing street systems that are either within, or adjacent to, a proposed subdivision. In this case, the property connects to an existing street (Oppek) which has adequate right-of-way width. The applicant will be required to extend Oppek through the subdivision within a 46-foot wide right-of-way width which will be dedicated on the plat. The Public Works Department submitted comments which are recommended as conditions of approval for this application, which indicate the applicant's proposal is acceptable. With the Public Works Department comments placed as conditions of approval, staff finds this section is satisfied.

- g. ***Section 2.302.03.G - Half-streets may be approved where essential to the reasonable development of an area and when the City finds it to be practical to require the dedication of the other half when the adjoining property is developed. When a ¾ width street can reasonably be developed, as determined the Department of Public Works, a half street will be constructed with an additional 10 feet of pavement on the opposite side of the street from full improvement.***

**FINDINGS:** No half street will be constructed; therefore, this section is not applicable.

- h. ***Section 2.302.03.H - Cul-de-sacs. The maximum length shall be 800 feet.***

**FINDINGS:** A "cul-de-sac" is defined in the City of Keizer Design Standards as "a dead-end street having a circular turnaround area at its terminus." The proposed subdivision will provide the extension of Oppek Street through the

subdivision and will have a private access easement that serves lots 7-10. No new cul-de-sac streets are proposed with this application; therefore, this standard does not apply.

***i. Section 2.302.03.I - Street names and numbers shall conform to the established standards and procedures in the City.***

**FINDINGS:** The purpose of this provision is to ensure that streets are named in accordance with City procedures to avoid duplicate or confusing street names. This proposal includes the extension of Oppek Street through the new subdivision as well as a new private access easement that will serve lots 7-10. The access easement will be required to be named and to be numbered to conform to the City's street addressing procedures. A street naming application shall be submitted to the City for naming the private access easement prior to submittal of the preliminary plat. The final approved street name for the private access easement must be shown on the preliminary and final plat. With this placed as a condition of approval, staff finds this proposal will comply with this criterion.

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

**FINDINGS:** The purpose of this provision is to ensure that new streets are constructed consistent with the city's established street grade standards and avoid having new streets that may be too steep and potentially endanger public safety. The area is relatively flat and there are no concerns regarding grades of the proposed street improvements. A preliminary grading and drainage plan was submitted as a part of this application. A final grading and drainage plan will be required as a condition of approval to ensure that adequate drainage is provided, as well as construction permits, which will regulate the design of the proposed improvements. With these requirements placed as conditions of approval, this proposal will satisfy this criterion.

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

**FINDINGS:** The purpose of this provision is to minimize impacts that a new development may have on arterial and collector streets. The proposed subdivision will be accessed from an existing local street and proposed private

access easement. No frontage streets are proposed. Therefore, this criterion is not applicable.

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

**FINDINGS:** The property is located in a residential zone and no alleys are proposed. Therefore, this provision is not applicable.

- m. Section 2.302.03.M. - Street Landscaping. Where required as part of the right-of-way design, planting strips shall conform to the following standards:***

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

**FINDINGS:** The purpose of this provision is to outline the standards relating to providing street landscaping. The new proposed public street within the subdivision (Oppek) will provide a new street and sidewalks on both sides of the street. The right-of-way design will not provide a landscape strip, and therefore, street landscaping is not required. Staff finds this criterion is not applicable to this request.

- n. Section 2.302.03.N.5 – Access Control Standards. Double Frontage Lots. When a lot has frontage onto two or more streets, access shall be provided first from the street with the lowest classification.***

**FINDINGS:** The proposed subdivision will be accessed from a local street and a proposed private access easement. The developer will be required to obtain driveway permit approval for the individual lots within the subdivision. Staff finds this proposal complies with this criterion.



*o. Section 2.302.03.0. – Trees along Public Streets. Streetscape trees are required along public streets, shall comply with the provisions of Section 2.309, and must be located according to the following provisions:*

- 1. Streetscape trees shall be planted within the boundaries of each lot within 10 feet of street improvements.*
- 2. Lots measuring less than 60 feet in width shall be required to plant one streetscape tree. Lots measuring more than 60 feet in width shall be required to plant two streetscape trees.*
- 3. Streetscape trees shall be selected from a list of approved trees.*

**FINDINGS:** Lots 1-6 and lot 10 will have frontage on the newly proposed street serving the subdivision. The applicant submitted a tree replacement plan showing that trees will be provided on these lots consistent with this provision. Streetscape trees will be required to be planted prior to final building permit approval for each of the proposed lots. With this requirement placed as a condition of subdivision approval, staff finds this proposal can comply with this criterion.

**3. SECTION 2.302.04 - GENERAL RIGHT-OF-WAY AND IMPROVEMENT WIDTHS**

*The standards outlined in this section shall be the minimum requirements for all streets, except where a variance is requested as permitted under Subsection 2.302.05.*

**FINDINGS:** The Public Works Department has submitted comments which have been incorporated into the recommended conditions and requirements of this report, which outline the necessary requirements for this subdivision proposal. As a condition of subdivision approval, the requirements outlined in the Public Works requirements must be adhered to. Right-of-way will be required to be dedicated for the newly proposed street (Oppek) as shown on the applicant's plans. A 46-foot right-of-way is shown, which is acceptable. The design of the proposed new street within the subdivision will be reviewed and approved through the public improvement permit review and approval process with the Public Works Department. In addition to the new street within the subdivision, Oppek Street, east of the subdivision will be required to be improved as outlined in the Public Works Department comments. Specifically, at minimum Oppek Street must be paved a minimum of 24 feet wide, with a depth of 3 inches from the east boundary of the subdivision out to O'Neil Road. The applicant's plans show that a 24 foot wide paved improvement is proposed. With these requirements placed as conditions of subdivision approval, staff finds this proposal can comply with this criterion.

4. **SECTION 2.302.06 - CONSTRUCTION SPECIFICATIONS**

***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.***

**FINDINGS:** The intent of this provision is to ensure that new residential subdivision design and construction of new streets that are needed to serve the lots, meet all City standards for street construction. The subdivision will feature a new public street within the subdivision that will be improved to public works specifications. In addition, the applicant will be required to provide improvements from the east of the subdivision out to O'Neil Road within the existing Oppek Street right-of-way. The improvement shall be a minimum 24-feet in width and 3-inches in depth. Public improvement permits will be required and construction drawings must be submitted to the Public Works Department for their review and approval, consistent with all applicable adopted construction specifications and standards adopted by the city. With this placed as a condition of approval, staff finds this provision will be met.

5. **SECTION 2.302.08 - PRIVATE ACCESS EASEMENTS.**

***A private access easement created as the result of an approved partitioning or subdivision shall conform to standards governing the following: A. Width; B. Maintenance; C. Turn-around; D. Parking; E. Trees Along Access Easements; F. Screening;***

**FINDINGS:** The intent of this provision is to assure private access easements are constructed in a manner consistent with city standards thereby avoiding the creation of a substandard access that might be unusable for vehicular traffic.

**A. Width:** A 24-foot wide access easement (located within a 30' access/utility easement) is proposed to serve lots 7-10. For single family homes and duplex dwellings, a minimum 20-foot wide access easement with a paved width of 16 feet is required. For triplex, quadplex, and cottage cluster developments, the access easement must meet the city standards for parking lot aisle widths and are subject to City and Fire District approval. The requirement for parking lots is a minimum of 24-feet wide. No comments were received from the Fire District on this application, but staff is recommending that as a condition of approval, the final design of the access easement be approved by the City and Fire District. It is uncertain at this time how the applicant will develop the proposed lots. The applicant's site plan does not provide net area calculations, but it appears that lots 7-10 may be large enough in area to allow for the development of the lots with a triplex or possibly a quadplex. The improvement of the access easement shall be completed prior to approval of the final plat. In lieu of this, the applicant may obtain a performance bond, improvement agreement or other instrument acceptable to the City as outlined in Section 3.202.02.E.3 and 3.202.05.B of the Keizer Development Code. The applicant has indicated in their written statement and site plan that a 24' wide access easement is proposed, and with the above-mentioned conditions, can comply with these standards.

**B. Maintenance:** 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 acceptable to the City and shall be recorded with the Marion County Clerk. The agreement shall include language stipulating that the agreement cannot be extinguished without written approval from the City of Keizer. Prior to final plat approval, the City of Keizer Planning Department will review and approve the Agreement for recording. The agreement is to be recorded against the individual parcels in the subdivision immediately following the recording of the subdivision plat. Prior to issuance of any building permits for the new homes, submission of documentation of recording to the City is required.

**C. Turn-around:** The KDC requires a turn-around for access easements serving two or more lots. Turn-arounds shall be either a circular turn-around, or a "tee" or "hammerhead" turn-around. The applicant has submitted a site plan that shows an alternate style turnaround. The final design and dimensions of the turnaround will be reviewed by the City and must be shown on the plat.

**D. Parking:** No parking is allowed within the required access easement width or turn-around area. This allows emergency vehicles to be able to access the new lots. All private access easements serving as the sole access for two or more parcels or lots shall display “No Parking” signs approved by the City. This will requirements is recommended as a condition of approval. No parking signs shall be provided at the time of construction of the access easement improvements.

**E. Trees Along Access Easements:** In certain cases, streetscape trees are required along access easements. If required, trees shall comply with the provisions of Section 2.309 of the KDC. Lots measuring along the access easement less than 60’ shall plant one streetscape tree and lots measuring more than 60’ along the access easement shall be required to plant two streetscape trees. Streetscape trees are selected from a list of approved trees and planted within 10 feet of the access improvements within the boundaries of each lot. Lots 7 and 8 measure less than 60’ along the access easement and will be required to plant one streetscape tree along the access easement. Lot 9 has more than 60’ along the access easement and will be required to plant 2 streetscape trees. Lots 5 and 10 also are adjacent to the easement, however those parcels will provide streetscape trees along Oppek Street, and therefore not required for those parcels. The applicant’s tree removal and replacement plan show trees will be provided on the parcels appropriately. Planting of streetscape trees is recommended to be placed as a condition of Certificate of Occupancy for each new dwelling.

**F. Screening:** Unless waived in writing by the adjacent property owners, a 6’ high sight-obscuring fence, wall, or hedge is required along the exterior side of an access easement to provide screening to any adjacent properties. In this case, the access easement is within the interior of the subdivision and not adjacent to an exterior property boundary. Therefore, this requirement is not applicable to this request.

Based upon the submitted site plan, the proposed private access easement can comply with Section 2.302.08, and with the above-mentioned conditions, staff finds this request satisfies this criterion.

6. **SECTION 2.303 - OFF-STREET PARKING AND LOADING**

***Parking shall be provided to ensure adequate areas for the parking, maneuvering, loading, and unloading of vehicles and bicycles for all land uses in the City of Keizer.***

**FINDINGS:** The minimum off-street parking requirements listed within Section 2.303.06 of the Keizer Development Code have been determined to be the minimum necessary to provide adequate parking capacity for specified uses. This has been determined by the City to be the minimum needed to meet both the needs of the residences within the new dwellings as well as serving the needs of visitors to the new residences. Required parking spaces must be installed at the time dwellings are constructed on each of the lots within the subdivision. The applicant's written statement indicates the ability and intention to provide appropriate parking as required by the provisions of Section 2.303. This requirement will be regulated through the building permit review and approval process. With these requirements placed as a condition of approval, staff finds the proposal can meet this criterion.

7. **SECTION 2.306 - STORM DRAINAGE**

***No construction of any facilities in a development included in Subsection 2.306.02 shall be permitted until a storm drainage and erosion control plan for the project is prepared by a professional engineer, and approved by the City. These provisions shall also apply to any cut or fill on a property, which may impact the velocity, volume, or quality of surface water on adjacent property, or may impact any permanent natural body of water.***

**FINDINGS:** The intent of this provision is to minimize, and avoid, storm drainage and erosion runoff problems that may be associated with development by requiring that a storm drainage and erosion control plan be submitted for review and approval prior to any development occurring on the site. The applicant submitted a preliminary grading and drainage plan and stormwater analysis as part of their application materials, and has indicated they intend to comply with the City's requirements regulating stormwater management. The Public Works Department submitted comments containing requirements that will assure the proposed development can comply with City storm drainage requirements.

All impervious surfaces on the site, including the proposed access easement area shall be designed to keep all storm water runoff on-site. No storm water runoff from the new development shall be directed off-site. The plans for storm water quality and detention shall be submitted to the City of Keizer Public Works Department for review and approval prior to approval of the subdivision plat.

With these requirements placed as conditions of approval, this application complies with this provision.

8. **SECTION 2.307 - UTILITY LINES AND FACILITIES**

**FINDINGS:** To provide adequate services and facilities appropriate for residential development, the applicant shall meet the standards set forth in Section 2.307 of the Keizer Development Code relating to water, sanitary sewer, private utilities, street lights and easements. This is a development requirement and compliance will be ensured during review of the construction and engineering drawings. These requirements are addressed more in depth elsewhere in this report. Staff finds with appropriate conditions; this proposal will comply with this criterion.

9. **SECTION 2.309 – SITE AND LANDSCAPING DESIGN**

- a. ***Section 2.309.04(B)(7f) - The City may require significant trees that are removed (including trees that are removed within the year prior to the application) be replaced at the rate of up to two new trees for each significant tree removed or less if a tree specimen which will result in an increased size is planted....in lieu of an on-site tree replacement plan, an off-site tree mitigation plan may be submitted to the Planning Director for approval.***

**FINDING:** The intent of this provision is to require planting of new trees to replace trees that are cut down as part of the development of a subdivision. In particular, this provision aims to replace trees that are identified as being “significant trees” which are trees that are equal to or greater than 50 feet in height or 12 inches in diameter. The applicant submitted a tree removal plan that shows all 50 significant trees are proposed to be removed from the site to allow for building sites and grading activities. Replacement trees are required to be provided to replace the trees that are removed from the property in order to be consistent with the city’s 2:1 replacement ratio.

As a condition of approval, staff recommends the applicant must provide 2 replacement trees for each significant tree removed. This would equate to a total of 100 trees. The applicant indicated in their written statement and tree removal and replacement plan they intend to provide 1 replacement tree on each lot (for a total of 10) and pay into the City’s landscape mitigation fund for the remaining 90 trees required to be replaced.

Two neighbors submitted comments regarding the removal of trees, requesting that the trees remain. Staff does not have the authority to require the retention of the trees on the site and none of the trees on the site have been designated as heritage trees or are afforded any specific protections by city ordinances. However, it appears it may be possible to retain some of the trees on site, which would reduce the total number of trees the applicant would be required to replace. Therefore, staff encourages the applicant consult an arborist to determine whether or not some of the trees could be retained and protected

during construction activities. It may be in the applicant's best interest to submit a revised tree removal and replacement plan addressing this criterion. It is recommended that as a condition of subdivision approval, the applicant submit a "final" tree removal and replacement plan for review and approval by the Planning Department prior to final plat approval. It should be noted that streetscape trees are also required with this application, and those streetscape trees should be shown on the final tree replacement plan as well and can count toward the total number of trees provided for mitigation. Staff finds with the above-mentioned conditions; this request will comply with this criterion.

**10. SECTION 2.310 - DEVELOPMENT STANDARDS FOR LAND DIVISIONS**

- a. *Section 2.310.03.A - Minimum lot area. Minimum lot area shall conform to the requirements of the zoning district in which the parcels are located.***

**FINDINGS:** The subject property currently is zoned Urban Transition (UT) but will automatically be rezoned to Single Family Residential (RS) upon recordation of the plat, consistent with Section 2.118.10 and so will be bound by the requirements within the RS zone, not the UT zone provisions. Within the RS zone, the minimum lot size for detached single-family dwellings and duplexes is 4,000 square feet, 5,000 square feet for triplex, and 7,000 square feet for quadplex or cottage cluster development. The applicant's site plan and written statement indicates the lots within the proposed subdivision range from 5,239 square feet up to 8,633 square feet, therefore, all lots meet or exceed the city's minimum lot size of 4,000 square feet required within the RS zone, Section 2.102.05. However, the applicant's site plan and written statement do not provide the "net area" calculation which is required. As a condition of subdivision approval, the area (both gross and net area) for all lot sizes shall be shown on the preliminary and final plat. This is recommended as a condition of subdivision approval to assure this requirement is met. Therefore, staff finds this proposal can comply with this criterion.

- b. *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 purpose for establishing lot width-to-depth ratios is to provide for the orderly, safe, efficient and livable development of land. The lot width-to-depth ratio also prevents lots from being created that would be practically unbuildable. The proposed lots are regularly shaped and comply with the lot depth to width ratio requirements. All lots within the proposed subdivision are shown to meet this criterion.

- c. *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. Residential lots or parcels may be accessed via a private street or access easement developed in accordance with the provisions of Section 2.302.08.***

**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. Lots 1-6 have frontage along the newly proposed public street in excess of the 40-foot minimum width requirement of the underlying RS zone. Lots 7-9 will have frontage on a private access easement that is proposed to be developed in accordance with the provisions of 2.302.08. Lot 10 has frontage along both the newly proposed public street exceeding 40 feet in width, as well as frontage along the access easement. Therefore, staff finds this proposal satisfies this criterion.

- d. Section 2.310.03.E -Flag Lots. Flag lots shall only be permitted if it is the only reasonable method by which the rear portion of a lot being unusually deep or having an unusual configuration may be accessed and when in compliance with Section 2.302.03.B. If a flag-lot is permitted, the following standards shall be met:**
- 1. The access strip shall not be less than 20 feet wide. The access strip shall be improved with a minimum 12-foot-wide paved driveway and paved encroachment which meet applicable City standards.**
  - 2. The access strip shall not be included in the calculation of lot area for purposes of determining compliance with any minimum lot size provision of this Ordinance.**

**FINDINGS:** No flag lots are proposed so this section is not applicable.

- e. Section 2.310.03.F - Through Lots. Through lots shall be avoided except where essential to provide separation of residential development from major street, adjacent non-residential activities, or to overcome specific development constraints due to topography or lot orientation. Through lots shall be no less than 100 feet in depth. Lots having their access off a private access easement or adjacent to a private access easement shall not be construed as qualifying as through lots. Screening or buffering, pursuant to the provision of Section 2.307, may be required by the City during the review of the land division request.**

**FINDINGS:** No through lots will be created with this proposal. Therefore, this criterion is not applicable to this request.

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

**FINDINGS:** The intent of this provision is to avoid the creation of odd-shaped lots which may meet minimum lot size, but owing to its shape may result in a lot that is too difficult to build on without a variance to requirements within the code. The intent is to avoid these types of lots in favor of the creation of lots that can be readily developed. The subject property will result in the creation

of 10 rectangular shaped lots. The proposed lot lines run, as far as practicable, at right angles to the street right-of-way and access easement. The rear lot lines are all not less than one-half the dimension of the front lot lines. All the lots meet the city's minimum lot standards and will be able to be developed with a single-family dwelling on each lot. The applicant's site plan also provided building "envelopes" showing the lots can be developed with allowed uses within the underlying zone. Therefore, staff finds the application complies with this criterion.

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

**FINDINGS:** The intent of this provision is to ensure that utility easements are provided and to avoid a situation where needed easements are not provided as part of the platting of the subdivision, resulting in future problems. The Public Works Department submitted comments requiring adequate utility easements be provided. The PUE, along with all other necessary easements required by the Public Works Department, must be shown on the final plat. This is a development requirement and shall be placed as a condition of approval of this subdivision application. With this placed as a condition of approval the application can comply with this criterion.

**11. SECTION 2.310.04 - ADDITIONAL DESIGN STANDARDS FOR SUBDIVISIONS**

- a. Section 2.310.04.A - Standards for Blocks:***
- 1. General: The length, width, and shape of blocks shall be designed with regard to providing adequate building sites for the use contemplated; consideration of needs for convenient access, circulation, control, and safety of street traffic; and recognition of limitations and opportunities of topography.***
  - 2. Sizes: Blocks should not exceed 600 feet in length between street lines, except blocks adjacent to arterial streets, or unless the previous adjacent development pattern or topographical conditions justify a variation. The recommended minimum distance between intersections on arterial streets is 1,800 feet.***

**FINDINGS:** The proposed subdivision will not result in the creation of any blocks within the proposed subdivision; therefore, this provision is not applicable.



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

**FINDINGS:** The intent of this provision is to allow for safe vehicle, pedestrian, and bicycle access from the lots within the subdivision to nearby attractors. The subdivision will be connected to the existing street system abutting this development via a newly proposed public street that will connect to existing public streets and a private access easement within the subdivision that will connect to the development. Staff finds the proposed and required improvements are adequate to satisfy this criterion.

**12. SECTION 2.310.06 - IMPROVEMENT REQUIREMENTS - SUBDIVISIONS**

- a. ***Section 2.310.06.A - Frontage Improvements. Street improvements to full City Standards shall be required for all public streets on which a proposed subdivision fronts in accordance with Section 2.303 of this Code. Such improvements shall be designed to match with existing improved surfaces for a reasonable distance beyond the frontage of the property. Additional frontage improvements shall include: sidewalks, curbing, storm sewer, sanitary sewer, water lines, other public utilities as necessary, and such other improvements as the City shall determine to be reasonably necessary to serve the development or the immediate neighborhood.***

**FINDINGS:** The intent of this provision is to ensure that lots within the proposed subdivision include street improvements in accordance with city standards so as to avoid having substandard streets which could become a safety hazard. The proposed subdivision will provide full street frontage improvements for the newly proposed street within the subdivision and has no other frontage along any existing streets. Public Works submitted comments that include requirements for providing these improvements, as well as requirements to improve Oppek Street to east in order to connect to O'Neil Road. These requirements are recommended as conditions of subdivision approval. With these requirements placed as a condition of approval, this proposal will comply with this criterion.

- b. Section 2.310.06.B - Walkways for Private Streets. Sidewalks shall be required in accordance with applicable provisions in Sections 2.302 and 2.316 only if sidewalks currently exist along the connecting street.**

**FINDINGS:** This section is not application as there will be no private streets that will be constructed as part of the proposed subdivision.

- c. Section 2.310.06.C - Project Streets. All public or private streets within the subdivision shall be constructed as required by the provisions of Section 2.302.**

**FINDINGS:** The newly proposed public street will be required to be constructed according to the provisions of Section 2.302 and the applicable Public Works Design Standards. This will be assured through the public improvement permit review and approval process. Therefore, this criterion can be met.

- d. Section 2.310.06.D - Monuments. Upon completion of street improvements, centerline monuments shall be established and protected in monument boxes at every street intersection and all points of curvature and points of tangency of street center lines.**

**FINDINGS:** The applicant will be responsible for placing appropriate monuments and with this as a condition, this application will comply with this criterion.

- e. Section 2.310.06.E - Bench Marks. Elevation bench marks shall be set at intervals established by the City Engineer. The bench marks shall consist of a brass cap set in a curb or other immovable structure.**

**FINDINGS:** The applicant will be responsible for placing appropriate bench marks and with this as a condition, this application will comply with this criterion.

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

**FINDINGS:** The intent of this section is to require that new developments make use of a drainage system that is in accordance with city requirements and which will handle the storm drainage from the site and avoid any adverse impacts onto adjacent properties. The applicant submitted a preliminary site grading and drainage plan, along with a preliminary drainage

analysis. The Public Works Department submitted comments which are recommended as conditions of approval addressing storm drainage requirements, which will ensure this proposal complies with this criterion. With these requirements placed as conditions of approval, this application complies with this provision.

- g. Section 2.310.06.G - Sanitary Sewers. Sanitary sewer shall be installed to serve the subdivision and to connect the subdivision to existing mains both on and off the property being subdivided.***

**FINDINGS:** The intent of this provision is to require that all of the lots in a new subdivision connect to a sanitary sewer system thereby eliminating the need for the installation of any on-site private septic systems which require additional land and increase the potential for ground water contamination. The applicant submitted a preliminary utility plan indicating that a new 8" public sanitary sewer will be provided within the new public street to serve lots 1-6 and 10, and that individual services be provided within the access/utility easement area to serve lots 7-9. The City of Salem submitted comments pertaining to sanitary sewer approval and construction. The Public Works Department also submitted comments addressing this criterion which have been recommended as conditions of subdivision approval. The subject property is located outside of the original Keizer Sewer District. Therefore, a sanitary sewer trunk line acreage fee will be required. The current rate is \$7,460.00 per acre. With the above-mentioned conditions of approval, staff finds this proposal will comply with this criterion.

- h. Section 2.310.06.H - Water System. Water lines with valves and Fire District approved fire hydrants serving the subdivision and connecting the subdivision to the City mains shall be installed and operating prior to start of combustible construction. The design shall take into account provisions for extension beyond the subdivision to adequately grid the City system and to serve the area within which the development is located when the area is ultimately developed. However, the developer will be responsible for water main sizes necessary to meet minimum fire flow requirements per Uniform Fire Code. The City will not expect the developer to pay for the extra pipe material cost of mains exceeding 8 inches in size.***

**FINDINGS:** The intent of this provision is to ensure that in addition to a safe potable water supply that adequate water flow and fire hydrants are provided to ensure fire protection service is provided for each new lot in the proposed subdivision. The applicant's written statement and utility plan indicate the developer intends to provide water service by individual service connections for each of the lots within the subdivision, and also show that an 8" line is proposed to connect to the existing line in O'Neil Road to the east. The Public Works Department submitted comments addressing this criterion which have been recommended as conditions of subdivision approval. The comments received indicate in part, that all new services must be connected to a water main, that fire hydrants will be required as determined by the Fire District,

that an overall plan for water service must approved by the Public Works Department, and that an 8" main will be required to be constructed out to the existing water main in O'Neil Road. In addition, any existing wells on the subject property are to be abandoned in accordance with the Oregon State Water Resources Department requirements. With these requirements placed as conditions of approval, this request will meet this criterion.

- i. Section 2.310.06.I - Sidewalks. Sidewalks shall be installed along both sides of each public street and in any pedestrian ways within the subdivision. The City may defer sidewalk construction until the dwellings or structures fronting the sidewalk are constructed. Any required off-site sidewalks (e.g., pedestrian walkways) or sidewalks fronting public property shall not be deferred.***

**FINDINGS:** The intent of this provision to require that sidewalks be constructed in new developments, such as subdivisions, in an effort to enhance the mobility of pedestrians who both will reside in the proposed subdivision, as well as those who may use this facility but will not reside in the new subdivision. The proposal includes a new public street within the subdivision which will provide sidewalks on both sides of the street. Staff finds this proposal will comply with this criterion.

- j. Section 2.310.06.J - Street Lights. The installation of street lights is required at locations determined to be appropriate by the City and shall be of a type required by City standards.***

**FINDINGS:** The intent of this section is to require that new developments provide street lights to provide for an adequate level of night-time illumination. The Public Works Department submitted comments indicating the developer shall create a street lighting district for the new subdivision which will include adequate lighting for the subdivision. Therefore, with this placed as a condition of approval, this proposal will comply with this criterion.

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

**FINDINGS:** The intent of this provision is to require that the installation of street name signs and traffic control signs be placed at locations determined to be appropriate by the City and shall be of a type required by City standards so as to avoid signs that are in wrong locations or a design that are not consistent with city standards. A street sign will be required to identify the proposed private access easement. With a condition that the location, placement, and type of sign are in accordance with city requirements be placed as a condition of approval, staff finds this proposal will comply with this section.

- l. Section 2.310.06.L - Public Works Requirements. All facility improvements shall conform to the requirements and specifications of the Keizer Department of Public Works.***

**FINDINGS:** The intent of this provision is to ensure that all facility improvements shall conform to the requirements and specifications of the Keizer Department of Public Works. The application can meet this criterion. This is addressed as a condition of subdivision approval.

- m. Section 2.310.06.M - Curb Cuts. Curb cuts and driveway installations, excluding common drives, are not required of the subdivider, but if installed, shall be according to the City standards.***

**FINDINGS:** This is a development requirement, and will be regulated through the Public Construction Permit approval process or through a driveway permit approval process as regulated by the Public Works Department. With this placed as a condition of approval, the application will comply with this criterion.

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

**FINDINGS:** A planter strip will not be required as a part of the improvements. Therefore, this criterion is not applicable. However, trees will be required to be planted along the street frontage of the property, as was addressed previously in this report.

- o. Section 2.310.06.O - Grading & Fills. All grading which results in fills in excess of 3 feet located within the identified building envelope on a subdivision lot or parcel must be engineered.***

**FINDINGS:** The property is relatively flat. The submitted materials do not show that fill will be brought into the site; however, this requirement is a State Building Code requirement and is intended as advisory at this point of the subdivision review.

- p. Section 2.310.06.P - Financial Requirements. All improvements required under this Section shall be completed to City standards or assured through a performance bond or other instrument acceptable to the City Attorney, prior to the approval of the Final Plat of the subdivision.***

**FINDINGS:** This requirement will be placed as a condition of approval.

**13. SECTION 2.310.07 - IMPROVEMENT PROCEDURES**

**FINDINGS:** Section 2.310.07 outlines the standards and process for the installation of improvements. The Public Works Department submitted comments which assure these

requirements will be met. These requirements include specifications for plan review, notification, inspection, underground facilities, and final engineering plans. With the recommended conditions of approval, this request satisfies this criterion.

**B. SECTION 3.108.06.B - EACH LOT SHALL SATISFY DIMENSIONAL STANDARDS AND DENSITY STANDARDS OF THE APPLICABLE ZONING DISTRICT, UNLESS A VARIANCE FROM THESE STANDARDS IS APPROVED.**

**FINDINGS:** The intent of this provision to ensure that new residential subdivisions meet the established dimensional and density provisions of the city to assure the development is consistent with this standard. The applicant proposes a 10-lot subdivision to be developed with residential uses. The subject property will be automatically rezoned to RS upon recordation of the plat, and therefore the standards of the RS zone apply.

KDC Section 2.102.05.A requires that each lot to be developed with a residential use and contain a minimum average width of 40 feet and a depth of 70 feet. All of the proposed lots meet this provision. Staff is recommending as a condition, that all dimensions and areas (both net and gross areas) will be required to be shown on the check plat and final plat to assure the lot dimension standards are adhered to.

KDC Section 2.102.05.B regulates required setbacks for residential development. The subject property is currently developed with an existing home and two outbuildings. The applicant intends to remove all of the existing buildings in order to develop the property. This is recommended as a condition of approval and all structures must be removed prior to recording the final plat. This will assure that not violations to setback requirements exist.

Section 2.102.06.I specifies a minimum density of 4 units per acre and a maximum density of 8 units per acre for property that is subdivided. Density provisions do not apply to middle housing development. The proposed subdivision is 1.7 acres in area and is proposed to be subdivided into 10 lots, which is essentially the middle of the density range allowed. This proposal complies with the minimum density requirements of this section of the code.

With the above recommended conditions of approval, staff finds this request can comply with this criterion.

**C. SECTION 3.108.06.C - ADEQUATE PUBLIC FACILITIES SHALL BE AVAILABLE TO SERVE THE EXISTING AND NEWLY CREATED PARCELS.**

**FINDINGS:** As previously discussed, public sewer and water are available and can serve the newly created lots within the proposed subdivision and the applicant will be responsible for complying with the applicable conditions governing the construction and installation of these facility connections. With the requirement that the applicant,

be responsible for providing adequate public facilities as addressed in this report, staff finds this application will comply with this criterion.

**D. SECTION 3.108.06.D - ROUGH PROPORTIONALITY. IMPROVEMENTS OR DEDICATIONS REQUIRED AS A CONDITION OF DEVELOPMENT APPROVAL, WHEN NOT VOLUNTARILY ACCEPTED BY THE APPLICANT, SHALL BE ROUGHLY PROPORTIONAL TO THE IMPACT OF DEVELOPMENT. FINDINGS IN THE DEVELOPMENT APPROVAL SHALL INDICATE HOW THE REQUIRED IMPROVEMENTS OR DEDICATIONS ARE ROUGHLY PROPORTIONAL TO THE IMPACT.**

**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 in order to avoid traffic generation that exceeds the street system's carrying capacity, which then causes dangerous or hazardous traffic conditions. The City of Keizer has traditionally required developers to dedicate property for and construct standard street, sidewalk, sanitary sewer, storm drain and water supply improvements in subdivisions to meet the basic needs created by the development. The absence, in this instance, of the required street improvements would be cause for denial of the application on the basis that adequate street facilities are not available to serve the site. These traditional street improvements have been imposed to avoid excessive congestion, negative safety impacts and provide basic services to preserve the health of the community and the residents of the proposed development. Such street improvements and dedications are now, and have traditionally been, part of the cost considered in the developer's reasonable investment-backed expectations for constructing the subdivision.

The applicant proposes a 10-lot subdivision for residential development. The development features a new public street serving the subdivision, as well as improvements to Oppek Street to the east to provide for adequate access and safety. The proposed development will generate additional vehicle trips per day that will contribute to the cumulative traffic impact of the existing streets. The only dedications required with this application are for the new public street within the subdivision. Staff finds the required dedication and improvements are roughly proportional to the impact of the subdivision request.

**VI. RECOMMENDATION AND CONDITIONS FOR SUBDIVISION**

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

## **General Requirements:**

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.
2. The following requirements are regulated and must be met to the satisfaction of the Public Works Department regarding sanitary sewers, water systems, street and drainage improvements, and other requirements:

### 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. Street opening 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. Each parcel will be required to have its own sanitary sewer service and will be required to connect to an approved public sanitary sewer line. Plans for connection to the sanitary sewer system shall be submitted to the City of Keizer and the City of Salem prior to approval of the proposed subdivision plat.
- c.) Appropriate easements will be required for any public sewer mains located within the subject property if located outside platted right-of-ways. Easements will be required for all private sewer lines that cross private properties.
- d.) The property is located outside of the original Keizer Sewer District and is therefore subject to an acreage fee for sanitary sewer.

### WATER SYSTEM:

- a.) The application does not indicate where services are to be located. All new services shall be connected to an existing water main. The Fire District serving the area shall determine where new hydrants are required to serve the proposed development. An overall plan indicating how water service will be provided to the proposed new parcels shall be submitted to the Public Works Department for approval. An 8 inch water main shall be constructed from the subject property easterly to the existing water main in O'Neil Road for fire flow requirements.
- b.) Each parcel shall have its own water service. Location of water meters shall be submitted for approval to the Public Works Department.



## STREET AND DRAINAGE IMPROVEMENTS:

- a.) The application indicates widening of the access to the East of the proposed subdivision. No development of the subject property will be allowed until adequate access from both the west and east is approved by the Public Works Department. At a minimum, Oppek Street shall be paved from the subject property a minimum of 24 feet in width and 3 inches in depth to O'Neil Road. The pavement shall be centered within the existing right-of-way. The intersection at O'Neil Road shall meet City of Keizer Street Design Standards. Access easements are required to be 20 feet in width with a 5-foot setback from existing dwellings. A plan providing adequate turning movements shall be submitted for review and approval by the Public Works Department prior to approval of the subdivision plat.
- b.) The Keizer Development Code requires standards for private access easements. It will be the responsibility of the applicant to provide for adequate maintenance agreements for any existing or proposed access easements.
- c.) All impervious surfaces on the site, including the proposed access easement area shall be designed to keep all storm water runoff on-site. No storm water runoff from the new development shall be directed offsite. The plans for storm water quality and detention shall be submitted to the City of Keizer Public Works Department for review and approval prior to approval of the subdivision plat.

## OTHER

- a.) Construction permits are required by the Public Works Department prior to any public facility construction.
- 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 Subdivision Plat shall include a signature line for the City Engineer.
- f.) Any existing wells on the subject property shall be abandoned in accordance with the Oregon State Water Resources Department requirements.
- g.) Any existing septic systems shall be abandoned with an appropriate permit from Marion County.
- h.) A lighting district shall be formed as a condition of the proposed subdivision.

## **Prior to Preliminary Plat Approval:**

6. A detailed preliminary subdivision plat shall be submitted to the Marion County Surveyor's office for review. Marion County Surveyor's office will then submit the plat to Keizer for review and approval. The Preliminary Plat must be submitted for review prior to submittal of a final plat.
  - a. Subdivision name must be approved per Oregon Revised Statute 92.090.
  - b. Must be surveyed and platted per Oregon Revised Statute 92.050.
  - c. Subdivision plat must be submitted for review.
  - d. Checking fee and recording fees required.
  - e. Per Oregon Revised Statute 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.
  - f. 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.

### The detailed preliminary plat shall include the following provisions:

- g. The preliminary plat shall substantially conform to the proposed subdivision request.
  - h. Include all engineering elements as required by the Department of Public Works.
  - i. For all public water mains, fire hydrants and any public sewer mains located within the subject property (if located outside platted right-of-ways) easements will be required and will need to be recorded. These easements shall meet the City of Keizer or City of Salem (where applicable) Design Standards and shall be shown on the subdivision plat.
  - j. 10-foot-wide public utility easements (PUE) shall be shown along all dedicated right-of-way s.
  - k. All lots must conform to the lot dimension standards within the RS zone. The final plat must include gross and net area calculations (excluding access easement and turn-around),
  - l. Access easement and turn-around areas shall be shown on the plat and shall comply with City standards. Access easement name to be shown on the plat.
  - m. Include all dedication as required by Public Works.
  - n. Include a signature line for both the City Engineer and the City Manager.
7. With the Preliminary plat, if proposed, a copy of any proposed CC&R's, Owners Agreements, Articles and By-Laws shall be submitted to the Planning Department for review by the City Attorney as outlined in Section 3.108.07 of the Keizer Development Code. The following information should be included within the instrument(s):
  - a. Information regarding streetscape and replacement trees requirements for each lot.
  - b. Information regarding the maintenance of the access easement, address display signage, and no parking signs along the access easement.

8. A street naming application shall be submitted to the City for naming the private access easement.

**Prior to Final Plat approval:**

9. Upon approval of the detailed preliminary plat and engineering plans, a final plat for the subdivision, which conforms to the preliminary plat approval, must be submitted for review to Marion County Surveyor's Office.
10. Upon approval of the preliminary agreement, a final copy of any CC&R's, Homeowner Agreements, or other instrument shall be submitted to the Planning Department which conforms to the agreements submitted during preliminary plat approval.
11. A maintenance agreement, homeowners association, or other instrument acceptable to the City and shall be reviewed by the City before the plat is recorded and such instrument must be recorded with Marion County immediately following the recording of the Plat. The agreement shall provide provisions for the maintenance of the access easement, address display signage and "no parking" signs.
12. The existing dwelling, and outbuildings must be removed prior to recording the final plat.
13. A final Tree Removal and Replacement Plan must be submitted to the Planning department for review and approval to confirm the total number of trees removed and required to be planted on-site. The plan shall include the number of trees to be paid for through off-site mitigation. The plan shall also show the approximate location of required streetscape trees for each lot, which can count toward the overall replacement requirements. Significant trees must be replaced at a 2:1 ratio. Staff encourages the applicant to consult an arborist to determine if some of the desirable trees can be retained in order to reduce the number of replacement trees required. If no trees are able to be retained, a total of 100 replacement trees is required.
14. The construction and paving of the access easement and turn around area, installation of the street addressing signage, and required no parking signage shall be completed prior to approval of the final plat. In lieu of this, the applicant may obtain a performance bond, improvement agreement or other instrument acceptable to the City as outlined in Section 2.310.06.P of the KDC. Improvement agreements may be obtained from the Planning Department.
15. The final plat for the subdivision shall be recorded within 2 years from the date of final decision on this application. A one-year extension may be approved by the Planning Director. Requests for extensions must be received in writing at least thirty days prior to the one-year time period.

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

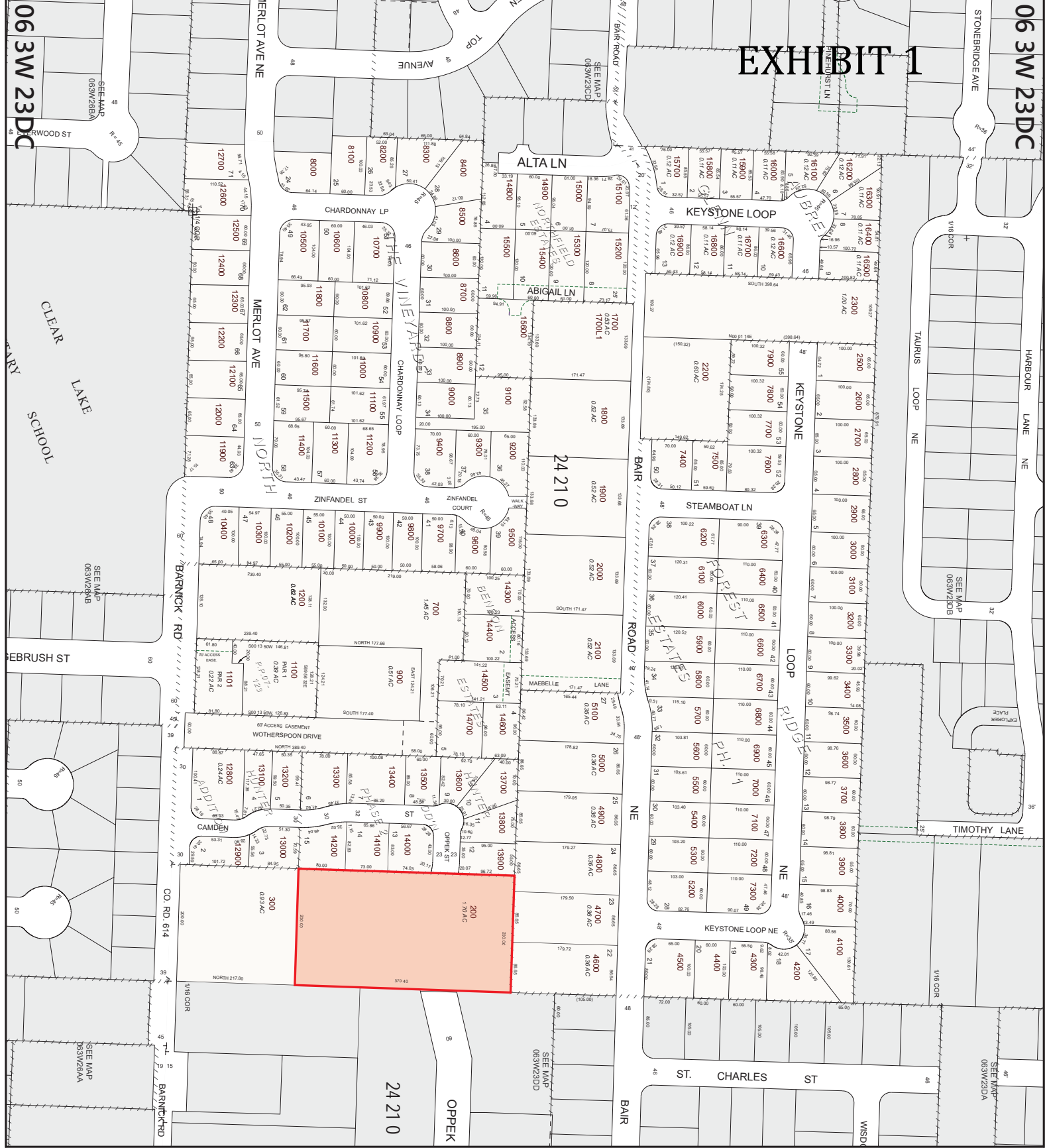
16. No building permits shall be issued until the plat is recorded and all conditions of any construction permits are completed to the satisfaction of the Department of Public Works.
17. The property owner must submit documentation that the recording has taken place with Marion County for the maintenance of the access easement, address display signage and “no parking” signs before a building permit will be issued.

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

18. The residential address requirements found in the Oregon Uniform Fire Code shall be completed as approved by Marion County Fire District #1 and the City of Keizer Planning Department.
19. Replacement and streetscape trees identified in the “final” tree Removal and Replacement Plan referenced in condition #13 above must be planted on each lot within the subdivision prior to obtaining final building permit approval or Certificate of Occupancy. Trees are to be a minimum 2” caliper when planted.
20. Parking spaces shall be provided for each dwelling unit within the subdivision in accordance with KDC Section 2.303. Parking spaces must be a minimum 9’ wide and 18’ long.
21. Applicant or any contractors building on lots shall comply with all applicable city regulations regarding noise, dust, times of construction, etc.



# EXHIBIT 1



MARION COUNTY, OREGON  
 SW1/4SE1/4 SEC23 T6S R3W W.M.  
 SCALE 1" = 100'

**LEGEND**

- LINE TYPES
  - Historical Boundary
  - Taxlot Boundary
  - Road Right-of-Way
  - Railroad Right-of-Way
  - Private Road Row
  - Subdivision/Plat Boundary
  - Waterline - Tanker Body
  - Waterline - Non Body
- CORNER TYPES
  - 1/4 Section Cor.
  - 1/16th Section Cor.
  - DIC Corner
- NUMBERS
  - Tax Code Number
  - 00 00 0
- NOTES
  - Ackees listed are Net Acres, excluding any portions of the taxlot within public ROWs
  - Tick Marks: A tick mark in the road indicates that the labeled dimension extends into the public ROW

**CANCELLED NUMBERS**

100
401
402
500
600
601
1000
1300
1400
1500
1600
2201
2400

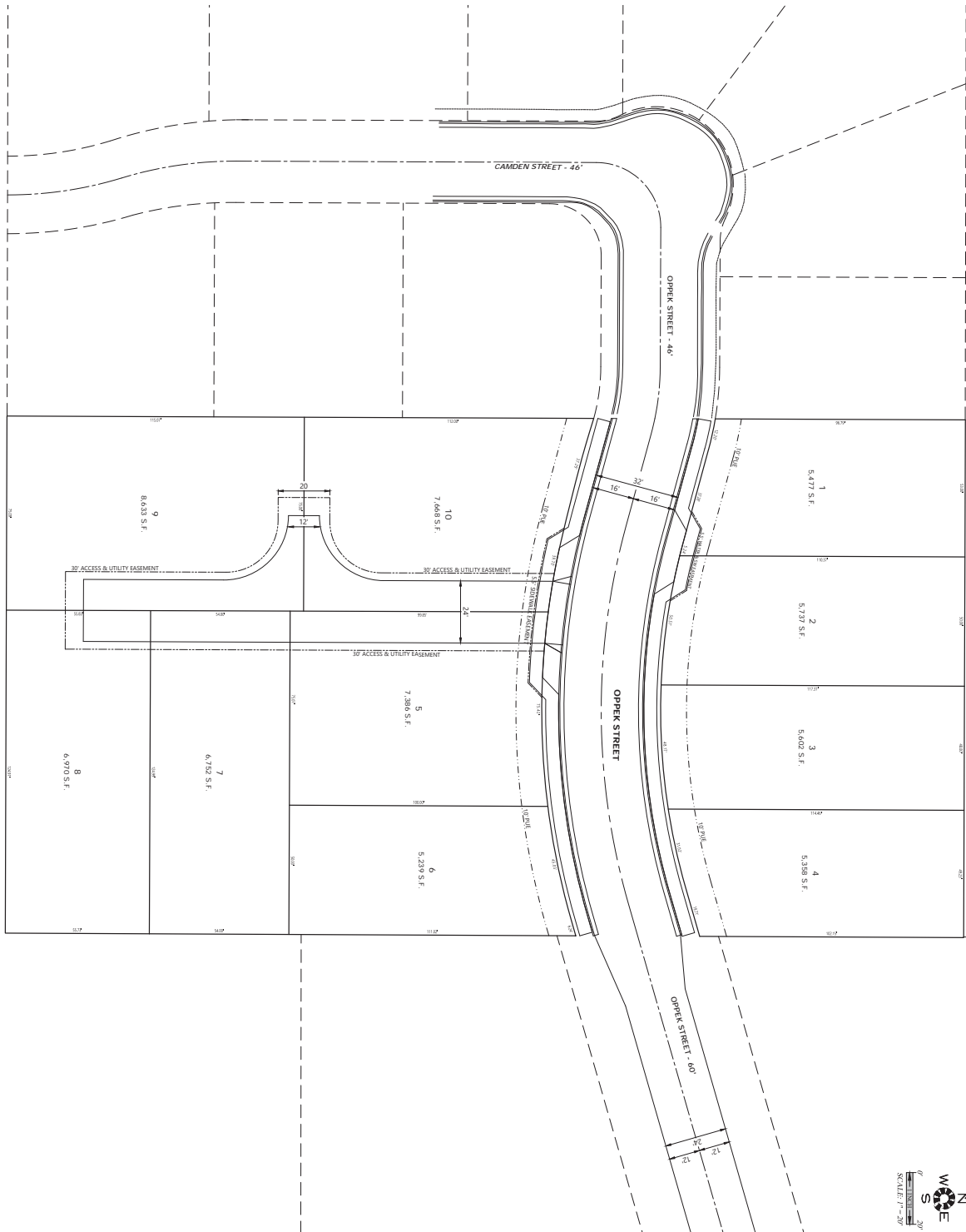
DISCLAIMER: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY.



FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT [www.co.marion.or.us](http://www.co.marion.or.us)

KEIZER

# EXHIBIT 2



701  
 Job # 701  
 Date: 06/23/23  
 Design: M.D.C.  
 Drawn: M.K.D.  
 Checked: J.J.G.  
 Scale: AS SHOWN  
 As-Built: ---  
 2023-17

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.  
 DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

**BOHLANDER PROPERTY**

**LOT DIMENSIONS & SIDEWALK PLAN**

**MULTI/TECH**  
 Page 30 of 41  
 ENGINEERING SERVICES, INC.  
 1 E. 13th St., Suite 200, Dallas, TX 75202  
 PH: (503) 353-9227 FAX: (503) 364-1260  
 www.mtengineering.net office@mtengineering.net

# EXHIBIT 3

SUBDIVISION CASE NO. 2023-17  
APPLICANT – TRADEMARK ENTERPRISED  
ADDRESS – 1326 OPPEK STREET

## PUBLIC WORKS DEPARTMENT CONDITIONS AND REQUIREMENTS

### GENERAL CONDITIONS

The application is for creating 10 lots where 1 currently exists. The subject property is approximately 1.70 acres in area. The existing parcel has a driveway access from Oppek Street east of the property. The driveway access does not meet current City of Keizer Public Works standards. An additional access from Oppek Street west of the subject property was constructed to City of Keizer standards that were in place at the time of its development. The applicant is proposing to use both of the existing accesses.

### 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. Street opening 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. Each parcel will be required to have its own sanitary sewer service and will be required to connect to an approved public sanitary sewer line. Plans for connection to the sanitary sewer system shall be submitted to the City of Keizer and the City of Salem prior to approval of the proposed subdivision plat.
- c.) Appropriate easements will be required for any public sewer mains located within the subject property if located outside platted right of ways. Easements will be required for all private sewer lines that cross private properties.
- d.) The property is located outside of the original Keizer Sewer District and is therefore subject to an acreage fee for sanitary sewer.

### WATER SYSTEM:

- a.) The application does not indicate where services are to be located. All new services shall be connected to an existing water main. The Fire District serving the area shall determine where new hydrants are required to serve the proposed development. An overall plan indicating how water service will be provided to the proposed new parcels shall be submitted to the Public Works Department for approval. An 8 inch water main shall be constructed from the subject property easterly to the existing water main in Oneil Road for fire flow requirements.
- b.) Each parcel shall have its own water service. Location of water meters shall be submitted for approval to the Public Works Department.

## STREET AND DRAINAGE IMPROVEMENTS:

- a.) The application indicates widening of the access to the East of the proposed subdivision. No development of the subject property will be allowed until adequate access from both the west and east is approved by the Public Works Department. At a minimum, Oppek Street shall be paved from the subject property a minimum of 24 feet in width and 3 inches in depth to Oneil Road. The pavement shall be centered within the existing right of way. The intersection at Oneil Road shall meet City of Keizer Street Design Standards. Access easements are required to be 20 feet in width with a 5-foot setback from existing dwellings. A plan providing adequate turning movements shall be submitted for review and approval by the Public Works Department prior to approval of the subdivision plat.
- b.) The Keizer Development Code requires standards for private access easements. It will be the responsibility of the applicant to provide for adequate maintenance agreements for any existing or proposed access easements.
- c.) All impervious surfaces on the site, including the proposed access easement area shall be designed to keep all storm water runoff on-site. No storm water runoff from the new development shall be directed offsite. The plans for storm water quality and detention shall be submitted to the City of Keizer Public Works Department for review and approval prior to approval of the subdivision plat.

## OTHER

- a.) Construction permits are required by the Public Works Department prior to any public facility construction.
- 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 Subdivision Plat shall include a signature line for the City Engineer.
- f.) Any existing wells on the subject property shall be abandoned in accordance with the Oregon State Water Resources Department requirements.
- g.) Any existing septic systems shall be abandoned with an appropriate permit from Marion County.
- h.) A lighting district shall be formed as a condition of the proposed subdivision.



Comments on Planning Action: Keizer Subdivision 2023-17

Date 10/25/2023 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 un-surveyed.
- 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 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 on the parcel that is over 10 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. 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)]

\_\_\_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.

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. See MCC 17.172.120(D)]

\_\_\_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:**

G:\SURVEY\Checking\Planning Action Comments\Plan\_Action.docx



# REQUEST FOR COMMENTS

## EXHIBIT 5

DATE: October 25, 2023  
CASE: Subdivision 2023-17

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 area attached.

**Comments must be submitted in writing and received in our office by 5:00 pm on November 8, 2023.** If we do not receive a response by the end of the comment period, we will assume you have no concerns.

**Send comments or questions to:**

Dina Horner, Assistant Planner  
Email: [Hornerd@keizer.org](mailto: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 divide a 1.70-acre parcel into 10 parcels ranging in size from approximately 5,239 square feet to 8,633 square feet. The proposal is for a single-family dwelling to be located on each lot. The property is zoned Urban Transition (UT) and Low Density Residential on the Comprehensive Plan Map. The newly proposed lots 1-6 will have frontage and direct access along Oppek Street NE, a public street. Lots 7-10 will be served by a private access easement, proposed to be 24-feet in width. The property is located at 1326 Oppek (063W23DC00200).

APPLICANT: Trademark Enterprises  
ZONE: Urban Transition (UT)

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: The proposed sanitary sewer main extension will require Public Construction Permits in accordance with the Salem Revised Code (SRC), the Public Works Design Standards (PWDS), and City of Salem Standard Construction Specifications. Permits will not be issued by the City of Salem Permits Application Center until all construction plans have been approved by the Public Works Department. Construction drawings can be submitted via email to [Developmentservices@cityofsalem.net](mailto:Developmentservices@cityofsalem.net). An as-built survey for the existing City of Salem public sanitary sewer main in Oppek Street NE is attached for reference.

Name/Agency: Laurel Christian, Planner II, City of Salem Public Works Department  
Phone: 503-588-6211 ext. 7445 Email: Lchristian@cityofsalem.net  
Address: 555 Liberty Street SE, Salem, OR 97301  
Date: November 7, 2023



# Exhibit 6 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

RECEIVED  
CITY OF KEIZER  
NOV 06 2023  
PLANNING DEPARTMENT

**TO:** Neighboring Property Owner of 1326 Oppek  
**DATE:** October 25, 2023  
**CASE:** Subdivision 2023-17  
**APPLICANT:** Trademark Enterprises  
**PROPERTY OWNER:** Bohlander Family Trust

The City of Keizer, Planning Department is soliciting comments from affected property owners on the above referenced land use application. Your comments should address the criteria listed on the reverse side of this request. These comments will be considered as part of the staff recommendation to the Hearing Officer. Please return your comments to our office by **November 8, 2023** in order that we may process the application in a timely manner. If we receive no response, we will assume you have no concerns. You may use this response form, or, attach a separate letter. Questions regarding the application may be directed to Shane Witham, Planning Director, at (503) 856-3439.

**Send comments to:**

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

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**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: Increased Traffic on Camden St NE  
its already narrow and 2 children have been ran-over  
critically, playing on sidewalks, cutting down the Sequoias  
They provide a noise barrier & refuge for wildlife. Im against  
high density housing

Name: Anna McKenzie  
Phone: 503-580-9552 Email: JBoone623@gmail.com  
Address: 7522 Camden St NE - Keizer  
Date: 11-6-2023

# Exhibit 7

November 01, 2023  
City of Keizer  
Chemewa Rd NE  
P O Box 2100  
Keizer, Or 97307-1000

RECEIVED  
CITY OF KEIZER  
NOV - 6 2023  
PLANNING DEPARTMENT

City Council Members

Case: Subdivision 2023-17  
Trademark Enterprises  
Bolander Family Trust

I am writing as requested to voice our concerns about the ramifications of development of the above named application.

Please know and understand that we have no problem with the Bolander Family Trust developing the property as listed in the notification that was sent out.

We have been told by Mr Bolander for years to expect this process to take place and therefore, it does not come as a surprise. The Trust has every right to proceed and we wish them well in their investment and future.

Our concern is the resulting traffic and the opening of cul de sac on Camden/Oppek.

If you will drive down Barnick Rd NE, you will note that there is a portion of the road that has not been widened. We all have to be patient and wait for the oncoming traffic to pass. Not that it's a problem to be kind, just that the road is narrow and rather busy for such a small street.

Now, looking at Camden; the street has a slight curve in it and is very tight! There are signs that indicate that people are not to park on one side of the street for a couple of hundred feet. That is basically ignored. So, narrow street, parked cars and at present, it is often difficult to get our cars out of the driveway due to those that are parked opposite. None of us want to damage vehicles that belong to neighbors!

On this portion of the street, there have been two incidents already where children were hit by a truck. You simply cannot see around the parked vehicles.

Now add to this ten more households with an average of two vehicles per home and we have a traffic problem! I for one, do not want any more cars coming through this street. We love our neighborhood children and desire their safety. Note that there is a barricade at the end of Barnick to stop traffic flow past the school for just that reason!

I hope others will stand with us in requesting another solution to access to the new sub division on Oppek.

Sincerely

Doug and Phyllis Lovejoy  
7542 Camden St NE  
Keizer Or 97303



# Exhibit 8 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 1326 Oppek  
**DATE:** October 25, 2023  
**CASE:** Subdivision 2023-17  
**APPLICANT:** Trademark Enterprises  
**PROPERTY OWNER:** Bohlander Family Trust

RECEIVED  
CITY OF KEIZER  
NOV 07 2023  
PLANNING DEPARTMENT

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

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**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: If my lot (1315 Barnick) is developed in the future - will the back of it be able to use the private access road included in the 1326 Oppek development?

Name: Jesse Meham  
Phone: 208-403-2144 Email: \_\_\_\_\_  
Address: 1315 Barnick Rd NE Keizer 97303  
Date: 11/7/2023

# Exhibit 9

November 7, 2023

Joseph Youngblutt  
Kara Youngblutt  
1323 Barnick Road NE  
Keizer, Oregon 97303

Shane Witham  
Planning Director  
City of Keizer Planning Division  
930 Chemawa Road NE  
Keizer, Oregon 97303

RE: SUBDIVISION 2023-17 CONCERNS

Mr. Witham,

Regarding development of the subject property, as an adjacent property owner, I have the following comments and concerns:

- (1) Properties in this area were historically large lots, ours included. We purchased our property 23 years ago from the original owner since 1969 primarily because of the general character of the neighborhood at that time. Though I understand that development and infill is inevitable, I ask that it be done in such a way to minimize the loss of privacy that existing adjacent property owners have enjoyed for many decades.
- (2) Sequoia Trees – There is a line of very old Sequoia trees along the south and east property lines of the subject property. The trees along the east property line of the subject property are adjacent my property. These trees provide considerable summer afternoon and evening shade for us, as well as privacy. I would ask city staff to investigate whether these trees may be subject to protection. In addition, though they are a nuisance, these trees are home to a considerable racoon population, which are protected. I would not object to some thinning of these trees, but I ask that the majority be required to remain “as-is”.
- (3) Type of Homes – From development plan that I received, it appears there will be two lots adjacent to my property, with two single family homes. I request that these homes be limited to single story only. Two story homes would significantly inhibit the privacy we’ve enjoyed for decades on our property.
- (4) Existing Barricade on Barnick Road – Since the proposed development connects Oppek Street to Camden Street, I ask that the existing barricade on Barnick Road be moved just East of Camden Street so that Camden traffic and traffic from the proposed development can use both Oppek Street and the streets in the neighborhood west of

the proposed barricade location. Barnick Road was never adequately improved to handle the 2003 Barnick development traffic, nor the subsequent Camden development traffic.

Sincerely,



Joseph Youngblutt



Kara Youngblutt





# 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 1326 Oppek  
**DATE:** October 25, 2023  
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Dina Horner, Assistant Planner  
Email: [Hornerd@keizer.org](mailto:Hornerd@keizer.org) Phone: (503) 856-3442  
City of Keizer Planning Division  
930 Chemawa Rd NE, Keizer OR 97303

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**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: Joseph & Kara Youngblutt  
Phone: 503-930-2530 Email: joeyoungblutt@comcast.net  
Address: 1323 BARNICK ROAD NE Keizer, OR 97303  
Date: 11-7-2023