



KEIZER PLANNING DEPARTMENT
AMENDED STAFF RECOMMENDATION
Subdivision
Case No. 2024-04

TO: Theodore R. Naemura, Keizer Hearings Officer
FROM: Shane Witham, Planning Director
SUBJECT: Subdivision Case No. 2024-04
DATE: April 18, 2024

I. GENERAL INFORMATION

A. APPLICANT/ PROPERTY OWNER: ORREO, LLC

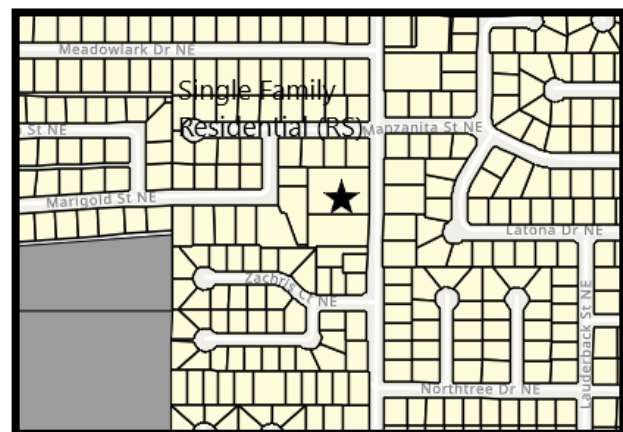
B. AGENT: Geoffry James

C. PROPERTY LOCATION: The property is located at 6225 McLeod Lane NE and is identified on Marion County Tax Assessor Map as Township 6 South; Range 3 West; Section 36BB; Lot 03700 (Exhibit 1).

D. EXISTING PARCEL SIZE: The subject property is approximately .93 acres.

E. EXISTING DEVELOPMENT AND PUBLIC FACILITIES: The property contains a single-family dwelling which will be removed. Water and Sewer are available and will be required to be extended to serve the proposed development.

F. PLAN DESIGNATION AND ZONING: The property is designated Low Density Residential on the Comprehensive Plan Map and is zoned Single Family Residential (RS).



G. ADJACENT ZONING AND LAND USES: All adjacent properties are zoned RS and are developed with single-family dwellings.

H. PROPOSAL/REQUEST: The subject property is proposed to be subdivided into a 6-lot subdivision. The applicant's written statement and preliminary plans (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. Keizer Fire District submitted comments relating to the proposed access easement and fire code requirements. (Exhibit 4)
- C. The Marion County Surveyor's Office submitted comments pertaining to the process for platting the subdivision (Exhibit 5).
- D. The City of Salem Public Works Department submitted comments regarding the connection process and the requirement of construction permits. (Exhibit 6).
- E. The Salem Keizer School District submitted comments regarding the proposed development and impact on nearby schools. (Exhibit 7)
- F. The City of Keizer Police Department reviewed the request and 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. Comments were received from the following:

David Keller at 1894 Manzanita St NE submitted comments opposed to the proposed development. (Exhibit 8)

Laura Daniel at 2025 Manzanita St NE submitted comments asking the City to monitor traffic flow and impact the development may have to schools. (Exhibit 9)

Brya Family at 1862 Marigold St NE submitted comments opposed to the development. Specific concerns include the possible height of the new dwellings and the number of possible dwelling units. Their property shares a property line and would request the developer remove the existing arborvitae and build a new fence along the property line. (Exhibit 10)

Terry Guisinger of 1873 Marigold St NE submitted comments opposed to the proposed development. Specific concerns include the number of dwelling units and height proposed, the hours of construction and the need to close McLeod Ln, parking requirements and hydrant location. (Exhibit 11)

Marie Nixon of 1984 Manzanita St NE submitted comments opposed to the development. Specific concerns include the increased traffic and noise, the loss of privacy, removal of old growth trees and the possible decrease in property values. (Exhibit 12)

Tom and Lora Halferty of 1954 Manzanita St NE submitted comments opposed to the development. Specific concerns include the impact that more than 6 dwelling units will have on the neighborhood. (Exhibit 13)

Charles and Faith Baker of 6198 McLeod St NE submitted comments opposed to the development stating concerns of parking, removal of old growth trees and the concern that the easement does not meet safety standards. (Exhibit 14)

STAFF'S RESPONSE TO CITIZEN COMMENTS:

Staff appreciates the public participation of concerned citizens and has attempted to address the concerns expressed, as applicable, through the findings and related conditions recommended for this proposal. The review and approval of a subdivision are subject to the criteria outlined in the Keizer Development Code. Unfortunately, some of the concerns expressed are not part of the review criteria for subdivision approval and staff cannot resolve those issues. Staff offers the following response regarding the concerns expressed:

Number of Units/Housing Types: Concerns were expressed regarding the density, type of development, and building heights. In response to House Bill 2001, the City was required to modify the Keizer Development code to allow "middle housing". These changes were made and put into effect in June of 2022. The RS (Single Family Residential) zone allows outright the development of duplexes, triplexes, and quadplexes based upon lot size, without limit to density. The allowed building height in the RS zone is 35 feet which is regulated through the building permit review and approval process.

Access/Parking: Concerns were received regarding the adequacy of the proposed access easement for emergency service responders. The proposed easement complies with City standards and the Keizer Fire District provided comments indicating the proposed easement is adequate for access and safety. Parking concerns were also raised as to how parking would be provided adequate for the development. The staff report does address this issue later in this report, and indicates what the City is able to require of the development. Oregon Administrative Rule (OAR) 660-012-0440 eliminated the City's ability to require parking for properties located within ½ mile of frequent transit corridors. The subject property is located within ½ mile of Lockhaven, which is considered a frequent transit route. Therefore, the City is not able to require a minimum number of parking spaces for the development. It is the hope of staff that any future developer will provide adequate parking for the development and generally this need is factored into the marketability of developed housing.

Drainage: The Public Works department submitted comments, which are incorporated into the proposed conditions of approval which will ensure that drainage does not cause harm to any adjacent properties. It should be noted the applicant's submitted preliminary plan is not acceptable to the City and the design will have to be modified to ensure the development does

not cause adverse impacts onto adjacent properties. There are several conditions outlining the requirements for storm drainage.

Tree removal: The applicant submitted a tree removal plan and conditions have been placed on this application to address the removal and replacement of trees for the site. The Keizer Development code allows for the removal of significant trees due to development and requires that significant trees removed are replaced at a 2:1 ratio.

Fence placement/Arborvitae Hedge: Comments were received requesting a fence to be placed along the boundary of the subdivision and an arborvitae hedge to be removed. Fencing and/or screening and buffering is not an outright requirement by the standards outlined in the KDC for this subdivision.

Schools: Comments were received from the Salem Keizer School district which indicate there is adequate capacity in existing schools to accommodate the projected number of children that will reside in the development.

III. FINDINGS - SUBDIVISION

The review criteria for a subdivision are listed in Section 3.108.06 of the Keizer Development Code (KDC). The criteria and findings supporting the staff recommendation to approve the subdivision request for 6255 McLeod Lane NE 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 the Fire District), Street Improvements, Water Hook-up, Sewer Hook-up, Storm Drain and Street Lights. In addition, 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 will 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 intent of this provision is to require that the layout of new streets in subdivisions and streets along the subdivision take into consideration their relationship to other streets and other factors such as topography so as to develop a safe and efficient street system. The proposed subdivision will provide a 24' wide private access easement and turnaround to serve the subdivision. The standards governing the access easement will be addressed later in this report. There are no topographical considerations, since the area is relatively flat. The Public Works department submitted comments requiring a final grading and drainage plan. The plan shall include details of adequate stormwater conveyance from all contributing areas across the subject property and shall include existing elevations and proposed lot corner elevations. The plan shall be submitted to and approved by the Public Works Department prior to the issuance of any erosion control or construction permits for the development. 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 2.302.03.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 any street connectivity. No new streets are proposed within the subdivision, but rather a private access easement is proposed to serve the subdivision that will connect to McLeod Ln NE. Therefore, this provision is not applicable.

- 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 proposed subdivision will be served by a private access easement; therefore no new street intersection will be constructed and staff finds this provision is not applicable. It should be noted the Public Works Department and City Engineer have reviewed the proposed layout and find the location of the private access easement and proposed driveway acceptable. Staff finds this proposal complies with 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 intent of this provision is to require new developments to allow for street connections onto adjacent properties so that the street system may result in a logical and efficient manner thereby avoiding non-connected developments. No new streets will be constructed within the subdivision. The surrounding development pattern does not lend itself to the construction and extension of any new street as it would not be feasible, practical or desirable to require any new street connections from the proposed subdivision. Further, the city's Transportation System Plan (TSP) does not indicate there is a need for any additional street connections from this site. The proposed access easement will be required to provide an appropriate turnaround, which will be addressed later in this report. Staff finds this proposal complies with this criterion.

- 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: The purpose of this provision is to require that new public street intersections are constructed consistent with city standards. The proposed development of the new access easement serving the subdivision will be, as far as practical, at right angles to McLeod Lane NE. Staff finds this request satisfies this criterion.

- 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. The subject property has frontage along McLeod Lane which is classified in the city's Transportation System Plan as a collector street. The Public Works Department submitted comments requiring the closure of the existing driveways and replace the curb and sidewalk in accordance with the Keizer Design Standards. It should be noted that although the applicant's plans propose dedication of approximately 7', the right-of-way is adequate for all current improvements and therefore the Public Works Department is not requiring any dedication. .

Staff finds this request satisfies this criterion.

- 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, so therefore this section is not applicable.

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

FINDINGS: No new cul-de-sac streets are proposed. Therefore, this section is not applicable.

- 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. The private access easement will be required to be named and must be approved prior to submitting the check plat for review. As a condition of approval, the approved street name must be shown on the preliminary and final plat. Therefore, with this recommended condition of approval, staff finds this proposal can 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: No new public streets are proposed. Therefore, this criterion is not applicable. It should be noted the private access easement will be required to be designed so that adequate drainage is provided, along with the overall storm drainage design for the development. The requirements for drainage are addressed more in depth later in this report. 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. 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. McLeod

Lane is a collector street, but no frontage streets are proposed. The subdivision is proposed to be accessed from the newly created access easement and therefore, this criterion is not applicable to this proposal. It should be noted that all of the lots in the proposed subdivision will be required to take vehicular access from the access easement, in order to preserve the safety and capacity of McLeod Lane. This requirement has been recommended as a condition of approval.

- 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 not located in a commercial or industrial 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 Public Works Director has determined that separated sidewalks are not being required for this proposal. Curb tight (development side) sidewalks are proposed to be provided; therefore, this criterion is not applicable.

It should be noted that if the applicant modifies the street improvement design through the public construction permitting process, and landscape strips are incorporated into the street design, street trees must be provided according to the provisions of the KDC.

- 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: All of the proposed lots will take their access from the newly proposed access easement. The two most easterly lots have frontage along McLeod Lane which is designated as a collector street. The public works department submitted comments requiring that all vehicular access must come from the access easement. The developer will be required to obtain driveway permit approval for the access easement, which will ensure this requirement is met. Staff finds this proposal will comply with this criterion.

- o. ***Section 2.302.03.O. – 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 45 feet in width shall be required to plant one streetscape tree. Lots measuring more than 45 feet in width shall be required to plant two streetscape trees.***
3. ***Streetscape trees shall be selected from a list of approved trees.***

FINDINGS: Streetscape trees will be required to be planted consistent with this section. Based upon the applicant’s proposed subdivision plan and lot frontages for the parcels along McLeod Lane, both parcels will be required to provide 2 trees along McLeod Lane.

Streetscape trees will be required to be planted prior to final building permit approval for each lot, unless otherwise provided as a part of the right-of-way landscaping. Trees must be planted consistent with Section 2.309 of the KDC which requires a minimum 2” caliper and 8’ in height for deciduous trees. As a condition of approval, streetscape trees shall be shown on the required tree replacement plan discussed elsewhere in this report. With these requirements placed as conditions 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 applicant has not requested any modification to the right-of-way or improvement width requirements for public streets. The Public Works Department has submitted comments which have been incorporated into the recommended conditions and requirements of this report. As a condition of subdivision approval, the requirements outlined in section 2.302.04 and

included in the Public Works requirements must be adhered to. With these requirements placed as conditions of subdivision approval, staff finds this proposal complies 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 subdivisions design and construct new streets that are needed to serve the lots within the subdivision to meet all City standards for street construction. The proposed lots will be served by a private access easement. Construction permits will be required for any construction within a public street and will be required to 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 34' wide private access easement is proposed with a 24' wide roadway to serve the development with private sidewalks on each side of the easement. A 20' wide public utility easement is proposed within the center of the 34' access easement. For single family homes and duplex dwellings, a minimum 20' wide access easement with a paved width of 16' is required. For triplex, quadplex, or cottage cluster development, the easement width must comply with the City's standards for parking lot aisle widths and the design must be reviewed by the Fire District. A minimum aisle dimension of 22' is required by Section 2.303 of the KDC. Keizer Fire District has reviewed the proposal and indicated in their comments the access easement width is acceptable at 24'. If building heights were to exceed 30', aerial access is required, which would require a 26' wide or greater roadway. As proposed, the easement complies with the provisions of the Keizer Development Code.

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.

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’s site shows a turn-around to satisfy this requirement. As a condition of approval, a turn-around must be provided. The final design and dimensions of the turn-around 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 requirement 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’ of the access improvements within the boundaries of each lot. Each lot is greater than 60’ in width along the easement. Therefore, 2 streetscape trees will be required to be planted along the access easement on each lot. The applicant will be required to submit a tree planting plan for the Planning Department’s review and approval prior to final plat approval. Streetscape trees shall be shown on the tree planting plan. Planting of required streetscape trees is recommended to be placed as a condition of Certificate of Occupancy for each new dwelling.

F. Screening: 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 normally require that 1 parking space per dwelling unit be provided at the time of building permit approval. However, Oregon Administrative Rule (OAR) 660-012-0440 eliminates off-street parking requirements for properties within ½ mile of frequent transit corridors. The subject property is located within ½ mile of Lockhaven, which is considered a frequent transit route. Therefore, the City is not able to require a minimum number of on-site parking spaces. Staff finds this criterion is not applicable to this request. It should be noted, the applicant does not currently have a plan for building structures, but rather is completing the subdivision process to allow for the future development of the lots with allowed uses.

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. Comments were received expressing concerns over the proposed development possibly creating impacts that may result from development of the site in relation to storm drainage runoff. The Public Works department submitted comments which are recommended as a condition of subdivision approval which address storm drainage requirements to assure the design complies with City standards.

The applicant's submitted preliminary storm drainage plan is not acceptable to the City and will need to be revised prior to any development. The Public Works comments indicate they reviewed the submitted preliminary stormwater plans and report and that the information does not demonstrate reasonable conformance with the requirements of Chapter 400 of the Keizer Design Standards, specifically in the proposed site grading and size of the proposed facilities. The Applicant's engineer shall submit a final overall storm drainage and grading design with supporting calculations, demonstrating conformance to the Standards, for review and approval prior to the start of development.

Erosion control permits shall be obtained from the City of Keizer prior to the disturbance of any soil on the subject property. The applicant submitted a preliminary grading and drainage plan. The Public Works Department submitted comments containing requirements that will assure the proposed development will comply with City storm drainage requirements.

With these requirements placed as conditions of approval, staff finds this application will comply with this criterion.

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(C)(a) ...Significant trees removed (including trees that are removed within the two years prior to the application) must be replaced at the rate of two new trees for each significant tree removed or less if a large tree specimen 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...(b) The above provisions include and apply to all significant trees located on the subject property or an any adjacent public right of way...*

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’ in height or 12” in diameter. The applicant submitted a tree plan that shows 22 trees are proposed to be removed from the site to allow for the subdivision development. The applicant’s site plan was unclear as to whether or not all of the existing trees qualify as “significant” according to the standards of the KDC, and were not labeled with sizes. The KDC requires the replacement of trees removed at a 2:1 ratio. Therefore, if all 22 trees shown to be removed qualify as significant trees, a total of 44 trees would be required to be planted to mitigate the trees removed.

Staff recommends the applicant submit a revised tree removal and replacement plan for review and approval by the Planning Department prior to final plat approval. The tree removal plan shall clearly identify all “significant” trees that will be removed. The tree replacement plan shall identify how many trees will be planted on each lot and shall include the location and quantities of required streetscape trees previously addressed in this report as well. While it is unlikely

that all trees will be provided within the subdivision, the applicant could propose larger specimen trees to be planted to reduce the overall number of replacement trees, or provide some of the replacement trees through off-site mitigation.

A total of 16 streetscape trees are required to be provided (previously addressed in this report) resulting in 2 streetscape trees along the lot frontage of each lot along the access easement as well as 2 streetscape trees along the frontage on McLeod Lane for the easterly 2 lots. In addition to streetscape trees, a minimum of at least 1 additional replacement tree per lot should be provided within the subdivision, in the rear yards of each lot. Remaining replacement trees could be accounted for through off-site mitigation.

Replacement trees designated on the approved replacement plan will be required to be planted prior to final building inspection approval for each of the individual lots, and will be required to be a minimum of 2" caliper for deciduous trees and 8' feet in height and fully branched for evergreen trees.

Staff is recommending that as a condition of approval, the applicant must submit a modified tree removal and replacement plan. The plan must indicate how many trees (both replacement and streetscape) will be provided on each lot. The final tree replacement plan will be required to be submitted to and approved by the Planning Department prior to final plat approval. 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: Within the RS zone, the minimum lot size is 4,000 square feet for a single-family dwelling or duplex, 5,000 square feet for a triplex, and 7,000 square feet for a quadplex or cottage cluster. In no case can the proposed parcels be less than the minimum required by the RS zone without variance approval. The applicant indicates in the written statement that no "vertical" construction is currently proposed, but that the creation of the lots will allow for future development with allowed uses in the RS zone including middle housing types (duplex, triplex, quadplex). The proposed lots range in size from 4,015 up to 7,040 square feet in net area according to the site plan, which all exceed the minimum lot size required within the RS zone in Section 2.102.05. Future building on the lots will be required to adhere to the standards outlined in the RS zone for allowed uses, setbacks, heights, and landscaping requirements. Staff finds that all of the proposed lots conform to the minimum lot size requirements of the RS zone. As a condition of approval, both gross and net area for all lot sizes shall be shown on the preliminary and final plat and lot sizes must comply with the standards of the RS zone. 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 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. Cul-de-sac lots shall have a minimum frontage of 25 feet.

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 lots will meet city standards and that lots can be developed in a manner that will ensure that all building setback requirements are met. The proposed subdivision will be accessed from the newly created access easement and all lots will have frontage along the easement exceeding the minimum lot width outlined in the RS zone. As a condition of approval, lot dimensions must be shown on the preliminary and final plat, which will ensure the minimum frontage requirements are met. Therefore, staff finds with this condition, 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. Therefore, this criterion 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 by 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 proposed lots will be rectangular shaped lots. The proposed lot lines run, as far as practicable, at right angles to the street right-of-way lines. 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 can be developed with a single-family dwelling on each lot. 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 avoid the situation where they may be needed but since no easements were provided as part of the platting of the subdivision it creates problems after the platting of the subdivision. The Public Works Department submitted comments requiring adequate utility easements be provided. 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 applicant is proposing private improvements to connect the development to the existing street abutting this development and to serve the residents of the subdivision. 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 subject property has frontage along McLeod Lane. The Public Works department submitted comments indicating that curbing and sidewalk improvements will be required along the frontage of McLeod Lane, after the removal of the existing driveways to result in a fully improved street frontage. These requirements were also addressed previously in this report. The exact design and construction of improvements will be regulated through the public improvement permit review and approval process, and will be required to comply with the City of Keizer Design Standards. With these requirements placed as conditions 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: There will be no private streets that will be constructed as part of the proposed subdivision, rather a private access easement is proposed, so this section is not applicable. The applicant shows that private sidewalks will be provided along the access easement, providing connection to the public pedestrian system along McLeod, which is desirable and should be required.

- 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 proposed subdivision will be served by a private access easement. Therefore, this criterion is not applicable.

- 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 at the street intersection 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 at the street intersection 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. These requirements were also addressed in Section 2.306 elsewhere in this report. The applicant submitted a preliminary site grading and drainage plan that will need to be redesigned and submitted for review and approval prior to development in order to assure this provision is met. As a condition of subdivision approval, the developers engineer shall submit an overall storm drainage plan that will provide service to this development consistent with the City's Master Storm Drain Plan for this area of Keizer. 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 proposes to connect all of the lots to sanitary sewer and build a new public sanitary sewer within the access easement area. The City of Salem Public Works Department submitted comments regarding sewer service which is consistent with comments provided by our Public Works Department. The sewer main will be required to be located within an appropriate easement or right-of-way and sized appropriately if a design exception is desired. The Public Works Department submitted comments addressing this criterion which have been recommended as conditions of subdivision approval. The subject property is located within the original Keizer Sewer District, therefore, a sanitary sewer trunk line acreage fee will not be required. City of Salem approval for local sewer permits will need to be issued prior to construction. Prior to submitting plans to the City of Salem for approval, the applicant's engineer shall submit plans to the City of Keizer Public Works Department for review and determination of compliance with the City's Master Sewer Plan for the area. Connecting to existing sewers that serve the general area will be the responsibility of the developer of the property. Appropriate easements

for any public sewer mains located within the subject property, if located outside platted right-of-ways, will need to be recorded in a form which meets the City of Salem Design Standards and shown on the subdivision plat. Any sanitary sewer easements shall be in favor of the City of Keizer. It will be the responsibility of the applicant's engineer to locate any existing wells (including those serving the adjacent property) in the vicinity of the proposed new sanitary sewer lines for the subject property. The applicant, prior to platting of the proposed subdivision, shall eliminate any conflicts between existing wells and proposed sanitary sewers. If a design exception to the City of Salem standards for sewer construction will be required for this project, any submittals for an exception shall be copied to the City of Keizer for review.

These are development requirements and shall be placed as conditions of approval of this subdivision application. With the above-mentioned conditions of approval, staff finds this proposal can 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 plan shows they intend to install a new water main to serve the new development, which will be tapped into the existing water main located in McLeod Lane. The Public Works Department submitted comments addressing this criterion which have been recommended as conditions of subdivision approval. The comments received indicate that a master water system plan showing proposed routes of public water mains, fire hydrants and individual services shall be prepared prior to submission of construction plans for the development. Appropriate easements for all public water mains, fire hydrants, and private services will be required if construction is to be outside of public right-of-ways. Any system development charges for water system improvements will be those in place at the time of individual service connections. Final development plans shall be reviewed by the Keizer Fire District with regard to access and adequate location of fire hydrants prior to issuance of Public Construction

permits by the City of Keizer. All required fire hydrants shall be served by an 8" water main. Any existing wells on the subject property shall be abandoned in accordance with the Oregon State Water Resources Department requirements. The applicant shall provide evidence to the Public Works department that any abandonment of existing wells has been completed in accordance with such requirements. Location of all water meters to be approved by the Public Works Department. With these requirements placed as conditions of approval, staff finds 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 are required by 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. As was addressed earlier in this report, sidewalks will be required to be installed and as appropriate along the frontage of McLeod Lane. The applicant also proposes sidewalks along the access easement as well. Therefore, 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. No new streets are proposed and there are existing street lights along McLeod Lane. Therefore, 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. With this placed as a

condition of approval, staff find this proposal will comply with this criterion.

- 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 and is a development requirement.

- 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. The applicant is proposing a new access easement to serve the development which will connect to McLeod Lane. In addition, existing driveway drops/curb cuts will be required to be removed and replaced with new curbs and sidewalks along the frontage of the property. 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: The applicant is not proposing a planting strip or separated sidewalk. Therefore, this criterion is not applicable to this request.

- 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 preliminary grading plan is not acceptable to the City and a revised grading and drainage plan will be required to be submitted and reviewed prior to development activity. It should be noted that 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 2.314 – STANDARDS FOR SINGLE FAMILY DWELLINGS, DUPLEXES, TRIPLEXES, QUADPLEXES, COTTAGE CLUSTERS, AND TOWNHOUSES**

FINDINGS: This section contains the design standards for all new dwellings constructed within the RS zone. These design requirements will be regulated through the building permit review and approval process and intended to be advisory at this point.

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 that the development is done consistent with this standard. The applicant has indicated that all of the lots will be developed with single-family homes. Section 2.102.05.A requires that each lot to be developed with a residential use contain a minimum average width of 40' and a depth of 70'. All of the proposed lots meet or exceed this provision.

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 in the RS zone for single family detached or 25 units per acre for townhouses. The maximum density (8 units/acre) does not apply to duplexes, triplexes, quadplexes, or cottage clusters. The proposed subdivision is approximately 0.93 acres in area (according to the Marion County tax assessor records) and is proposed to be subdivided into 6 lots. This complies with the density provisions of the RS zone, and is equal to a density of 6.45 dwelling units per acre if each lot is developed with a single-family home. The applicant indicates the lots are being created to allow for future development with “middle” housing (duplex, triplex, quadplex) and as such, no maximum density can be applied to those uses.

Section 2.102.05.B contains the setback requirements in the RS zone. The property is vacant. Setbacks for future development of the lots will be regulated as part of the building permit review and approval process.

Staff finds this proposal complies with the minimum lot dimension and density requirements of this section of the code. With the above-mentioned conditions of approval, staff finds this proposal will satisfy 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 facilities are not available to serve the site. Traditionally 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 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 6-lot subdivision for residential development. The development features access from a proposed private access easement from McLeod Ln. Although the applicant's plans propose dedication along McLeod Ln of approximately 7', the McLeod Ln right-of-way is adequate for all current improvements and therefore the Public Works Department is not requiring any dedication with this application. Public Works has indicated that sidewalk improvements with the removal of existing driveway drops will be necessary.

Staff finds the required improvements are roughly proportional to the impact of the subdivision request, since they are solely necessitated by the subdivision development.

V. RECOMMENDATION AND CONDITIONS

The available evidence indicates the subdivision request 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.

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 Public Works Department has reviewed the development application, preliminary construction plans, stormwater report, and supporting information, and recommends the following conditions of approval and development requirements:

General:

- a) Construction permits will be required for any construction within a public street, right-of-way, or City easement, for any public infrastructure on private property, and for erosion control and stormwater management on private property. (KDC 2.302.06)
- b) Street opening permits are required for any work within the City right-of-way or easements that is not covered by a construction permit. (KDC 2.302.06)
- c) Erosion control permits shall be obtained from the City prior to the disturbance of any soil on the subject property. (KDC 2.306.05)
- d) A pre-design meeting with the City Public Works Department will be required prior to the submittal of public improvement plans to either the City of Keizer or the City of Salem for review.
- e) An improvement agreement or performance security in a form acceptable to the City shall be required prior to issuance of permits for construction of the public improvements. (KDC 3.202.05.B)
- f) A pre-construction conference shall be required prior to commencement of any construction under permits issued by the City.
- g) The Applicant shall coordinate the location of individual or cluster box unit (CBU) mailboxes with the U.S. Postal Service.
- h) Electricity, gas, and communications services to serve the subdivision shall be installed underground and pursuant to the requirements of the company serving the development. (KDC 2.307.02.C)

Streets:

- a) Dedicate a 10-foot public utility easement (PUE) along the frontage of the McLeod Lane NE street right-of-way. (KDC 2.302.04)
- b) Construct the driveway approach in accordance with Design Standards. (Keizer Design Standards)
- c) Construct the proposed private internal street with an approved turnaround meeting Keizer Design Standards. (KDC 2.302.08.C).
- d) Close existing driveways onto McLeod Lane NE and replace curb and sidewalk in accordance with Keizer Design Standards. (KDC 2.302.03.N)
- e) Vehicular access to the proposed lots shall be provided from the private internal accessway and access easement. (KDC 2.302.03.N)

Sanitary Sewer System:

- a) The proposed public sanitary sewer main shall be located in an exclusive easement, dedicated to the City, and be a minimum width of 20 feet, unless otherwise approved. (Salem Design Standards 1.8(b))
- b) The proposed public sanitary sewer main shall be constructed per Keizer Design Standards.
- c) City of Salem approval for local sewer permits will need to be issued prior to construction. Prior to submitting plans to the City of Salem for approval, the Applicant's engineer shall submit plans to the City of Keizer Public Works Department for review and determination of compliance with the City's Master Sewer Plan for the area.
- d) It will be the responsibility of the Applicant to locate any existing sewer services that serve the subject property and provide evidence that they are available for reuse. Any septic tank and drainfield located on the subject property and within the City of Keizer shall be abandoned according to the requirements of the appropriate agency and evidence of compliance submitted to the City prior to issuance of any building permits on the subject property.

Water System:

- a) The proposed public water main shall be located in an exclusive easement, dedicated to the City, and be a minimum width of 10 feet. (Keizer Design Standards 5.12.c)
- b) The proposed water main shall be constructed per Keizer Design Standards.
- c) Final development plans shall be reviewed by the Keizer Fire District regarding access and adequate location of fire hydrants prior to any issuance of Public Construction permits by the City of Keizer. All required fire hydrants shall be served by an 8-inch or larger water main.
- d) Any existing wells on the subject property shall be abandoned in accordance with the Oregon State Water Resources Department requirements. The Applicant shall provide evidence to the Public Works Department that any abandonment of existing wells has been completed in accordance with such requirements.
- e) Location of all water meters shall be approved by the Public Works Department.

Storm Drainage System:

- a) The existing 10-inch storm drain in McLeod Lane NE may be used as an overflow route for the proposed storm drainage system serving the development. The applicant shall provide an evaluation of the conveyance capacity of the existing system downstream of the development. (Keizer Design Standards 400.2.C; KDC 2.306.04.D)
- b) The stormwater facility and conveyance system shall be designed to collect and convey stormwater runoff from all onsite and offsite areas to an approved Point of Connection. (Keizer Design Standards 400.1.D.5)
- c) Construct stormwater collection, conveyance, treatment, and retention facilities to accommodate new impervious surfaces in the proposed access easement and right-of-way, and future impervious surfaces on all proposed lots, in accordance with Keizer Design Standards Chapter 400.
- d) This property is located in a “Critical Basin” and the stormwater facility retention shall be designed accordingly. (Keizer Design Standards 400.2.E.5)
- e) An easement shall be provided for all shared stormwater facilities prior to acceptance of the improvements.
- f) Stormwater runoff from all building roof and foundation drains shall be conveyed to the proposed stormwater facilities.
- g) Public Works has reviewed the preliminary stormwater plans and report provided with this application. The information provided *does not* demonstrate reasonable conformance with the requirements of Chapter 400 of the Keizer Design Standards, specifically in the proposed site grading and the size of the proposed facilities. The Applicant’s engineer shall submit a final overall storm drainage and grading design with supporting calculations, demonstrating conformance to the Standards, for review and approval prior to the start of development.
- h) A grading and drainage plan shall be provided for the subject property in conformance with the Keizer Design Standards. The plan shall include details of adequate stormwater conveyance from all contributing areas across the subject property and shall include existing elevations and proposed lot corner elevations. The plan shall be submitted to and approved by the Public Works Department prior to the issuance of any erosion control or construction permits for the development.

Prior to Preliminary Plat Approval:

3. 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. The process for plat review and submittal shall be regulated by the Marion County Surveyor’s Office. All requirements of the Marion County Surveyor’s Office and applicable state statutes shall be followed which may include, but not be limited to the following:
 - 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 less than 15 days old at the time of approval of the plat by the Surveyor's Office, which may require additional updated reports.

The detailed preliminary plat shall include the following provisions:

- 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-ways.
 - k. The access easement and turnaround areas must be shown on the plat with approved street name. Access easement shall comply with City and Keizer Fire District standards.
 - l. All lots must conform to the lot dimension standards within the RS zone. The final plat must show both gross and net area calculations. (excluding access easement and turn-around)
 - m. Include a signature line for Planning Director, City Engineer, and the City Manager.
- 4.** With the Preliminary plat a copy of the 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 tree requirements for each lot.
 - b. Information regarding the private access easement and restriction of vehicular access to be limited to the access easement, with no direct vehicular access allowed to McLeod Lane.

Prior to Final Plat approval:

5. The applicant shall submit a revised Tree Removal and Replacement Plan to the Planning department for review and approval, showing the approximate location of all streetscape and replacement trees to be planted. Significant trees removed shall be replaced at a ratio of 2 replacement trees for every 1 tree removed.

If all 22 trees qualify as significant trees and are removed, a total of 44 trees shall be provided within the subdivision or accounted for in an off-site mitigation plan. Off-site mitigation should be utilized to avoid overcrowding. Payment into the City's landscape mitigation fund must be made prior to plat approval. If the applicant wishes to propose larger specimen trees for replacement, the Planning Director may reduce the total number of replacement trees required. Regardless of how many trees are provided through off-site mitigation, streetscape trees will be required (16 total within subdivision) to be planted for each lot according to the requirements identified in this report. In addition to streetscape trees, a minimum of 1 replacement tree must be provided on each lot.

6. 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.
7. 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 and shall contain language regarding the requirements for streetscape and replacement trees.
8. 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 and turn-around area, address display signage, and "no parking" signs.
9. The construction and paving of the access easement and turn-around area, installation of the street addressing signage, 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.
10. 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.

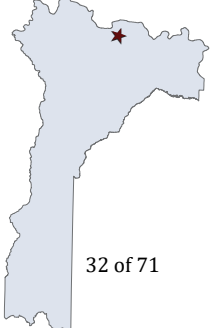
Prior To Obtaining Building Permit(s):

11. 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.
12. 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.
13. Proposed dwellings must comply with the design standards of KDC Section 2.314.

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

14. The residential address requirements found in the Oregon Uniform Fire Code shall be completed as approved by the Keizer Fire District and the Planning Department.
15. Streetscape trees will be required to be planted prior to final building permit approval for each lot. Trees must be planted consistent with Section 2.309 of the KDC which requires a minimum 2” caliper and 8’ in height for deciduous trees. Two Streetscape trees shall be planted along each lot frontage adjacent to the access easement and 2 streetscape trees shall on each lot along McLeod Lane.
16. Trees designated as replacement trees from the final approved Tree Replacement Plan must be planted within the subdivision for each individual lot as required.
17. 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
 NW1/4 NW1/4 SEC36 T6S R3W W.M.
 SCALE 1" = 100'

- LEGEND**
- Historical Boundary
 - Easement
 - Railroad Centrlne
 - Private Road Right-of-Way
 - Subdivision/Private Body
 - Waterline - Tackel Body
 - Waterline - Non Body
 - Historical Boundary
 - Private Road Right-of-Way
 - Subdivision/Private Body
 - Waterline - Tackel Body
 - Waterline - Non Body

- CORNER TYPES**
- + 1/16th Section Cor.
 - ⊕ 1/4 Section Cor.
 - ⊙ D/C Corner
 - ⊕ Section Corner
- NUMBERS**
- Tax Code Number
 - 00 00 0

NOTES

Tick Marks: A tick mark in the road indicates that the labeled dimension extends into the public ROW

Acreage: Acreages listed are Net Acres, excluding any portions of the tract within public ROW



CANCELLED NUMBERS

101
3500

DISCLAIMER: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY



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

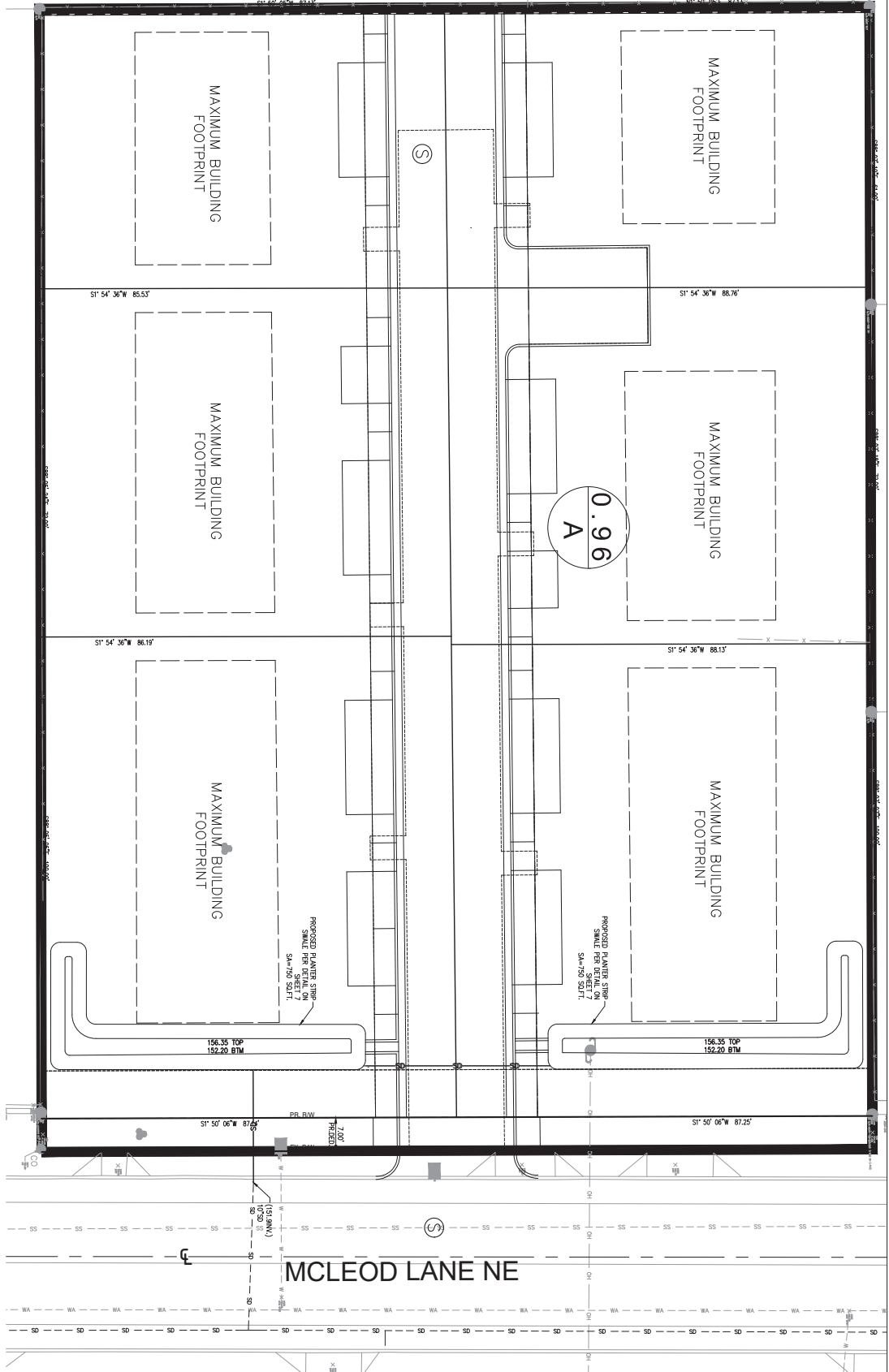
PLOT DATE: 10/16/2020

KEIZER

PROPOSED SUBDIVISION

Six lots are proposed, in a range of sizes from 4,000 sq. ft. to 7,000 sq. ft. A central private street is proposed to serve these lots, with a fire truck turnaround. The proposal meets each of the criteria as found in Section 3.108.06 of the Keizer Development Code.

1.
The proposal complies with the applicable development standards in Section 2.405 and 2.3, as appropriate, including provision for streets and utilities.
2.
Each lot shall satisfy the dimensional standards and density of the RS zoning district. Each lot also complies with the Middle Housing minimum (net) lot sizes, excluding the street.
3.
A Pre-Application Conference was held at which time it was confirmed that adequate public facilities, including public water, sewer, and storm, and will serve the newly created parcels.
4.
Rough Proportionality.
A 7 ft. right of way dedication is included on the subdivision plans. All improvements such as sidewalks are proportional to the impact of this development.
5.
This proposal is for a subdivision of the property into six residential lots. Should Middle Housing be contemplated this will be addressed subsequently at the Building Permit stage. No vertical construction is part of this application.
6.
Civil engineering design is included with this subdivision application, including roads and utilities, right of way dedication, proposed utilities, storm drainage, and fire truck access.



ENGINEER'S NOTICE TO CONTRACTOR.

THE EXISTING AND LOCATION OF ANY UNDERGROUND UTILITIES OR STRUCTURES SHOWN IN THESE PLANS AND THE LOCATION OF ANY UNDERGROUND UTILITIES OR STRUCTURES NOT SHOWN IN THESE PLANS ARE THE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR IS REQUIRED TO VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES EXCEPT THOSE SHOWN ON THESE PLANS. THE CONTRACTOR IS REQUIRED TO VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES EXCEPT THOSE SHOWN ON THESE PLANS. THE CONTRACTOR IS REQUIRED TO VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES EXCEPT THOSE SHOWN ON THESE PLANS. THE CONTRACTOR IS REQUIRED TO VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES EXCEPT THOSE SHOWN ON THESE PLANS.

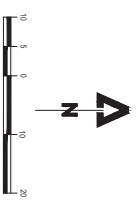
POTENTIAL UNDERGROUND FACILITY OWNERS
 Call the Oregon One-Call Center
Dig Safety
 Dial 811 or 1-800-332-2344

FPE VS. FCSI CONSTRUCTION FLOWCHARTS

FACILITY	2 YEAR STORM		5 YEAR STORM		10 YEAR STORM		25 YEAR STORM		50 YEAR STORM		100 YEAR STORM	
	FPE	FCSI	FPE	FCSI	FPE	FCSI	FPE	FCSI	FPE	FCSI	FPE	FCSI
A	0.08	0.08	0.14	0.12	0.21	0.22	0.28	0.25	0.36	0.33	0.43	0.32

CONCRETE AND FACILITY TABLE

CONCRETE FACILITY ID	TOTAL AREA (SQ/AC)	IMPROVEMENTS (SQ)	OWNERSHIP (TYPE)	FACILITY TYPE	FACILITY SIZE
A	43.89	26.416	PRIVATE	Paved Strip	1,500



LEGEND:

- XX AC: HYDROLOGY SWANSEA BOUNDARY LINE
- : DISTURBED AREA LABEL

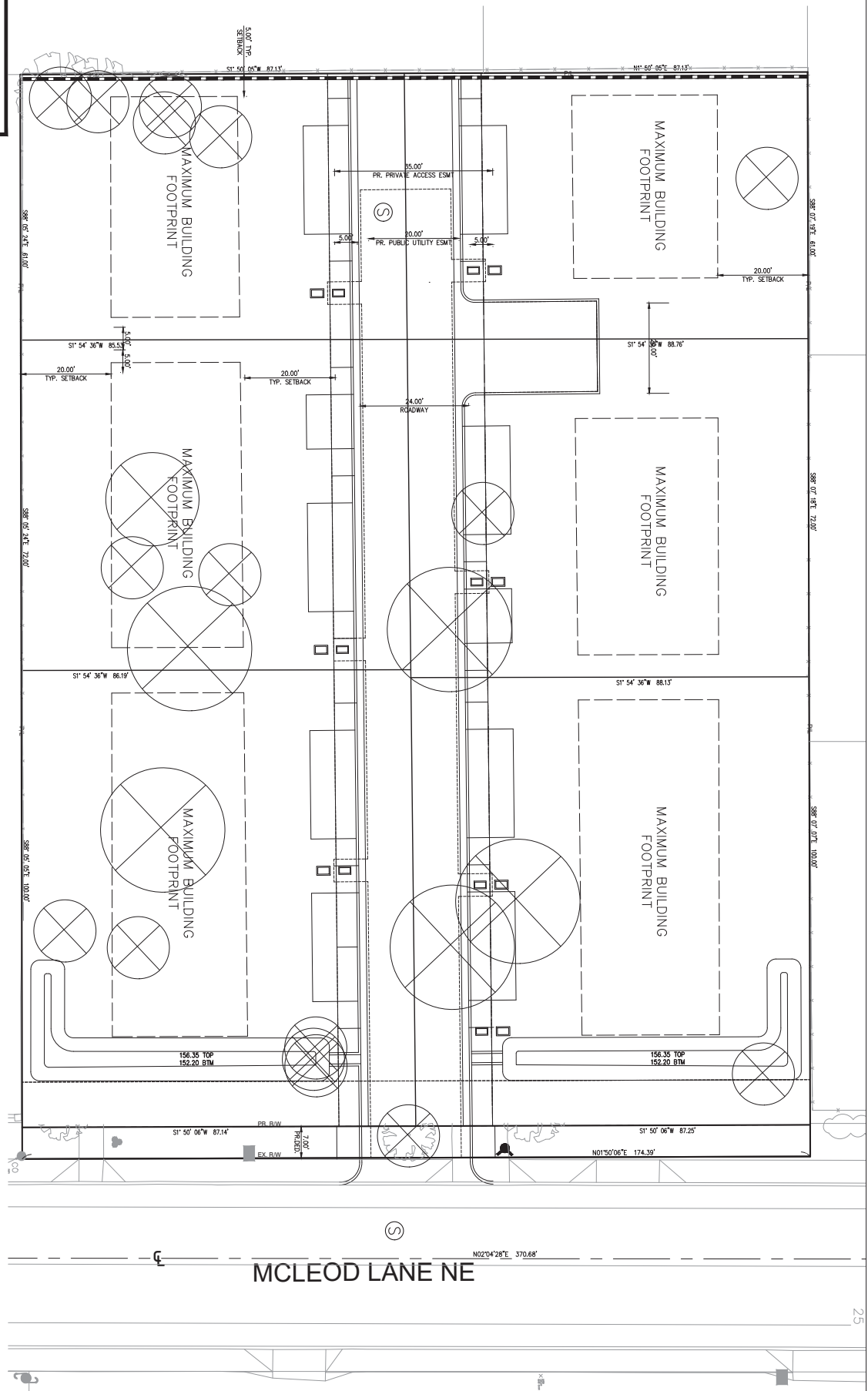
DATE: 02/20/2024	SHEET TITLE: STORMWATER PLAN	PROJECT NAME: MCLEOD SUBDIVISION PROJECT ADDRESS: 6255 MCLEOD	NO. DATE: ISSUE DESCRIPTION:		<p>345 WESTFIELD ST. #107 35 of 71 SILVERTON, OR. 97381 503.208.8554 ADMIN@70AKSENGINEERING.COM</p>
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NOTICE TO EXCAVATORS:
 ATTENTION: OREGON LAW REQUIRES YOU OBTAIN AN EXCAVATION PERMIT FROM THE OREGON UTILITY NOTIFICATION CENTER (ONUC) PRIOR TO ANY EXCAVATION. THOSE RULES ARE SET FORTH IN OUR 952-001-0090. YOU MAY OBTAIN A COPY OF THE RULES BY CALLING THE ONUC. THE TELEPHONE NUMBER FOR THE OREGON UTILITY NOTIFICATION CENTER IS 503-232-1897.

POTENTIAL UNDERGROUND FACILITY OWNERS:
 Call the Oregon One-Call Center
Dig Safety
 DIAL 811 or 1-800-332-2344

ENGINEER'S NOTICE TO CONTRACTOR:
 THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITIES OR STRUCTURES SHOWN IN THESE PLANS AND THE DEPTH OF SUCH UTILITIES OR STRUCTURES ARE NOT GUARANTEED BY THE ENGINEER. THE CONTRACTOR IS REQUIRED TO TAKE ALL NECESSARY PRECAUTIONS TO AVOID DAMAGE TO SUCH UTILITIES OR STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ANY DAMAGE TO THESE LINES OR STRUCTURES.
 CONSTRUCTION CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, THE CONTRACTOR SHALL BE RESPONSIBLE FOR ASSURE SITE AND COMPLETE RESPONSIBILITY FOR THE JOB SITE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.
 THE CONTRACTOR SHALL BE RESPONSIBLE TO REPORT PROBLEMS IN PLANS AND/OR FIELD CONDITIONS IMMEDIATELY TO THE DESIGN ENGINEER FOR RESOLUTION PRIOR TO CONSTRUCTION, AND SHALL BE RESPONSIBLE FOR CORRECTIONS NOT SO REPORTED AND RESOLVED.

LEGEND:



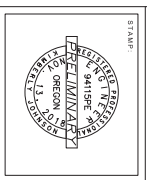
DATE: 02/20/2024
 SHEET NUMBER: 5

SHEET TITLE: TREE PRESERVATION PLAN

PROJECT NAME: MCLEOD SUBDIVISION
 PROJECT ADDRESS: 6255 MCLEOD
 KEIZER, OR.

Professional Engineer Seal for Matthew J. Keizer, No. 54159, State of Oregon.

NO.	DATE	ISSUE DESCRIPTION



7OAKS ENGINEERING
 345 WESTFIELD ST. #107 36 of 71
 SILVERTON, OR. 97381
 503.308.8554
 ADMIN@7OAKSENGINEERING.COM

EXHIBIT 3

Public Works Department Comments and Conditions

SUBDIVISION CASE NO. 2024-04

PROPERTY ADDRESS: 6255 McLeod Lane NE

Modified April 18, 2024

The applicant is requesting to divide a 0.93-acre parcel into 6 parcels ranging in size from approximately 5,016 square feet to 8,759 square feet. The property is zoned Single Family Residential (RS) and Low Density Residential on the Comprehensive Plan Map. The newly proposed lots will be served by a private access easement from McLeod Lane NE, proposed to be 24 feet in width. The property is located at 6255 McLeod Lane NE (063W36BB03700).

EXISTING CONDITIONS:

- a) The existing property has access to and frontage along McLeod Lane NE, a collector street in the Keizer Transportation System Plan (TSP). This street has an approximate 36-foot-wide improvement (including development-side curb and sidewalk) within a varied width right-of-way.
- b) An 8-inch City sanitary sewer main is located near the centerline of McLeod Lane NE.
- c) An 8-inch City water main is located along the east side of McLeod Lane NE.
- d) A 10-inch storm drain is located along the east side of McLeod Lane NE. The subject property is located within the Labish Ditch Stormwater Basin, which is a "Critical Basin" as defined in Keizer Design Standards Chapter 100.
- e) The subject property is located inside of the original Keizer Sewer District.
- f) Per the Oregon Rapid Wetland Assessment Protocol (ORWAP) mapping tool, wetland areas or hydric soils are not present on the site.
- g) Per Flood Insurance Rate Map Number 41047C0194 G, the property is not located within a special flood hazard area.

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

General:

- a) Construction permits will be required for any construction within a public street, right-of-way, or City easement, for any public infrastructure on private property, and for erosion control and stormwater management on private property. (KDC 2.302.06)
- b) Street opening permits are required for any work within the City right-of-way or easements that is not covered by a construction permit. (KDC 2.302.06)
- c) Erosion control permits shall be obtained from the City prior to the disturbance of

any soil on the subject property. (KDC 2.306.05)

- d) A pre-design meeting with the City Public Works Department will be required prior to the submittal of public improvement plans to either the City of Keizer or the City of Salem for review.
- e) An improvement agreement or performance security in a form acceptable to the City shall be required prior to issuance of permits for construction of the public improvements. (KDC 3.202.05.B)
- f) A pre-construction conference shall be required prior to commencement of any construction under permits issued by the City.
- g) The Applicant shall coordinate the location of individual or cluster box unit (CBU) mailboxes with the U.S. Postal Service.
- h) Electricity, gas, and communications services to serve the subdivision shall be installed underground and pursuant to the requirements of the company serving the development. (KDC 2.307.02.C)

Streets:

- a) Dedicate a 10-foot public utility easement (PUE) along the frontage of the McLeod Lane NE street right-of-way. (KDC 2.302.04)
- b) Construct the driveway approach in accordance with Design Standards. (Keizer Design Standards)
- c) Construct the proposed private internal street with an approved turnaround meeting Keizer Design Standards. (KDC 2.302.08.C).
- d) Close existing driveways onto McLeod Lane NE and replace curb and sidewalk in accordance with Keizer Design Standards. (KDC 2.302.03.N)
- e) Vehicular access to the proposed lots shall be provided from the private internal accessway and access easement. (KDC 2.302.03.N)

Sanitary Sewer System:

- a) The proposed public sanitary sewer main shall be located in an exclusive easement, dedicated to the City, and be a minimum width of 20 feet, unless otherwise approved. (Salem Design Standards 1.8(b))
- b) The proposed public sanitary sewer main shall be constructed per Keizer Design Standards.
- c) City of Salem approval for local sewer permits will need to be issued prior to construction. Prior to submitting plans to the City of Salem for approval, the Applicant's engineer shall submit plans to the City of Keizer Public Works Department for review and determination of compliance with the City's Master Sewer Plan for the area.
- d) It will be the responsibility of the Applicant to locate any existing sewer services that serve the subject property and provide evidence that they are available for reuse. Any septic tank and drainfield located on the subject property and within the City of Keizer shall be abandoned according to the requirements of the appropriate agency and evidence of compliance submitted to the City prior to

issuance of any building permits on the subject property.

Water System:

- a) The proposed public water main shall be located in an exclusive easement, dedicated to the City, and be a minimum width of 10 feet. (Keizer Design Standards 5.12.c)
- b) The proposed water main shall be constructed per Keizer Design Standards.
- c) Final development plans shall be reviewed by the Keizer Fire District regarding access and adequate location of fire hydrants prior to any issuance of Public Construction permits by the City of Keizer. All required fire hydrants shall be served by an 8-inch or larger water main.
- d) Any existing wells on the subject property shall be abandoned in accordance with the Oregon State Water Resources Department requirements. The Applicant shall provide evidence to the Public Works Department that any abandonment of existing wells has been completed in accordance with such requirements.
- e) Location of all water meters shall be approved by the Public Works Department.

Storm Drainage System:

- a) The existing 10-inch storm drain in McLeod Lane NE may be used as an overflow route for the proposed storm drainage system serving the development. The applicant shall provide an evaluation of the conveyance capacity of the existing system downstream of the development. (Keizer Design Standards 400.2.C; KDC 2.306.04.D)
- b) The stormwater facility and conveyance system shall be designed to collect and convey stormwater runoff from all onsite and offsite areas to an approved Point of Connection. (Keizer Design Standards 400.1.D.5)
- c) Construct stormwater collection, conveyance, treatment, and retention facilities to accommodate new impervious surfaces in the proposed access easement and right-of-way, and future impervious surfaces on all proposed lots, in accordance with Keizer Design Standards Chapter 400.
- d) This property is located in a “Critical Basin” and the stormwater facility retention shall be designed accordingly. (Keizer Design Standards 400.2.E.5)
- e) An easement shall be provided for all shared stormwater facilities prior to acceptance of the improvements.
- f) Stormwater runoff from all building roof and foundation drains shall be conveyed to the proposed stormwater facilities.
- g) Public Works has reviewed the preliminary stormwater plans and report provided with this application. The information provided *does not* demonstrate reasonable conformance with the requirements of Chapter 400 of the Keizer Design Standards, specifically in the proposed site grading and the size of the proposed facilities. The Applicant’s engineer shall submit a final overall storm drainage and grading design with supporting calculations, demonstrating conformance to the Standards, for review and approval prior to the start of development.

- h) A grading and drainage plan shall be provided for the subject property in conformance with the Keizer Design Standards. The plan shall include details of adequate stormwater conveyance from all contributing areas across the subject property and shall include existing elevations and proposed lot corner elevations. The plan shall be submitted to and approved by the Public Works Department prior to the issuance of any erosion control or construction permits for the development.



Date: April 3rd, 2024

Comments for: 6255 McLeod Lane NE, Keizer

This project must meet the following code requirements per Keizer Fire District:

1. **Single family dwellings-Required fire flow:** The minimum available fire flow for one and two-family dwellings served by a municipal water supply shall be 1000 gpm. If the structure(s) is (are) 3,600 square feet or larger, the required fire flow shall be determined according to 2022 Oregon Fire Code Appendix B.
2. **Fire Safety During Construction:** Approved fire department access road, required water supply, fire hydrants, and safety precautions shall be installed and serviceable prior to and during the time of construction. 2022 Oregon Fire Code Chapter 33.
3. **Fire apparatus road distance from buildings and turnarounds:** Access roads shall be within 150' of all portions of the exterior wall of the building as measured by and approve route around the exterior of the building. An approved turnaround is required if the remaining distance to an approve intersection roadway, as measured along the fire apparatus access road, is greater than 150'. 2022 Oregon Fire Code 503.1.1 – **Proposed Road meets for new construction if under 30 feet in height. If aerial access is required, road with will need to be 26 feet or greater.**
4. **Dead end roads:** Dead end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved turnaround. We can provide you with approved turn around per our Marion County Fire Code Applications Guide & 2022 Oregon Fire Code 503.2.5. **Proposed turnaround meets requirements if aerial access is not required.**
5. **Turnouts:** When a fire apparatus access road exceeds 400 feet in length, turnouts 10 feet wide and 30 feet long shall be provided in addition to the required road width and shall be placed no more than 400 feet apart, unless otherwise approved by the code official. 2022 Oregon Fire Code Ch. 5. **Road length does not require turnouts.**
6. **Grade:** Fire apparatus access roadway grades shall not exceed 10 percent. 2022 Oregon Fire Code D 103.2 **Road grade should not be an issue**
7. **Fire apparatus access road width and vertical clearance:** Fire apparatus access roads shall have an unobstructed driving surface width of not less than 20 feet; 26 feet adjacent to fire hydrants (2022 OFC D103.1) and an unobstructed vertical clearance of not less than 13 feet 6 inches. (2022 OFC 503.2.1 & D103.1)

8. **Surface and load capacities:** Fire apparatus access roads shall be of an all-weather surface that is easily distinguishable from the surrounding area and is capable of supporting not less than 12,000 pounds point load (wheel load) and 75,000 pounds live load (gross vehicle weight). Documentation from a registered engineer that the final construction is in accordance with approved plans or the requirements of the Oregon Fire Code may be requested. (2022 OFC D102.1)
9. **Turning radius:** The inside turning radius and outside turning radius shall be not less than 28 feet and 48 feet respectively, measured from the same center point. 2022 Oregon Fire Code 503.2.4 & Appendix
10. **No parking signs:** Where fire apparatus roadways are not of sufficient width to accommodate parked vehicles and 20 feet of unobstructed driving surface, “No Parking” signs shall be installed on one or both sides of the roadway and in turnarounds as needed. Roads 26 feet wide or less shall be posted on both sides as a fire lane. Roads more than 26 feet wide to 32 feet wide shall be posted on one side as a fire lane. Signs shall read “NO PARKING – FIRE LANE” and shall be installed with a clear space above grade level of 7 feet. Signs shall be 12 inches wide by 18 inches high and shall have red letters on a white reflective background. You may contact the Fire Marshal if you would like code requirement for painted curbs. 2022 Oregon Fire Code 503.3 and D103.6
11. **Premise identification:** Buildings shall have address numbers or approved identification placed in a position that is plainly legible and visible from the access road fronting the property. Numbers shall contrast with their background and shall be a minimum of 4 inches height with a minimum stroke width of ½ inch. 2022 Oregon Fire Code 505
12. **Gates:** Gates securing fire apparatus roads shall comply with all of the following: 2022 Oregon Fire Code D103.5
 - Minimum unobstructed width shall be 16 feet.
 - Gates shall be set back a minimum of 30 feet from the intersecting roadway.
 - Gates shall be of the swinging type or sliding type.
 - Manual operation shall be capable by one person.
 - Electric gates shall be equipped with a means for operation fire department personnel.
 - Locking devices shall be approved

If you have any questions please contact me,

Anne-Marie Storms

Anne-Marie Storms, Deputy Fire Marshal
Keizer Fire District
503.390-9111 Office
astorms@keizerfire.com

Marion County Surveyor's Office

Comments on Planning Action: Keizer Subdivision and Minor Variance 2024-03

Date 4/04/2024 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)

Marion County Surveyor's Office Comments on Planning Action

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:



REQUEST FOR COMMENTS

EXHIBIT 6

DATE: March 19, 2024
CASE: Subdivision 2024-04

The Planning Division is soliciting comments you may wish to have considered in the C the above land use case. Application materials are attached.

Comments must be submitted in writing and received in our office by 5:00 pm on April 3, 2024. 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 Phone: (503) 856-3442
City of Keizer Planning Division
930 Chemawa Rd NE, Keizer OR 97303

REQUEST: The applicant is requesting to divide a .93-acre parcel into 6 parcels ranging in size from approximately 5,016 square feet to 8,759 square feet. The property is zoned Single Family Residential (RS) and Low Density Residential on the Comprehensive Plan Map. The newly proposed lots will be served by a private access easement from McLeod Lane, proposed to be 24-feet in width. The property is located at 6255 McLeod (063W36BB03700).

APPLICANT: c/o Charles Weathers ORREO
ZONE: Residential Single Family (RS)

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: _____

Any connections of City of Salem Sewer mains, located in McLeod Lane, will require construction permits in accordance with the Salem Revised Code, the City of Salem Public Works Design Standards, and City of Salem Standard Construction Specifications. Permits will not be issued by the City of Salem until all construction plans have been approved by the Public Works Department. Construction drawings can be submitted by email to DevelopmentServices@cityofsalem.net. The applicant is advised that the preliminary utility plan shows an 6-inch public sanitary sewer extension onto private property which is not permitted. Public Works Design Standards require all public infrastructure to be located within a public right-of-way unless a Design Exception is approved by the City of Salem City Engineer. Additionally, if the main is approved to be a public main on private property through a Design Exception, it would be required to be a minimum 8-inch public main.

Name: Laurel Christian, Infrastructure Planner II
Agency: City of Salem Community Planning and Development Department
Phone: 503-584-4632
Email: lchristian@cityofsalem.net
Address: 555 Liberty Street SE, Salem, OR 97304
Date: April 2, 2024

EXHIBIT 7

March 29, 2024

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

RE: Land Use Activity Case No. Subdivision 2024-04, 6255 McLeod Ln NE

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

IDENTIFICATION OF SCHOOLS SERVING THE SUBJECT PROPERTY

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

School Name	School Type	Grades Served
Gubser	Elementary	K thru 5
Whiteaker	Middle	6 thru 8
McNary	High	9 thru 12

Table 1

SCHOOL CAPACITY & CURRENT ENROLLMENT

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

School Name	School Type	School Enrollment	School Design Capacity	Enroll./Capacity Ratio
Gubser	Elementary	402	564	71%
Whiteaker	Middle	723	918	79%
McNary	High	2,018	2,200	92%

Table 2

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

The School District anticipates the number of students that may reside at the proposed development based on the housing type, single family (SF), duplex/triplex/four-plex (DU), multi-family (MF) and mobile home park (MHP). The School District commissioned a study by the Mid-Willamette Valley Council of Governments in 2021 to determine an estimate of students per residence, for the Salem-Keizer area, in each of the four housing types. Since the results are averages, the actual number of students in any given housing type will vary. The table below represents the resulting estimates for the subject property:

School Type	Qty. of New Residences	Housing Type	Average Qty. of Students per Residence	Total New Students
Elementary	18	SF	0.168	3
Middle			0.098	2
High			0.144	3

Table 3

POTENTIAL EFFECT OF THIS DEVELOPMENT ON SCHOOL ENROLLMENT

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

School Name	School Type	School Enrollment	New Students During Past 2 yrs	New Student from this Case	Total New Students	School Design Cap.	Enroll./Cap. Ratio
Gubser	Elem.	402	5	3	8	564	73%
Whiteaker	Mid.	723	12	2	14	918	80%
McNary	High	2,018	24	3	27	2,200	93%

Table 4

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

Civic infrastructure needed to provide connectivity between the new residential development and the schools serving the new development will generally require roads, sidewalks and bicycle lanes. When developing within one mile of school(s), adequate pathways to the school should be provided that would have raised sidewalks. If there are a large number of students walking, the sidewalks should be wider to accommodate the number of students that would be traveling the

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

School Name	School Type	Walk Zone or Eligible for School Transportation
Gubser	Elementary	Not eligible for school transportation (walk zone)
Whiteaker	Middle	Not eligible for school transportation (walk zone)
McNary	High	Eligible for school transportation

Table 5

ESTIMATE OF NEW SCHOOL CONSTRUCTION NEEDED TO SERVE DEVELOPMENT

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

School Type	Number of Students	Estimate of Facility Cost Per Student*	Total Cost of Facilities for Proposed Development*
Elementary	3	\$83,655	\$250,965
Middle	2	\$101,069	\$202,138
High	3	\$118,482	\$355,446
TOTAL			\$808,549

Table 6

*Estimates based on average of Indicative Construction Costs from “RLB Construction Cost Report North America Q4 2023”

Sincerely,

David Fridenmaker
Business and Support Services

c: Robert Silva, Chief Operations Officer, David Hughes, Director of Operations & Logistics, T.J. Crockett, Director of Transportation



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

MAR 28 2024

PLANNING DEPARTMENT

TO: Neighboring Property Owner of 6255 McLeod Lane NE, Keizer
DATE: March 19, 2024
CASE: Subdivision 2024-04

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

Comments must be submitted in writing and received in our office by 5:00 pm on **April 3, 2024.**

Send comments or questions to:

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

REQUEST: The applicant is requesting to divide a .93-acre parcel into 6 parcels ranging in size from approximately 5,016 square feet to 8,759 square feet. The property is zoned Single Family Residential (RS) and Low Density Residential on the Comprehensive Plan Map. The newly proposed lots will be served by a 24-foot private access easement from McLeod Lane.

APPLICANT & PROPERTY OWNER:: Trademark Enterprises

ZONE: Single Family Residential (RS)

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: WE ARE OK WITH SIX UNITS NOT 18
THE "REQUEST FOR COMMENTS" INDICATE SINGLE FAMILY
UNITS. HOWEVER, THE APPLICATION IS PURPOSING 18
UNITS. EIGHTEEN (18) UNITS SHOULD NOT BE APPROVED

Name: Dana Keller & Lalita A. Keller
Phone & Email: KEILLERDAVID@MSH.COM
Address: 1894 MANZANITA ST N.E
Date: 3/23/24

Additional application materials can be found at:

<https://www.keizer.org/maps/Subdivisions>



City of Keizer

Phone: (503) 856-3442 • Fax: (503) 390-8288
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REQUEST FOR COMMENTS

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APPLICANT & PROPERTY OWNER:: Trademark Enterprises
ZONE: Single Family Residential (RS)

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.

 X My/Our comments are: This seems to be in line with other development along McLeod- I do ask the city to monitor traffic flow and the impact continued development may have on schools

Name: Laura Donier

Phone & Email: (503) 584 7200 doniella@keizer.com

Address: 2025 Monzonte St. NE, Keizer, OR

Date: 3/27/24

Additional application materials can be found at:
<https://www.keizer.org/maps/Subdivisions>

EXHIBIT 10

March 29, 2024

To: Dina Horner, Assistant Planner

Case: Subdivision 2024-04



Dina Horner,

I am the homeowner directly behind the property of 6255 McLeod Lane NE. My family and I have reviewed the applicant's request for this vacant property. We have spent time reviewing the Keizer Development Code as well.

This neighborhood and surrounding area are all single family detached homes; most are also single story only. I have lived in my home and this neighborhood since 2012.

From what I understand of the development code, there are not a lot of restrictions on this applicant's ability to construct the buildings on the 6 lots. It appears that lot 2 and lot 5 can be constructed as triplex's and they could be 3 story high triplexes. The applicant is also proposing 18 residential units within these 6 lots on a property that is not even a full acre.

We believe that any building over 2 stories is going to be out of place in this neighborhood, it is also going to take away from the privacy that I and my neighbors enjoy and are accustomed to. We also believe that 18 residential units are too many for that lot, it would be too densely populated for this neighborhood and surrounding area.

This applicant's written proposal is weak. It appears to share only the bare minimum information and does not give the neighborhood a clear picture of their idea of the buildings that will be on each lot.

We are excited to see this lot developed but hope for single family detached homes. With respect to our growing city and the housing needs, we understand wanting to make as much room as possible, but we have come to know and love this neighborhood for how it is. We think 12 residential units max in this new subdivision is acceptable.

There is also subdivision 2021-07, 2450 Tepper Lane NE, Keizer. This lot is 2 acres and they proposed only 14 residential units. This lot is zoned in the same manner as 6255 McLeod Lane NE. That neighborhood and surrounding area are also single family detached homes. This makes us question placing 18 residential units on less than 1 acre. That does not seem to be 'Low Density Residential.'

Down the road is Zachris Court which is a newer subdivision to our neighborhood, and it was beautifully constructed with single-family detached homes. It was a great addition and fit in perfectly.

Please consider how long our neighborhood as single family detached homes has been around and how long some neighboring families have lived in their homes.

Requests:

1. We have a shared property line with this lot. It is currently divided with cattle fencing and overgrown, dying arborvitae. We imagine the roots of the arborvitae have grown onto the property of 6255 McLeod. We request the developer to completely remove all the arborvitae on the shared property line and to construct a new fence along the entire shared property line. This will give us and the new development privacy and enhance both properties. The entire lot of 6255 McLeod could use a new fence around the property to enhance it plus provide adequate privacy to the surrounding neighbors.

We plan to attend the public hearing scheduled for April 24, 2024.

Thank you,

The Brya Family at 1862 Marigold St NE Keizer.



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

APR 02 2024

PLANNING DEPARTMENT

TO: Neighboring Property Owner of 6255 McLeod Lane NE, Keizer
DATE: March 19, 2024
CASE: Subdivision 2024-04

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

Comments must be submitted in writing and received in our office by 5:00 pm on April 3, 2024.

Send comments or questions to:

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

REQUEST: The applicant is requesting to divide a .93-acre parcel into 6 parcels ranging in size from approximately 5,016 square feet to 8,759 square feet. The property is zoned Single Family Residential (RS) and Low Density Residential on the Comprehensive Plan Map. The newly proposed lots will be served by a 24-foot private access easement from McLeod Lane.

APPLICANT & PROPERTY OWNER:: Trademark Enterprises
ZONE: Single Family Residential (RS)

PLEASE CHECK THE APPROPRIATE ITEMS:

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

See Attach letter w/ attachments, dated 3/30/2024

Name: Terry Guisinger
Phone & Email: (503) 475-5629 terry_guisinger@msn.com
Address: 1873 Marigold St NE, Keizer, OR 97303
Date: 4/22/2024

Additional application materials can be found at:
<https://www.keizer.org/maps/Subdivisions>

March 30, 2024

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

RE: Request for Comments
Case: Subdivision 2024-04
Mcleod Subdivision
6255 Mcleod
Keizer, Oregon 97303

Dear Dina,

Your letter dated March 19, 2024, requests comments on the proposed subdivision 2024-04.

The planned subdivision 2024-04 is planned to be located on an existing 0.93-acre parcel of land shown as tax parcel 3700 located on the westerly side of Mcleod Lane between Manzanita Street NE and Zachris Court. Parcel 3700 is currently void of any residence, as the only original single-family home was torn down after a fire had occurred on the subject property. Large fir trees currently on site still show fire damage to the trees. The footprint of the original home has been filled with dirt and gravel. The existing parcel 3700 has frontage of 174.22 LF on Mcleod and the NE corner of parcel 3700 is 110 LF southerly from the concrete curbed corner with stop sign at Mcleod Lane. Sight distance looking southerly from the stop sign at Manzanita/Mcleod corner is restricted by a vegetated hedge when stopped at the white line at the stop sign.

Parcel lot 3700, the original removed home lot, continues to be zoned (RS) Single Family and low density residential.

Mcleod Lane is an existing newly paved asphalt city of Keizer Street with concrete curb and gutter curbs and concrete sidewalks on both sides of Mcleod Lane. Mcleod Lane has existing city utilities for water/sewer in the asphalt paved street. Mcleod Lane is a heavily used street into and out of the Gubser neighborhood area and has a posted speed limit of 25 MPH. There is no vehicular parking on Mcleod Lane. It is used by school/city buses, cars, trucks and delivery trucks. The traffic light at the intersection of Lockhaven and Mcleod regulates traffic, only letting 3 to 5 vehicles out of Mcleod Lane on a single traffic light cycle.

How much of Mcleod Lane will be impacted and need to be replaced to connect utilities to existing utility services? Will Mcleod need to be closed to local traffic and for how many weeks. Closure of Mcleod will seriously impact the Gubser residential areas and Keizer Station. What work hours will be allowed for street work? Will it only be in the daytime, or will night work also be required?

Depending upon the hour of the day, traffic in this area is also impacted by the train crossing, and traffic to and from Keizer Station and traffic sometimes backs up on the off ramps of I-5.

The Mcleod Lane parcel 3700 subdivision plan (preliminary) dated 02/20/2024 from 7 Oaks engineering shows a 24' access road with fire truck T-type turn point near the center of the 0.93-

acre parcel with 24' access running east-west and fire truck T between Lot #4 and Lot #5. The preliminary subdivision plan also shows six separate lots to be created on the original 0.93-acre parcel. A drainage swale is proposed on each side of the 24' access road running east west.

- a. Lot #1....7,040 SF net.....8,759 SF gross
- b. Lot #2....5,035 SF net.....6,277 SF gross
- c. Lot #3....4,015 SF net.....5,016 SF gross
- d. Lot #4....4,038 SF net.....5,246 SF gross
- e. Lot #5....5,055 SF net.....6,620 SF gross
- f. Lot #6....7,013 SF net.....8,699 SF gross

The application submitted by Geoff James on behalf of the applicant ORREO LLC, c/o Charles Weathers **shows not only 6 new lots but also 18 residential units planned on these 6 lots.**

These 18 living units do not appear to be single family units. They appear to be duplexes, triplexes, quadplexes, cottage clusters or townhouses. These units are multi-family units, a type of middle housing.

The proposed narrative description of the planned subdivision lists six points.

Point #2 of the narrative description has a line stating, "Each lot also complies with the Middle Housing minimum (net) lot sizes, excluding the street".

Point #5 of the narrative description has a line stating "Should Middle Housing be contemplated this will be addressed subsequently at the Building Permit stage. **No vertical construction is part of this application.**"

How do you get 18 living units on 6 lots without building vertical?

I believe that the applicant has purposefully put these Middle Housing lines in the narrative as the applicant knows they cannot be constructed on the proposed six lots without going vertical.

If vertical construction is done then this creates privacy issues to surrounding properties by intruding into existing homes bedrooms, and other private areas of neighbors.

Depending on vertical height of the living unit structures constructed, setbacks for structures may change as height increases.

Secondly, how many vehicles are included for 18 living units? I would assume that there is more than one vehicle average per living unit. Do the vehicles park on each side of the 24' wide access road? Nothing is shown regarding parking. How does a fire truck access the area if vehicles parked on the access road on each side. Is the T-Turn around the correct length and width for all Keizer Fire trucks?

Will any new fire-hydrants and connecting valves/pipe be required in the access road? Will more than one be required?

Is the T-access road private or will it be a city street?

Is adequate water available on site for fires on this site. The closest fire hydrant is on the NW corner of Manzanita/Mcleod intersection approximately 300' away.

The site plan drawings show all existing trees to be removed, will new trees be required to be planted on the proposed new lots?

Has the local City of Keizer amended its comprehensive plan or land use plan to allow middle housing in areas zoned for residential use that allow for detached single-family dwellings?

I do not believe this parcel should be allowed to construct 18 units on six lots or to build vertically more than for a single-story dwelling unit. **18 units on six lots is not low density residential!**

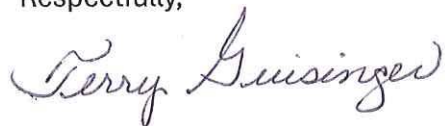
I would also request that the portion of point #5 of the narrative description stating, "Should Middle Housing be contemplated this will be addressed subsequently at the Building Permit stage." Be deleted and not be addressed later at building permit time.

I request that the application to divide the existing lot into six separate lots be denied or at least to deny any vertical building higher than a standard one-story structure.

I have attached a colored ariel photo of Mcleod Lane from the intersection of Manzanita/Mcleod corner to the traffic light at Mcleod and Lockhaven. This picture shows the 0.93-acre parcel with fire damaged trees and the proximity to some of the existing family homes on Manzanita. I have also attached a black and white photo of the existing single-family homes on Marigold Street NE that are also impacted.

I am also attaching a copy of the real estate listing about subject 0.93-acre parcel which states "preliminary concept shows a possible 21 residential units for the site" but also stating concept is unproven and buyer is advised to complete all due diligence regarding any development potential.

Respectfully,



Terry Guisinger
1873 Marigold Street
Keizer, Oregon 97303



**CITY OF KEIZER
SUBDIVISION/PUD/
MANUFACTURED HOME PARK
APPLICATION**

- Subdivision
- PUD
- Manufactured Home Park

If there are any questions, who should be contacted (Agent)?

Name: Geoff James

Address: 4115 Fraser Lane SE 97302

Daytime Phone Number: 503 931 4120

Fax: _____

Email: gjamesarchitect@gmail.com

1. **Applicant Name** **Address**
- ~~Geoff James~~
ORFO LLC c/o Charles Weathers PO Box 2717
- Phone ~~503 931 4120~~ Salem OR 97308
- 503 510 8834

Complete the following property owner information if the property owner is different from the applicant. Please be aware that the current property owner must also **sign** the application.

2. **Property Owner Name** **Address**
- MMH, LLC PO Box 2717
- c/o Charles Weathers Salem OR 97308
- Phone 503 510 8834

3. This application is made for conceptual approval of a proposed 6 lot subdivision to be known as MCLEODOPOLY

4. Street Address of subject property: 6255 McLeod Ln NE

5. Acreage to be subdivided: 0.93 acres.

6. **Number of lots to be created:** 6 . **Proposed number of residential units** 18 .

7. Range of lot sizes: Smallest 5016 (acres/square feet) gross
Largest 8759 (acres/square feet)
Average 6770 (acres/square feet)

PROPOSED SUBDIVISION

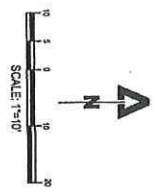
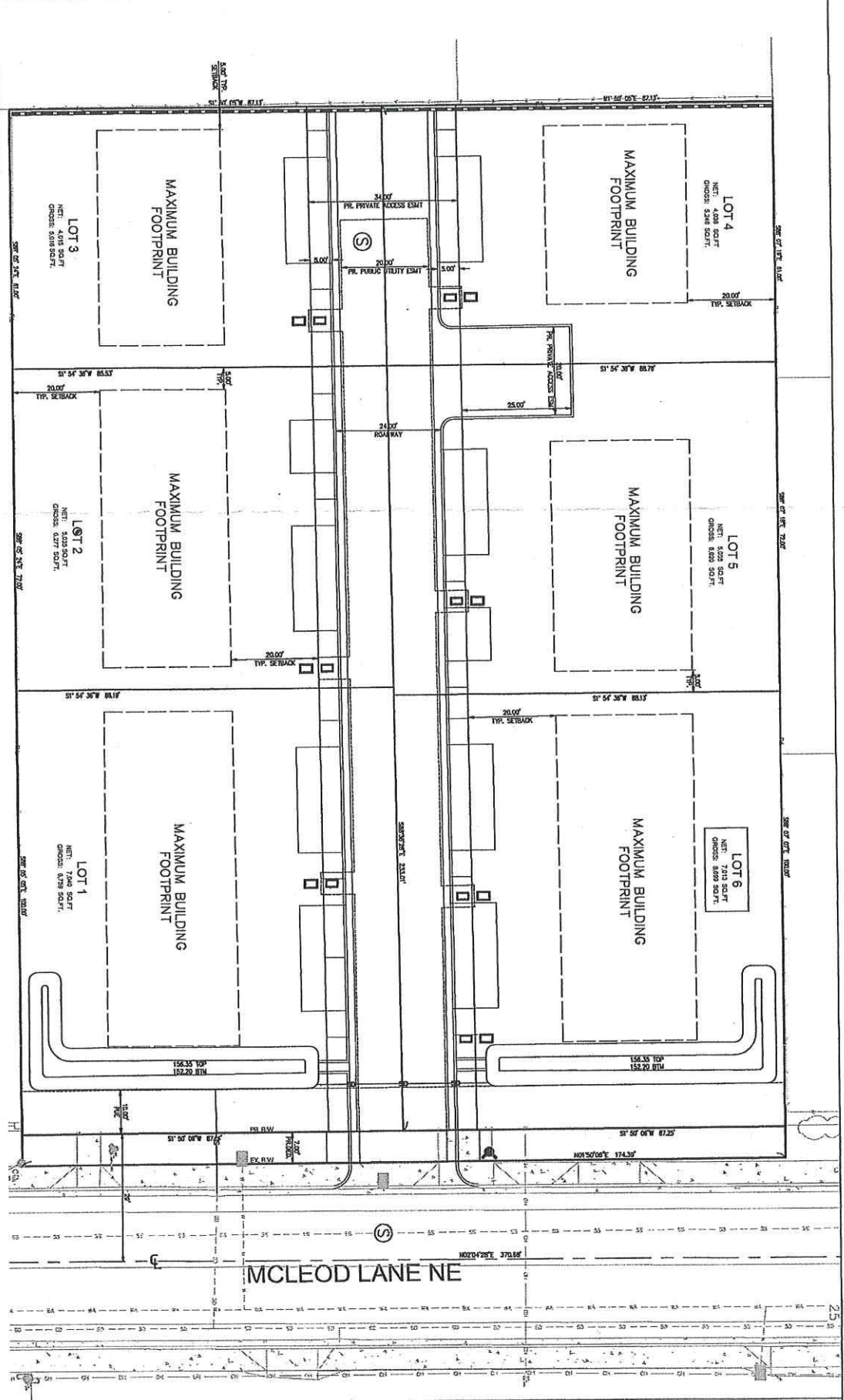
Six lots are proposed, in a range of sizes from 4,000 sq. ft. to 7,000 sq. ft. A central private street is proposed to serve these lots, with a fire truck turnaround. The proposal meets each of the criteria as found in Section 3.108.06 of the Keizer Development Code.

1.
The proposal complies with the applicable development standards in Section 2.405 and 2.3, as appropriate, including provision for streets and utilities.
2.
Each lot shall satisfy the dimensional standards and density of the RS zoning district. Each lot also complies with the Middle Housing minimum (net) lot sizes, excluding the street.
3.
A Pre-Application Conference was held at which time it was confirmed that adequate public facilities, including public water, sewer, and storm, and will serve the newly created parcels.
4.
Rough Proportionality.
A 7 ft. right of way dedication is included on the subdivision plans. All improvements such as sidewalks are proportional to the impact of this development.
5.
This proposal is for a subdivision of the property into six residential lots.
~~Should Middle Housing be contemplated this will be addressed subsequently at the Building Permit stage. No vertical construction is part of this application.~~
6.
Civil engineering design is included with this subdivision application, including roads and utilities, right of way dedication, proposed utilities, storm drainage, and fire truck access.

NOTICE TO EXCAVATORS:
 ATTENTION: OREGON LAW REQUIRES YOU OBTAIN A PERMIT FROM THE OREGON UTILITY NOTIFICATION CENTER (ONUC) PRIOR TO ANY EXCAVATION WORK. THESE RULES ARE THE SAME AS IN OAR 515-001-0000. YOU MAY OBTAIN THE OREGON UTILITY NOTIFICATION CENTER OF THE RULES BY CALLING THE NUMBER: THE TELEPHONE NUMBER FOR OREGON UTILITY NOTIFICATION CENTER IS 800-323-1871.

POTENTIAL UNDERGROUND FACILITY OWNERS:
 Call the Oregon On-Call Center DIAL 811 or 1-800-332-3144

ENGINEER'S NOTICE TO CONTRACTOR:
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION OF ALL EXISTING UTILITIES AND STRUCTURES SHOWN ON THESE PLANS AND FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS PRIOR TO THE START OF CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS PRIOR TO THE START OF CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS PRIOR TO THE START OF CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS PRIOR TO THE START OF CONSTRUCTION.



DATE: 02/20/2024
 SHEET NUMBER: 4

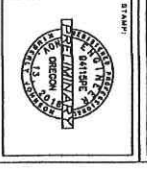
PROJECT TITLE:
 PRELIMINARY SUBDIVISION PLAN

PROJECT NAME:
 MCLEOD SUBDIVISION

PROJECT ADDRESS:
 6255 MCLEOD
 KEIZER, OR.

ENGINEER'S CERTIFICATION:
 I, the undersigned, being a duly Licensed Professional Engineer in the State of Oregon, do hereby certify that I am the author of the foregoing plans and specifications, and that I am a duly Licensed Professional Engineer in the State of Oregon.

NO.	DATE	REVISION DESCRIPTION



7OAKS ENGINEERING

345 WESTFIELD ST., #107
 SILVERBAY, OR. 97131
 503.308.8554
 ADMIN@7OAKSENGINEERING.COM





4 OF 18

Home 6255 Mcleod Ln NE
Track this home's value and nearby sales activity

6255 Mcleod Ln NE Keizer, OR 97303

Keizer Neighborhood

0.93 Acre

\$650,538 Price per Acre

40,511 Sq Ft Lot

Recently Sold

\$360 /Sq Ft

10 Days on Market

Highlights

- No HOA
- No Cooling
- No Heating
- McNary High School Rated 9+
- Paved or Partially Paved Lot

About This Lot

Flat developable land with a preliminary concept for a 6-lot subdivision with shared access from a single driveway. Property appears to be ideal shape and size for utilizing HB2001 to develop lots for middle housing. Preliminary concept shows for a possible 21 residential units. Some SDC credits available for recently demolished home. Concept is unproven and Buyer is advised to complete all due diligence with regard to any development potential. Near I-5 and Keizer Station. Seller financing is available.

Listed By

Brandon Fahlman

Kithkin Real Estate(503) 930-2786brandon@kithkinre.com License #200701012

Buyer's Agent

James Hauge

Legacy Real Estate(503) 877-2101JamesH@legacyre.com License #200107093

Property Details

Lot Details

- 0.93 Acre Lot
- Lot Dimensions are 174x250
- Paved or Partially Paved Lot
- Level Lot
- Property is zoned RS

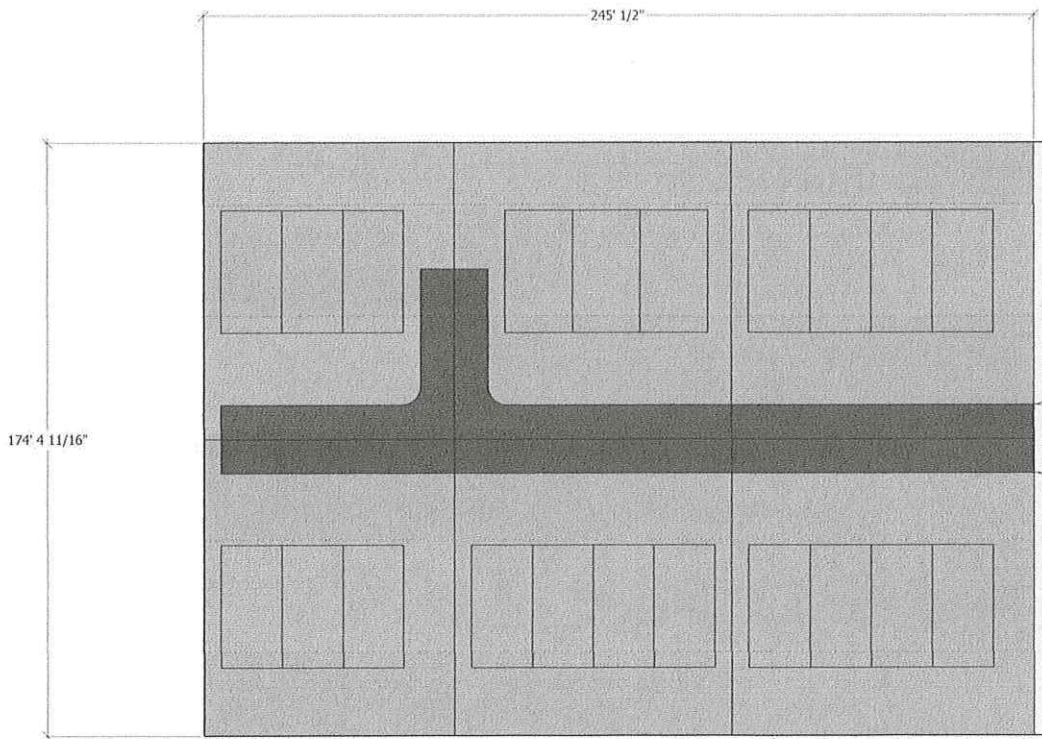
Schools

- Gubser Elementary School
- Whiteaker Middle School

Utilities

- Cable TV Available

© 2023





City of Keizer

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

RECEIVED
CITY OF KEIZER

APR - 3 2024

PLANNING DEPARTMENT

REQUEST FOR COMMENTS

TO: Neighboring Property Owner of 6255 McLeod Lane NE, Keizer
DATE: March 19, 2024
CASE: Subdivision 2024-04

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Comments must be submitted in writing and received in our office by 5:00 pm on April 3, 2024.

Send comments or questions to:

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

REQUEST: The applicant is requesting to divide a .93-acre parcel into 6 parcels ranging in size from approximately 5,016 square feet to 8,759 square feet. The property is zoned Single Family Residential (RS) and Low Density Residential on the Comprehensive Plan Map. The newly proposed lots will be served by a 24-foot private access easement from McLeod Lane.

APPLICANT & PROPERTY OWNER:: Trademark Enterprises
ZONE: Single Family Residential (RS)

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. *Property values would decrease.*

My/Our comments are: *This is an older, all residential neighborhood. If this were to be approved, the noise and traffic would also increase, we would lose privacy and peaceful neighborhood. We would also lose beautiful old growth trees.*

Name: MARIE NIXON

Phone & Email: 541-409-2262 NIXONS4FUN@aol.com

Address: 1984 Manzanita St. NE, Keizer 97303

Date: April 1, 2024

Additional application materials can be found at:

<https://www.keizer.org/maps/Subdivisions>



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
APR - 3 2024
PLANNING DEPARTMENT

TO: Neighboring Property Owner of 6255 McLeod Lane NE, Keizer
DATE: March 19, 2024
CASE: Subdivision 2024-04

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

Comments must be submitted in writing and received in our office by 5:00 pm on April 3, 2024.

Send comments or questions to:

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

REQUEST: The applicant is requesting to divide a .93-acre parcel into 6 parcels ranging in size from approximately 5,016 square feet to 8,759 square feet. The property is zoned Single Family Residential (RS) and Low Density Residential on the Comprehensive Plan Map. The newly proposed lots will be served by a 24-foot private access easement from McLeod Lane.

APPLICANT & PROPERTY OWNER:: Trademark Enterprises
ZONE: Single Family Residential (RS)

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: more than 6 individual homes with parking and height on structures for 18 residences would greatly impact our beautiful neighborhood.

Name: Tom and Lora Halferty
Phone & Email: 503-930-5691 phalf10@gmail.com
Address: 1954 Manzanita St. NE, Keizer, OR 97303
Date: 4-1-24

Additional application materials can be found at:
<https://www.keizer.org/maps/Subdivisions>

April 3, 2024

Charles and Faith Baker

6198 McLeod Lane NE



DEFECTIVE POLICY AND PROMISES UNKEPT

My parents purchased a house in Willark Park in 1969. I purchased a house on McLeod Lane in 1980. That is 55 years in the Gubser Neighborhood, I am familiar with the area.

When we moved into our home, the speed on McLeod Lane was 40 mph. A bike lane/ side walk crossed from one side of the street to the other on one end of our property. We witnessed several car bike accidents at this crossing involving children. After Keizer became a city we were approached with a plan to improve the street, adding sidewalks and bike lanes on both sides of the street and widening the traffic lanes. We agreed to this improvement and were told that there would be on street parking. On completion of the project, no on street parking was allowed. The speed on the street was posted at 25 mph. If anyone has driven McLeod Highway you know that most drive it at 35 mph or faster, slowing to 25 mph when a Police officer is present. At night drivers race from one end to the other at tremendous speed.

The next terrible decision by Keizer Planning Department was approval of Sandra Lee Way. We committed on a poorly conceived plan to allow a street to be created that did not meet normal street standards. With no parking on McLeod allowed this lane would be clogged with parked cars leaving poor access for emergency and police vehicles. Our comments were ignored. City development standards were changed after this partial street incident.

Our aging neighbors Dawane and Cecile Sears sold their Cherry orchard to a developer and retained two lots. One that had their current residence on it and one adjacent to the south. A different developer submitted plans to allow six single family units on the two lots. We strongly objected to this decision. The plan was modified slightly allowing 5 single family units on the two lots. This property contained generational old growth trees. You told us that the trees would be preserved in the development plan. All were felled within a year of the project approval. So much for city policy. We now have headlights shinning into our living room at night due to the creation of a flag lot. Remember this property was plotted for two single family homes, which would fit the neighborhood plan. No parking on McLeod, did you even consider what would happen when five single family homes replace one?

The current new proposal shows a 24 foot private access easement from McLeod. Did you review changes made to city code after Sandra Lee Way?

Recap 1. No parking on McLeod Lane

2. A proposed easement that does not meet safety standards for fire and police.
3. A private easement maintained by who? Who takes care of code enforcement and

parking violations, and usage rules?

4. This property has old growth trees, some of the last left in Keizer, that no one will save. Look around they are all almost gone. The new development standards do not leave room for trees and yards, just units stacked as close as possible.

This is not the Quality of life we want. Our neighborhood is zoned for single family houses, not tiny homes that you are proposing. It does not fit the neighborhood and should not be allowed.

It is time to stop your social engineering projects on McLeod Lane. Lets do it next door to your property.