

JUNCTION CITY PLANNING COMMISSION AGENDA ITEM SUMMARY



Gambee Preliminary Partition (MP-15-01)

Meeting Date: May 20, 2015
Department: Planning
www.junctioncityoregon.gov

Agenda Item Number: 5a
Staff Contact: Jordan Cogburn
Contact Telephone Number: 541.998.4763

ISSUE STATEMENT

The applicant is requesting a Preliminary Partition to divide an existing lot into three lots. All proposed parcels will be vacant post partition. The applicant's stated intent is to construct residential dwellings in compliance with the JCMC and relevant zoning district.

BACKGROUND

The proposed partition will divide one existing lot into three proposed parcels. All parcels are proposed as panhandle lots that will share a 25 foot joint-use access and utility easement. There are two existing joint-use access and utility easements that encumber the subject property currently. For clarity, both existing access and utility easements are proposed to be vacated prior to development or final plat recording and a new 25 foot access and utility easement will be recorded to serve the three proposed parcels.

The site of this partition is located south of the intersection of Prairie Road and West 1st. There are no improvements on the subject property. This site was originally created through a minor partition in 2009 followed by two property line adjustments that have resulted in the current configuration.

COMMITTEE REVIEW

None

RELATED CITY POLICIES

The following section of the Junction City Municipal Code is relevant to this request.

16.05.030 (D)(3) Preliminary Partition

According to Section 16.05.030 (D)(3) of the Junction City Municipal Code, Approval. In the event the planning commission finds that the plan complies with the statutes of the state and with this and all ordinances of the city, it shall approve the plan and signify its action on the face thereof by appropriate signature of the commission. In the event the commission finds that the plan cannot be made to comply with such requirements, it shall disapprove the plan and signify its action in the same manner as in approval. The commission may make approval subject to conditions to be fulfilled by the petitioner.

PLANNING COMMISSION OPTIONS

- a. Approve the Preliminary Partition with conditions of approval and findings as written in the Proposed Final Order (MP-15-01).
- b. Approve the Preliminary Partition with changes to the conditions of approval and/or changes to the findings in the Proposed Final Order (MP-15-01).
- c. Deny the Preliminary Partition with findings supporting the denial.
- d. Continue the discussion of the proposed Preliminary Partition if more information is needed.

CITY ADMINISTRATOR'S RECOMMENDATION

The City Administrator requests that the Planning Commission follow process for review of the preliminary partition as presented.

SUGGESTED MOTION

I make a motion to (approve with conditions as stated in the final order / approve with conditions as modified by the Planning Commission / deny with findings / continue) the Preliminary Partition for Tax Lot 402 of Assessor's Map 16-04-06-11, File # MP-15-01.

ATTACHMENTS

- A. Staff Report
 - I. Proposed Partition Plat Map
 - II. Application packet
 - III. Proposed Final Order Preliminary Partition (MP-14-01)

FOR MORE INFORMATION

Staff Contact: Jordan Cogburn
Telephone: 541.998.4763
Staff E-Mail: jcogburn@ci.junction-city.or.us



FINDINGS OF THE PLANNING DEPARTMENT:

DEPARTMENT REVIEW FOR THE GAMBEE MINOR PARTITION (MP-15-01)

Application Summary:

Preliminary Partition Plat to create three residential parcels out of one legal lot.

Owner(s):

John P Gambee, The Junction, LLC, Junction City, OR

Applicant(s) Representative:

Robert Stevens, AICP, Metro Planning, Inc., Eugene, OR

Lead City Staff:

Jordan Cogburn, City Planner, Junction City Planning Department, (541) 998-4763

Subject Property/Zoning/Location:

Tax Lot 402 of Assessor's Map 16-04-06-11, Zoned R2, Duplex Residential, located approximately mid-block on the west side of Prairie Road, south of High Pass Road/West 1st Avenue.

Relevant Dates:

Application originally submitted on April 10, 2015; supplemental information submitted on April 21, 2015; deemed complete on April 23, 2015; final staff report issued on May 8, 2015

Present Request:

This is an application for a preliminary partition on Prairie Road in the City of Junction City.

Public Notice and Referrals:

Request for Public Comment on the proposed development was sent to property owners within 300 feet of the subject site on April 24, 2015. No public comments have been received to date in response to the request.

Referral comments on the application were requested from various affected service providers and City departments. All referral comments received by the Planning Department on this application are included in the application file for reference, and addressed in the context of applicable approval criteria and standards in the following evaluation. Relevant application requirements and approval criteria are addressed at JCMC 16.05.030 Minor Partition Procedures, and JCMC 16.05.050 Platting and Mapping Standards.

General Property Information:

This partition will divide one existing lot into three proposed parcels. All parcels are proposed as panhandle lots that will share a 25 foot joint-use access and utility easement. There are two existing joint-use access and utility easements that encumber the subject property currently. For clarity, both existing access and utility easements are proposed to be vacated prior to development or final plat recording and a new 25 foot access and utility easement will be recorded to serve the three proposed parcels.

The site of this partition is located south of the intersection of Prairie Road and West 1st. There are no improvements on the subject property. This site was originally created through a minor partition in 2009 followed by two property line adjustments that have resulted in the current configuration.

Evaluation:

The following findings demonstrate that the proposed tentative partition plan will comply with all applicable approval criteria and related standards as set forth in the Junction City Municipal Code (JCMC). The approval criteria and related standards are listed below in **bold**, with findings addressing each. Various conditions of approval, final plat requirements, and informational items are included where appropriate.

Chapter 16.05 – Subdivisions**Section 16.05.030 – Minor Partition Procedure**

(A) Application. An application shall be made by the person proposing the minor partition or his authorized agent or representative on a form prescribed by the city following procedures outlined in JCMC 17.150.070 and submitted to the secretary of the planning commission, together with a tracing and nine additional copies of a preliminary plan.

Metro Planning is the authorized representative for The Junction, LLC. This application is being submitted with ten copies of the preliminary plan in compliance with this requirement.

(B) Drafting. The preliminary plan shall be legibly drawn to scale on sheets of tracing paper or cloth measuring 8 ½ by 11 inches. The scale will be 10, 20, 30, 40, 50, or 60 feet to the inch. The city superintendent of public works shall furnish such 8 ½ by 11-inch tracing sheets on request.

The preliminary plan has been drafted on 18" x 24" paper and a reduced copy on 8.5" x 11" paper is included as well.

(C) Preliminary Plan Contents. The preliminary plan shall contain the following:

(1) The dimensions and parcel lines of all parcels.

The dimensions of the boundary and proposed parcel lines are shown on the attached plan.

(2) An accurate map describing the boundaries of all contiguous land in the same ownership as the area encompassed in the preliminary plan area.

The Junction, LLC owns the adjacent Tax Lot 403 and it shown on the attached preliminary partition plan; however it is not involved in this application.

(3) The date, north point and scale of the drawing, and sufficient legal description and dimensions of the land to define the boundary thereof and the assessor's account number.

The date of the survey, north arrow, engineer's scale, legal description, and assessor's number are noted on the attached plan.

(4) Name, address and telephone number of the owner, the partitioner and engineer or surveyor.

The contact information for The Junction, LLC (owner) is noted on the plan. In addition, the address and phone number of the surveyor, Steven Woods, is included as well.

(5) Location of property in relation to existing streets, name and present width of all streets and alleys, and proposed right-of-way lines for existing or projected streets as shown on the master street plan.

The attached preliminary plan includes a vicinity map that shows where properties location relative to the adjacent street network. In addition, the width of the existing street, Prairie Road is called out on the plan.

(6) The layout of the parcels proposed and the dimensions of each, with a number within each proposed parcel.

Each of the three proposed parcels is labeled with a number and the dimensions of the parcel are shown on the plan.

(7) The location of each building or structure above ground. Dimension distance to parcel lines being created.

The subject property is currently vacant; thus there are no structures that need to be shown on the attached plan.

(8) The width and location of all easements for drainage or public utilities.

There are two existing, private access and utility easements that encumber the subject property; however, there are no easements for drainage or public utilities. Nonetheless, these existing easements are shown on the attached plan. The applicant proposes that the existing easements will be vacated prior to final plat or site development. The southern existing easement will be replaced by a new proposed private access and utility easement to serve all three parcels. All easements are shown on the attached plans.

(9) In addition, when all or a portion of the area encompassed in a minor partition application has not been previously included in a recorded plat (subdivision) of lots averaging a maximum of one-half acre each, the following information is also required:

(a) The affidavit of a surveyor who is an Oregon licensed land surveyor, and who prepared the preliminary plan for the area encompassed in the proposed partition.

The plat was prepared by Steve Woods, PLS, an Oregon licensed land surveyor and his signature block indicates his review of, and affidavit, for this proposed minor partition.

(b) The names of all recorded subdivisions contiguous to the subject area.

There are no contiguous recorded subdivisions; however, there are two contiguous recorded land partitions from 2008 and 2009 noted on the plan.

(c) The elevations of all points used to determine contours; said points given to true elevation above mean sea level as determined by the city engineer. The base data used shall be clearly indicated and shall be compatible to city datum if bench marks are not adjacent. The following intervals are required:

Contour Intervals Ground Slope

One foot Up to 5 percent

Two feet Over 5 percent through 10 percent

Five feet Over 10 percent

One foot contour intervals are shown on the attached preliminary plan using assumed elevation values as a means to indicate relative topography.

(d) The approximate width and location of all proposed or existing public utility easements.

There are no existing or proposed public utility easements; however, the two existing and one proposed private access and utility easement(s) are shown on the plan.

(e) The approximate location of areas subject to inundation or storm water overflow, all areas covered by water, and the location, width and direction of flow of all water courses.

There are no areas subject to inundation or storm water overflow on the subject property that need to be shown such as drainage ditches or low-lying areas.

(f) All proposals for sewage disposal, flood control, and easements or deeds for drainage land, including profiles of proposed drainageways.

The proposed sanitary sewer plan is that the three new parcels will be served by private laterals and lines that connect to the public sanitary line within Prairie Road. No easements would be necessary to

accommodate this proposed wastewater service plan other than the proposed access and utility easement.

(g) All public areas proposed to be dedicated by the partitioner and the proposed uses thereof. In this connection, the application is subject to the requirements pertaining to reserve strips as stipulated in Section [5(A) (3)] of this ordinance. Said reserve strips shall be clearly indicated on the proposed partition.

There are no areas proposed to be dedicated to the public within this minor partition including reserve strips.

(h) All public improvements proposed to be made or installed, and the time within which such improvements are envisioned to be completed.

No public improvements are proposed with this minor partition application.

(i) A legal description of the boundaries of the entire area owned by the partitioner of which the proposed partition is a part; provided that where the proposed partition comprises all of such area, an affidavit of such fact shall accompany the application.

A legal description is included on the attached preliminary partition plan.

(D) Preliminary Plan Review.

(1) City Superintendent of Public Works Review. The superintendent of public works shall review the preliminary plan and forward any comments he may have about the plan and send the original plan and seven copies to the planning commission for action, retaining one copy for his file.

The applicant understands that city staff will first review the preliminary partition plan prior to the Planning Commission deliberating and rendering a decision. As of the date of this report, no comments or conditions have been received from the Superintendent of Public Works.

(2) Planning Commission Review.

(a) The planning commission shall approve the plan or ask for further information from the partitioner.

The applicant understands that the Planning Commission is the approval authority for minor partitions in the City of Junction City.

(b) Approval findings. Approval of the plan must include affirmative findings that:

(i) Approval does not impede the future best use of the remainder of the property under the same ownership or adversely affect the safe and

healthful development of such remainder of any adjoining land or access thereto.

The entire area within the subject property will be developed as a result of this proposed partition. There will be no remainder of the site that could be further divided in the future. The proposed partition does not adversely affect the adjoining parcels as all future development at the subject site is subject to the applicable zoning regulations set forth in the JCMC at the time of development. This approval criterion is met.

(ii) The minor partition complies with Junction City policies and plans as well as the intent and purpose of JCMC 16.05.010.

The subject property is zoned R-2 (Duplex Residential). The future development plans for the vacant parcels have not been determined yet. However, the uses will be required to comply with those uses permitted outright per Section 17.15.010 of the Junction City Municipal Code. In addition, this use will be consistent with the comprehensive plan designation of Medium-Density Residential (M). Furthermore, this minor partition application will ensure the proper and orderly development of the subject site. All of the proposed parcels will be served by the public stormwater and wastewater systems, as well as, be provided all other utilities. This partition complies with the intent and purpose of the partition and subdivision ordinance.

(iii) Either:

(A) Improvements as required by the city and this code have been completed, and a certificate of fact has been filed with the planning department by the city engineer; or

(B) A performance agreement (bond), or suitable substitute, as agreed upon by the applicant and the city, has been filed with the city recorder in sufficient amount to insure the completion of all required improvements; or

(C) A petition for improvements has been properly executed by the partitioner who is effecting the partition and will be assessed for said improvements.

There are no proposed public improvements with this minor partition application. If the Planning Commission decides that a petition for future public improvements is required then the property owner shall comply with such a condition of approval.

(iv) The minor partition tentative plan is accompanied by five accurate copies thereof; and

Ten copies of the preliminary partition plan have been submitted with the application to meet this criterion.

(v) Public assessments, liens, utility charges and fees with respect to the minor partition area have been paid, or a segregation of assessments and liens has been applied for and granted by the council. Except as provided for in the procedures for modification as stipulated in JCMC 16.05.070, approval as stipulated herein does not relieve the applicant from other applicable provisions of this ordinance or Oregon Revised Statutes.

No public assessments, liens, utility charges, or other fees known to exist with respect to this property. This criterion is not applicable.

(vi) Minor partition applications for land occupied by existing buildings shall show the location of buildings and give dimensions to existing and proposed lot lines.

There are no existing buildings located on the subject property; thus there are no setbacks that need to be shown on the attached plan. This criterion is not applicable.

(3) Approval. In the event the planning commission finds that the plan complies with the statutes of the state and with this and all ordinances of the city, it shall approve the plan and signify its action on the face thereof by appropriate signature of the commission. In the event the commission finds that the plan cannot be made to comply with such requirements, it shall disapprove the plan and signify its action in the same manner as in approval. The commission may make approval subject to conditions to be fulfilled by the petitioner.

The applicant understands that approval of the plan will be signified by a signature of the Planning Commission Chair on the final plat.

(4) Notification by Commission. When such a plan is approved, conditionally approved or disapproved by the commission, it shall forthwith deliver in person or by mail a copy of such plan with the action thereon to the person having filed the plan. Such action by the commission shall become final in the absence of any appeal. Copies of the plan with the action thereon shall be delivered to the Lane Council of Governments, and the commission shall retain the original copy thereof in the office of the city engineer.

The applicant understands that notification will be made of the Planning Commission decision.

(5) Unless appealed, the planning commission's decision shall become effective on the eleventh day after it is rendered.

The applicant understands that the Planning Commission decision will be effective on the eleventh day after the decision is issued.

(E) Appeal to the Council. If any person filing a minor partition plan is dissatisfied with the action of the planning commission, he may, no later than 12 days after such action by the commission, appeal in writing to the council and file same with the council.

The property owner/applicant understands that any possible appeal of the Planning Commission decision will be heard by the City Council.

(F) Limitation of Appeal. The conditional approval of such plan shall be valid for a period of one year from the date of final action thereon. During said period, all the conditions of approval shall be met. Such conditional approval may be extended for a period not to exceed one additional year by the council, upon written request; provided, such request is made prior to the expiration of the one-year period.

It is understood by the applicant that a minor partition approval is valid for one year.

(G) Ownership Verification of Dedications. In the event approval of a minor partition is conditioned upon the dedication of a portion of the area to the public, the applicant shall submit to the public works department a title report issued by a title insurance company licensed in the state of Oregon verifying ownership by the applicant of the real property that is to be dedicated to the public.

There are no proposed dedications with this proposed application; thus this requirement should not be applicable.

(H) Expedited Land Divisions. All applications for expedited land divisions shall comply with ORS 197.360 through 197.380 and the Junction City comprehensive plan. ORS 197.360 through 197.380 details criteria, application and notice requirements and action and appeal procedures for expedited land divisions.

This minor partition application is not being requested to be reviewed as an expedited land division; thus this standard does not apply.

Section 16.05.050 - Platting and Mapping Standards

(A) Streets.

Prairie Road is an existing street. There are no proposed streets because the unplatted lands adjacent to the subject site are already developed and do not need a street stub from this property.

(B) Alleys.

No alleys are proposed with this partition application.

(C) Blocks.

(1) Block length. Block length shall not exceed 600 feet. In residential and commercial zones, maximum block perimeter shall be 1,600 feet. The planning commission may

allow exceptions where pedestrian pathways are utilized as mid-block connections between streets.

Prairie Road is an existing public street. No streets are proposed with this partition; thus the block length of Prairie Road will be unaffected.

(2) Street Connectivity. In order to promote efficient vehicular and pedestrian circulation throughout the city, land divisions and developments greater than two acres in size shall produce complete blocks bounded by a connecting network of public and/or private streets, in accordance with the following standards:

The subject property is 29,642 square feet (0.68 acres). Given that the land division is less than 2 acres, this standard is not applicable.

(3) Pedestrian ways. When necessary for public convenience and safety, the planning commission may require the partitioner or subdivider to dedicate to the public pedestrian ways 10 feet in width to connect to cul-de-sacs, to pass through oddly shaped or unusually long blocks, or to provide access to schools, parks, or other public areas, of such design and location as reasonably required to facilitate pedestrian travel.

There are no cul-de-sacs, schools, parks, or other public areas adjacent to the proposed partition that would require the dedication of any pedestrian ways. Given this fact, this standard is not applicable.

(4) Easements for utilities. Dedication of easements for storm water sewers and for access there-to for maintenance, in order to safeguard the public against flood damage and the accumulation of surface water, and dedication of easements for sanitary sewers, and for access thereto for maintenance, and dedication of easements for other public or private utilities, may be required of the partitioner or subdivider by the planning commission along lot rear lines, lot side lines, or elsewhere as necessary to provide needed facilities for present or future development of the area in accordance with the purpose of this ordinance. Easements for utility lines shall be not less than 14 feet in width; except that, for an easement abutting land not in the partitioned or subdivision area, a lesser width may be allowed, in the description of the planning commission, where the petitioner or subdivider presents a satisfactory plan whereby such easement will be expanded to the width otherwise required.

To accommodate the proposed private utilities, there is a proposed private 25 foot joint-use access and utility easement over the panhandle portions of the lots, which is shown on the preliminary plat. No additional easements are necessary for utilities, access, and maintenance purposes.

(D) Perimeter Fences. Perimeter fences shall be required where rear yards abut an existing or planned street. The perimeter fence shall be sight-obscuring and at least 5 feet in height, and shall be setback at least 3 feet from the sidewalk or right-of-way. At least one deciduous shade tree (a minimum 2-inches in caliper at planting) shall be provided for each 50 lineal feet of street frontage. At the time of application review, the Planning Commission may also

require additional subdivision perimeter fencing, retaining walls, or other perimeter treatment in order to address privacy, stormwater runoff, or other issues relating to compatibility with adjacent properties.

There are no existing or planned streets along the rear of the development site; thus no perimeter fence is required. In addition, street trees will not be able to be planted along the frontage with Prairie Road given that most of the entire frontage will be occupied by a shared driveway to serve the three parcels.

(E) Lots. Lot sizes in mobile home subdivisions shall conform to the provisions of Chapter 17.100 JCMC, Mobile Homes, rather than this subsection (E).

(1) Size and frontage.

(a) General requirements.

(i) Width. Each lot shall have an average width between the lot side lines of not less than 60 feet. Each corner lot and each authorized key lot and butt lot shall have an average width between the lot side lines of not less than 65 feet.

All of the proposed parcels will have an average width of over 60 feet. Parcel 1 will be about 81 feet wide. Parcel 2 will be about 89 feet wide and Parcel 3 will be about 97 feet wide. These lot widths also comply with the minimum lot width of 50 feet per Section 17.15.030 of the JCMC.

(ii) Depth. Each lot shall have an average depth between the lot front line and the lot rear line of not less than 80 feet and not more than 2 ½ times the average width between the lot side lines. Each double frontage lot shall have an average depth between the lot front line and lot rear line of not less than 120 feet, unless a lesser depth is approved by the planning commission where necessitated by unusual topographic conditions.

All of the proposed parcels will have an average depth of at least 80 feet. Parcel 1 will be about 88 feet deep. Parcel 2 will be about 80 feet deep and Parcel 3 will be about 112 feet deep. Most importantly, the lot depths need to comply with the R2 zoning standard of 75 feet per Section 17.15.030; these parcels are shown to meet the lot depth standard of the zoning district. In addition, none of the lot depths are more than 2.5 times the average lot widths.

(iii) Area. Minimum lot area shall be in accord with requirements for the zoning district within which the lot is located.

Per Section 17.15.030 of the JCMC, the minimum lot size for single-family dwellings is 5,000 square feet and 7,000 square feet for duplexes. Parcel 1 will be 7,871 square feet (7,063 square feet excluding the panhandle). Parcel 2 will be 8,616 square feet (7,079 square feet excluding the panhandle). Parcel 3 will be 13,155 square feet (10,953 square feet excluding the panhandle). All of the proposed parcels exceed the minimum lot area of 5,000 square feet and could potentially be developed with duplexes given that each exceeds the minimum lot size for such a use.

(iv) Frontage. Each lot shall have frontage of not less than 60 feet upon a street, except that a lot on the outer radius of a curved street or facing the circular end of a cul-de-sac shall have frontage of not less than 35 feet upon a street, measured on the arc.

All three of the proposed parcels will be panhandle lots with reduced frontage as allowed per the criteria at JCMC Chapter 16.05.050(6) and is further addressed below.

(v) Reverse Frontage.

(A) Lots that front on more than on street shall be required to locate motor vehicle accesses on the street with lower functional classification.

(B) When a residential subdivision is proposed that would abut an arterial, it shall be designed to provide through lots along the arterial with access from a frontage road or interior local road. Access rights of these lots to the arterial shall be dedicated to the city and recorded with the deed (reserve strip.) A berm or buffer yard may be required at the rear of through lots to buffer residences from traffic on the arterial. The berm or buffer yard shall not be located within the public right-of-way.

None of the proposed parcels will have frontage along more than one street. Each parcel only has frontage on Prairie Road.

(b) Exceptions.

(i) Partitioned or subdivision area developed as a unit. The planning commission may, in its discretion, authorize relaxation of the parcel or lot size and frontage requirements specified herein where the partitioner or subdivider presents a plan satisfactory to the planning commission whereby the entire partitioned or subdivision area will be designed and developed with provision for proper maintenance of recreation and park area which will be commonly available for recreation and park purposes to the residents of the partitioned or subdivision area, and which the planning commission determines will be of such benefit to said residents as is equal to that which would be derived from observance of the parcel or lot size and frontage requirements otherwise specified, and will be in accordance with the purpose of this ordinance.

(ii) Land zoned for commercial or industrial use. The planning commission may, in its discretion, authorize relaxation of the parcel or lot size and frontage requirements specified herein in the case of land zoned for commercial use, where such relaxation is necessary in consideration of the suitability of the land for such use, and in accordance with the purpose of this ordinance.

(iii) Parcel or lot retained for future partition or subdivision. The planning commission may, in its discretion, waive parcel or lot frontage requirements where, in its judgment, a parcel or lot should and will be retained by the partitioner or subdivider, and future partition or subdivision of such parcel or lot will be the highest and best use thereof, and such use will be best protected by the creation of a reserve strip separating such parcel or lot from any street.

All lot design standards (width, depth, area, and frontage) are met. No exceptions to the standards are being requested in this application; thus this criterion is not applicable.

(2) Key parcels or lots and butt parcels or lots. There shall be no key parcels or lots or butt parcels or lots, except where authorized by the planning commission here such parcels or lots are necessitated by unusual topographic conditions or previous adjacent layout.

There are no proposed key lots or parcels or butt lots or parcels, as required.

(3) Parcel and lot side lines. As far as is practicable, parcel and lot side lines shall run at right angles to the street upon which the parcels or lots face, except that on curved streets they shall be radial to the curve.

The parcel lot side lines are at right angles to the street upon which the parcels face, as required.

(4) Suitability for intended use. All parcels and lots shall be suitable for the purpose for which they are intended to be used. No parcel or lot shall be of such size or design as to be detrimental to the health, safety, or sanitary needs of the residents of the partition or subdivision area or of such parcel or lot, as determined by the planning commission in accordance with the purpose of this ordinance.

All proposed parcels are large enough in area and suitable for Medium-Density residential development, as envisioned by the Junction City Comprehensive Plan. No parcel size will be detrimental to public health and safety.

(5) Future partitioning or subdivision of parcels or lots. Where the partition or subdivision will result in a parcel or lot ½ acre or larger in size which, in the judgment of the planning commission, is likely to be partitioned or subdivided in the future, the planning commission may require that the location of parcel or lot lines and other details of layout be such that future partition or subdivision may readily be made without violating the requirements of this ordinance and without interfering with orderly extension of adjacent streets. Any restriction of buildings within future street locations shall be made a matter of record, if the planning commission deems it necessary for the purpose of future subdivision.

None of the proposed parcels will be larger than a ½ acre; thus no future development plan for re-development is required per this standard.

(6) Panhandle lots. Panhandle lot configurations shall not be utilized in new subdivisions. The Planning Commission may authorize exceptions from frontage requirements for panhandle lots in the R1 and R2 zones, only in established neighborhoods, provided that the following standards, applicable to all panhandle lots, are met.

This is a proposed land partition in an established neighborhood, is not located in a new subdivision, and the subject property is zoned R2; thus panhandle lots maybe proposed and three panhandle lots are being proposed in this application. As demonstrated below, all panhandle lot standards are met.

(a) Minimum lot sizes for panhandle lots shall be as follows, unless Title 17 JCMC requires larger minimum lot sizes:

- (i) All lots and parcels in an R1 zone must be at least 6,000 square feet, exclusive of the panhandle; and**
- (ii) All lots and parcels in an R2 zone must be at least 5,000 square feet, exclusive of the panhandle.**

The subject property is zoned R2. Parcel 1 will be 7,063 square feet exclusive of the panhandle. Parcel 2 will be 7,079 square feet exclusive of the panhandle and Parcel 3 will be 10,953 square feet outside of the panhandle. The minimum lot areas for panhandle lots in the R2 zoning district are met.

(b) Minimum panhandle width shall be as follows, whether or not the panhandle is used for access:

- (i) One rear lot or parcel - 15 feet;**
- (ii) Two or more rear lots or parcels - 25 feet;**

This minor partition proposed three panhandle lots that will share one access driveway. The combined width of the panhandles for all parcels is 25 feet; thus meeting this criterion.

(c) Minimum access paving width of the panhandle or abutting driveway used for access shall be as follows:

- (i) One or two rear lot(s) or parcel(s) - 15 feet;**
- (ii) Three or four rear lots or parcels - 20 feet (to preserve existing natural features, paving width may be reduced to 22 feet, except for the first 25 feet back from the sidewalk, with the approval of the Planning Commission if both sides of the driveway are landscaped in accordance with an approved landscape plan).**

The applicant proposes that the driveway within the panhandle portion of Parcels 1-3 will be at least 20 feet wide.

(d) Driveways (which may or may not be the panhandle) and parking areas shall have a durable, dust-free surfacing of asphalt concrete, Portland cement concrete or other approved material.

The proposed driveway within the panhandle portion of Parcels 1, 2, and 3 will be constructed with a durable, dust-free surface (either asphalt concrete or Portland cement concrete).

(e) Use of a panhandle for access shall be permitted only if creation of a public street, including a future public street, is not possible because:

- (i) Physical conditions preclude development of a public street. Such conditions may include, but are not limited to, topography or the existence of natural resource areas such as wetlands, ponds, streams, channels, rivers or lakes, or a resource on the National Wetlands Inventory or under protection by state or federal law;**
- (ii) Buildings or other existing development on adjacent lands, including previously subdivided but vacant lots or parcels, physically preclude a connection now or in the future, considering the potential for redevelopment in the planning period;**

Three panhandle lots are proposed because the creation of a public street is not possible due to existing buildings on adjacent lands. According to on-site field verifications, the areas around the subject property to the north, west, and south are already developed with existing structures or are platted lots that will be developed in the future. The properties to the north and south are/will be developed with residential dwellings. The site to the west is fully developed as a mobile home park. If a public street were located on the subject site, the existing off-site development would preclude a future extension of such a street. This means that such a street would only serve the subject site. Given these facts, buildings or other existing development on adjacent lands physically preclude a connection now or in the future for a public street. This is the reason that Parcels 1-3 are being proposed as panhandle lots.

(f) A maximum of four rear lots or parcels may be assigned to a single panhandle.

Only three rear parcels will share the single panhandle driveway within the subject partition boundary. The two panhandle lots to the south (Parcels 2 and 3 of LPPN 2008-P2220) are assigned to the panhandle driveway built within the recorded 2008 partition. This standard is met.

(g) Vehicular access from public streets to the rear lots or parcels may be obtained one of three ways:

- (i) Via a panhandle driveway;**
- (ii) Via an existing alley;**
- (iii) Via an abutting property's driveway.**

The access to Parcels 1-3 will be via a shared driveway located within the panhandles of each parcel, as allowed by this standard. In addition, the applicant is trying to obtain a small access easement from the owner of Parcel 3 of LPPN 2008-P2220 (Tax Lot 303) so that the approach to the proposed panhandle driveway within this proposed partition can come from where the driveway immediately to the south accesses Prairie Road and avoid relocating utilities and removing a large tree (60" Cedar) that are currently located at the frontage of the proposed panhandle lots. The proposed alternative approach/access to Prairie Road would have the shared driveway within the proposed partition

connecting to the street through a small portion of the existing driveway to the south. The three proposed parcels would still be assigned to the panhandle driveway proposed within the subject partition and not the existing driveway to the south. This would ensure that the maximum rear lots to one panhandle driveway would still be met by having three parcels using a panhandle driveway within the subject partition and two rear lots within said 2008 partition assigned to the shared driveway created through that partition. If a small access easement across Tax Lot 303 to the south cannot be obtained to utilize the same approach onto Prairie Road, than the proposed panhandle driveway within the subject partition shall connect directly to Prairie Road.

(h) If an abutting property's access driveway is used:

- (i) An "access easement-maintenance agreement" shall be required and shall be recorded in the Lane County Office of Deeds and Records;**
- (ii) There shall be adequate room elsewhere on the abutting property to meet off-street parking requirements for that property.**

Proposed Parcels 1-3 will share the panhandle driveway within the proposed partition. No abutting property will be used for access unless a small additional easement is obtained across Tax Lot 303 to share the approach onto Prairie Road. If this alternative driveway approach is used to connect the proposed, shared driveway to Prairie Road than the additional access easement-maintenance agreement shall be recorded concurrently with the final plat or prior to building permit issuance.

(i) When the panhandle is used for access and the abutting property owner requests a visual buffer at the time of land division review, that buffer shall consist of the following:

- (i) A minimum five foot high site-obscuring fence or wall, or**
- (ii) Landscaping that will be five feet high and 75% site-obscuring within five years.**

The applicant understands that a condition of approval requiring a visual buffer along the north or south side of the panhandle driveway could be required and will comply with such a condition of approval if one is applied to the decision.

(j) If access is provided via an existing unimproved alley, the property owner filing for the land division shall improve the alley to city standards. The alley must be able to provide automobile and emergency vehicle access to a public street.

No access will be via an existing unimproved alley; thus this standard is not applicable.

(k) Whether or not the panhandle is used for access, it shall remain free of structures and be available for possible future access to a public street.

The applicant states that the panhandle will remain free of structures at all times for access to the public street, Prairie Road.

(l) Each rear lot or parcel shall have two parking spaces and shall have sufficient turn-around area to eliminate the necessity for a vehicle to back out onto the street. The two spaces shall not be located in the panhandle portion of driveways.

At the time of house construction, at least two parking spaces and sufficient area for turning around will be built on each proposed parcel in order to be in compliance with this standard.

(m) The building official shall not issue a certificate of occupancy until the project is completed in accordance with approval conditions, this code and the zoning ordinance.

The applicant understands that a certificate of occupancy will not be issued unless compliance with all approval conditions and the JCMC is demonstrated.

(n) Except as provided herein, the design and development standards of the zone district in which the panhandle lots or parcels are located shall apply.

The panhandle lots, Parcels 1-3, meet all other requirements (such as lot width, depth, and area) of the R2 zone as demonstrated previously.

(F) Drainage. Where land in the partitioned or subdivision area is or will be periodically subject to accumulations of surface water or is traversed by any watercourse, channel, stream or creek, the planning commission may require the partitioner or subdivider to provide for adequate unrestricted drainage over drainage land by dedicating to the public easements therefore approved by the planning commission as adequate for the drainage needs of the area; or, where necessary, in the judgment of the planning commission, for protection of such needs, by conveying ownership of such drainage land for drainage purposes to the city.

There are no watercourses, channels, streams, or creeks on the development site. The stormwater runoff will be conveyed (piped) to the existing system in Prairie Road via the shared access and utility easement. No additional drainage easements are necessary to accommodate stormwater drainage.

(G) Railroads.

There are no railroads adjacent to the proposed partition; thus this section is not applicable. Given this fact, none of the subsections are included below.

(H) Partial development. Where the partitioned or subdivision area includes only a part of the tract owned by the partitioner or subdivider, the planning commission may require a sketch of a tentative layout of streets in the remainder of said tract.

There will be no remainder of the property left for future development. All of the area within the subject property will be developed.

(I) Recreational area. The planning commission, after council approval first having been obtained, may require, as a condition of approval of the subdivision, either:

- (1) The dedication of land for park and recreational purpose of an amount equal to a ratio of not less than one acre of recreational area to every one hundred people of the ultimate population in the subdivision; or**
- (2) The payment to the city of a sum as established by the resolution adopting park systems development charges for each living unit permitted to be constructed within the subdivision. Payment of the charge shall be made at the time the building permit for construction of each living unit is issued by the city. The amount of the charge shall be that prescribed in the parks systems development resolution in effect at the time the individual permit is issued. In exercising the discretion of requiring the dedication of land or the payment of money, the commission shall consider recreational needs of the ultimate population of the subdivision and the extent to which a dedication of land under the above rate would fulfill those needs. All moneys received from the above provision shall be deposited in the recreational reserve area fund and shall be expended from that fund for the purpose of purchasing recreational land and making improvements thereof.**

This application is for a minor partition and not a subdivision; thus this standard is not applicable.

(J) Building lots filled. All building lots shall be filled in accordance with accepted engineering practice. All fill shall be placed in accordance with Chapter 70 of Oregon Structural, Specialty and Fire and Life Safety Code.

The subject property is fairly flat and thus no fill is proposed for the building lots; however, if any fill is needed than it will be in compliance with accepted engineering practices and the Oregon Structural Specialty Code.

(K) Finish floor elevations. Finish floor elevations shall be established for all buildings on the final plat in accordance with elevations established by and for the city of Junction City.

The property owner and applicant understand this final plat standard.

(L) Utility access. All accesses to utilities are to be brought to finish grade.

All of the accesses to utilities when constructed will be brought to finished grade.

Conclusion:

Based upon the available information and findings set forth above, it is concluded that the proposed Minor Partition (MP 15-01) complies with the applicable approval criteria and related standards set forth within the JCMC. Staff recommends Conditional Approval of the applicant's Minor Partition Application.

Planning Department Recommended Conditions of Approval:

1. The applicant shall record the plat with Lane County Deeds and Records and the County Surveyor.

For more information on the Planning Department conditions above, contact Jordan Coqburn, Junction City Planner at 541-988-4763, or by email at: jcoqburn@ci.junction-city.or.us

Public Works Department Recommended Conditions of Approval:

1. All future development of the subject site shall be in conformance with the Junction City Public Works Design Standards.

For more information on the Public Works Department conditions above, contact Gary Kaping, Junction City Public Works Director AIC at 541-988-3125, or by email at: gkaping@ci.junction-city.or.us



GENERAL LAND USE APPLICATION

City of Junction City
680 Greenwood Ave/PO Box 250
Junction City, OR 97448
Phone: 541-998-2153
Fax: 541-998-3140
www.junctioncityoregon.gov

Type of Application: (May require a supplemental application to be attached and/or additional documentation)

<input type="checkbox"/> Annexation	<input type="checkbox"/> Other:	<input type="checkbox"/> Temporary Use Permit
<input type="checkbox"/> Comprehensive Plan Amendment <input type="checkbox"/> Map <input type="checkbox"/> Text	<input checked="" type="checkbox"/> Partition <input checked="" type="checkbox"/> Preliminary <input type="checkbox"/> Final	<input type="checkbox"/> Vacation
<input type="checkbox"/> Development Review	<input type="checkbox"/> Subdivision <input type="checkbox"/> Preliminary <input type="checkbox"/> Final	<input type="checkbox"/> Variance <input type="checkbox"/> Major <input type="checkbox"/> Minor

LOCATION OF PROPERTY OR ADDRESS:
West Side of Prairie Road, South of Intersection with Addison Avenue

SIZE OF PROPERTY(S): 29,642 Square Feet	ASSESSOR'S MAP AND TAX LOT #: 16-04-06-11 Tax Lot 402
PRESENT USE: Vacant	PROPOSED USE: Residential

BRIEF SUMMARY OF ACTION REQUESTED:
Preliminary Partition of Tax Lot 402 (Map 16-04-06-11) into three (3) parcels; all being panhandle lots.

PROPERTY OWNER:
The Junction, LLC

ADDRESS:
93984 Prairie Road Junction City, OR 97448

APPLICANT'S NAME:
Metro Planning, Inc. c/o Robert Stevens, AICP (Applicant's Representative)

ADDRESS:
370 Q Street Springfield, OR 97477

PHONE: 541.302.9830 Office (541.968.9849 Cell)	E-MAIL: robert@metroplanning.com
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CONTACT:
Metro Planning, Inc. c/o Robert Stevens, AICP (Same as Applicant's Representative)

ADDRESS:

APPLICANT'S NAME:

ADDRESS:

PHONE:	E-MAIL:
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ATTACHMENT(S):
 Copy of Deed Other: _____

I have the following legal interest in the property (Please check one):
 Owner of Record Lessee Holder of an exclusive Option to Purchase Contract Purchase

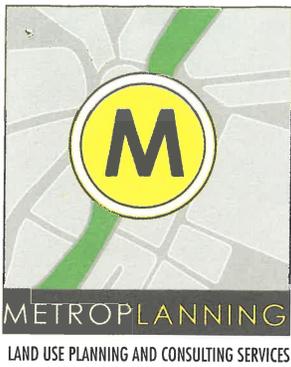
Per Resolution 862: All direct costs for contracted city staff shall be charged monthly to the applicant in the amount billed to City. Contracted staff includes, but are not limited to, city engineer, city attorney, building inspector, traffic consultant, wetlands specialist. Direct costs 30 days past due shall be charged 9% interest in addition to the amount billed to the City.

I hereby certify that the foregoing statements and other information attached hereto are true and accurate to the best of my knowledge and belief. I also agree to pay all direct costs associated with processing this land use application.

Owner's Signature: _____

Date: 4-8-15

[Type text]



PRELIMINARY PARTITION APPLICATION FOR THE JUNCTION, LLC

Written Statement

Submittal No.:	1
Submittal Date:	April 10, 2015
Applicant's Request:	Preliminary Partition Plat approval to create three residential parcels, all flag lots, out of one legal lot.
Property Owner/Applicant:	The Junction, LLC c/o John P. Gambee 93984 Prairie Road Junction City, OR 97448
Applicant's Representative/ Project Coordinator:	Metro Planning, Inc. c/o Robert Stevens, AICP 370 Q Street Springfield, OR 97477 Tel (541) 302-9830 Cell (541) 968-9849
Surveyor:	Steven Woods, PLS PO Box 504 Junction City, OR 97448
Subject Property:	Map 16-04-06-11; Tax Lot 402
Property Size:	36,663 Square Feet
Zoning:	R-2 (Duplex Residential)
Comprehensive Plan:	Low-Density Residential
Number of Parcels Proposed:	3
Parcel 1 Size:	7,871 Sq Feet (7,063 Sq Feet excluding the panhandle)
Parcel 2 Size:	8,616 Sq Feet (7,079 Sq Feet excluding the panhandle)
Parcel 3 Size:	13,155 Sq Feet (10,953 Sq Feet excluding the panhandle)

Preliminary Partition for
The Junction, LLC

Background

This is an application for a preliminary partition on Prairie Road in the City of Junction City. This partition will divide one existing lot into three proposed parcels. All parcels are proposed as panhandle lots that will share a 25 foot joint-use access and utility easement. There are two existing joint-use access and utility easements that encumber the subject property currently. For clarity, both existing access and utility easements are proposed to be vacated prior to development or final plat recording and a new 25 foot access and utility easement will be recorded to serve the three proposed parcels.

The site of this partition is located south of the intersection of Prairie Road and West 1st. There are no improvements on the subject property. This site was originally created through a minor partition in 2009 followed by two property line adjustments that have resulted in the current configuration.

In this written statement, applicable requirements for a minor partition per the Junction City Municipal Code are addressed. This includes Section 16.05.030 – Minor Partition Procedure and Section 16.05.050 – Platting and Mapping Standards. Text from the municipal code is in italics; the responses are in plain text.

Section 16.05.030 – Minor Partition Procedure

(A) Application. An application shall be made by the person proposing the minor partition or his authorized agent or representative on a form prescribed by the city following procedures outlined in JCMC 17.150.070 and submitted to the secretary of the planning commission, together with a tracing and nine additional copies of a preliminary plan.

Metro Planning is the authorized representative for The Junction, LLC. This application is being submitted with ten copies of the preliminary plan in compliance with this requirement.

(B) Drafting. The preliminary plan shall be legibly drawn to scale on sheets of tracing paper or cloth measuring 8 ½ by 11 inches. The scale will be 10, 20, 30, 40, 50, or 60 feet to the inch. The city superintendent of public works shall furnish such 8 ½ by 11-inch tracing sheets on request.

The preliminary plan has been drafted on 18" x 24" paper and a reduced copy on 8.5" x 11" paper is included as well.

(C) Preliminary Plan Contents. The preliminary plan shall contain the following:
(1) The dimensions and parcel lines of all parcels.

The dimensions of the boundary and proposed parcel lines are shown on the attached plan.

(2) An accurate map describing the boundaries of all contiguous land in the same ownership as the area encompassed in the preliminary plan area.

The Junction, LLC owns the adjacent Tax Lot 403 and it shown on the attached preliminary partition plan; however it is not involved in this application.

(3) The date, north point and scale of the drawing, and sufficient legal description and dimensions of the land to define the boundary thereof and the assessor's account number.

The date of the survey, north arrow, engineer's scale, legal description, and assessor's number are noted on the attached plan.

(4) Name, address and telephone number of the owner, the partitioner and engineer or surveyor.

The contact information for The Junction, LLC (owner) is noted on the plan. In addition, the address and phone number of the surveyor, Steven Woods, is included as well.

(5) Location of property in relation to existing streets, name and present width of all streets and alleys, and proposed right-of-way lines for existing or projected streets as shown on the master street plan.

The attached preliminary plan includes a vicinity map that shows where properties location relative to the adjacent street network. In addition, the width of the existing street, Prairie Road is called out on the plan.

Preliminary Partition for
The Junction, LLC

(6) *The layout of the parcels proposed and the dimensions of each, with a number within each proposed parcel.*

Each of the three proposed parcels is labeled with a number and the dimensions of the parcel are shown on the plan.

(7) *The location of each building or structure above ground. Dimension distance to parcel lines being created.*

The subject property is currently vacate; thus there are no structures that need to be shown on the attached plan.

(8) *The width and location of all easements for drainage or public utilities.*

There are two existing, private access and utility easements that encumber the subject property; however, there are no easements for drainage or public utilities. Nonetheless, these existing easements are shown on the attached plan. Both existing easements will be vacated prior to final plat or site development. The southern existing easement will be replaced by a new proposed private access and utility easement to serve all three parcels. All easements are shown on the attached plans.

(9) *In addition, when all or a portion of the area encompassed in a minor partition application has not been previously included in a recorded plat (subdivision) of lots averaging a maximum of one-half acre each, the following information is also required:*

(a) *The affidavit of a surveyor who is an Oregon licensed land surveyor, and who prepared the preliminary plan for the area encompassed in the proposed partition.*

The plat was prepared by Steve Woods, PLS, an Oregon licensed land surveyor and his signature block indicates his review of, and affidavit, for this proposed minor partition.

(b) *The names of all recorded subdivisions contiguous to the subject area.*

There are no contiguous recorded subdivisions; however, there are two contiguous recorded land partitions from 2008 and 2009 noted on the plan.

(c) *The elevations of all points used to determine contours; said points given to true elevation above mean sea level as determined by the city engineer. The base data used shall be clearly indicated and shall be compatible to city datum if bench marks are not adjacent. The following intervals are required:*

<u>Contour Intervals</u>	<u>Ground Slope</u>
One foot	Up to 5 percent
Two feet	Over 5 percent through 10 percent
Five feet	Over 10 percent

One foot contour intervals are shown on the attached preliminary plan using assumed elevation values as a means to indicate relative topography.

(d) *The approximate width and location of all proposed or existing public utility easements.*

There are no existing or proposed public utility easements; however, the two existing and one proposed private access and utility easement(s) are shown on the plan.

(e) *The approximate location of areas subject to inundation or storm water overflow, all areas covered by water, and the location, width and direction of flow of all water courses.*

There are no areas subject to inundation or storm water overflow on the subject property that need to be shown such as drainage ditches or low-lying areas.

(f) *All proposals for sewage disposal, flood control, and easements or deeds for drainage land, including profiles of proposed drainageways.*

Preliminary Partition for
The Junction, LLC

The proposed sanitary sewer plan is that the three new parcels will be served by private laterals and lines that connect to the public sanitary line within Prairie Road. No easements would be necessary to accommodate this proposed wastewater service plan other than the proposed access and utility easement.

(g) All public areas proposed to be dedicated by the partitioner and the proposed uses thereof. In this connection, the application is subject to the requirements pertaining to reserve strips as stipulated in Section [5(A) (3)] of this ordinance. Said reserve strips shall be clearly indicated on the proposed partition.

There are no areas proposed to be dedicated to the public within this minor partition including reserve strips.

(h) All public improvements proposed to be made or installed, and the time within which such improvements are envisioned to be completed.

No public improvements are proposed with this minor partition application.

(i) A legal description of the boundaries of the entire area owned by the partitioner of which the proposed partition is a part; provided that where the proposed partition comprises all of such area, an affidavit of such fact shall accompany the application.

A legal description is included on the attached preliminary partition plan.

(D) Preliminary Plan Review.

(1) City Superintendent of Public Works Review. The superintendent of public works shall review the preliminary plan and forward any comments he may have about the plan and send the original plan and seven copies to the planning commission for action, retaining one copy for his file.

The applicant understands that city staff will first review the preliminary partition plan prior to the Planning Commission deliberating and rendering a decision.

(2) Planning Commission Review.

(a) The planning commission shall approve the plan or ask for further information from the partitioner.

The applicant understands that the Planning Commission is the approval authority for minor partitions in the City of Junction City.

(b) Approval findings. Approval of the plan must include affirmative findings that:

(i) Approval does not impede the future best use of the remainder of the property under the same ownership or adversely affect the safe and healthful development of such remainder of any adjoining land or access thereto.

The owner, The Junction, LLC, does not own any adjacent property. In addition, the entire area within the subject property will be developed as a result of this proposed partition. There will be no remainder of the site that could be further divided in the future. This approval criterion is met.

(ii) The minor partition complies with Junction City policies and plans as well as the intent and purpose of JCMC 16.05.010.

The subject property is zoned R-2 (Duplex Residential). The future development plans for the vacant parcels have not been determined yet however the uses will comply with those uses permitted outright per Section 17.15.010 of the Junction City Municipal Code. In addition, this use will be consistent with the comprehensive plan designation of low-density residential. Furthermore, this minor partition application will ensure the proper and orderly development of the subject site. All of the proposed parcels will be served by the public stormwater and wastewater systems, as well as, be provided all other utilities. This partition complies with the intent and purpose of the partition and subdivision ordinance. Furthermore, all requirements of the zoning ordinance are met. This criterion is met.

(iii) Either:

(A) Improvements as required by the city and this code have been completed, and a certificate of fact has been filed with the planning department by the city engineer; or

- (B) A performance agreement (bond), or suitable substitute, as agreed upon by the applicant and the city, has been filed with the city recorder in sufficient amount to insure the completion of all required improvements; or*
- (C) A petition for improvements has been properly executed by the partitioner who is effecting the partition and will be assessed for said improvements.*

There are no proposed public improvements with this minor partition application. A previous owner has already signed an annexation agreement to define who is responsible for any future improvements on the property. If the Planning Commission decides that a petition for future public improvements is required then the property owner will comply with such a condition of approval. This criterion is satisfied.

- (iv) The minor partition tentative plan is accompanied by five accurate copies thereof; and*

Ten copies of the preliminary partition plan have been attached to this application to meet this criterion.

- (v) Public assessments, liens, utility charges and fees with respect to the minor partition area have been paid, or a segregation of assessments and liens has been applied for and granted by the council. Except as provided for in the procedures for modification as stipulated in JCMC 16.05.070, approval as stipulated herein does not relieve the applicant from other applicable provisions of this ordinance or Oregon Revised Statutes.*

No public assessments, liens, utility charges, or other fees known to exist with respect to this property. This criterion is not applicable. However if any new fees or assessments are found, the owners will pay the fees prior to recording the final plat.

- (vi) Minor partition applications for land occupied by existing buildings shall show the location of buildings and give dimensions to existing and proposed lot lines.*

There are no existing buildings located on the subject property; thus there are no setbacks that need to be shown on the attached plan. This criterion is not applicable.

- (3) Approval. In the event the planning commission finds that the plan complies with the statutes of the state and with this and all ordinances of the city, it shall approve the plan and signify its action on the face thereof by appropriate signature of the commission. In the event the commission finds that the plan cannot be made to comply with such requirements, it shall disapprove the plan and signify its action in the same manner as in approval. The commission may make approval subject to conditions to be fulfilled by the petitioner.*

The applicant understands that approval of the plan will be signified by a signature of the Planning Commission Chair on the final plat.

- (4) Notification by Commission. When such a plan is approved, conditionally approved or disapproved by the commission, it shall forthwith deliver in person or by mail a copy of such plan with the action thereon to the person having filed the plan. Such action by the commission shall become final in the absence of any appeal. Copies of the plan with the action thereon shall be delivered to the Lane Council of Governments, and the commission shall retain the original copy thereof in the office of the city engineer.*

The applicant understands that notification will be made of the Planning Commission decision.

- (5) Unless appealed, the planning commission's decision shall become effective on the eleventh day after it is rendered.*

The applicant understands that the Planning Commission decision will be effective on the eleventh day after the decision is issued.

- (E) Appeal to the Council. If any person filing a minor partition plan is dissatisfied with the action of the planning commission, he may, no later than 12 days after such action by the commission, appeal in writing to the council and file same with the council.*

The property owner/applicant understands that any possible appeal of the Planning Commission decision will be heard by the City Council.

(F) Limitation of Appeal. The conditional approval of such plan shall be valid for a period of one year from the date of final action thereon. During said period, all the conditions of approval shall be met. Such conditional approval may be extended for a period not to exceed one additional year by the council, upon written request; provided, such request is made prior to the expiration of the one-year period.

It is understood by the applicant that a minor partition approval is valid for one year.

(G) Ownership Verification of Dedications. In the event approval of a minor partition is conditioned upon the dedication of a portion of the area to the public, the applicant shall submit to the public works department a title report issued by a title insurance company licensed in the state of Oregon verifying ownership by the applicant of the real property that is to be dedicated to the public.

There are no proposed dedications with this proposed application; thus this requirement should not be applicable.

(H) Expedited Land Divisions. All applications for expedited land divisions shall comply with ORS 197.360 through 197.380 and the Junction City comprehensive plan. ORS 197.360 through 197.380 details criteria, application and notice requirements and action and appeal procedures for expedited land divisions.

This minor partition application is not being requested to be reviewed as an expedited land division; thus this standard does not apply.

Section 16.05.050 - Platting and Mapping Standards

(A) Streets.

Prairie Road is an existing street. There are no proposed streets because the unplatted lands adjacent to the subject site are already developed and do not need a street stub from this property. Given these facts, none of the subsections of (A) – Streets is addressed below.

(B) Alleys.

No alleys are proposed with this partition application; thus this section is not applicable and none of the subsections of (B) – Alleys is addressed below.

(C) Blocks.

(1) Block length. Block length shall not exceed 600 feet. In residential and commercial zones, maximum block perimeter shall be 1,600 feet. The planning commission may allow exceptions where pedestrian pathways are utilized as mid-block connections between streets.

Prairie Road is an existing public street. No streets are proposed with this partition; thus the block length of Prairie Road will be unaffected. Given this fact, this standard is not applicable.

(2) Street Connectivity. In order to promote efficient vehicular and pedestrian circulation throughout the city, land divisions and developments greater than two acres in size shall produce complete blocks bounded by a connecting network of public and/or private streets, in accordance with the following standards:

The subject property is 29,642 square feet (0.68 acres). Given that the land division is less than 2 acres, this standard is not applicable and thus subsections (a) – (c) are not included below.

(3) Pedestrian ways. When necessary for public convenience and safety, the planning commission may require the partitioner or subdivider to dedicate to the public pedestrian ways 10 feet in width to connect to cul-de-sacs, to pass through oddly shaped or unusually long blocks, or to provide access to schools, parks, or other public areas, of such design and location as reasonably required to facilitate pedestrian travel.

There are no cul-de-sacs, schools, parks, or other public areas adjacent to the proposed partition that would require the dedication of any pedestrian ways. Given this fact, this standard is not applicable.

(4) Easements for utilities. Dedication of easements for storm water sewers and for access there-to for maintenance, in order to safeguard the public against flood damage and the accumulation of surface water,

and dedication of easements for sanitary sewers, and for access thereto for maintenance, and dedication of easements for other public or private utilities, may be required of the partitioner or subdivider by the planning commission along lot rear lines, lot side lines, or elsewhere as necessary to provide needed facilities for present or future development of the area in accordance with the purpose of this ordinance. Easements for utility lines shall be not less than 14 feet in width; except that, for an easement abutting land not in the partitioned or subdivision area, a lesser width may be allowed, in the description of the planning commission, where the petitioner or subdivider presents a satisfactory plan whereby such easement will be expanded to the width otherwise required.

To accommodate the proposed private utilities, there is a proposed private 25 foot joint-use access and utility easement over the panhandle portions of the lots. No additional easements are necessary for utilities, access, and maintenance purposes.

(D) Perimeter Fences. Perimeter fences shall be required where rear yards abut an existing or planned street. The perimeter fence shall be sight-obscuring and at least 5 feet in height, and shall be setback at least 3 feet from the sidewalk or right-of-way. At least one deciduous shade tree (a minimum 2-inches in caliper at planting) shall be provided for each 50 lineal feet of street frontage. At the time of application review, the Planning Commission may also require additional subdivision perimeter fencing, retaining walls, or other perimeter treatment in order to address privacy, stormwater runoff, or other issues relating to compatibility with adjacent properties.

There are no existing or planned streets along the rear of the development site; thus no perimeter fence is required. In addition, street trees will not be able to be planted along the frontage with Prairie Road given that most of the entire frontage will be occupied by a shared driveway to serve the three parcels.

(E) Lots. Lot sizes in mobile home subdivisions shall conform to the provisions of Chapter 17.100 JCMC, Mobile Homes, rather than this subsection (E).

(1) Size and frontage.

(a) General requirements.

(i) Width. Each lot shall have an average width between the lot side lines of not less than 60 feet. Each corner lot and each authorized key lot and butt lot shall have an average width between the lot side lines of not less than 65 feet.

All of the proposed parcels will have an average width of over 60 feet. Parcel 1 will be about 81 feet wide. Parcel 2 will be about 89 feet wide and Parcel 3 will be about 97 feet wide. These lot widths also comply with the minimum lot width of 50 feet per Section 17.15.030 of the JCMC.

(ii) Depth. Each lot shall have an average depth between the lot front line and the lot rear line of not less than 80 feet and not more than 2 ½ times the average width between the lot side lines. Each double frontage lot shall have an average depth between the lot front line and lot rear line of not less than 120 feet, unless a lesser depth is approved by the planning commission where necessitated by unusual topographic conditions.

All of the proposed parcels will have an average depth of at least 80 feet. Parcel 1 will be about 88 feet deep. Parcel 2 will be about 80 feet deep and Parcel 3 will be about 112 feet deep. Most importantly, the lot depths need to comply with the R2 zoning standard of 75 feet per Section 17.15.030; these parcels will all meet the lot depth standard of the zoning district. In addition, none of the lot depths are more than 2.5 times the average lot widths.

(iii) Area. Minimum lot area shall be in accord with requirements for the zoning district within which the lot is located.

Per Section 17.15.030 of the JCMC, the minimum lot size for single-family dwellings is 5,000 square feet and 7,000 square feet for duplexes. Parcel 1 will be 7,871 square feet (7,063 square feet excluding the panhandle). Parcel 2 will be 8,616 square feet (7,079 square feet excluding the panhandle). Parcel 3 will be 13,155 square feet (10,953 square feet excluding the panhandle). All of the proposed parcels exceed the minimum lot area of 5,000 square feet and could potentially be developed with duplexes given that each exceeds the minimum lot size for such a use.

(iv) Frontage. Each lot shall have frontage of not less than 60 feet upon a street, except that a lot on the outer radius of a curved street or facing the circular end of a cul-de-sac shall have frontage of not less than 35 feet upon a street, measured on the arc.

All three of the proposed parcels will be panhandle lots with reduced frontage as allowed per the criteria at Section 16.05.050(6) of the JCMC that is further addressed below.

(v) *Reverse Frontage.*

(A) *Lots that front on more than one street shall be required to locate motor vehicle accesses on the street with lower functional classification.*

(B) *When a residential subdivision is proposed that would abut an arterial, it shall be designed to provide through lots along the arterial with access from a frontage road or interior local road. Access rights of these lots to the arterial shall be dedicated to the city and recorded with the deed (reserve strip.) A berm or buffer yard may be required at the rear of through lots to buffer residences from traffic on the arterial. The berm or buffer yard shall not be located within the public right-of-way.*

None of the proposed parcels will have frontage along more than one street. Each parcel only has frontage on Prairie Road.

(b) *Exceptions.*

(i) *Partitioned or subdivision area developed as a unit. The planning commission may, in its discretion, authorize relaxation of the parcel or lot size and frontage requirements specified herein where the partitioner or subdivider presents a plan satisfactory to the planning commission whereby the entire partitioned or subdivision area will be designed and developed with provision for proper maintenance of recreation and park area which will be commonly available for recreation and park purposes to the residents of the partitioned or subdivision area, and which the planning commission determines will be of such benefit to said residents as is equal to that which would be derived from observance of the parcel or lot size and frontage requirements otherwise specified, and will be in accordance with the purpose of this ordinance.*

(ii) *Land zoned for commercial or industrial use. The planning commission may, in its discretion, authorize relaxation of the parcel or lot size and frontage requirements specified herein in the case of land zoned for commercial use, where such relaxation is necessary in consideration of the suitability of the land for such use, and in accordance with the purpose of this ordinance.*

(iii) *Parcel or lot retained for future partition or subdivision. The planning commission may, in its discretion, waive parcel or lot frontage requirements where, in its judgment, a parcel or lot should and will be retained by the partitioner or subdivider, and future partition or subdivision of such parcel or lot will be the highest and best use thereof, and such use will be best protected by the creation of a reserve strip separating such parcel or lot from any street.*

All lot design standards (width, depth, area, and frontage) are met. No exceptions to the standards are being requested in this application; thus this criterion is not applicable.

(2) *Key parcels or lots and butt parcels or lots. There shall be no key parcels or lots or butt parcels or lots, except where authorized by the planning commission here such parcels or lots are necessitated by unusual topographic conditions or previous adjacent layout.*

There are no proposed key lots or parcels or butt lots or parcels, as required.

(3) *Parcel and lot side lines. As far as is practicable, parcel and lot side lines shall run at right angles to the street upon which the parcels or lots face, except that on curved streets they shall be radial to the curve.*

The parcel lot side lines are at right angles to the street upon which the parcels face, as required.

(4) *Suitability for intended use. All parcels and lots shall be suitable for the purpose for which they are intended to be used. No parcel or lot shall be of such size or design as to be detrimental to the health, safety, or sanitary needs of the residents of the partition or subdivision area or of such parcel or lot, as determined by the planning commission in accordance with the purpose of this ordinance.*

All proposed parcels are large enough in area and suitable for low-density residential development, as envisioned by the Junction City Comprehensive Plan. No parcel size will be detrimental to public health and safety.

(5) Future partitioning or subdivision of parcels or lots. Where the partition or subdivision will result in a parcel or lot ½ acre or larger in size which, in the judgment of the planning commission, is likely to be partitioned or subdivided in the future, the planning commission may require that the location of parcel or lot lines and other details of layout be such that future partition or subdivision may readily be made without violating the requirements of this ordinance and without interfering with orderly extension of adjacent streets. Any restriction of buildings within future street locations shall be made a matter of record, if the planning commission deems it necessary for the purpose of future subdivision.

None of the proposed parcels will be larger than a ½ acre; thus no future development plan for re-development is required per this standard.

(6) Panhandle lots. Panhandle lot configurations shall not be utilized in new subdivisions. The Planning Commission may authorize exceptions from frontage requirements for panhandle lots in the R1 and R2 zones, only in established neighborhoods, provided that the following standards, applicable to all panhandle lots, are met.

This is a proposed land partition in an established neighborhood, is not located in a new subdivision, and the subject property is zoned R2; thus panhandle lots maybe proposed and three panhandle lots are being proposed in this application. As demonstrated below, all panhandle lot standards are met.

- (a) Minimum lot sizes for panhandle lots shall be as follows, unless Title 17 JCMC requires larger minimum lot sizes:*
- (i) All lots and parcels in an R1 zone must be at least 6,000 square feet, exclusive of the panhandle; and*
 - (ii) All lots and parcels in an R2 zone must be at least 5,000 square feet, exclusive of the panhandle.*

The subject property is zoned R2. Parcel 1 will be 7,063 square feet exclusive of the panhandle. Parcel 2 will be 7,079 square feet exclusive of the panhandle and Parcel 3 will be 10,953 square feet outside of the panhandle. The minimum lot areas for panhandle lots in the R2 zoning district are met.

- (b) Minimum panhandle width shall be as follows, whether or not the panhandle is used for access:*
- (i) One rear lot or parcel - 15 feet;*
 - (ii) Two or more rear lots or parcels - 25 feet;*

This minor partition proposed three panhandle lots that will share one access driveway. The combined width of the panhandles for all parcels is 25 feet; thus meeting this criterion.

- (c) Minimum access paving width of the panhandle or abutting driveway used for access shall be as follows:*
- (i) One or two rear lot(s) or parcel(s) - 15 feet;*
 - (ii) Three or four rear lots or parcels - 20 feet (to preserve existing natural features, paving width may be reduced to 22 feet, except for the first 25 feet back from the sidewalk, with the approval of the Planning Commission if both sides of the driveway are landscaped in accordance with an approved landscape plan).*

The driveway within the panhandle portion of Parcels 1-3 will be at least 20 feet wide; thus will be in compliance with this standard.

- (d) Driveways (which may or may not be the panhandle) and parking areas shall have a durable, dust-free surfacing of asphalt concrete, Portland cement concrete or other approved material.*

The proposed driveway within the panhandle portion of Parcels 1, 2, and 3 will be constructed with a durable, dust-free surface (either asphalt concrete or Portland cement concrete).

- (e) Use of a panhandle for access shall be permitted only if creation of a public street, including a future public street, is not possible because:*
- (i) Physical conditions preclude development of a public street. Such conditions may include, but are not limited to, topography or the existence of natural resource areas such as wetlands,*

- ponds, streams, channels, rivers or lakes, or a resource on the National Wetlands Inventory or under protection by state or federal law;*
- (ii) Buildings or other existing development on adjacent lands, including previously subdivided but vacant lots or parcels, physically preclude a connection now or in the future, considering the potential for redevelopment in the planning period;*

Three panhandle lots are proposed because the creation of a public street is not possible due to existing buildings on adjacent lands. According to on-site field verifications, the areas around the subject property to the north, west, and south are already developed with existing structures or are platted lots that will be developed in the future. The properties to the north and south are/will be developed with residential dwellings. The site to the west is fully developed as a mobile home park. If a public street were located on the subject site, the existing off-site development would preclude a future extension of such a street. This means that such a street would only serve the subject site. Given these facts, buildings or other existing development on adjacent lands physically preclude a connection now or in the future for a public street. This is the reason that Parcels 1-3 are being proposed as panhandle lots.

- (f) A maximum of four rear lots or parcels may be assigned to a single panhandle.*

Only three rear parcels will share the single panhandle driveway within the subject partition boundary. The two panhandle lots to the south (Parcels 2 and 3 of LPPN 2008-P2220) are assigned to the panhandle driveway built within that 2008 partition. This standard is met.

- (g) Vehicular access from public streets to the rear lots or parcels may be obtained one of three ways:*
- (i) Via a panhandle driveway;*
- (ii) Via an existing alley;*
- (iii) Via an abutting property's driveway.*

The access to Parcels 1-3 will be via a shared driveway located within the panhandles of each parcel, as allowed by this standard. In addition, the applicant is trying to obtain a small access easement from the owner of Parcel 3 of LPPN 2008-P2220 (Tax Lot 303) so that the approach to the proposed panhandle driveway within this proposed partition can come from where the driveway immediately to the south accesses Prairie Road and avoid relocating utilities and removing a large tree (60" Cedar) that are currently located at the frontage of the proposed panhandle lots. This would alterative approach/access to Prairie Road would have the shared driveway within the proposed partition connecting to the street through a small portion of the existing driveway to the south, but the three proposed parcels would still be assigned to the panhandle driveway proposed within the subject partition and not the existing driveway to the south. This would ensure that the maximum rear lots to one panhandle driveway would still be met by having three parcels using a panhandle driveway within the subject partition and two rear lots within said 2008 partition assigned to the shared driveway created through that partition. If a small access easement across Tax Lot 303 to the south cannot be obtained to utilize the same approach onto Prairie Road than the proposed panhandle driveway within the subject partition will connect directly to Prairie Road.

- (h) If an abutting property's access driveway is used:*
- (i) An "access easement-maintenance agreement" shall be required and shall be recorded in the Lane County Office of Deeds and Records;*
- (ii) There shall be adequate room elsewhere on the abutting property to meet off-street parking requirements for that property.*

Proposed Parcels 1-3 will share the panhandle driveway within the proposed partition. No abutting property will be used for access unless a small additional easement is obtained across Tax Lot 303 to share the approach onto Prairie Road. If this alternative driveway approach is used to connect the proposed, shared driveway to Prairie Road than the additional access easement-maintenance agreement will be recorded concurrently with the final plat or prior to building permit issuance.

- (i) When the panhandle is used for access and the abutting property owner requests a visual buffer at the time of land division review, that buffer shall consist of the following:*
- (i) A minimum five foot high site-obscuring fence or wall, or*
- (ii) Landscaping that will be five feet high and 75% site-obscuring within five years.*

Preliminary Partition for
The Junction, LLC

The applicant understands that a condition of approval requiring a visual buffer along the north or south side of the panhandle driveway could be required and will comply with such a condition of approval if one is applied to the decision.

(j) If access is provided via an existing unimproved alley, the property owner filing for the land division shall improve the alley to city standards. The alley must be able to provide automobile and emergency vehicle access to a public street.

No access will be via an existing unimproved alley; thus this standard is not applicable.

(k) Whether or not the panhandle is used for access, it shall remain free of structures and be available for possible future access to a public street.

The panhandles will remain free of structures at all times for access to the public street, Prairie Road.

(l) Each rear lot or parcel shall have two parking spaces and shall have sufficient turn-around area to eliminate the necessity for a vehicle to back out onto the street. The two spaces shall not be located in the panhandle portion of driveways.

At the time of house construction, at least two parking spaces and sufficient area for turning around will be built on each proposed parcel in order to be in compliance with this standard.

(m) The building official shall not issue a certificate of occupancy until the project is completed in accordance with approval conditions, this code and the zoning ordinance.

The applicant understands that a certificate of occupancy will not be issued unless compliance with all approval conditions and the JCMC is demonstrated.

(n) Except as provided herein, the design and development standards of the zone district in which the panhandle lots or parcels are located shall apply.

The panhandle lots, Parcels 1-3, meet all other requirements (such as lot width, depth, and area) of the R2 zone as demonstrated previously.

(F) Drainage. Where land in the partitioned or subdivision area is or will be periodically subject to accumulations of surface water or is traversed by any watercourse, channel, stream or creek, the planning commission may require the partitioner or subdivider to provide for adequate unrestricted drainage over drainage land by dedicating to the public easements therefore approved by the planning commission as adequate for the drainage needs of the area; or, where necessary, in the judgment of the planning commission, for protection of such needs, by conveying ownership of such drainage land for drainage purposes to the city.

There are no watercourses, channels, streams, or creeks on the development site. The stormwater runoff will be conveyed (piped) to the existing system in Prairie Road via the shared access and utility easement. No additional drainage easements are necessary to accommodate stormwater drainage.

(G) Railroads.

There are no railroads adjacent to the proposed partition; thus this section is not applicable. Given this fact, none of the subsections are included below.

(H) Partial development. Where the partitioned or subdivision area includes only a part of the tract owned by the partitioner or subdivider, the planning commission may require a sketch of a tentative layout of streets in the remainder of said tract.

There will be no remainder of the property left for future development. All of the area within the subject property will be developed.

(I) Recreational area. The planning commission, after council approval first having been obtained, may require, as a condition of approval of the subdivision, either:

Preliminary Partition for
The Junction, LLC

- (1) *The dedication of land for park and recreational purpose of an amount equal to a ratio of not less than one acre of recreational area to every one hundred people of the ultimate population in the subdivision; or*
- (2) *The payment to the city of a sum as established by the resolution adopting park systems development charges for each living unit permitted to be constructed within the subdivision. Payment of the charge shall be made at the time the building permit for construction of each living unit is issued by the city. The amount of the charge shall be that prescribed in the parks systems development resolution in effect at the time the individual permit is issued. In exercising the discretion of requiring the dedication of land or the payment of money, the commission shall consider recreational needs of the ultimate population of the subdivision and the extent to which a dedication of land under the above rate would fulfill those needs. All moneys received from the above provision shall be deposited in the recreational reserve area fund and shall be expended from that fund for the purpose of purchasing recreational land and making improvements thereof.*

This application is for a minor partition and not a subdivision; thus this standard is not applicable.

- (J) *Building lots filled. All building lots shall be filled in accordance with accepted engineering practice. All fill shall be placed in accordance with Chapter 70 of Oregon Structural, Specialty and Fire and Life Safety Code.*

The subject property is fairly flat and thus no fill is proposed for the building lots; however, if any fill is needed than it will be in compliance with accepted engineering practices and the Oregon Structural Specialty Code.

- (K) *Finish floor elevations. Finish floor elevations shall be established for all buildings on the final plat in accordance with elevations established by and for the city of Junction City.*

The property owner and applicant understand this final plat standard.

- (L) *Utility access. All accesses to utilities are to be brought to finish grade.*

All of the accesses to utilities when constructed will be brought to finished grade.

This minor partition application clearly meets all standards of the Junction City Municipal Code and thus the applicant respectfully requests that the Planning Commission approve this application. If there are any questions, please do not hesitate to contact me at Metro Planning via email (robert@metroplanning.com) or by phone (541-968-9849).

Respectfully,

Robert Stevens, AICP
Senior Planner

AFTER RECORDING RETURN TO:
CASCADE TITLE COMPANY
811 WILLAMETTE ST., EUGENE, OR 97401



Lane County Clerk
Lane County Deeds and Records

Attachment A.1
2014-039603



\$52.00

10/06/2014 03:21:15 PM

RPR-DEED Cnt=1 Stn=40 CASHIER 01
\$10.00 \$11.00 \$21.00 \$10.00

TITLE NO. 0287146 *Muck*
ESCROW NO. EU14-2473
TAX ACCT. NO. 1832516, 1832524
MAP/TAX LOT NO. 16 04 06 1 1 #402 & #403

GRANTOR

MIKE GANSEN CONSTRUCTION COMPANY

GRANTEE

THE JUNCTION LLC
93984 PRAIRIE ROAD
JUNCTION CITY, OR 97448

Until a change is requested
all tax statements shall be
sent to the following address:
SAME AS GRANTEE

After recording return to:
CASCADE TITLE CO.
811 WILLAMETTE
EUGENE, OR 97401

WARRANTY DEED -- STATUTORY FORM

MIKE GANSEN CONSTRUCTION COMPANY, Grantor,

conveys and warrants to

THE JUNCTION LLC, Grantee,

the following described real property free of encumbrances except as specifically set forth herein:

SEE LEGAL DESCRIPTION ATTACHED

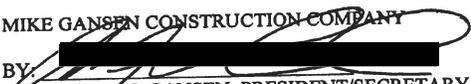
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Except the following encumbrances:
2014/15 TAXES WHICH ARE A LIEN BUT NOT YET DUE AND PAYABLE.
COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS OF RECORD.

The true consideration for this conveyance is \$62,500.00.

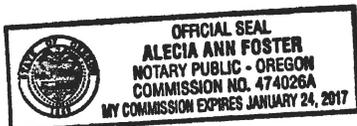
Dated this 6 day of October, 2014.

MIKE GANSEN CONSTRUCTION COMPANY

BY: 
MICHAEL J. GANSEN, PRESIDENT/SECRETARY

State of Oregon
County of Lane

This instrument was acknowledged before me on October 6, 2014 by MICHAEL J. GANSEN,
PRESIDENT/SECRETARY OF MIKE GANSEN CONSTRUCTION COMPANY.




(Notary Public for Oregon) 1/24/17
My commission expires

LEGAL DESCRIPTION

PARCEL 1:

A unit of land situated in the Northeast 1/4 Section 6, Township 16 South, Range 4 West of the Willamette Meridian, said unit of land being a portion of Parcel 2 and Parcel 3, Land Partition Plat No. 2009-P2354, Lane County Oregon Plat Records, and more particularly described as follows: Beginning at the Northeast corner of Parcel 3, Land Partition Plat No. 2009-P2354, Lane County Oregon Plat Records; thence along the Easterly boundary of said Parcel 3, said Easterly boundary also coinciding with the Westerly right of way line of Prairie Road, South 00° 04' 22" East 25.00 feet; thence leaving the Easterly boundary of said Parcel 3 and the Westerly right of way line of Prairie Road and running parallel with and 25.00 feet Southerly of the Northerly boundary of said Parcel 2 and Parcel 3, North 89° 09' 16" West 182.00 feet; thence South 00° 04' 22" East 72.39 feet to the Southerly boundary of said Parcel 2; thence along the Southerly boundary of said Parcel 2, North 89° 09' 16" West 194.50 feet to the Southwest corner of said Parcel 2; thence along the Westerly boundary of said Parcel 2, North 00° 04' 22" West 97.39 feet to the Northwest corner of said Parcel 2; thence along the Northerly boundary of said Parcel 2 and Parcel 3, South 89° 09' 16" East 376.50 feet to the point of beginning, all in the City of Junction City, Lane County, Oregon.

PARCEL 2:

A unit of land situated in the Northeast 1/4 Section 6, Township 16 South, Range 4 West of the Willamette Meridian, said unit of land being a portion of Parcel 2 and Parcel 3, Land Partition Plat No. 2009-P2354, Lane County Oregon Plat Records, and more particularly described as follows: Commencing at the Northeast corner of Parcel 3, Land Partition Plat No. 2009-P2354, Lane County Oregon Plat Records; thence along the Easterly boundary of said Parcel 3, said Easterly boundary also coinciding with the Westerly right of way line of Prairie Road, South 00° 04' 22" East 25.00 feet to the point of beginning of this unit of land; thence leaving the Easterly boundary of said Parcel 3 and the Westerly right of way line of Prairie Road and running parallel with and 25.00 feet Southerly of the Northerly boundary of said Parcel 2 and Parcel 3, North 89° 09' 16" West 182.00 feet; thence South 00° 04' 22" East 72.39 feet to the Southerly boundary of said Parcel 2; thence along the Southerly boundary of said Parcel 2, South 89° 09' 16" East 182.00 feet to the Southeast corner of said Parcel 2; thence along the Easterly boundary of said Parcel 2 and Parcel 3, North 00° 04' 22" West 72.39 feet to the point of beginning, all in the City of Junction City, Lane County, Oregon.

**PROPOSED FINAL ORDER OF THE
JUNCTION CITY PLANNING COMMISSION
MINOR PARTITION (MP-14-01), 325 E 1st Ave**

A. The Junction City Planning Commission finds the following:

- a. The applicant, The Junction, LLC, has submitted the application and preliminary plan as required by 16.05.030 (A) and (B) of the Junction City Municipal Code for the partition of tax lot 402, assessor's map 16-04-06-11. The applicant proposes to divide tax lot 402 into three parcels of 7,871 square feet, 8,616 square feet, and 13,155 square feet in size, respectively.
- b. The Junction City Planning Commission has reviewed all material relevant to the minor partition that were submitted or presented by the applicant, staff, other agencies, and the general public regarding this matter.
- c. The Junction City Planning Commission followed the required procedure and standards of approving partitions as required by 16.05.030(D)(2) the Junction City Municipal Code.

B. Conditions of Approval:

1. Prior to Final Approval, the applicant shall record the plat with Lane County Deeds and Records and the County Surveyor.

C. IT IS HEREBY ORDERED THAT the Junction City Planning Commission approves the partition for Tax Lot 102 of Assessors' Map 16-04-05-00 with the conditions of approval listed above based on the following findings of fact. The findings of fact are based on the preliminary plat, which is attached.

The following FINDINGS demonstrate that the proposed preliminary partition, as conditioned **will comply with all applicable approval criteria and related standards, as set forth in JCMC Chapter 16.05. The application approval criteria and related standards are listed below in bold and *italic*, with FINDINGS addressing each** standard, various conditions of approval, final plan requirements and informational items are included where appropriate.

Section 16.05.030 – Minor Partition Procedure

(A) Application. An application shall be made by the person proposing the minor partition or his authorized agent or representative on a form prescribed by the city following procedures outlined in JCMC 17.150.070 and submitted to the secretary of the planning commission, together with a tracing and nine additional copies of a preliminary plan.

FINDING: Metro Planning is the authorized representative for The Junction, LLC. This application is being submitted with ten copies of the preliminary plan in compliance with this requirement.

(B) Drafting. The preliminary plan shall be legibly drawn to scale on sheets of tracing paper or cloth measuring 8 ½ by 11 inches. The scale will be 10, 20, 30, 40, 50, or 60 feet to the inch. The city superintendent of public works shall furnish such 8 ½ by 11-inch tracing sheets on request.

FINDING: The preliminary plan has been drafted on 18" x 24" paper and a reduced copy on 8.5" x 11" paper is included as well.

(C) Preliminary Plan Contents. The preliminary plan shall contain the following:

(1) The dimensions and parcel lines of all parcels.

FINDING: The dimensions of the boundary and proposed parcel lines are shown on the attached plan.

(2) An accurate map describing the boundaries of all contiguous land in the same ownership as the area encompassed in the preliminary plan area.

FINDING: The Junction, LLC owns the adjacent Tax Lot 403 and it shown on the attached preliminary partition plan.

(3) The date, north point and scale of the drawing, and sufficient legal description and dimensions of the land to define the boundary thereof and the assessor's account number.

FINDING: The date of the survey, north arrow, engineer's scale, legal description, and assessor's number are noted on the attached plan.

(4) Name, address and telephone number of the owner, the partitioner and engineer or surveyor.

FINDING: The contact information for The Junction, LLC (owner) is noted on the plan. In addition, the address and phone number of the surveyor, Steven Woods, is included as well.

(5) Location of property in relation to existing streets, name and present width of all streets and alleys, and proposed right-of-way lines for existing or projected streets as shown on the master street plan.

FINDING: The attached preliminary plan includes a vicinity map that shows where properties location relative to the adjacent street network. In addition, the width of the existing street, Prairie Road is called out on the plan.

(6) The layout of the parcels proposed and the dimensions of each, with a number within each proposed parcel.

FINDING: Each of the three proposed parcels is labeled with a number and the dimensions of the parcel are shown on the plan.

(7) The location of each building or structure above ground. Dimension distance to parcel lines being created.

FINDING: The subject property is currently vacant; thus there are no structures that need to be shown on the attached plan.

(8) The width and location of all easements for drainage or public utilities.

FINDING: There are two existing, private access and utility easements that encumber the subject property; however, there are no easements for drainage or public utilities. Nonetheless, these existing easements are shown on the attached plan. The applicant proposes that the existing easements will be vacated prior to final plat or site development. The southern existing easement will be replaced by a new proposed private access and utility easement to serve all three parcels. All easements are shown on the attached plans.

(9) In addition, when all or a portion of the area encompassed in a minor partition application has not been previously included in a recorded plat (subdivision) of lots averaging a maximum of one-half acre each, the following information is also required:

(a) The affidavit of a surveyor who is an Oregon licensed land surveyor, and who prepared the preliminary plan for the area encompassed in the proposed partition.

FINDING: The plat was prepared by Steve Woods, PLS, an Oregon licensed land surveyor and his signature block indicates his review of, and affidavit, for this proposed minor partition.

(b) The names of all recorded subdivisions contiguous to the subject area.

FINDING: There are no contiguous recorded subdivisions; however, there are two contiguous recorded land partitions from 2008 and 2009 noted on the plan.

(c) The elevations of all points used to determine contours; said points given to true elevation above mean sea level as determined by the city engineer. The base data used shall be clearly indicated and shall be compatible to city datum if bench marks are not adjacent. The following intervals are required:

- Contour Intervals Ground Slope*
- One foot Up to 5 percent*
- Two feet Over 5 percent through 10 percent*
- Five feet Over 10 percent*

FINDING: One foot contour intervals are shown on the attached preliminary plan using assumed elevation values as a means to indicate relative topography.

(d) The approximate width and location of all proposed or existing public utility easements.

FINDING: There are no existing or proposed public utility easements; however, the two existing and one proposed private access and utility easement(s) are shown on the plan.

(e) The approximate location of areas subject to inundation or storm water overflow, all areas covered by water, and the location, width and direction of flow of all water courses.

FINDING: There are no areas subject to inundation or storm water overflow on the subject property that need to be shown such as drainage ditches or low-lying areas.

(f) All proposals for sewage disposal, flood control, and easements or deeds for drainage land, including profiles of proposed drainageways.

FINDING: The proposed sanitary sewer plan is that the three new parcels will be served by private laterals and lines that connect to the public sanitary line within Prairie Road. No easements would be necessary to accommodate this proposed wastewater service plan other than the proposed access and utility easement.

(g) All public areas proposed to be dedicated by the partitioner and the proposed uses thereof. In this connection, the application is subject to the requirements pertaining to reserve strips as stipulated in Section [5(A) (3)] of this ordinance. Said reserve strips shall be clearly indicated on the proposed partition.

FINDING: There are no areas proposed to be dedicated to the public within this minor partition including reserve strips.

(h) All public improvements proposed to be made or installed, and the time within which such improvements are envisioned to be completed.

FINDING: No public improvements are proposed with this minor partition application.

(i) A legal description of the boundaries of the entire area owned by the partitioner of which the proposed partition is a part; provided that where the proposed partition comprises all of such area, an affidavit of such fact shall accompany the application.

FINDING: A legal description is included on the attached preliminary partition plan.

(D) Preliminary Plan Review.

(1) City Superintendent of Public Works Review. The superintendent of public works shall review the preliminary plan and forward any comments he may have about the plan and send the original plan and seven copies to the planning commission for action, retaining one copy for his file.

FINDING: The applicant understands that city staff will first review the preliminary partition plan prior to the Planning Commission deliberating and rendering a decision. As of the date of this report, no comments or conditions have been received from the Superintendent of Public Works.

(2) Planning Commission Review.

(a) The planning commission shall approve the plan or ask for further information from the partitioner.

FINDING: The applicant understands that the Planning Commission is the approval authority for minor partitions in the City of Junction City.

(b) Approval findings. Approval of the plan must include affirmative findings that:

(i) Approval does not impede the future best use of the remainder of the property under the same ownership or adversely affect the safe and healthful development of such remainder of any adjoining land or access thereto.

FINDING: The entire area within the subject property will be developed as a result of this proposed partition. There will be no remainder of the site that could be further divided in the future. This approval criterion is met.

(ii) The minor partition complies with Junction City policies and plans as well as the intent and purpose of JCMC 16.05.010.

FINDING: The subject property is zoned R-2 (Duplex Residential). The future development plans for the vacant parcels have not been determined yet. However, the uses will be required to comply with those uses permitted outright per Section 17.15.010 of the Junction City Municipal Code. In addition, this use will be consistent with the comprehensive plan designation of Medium-Density Residential (M). Furthermore, this minor partition application will ensure the proper and orderly development of the subject site. All of the proposed parcels will be served by the public stormwater and wastewater systems, as well as, be provided all other utilities. This partition complies with the intent and purpose of the partition and subdivision ordinance.

(iii) Either:

(A) Improvements as required by the city and this code have been completed, and a certificate of fact has been filed with the planning department by the city engineer; or

(B) A performance agreement (bond), or suitable substitute, as agreed upon by the applicant and the city, has been filed with the city recorder in sufficient amount to insure the completion of all required improvements; or

(C) A petition for improvements has been properly executed by the partitioner who is effecting the partition and will be assessed for said improvements.

FINDING: There are no proposed public improvements with this minor partition application. If the Planning Commission decides that a petition for future public improvements is required then the property owner shall comply with such a condition of approval.

(iv) The minor partition tentative plan is accompanied by five accurate copies thereof; and

FINDING: Ten copies of the preliminary partition plan have been submitted with the application to meet this criterion.

(v) Public assessments, liens, utility charges and fees with respect to the minor partition area have been paid, or a segregation of assessments and liens has been applied for and granted by the council. Except as provided for in the procedures for modification as stipulated in JCMC 16.05.070, approval as stipulated herein does not relieve the applicant from other applicable provisions of this ordinance or Oregon Revised Statutes.

FINDING: No public assessments, liens, utility charges, or other fees known to exist with respect to this property. This criterion is not applicable.

(vi) Minor partition applications for land occupied by existing buildings shall show the location of buildings and give dimensions to existing and proposed lot lines.

FINDING: There are no existing buildings located on the subject property; thus there are no setbacks that need to be shown on the attached plan. This criterion is not applicable.

(3) Approval. In the event the planning commission finds that the plan complies with the statutes of the state and with this and all ordinances of the city, it shall approve the plan and signify its action on the face thereof by appropriate signature of the commission. In the event the commission finds that the plan cannot be made to comply with such requirements, it shall disapprove the plan and signify its action in the

same manner as in approval. The commission may make approval subject to conditions to be fulfilled by the petitioner.

FINDING: The applicant understands that approval of the plan will be signified by a signature of the Planning Commission Chair on the final plat.

(4) Notification by Commission. When such a plan is approved, conditionally approved or disapproved by the commission, it shall forthwith deliver in person or by mail a copy of such plan with the action thereon to the person having filed the plan. Such action by the commission shall become final in the absence of any appeal. Copies of the plan with the action thereon shall be delivered to the Lane Council of Governments, and the commission shall retain the original copy thereof in the office of the city engineer.

FINDING: The applicant understands that notification will be made of the Planning Commission decision.

(5) Unless appealed, the planning commission's decision shall become effective on the eleventh day after it is rendered.

FINDING: The applicant understands that the Planning Commission decision will be effective on the eleventh day after the decision is issued.

(E) Appeal to the Council. If any person filing a minor partition plan is dissatisfied with the action of the planning commission, he may, no later than 12 days after such action by the commission, appeal in writing to the council and file same with the council.

FINDING: The property owner/applicant understands that any possible appeal of the Planning Commission decision will be heard by the City Council.

(F) Limitation of Appeal. The conditional approval of such plan shall be valid for a period of one year from the date of final action thereon. During said period, all the conditions of approval shall be met. Such conditional approval may be extended for a period not to exceed one additional year by the council, upon written request; provided, such request is made prior to the expiration of the one-year period.

FINDING: It is understood by the applicant that a minor partition approval is valid for one year.

(G) Ownership Verification of Dedications. In the event approval of a minor partition is conditioned upon the dedication of a portion of the area to the public, the applicant shall submit to the public works department a title report issued by a title insurance company licensed in the state of Oregon verifying ownership by the applicant of the real property that is to be dedicated to the public.

FINDING: There are no proposed dedications with this proposed application; thus this requirement should not be applicable.

(H) Expedited Land Divisions. All applications for expedited land divisions shall comply with ORS 197.360 through 197.380 and the Junction City comprehensive plan. ORS 197.360 through 197.380 details criteria, application and notice requirements and action and appeal procedures for expedited land divisions.

FINDING: This minor partition application is not being requested to be reviewed as an expedited land division; thus this standard does not apply.

Section 16.05.050 - Platting and Mapping Standards

(A) Streets.

FINDING: Prairie Road is an existing street. There are no proposed streets because the unplatted lands adjacent to the subject site are already developed and do not need a street stub from this property.

(B) Alleys.

FINDING: No alleys are proposed with this partition application.

(C) Blocks.

(1) Block length. Block length shall not exceed 600 feet. In residential and commercial zones, maximum block perimeter shall be 1,600 feet. The planning commission may allow exceptions where pedestrian pathways are utilized as mid-block connections between streets.

FINDING: Prairie Road is an existing public street. No streets are proposed with this partition; thus the block length of Prairie Road will be unaffected.

(2) Street Connectivity. In order to promote efficient vehicular and pedestrian circulation throughout the city, land divisions and developments greater than two acres in size shall produce complete blocks bounded by a connecting network of public and/or private streets, in accordance with the following standards:

FINDING: The subject property is 29,642 square feet (0.68 acres). Given that the land division is less than 2 acres, this standard is not applicable.

(3) Pedestrian ways. When necessary for public convenience and safety, the planning commission may require the partitioner or subdivider to dedicate to the public pedestrian ways 10 feet in width to connect to cul-de-sacs, to pass through oddly shaped or unusually long blocks, or to provide access to schools, parks, or other public areas, of such design and location as reasonably required to facilitate pedestrian travel.

FINDING: There are no cul-de-sacs, schools, parks, or other public areas adjacent to the proposed partition that would require the dedication of any pedestrian ways. Given this fact, this standard is not applicable.

(4) Easements for utilities. Dedication of easements for storm water sewers and for access there-to for maintenance, in order to safeguard the public against flood damage and the accumulation of surface water, and dedication of easements for sanitary sewers, and for access thereto for maintenance, and dedication of easements for other public or private utilities, may be required of the partitioner or subdivider by the planning commission along lot rear lines, lot side lines, or elsewhere as necessary to provide needed facilities for present or future development of the area in accordance with the purpose of this ordinance. Easements for utility lines shall be not less than 14 feet in width; except that, for an easement abutting land not in the partitioned or subdivision area, a lesser width may be allowed, in the description of the planning commission, where the petitioner or subdivider presents a satisfactory plan whereby such easement will be expanded to the width otherwise required.

FINDING: To accommodate the proposed private utilities, there is a proposed private 25 foot joint-use access and utility easement over the panhandle portions of the lots, which is shown on the preliminary plat. No additional easements are necessary for utilities, access, and maintenance purposes.

(D) Perimeter Fences. Perimeter fences shall be required where rear yards abut an existing or planned street. The perimeter fence shall be sight-obscuring and at least 5 feet in height, and shall be setback at least 3 feet from the sidewalk or right-of-way. At least one deciduous shade tree (a minimum 2-inches in caliper at planting) shall be provided for each 50 lineal feet of street frontage. At the time of application review, the Planning Commission may also require additional subdivision perimeter fencing, retaining walls, or other perimeter treatment in order to address privacy, stormwater runoff, or other issues relating to compatibility with adjacent properties.

FINDING: There are no existing or planned streets along the rear of the development site; thus no perimeter fence is required. In addition, street trees will not be able to be planted along the frontage with Prairie Road given that most of the entire frontage will be occupied by a shared driveway to serve the three parcels.

(E) Lots. Lot sizes in mobile home subdivisions shall conform to the provisions of Chapter 17.100 JCMC, Mobile Homes, rather than this subsection (E).

(1) Size and frontage.

(a) General requirements.

(i) Width. Each lot shall have an average width between the lot side lines of not less than 60 feet. Each corner lot and each

authorized key lot and butt lot shall have an average width between the lot side lines of not less than 65 feet.

FINDING: All of the proposed parcels will have an average width of over 60 feet. Parcel 1 will be about 81 feet wide. Parcel 2 will be about 89 feet wide and Parcel 3 will be about 97 feet wide. These lot widths also comply with the minimum lot width of 50 feet per Section 17.15.030 of the JCMC.

(ii) Depth. Each lot shall have an average depth between the lot front line and the lot rear line of not less than 80 feet and not more than 2 ½ times the average width between the lot side lines. Each double frontage lot shall have an average depth between the lot front line and lot rear line of not less than 120 feet, unless a lesser depth is approved by the planning commission where necessitated by unusual topographic conditions.

FINDING: All of the proposed parcels will have an average depth of at least 80 feet. Parcel 1 will be about 88 feet deep. Parcel 2 will be about 80 feet deep and Parcel 3 will be about 112 feet deep. Most importantly, the lot depths need to comply with the R2 zoning standard of 75 feet per Section 17.15.030; these parcels are shown to meet the lot depth standard of the zoning district. In addition, none of the lot depths are more than 2.5 times the average lot widths.

(iii) Area. Minimum lot area shall be in accord with requirements for the zoning district within which the lot is located.

FINDING: Per Section 17.15.030 of the JCMC, the minimum lot size for single-family dwellings is 5,000 square feet and 7,000 square feet for duplexes. Parcel 1 will be 7,871 square feet (7,063 square feet excluding the panhandle). Parcel 2 will be 8,616 square feet (7,079 square feet excluding the panhandle). Parcel 3 will be 13,155 square feet (10,953 square feet excluding the panhandle). All of the proposed parcels exceed the minimum lot area of 5,000 square feet and could potentially be developed with duplexes given that each exceeds the minimum lot size for such a use.

(iv) Frontage. Each lot shall have frontage of not less than 60 feet upon a street, except that a lot on the outer radius of a curved street or facing the circular end of a cul-de-sac shall have frontage of not less than 35 feet upon a street, measured on the arc.

FINDING: All three of the proposed parcels will be panhandle lots with reduced frontage as allowed per the criteria at JCMC Chapter 16.05.050(6) and is further addressed below.

(v) Reverse Frontage.

(A) Lots that front on more than one street shall be required to locate motor vehicle accesses on the street with lower functional classification.

(B) When a residential subdivision is proposed that would abut an arterial, it shall be designed to provide through lots along the arterial with access from a frontage road or interior local road. Access rights of these lots to the arterial shall be dedicated to the city and recorded with the deed (reserve strip.) A berm or buffer yard may be required at the rear of through lots to buffer residences from traffic on the arterial. The berm or buffer yard shall not be located within the public right-of-way.

FINDING: None of the proposed parcels will have frontage along more than one street. Each parcel only has frontage on Prairie Road.

(b) Exceptions.

(i) Partitioned or subdivision area developed as a unit. The planning commission may, in its discretion, authorize relaxation of the parcel or lot size and frontage requirements specified herein where the partitioner or subdivider presents a plan satisfactory to the planning commission whereby the entire partitioned or subdivision area will be designed and developed with provision for proper maintenance of recreation and park area which will be commonly available for recreation and park purposes to the residents of the partitioned or subdivision area, and which the planning commission determines will be of such benefit to said residents as is equal to that which would be derived from observance of the parcel or lot size and frontage requirements otherwise specified, and will be in accordance with the purpose of this ordinance.

(ii) Land zoned for commercial or industrial use. The planning commission may, in its discretion, authorize relaxation of the parcel or lot size and frontage requirements specified herein in the case of land zoned for commercial use, where such relaxation is necessary in consideration of the suitability of the land for such use, and in accordance with the purpose of this ordinance.

(iii) Parcel or lot retained for future partition or subdivision. The planning commission may, in its discretion, waive parcel or lot frontage requirements where, in its judgment, a parcel or lot should and will be retained by the partitioner or subdivider, and future partition or subdivision of such parcel or lot will be the highest and best use thereof, and such use will be best protected by the creation of a reserve strip separating such parcel or lot from any street.

FINDING: All lot design standards (width, depth, area, and frontage) are met. No exceptions to the standards are being requested in this application; thus this criterion is not applicable.

(2) Key parcels or lots and butt parcels or lots. There shall be no key parcels or lots or butt parcels or lots, except where authorized by the planning commission here such parcels or lots are necessitated by unusual topographic conditions or previous adjacent layout.

FINDING: There are no proposed key lots or parcels or butt lots or parcels, as required.

(3) Parcel and lot side lines. As far as is practicable, parcel and lot side lines shall run at right angles to the street upon which the parcels or lots face, except that on curved streets they shall be radial to the curve.

FINDING: The parcel lot side lines are at right angles to the street upon which the parcels face, as required.

(4) Suitability for intended use. All parcels and lots shall be suitable for the purpose for which they are intended to be used. No parcel or lot shall be of such size or design as to be detrimental to the health, safety, or sanitary needs of the residents of the partition or subdivision area or of such parcel or lot, as determined by the planning commission in accordance with the purpose of this ordinance.

FINDING: All proposed parcels are large enough in area and suitable for Medium-Density residential development, as envisioned by the Junction City Comprehensive Plan. No parcel size will be detrimental to public health and safety.

(5) Future partitioning or subdivision of parcels or lots. Where the partition or subdivision will result in a parcel or lot ½ acre or larger in size which, in the judgment of the planning commission, is likely to be partitioned or subdivided in the future, the planning commission may require that the location of parcel or lot lines and other details of layout be such that future partition or subdivision may readily be made without violating the requirements of this ordinance and without interfering with orderly extension of adjacent streets. Any restriction of buildings within future street locations shall be made a matter of record, if the planning commission deems it necessary for the purpose of future subdivision.

FINDING: None of the proposed parcels will be larger than a ½ acre; thus no future development plan for re-development is required per this standard.

(6) Panhandle lots. Panhandle lot configurations shall not be utilized in new subdivisions. The Planning Commission may authorize exceptions from frontage requirements for panhandle lots in the R1 and R2 zones, only in established neighborhoods, provided that the following standards, applicable to all panhandle lots, are met.

FINDING: This is a proposed land partition in an established neighborhood, is not located in a new subdivision, and the subject property is zoned R2; thus panhandle lots may be proposed and three panhandle lots are being proposed in this application. As demonstrated below, all panhandle lot standards are met.

(a) Minimum lot sizes for panhandle lots shall be as follows, unless Title 17 JCMC requires larger minimum lot sizes:

- (i) All lots and parcels in an R1 zone must be at least 6,000 square feet, exclusive of the panhandle; and*
- (ii) All lots and parcels in an R2 zone must be at least 5,000 square feet, exclusive of the panhandle.*

FINDING: The subject property is zoned R2. Parcel 1 will be 7,063 square feet exclusive of the panhandle. Parcel 2 will be 7,079 square feet exclusive of the panhandle and Parcel 3 will be 10,953 square feet outside of the panhandle. The minimum lot areas for panhandle lots in the R2 zoning district are met.

(b) Minimum panhandle width shall be as follows, whether or not the panhandle is used for access:

- (i) One rear lot or parcel - 15 feet;*
- (ii) Two or more rear lots or parcels - 25 feet;*

FINDING: This minor partition proposed three panhandle lots that will share one access driveway. The combined width of the panhandles for all parcels is 25 feet; thus meeting this criterion.

(c) Minimum access paving width of the panhandle or abutting driveway used for access shall be as follows:

- (i) One or two rear lot(s) or parcel(s) - 15 feet;*
- (ii) Three or four rear lots or parcels - 20 feet (to preserve existing natural features, paving width may be reduced to 22 feet, except for the first 25 feet back from the sidewalk, with the approval of the Planning Commission if both sides of the driveway are landscaped in accordance with an approved landscape plan).*

FINDING: The applicant proposes that the driveway within the panhandle portion of Parcels 1-3 will be at least 20 feet wide.

(d) Driveways (which may or may not be the panhandle) and parking areas shall have a durable, dust-free surfacing of asphalt concrete, Portland cement concrete or other approved material.

FINDING: The proposed driveway within the panhandle portion of Parcels 1, 2, and 3 will be constructed with a durable, dust-free surface (either asphalt concrete or Portland cement concrete).

(e) Use of a panhandle for access shall be permitted only if creation of a public street, including a future public street, is not possible because:

(i) Physical conditions preclude development of a public street. Such conditions may include, but are not limited to, topography or the existence of natural resource areas such as wetlands,

ponds, streams, channels, rivers or lakes, or a resource on the National Wetlands Inventory or under protection by state or federal law;

(ii) Buildings or other existing development on adjacent lands, including previously subdivided but vacant lots or parcels, physically preclude a connection now or in the future, considering the potential for redevelopment in the planning period;

FINDING: Three panhandle lots are proposed because the creation of a public street is not possible due to existing buildings on adjacent lands. According to on-site field verifications, the areas around the subject property to the north, west, and south are already developed with existing structures or are platted lots that will be developed in the future. The properties to the north and south are/will be developed with residential dwellings. The site to the west is fully developed as a mobile home park. If a public street were located on the subject site, the existing off-site development would preclude a future extension of such a street. This means that such a street would only serve the subject site. Given these facts, buildings or other existing development on adjacent lands physically preclude a connection now or in the future for a public street. This is the reason that Parcels 1-3 are being proposed as panhandle lots.

(f) A maximum of four rear lots or parcels may be assigned to a single panhandle.

FINDING: Only three rear parcels will share the single panhandle driveway within the subject partition boundary. The two panhandle lots to the south (Parcels 2 and 3 of LPPN 2008-P2220) are assigned to the panhandle driveway built within the recorded 2008 partition. This standard is met.

(g) Vehicular access from public streets to the rear lots or parcels may be obtained one of three ways:

(i) Via a panhandle driveway;

(ii) Via an existing alley;

(iii) Via an abutting property's driveway.

FINDING: The access to Parcels 1-3 will be via a shared driveway located within the panhandles of each parcel, as allowed by this standard. In addition, the applicant is trying to obtain a small access easement from the owner of Parcel 3 of LPPN 2008-P2220 (Tax Lot 303) so that the approach to the proposed panhandle driveway within this proposed partition can come from where the driveway immediately to the south accesses Prairie Road and

avoid relocating utilities and removing a large tree (60" Cedar) that are currently located at the frontage of the proposed panhandle lots. The proposed alternative approach/access to Prairie Road would have the shared driveway within the proposed partition connecting to the street through a small portion of the existing driveway to the south. The three proposed parcels would still be assigned to the panhandle driveway proposed within the subject partition and not the existing driveway to the south. This would ensure that the maximum rear lots to one panhandle driveway would still be met by having three parcels using a panhandle driveway within the subject partition and two rear lots within said 2008 partition assigned to the shared driveway created through that partition. If a small access easement across Tax Lot 303 to the south cannot be obtained to utilize the same approach onto Prairie Road, then the proposed panhandle driveway within the subject partition shall connect directly to Prairie Road.

(h) If an abutting property's access driveway is used:

(i) An "access easement-maintenance agreement" shall be required and shall be recorded in the Lane County Office of Deeds and Records;

(ii) There shall be adequate room elsewhere on the abutting property to meet off-street parking requirements for that property.

FINDING: Proposed Parcels 1-3 will share the panhandle driveway within the proposed partition. No abutting property will be used for access unless a small additional easement is obtained across Tax Lot 303 to share the approach onto Prairie Road. If this alternative driveway approach is used to connect the proposed, shared driveway to Prairie Road than the additional access easement-maintenance agreement shall be recorded concurrently with the final plat or prior to building permit issuance.

(i) When the panhandle is used for access and the abutting property owner requests a visual buffer at the time of land division review, that buffer shall consist of the following:

***(i) A minimum five foot high site-obscuring fence or wall,
or***

(ii) Landscaping that will be five feet high and 75% site-obscuring within five years.

FINDING: The applicant understands that a condition of approval requiring a visual buffer along the north or south side of the panhandle driveway could be required and will comply with such a condition of approval if one is applied to the decision.

(j) If access is provided via an existing unimproved alley, the property owner filing for the land division shall improve the alley to city standards. The alley must be able to provide automobile and emergency vehicle access to a public street.

FINDING: No access will be via an existing unimproved alley; thus this standard is not applicable.

(k) Whether or not the panhandle is used for access, it shall remain free of structures and be available for possible future access to a public street.

FINDING: The applicant states that the panhandle will remain free of structures at all times for access to the public street, Prairie Road.

(l) Each rear lot or parcel shall have two parking spaces and shall have sufficient turn-around area to eliminate the necessity for a vehicle to back out onto the street. The two spaces shall not be located in the panhandle portion of driveways.

FINDING: At the time of house construction, at least two parking spaces and sufficient area for turning around will be built on each proposed parcel in order to be in compliance with this standard.

(m) The building official shall not issue a certificate of occupancy until the project is completed in accordance with approval conditions, this code and the zoning ordinance.

FINDING: The applicant understands that a certificate of occupancy will not be issued unless compliance with all approval conditions and the JCMC is demonstrated.

(n) Except as provided herein, the design and development standards of the zone district in which the panhandle lots or parcels are located shall apply.

FINDING: The panhandle lots, Parcels 1-3, meet all other requirements (such as lot width, depth, and area) of the R2 zone as demonstrated previously.

(F) Drainage. Where land in the partitioned or subdivision area is or will be periodically subject to accumulations of surface water or is traversed by any watercourse, channel, stream or creek, the planning commission may require the partitioner or subdivider to provide for adequate unrestricted drainage over drainage land by dedicating to the public easements therefore approved by the planning commission as adequate for the drainage needs of the area; or, where necessary, in the judgment of the planning commission, for protection of such needs, by conveying ownership of such drainage land for drainage purposes to the city.

FINDING: There are no watercourses, channels, streams, or creeks on the development site. The stormwater runoff will be conveyed (piped) to the existing system in Prairie Road via the shared access and utility easement. No additional drainage easements are necessary to accommodate stormwater drainage.

(G) Railroads.

FINDING: There are no railroads adjacent to the proposed partition; thus this section is not applicable. Given this fact, none of the subsections are included below.

(H) Partial development. Where the partitioned or subdivision area includes only a part of the tract owned by the partitioner or subdivider, the planning commission may require a sketch of a tentative layout of streets in the remainder of said tract.

FINDING: There will be no remainder of the property left for future development. All of the area within the subject property will be developed.

(I) Recreational area. The planning commission, after council approval first having been obtained, may require, as a condition of approval of the subdivision, either:

(1) The dedication of land for park and recreational purpose of an amount equal to a ratio of not less than one acre of recreational area to every one hundred people of the ultimate population in the subdivision; or

(2) The payment to the city of a sum as established by the resolution adopting park systems development charges for each living unit permitted to be constructed within the subdivision. Payment of the charge shall be made at the time the building permit for construction of each living unit is issued by the city. The amount of the charge shall be that prescribed in the parks systems development resolution in effect at the time the individual permit is issued. In exercising the discretion of requiring the dedication of land or the payment of money, the commission shall consider recreational needs of the ultimate population of the subdivision and the extent to which a dedication of land under the above rate would fulfill those needs. All moneys received from the above provision shall be deposited in the recreational reserve area fund and shall be expended from that fund for the purpose of purchasing recreational land and making improvements thereof.

FINDING: This application is for a minor partition and not a subdivision; thus this standard is not applicable.

(J) Building lots filled. All building lots shall be filled in accordance with accepted engineering practice. All fill shall be placed in accordance with Chapter 70 of Oregon Structural, Specialty and Fire and Life Safety Code.

FINDING: The subject property is fairly flat and thus no fill is proposed for the building lots; however, if any fill is needed than it will be in compliance with accepted engineering practices and the Oregon Structural Specialty Code.

(K) Finish floor elevations. Finish floor elevations shall be established for all buildings on the final plat in accordance with elevations established by and for the city of Junction City.

FINDING: The property owner and applicant understand this final plat standard.

(L) Utility access. All accesses to utilities are to be brought to finish grade.

FINDING: All of the accesses to utilities when constructed will be brought to finished grade.

C. This approval shall become final on the date this decision and supporting findings of fact are signed by the Junction City Planning Commission Chairperson. An appeal of the Planning Commission’s decision must be submitted to the City Council within 12 days of this Final Order being mailed to all opponents. Appeals may be made by filing written notice with the City and paying the fee equal to the average cost as prescribed by the City Council and cost of the written transcripts up to \$500, plus one-half the cost over \$500. If no appeal is taken within the 12-day period, the decision of the Planning Commission shall be final. An appeal of the City Council’s decision must be submitted to the Land Use Board of Appeals within 21 days of the Council’s decision becoming final.

Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the City to respond to the issue precludes an action for damages in circuit court.

Signature: _____
Jason, Thiesfeld, Junction City Planning Commission Chairperson

Approval Date: _____



GENERAL LAND USE APPLICATION

Attachment A.I

City of Junction City
680 Greenwood Ave/PO Box 250
Junction City, OR 97448
Phone: 541-998-2153
Fax: 541-998-3140
www.junctioncityoregon.gov

Type of Application: (May require a supplemental application to be attached and/or additional documentation)

<input type="checkbox"/> Annexation	<input type="checkbox"/> Other:	<input type="checkbox"/> Temporary Use Permit
<input type="checkbox"/> Comprehensive Plan Amendment <input type="checkbox"/> Map <input type="checkbox"/> Text	<input checked="" type="checkbox"/> Partition <input checked="" type="checkbox"/> Preliminary <input type="checkbox"/> Final	<input type="checkbox"/> Vacation
<input type="checkbox"/> Development Review	<input type="checkbox"/> Subdivision <input type="checkbox"/> Preliminary <input type="checkbox"/> Final	<input type="checkbox"/> Variance <input type="checkbox"/> Major <input type="checkbox"/> Minor

LOCATION OF PROPERTY OR ADDRESS: West Side of Prairie Road, South of Intersection with Addison Avenue	
SIZE OF PROPERTY(S): 29,642 Square Feet	ASSESSOR'S MAP AND TAX LOT #: 16-04-06-11 Tax Lot 402
PRESENT USE: Vacant	PROPOSED USE: Residential
BRIEF SUMMARY OF ACTION REQUESTED: Preliminary Partition of Tax Lot 402 (Map 16-04-06-11) into three (3) parcels; all being panhandle lots.	

PROPERTY OWNER: The Junction, LLC	
ADDRESS: 93984 Prairie Road Junction City, OR 97448	
APPLICANT'S NAME: Metro Planning, Inc. c/o Robert Stevens, AICP (Applicant's Representative)	
ADDRESS: 370 Q Street Springfield, OR 97477	
PHONE: 541.302.9830 Office (541.968.9849 Cell)	E-MAIL: robert@metroplanning.com

CONTACT: Metro Planning, Inc. c/o Robert Stevens, AICP (Same as Applicant's Representative)	
ADDRESS:	
APPLICANT'S NAME:	
ADDRESS:	
PHONE:	E-MAIL:

ATTACHMENT(S):

Copy of Deed Other: _____

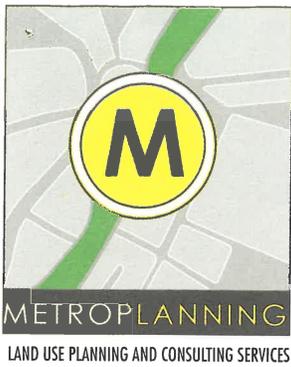
I have the following legal interest in the property (Please check one):

Owner of Record Lessee Holder of an exclusive Option to Purchase Contract Purchase

Per Resolution 862: All direct costs for contracted city staff shall be charged monthly to the applicant in the amount billed to City. Contracted staff includes, but are not limited to, city engineer, city attorney, building inspector, traffic consultant, wetlands specialist. Direct costs 30 days past due shall be charged 9% interest in addition to the amount billed to the City.

I hereby certify that the foregoing statements and other information attached hereto are true and accurate to the best of my knowledge and belief. I also agree to pay all direct costs associated with processing this land use application. Owner's Signature: _____	Date: 4-8-15
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PRELIMINARY PARTITION APPLICATION FOR THE JUNCTION, LLC

Written Statement

Submittal No.:	1
Submittal Date:	April 10, 2015
Applicant's Request:	Preliminary Partition Plat approval to create three residential parcels, all flag lots, out of one legal lot.
Property Owner/Applicant:	The Junction, LLC c/o John P. Gambee 93984 Prairie Road Junction City, OR 97448
Applicant's Representative/ Project Coordinator:	Metro Planning, Inc. c/o Robert Stevens, AICP 370 Q Street Springfield, OR 97477 Tel (541) 302-9830 Cell (541) 968-9849
Surveyor:	Steven Woods, PLS PO Box 504 Junction City, OR 97448
Subject Property:	Map 16-04-06-11; Tax Lot 402
Property Size:	36,663 Square Feet
Zoning:	R-2 (Duplex Residential)
Comprehensive Plan:	Low-Density Residential
Number of Parcels Proposed:	3
Parcel 1 Size:	7,871 Sq Feet (7,063 Sq Feet excluding the panhandle)
Parcel 2 Size:	8,616 Sq Feet (7,079 Sq Feet excluding the panhandle)
Parcel 3 Size:	13,155 Sq Feet (10,953 Sq Feet excluding the panhandle)

Preliminary Partition for
The Junction, LLC

Background

This is an application for a preliminary partition on Prairie Road in the City of Junction City. This partition will divide one existing lot into three proposed parcels. All parcels are proposed as panhandle lots that will share a 25 foot joint-use access and utility easement. There are two existing joint-use access and utility easements that encumber the subject property currently. For clarity, both existing access and utility easements are proposed to be vacated prior to development or final plat recording and a new 25 foot access and utility easement will be recorded to serve the three proposed parcels.

The site of this partition is located south of the intersection of Prairie Road and West 1st. There are no improvements on the subject property. This site was originally created through a minor partition in 2009 followed by two property line adjustments that have resulted in the current configuration.

In this written statement, applicable requirements for a minor partition per the Junction City Municipal Code are addressed. This includes Section 16.05.030 – Minor Partition Procedure and Section 16.05.050 – Platting and Mapping Standards. Text from the municipal code is in italics; the responses are in plain text.

Section 16.05.030 – Minor Partition Procedure

(A) Application. An application shall be made by the person proposing the minor partition or his authorized agent or representative on a form prescribed by the city following procedures outlined in JCMC 17.150.070 and submitted to the secretary of the planning commission, together with a tracing and nine additional copies of a preliminary plan.

Metro Planning is the authorized representative for The Junction, LLC. This application is being submitted with ten copies of the preliminary plan in compliance with this requirement.

(B) Drafting. The preliminary plan shall be legibly drawn to scale on sheets of tracing paper or cloth measuring 8 ½ by 11 inches. The scale will be 10, 20, 30, 40, 50, or 60 feet to the inch. The city superintendent of public works shall furnish such 8 ½ by 11-inch tracing sheets on request.

The preliminary plan has been drafted on 18" x 24" paper and a reduced copy on 8.5" x 11" paper is included as well.

(C) Preliminary Plan Contents. The preliminary plan shall contain the following:
(1) The dimensions and parcel lines of all parcels.

The dimensions of the boundary and proposed parcel lines are shown on the attached plan.

(2) An accurate map describing the boundaries of all contiguous land in the same ownership as the area encompassed in the preliminary plan area.

The Junction, LLC owns the adjacent Tax Lot 403 and it shown on the attached preliminary partition plan; however it is not involved in this application.

(3) The date, north point and scale of the drawing, and sufficient legal description and dimensions of the land to define the boundary thereof and the assessor's account number.

The date of the survey, north arrow, engineer's scale, legal description, and assessor's number are noted on the attached plan.

(4) Name, address and telephone number of the owner, the partitioner and engineer or surveyor.

The contact information for The Junction, LLC (owner) is noted on the plan. In addition, the address and phone number of the surveyor, Steven Woods, is included as well.

(5) Location of property in relation to existing streets, name and present width of all streets and alleys, and proposed right-of-way lines for existing or projected streets as shown on the master street plan.

The attached preliminary plan includes a vicinity map that shows where properties location relative to the adjacent street network. In addition, the width of the existing street, Prairie Road is called out on the plan.

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(6) *The layout of the parcels proposed and the dimensions of each, with a number within each proposed parcel.*

Each of the three proposed parcels is labeled with a number and the dimensions of the parcel are shown on the plan.

(7) *The location of each building or structure above ground. Dimension distance to parcel lines being created.*

The subject property is currently vacate; thus there are no structures that need to be shown on the attached plan.

(8) *The width and location of all easements for drainage or public utilities.*

There are two existing, private access and utility easements that encumber the subject property; however, there are no easements for drainage or public utilities. Nonetheless, these existing easements are shown on the attached plan. Both existing easements will be vacated prior to final plat or site development. The southern existing easement will be replaced by a new proposed private access and utility easement to serve all three parcels. All easements are shown on the attached plans.

(9) *In addition, when all or a portion of the area encompassed in a minor partition application has not been previously included in a recorded plat (subdivision) of lots averaging a maximum of one-half acre each, the following information is also required:*

(a) *The affidavit of a surveyor who is an Oregon licensed land surveyor, and who prepared the preliminary plan for the area encompassed in the proposed partition.*

The plat was prepared by Steve Woods, PLS, an Oregon licensed land surveyor and his signature block indicates his review of, and affidavit, for this proposed minor partition.

(b) *The names of all recorded subdivisions contiguous to the subject area.*

There are no contiguous recorded subdivisions; however, there are two contiguous recorded land partitions from 2008 and 2009 noted on the plan.

(c) *The elevations of all points used to determine contours; said points given to true elevation above mean sea level as determined by the city engineer. The base data used shall be clearly indicated and shall be compatible to city datum if bench marks are not adjacent. The following intervals are required:*

<u>Contour Intervals</u>	<u>Ground Slope</u>
One foot	Up to 5 percent
Two feet	Over 5 percent through 10 percent
Five feet	Over 10 percent

One foot contour intervals are shown on the attached preliminary plan using assumed elevation values as a means to indicate relative topography.

(d) *The approximate width and location of all proposed or existing public utility easements.*

There are no existing or proposed public utility easements; however, the two existing and one proposed private access and utility easement(s) are shown on the plan.

(e) *The approximate location of areas subject to inundation or storm water overflow, all areas covered by water, and the location, width and direction of flow of all water courses.*

There are no areas subject to inundation or storm water overflow on the subject property that need to be shown such as drainage ditches or low-lying areas.

(f) *All proposals for sewage disposal, flood control, and easements or deeds for drainage land, including profiles of proposed drainageways.*

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The proposed sanitary sewer plan is that the three new parcels will be served by private laterals and lines that connect to the public sanitary line within Prairie Road. No easements would be necessary to accommodate this proposed wastewater service plan other than the proposed access and utility easement.

(g) All public areas proposed to be dedicated by the partitioner and the proposed uses thereof. In this connection, the application is subject to the requirements pertaining to reserve strips as stipulated in Section [5(A) (3)] of this ordinance. Said reserve strips shall be clearly indicated on the proposed partition.

There are no areas proposed to be dedicated to the public within this minor partition including reserve strips.

(h) All public improvements proposed to be made or installed, and the time within which such improvements are envisioned to be completed.

No public improvements are proposed with this minor partition application.

(i) A legal description of the boundaries of the entire area owned by the partitioner of which the proposed partition is a part; provided that where the proposed partition comprises all of such area, an affidavit of such fact shall accompany the application.

A legal description is included on the attached preliminary partition plan.

(D) Preliminary Plan Review.

(1) City Superintendent of Public Works Review. The superintendent of public works shall review the preliminary plan and forward any comments he may have about the plan and send the original plan and seven copies to the planning commission for action, retaining one copy for his file.

The applicant understands that city staff will first review the preliminary partition plan prior to the Planning Commission deliberating and rendering a decision.

(2) Planning Commission Review.

(a) The planning commission shall approve the plan or ask for further information from the partitioner.

The applicant understands that the Planning Commission is the approval authority for minor partitions in the City of Junction City.

(b) Approval findings. Approval of the plan must include affirmative findings that:

(i) Approval does not impede the future best use of the remainder of the property under the same ownership or adversely affect the safe and healthful development of such remainder of any adjoining land or access thereto.

The owner, The Junction, LLC, does not own any adjacent property. In addition, the entire area within the subject property will be developed as a result of this proposed partition. There will be no remainder of the site that could be further divided in the future. This approval criterion is met.

(ii) The minor partition complies with Junction City policies and plans as well as the intent and purpose of JCMC 16.05.010.

The subject property is zoned R-2 (Duplex Residential). The future development plans for the vacant parcels have not been determined yet however the uses will comply with those uses permitted outright per Section 17.15.010 of the Junction City Municipal Code. In addition, this use will be consistent with the comprehensive plan designation of low-density residential. Furthermore, this minor partition application will ensure the proper and orderly development of the subject site. All of the proposed parcels will be served by the public stormwater and wastewater systems, as well as, be provided all other utilities. This partition complies with the intent and purpose of the partition and subdivision ordinance. Furthermore, all requirements of the zoning ordinance are met. This criterion is met.

(iii) Either:

(A) Improvements as required by the city and this code have been completed, and a certificate of fact has been filed with the planning department by the city engineer; or

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- (B) A performance agreement (bond), or suitable substitute, as agreed upon by the applicant and the city, has been filed with the city recorder in sufficient amount to insure the completion of all required improvements; or*
- (C) A petition for improvements has been properly executed by the partitioner who is effecting the partition and will be assessed for said improvements.*

There are no proposed public improvements with this minor partition application. A previous owner has already signed an annexation agreement to define who is responsible for any future improvements on the property. If the Planning Commission decides that a petition for future public improvements is required then the property owner will comply with such a condition of approval. This criterion is satisfied.

- (iv) The minor partition tentative plan is accompanied by five accurate copies thereof; and*

Ten copies of the preliminary partition plan have been attached to this application to meet this criterion.

- (v) Public assessments, liens, utility charges and fees with respect to the minor partition area have been paid, or a segregation of assessments and liens has been applied for and granted by the council. Except as provided for in the procedures for modification as stipulated in JCMC 16.05.070, approval as stipulated herein does not relieve the applicant from other applicable provisions of this ordinance or Oregon Revised Statutes.*

No public assessments, liens, utility charges, or other fees known to exist with respect to this property. This criterion is not applicable. However if any new fees or assessments are found, the owners will pay the fees prior to recording the final plat.

- (vi) Minor partition applications for land occupied by existing buildings shall show the location of buildings and give dimensions to existing and proposed lot lines.*

There are no existing buildings located on the subject property; thus there are no setbacks that need to be shown on the attached plan. This criterion is not applicable.

- (3) Approval. In the event the planning commission finds that the plan complies with the statutes of the state and with this and all ordinances of the city, it shall approve the plan and signify its action on the face thereof by appropriate signature of the commission. In the event the commission finds that the plan cannot be made to comply with such requirements, it shall disapprove the plan and signify its action in the same manner as in approval. The commission may make approval subject to conditions to be fulfilled by the petitioner.*

The applicant understands that approval of the plan will be signified by a signature of the Planning Commission Chair on the final plat.

- (4) Notification by Commission. When such a plan is approved, conditionally approved or disapproved by the commission, it shall forthwith deliver in person or by mail a copy of such plan with the action thereon to the person having filed the plan. Such action by the commission shall become final in the absence of any appeal. Copies of the plan with the action thereon shall be delivered to the Lane Council of Governments, and the commission shall retain the original copy thereof in the office of the city engineer.*

The applicant understands that notification will be made of the Planning Commission decision.

- (5) Unless appealed, the planning commission's decision shall become effective on the eleventh day after it is rendered.*

The applicant understands that the Planning Commission decision will be effective on the eleventh day after the decision is issued.

- (E) Appeal to the Council. If any person filing a minor partition plan is dissatisfied with the action of the planning commission, he may, no later than 12 days after such action by the commission, appeal in writing to the council and file same with the council.*

The property owner/applicant understands that any possible appeal of the Planning Commission decision will be heard by the City Council.

(F) Limitation of Appeal. The conditional approval of such plan shall be valid for a period of one year from the date of final action thereon. During said period, all the conditions of approval shall be met. Such conditional approval may be extended for a period not to exceed one additional year by the council, upon written request; provided, such request is made prior to the expiration of the one-year period.

It is understood by the applicant that a minor partition approval is valid for one year.

(G) Ownership Verification of Dedications. In the event approval of a minor partition is conditioned upon the dedication of a portion of the area to the public, the applicant shall submit to the public works department a title report issued by a title insurance company licensed in the state of Oregon verifying ownership by the applicant of the real property that is to be dedicated to the public.

There are no proposed dedications with this proposed application; thus this requirement should not be applicable.

(H) Expedited Land Divisions. All applications for expedited land divisions shall comply with ORS 197.360 through 197.380 and the Junction City comprehensive plan. ORS 197.360 through 197.380 details criteria, application and notice requirements and action and appeal procedures for expedited land divisions.

This minor partition application is not being requested to be reviewed as an expedited land division; thus this standard does not apply.

Section 16.05.050 - Platting and Mapping Standards

(A) Streets.

Prairie Road is an existing street. There are no proposed streets because the unplatted lands adjacent to the subject site are already developed and do not need a street stub from this property. Given these facts, none of the subsections of (A) – Streets is addressed below.

(B) Alleys.

No alleys are proposed with this partition application; thus this section is not applicable and none of the subsections of (B) – Alleys is addressed below.

(C) Blocks.

(1) Block length. Block length shall not exceed 600 feet. In residential and commercial zones, maximum block perimeter shall be 1,600 feet. The planning commission may allow exceptions where pedestrian pathways are utilized as mid-block connections between streets.

Prairie Road is an existing public street. No streets are proposed with this partition; thus the block length of Prairie Road will be unaffected. Given this fact, this standard is not applicable.

(2) Street Connectivity. In order to promote efficient vehicular and pedestrian circulation throughout the city, land divisions and developments greater than two acres in size shall produce complete blocks bounded by a connecting network of public and/or private streets, in accordance with the following standards:

The subject property is 29,642 square feet (0.68 acres). Given that the land division is less than 2 acres, this standard is not applicable and thus subsections (a) – (c) are not included below.

(3) Pedestrian ways. When necessary for public convenience and safety, the planning commission may require the partitioner or subdivider to dedicate to the public pedestrian ways 10 feet in width to connect to cul-de-sacs, to pass through oddly shaped or unusually long blocks, or to provide access to schools, parks, or other public areas, of such design and location as reasonably required to facilitate pedestrian travel.

There are no cul-de-sacs, schools, parks, or other public areas adjacent to the proposed partition that would require the dedication of any pedestrian ways. Given this fact, this standard is not applicable.

(4) Easements for utilities. Dedication of easements for storm water sewers and for access there-to for maintenance, in order to safeguard the public against flood damage and the accumulation of surface water,

and dedication of easements for sanitary sewers, and for access thereto for maintenance, and dedication of easements for other public or private utilities, may be required of the partitioner or subdivider by the planning commission along lot rear lines, lot side lines, or elsewhere as necessary to provide needed facilities for present or future development of the area in accordance with the purpose of this ordinance. Easements for utility lines shall be not less than 14 feet in width; except that, for an easement abutting land not in the partitioned or subdivision area, a lesser width may be allowed, in the description of the planning commission, where the petitioner or subdivider presents a satisfactory plan whereby such easement will be expanded to the width otherwise required.

To accommodate the proposed private utilities, there is a proposed private 25 foot joint-use access and utility easement over the panhandle portions of the lots. No additional easements are necessary for utilities, access, and maintenance purposes.

(D) Perimeter Fences. Perimeter fences shall be required where rear yards abut an existing or planned street. The perimeter fence shall be sight-obscuring and at least 5 feet in height, and shall be setback at least 3 feet from the sidewalk or right-of-way. At least one deciduous shade tree (a minimum 2-inches in caliper at planting) shall be provided for each 50 lineal feet of street frontage. At the time of application review, the Planning Commission may also require additional subdivision perimeter fencing, retaining walls, or other perimeter treatment in order to address privacy, stormwater runoff, or other issues relating to compatibility with adjacent properties.

There are no existing or planned streets along the rear of the development site; thus no perimeter fence is required. In addition, street trees will not be able to be planted along the frontage with Prairie Road given that most of the entire frontage will be occupied by a shared driveway to serve the three parcels.

(E) Lots. Lot sizes in mobile home subdivisions shall conform to the provisions of Chapter 17.100 JCMC, Mobile Homes, rather than this subsection (E).

(1) Size and frontage.

(a) General requirements.

(i) Width. Each lot shall have an average width between the lot side lines of not less than 60 feet. Each corner lot and each authorized key lot and butt lot shall have an average width between the lot side lines of not less than 65 feet.

All of the proposed parcels will have an average width of over 60 feet. Parcel 1 will be about 81 feet wide. Parcel 2 will be about 89 feet wide and Parcel 3 will be about 97 feet wide. These lot widths also comply with the minimum lot width of 50 feet per Section 17.15.030 of the JCMC.

(ii) Depth. Each lot shall have an average depth between the lot front line and the lot rear line of not less than 80 feet and not more than 2 ½ times the average width between the lot side lines. Each double frontage lot shall have an average depth between the lot front line and lot rear line of not less than 120 feet, unless a lesser depth is approved by the planning commission where necessitated by unusual topographic conditions.

All of the proposed parcels will have an average depth of at least 80 feet. Parcel 1 will be about 88 feet deep. Parcel 2 will be about 80 feet deep and Parcel 3 will be about 112 feet deep. Most importantly, the lot depths need to comply with the R2 zoning standard of 75 feet per Section 17.15.030; these parcels will all meet the lot depth standard of the zoning district. In addition, none of the lot depths are more than 2.5 times the average lot widths.

(iii) Area. Minimum lot area shall be in accord with requirements for the zoning district within which the lot is located.

Per Section 17.15.030 of the JCMC, the minimum lot size for single-family dwellings is 5,000 square feet and 7,000 square feet for duplexes. Parcel 1 will be 7,871 square feet (7,063 square feet excluding the panhandle). Parcel 2 will be 8,616 square feet (7,079 square feet excluding the panhandle). Parcel 3 will be 13,155 square feet (10,953 square feet excluding the panhandle). All of the proposed parcels exceed the minimum lot area of 5,000 square feet and could potentially be developed with duplexes given that each exceeds the minimum lot size for such a use.

(iv) Frontage. Each lot shall have frontage of not less than 60 feet upon a street, except that a lot on the outer radius of a curved street or facing the circular end of a cul-de-sac shall have frontage of not less than 35 feet upon a street, measured on the arc.

All three of the proposed parcels will be panhandle lots with reduced frontage as allowed per the criteria at Section 16.05.050(6) of the JCMC that is further addressed below.

(v) *Reverse Frontage.*

(A) *Lots that front on more than one street shall be required to locate motor vehicle accesses on the street with lower functional classification.*

(B) *When a residential subdivision is proposed that would abut an arterial, it shall be designed to provide through lots along the arterial with access from a frontage road or interior local road. Access rights of these lots to the arterial shall be dedicated to the city and recorded with the deed (reserve strip.) A berm or buffer yard may be required at the rear of through lots to buffer residences from traffic on the arterial. The berm or buffer yard shall not be located within the public right-of-way.*

None of the proposed parcels will have frontage along more than one street. Each parcel only has frontage on Prairie Road.

(b) *Exceptions.*

(i) *Partitioned or subdivision area developed as a unit. The planning commission may, in its discretion, authorize relaxation of the parcel or lot size and frontage requirements specified herein where the partitioner or subdivider presents a plan satisfactory to the planning commission whereby the entire partitioned or subdivision area will be designed and developed with provision for proper maintenance of recreation and park area which will be commonly available for recreation and park purposes to the residents of the partitioned or subdivision area, and which the planning commission determines will be of such benefit to said residents as is equal to that which would be derived from observance of the parcel or lot size and frontage requirements otherwise specified, and will be in accordance with the purpose of this ordinance.*

(ii) *Land zoned for commercial or industrial use. The planning commission may, in its discretion, authorize relaxation of the parcel or lot size and frontage requirements specified herein in the case of land zoned for commercial use, where such relaxation is necessary in consideration of the suitability of the land for such use, and in accordance with the purpose of this ordinance.*

(iii) *Parcel or lot retained for future partition or subdivision. The planning commission may, in its discretion, waive parcel or lot frontage requirements where, in its judgment, a parcel or lot should and will be retained by the partitioner or subdivider, and future partition or subdivision of such parcel or lot will be the highest and best use thereof, and such use will be best protected by the creation of a reserve strip separating such parcel or lot from any street.*

All lot design standards (width, depth, area, and frontage) are met. No exceptions to the standards are being requested in this application; thus this criterion is not applicable.

(2) *Key parcels or lots and butt parcels or lots. There shall be no key parcels or lots or butt parcels or lots, except where authorized by the planning commission here such parcels or lots are necessitated by unusual topographic conditions or previous adjacent layout.*

There are no proposed key lots or parcels or butt lots or parcels, as required.

(3) *Parcel and lot side lines. As far as is practicable, parcel and lot side lines shall run at right angles to the street upon which the parcels or lots face, except that on curved streets they shall be radial to the curve.*

The parcel lot side lines are at right angles to the street upon which the parcels face, as required.

(4) *Suitability for intended use. All parcels and lots shall be suitable for the purpose for which they are intended to be used. No parcel or lot shall be of such size or design as to be detrimental to the health, safety, or sanitary needs of the residents of the partition or subdivision area or of such parcel or lot, as determined by the planning commission in accordance with the purpose of this ordinance.*

All proposed parcels are large enough in area and suitable for low-density residential development, as envisioned by the Junction City Comprehensive Plan. No parcel size will be detrimental to public health and safety.

(5) Future partitioning or subdivision of parcels or lots. Where the partition or subdivision will result in a parcel or lot ½ acre or larger in size which, in the judgment of the planning commission, is likely to be partitioned or subdivided in the future, the planning commission may require that the location of parcel or lot lines and other details of layout be such that future partition or subdivision may readily be made without violating the requirements of this ordinance and without interfering with orderly extension of adjacent streets. Any restriction of buildings within future street locations shall be made a matter of record, if the planning commission deems it necessary for the purpose of future subdivision.

None of the proposed parcels will be larger than a ½ acre; thus no future development plan for re-development is required per this standard.

(6) Panhandle lots. Panhandle lot configurations shall not be utilized in new subdivisions. The Planning Commission may authorize exceptions from frontage requirements for panhandle lots in the R1 and R2 zones, only in established neighborhoods, provided that the following standards, applicable to all panhandle lots, are met.

This is a proposed land partition in an established neighborhood, is not located in a new subdivision, and the subject property is zoned R2; thus panhandle lots maybe proposed and three panhandle lots are being proposed in this application. As demonstrated below, all panhandle lot standards are met.

- (a) Minimum lot sizes for panhandle lots shall be as follows, unless Title 17 JCMC requires larger minimum lot sizes:*
- (i) All lots and parcels in an R1 zone must be at least 6,000 square feet, exclusive of the panhandle; and*
 - (ii) All lots and parcels in an R2 zone must be at least 5,000 square feet, exclusive of the panhandle.*

The subject property is zoned R2. Parcel 1 will be 7,063 square feet exclusive of the panhandle. Parcel 2 will be 7,079 square feet exclusive of the panhandle and Parcel 3 will be 10,953 square feet outside of the panhandle. The minimum lot areas for panhandle lots in the R2 zoning district are met.

- (b) Minimum panhandle width shall be as follows, whether or not the panhandle is used for access:*
- (i) One rear lot or parcel - 15 feet;*
 - (ii) Two or more rear lots or parcels - 25 feet;*

This minor partition proposed three panhandle lots that will share one access driveway. The combined width of the panhandles for all parcels is 25 feet; thus meeting this criterion.

- (c) Minimum access paving width of the panhandle or abutting driveway used for access shall be as follows:*
- (i) One or two rear lot(s) or parcel(s) - 15 feet;*
 - (ii) Three or four rear lots or parcels - 20 feet (to preserve existing natural features, paving width may be reduced to 22 feet, except for the first 25 feet back from the sidewalk, with the approval of the Planning Commission if both sides of the driveway are landscaped in accordance with an approved landscape plan).*

The driveway within the panhandle portion of Parcels 1-3 will be at least 20 feet wide; thus will be in compliance with this standard.

- (d) Driveways (which may or may not be the panhandle) and parking areas shall have a durable, dust-free surfacing of asphalt concrete, Portland cement concrete or other approved material.*

The proposed driveway within the panhandle portion of Parcels 1, 2, and 3 will be constructed with a durable, dust-free surface (either asphalt concrete or Portland cement concrete).

- (e) Use of a panhandle for access shall be permitted only if creation of a public street, including a future public street, is not possible because:*
- (i) Physical conditions preclude development of a public street. Such conditions may include, but are not limited to, topography or the existence of natural resource areas such as wetlands,*

- ponds, streams, channels, rivers or lakes, or a resource on the National Wetlands Inventory or under protection by state or federal law;*
- (ii) Buildings or other existing development on adjacent lands, including previously subdivided but vacant lots or parcels, physically preclude a connection now or in the future, considering the potential for redevelopment in the planning period;*

Three panhandle lots are proposed because the creation of a public street is not possible due to existing buildings on adjacent lands. According to on-site field verifications, the areas around the subject property to the north, west, and south are already developed with existing structures or are platted lots that will be developed in the future. The properties to the north and south are/will be developed with residential dwellings. The site to the west is fully developed as a mobile home park. If a public street were located on the subject site, the existing off-site development would preclude a future extension of such a street. This means that such a street would only serve the subject site. Given these facts, buildings or other existing development on adjacent lands physically preclude a connection now or in the future for a public street. This is the reason that Parcels 1-3 are being proposed as panhandle lots.

- (f) A maximum of four rear lots or parcels may be assigned to a single panhandle.*

Only three rear parcels will share the single panhandle driveway within the subject partition boundary. The two panhandle lots to the south (Parcels 2 and 3 of LPPN 2008-P2220) are assigned to the panhandle driveway built within that 2008 partition. This standard is met.

- (g) Vehicular access from public streets to the rear lots or parcels may be obtained one of three ways:*
- (i) Via a panhandle driveway;*
- (ii) Via an existing alley;*
- (iii) Via an abutting property's driveway.*

The access to Parcels 1-3 will be via a shared driveway located within the panhandles of each parcel, as allowed by this standard. In addition, the applicant is trying to obtain a small access easement from the owner of Parcel 3 of LPPN 2008-P2220 (Tax Lot 303) so that the approach to the proposed panhandle driveway within this proposed partition can come from where the driveway immediately to the south accesses Prairie Road and avoid relocating utilities and removing a large tree (60" Cedar) that are currently located at the frontage of the proposed panhandle lots. This would alterative approach/access to Prairie Road would have the shared driveway within the proposed partition connecting to the street through a small portion of the existing driveway to the south, but the three proposed parcels would still be assigned to the panhandle driveway proposed within the subject partition and not the existing driveway to the south. This would ensure that the maximum rear lots to one panhandle driveway would still be met by having three parcels using a panhandle driveway within the subject partition and two rear lots within said 2008 partition assigned to the shared driveway created through that partition. If a small access easement across Tax Lot 303 to the south cannot be obtained to utilize the same approach onto Prairie Road than the proposed panhandle driveway within the subject partition will connect directly to Prairie Road.

- (h) If an abutting property's access driveway is used:*
- (i) An "access easement-maintenance agreement" shall be required and shall be recorded in the Lane County Office of Deeds and Records;*
- (ii) There shall be adequate room elsewhere on the abutting property to meet off-street parking requirements for that property.*

Proposed Parcels 1-3 will share the panhandle driveway within the proposed partition. No abutting property will be used for access unless a small additional easement is obtained across Tax Lot 303 to share the approach onto Prairie Road. If this alternative driveway approach is used to connect the proposed, shared driveway to Prairie Road than the additional access easement-maintenance agreement will be recorded concurrently with the final plat or prior to building permit issuance.

- (i) When the panhandle is used for access and the abutting property owner requests a visual buffer at the time of land division review, that buffer shall consist of the following:*
- (i) A minimum five foot high site-obscuring fence or wall, or*
- (ii) Landscaping that will be five feet high and 75% site-obscuring within five years.*

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The applicant understands that a condition of approval requiring a visual buffer along the north or south side of the panhandle driveway could be required and will comply with such a condition of approval if one is applied to the decision.

(j) If access is provided via an existing unimproved alley, the property owner filing for the land division shall improve the alley to city standards. The alley must be able to provide automobile and emergency vehicle access to a public street.

No access will be via an existing unimproved alley; thus this standard is not applicable.

(k) Whether or not the panhandle is used for access, it shall remain free of structures and be available for possible future access to a public street.

The panhandles will remain free of structures at all times for access to the public street, Prairie Road.

(l) Each rear lot or parcel shall have two parking spaces and shall have sufficient turn-around area to eliminate the necessity for a vehicle to back out onto the street. The two spaces shall not be located in the panhandle portion of driveways.

At the time of house construction, at least two parking spaces and sufficient area for turning around will be built on each proposed parcel in order to be in compliance with this standard.

(m) The building official shall not issue a certificate of occupancy until the project is completed in accordance with approval conditions, this code and the zoning ordinance.

The applicant understands that a certificate of occupancy will not be issued unless compliance with all approval conditions and the JCMC is demonstrated.

(n) Except as provided herein, the design and development standards of the zone district in which the panhandle lots or parcels are located shall apply.

The panhandle lots, Parcels 1-3, meet all other requirements (such as lot width, depth, and area) of the R2 zone as demonstrated previously.

(F) Drainage. Where land in the partitioned or subdivision area is or will be periodically subject to accumulations of surface water or is traversed by any watercourse, channel, stream or creek, the planning commission may require the partitioner or subdivider to provide for adequate unrestricted drainage over drainage land by dedicating to the public easements therefore approved by the planning commission as adequate for the drainage needs of the area; or, where necessary, in the judgment of the planning commission, for protection of such needs, by conveying ownership of such drainage land for drainage purposes to the city.

There are no watercourses, channels, streams, or creeks on the development site. The stormwater runoff will be conveyed (piped) to the existing system in Prairie Road via the shared access and utility easement. No additional drainage easements are necessary to accommodate stormwater drainage.

(G) Railroads.

There are no railroads adjacent to the proposed partition; thus this section is not applicable. Given this fact, none of the subsections are included below.

(H) Partial development. Where the partitioned or subdivision area includes only a part of the tract owned by the partitioner or subdivider, the planning commission may require a sketch of a tentative layout of streets in the remainder of said tract.

There will be no remainder of the property left for future development. All of the area within the subject property will be developed.

(I) Recreational area. The planning commission, after council approval first having been obtained, may require, as a condition of approval of the subdivision, either:

Preliminary Partition for
The Junction, LLC

- (1) *The dedication of land for park and recreational purpose of an amount equal to a ratio of not less than one acre of recreational area to every one hundred people of the ultimate population in the subdivision; or*
- (2) *The payment to the city of a sum as established by the resolution adopting park systems development charges for each living unit permitted to be constructed within the subdivision. Payment of the charge shall be made at the time the building permit for construction of each living unit is issued by the city. The amount of the charge shall be that prescribed in the parks systems development resolution in effect at the time the individual permit is issued. In exercising the discretion of requiring the dedication of land or the payment of money, the commission shall consider recreational needs of the ultimate population of the subdivision and the extent to which a dedication of land under the above rate would fulfill those needs. All moneys received from the above provision shall be deposited in the recreational reserve area fund and shall be expended from that fund for the purpose of purchasing recreational land and making improvements thereof.*

This application is for a minor partition and not a subdivision; thus this standard is not applicable.

- (J) *Building lots filled. All building lots shall be filled in accordance with accepted engineering practice. All fill shall be placed in accordance with Chapter 70 of Oregon Structural, Specialty and Fire and Life Safety Code.*

The subject property is fairly flat and thus no fill is proposed for the building lots; however, if any fill is needed than it will be in compliance with accepted engineering practices and the Oregon Structural Specialty Code.

- (K) *Finish floor elevations. Finish floor elevations shall be established for all buildings on the final plat in accordance with elevations established by and for the city of Junction City.*

The property owner and applicant understand this final plat standard.

- (L) *Utility access. All accesses to utilities are to be brought to finish grade.*

All of the accesses to utilities when constructed will be brought to finished grade.

This minor partition application clearly meets all standards of the Junction City Municipal Code and thus the applicant respectfully requests that the Planning Commission approve this application. If there are any questions, please do not hesitate to contact me at Metro Planning via email (robert@metroplanning.com) or by phone (541-968-9849).

Respectfully,

Robert Stevens, AICP
Senior Planner

AFTER RECORDING RETURN TO:
CASCADE TITLE COMPANY
811 WILLAMETTE ST., EUGENE, OR 97401



Lane County Clerk
Lane County Deeds and Records

Attachment A.1
2014-039603



\$52.00

10/06/2014 03:21:15 PM

RPR-DEED Cnt=1 Stn=40 CASHIER 01
\$10.00 \$11.00 \$21.00 \$10.00

TITLE NO. 0287146 *Muck*
ESCROW NO. EU14-2473
TAX ACCT. NO. 1832516, 1832524
MAP/TAX LOT NO. 16 04 06 1 1 #402 & #403

GRANTOR

MIKE GANSEN CONSTRUCTION COMPANY

GRANTEE

THE JUNCTION LLC
93984 PRAIRIE ROAD
JUNCTION CITY, OR 97448

Until a change is requested
all tax statements shall be
sent to the following address:
SAME AS GRANTEE

After recording return to:
CASCADE TITLE CO.
811 WILLAMETTE
EUGENE, OR 97401

WARRANTY DEED -- STATUTORY FORM

MIKE GANSEN CONSTRUCTION COMPANY, Grantor,

conveys and warrants to

THE JUNCTION LLC, Grantee,

the following described real property free of encumbrances except as specifically set forth herein:

SEE LEGAL DESCRIPTION ATTACHED

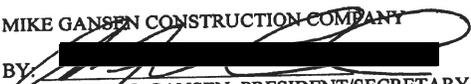
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Except the following encumbrances:
2014/15 TAXES WHICH ARE A LIEN BUT NOT YET DUE AND PAYABLE.
COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS OF RECORD.

The true consideration for this conveyance is \$62,500.00.

Dated this 6 day of October, 2014.

MIKE GANSEN CONSTRUCTION COMPANY

BY: 
MICHAEL J. GANSEN, PRESIDENT/SECRETARY

State of Oregon
County of Lane

This instrument was acknowledged before me on October 6, 2014 by MICHAEL J. GANSEN,
PRESIDENT/SECRETARY OF MIKE GANSEN CONSTRUCTION COMPANY.




(Notary Public for Oregon) 1/24/17
My commission expires

LEGAL DESCRIPTION

PARCEL 1:

A unit of land situated in the Northeast 1/4 Section 6, Township 16 South, Range 4 West of the Willamette Meridian, said unit of land being a portion of Parcel 2 and Parcel 3, Land Partition Plat No. 2009-P2354, Lane County Oregon Plat Records, and more particularly described as follows: Beginning at the Northeast corner of Parcel 3, Land Partition Plat No. 2009-P2354, Lane County Oregon Plat Records; thence along the Easterly boundary of said Parcel 3, said Easterly boundary also coinciding with the Westerly right of way line of Prairie Road, South 00° 04' 22" East 25.00 feet; thence leaving the Easterly boundary of said Parcel 3 and the Westerly right of way line of Prairie Road and running parallel with and 25.00 feet Southerly of the Northerly boundary of said Parcel 2 and Parcel 3, North 89° 09' 16" West 182.00 feet; thence South 00° 04' 22" East 72.39 feet to the Southerly boundary of said Parcel 2; thence along the Southerly boundary of said Parcel 2, North 89° 09' 16" West 194.50 feet to the Southwest corner of said Parcel 2; thence along the Westerly boundary of said Parcel 2, North 00° 04' 22" West 97.39 feet to the Northwest corner of said Parcel 2; thence along the Northerly boundary of said Parcel 2 and Parcel 3, South 89° 09' 16" East 376.50 feet to the point of beginning, all in the City of Junction City, Lane County, Oregon.

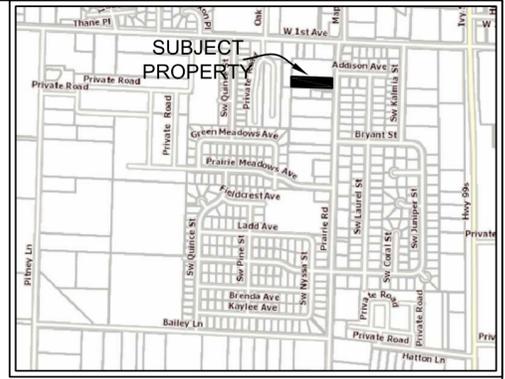
PARCEL 2:

A unit of land situated in the Northeast 1/4 Section 6, Township 16 South, Range 4 West of the Willamette Meridian, said unit of land being a portion of Parcel 2 and Parcel 3, Land Partition Plat No. 2009-P2354, Lane County Oregon Plat Records, and more particularly described as follows: Commencing at the Northeast corner of Parcel 3, Land Partition Plat No. 2009-P2354, Lane County Oregon Plat Records; thence along the Easterly boundary of said Parcel 3, said Easterly boundary also coinciding with the Westerly right of way line of Prairie Road, South 00° 04' 22" East 25.00 feet to the point of beginning of this unit of land; thence leaving the Easterly boundary of said Parcel 3 and the Westerly right of way line of Prairie Road and running parallel with and 25.00 feet Southerly of the Northerly boundary of said Parcel 2 and Parcel 3, North 89° 09' 16" West 182.00 feet; thence South 00° 04' 22" East 72.39 feet to the Southerly boundary of said Parcel 2; thence along the Southerly boundary of said Parcel 2, South 89° 09' 16" East 182.00 feet to the Southeast corner of said Parcel 2; thence along the Easterly boundary of said Parcel 2 and Parcel 3, North 00° 04' 22" West 72.39 feet to the point of beginning, all in the City of Junction City, Lane County, Oregon.

PRELIMINARY PARTITION PLAT FOR THE JUNCTION, LLC

NE 1/4, SECTION 6, T. 16S., R. 4W., WILLAMETTE MERIDIAN
JUNCTION CITY, LANE COUNTY, OREGON

DATE OF SURVEY: _____



VICINITY MAP
NOT TO SCALE

LEGEND

- 97.00' SPOT ELEVATIONS
- STREET CENTER LINE
- BOUNDARY
- EXISTING WASTEWATER MANHOLES, LINE
- EXISTING STORM WATER MANHOLES, LINE
- POWER POLE, EX OVERHEAD LINE
- EXISTING WATER METER, 8" PVC LINE
- EXISTING 1' CONTOUR LINE
- EXISTING CONTOUR INDEX
- EXISTING PHONE LINE, TOLERISER
- EXISTING FIRE HYDRANT
- EXISTING GAS LINE
- CLEAN OUT
- PROPOSED LOT LINE
- EXISTING CONIFEROUS TREE
- EXISTING DECIDUOUS TREE

16-04-06-11
TL 900

16-04-06-11
TL 901

16-04-06-11
TL 902

16-04-06-11
TL 800

16-04-06-11
TL 700

16-04-06-11
TL 500

16-04-05-22
TL 1100

16-04-05-22
TL 1200

16-04-05-22
TL 3100

16-04-05-22
TL 3200

16-04-06-11
TL 401

16-04-06-11
TL 303

16-04-06-11
TL 302

16-04-06-11
TL 301

16-04-05-22
TL 3300

**PARTITION
2009-P2354
PARCEL 1**

PROPOSED PARCEL 2
W/ POLE: 8,616 SQ FT
W/O POLE: 7,079 SQ FT

PROPOSED PARCEL 3
W/ POLE: 13,155 SQ FT
W/O POLE: 10,953 SQ FT

PROPOSED PARCEL 1
W/ POLE: 7,871 SQ FT
W/O POLE: 7,063 SQ FT

16-04-06-11
TL 403

PROPOSED 25' WIDE PRIVATE JOINT
ACCESS AND UTILITY EASEMENT FOR
THE BENEFIT OF PARCEL 2 AND
PARCEL 3

25' WIDE PRIVATE JOINT ACCESS AND UTILITY EASEMENT FOR THE
BENEFIT OF PARCELS 2 & 3 RECEPTION NO. 2009-21034, LCODR
AND 25' WIDE PERMANENT ACCESS EASEMENT AND FIRE LANE
EASEMENT RECEPTION NO. 2009-020460, LCODR

25' WIDE ACCESS AND UTILITY EASEMENT RECORDED
MAY 29, 2014, RECEPTION NO. 2014-019549, LCODR AND
25' WIDE PUBLIC FIRE EASEMENT RECORDED
MAY 29, 2014, RECEPTION NO. 2014-019550, LCODR
(TO BE VACATED PRIOR TO DEVELOPMENT)

5' WIDE PRIVATE UTILITY EASEMENT
FOR THE BENEFIT OF PARCEL 2,
LAND PARTITION PLAT NO. 2009-P2354

WW MANHOLE C44
RIM= 326.51
FL IN (S) 21" = 309.01
FL IN (W) 10" = 310.57
FL OUT (E) 24" = 308.81

STM MANHOLE 58
RIM=327.56
FL (E,S)=317.96

WW MANHOLE C45
RIM=327.34
FL IN (E) 8" = 310.46
FL IN (S) 21" = 309.54
FL OUT (N) 21" = 309.44

WW MH C46
RIM = 325.37
FL IN (E) 8" = 413.27
FL OUT (W) 8" = 313.17

STM MANHOLE 57
RIM= 327.22
FL (E,W) = 319.32
FL (N,S) = 318.32

WW MH C47
RIM = 325.44
FL IN (S) 21" = 310.39
FL IN (E) 8" = 311.38
FL OUT (N) 21" = 310.29

STM MANHOLE 70
RIM= 325.38
FL (E) = 321.00
FL (W) = 318.61
FL (N,S) = 318.61

SCALE 1" = 30'

NOTES:

1. UTILITIES ARE EXISTING AND PROVIDED BY EMERALD PEOPLES UTILITY DISTRICT (EPUD).
2. WASTEWATER AND STORMWATER LINES ARE PUBLIC AND LOCATED IN PRAIRIE ROAD.
3. UNDERGROUND UTILITIES SHOWN HEREON ARE BASED UPON CONSTRUCTION AND AS-BUILT DRAWINGS AND HAVE NOT BEEN VERIFIED. WE DO NOT GUARANTEE THIS MAP SHOWS ALL THE UNDERGROUND UTILITIES.
4. THIS PROPERTY IS ZONED R-2 (DUPEX FAMILY RESIDENTIAL).
5. NO STREET TREES ARE PROPOSED.
6. SOIL TYPE IS MALABON-URBAN LAND COMPLEX (NO. 76).
7. AREA OF DEVELOPMENT IS 36,663 SQ FT.
8. THE PROPERTY IS LOCATED IN ZONE X ON FIRM MAP 41039C0604F. ZONE X IS AN AREA DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN.
9. THERE ARE 9 TREES WITH DIAMETERS GREATER THAN 8".
10. THE NEAREST FIRE HYDRANT IS LOCATED APPROXIMATELY 70' NORTH OF NORTH PROPERTY LINE OF SUBJECT PROPERTY, AT THE NORTHWEST CORNER OF PRAIRIE ROAD AND ADDISON AVENUE.
11. THERE ARE NO CONTIGUOUS PROPERTIES UNDER THE SAME OWNERSHIP.
12. THERE ARE NO PROPOSED PUBLIC IMPROVEMENTS.

LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 6, TOWNSHIP 16 SOUTH, RANGE 4 WEST, WILLAMETTE MERIDIAN AND BEING PORTIONS OF PARCELS 2 AND 3 OF LAND PARTITION PLAT NO. 2009-P2354, RECORDED ON DOCUMENT NO. 2009-021032 LANE COUNTY OREGON DEED RECORDS; COUNTY SURVEY FILE NO. 43208, AND DECLARATION OF PROPERTY LINE ADJUSTMENT RECORDED ON DOCUMENT NO. 2015-006902, LANE COUNTY OREGON DEED RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8 INCH IRON ROD MARKING THE NORTHWEST CORNER OF PARCEL 2 OF SAID LAND PARTITION PLAT NO. 2009-P2354; THENCE ALONG THE WEST LINE OF SAID PARCEL 2 SOUTH 0°04'22" EAST 97.39 FEET TO A 5/8 INCH IRON ROD MARKING THE SOUTHWEST CORNER OF SAID PARCEL 2; THENCE ALONG THE SOUTH LINE OF SAID PARCEL 2 SOUTH 89°09'16" EAST 376.50 FEET TO A 5/8 INCH IRON ROD MARKING THE SOUTHEAST CORNER OF SAID PARCEL 2; THENCE ALONG THE EAST LINE OF SAID PARCEL 2 NORTH 0°04'22" WEST 25.00 FEET TO A 5/8 INCH IRON ROD MARKING THE MOST EASTERLY NORTHEAST CORNER OF SAID PARCEL 2; THENCE LEAVING SAID EAST LINE NORTH 89°09'16" WEST 97.00 FEET TO A 5/8 INCH IRON ROD; THENCE NORTH 0°04'22" WEST 72.39 FEET TO A 5/8 INCH IRON ROD ON THE NORTH LINE OF SAID PARCEL 3; THENCE ALONG THE NORTH LINE OF SAID PARCELS 2 AND 3 NORTH 89°09'16" WEST 279.50 FEET TO THE POINT OF BEGINNING, ALL IN JUNCTION CITY, LANE COUNTY, OREGON.



PROPERTY OWNER/ APPLICANT
THE JUNCTION LLC
93984 PRAIRIE RD
JUNCTION CITY, OR 97448

PROJECT COORDINATOR
ROBERT STEVENS, AICP
METRO PLANNING, INC.
370 Q STREET
SPRINGFIELD, OR 97477
541-302-9830

SURVEYOR
STEVEN WOODS
STEVEN WOODS, LAND SURVEYOR
PO BOX 504
JUNCTION CITY, OR 97448
541-790-1319

ENGINEER
SCOTT MORRIS
A&O ENGINEERING
376 Q STREET
SPRINGFIELD, OR 97477

STEVEN WOODS, LAND SURVEYOR
PO BOX 504
JUNCTION CITY, OREGON 97448
541-790-1319

