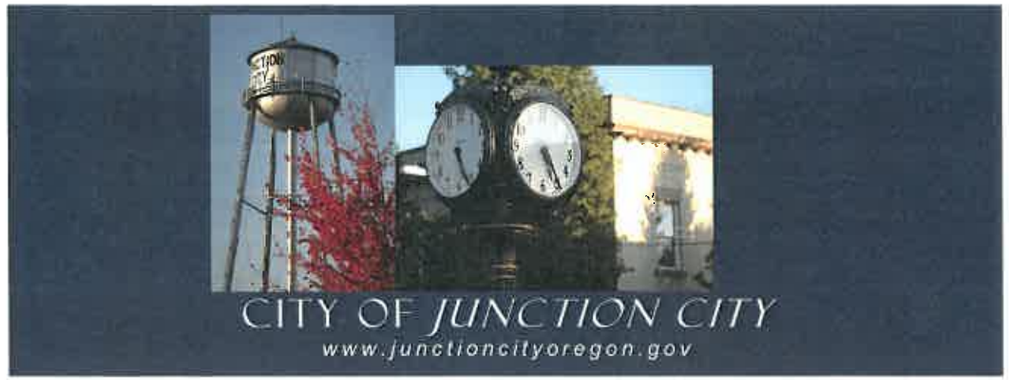


Planning Commission Meeting
(Possible Quorum of the Council)

Date:	Wednesday, January 15, 2020
Time:	***6:30 – 9:00 p.m.***
Location:	Council Chambers, 680 Greenwood Street
Contact:	Tere Andrews, 541-998-2153

A G E N D A

1. Open Meeting and Pledge of Allegiance
2. Changes to the Agenda
3. Public Comment (for items not already on the agenda)
4. Approval of Minutes
    - December 18, 2019
5. Action Items
    a) Preliminary Subdivision: 19-12-24-SUB, Kalmia Subdivision
    b) Preliminary Partition: 19-12-25-MP, 1590 Ivy
6. Planning Commission Vacancies
7. Officer Elections
8. Planning Activity Report
9. Planning Commission Agenda Forecaster
10. Commissioner Comments
11. Adjournment

Next Standing February 19, 2020 – Check with City for changes
Location is wheelchair accessible (WCA)
THIS MEETING WILL BE RECORDED

I. PUBLIC HEARING PROCESS

Public Hearings will be conducted as follows:

1. Open Public Hearing
2. Staff Report
3. Applicant's Presentation
4. Public Testimony
5. Rebuttal of Testimony
6. Questions from the Planning Commission
7. Staff Summary
8. Close of Public Hearing
9. Deliberation and Recommendation/Decision by the Planning Commission

If you provide testimony, please state your name and address for the record. Testimony and evidence must be directed toward the applicable substantive criteria or other criteria believed to apply to the decision.

If you would like an opportunity to present additional evidence, arguments or testimony regarding the application at a later date, you may request during the hearing that the Planning Commission hold the record open.

Helpful Tips When Speaking Before the Planning Commission

Before the meeting begins, give a copy of any written materials to the Planning Secretary.

Please speak clearly keep in mind the meetings are recorded.

Before beginning your statement say your name and address for the record.

Speak to the Commission through the Chairperson. For example, "Mr. /Ms. Chair, members of the Commission …"

In order to give everyone, the opportunity to speak the Planning Commission may set a time limit. Out of courtesy to citizens speaking after you, please respect the time limit.

Next Standing February 19, 2020 – Check with City for changes
Location is wheelchair accessible (WCA)
THIS MEETING WILL BE RECORDED

The Junction City Planning Commission met on Wednesday, December 18, 2019 at 6:30 p.m. in the Council Chambers at City Hall, 680 Greenwood Street, Junction City Oregon.

Present were: Planning Commissioners, James Hukill, Ken Wells, Beverly Ficek, and Planning Alternate, Jack Sumner; City Attorney, Carolyn Connelly and; Planning Secretary, Tere Andrews.

Absent: Planning Commissioner Alicia Beymer (Chair), and Jeff Haag (Chair Pro-Tem)

1. **ELECTION OF A CHAIR PRO-TEM**

   Motion: Commissioner Hukill nominated Commissioner Wells as Chair Pro-Tem for the December 18, 2019 meeting. Commissioner Ficek seconded the motion.

   Vote: Passed by a vote of 4:0:0, Commissioners, Hukill, Ficek, Sumner, and Wells voted in favor.

2. **OPEN MEETING AND REVIEW AGENDA**

   Chair Pro-Tem Wells opened the meeting at 6:32 pm and led the Pledge of Allegiance.

3. **CHANGES TO THE AGENDA**

   Secretary Andrews stated the Planning Commission Training follow up had been rescheduled to the January 15, 2020 meeting.

4. **PUBLIC COMMENT (FOR ITEMS NOT ALREADY ON THE AGENDA)**

   None.

5. **APPROVAL OF MINUTES**

   - November 20, 2019

   Motion: Commissioner Hukill made a motion to approve the November 20, 2019, minutes as written. Commissioner Sumner seconded the motion.

   Vote: Passed by a vote of 4:0:0. Chair Pro-Tem Wells, Commissioners, Hukill, Ficek, and Sumner voted in favor.

6. PUBLIC HEARING: CONDITIONAL USE PERMIT AT 989 JUNIPER STREET (19-10-23-CUP)

Chair Pro-Tem Wells opened the public hearing for a Conditional Use Permit application, File #19-10-23-CUP at 6:34p.m.

Chair Pro-Tem Wells explained the public hearing process. Staff would present the staff report, followed by the applicant, then public testimony. The applicant would have an opportunity to respond to public testimony.

He asked if any Commissioner had a conflict of interest or ex-parte contact.

There were none declared.

Chair Pro-Tem Wells asked if there were any challenges.

There were none.

He then asked for the staff report.

Technician Andrews reviewed the staff report. The subject site was located at 989 Juniper Street, and zoned Commercial Residential (CR). The applicant was requesting a Conditional Use Permit to convert the existing building at 989 Juniper Street into a church. Churches were a Conditional Use in the CR zone which required a public hearing before the Planning Commission. The application was submitted on October 23, 2019 and deemed complete on November 8, 2019. Staff mailed referrals to affected agencies and City Departments and; a notice of public hearing to the applicant, property owners and residents within 300 feet of the subject site on November 22, 2019. Four public comments in support of the proposal were received. No comments/conditions were received from outside agencies or City departments.

The structure did not meet the street side, side-yard setback. However, under Junction City Municipal Code 17.125 nonconforming structures could continue if it lawfully existed at the time of the effective date of the ordinance codification. The structure dated to 1919. The ordinance was approved in 1991. Hence the exiting structure was a legal non-conforming structure (JCMC 17.125.010).

The existing structure was within the parking exemption area as it was located on the southwest corner of West 10th Avenue and Juniper Street. Therefore, parking requirements as described in JCMC 17.90 did not apply.

Staff recommendation for conditional approval issued on December 11, 2019.

APPLICANT AND OTHERS IN FAVOR OF PROPOSAL

Chair Pro-Tem Wells invited testimony in favor of the application.

The applicant, Julia Finfrock, explained their church had approximately 12 members. They met informally but were looking for a permanent location. Moderate growth was anticipated. She then offered to answer questions from the Commission.

Mr. David Finfrock, 94461 Marcola Road, Marcola OR 97454, spoke in support of the conditional use permit application. He and his wife were ministers. They felt the location would be a good place for their church.

NEUTRAL PARTIES TO PROPOSAL

There was none.

OPPONENTS OF PROPOSAL

There were none.

CITY STAFF SUMMARY/RESPONSE TO PUBLIC TESTIMONY

Chair Pro-Tem Wells asked if staff wished to offer additional information.

Staff responded there was no information to add.

APPLICANT'S REBUTTAL

The applicant did not have any additional information.

There were no questions from the Planning Commission.

Since there was not a request to leave the record open, Chair Pro-Tem Wells closed the public record and the hearing at 6:52 p.m.

MOTION: Commissioner Sumner made a motion that the Planning Commission approve the Conditional Use Application, 989 Juniper Street, (File# 19-10-23-

CUP) with supporting findings, as provided by staff. Commissioner Hukill seconded the motion.

Vote: Passed by a vote of 4:0:0.
Chair Pro-Tem Wells, Commissioners, Hukill, Ficek, and Sumner voted in favor.

7. PLANNING ACTIVITY REPORT

The Commission reviewed the Planning Activity Report.

8. COMMISSION AGENDA FORECASTER

The Commission reviewed the agenda forecaster.

9. COMMISSIONER COMMENTS

Commissioners Hukill and Sumner noted Pop's Restaurant recently celebrated their one-year anniversary and the new bakery was open.

10. ADJOURNMENT

Motion: Commissioner Hukill made a motion to adjourn the meeting. Commissioner Sumner seconded the motion.

Vote: Passed by a vote of 4:0:0. Chair Pro-Tem Wells, Commissioners, Hukill, Ficek, and Sumner voted in favor.

The meeting adjourned at 7:10 p.m.

The next Standing Planning Commission meeting was Wednesday January 15, 2020 at 6:30 p.m.

Respectfully Submitted,

_____

Tere Andrews, Planning Commission Secretary

_____

Ken Wells, Planning Commission Chair Pro-Tem

JUNCTION CITY PLANNING COMMISSION
AGENDA ITEM SUMMARY

File # 19-12-24-SUB Kalmia Subdivision

Meeting Date: January 15, 2020
Department: Planning
www.junctioncityoregon.gov

Agenda Item Numbers: 5a
Staff Contact: Tere Andrews
Contact Telephone Number: 541-998-4763

ISSUE STATEMENT

The applicant proposes a four-lot residential subdivision, called "Kalmia Subdivision", on .29 acres along SW Kalmia Street, abutting West First Avenue.

BACKGROUND

The applicant proposes a four-lot residential subdivision, called "Kalmia Subdivision", on .29 acres (11,326 Square feet). The subject site is located along SW Kalmia Street, abutting West First Avenue. The site is zoned Multiple Family Residential (R3).

The site is currently developed with a four-plex. The dwellings are townhome-style units. They were constructed with the possible future subdivision of the property in mind with installation of sprinkler systems. Fire protection services are provided by Junction City Fire and Rescue. The dwellings are located within the Junction City limits and are connected to City water, sanitary sewer, and storm water services. Other, existing utilities include electric power, gas, telephone, and cable television.

RELATED CITY POLICIES

- JCMC 16.05 – Subdivisions
- JCMC 17.20 – Multiple Family Residential Zone (R3)
- JCMC 17.150 - Development Standards

PLANNING COMMISSION OPTIONS

The Commission may:

a. Approve the Preliminary Plat based on the proposed findings.
b. Approve the Preliminary Plat based on modifications to the proposal and/or findings.
c. Deny the request with justifications based on changes to the proposed findings.
d. Continue the hearing to a time and date certain if more information is needed.

SUGGESTED MOTION

I make a motion to (approve/modify/deny/continue) the West Linn Corporate Park, LLC Reserve Phase-III Subdivision Preliminary Plat, file SUB-17-02 based the (findings/modified findings) as

(stated/amended) in the Final Order.

ATTACHMENTS

A. Staff Report, Dated January 6, 2020
   1. Referral Comments Received by December 19, 2019
   2. Request for Comments
B. Applicant's Subdivision materials submitted December 16, 2019
C. Proposed Final Order

Attachment A

January 6, 2020

BRANCH ENGINEERING INC. FINDINGS ON BEHALF OF THE JUNCTION CITY PLANNING DEPARTMENT:

STAFF REPORT FOR THE KALMIA 4-LOT SUBDIVISION PROPOSAL (19-12-24-SUB)

Application Summary:
Subdivision application to divide a fully developed single lot into four (4) townhome lots as permitted outright by JCMC 17.20.010(B).

Applicant:
Jim and Toni Rauschert, Junction City, Oregon (541) 914-8686

Applicant's Representative:
Lloyd Tolbert, P.L.S., Tolbert Associates, LLC, Eugene, Oregon (541) 359-8426

Lead Planner:
Jordan Cogburn, Branch Engineering Inc., Springfield, Oregon (541) 746-0367

Subject Property/Zoning/Location:
Tax Lot 4302 of Assessor's Map 16-04-05-22, Designated H, High Density Residential on the Junction City Comprehensive Plan Map and Zoned R3, Multifamily Residential, located at the southwestern corner of 1st Avenue and Kalmia Street, in Junction City.

Relevant Dates:
The applicant submitted all relevant materials on December 16, 2019. Application deemed complete on December 16, 2019; Staff Report issued on January 6, 2020; hearing held before the Planning Commission at the standing January 15, 2020 meeting,

Associated Files:
DEV-18-01 – Multifamily Residential Dwelling Development Review – Approval granted April 17, 2018.

Request
The applicant has respectfully submitted a Preliminary Subdivision application to divide a fully developed single lot into four (4) townhome lots.

Public Notice and Referrals:
JCMC 17.150.070(A)(2) states:

"With the exception of Type IV applications, notice of hearing or contemplated land use action shall be mailed to the applicant and to all owners and abutting property owners, including owners of property which would be abutting if there were not

intervening streets, of the property which is the subject of the notice. In addition, notice shall be provided to all owners of record of property on the most recent property tax assessment roll within 300 feet of the subject property. Notice shall be mailed at least 20 days before the date of the hearing or review."

On December 20, 2019, Junction City Staff mailed a notice of a Planning Commission Hearing to the property owners and residents within 300 feet of the subject site. No public comments were received by the January 6, 2020 Staff Report deadline. A copy of the notice is included as an attachment.

On December 19, 2019, referral comments on the application were also requested from various affected service providers and City departments. Referral comments received include:

- Danielle Stanka, Engineering Associate, Lane County Public Works, dated December 23, 2019 - Stated comments regarding this site were submitted for the Development Review application and no new comments would be issued for the Subdivision proposal.
- Trevor Ross, Engineering Associate, Lane County Surveyors Office, dated December 30, 2019 – Stated no concerns other than standard Platting requirements.
- Russ Young, Building Official, Junction City Building Department, dated December 20, 2019 – Stated concerns with firewall separation. Later confirmed that the site has met the minimum separation standards as each unit has a sprinkled fire suppression system. No further concerns.
- Gary Kaping, Public Works Director, Junction City Public Works, dated May 1, 2019 – Stated no concerns.

All public and referral comments received by the Planning Department on this application are included in the application file for reference. Additionally, comments are addressed in the context of applicable Amendment approval criteria and standards in the following evaluation.

General Property Information:
The subject property is 11,798 square feet and zoned R-3 multi-Family Residential. The applicant is proposing to divide the property into four (4) lots as depicted on the attached Preliminary Plan. There is an existing four-unit townhouse apartment building on the subject property, which will remain. The subject property is fully improved and accepted per Junction City Building Permit No. 467-18-000088-STR. The purpose of this subdivision is to divided the four townhouses into individual properties. The owner does not own any contiguous properties.

The site is designated H –High Density Residential on the Junction City Comprehensive Plan Map, with the corresponding zoning of Multifamily Residential (R3). Townhomes are an Outright Permitted Use in the Multifamily Residential (R3) zoning district subject to the provisions at JCMC 17.20.

Evaluation
The following findings demonstrate that the proposed development will comply with all applicable approval criteria and related standards. The following evaluation

includes findings of compliance with the applicable criteria and related standards as provided in the Junction City Municipal Code. The approval criteria and related standards are listed below in **bold**, with findings and conditions addressing each where appropriate.

TITLE 16 - SUBDIVISIONS

JCMC 16.05.040 – Subdivisions and Major Partitions

A. Submitting Preliminary Plan

FINDING: The Applicant has submitted a Preliminary Plan in accordance with this criterion. The 19-copy requirement has been waived based on the digital submittal. This criterion is met.

B. Preliminary Plan Requirements.

FINDING: The Preliminary Plan submitted by the applicant includes all pertinent information to scale. The submitted Preliminary Plan was prepared by Lloyd L. Tolbert, P.L.S., an Oregon licensed land surveyor. The Kalmia subdivision name is included in the submitted Preliminary Plan. The submitted Preliminary Plan includes all relevant information listed under JCMC 16.05.040(B)(2). These criteria have been met.

C. Review of Preliminary Plan.

FINDING: The Secretary of the Planning Commission distributed all relevant materials to the Public Works Director in accordance with this standard. Requests for referral comments were sent to partner agencies on December 19, 2019 in accordance with the standard under subsection 2 of this section. Comments received are referenced under Agency Comments, and are included in the application file. These criteria have been met.

D. Approval of Preliminary Plan.

FINDING: A hearing has been scheduled before the Planning Commission at the standing January 15, 2020 meeting where approvals may be granted in accordance with this standard. Based on the findings and recommended conditions of approval stated within this report, and the Planning Commission requirements stated during the initial review, Staff recommends Conditional Approval of the proposed Preliminary Subdivision as stated in the Draft Final Order. These criteria have been adequately addressed.

16.05.050 Platting and mapping standards

A. Streets.
B. Alleys.

C. Blocks

FINDING: No new Streets, Blocks, or Alleys are proposed or required with this application. Therefore, these criteria are not applicable.

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 five feet in height, and shall be set back at least three feet from the sidewalk or right-of-way. At least one deciduous shade tree (a minimum of two inches in caliper at planting) shall be provided for each 50 lineal feet of 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: All existing fencing is in compliance with the above provision. The subject site is a corner lot in the southwestern corner of West 1st Avenue and SW Kalmia Street. West 1st Avenue is a County owned and maintained facility, functionally classified as an Urban Major Collector. SW Kalmia Street is a Junction City owned and maintained street classified as a Local Street in the *Junction City Transportation System Plan (2016)*, with a narrower right-of-way width. By definition (JCMC 16.05.020), the Front Lot Line is the line abutting Kalmia Street, as it is the narrower of the two rights-of-way. Therefore, the Rear Lot Line is the westernmost lot line, abutting a residential property. Fencing along the frontage of West 1st Avenue is compliant with the fencing provisions listed at JCMC 17.95.020. Shade trees a minimum of two inches in caliper were planted in compliance with the above standard prior to Certificate of Occupancy for Junction City Land Use File #DEV-18-01 as referenced above.

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.

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 two and one-half 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.

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

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.

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.

FINDING: As allowed by JCMC 17.20.040(B) for Townhomes (single-family attached or row houses), the minimum lot area shall be 2,500 square feet per unit. The minimum lot width at the front property line shall be 25 feet. All proposed lots are a minimum of 2,500 square feet or greater. Due to the definitions listed at JCMC 16.05.020 and the layout of the existing structure, meeting the 25-foot minimum width at the property line is not feasible. To the greatest extent possible, the applicant has adhered to the intent of the Code by meeting the minimum 25-foot lot width at the southern property line with lengths of 25 feet (Lot 4), 30 feet (Lot 1), and 32.53 feet (Lots 2 and 3).

FINDING: Lot widths along West 1st Avenue are shown at 21.25 feet (Lots 2 and 3), 36.09 feet (Lot 4), and 41.57 feet (Lot 1). Due to the required siting of the existing structure (height transition, setbacks, open space), driveway locations required by Chapter 17, and existing easement locations, meeting the 25-foot minimum width requirement along the northern property line is not feasible. The applicant respectfully requests the Planning Commission give consideration to these constraints when reviewing the intent of the Code as it relates to minimum lot widths. As such, this criterion has been adequately addressed.

(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: The proposed subdivision does not abut an arterial street. Therefore, this criterion is not applicable.

b. Exceptions.

i. Partition 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 partition 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 partition 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 chapter.

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 chapter.

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: The applicant is not seeking an Exception under these criteria. Therefore, they are not applicable.

2. **Key Parcels or Lots and Butt Parcels or Lots. There shall be no key parcels or lots nor butt parcels or lots, except where authorized by the planning commission where such parcels or lots are necessitated by unusual topographic conditions or previous adjacent layout.**

FINDING: No Key or Butt Lots are proposed as part of this Preliminary Plan lot layout. However, an approval of the proposed layout would create a Butt Lot for the adjacent parcel to the south, as four (4) new lots would abut the Side Lot Line of Tax Lot 4310 (155 SW Kalmia Street). The applicant seeks Planning Commission authorization for the creation of the single Butt Lot due to the unusual conditions associated with the corner lot and the layout of the built environment. Currently, the site is fully constructed as a Multifamily Residential Dwelling (as allowed by the Multifamily Residential (R3) zoning) with the driveway and parking areas located along the southern boundary line. As such, a Shared Access, Utility, and Maintenance Easement will be required as part of this Preliminary Subdivision application, preventing any additional fencing, structures, or private areas along the southern boundary or bisecting the site. The shared access and maintenance agreement will ensure the four (4) proposed lots maintain the appearance of a single lot along the southern boundary, alleviating the privacy and maintenance concerns associated with Key and Butt Lots. As such, this criterion has been addressed.

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: As far as practical, all proposed lot lines run at right angles to both West 1st Avenue and SW Kalmia Street. Therefore, this standard is met.

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 chapter.**

FINDING: Minimum lot areas for Townhomes as required by JCMC 17.20.040 have been met with all proposed lots at or greater than 2,500 square feet. All private open space areas are in compliance with relevant health, safety, and sanitary standards. Vision clearance areas have been preserved to maintain pedestrian and traffic compliance with the JCMC. Therefore, this standard has been met.

5. **Future Partitioning or Subdivision of Parcels or Lots. Where the partition or subdivision will result in a parcel or lot one-half 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 chapter 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: Post division, no parcel or lot will be one-half acre or larger in size. Therefore, this criterion is not applicable.

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: No panhandle lots are proposed with this application. Therefore, the standards listed under JCMC 16.05.050(E)(6) are not applicable.

F. **Drainage. Where land in the partition or subdivision area is or will be periodically subject to accumulations of surface water or is traversed by any water course, 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 therefor 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: All recent building permit and land use approvals associated with the site (Building Permit# 467-18-000088-STR, Land Use File# DEV-18-01) have addressed Floodplain, Wetland, and Stormwater related issues. An existing 20-foot Public Utility Easement for Stormwater runs along the western boundary of the site, collecting and conveying all on-site surface runoff to and through the public system. No additional impervious areas are proposed as part of this Preliminary Subdivision application. No areas of substantial surface water, water courses, channels, streams, or creeks exist on the site. Therefore, this criterion has been adequately addressed.

G. Railroads.

FINDING: The subject site is not located adjacent to an existing or planned railroad facility. Therefore, this criterion is not applicable.

H. Partial Development. Where the partition 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: The Subdivision Preliminary Plan includes the entirety of the lot area. No partial areas will remain post division. Therefore, this standard is not applicable.

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 100 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: Four (4) new Townhome lots are proposed with this Preliminary Subdivision application. Based on the 2.43 persons average per single dwelling unit (*p. 90, Junction*

City Comprehensive Plan, 2012), a total of 10 individuals are anticipated to reside in the subdivision, far fewer than the 100 persons threshold for park dedication as listed above. All Service Development Charges associated with the existing multifamily residential development were paid at the time of Building Permit issuance. Therefore, this standard has been met.

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 the Oregon Structural, Specialty and Fire and Life Safety 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.**

L. **Utility Access. All accesses to utilities are to be brought to finish grade.**

FINDING: The site is fully developed with an existing multifamily residential structure. As part of the Building Permit process, all fill, finish floor elevations, and utility access designs associated with the construction were required to show compliance with the above standards. A Certificate of Occupancy was issued on September 13, 2018, ensuring compliance with the relevant standards. Therefore, the criteria listed under JCMC 16.05.050(J through L) have been adequately addressed.

16.05.060 Improvements.

FINDING: All on-site improvements were addressed as part of Junction City Land Use File# DEV-18-01. Therefore, the standards listed under JCMC 16.05.060 have been met.

JCMC 17.20 – MULTIPLE-FAMILY RESIDENTIAL ZONE (R3)

17.20.120 Townhome (single-family attached/rowhouses) supplemental standards. All townhomes shall comply with the following standards (see also Appendix A, Diagram 8):

A. **The maximum number and width of consecutively attached units shall not exceed five or 140 feet (from end wall to end wall), whichever is less.**

FINDING: The submitted Preliminary Plan shows a total of four (4) units at a length of approximately 100 feet. Therefore, this criterion is met.

B. **Townhomes shall receive vehicle access from a rear alley whenever possible. Alley(s) shall be created at the time of subdivision approval. Alleys are not required when existing development patterns make construction of alleys impractical.**

FINDING: The site is fully constructed with access from SW Kalmia Street to benefit all four (4) lots post division. No alleys are proposed and none shall be required based on the present configuration of the site. This criterion has been adequately addressed.

C. Townhomes receiving access directly from a public or private street shall comply with all of the following standards in order to minimize interruption of adjacent sidewalks by driveway entrances and improve appearance of the streets:

1. The maximum allowable driveway width facing the street is 12 feet per dwelling unit.

FINDING: The existing 20-foot-wide driveway accesses SW Kalmia Street to the east and provides adequate access to the fully developed site. No additional driveways are proposed with this Preliminary Plan.

2. Two adjacent garages shall share one driveway when individual driveways would otherwise be separated by less than 20 feet.

FINDING: Lots 1 and 2, as well as Lots 3 and 4, share driveways in accordance with this standard. A shared access easement shall be prepared and submitted to the City for approval prior to approval of the Final Plat.

3. The maximum combined garage width per unit is 50 percent of the total unit width. For example, a 26-foot-wide unit may have one 13-foot-wide recessed garage facing the street.

FINDING: This standard has been met as part of Junction City Land Use File# DEV-18-01. No new development is proposed as part of this Preliminary Plan. Therefore, this standard is not applicable.

D. Common areas (e.g., landscaping in private tracts, shared driveways, private alleys, lawns, play areas, and similar uses) shall be maintained by a homeowners' association or other legal entity. A homeowners' association may also be responsible for exterior building maintenance and roof replacement. A copy of any applicable covenants, restrictions and conditions shall be recorded and provided to the city prior to building permit approval. [Ord. 1242 § 1 (Exh. A), 2016; Ord. 1116 § 1, 2003; Ord. 950 § 26D, 1991.]

FINDING: The applicant has not indicated how shared areas will be maintained, nor how exterior building maintenance and roof replacements will be conducted. Therefore, the following Conditions are warranted:

CONDITIONS:

- The applicant shall prepare a Shared Access, Maintenance, and Utility Easement satisfactory to the City for the existing shared driveway and parking areas prior to approval of the Final Plat. The required easement shall be recorded with the Final Plat.

- The applicant shall prepare the necessary legal documents satisfactory to the City regarding shared building maintenance and replacement prior to approval of the Final Plat. The required Covenants, Conditions and Restrictions shall be recorded with the Final Plat.

STAFF RECOMMENDATION

Branch Engineering Inc. on behalf of the Junction City Planning Department recommends that the Planning Commission Conditionally Approve the Preliminary Subdivision application as presented based on the Findings and Conditions of Approval listed above.

Staff Report Date: January 6, 2020

MORE INFORMATION

Jordan Cogburn
Contract Planner/Project Manager
Branch Engineering, Inc.
jordanc@branchengineering.com

Attachment A.1

December 30, 2019

Lane County Surveyor's Office Comments
By: Trevor Ross

Kalmia Subdivision (19-12-24 SUB)
Jim & Toni Rauschert
16-04-05-22-04302

1) The subject property was created as Parcel 3 of Property Survey/Land Partition filed in 1979 as CSF# 22594 by Clyde A. Randall. The boundary was surveyed and corners were monumented.

2) The subject property has frontage along 1st Ave (High Pass Road, County Road #283) and Southwest Kalmia Street. 1st Avenue/High Pass Road is under Lane County maintenance jurisdiction and Southwest Kalmia Street is under the maintenance jurisdiction of Junction City. The proposal shows that access is from Kalmia Street and that the property has an existing multi-unit residential structure with a driveway on Kalmia Street.

3) Access easements and any other existing or proposed easements must be shown on the Final Plat along with the necessary recording information. Any easement created through the subdivision process must be declared in the owner's declaration.

4) The final plat shall show fence lines or other signs of occupation that appear to encroach or be in conflict with the monumented boundaries.

5) The proposed boundary lines for Kalmia subdivision (Parcel 3 of CSF# 22594) shall be surveyed and monumented as required for all parcels of 10 acres or less pursuant ORS Chapter 92. Additionally, monuments shall be established for the newly created lots 1-4.

6) A paper review-copy of the final plat should be submitted to the Lane County Surveyor's Office, along with other submittal requirements as noted in the "Plat Submittal Checklist". The final plat must be prepared by a land surveyor registered in the State of Oregon and conform to ORS Chapters 92 and 209.250 as well as Lane Code Chapter 13.

Tere Andrews

From: Stuart Holderby
Sent: Monday, December 23, 2019 9:59 AM
To: Tere Andrews
Subject: RE: FW: Preliminary subdivision application (File #19-12-24-SUB)

Tere
We talked with Jim Rauschert about this issue and was informed they had installed a sprinkler system. This took the 2hr fire wall requirement away per R302.2. I also left a message with Jordan at branch engineering with this finding.
Russ Young

From: Tere Andrews <tandrews@ci.junction-city.or.us>
Sent: Monday, December 23, 2019 9:35 AM
To: Russell Young <RYoung@ci.junction-city.or.us>; Stuart Holderby <SHolderby@ci.junction-city.or.us>
Cc: Gary Kaping <GKaping@ci.junction-city.or.us>; Jeremy Tracer <JTracer@ci.junction-city.or.us>
Subject: FW: FW: Preliminary subdivision application (File #19-12-24-SUB)

Russ/Stuart,

The Building comment regarding the 2-hour fire wall was forwarded to Jordan for the staff report. Since the 2-hr fire wall is not noted on the plans, please let me know how this question is resolved so that information can be included in the staff report. Thank you.

Sincerely,

Tere Andrews
Planning Technician
City of Junction City
680Greenwood St/PO Box 250
Junction City OR 97448
541-998-2153

Disclosures:
Correspondence to and from this e-mail address may be subject to disclosure under Oregon Public Records Law.
If you have received this e-mail in error, please contact the sender. Use of the contents by anyone other than the original addressee is prohibited.

From: Jim Rauschert <jrauschert@comcast.net>
Sent: Friday, December 20, 2019 1:06 PM
To: Tere Andrews <tandrews@ci.junction-city.or.us>
Subject: Re: FW: Preliminary subdivision application (File #19-12-24-SUB)

Feel free to have him call me if needed

541-914-8686

> On December 20, 2019 at 12:58 PM Jim Rauschert <jrauschert@comcast.net> wrote:
>
> Yes I have a 2 hr firewall between units
>
> > On December 20, 2019 at 12:51 PM Tere Andrews <tandrews@ci.junction-city.or.us> wrote:
> >
> > Jim,

The Building Inspector, Russ Young responded to a request for comments regarding your preliminary subdivision application. Please see his comment below. Russ can be reached at 541-952-1019 or ryoung@ci.junction-city.or.us.

From the building side:

Significant changes from their existing plans to meet ORSC 302.2 townhomes will be required to meet the 2 hr wall requirement at all property lines.

Russ Young

Sincerely,

Tere Andrews

Planning Technician

City of Junction City

680Greenwood St/PO Box 250

Junction City OR 97448

541-998-2153

Disclosures:

Correspondence to and from this e-mail address may be subject to disclosure under Oregon Public Records Law.

If you have received this e-mail in error, please contact the sender. Use of the contents by anyone other than the original addressee is prohibited.

Attachment A.2

CITY OF JUNCTION CITY
Planning Department
1171 Elm Street / P.O. Box 250
Junction City, Oregon 97448
Ph: 541.998.4763 / fax: 541.998. 2773
jcplanning@ci.junction-city.or.us
www.junctioncityoregon.com

Junction City Planning Commission
REQUEST FOR COMMENT

January 2, 2020

The Junction City Planning Commission is requesting written comments regarding a preliminary subdivision application.

NATURE OF APPLICATION	Preliminary Subdivision
APPLICABLE CRITERIA	Junction City Municipal Code 16.05
APPLICANT	Lloyd Tolbert
OWNER	Jim Rauschert
LOCATION (site)	111, 121, 131, & 141 SW Kalmia Street
LAND AREA	.29 acres
ASSESSORS MAP & TAX LOTS	16-04-05-22-04302
ZONING	R3 (Multi-Family Residential)
STAFF CONTACT	Tere Andrews, Planning Technician jcplanning@ci.junction-city.or.us or 541.998.2153
FILE NUMBER	19-12-24-SUB

To have your comments included in the staff report, please submit written comments by **5:00 pm on Thursday, January 2, 2020.**

They may be submitted:

- At City Hall, 680 Greenwood Street, weekdays, 8:00 am to 5:00 pm
- Mailed to PO Box 250, Junction City OR, 97448
- Faxed to (541) 998-3140
- E-mailed to jcplanning@ci.junction-city.or.us

You may request a public hearing if you think it is necessary for a complete analysis of the application.

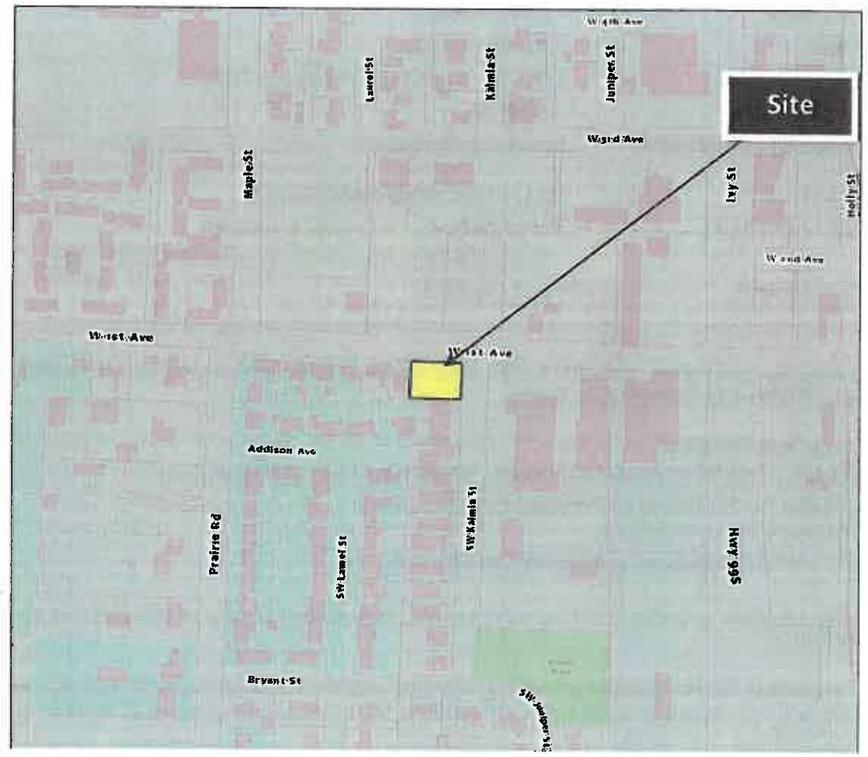
Your comments are important and will greatly improve the decision making process, please note that you will not received an individual response to information submitted. By law, comments received that are not related to the approval criteria may not be considered. General planning information is available by calling 541.998.2153, ext. 306, or emailing jcplanning@ci.junction-city.or.us.

The Planning Commission will review the request for compliance with the approval criteria based upon information in the application, the staff report and comments received. Copies of the application and the applicable codes are available in the Planning office for review, or for purchase

at the cost of copying. The Junction City Municipal code is on the city's website at www.junctioncityoregon.gov

An appeal of the Planning Commission's decision would be to the Junction City, City Council. Failure to raise an issue at this opportunity for comment by letter, or failure to provide statements or evidence related to an issue sufficient to afford the decision maker an opportunity to respond to the issue, precludes reliance on that issue in any later appeal of the decision that will be made after consideration of the statements and evidence submitted, including an appeal to the Oregon Land Use Board of Appeals based on that issue. The failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the decision maker to respond to the issue precludes an action for damages in circuit court.

Notice to mortgagee, lienholder, vendor, or seller: the Junction City Development code requires that if you receive this notice, it shall be promptly forwarded to the purchaser.



CITY OF JUNCTION CITY
Planning & Building Department
LAND USE APPLICATION

1171 Elm Street/PO Box 250 Junction City OR 97448
Ph 541-998-4763 ■ Fax 541-998-2773 ■ jcplanning@ci.junction-city.or.us ■ www.junctioncityoregon.gov

Date Submitted:	Received By:	Fee Paid: $	Supplemental Application:

Section 1

LAND USE ACTION (SEE TABLE 1): Preliminary Subdivision

Section 2

Site Address:	**Location Description:**
111, 121, 131 & 141 SW Kalmia St., JC 97448	SW corner of SW Kalmia St & High Pass Rd
Property Size: 11,798 sq. ft.	Assessor's Map & Tax Lot #: Map 16-04-05-22, TL 4302
Present Use: 4-unit apartment complex	Proposed Use: Convert to 4 individual units
Brief Summary of Action Requested: The applicant is proposing to convert the existing 4-unit apartment complex into 4 individual units.	
Are there other permit applications associated with this application? If yes, list: No	

Section 3

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

[X] Owner of Record [ ] Lessee [ ] Contract Purchase [ ] Holder of an exclusive Option to Purchase

Written authorization from the owner to act as his/her agent must be provided if not the owner of record

Section 4

Applicant:	Jim and Toni Rauschert	
Address:	1200 Unity St. Junction City, OR 97448	
Phone: [redacted]		E-Mail: [redacted]
Property Owner:	"same as applicant"	
Address:		
Phone:		E-Mail:
Contact: (if different than Applicant)	Lloyd L. Tolbert, L.S. - Tolbert Associates, LLC	
Address:	P.O. Box 22603, Eugene, OR 97402	
Phone:	541-359-8426	E-Mail: lloyd@tolbertassociates.com

City of Junction City
LAND USE APPLICATION

Section 5	
Required Information	
	Written statement describing proposal in detail
	Narrative Statement explaining how the application complies with all relevant criteria with enough detail for review and decision-making. *Note: See Type I information, at the beginning of this packet, for the municipal code chapters and/or sections related to your land use request*
	Three (3) paper copies of application packet including any plan sets
	Digital copy of application packet including any plan sets
	Non-refundable Application Fee

Section 6		
Supplemental Application:	Yes ☐	No ☐
Attachment(S):	Yes ☐	No ☐

Section 7

Your signature below acknowledges the following:

1. ***Payment of the base fee may not cover the City's costs associated with processing the Application.*** *Per Resolution 1053: All direct costs for contracted services shall be charged monthly to the applicant in the amount billed to City. Contracted city services include, but are not limited to, city engineer, city attorney, building inspector, traffic consultant, &/or wetlands specialist. Direct costs 30 days past due shall be charged 9% interest in addition to the amount billed to the City.*
2. *The foregoing statements and other information attached hereto are true and accurate to the best of my knowledge and belief.*
3. *Signer agrees to pay all direct costs associated with processing this land use application.*

Applicant Signature:

Date: 12-16-19

CITY OF JUNCTION CITY
Planning & Building Department
LAND DIVISION CHECKLIST

1171 Elm Street/PO Box 250 Junction City OR 97448
Ph 541-998-4763 ■ Fax 541-998-2773 ■ www.junctioncityoregon.gov

Criteria: See Junction City Municipal Code Title 16 **Complete applications packets must be legible and include:**	**Major**	**minor**
Complete application packet folded to 8½"x11" (add'l may be requested)	**4 sets**	**4 sets**
Digital set of complete application packet	X	X
Deed & Preliminary Title Report with encumbrances (produced in last 30 days)	X	X
Written Statement addressing applicable criteria (JCMC 16.05)	X	X
Prepared by Oregon licensed Landscape Architect or Engineer per ORS 92 with affidavit	X	X
Grading Plan prepared by Oregon Licensed Civil Engineer	X	X
Drawings shall include:		
• Names and addresses of subdivider or partitioner, property owner, and engineer or surveyor	X	X
• Vicinity Map, Scale, Revision Date(s), North Arrow	X	X
• Name, Location & dimension of existing features (buildings, trees, impervious surfaces etc) to remain &/or be removed	X	X
• Required setbacks to the proposed new property lines for existing structures	X	X
• Proposed name for subdivision or major partition (per ORS 92.090)	X	X
• 100-year floodplain boundaries (current FEMA Flood Insurance Rate Map, Letter of Map Amendment/ Revision)	X	X
• Location, size and type of proposed plantings and street trees	X	X
• Riparian areas, and/or wetland boundaries	X	X
• Location/boundaries of proposed subdivision with names of all contiguous recorded plats	X	
• Location & dimensions of existing/proposed (include adjacent) streets, alleys, dedications, right-of-ways, reserve strips, public utility easements, ramps, pedestrian/bicycle/access (per master road plan), traffic controls, hydrants, power poles, street lights, transformers, mailbox units and similar public facilities. Indicate proposed connection points.	X	X
• Street Cross Sections – existing/proposed locations, names, dimensions, grade of typical improvements	X	
• Contour Elevations Intervals: 1-ft slopes up to 5%; 2-ft slopes 5% to 10%; & 5-ft slopes over 10%	X	X
○ Approximate radii of all curves	X	
• Soil types & water table information using the Lane County Soils Survey	X	X
• Dimension and area of proposed lots or parcels	X	
○ Roof drainage patterns and discharge locations		
○ Location & Flow Direction of stormwater overflow/inundation, areas covered by water/waterways	X	
• Existing/Proposed property use(s)	X	
• Proposed sewer lines, flood controls, & drainage easements or deeds (include drainage profile & flow direction)	X	
○ Proposed dedications for public area(s) and proposed use(s) thereof	X	
○ Proposed improvements and timeframe for completion	X	
• Legal description of proposed subdivision or partition (affidavit to accompany preliminary plan)	X	
• Information, conditions and standards set forth in ORS 92.090(1) and (2)	X	
○ Pervious and impervious area drainage patterns	X	X
○ Size & location of storm water management systems (drain lines, catch basins, dry wells, detention ponds etc.)	X	X
• Storm water quality measures	X	X
• Natural drainage ways to be retained	X	X
○ Amount of proposed cut and fill	X	X

Phased Development Plan required if re-division proposed: include boundaries and sequencing of proposed re-division, must progress in sequence promoting street connectivity between development phases and accommodate required public improvements

Land Division Submittal Information

Additional materials *(Applicant responsible for determining if additional standards/applications apply)*

- ❑ Proposed deed restrictions and a draft of any Homeowner's Association Agreement
- ❑ Additional plans and documentation for Planned Unit Development proposal as specified in JCMC 17.65
- ❑ Site-specific topographical survey, if in or partially in, a Wetland Resource Overlay District (17.60)
- ❑ Soils Survey
- ❑ Wetland delineation approved by Oregon Division of State Lands if wetland on the property
- ❑ Geotechnical Report prepared by a licensed engineer, if unstable soils and/or a high water table present
- ❑ Stormwater Mgmt System Study: plan, supporting calculations & documentation), consistent with Public Works Design Standards
- ❑ Oregon Department of Transportation (ODOT) Right-of-Way Approach Permit required if site fronts ODOT facility.
- ❑ Required federal or state permit(s) submitted with application or evidence a permit application has been submitted
- ❑ Traffic Impact Analysis (TIA) prepared by Traffic Engineer (City &/or State land use & transportation policies/objectives)

WRITTEN STATEMENT AND NARRATIVE
FOR
"KALMIA"

PRELIMINARY SUBDIVISION PLAN
FOR
JIM RAUSCHERT
ASSESSOR'S MAP 16-04-05-22, TAX LOT 4302
December 16, 2019

This criteria conformance statement was written to accompany the Preliminary Subdivision application for Jim Rauschert. The subject property is 11,798 square feet and zoned R-3 multi-Family Residential. The applicant is proposing to divide the property into four (4) lot as depicted on the attached Preliminary Plan. There is an existing four-unit townhouse apartment building on the subject property, which will remain. The subject property is fully improved and accepted per Junction City Building Permit No. 467-18-000088-STR. The purpose of this subdivision is to divided the four townhouses into individual properties. The owner does not own any contiguous properties.

Tax Lot 4302 is a "Legal Lot" in accordance with the definition for a Lot per JCMC 17.05, being depicted as Parcel 3 on Lane County Survey File 22594 (survey attached).

JCMC 16.05.40 - *Subdivisions and major partitions.*

The approval criteria are addressed as follows:

A. *Submitting Preliminary Plan. A preliminary plan shall be submitted to the secretary of the planning commission attached to an application for approval in the form prescribed by the city together with 19 additional copies of the preliminary plan.*

The plans have been submitted to the planning department as a part of this packet.

B. *Preliminary Plan Requirements.*

1. *Drafting.*

a. *The preliminary plan shall show all pertinent information to scale. The drawing shall be on standard size sheets 18 inches by 27 inches and at a scale of one inch equals 100 feet. The scale may be increased or decreased, if necessary to fit the drawing to the required plan size of 18 inches by 27 inches; but in all cases the scale shall be standard, being 10, 20, 30, 40, 50, or 60 feet to the inch, or multiples of 10 of any one of these scales.*

Tolbert Associates received permission to submit the plan of 24" x 36" size sheet in order to clearly depict the details of the project. The plan is drawn to 1" = 10'.

b. *Preliminary plans shall be prepared by an Oregon-licensed land surveyor. An affidavit of the preparer shall be furnished as a part of the preliminary plan submitted.*

The plan was prepared by Lloyd L. Tolbert, L.S. 2813 in the State of Oregon. An Affidavit of Preparer is attached/

2. *Information Required. The preliminary plan shall, in clear and legible form, include the following information with respect to the proposed subdivision or major partition area, on the plan where practicable, and otherwise on separate sheets of paper in written statement:*

a. *The proposed name of the proposed subdivision or major partition area, which shall conform to the standards set forth in ORS 92.090.*

The subdivision name has been approved by the Lane County Surveyor. The Subdivision Name Reservation Form is included in this packet.

b. *The date, north point, and scale of the drawing, and a sufficient description to define the location and boundaries of the proposed subdivision area, and the names of all recorded plats of land contiguous to such area.*

The date, north point, and scale of the drawing are depicted on the attached site plan. A Legal Description of the subject property is included with the application packet.

c. *The names and addresses of the subdivider or partitioner, owner and engineer or surveyor.*

The names and addresses of the subdivider and surveyor are depicted on the attached site plan.

d. *The location of existing and proposed right-of-way lines for existing or projected streets, pedestrian and bicycle facilities, including accessways, as shown on the master road plan.*

Existing rights-of-way are depicted on the attached site plan.

e. *The locations, names, widths, and typical improvement cross-sections of all streets, existing or proposed to be created, and the grades of existing streets, and the estimated finished grades of streets proposed to be created.*

The names and widths of the existing streets are depicted on the attached site plan.

f. *The elevations of all points used to determine contours correctly shown, and the base data thereof used by the surveyor, having the following intervals:*

i. *One-foot contour intervals for ground slopes up to five percent.*

One-foot contours are depicted on the attached site plan.

g. *The approximate width and location of all existing and proposed easements for public utilities, and all reserve strips proposed to satisfy requirements which may be imposed by the planning commission under JCMC 16.05.050.*

The existing PUE is depicted on the attached site plan. A statement concerning the Private Joint Access/Utility Easement and Maintenance Agreement is depicted on the attached site plan.

h. *The approximate radii of all curves.*

The radius of the curb return is depicted on the attached site plan.

i. *The approximate dimension and area of all proposed lots or parcels.*

The dimensions and areas of the proposed lots are depicted on the attached site plan.

j. *The approximate location of areas subject to inundation of stormwater overflow, and all areas covered by water, and the location, width, and direction of flow of all water courses.*

The existing storm system is depicted on the attached site plan.

k. *The existing and proposed uses of the property, including the location of all existing*

structures which the subdivider or partitioner intends will remain in the proposed subdivision or partition area.

The existing uses of the property including the location of structures are depicted on the attached site plan. The subject property is fully improved and accepted per Junction City Building Permit No. 467-18-000088-STR. No additional improvements are proposed per this application.

l. All proposals for sewer lines, flood control, and easements or deeds for drainage land, including profiles of proposed drainage ways and direction of flow.

No additional improvements are proposed per this application.

m. All public area proposed to be dedicated by the subdivider or partitioner and the proposed uses thereof.

A Private Joint Access/Utility Easement and Maintenance Agreement is proposed to cover the parking and public areas.

n. All improvements proposed to be made or installed, and the time within which said improvements are proposed to be completed.

No additional improvements are proposed per this application.

o. A legal description of the boundaries of the entire tract and acreage owned by the subdivider or partitioner of which the proposed subdivision or partition area is a part; provided, that where the proposed subdivision or partition area comprises all of such tract, an affidavit of such fact shall accompany the preliminary plan.

A Legal Description stamped by an Oregon licensed Professional Land Surveyor is included in this packet.

p. The information, conditions and standards set forth in ORS 92.090(1) and (2).

The subdivision name has been approved by the Lane County Surveyor. The Subdivision Name Reservation Form is included in this packet.

q. The maximum area of each which may be occupied by buildings.

The individual units meet the lot coverage standards.

r. The approximate boundaries of and the proposed sequencing of phases in the subdivision, if phasing is proposed.

The applicant is not proposing a phased subdivision.

JCMC Chapter 17.20, MULTIPLE-FAMILY RESIDENTIAL ZONE (R-3)

The approval criteria are addressed as follows:

17.20.010 Uses permitted outright.

In an R3 zone, only the following uses, their accessory uses, and uses determined to be similar are permitted outright. Other uses are expressly prohibited.

B. Townhomes (attached single-family housing or row houses on their own lots with three or more units).

The applicant is proposing four (4) individual townhomes.

17.20.030 Development review.

D. Development Review Information. An application for development review shall include a proposed site plan on a page size of 11 inches by 17 inches or larger, containing the following information if applicable, and other similar information as deemed necessary by the city administrator or designee:

1. *North arrow, scale, names, addresses, and telephone numbers of all persons listed as owners on the most recently recorded deed.*

The north arrow, scale, names, addresses, and telephone numbers of all persons listed as owners on the most recently recorded deed are depicted on the attached site plan.

2. *Name, address, and phone numbers of project designer, engineer, surveyor, and/or planner, if applicable.*

The name, address, and phone number of the surveyor is depicted on the attached site plan.

3. *The proposed development site, including boundaries, dimensions, and gross area.*

The proposed development site, including boundaries, dimensions, and gross area are depicted on the attached site plan.

4. *Features which are proposed to remain on the site.*

The Features which are proposed to remain on the site are depicted on the attached site plan. The site is fully developed. No additional features are proposed as part of this application.

5. *The location and dimensions of all existing and proposed structures, utilities, pavement and other improvements on the site. Setback dimensions for all existing and proposed buildings shall be provided on the site plan, including dimensions necessary to calculate commercial floor area if applicable.*

The location and dimensions of all existing and proposed structures, utilities, pavement and other improvements on the site area are depicted on the attached site plan. Setback dimensions for all existing buildings are depicted on the attached site plan.

6. *Landscape plan if applicable.*

A landscape plan is not applicable.

7. *Location and dimensions of all proposed public and private streets, drives, rights-of-way, and easements.*

   The Location and dimensions of all proposed public and private streets, drives, rights-of-way, and easements are depicted on the attached site plan.

8. *Location and dimensions of entrances and exits to the site for vehicular and pedestrian access, including pedestrian circulation routes and location and dimensions of parking areas if applicable.*

   The location and dimensions of entrances and exits to the site for vehicular and pedestrian access, including pedestrian circulation routes and location of parking areas are depicted on the attached site plan.

9. *Location and dimensions of common and private open spaces if applicable.*

   The common spaces, ie: the parking lot & sidewalks, are depicted on the attached site plan and will be cover by a access/maintenance easement.

10. *Location and dimensions of trash receptacles if applicable.*

    Location of the trash rack is depicted on the attached site plan.

11. *Detail drawings of site-obscuring fence if applicable.*

    The are no site obscuring fences on the subject property.

12. *Architectural drawings.*

    a. *Building elevations which illustrate building orientation (JCMC 17.20.100) and building form design features (JCMC 17.20.110);*

    b. *Building plans which illustrate townhome supplemental standards (JCMC 17.20.120) if applicable;*
    c. *The name, address, and phone number of the architect. [Ord. 1242 § 1 (Exh. A), 2016; Ord. 1116 § 1, 2003; Ord. 950 § 22A, 1991.]*

    The project was approved per Building Permit Application No. 467-18-000088-STR. Copies of the approved building plans are included with this application.

17.20.040 Lot size.

In an R3 zone, the lot size shall be as follows:

B. *For townhomes (single-family attached or row houses) the minimum lot area shall be 2,500 square feet per unit. The minimum lot width at the front property line shall be 25 feet.*

Lot	Area	Frontage
1	3,672 sq ft	30.00'
2	2,507 sq ft	32.53'
3	2,500 sq ft	32.53'
4	3,119 sq ft	25.00'

17.20.050 Setback requirements.

This standard applies to multifamily dwellings, townhomes, neighborhood commercial developments, and residential care homes and residential care facilities. Except as provided in JCMC 17.95.060, in an R3 zone, the yards, measured from the property line to the foundation of the building with a maximum projection of three feet into any setback area as defined in JCMC 17.20.060, shall be as follows:

A. *A minimum front setback of 15 feet is required for multifamily dwellings and townhomes except that a covered (but not enclosed) porch may be within 10 feet of the front line.*

   The front setback for Lots 1-4 ranges from 45.6' from the southwest corner of the townhouse on Lot 1 to 45.5' from the southeast corner of the townhouse on Lot 4 as depicted on the attached site plan.

B. *Each side yard setback shall be a minimum of six feet, except that on corner lots, the side yard on the street side shall be a minimum of 15 feet measured from the foundation. Townhomes shall have no setback requirement where they share common walls.*

   The side yard setback from the townhouse on Lot 1 is 20.2 feet. Lots 1/2, 2/3 and 3/4 share common walls. The side yard setback from the townhouse Lot 4 is 15.0 feet measured from the westerly right-of-way of SW Kalmia St.

C. *The back yard shall be a minimum of 15 feet. An exception shall be permitted where a townhome, garage, or other accessory structure is located adjacent to an alley, in which case the backyard (alley facing) setback shall be a minimum of four feet.*

   The backyard setback for Lots 1-4 ranges from 16.1' from the northwest corner of the townhouse on Lot 1 to 15.2' from the northeast corner of the townhouse on Lot 4 as depicted on the attached site plan.

D. *In the case of a duplex residential use on a corner lot where primary vehicular access is provided from two streets, then both yards abutting the street shall be considered the front yard with appropriate front yard setbacks. Setbacks for rear yards are measured separately for each residential dwelling opposite the front yard (see Appendix A, Diagram 2).*

   The building is not a duplex. This does not apply.

E. *All buildings shall be sited to ensure they do not encroach into a public utility easement or the vision clearance areas (JCMC 17.95.090). [Ord. 1242 § 1 (Exh. A), 2016; Ord. 1116 § 1, 2003; Ord. 1037 § 1, 1997; Ord. 950 § 24, 1991.]*

   There are no building encroachments into the PUE located along the westerly side of the subject property. The Vision Clearance Area is depicted on the attached site plan. The vision clearance area contains no plantings, walls, structures, or temporary or permanent obstructions exceeding three and one-half feet or lower than eight feet in height measured from the grade of the street centerline.

17.20.060 Setback exceptions.

In an R3 zone, the following architectural features are allowed to encroach into the setback yards: eaves, chimneys, bay windows, overhangs and similar architectural features may encroach into setbacks by up to three feet; provided, that the State Fire Code is met. Walls and fences may be placed on property lines, subject to the standards in JCMC 17.95.020. Walls and fences within front yards shall additionally comply with the vision clearance standards in JCMC 17.95.090. [Ord. 1242 § 1 (Exh. A), 2016; Ord. 1116 § 1, 2003; Ord. 950 § 24A, 1991.]

The applicant is not requesting a setback exception.

17.20.070 Height of buildings.

In an R3 zone, no buildings shall exceed a height of 35 feet. Building height may be restricted to less than the maximum when necessary to comply with the building height transition standard in JCMC 17.20.090.

Applicability. This standard applies to townhomes, multifamily buildings, and neighborhood commercial buildings.

Method of Measurement. The vertical distance of a structure measured from the average elevation of the finished grade within 20 feet of the structure to the highest point of the structure. Not included in the maximum height are: chimneys, bell towers, steeples, roof equipment, flagpoles, and similar features which are not for human occupancy. [Ord. 1242 § 1 (Exh. A), 2016; Ord. 1116 § 1, 2003; Ord. 950 § 25, 1991.]

The building height is 20 feet, therefore complying with the standard

17.20.080 Lot coverage.
In an R3 zone, the building(s) shall not occupy more than 60 percent of the lot area. [Ord. 1242 § 1 (Exh. A), 2016; Ord. 1116 § 1, 2003; Ord. 950 § 26, 1991.]

Lot 1 – Building coverage = 26 percent of the lot area.
Lot 2 – Building coverage = 31 percent of the lot area.
Lot 3 – Building coverage = 31 percent of the lot area.
Lot 4 – Building coverage = 25 percent of the lot area.

17.20.090 Building height transition.

In an R3 zone, new buildings, or portions of new buildings exceeding one story in height that abut an existing one-story single-family detached residential or duplex building shall not exceed a building height greater than one foot for each foot of horizontal distance from the property line. [Ord. 1242 § 1 (Exh. A), 2016; Ord. 1116 § 1, 2003; Ord. 950 § 26A, 1991.]

A new building is not proposed as a part of this application; therefore, this standard does not apply.

17.20.100 Building orientation.

In an R3 zone, all buildings that abut private, local, or collector streets shall have their primary entrance(s) oriented to the street. Multifamily and neighborhood commercial building entrances may include entrances to individual units, lobby entrances, or breezeway/courtyard entrances. Alternatively, a building may have its entrance oriented to a side yard when a direct pedestrian walkway is provided between the building entrance and the street. This section does not apply to buildings with the sole purpose of housing mechanical equipment.

A. Off-street parking lots and driveways shall not be placed between buildings and streets. [Ord. 1242 § 1 (Exh. A), 2016; Ord. 1116 § 1, 2003; Ord. 950 § 26B, 1991.]

The primary entrance is oriented toward SW Kalmia St.

17.20.110 Building form.

In an R3 zone, new multifamily dwellings, townhomes, residential care homes and residential care facilities, and neighborhood commercial uses shall comply with the following building form standards (see Appendix A, Diagrams 6 and 7):

The applicant is not proposing a new townhome per this application. Plans for the existing townhome are included with this application packet.

17.20.120 Townhome (single-family attached/rowhouses) supplemental standards.
All townhomes shall comply with the following standards (see also Appendix A, Diagram 8):

A. The maximum number and width of consecutively attached units shall not exceed five or 140 feet (from end wall to end wall), whichever is less.

The existing townhome consist of four (4) units and the overall width is 85 feet therefore complying with the standard.

B. Townhomes shall receive vehicle access from a rear alley whenever possible. Alley(s) shall be created at the time of subdivision approval. Alleys are not required when existing development patterns make construction of alleys impractical.

There is not a rear alley adjacent to the site.

C. Townhomes receiving access directly from a public or private street shall comply with all of the following standards in order to minimize interruption of adjacent sidewalks by driveway entrances and improve appearance of the streets:

1. The maximum allowable driveway width facing the street is 12 feet per dwelling unit.

The units do not face the street therefore this standard does not apply.

2. Two adjacent garages shall share one driveway when individual driveways would otherwise be separated by less than 20 feet.

The garages for the 4 units share a common parking lot.

3. The maximum combined garage width per unit is 50 percent of the total unit width. For example, a 26-foot-wide unit may have one 13-foot-wide recessed garage facing the street.

The units do not face the street therefore this standard does not apply.

D. Common areas (e.g., landscaping in private tracts, shared driveways, private alleys, lawns, play areas, and similar uses) shall be maintained by a homeowners' association or other legal entity. A homeowners' association may also be responsible for exterior building maintenance and roof replacement. A copy of any applicable covenants, restrictions and conditions shall be recorded and provided to the city prior to building permit approval. [Ord. 1242 § 1 (Exh. A), 2016; Ord. 1116 § 1, 2003; Ord. 950 § 26D, 1991.]

The applicant is proposing a Private Joint Access/Utility Easement and Maintenance Agreement to cover the existing parking lot and open areas.

*0316706

PRELIMINARY TITLE REPORT

CASCADE ESCROW
ATTN: MELISSA MITCHELL
811 WILLAMETTE STREET
EUGENE, OR 97401

December 12, 2019
Report No: 0316706
Your No: EU19-2986
Seller: RAUSCHERT
Buyer: TO COME

PRELIMINARY REPORT FOR:	
Owner's Standard Policy	$T/C
Residential Extended Loan Policy (SIMUL)	$T/C
PREMIUMS:	
Owner's Standard Premium	$T/C
Residential Extended Loan Premium (SIMUL)	$T/C
OTIRO 209.10-06, 222-06, 208.1-06 Endorsements	$100.00
Gov. Lien/Inspect Fee	$35.00
Temporary Billing	$225.00

We are prepared to issue 2006 (6/17/06) ALTA title insurance policy(ies) of OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, in the usual form insuring the title to the land described as follows:

(A T T A C H E D)

Vestee:

JIM RAUSCHERT AND TONI RAUSCHERT

Estate: FEE SIMPLE

DATED AS OF: DECEMBER 02, 2019 at 8:00 A.M.

Schedule B of the policy(ies) to be issued will contain the following general and special exceptions unless removed prior to issuance:

GENERAL EXCEPTIONS (Standard Coverage Policy Exceptions):

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.

2. Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.

No liability is assumed hereunder until policy has been issued and full policy premium has been paid.

3. Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.

4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.

5. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the Public Records.

SPECIAL EXCEPTIONS:

6. City liens, if any, as levied by the City of Junction City, for which no search was made. (The City of Junction City charges $25.00 for a lien search on each tax lot number. Please inform us if one is to be ordered.)

7. Rights of the public in and to that portion lying within streets, roads and highways.

8. Easement as disclosed in Warranty Deed, including the terms and provisions thereof, between Murray D. Dorsey and Louella S. Dorsey, husband and wife, and Willamette Land, Inc., an Oregon Corporation, recorded April 8, 1976, Reception No. 1976-016425, Lane County Official Records.

9. Our examination of the title to the subject property discloses no open Trust Deeds or Mortgages of record. The accuracy of this conclusion should be confirmed in writing prior to closing of the proposed transaction.

10. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the Public Records.

11. Prior to writing an ALTA MORTGAGEE'S policy, Cascade Title Company should be furnished with a statement as to parties in possession and as to any construction, alterations or repairs to the premises within the last 75 days. We also request that we be notified in the event that any funds are to be used for construction, alterations or repairs. Exception may be taken to such matters as may be shown thereby.

12. An accurate survey of these premises showing boundary lines, and location of improvements and easements, should be furnished for our file prior to our writing an ALTA Mortgagee's Policy. Exception may be taken to such matters as may be shown thereby.

NOTE: The property address as shown on the Assessor's Roll is:

111, 121, 131, & 141 Southwest Kalmia Street
Junction City, OR 97448

NOTE: Taxes, Account No. 1053840, Assessor's Map No. 16 04 05 2 2, #4302, Code 69-00, 2019-2020, in the amount of $8,001.77, PAID IN FULL.

NOTE: A judgment search has been made on the above named Vestee(s), and we find NONE except as set forth above.

NOTE: According to the public record, the following deed(s) affecting the property herein described have been recorded within 24 months of the effective date of this report:

Warranty Deed recorded March 5, 2018, Reception No. 2018-010188, Lane County Deeds and Records.

Bargain and Sale Deed recorded July 27, 2018, Reception No. 2018-034900, Lane County Deeds and Records.

NOTE: The premium amount has been reduced by application of a reissue rate.

NOTE: The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than the amount, if any, set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties.

This report is preliminary to the issuance of a policy of title insurance and shall become null and void unless a policy is issued and the full premium paid.

Cascade Title Co.

mm/rh: Title Officer: MARY ASHCRAFT

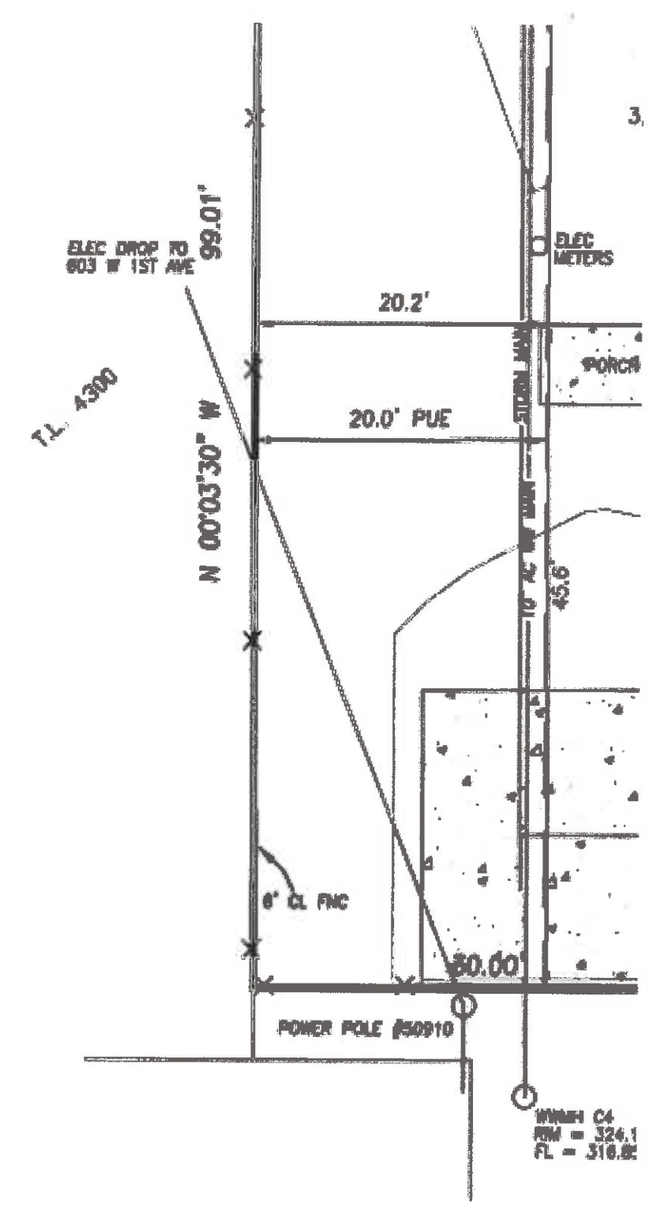
PROPERTY DESCRIPTION

Beginning at a point on the North line of Section 5, Township 16 South, Range 4 West of the Willamette Meridian which is South 89° 17′ East 559.93 feet from the Northwest corner of said Section 5; and running thence South 0° 00′ 15″ East 40.10 feet to the point of intersection of the South right of way line of 1st Avenue and the West right of way line of Kalmia Street, said point being the true point of beginning; thence South 0° 00′ 15″ East along the Westerly right of way line of Kalmia Street, a distance of 97.46 feet; thence South 89° 58′ 45″ West 120.06 feet; thence North 0° 03′ 30″ West to the Southerly right of way line of 1st Avenue, a distance of 99.01 feet; thence along said South right of way line South 89° 17′ East 120.16 feet to the point of beginning, all in the City of Junction City, in Lane County, Oregon.

Legal Description
of
Kalmia
Assessor's Map 16-04-05-22, Tax Lot 4302

Beginning at a point on the North line of Section 5, Township 16 South, Range 4 West of the Willamette Meridian which is South 89°17'00" East 559.93 feet from the Northwest corner of said Section 5; thence South 00°00'15" East 40.10 feet to the point of intersection of the southerly right-of-way line of 1st Avenue and the westerly right of way line of SW Kalmia Street, said point being the **True Point of Beginning**; thence South 00°00'15" East along the westerly right of way line of SW Kalmia Street 97.46 feet; thence South 89°58'45" West 120.06 feet; thence North 00°03'30" West returning to the southerly right-of-way line of 1st Avenue 99.01 feet; thence along said southerly right-of-way line South 89°17'00" East 120.16 feet to the **True Point of Beginning**, all in the City of Junction City, Lane County, Oregon.

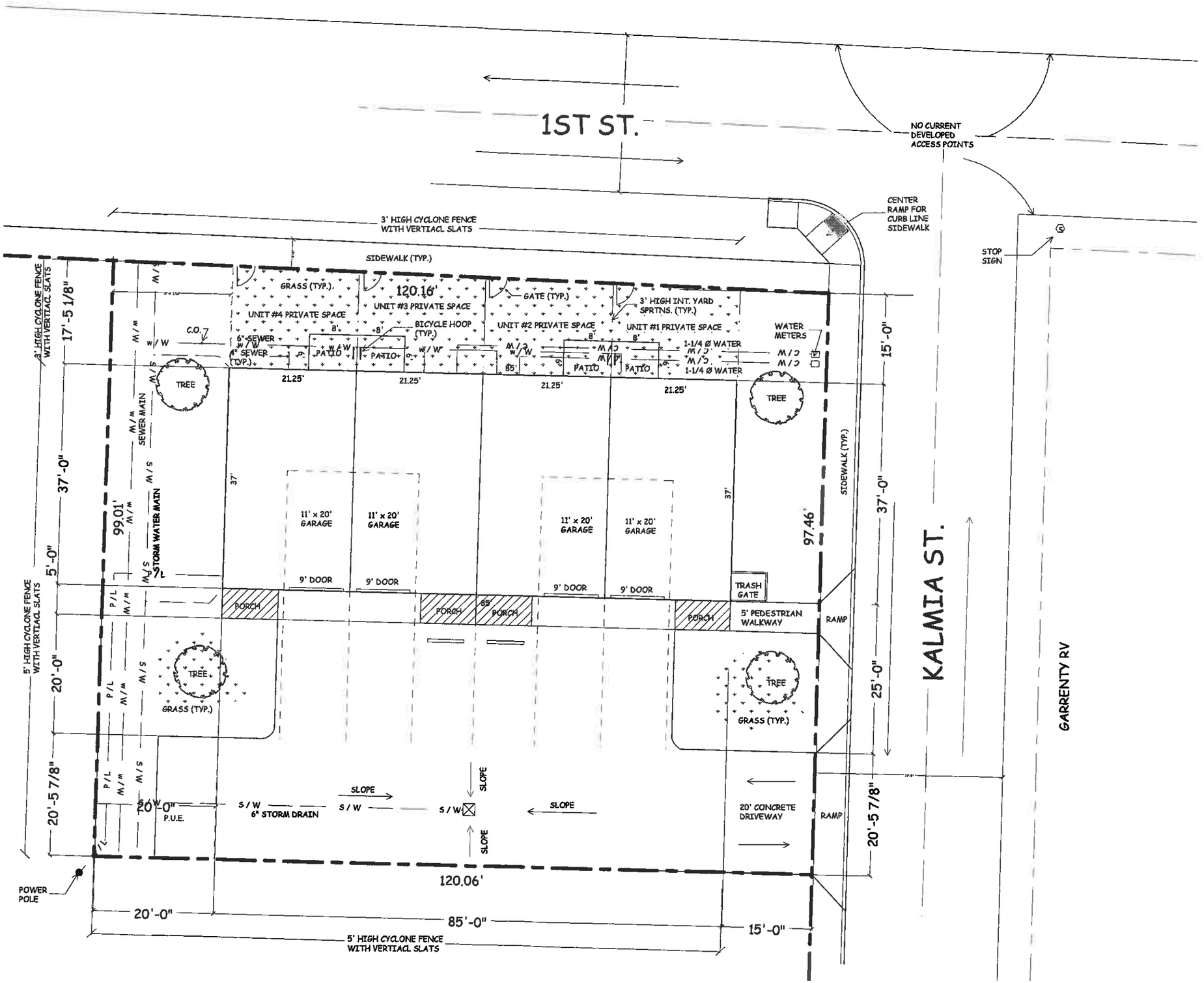
REGISTERED
PROFESSIONAL
LAND SURVEYOR
[redacted]
OREGON
JUNE 30, 1987
LLOYD L. TOLBERT
2813
Expires 6/30/20


ELEC DROP TO
603 W 1ST AVE
99.01'
N 00°03'30" W
T.L. 4300
20.2'
20.0' PUE
ELEC
METERS
PORCH
45.6'
6' CL FNC
50.00'
POWER POLE #50910

PLOT PLAN

SCALE: 1/16" = 1' - 0"

16-04-05-22
TAX LOT: 4302
.29 AC.



● DESIGNED FOR:

A PROPOSED FOURPLEX @ THE CORNER OF KALMIA AND FIRST ST. JUNCTION CITY, OR

● DRAWING(S):

DATE:	SCALE:	DRAWN BY:
2/28/18	NOTED	JMR

SHEET: 1 OF: 1

Attachment C

FINDINGS OF FACT
KALMIA PRELIMINARY SUBDIVISION
(19-12-24-SUB)

1. On December 16, 2019, Jim and Toni Rauschert, property owners, submitted a Preliminary Subdivision application as authorized by Junction City Municipal Code (JCMC) Chapters 16.05.040(A) and 17.150.070(A)(2).

2. The Junction City Planning Commission held a meeting on January 15, 2020 in accordance with JCMC Chapters 16.05.040(D)(1) and 17.150.070(A)(2) and considered all material relevant to the Preliminary Subdivision application that has been submitted by the applicant, Staff, and the general public regarding this matter.

3. The applicant's proposed Preliminary Subdivision would create four (4) legal lots from one (1) existing legal lot located at Lane County Assessor's Map: 16-04-05-22, Tax lot: 04302.

4. JCMC 17.150.070(A)(2) sets forth procedure and notice requirements for Subdivisions, as follows:

   "A. Each notice of hearing authorized by this section shall be published in a newspaper of general circulation in the city at least 10 days prior to the date of the hearing.

   B. With the exception of Type IV applications, notice of hearing or contemplated land use action shall be mailed to the applicant and to all owners and abutting property owners, including owners of property which would be abutting if there were not intervening streets, of the property which is the subject of the notice. In addition, notice shall be provided to all owners of record of property on the most recent property tax assessment roll within 300 feet of the subject property. Notice shall be mailed at least 20 days before the date of the hearing or review."

   Public notice of the proposed Subdivision was advertised in the Register Guard on January 4, 2020, mailed to the owners and surrounding property owners on December 20, 2019, and posted to the Junction City website on January 2, 2020 consistent with JCMC Chapter 17.150.

5. The proposed Subdivision is consistent with the Junction City Municipal Code based on the following Findings and Conditions of Approval:

   JCMC 16.05.040 – SUBDIVISIONS AND MAJOR PARTITIONS

   A. Submitting Preliminary Plan

   FINDING: The applicant has submitted a Preliminary Plan in accordance with this criterion. The 19-copy requirement has been waived based on the digital submittal. This criterion is met.

B. Preliminary Plan Requirements.

FINDING: The Preliminary Plan submitted by the applicant includes all pertinent information to the appropriate scale. The submitted Preliminary Plan was prepared by Lloyd L. Tolbert, P.L.S., an Oregon licensed land surveyor. The Kalmia subdivision name is included in the submitted Preliminary Plan. The submitted Preliminary Plan includes all relevant information listed under JCMC 16.05.040(B)(2). These criteria have been met.

C. Review of Preliminary Plan.

FINDING: The Secretary of the Planning Commission distributed all relevant materials to the Public Works Director in accordance with this standard. Requests for referral comments were sent to partner agencies on December 19, 2019 in accordance with the standard under subsection 2 of this section. Comments received are included in the application file. These criteria have been met.

D. Approval of Preliminary Plan.

FINDING: A hearing was held before the Junction City Planning Commission at the standing January 15, 2020 meeting where approvals were granted in accordance with this standard. Based on the findings stated within the Staff Report, the Planning Commission requirements stated during the initial review, and the Findings presented in this Final Order, Staff recommended approval of the proposed Preliminary Subdivision as stated in this Final Order. These criteria have been adequately addressed.

16.05.050 Platting and mapping standards

A. Streets.
B. Alleys.
C. Blocks

FINDING: No new Streets, Blocks, or Alleys are proposed or required with this application. Therefore, these criteria are not applicable.

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 five feet in height, and shall be set back at least three feet from the sidewalk or right-of-way. At least one deciduous shade tree (a minimum of two inches in caliper at planting) shall be provided for each 50 lineal feet of 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: All existing fencing is in compliance with the above provision. The subject site is a corner lot in the southwestern corner of West 1st Avenue and SW Kalmia Street. West 1st Avenue is a Lane County owned and maintained facility, functionally classified as an Urban Major Collector. SW Kalmia Street is a Junction City owned and maintained facility classified as a Local Street in the *Junction City Transportation System Plan*

(2016), with a narrower right-of-way width. By definition (JCMC 16.05.020), the Front Lot Line is the line abutting Kalmia Street, as it is the narrower of the two rights-of-way. Therefore, the Rear Lot Line is the westernmost lot line, abutting a residential property. Fencing along the frontage of West 1st Avenue is compliant with the fencing provisions listed at JCMC 17.95.020. Shade trees a minimum of two inches in caliper were planted in compliance with the above standard prior to Certificate of Occupancy for Junction City Land Use File #DEV-18-01 as referenced above.

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.

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 two and one-half 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.

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

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.

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.

FINDING: As allowed by JCMC 17.20.040(B) for Townhomes (single-family attached or row houses), the minimum lot area shall be 2,500 square feet per unit. The minimum lot width at the front property line shall be 25 feet. All proposed lots are a minimum of 2,500 square feet or greater. Due to the definitions listed at JCMC 16.05.020 and the layout of the existing structure, meeting the 25-foot minimum width at the property line is not feasible. To the greatest extent possible, the applicant has adhered to the intent of the Code by meeting the minimum 25-foot lot width at the southern property line with lengths of 25 feet (Lot 4), 30 feet (Lot 1), and 32.53 feet (Lots 2 and 3).

FINDING: Lot widths along West 1st Avenue are shown at 21.25 feet (Lots 2 and 3), 36.09 feet (Lot 4), and 41.57 feet (Lot 1). Due to the required siting of the existing

structure (height transition, setbacks, open space), driveway locations required by Chapter 17, and existing easement locations, meeting the 25-foot minimum width requirement along the northern property line is not feasible. The applicant respectfully requested the Planning Commission give consideration to these constraints when reviewing the intent of the Code as it relates to minimum lot widths. As such, this criterion has been adequately addressed.

(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: The proposed subdivision does not abut an arterial street. Therefore, this criterion is not applicable.

b. Exceptions.

i. Partition 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 partition 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 partition 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 chapter.

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 chapter.

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: The applicant is not seeking an Exception under these criteria. Therefore, they are not applicable.

2. **Key Parcels or Lots and Butt Parcels or Lots. There shall be no key parcels or lots nor butt parcels or lots, except where authorized by the planning commission where such parcels or lots are necessitated by unusual topographic conditions or previous adjacent layout.**

FINDING: No Key or Butt Lots are proposed as part of this Preliminary Plan lot layout. However, an approval of the proposed layout would create a Butt Lot for the adjacent parcel to the south, as four (4) new lots would abut the Side Lot Line of Tax Lot 4310 (155 SW Kalmia Street). The applicant requested Planning Commission authorization for the creation of the single Butt Lot due to the unusual conditions associated with the corner lot and the layout of the built environment. Currently, the site is fully constructed as a Multifamily Residential Dwelling (as allowed by the Multifamily Residential (R3) zoning) with the driveway and parking areas located along the southern boundary line. As such, a shared access and maintenance agreement will be required as part of this Subdivision application, preventing any additional fencing, structures, or private areas along the southern boundary or bisecting the site. The required Shared Access, Utility, and Maintenance Easement (conditioned below) will ensure the four (4) proposed lots maintain the appearance of a single lot along the southern boundary, alleviating the privacy and maintenance concerns associated with Key and Butt Lots. As such, this criterion has been addressed.

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: As far as practical, all proposed lot lines run at right angles to both West 1st Avenue and SW Kalmia Street. Therefore, this standard is met.

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 chapter.**

FINDING Minimum lot areas for Townhomes as required by JCMC 17.20.040 have been met with all proposed lots at or greater than 2,500 square feet. All private open space areas are in compliance with relevant health, safety, and sanitary standards. Vision clearance areas have been preserved to maintain pedestrian and traffic compliance with the JCMC. Therefore, this standard has been met.

5. **Future Partitioning or Subdivision of Parcels or Lots. Where the partition or subdivision will result in a parcel or lot one-half 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 chapter 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 Post division, no parcel or lot will be one-half acre or larger in size. Therefore, this criterion is not applicable.

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 No panhandle lots are proposed with this application. Therefore, the standards listed under JCMC 16.05.050(E)(6) are not applicable.

F. Drainage. Where land in the partition or subdivision area is or will be periodically subject to accumulations of surface water or is traversed by any water course, 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 therefor 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 All recent building permit and land use approvals associated with the site (Building Permit# 467-18-000088-STR, Land Use File# DEV-18-01) have addressed Floodplain, Wetland, and Stormwater related issues. An existing 20-foot Public Utility Easement for Stormwater runs along the western boundary of the site, collecting and conveying all on-site surface runoff to and through the public system. No additional impervious areas are proposed as part of this Preliminary Subdivision application. No areas of substantial surface water, water courses, channels, streams, or creeks exist on the site. Therefore, this criterion has been adequately addressed.

G. Railroads.

FINDING The subject site is not located adjacent to an existing or planned railroad facility. Therefore, this criterion is not applicable.

H. Partial Development. Where the partition 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 The Preliminary Plan includes the entirety of the lot area. No partial areas remain post division. Therefore, this standard is not applicable.

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 100 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 Four (4) new Townhome lots are proposed with this Subdivision application. Based on the 2.43 persons average per single dwelling unit (*p. 90, Comprehensive Plan, 2012*), a total of 10 individuals are anticipated to reside in the subdivision, far fewer than the 100 persons threshold for park dedication as listed above. All Service Development Charges associated with the existing multifamily residential development were paid at the time of Building Permit issuance. Therefore, this standard has been met.

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 the Oregon Structural, Specialty and Fire and Life Safety 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.

L. Utility Access. All accesses to utilities are to be brought to finish grade.

FINDING: The site is fully developed with an existing multifamily residential structure. As part of the Building Permit process, all fill, finish floor elevations, and utility access designs associated with the construction were required to show compliance with the above standards. A Certificate of Occupancy was issued on September 13, 2018, ensuring compliance with the relevant standards. Therefore, the criteria listed under JCMC 16.05.050(J through L) have been adequately addressed.

16.05.060 Improvements.

FINDING: All on-site improvements were addressed as part of Junction City Land Use File# DEV-18-01. Therefore, the standards listed under JCMC 16.05.060 have been met.

JCMC 17.20 – MULTIPLE-FAMILY RESIDENTIAL ZONE (R3)

17.20.120 Townhome (single-family attached/rowhouses) supplemental standards. All townhomes shall comply with the following standards (see also Appendix A, Diagram 8):

A. The maximum number and width of consecutively attached units shall not exceed five or 140 feet (from end wall to end wall), whichever is less.

FINDING: The submitted Preliminary Plan shows a total of four (4) units at a length of approximately 100 feet. Therefore, this criterion is met.

B. Townhomes shall receive vehicle access from a rear alley whenever possible. Alley(s) shall be created at the time of subdivision approval. Alleys are not required when existing development patterns make construction of alleys impractical.

FINDING: The site is fully constructed with access from SW Kalmia Street to benefit all four (4) lots post division. No alleys are proposed and none shall be required based on the present configuration of the site. This criterion has been adequately addressed.

C. Townhomes receiving access directly from a public or private street shall comply with all of the following standards in order to minimize interruption of adjacent sidewalks by driveway entrances and improve appearance of the streets:

1. The maximum allowable driveway width facing the street is 12 feet per dwelling unit.

FINDING: The existing 20-foot-wide driveway accesses SW Kalmia Street to the east and provides adequate access to the fully developed site. No additional driveways are proposed with this Preliminary Plan.

2. **Two adjacent garages shall share one driveway when individual driveways would otherwise be separated by less than 20 feet.**

FINDING: Lots 1 and 2, as well as Lots 3 and 4, share driveways in accordance with this standard. A shared access easement shall be prepared and submitted to the City for approval prior to approval of the Final Plat.

3. **The maximum combined garage width per unit is 50 percent of the total unit width. For example, a 26-foot-wide unit may have one 13-foot-wide recessed garage facing the street.**

FINDING: This standard has been met as part of Junction City Land Use File# DEV-18-01. No new development is proposed as part of this Preliminary Plan. Therefore, this standard is not applicable.

D. Common areas (e.g., landscaping in private tracts, shared driveways, private alleys, lawns, play areas, and similar uses) shall be maintained by a homeowners' association or other legal entity. A homeowners' association may also be responsible for exterior building maintenance and roof replacement. A copy of any applicable covenants, restrictions and conditions shall be recorded and provided to the city prior to building permit approval. [Ord. 1242 § 1 (Exh. A), 2016; Ord. 1116 § 1, 2003; Ord. 950 § 26D, 1991.]

FINDING: The applicant has not indicated how shared areas will be maintained, nor how exterior building maintenance and roof replacements will be conducted. Therefore, the following Conditions are warranted:

CONDITIONS:

- The applicant shall prepare a Shared Access, Utility, and Maintenance Easement satisfactory to the City for the existing shared driveway and parking areas prior to approval of the Final Plat. The required Shared Access, Utility, and Maintenance Easement shall be recorded with the Final Plat.

- The applicant shall prepare the necessary legal documents satisfactory to the City in compliance with JCMC 17.20.120(D) regarding shared building maintenance and replacement prior to approval of the Final Plat. The required Covenants, Conditions and Restrictions shall be recorded with the Final Plat.

SUMMARY AND CONCLUSION

Based on the Findings and Conditions set forth above, the Preliminary Plan complies with the Junction City Municipal Code.

MEMORANDUM

TO: **Planning Commission**
FROM: **Planning Department**
RE: **December Planning Activities**

Land Use Application and Planning Project Status

1. Minor Partition of property at 355 W 3rd Avenue. This is a Type III review. It is anticipated that the application will come before the Commission in February.
2. Anticipated submittal of a Vacation request for the unimproved alley between W 15th & 16th Avenues and Ivy and West Front (1590 Ivy St)

City Council Update

None

Planning Commission

1. No applications, to fill Planning Commission vacancies, have been received. Vacancy announcements are posted on the City website and at City Hall. Applications are available in both of these locations.

Building Activities:

Staff encourages all Commissioners to visit the Building Office to review the current building activity within Junction City.

PLANNING COMMISSION

AGENDA FORECASTER

Last 10-04-19 by J. Knope

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CURRENT BUSINESS ITEMS

Current Business Items

Item Preliminary Subdivision (19-12-24-SUB) Kalmia Subdivision

Requested By Lloyd Tolbert

Date Last at Planning Commission First Appearance

Current Agenda Item Number 5a

Item Description. Preliminary review of a 4-lot subdivision

Current Status/Update. Planning Commission review and decision

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Item Planning Commission Officer Elections

Requested By Planning Commission by-Laws

Date Last at Planning Commission November 20, 2019

Item Description By-Laws provide for officer elections every October.

Current Status/Update. Per motion elections continued to January 15, 2020 meeting.

Item Planning Commission Vacancies

Requested By Staff

Date Last at Planning Commission N/A

Item Description Review of applications to fill three Planning Commission vacancies

Current Status/Update. Vacancies advertised, open until filled.

PENDING BUSINESS ITEMS

Pending Business Items

Item	Planning Commission Training Follow Up
Requested By	Staff
Date Last at Planning Commission	N/A

Item Description Training Session Question & Answer session with City Attorney

Current Status/Update. Follow up from October Training session.

FUTURE BUSINESS ITEMS

Future Business Items

Item Zoning Code Updates

Requested By Staff

Item Description Updates to zoning code related to mobile food carts, and Flood Hazard Areas

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Item Planning Commission Terms – Filing Vacancy

Requested By Planning Commission

Item Description Explore question of filling Commission vacancy with a four-year term rather than remainder of unexpired term.

Draft Meeting Agenda – February 19, 2020

AGENDA

PLANNING COMMISSION MEETING

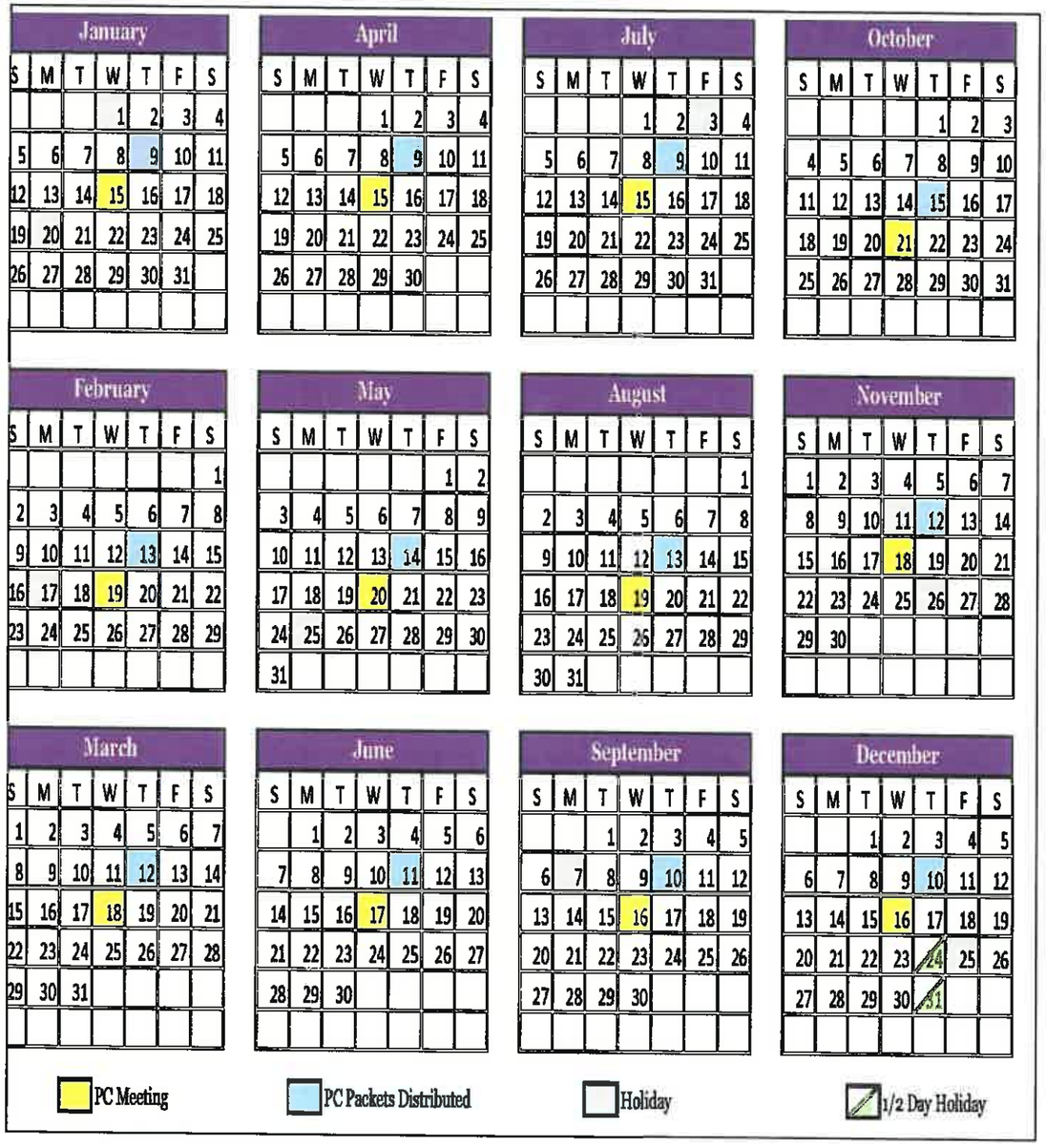
City of Junction City

680 Greenwood Street

Wednesday, February 19, 2020

6:30 P.M.

(*Estimated Time*)

1. Call to Order and Pledge of Allegiance
2. Changes to the Agenda
3. Public Comment (for items not already on the agenda)
4. Approval of Minutes
5. Planning Commission Training Follow Up
6. 19-07-04-MP, 755 W 3rd Ave
7. Planning Commission Vacancies
8. Planning Activity Report
9. Planning Commission Agenda Forecaster
10. Commissioner Comments
11. Adjournment

PLANNING COMMISSION CALENDAR - 2020