



*Planning Commission Meeting
(Possible Quorum of the Council)*

Date: Wednesday, June 21, 2017
Time: **6:30 – 9:00 p.m.**
Location: Council Chambers, 680 Greenwood Street
Contact: Jordan Cogburn, 541-998-2153

A G E N D A

1. Open Meeting and Pledge of Allegiance
2. Review Agenda
3. Public Comment (for items not already on the agenda)
4. Approval of Minutes
 - May 17, 2017
5. Action Items (Request action by Planning Commission)
 - a) Szerlip - Minor Partition - Preliminary Plan Review (File: MP-17-03)
 - b) Public Hearing: Celtic Homes - Conditional Use Permit (File: CUP-17-01)
6. Planning Activity Report
7. Planning Commission Agenda Forecaster
8. Commissioner Comments
9. Adjournment

*Next Standing July 19, 2017 – 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. Declaration of Conflict of Interest, Bias, Ex Parte Contacts, and Challenges to Impartiality
3. Staff Report
4. Applicant's Presentation
5. Proponents
6. Opponents
7. Neutral Parties
8. Rebuttal of Testimony
9. Questions from the Planning Commission
10. Staff Summary
11. Close of Public Hearing
12. Deliberation and 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.

The Junction City Planning Commission met on Wednesday, May 17, 2017 at 6:30 p.m. in the Council Chambers at City Hall, 680 Greenwood Street, Junction City Oregon.

Present were: Planning Commissioners, Jason Thiesfeld (Chair), James Hukill, Ken Wells, Jack Sumner, Jeff Haag, Stuart Holderby, and Sandra Dunn; Planning Commission Alternates Patricia Phelan, and Alicia Beymer; City Planner, Jordan Cogburn; and Planning Secretary, Tere Andrews.

Absent: None

1. Open Meeting and Review Agenda

Chair Thiesfeld opened the meeting at 6:30 pm and led the Pledge of Allegiance.

2. Changes to the Agenda

None.

3. Public Comment (for items not already on the agenda)

None

4. Approval of Minutes

- April 19, 2017

Motion: Commissioner Sumner made a motion to approve the April 19, 2017 minutes as submitted. Commissioner Hukill seconded the motion.

Vote: Passed by a vote of 7:0:0. Chair Thiesfeld, Commissioners Dunn, Hukill, Haag, Holderby, Wells, and Sumner voted in favor.

5. Public Hearing: West Linn Corporate Park, LLC, Subdivision, File # SUB-17-01

Chair Thiesfeld opened the public hearing for the subdivision application from West Linn Corporate Park, LLC, File #'s SUB-17-01 and asked if any Commissioner had a bias, ex parte contact or conflict of interest to declare.

There were no biases, ex parte contacts, or conflicts of interest declared.

Staff Report

Planner Cogburn reviewed the staff report. The application was for a Tentative Subdivision situated northwest and west of The Reserve at Junction City. The proposed subdivision was located at the terminuses of West 11th Avenue, West 12th Avenue, West 14th Avenue, West 15th Avenue, Echo Valley Drive, and Darlington Drive.

The subject property was zoned Single Family Residential (R1) with areas in the Wetland Resources Overlay District. The proposal included 122 lots (121 residential parcels and a large lot for future development); three tracts for storm water detention, and one for a pedestrian/bike path; six public streets; and required public/private utilities needed.

Four of the proposed public streets (West 14th, West 15th, Echo Valley Drive, and Darlington Drive) were extensions of existing streets. Two additional public streets would be named prior to approval of the public improvement plans and/or final subdivision plat.

Planner Cogburn handed out updated staff reports; changes were highlighted in red and included in the Final Order where appropriate.

The site was a 58+ acres. It was originally part of a now expired PUD (Planned Unit Development). As part of the Type II review Requests for Comments were mailed to property owners in the vicinity, and affected agencies, and city departments. As part of the Type II review, a public hearing could be requested. Requests were received and a public hearing was scheduled for the April, 2017 Planning Commission meeting and postponed, at that time, to the May 17, 2017 Planning Commission meeting. Comments received were reviewed and were included in the staff report. Comments were also received from Lane County Public Works and Junction City Public Works, those comments were included in the staff report. A comment was also received from the Confederated Tribes of the Grand Ronde in regard to Native American burial mounds in the area.

Planner Cogburn reviewed the conditions of approval as stated in the staff report. There were as follows:

Prior to Final Plat approval:

1. Dedicate reserve strips at the terminus of proposed rights-of-way in compliance with JCMC 16.05.050.3 prior to Final Plat approval.
2. Prior to Final Plat approval dedicate or cause to be dedicated, the proposed right-of-way of Darlington Drive, Echo Valley Drive, West 15th Avenue, West 14th Avenue, West 14th Place, West 13th Place, and the two unnamed streets.
3. Tract A to be dedicated as a pedestrian tract.
4. Access, and Utility easements dedicated on the final plat for the Subdivision.
5. Compliance with minimum key lot and butt lot width criterion listed under JCMC 16.05.050(E)(1)(a)(i).
6. Compliance with the minimum lot size standards of JCMC 17.10.030 and accurate lot size dimensions to be provided.
7. Elimination of Key Parcels or Lots and Butt Parcels or Lots as stated under JCMC 16.05.050(E)(2).

8. Proof of review submitted and approved by the State Historic Preservation Office related to potential impacts of the proposed subdivision on the known cultural resource at the northeastern portions of the proposed subdivision and the suitability of that area for the proposed Lots.
9. Revised Plat to state the storm water detention tracts as Tract B and Tract C and shown on the Final Plat.
10. Applicant provided proof of review and approval by the State Historic Preservation Office, for the use of Tax Lot 4201 of Assessors Map #15-04-31-00 as intended recreation area in compliance with the standard at 16.05.050(I)(1), prior to Final subdivision approval.
11. Applicant would take all actions required by any such formal opinion to make Tax Lot 4201 suitable for intended City public park development and use.
12. If either an opinion cannot be obtained or the parcel cannot be made suitable for intended City park and recreational uses as outlined in the City's Master Plan, applicant shall dedicate additional land for park and recreational purposes to ensure the availability 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, if the existing land dedicated for park purposes does not prove feasible for future recreation area development.
13. All utilities shall be designed and installed with lids and risers are at finished grade.
14. The applicant to submit a jurisdictional delineation approved by the Oregon Division of State Lands or, alternatively, an on-site or off-site jurisdictional determination, conducted or confirmed by Oregon Division of State Lands, the proposed activities would occur outside the jurisdictional wetland.

The Commission discussed concerns in regard to the park land. Planner Cogburn handed out copies of Resolution 1018. Section 5 of Resolution 1018, allowed a developer to apply for a qualified public improvement credit. Park development timelines would be under the auspices of the Parks Committee, and the Parks Master Plan.

Testimony

Proponents

Mr. Jed Truitt, applicant's representative, 370 Q Street, Springfield OR 97477 stated, on average the lot sizes were similar to those in The Reserve Phase 1. There were a series of conditions from Lane County Public Works that required street improvements along Oaklea Drive.

Commissioner Hukill asked about street widening and where it would begin.

Mr. Dan Ingram, Transportation Planner, Lane County Public Works, stated, a covenant recorded against the property in 2002, at the time of an urban growth boundary (UGB) expansion, set forth requirements for the road improvements.

Commissioner Sumner asked if the covenant covered the west side of Oaklea only.

Mr. Ingram replied a left turn lane was needed which would require work on the east side of Oaklea Drive to accommodate the new turn lane.

Mr. Truett said the taxes generated by a single family homes, in a single year, were approximately \$2000.

The applicant was agreeable to the conditions as stated, by Planner Cogburn, and contained in the staff report.

Opponents

Ms Helen Breedlove, 1100 Alderdale Drive, Junction City OR 97448, expressed concern that a park would not be built as was the case with The Reserve Phase I. She noted children played in the street since there was no park. Additional traffic could create dangers to residents.

Neutral Parties

Mr. James Grisham, 94570 Oaklea Drive, Junction City Oregon, 97448 noted the proposed drainage was potentially in the cultural lands. If moved, the ponds overflowed onto their property.

Planner Cogburn stated the drainage report was included with the applicant's application packet and was available for review.

Ms Edna Gomez, applicant's representative, 370 Q Street, Springfield OR 97477 stated after review of comments received regarding the pond, they changed the ponds so it would not affect other properties in the vicinity.

Chair Thiesfeld closed the public hearing for SUB-17-01.

Deliberations

Commissioner Haag asked if the access at West 15th Avenue and Oaklea Drive would have street lights.

Mr. Ingram responded an urban collector did not require street lights. The City and/or County could request the State do a speed study. Lane County Code did not require street lights. However, the County would not object if Junction City wanted to make such a requirement.

Motion: Commissioner Wells made a motion to approve with conditions, the West Linn Corporate Park LLC, Subdivision application, file SUB-17-01, as presented. Commissioner Sumner seconded the motion.

Vote: Passed by a vote of 6:1:0. Chair Thiesfeld, Commissioners Dunn, Holderby, Wells, Haag, and Sumner voted in favor. Commissioner Hukill voted against.

6. Planning Activity Report

The Commission reviewed the monthly activity report.

7. Commission Agenda Forecaster

The Commission reviewed the agenda forecaster.

8. Commissioner Comments

Chair Thiesfeld stated he anticipated, at the June, 2017 meeting, offering his resignation from the Planning Commission as he was in the process of purchasing property outside the 97448 zip code.

11. Adjournment

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

Vote: Passed by a vote of 7:0:0. Chair Thiesfeld, Commissioners Dunn, Hukill, Holderby, Wells, Haag and Sumner voted in favor.

The meeting adjourned at 8:23 p.m.

The next regularly scheduled Planning Commission meeting would be Wednesday June 21, 2017 at 6:30 p.m.

Respectfully Submitted,

Tere Andrews, Planning Secretary

Jason Thiesfeld, Planning Commission Chair/

JUNCTION CITY PLANNING COMMISSION AGENDA ITEM SUMMARY



Szerlip - Preliminary Partition (MP-17-03)

Meeting Date: June 21, 2017
Department: Planning
www.junctioncityoregon.gov

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

ISSUE STATEMENT

The applicant is requesting a Preliminary Partition to divide an existing lot into three tax lots.

BACKGROUND

This is an application for a preliminary partition on an existing, platted lot with dual frontage on East 2nd Avenue and East 1st Avenue in Junction City. This partition will divide one existing lot into three legal parcels. There are existing public utilities (i.e. fire hydrants, water, sanitary sewer, storm sewer) available adjacent to the subject property or within the public right-of-way.

Recent Partition and Property Line Adjustment applications (PLA-16-01) were completed and approved on for the adjacent parcel resulting in the present configuration.

RELATED CITY POLICIES

16.05.030 (D)(3) Preliminary Partition

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

PLANNING COMMISSION OPTIONS

- a. Approve the Preliminary Partition with conditions of approval and findings as written in the Proposed Final Order (MP-17-03).
- b. Approve the Preliminary Partition with changes to the conditions of approval and/or changes to the findings in the Proposed Final Order (MP-17-03).
- c. Deny the Preliminary Partition with findings supporting the denial.
- d. Continue the discussion of the proposed Preliminary Partition if more information is needed.

SUGGESTED MOTION

"I make a motion to (approve with conditions as stated in the final order / approve with conditions as modified by the Planning Commission / deny with findings / continue) the Preliminary Partition for Tax Lot 12200 of Assessor's Map 15-04-32-43, File # MP-17-03."

ATTACHMENTS

- A. Staff Report
- B. Application Materials
- C. Draft Final Order Preliminary Minor Partition (MP-17-03)
- D. Preliminary Minor Partition Plat Map

FOR MORE INFORMATION

Staff Contact: Jordan Cogburn
Telephone: 541.998.2153
Staff E-Mail: jcogburn@ci.junction-city.or.us



CITY OF JUNCTION CITY LAND USE APPLICATION

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

<input type="checkbox"/> Annexation	<input type="checkbox"/> Development Review	<input type="checkbox"/> Rezone (Zone Change)
<input type="checkbox"/> Comprehensive Plan Amendment Map _____ Text _____	<input type="checkbox"/> Pre-Application Meeting	<input type="checkbox"/> Subdivision: Preliminary _____ Final _____
<input type="checkbox"/> Conditional Use Permit	<input checked="" type="checkbox"/> Partition: Preliminary <input checked="" type="checkbox"/> Final _____	<input type="checkbox"/> Temporary Use Permit
<input type="checkbox"/> Variance: Major _____ Minor _____	<input type="checkbox"/> Vacation	<input type="checkbox"/> Other:

LOCATION OF PROPERTY OR ADDRESS: South of intersection of Cedar Street and East 2nd Avenue with frontage on East 2nd Avenue and East 1st Avenue	
SIZE OF PROPERTY(S): 42,970 sq. ft. (0.99 acres)	ASSESSOR'S MAP AND TAX LOT #: 15-04-32-43 Tax Lot 12200
PRESENT USE: Vacant	PROPOSED USE: here is no development planned with this partition process. Future development will comply outright per JCMC 17.15.010.
BRIEF SUMMARY OF ACTION REQUESTED: Preliminary Partition Plat approval to create three (3) residential parcels out of one legal lot	

If the Applicant is not the owner of record of the subject property, written authorization from the owner to act as his/her agent must be provided.

NAME OF APPLICANT: Jerry A. & Barbara Bennett (J.A. & B.B.) Szerlip Trust

ADDRESS: 93951 Strome Lane Junction City OR 97448

PHONE:	E-MAIL:
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NAME OF APPLICANT:

ADDRESS:

PHONE:	E-MAIL:
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NAME OF PROPERTY OWNER: Jerry A. & Barbara Bennett (J.A. & B.B.) Szerlip Trust

ADDRESS: 93951 Strome Lane Junction City OR 97448

PHONE:	E-MAIL:
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NAME OF PROPERTY OWNER:

ADDRESS:

PHONE:	E-MAIL:
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NAME OF CONTACTS: Metro Planning, Inc. Maureen Jackson Associate Planner

ADDRESS: 370 Q Street Springfield OR 97477

PHONE: 541-302-9830	E-MAIL: maureen@metroplanning.com
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CITY OF JUNCTION CITY LAND USE APPLICATION

ATTACHMENT(S): Yes No

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

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

Per Resolution 942: All direct costs for contracted city staff shall be charged monthly to the applicant in the amount billed to City. Contracted staff includes, but are not limited to, city engineer, city attorney, building inspector, traffic consultant, wetlands specialist. Direct costs 30 days past due shall be charged 9% interest in addition to the amount billed to the City.

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

Date:

Owner's Signature:

4-26-17

Staff Use Only

Filing Fee:	Payment Received by (staff name):	Date:
Zoning:	Plan Designation:	File No.
Date Application Deemed Completed:	Completion Checked by:	Date:



LAND USE PLANNING AND CONSULTING SERVICES

370 Q STREET
SPRINGFIELD, OREGON 97477
(541) 302-9830
WWW.METROPLANNING.COM

PRELIMINARY PARTITION APPLICATION FOR JERRY A. & BARBARA BENNETT (J.A. & B.B) SZERLIP TRUST

Written Statement

Submittal No.	1
Document Date:	May 24, 2017
Applicant's Request:	Preliminary Partition Plat approval to create three (3) residential parcels out of one legal lot.
Property Owner/ Applicant:	J.A. & B.B Szerlip Trust 93951 Strome Lane Junction City, OR 97448
Applicant's Representative/ Project Planner:	Metro Planning, Inc. c/o Maureen Jackson, Associate Planner 370 Q Street Springfield, OR 97477 Tel (541) 302-9830
Surveyor:	Steven Woods, PLS Steven Woods, Land Surveyor PO Box 504 Junction City, OR 97448 Tel (541) 234-2275
Subject Property:	Assessor's Map 15-04-32-43; Tax Lot 12200
Location of Property:	South of intersection of Cedar Street and East 2 nd Avenue with frontage on East 2 nd Avenue and East 1 st Avenue.
Property Size:	43,634 sq. ft. (1.0 acre)
Zoning:	R-2 (Duplex Residential)
Comprehensive Plan:	Low-Density Residential
Existing Use:	Accessory structure (shed) on proposed Parcel 1 to be removed, remaining property is vacant.
Proposed Parcel 1 Size:	8,143 sq. ft. (7,039 sq. ft. exclusive of the panhandle portion) (0.19 acres)
Proposed Parcel 2 Size:	8,470 sq. ft. (7,098 sq. ft. exclusive of the panhandle portion) (0.19 acres)
Proposed Parcel 3 Size:	26,595 sq. ft. (0.61 acres)

Background

This is an application for a preliminary partition on East 2nd Avenue in the City of Junction City. This partition will divide one existing lot into three proposed parcels. The site of this partition is located directly south of the intersection of East 2nd Avenue and Cedar Street. Development plans for this proposed preliminary partition are purely conceptual at this point. There is no development planned with this preliminary partition process except for the creation of new lot lines. Tax Lot 12200 will be able to be served from East 2nd Avenue as part of a future re-development plan for access and utilities. The owner, Szerlip Trust, does own the adjacent partitioned Parcel 1 and Parcel 2 of Tax Lot 12300.

This written statement addresses applicable requirements for a minor partition per the Junction City Municipal Code (JCMC), including Section JCMC 16.05.030 – Minor Partition Procedure and Section JCMC 16.05.050 – Platting and Mapping Standards. Also addressed is conformance to Duplex Residential Zone (R2) standards JCMC 15.15 and Platting and Mapping Standards Panhandle Lots JCMC 16.05.050(E)(6). Text from the municipal code is in italics; the responses are in plain text.

Minor Partition Procedure

JCMC 16.05.030 – Minor Partition Procedure

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

Metro Planning is the authorized representative for the J.A. and B.B. Szerlip Trust. This application is being submitted with four copies of the preliminary plan in compliance with this requirement.

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

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

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

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

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

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

Parcel 1 and 2 of Land Partition Plat No. 2017-P2734 on Tax Lot 12300 are under the same ownership, J.A. and B.B. Szerlip Trust, as the subject property; however it is not involved in this application.

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

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

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

The contact information for the J.A. and B.B. Szerlip Trust (owner) is noted on the plan. In addition, the address and phone number of the surveyor, Steven Woods, is included as well.

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

The preliminary partition plan includes a vicinity map that shows the location of the subject property relative to the adjacent street network. In addition, the width of the existing streets, East 1st Avenue and East 2nd Avenue, are called out on the plan.

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

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

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

The proposed preliminary partition plan illustrates the accessory structure (shed) that currently exists on Parcel 1 which is proposed to be removed. Parcel 2 and Parcel 3 are currently undeveloped.

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

There is an existing 20.0 foot wide public utility easement that encumbers the eastern boundary line of the subject property and is shown on the plan. Proposed drainage and public utility easements are also shown on the plan.

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

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

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

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

There are no recorded subdivisions contiguous to the subject property.

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

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

One foot contour intervals are shown on the attached preliminary plan based on LIDAR data derived from Oregon Department of Geology and Mineral Industries (DOGAMI).

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

There is an existing 20.0 foot wide public utility easement that encumbers the eastern boundary line of the subject property and is shown on the plan. Proposed drainage and public utility easements are also shown on the plan.

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

An existing drainage ditch encumbers the southeastern portion of the subject property on proposed Parcel 3 as shown on the proposed preliminary partition plan.

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

The three new proposed parcels will be served by private laterals and lines that connect to the public sanitary sewer line within East 2nd Avenue. No easements would be necessary to accommodate this proposed wastewater service plan.

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

A public road easement dedication currently exists on the subject property as indicated on the plan. There are no areas proposed to be dedicated to the public within this minor partition including reserve strips.

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

No public improvements are proposed with this minor partition application.

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

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

(D) Preliminary Plan Review.

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

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

(2) Planning Commission Review.

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

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

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

Preliminary Partition for
J.A. & B.B. Szerlip Trust

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

Parcel 1 and 2 of Land partition Plat No. 2017-P2734 of Tax Lot 12300 are under the same ownership, J.A. and B.B. Szerlip Trust, as the subject property. Tax Lot 12300 will be able to be served from East 2nd Avenue. This partition application will not impede the future best use of Tax Lot 12300. This approval criterion is met.

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

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

Parcels 1 and 2 are panhandle lots. Parcels 1 and 2 will conform to JCMC 16.05.050(E)(6) Platting and Mapping Standards Panhandle Lots, as addressed below. Parcel 3 is a standard lot. In the R-2 zone, the minimum lot standards of JCMC 17.15.030 require at least 5,000 square feet for single-family dwellings, a minimum lot depth of 75 feet, and a minimum lot width of 50 feet. Proposed Parcel 3 will be 26,595 square feet with feet with approximately 285 feet of depth, and 80 feet of width. Based on these facts, Parcel 3 will meet the minimum lot standards of the JCMC.

In terms of setbacks standards for parcels, an accessory structure (shed) currently exists on Parcel 1 that is proposed to be removed and proposed Parcel 2 and Parcel 3 are undeveloped. The applicant understands that future development on the three proposed parcels will be subject to the setback standards required by JCMC 17.15.040. These standards will be addressed at the time of building permit.

(iii) Either:

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

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

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

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

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

Four copies of the preliminary partition plan have been attached to this application per the city land division checklist.

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

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

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

An accessory structure (shed) currently exists on Parcel 1 that is to be removed is shown on the proposed preliminary partition plan. Proposed Parcel 2 and Parcel 3 are undeveloped.

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

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

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

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

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

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

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

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

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

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

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

A public road easement dedication exists on the subject property, no further dedications are proposed with this application; thus this requirement should not be applicable.

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

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

Platting and Mapping Standards

JCMC 16.05.050 - Platting and Mapping Standards

(A) **Streets.**

Proposed Parcel 1 and Parcel 2 are adjacent to 2nd Avenue on the north. Proposed Parcel 3 is adjacent to East 1st Avenue on the south and East 2nd Avenue on the north. East 1st Avenue and East 2nd Avenue are existing public streets. There are no proposed streets because the unplatted lands adjacent to the subject site are already developed and do not need a street stub from this property. Given these facts, none of the subsections of (A) – Streets is addressed below.

(B) **Alleys.**

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

(C) **Blocks.**

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

East 1st Avenue and East 2nd Avenue are existing public streets. No streets are proposed with this partition; thus the block lengths of East 1st Avenue and East 2nd Avenue will be unaffected. Given this fact, this standard is not applicable.

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

The subject property is 423,634 square feet (1.0 acre). Given that the land division is less than 2 acres, this standard is not applicable and thus subsections (a) – (c) are not included below.

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

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

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

There is an existing 20.0 foot wide public utility easement that encumbers the eastern boundary line of the subject property, as shown on the plan. Proposed drainage and public utility easements are also shown on the plan.

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

The rear yards of proposed Parcel 1 and Parcel 2 abut adjacent property.

Proposed Parcel 3 is 0.61 acres (26,595 sq. ft.) in size and adjacent to East 1st Avenue on the south and East 2nd Avenue on the north. East 1st Avenue and East 2nd Avenue are existing public streets. Future development plans for Proposed Parcel 3 include additional partitioning whereas the rear yards of future parcels will not abut existing or planned streets. As required by JCMC 16.05.050(E)(5) Platting and Mapping Standards Future Partitioning of Lots the future partitioning plan standard is addressed below. As the future partitioning plan proposes no existing or planned streets along the rear of the development site no perimeter fence is required. In addition, street trees will likely not be able to be planted along the frontage with East 1st Avenue or East 2nd Avenue given that most of the entire frontage will be occupied by future driveways.

(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.

Proposed Parcel 1 and Parcel 2 will have an average width of 67 feet and Parcel 3 an average width of about 80 feet. The lot widths comply with the minimum lot width requirement of 50 feet per Section 17.15.030 of the JCMC.

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

Proposed Parcel 1 and Parcel 2 will have an average depth of just 83 feet and Parcel 3 will have an average depth of just over 285 feet. The lot depths will comply with the R2 zoning standard of 75 feet per Section 17.15.030. In addition no proposed lot depths are more than 2.5 times the average lot widths.

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

Parcels 1 and 2 are panhandle lots. Parcels 1 and 2 will conform to JCMC 16.05.050(E)(6) Platting and Mapping Standards Panhandle Lots, as addressed below. Parcel 3 is a standard lot. Per Section 17.15.030 of the JCMC, the minimum lot size for single-family dwellings is 5,000 square feet and 7,000 square feet for duplexes. Proposed Parcel 3 will be 26,595 square feet in area. The proposed parcel exceeds the minimum lot area of 5,000 square feet.

(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.

Parcels 1 and 2 are panhandle lots. Parcels 1 and 2 will conform to JCMC 16.05.050(E)(6) Platting and Mapping Standards Panhandle Lots, as addressed below. Parcel 3 is a standard lot. Proposed Parcel 3 will have approximately 157 feet of street frontage in compliance with this standard.

(v) Reverse Frontage.

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

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

This is a preliminary partition application that proposes to create three (3) residential parcels out of one legal lot. Proposed Parcel 1 and Parcel 2 have frontage on only one street, East 2nd Avenue. Parcel 3 is a standard lot. Proposed Parcel 3 has frontage two streets, East 1st Avenue to the south and East 2nd Avenue to the north. According to the Junction City Transportation System Plan Map East 1st Avenue is an arterial roadway and East 2nd Avenue is a local roadway. There is no development planned with this partition process except for the creation of new lot lines. Motor vehicle access to proposed Parcel 3 will be located on East 2nd Avenue. This standard will be met.

(b) Exceptions.

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

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

consideration of the suitability of the land for such use, and in accordance with the purpose of this ordinance.

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

The proposed preliminary partition meets all lot design standards (width, depth, area, and frontage). No exceptions to the standards are being sought in this application; thus this criterion is not applicable.

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

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

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

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

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

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

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

This preliminary partition application proposes the creation of three (3) parcels out of one (1) legal lot. Proposed Parcel 1 will be 0.19 acres (8,143 sq. ft.) in size and proposed Parcel 2 will 0.19 acres (8,470 sq. ft.) in size. Proposed Parcel 1 and Parcel 2 will not result in a parcel ½ acre or larger in size. However, Proposed Parcel 3 will be 0.61 acres (26,595 sq. ft) in size and will be over ½ acre in size. The applicant does propose a future partitioning plan for Parcel 3 which is included with this application.

(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:

Parcel 3 is a standard lot and will meet the standards of JCMC 17.15.030 as previously addressed. Proposed Parcels 1 and 2 are panhandle lots that conform to JCMC 16.05.050(E)(6) Platting and Mapping Standards Panhandle Lots, as addressed below. The applicant is not seeking an exception from the frontage requirements.

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

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

The subject property is zoned R2. Proposed Parcel 1 and Parcel 2 are panhandle lots that require a minimum area of at least 5,000 square feet, exclusive of the panhandle. Proposed Parcel 1 will be 7,039 square feet exclusive of the panhandle and Parcel 2 will be 7,098 square feet exclusive of the panhandle, both exceeding the minimum area required. This standard will be met.

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

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

Proposed Parcel 1 and Parcel 2 are panhandle lots with one rear lot assigned to each related panhandle with panhandle widths of 15 feet and 18 feet respectively, meeting the minimum requirement.

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

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

Proposed Parcel 1 and Parcel 2 are panhandle lots with vehicular access from East 2nd Avenue, an existing public street, to the rear lot obtained via the panhandle driveway. Development plans for this proposed preliminary partition are purely conceptual at this point. There is no development planned with this preliminary partition process except for the creation of new lot lines. Access paving width of the future panhandle driveways will be developed in accordance with JCMC Standards and meet the minimum 15 foot requirement.

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

Proposed Parcel 1 and Parcel 2 are panhandle lots with vehicular access from East 2nd Avenue, an existing public street, to the rear lot obtained via the panhandle driveway. Development plans for this proposed preliminary partition are purely conceptual at this point. There is no development planned with this preliminary partition process except for the creation of new lot lines. Future driveways on the parcels will be developed in accordance with JCMC Standards.

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

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

According to Lane County 2013 Aerial Photography, the areas abutting the subject property to the east and south are developed with existing single-family dwellings. If a street were built on the subject property, the existing development pattern on adjacent properties would preclude such a street from serving any areas other than the proposed parcels. Based on this fact, existing buildings or other development on adjacent lands physically preclude a connecting street, if one were constructed on the subject property, from being extended. Given that existing development on adjacent lands physically precludes a connecting street from serving any purpose other than serving the subject property, a Parcel 1 and Parcel 2 are proposed panhandle lots with vehicular access to East 2nd Avenue, an existing public street.

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

Parcel 1 and Parcel 2 will have one rear lot assigned to each related panhandle.

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

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

Parcel 1 and Parcel 2 will have one rear lot assigned to each related panhandle with vehicular access from East 2nd Avenue, an existing public street, to the rear lot obtained via the panhandle driveway.

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

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

Parcel 1 and Parcel 2 will have one rear lot assigned to each related panhandle with vehicular access from East 2nd Avenue, an existing public street, to the rear lot obtained via the panhandle driveway, this standard does not apply.

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

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

Parcel 1 and 2 of Land partition Plat No. 2017-P2734 of Tax Lot 12300 are under the same ownership, J.A. and B.B. Szerlip Trust, as the subject property. If the abutting property owner of proposed panhandle Parcel 1, Tax Lot 6800, requests a visual buffer at the time of land division review the applicant will meet the visual buffer standards as required.

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

Parcel 1 and Parcel 2 will have one rear lot assigned to each related panhandle with vehicular access from East 2nd Avenue, an existing public street, to the rear lot obtained via the panhandle driveway, this standard does not apply.

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

Parcel 1 and Parcel 2 will have one rear lot assigned to each related panhandle with vehicular access from East 2nd Avenue, an existing public street, to the rear lot obtained via the panhandle driveway. Panhandle driveway access will remain free of structures and be available for future access to a public street as required.

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

Parcel 1 and Parcel 2 will have one rear lot assigned to each related panhandle with vehicular access from East 2nd Avenue, an existing public street, to the rear lot obtained via the panhandle driveway. Development plans for this proposed preliminary partition are purely conceptual at this point. There is no development planned with this preliminary partition process except for the creation of new lot lines. Future development on the rear lot assigned to each panhandle will have two parking spaces, not located in the panhandle portion of the driveway, and sufficient turnaround area as required.

m. The building official shall not issue a certificate of occupancy until the project is completed in accordance with approval conditions, this code and JCMC Title 17;

The subject property is zoned R-2 (Duplex Residential). The future development plans for the three parcels have not been determined yet however the use will comply with those uses permitted outright per Section 17.15.010 of the Junction City Municipal Code (JCMC). In addition, the use will be consistent with the comprehensive plan designation of low-density residential.

Parcel 1 and Parcel 2 are proposed panhandle lots. In terms of setbacks standards for parcels, an accessory structure (shed) currently exists on Parcel 1 that is proposed to be removed and proposed Parcel 2 is undeveloped. The applicant understands that future development on the proposed parcels will be subject to the setback standards required by JCMC 17.15.040. These standards will be addressed at the time of building permit.

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

The subject property is zoned R-2 (Duplex Residential). The future development plans for the three parcels have not been determined yet however the use will comply with those uses permitted outright per Section 17.15.010 of the Junction City Municipal Code (JCMC) and meet standards of .

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

There are no watercourses, channels, streams, or creeks on the development site. The stormwater runoff will be conveyed (piped) to the existing system in East 2nd Avenue via weep holes in the curb. No additional drainage easements are necessary to accommodate stormwater drainage.

*(G) **Railroads.***

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

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

Preliminary Partition for
J.A. & B.B. Szerlip Trust

Parcel 1 and 2 of Land Partition Plat No. 2017-P2734 on Tax Lot 12300 are under the same ownership, J.A. and B.B. Szerlip Trust, as the subject property as noted and shown on the proposed preliminary partition plan.

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

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

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

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

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

The subject property is fairly flat and thus no fill is proposed for the building lots and development plans for this proposed preliminary partition are purely conceptual at this point. There is no development planned with this preliminary partition process except for the creation of new lot lines. However, if any fill is needed than it will be in compliance with accepted engineering practices and the Oregon Structural Specialty Code.

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

The property owner and applicant understand this final plat standard.

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

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

This minor partition application clearly meets all standards of the Junction City Municipal Code and thus the applicant respectfully requests that the Planning Commission approve this application. If there are any questions, please do not hesitate to contact me at Metro Planning via email (maureen@metroplanning.com) or by phone (Office 541.302.9830).

Respectfully,

Maureen Jackson
Associate Planner

PROPOSED PRELIMINARY PARTITION

FOR

JA & BB SZERLIP TRUST

SE 1/4, SECTION 32, TOWNSHIP 15 SOUTH, RANGE 4 WEST, W.M.

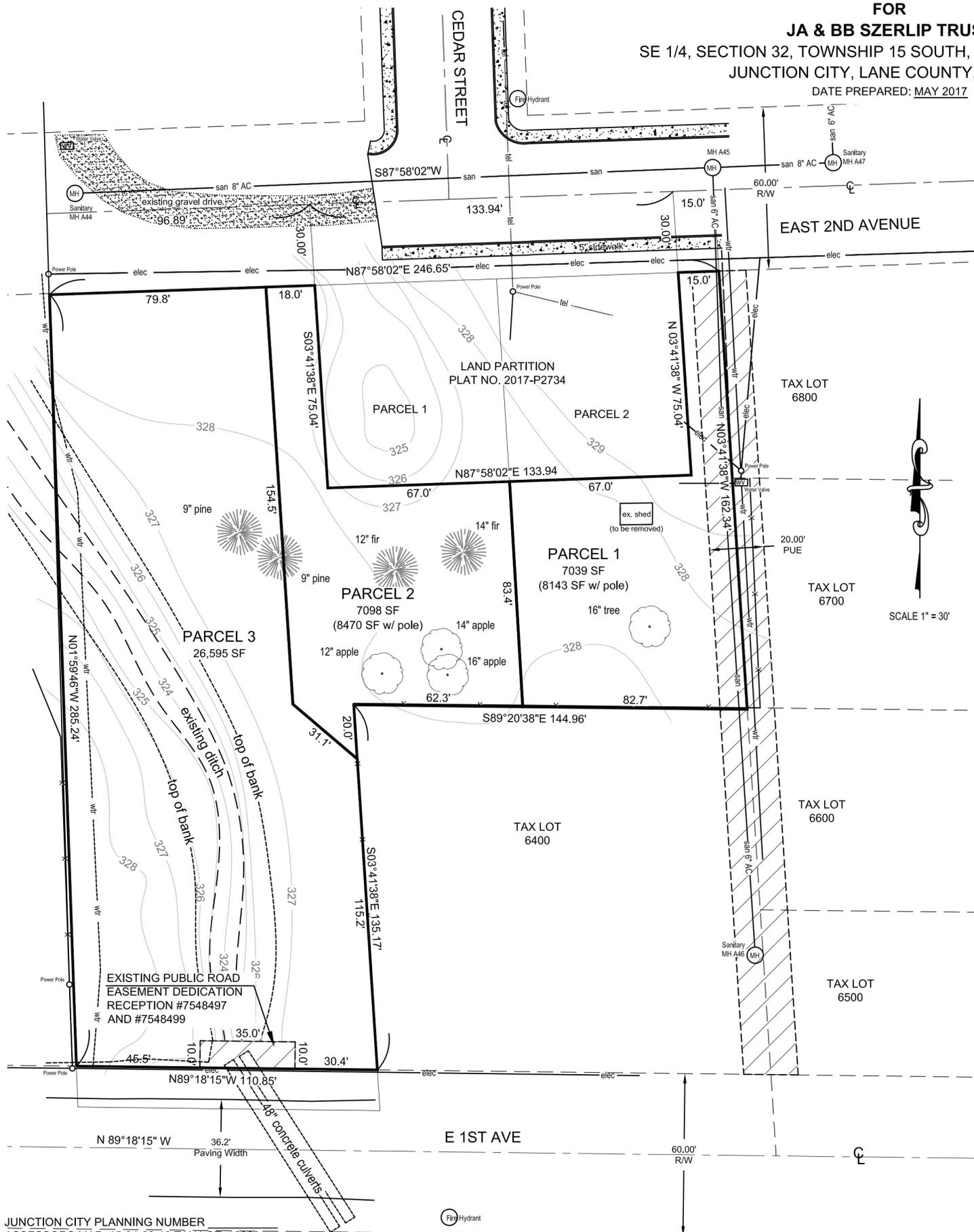
JUNCTION CITY, LANE COUNTY, OREGON

DATE PREPARED: MAY 2017



SUBJECT PROPERTY

VICINITY MAP
NOT TO SCALE



NOTES:

- UTILITIES ARE EXISTING AND PROVIDED BY JUNCTION CITY.
- WASTEWATER AND STORMWATER LINES ARE PUBLIC AND LOCATED IN EAST 2ND AVENUE. PROPOSED WASTEWATER AND STORMWATER SERVICE LINES TO CONNECT TO PUBLIC LINES IN EAST 2ND AVENUE AT TIME OF CONSTRUCTION.
- UNDERGROUND UTILITIES SHOWN HEREON ARE BASED UPON CONSTRUCTION AND AS-BUILT DRAWINGS AND HAVE NOT BEEN VERIFIED. WE DO NOT GUARANTEE THIS MAP SHOWS ALL THE UNDERGROUND UTILITIES.
- THIS PROPERTY IS ZONED R-2 (DUPLIX FAMILY RESIDENTIAL).
- NO STREET TREES ARE PROPOSED.
- SOIL TYPE IS MALABON-URBAN LAND COMPLEX (NO. 76).
- AREA OF DEVELOPMENT IS 43,634 SQ FT.
- THE PROPERTY IS LOCATED IN ZONE AE ON FIRM MAP 41039C0604F. ZONE AE AREAS OF 100-YEAR FLOOD, BASE FLOOD ELEVATION DETERMINED.
- THE NEAREST FIRE HYDRANT IS LOCATED APPROXIMATELY 66 FEET NORTH OF THE NORTH LINE OF SUBJECT PROPERTY AND 70 FEET WEST OF THE NORTHEAST CORNER OF PARCEL 1, AT THE NORTHEAST CORNER OF CEDAR STREET AND EAST 2ND AVENUE.
- PARCEL 1 AND 2 OF LAND PARTITION PLAT NO. 2017-P2734 ARE UNDER THE SAME OWNERSHIP AS THE SUBJECT PROPERTY.
- THERE ARE NO PROPOSED PUBLIC IMPROVEMENTS.
- CONTOURS ARE BASED ON OREGON DOGAMI LIDAR DATA (MAP 44132B2).

LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN THE SOUTHEAST 1/4 OF SECTION 32, TOWNSHIP 15 SOUTH, RANGE 4 WEST, WILLAMETTE MERIDIAN AND BEING TAX LOT 12200 AS SHOWN IN COUNTY SURVEY FILE NO. 43208, AND DECLARATION OF PROPERTY LINE ADJUSTMENT RECORDED ON DOCUMENT NO. 2016-058418, LANE COUNTY OREGON DEED RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8 INCH IRON ROD, ON THE SOUTH RIGHT OF WAY LINE OF EAST 2ND AVENUE, MARKING THE NORTHEAST CORNER OF TAX LOT 12200; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY NORTH 87°58'02" EAST 97.71 FEET TO A 5/8 INCH IRON ROD MARKED 'STEVEN WOODS PLS 2365'; THENCE LEAVING SAID RIGHT-OF-WAY SOUTH 3°41'38" EAST 75.04 FEET TO A 5/8 INCH IRON ROD MARKED 'STEVEN WOODS PLS 2365'; THENCE NORTH 87°58'02" EAST 133.94 FEET TO A 5/8 INCH IRON ROD MARKED 'STEVEN WOODS PLS 2365'; THENCE NORTH 3°41'38" WEST 75.04 FEET TO A 5/8 INCH IRON ROD MARKED 'STEVEN WOODS PLS 2365' ON THE SOUTH RIGHT OF WAY OF EAST 2ND AVENUE; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY NORTH 87°58'02" EAST 15.00 FEET TO A POINT; THENCE LEAVING SAID RIGHT-OF-WAY SOUTH 3°41'38" EAST 162.34 FEET TO A 1/2 INCH IRON ROD; THENCE NORTH 89°20'38" EAST 144.96 FEET TO A 1/2 INCH IRON ROD; THENCE SOUTH 3°41'38" EAST 135.17 FEET TO A POINT ON THE NORTH RIGHT OF WAY OF EAST 1ST AVENUE; THENCE CONTINUING ALONG SAID NORTH RIGHT OF WAY NORTH 89°18'15" WEST 110.85 FEET TO A POINT; THENCE LEAVING SAID RIGHT OF WAY NORTH 1°59'46" WEST 285.24 FEET TO THE POINT OF BEGINNING, ALL IN JUNCTION CITY, LANE COUNTY, OREGON.

SITE ADDRESS:
N/A

PROPERTY OWNER/ APPLICANT
JA & BB SZERLIP TRUST
93951 STROME LANE
JUNCTION CITY, OREGON 97448

PROJECT COORDINATOR
JED TRUETT, AICP
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SPRINGFIELD, OR 97477
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SURVEYOR
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STEVEN WOODS, LAND SURVEYOR
PO BOX 504
JUNCTION CITY, OREGON 97448
541-234-2275

SHEET 1 OF 1

After Recording Return To:
Metro Planning, Inc.
370 Q Street
Springfield, OR 97477

Until a change is requested,
all tax statements are to be sent to:
Property 1 & 2 – No Change

Consideration: Other

Lane County Clerk
Lane County Deeds and Records

2016-058418



\$62.00

01615103201600584180040048

11/23/2016 02:40:39 PM

RPR-DEED Cnt=1 Stn=40 CASHIER 01
\$20.00 \$11.00 \$21.00 \$10.00

DECLARATION OF PROPERTY LINE ADJUSTMENT DEED

Jerry A. Szerlip and Barbara Bennett Szerlip, Trustees of the Jerry A. and Barbara Bennett Szerlip Trust, under Declaration of Trust dated February 3, 1991, are the record owners of "Property 1" and "Property 2", all in City of Junction City, Lane County, State of Oregon, and are executing this deed to set an adjusted property line between the properties noted, the final configuration of the Properties are described below, in compliance with the provisions of ORS 92.190(4).

Original Property 1 (Tax Lot 12200):

Beginning at a point which is 246.6 feet North 3°38' West of a point on the line between Section 32, Township 15 South, Range 4 West of the Willamette Meridian, and Section 15, Township 16 South, Range 4 West of the Willamette Meridian, said last mentioned point being South 89°17' East 968.6 feet from the point of intersection of said section line with the centerline of the main tract of the Southern Pacific Railroad, said point of intersection being North 89°17' West 3195.05 feet from the Southeast corner of said Section 32; from said beginning point run South 3°38' East 81.39 feet to a point on the North line of that certain tract conveyed to Larry B. Weir, et ux, by deed recorded September 11, 1980, Reception No. 80-45293, Official Records of Lane County, Oregon; thence North 89°17' West 145 feet to the Northwest corner of said Weir tract; thence South 03°38' East 150.27 feet to a point in County Road No. 283; thence North 89°17' West 115 feet, more or less, to a point on the East line of that certain tract conveyed to Lee Joint Venture by deed recorded February 24, 1987, Reception No. 87-08448, Official Records of Lane County, Oregon; thence North along the East line of said Lee Joint Venture tract 330.26 feet to the centerline of Second Street; thence North 88° East 110 feet to the Northwest corner of Parcel I described heretofore; thence South 2° East 104.10 feet to the Southwest corner of said Parcel I; thence South 89°17' East 142.68 feet along the South line of said Parcel I to the place of beginning, in Lane County, Oregon.

Original Property 2 (Tax Lot 12300):

Beginning at a point which is 246.6 feet North 3°38' West of a point on the line between Section 32, Township 15 South, Range 4 West of the Willamette Meridian, and Section 15, Township 16 South, Range 4 West of the Willamette Meridian, said last mentioned point being South 89°17' East 968.6 feet from the point of intersection of said section line with the centerline of the main tract of the Southern Pacific Railroad, said point of intersection being North 89°17' West 3195.05 feet from the Southeast corner of said Section 32; from said beginning

point run North 89°17' West 142.68 feet; thence North 2°0' West 104.10 feet to the centerline of Second Street; thence along the centerline of said Second Street, North 88°0' East 139.35 feet, more or less, to the Northwest corner of that tract of land conveyed to Charles A. Fall, et ux, by deed recorded May 8, 1984, Reception No. 84-20606; thence South 3°38' East along the West line of said Fall tract, 110.91 feet to the point of beginning, in Lane County, Oregon.

Property Line Adjustment:

Following this property line adjustment, the description of Property 1 is described as "Adjusted Property 1" and the description of Property 2 is described as "Adjusted Property 2".

Adjusted Property 1:

See "Adjusted Property 1" on attached Exhibit "A".

Adjusted Property 2:

See "Adjusted Property 2" on attached Exhibit "A".

This adjustment is subject to any rights of the public in streets, roads and highways, and other encumbrances of record.

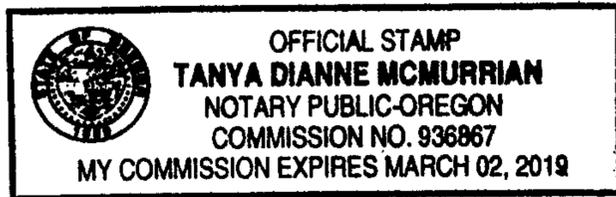
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301, AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

In witness whereof, the undersigned have caused this instrument to be executed this 23 day of November, 2016.

Jerry A. Szerlip, Trustee – Jerry A. and Barbara Bennett Szerlip Trust

State of Oregon)
County of Lane)

This instrument was acknowledged before me on this 23 day of November, 2016, by **Jerry A. Szerlip, Trustee of the Jerry A. and Barbara Bennett Szerlip Trust.**



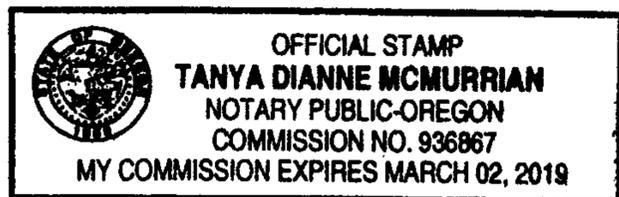
Tanya D. McMurrrian
Notary Public for Oregon
My commission expires: March 02, 2019

In witness whereof, the undersigned have caused this instrument to be executed this 23 day of November, 2016.

Barbara Bennett Szerlip, Trustee – Jerry A. and Barbara Bennett Szerlip Trust

State of Oregon)
County of Lane)

This instrument was acknowledged before me on this 23 day of November, 2016, by **Barbara Bennett Szerlip, Trustee of the Jerry A. and Barbara Bennett Szerlip Trust.**



Tanya D. McMurrrian
Notary Public for Oregon
My commission expires: March 02, 2019

Exhibit "A"

Adjusted Property 1:

Beginning at a point marked by a 1/2" iron rod, which is 165.35 feet North 3°41'38" West of a point on the line between Section 32, Township 15 South, Range 4 West of the Willamette Meridian, and Section 15, Township 16 South, Range 4 West of the Willamette Meridian, said last mentioned point being South 89°17' East 968.6 feet from the point of intersection of said section line with the centerline of the main tract of the Southern Pacific Railroad, said point of intersection being North 89°17' West 3195.05 feet from the Southeast corner of said Section 32; from said beginning point run thence North 3°41'38" West 192.34 feet to a point on the centerline of East Second Avenue; thence along said centerline South 87°58'02" West 15.00 feet; thence leaving said centerline South 3°41'38" 105.04 feet to a 5/8 inch iron rod with yellow plastic cap "STEVEN WOODS PLS 2365"; thence South 87°58'02" West 133.94 feet to a 5/8 inch iron rod with yellow plastic cap "STEVEN WOODS PLS 2365"; thence North 3°41'38" West 105.04 feet to point on the centerline of East Second Avenue; thence along said centerline South 87°58'02" West 96.89 feet to a point on the east line of that certain tract conveyed to Lee Joint Venture by deed recorded February 24, 1987, reception No. 87-08448, Official Records of Lane County; thence South 1°59'46" East along said east line, 330.34 feet to a point in County Road No. 283; thence South 89°18'15" East 111.24 feet; thence North 3°41'38" West 150.27 feet to a 1/2" iron rod marking the northwest corner of that certain tract conveyed to Larry B. Weir, et ux, by deed recorded September 11, 1980, Reception No. 1980-045293, Lane County Official Records; thence along the north line of said Weir tract South 89°20'38" East 144.96 feet to a 1/2" iron rod and the Point of Beginning, all in Lane County, Oregon.

Subject to the rights of the public to the lands in East Second Avenue and County Road No. 283.

Adjusted Property 2:

Beginning at a point marked by a 1/2 inch iron rod, which is 165.35 feet North 3°41'38" West of a point on the line between Section 32, Township 15 South, Range 4 West of the Willamette Meridian, and Section 15, Township 16 South, Range 4 West of the Willamette Meridian, said last mentioned point being South 89°17' East 968.6 feet from the point of intersection of said section line with the centerline of the main tract of the Southern Pacific Railroad, said point of intersection being North 89°17' West 3195.05 feet from the Southeast corner of said Section 32; from said beginning point run thence North 3°41'38" West 192.34 feet to a point on the centerline East Second Avenue; thence along said centerline South 87°58'02" West 15.00 feet to the **TRUE POINT OF BEGINNING**; thence along said centerline South 87°58'02" West 133.94 feet; thence leaving said centerline South 3°41'38" East 105.04 feet to a 5/8 inch iron rod with yellow plastic cap "STEVEN WOODS PLS 2365"; thence North 87°58'02" East 133.94 feet to a 5/8 inch iron rod with yellow plastic cap "STEVEN WOODS PLS 2365"; thence North 3°41'38" West 105.04 feet to the True Point of Beginning, all in Lane County, Oregon.

Subject to the rights of the public to the lands in East Second Avenue.



**STATUS OF RECORD TITLE REPORT
2ND SUPPLEMENTAL**

JERRY SZERLIP
93951 STROME LANE
JUNCTION CITY, OR 97448

Our No: CT-0277982
Date: APRIL 13, 2017
Charge: \$300.00

As requested, Cascade Title Co. has searched our tract indices as to the following described real property:

(A T T A C H E D)

and as of: APRIL 4, 2017 at 8:00 A.M., we find the following:

Vestee:

JERRY A. SZERLIP AND BARBARA BENNETT SZERLIP,
Trustees of the JERRY A. AND BARBARA BENNETT SZERLIP TRUST
under Declaration of Trust dated February 3, 1991

Said property is subject to the following on record matters:

1. City liens, if any, as levied by the City of Junction City for which no search was made.
2. Rights of the public and governmental bodies in and to any portion of the premises herein described now or at any time lying below high water mark of the unnamed waterway, including any ownership rights which may be claimed by the State of Oregon as to any portion now or at any time lying below the high water mark.
3. Rights of the public in and to that portion lying within streets, roads and highways.
4. Anchor Easement, including the terms and provisions thereof, granted Pacific Telephone and Telegraph Co., by instrument recorded May 12, 1942, Reception No. B231 P254, Lane County Oregon Deed Records.
5. Easement for public utilities, including the terms and provisions thereof, granted the City of Junction City, a municipal corporation, by instrument recorded November 18, 1963, Reception No. 1963-033458, Lane County Oregon Deed Records.

MAIN OFFICE

811 WILLAMETTE ST.
EUGENE, OREGON 97401

PH: (541) 687-2233 * **FAX:** (541) 485-0307
E-MAIL: INFO@CASCADETITLE.COM

FLORENCE OFFICE

715 HWY 101 * FLORENCE, OREGON 97439
MAILING: PO BOX 508 * FLORENCE, OREGON 97439

PH: (541) 997-8417 * **FAX:** (541) 997-8246
E-MAIL: FLORENCE@CASCADETITLE.COM

VILLAGE PLAZA OFFICE

4750 VILLAGE PLAZA LOOP SUITE 100
EUGENE, OREGON 97401

PH: (541) 653-8622 * **FAX:** (541) 844-1626
E-MAIL: VILLAGEPLAZA@CASCADETITLE.COM

6. Easement, conditions and restrictions, including the terms and provisions thereof, granted Lane County, a political subdivision of the State of Oregon, by instrument recorded June 9, 1975, Reception No. 1975-022370, Lane County Official Records.
7. Dedication of Public Road Easements, including the terms and provisions thereof, to Lane County, a political subdivision of the State of Oregon, by instrument recorded November 5, 1975, Reception No. 1975-048497 and Reception No. 1975-048499, Lane County Official Records. (Parcel 2)
8. Declaration of Property Line Adjustment Deed, including the terms and provisions thereof, recorded November 23, 2016, Reception No. 2016-058418, Lane County Deeds and Records.
9. The terms, provisions, rights of the beneficiaries, and powers of the Trustee under the Jerry A. and Barbara Bennett Szerlip Trust, under Declaration of Trust dated February 3, 1991, and any amendments thereto, under which the vestee herein holds title.

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

427 East 2nd Avenue
Junction City, OR 97448
(Parcel 1)

NOTE: Taxes, Account No. 0017689, Assessor's Map No. 15 04 32 4 3, #12300, Code 69-00, 2016-2017, in the amount of \$929.90, PAID IN FULL. (Parcel 1)

Taxes, Account No. 0017671, Assessor's Map No. 15 04 32 4 3, #12200, Code 69-00, 2016-2017, in the amount of \$366.84, PAID IN FULL. (Parcel 2)

NOTE: This report is being supplemented to update taxes, legal description, maps, add new exception no. 8, and update the copy list.

This report is to be utilized for information only. This report is not to be used as a basis for transferring, encumbering or foreclosing the real property described.

The liability of Cascade Title Co. is limited to the addressee and shall not exceed the premium paid hereunder.

CASCADE TITLE CO., by:

nj: Title Officer: DEBBIE FORSTROM

Cc: METRO PLANNING
ATTN: TANYA MCMURRIAN

PROPERTY DESCRIPTION

PARCEL 1:

Beginning at a point marked by a 1/2 inch iron rod, which is 165.35 feet North 3° 41' 38" West of a point on the line between Section 32, Township 15 South, Range 4 West of the Willamette Meridian, and Section 15, Township 16 South, Range 4 West of the Willamette Meridian, said last mentioned point being South 89° 17' East 968.6 feet from the point of intersection of said section line with the centerline of the main tract of the Southern Pacific Railroad, said point of intersection being North 89° 17' West 3195.05 feet from the Southeast corner of said Section 32; from said beginning point; run thence North 3° 41' 38" West 192.34 feet to a point on the centerline East Second Avenue; thence along said centerline South 87° 58' 02" West 15.00 feet to the true point of beginning; thence along said centerline South 87° 58' 02" West 133.94 feet; thence leaving said centerline South 3° 41' 38" East 105.04 feet to a 5/8 inch iron rod with yellow plastic cap "STEVEN WOODS PLS 2365"; thence North 87° 58' 02" East 133.94 feet to a 5/8 inch iron rod with yellow plastic cap "STEVEN WOODS PLS 2365"; thence North 3° 41' 38" West 105.04 feet to the true point of beginning, all in Lane County, Oregon.

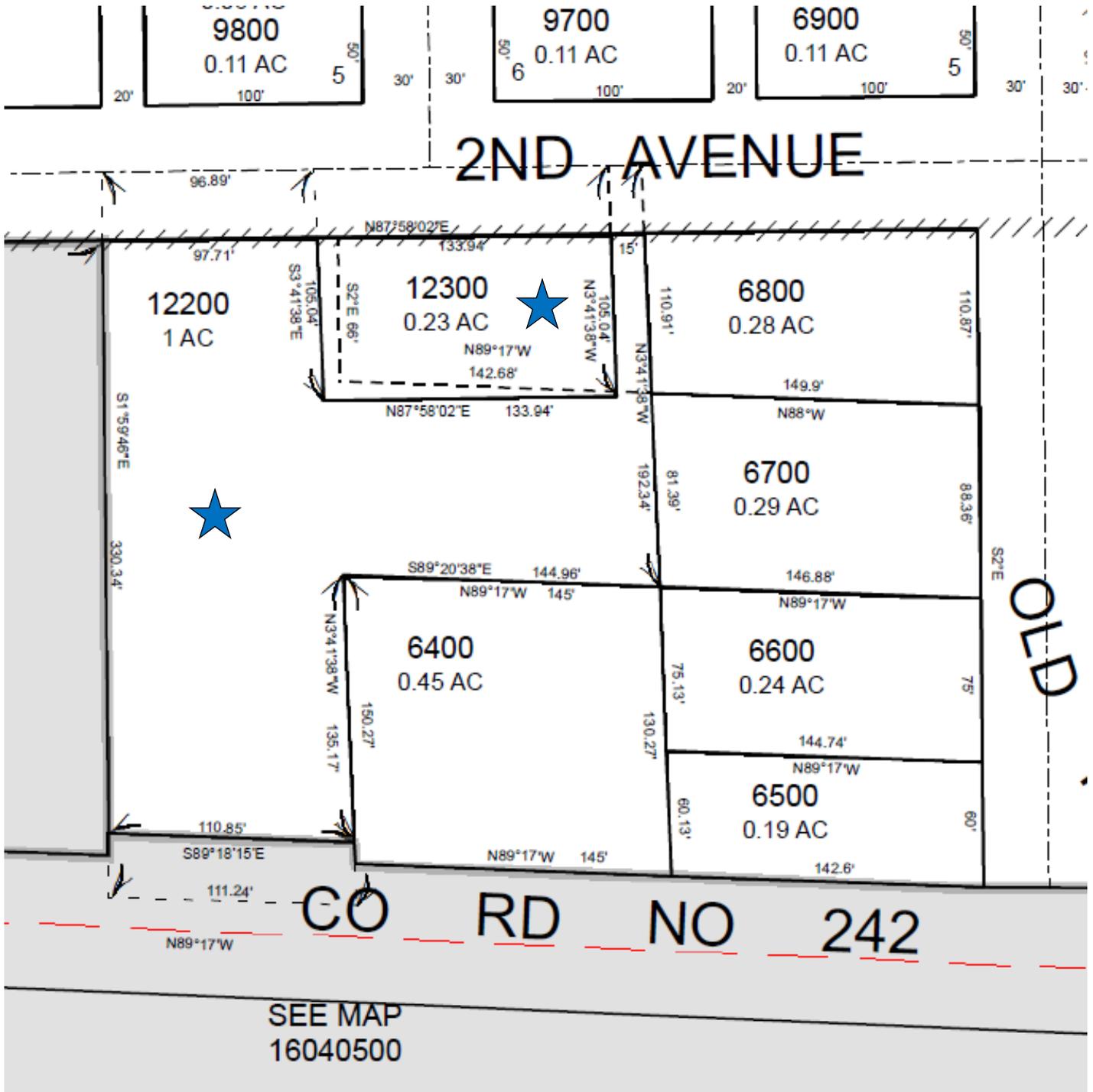
PARCEL 2:

Beginning at a point marked by a 1/2" iron rod, which is 165.35 feet North 3° 41' 38" West of a point on the line between Section 32, Township 15 South, Range 4 West of the Willamette Meridian, and Section 15, Township 16 South, Range 4 West of the Willamette Meridian, said last mentioned point being South 89° 17' East 968.6 feet from the point of intersection of said section line with the centerline of the main tract of the Southern Pacific Railroad, said point of intersection being North 89° 17' West 3195.05 feet from the Southeast corner of said Section 32; from said beginning point; run thence North 3° 41' 38" West 192.34 feet to a point on the centerline of East Second Avenue; thence along said centerline South 87° 58' 02" West 15.00 feet; thence leaving said centerline South 3° 41' 38" 105.04 feet to a 5/8 inch iron rod with yellow plastic cap "STEVEN WOODS PLS 2365", thence South 87° 58' 02" West 133.94 feet to a 5/8 inch iron rod with yellow plastic cap "STEVEN WOODS PLS 2365"; thence North 3° 41' 38" West 105.04 feet to point on the centerline of East Second Avenue; thence along said centerline South 87° 58' 02" West 96.89 feet to a point on the East line of that certain tract conveyed to Lee Joint Venture by deed recorded February 24, 1987, Reception No. 87-08448, Lane County Official Records; thence South 1° 59' 46" East along said East line, 330.34 feet to a point in County Road No. 283; thence South 89° 18' 15" East 111.24 feet; thence North 3° 41' 38" West 150.27 feet to a 1/2" iron rod marking the Northwest corner of that certain tract conveyed to Larry B. Weir, et ux, by deed recorded September 11, 1980, Reception No. 1980-045293, Lane County Official Records; thence along the North line of said Weir tract South 89° 20' 38" East 144.96 feet to a 1/2" iron rod and the point of beginning, all in Lane County, Oregon.



CASCADE TITLE CO.

MAP NO.
15-04-32-43



THIS MAP/PLAT IS BEING FURNISHED AS AN AID IN LOCATING THE HEREIN DESCRIBED LAND IN RELATION TO ADJOINING STREETS, NATURAL BOUNDARIES AND OTHER LAND, AND IS NOT A SURVEY OF THE LAND DEPICTED. EXCEPT TO THE EXTENT A POLICY OF TITLE INSURANCE IS EXPRESSLY MODIFIED BY ENDORSEMENT, IF ANY, THE COMPANY DOES NOT INSURE DIMENSIONS, DISTANCES, LOCATION OF EASEMENTS, ACREAGE OR OTHER MATTERS SHOWN THEREON.

Know All Men By These Presents:

In consideration of Five Dollars (\$5.00), receipt whereof is hereby acknowledged, the undersigned hereby grants a perpetual easement to THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY, a California corporation, with the right to place, construct, operate and maintain, inspect, reconstruct, repair, replace and remove HYDRO

with wires, cables, poles and apparatuses attached thereto upon, across and over the following described property situated in LANE County, State of OREGON

LOCATED IN A 10 ACRE TRACT IN SE 1/4 OF SECTION 32 T 15S R 4W W.M. AS DESCRIBED IN DISTRICT 1 P 883 V 2 LANE COUNTY RECORD OF DEEDS. LANE COUNTY OREGON

~~Permission is hereby granted to remove all trees which are now or may become of sufficient height to fall across the pole line and wires of the Grantee.~~

It is further stipulated and agreed that no high tension power line will be allowed within 500 feet of the pole line and that no inflammable structure will be erected closer than 50 feet to the pole line of the Grantee.

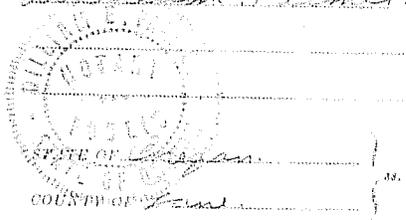
Grantee shall at all times have the right of full and free access to and across the said property for all purposes herein mentioned, and to remove at any time any or all of the HYDRO

and/or wires, cables, poles and apparatuses from the said property, with the understanding that grantee shall be responsible for all unnecessary damage caused by the exercise of the rights and privileges herein granted.

The rights, conditions and provisions of this easement shall inure to the benefit of and be binding upon the heirs, executors, administrators, successors and assigns of the respective parties herein.

IN WITNESS WHEREOF, the undersigned has executed this instrument this 16th day of JANUARY 1942.

Witness: William E. Pitney Lois Pitney



On this day personally appeared before me Cecil E. Pitney and Lorraine Pitney Husband and wife

to me known to be the individuals described to and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.

Given under my hand and official seal this 16th day of January 1942.

Spencer
Notary Public in and for the State of Oregon
residing at Portland
NOTARY PUBLIC FOR OREGON
MY COMMISSION EXPIRES AUG. 6, 1945

EASEMENT

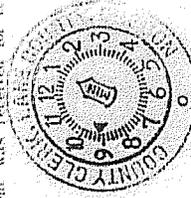
(EMERSON FORM)

TO
THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY

State of Oregon

County of Lane—ss.

I, W. B. Dillard, County Clerk and ex officio Recorder of Conveyances, in and for said County do hereby certify that the within instrument was received for record at



MAY 12 1912 AM

and
Recorded

In Book 221 on Page 211-5

Lane County Recorder

W. B. DILLARD, County Clerk

By _____ Deputy

EASEMENT AND DEDICATION

FOR VALUE RECEIVED, STANLEY MORTENSEN and HELEN MORTENSEN, husband and wife, CLIFFORD MORTENSEN, THOMAS A. SKELTON and JUNE E. SKELTON, husband and wife, LON E. THORNHILL and OLA MAE THORNHILL, husband and wife, H-S BUILDERS, a co-partnership composed of HOWARD SOUDER, DON SOUDER, and DON SCHIERMEYER, and WAYNE W. BROWN and GLADYS K. BROWN, husband and wife, do hereby grant and dedicate unto the City of Junction City, a municipal corporation in Lane County, Oregon, its successors and assigns, and to the public for public use forever, for the erection, installation, operation, and maintenance of sewer lines, water lines, and other public utilities and services on, over, or below the surface of the following described premises, to-wit:

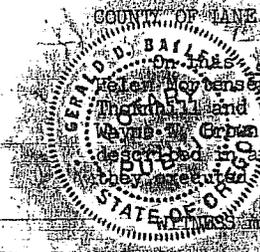
A parcel of land twenty feet in width, 10 feet on each side of and extending the entire length of the following described center line, to-wit:

Beginning at a point on the section line between Section 32, Township 15 South, Range 4 West of the Willamette Meridian and Section 5, Township 16 South, Range 4 West of the Willamette Meridian North 89° 17' East, 968.6 feet from the intersection of said Section line with the main tract of the Southern Pacific Railway, (said point of intersection being North 89° 17' West 3195.05 feet, more or less, from the Southwest corner of said Section 32) and running thence North 3° 38' West 357.51 feet, more or less, to the point of intersection with the center line of Second Street in the plat of Junction City as platted and recorded in Deed Book H, Page 749, in Lane County, Oregon.

IN WITNESS WHEREOF, they have hereunto set their hands and seals this 15th day of July, 1963.

Stanley Mortensen (SEAL) Wayne W. Brown (SEAL)
Helen Mortensen (SEAL) Gladys K. Brown (SEAL)
Clifford Mortensen (SEAL) H-S BUILDERS, a co-partnership composed of Howard Souder, Don Souder and Don Schiermeyer
Thomas A. Skelton (SEAL)
June E. Skelton (SEAL) By: Howard Souder (SEAL)
Lon E. Thornhill (SEAL) By: Don Souder (SEAL)
Ola Mae Thornhill (SEAL) By: Don Schiermeyer (SEAL)

STATE OF OREGON)
COUNTY OF LANE) ss.



On this 15th day of July, 1963, before me appeared Stanley Mortensen and Helen Mortensen, Clifford Mortensen, Thomas A. Skelton and June E. Skelton, Lon E. Thornhill and Ola Mae Thornhill, Howard Souder, Don Souder, and Don Schiermeyer, and Wayne W. Brown and Gladys K. Brown to me personally known to be the identical persons described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein named.

In witness my hand and seal this day and year last above written.

Gerald D. Barby
Notary Public for Oregon
My Commission expires October 4, 1965

12-14-1964

33458

- 4 1415 - Mountain
- 4 673 - Election
- 4 3091 - Portland
- 4 3308 - Brown
- 4 796 - 4-Building
- 4 5299 - Boulder
- 4 668 - Penitentiary

42179

State of Oregon,
County of Lane—ss.

I, Ina Randolph, Director of the
Department of Records and Elections,
in and for the said County, do hereby
certify that the within instrument was
received for record at

1963 NOV 18 PM 12 03.8

Reel

231D

Lane County OFFICIAL Records.

INA RANDOLPH, Director of the
Department of Records & Elections.

By Ina Randolph
Deputy

C30-083-05

Ina Randolph
150

7522370

EASEMENT

STANLEY AND HELEN M. MORTENSEN

hereinafter called GRANTOR, convey to LANE COUNTY, a political subdivision of the State of Oregon, hereinafter called GRANTEE, an easement in, over and upon the following described land situated in the County of Lane, State of Oregon, to-wit:

A parcel of land lying in the Southeast one-quarter (SE 1/4) of Section 32, Township 15 South, Range 4 West, Willamette Meridian and being a portion of the tract of land conveyed by that certain deed to Stanley and Helen M. Mortensen, husband and wife, recorded on Book 398, Page 159, Lane County Oregon Deed Records, said parcel being more particularly described as follows:

Beginning at Engineers' Centerline Station L 16+00 P.O.T. said station being South 89° 58' 40" East 152.85 feet from the South one-quarter (S 1/4) corner of Section 32, Township 15 South, Range 4 West, Willamette Meridian; run thence South 89° 58' 40" East 200.00 feet to Engineers' Centerline Station L 18+00 P.O.T. and there ending in Lane County, Oregon.

The width in feet of the strip of land above referred to is as follows:

STATION TO STATION		WIDTH ON NORTHERLY SIDE OF CENTERLINE
L 16+45	L 16+80	40.0 feet

RESTRICTION: No building or other structures shall be built and no tree, shrub, or other plant material shall be placed on or in this easement which would interfere with the intended purposes or uses of said easement.

TO HAVE AND TO HOLD the aforesaid easement in, over and upon the land of the GRANTOR, described above, with all the rights, privileges and appurtenances thereto belonging, or in anywise appertaining unto the GRANTEE, its successors and assigns, forever.

The true and actual consideration for this transfer is NONE

DATED this 25 day of MAY, 1975.

Stanley Mortensen
Helen M. Mortensen

STATE OF OREGON)
COUNTY OF LANE) ss.



MAY 25, 1975, personally appeared the above-named STANLEY AND HELEN M. MORTENSEN and acknowledged the foregoing instrument to be THEIR voluntary act. Before me:

Anthony J. Mortensen
Notary Public for Oregon
My Commission Expires: NOV 20, 1977

7522370

State of Oregon,
County of Lane—ss.

I, D. M. Penfold, Director of the
Department of Records and Elections,
in and for the said County, do hereby
certify that the within instrument was
received for record at

1975 JUN 9 AM 9 17

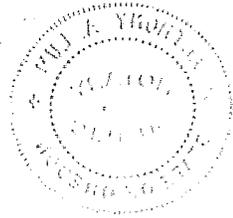
Reel 746 R

Lane County OFFICIAL RECORDS.

D. M. PENFOLD, Director of the
Department of Records & Elections.

By *[Signature]*
Deputy

C29-083-05



700 Fee

Not for

7548497

DEDICATION
OF PUBLIC ROAD EASEMENTS

Stanley and Helen M. Mortensen, husband and wife

grant_ and convey_ to LANE COUNTY, a political subdivision of the State of Oregon,
a public road easement on and over the following described property:

A parcel of land lying in the South one-half (S1/2) of Section 32, Township 15 South, Range 4 West, Willamette Meridian and being a portion of the tract of land conveyed by that certain deed to Stanley and Helen M. Mortensen, husband and wife, recorded on Book 398, Page 159, Lane County Oregon Deed Records, said parcel being all that portion of the said real property included in a strip of land 60 feet in width lying 30 feet on each side of the centerline of a road survey of First Avenue as said road has been surveyed in 1975, the centerline of said strip of land being described as follows:

Beginning at Engineers' Centerline Station L 2+68.12 said station being West 1179.03 feet from the South one-quarter (S1/4) corner of Section 32, Township 15 South, Range 4 West, Willamette Meridian; run thence East 1179.03 feet to said one-quarter corner and Engineers' Centerline Station L 14+47.15; thence South 89° 58' 40" East 583.87 feet to Engineers' Centerline Station L 20+31.02 P.O.T. and there ending in Lane County, Oregon; the centerline crosses the Grantor's Westerly and Easterly property lines at approximately opposite Engineers' Centerline Station L 15+98.00 P.O.T. and L 17+13.00 P.O.T., respectively.

The bearings used herein are based upon First Avenue as surveyed by Lane County in 1975.

The parcel of land to which this description applies contains 0.04 acres, more or less, exclusive of existing rights of way.

The true and actual consideration for this dedication is \$120.00
(ONE HUNDRED AND TWENTY AND 00/100)

DATED this 4 day of NOVEMBER, 1975.

Stanley M. Mortensen
Helen M. Mortensen

STATE OF OREGON)
COUNTY OF LANE)ss.

On NOVEMBER 4, 1975, personally appeared the above-named STANLEY MORTENSEN AND HELEN M. MORTENSEN and acknowledged the foregoing instrument to be THEIR voluntary act. Before me:

[Signature]
Notary Public for Oregon
My Commission Expires: NOV 30, 1977

GMC:kad
8/12/75
DEDICATION - FIRST AVENUE

7548497

State of Oregon,
County of Lane.

I, D. M. Penfold, Director of the
Department of Records and Elections,
do hereby certify that the within instrument was
received for record at

975 NOV 5 AM 11 35

Reel 767 R

Lane County OFFICIAL RECORDS.

D. M. PENFOLD, Director of the
Department of Records and Elections.

By *Laurie M. Smith*
Deputy

C29-061-95

7548499/767R

11-5-75

DEDICATION
OF PUBLIC ROAD EASEMENT

Stanley and Helen M. Mortensen, husband and wife

grant_ and convey_ to LANE COUNTY, a political subdivision of the State of Oregon,
a public road easement on and over the following described property:

A parcel of land lying in the South one-half (S1/2) of Section 32, Township 15 South, Range 4 West, Willamette Meridian and being a portion of the tract of land conveyed by that certain deed to _____

Stanley and Helen M. Mortensen, husband and wife,
recorded on Book 398, Page 159
Lane County Oregon Deed Records, said parcel being all that portion of the said real property included in a strip of land 60 feet in width lying 30 feet on each side of the centerline of a road survey of First Avenue as said road has been surveyed in 1975, the centerline of said strip of land being described as follows:

Beginning at Engineers' Centerline Station L 2+68.12 said station being West 1179.03 feet from the South one-quarter (S1/4) corner of Section 32, Township 15 South, Range 4 West, Willamette Meridian; run thence East 1179.03 feet to said one-quarter corner and Engineers' Centerline Station L 14+47.15; thence South 89° 58' 40" East 583.87 feet to Engineers' Centerline Station L 20+31.02 P.O.T. and there ending in Lane County, Oregon; the centerline crosses the Grantor's Westerly and Easterly property lines at approximately opposite Engineers' Centerline Station L 18+57.00 P.O.T. and L 20+00.00 P.O.T., respectively.

The bearings used herein are based upon First Avenue as surveyed by Lane County in 1975.

The parcel of land to which this description applies contains
0.05 acres, more or less, exclusive of existing rights of way.

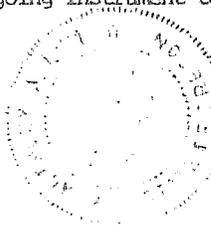
The true and actual consideration for this dedication is \$105.00
(SIX HUNDRED AND FIFTY FIVE AND NO/100).

DATED this 4 day of NOVEMBER, 1975.

Stanley Mortensen
Helen Mortensen

STATE OF OREGON)
COUNTY OF LANE) ss.

On NOVEMBER 4, 1975 personally appeared the above-named
STANLEY MORTENSEN AND HELEN M. MORTENSEN
and acknowledged the foregoing instrument to be THEIR voluntary act. Before me:



[Signature]
Notary Public for Oregon
My Commission Expires: NOV 29 1977

GMC:kd
8/12/75
DEDICATION - FIRST AVENUE

7548199

State of Oregon,
County of Lane _____.

I, D. M. Penfold, Director of the
Department of Records and Elections,
do hereby certify that the within instrument was
received for record at

75 NOV 5 AM 11:55

Reel 767 R

Lane County OFFICIAL RECORDS.

D. M. PENFOLD, Director of the
Department of Records & Elections.

D. M. Penfold
Deputy

C29-083-05

After Recording Return To:
Metro Planning, Inc.
370 Q Street
Springfield, OR 97477

Until a change is requested,
all tax statements are to be sent to:
Property 1 & 2 – No Change

Consideration: Other

Lane County Clerk
Lane County Deeds and Records

2016-058418



\$62.00

01615103201600584180040048

11/23/2016 02:40:39 PM

RPR-DEED Cnt=1 Stn=40 CASHIER 01
\$20.00 \$11.00 \$21.00 \$10.00

DECLARATION OF PROPERTY LINE ADJUSTMENT DEED

Jerry A. Szerlip and Barbara Bennett Szerlip, Trustees of the Jerry A. and Barbara Bennett Szerlip Trust, under Declaration of Trust dated February 3, 1991, are the record owners of "Property 1" and "Property 2", all in City of Junction City, Lane County, State of Oregon, and are executing this deed to set an adjusted property line between the properties noted, the final configuration of the Properties are described below, in compliance with the provisions of ORS 92.190(4).

Original Property 1 (Tax Lot 12200):

Beginning at a point which is 246.6 feet North 3°38' West of a point on the line between Section 32, Township 15 South, Range 4 West of the Willamette Meridian, and Section 15, Township 16 South, Range 4 West of the Willamette Meridian, said last mentioned point being South 89°17' East 968.6 feet from the point of intersection of said section line with the centerline of the main tract of the Southern Pacific Railroad, said point of intersection being North 89°17' West 3195.05 feet from the Southeast corner of said Section 32; from said beginning point run South 3°38' East 81.39 feet to a point on the North line of that certain tract conveyed to Larry B. Weir, et ux, by deed recorded September 11, 1980, Reception No. 80-45293, Official Records of Lane County, Oregon; thence North 89°17' West 145 feet to the Northwest corner of said Weir tract; thence South 03°38' East 150.27 feet to a point in County Road No. 283; thence North 89°17' West 115 feet, more or less, to a point on the East line of that certain tract conveyed to Lee Joint Venture by deed recorded February 24, 1987, Reception No. 87-08448, Official Records of Lane County, Oregon; thence North along the East line of said Lee Joint Venture tract 330.26 feet to the centerline of Second Street; thence North 88° East 110 feet to the Northwest corner of Parcel I described heretofore; thence South 2° East 104.10 feet to the Southwest corner of said Parcel I; thence South 89°17' East 142.68 feet along the South line of said Parcel I to the place of beginning, in Lane County, Oregon.

Original Property 2 (Tax Lot 12300):

Beginning at a point which is 246.6 feet North 3°38' West of a point on the line between Section 32, Township 15 South, Range 4 West of the Willamette Meridian, and Section 15, Township 16 South, Range 4 West of the Willamette Meridian, said last mentioned point being South 89°17' East 968.6 feet from the point of intersection of said section line with the centerline of the main tract of the Southern Pacific Railroad, said point of intersection being North 89°17' West 3195.05 feet from the Southeast corner of said Section 32; from said beginning

point run North 89°17' West 142.68 feet; thence North 2°0' West 104.10 feet to the centerline of Second Street; thence along the centerline of said Second Street, North 88°0' East 139.35 feet, more or less, to the Northwest corner of that tract of land conveyed to Charles A. Fall, et ux, by deed recorded May 8, 1984, Reception No. 84-20606; thence South 3°38' East along the West line of said Fall tract, 110.91 feet to the point of beginning, in Lane County, Oregon.

Property Line Adjustment:

Following this property line adjustment, the description of Property 1 is described as "Adjusted Property 1" and the description of Property 2 is described as "Adjusted Property 2".

Adjusted Property 1:

See "Adjusted Property 1" on attached Exhibit "A".

Adjusted Property 2:

See "Adjusted Property 2" on attached Exhibit "A".

This adjustment is subject to any rights of the public in streets, roads and highways, and other encumbrances of record.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301, AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

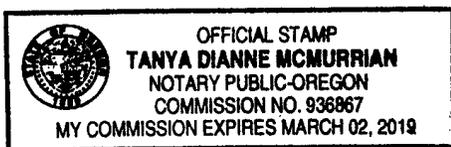
In witness whereof, the undersigned have caused this instrument to be executed this 23 day of November, 2016.

Jerry A. Szerlip

Jerry A. Szerlip, Trustee – Jerry A. and Barbara Bennett Szerlip Trust

State of Oregon)
County of Lane)

This instrument was acknowledged before me on this 23 day of November, 2016, by **Jerry A. Szerlip, Trustee of the Jerry A. and Barbara Bennett Szerlip Trust.**



Tanya D. McMurrian
Notary Public for Oregon
My commission expires: March 02, 2019

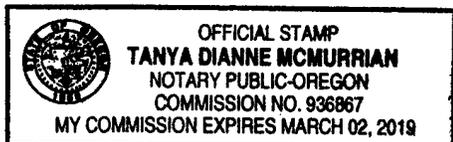
In witness whereof, the undersigned have caused this instrument to be executed this 23 day of November, 2016.

Barbara Bennett Szerlip

Barbara Bennett Szerlip, Trustee – Jerry A. and Barbara Bennett Szerlip Trust

State of Oregon)
County of Lane)

This instrument was acknowledged before me on this 23 day of November, 2016, by **Barbara Bennett Szerlip, Trustee of the Jerry A. and Barbara Bennett Szerlip Trust.**



Tanya D. McMurrian
Notary Public for Oregon
My commission expires: March 02, 2019

Exhibit "A"

Adjusted Property 1:

Beginning at a point marked by a 1/2" iron rod, which is 165.35 feet North 3°41'38" West of a point on the line between Section 32, Township 15 South, Range 4 West of the Willamette Meridian, and Section 15, Township 16 South, Range 4 West of the Willamette Meridian, said last mentioned point being South 89°17' East 968.6 feet from the point of intersection of said section line with the centerline of the main tract of the Southern Pacific Railroad, said point of intersection being North 89°17' West 3195.05 feet from the Southeast corner of said Section 32; from said beginning point run thence North 3°41'38" West 192.34 feet to a point on the centerline of East Second Avenue; thence along said centerline South 87°58'02" West 15.00 feet; thence leaving said centerline South 3°41'38" 105.04 feet to a 5/8 inch iron rod with yellow plastic cap "STEVEN WOODS PLS 2365"; thence South 87°58'02" West 133.94 feet to a 5/8 inch iron rod with yellow plastic cap "STEVEN WOODS PLS 2365"; thence North 3°41'38" West 105.04 feet to point on the centerline of East Second Avenue; thence along said centerline South 87°58'02" West 96.89 feet to a point on the east line of that certain tract conveyed to Lee Joint Venture by deed recorded February 24, 1987, reception No. 87-08448, Official Records of Lane County; thence South 1°59'46" East along said east line, 330.34 feet to a point in County Road No. 283; thence South 89°18'15" East 111.24 feet; thence North 3°41'38" West 150.27 feet to a 1/2" iron rod marking the northwest corner of that certain tract conveyed to Larry B. Weir, et ux, by deed recorded September 11, 1980, Reception No. 1980-045293, Lane County Official Records; thence along the north line of said Weir tract South 89°20'38" East 144.96 feet to a 1/2" iron rod and the Point of Beginning, all in Lane County, Oregon.

Subject to the rights of the public to the lands in East Second Avenue and County Road No. 283.

Adjusted Property 2:

Beginning at a point marked by a 1/2 inch iron rod, which is 165.35 feet North 3°41'38" West of a point on the line between Section 32, Township 15 South, Range 4 West of the Willamette Meridian, and Section 15, Township 16 South, Range 4 West of the Willamette Meridian, said last mentioned point being South 89°17' East 968.6 feet from the point of intersection of said section line with the centerline of the main tract of the Southern Pacific Railroad, said point of intersection being North 89°17' West 3195.05 feet from the Southeast corner of said Section 32; from said beginning point run thence North 3°41'38" West 192.34 feet to a point on the centerline East Second Avenue; thence along said centerline South 87°58'02" West 15.00 feet to the **TRUE POINT OF BEGINNING**; thence along said centerline South 87°58'02" West 133.94 feet; thence leaving said centerline South 3°41'38" East 105.04 feet to a 5/8 inch iron rod with yellow plastic cap "STEVEN WOODS PLS 2365"; thence North 87°58'02" East 133.94 feet to a 5/8 inch iron rod with yellow plastic cap "STEVEN WOODS PLS 2365"; thence North 3°41'38" West 105.04 feet to the True Point of Beginning, all in Lane County, Oregon.

Subject to the rights of the public to the lands in East Second Avenue.



INVOICE

JERRY SZERLIP
 93951 STROME LANE
 JUNCTION CITY, OR 97448

OUR NO: 0277982
YOUR NO:
 DATE: 04/14/2017

ATTN:

OFFICER: DEBBIE FORSTROM

SELLER:

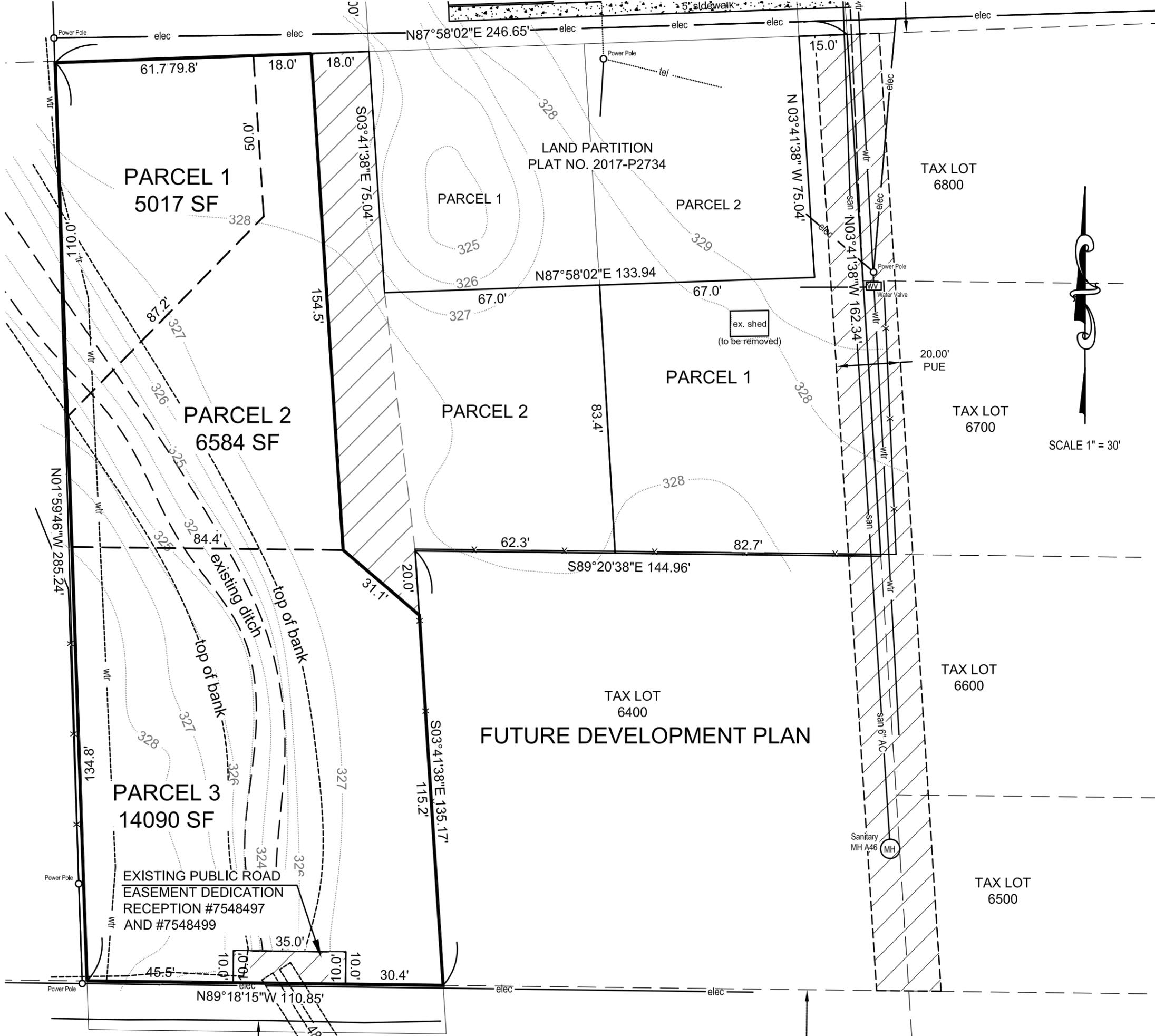
BUYER:

<u>Description</u>	<u>Policy Amount</u>	<u>Premium Amount</u>
10/03/12 Status of Record Title Rep		300.00
Grand Total		300.00

PLEASE SHOW OUR NUMBER ON YOUR REMITTANCE

Please Remit to:

811 Willamette Street ♦ Eugene, Oregon 97401
 Phone: (541) 687-2233 ♦ Fax: (541) 485-0307 ♦ email: info@cascadetitle.com



PARCEL 1
5017 SF

PARCEL 2
6584 SF

PARCEL 3
14090 SF

LAND PARTITION
PLAT NO. 2017-P2734

FUTURE DEVELOPMENT PLAN

TAX LOT
6800

TAX LOT
6700

TAX LOT
6600

TAX LOT
6500

EXISTING PUBLIC ROAD
EASEMENT DEDICATION
RECEPTION #7548497
AND #7548499

ex. shed
(to be removed)

Sanitary
MH A46



SCALE 1" = 30'



FINDINGS OF THE PLANNING DEPARTMENT:

DEPARTMENT REVIEW FOR THE SZERLIP MINOR PARTITION (MP-17-03)

Application Summary:

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

Owner(s):

JA & BB Szerlip Trust, 93951 Strome Lane, Junction City, OR

Applicant(s) Representative:

Jed Truett, AICP, Metro Planning, Inc., Eugene, OR

Lead City Staff:

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

Subject Property/Zoning/Location:

Tax Lot 12200 of Assessor's Map 15-04-32-43, Zoned R2, Duplex Residential, located at 427 East 2nd Avenue, Junction City.

Relevant Dates:

Application originally submitted on May 30, 2017; deemed complete on May 31, 2017; final staff report issued on June 14, 2017.

Present Request:

This is an application for a preliminary Minor Partition on 2nd Avenue in the City of Junction City.

Public Notice and Referrals:

Request for Public Comment on the proposed development was sent to property owners within 300 feet of the subject site on May 31, 2017. One public comments has been received to date in response to the request:

- Jon Breeton, 241 Cedar Street, Junction City - Major concerns include: Added Traffic, Potential for Increased Taxes.

Referral comments on the application were requested from various affected service providers and City departments. All referral comments received by the Planning Department on this application are included in the application file for reference, and addressed in the context of applicable approval criteria and standards in the following evaluation.

Relevant application requirements and approval criteria are addressed at JCMC 16.05.030 Minor Partition Procedures, and JCMC 16.05.050 Platting and Mapping Standards.

General Property Information:

This is an application for a preliminary partition on an existing, platted lot with frontage on 2nd Avenue in Junction City. This partition will divide one existing lot into three legal parcels. There are existing public utilities (i.e. fire hydrants, water, sanitary sewer, storm sewer) available adjacent to the subject property or within the public right-of-way.

A recent Property Line Adjustment application (PLA-16-01) was completed and approved on August 4, 2016 for the subject parcel resulting in the present configuration.

Evaluation:

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

Chapter 16.05 – Subdivisions

Section 16.05.030 – Minor Partition Procedure

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

Metro Planning is the authorized representative for the applicant. This application is being submitted with a digital copy of the preliminary plan. Staff has waived the paper copy requirement. Therefore, this criterion has been satisfied.

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

Metro Planning is the authorized representative for the applicant. This application is being submitted with a digital copy of the preliminary plan. Staff has waived the paper copy requirement. Therefore, this criterion has been satisfied.

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

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

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

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

The applicant owns the subject Tax Lot 12200 and it is shown on the attached preliminary partition plan. The adjacent/contiguous Tax Lots 12301 and 12302 are under the same ownership and are also shown on the submitted plan. Therefore, this criterion has been satisfied.

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

The date of the survey, north arrow, engineer's scale, legal description, and assessor's number are noted on the attached plan. Therefore, this criterion has been satisfied.

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

The contact information for the applicant (owner) is noted on the plan. In addition, the address and phone number of the surveyor, Steven Woods, is included also included. Therefore, this criterion has been satisfied.

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

The attached preliminary plan includes a vicinity map that shows where properties location relative to the adjacent street network. In addition, the width of the existing street, 2nd Avenue, is called out on the plan. Therefore, this criterion has been satisfied.

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

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

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

The subject property is currently undeveloped. Therefore, this criterion is not applicable.

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

There is an existing 20.0 foot wide public utility easement that encumbers the eastern boundary line of the subject property and is shown on the plan. Proposed drainage and public utility easements are also shown on the plan. Therefore, this criterion has been satisfied.

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

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

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

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

Contour Intervals Ground Slope

One foot Up to 5 percent

Two feet Over 5 percent through 10 percent

Five feet Over 10 percent

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

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

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

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

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

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

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

There are no contiguous recorded subdivisions.

One foot contour intervals are shown on the attached preliminary plan based on LIDAR data derived from Oregon Department of Geology and Mineral Industries (DOGAMI).

There is an existing 20.0 foot wide public utility easement that encumbers the eastern boundary line of the subject property and is shown on the plan. Proposed drainage and public utility easements are also shown on the plan.

An existing drainage ditch encumbers the southeastern portion of the subject property on proposed Parcel 3 as shown on the proposed preliminary partition plan.

The three newly proposed parcels will be served by private laterals and lines that connect to the public sanitary sewer line within East 2nd Avenue. No easements would be necessary to accommodate this proposed wastewater service plan.

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

No public improvements are proposed with this minor partition application.

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

Based on this fact, the proposed partition complies with the criteria listed at JCMC 16.05.030(C)(9)(a) – (i).

(D) Preliminary Plan Review.

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

The applicant understands that city staff will first review the preliminary partition plan prior to the Planning Commission deliberating and rendering a decision. No comments have been received from the Public Work Superintendent as of the date of this report.

(2) Planning Commission Review.

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

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

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

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

The owner, Szerlip Trust, does own the adjacent Tax Lots 12301 and 12302. Tax Lots 12301 and 12302 will be able to be served from East 2nd Avenue, or both as part of a future re-development plan for access and utilities. Tax Lot 12302 is currently developed with a single family dwelling. This partition application will not impede the future best use of Tax Lot 12301. Therefore, this criterion has been satisfied.

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

The subject property is zoned R-2 (Duplex Residential). The applicant has stated that future development plans have not been determined at this time. However, the use shall comply with the standards of the parent zone listed at JCMC 17.15. In addition, this use shall be consistent with the comprehensive plan designation of Medium Density Residential. Furthermore, this minor partition application will ensure the proper and orderly development of the subject site. All of the proposed parcels will be served by the public stormwater and wastewater systems, as well as, be provided all other utilities. This partition complies with the intent and purpose of the partition and subdivision ordinance.

(iii) Either:

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

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

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

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

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

Four (4) copies of the preliminary partition plan have been submitted with the application, along with digital copies in order to meet this criterion.

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

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

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

An accessory structure (shed) currently exists on Parcel 1 that is to be removed is shown on the proposed preliminary partition plan. Proposed Parcel 2 and Parcel 3 are undeveloped. Therefore, this criterion has been satisfied.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 16.05.050 - Platting and Mapping Standards
(A) Streets.

2nd Avenue is an existing Junction City owned and maintained street. There are no proposed streets as part of this application. Therefore, this criterion is not applicable.

(B) Alleys.

No alleys are proposed with this partition application.

(C) Blocks.

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

2nd Avenue is an existing public street. No streets are proposed with this partition; thus the block length of both public streets will be unaffected.

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

The subject property is 42,253 square feet (roughly 0.96 acre). Given that the land division is less than 2 acres, this standard is not applicable.

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

There are no cul-de-sacs or parks adjacent to the proposed partition that would require the dedication of any pedestrian ways. Therefore, this criterion is not applicable.

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

There is an existing 20.0 foot wide public utility easement that encumbers the eastern boundary line of the subject property, as shown on the plan. Proposed drainage and public utility easements are also shown on the plan. As such, the following condition is warranted:

- Where required, easements for access and utilities shall be dedicated on the partition plat at the time of recording. All proposed easements shall meet Public Works width requirements.

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

Proposed Parcel 3 is 0.61 acres (26,595 sq. ft.) in size and adjacent to East 1st Avenue on the south and East 2nd Avenue on the north. East 1st Avenue and East 2nd Avenue are existing public streets. The applicant has indicated that future development plans for Proposed Parcel 3 include additional partitioning whereas the rear yards of future parcels will not abut existing or planned streets. As required by JCMC 16.05.050(E)(5) Platting and Mapping Standards, Future Partitioning of Lots, the future partitioning plan standard is addressed below. As the future partitioning plan proposes no existing or planned streets along the rear of the development site no perimeter fence shall be required at this time.

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

(1) Size and frontage.

(a) General requirements.

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

All three of the parcels will have an average width of over 60 feet. Parcel 1 will have an average width of 82.35 feet, excluding the panhandle. Parcel 2 will have an average width of 83 feet excluding the panhandle. Parcel 3 will have an average width of 95.3 feet. The lot widths also comply with the minimum lot width of 60 feet per Section 17.15.030 of the JCMC.

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

All three of the proposed parcels will have an average depth of just over 75 feet. Parcel 1 is proposed to have an average depth of roughly 87.5 feet, excluding the panhandle. Parcel 2 is proposed to have an average depth of roughly 85.2 feet excluding the panhandle. Parcel 3, a double frontage lot, is proposed to have an average depth of roughly 287.47 feet post adjustment. Therefore, this standard has been sufficiently addressed.

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

Per Section 17.15.030 of the JCMC, the minimum lot size for single family dwellings is 5,000 square feet, and the minimum lot area for two-family dwellings (duplexes) shall be 7,000 square feet. Parcel 1 is proposed at 8143 square feet post division. Parcel 2 is proposed at 8470 square feet post division. Both of the proposed parcels exceed the minimum lot area for single family dwellings of 5,000 square feet and duplexes of 7,000 square feet. The minimum lot size for multifamily dwellings in the Duplex Residential zone is 7,500 square feet. Both Parcel 1 and Parcel 2 do not meet this requirement exclusive of the panhandle and shall not be permitted with multifamily dwellings post division. However, Parcel 3 is proposed to at 25,595 square feet, which meets all minimum lot size standards at JCMC 17.15.030. Therefore, this criterion has been addressed.

(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.

Parcels 1 and 2 will have frontage along 2nd Avenue via a panhandle. Standards regarding panhandle frontage are addressed further within this report at JCMC 16.05.050(E)(6). Parcel 3 abuts both East 1st Avenue and East 2nd Avenue. The East 1st Avenue frontage, post division, will be 79.8 feet. The East 2nd Avenue frontage, post division, will be 110.85 feet. Therefore, all parcels exceed the above standards and this criterion has been met.

(v) Reverse Frontage.

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

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

Proposed Parcel 1 and Parcel 2 will have frontage on East 2nd Avenue, a local street. Proposed Parcel 3 will have frontage on two streets post division, East 1st Avenue to the south and East 2nd Avenue to the north. The 2016 Junction City Transportation System Plan Map classifies East 1st Avenue as an arterial roadway and East 2nd Avenue as a local roadway. There is no development planned with this partition application. Therefore, all future access shall be taken from East 2nd Avenue in order to maintain compliance with the above criterion. As stated in the applicant's narrative and shown on the submitted partition plan, the above criterion has been adequately addressed.

(b) Exceptions.

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

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

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

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

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

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

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

The parcel lot side lines are, as far as practical, at right angles to the street upon which the parcels face to the greatest extent possible.

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

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

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

Proposed Parcel 1 will be 0.19 acres (8,143 sq. ft.) in size and proposed Parcel 2 will 0.19 acres (8,470 sq. ft.) in size. Proposed Parcel 1 and Parcel 2 will not result in a parcel ½ acre or larger in size. However, Proposed Parcel 3 will be 0.61 acres (26,595 sq. ft). The applicant has submitted a future partitioning plan in compliance with this standard. Therefore, this criterion has been met.

(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.

The present application is for a Preliminary Partition. Proposed Parcels 1 and 2 are proposed as panhandle. As such, the applicant is requesting Planning Commission exemption of the frontage requirements listed at 16.05.050(E)(1)(a)(iv), as the subject site is located in an established neighborhood, and has show compliance with the following standards:

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

The subject property is zoned R2. Proposed Parcel 1 and Parcel 2 are panhandle lots that require a minimum area of at least 5,000 square feet, exclusive of the panhandle.

Proposed Parcel 1 will be 7,039 square feet exclusive of the panhandle and Parcel 2 will be 7,098 square feet exclusive of the panhandle, both exceeding the minimum area required. This standard will be met.

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

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

Proposed Parcel 1 and Parcel 2 are panhandle lots with one rear lot assigned to each related panhandle with panhandle widths of 15 feet and 18 feet respectively, meeting the minimum requirement.

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

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

Proposed Parcel 1 and Parcel 2 are panhandle lots with vehicular access from East 2nd Avenue, an existing public street, to the rear lot obtained via the panhandle driveway. Development plans for this proposed preliminary partition are purely conceptual at this point. There is no development planned with this preliminary partition process except for the creation of new lot lines. Access paving width of the future panhandle driveways will be developed in accordance with JCMC Standards and shall meet the minimum 15 foot requirement.

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

Proposed Parcel 1 and Parcel 2 are panhandle lots with vehicular access from East 2nd Avenue, an existing public street, to the rear lot obtained via the panhandle driveway. Future driveways on the parcels shall be developed in accordance with JCMC Standards and Public Works Design Standards.

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

- i. Physical conditions preclude development of a public street. Such conditions may include, but are not limited to, topography or the existence of natural resource areas such as wetlands, ponds, streams, channels, rivers or lakes, or a resource on the National Wetland Inventory or under protection by state or federal law;**

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

The areas abutting the subject property to the east, north, and south are developed with existing single-family dwellings. The existing development pattern on adjacent properties would preclude such a street from serving areas other than the proposed parcels. Additionally, a known Local Wetland Inventory facility (Eastern Canal, PEMCx) is located on the subject parcel (proposed Parcel 3) that would preclude construction of a street through the western areas of the site. Based on these findings, existing buildings, wetland resource overlay district constraints, and other development on adjacent lands physically preclude a connecting street from being extended. Therefore, use of a panhandle may be permitted by the Planning Commission.

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

Parcel 1 and Parcel 2 will have one rear lot assigned to each related panhandle post division.

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

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

Parcel 1 and Parcel 2 will have one rear lot assigned to each related panhandle with vehicular access from East 2nd Avenue, an existing public street, to the rear lot obtained via the panhandle driveway.

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

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

Parcel 1 and Parcel 2 will have one rear lot assigned to each related panhandle with vehicular access from East 2nd Avenue, an existing public street, to the rear lot obtained via the panhandle driveway. No abutting access is proposed to be used as part of this application. Therefore, this standard does not apply.

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

- i. A minimum five-foot-high site-obscuring fence or wall; or**

ii. Landscaping that will be five feet high and 75 percent site-obscuring within five years;

Parcel 1 and 2 of Land partition Plat No. 2017-P2734 of Tax Lot 12300 are under the same ownership, J.A. and B.B. Szerlip Trust, as the subject property. If the abutting property owner of proposed panhandle Parcel 1, Tax Lot 6800, requests a visual buffer at the time of land division review the applicant shall meet the visual buffer standards as required.

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

Parcel 1 and Parcel 2 will have one rear lot assigned to each related panhandle with vehicular access from East 2nd Avenue, an existing public street, to the rear lot obtained via the panhandle driveway. No access from an alley is proposed as part of this application. Therefore, this standard does not apply.

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

Parcel 1 and Parcel 2 will have one rear lot assigned to each related panhandle with vehicular access from East 2nd Avenue, an existing public street, to the rear lot obtained via the panhandle driveway. Panhandle driveway access shall remain free of structures and be available for future access to a public street as required.

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

Parcel 1 and Parcel 2 will have one rear lot assigned to each related panhandle with vehicular access from East 2nd Avenue, an existing public street, to the rear lot obtained via the panhandle driveway. There is no development planned as part of this preliminary partition application. Future development on the rear lot assigned to each panhandle shall have two parking spaces, not located in the panhandle portion of the driveway, and sufficient turnaround area as required.

m. The building official shall not issue a certificate of occupancy until the project is completed in accordance with approval conditions, this code and JCMC Title 17;

The applicant understands the above criterion.

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

The subject property is zoned R-2 (Duplex Residential). The future development plans for the three proposed parcels have not been determined as part of this application. All future use and development shall comply with standards at 17.15.010 of the Junction City Municipal Code (JCMC).

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

The City of Junction City Local Wetland Inventory indicates that the subject property is traversed by wetlands within proposed Parcel 3. The wetland area is limited to the bottom of the existing ditch shown on the Proposed Preliminary Partition plan. Parcel 3 is proposed to be 26,595 square feet greatly exceeding the minimum lot area of 5,000 square feet required by JCM Section 17.15.030(A) providing adequate area for future development unrestricted by wetland area. Stormwater runoff impacts are unknown at this time as no new development is included in this Partition proposal. However, the applicant has stated that all runoff will be conveyed (piped) to the existing system in East 2nd Avenue via weep holes in the curb. Therefore, no additional drainage easements are necessary to accommodate stormwater drainage at this time. This criterion has been adequately addressed.

(G) Railroads.

There are no railroads adjacent to the proposed partition; thus this section is not applicable. Therefore, subsections under JCMC 16.05.050(G) do not apply.

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

The applicant has submitted a future partitioning plan in compliance with this standard.

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

- (1) The dedication of land for park and recreational purpose of an amount equal to a ratio of not less than one acre of recreational area to every one hundred people of the ultimate population in the subdivision; or**
- (2) The payment to the city of a sum as established by the resolution adopting park systems development charges for each living unit permitted to be constructed within the subdivision. Payment of the charge shall be made at the time the building permit for construction of each living unit is issued by the city. The amount of the charge shall**

be that prescribed in the parks systems development resolution in effect at the time the individual permit is issued. In exercising the discretion of requiring the dedication of land or the payment of money, the commission shall consider recreational needs of the ultimate population of the subdivision and the extent to which a dedication of land under the above rate would fulfill those needs. All moneys received from the above provision shall be deposited in the recreational reserve area fund and shall be expended from that fund for the purpose of purchasing recreational land and making improvements thereof.

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

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

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

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

The property owner and applicant understand this final plat standard.

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

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

Conclusion:

Based upon the available information and findings set forth above, it is concluded that the proposed Minor Partition (MP-17-03) conditionally complies with the applicable approval criteria and related standards set forth within the JCMC. Staff recommends Conditional Approval of the applicant's Minor Partition Application.

Planning Department Recommended Conditions of Approval:

1. The applicant shall record the plat with Lane County Deeds and Records and the County Surveyor.
2. Where required, easements for access and utilities shall be dedicated on the partition plat at the time of recording. All proposed easements shall meet Public Works width requirements.

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

Staff Report Date:

June 14, 2017



Jordan Cogburn, City Planner
Junction City

**FINAL ORDER OF THE
JUNCTION CITY PLANNING COMMISSION
MINOR PARTITION (MP-17-03), SZERLIP**

A. The Junction City Planning Commission finds the following:

- a. Jed Truett, of Metro Planning has submitted an application and a preliminary plan on behalf of the applicants, JA & BB Szerlip Trust, as required by 16.05.030 (A) and (B) of the Junction City Municipal Code for the partition of tax lot 12200, assessor's map 15-04-32-43. The applicant proposes to divide tax lot 12200 into three parcels of 26,595 square feet, 8,470 square feet, and 8,143 square feet in size, respectively.
- b. The Junction City Planning Commission reviewed all material relevant to the minor partition that were submitted or presented by the applicant, staff, other agencies, and the general public regarding this matter at the standing Planning Commission meeting on June 21, 2017.
- c. The Junction City Planning Commission followed the required procedure and standards of approving partitions as required by 16.05.030(D)(2) the Junction City Municipal Code.

B. Conditions of Approval:

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

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

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

Section 16.05.030 – Minor Partition Procedure

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

FINDING: Metro Planning is the authorized representative for the applicant. This application is being submitted with a digital copy of the preliminary plan. Staff has waived the paper copy requirement. Therefore, this criterion has been satisfied.

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

FINDING: Metro Planning is the authorized representative for the applicant. This application is being submitted with a digital copy of the preliminary plan. Staff has waived the paper copy requirement. Therefore, this criterion has been satisfied.

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

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

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

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

FINDING: The applicant owns the subject Tax Lot 12200 and it is shown on the attached preliminary partition plan. The adjacent/contiguous Tax Lots 12301 and 12302 are under the same ownership and are also shown on the submitted plan. Therefore, this criterion has been satisfied.

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

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

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

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

(5) Location of property in relation to existing streets, name and present width of all streets and alleys, and proposed right-

of-way lines for existing or projected streets as shown on the master street plan.

FINDING: The attached preliminary plan includes a vicinity map that shows where properties location relative to the adjacent street network. In addition, the width of the existing street, 2nd Avenue, is called out on the plan. Therefore, this criterion has been satisfied.

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

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

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

FINDING: The subject property is currently undeveloped. Therefore, this criterion is not applicable.

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

FINDING: There is an existing 20.0 foot wide public utility easement that encumbers the eastern boundary line of the subject property and is shown on the plan. Proposed drainage and public utility easements are also shown on the plan. Therefore, this criterion has been satisfied.

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

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

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

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

***Contour Intervals Ground Slope
One foot Up to 5 percent***

***Two feet Over 5 percent through 10 percent
Five feet Over 10 percent***

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

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

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

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

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

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

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

There are no contiguous recorded subdivisions.

One foot contour intervals are shown on the attached preliminary plan based on LIDAR data derived from Oregon Department of Geology and Mineral Industries (DOGAMI).

There is an existing 20.0 foot wide public utility easement that encumbers the eastern boundary line of the subject property and is shown on the plan. Proposed drainage and public utility easements are also shown on the plan.

An existing drainage ditch encumbers the southeastern portion of the subject property on proposed Parcel 3 as shown on the proposed preliminary partition plan.

The three newly proposed parcels will be served by private laterals and lines that connect to the public sanitary sewer line within East 2nd Avenue. No easements would be necessary to accommodate this proposed wastewater service plan.

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

No public improvements are proposed with this minor partition application.

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

Based on this fact, the proposed partition complies with the criteria listed at JCMC 16.05.030(C)(9)(a) – (i).

(D) Preliminary Plan Review.

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

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

(2) Planning Commission Review.

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

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

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

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

FINDING: The owner, Szerlip Trust, does own the adjacent Tax Lots 12301 and 12302. Tax Lots 12301 and 12302 will be able to be served from East 2nd Avenue, or both as part of a future re-development plan for access and utilities. Tax Lot 12302 is currently developed with a single family dwelling. This partition application

will not impede the future best use of Tax Lot 12301. Therefore, this criterion has been satisfied.

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

FINDING: The subject property is zoned R-2 (Duplex Residential). The applicant has stated that future development plans have not been determined at this time. However, the use shall comply with the standards of the parent zone listed at JCMC 17.15. In addition, this use shall be consistent with the comprehensive plan designation of Medium Density Residential. Furthermore, this minor partition application will ensure the proper and orderly development of the subject site. All of the proposed parcels will be served by the public stormwater and wastewater systems, as well as, be provided all other utilities. This partition complies with the intent and purpose of the partition and subdivision ordinance .

(iii) Either:

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

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

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

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

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

FINDING: A digital copy of the preliminary partition plan, as well as 4 11 x 17 inch hard copies have been submitted with the application to meet this criterion.

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

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

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

FINDING: An accessory structure (shed) currently exists on Parcel 1 that is to be removed is shown on the proposed preliminary partition plan. Proposed Parcel 2 and Parcel 3 are undeveloped. Therefore, this criterion has been satisfied.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Section 16.05.050 - Platting and Mapping Standards
(A) Streets.**

FINDING: 2nd Avenue is an existing Junction City owned and maintained street. There are no proposed streets as part of this application. Therefore, this criterion is not applicable.

(B) Alleys.

FINDING: No alleys are proposed with this partition application.

(C) Blocks.

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

FINDING: 2nd Avenue is an existing public street. No streets are proposed with this partition; thus the block length of both public streets will be unaffected.

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

FINDING: The subject property is 42,253 square feet (roughly 0.96 acre). Given that the land division is less than 2 acres, this standard is not applicable.

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

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

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

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

FINDING: There is an existing 20.0 foot wide public utility easement that encumbers the eastern boundary line of the subject property, as shown on the plan. Proposed drainage and public utility easements are also shown on the plan. As such, the following condition is warranted:

- Where required, easements for access and utilities shall be dedicated on the partition plat at the time of recording. All proposed easements shall meet Public Works width requirements.

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

FINDING: Proposed Parcel 3 is 0.61 acres (26,595 sq. ft.) in size and adjacent to East 1st Avenue on the south and East 2nd Avenue on the north. East 1st Avenue and East 2nd Avenue are existing public streets. The applicant has indicated that future development plans for Proposed Parcel 3 include additional partitioning whereas the rear yards of future parcels will not abut existing or planned streets. As required by JCMC 16.05.050(E)(5) Platting and Mapping Standards, Future Partitioning of Lots, the future partitioning plan standard is addressed below. As the future partitioning plan proposes no existing or planned streets along the rear of the development site no perimeter fence shall be required at this time.

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

(1) Size and frontage.

(a) General requirements.

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

FINDING: All three of the parcels will have an average width of over 60 feet. Parcel 1 will have an average width of 82.35 feet, excluding the panhandle. Parcel 2 will have an average width of 83 feet excluding the panhandle. Parcel 3 will have an average width of 95.3 feet. The lot widths also comply with the minimum lot width of 60 feet per Section 17.15.030 of the JCMC.

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

FINDING: All three of the proposed parcels will have an average depth of just over 75 feet. Parcel 1 is proposed to have an average depth of roughly 87.5 feet, excluding the panhandle. Parcel 2 is proposed to have an average depth of roughly 85.2 feet excluding the panhandle. Parcel 3, a double frontage lot, is proposed to have an average depth of roughly 287.47 feet post adjustment. Therefore, this standard has been sufficiently addressed.

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

FINDING: Per Section 17.15.030 of the JCMC, the minimum lot size for single family dwellings is 5,000 square feet, and the minimum lot area for two-family dwellings (duplexes) shall be 7,000 square feet. Parcel 1 is proposed at 8143 square feet post division. Parcel 2 is proposed at 8470 square feet post division. Both of the proposed parcels exceed the minimum lot area for single family dwellings of 5,000 square feet and duplexes of 7,000 square feet. The minimum lot size for multifamily dwellings in the Duplex Residential zone is 7,500 square feet. Both Parcel 1 and Parcel 2 do not meet this requirement exclusive of the panhandle and shall not be permitted with multifamily dwellings post division. However, Parcel 3 is proposed to at 25,595 square feet, which meets all minimum lot size standards at JCMC 17.15.030. Therefore, this criterion has been addressed..

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

cul-de-sac shall have frontage of not less than 35 feet upon a street, measured on the arc.

FINDING: Parcels 1 and 2 will have frontage along 2nd Avenue via a panhandle. Standards regarding panhandle frontage are addressed further within this report at JCMC 16.05.050(E)(6). Parcel 3 abuts both East 1st Avenue and East 2nd Avenue. The East 1st Avenue frontage, post division, will be 79.8 feet. The East 2nd Avenue frontage, post division, will be 110.85 feet. Therefore, all parcels exceed the above standards and this criterion has been met.

(v) Reverse Frontage.

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

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

FINDING: Proposed Parcel 1 and Parcel 2 will have frontage on East 2nd Avenue, a local street. Proposed Parcel 3 will have frontage on two streets post division, East 1st Avenue to the south and East 2nd Avenue to the north. The 2016 Junction City Transportation System Plan Map classifies East 1st Avenue as an arterial roadway and East 2nd Avenue as a local roadway. There is no development planned with this partition application. Therefore, all future access shall be taken from East 2nd Avenue in order to maintain compliance with the above criterion. As stated in the applicant's narrative and shown on the submitted partition plan, the above criterion has been adequately addressed.

(b) Exceptions.

(i) Partitioned or subdivision area developed as a unit. The planning commission may, in its discretion, authorize relaxation of the parcel or lot size and frontage requirements specified herein where the partitioner or subdivider presents a plan satisfactory to the planning commission whereby the entire partitioned or subdivision area will be designed and developed with provision for proper maintenance of recreation and park area which will be commonly available for recreation and park purposes to the residents of the partitioned or

subdivision area, and which the planning commission determines will be of such benefit to said residents as is equal to that which would be derived from observance of the parcel or lot size and frontage requirements otherwise specified, and will be in accordance with the purpose of this ordinance.

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

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

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

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

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

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

FINDING: The parcel lot side lines are, as far as practical, at right angles to the street upon which the parcels face to the greatest extent possible.

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

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

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

FINDING: Proposed Parcel 1 will be 0.19 acres (8,143 sq. ft.) in size and proposed Parcel 2 will 0.19 acres (8,470 sq. ft.) in size. Proposed Parcel 1 and Parcel 2 will not result in a parcel ½ acre or larger in size. However, Proposed Parcel 3 will be 0.61 acres (26,595 sq. ft). The applicant has submitted a future partitioning plan in compliance with this standard. Therefore, this criterion has been met.

(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: The present application is for a Preliminary Partition. Proposed Parcels 1 and 2 are proposed as panhandle. As such, the applicant is requesting Planning Commission exemption of the frontage requirements listed at 16.05.050(E)(1)(a)(iv), as the subject site is located in an established neighborhood, and has show compliance with the following standards:

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

ii. All lots and parcels in an R2 zone must be at least 5,000 square feet, exclusive of the panhandle;

The subject property is zoned R2. Proposed Parcel 1 and Parcel 2 are panhandle lots that require a minimum area of at least 5,000 square feet, exclusive of the panhandle. Proposed Parcel 1 will be 7,039 square feet exclusive of the panhandle and Parcel 2 will be 7,098 square feet exclusive of the panhandle, both exceeding the minimum area required. This standard will be met.

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

i. One rear lot or parcel: 15 feet;

ii. Two or more rear lots or parcels: 25 feet;

Proposed Parcel 1 and Parcel 2 are panhandle lots with one rear lot assigned to each related panhandle with panhandle widths of 15 feet and 18 feet respectively, meeting the minimum requirement.

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

i. One or two rear lot(s) or parcel(s): 15 feet;

ii. Three or four rear lots or parcels: 20 feet (to preserve existing natural features, paving width may be reduced to 22 feet, except for the first 25 feet back from the sidewalk, with the approval of the planning commission if both sides of the driveway are landscaped in accordance with an approved landscape plan);

Proposed Parcel 1 and Parcel 2 are panhandle lots with vehicular access from East 2nd Avenue, an existing public street, to the rear lot obtained via the panhandle driveway. Development plans for this proposed preliminary partition are purely conceptual at this point. There is no development planned with this preliminary partition process except for the creation of new lot lines. Access paving width of the future panhandle driveways will be developed in accordance with JCMC Standards and shall meet the minimum 15 foot requirement.

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

Proposed Parcel 1 and Parcel 2 are panhandle lots with vehicular access from East 2nd Avenue, an existing public street, to the rear lot obtained via the panhandle driveway. Future driveways on the parcels shall be developed in accordance with JCMC Standards and Public Works Design Standards.

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

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

The areas abutting the subject property to the east, north, and south are developed with existing single-family dwellings. The existing development pattern on adjacent properties would preclude such a street from serving areas other than the proposed parcels. Additionally, a known Local Wetland Inventory facility (Eastern Canal, PEMCx) is located on the subject parcel (proposed Parcel 3) that would preclude construction of a street through the western areas of the site. Based on these findings, existing buildings, wetland resource overlay district constraints, and other development on adjacent lands physically preclude a connecting street from being extended. Therefore, use of a panhandle may be permitted by the Planning Commission.

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

Parcel 1 and Parcel 2 will have one rear lot assigned to each related panhandle post division.

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

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

Parcel 1 and Parcel 2 will have one rear lot assigned to each related panhandle with vehicular access from East 2nd Avenue, an existing public street, to the rear lot obtained via the panhandle driveway.

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

- i. An access easement maintenance agreement shall be required and shall be recorded in the Lane County office of deeds and records;**

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

Parcel 1 and Parcel 2 will have one rear lot assigned to each related panhandle with vehicular access from East 2nd Avenue, an existing public street, to the rear lot obtained via the panhandle driveway. No abutting access is proposed to be used as part of this application. Therefore, this standard does not apply.

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

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

Parcel 1 and 2 of Land partition Plat No. 2017-P2734 of Tax Lot 12300 are under the same ownership, J.A. and B.B. Szerlip Trust, as the subject property. If the abutting property owner of proposed panhandle Parcel 1, Tax Lot 6800, requests a visual buffer at the time of land division review the applicant shall meet the visual buffer standards as required.

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

Parcel 1 and Parcel 2 will have one rear lot assigned to each related panhandle with vehicular access from East 2nd Avenue, an existing public street, to the rear lot obtained via the panhandle driveway. No access from an alley is proposed as part of this application. Therefore, this standard does not apply.

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

Parcel 1 and Parcel 2 will have one rear lot assigned to each related panhandle with vehicular access from East 2nd Avenue, an existing public street, to the rear lot obtained via the panhandle driveway. Panhandle driveway access shall remain free of structures and be available for future access to a public street as required.

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

Parcel 1 and Parcel 2 will have one rear lot assigned to each related panhandle with vehicular access from East 2nd Avenue, an existing public street, to the rear lot obtained via the panhandle driveway. There is no development planned as part of this preliminary partition application. Future development on the rear lot assigned to each panhandle shall have two parking spaces, not located in the panhandle portion of the driveway, and sufficient turnaround area as required.

m. The building official shall not issue a certificate of occupancy until the project is completed in accordance with approval conditions, this code and JCMC Title 17;

The applicant understands the above criterion.

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

The subject property is zoned R-2 (Duplex Residential). The future development plans for the three proposed parcels have not been determined as part of this application. All future use and development shall comply with standards at 17.15.010 of the Junction City Municipal Code (JCMC).

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

FINDING: The City of Junction City Local Wetland Inventory indicates that the subject property is traversed by wetlands within proposed Parcel 3. The wetland area is limited to the bottom of the existing ditch shown on the Proposed Preliminary Partition plan. Parcel 3 is proposed to be 26,595 square feet greatly exceeding the minimum lot area of 5,000 square feet required by JCM Section 17.15.030(A) providing adequate area for future development unrestricted by wetland area. Stormwater runoff impacts are unknown at this time as no new development is included in this Partition proposal. However, the applicant has stated that all runoff will be conveyed (piped) to the existing system in East 2nd Avenue via weep holes in the curb. Therefore, no additional drainage easements are necessary to accommodate stormwater drainage at this time. This criterion has been adequately addressed.

(G) Railroads.

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

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

FINDING: The applicant has submitted a future partitioning plan in compliance with this standard.

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

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

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

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

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

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

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

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

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

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

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

Signature: _____

Jason Thiesfeld, Junction City Planning Commission Chairperson

Approval Date: _____



JUNCTION PLANNING COMMISSION

AGENDA ITEM SUMMARY

Public Hearing: Celtic Homes, LLC Conditional Use Permit Application
(File: CUP-17-01)

Meeting Date: June 21, 2017
Department: Planning
www.junctioncityoregon.gov

Agenda Item Number: 5b
Staff Contact: Jordan Cogburn
Contact Telephone Number: 541-998-2153

ISSUE STATEMENT

The applicant is requesting a Conditional Use approval to develop a 8-Unit Townhome Development in the Duplex Residential Zoning District. Specifically, per section 17.15.020(C), the Planning Commission may approve a proposal for Townhomes, provided that they meet the applicable standards listed in the R3 Zone (JCMC 17.20.120).

BACKGROUND

The subject site was included as part of a previous Conditional Use permit approval (CUP-04-01). However, Land Use approvals are subject to expiration guidelines listed at JCMC 17.150.140, which states that all land use approvals shall be void after one year if no substantial construction has taken place. Therefore, the applicant has submitted a new Conditional Use application as the proposed use of Townhome development is a regulated as a Conditional Use under JCMC 17.15.020 -Duplex Residential (R2).

As noted above, the development site is currently zoned R2, Duplex Residential, and designated as Medium Density Residential on the Comprehensive Plan. The applicant believes that all requirements are satisfied and requests that the Planning Commission approve the Conditional Use application.

Additional details of the proposal are included in the applicant's Conditional Use application, and are further addressed in the applicant's submitted documentation. All relevant materials are included as part of the public record and located in the application file for reference.

RELATED CITY POLICIES

JCMC 17.15 - Duplex Residential Zone (R2)
JCMC 17.20 - Multifamily Residential Zone (R3)
JCMC 17.130 - Conditional Uses

CITY ADMINISTRATOR'S COMMENT

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

PLANNING COMMISSION OPTIONS

1. Approve the Conditional Use Permit application to allow for the use of an 8-unit Townhome Development in the Duplex Residential Zoning District based on the Final Order as presented.
2. Approve the Conditional Use Permit application to allow for the use of an 8-unit Townhome Development in the Duplex Residential Zoning District based on modifications to the Final Order.
3. Deny the Conditional Use Permit application for the use of an 8-unit Townhome Development in the Duplex Residential Zoning District with findings to support the denial.
4. Table the item, direct Staff to provide more information and return to the next available meeting.

SUGGESTED MOTION

“I make a motion to approval/approve with conditions/deny/table the proposed Conditional Use Permit File: CUP-17-01 to allow for the use of a 8-unit Townhome Development in the Duplex Residential Zoning District based on the findings presented in the Final Order.”

ATTACHMENTS

- A. Application Materials
- B. Staff Report: CUP-17-01
- C. Public Hearing Notice
- D. Proposed Final Order

FOR MORE INFORMATION

Staff Contact: Jordan Cogburn
Telephone: 541-998-2153
Staff E-Mail: jcplanning@ci.junction-city.or.us



CITY OF JUNCTION CITY LAND USE APPLICATION

Attachment A

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

- Annexation
- Conditional Use Permit
- Comprehensive Plan Amendment
- Development Review
- Partition: Preliminary _____ Final _____
- Pre-Application Meeting
- Rezone
- Subdivision: Preliminary _____ Final _____
- Temporary Use Permit
- Vacation
- Variance: Major _____ Minor _____
- Other:

LOCATION OF PROPERTY OR ADDRESS:	
SIZE OF PROPERTY(S): 8 Lots	ASSESSOR'S MAP AND TAX LOT #: Lots 1-4, 13-16
PRESENT USE: Town Homes	PROPOSED USE: Town Homes
BRIEF SUMMARY OF ACTION REQUESTED: Need to reinstate Condition Use previous Approved +/-	
<i>If the Applicant is not the property owner of record, written authorization to act as the agent is required.</i>	
NAME OF APPLICANT: Celtic Homes LLC	
ADDRESS: PO Box 20025 Heizer OR: 97307	
PHONE: 503 580 6422	E-MAIL: Jason@CelticBuiltHomes.com
NAME OF APPLICANT: Epic Properties	
ADDRESS:	
PHONE:	E-MAIL:
NAME OF PROPERTY OWNER: SAME	
ADDRESS:	
PHONE:	E-MAIL:
NAME OF CONTACTS: SAME	
ADDRESS:	
PHONE:	E-MAIL:

ATTACHMENT(S): Yes _____ No

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

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

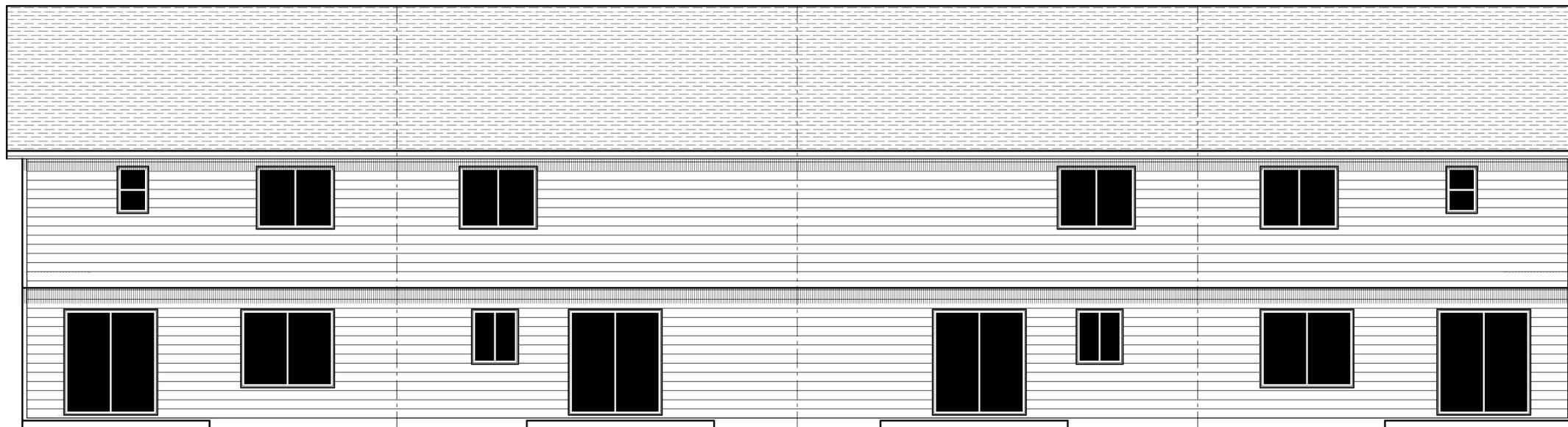
Per Resolution 942: All direct costs for contracted staff shall be charged monthly to the applicant in the amount billed to the City. Contracted staff includes, but is not limited to city, engineer, attorney, building inspector, traffic consultant, wetlands specialist. Direct costs 30 days past due shall be charged 9% interest.

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

Owner's Signature:

Date:

5/26/17



UNIT 4 UNIT 3 REAR ELEVATION UNIT 2 UNIT 1

END UNITS (1 & 4)

MAIN LEVEL LIVING AREA : 699 SQ FT
 2ND LEVEL LIVING AREA : 720 SQ FT
 GARAGE : 227 SQ FT
 TOTAL LIVING AREA : 1419 SQ FT



UNIT 1 UNIT 2 FRONT ELEVATION UNIT 3 UNIT 4

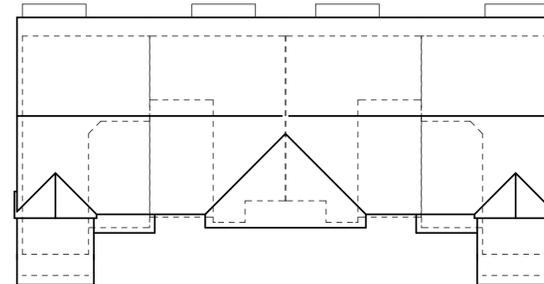
CENTER UNITS (2 & 3)

MAIN LEVEL LIVING AREA : 590 SQ FT
 2ND LEVEL LIVING AREA : 864 SQ FT
 GARAGE : 263 SQ FT
 TOTAL LIVING AREA : 1454 SQ FT



LEFT ELEVATION

SCALE: 1/4" = 1'-0"



2014 Oregon Residential Specialty Code

EXPOSURE : B
 BASIC WIND SPEED : <95 MPH
 SEISMIC DESIGN CATEGORY : D1

LATERAL DESIGN STANDARDS



RIGHT ELEVATION

REVISION	BY

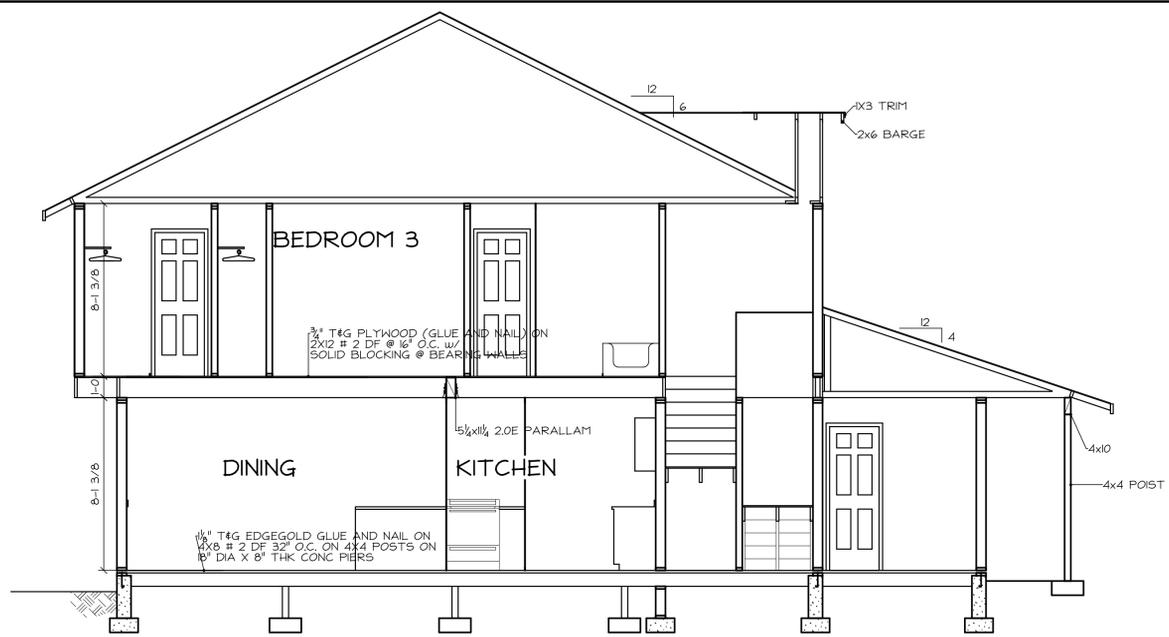
Greg Larson
 DRAFTING & DESIGN
 805 Liberty St NE #4
 Salem, Oregon 97301
 Phone: (503) 364-8577
 Fax: (503) 364-3756
 E-MAIL: homedesign@aol.com

CELTIC HOMES
 Jason Flores

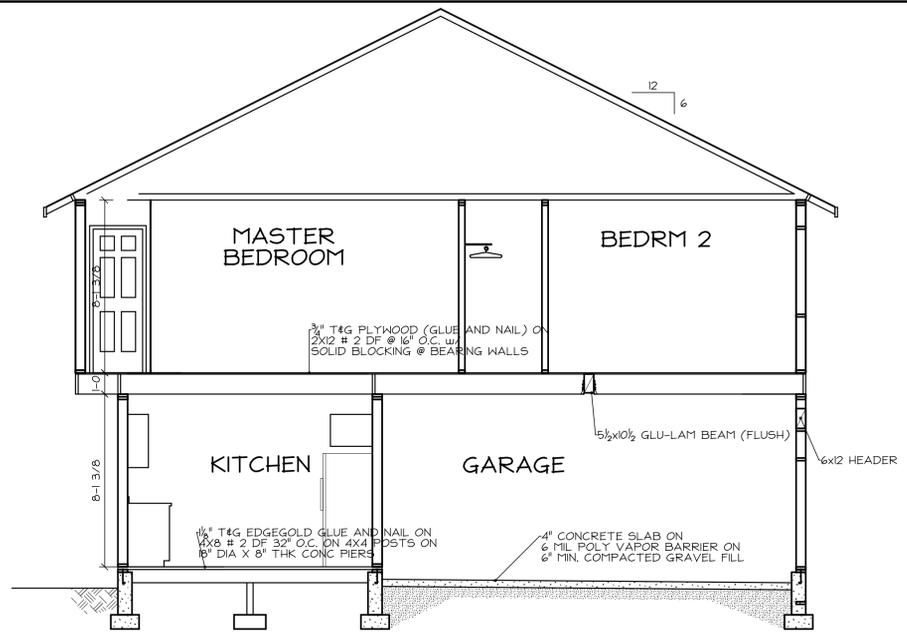
 Ph 503.580.6422

ELEVATIONS
 RESIDENCE FOR : LOT
 ADDRESS : PINE CT
 CITY, STATE : JUNCTION CITY, OR

DRAWN BY
 GLL
 CHECKED BY
 DATE
 04-13-17
 SCALE
 1/4" = 1'-0"
 JOB NO
 S-C 4-PLEX
 SHEET : 1
 OF : 5



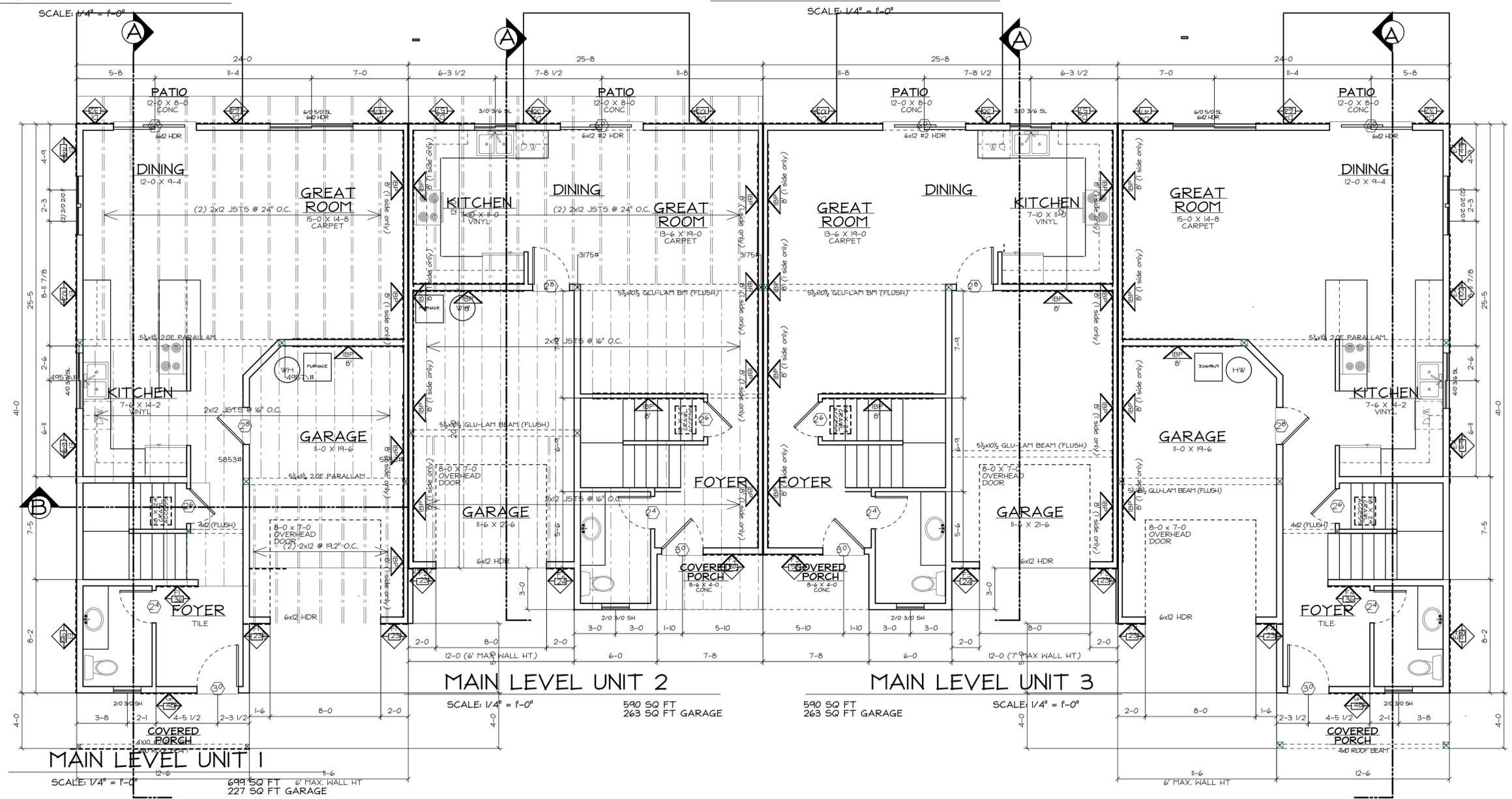
UNIT 1 SECTION A



UNIT 2 SECTION A

MAIN LEVEL UNIT 4

699 SQ FT SCALE: 1/4" = 1'-0"



REVISION	BY

Greg Larson
 DRAFTING & DESIGN
 805 Liberty St NE #4
 Salem, Oregon 97301
 Phone: (503) 364-6577
 Fax: (503) 364-3256
 E-MAIL: homedesign@aol.com

CELTIC HOMES
 Jason Flores

 Ph 503.580.6422

FLOOR PLANS
 RESIDENCE FOR:
 ADDRESS: PINE CT
 CITY, STATE: JUNCTION CITY, OR

DRAWN BY: **GL**
 CHECKED BY:
 DATE: **04-13-17**
 SCALE: **1/4" = 1'-0"**
 JOB NO: **S-C 4-PLEX**
 SHEET: **2**
 OF: **5**

REVISION	BY

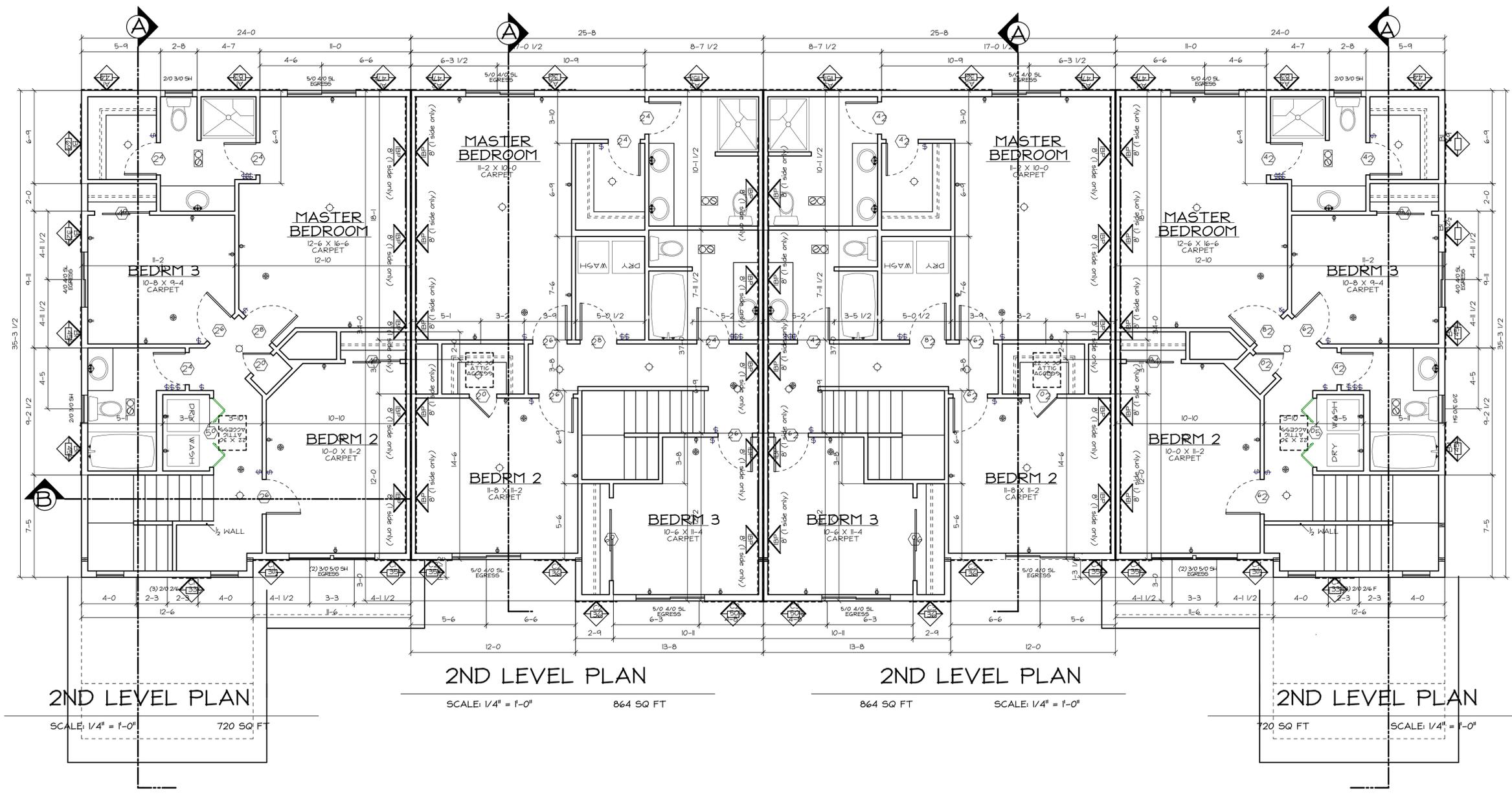
Greg Larson
 DRAFTING & DESIGN
 805 Liberty St NE #4
 Salem, Oregon 97301
 Phone: (503) 364-8577
 Fax: (503) 364-3256
 E-MAIL: homedesign@aol.com

CELTIC HOMES
 Jason Flores

 Ph 503.580.6422

2ND FLOOR PLAN
 RESIDENCE FOR:
 ADDRESS: PINE CT
 CITY, STATE: JUNCTION CITY, OR

DRAWN BY
 GLI
 CHECKED BY
 DATE
 04-13-17
 SCALE
 1/4" = 1'-0"
 JOB NO
 S-C 4-PKEX
 SHEET : 3
 OF : 5



FOUNDATION SPECS:

MIN. FOOTINGS FOR 1500 PSF SOIL BEARING STRENGTH=
 6X12" FOR (1) FLOOR;
 7X15" FOR (2) FLOORS;
 8X18" FOR (3) FLOORS;
 FOOTING SHALL EXTEND NOT LESS THAN 12" BELOW
 THE NATURAL FINISH GRADE.

PROVIDE KEYWAY, #4 Dowels @ 4' O.C. OR POUR FOOTING
 MONOLITHICALLY WITH STEM WALLS.

MIN CONC. STEM WALL FOR 1-STORY = 6",
 SUPPORTING 2 FLOORS = 8",
 SUPPORTING 3 FLOORS = 10".

BEAM POCKETS 4" DEEP REQUIRE 1/2" AIR SPACE & 55# FELT

FOOTINGS FOR BRICK VENEER TO
 EXTEND 10" MIN FROM FACE OF STEM

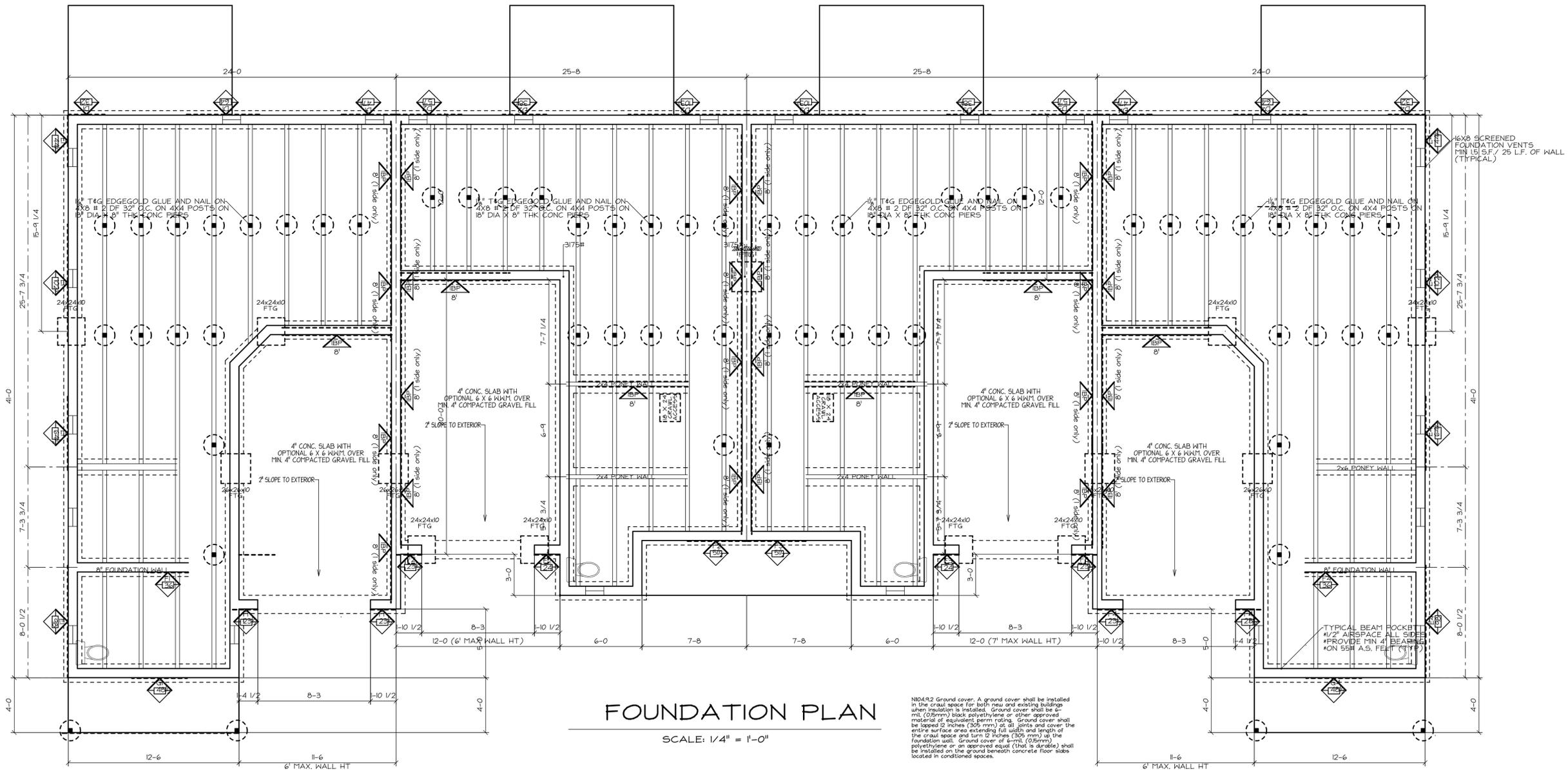
CONCRETE TO BE 3000 PSI MIN.
 REBAR SHALL BE ASTM A615, GRADE 60 (fy=60000psi)

CHECK FLOOR PLAN FOR LOCATION OF BRACE PANELS.
 ALL BRACE LINES REQUIRE 3"x3"x0.224" PL WASHERS.

R4031a Foundation anchorage. Sill plates and walls supported directly on continuous foundations shall be anchored to the foundation in accordance with this section. Wood sill plate at exterior walls on monolithic slabs and wood sill plate shall be anchored to the foundation with anchor bolts spaced a maximum of 6 feet (1829 mm) on center. Bolts shall be at least 1/2 inch (13mm) in diameter and shall extend a minimum of 7 inches (178 mm) into grouted cells of masonry masonry units or concrete. A nut and washer shall be tightened on each anchor bolt. There shall be a minimum of two bolts per plate section with one bolt located not more than 12 inches (305 mm) or less than seven bolt diameters from each end of the plate section. Interior bearing wall sole plates on monolithic slab foundation that are not a part of a braced wall panel shall be positively anchored with approved fasteners. Sills and sole plates shall be protected against decay and termites where required by Sections R317 and R318. Cold-formed steel framing systems shall be fastened to the wood sill plates or anchored directly to the foundation as required in Section R505.31 or R603.11.

R4013 Drainage. Surface drainage shall be diverted to a storm sewer conveyance or other approved point of collection so as to not create a hazard. Lots shall be graded to drain surface water away from foundation walls. The grade shall fall a minimum of 6 inches (152 mm) within the first 10 feet (3048 mm).

Exception: Where lot lines, walls, slopes or other physical barriers prohibit 6 inches (152 mm) of fall within 10 feet (3048 mm), the final grade shall slope away from the foundation at a minimum slope of 5 percent and the water shall be directed to drains or swales or other means shall be provided to ensure drainage away from the structure. Swales shall be sloped a minimum of 2 percent when located within 10 feet (3048 mm) of the building foundation. Impervious surfaces within 10 feet (3048 mm) of the building foundation shall be sloped a minimum of 2 percent away from the building.



FOUNDATION PLAN

SCALE: 1/4" = 1'-0"

REVISION	BY

Greg Larson
 DRAFTING & DESIGN
 805 Liberty St NE #4
 Salem, Oregon 97301
 Phone: (503) 364-6577
 Fax: (503) 364-3256
 E-MAIL: homebiz@tel.com

CELTIC HOMES
 Jason Flores

 Ph 503.580.6422

FOUNDATION
 RESIDENCE FOR:
 ADDRESS: PINE CT
 CITY, STATE: JUNCTION CITY, ORF

DRAWN BY	GL
CHECKED BY	
DATE	04-13-17
SCALE	1/4" = 1'-0"
JOB NO	S-C 4-PLEX
SHEET : 4	OF : 5



City of Junction City Planning and Building Department
680 Greenwood Street / P.O. Box 250
Junction City, Oregon 97448
Ph: 541.998.4763 / fax: 541.998.3140
jcplanning@ci.junction-city.or.us
www.junctioncityoregon.com

FINDINGS OF THE JUNCTION CITY PLANNING DEPARTMENT:

CONDITIONAL USE STAFF REPORT FOR CELTIC HOMES TOWNHOME PROPOSAL (CUP-17-01)

Application Summary:

Conditional Use application to allow the development of a Townhome complex in the Duplex Residential (R2) zone.

Owner(s)/Applicant(s):

Celtic Homes LLC, Jason Flores, PO Box 20025 Keizer, OR 97307, (503) 580-6422

Lead City Staff:

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

Subject Property/Zoning/Location:

Tax Lots 9900, 10000, 10100, 10200, 11100, 11200, 11300 and 11400 of Assessor's Map 15-04-31-41, Zoned R2, Duplex Residential, abutting the east and west right-of-way lines of Pine Court, abutting 6th Avenue at the southern terminus.

Relevant Dates:

Application originally submitted on May 26, 2017; deemed complete on May 30, 2017; Staff recommendation for conditional approval issued on June 14, 2017.

Associated Files:

CUP-04-01 - Karotko Townhomes

REQUEST

The applicant is requesting a Conditional Use approval to develop a 8-Unit Townhome Development in the Duplex Residential Zoning District. Specifically, per section 17.15.020(C), the Planning Commission may approve a proposal for Townhomes, provided that they meet the applicable standards listed in the R3 Zone (JCMC 17.20.120).

Public Notice and Referrals:

JCMC 17.150.080 (B) 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 May 30, 2017, Staff mailed a notice of public hearing to the applicant, property owners and residents within 300 feet of the subject site. To date no public comments have been received. A copy of the notice and the comments received are included as an attachment to this report.

Referral comments on the application were also requested from various affected service providers and City departments on May 30, 2016. A copy of the notice and the comments received are included as an attachment. To date, one referral comment was received:

- Junction City School District - June 5, 2107 - *"Please consider whether it would be appropriate to add a crosswalk from the development to cross 6th Ave in front of the High School. Thanks!!"*

All 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 Development Review and Conditional Use approval criteria and relevant Municipal Code standards in the following evaluation.

General Property Information:

The subject site was included as part of a previous Conditional Use permit approval (CUP-04-01). However, Land Use approvals are subject to expiration guidelines listed at JCMC 17.150.140, which states that all land use approvals shall be void after one year if no substantial construction has taken place. Therefore, the applicant has submitted a new Conditional Use application as the proposed use of Townhome development is regulated as a Conditional Use under JCMC 17.15.020 -Duplex Residential (R2).

As noted above, the development site is currently zoned R2, Duplex Residential, and designated as Medium Density Residential on the Comprehensive Plan. The applicant believes that all requirements are satisfied and requests that the Planning Commission approve the Conditional Use application.

Additional details of the proposal are included in the applicant's Conditional Use and concurrent Development Review application, and are further addressed in the applicant's written statement and supporting documentation. All submitted materials are included as part of the public record and located in the application file for reference. The following evaluation addresses details of the proposal in the context of compliance with the applicable approval criteria and related standards.

Evaluation

The following findings demonstrate that the proposed development will comply with all applicable approval criteria and related standards as set forth in the Junction City Municipal Code (JCMC). Relevant application requirements and approval criteria are addressed at JCMC 17.15 Duplex Residential, 17.85 Access Management, 17.105 Recreational Vehicle Park Developments, and 17.130 Conditional Uses. The following evaluation includes findings of compliance with the applicable criteria and related standards as provided in the JCMC, with informational items noted where appropriate. The approval criteria and related standards are listed below in **bold**, with findings addressing each.

JCMC 17.15 DUPLEX RESIDENTIAL ZONE (R2)

17.15.020 Conditional uses permitted.

In an R2 zone, the following uses and their accessory uses are permitted when authorized in accordance with the requirements of Chapter 17.130JCMC:

C. Townhome, which shall comply with applicable standards listed in the R3 zone.

The applicant proposes a total of eight (8) Townhome units. Therefore, findings relative to the required Conditional Use application will be addressed at JCMC 17.20.120. As shown in the findings below, the above criterion has been satisfied.

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.

Tax Lot 10200 is a total of 3,049 square feet; Tax Lot 10100 is a total of 2,614 square feet; Tax Lot 10000 is a total of 2,614 square feet; Tax Lot 09900 is a total of 3,485 square feet; Tax Lot 11100 is a total of 3,049 square feet; Tax Lot 11200 is a total of 2,614 square feet; Tax Lot 11300 is a total of 2,614 square feet; and Tax Lot 11400 is a total of 3,485 square feet. As stated the above criterion has been met.

The current Lane County Tax Map associated with the subject site shows all existing legal lots to be in compliance with the minimum 25 foot frontage requirement. Therefore, this criterion has been met.

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.

This proposal includes a total of eight (8) Townhome units, four (4) units on the west side of Pine Court, and four (4) units on the east side of Pine Court. Therefore, this criterion has been satisfied.

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.

The subject site is not located adjacent to an alley. No subdivisions are being proposed. The existing development pattern makes access from an alley impractical. Therefore, the above standard is not applicable.

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.**
- 2. Two adjacent garages shall share one driveway when individual driveways would otherwise be separated by less than 20 feet.**
- 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 applicant has submitted a site plan in compliance with the driveway spacing standards listed above. Each 4-plex is shown to contain two shared driveways in compliance with the above standard.

Additionally, the total unit width for each end-unit is 24 feet, with interior units at 25.75 feet. The garage areas shown on Sheet 4 of the submitted plans shows a garage width for each of the end-units at 11.5 feet (48% of the total width), and interior units at 12 feet (46% of the total width). Therefore, the standards listed above have been satisfied.

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.]

No common areas are proposed as part of this application. Therefore, this criterion is not applicable.

17.15.040 Setback requirements.

Except as provided in JCMC 17.95.060, in an R2 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 17.10.070, shall be as follows:

A. The front yard shall be a minimum of 18 feet to the front facade of the house and a minimum of 20 feet to the garage. Covered but unenclosed porches shall be allowed to be a minimum of 10 feet from the front property line, as long as they do not encroach into a public utility easement and comply with the vision clearance standards in JCMC 17.95.090 (see Appendix A, Diagram 4).

B. Each side yard shall be a minimum of six feet, measured from the foundation, except that on corner lots, the side yard on the street side shall be a minimum of 15 feet measured from the foundation.

C. The rear yard shall be a minimum of 15 feet, measured from the foundation. An exception shall be permitted where an accessory dwelling unit, garage, or other accessory structure is located at the rear lot line abutting an alley, in which case the setback shall be a minimum of four feet.

The applicant understands these requirements. However, a site plan was not included in the application submittal to confirm compliance with the above standard. Therefore, the following condition is warranted:

- Prior to issuance of a building permit, the applicant shall submit a site plan for the two, 4-unit townhome complexes showing compliance with the setback standards listed at JCMC 17.15.040.

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 (20 feet from property line to foundation of building). Setbacks for rear yards are measured separately for each residential dwelling opposite the front yard (see Appendix A, Diagram 2). [Ord. 1116 § 1, 2003; Ord. 1037 § 1, 1997; Ord. 950 § 18, 1991.]

The current proposal is for a Townhome development. No Duplexes are proposed as part of this application. Therefore, this standard is not applicable.

JCMC 17.130 CONDITIONAL USES

17.130.030 Public hearing on conditional use.

A. Before the planning commission may act on a request for a conditional use, it shall hold a public hearing. The hearing shall be held within 40 days after the application for the conditional use is filed. Notice of the hearing and criteria for granting or denying a permit shall be as follows:

See JCMC 17.150.080, Notice.

Staff has provided notice in compliance with the standards at JCMC 17.150.080, as noted on pages 1 and 2 of this report. Therefore, this criterion has been satisfied.

B. Based on the testimony provided at the hearing, the planning commission shall develop findings of fact to justify either approving or denying a conditional use permit. The planning commission may approve such requests when it is determined the request is in conformance with all the following requirements:

- 1. The proposal is in conformance with the zoning ordinance;**
- 2. The property is adequate in size and shape to accommodate the proposed use, together with all other zoning requirements and any additional conditions imposed by the planning commission;**
- 3. Public facilities are of adequate size and quality to serve the proposed use; and**
- 4. The proposed use will prove, or can be made to be through imposing conditions, reasonably compatible with surrounding properties. [Ord. 1037§ 1, 1997; Ord. 950 § 100, 1991.]**

As stated and conditioned within the findings at JCMC 17.15.020, the proposal is in conformance with the applicable zoning ordinances.

The proposed development site consists of eight (8) parcels, each greater than 2,500 square feet in size. Therefore, the parcel is adequate in size and shape to accommodate the proposed use.

The Public Works director has stated that city services are of adequate size and quality to serve the proposed use.

Surrounding properties to the north, east, and west of the subject site are residential by designation. Parcels to the south are Public by designation.

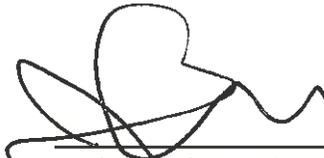
Townhome Developments are considered as a Conditional Use within the R2 - Duplex Residential zone. Through the findings and conditions stated within this report, the proposed use is considered compatible with the surrounding properties. Therefore, these criteria have been met.

STAFF RECOMMENDATION

The Planning Department recommends Planning Commission approval of the Conditional Use Permit application to allow a 8-unit Townhome Development in the R2 Zone based on the findings and proposed conditions listed above.

Staff Report Date:

June 14, 2017



Jordan Cogburn, City Planner
Junction City



**CITY OF JUNCTION CITY
PLANNING COMMISSION
NOTICE OF PUBLIC HEARING
AND OPPORTUNITY TO COMMENT**

May 30, 2017

The Junction City Planning Commission will hold a public hearing on **Wednesday, June 21, 2017 at 6:30 pm**, at City Hall, 680 Greenwood Street to take testimony on the following land use application.

FILE NUMBER	CUP-17-01
NATURE OF APPLICATION	Conditional Use Permit
APPLICABLE CRITERIA	Junction City Municipal Code 17.130
APPLICANT/OWNER	Celtic Homes LLC
LOCATION	Vacant parcels on the east end of Pine Court
ASSESSORS MAP & TAX LOT	{ 15-04-31-41 lots: 09900, 10000, 10100, 10200, 11100, 11200, 11300 & 11400
ZONING	R2 (Duplex Residential)
LAND AREA	.54 acres
PROPOSAL	Construction of eight townhomes, one on each lot
STAFF CONTACT	Jordan Cogburn, City Planner, jcplanning@ci.junction-city.or.us or 541.998.4763

The purpose of this notice is to provide an opportunity to comment and express concerns you may have related to the approval criteria, prior to the Planning Commission's decision to approve or deny the proposal.

Citizens may present testimony for or against the proposal by submitting written comments or by testifying at a public hearing on **Wednesday, June 21, 2017 at 6:30 p.m.**, or by submitting written comment.

If you would like your written comments to be included in the staff report, they must be submitted to the Planning Department office by **5:00 p.m. on Tuesday, June 13, 2017** Written comments may be submitted:

- in person at the Planning Department office 680 Greenwood St, Monday – Friday, 8:00am to 5:00pm;
- by mail to City Planner, City of Junction City, PO Box 250, Junction City OR, 97448;
- by fax to (541) 998-3140; or
- by e-mail to jcplanning@ci.junction-city.or.us

Your comments are important and will greatly improve the decision making process, please note that you will not receive an individual response to information submitted. By law, comments received that are not related to the approval criteria may not be considered.

The Planning Commission will review the request for compliance with applicable criteria based upon information in the application, the staff report and comments received and make a decision. Approval must include affirmative findings that are consistent with the Zoning Code and provisions of the Comprehensive Plan.

The staff report will be available for review in the Planning Department office seven days prior to the public hearing. Copies of the applicable municipal code, the staff report, and related documents can be reviewed in the Planning Department office or purchased for the cost of copying. The Junction City Municipal Code is available on the city's website at www.junctioncityoregon.gov. The public hearing will follow the city's land use hearing rules of procedure.

Failure to raise an issue at this opportunity for comment or hearing, in person or 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



CITY OF JUNCTION CITY

Planning & Building Department
680 Greenwood Street/PO Box 250
Junction City OR 97448
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www.junctioncityoregon.gov

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.



**FINAL ORDER OF THE
JUNCTION CITY PLANNING COMMISSION
CONDITIONAL USE PERMIT (CUP-17-01), CELTIC HOMES TOWNHOMES**

A. The Junction City Planning Commission finds the following:

- a. The applicant has submitted the application and supporting documents necessary for the Planning Commission to understand the proposed use and its relationship to surrounding properties as required by Junction City Municipal Code Section 17.130.020.
- b. The Junction City Planning Commission held a public hearing on June 21, 2017 after giving the required notice per Junction City Municipal Code Section 17.150.080.
- c. The Junction City Planning Commission has reviewed all material relevant to the Conditional Use Permit that has been submitted or presented by the applicant, staff, and the general public regarding this matter.
- d. The Junction City Planning Commission followed the required procedure and standards of reviewing conditional use permits as required by Junction City Municipal Code Section 17.130.030.

B. Conditions of Approval

1. Prior to issuance of a building permit, the applicant shall submit a site plan for the two, 4-unit townhome complexes showing compliance with the setback standards listed at JCMC 17.15.040.

C. IT IS HEREBY ORDERED THAT the Junction City Planning Commission approves the Conditional Use Permit for a Townhome Development in the Duplex Residential (R2) zone based on the following findings of fact:

Approval criteria are listed in bold. Findings addressing criteria, condition of approval and informational items included where appropriate.

JCMC 17.15 DUPLEX RESIDENTIAL ZONE (R2)

17.15.020 Conditional uses permitted.

In an R2 zone, the following uses and their accessory uses are permitted when authorized in accordance with the requirements of Chapter 17.130JCMC:

C. Townhome, which shall comply with applicable standards listed in the R3 zone.

The applicant proposes a total of eight (8) Townhome units. Therefore, findings relative to the required Conditional Use application will be addressed at JCMC 17.20.120. As shown in the findings below, the above criterion has been satisfied.

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.

Tax Lot 10200 is a total of 3,049 square feet; Tax Lot 10100 is a total of 2,614 square feet; Tax Lot 10000 is a total of 2,614 square feet; Tax Lot 09900 is a total of 3,485 square feet; Tax Lot 11100 is a total of 3,049 square feet; Tax Lot 11200 is a total of 2,614 square feet; Tax Lot 11300 is a total of 2,614 square feet; and Tax Lot 11400 is a total of 3,485 square feet. As stated the above criterion has been met.

The current Lane County Tax Map associated with the subject site shows all existing legal lots to be in compliance with the minimum 25 foot frontage requirement. Therefore, this criterion has been met.

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.

This proposal includes a total of eight (8) Townhome units, four (4) units on the west side of Pine Court, and four (4) units on the east side of Pine Court. Therefore, this criterion has been satisfied.

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.

The subject site is not located adjacent to an alley. No subdivisions are being proposed. The existing development pattern makes access from an alley impractical. Therefore, the above standard is not applicable.

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.
2. Two adjacent garages shall share one driveway when individual driveways would otherwise be separated by less than 20 feet.
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 applicant has submitted a site plan in compliance with the driveway spacing standards listed above. Each 4-plex is shown to contain two shared driveways in compliance with the above standard. Additionally, the total unit width for each end-unit is 24 feet, with interior units at 25.75 feet. The garage areas shown on Sheet 4 of the submitted plans shows a garage width for each of the end-units at 11.5 feet (48% of the total width), and interior units at 12 feet (46% of the total width). Therefore, the standards listed above have been satisfied.

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.]

No common areas are proposed as part of this application. Therefore, this criterion is not applicable.

17.15.040 Setback requirements.

Except as provided in JCMC 17.95.060, in an R2 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 17.10.070, shall be as follows:

- A. The front yard shall be a minimum of 18 feet to the front facade of the house and a minimum of 20 feet to the garage. Covered but unenclosed porches shall be allowed to be a minimum of 10 feet from the front property line, as long as they do not encroach into a public utility easement and comply with the vision clearance standards in JCMC 17.95.090 (see Appendix A, Diagram 4).
- B. Each side yard shall be a minimum of six feet, measured from the foundation, except that on corner lots, the side yard on the street side shall be a minimum of 15 feet measured from the foundation.
- C. The rear yard shall be a minimum of 15 feet, measured from the foundation. An exception shall be permitted where an accessory dwelling unit, garage, or other accessory structure is located at the rear lot line abutting an alley, in which case the setback shall be a minimum of four feet.

The applicant understands these requirements. However, a site plan was not included in the application submittal to confirm compliance with the above standard. Therefore, the following condition is warranted:

- Prior to issuance of a building permit, the applicant shall submit a site plan for the two, 4-unit townhome complexes showing compliance with the setback standards listed at 17.15.040.

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 (20 feet from property line to foundation of building). Setbacks for rear yards are measured separately for each residential dwelling opposite the front yard (see Appendix A, Diagram 2). [Ord. 1116 § 1, 2003; Ord. 1037 § 1, 1997; Ord. 950 § 18, 1991.]

The current proposal is for a Townhome development. No Duplexes are proposed as part of this application. Therefore, this standard is not applicable.

JCMC 17.130 CONDITIONAL USES

17.130.030 Public hearing on conditional use.

A. Before the planning commission may act on a request for a conditional use, it shall hold a public hearing. The hearing shall be held within 40 days after the application for the conditional use is filed. Notice of the hearing and criteria for granting or denying a permit shall be as follows:

See JCMC 17.150.080, Notice.

On May 30, 2017, Staff mailed a notice of public hearing to the applicant, property owners and residents within 300 feet of the subject site. Therefore, Staff has provided notice in compliance with the standards at JCMC 17.150.080.

B. Based on the testimony provided at the hearing, the planning commission shall develop findings of fact to justify either approving or denying a conditional use permit. The planning commission may approve such requests when it is determined the request is in conformance with all the following requirements:

- 1. The proposal is in conformance with the zoning ordinance;**
- 2. The property is adequate in size and shape to accommodate the proposed use, together with all other zoning requirements and any additional conditions imposed by the planning commission;**

- 3. Public facilities are of adequate size and quality to serve the proposed use; and**
 - 4. The proposed use will prove, or can be made to be through imposing conditions, reasonably compatible with surrounding properties.**
- [Ord. 1037§ 1, 1997; Ord. 950 § 100, 1991.]**

As stated and conditioned within the findings at JCMC 17.15.020, the proposal is in conformance with the applicable zoning ordinances.

The proposed development site consists of eight (8) parcels, each greater than 2,500 square feet in size. Therefore, the parcel is adequate in size and shape to accommodate the proposed use.

The Public Works director has stated that city services are of adequate size and quality to serve the proposed use.

Surrounding properties to the north, east, and west of the subject site are residential by designation. Parcels to the south are Public by designation.

Townhome Developments are considered as a Conditional Use within the R2 - Duplex Residential zone. Through the findings and conditions stated within this report, the proposed use is considered compatible with the surrounding properties. Therefore, these criteria have been met.

This approval shall become final on the date this decision and supporting findings of fact are signed by the Chairperson of the Junction City Planning Commission.

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

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

Signature: _____
Jason Thiesfeld Date _____

Chairperson Junction City Planning Commission

TO: Planning Commission
FROM: Planning Department
RE: June Planning Activities



Land Use Application and Planning Project Status

- Current Planning related projects include:
 - The Planning and Building office relocation project is currently underway. The framing, electrical, and exterior windows and doors have all been installed. interior finish work has commenced as the required inspections have been approved. Staff anticipates an early-mid July completion and relocation.
 - Staff has received a Partition application for the creation of 3 new parcels along 6th Avenue, between Chick Lane and Oaklea Drive. The preliminary partition plan is required to come before the Planning Commission, and will be listed on the standing July Planning Commission meeting agenda.
 - Staff has also received a Development Review and Minor Variance application for continued remodel work on the Viking Inn restaurant and bar at 11th Avenue and Ivy Street. The applicant has proposed a "sunroom" type addition that would displace a total of 3 parking spaces. As the site current does not comply with the off-street parking and loading standards within the JCMC, it is considered as a preexisting nonconformance. Therefore, a Minor Variance application is required in order to increase the nonconformance by less than 10% of the overall square footage. Staff hopes to have a decision rendered on the Development Review application within 2 weeks.
 - Staff received an inquiry regarding a summer internship. Kyle Schweizer, from the Planning, Public Policy, and Management Program from the U of O has been selected to participate in a Planning and Building Department Internship through the summer. Anticipated start date is June 27.

City Council Update

- The Council voted unanimously on June 13th to initiate a vacation of the Alley to the east of City Hall, from the terminus at 7th Ave to the midblock all just south of the neighboring structure to the Police Department. The request for vacation was submitted by the Police Chief based on expansion plans and officer safety assumptions.
- City Councilor Steven Hitchcock has resigned from the Council, sighting personal commitment conflicts as the basis for his resignation. Mr. Hitchcock served on the Council for over four years.

Future Action Items

- MP-17-02 - Paddock Preliminary Minor Partition Review.

Planning Commission

- Nothing at this time.

Building Activities:

- The building permit report for June is included as an attachment to this report.

2017 Building Permit Activity Report

Monthly Totals	Residential Housing									
	January	February	March	April	May	June	July	August	September	Total
Submitted Permits	0	1	1	0	8	0	0	0		10
Issued Permits	3	2	3	3	2	0	0	0		13
SFD - Total Sq Ft	5,720	3,560	5,334	3,408	3,000	0	0	0		21,022
SFD-Average Sq Ft	1,907	1,780	1,778	1,136	1,500	#DIV/0!	0	#DIV/0!		1,617
Permit Fees	\$ 6,020	\$ 4,989	4,213	5,268	7,603	0	0	0		\$ 28,093
SDC Fees	\$ 29,363	\$ 26,280	13,350	26,280	0	0	0	0		\$ 95,273
Zone of Benefit	\$ 6,705	\$ 13,397	6,720	6,725	0	0	0	0		\$ 33,548
Total Valuation	\$ 597,286	\$ 466,000	413,000	446,194	120,000	0	0	0		\$ 2,042,480
Monthly Totals	Residential Remodels/Additions									
	January	February	March	April	May	June	July	August	September	Total
Submitted Permits	1	0	1	8	2	0	0	0		12
Issued Permits	1	4	3	8	2	0	0	0		18
Permit Fees	631	720	533	703	374	0	0	0		\$ 2,960
Total Valuation	\$42,000	\$53,000	\$0	\$0	\$10,255	\$0	\$0	\$0		\$ 105,255
Monthly Totals	Commercial /Industrial									
	January	February	March	April	May	June	July	August	September	Total
Submitted Permits	0	0	2	0	0	0	0	0		2
Issued Permits	10	2	5	3	4	0	0	0		24
Permit Fees	\$10,704.09	\$2,886.16	36,599	2,210	2,286	0	0	0		\$ 54,686
SDC Fees	\$0.00	\$0.00	0	0	0	0	0	0		\$ -
Zone of Benefit	\$0.00	\$0.00	0	0	0	0	0	0		\$ -
Total Valuation	\$817,077.28	\$213,625.00	33,000	90,395	140,975	0	0	0		\$ 1,295,072
Monthly Totals	Single Permits & ePermits									
	January	February	March	April	May	June	July	August	September	Total
Submitted Permits	23	17	21	8	12	0	0	0		81
Issued Permits	23	17	21	8	12	0	0	0		81
Permit Fees	\$1,995.06	\$1,416.50	\$2,036.33	\$763.17	\$1,674.14	\$0.00	\$0.00	\$0.00		\$7,885.20
Monthly Totals	All Permits									
	January	February	March	April	May	June	July	August	September	Total
Submitted	24	18	25	16	22	0	0	0	0	105
Issued	37	25	32	22	20	0	0	0	0	136
Permit Fees	\$ 19,350	\$ 10,011	\$ 43,382	\$ 8,943	\$ 11,937	\$ -	\$ -	\$ -	\$ -	\$ 93,623
SDC Fees	\$ 29,363	\$ 26,280	\$ 13,350	\$ 26,280	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 95,273
Zone of Benefit	\$ 6,705	\$ 13,397	\$ 6,720	\$ 6,725	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 33,548
Valuation	\$ 1,456,363	\$ 732,625	\$ 446,000	\$ 536,589	\$ 271,230	\$ -	\$ -	\$ -	\$ -	\$ 3,442,807



PLANNING COMMISSION

AGENDA FORECASTER

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CURRENT BUSINESS ITEMS

Current Business Items

Item MP-17-03 Szerlip Minor Partition Review

Requested By Applicant

Staff Contact Planner Cogburn

Date Last at Commission N/A

Item Description

Jed Truett of Metro Planning, Inc has submitted a Preliminary Minor Partition application for the creation of 3 parcels between 1st and 2nd Avenues.

Current Status/Update

This is a new request.

Item Public Hearing: Celtic Homes, LLC
Conditional Use Permit Application: CUP-17-01

Requested By Applicant

Staff Contact Planner Cogburn

Date Last at Commission N/A

Item Description

Jason Flores of Celtic Homes, LLC has submitted a Conditional Use application for the development of 8 Townhomes in the Duplex Residential Zoning District (R2).

Current Status/Update

This is a new request.

PENDING BUSINESS ITEMS

Pending Business Items

Item

Nothing at this time

FUTURE BUSINESS ITEMS

Future Business Items

Item MP-17-02 Paddock Minor Partition Review

Requested By Planning Commission

Item Description

Review of a 3-parcel Minor Partition application.

Item Zoning Inconsistencies - Chapel Creek (West 17th)

Requested By Planning Commission

Item Description

Review of the High Density zoning designation at the Chapel Creek Subdivision.

Item Enterprise Zone Boundary Expansion

Requested By Planning Commission

Item Description

Review and propose expansion of the Junction City Enterprise Zone.

2017

Calendar Key

- Packets Available Date
- Regular Meeting Date
- Holiday Observed

January

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31	1	2	3	4
5	6	7	8	9	10	11

February

Sun	Mon	Tue	Wed	Thu	Fri	Sat
29	30	31	1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	1	2	3	4
5	6	7	8	9	10	11

March

Sun	Mon	Tue	Wed	Thu	Fri	Sat
26	27	28	1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	1
2	3	4	5	6	7	8

April

Sun	Mon	Tue	Wed	Thu	Fri	Sat
26	27	28	29	30	31	1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

May

Sun	Mon	Tue	Wed	Thu	Fri	Sat
30	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31	1	2	3
4	5	6	7	8	9	10

June

Sun	Mon	Tue	Wed	Thu	Fri	Sat
28	29	30	31	1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	1
2	3	4	5	6	7	8

July

Sun	Mon	Tue	Wed	Thu	Fri	Sat
25	26	27	28	29	30	1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31	1	2	3	4	5

August

Sun	Mon	Tue	Wed	Thu	Fri	Sat
30	31	1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31	1	2
3	4	5	6	7	8	9

September

Sun	Mon	Tue	Wed	Thu	Fri	Sat
27	28	29	30	31	1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
1	2	3	4	5	6	7

October

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31	1	2	3	4
5	6	7	8	9	10	11

November

Sun	Mon	Tue	Wed	Thu	Fri	Sat
29	30	31	1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	1	2
3	4	5	6	7	8	9

December

Sun	Mon	Tue	Wed	Thu	Fri	Sat
26	27	28	29	30	1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31	1	2	3	4	5	6