



Translate this document to the language of your choice with your smartphone camera by scanning the code to the left and downloading the Google Translate app.



Traduce este documento al idioma que elijas con la cámara de tu teléfono inteligente escaneando el código a la izquierda y descargando la aplicación Google Translate.



**KEIZER PLANNING DEPARTMENT
NOTICE OF DECISION
PROPERTY LINE ADJUSTMENT
CASE 2024-05**

I. REQUEST

The following report reviews a request for a Property Line Adjustment. This Property Line Adjustment is needed as part of a wetland enhancement project and the construction of a boardwalk. The application is requesting to adjust a common property line between the Verda Lane Apartments (Parcel 1) and the undeveloped parcel to the west (Parcel 2) owned by the City of Keizer. (Exhibit 1)

II. BACKGROUND

- A. APPLICANT/
PROPERTY OWNER:** Verda Crossing LLC
The City of Keizer
- B. AGENT:** Bill Lawyer, Public Works Director
City of Keizer
- C. PROPERTY LOCATION:** The properties are located at 4853 Verda Lane NE and the 1500 block of Chemawa Rd NE; The Marion County Assessor’s map identifies the properties as Township 7 South; Range 3 West; Section 02AA; Tax Lots 02900 and 03000. (Exhibit 2)
- D. EXISTING PARCEL SIZES:** Currently, the property sizes are approximately 356,178 square feet (Parcel 1) and 254,316 square feet (Parcel 2).
- E. EXISTING PUBLIC FACILITIES AND DEVELOPMENT:** Parcel 1 is developed with a multi-family development and Parcel 2 is undeveloped. Both public sewer and public water is available to both parcels.
- F. ZONING/LAND USE:** Parcel 1 is designated as Medium High Density Residential (MHDR) in the Comprehensive Plan and has a zoning designation as Medium Density Residential (RM). Parcel 2 is designated as Low Density Residential (LDR) in the Comprehensive Plan and has a zoning designation as Single Family Residential (RS). Adjacent property to the west is a city park and properties to the north are predominately developed with single family homes.

III. COMMENTS

- A. The Keizer Public Works Department (Exhibit 3) submitted comments regarding the proposed property line adjustment.
- B. The City of Keizer Police Department, the City of Salem Planning Department and the Greater Northeast Keizer Neighborhood Association have reviewed the proposal and determined they have no comments.

IV. FINDINGS AND CONCLUSIONS

The approval, or denial, of a Property line adjustment is based on compliance with decision criteria found in Section 3.106 of the Keizer Development Code. Section 3.106.04 establishes the decision criteria. The criteria and staff's findings are listed below.

1. **Section 3.106.04.A. The adjustment of the lot lines results in no more parcels than originally existed.**

FINDINGS: The proposal complies with this requirement as it will adjust the common property line between two contiguous parcels. No new parcels will be created through this land use action. With this Property Line Adjustment, Parcel 1 will decrease to approximately 262,545 square feet and Parcel 2 will increase to approximately 347,949 square feet. Staff finds this request satisfies this criterion.

2. **Section 3.106.04. B. The proposed property line adjustment results in parcels that meet all area and dimension standards of the Keizer Development Code.**

FINDINGS: Parcel 1 is zoned RM and Parcel 2 is zoned RS. The applicant's site plan and written statement indicate both parcels currently meet the dimensional standards of the respective zone and will continue to meet the standards after the proposed property line adjustment is complete. The applicant has indicated that Parcel 2 is part of a wetland enhancement project and a boardwalk will be constructed. No other future development is envisioned.

As a condition of this property line adjustment approval, the applicant will be required to comply with all City of Keizer Public Works comments and the Marion County Surveyor's Office requirements regarding the property line adjustment process. With these conditions, staff finds this request can satisfy this criterion.

3. **Section 3.106.04.C. The proposed property line adjustment does not locate lines in violation of the setback and height provisions of the Code relative to existing structures and improvements.**

FINDINGS: Parcel 1 has an existing multi-family development and must continue to meet the minimum required rear setback of 20' after the Property Line Adjustment. The applicant's site plan demonstrates a rear setback in excess of 20' for each multi-family building. Staff finds this request can satisfy this criterion.

4. **Section 3.106.04.D. The property line adjustment involves only lots or parcels that have been lawfully created.**

FINDINGS: The applicant submitted deeds for both properties involved and has stated in his written statement that all parcels were lawfully created. Parcel 1 was created by a partition plat and is developed with an existing multi-family complex. Parcel 2 was deeded to the City and is proposed to be used for a wetland enhancement project and passive recreation site. Therefore, staff finds this request complies with this criterion.

5. **Section 3.106.04.E. The property line adjustment by itself does not prohibit any property from accessing either a public right of way or an access easement.**

FINDINGS: The proposed property line adjustment will not prohibit either property from accessing the public right away. Parcel 1 will use the existing access points to Verda Lane NE and Parcel 2 will continue to obtain access from both Chemawa and Dearborn Avenue at the north and south end of the property. Therefore, staff finds this request complies with this criterion.

V. DECISION/APPEAL

The proposed Property line adjustment conforms with the applicable decision criteria of Section 3.106.04 of the Keizer Development Code based on the findings located in Section IV of this report. Notice is hereby given that the Zoning Administrator for the City of Keizer has APPROVED the proposed Property Line Adjustment application subject to certain requirements noted below.

Any interested person, including the applicant, who disagrees with this decision, may request an appeal by the Keizer Hearings Officer at a public hearing. The appeal is subject to the appellant paying a \$250.00 fee. Requests for an appeal must be in writing, on a form provided by the City, and shall state the alleged errors in the original action. The request must be received in the Keizer Planning Department, 930 Chemawa Road NE, Keizer by 5:00 p.m. June 3, 2024.

Unless the decision is appealed, this decision becomes final on June 4, 2024.

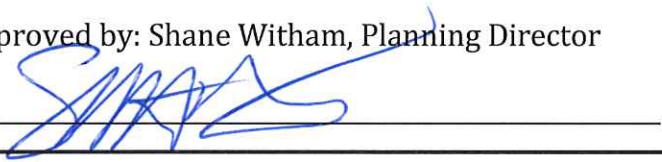
VI. CONDITIONS AND REQUIREMENTS

1. Recording of the property line adjustment deeds and submitting the property line survey must be done before June 4, 2026. If such documents are not submitted within two years of this decision, the preliminary approval shall lapse. After the property adjustment deeds are recorded, no alteration of property lines shall be permitted without first obtaining approval from the Zoning Administrator.

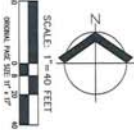
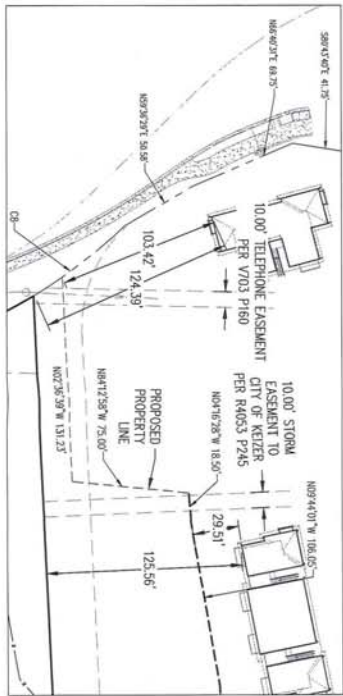
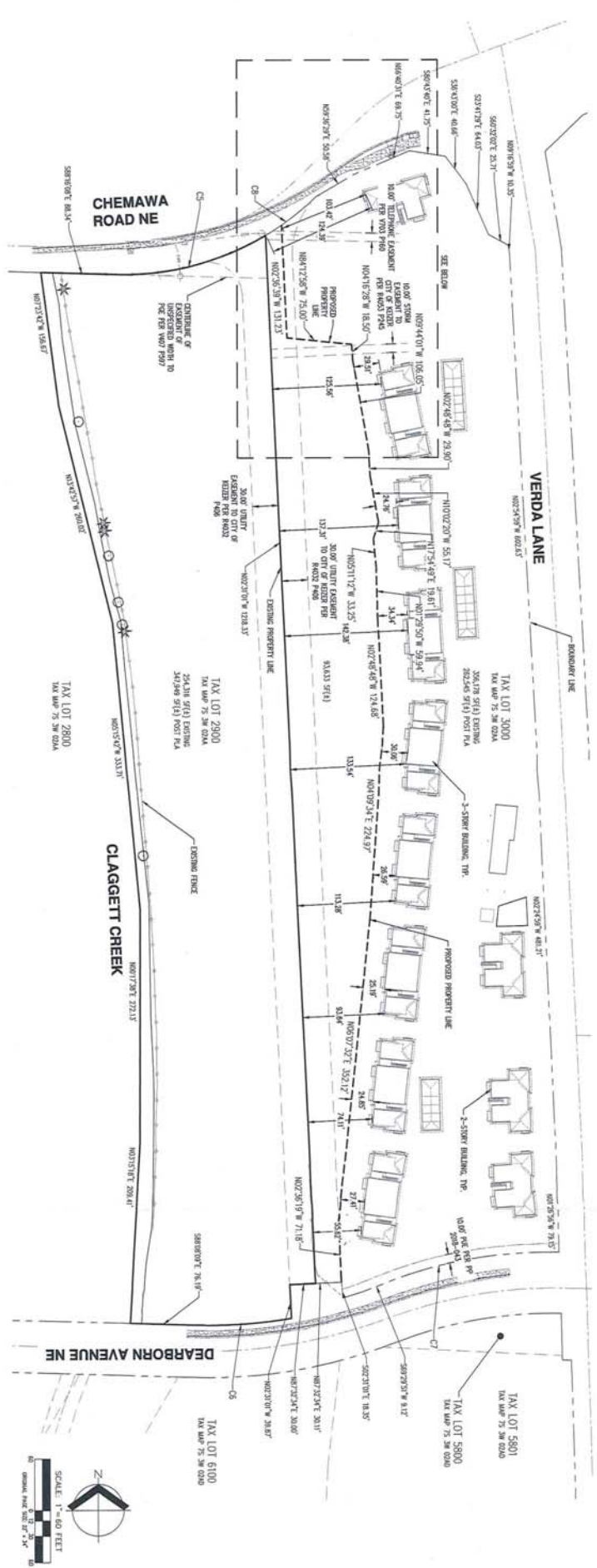
2. The property line adjustment deeds and exhibits shall show the location of all existing easements on the properties.
3. Any future development on the property will be subject to the development and permit requirements in effect at that time, including but not limited to grading and drainage, stormwater management, erosion control, construction, street opening, and floodplain development permits.
4. This approval does not remove or affect any covenants or restrictions imposed on the subject property by deed or other instrument. The proposed use may require permits from other local, State or Federal agencies. This decision does not take the place of, or relieve the responsibility for obtaining other permits or satisfying any restrictions or conditions thereon, including building permit approvals for future development on the parcel.

REPORT PREPARED BY: Dina Horner, Assistant Planner

Approved by: Shane Witham, Planning Director



DATE: 5/21/24



PROPERTY OWNERS:
 TAX LOT 5800
 NAME: CITY OF KEIZER
 ADDRESS: 520 OSWAMA RD. SE
 KEIZER, OR 97030
 TAX LOT 5801
 NAME: AKS ENGINEERING, LLC
 ADDRESS: 300 BURNETT ST. NE
 SALEM, OR 97301

CURVE	POINTS	BEARING	ANGLE	CHORD
C3	384.47'	327.50°	179.87'	679.57272° 177.56'
C4	542.58'	117.01°	118.81'	689.50727° 118.42'
C7	557.86'	272.90°	290.27'	889.91919° 290.52'
C8	384.47'	117.50°	74.42'	482.91072° 73.50'

PROPERTY LINE ADJUSTMENT SITE PLAN CLAGGETT CREEK PARK AND VERDA LN CROSSING

KEIZER, OR

DATE: 02/29/2024
 AKS-204-453-34
 AKS ENGINEERING & FORESTRY, LLC
 3700 NE 88th St
 SALEM, OR 97317
 WWW.AKS-ENG.COM
 ENGINEERING - SURVEYING - NATURAL RESOURCES
 FORESTRY - PLANNING - LANDSCAPE ARCHITECTURE

07 3W 02AA
KEIZER



MARION COUNTY, OREGON
NE1/4 NE1/4 SEC2 T7S R3W W.M.
SCALE 1" = 100'

- LEGEND**
- LINE TYPES**
- Taxlot Boundary
 - Road Right-of-Way
 - Railroad Right-of-Way
 - Private Road ROW
 - Subdivision/Plat Boundary
 - Waterline - Taxlot Boundary
 - Waterline - Non Boundary
 - Historical Boundary
 - Easement
 - Railroad Centerline
 - Taxcode Line
 - Map Boundary
 - Waterline - Taxlot Boundary
- CORNER TYPES**
- + 1/16TH Section Cor.
 - ⊕ 1/4 Section Cor.
 - ⊕ 16, 15 Section Corner
 - ⊕ 21, 22
- NUMBERS**
- Tax Code Number
00 00 0
- Acres
All acres listed are Net Acres, excluding any portions of the taxlot within public ROWs
0.25 AC
- NOTES**
- Tick Marks: A tick mark in the road indicates that the labeled dimension extends into the public ROW

EXHIBIT 2

CANCELLED NUMBERS

100
200
300
1400
3100
3300
3400
3500
3600
3800
3900

DISCLAIMER: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY



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

PLOT DATE: 2/9/2024

KEIZER
07 3W 02AA



07 3W 02AA

07 3W 02AA

PLA CASE NO. 2024-05**PROPERTY ADDRESS: 4813-4997 Verda Lane NE**

This property line adjustment is needed as part of a wetland enhancement project. The applicant is requesting to adjust a common property line between the Verda Lane Apartments (Parcel 1) and the neighboring City-owned parcel (Parcel 2). Parcel 1 will decrease from approximately 356,178 square feet to approximately 262,545 square feet and Parcel 2 will increase from approximately 254,316 square feet to approximately 347,949 square feet. The Verda Lane Apartments property (073W02AA03000) is zoned Medium Density Residential (MDR) and has a Comprehensive designation of Medium-High Density Residential (MHDR). The City-owned property (073W02AA02900) is zoned Public (P) and has a Comprehensive designation of Low Density Residential (LDR). The property is located at 4813-4997 Verda (073W02AA03000).

EXISTING CONDITIONS:

- a) Parcel 1 has frontage along Chemawa Road NE, Verda Lane NE, and Dearborn Avenue NE. Parcel 2 has frontage along Chemawa Road and Dearborn Avenue NE. Water, sanitary sewer, and storm mains are located along these street frontages.
- b) Wetlands on the subject properties have been delineated and are included in the Local Wetland Inventory.
- c) Per Flood Insurance Rate Map Number 41047C0332G, all of Parcel 1 is located within the Zone AE Special Flood Hazard Area (SFHA), with the portion along Claggett Creek located within the regulatory Floodway; and portions of Parcel 2 are located within Zone AE SFHA.

PUBLIC WORKS DEPARTMENT REQUIREMENTS. The Public Works Department has reviewed the application materials. Development is not being proposed with this application, and the adjustment is minor in nature and reconfigures two existing parcels as indicated above. Public Works recommends the following conditions of approval and development requirements:

- a) The property line adjustment deeds and exhibits shall show the location of all existing easements on the properties.
- b) Any future development on the property will be subject to the development and permit requirements in effect at that time, including but not limited to grading and drainage, stormwater management, erosion control, construction, street opening, and floodplain development permits.