
PARTITION APPLICATION

Submitted to: City of Millersburg
Planning Division
4222 NE Old Salem Road
Albany, OR 97321

Applicants/Property Owners: Alton Sullivan
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Lebanon, OR 97355

Applicant's Representative: Udell Engineering and Land Surveying, LLC
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Site Location: 3025 and 3075 NE Kathryn Street

Linn County Assessor's Map No.: 11S-03W-04BC Tax Lot 201

Site Size: ±2.94-acres

Existing Land Use: Residential

Comprehensive Plan Designation: Industrial

Zone Designation: Limited Industrial (LI)

Surrounding Zoning: North: General Industrial (GI)
South: Residential Mixed Density (RM)
East: Limited Industrial (LI)
West: Public Facilities (PE)

Surrounding Uses: North: Industrial
South: Residential
East: Industrial
West: Railroad

I. Executive Summary

A Tentative Partition Plat is proposed for the property address as 3025 and 3075 NE Kathryn Street and identified by Linn County Tax Assessor's Map No. 11S-03W-04BC Tax Lot 201. The proposal will divide an existing ±2.94-acre parcel into two parcels. As shown on the Tentative Partition Plat (Attachment A), Parcels 1 and 2, which are both developed with industrial buildings and are ±2.13-acre and ±0.81-acre, respectively.

This written narrative and associated documentation included in the application materials, establishes that the application complies with all applicable approval criteria. This documentation provides the bases for the City to approve the application.

II. Analysis of Development Code Criteria

1. Chapter 5.07 provides an overview of the preliminary partition plat review procedures. Subsection 5.07.020 states that land divisions consisting of not more than three parcels of land are processed using a Type II review procedure under Chapter 5.18 using the review criteria under Section 5.07.060. Section 5.07.080 states that preliminary plat approval is effective for one year from the date of approval.

2. The application submittal requirements for a preliminary partition plat application are found under Section 5.07.050 and include: application forms, fee, and preliminary plat drawings and supplementary written narrative.

3. SECTION 5.07.060 PARTITION DECISION CRITERIA

Section 5.07.060 of the Millersburg Development Code (MDC) includes the following review criteria that must be met for a preliminary plat to be approved. Code criteria are written in *bold italics* and are followed by findings and conclusions.

1. ***Each parcel shall satisfy the dimensional standards of the applicable zone unless a variance from these standards is approved.***

1.1 The subject site is zoned Limited Industrial (LI). As shown on the Tentative Plat, the tentative partition is to create two parcels that are ±2.13-acres and ±0.81-acre, respectively (see Attachment A). The subject property is a developed site. Parcel 1 features an existing approximate 32,000 square foot building. Parcel 2 features an existing approximately 21,000 square foot building.

1.2 MDC 2.09.050, Table 8, shows the development standard for the LI zone district. According to 2.09.050, Table 8, lots must be sufficient to meet setback and development requirements, including a minimum 10 foot plus 5 foot per story setback when abutting residentially zoned land. No other setbacks are required.

The proposed partition does not alter the perimeter parcel lines and, therefore, does not alter the distance the existing buildings and associated improvements that are set back from the street frontage and interior property lines of abutting parcels. The proposed

partition will divide the existing parcel between the two existing buildings, maintaining an approximately 20 feet from each side of the proposed property line.

1.3 According to 2.09.050, Table 8, The maximum lot coverage is ninety percent. Based on the proposed parcel size and coverage area, Parcel 1 and Parcel 2 will have a coverage area of 34 percent and 59 percent, respectively.

1.4 Therefore, the proposed partition satisfies the minimum and maximum development standards. This criterion is met.

2. The parcel shall meet the Development Standards for Land Division of Chapter 4.02.

2.1 Section 4.01.010 states that 4.02 and 4.03 address specific requirements related to the division of land, including partitions and subdivisions.

2.2 A preliminary partition application for a land division creating three or fewer parcels has been submitted in accordance with Section 4.02.020(1).

2.3 Section 4.02.030 provides the following standards for all partitions and subdivisions.

- i. Minimum lot area. There is no minimum numeric standard for lot area in the LI zone. However, parcels/lots must be sufficient to meet setback and development requirements.
- ii. Lot Width and Depth. There is no minimum numeric standard for lot width and depth in the LI zone. However, parcels/lots must be sufficient to meet setback and development requirements.
- iii. Access. All new lots must have a minimum of 40 feet of frontage on an existing or proposed public street, or 25 feet of frontage along a cul-de-sac, except residential lots or parcels may be accessed by a public street or private access easement developed in accordance with the provision of Chapter 3.10 under certain conditions.

Both parcels share access to Kathryn Street via a shared access easement.
- iv. Flag Lot. A flag lot configuration is not proposed with this application. Therefore, this standard is not applicable.
- v. Through Lots. Through lots are not proposed with this application. Therefore, this standard is not applicable.
- vi. Lot side Lines. All lot lines, as far as practicable, run at right angles to the public street, and private access easement upon which the lot or parcel faces.
- vii. Utility Easements. All existing and proposed utility easements are shown on the tentative plat and conform to adopted Engineering Standards (see Attachments A-D).

2.4 Section 4.02.050 requires the following improvements:

Private Access. As shown on the tentative plat, both parcels will have frontage on and access to Kathryn Street via a shared access easement.

- i. Street Frontage Improvements. See Right-of-Way deeded per MF 753-487 as shown on Linn County survey no. 22858 (see Attachment B).
 - ii. Public Facilities. City streets, sanitary sewer, water, and/or storm lines are adjacent to or within the project.
 - iii. Connection Charge. No connection charges are necessary as public utilities adjacent to or within the project.
 - iv. Completion Requirements. The subject property is a developed site with access and public utilities adjacent to or within the project. there are no required improvements.
 - v. Therefore, the Development Standards for Land Division. This criterion is met.
3. ***Existing dwellings and accessory structures shall comply with the setback requirements of the applicable zone, including accessory structures which have a setback established by the building size, unless a variance from the requirements is approved.***

3.1 Setbacks are addressed under Criterion 1 above and incorporated herein by reference.

4. ***Adequate public facilities, including access, shall be available to serve the existing and newly created parcels. If adjacent properties are undeveloped or landlocked, extending appropriate access to those properties will be required in accordance with City policy.***

4.1 Section 3.01.030 Application of Public Facility Standards. This section explains the improvements that are required for partitions. All improvements adjacent to the site are already constructed. A hydrant is shown at the west termination of Kathryn Street on Linn County Survey no. 22858 that will serve the applicant's partition (see Attachment B).

4.2 Section 3.02.030 General Street Provisions. All streets must be built to conform with the Transportation System Plan. The street must follow logical patterns, provide for the continuation of streets within and outside of the proposed project site, provide for future street extensions, and provide improvement of any unimproved street adjacent to the property. Parcels 1 and 2 will have shared access to Kathryn Street, that is improved with a paved travel lane in each direction, curbs, and gutters.

4.3 Section 3.02.070 Sidewalks. All development in the city is required to construct sidewalks. A partition is considered development. Sidewalks can be deferred. Kathryn Street is not improved with sidewalks and therefore, does not necessitate a sidewalk connection across the property's frontage.

4.4 Section 3.04 Storm Drainage. All development in the city is required to provide for storm drainage. The subject property is a developed site that included review/approval of storm drainage system during the building/public work permit process.

4.5 Section 3.05 Utility Lines and Facilities. All development in the city is required to provide for connection to utilities. A partition is considered development. All public facility improvements are required to be designed and constructed in compliance with Engineering Standards. The subject property is a developed site that included payment of connection fees during the building/public work permit process.

III. OVERALL CONCLUSION

Based on the analysis in this report, the proposed preliminary partition plat meets all the applicable review criteria as outlined above.

IV. ATTACHMENTS

- A. Tentative Partition Plat
- B. Linn County Survey No. 22858
- C. Linn County Survey No. 19771
- D. Linn County Survey No. 1754