



City of Lyons

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LYONS PLANNING COMMISSION

STAFF REPORT

HEARING DATE: June 21, 2022 at 6:30 p.m.

STAFF REPORT DATE: June 14, 2022

FILE NUMBER: 2022-02

PROPOSAL : Hawkeye Meadows Subdivision (4 Lots)

**APPLICANT/
OWNER:** Steve Anfilofieff
Sky Buildings LLC
4206 Main Street, Sweet Home, OR 97386
Email: skybuilders@gmail.com

ENGINEER: Udell Engineering and Land Surveying, LLC
63 Ash Street, Lebanon, OR 97355
Laura LaRoque, Land Use Planner
Email: laura@udelleng.com

PROPERTY: 2420-2426 Oak Street, Lyons, OR

<u>Assessor's Map</u>	<u>Tax Lot</u>	<u>Account</u>	<u>Acres</u>	<u>Zoning</u>	<u>Address</u>
09S 02E 20D	00600	5633	2.19	SFR	2400 block Oak St.

EXHIBITS:

EXHIBIT A	Application & Supplemental Materials (in City file)
A-1	Application
A-2	Hawkeye Meadows Subdivision Map
A-3	Flood Plain Map
A-4	National Wetlands Inventory Map
A-5	Subdivision Name Approval
A-6	Applicant's Narrative and Findings Document
EXHIBIT B	Notice of Public Hearing (in City file)
EXHIBIT C	Agency Comments
C-1	Brittany May, Linn County Environmental Health
C-2	Daniel Malone, Linn County Roads Department

CRITERIA :

Lyons Municipal Code

Title 17 - Land Divisions

- Section 17.20 Subdivision Plat Approval Procedure
- Section 17.50 Design Standards
- Section 17.55 Improvements

Title 18 - Zoning

- Section 18.20.010 Single Family Residential (SFR) Zone

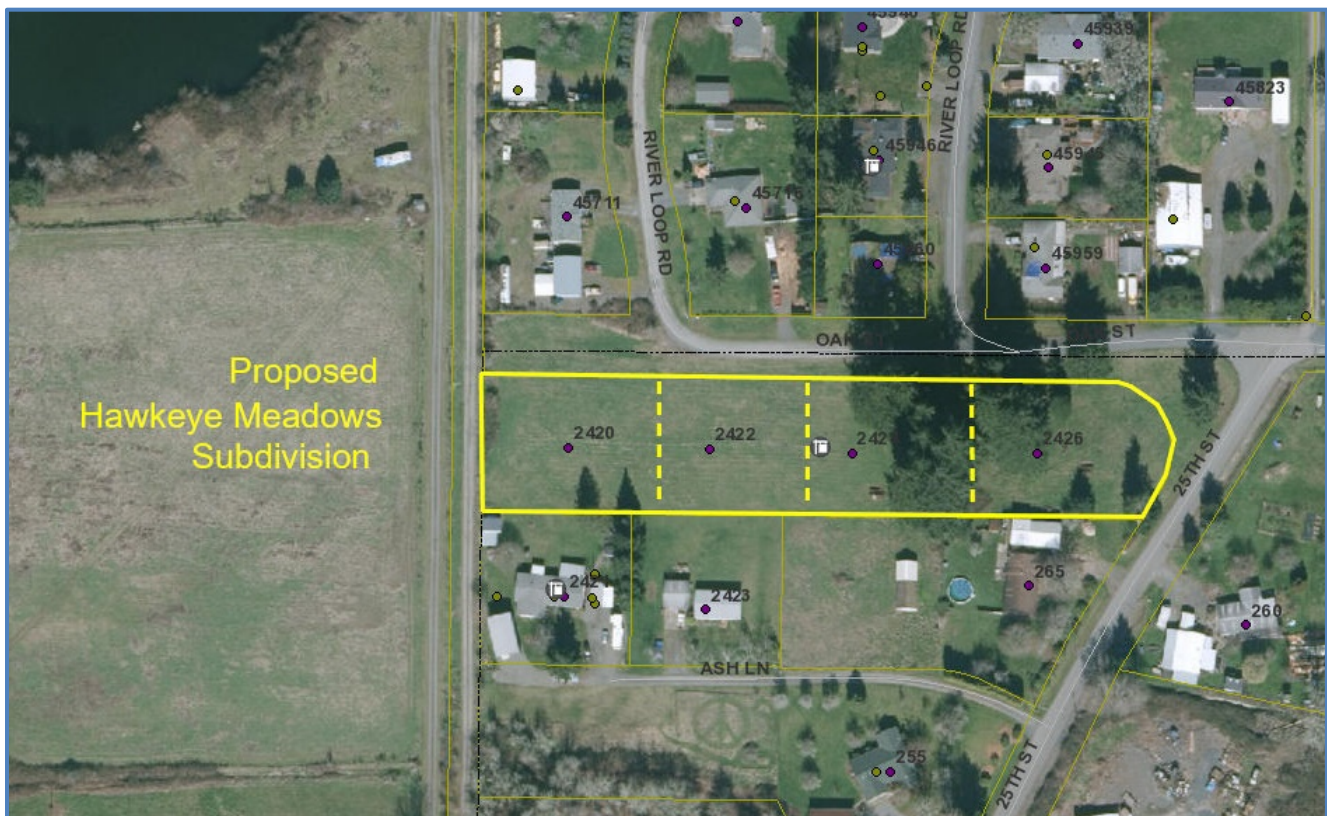
Title 19 - Comprehensive Plan

I. APPLICANT'S PROPOSAL

The City has received a land use application from Steve Anfilofieff, requesting approval of a 4-lot subdivision "Hawkeye Meadows" on a 2.19-acre site in the 2400 block on the south side of Oak Street and west of 25th Street. The property is identified as 2420, 2422, 2424 Oak Street and Linn County Tax Assessor Map No. 09S-02E-20D Tax Lot 600. The property is approximately 2.19-acres and unimproved.

Map 1

Proposed Hawkeye Meadows Subdivision – Aerial Photo 2021



The applicant proposes to divide the 2.19-acre tract into four building lots as shown on Map 1. The four building lots will range in size from 0.50-acres to 0.62-acres in size. All parcels will have access to

Oak Street. The new lots may be developed as single-family home sites. All parcels are located in the Single Family Residential (R-1) zone.

Map 2
Proposed Hawkeye Meadows Subdivision – 2.19+/- Acres

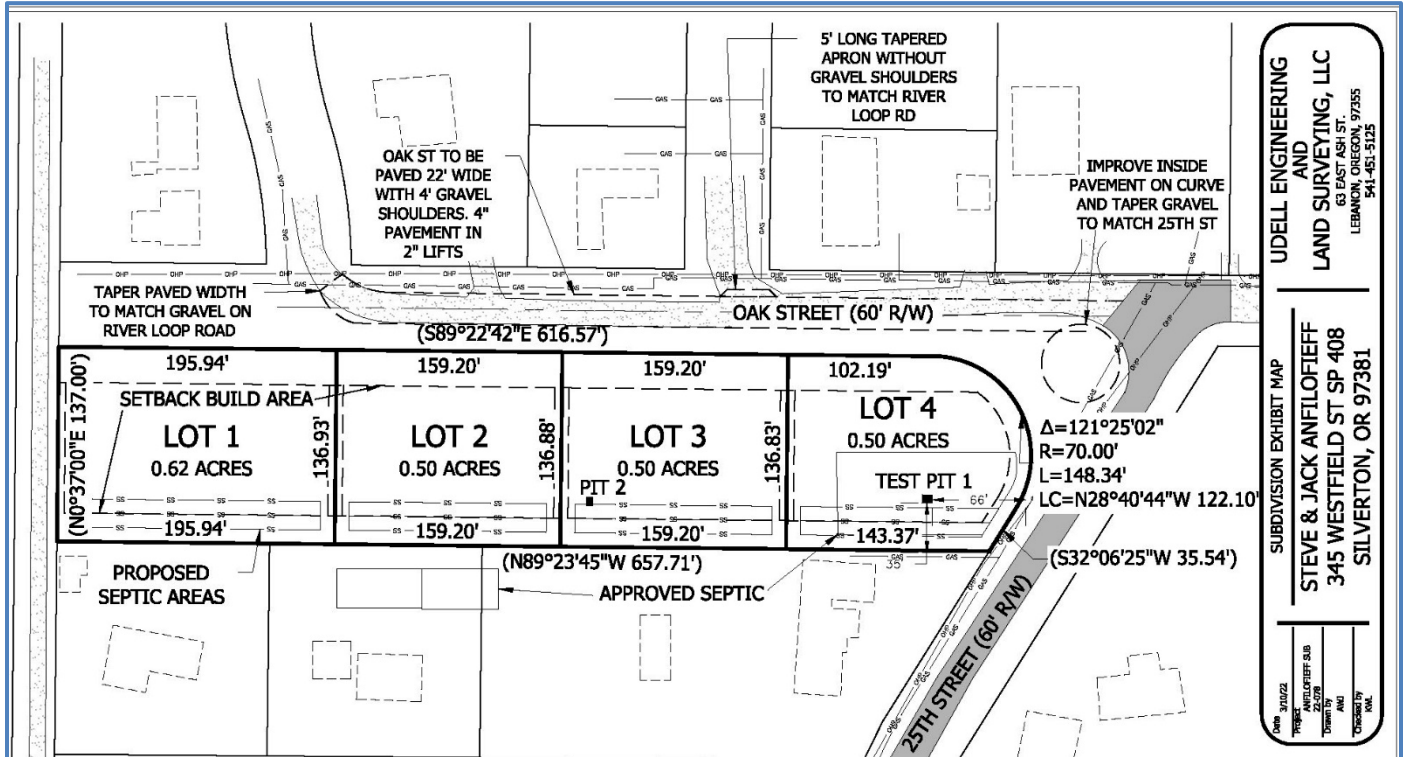


Table 1
Proposed Hawkeye Meadows Subdivision
Assessor's Map 09S 02E 20D, Tax Lot 00600

Proposed Lots	Oak St. Frontage (Feet)	Lot Depth	Lot Size (Acres)	Proposed Use
Lot 1	195.94	136.93	0.62	Vacant – Proposed SFR home site
Lot 2	159.20	136.88	0.50	Vacant – Proposed SFR home site
Lot 3	159.20	136.83	0.50	Vacant – Proposed SFR home site
Lot 4	102.19 + 148.34	136.83	0.50	Vacant – Proposed SFR home site
Total Acreage			2.12+/-	

II. BACKGROUND INFORMATION

A. Pre-Application Information and Application Submittals:

On February 11, 2022 the applicant met City Planner at the site to discuss the proposed Hawkeye

Meadows Subdivision of the 2.19-acre parcel into building lots. The applicant was advised to discuss the project with the Linn County Road Department, Lyons-Mehama Water District and the Linn County Environmental Health Department to verify development requirements from those agencies. The applicant reviewed the proposal with the Linn County Environmental Health Department.

The applicant filed an application with the City on May 5, 2022. The application was deemed complete by the City Planner on May 9, 2022. Therefore, the final local decision must be made by September 6, 2022 to comply with the “120 Day Rule”.

B. Application, Land Use Procedure and Review Requirements:

Chapter 17.20 “Subdivision Plat Approval Procedure” of the Lyons Municipal Code outlines the application, notice and review requirements for a subdivision application. The Lyons Planning Commission will hold a public hearing on and at the conclusion of the hearing will deliberate and make a decision to approve or deny the proposal within 60 days of the hearing.

Section 17.20.050.B states that “prior to final planning commission action on the tentative plat, it shall be reviewed by the city council at a public meeting of the council.” The Planning Commission decision may be appealed to the City Council.

C. Public Hearing and Notices of Public Hearing:

A public hearing will be held before the Planning Commission on June 21, 2022 beginning at 6:30 p.m. at the City Hall, 449 5th Street in Lyons, Oregon. The Planning Commission will make its decision based on criteria found in the Lyons Municipal Code (LMC), Chapter 17 – Subdivisions. The City Code can be viewed under “Codes and Permits” at the City of Lyons website: [City of Lyons](#).

Notice of any public hearings must be provided to affected governmental agencies and adjacent property owners. Written notice shall be mailed to owners of property abutting the subject property at least 20 days prior to the initial evidentiary hearing. Notice of the initial evidentiary hearing was mailed on May 13, 2022.

D. Existing Conditions:

The 2.19-acre tract is located in the 2400 block of Oak Street and west of the 25th Street intersection as shown on Map 1. Oak Street is a 20’+/- gravel road which runs west from 25th Street to River Loop Rd. All four lots have frontage on the Oak Street ROW. The site is relatively flat, it slopes to the north/northwest.

EAST: A 1.01-acre home site at 260 25th Street.

NORTH: Four single-family homes at 45959, 45960, 45711 & 45716 River Loop Road.

WEST: A 56.34-acre farm tract with access to Main Street zoned Farm/Forest (FF). 5.47-acres of this tract is inside the city limits and zoned Single-Family Residential (SFR).

SOUTH: Three single-family home sites at 2421 & 2423 Ash Lane and 265 25th Street. The two home sites on Ash Lane are 0.5-acres in size. The property at 265 25th Street is a 1.12-acre home site.

E. Utilities:

- a. Water: The site can be served by the Lyons-Mehama Water District from an existing water line in Oak Street.
- b. Sewer: On-site sewage disposal (septic tanks) are required for each parcel. In 2021, the Linn County Environmental Health Department evaluated and approved installation of one septic system on proposed Lot 4. Site evaluations will be required to determine if septic approval can be granted for each of the other three lots.
- c. Private utilities: Private utilities (power, telecommunications and natural gas) are available in Oak Street.

F. Streets: Oak Street is a Linn County road. Oak Street is a gravel street. There are no curbs or sidewalks.

G. Agency Comments and Public Testimony:

1. Agency Comments. Agency comments were solicited from the Lyons Fire District, the Lyons-Mehama Water District, Linn County Roads Department, Linn County Environmental Health and private utilities. Any agency comments received prior to or during the public hearing will be made part of the record.
 - a) Lyons-Mehama Water District: Bill Grimes, manager for the Lyons-Mehama Water District, contacted the City Manager. The water district will require the applicant to install 4 water meters with connection to the water main on the north side of Oak Street. All work shall comply with water district design and construction standards.
 - b) Linn County Environmental Health: Brittany May, REHS, LC Environmental Health Program, responded on October 29, 2022. She stated *“A septic site evaluation has been approved for the easternmost proposed parcel (attached). Site evaluations will be required to determine if septic approval can be granted for each of the other three lots.”* See Exhibit C-1.
 - c) Lyons Fire District: The fire district had no comments.
 - d) Linn County Road Department: Daniel Malone, County Engineer, provided the City with a concept plan for required road improvements on March 10, 2022. The email confirmed Linn County will require a 22’ wide pavement (4” deep AC) on Oak Street, gravel shoulders and an AC aprons to River Loop Rd. with 10’ radii. See Exhibit C-2.
 - e) Peoples Telephone: John Eckis, SCTC, responded: *“Peoples Telephone Company does not have any issues with this development. Our only wish is that the developer be required to work with the utility companies to provide our services to each lot if at all possible. Please pass my information on to the developers if and when you see fit.”*
2. Public Testimony. As of June 14, 2022, the City of Lyons had not received any written testimony. Any testimony received prior to or during the public hearing will be made a part of the record. Oral testimony will be included in the meeting minutes.

III. FINDINGS

The application was reviewed to determine whether the proposal complies with the applicable standards and criteria in the Lyons Municipal Code. The applicant submitted written findings addressing the applicable standards and criteria. They are included as part of the record.

A. Chapter 18.20.010 – Single Family Residential (SFR) District

18.20.010 Permitted Uses: A single family dwelling is a permitted use in the SFR residential zone. The minimum lot size is one-half acre for a single-family dwelling or other outright permitted uses. Lots larger than one-half acre may be required after the septic tank soil tests are completed on the site.

Findings & Conclusions: The applicant proposes to subdivide 2.19 acres into four lots. As shown in Table 1 (page 3), each new parcel will meet the 0.50-acre minimum lot size requirement. The proposal complies with Section 18.20.020.

B. Chapter 17.20 – Subdivisions

The purpose of this chapter is to ensure developments comply with city land division requirements and legal requirements for the surveying and recording of subdivisions.

17.20.020 Submission of Tentative Plat for Proposed Subdivision:

17.20.030 Filing Fees:

17.20.040 Agency Review of Tentative Plat:

The City requires an applicant to file a tentative subdivision plat application on city forms, pay an application fee, comply with city public improvement requirements (Chapter 17.50) and comply with city subdivision review procedures.

Findings and Conclusions: The applicant has filed the application, paid required fees and is following City requirements for a subdivision. The City provided notice to affected agencies as discussed above in Section II-G of this report. The proposal complies with Sections 17.20.020, 17.20.030 and 17.20.040.

17.20.050 Subdivision Review Procedures: This section identifies public hearing and approval procedures. The Planning Commission shall make a decision to approve or deny the tentative plat within 60 days of the public hearing. Prior to the final Planning Commission action on the tentative plat, the tentative plat shall be reviewed by the City Council at a regularly scheduled council meeting.

Findings and Conclusions: The City has complied with the agency and public hearing notice requirements. The proposal complies with hearing requirements in Section 17.20.050.A.

17.20.050.C Subdivision Approval Criteria: At the conclusion of the public hearing, the

planning commission is required to make a decision within 35 days and determine if the proposal complies with the following approval criteria.

- C. The planning commission may approve the tentative plat as submitted, approve it with modifications or conditions, or deny it. The decision shall be based on findings related to the following criteria:
 - 1. The subdivision is consistent with the provisions of this title and LMC Title 18 & 19.
 - 2. Vehicular access intended to serve the property from the surrounding area is adequate and vehicular access within the subdivision is adequate to meet the needs of the proposed development.
 - 3. All necessary public utilities are adequate to meet the needs of the proposed development without hindering service delivery or capacity in other parts of the city.
 - 4. Drainage within the proposed development will not result in problems for the development of the surrounding area.
 - 5. No landlocked parcels shall be created. Full and orderly development of the surrounding area can be assured.
 - 6. The physical characteristics of the property, such as potential soil erosion or landslides, drainage, flood plains, and potential natural hazards, have been considered and will not be detrimental to the surrounding area.

REVIEW OF SUBDIVISION APPROVAL CRITERIA:

The City Planner reviewed the application to determine if the proposal complies with the applicable decision criteria. The applicant's land use consultant, Laura LaRoque, Udell Engineering, submitted Exhibit A-6 including a narrative and findings.

17.20.050.C.1 The subdivision is consistent with Title 17–Subdivision, Title 18–Zoning and Title 19 – Lyons Comprehensive Plan:

This section requires the proposal to comply with the applicable sections of the Lyons Code. Udell Engineering submitted findings in Exhibit A-6, pages 4-5 addressing Criterion 1. The staff concurs with the applicant's findings. In addition, Sections III-A and III-B of this staff report address LMC Title 17 – zoning and LMC Title – 18 subdivision procedural requirements. In addition to the comprehensive plan policies in the applicant's findings, LMC 19.10.040, Lyons Comprehensive Plan, Land Development Policy 2a encourages infill of vacant lots.

Conclusions: The proposed 4-lot subdivision is permitted in the SFR zone. Proposed lots meet the minimum lot size requirements. At the time building permits are issued, the City will impose conditions for utility connections, driveways, parking and building height. The proposal is consistent with applicable Residential Land Development Policies of the Lyons Comprehensive Plan. The proposal complies with Criterion 1.

17.20.050.C.2 Streets and Vehicular Access to the Property:

Section 17.50.020 “Streets” establishes standards for existing streets.

Section 17.50.040.B “Access” requires each lot in a subdivision to have a minimum 25’ access to a street.

Findings: The applicant's proposal shows street frontage and driveway access to the proposed parcels.

- *New Streets:* No new streets are proposed.
- *Oak Street:* Oak Street is a 60' wide Linn County Road. It dead-ends at the west end of the applicant's property. The existing road surface is gravel. Linn County Roads has notified the City that the applicant will be required to construct a 22'-wide paved section on Oak Street from the edge of the existing pavement at 25th Street to the second entry to River Loop Road, as shown on the County's concept plan. A condition of approval is recommended to require completion of the street improvements.
- *Driveway Access:* The applicant proposes separate driveway access to each lot.
- *Fire Access Requirements:* No driveway will exceed 150' in length. No special fire access requirements apply.

Subject to completion of the recommended conditions of approval, the proposal can comply with Section 17.20.050.C.2.

17.20.050.C.3 Adequate Public Utilities Are Available:

The City requires each lot to be served by public and private utilities including: water, on-site sewage disposal, power, telecommunications and natural gas.

Findings and Conclusions: The City reviewed the Hawkeye Meadows Subdivision proposal to determine if public facilities are currently available or can be made available to each parcel. The applicant submitted a map showing proposed water, phone/cable & gas service lines within the 30' wide driveway access/PUE that will serve each new parcel, as shown on Map 4.

- **On-site Sewage Disposal:** A permit from Linn County for the installation of an on-site sewage disposal system is required for each parcel. Linn County Environmental Health Department has approved a site evaluation for Lot 4. However, the applicant will need to provide the City with written verification that Lots 1, 2 and 3 can be served by a septic system before a final plat can be approved.
- **Water:** A public 6-inch PVC The tentative plat shows 4 water services will be extended from an existing 6" PVC water main on the north side of Oak Street. Meters & meter boxes and water service will be located at the south side of Oak Street in the public right-of-way. All work must comply with the design and construction standards of the Lyons-Mehama Water District.
- **Private Utilities:** Private utilities are available in Oak Street. Permits must be obtained from NWNG, Pacific Power and telecommunication utilities for the extension of gas, power and phone/cable services to the site. The tentative plat shows underground power will be extended to each lot.

The City concludes public and private utilities are available and can be extended to the property as a condition of approval. The City Planner recommends conditions of approval stipulating:

1. **Water:** Prior to the recording of the final plat, four (4) water services and meter boxes will be installed. Construction will comply with the Lyons-Mehama Water

District design and construction requirements.

2 Septic Drainfield Approval and Septic System Installation:

- a. Drainfield Approval: Prior to the recording of the final plat, the applicant shall obtain site evaluation approval for each lot from the Linn County Environmental Health Department.
- b. Septic System Installation: Prior to or concurrently with the issuance of a building permit for each parcel, the applicant shall install an approved septic tank & drainfield.

Subject to installation of identified public and private utility services, the proposal can comply with Section 17.20.050.C.3.

17.20.050.C.4 Storm Drainage and No Negative Drainage Impacts:

Drainage from the development may not create any negative impacts on surrounding development.

Findings and Conclusions: There are no storm drainage facilities on site. Since the tract is undeveloped, there is potential for storm water impacts from any fill, new building construction and/or site improvements.

- **Storm Drainage Master Plan:** The City's storm drainage master plan does not identify any public storm sewers adjacent to or on the applicant's property. On-site storm drainage facilities shall be based on low-impact development standards to retain/detain storm water on site.
- **Storm Drainage Analysis and Proposed Storm Drainage Improvements:**

The applicant did not submit a storm drainage analysis or plan showing proposed storm drainage improvements. They request the Planning Commission impose a condition of approval stipulating their engineer will submit a storm drainage analysis and proposal to the City Engineer for review and approval prior to the final plat approval.

The City Engineer states there is insufficient information with the application to conclude the developer can adequately manage storm water flows on the property. The City Engineer concurs with the applicant's request to complete the storm analysis and improvement plan prior to final approval of the Hawkeye Meadows Subdivision.

In order to protect water quality, the Planning Consultant recommends a condition of approval to require the developer to submit a storm drainage analysis and engineering plans. The City Engineer's review and approval shall identify drainage facilities which must be installed prior to recording the final plat and/or drainage improvements that may be constructed on each parcel concurrently with the construction of a new home. On-site drainage facilities shall be completed prior to final inspection and issuance of a certificate of occupancy for each home.

Subject to compliance with the recommended condition, the proposal complies with Section 17.20.050.C.4.

17.20.050.C.5 No Landlocked Parcels & Future Orderly Development of Area:

The City code states no land-locked parcels may be created and that adjacent undeveloped sites can be developed in an orderly manner.

Findings and Conclusions:

1. No landlocked parcels. All lots have access to a public street (Oak Street).
2. Future Development- All Parcels. None of the parcels are large enough to be partitioned again.

The proposal complies with Section 17.20.050.C.4.

17.20.050.C.6 Natural Hazards

In reviewing any proposed subdivision, the City must consider for soil erosion, drainage impacts, potential flood damage, or impacts from other natural hazards. Drainage is addressed in 17.20.050.C.5 above.

Findings and Conclusions: The applicant submitted exhibits and findings related to natural hazards, including NWI and Flood Hazard maps. The City concurs with the applicant's findings.

There are no identified natural hazards on the site. The parcel does not have any identified wetlands, the site is not located in a 100-year flood hazard zone, there are no riparian corridors or steep slopes.

The primary concerns of the City for the Hawkeye Meadows Subdivision are that there be no negative water quality impacts from soil erosion or storm drainage impacts on adjacent properties. The City Engineer will take water quality and downstream storm drainage impacts into consideration during his review of the applicant's storm drainage plan for the site.

Subject to compliance with the recommended condition of approval for installation of storm drainage improvements, the proposal complies with Section 17.20.050.C.6.

C. Chapter 17.50 – Design Standards

The purpose of this chapter is to ensure all lots meet minimum size and shape standards and that the needed public facilities serving a development are designed in compliance with city, county and/or state design standards. This section reviews the criteria in Chapter 17.50 that apply to the Hawkeye Meadows Subdivision proposal.

STREETS AND STORM DRAINAGE

Section 17.50.020 and the City of Lyons Public Works Design Standards include design standards and specifications for streets and storm drainage facilities within or adjacent to a partition or subdivision.

1. Streets: As noted under Criteria 17.20.050.C.2, Oak Street is a Linn County Road. Street improvements are required by Linn County.

2. Storm Drainage: As noted under Criteria 17.20.050.C.4, the City Planner recommends conditions of approval to submit a storm drainage analysis and storm drainage plans that comply with the City's public works design standards.

EASEMENTS AND ACCESS

Section 17.50.030 identifies requirements for utility, drainage and/or access easements.

17.50.030.A Utility Lines. The tentative plat shows a 10'-wide PUE along the Oak Street lot frontage of each lot. This easement width complies with city standards.

LOT SIZE AND SHAPE

Section 17.50.040 identifies the lot dimension requirements. The following subsections of Section 17.50.040 apply to the subdivision.

17.50.040.A Lot Size. A minimum lot size of one-half acre or larger if needed to comply with Linn County lot size requirements for a subsurface sewage disposal system. The proposed lots comply with the minimum lot size requirements.

17.50.040.B Access. Each lot shall have a minimum 25' frontage on a street or a residential vehicle access easement. The proposed lots comply with the access requirement.

LAND FOR PUBLIC PURPOSES

Section 17.50.060 sets standards for dedication of land for public purposes. No land is proposed for public purposes as part of the subdivision.

Conclusions: Subject to compliance with the recommended condition to meet minimum front yard building setbacks from the driveway easement, the proposal complies with the design standards in Chapter 17.50.

D. Chapter 17.55 – Improvements

The purpose of this chapter is to ensure the needed public facilities serving a development are designed and constructed in compliance with city, county and/or state requirements and that private utilities are installed concurrently with the development.

Public facilities include streets, storm drainage, sidewalks, bicycle facilities, water, sewer and private utilities. No partition or subdivision may be approved unless the public facilities related to the development comply with the City's public works design standards and are either in place or guaranteed as part of the project. This section reviews the criteria in Chapter 17.55 that apply to this subdivision proposal.

Sections 17.55.010 to 17.55.030 apply to this project.

17.55.010 Engineering Plans and Construction Permit for Work in Linn County ROW.
Engineering plans for required public improvements must be submitted to, reviewed by and approved by the Linn County Road Department. All work shall be inspected and approved by the County Engineer or her designated representative.

17.55.030 Improvements Required in a Subdivision.

- 1) Oak Street. Oak Street improvements shall be constructed prior to the recording of the final plat, or the applicant shall provide evidence to the City that Linn County has issued a construction permit and approved a performance bond to guarantee the completion of the work.
- 2) Sidewalks and Bikeways. No sidewalks or bikeways are required for this project.
- 3) Water System. The Lyons-Mehama Water District shall review and approve construction plans for the installation of a water service, water meters and meter boxes to each parcel. The applicant shall complete installation of the water service lines and install meter boxes prior to recording the final plat. The applicant, or builder, may apply for service from the water district at the time a building permit is issued.
- 4) On-site Sewage Disposal.
 - a) Prior to the recording of the final plat, the applicant shall obtain site evaluation approval for Lots 1, 2 and 3 from the Linn County Environmental Health Department.
 - b) At the time a building permit is issued, the applicant or builder shall obtain a permit from the Linn County Environmental Health Department and install an approved on-site sewage disposal system.
- 5) Storm Drainage. In order to protect adjacent sites from drainage impacts and water quality, the applicant's engineer will need to submit a storm drainage plan to the City Engineer, including plans showing a low-impact storm drainage facilities to retain/detain storm water on each building site. The City must review and approve the drainage plan prior to issuance of a building permit for each parcel.
- 6) Private Utility Service. The developer shall make necessary arrangements for private utilities (Pacific Power, NWNG, WAVE Broadband and telecommunications) for the extension of service to Parcels 1 & 3. If any work occurs within the public right-of-way, the applicant or utility shall obtain required permits from Linn County Roads Department.

Conclusions: Subject to compliance with the recommended conditions for public and private improvements, the proposal complies with the improvement requirements in Chapter 17.55.

IV. CITY PLANNER CONCLUSION AND RECOMMENDATION

Based on the findings contained in this report, the City Planner concludes that the application the Hawkeye Meadows Subdivision can comply with the applicable criteria, if conditions of approval are imposed.

The City Planner recommends the Planning Commission impose several conditions of approval.

1. **Approved Map & Time Limit of Subdivision Approval.** The Hawkeye Meadows Subdivision is hereby approved as shown on the attached map, dated & stamped approved by the City of Lyons. Approval is granted subject to the completion of the final subdivision plat within one year and compliance with all conditions of approval. **The tentative plat approval will expire August 31, 2023** at 4:00 p.m. if the applicant has not filed the final plat with the Linn County Surveyor.
2. **Final Subdivision Plat.** A final plat must be filed and recorded with the Linn County Surveyor. The survey must be prepared by a registered professional surveyor and comply with state law and Linn County survey requirements. The final plat must show:
 - A. **Parcels:** Lots 1 to 4, as shown on the approved tentative plat. The exact dimensions of each parcel may vary from the approved tentative plat, but no lot may be less than 0.50-acres.
 - B. **Easements:** Provide a 10'-wide PUE on the Oak Street frontage as shown on the approved tentative plat.
 - C. **Reimbursement to City for Engineering / Planning Consultant Services:** Prior to the City approval of the final plat, the applicant will reimburse the City for the actual costs incurred by the City for the City's engineering review or planning costs, which may exceed the initial application deposit paid by the applicant.
3. **Improvements Required Prior to the Recording of the Final Plat.** The City requires the following improvements be completed prior to the recording of the final plat:
 - A. **Water Service:** The Lyons-Mehama Water District shall review and approve construction plans for the installation of a water service, water meters and meter boxes to each parcel. The applicant shall complete installation of the water service lines and install meter boxes prior to recording the final plat.
 - B. **Storm Drainage System:** The applicant's engineer will submit a drainage report and drainage plan to the City Engineer for approval. The on-site storm drainage improvements shall be based on low-impact development standards for storm drainage facilities to retain/detain storm water on each building site. The City must review and approve the drainage plan prior to issuance of a building permit for each parcel.
 - C. **Oak Street Improvements:** The applicant will design and construct Oak Street improvements as shown on Exhibit C-2 or as required by the Linn County Roads

Department. Prior to the recording of the final plat the applicant shall either (1) complete construction of the Oak Street improvements or (2) provide the City of Lyons with a copy of the approved Linn County Construction Permit, including the performance bond or financial guarantee that assures completion of the street improvements.

- D. **On-site Sewer Disposal System – Approved Site Evaluation for Each Parcel:** The applicant/builder provide a copy of an approved site evaluation for Lots 1, 2 and 3 from the Linn County Environmental Health Department.
4. **Improvements Required Prior to or Concurrently with a Building Permit.** Prior to City approval of a building permit, the property owner/builder shall comply with the following requirements:
- A. **On-site Sewer Disposal System:** The applicant/builder shall install an on-site sewage disposal system or obtain a plumbing permit for the installation of the system concurrently with the issuance of a building permit for each parcel. Building site plans shall show the location of the drainfield and driveways, to ensure the driveway is not located over the drainfield.
 - B. **Water Service Lines and Private Utilities:** Install water meters, water service lines from the meters to the homes, as well as natural gas, power and telecommunications service line extensions to each parcel prior to the issuance of a certificate of occupancy is approved.
5. **City Engineer Review and Approval of Storm Drainage Engineering Plans:** The City Engineer shall review and approve engineering plans for the storm drainage improvements prior to the City approval of the final plat. The City Engineer's review shall identify drainage facilities which must be installed prior to recording of the final plat and/or the drainage improvements that may be constructed on each parcel concurrently with construction of a new home. All drainage facilities shall be completed prior to final inspection and issuance of a certificate of occupancy.
6. **Linn County Construction Permit for Work in the Public Right-of-Way & Performance Bond:**
- A. The applicant, builder or private utilities are required to obtain a right-of-way construction permit from the Linn County Roads Department for any construction work within the County's right-of-way, including street construction, driveway approach, storm drainage, water services or private utility work.
 - B. The Linn County Roads Department may require the applicant to provide a performance bond or financial guarantee to the County assuring the improvements are constructed, inspected and approved by the County.

V. PLANNING COMMISSION OPTIONS

- A. Approval of the Hawkeye Meadows Subdivision for Steve Anfilofieff on Oak Street, File No. 2022-02 and adoption of the proposed findings and the recommended conditions of approval.

- B. Approval of the Hawkeye Meadows Subdivision for Steve Anfilofieff on Oak Street, File No. 2022-02 and adoption of amended findings and conditions of approval to reflect the Planning Commission deliberations.
- C. Denial of the Hawkeye Meadows Subdivision proposal, File No. 2022-02, and to direct the City Planner to modify the findings to reflect the Planning Commission’s deliberations that the proposal does not meet the applicable approval criteria.
- D. Continue the hearing, to a date and time certain, if additional information is needed to determine whether applicable standards and criteria are addressed.

VI. MOTIONS

Approval:	To approve the Hawkeye Meadows Subdivision for Steve Anfilofieff on 18 th Street, adopt the findings of fact, conclusions and recommended conditions of approval for File No. 2022-02.
Approval (modified):	To approve the Hawkeye Meadows Subdivision for Steve Anfilofieff on Oak Street, to direct the staff to modify the findings of fact and conclusions to reflect the Planning Commission’s deliberations and adopt the conditions of approval for File No. 2022-02.
Continue:	To continue deliberations to the next meeting of the Planning Commission on <i>(insert DATE and TIME)</i> so the parties may submit additional information.
Denial:	To deny the application for a Hawkeye Meadows Subdivision because the applicant has not demonstrated the proposal complies with all of the Lyons Municipal Code criteria and to direct the staff to modify the findings and prepare a final order to reflect the Planning Commission’s deliberations and conclusions.

VII. FINAL ORDER AND NOTICE OF DECISION

A FINAL ORDER and a written NOTICE OF DECISION will be issued to the applicant and all participants of record within five (5) business days of the Planning Commission’s decision.

VIII. APPEAL PERIOD

Any person aggrieved by the Planning Commission decision may appeal the decision to the City Council by filing a written appeal with the City of Lyons within fourteen (14) calendar days of the date the Notice of Decision is mailed by the City.

Staff Report Exhibits

Hawkeye Meadows Subdivision Application

EXHIBIT A Application & Supplemental Materials (in City file)

- A-1 Application
- A-2 Hawkeye Meadows Subdivision Map
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- A-5 Subdivision Name Approval
- A-6 Applicant's Narrative and Findings Document

EXHIBIT B Notice of Public Hearing (in City file)

EXHIBIT C Agency Comments

- C-1 Brittany May, Linn County Environmental Health
- C-2 Daniel Malone, Linn County Roads Department



City of Lyons

Phone: 503 859 2167

Fax: 503 859 5167

cityoflyons@wavecable.com

449 5th Street

Lyons, Oregon 97358

www.cityoflyons.org

Received By: _____

Date: _____

Paid _____

SUBDIVISION APPLICATION

Name of Applicant: Steve Anfilofieff

Mailing Address: 4206 Main Street, Sweet Home, OR 97386

Phone Number: 503-949-3600 email: skybuilders2020@gmail.com

Proposed name of subdivision: Hawkeye Meadows

Address of proposed subdivision: 2420-2426 Oak St, Lyons, OR 97358

TWP: 9S RANGE: 2E SEC: 20 TAX LOT: 600

Zoning on property: R-1 Single Family Residential

Name of surveyor: Kyle Latimer, Udell Engineering

Surveyor's address & phone number: 63 E Ash St, Lebanon, OR 97355
541-451-5125

Number of lots: 4 Total acreage: 2.12 acres Average lot size: 0.53 acres

Describe the current vehicular access to and on the property: Existing frontage on Oak st.

How will the access be changed as a result of the subdivision? Driveways/access will still be on Oak st.

Describe the status of water supply and sewage disposal systems to serve the property: _____
There is an existing water mainline on Oak st. The lots and adjacent neighbors are on septic systems. The subject property has prior approval as shown on the tentative map.

How will the water supply and sewage disposal be provided in the subdivision? Water
connections will be made by tying into the existing main on Oak St. Sewage disposal for the lots
will be provided by septic systems.

Describe the physical features of the property (i.e. slope, drainage, etc.): The lot is currently
vacant, flat land. Oak St frontage is less than a 1% slope and the greatest difference of
elevations on site is about 4 feet- 692' in the SE of proposed corner Lot 4 on 25th street, and
688' in the NW of proposed end lot 1.

Describe the physical features on the properties surrounding the land to be partitioned: The
surrounding land remains relatively flat like the subject property, with single family
residences all all around it. The Evergreen Addition subdivision lies just north across
Oak St which slopes slightly down towards the Santiam River.

Is all the property owned or controlled by the applicant a part of the subdivision? Yes

If not, what is proposed for the remainder of the property? N/A

Are deed restrictions proposed for the subdivision? ☐ Yes ☒ No

If there will be deed restrictions, please attach a copy.

Is there a proposal to phase development of the property? ☐ Yes ☒ No

If so, please attach a phasing plan.

Please attach maps and supplementary material which will comply with all of the requirements
of Sections 5.010, 5.020, 5.030, 5.040, and 5.050 of the Lyons Subdivision Ordinance.
(Provided as a supplement to this application.)

Provide a certified list of all property owners abutting the subject property. Lists obtained from a
title company incorporated under Oregon laws or the Linn County Tax Assessor's office shall be
acceptable.

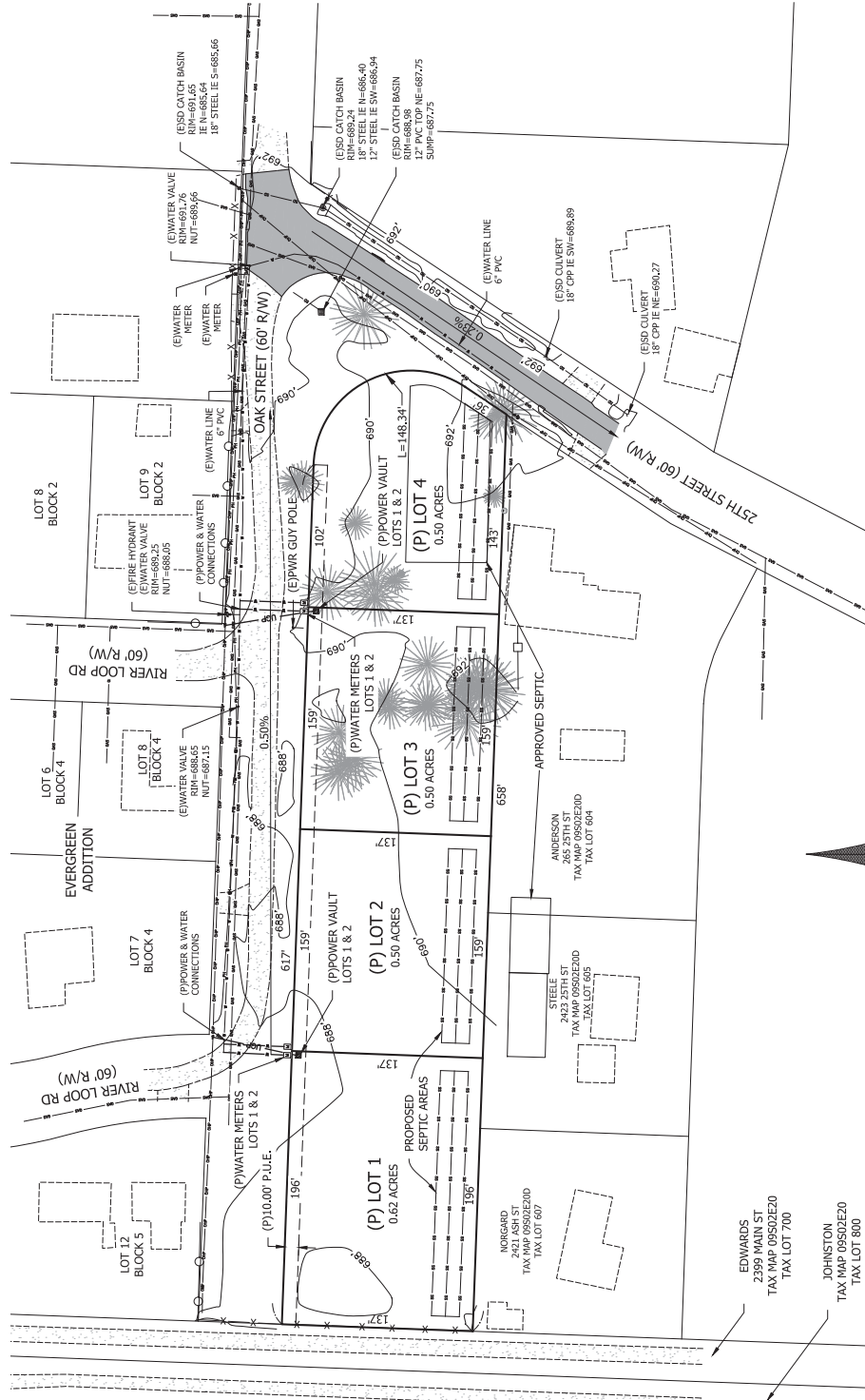
I have received a copy of the subdivision ordinance and the applicable sections of the zoning
ordinance. I understand that it will be at least 45 days from the submission of the completed
application before it will be heard at a public hearing of the Lyons Planning Commission.

SIGNATURE OF APPLICANT _____ DATE: _____

HAWKEYE MEADOWS
TENTATIVE SUBDIVISION PLAT
FOR STEVE & JACK ANFILOFF
LOCATED IN THE SE 1/4 SEC. 20, T. 09 S., R. 2 E., W.M.,
CITY OF LYONS, LINN COUNTY, OREGON
APRIL 27, 2022



VICINITY MAP
NOT TO SCALE



SCALE: 1" = 60'
0' 60' 120'

PROPERTY INFORMATION

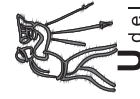
ZONING: R-1 SINGLE FAMILY RESIDENTIAL
LAND USE: VACANT
OWNER: STEVE AND JACK ANFILOFF
OWNER ADDRESS: 345 WESTFIELD ST SW 408, SILVERTON, OR 97381
ASSESSORS MAP: 09502E20D
TAX LOT: 800

PROJECT VERTICAL DATUM -- NAVD 88

ALL ELEVATIONS ARE SHOWN ON THE VERTICAL DATUM OF NAVD 88. THE VERTICAL BENCHMARK USED FOR ESTABLISHING ELEVATIONS IS LINN COUNTY GPS CONTROL POINT 93555 LOCATED AT THE INTERSECTION OF MAIN ST AND APPLE LOOP.

LEGEND

- (E) EXISTING
- (P) PROPOSED
- IE INVERT ELEVATION (FLOW LINE)
- MF MANHOLE
- PUE PUBLIC UTILITY EASEMENT
- R/W RIGHT-OF-WAY
- SS SANITARY SEWER
- SO SQUARE FEET
- TOP TOP OF PIPE
- (E) GRAVEL
- (E) PAVEMENT
- (E) POST/POLE
- (E) POWER POLE W/DROP
- (E) STORM CATCH BASIN
- (E) STORM CULVERT INVERT
- (E) STORM MANHOLE
- (E) TREE DECIDUOUS
- (E) TREE FRUIT
- (E) WATER FIRE HYDRANT
- (E) WATER METER
- (E) WIRE FENCE
- (E) CHAINLINK FENCE
- (E) WOOD FENCE
- (E) WIRE FENCE
- (E) SD SEWER LOCATE PAINT
- (E) WATER LOCATE PAINT
- (E) PHONE LOCATE PAINT
- (E) OVERHEAD POWER
- (P) UNDERGROUND POWER
- (E) GAS LINE LOCATE



REGISTERED
**PROFESSIONAL
LAND SURVEYOR**

ENGINEERING &
LAND SURVEYING, LLC
63 EAST ASH ST.
LEBANON, OREGON

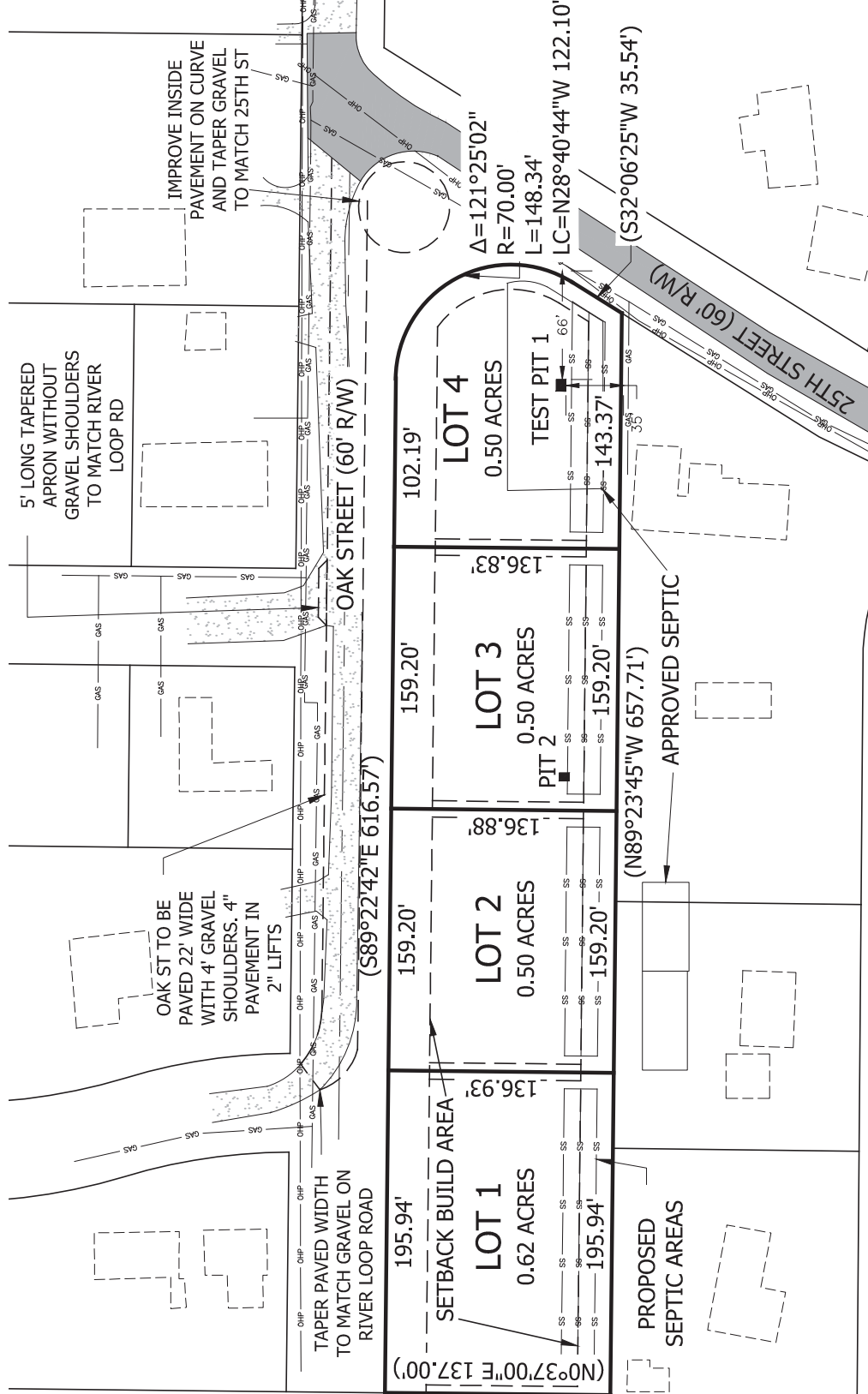
97355
PH. (541) 451-5125
FAX (541) 451-1366

JUNE 12, 2013
OREGON
KYLE W. LATIMER
#80442

EXPIRES 12-31-2022

SHEET 1 OF 1


22-078 ANFILOFF LYONS SUB AWJ



UDALL ENGINEERING
AND
LAND SURVEYING, LLC
63 EAST ASH ST.
LEBANON, OREGON, 97355
541-451-5125

SUBDIVISION EXHIBIT MAP
STEVE & JACK ANFILOFFIEFF
345 WESTFIELD ST SP 408
SILVERTON, OR 97381

Date 3/10/22
Project ANFILOFFIEFF SUB
Drawn by AWJ
Checked by KWL



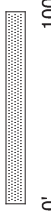
1

SHEET

of

1

SCALE: AS NOTED



SCALE:
0' 100'

RIGHT OF WAY
COUNTY
ROAD
ACRES
DATA OF RECORD PER C.S. 21879
PROPERTY LINE
LOT LINE
ROAD CENTERLINE
PROPOSED IMPROVEMENTS
EXISTING BUILDING
OVERHEAD POWERLINE
GAS LINE
PROPOSED SEPTIC AREA
EXISTING GRAVEL ROAD
EXISTING PAVEMENT

LEGEND

R/W
CO
RD
AC
()

CHP
GAS
SS

THE LOCATION AND DESCRIPTIONS OF EXISTING CONDITIONS SHOWN HEREON ARE DRAWN FROM AERIAL IMAGERY. LOCATIONS ARE APPROXIMATE.

BUILDING SETBACKS PER CITY OF LYONS CODE 18.20.010: FRONT YARD MINIMUM 25', REAR YARD MINIMUM 20', SIDE LOT MINIMUM 5', AND CORNER LOT ADJACENT SIDE STREET MINIMUM 15'.

THE LOCATION AND DESCRIPTIONS OF EXISTING CONDITIONS SHOWN HEREON ARE DRAWN FROM AERIAL IMAGERY. LOCATIONS ARE APPROXIMATE.

BUILDING SETBACKS PER CITY OF LYONS CODE 18.20.010: FRONT YARD MINIMUM 25', REAR YARD MINIMUM 20', SIDE LOT MINIMUM 5', AND CORNER LOT ADJACENT SIDE STREET MINIMUM 15'.

National Flood Hazard Layer FIRMette



122°35'41"W 44°46'35"N

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS

Without Base Flood Elevation (BFE)
Zone A, V, AE, AH, VE, AR
With BFE or Depth
Regulatory Floodway

0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile
Zone X

Future Conditions 1% Annual Chance Flood Hazard
Zone X
Area with Reduced Flood Risk due to Levee, See Notes, Zone X
Area with Flood Risk due to Levee
Zone D

OTHER AREAS OF FLOOD HAZARD

NO SCREEN
Area of Minimal Flood Hazard
Zone X
Effective LOMRs
Area of Undetermined Flood Hazard
Zone D

OTHER AREAS

GENERAL STRUCTURES
Channel, Culvert, or Storm Sewer
Levee, Dike, or Floodwall

Cross Sections with 1% Annual Chance Water Surface Elevation
Coastal Transect
Base Flood Elevation Line (BFE)
Limit of Study
Jurisdiction Boundary

OTHER FEATURES

Coastal Transect Baseline
Profile Baseline
Hydrographic Feature

Digital Data Available
No Digital Data Available
Unmapped

MAP PANELS



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **4/29/2022 at 1:56 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

Exhibit A-3



122°35'41"W 44°46'35"N

0 250 500 1,000 1,500 2,000 Feet 1:6,000

Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020



NW1



April 29, 2022

Wetlands

- | Wetlands | |
|--------------------------------|-----------------------------------|
| Estuarine and Marine Deepwater | Freshwater Emergent Wetland |
| Estuarine and Marine Wetland | Freshwater Forested/Shrub Wetland |
| | Freshwater Pond |
| | Lake |
| | Other |
| | Riverine |

National Wetlands Inventory (NWI)
This page was produced by the NWI mapper

LINN COUNTY
SURVEYOR'S OFFICE

Exhibit A-5

SUBDIVISION PLAT NAMING

I request that the Linn County Surveyor's Office reserve the following subdivision name:

PROPOSED NAME OF SUBDIVISION:	Hawkeye Meadows
MAP AND TAX LOT NUMBER:	09S-02E-20D Lot 600
CITY JURISDICTION (Which City?) OR COUNTY JURISDICTION:	Lyons
SURVEYOR'S NAME:	Kyle Latimer, Udell Engineering
OWNER'S NAME:	Steve and Jack Anfilofieff

I understand that if the name is not used within one year, it will be automatically canceled.

Name of person reserving name: Kyle Latimer

Address: 63 E Ash St, Lebanon, OR 97355

Telephone number: 541-451-5125

Fax number: _____

Signature: _____ Date: _____

Name approved

Date

Linn County Surveyor's Office

92.090 Approval of subdivision plat names; requisites for approval of tentative subdivision or partition plan or plat. (1) Subdivision plat names shall be subject to the approval of the county surveyor or, in the case where there is no county surveyor, the county assessor. No tentative subdivision plan or subdivision plat of a subdivision shall be approved which bears a name similar to or pronounced the same as the name of any other subdivision in the same county, unless the land platted is contiguous to and platted by the same party that platted the subdivision bearing that name or unless the party files and records the consent of the party that platted the contiguous subdivision bearing that name. All subdivision plats must continue the lot numbers and, if used, the block numbers of the subdivision plat of the same name last filed. On or after January 1, 1992, any subdivision submitted for final approval shall not use block numbers or letters unless such subdivision is a continued phase of a previously recorded subdivision, bearing the same name, that has previously used block numbers or letters.

P.O. Box 100 Albany, OR 97321

Phone (541) 967-3857 Fax: (541) 967-3801

TENTATIVE SUBDIVISION APPLICATION

Submitted to: City of Lyons
Planning Department
449 5th Street
Lyons, Oregon 97358

Applicants/Property Owners: Steve Anfilofieff
Sky Builders LLC
4206 Main Street
Sweet Home, OR 97386
(503) 949-3600 / skybuilders2020@gmail.com

Applicant's Representative: Udell Engineering and Land Surveying, LLC
63 E. Ash Street
Lebanon, OR 97355

Contact: Laura LaRoque
Email: laura@udelleng.com
Phone: (541) 990-8661

Site Location: 2420-2426 Oak St, Lyons, OR 97386

Linn County Assessor's Map No.: 09S – 02E – 20D Tax Lot 600

Site Size: ±2.19-acres

Existing Land Use: Unimproved

Zone Designation: Single-Family Residential (SFR)

Surrounding Zoning: North: Rural Residential, 2.5 acre minimum (RR-2.5)
South: Single-Family Residential (SFR)
East: Rural Residential, 2.5 acre minimum (RR-2.5)
West: Farm/Forest (F/F)

Surrounding Uses: North: Abandoned Railroad
South: Single-Family Residential
East: Single-Family Residential
West: Single-Family Residential



I. Executive Summary

The applicant requests approval of a 4-lot subdivision "Hawkeye Meadows" for a property south of Oak Street and west of 25th Street. The property is identified as 2420, 2422, 2424 Oak Street and Linn County Tax Assessor Map No. 09S-02E-20D Tax Lot 600. The property is approximately 2.19-acres and unimproved.

The property is in a partially developed neighborhood. To the north and east are rural single-family residences. located in the Rural Residential, 2.5-acre minimum zone. To the south, are Single-Family Residential (SFR) properties improved with single-family dwellings and associated accessory structures. To the west, is a Farm/Forest zoned property.

The proposal includes a preliminary plan to subdivide the ±2.19-acre site into four residential lots. As proposed, Lot 1 would be 0.62-acres and Lots 2-4 would be 0.50-acres. All lots would be eligible development of a detached single-family dwelling.

All proposed lots within the subdivision would have frontage on access to Oak Street. Oak Street is under the jurisdiction of Linn County and will be improved to County local street classification standards.

The existing water line on Oak St will be used to service all lots, with installments of water meters just north of the property line as shown on attached tentative plat. A Fire hydrant exists across Oak St near the southwest corner of Lot 9, Block 2 of Evergreen Addition. The hydrant measures 316' from the northeast corner of proposed Lot 1. Underground power will run to proposed power vaults from the existing overhead lines on Oak St, one to service lots 1 & 2, the other serving lots 3 & 4. Gas lines are available along Oak St that continue through to River Loop Road and service the Evergreen Addition subdivision. Also shown on the attached map are the proposed septic sites for all lots. Lot 4 has previously received septic approval.

The following section provides a detailed analysis of how the proposal meets the development code.

II. Development Code Criteria

The applicable code criteria of the Lyons Municipal Code are as follows:

Title 18 Zoning:

- Section 18.20.010 Residential Single-Family (SFR) Zoning District

Title 17 Land Divisions:

- Section 17.20 Subdivision Plat Approval Procedure
- Section 17.50 Design Standards
- Section 17.55 Improvements



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2420-2426 Oak Street
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III. Background Information

- A. Pre-Application: Prior to submittal of an application, the proposed subdivision was reviewed by the City Planner and Linn County Environmental Health Department.
- B. Land Use Review Procedure: Chapter 17 of the Lyons Municipal Code outlines the application submittal requirements and review procedure for land division applications. In accordance with Section 17.40.030.C-F, the Planning Commission shall render a decision on the application within 35-days of a duly noticed and held public hearing with an option to appeal said decision to the City Council.
- C. Public Hearing and Notices of Public Hearing: A public hearing will be held before the Planning Commission within 45-days of a submitted application. The Planning Commission will make its decision based on criteria found in the Lyons Municipal Code (LMC), Chapter 17 – Subdivisions. Notice of any public hearings will be provided by city staff to affected governmental agencies and adjacent property owners. Written notice shall be mailed to owners of property abutting the subject property at least 20 days prior to the initial evidentiary hearing.
- D. Existing Conditions:

Currently, the subject property is unimproved and located within the Residential Single-Family (SFR) Zoning District. The ±2.19-acre site is located to the southwest of the Oak Street and 25th Street intersection. The site relatively flat with little vegetation.

To the north and east of the site is Lyons City Limits with single-family residential development within the Linn County's Rural Residential, 2.5-acre minimum zoning district. To the south is the Southern Pacific Railroad and Lyons's city limits. To the east of the site is single-family residential development within the SFR zoning district. To the west of the site is the Lyons City Limits with single-family residential development and farm/forest development within Linn County's Farm/Forest zoning district.
- E. Utilities: Water service to the proposed parcels will be provided by private connections to the existing public water main within Oak Street. Sanitary sewer service to the proposed parcels will be provided by private septic systems. Franchise utilities will be provided by connections to existing services within the Oak Street right-of-way.
- F. Streets: Proposed parcels will have access to Oak Street, which is classified as a local street. 19th Avenue is a turnpike style street with a 22' AC pavement width without curbs or sidewalks.

IV. Review Criteria

The City may approve, approve with conditions, or deny a preliminary plat based on the criteria contained in LMC 17.20.050(C). Provisions in LMC 17.20.050(C) include the following:



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2420-2426 Oak Street
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Criterion 1

1. The subdivision is consistent with the provisions of this title and LMC Titles 18 and 19.

Findings and Conclusions

1.1 The application request is for approval of a 4-lot subdivision each to be improved with a single-family residential dwelling and associated accessory structure(s).

1.2 Title 18 zoning:

- a. According to the Lyons Official Zone Map, the subject property is zoned Residential Single Family (SFR).
- b. Pursuant to LMC 18.20.010(B), single family dwellings permitted outright in the SFR zoning district.
- c. Pursuant to LMC 18.20.010(D), the minimum lot size is 0.50-acres for a single-family dwelling, manufactured home, or for other uses permitted outright or conditionally in the SFR zoning district. The proposed lots are equal to or greater than 0.50-acres.
- d. Standards under LMC 18.20.010(E)(F)(G) for minimum setbacks, maximum height, and lot coverage will be reviewed and approved in association with a building permit.
- e. Standards under LMC 18.30.040 for minimum floor area, occupancy, and garage/carports will be reviewed and approved in association with a building permit.
- f. Pursuant to LMC 19.30.090 each of the proposed lots abut a public street (i.e., Oak Street) for width of at least 25 feet.
- g. Off-street parking requirements pursuant to LMC 18.30.160(B) will be reviewed and approved in association with a building permit. However, conformance with minimum lot size standards of the zone will ensure that there is adequate space for the two off street parking spaces per single-family dwelling unit.

1.3 Title 19: Comprehensive Plan:

- a. Pursuant to LMC 19.10.010 this application will be considered by the Planning Commission at a duly notified public hearing. This process ensure that public can be involved in the decision-making process.
- b. The establishment of the development code ensure that the goals and policies related to natural resources and limitation are realized. See criterion 6 incorporated herein reference for more information about natural resource and natural hazard protection.

- c. Utilizing residentially zoned land for residential development implements the housing goals identified in LMC 19.10.030(A).
- d. Pursuant to LMC 19.10.030(B), public services are reviewed under Criterion 3 incorporated herein reference.
- e. The subdivision review process implements the goals and policies of LMC 19.10.040(A).
- f. Therefore, the applicable provisions of Title 18 and 19 are met.

Criterion 2

2. **Vehicular access intended to serve the property from the surrounding area is adequate and vehicular access within the subdivision is adequate to meet the needs of the proposed development.**

Findings and Conclusions

- 2.1 The application request is for approval of a 4-lot residential subdivision for a site south of Oak Street and west of 25th Street. Lots 1-3 will have frontage one and access to Oak Street. Lot 4 is a corner lot. Lot 4 will have frontage on both Oak Street and 25th Street with access to Oak Street. No new streets proposed with this application.
- 2.2 Section 17.50.020 includes design standards for streets within or adjacent to a partition or subdivision. Oak Street is under Linn County jurisdiction. It is classified as a local street that is designed as a turnpike style street with a 22' AC pavement width without curbs or sidewalks. All proposed street improvements are shown on tentative plat.
- 2.3 Pursuant to LMC 17.50.040(B) each of the proposed lots will abut Oak Street (a public street) for a width greater than 25 feet. Therefore, this criterion is met.

Criterion 3

3. **All necessary public utilities are adequate to meet the needs of the proposed development without hindering service delivery or capacity in other parts of the city.**

Findings and Conclusions

The purpose of Chapter 17.55 – Improvements is to ensure the need of public facilities serving a development are designed and constructed in compliance with city, county, and/or state requirements and that private utilities are installed concurrently with the development.

Public facilities include streets, storm drainage, sidewalks, bicycle facilities, water, sewer, and private utilities. No partition or subdivision may be approved unless the public facilities related to the development comply with the City of Lyons Public Works Design Standards and are either in place or guaranteed as part of the project.

Sections 17.55.010 to 17.55.030 and the City of Lyons Public Works Design Standards and Construction Specifications apply to this project.



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2420-2426 Oak Street
Subdivision Application

May 5, 2022
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Water

- 3.1 Water is provided the Lyons-Mehama Water District.
- 3.2 A public 6-inch water mainline exists in Oak Street long the frontage of Lots 2-4 with termination at the east property boundary of Lot 1. An existing fire hydrant is located at the northeast corner of the River Loop Road and Oak Street intersection.
- 3.3 A water service line and meter are proposed to each of the lots. A permit from the Lyons-Mehama Water District will be obtain in association of a building permit for a water meter, water service line and related improvements.

Sanitary Sewer

- 3.4 Sanitary sewer service to the proposed parcels will be provided by private septic systems.
- 3.5 Favorable site evaluations for each of the lots has been obtained from Linn County Environmental Health. A construction/installation permit will be obtained in association of a building permit for septic system and related improvements.

Street Improvements

- 3.6 Findings pertaining to street improvements and access are under Criterion 3, above and incorporated herein by reference.

Storm Drainage

- 3.7 Findings pertaining to drainage are under Criterion 4, below and incorporated herein by reference.

Private Utilities

- 3.8 Permits from Northwest Natural Gas, Pacific Power, and telecommunication utilities for the extension of gas, power, and phone/cable services. Subject to installation of identified public and private utility services, the proposal can comply with Section 17.40.030.E.3.

Criterion 4

- 4. Drainage within the proposed development will not result in problems for the development or the surrounding area.**

Findings and Conclusions

- 4.1 Since the tract is undeveloped, there is potential for storm water impacts from any fill, new building construction, and/or site improvements.
- 4.2 To protect water quality, a condition of approval may be included to require the submittal a drainage plan including low-impact storm drainage facilities to retain/detain storm water on each building site. The city may review and approve the drainage plan per lot to issuance of a building permit.



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2420-2426 Oak Street
Subdivision Application

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4.3 Subject to compliance with this condition, the proposal complies with Section 17.40.030.E.5.

Criterion 5

5. No landlocked parcels will be created. Full and orderly development of the surrounding area can be assured.

Findings and Conclusions

5.1 As shown on the Tentative Subdivision plat, the proposed subdivision would subdivide an existing parcel into four lots. Lots 1-3 will have frontage one and access to Oak Street. Lot 4 is a corner lot and will have frontage on Oak Street and 25th Street with proposed access to Oak Street.

5.2 All of the adjoining properties have independent access to a public street, and the proposed subdivision will not impact the access of adjoining properties.

- a. North of the subject property is Oak Street. Properties north of the subject property and Oak Street have frontage on and access to River Loop Road and Oak Street.
- b. East of the subject property is 25th Street. Properties east of the subject property and 25th Street have frontage on and access to 25th Street.
- c. South of the subject property is abutting property some with frontage on 25th Street and all with either shared or direct access to 25th Avenue.
- d. West of the subject property is an abutting property with frontage on and access to Main Street/Lyons Mill City Drive.

5.3 Therefore, all proposed lots and adjoining land has, and will continue to have, access to a public street. This criterion is met.

Criterion 6

6. The physical characteristics of the property, such as potential soil erosion or landslides, drainage, flood plains, and potential natural hazards, have been considered and will not be detrimental to the property or to the surrounding area.

Findings and Conclusions

6.1 FEMA/FIRM Community Panel No. 41043C0114G, dated August 29, 2010, shows that this property is in Zone X, an area determined to be outside any 500-year floodplain.

6.2 As shown in the Tentative Subdivision plat, there are no areas of steep slopes or riparian corridors on the subject property.

6.3 The National Wetland inventory on the subject property shows no wetlands appearing on

the subject property.

6.4 The subject property is not in any historic district. There are no known archaeological sites on the property.

6.5 Therefore, there are no physical characteristics of the property that are found to be detrimental to the property or the surrounding area. This criterion is met.

OVERALL CONCLUSION

As proposed, application for preliminary subdivision plat satisfies all applicable review criteria as proposed and outlined above.

ATTACHMENTS

- A. Tentative Partition Plat
- B. FEMA FIRMette
- C. National Wetland Inventory Map
- D. Subdivision Name Approval



22-078 Anfilofieff
2420-2426 Oak Street
Subdivision Application

May 5, 2022
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dwkinney@wvi.com

From: City of Lyons <lyonscityhall@gmail.com>
Sent: Friday, May 13, 2022 11:37 AM
To: Dave Kinney
Subject: Fwd: Notice of Proposed Land Use Action
Attachments: doc07830520220504134124.pdf

Hi Dave,

Please see comments from Brittany May.

Micki Valentine
City Manager
City of Lyons
(503)859-2167

Any mail to and from this email address may be subject to Public Records Disclosure Laws.

----- Forwarded message -----

From: **May, Brittany** <bmay@co.linn.or.us>
Date: Fri, May 13, 2022 at 11:25 AM
Subject: RE: Notice of Proposed Land Use Action
To: City of Lyons <lyonscityhall@gmail.com>

Hi Micki,

A septic site evaluation has been approved for the easternmost proposed parcel (attached). Site evaluations will be required to determine if septic approval can be granted for each of the other three lots.

Let me know if you need anything else.

Thanks!

Brittany K. May, REHS

Linn County Environmental Health Program

From: Malone, Daineal <daineal.malone@co.linn.or.us>
Sent: Thursday, March 10, 2022 5:15 PM
To: dwkinney@wvi.com
Subject: RE: 25th & Oak St
Attachments: SKM_C25822030806100.pdf

Thanks Dave.

I wanted to make sure the City of Lyons was not going to have an additional/alternate requirements for the subdivision – like curb, gutter, sidewalks. Udell Engineering is helping the new owner of that property. Attached is what they provided to us.

My only comment to this is that the apron to River Loop (east) shall be paved to the ROW line, centered in the River Loop ROW, have 10 foot radii as it meets Oak Street, width of 22 feet and asphalt depth of 4 inches.

Thanks,

Daineal Malone, P.E.
County Engineer
Linn County Road Department
3010 Ferry St, SW
Albany, OR 97321

Phone: 541-967-3919
Fax: 541-924-0202

From: dwkinney@wvi.com <dwkinney@wvi.com>
Sent: Thursday, March 10, 2022 2:10 PM
To: Malone, Daineal <daineal.malone@co.linn.or.us>
Cc: Micki Valentine (City of Lyons) <lyonscityhall@gmail.com>
Subject: FW: 25th & Oak St

Daineal:

Here is a copy of an email that Chuck sent to someone else who was looking at the 25th & Oak Street property in Lyons.

The City's expectation would be that the road abutting any new subdivision/partition would be paved w/ gravel shoulders, as outlined by Chuck. I am not sure what storm drainage issues are there, but the property should address that when they apply for a partition/subdivision on the property.

As of today, the City of Lyons has not received a land use application.

Dave Kinney

From: Knoll, Chuck <cknoll@co.linn.or.us>
Sent: Monday, January 25, 2021 4:38 PM
To: canyonlic.or@gmail.com; Jeremie Edwards <jeremie.edwards@yahoo.com>

Cc: Mink, Wayne <wmink@co.linn.or.us>; Hamilton, Kevin <khamilton@co.linn.or.us>; Curran, Dave <dcurran@co.linn.or.us>; Taylor, Stephanie <staylor@co.linn.or.us>; Malone, Daineal <daineal.malone@co.linn.or.us>
Subject: Oak Drive Draft Layout for Road Improvement

Date: January 25, 2021

To: Brian Adams, Canyon Contracting LLC
Jim Edwards - Developer

Re: Oak Drive Draft Layout for Road Improvement

Brian and Jim,

Thank you for meeting me at Oak Drive today to look at Oak Street in the City of Lyons to determine what improvements would be needed and how to make them for a proposed 4 tax lot subdivision on the south side of Oak Street.

The road will be 22 foot wide paved surface with 4 foot wide gravel shoulders. The pavement thickness will be 4 inches placed in 2 inch lifts. The road will connect to the paved surface on 25th Street and extend to the west to River Loop Road. The local roads that Oak Drive connect to are gravel roads that have been treated with lignin. Therefore, the transition will require a tapering of the gravel road should and paved surface to meet these roads which are about 14 feet wide. The existing gravel road will need to be widened from its existing 16 to 18 foot width to a 30 foot road base width. The base will have a crown so that the paved surface will have a crowned slope of about 2 to 3%. A mild super will be placed at the intersection with 25th Street.

There will be a shallow (~6inches deep) 4 foot side vegetated soil and grass swale located next to the gravel shoulder on each side of the road.

There are a few utilities in this right of way that is 60 feet wide. If possible it would be best to keep the road alignment so that they do not impact the utilities

Attached is a Draft Concept Drawing showing the location of the road improvements and general layout that we developed at the site.

As indicated at the site, you will be selling these lots to others to build on. The new owners will apply for a separate driveway access permit when they build.

The above description and attached drawing may be used to help expedite the development of this property.

We will need to issue a road encroachment to you before construction starts. A blank permit application is attached for you to fill out and submit.

Please contact me if you have any questions

Thank you,

*Chuck Knoll, PE
Linn County Engineer
Linn County Road Department
3010 Ferry Street , S.W.
Albany, Oregon 97322
Office: 541 967 3919*

<Aerial 2017 with Tax Lots - Oak Drive Road Improvement Schematic Jan 25 2021.pdf>
<Encroachment permit application.pdf>

From: dwkinney@wvi.com <dwkinney@wvi.com>
Sent: Thursday, March 10, 2022 12:16 PM
To: 'City of Lyons' <lyonscityhall@gmail.com>
Subject: RE: 25th & Oak St

I will call Daineal.

From: City of Lyons <lyonscityhall@gmail.com>
Sent: Thursday, March 10, 2022 10:08 AM
To: Dave Kinney <dwkinney@wvi.com>
Subject: 25th & Oak St

Hi Dave

Danielle Malone with the Linn County Road Department called to say that she has received an application concerning the property located at the corner of Oak Street and 25th Street. She called to see what the City road requirements are.

Here is the link to the Linn County website for the property:

<http://lc-helionweb.co.linn.or.us/propertywebquerypublic/MainQueryDetails.aspx?AccountID=5633&QueryYear=2021&Roll=R>

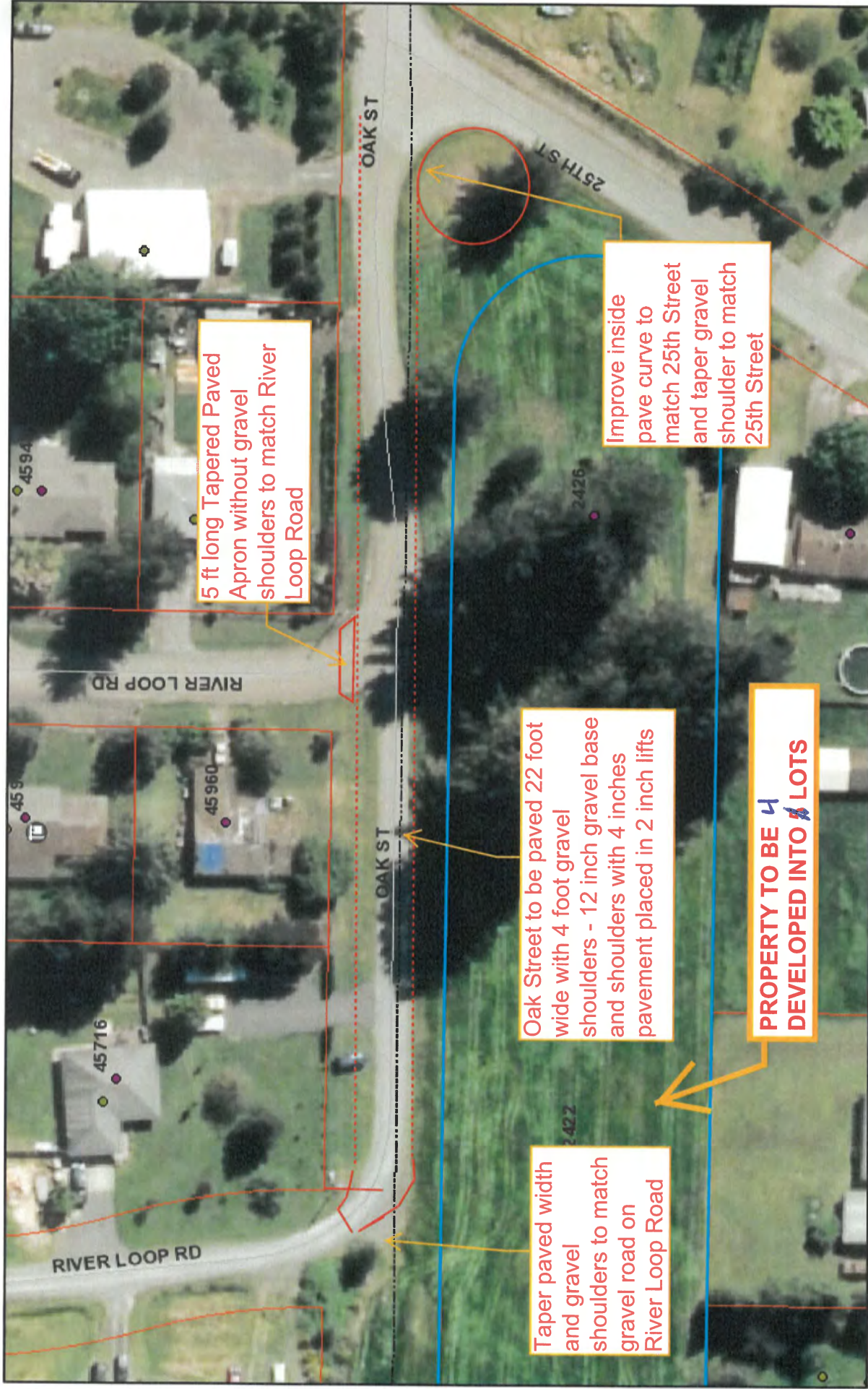
We've had several inquiries about the property previously.

Would you please give her a call: (541)967-3919.

Thanks,

Micki Valentine

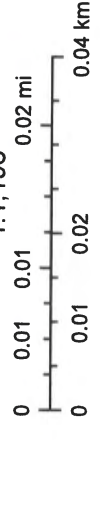
Oak Street Road Improvement



1/25/2021 3:34:37 PM

- Sales
- Elevation Certificates
- Highways
- Tax Lots
- Address
- LOMAs
- Roads
- City Limits
- Permits
- Railways

1:1,196



Linn County GIS