

**Planning Department**  
 231 NE Fifth Street • McMinnville, OR 97128  
 (503) 434-7311 Office • (503) 474-4955 Fax  
[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

509-19-000520-Plng

<b>Office Use Only:</b>	
File No.	<u>CU 4-19</u>
Date Received	<u>8-23-19</u>
Fee	<u>2325.00</u>
Receipt No.	<u>20118</u>
Received by	<u>SK</u>

## Conditional Use Application

### Applicant Information

Applicant is:  Property Owner  Contract Buyer  Option Holder  Agent  Other CONTRACTOR

Applicant Name MD BUILDERS, INC Phone 971-241-7038

Contact Name DOUG EGAN Phone \_\_\_\_\_  
*(If different than above)*

Address PO BOX 175

City, State, Zip McMINNVILLE, OR 97128

Contact Email douglas@md-builders.com

### Property Owner Information

Property Owner Name MELINDA JUDD Phone 971-237-7377  
*(If different than above)*

Contact Name \_\_\_\_\_ Phone \_\_\_\_\_

Address 815 NW 18TH PLACE

City, State, Zip McMINNVILLE, OR 97128

Contact Email mindyjud.00@gmail.com

### Site Location and Description

*(If metes and bounds description, indicate on separate sheet)*

Property Address 1945<sup>NW</sup> ST 2ND ST

Assessor Map No. R4 419 - AD - 01500 Total Site Area 0.94 ACRES

Subdivision \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_

Comprehensive Plan Designation RESIDENTIAL Zoning Designation R-1

1. State nature of the request in detail: (ATTACHED)

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2. Describe in detail how the request will be consistent with the McMinnville Comprehensive Plan and the objectives of the zoning ordinance: (ATTACHED)

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3. Describe how the location size, design, and operating characteristics of the proposed development are such that it can be made reasonably compatible with, and have minimum impact on, the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration given to harmony in scale, bulk, coverage, and density; to the availability of public facilities and utilities; to the generation of traffic and the capacity of surrounding streets; and to any other relative impact of the development: (ATTACHED)

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6. Has the development been specifically designed to preserve any environmental assets or unique topography or vegetation of the site? If so, how? (ATTACHED)

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7. Explain how the development and use of the land as proposed has no inappropriate purpose, such as to artificially alter property values for speculative purposes: (ATTACHED)

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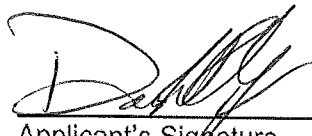
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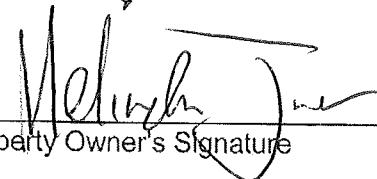
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In addition to this completed application, the applicant must provide the following:

- A site plan (drawn to scale, with a north arrow, legible, and of a reproducible size), clearly showing existing and proposed features within, and adjacent to, the subject site, such as: Access; lot and street lines with dimensions; distances from property lines to structures; structures and other proposed and existing improvements; north direction arrow; and significant features (slope, vegetation, adjacent development, drainage, etc.).
- A legal description of the property, preferably taken from deed.
- Compliance of Neighborhood Meeting Requirements.
- Payment of the applicable review fee, which can be found on the Planning Department web page.

I certify the statements contained herein, along with the evidence submitted, are in all respects true and are correct to the best of my knowledge and belief.

 President MD Builders, Inc. 8-22-2019  
Applicant's Signature Date

 Aug. 22, 2019  
Property Owner's Signature Date

Conditional Use Application for Health Clinic/Dental Office  
in R-4 Multi-Family Zone Developed in Two Phases  
1945 SW 2nd Street  
Yamhill County Taxlot R4419AD-01500

1. State nature of the request in detail:

*Assuming the request for zone change from R-1 to R-4 is approved, the conditional use will facilitate a health clinic/dental office as an accessory use to the primary use of multi-family residential in the R-4 zone. The reason for the change is to maximize infill land uses and accommodate community need for a variety of housing types and increased access to health services.*

2. Describe in detail how the request will be consistent with the McMinnville Comprehensive Plan and the objectives of the zoning ordinance:

*The health clinic/dental office use is consistent with the surrounding land uses. Neighboring properties are single-family residential R-2 to the north, R-1 on the property to the east where a power substation is the present use, R-2 to the south across SW 2nd Street where Salvation Army is located, and R-4 multi-family residential to the west.*

**Volume II Goals and Policies**

*Employment Diversification IV: 21.02 city shall encourage and support expansion or relocation of high-wage businesses in McMinnville; 21-03 city shall support existing businesses and the establishment of locally owned businesses; 27.00 neighborhood commercial uses will consist of neighborhood oriented businesses located on collector or arterial streets; 28.00 commercial planned development should be encouraged in the proximity of intersection of Hill Road and 2<sup>nd</sup> Street to service the needs of people in western McMinnville.*

*Employment Diversification IV Response:*

*The health clinic/dental office building will be an accessory use to the neighboring multi-family housing as an expansion of the woman-owned business/dental practice that was established in McMinnville in 2008. Dental medical services are high-wage jobs and the new building will accommodate for future job growth. SW 2nd Street has the capacity to provide access to the site and the accessory use aligns with the small-scale commercial/cmd use encouraged for sites near Hill Road and SW 2nd Street.*

*Housing V: 68.00 McMinnville shall encourage compact urban development in the urban service area; 69.00 McMinnville shall explore the utilization of innovative land use regulatory ordinances to integrate the functions of housing, commercial, and industrial developments in a compatible framework; 70.00 McMinnville shall continue to update zoning and subdivision ordinances to include innovative land development techniques and incentives for a variety of housing types, densities, and price ranges to meet present and future community needs; 71.07 R-1 zoning designation applied to limited areas; 71.08 R-2, R-3, and R-4 permitted on lands exhibiting services and facilities capacity, within one mile of transit, lower sloped areas in West Hills, direct access from collector or arterial streets.*

*Housing V Response:*

*The proposed development is a creative approach to land utilization in the city's urban service area and the density will be consistent with neighboring developments. The concept provides a variety of housing types that are in high demand in the community. The site is fully served by public and private*

utilities; with transportation access from SW 2<sup>nd</sup> Street. The zone change from R-1 to R-4 and planned development overlay will help meet the city's objective for higher density and mixed-uses on flat sites with access from collector or arterial streets and one mile from area transit.

3. Describe how the location size, design, and operating characteristics of the proposed development are such that it can be made reasonably compatible with, and have minimum impact on, the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration given to harmony in scale, bulk, coverage, and density; to the availability of public facilities and utilities; to the generation of traffic and the capacity of surrounding streets; and to any other relative impact of the development:

*The size, design, and operating characteristics are compatible with the neighboring properties. The dental office use is consistent with the surrounding land uses. Abutting properties are single-family residential R-2 to the north, R-1 on the property to the east where a power substation is the present use, R-2 to the south across SW 2nd Street where Salvation Army is located, and R-4 multi-family residential to the west. The scale and density of the proposed development will be varied; with a single story professional health clinic/dental practice as an accessory to the adjacent multi-family building. The uses fit in the context of the surrounding uses and provide additional services and housing options to the community and will be consistent with the feel of the area. The proposed development will be complimentary to the neighborhood and will be adequately served by established public infrastructure.*

4. Describe what impact the proposed development may have on the livability, value, or appropriate development of abutting properties or the surrounding area when compared to the impact of permitted development that is not classified as conditional:

*Abutting properties house conditional uses that include electrical power generation and church services. The health clinic/dental service will fit with the neighborhood and it is less of an impact visually and to public infrastructure than the higher density building development permitted in the R-4 zone.*

5. Describe how the location and design of the site and structures for the proposal will be as attractive as the nature of the use and its setting warrants:

*The design, placement, and variety of buildings fit the nature of the setting and will complement the area. The health clinic and multi-family buildings will be in an urban area located off SW 2<sup>nd</sup> Street which is a major arterial street classification. The project will help the City of McMinnville with its goal to expand high-wage business growth, locate health and housing options close to residents, and invest in urban infill along major street corridors.*

6. Has the development been specifically designed to preserve any environmental assets or unique topography or vegetation of the site?

*Not applicable; urban infill site that is flat and without unique environmental assets. Mature trees will be preserved to the extent possible.*

7. Explain how the development and use of the land as proposed has no inappropriate purpose, such as to artificially alter property values for speculative purposes:

*The intent is to provide a variety in development pattern and mixed uses for community benefit through an increase in housing options and access to health services.*

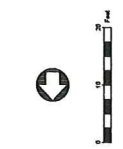
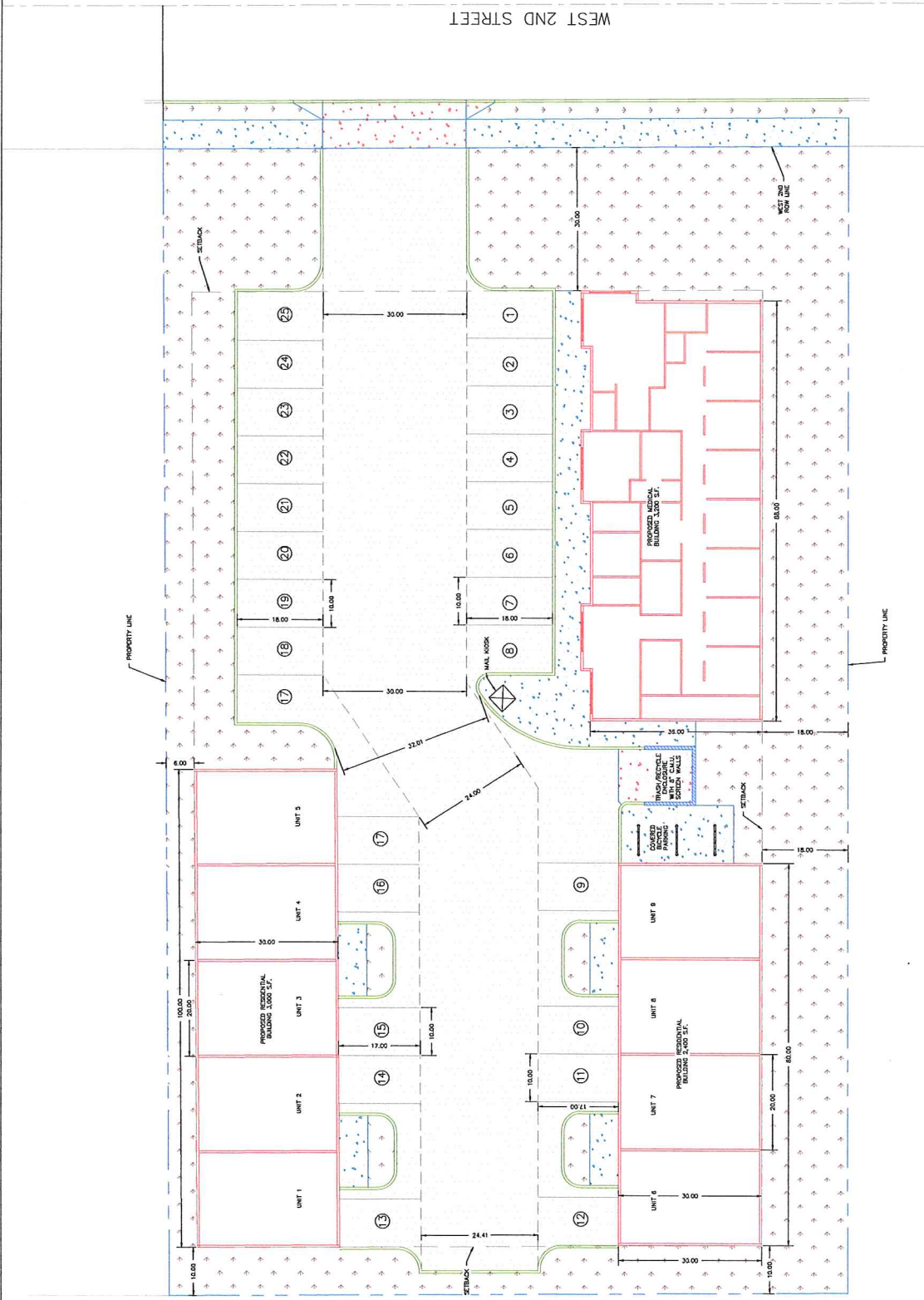
**EXHIBIT A**

**LEGAL DESCRIPTION:** Real property in the County of Yamhill, State of Oregon, described as follows:

**Part of the Solomon Beary Donation Land Claim #54 in Section 19, Township 4 South, Range 4 West of the Willamette Meridian in Yamhill County, Oregon, more particularly described as follows:**

**BEGINNING** at a point in the center of the County Market Road #27, South 89° 39' West 1247.93 feet from the Northwest corner of the S.F. Staggs Donation Land Claim #55 in said Township and Range; thence North along the West line of a tract of land deeded to H.W. DEVLIN, et ux. by deed recorded May 31, 1960, in Deed and Mortgage, Film Volume 10, Page 940, to a point which is 270 feet North from the South line of said Donation Land Claim #54; thence South 88°17'10" East to the Northwest corner of that certain 0.80 acre tract conveyed by H.W. DEVLIN, et ux. to the UNITED STATES OF AMERICA by deed recorded March 9, 1965, in Film Volume 43, Page 778, Deed and Mortgage Records; thence South 1°42'50" West along the West line of said United States of America tract 270 feet to the South line of said Donation Land Claim #54; thence Westerly along said Donation Land Claim line in the center of the County Road to the place of beginning.










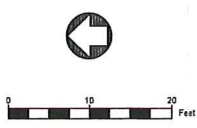
-  ASPHALT PAVING — 12,462 S.F. = 35%
-  PEDESTRIAN CONCRETE PAVING — 2,587 S.F. = 7%
-  VEHICULAR CONCRETE PAVING — 477 S.F. = 1%
-  BUILDINGS — 8,600 S.F. = 24%
-  LANDSCAPING — 11,566 S.F. = 33%
- TOTAL LAND AREA 35,692 S.F.**





WEST 2ND STREET

-  ASPHALT PAVING - 12,462 S.F. =35%
-  PEDESTRIAN CONCRETE PAVING - 2,587 S.F. =7%
-  BUILDINGS - 8,600 S.F. =24%
-  LANDSCAPING - 11,566 S.F. =33%
-  VEHICULAR CONCRETE PAVING - 477 S.F. =1%
- TOTAL LAND AREA 35,692 S.F.



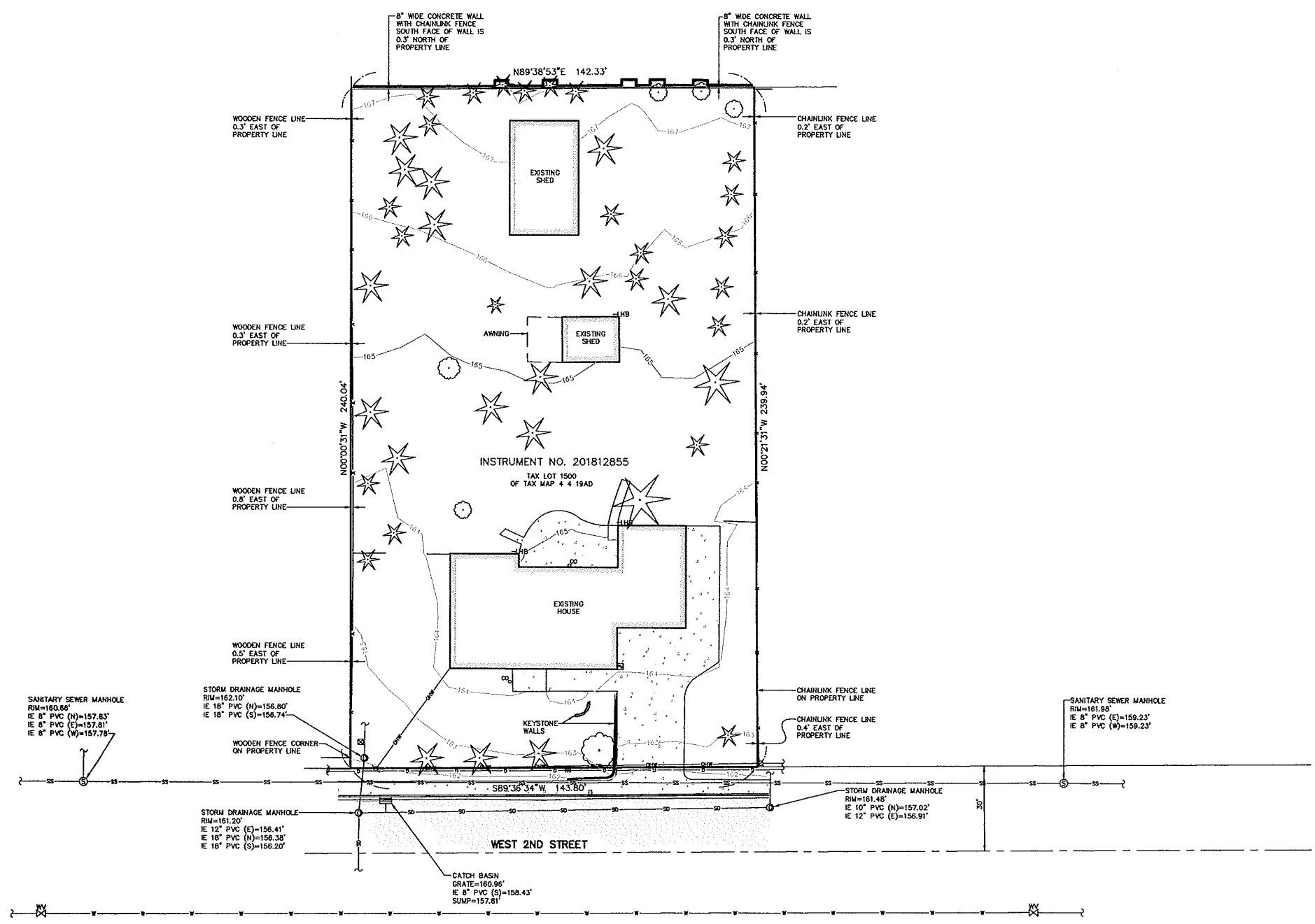
JUDD M/U DEVELOPMENT  
PRELIMINARY SITE PLAN

**Terra Calc**  
Land Surveying  
1615 NE Miller St.  
McMinnville, OR 97128  
(503) 857-0935  
www.Terra-calc.com

REVISIONS:  
08/02/2019

DRAWN BY:  
E.J.P.

DR. JUDD PROPERTY  
 TOPOGRAPHIC SURVEY  
 LOCATED IN THE NE 1/4 OF SECTION 19, T. 4 S., R. 4 W., W.M.  
 FOR: DR. JUDD  
 MCMINNVILLE, OREGON



VERTICAL DATUM:  
 PROJECT DATUM: NAVD 83  
 DESCRIPTION: PROJECT ELEVATIONS ARE BASED ON RAPID STATIC GPS OBSERVATIONS ON MULTIPLE SURVEY CONTROL POINTS USING GEOD09 AND LOCAL ORGN STATION DATA.

LEGEND:

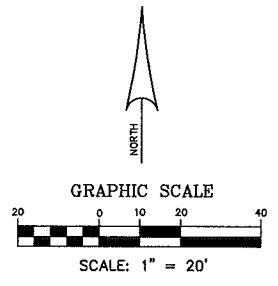
- EXISTING ASPHALT
- EXISTING CONCRETE
- UNDERGROUND STORM DRAINAGE LINE
- UNDERGROUND SANITARY SEWER LINE
- UNDERGROUND GAS LINE
- UNDERGROUND WATER LINE
- FENCE
- OVERHEAD POWER LINE
- CONIFEROUS TREE
- DECIDUOUS TREE
- SANITARY SEWER MANHOLE
- STORM DRAINAGE MANHOLE
- CATCH BASIN
- COMMUNICATIONS RISER
- WATER METER
- WATER VALVE
- FIRE HYDRANT
- ELECTRICAL METER
- UNKNOWN CLEANOUT
- HOSE BIB
- UTILITY POLE
- MAILBOX

UTILITY STATEMENT:

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM LOCATE PAINT MARKINGS TIED IN THE FIELD SURVEY AND AS-BUILT DRAWINGS PROVIDED BY UTILITY COMPANIES. THIS SURVEY DOES NOT SHOW ANY PAINT MARKINGS PROVIDED AFTER THE FIELD SURVEY WAS COMPLETED. AS-BUILT DRAWING INFORMATION THAT WAS NOT PROVIDED IS NOT REFLECTED ON THIS SURVEY. AS-BUILT INFORMATION, IF PROVIDED, WAS USED TO IDENTIFY UNDERGROUND PIPE SIZE AND TYPE. IF NO LOCATE PAINT MARKINGS WERE PROVIDED, AS-BUILT INFORMATION WAS USED TO HORIZONTALLY LOCATE THE UNDERGROUND UTILITIES.

THIS SURVEY MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE OF ALL SUCH UTILITIES IN THE AREA. THE UNDERGROUND UTILITIES SHOWN MAY NOT BE IN THE EXACT LOCATION AS NOTED ON THIS SURVEY, BUT ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION PROVIDED. MANHOLES OTHER THAN SANITARY AND STORM SEWER WERE IDENTIFIED BY MANHOLE LIDS AND MAY NOT BE LABELED CORRECTLY.

UTILITY LOCATIONS SHOULD BE VERIFIED BY OREGON UTILITIES NOTIFICATION CENTER IMMEDIATELY PRIOR TO ANY EXCAVATION.



REV.	DESCRIPTION

DATE	5/7/19
DRAWN	DSH
SURVEYOR	DSH
CHECKED	DSH
JOB NO.	DJP001
DRAWING NAME	TOPO
SHEET NO.	1 OF 1