



PLANNING DEPARTMENT, 231 NE Fifth Street, McMinnville, Oregon 97128
www.mcminnvilleoregon.gov

March 11, 2020

Katherine L. Gowell, Esq.
Haugeberg, Rueter, Gowell, et al.
620 NE 5th Street, PO Box 480
McMinnville, OR 97128

Re: **Docket MP 5-19**

Dear Ms. Gowell:

This is to advise you that the McMinnville Planning Department has received and carefully studied your application (MP 5-19) to partition an approximately 7.37 acre parcel of land into three (3) parcels approximately 2.59, 2.17, and 2.61 acres in size. East of NE Miller Street, north of NE Riverside Drive. The property is more specifically described as Parcel 2, Partition Plat 2001-35. The property is also identified as Tax Lot 3401, Section 15, T. 4 S., R. 4 W., W.M.

The Planning Department reviewed your application against the criteria of Section 17.53.060 (Submission of Tentative Partition Plan) of the McMinnville Zoning Ordinance.

Under the provisions of Section 17.72.110 (Applications – Director’s Review with Notification) of the McMinnville Zoning Ordinance, notice of the proposed minor partition application was provided to property owners within 100 feet of the subject site and partner agencies. The Planning Department did not receive any public testimony on the proposed minor partition during the public comment period.

Based on the material submitted and the Planning Department evaluation, I have **APPROVED** your request for a minor partition (MP 5-19), subject to conditions.

Attached is the land-use decision with the Findings of Fact and conditions of approval for your records. The conditions of approval are also outlined below:

1. That the applicant shall submit a draft copy of the partition plat to the City Engineer for review and comment which shall include any necessary cross easements for access to serve all the proposed parcels, and cross easements for utilities which are not contained within the lot they are serving, including those for water, sanitary sewer, storm sewer, electric, natural gas, cable, and telephone. A current title report for the subject property shall be submitted with the draft plat. Two copies of the final partition plat mylars shall be submitted to the City Engineer for the appropriate City signatures. The signed plat mylars will be released to the applicant for delivery to McMinnville Water and Light and the County for appropriate signatures and for recording.

2. That the applicant shall submit to the City Engineer, for review and approval, a utility plan for the subject site, as well as for the site on the east side of Colvin. At a minimum, this plan shall indicate the manner in which separate sanitary sewer, storm sewer, electrical and franchise facilities, and water services will be provided to each of the proposed lots. Each lot will need to be served by a separate sanitary sewer lateral and connection to a public sewer main. The utility plan needs to include power crossings, which must be installed by the developer as part of Colvin Court extension. All required utilities shall be installed to the satisfaction of the responsible agency prior to the City's approval of the final plat.
3. That prior to the City's approval of the final plat, the applicant shall improve Colvin Court including the installation of curb & gutter, planter strip, sidewalk, sanitary sewer, appropriately sized storm drainage facilities, and appropriately sized water facilities within the existing and proposed right-of-way. Prior to the City's approval of the final plat, the applicant shall install appropriately sized electrical and franchise utility infrastructure within the existing and proposed Public Utility Easements.
4. That prior to the City's approval of the final plat, the applicant shall improve Miller Street, along the site frontage, including the installation of curb & gutter, planter strip, sidewalk, sanitary sewer, and appropriately sized storm drainage facilities, within the existing 60' right-of-way.
5. That the applicant shall enter into a Construction Permit Agreement with the City for the Public Improvements related to the extension of Colvin Court, and pay the associated fees prior to the release of the approved construction plans.
6. The utility plan does not show the extension of electrical and franchise utility infrastructure to serve the area. These facilities will need to be placed underground in existing and proposed utility easements. Plans for these utilities shall be approved by MW&L prior to the release of the Construction Permit Agreement.
7. That prior to any construction activity, the applicant shall secure all required state and federal permits, including, if applicable, those related to the federal Endangered Species Act (if applicable), Federal Emergency Management Act, and those required by the Oregon Division of State Lands, and U.S. Army Corps of Engineers. Copies of the approved permits shall be submitted to the City.
8. That approval of this tentative plat will expire 12 (twelve) months after the date of issuance of this letter. If the final plat has not been submitted prior to expiration of the tentative plat, or a written request for an extension of this approval has not been submitted and approved within that same period, the applicant must resubmit a tentative plat for further consideration, and comply with regulations and conditions applicable at that time.
9. This partition will not be considered a legal partition until such time that a copy of the recorded document is provided to the City of McMinnville's Planning Department.

This letter shall act as official notification of my decision. Pursuant to Section 17.72.170 of the McMinnville Municipal Code, a decision by the Planning Director may be appealed to the Planning Commission within fifteen (15) days of the date of this letter. If no appeal is filed with the Planning Department on or before March 26, 2020, the decision of the Planning Director will be final. Please note that we are providing the conditions of approval within this letter as a courtesy. The official Decision Document with the Findings of Fact, Conclusionary Findings and Conditions of

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Approval is a separate document and is attached to this letter for the applicant and is also on file with the Planning Department.

If you have any questions regarding this matter, please feel free to contact me at (503) 434-7311.

Sincerely,

A handwritten signature in black ink, appearing to read "Heather Richards", written in a cursive style.

Heather Richards, PCED
Planning Director

HR:sjs

c: Katherine L Gowell, McMinnville Industrial Promotions, PO Box 328, McMinnville, OR 97128
Mike Bisset, Community Development Director

Attachments: *DECISION, CONDITIONS, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF A MINOR PARTITION AT R4415 03401 (Docket MP 5-19).*