



**PLANNING DEPARTMENT**, 231 NE Fifth Street, McMinnville, Oregon 97128  
[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

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October 28, 2021

Eric Harrison, Quinby Construction LLC  
1002A N Springbrook RD #259  
**Via E-mail:** [eric@quinbyconstruction.com](mailto:eric@quinbyconstruction.com)

Re: Tentative Partition Approval (Docket MP 3-21)  
902 & 988 NW Baker Crest Ct, Map and Tax Lots R4417BA 08399 & 08500

Dear Mr. Harrison:

This is to advise you that the McMinnville Planning Department has received and carefully studied your application (MP 3-21) for the above-referenced property to partition an approximately 29,194 square foot property comprised of two lots into three (3) parcels approximately 10,477, 9,069, and 9,648 square feet in size.

The Planning Department reviewed your application against the criteria of Section 17.53.060 (Submission of Tentative Partition Plan) of the McMinnville Municipal Code (MMC) and the applicable Goals and Policies of the Comprehensive Plan.

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

Based on the material submitted and the Planning Department evaluation, I have **APPROVED** your request for a tentative partition (MP 3-21), 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:

**Conditions of Approval for MP 3-21:**

1. The applicant shall submit information showing where two additional street trees will be replaced consistent with the approved street tree plan. In addition to the street trees, the applicant shall identify whether there are any trees on the property which meet the definition in Chapter 17.06 for trees of the size which are subject to the provisions of Chapter 17.58. Any such existing trees with trunks partially or wholly within Parcels 1, 2, and 3 of the partition are subject to the provisions of Chapter 17.58 – “Trees” of the McMinnville Municipal Code.

The applicant shall identify whether any trees are proposed for removal. No trees shall be removed by the applicant without prior review and written approval by the Planning Director, pursuant to Chapter 17.58. The Planning Director shall review any proposed tree removal request to determine if the proposal represents any minor changes to the approved street tree plan, or whether tree removal will require approval by the Landscape Review Committee as specified in Section 17.58.040 "Tree Removal and Replacement." In such case, surrounding property owners will be notified of any tree removal request utilizing the same notification standards as those outlined in Chapter 17.72 of the McMinnville Municipal Code for minor partitions.

Trees greater than nine inches DBH will not be approved for removal unless a certified arborist determines that they are diseased, dying, or dead, or the developer demonstrates that practical development of an approved lot, or required public improvements (i.e. streets, sidewalks, and public utilities), will adversely impact the survival of such tree or trees.

In addition, all trees that are not to be removed shall be protected during the construction of all public improvements and residential development in the approved partition. A plan for such tree protection approved by the Planning Director shall be submitted with construction and/or building permit applications prior to release of construction or building permits within the subject site.

2. Root barrier adjacent to the street trees shall be installed in accordance with City standards at the time the sidewalk is installed, consistent with the City standards specified in the Zoning Ordinance and the City's standard drawings. Root barrier is to be installed along the sidewalk 10-feet in length centered at the trunk of the tree, and is to be installed to a depth of 18 inches. If installation of the sidewalk and/or root barrier would potentially result in damage to the tree or its roots that would impact its health or survival, or if trees are proposed for removal for other reasons above, the applicant shall not remove trees without prior review and written approval by the Planning Director, pursuant to Chapter 17.58, as described above.
3. For any proposed additional street tree planting or planting of any replacement trees, per Section 17.58.110 of the Zoning Ordinance, the trees shall be installed prior to submittal of the final plat.

As an alternative the applicant may file a surety bond or other approved security to assure the planting of the required street trees as prescribed in Section 17.53.153. Additional or replacement trees consistent with the approved street tree plan shall be installed prior to Certificate of Occupancy or may be installed from November 1 to March 1 following Certificate of Occupancy, adjacent to those properties on which a structure has been constructed and received final occupancy.

It shall be the applicant's responsibility to relocate street trees as may be necessary to accommodate individual building plans. The applicant shall also be responsible for the maintenance of the street trees, and for the replacement of any trees which may die due to neglect or vandalism, for one year from the date of planting

4. To comply with Policy #12 of the Great Neighborhood Principles in the Comprehensive Plan, (187.50(12)(b), the applicant shall submit evidence that there will be variation in home design on the parcels. Policy 187.50(12)(b) specifies, "Similar housing types, when

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immediately adjacent to one another, shall provide variety in building form and design.” Variety shall consider massing, color pallet, rooflines, and door and window placement and patterns.

5. If any major excavation or development (structural or driveway) is proposed on a lot in an area with slope of 15% or greater, a geotechnical report will be required to mitigate the potentiality of land slide hazards, and any resulting recommendation of that report will need to be incorporated into the construction project.
6. Per Condition #4 from the original Norwegian Wood Subdivision approval S 1-06, prior to issuance of building permits for individual lots, the applicant shall submit evidence that all fill placed in the areas where building sites are expected is engineered. Evidence shall meet with the approval of the City Building Division and the City Engineering Department.
7. Lot grading and fill shall comply with the requirements of Section 17.53.110, including the following: Lot grading shall conform to the following standards unless physical conditions demonstrate the propriety of other standards:
  - o Cut slopes shall not exceed one and one-half (1½) feet horizontally to one (1) foot vertically.
  - o Fill slopes shall not exceed two (2) feet horizontally to one (1) foot vertically.
  - o The character of soil for fill and the characteristics of lots made usable by fill shall be suitable for the purpose intended.
8. All lots require sanitary sewer services. The existing sanitary sewer laterals stubbed out should be extended to the property lines if they are not already. Please contact the Engineering Department with questions about timing of this requirement relative to the final plat vs. building permits, including the lateral that was previously cut and capped.
9. 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.
10. That approval of this tentative plat will expire 12 (twelve) months after the date of issuance of this decision. 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.
11. 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.

**NOTE:** *Zipty telecommunications provided comments in response to notice of this application as follows, “If the lots would like Zipty telecommunications service, the developer will need to bring minimum 1.5” conduit/path from each new home to the Public Utility Easement/ Right-of-Way and along the PUE/ROW to the lot line between lots 1 and 2.”*

Eric Harrison  
October 28, 2021  
Re: Tentative Partition Approval (Docket MP 3-21)

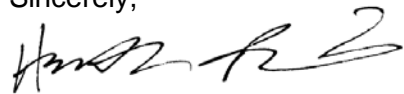
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This letter shall act as official notification of my decision. Pursuant to Section 17.72.170 of the McMinnville Municipal Code, a decision by the Planning Director may be appealed to the Planning Commission within fifteen (15) days of the date of this letter. If no appeal is filed with the Planning Department on or before November 12, 2021, 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 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,



Heather Richards, PCED  
Planning Director

HR:sjs

c: Josh Adelman  
Lin C. Chan via e-mail: [betterhomecabinetdist@gmail.com](mailto:betterhomecabinetdist@gmail.com)

Attachments: *DECISION, CONDITIONS, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF TENTATIVE PARTITION OF TAX LOTS R4417BA 08399 & 08500, 902 & 988 NW BAKER CREST COURT (Docket MP 3-21).*