

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

<b>Office Use Only:</b>	
File No.	<u>CPA-1-17</u>
Date Received	<u>1/30/17</u>
Fee	<u>\$347.50</u>
Receipt No.	<u>17M0013</u>
Received by	<u>CD</u>

## Comprehensive Plan Map Amendment/ Zone Change Application

### Applicant Information

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

Applicant Name Creekside Homes LLC Phone 503-389-5195

Contact Name Demian Coatty / Andrew Burton Phone 503-883-3764  
*(If different than above)*

Address 219 NE Hwy 99W

City, State, Zip McMinnville OR 97128

Contact Email demian@creeksidehomes.net

### Property Owner Information

Property Owner Name Jae Chon / Ayluh Chon Phone 503-504-8906  
*(If different than above)*

Contact Name Jae Chon Phone 503-504-8906

Address 1356 NW Zinfandel Ct.

City, State, Zip McMinnville OR 97128

Contact Email vinideuskorea@hotmail.com

### Site Location and Description

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

Property Address 2121 NE 27<sup>th</sup> St McMinnville OR 97128

Assessor Map No. R4 416 - AA - 05002 Total Site Area 1.9 acres

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

Comprehensive Plan Designation \_\_\_\_\_ Zoning Designation \_\_\_\_\_

This request is for a:

**Comprehensive Plan Amendment**

**Zone Change**

1. What, in detail, are you asking for? State the reason(s) for the request and the intended use(s) of the property.

- Request to change the Comprehensive Plan map designation of the newly created southern parcel from a mixture of commercial and residential to only commercial

- Request to change the designation of the newly created northern parcel from a mixture of commercial and residential to only residential

2. Show in detail, by citing specific goals and policies, how your request is consistent with applicable goals and policies of the McMinnville Comprehensive Plan (Vol. 2).

3. If your request is subject to the provisions of a planned development overlay, show, in detail, how the request conforms to the requirements of the overlay.

4. If you are requesting a Planned Development, state how the proposal deviates from the requirements of the Zoning Ordinance and give justification for such deviation. \_\_\_\_\_

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5. Considering the pattern of development in the area and surrounding land uses, show, in detail, how the proposed amendment is orderly and timely. \_\_\_\_\_

Rezoning both Northern and Southern parcels from old County zoning to current City zoning and consolidating each to one zone is both orderly and timely and falls in line with what is currently in the surrounding area

6. Describe any changes in the neighborhood or surrounding area which might support or warrant the request. \_\_\_\_\_

- The southern parcel is commercial use and is consistent with the surrounding area on 27<sup>th</sup> st.

- The <sup>newly designated</sup> Northern parcel is/will be residential only and is consistent with the residential neighborhoods behind it

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7. Document how the site can be efficiently provided with public utilities, including water, sewer, electricity, and natural gas, if needed, and that there is sufficient capacity to serve the proposed use. \_\_\_\_\_

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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_


8. Describe, in detail, how the proposed use will affect traffic in the area. What is the expected trip generation? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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), indicating 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; improvements; and significant features (slope, vegetation, adjacent development, drainage, etc.). If of a larger size, provide five (5) copies in addition to **an electronic copy** with the submittal.
- A legal description of the parcel(s), preferably taken from the deed.
- 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.**

  
\_\_\_\_\_  
Applicant's Signature

1/30/17  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Property Owner's Signature

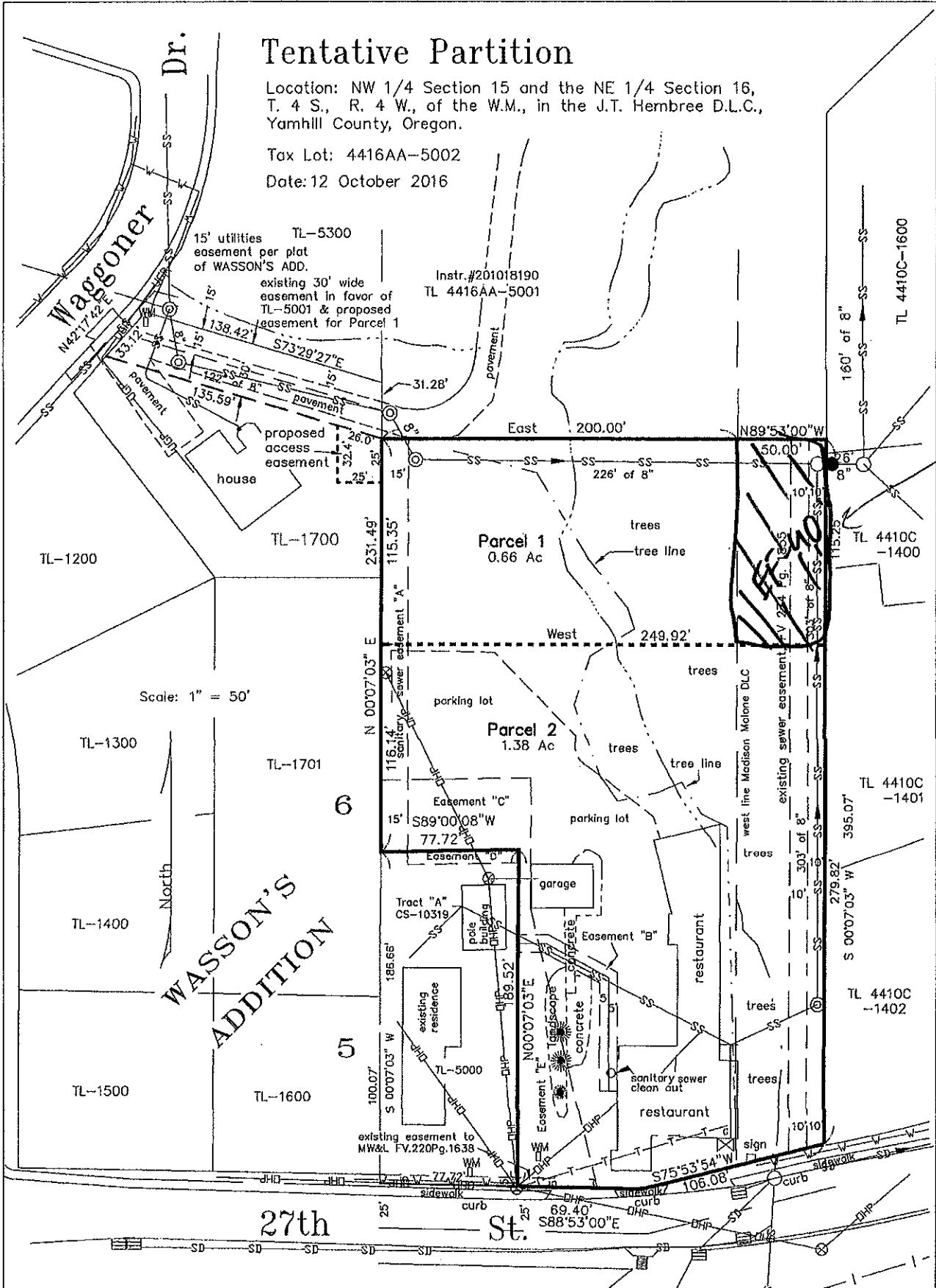
1/30/17  
\_\_\_\_\_  
Date

# Tentative Partition

Location: NW 1/4 Section 15 and the NE 1/4 Section 16,  
T. 4 S., R. 4 W., of the W.M., in the J.T. Hembree D.L.C.,  
Yamhill County, Oregon.

Tax Lot: 4416AA-5002

Date: 12 October 2016



*Old County  
Zoning*

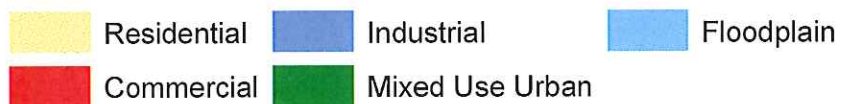
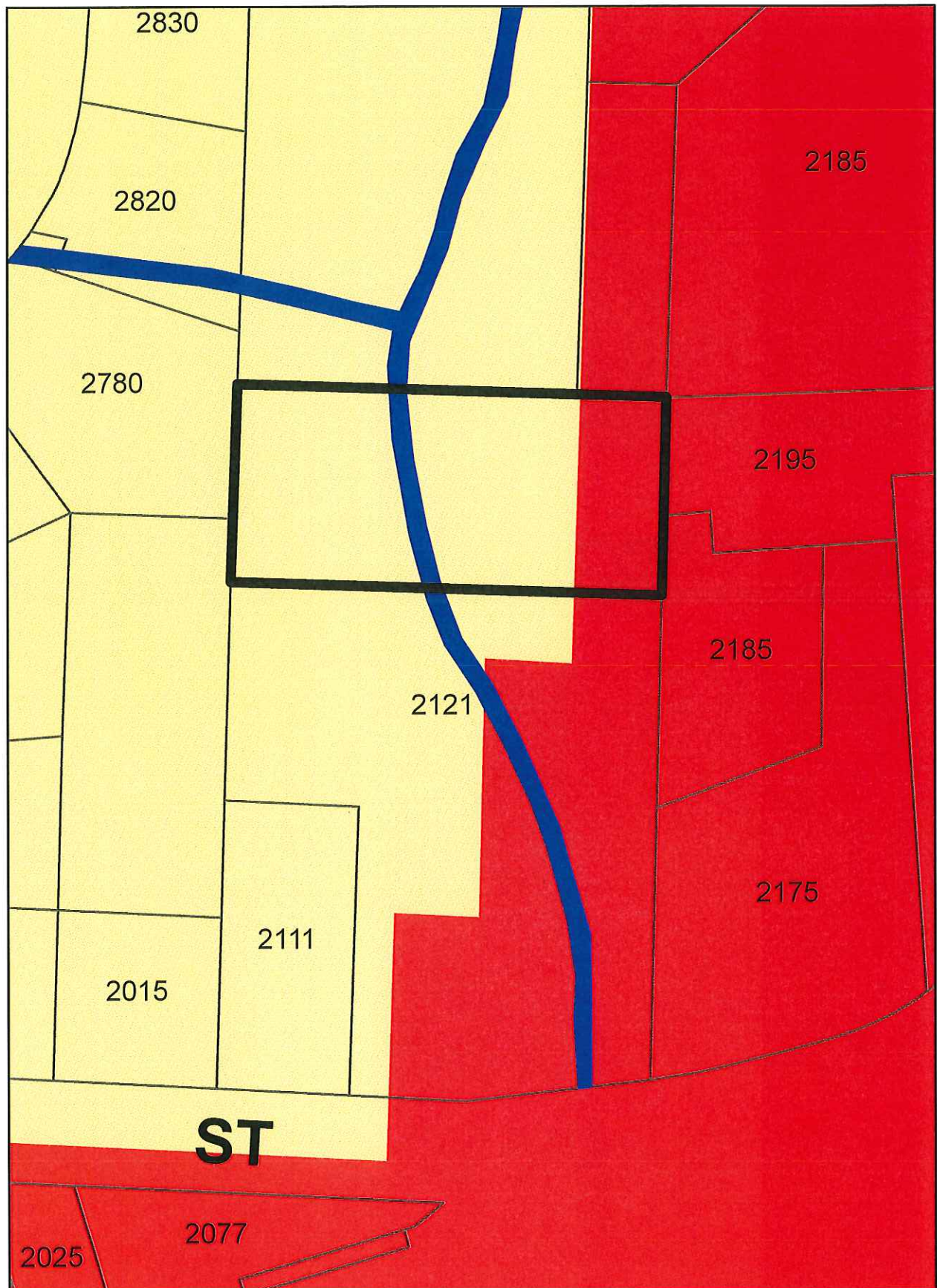
## Existing Easements

- Easement "A" - Easement for sanitary sewer in favor of TL 5000
- Easement "B" - Easement for sanitary sewer in favor of TL 5000
- Easement "C" - Easement for road purposes in favor of TL 5000
- Easement "D" - Easement for parking in favor of TL 5002
- Easement "E" - Easement for road purposes in favor of TL 5000

By: Matt Dunkel  
Leland MacDonald & Assoc., LLC  
3765 Riverside Drive  
McMinnville, Oregon 97128  
Phone: 503-472-7904  
Email: matt@macdonaldsurveying.com



# Existing Comprehensive Plan Map Designations



16 November 2016

CHON - Legal Description (preliminary) Parcel 1 ( 0.66 Ac.)

A tract of land in Sections 15 and 16, Township 4 South, Range 4 West, Yamhill County, Oregon, being a portion of that tract of land described in deed from ROGER A. NEWTON and SHIRLEY J. NEWTON to JAE WAN CHON and AYLIIH T. CHON and recorded in Instrument Number 200420361, Yamhill County Deed Records, and being more particularly described as follows:

Beginning at the northwest corner of said CHON tract which is also the southwest corner of that tract of land described in deed from NEWTON to KOENKE and recorded in Film Volume 211 Page 1609; thence East 200.00 feet along the south line of said KOENKE tract to the southeast corner of said tract, which is also the southwest corner of that tract of land described in deed from NEWTON to KOENKE and recorded in Film Volume 218 Page 1575; thence South 89° 53' East 50.00 feet to an iron rod at the southeast corner of said tract, which is on the east line of that tract of land described in deed from BIXLER to NEWTON and recorded in Film Volume 211 Page 1575; thence South 00°07'03" West 115.25 feet along the east line of said tract; thence West 249.92 feet to the East line of Lot 6 of WASSON'S ADDITION to McMinnville; thence North 00°07'03" East 115.35 feet along said east line to the point of beginning.

TOGETHER WITH AN access and utilities easement the perimeter of this is more particularly described as follows: Beginning at the northeast corner of Lot 6 of WASSON'S ADDITION to McMinnville; thence South 00°07'03" West 31.28 feet to a point that is 30.00 feet southwesterly of the north line of said Lot 6 when measured at right angles; thence continuing South 00°07'03" West 25.00 feet along the east line of said Lot 6; thence West 25.00 feet; thence North 00°07'03" East 32.4 feet parallel with and 25 feet west of the east line of said Lot 6 to a point that is 30.00 feet southwesterly of the north line of said Lot 6 when measured at right angles; thence North 73°29'27" West 135.59 feet parallel with and 30.00 feet southwesterly of the north line of said Lot 6 to the east margin of Waggoner Drive; thence North 42°17'42" East 33.12 feet along said east margin to the northwest corner of said Lot 6; thence South 73°29'27" East 138.42 feet along the east line of said Lot 6 to the point of beginning.



16 November 2016

CHON – Legal Description (preliminary) Parcel 2 (1.38 Ac.)

A tract of land in Sections 15 and 16, Township 4 South, Range 4 West, Yamhill County, Oregon, being a portion of that tract of land described in deed from ROGER A. NEWTON and SHIRLEY J. NEWTON to JAE WAN CHON and AYLIH T. CHON and recorded in Instrument Number 200420361, Yamhill County Deed Records, and being more particularly described as follows:

Beginning on the east line of said CHON tract which is also the east line of that tract of land described in deed from BIXLER to NEWTON and recorded in Film Volume 211 Page 1575 at a point that is thence South 00°07'03" West 115.25 feet from the northeast corner of said CHON tract; thence continuing South 00°07'03" West 279.82 feet along said line to the north margin of 27<sup>th</sup> Street; thence South 75°53'54" West 106.08 feet along said north margin; thence North 88°53'00" West 69.40 feet along said north margin; thence North 00°07'03" East 189.52 feet; thence South 89°00'08" West 77.72 feet; thence North 00°07'03" East 116.14 feet; thence East 249.92 feet to the point of beginning.



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Applicant Name Creekside Homes LLC Phone 503-389-5195

Contact Name Demian Crotty/Andrew Burton Phone 503-883-3764  
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Address 219 NE Hwy 99W

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### Site Location and Description

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

Property Address 2121 NE 27<sup>th</sup> St. McMinnville OR 97128

Assessor Map No. R4 416-AA-05002 Total Site Area 1.9 acres

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

Comprehensive Plan Designation \_\_\_\_\_ Zoning Designation \_\_\_\_\_

This request is for a:

Comprehensive Plan Amendment

Zone Change

1. What, in detail, are you asking for? State the reason(s) for the request and the intended use(s) of the property. - Zone change for newly created Northern Parcel (parcel to construct home)

- Request to rezone the entire property from a mixture of R-1 and EF-40 zones to R-1 Single Family Residential

- Reason for request to use R-1 Residential for construction of family residence behind restaurant

2. Show in detail, by citing specific goals and policies, how your request is consistent with applicable goals and policies of the McMinnville Comprehensive Plan (Vol. 2).

3. If your request is subject to the provisions of a planned development overlay, show, in detail, how the request conforms to the requirements of the overlay.

4. If you are requesting a Planned Development, state how the proposal deviates from the requirements of the Zoning Ordinance and give justification for such deviation. \_\_\_\_\_

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5. Considering the pattern of development in the area and surrounding land uses, show, in detail, how the proposed amendment is orderly and timely. \_\_\_\_\_

The proposed Amendment is required as a condition of approval of the partition application. This application is submitted in order to rezone parcel 1 from its existing County zoning to a city zone

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6. Describe any changes in the neighborhood or surrounding area which might support or warrant the request. \_\_\_\_\_

The neighborhoods directly around the area of the partition request are R-1 family Residential and have single family residences which are on Elaine Dr / Waggoner Dr. & Karen Ct. to be specific, the residence to be built on the partition side would reflect what is in surrounding area

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7. Document how the site can be efficiently provided with public utilities, including water, sewer, electricity, and natural gas, if needed, and that there is sufficient capacity to serve the proposed use.

All public utilities are already running through an easement for an adjoining property and will be tapped into for the single family residence to be constructed at the partition site

8. Describe, in detail, how the proposed use will affect traffic in the area. What is the expected trip generation?

NO traffic to be affected

Approximately 2-3 Additional trips per day on Waggoner dr.

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), indicating 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; improvements; and significant features (slope, vegetation, adjacent development, drainage, etc.). If of a larger size, provide five (5) copies in addition to an **electronic copy** with the submittal.
- A legal description of the parcel(s), preferably taken from the deed.
- 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.

Applicant's Signature

Date 1/30/17

Property Owner's Signature

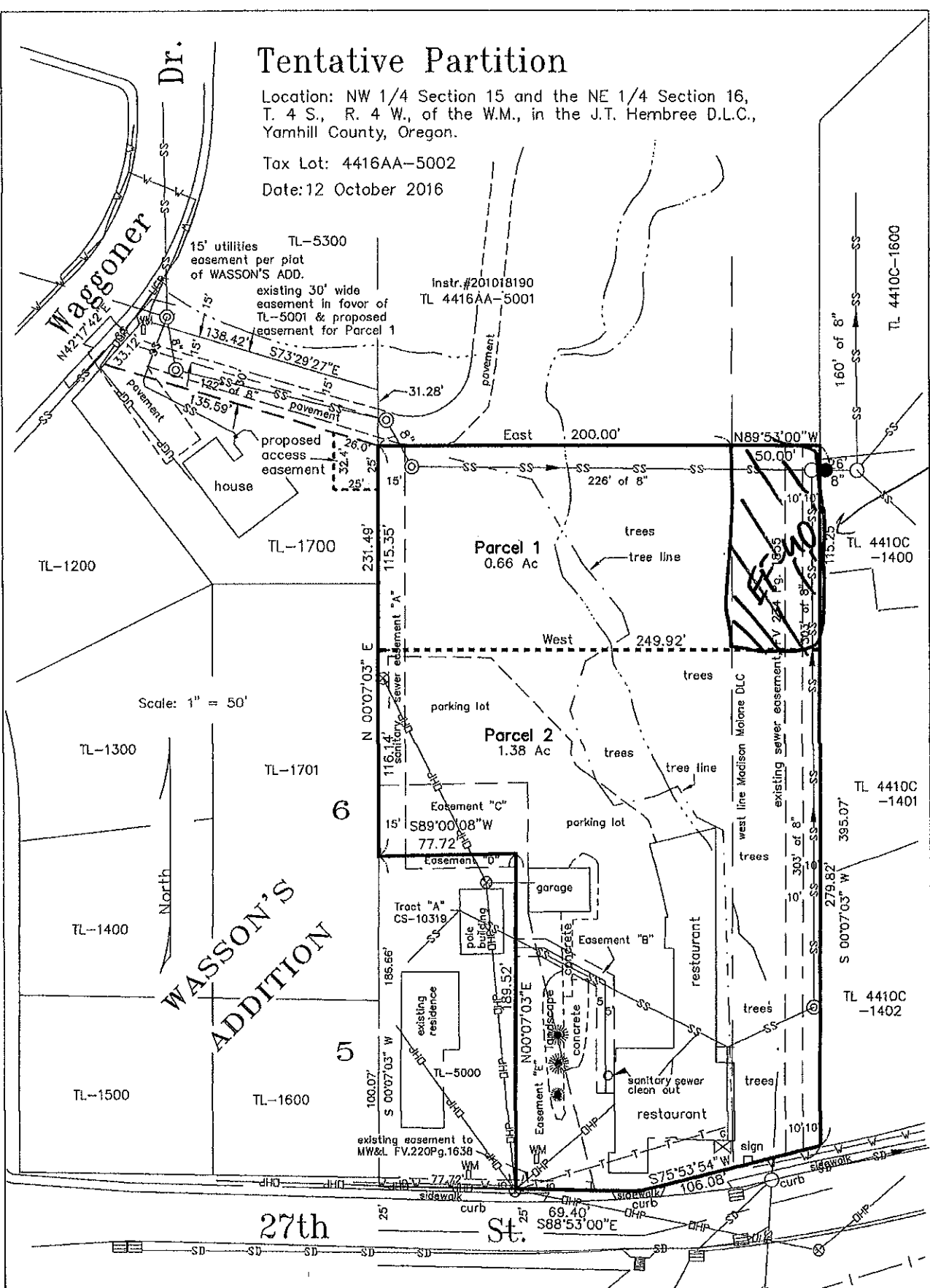
Date 1/30/17

# Tentative Partition

Location: NW 1/4 Section 15 and the NE 1/4 Section 16,  
T. 4 S., R. 4 W., of the W.M., in the J.T. Hembree D.L.C.,  
Yamhill County, Oregon.

Tax Lot: 4416AA-5002

Date: 12 October 2016



*Old County zoning*

## Existing Easements

- Easement "A" - Easement for sanitary sewer in favor of TL 5000
- Easement "B" - Easement for sanitary sewer in favor of TL 5000
- Easement "C" - Easement for road purposes in favor of TL 5000
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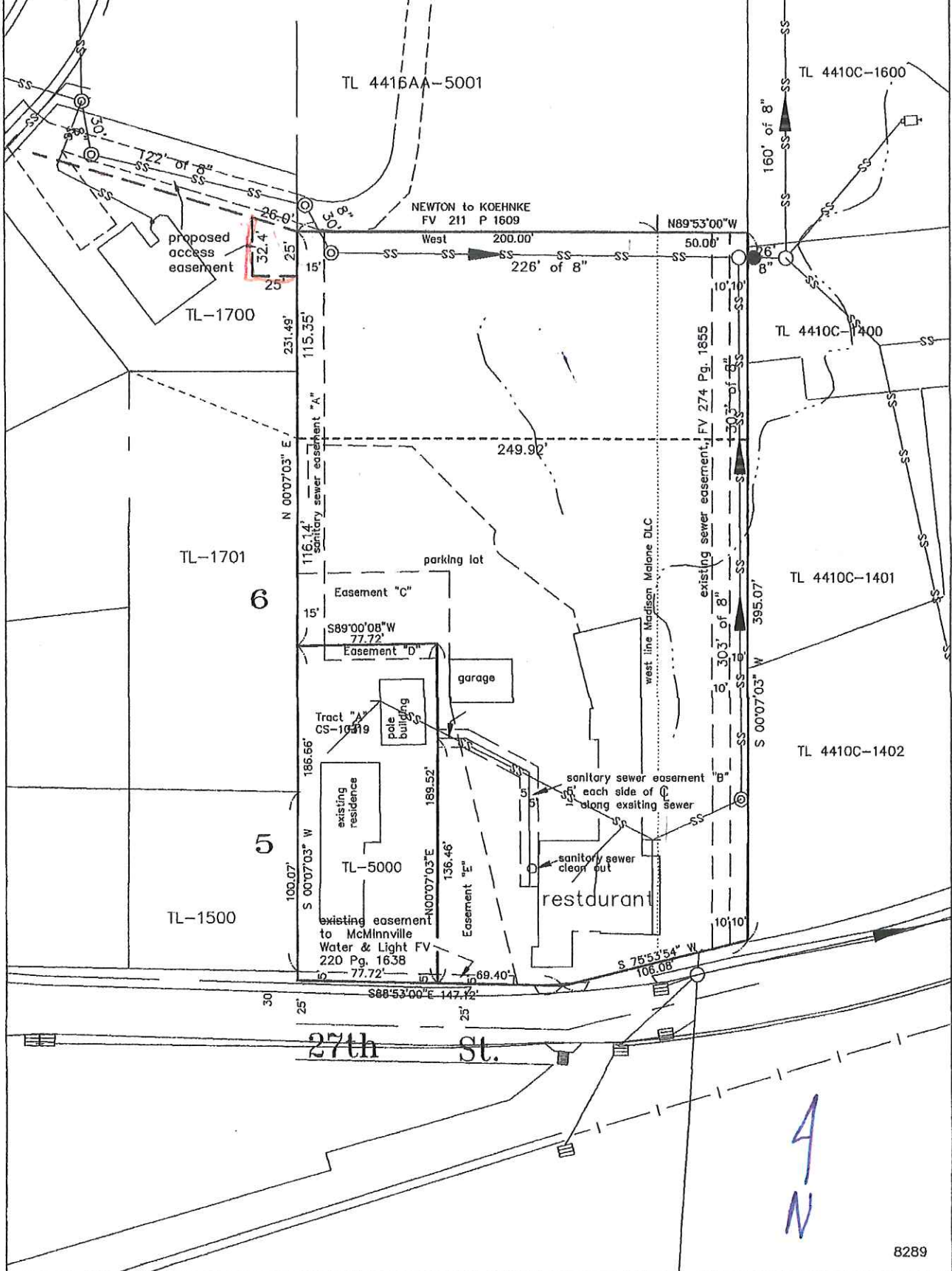
By: Matt Dunckel  
 Leland MacDonald & Assoc., LLC  
 3765 Riverside Drive  
 McMinnville, Oregon 97128  
 Phone: 503-472-7904  
 Email: matt@macdonaldsurveying.com

# Exhibit

Location: NW 1/4 Section 15 and the NE 1/4 Section 16,  
T. 4 S., R. 4 W., of the W.M., in the J.T. Hembree D.L.C.,  
Yamhill County, Oregon.

Tax Lot: 4416AA-5002

Date: 12 October 2016



A. 4. 2010  
MCMIAPPY.LLC

SE 1/4 SE 1/4 SEC 9 T45 R24 W 4  
CAMHEL COUNTY

KEY  
R-1  
R-2  
M  
C-3

HENNITT ADD  
R-1  
BENSADETH ADD  
R-2  
C-3 PD 158-0281  
CPA 4-98 Ord. No. 4837  
ZC 11-98 Ord. No. 4837  
REQUIRE LIST ADD  
R-2 PD  
ZC 12-94 Ord. No. 4579  
5-9-04





16 November 2016

CHON - Legal Description (preliminary) Parcel 1 ( 0.66 Ac.)

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Beginning at the northwest corner of said CHON tract which is also the southwest corner of that tract of land described in deed from NEWTON to KOENKE and recorded in Film Volume 211 Page 1609; thence East 200.00 feet along the south line of said KOENKE tract to the southeast corner of said tract, which is also the southwest corner of that tract of land described in deed from NEWTON to KOENKE and recorded in Film Volume 218 Page 1575; thence South  $89^{\circ} 53'$  East 50.00 feet to an iron rod at the southeast corner of said tract, which is on the east line of that tract of land described in deed from BIXLER to NEWTON and recorded in Film Volume 211 Page 1575; thence South  $00^{\circ}07'03''$  West 115.25 feet along the east line of said tract; thence West 249.92 feet to the East line of Lot 6 of WASSON'S ADDITION to McMinnville; thence North  $00^{\circ}07'03''$  East 115.35 feet along said east line to the point of beginning.

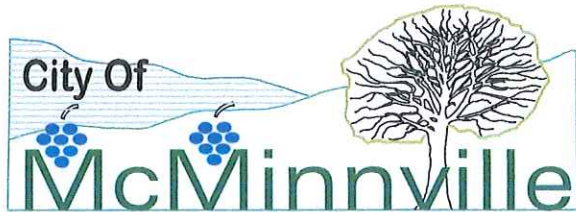
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16 November 2016

CHON - Legal Description (preliminary) Parcel 2 (1.38 Ac.)

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### Applicant Information

**Applicant is:**  Property Owner  Contract Buyer  Option Holder  Agent  Other Builder

Applicant Name Creekside Homes LLC Phone 503-389-5195

Contact Name Demian Cratty / Andrew Burton Phone 503-883-3764  
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Comprehensive Plan Designation \_\_\_\_\_ Zoning Designation \_\_\_\_\_

This request is for a:

Comprehensive Plan Amendment

Zone Change

1. What, in detail, are you asking for? State the reason(s) for the request and the intended use(s) of the property.

- Zone change for newly created southern parcel  
(the parcel that contains the restaurant)  
- Request to rezone the entire property from a mixture of C-3, R-1, and EF-40 zones to C-3 General Commercial  
- Reason for request is to clean up the old county zoning to the city zoning  
- Intended use of this portion of the southern parcel is to remain the same as a restaurant

2. Show in detail, by citing specific goals and policies, how your request is consistent with applicable goals and policies of the McMinnville Comprehensive Plan (Vol. 2).

3. If your request is subject to the provisions of a planned development overlay, show, in detail, how the request conforms to the requirements of the overlay.

4. If you are requesting a Planned Development, state how the proposal deviates from the requirements of the Zoning Ordinance and give justification for such deviation. \_\_\_\_\_

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5. Considering the pattern of development in the area and surrounding land uses, show, in detail, how the proposed amendment is orderly and timely. \_\_\_\_\_

This Rezoning is appropriate in order to bring all zoning current with the city and is a requirement by the city as a condition of approval for the partition Request for the Newly Created Northern parcel

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6. Describe any changes in the neighborhood or surrounding area which might support or warrant the request. \_\_\_\_\_

The southern portion that the rezoning Request is being submitted is located off of 27<sup>th</sup> St. which is surrounded by commercial business's

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7. Document how the site can be efficiently provided with public utilities, including water, sewer, electricity, and natural gas, if needed, and that there is sufficient capacity to serve the proposed use.

N/A - Nothing is being constructed on this southern portion. Only a Rezone is being requested

8. Describe, in detail, how the proposed use will affect traffic in the area. What is the expected trip generation?

N/A  
Existing use is not changing so no expected change in traffic

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), indicating 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; improvements; and significant features (slope, vegetation, adjacent development, drainage, etc.). If of a larger size, provide five (5) copies in addition to **an electronic copy** with the submittal.
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Applicant's Signature



Date

1/30/17

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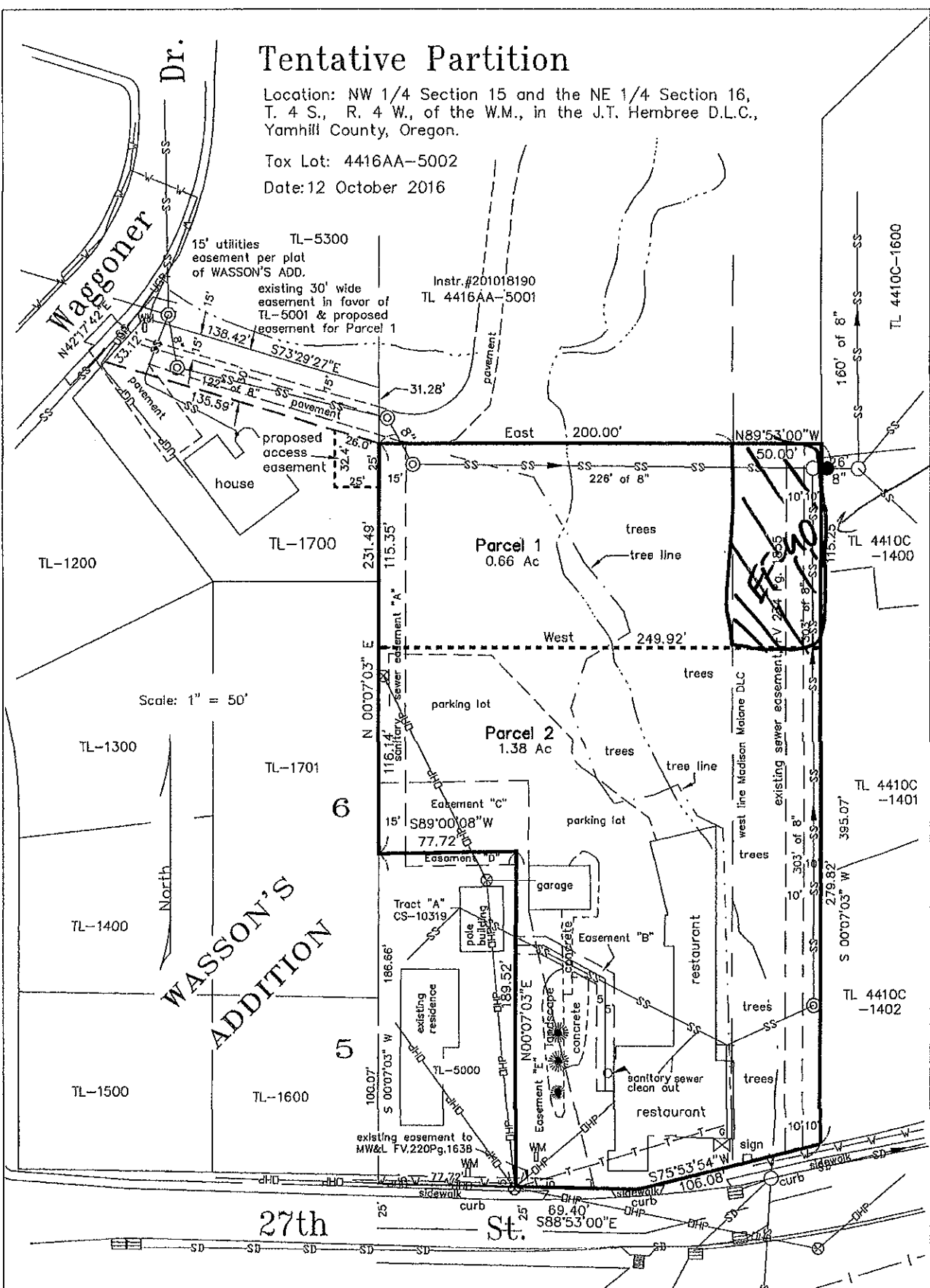
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T. 4 S., R. 4 W., of the W.M., in the J.T. Hembree D.L.C.,  
Yamhill County, Oregon.

Tax Lot: 4416AA-5002

Date: 12 October 2016



Scale: 1" = 50'

WASSON'S  
ADDITION

Old  
County  
Zoning

## Existing Easements

- Easement "A" - Easement for sanitary sewer in favor of TL 5000
- Easement "B" - Easement for sanitary sewer in favor of TL 5000
- Easement "C" - Easement for road purposes in favor of TL 5000
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By: Matt Dunckel  
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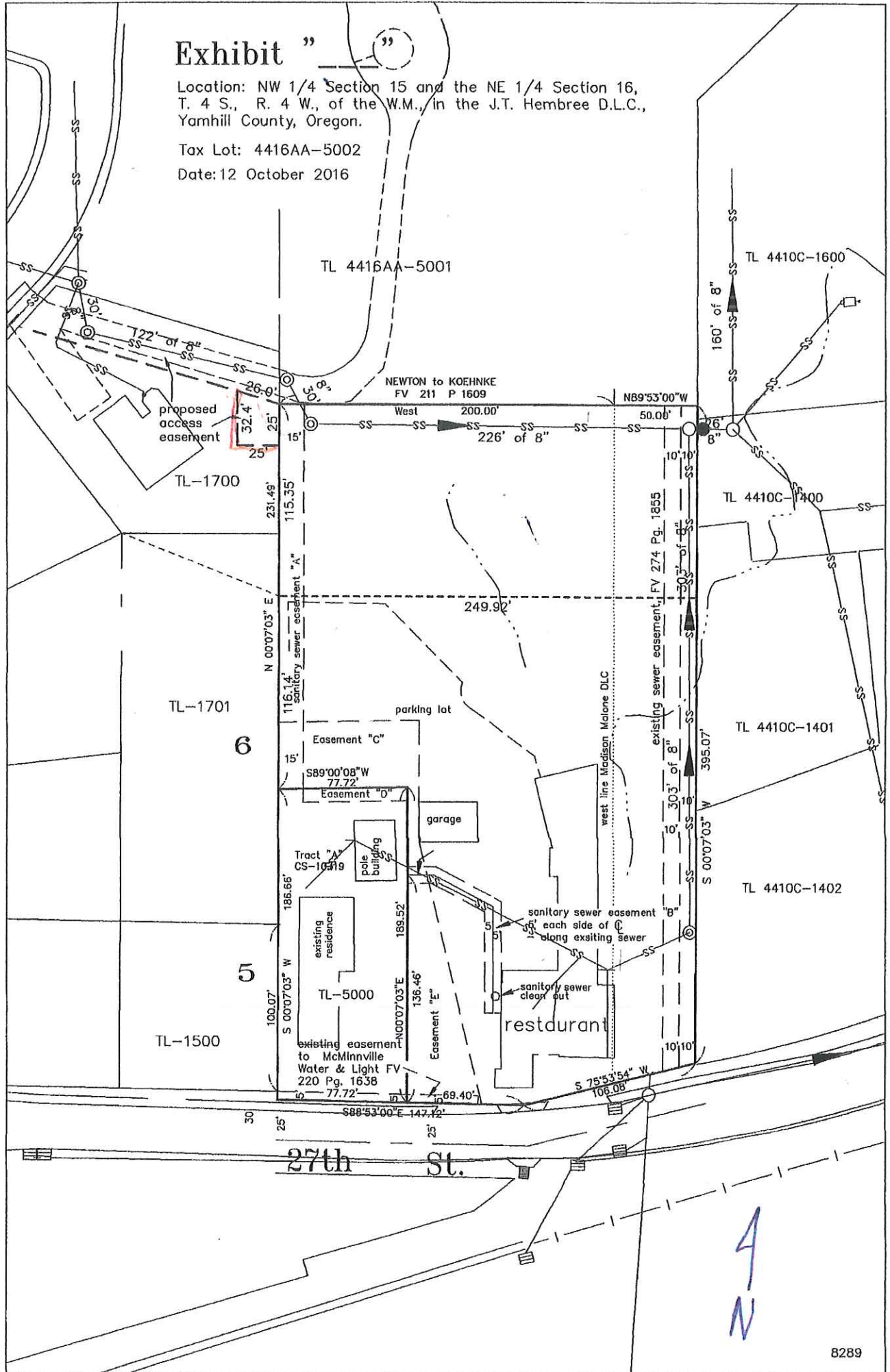
Hwy. 99W

# Exhibit "A"

Location: NW 1/4 Section 15 and the NE 1/4 Section 16,  
T. 4 S., R. 4 W., of the W.M., in the J.T. Hembree D.L.C.,  
Yamhill County, Oregon.

Tax Lot: 4416AA-5002

Date: 12 October 2016



A  
N





16 November 2016

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A tract of land in Sections 15 and 16, Township 4 South, Range 4 West, Yamhill County, Oregon, being a portion of that tract of land described in deed from ROGER A. NEWTON and SHIRLEY J. NEWTON to JAE WAN CHON and AYLIIH T. CHON and recorded in Instrument Number 200420361, Yamhill County Deed Records, and being more particularly described as follows:

Beginning at the northwest corner of said CHON tract which is also the southwest corner of that tract of land described in deed from NEWTON to KOENKE and recorded in Film Volume 211 Page 1609; thence East 200.00 feet along the south line of said KOENKE tract to the southeast corner of said tract, which is also the southwest corner of that tract of land described in deed from NEWTON to KOENKE and recorded in Film Volume 218 Page 1575; thence South  $89^{\circ} 53'$  East 50.00 feet to an iron rod at the southeast corner of said tract, which is on the east line of that tract of land described in deed from BIXLER to NEWTON and recorded in Film Volume 211 Page 1575; thence South  $00^{\circ}07'03''$  West 115.25 feet along the east line of said tract; thence West 249.92 feet to the East line of Lot 6 of WASSON'S ADDITION to McMinnville; thence North  $00^{\circ}07'03''$  East 115.35 feet along said east line to the point of beginning.

TOGETHER WITH AN access and utilities easement the perimeter of this is more particularly described as follows: Beginning at the northeast corner of Lot 6 of WASSON'S ADDITION to McMinnville; thence South  $00^{\circ}07'03''$  West 31.28 feet to a point that is 30.00 feet southwesterly of the north line of said Lot 6 when measured at right angles; thence continuing South  $00^{\circ}07'03''$  West 25.00 feet along the east line of said Lot 6; thence West 25.00 feet; thence North  $00^{\circ}07'03''$  East 32.4 feet parallel with and 25 feet west of the east line of said Lot 6 to a point that is 30.00 feet southwesterly of the north line of said Lot 6 when measured at right angles; thence North  $73^{\circ}29'27''$  West 135.59 feet parallel with and 30.00 feet southwesterly of the north line of said Lot 6 to the east margin of Waggoner Drive; thence North  $42^{\circ}17'42''$  East 33.12 feet along said east margin to the northwest corner of said Lot 6; thence South  $73^{\circ}29'27''$  East 138.42 feet along the east line of said Lot 6 to the point of beginning.

16 November 2016

CHON - Legal Description (preliminary) Parcel 2 (1.38 Ac.)

A tract of land in Sections 15 and 16, Township 4 South, Range 4 West, Yamhill County, Oregon, being a portion of that tract of land described in deed from ROGER A. NEWTON and SHIRLEY J. NEWTON to JAE WAN CHON and AYLIH T. CHON and recorded in Instrument Number 200420361, Yamhill County Deed Records, and being more particularly described as follows:

Beginning on the east line of said CHON tract which is also the east line of that tract of land described in deed from BIXLER to NEWTON and recorded in Film Volume 211 Page 1575 at a point that is thence South 00°07'03" West 115.25 feet from the northeast corner of said CHON tract; thence continuing South 00°07'03" West 279.82 feet along said line to the north margin of 27<sup>th</sup> Street; thence South 75°53'54" West 106.08 feet along said north margin; thence North 88°53'00" West 69.40 feet along said north margin; thence North 00°07'03" East 189.52 feet; thence South 89°00'08" West 77.72 feet; thence North 00°07'03" East 116.14 feet; thence East 249.92 feet to the point of beginning.