



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

April 5, 2017

Ishmael Duckett
2950 NE Hembree Street
McMinnville, OR 97128

Re: Dockets BLA 2-17 / MP 1-17

Dear Mr. Duckett:

This is to advise you that the McMinnville Planning Department has received and carefully studied your applications (BLA 2-17 / MP 1-16) to adjust the property line between two existing parcels and also partition an approximately 0.89 acre parcel of land into three (3) parcels approximately 0.21 acres, 0.37 acres, and 0.31 acres in size. The subject site is located at 2950 NE Hembree Street and is more specifically described as Tax Lots 800 and 902, Section 9CD, T. 4 S., R. 4 W., W.M. The Planning Department reviewed your applications against the criteria of Section 17.53.053 (Review and Tentative Approval Process) and Section 17.53.060 (Submission of Tentative Partition Plan) of the McMinnville Zoning Ordinance for compliance.

Under the provisions of Section 17.72.110(A) (Applications – Director’s Review with Notification) of the McMinnville Zoning Ordinance, notice of the proposed partition was provided to property owners within 100 feet of the subject site.

Based on the material submitted and the Engineering Department and Planning Department evaluations, I have approved your requests for a boundary line adjustment (BLA 2-17) and a minor partition (MP 1-17), subject to conditions.

Attached are the land-use decisions with the findings of fact and conditions of approval for your records. The conditions of approval are also outlined below:

Conditions of Approval for BLA 2-17:

1. That copies of the amended deeds shall be submitted to our office after they have been recorded in the Yamhill County Clerk’s office so that we may officially update our maps and records.

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2. That approval of this boundary line adjustment will expire 12 (twelve) months after the date of issuance of this letter. If a copy of the recorded documents have not been submitted to our office prior to the expiration date, the applicant must resubmit an application for further consideration.

Conditions of Approval for MP 1-17:

TRANSPORTATION

1. Grandhaven Street is designated as a major collector (74' right-of-way) in the City's Transportation System Plan (TSP). The street was constructed prior to the adoption of the TSP (2010), and was built to the minor collector standard contained in the 1994 Transportation Master Plan (36' of paved surface, and 5' sidewalks within a 60' right-of-way). The existing right-of-way width adjacent to the proposed partition lots does not meet the current standard of 37' from centerline. Therefore, the final partition plat shall reflect the dedication of additional right-of-way, equaling 37' total from centerline, along the site's Grandhaven Street frontage.

The completion of MP 1-17 will not necessitate an upgrade/widening of Grandhaven Street to meet the major collector requirements.

2. Hembree Street is designated as a local street (50' right-of-way) in the City's Transportation System Plan (TSP). The street was constructed prior to the adoption of the TSP (2010), and was built to the minor collector standard contained in the 1994 Transportation Master Plan (36' of paved surface, and 5' curbside sidewalks within a 60' right-of-way) adjacent to the subject site. No additional improvements to Hembree Street are required.
3. The proposed shared driveway for Parcel 3 and Lot 7 of Witt Addition is acceptable. The necessary access easements shall be granted on the final partition plat, and at the time of building permits for Parcel 3, the existing driveway shall be upgraded to meet current ADA standards.
4. The access for Parcel 1 and Parcel 2 shall be limited to a joint driveway access onto Hembree Street, and the final plat shall reflect no access to Grandhaven Street for Parcel 1 and Parcel 2.
5. The existing driveway onto Grandhaven Street for the existing house (2950 NE Hembree Street) on Parcel 2 shall be removed prior to the City's approval of the final plat.

UTILITIES

6. The applicant shall submit to the City Engineer, for review and approval, a utility plan for the subject site. At a minimum, this plan shall indicate the manner in which separate sanitary sewer, storm sewer, 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 the public sewer main. Easements and maintenance agreements as may be required by the City Engineer for the provision, extension and maintenance of these utilities shall be submitted to the City Engineer for review and approval prior to filing of

the final plat. All required utilities, including the proposed sewer lateral to serve Parcel 1, shall be installed to the satisfaction of the responsible agency prior to the City's approval of the final plat.

7. City records do not indicate how the existing house (2950 NE Hembree Street) is served by sanitary sewer, but it is likely that it is connected to the existing 8" public sewer main in the eastern portion of the site. The applicant shall identify the location of the existing sewer lateral and provide the City Engineering Department with a copy of a televised report of the condition of the existing lateral. If necessary, the lateral will need to be repaired or replaced so that it is in compliance with the City's sewer ordinance prior to the City's approval of the final plat.
8. The map submitted with the partition application indicates that the existing public sewer easement (recorded as Film Volume 29 Page 656) on Parcel 3 is "to be vacated." There is an existing 8" public sewer main within that easement. Therefore, the easement will need to remain, and shall be reflected on the final partition plat.

MISCELLANEOUS

9. The final plat shall include 10-foot utility easements along both sides of all public rights-of-way for the placement and maintenance of required utilities.
10. 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.
11. The applicant shall record the boundary line adjustment for the common property line between Tax Lot 800 and Tax Lot 902 with Yamhill County, as approved in docket BLA 2-17, prior to submitting the final plat.
12. That, prior to the release of building permits for Parcel 4 (Tax Lot 902), the existing structure shall be demolished. A demolition permit shall be obtained prior to demolishing the existing structure.
13. 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 time period, the applicant must resubmit a tentative plat for further consideration and comply with regulations and conditions applicable at that time.

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Please note that the construction of utilities and other required infrastructure to serve the partitioned parcels will be at the owner's expense and that sewer assessment charges and other applicable system development charges must be paid at the time of building permit application, unless otherwise noted. If you have any questions concerning this matter, please contact the Engineering Department at (503) 434-7312.

This letter shall act as official notification of my decision. An appeal of this decision may be made to the Planning Commission if notice of intent to appeal is filed in the Planning Department no later than April 20, 2017. If no appeal is filed by this date, the decision shall be considered final.

Sincerely,



Heather Richards, PCED
Planning Director

HR:sjs

c: Mike Bisset, Community Development Director
Bob Poskin, Building Official

Attachments: *DECISION, CONDITIONS OF APPROVAL, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF A BOUNDARY LINE ADJUSTMENT AT 2950 NE HEMBREE STREET (Docket BLA 2-17)* and *DECISION, CONDITIONS OF APPROVAL, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF A MINOR PARTITION AT 2950 NE HEMBREE STREET. (Docket MP 1-17)*