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October 30, 2017

Denny Elmer
Land Use Resources
PO Box 237
McMinnville, OR 97128

RE: ZC 11-17

Dear Mr. Elmer:

This is to advise you that, at a meeting of the McMinnville City Council on Tuesday, October 24, 2017, your application for a zone change (ZC 11-17) from AH (Agricultural Holding) to R-4 (Multiple-Family Residential) on approximately 5.2 acres of a 5.3 acre site was presented and considered. The subject site is located north of NE Cumulus Avenue and east of NE Fircrest Drive and is more specifically described as a portion of Tax Lot 900, Section 23, T. 4 S., R. 4 W., W.M

Based on the material submitted, testimony received, and the review criteria in Section 17.74.020 and Section 17.74.070 of the McMinnville Zoning Ordinance, the City Council voted to **APPROVE** your zone change request (ZC 11-17). Enclosed for your records is a copy of Ordinance No. 5039, which was adopted by the City Council on October 24, 2017, and includes your land use decision with the Findings of Fact and Conditions of Approval.

We have also outlined the conditions of approval below:

1. That, prior to development, the applicant shall submit a preservation plan relative to the natural drainage swale and wooded area of the site, as far as practicable, as part of any development proposal. This plan shall be reviewed and approved by the McMinnville Planning Director prior to approval of any development plan for the site.
2. That, based on the analysis provided in the submitted Traffic Impact Analysis (TIA) prepared for the applicant by Lancaster Engineering (June 28, 2017), the residential density allowed on this site of this 5.2-acre zone change request shall be limited to a maximum total of 48 morning peak hour trips and a maximum total of 59 evening peak hour trips as referenced in the Executive Summary (page 1) of the TIA unless a subsequent TIA is submitted by the applicant and the conclusions of which are found to be acceptable to the City.
3. That NE Fircrest Drive has been constructed to be 26' wide in a 30' public right-of-way, and there is not sidewalk along the property's frontage. At the time of development, 11-feet of additional right-of-way, to accommodate a planter strip and sidewalk, will need to be dedicated along the site's Fircrest Drive frontage. Additionally, a 10-foot wide public utility easement shall be granted along the Fircrest Drive frontage.

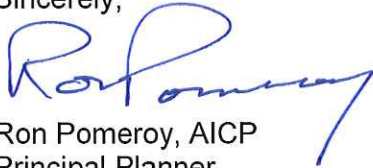
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4. That there is an existing 15" diameter public sanitary sewer located to the south of the property in the Cumulus Avenue / Highway 18 right-of-way, which is under the jurisdiction of the Oregon Department of Transportation (ODOT). At the time of development, the applicant will need to design a sanitary sewer system that connects to the existing public system (note that a private sanitary sewer pump station may be necessary to serve the proposed development), and the applicant will need to acquire all permits necessary from ODOT to construct the improvements.
5. That, at the time of development, the applicant will need to acquire any necessary erosion control permits from the Oregon Department of Environmental Quality (DEQ), and any necessary wetlands / waterway permits from the Division of State Lands (DSL) and the US Army Corps of Engineers (COE).
6. That, at the time development, the applicant shall provide any geotechnical engineering analyses/reports required by the Building Division to accommodate the construction of any proposed structures.
7. That this Ordinance shall take effect 30 days after its passage by the City Council.

Pursuant to the Zoning Ordinance of the City of McMinnville, an action or ruling of the City Council may be appealed to the Land Use Board of Appeals (LUBA) within 21 (twenty-one) days of the date written notice of the decision is mailed. If no notice of intent to appeal to LUBA is submitted by November 20, 2017, the decision of the City Council will become final.

If you have any questions regarding this matter, please feel free to contact me at (503) 434-7330.

Sincerely,



Ron Pomeroy, AICP
Principal Planner

RP:sjs

- c: Heather Richards, Planning Director
Fredricks Motor Co., Christina Turner, 14237 SW McKinley Drive, Sherwood, OR 97140
Lee Eggers, 498 NE Fircrest Place
Janice Gray, 318 NE Fircrest Place
Gioia Goodrum, 305 NE Fircrest Place
Tom & Kathy Murtiashaw, 378 NE Fircrest Place
John & Sharon O'Gieblyn, 201 NE Kingwood Street
Pat Parker, 448 NE Fircrest Place
LaVerne Rickard, 395 NE Fircrest Place
Tom Wolf, 424 NE Fircrest Place
Dan Wollman, 371 NE Fircrest Place

Enclosures:

Ordinance No. 5039