



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

December 29, 2017

Ray Kulback
RB&R Contractors, Inc.
PO Box 568
McMinnville, OR 97128

Re: Docket MP 7-17

Dear Mr. Kulback:

This is to advise you that the McMinnville Planning Department has received and carefully studied your application (MP 7-17) to partition an approximately 0.77 acre parcel of land into two parcels approximately 0.39 and 0.38 acres in size. The subject site is located at 1730 SW 2nd Street, and is more specifically described as Tax Lot 100, Section 20CB, T. 4 S., R. 4 W., W.M. The Planning Department reviewed your applications against the criteria of Section 17.53.060 (Submission of Tentative Partition Plan) and Chapter 17.21 (R-4 Multiple-Family Residential Zone) of the McMinnville Zoning Ordinance for compliance.

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. 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 7-17), 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 record the boundary line adjustment for the common property line between Tax Lot 100 and Tax Lot 101 with the Yamhill County Clerk’s office, as approved in Docket BLA 13-17, prior to submitting the draft copy of the final partition plat.
2. That the applicant shall submit shared parking agreements or easements to the Planning Department for review prior to submitting the draft copy of the final partition plat. The shared parking agreements or easements shall be recorded, as approved by the Planning Director, with the Yamhill County Clerk’s office prior to the issuance of building permits for the site.
3. 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.

4. That the applicant shall include in the draft copy of the final partition plat an additional access easement for pedestrian access along the sidewalk that will be located throughout the site. This sidewalk was included in the binding development plan approved by the City Council in Ordinance No. 5036 (Docket ZC 10-17). The pedestrian access easement shall also cover the common open space area that was included in the binding development plan, as the common open space area was required to provide open space and amenities for residents of the entire site included in the binding development plan.
5. That 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 shall be installed to the satisfaction of the responsible agency prior to the City's approval of the final plat.
6. 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.

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 January 15, 2018. If no appeal is filed by this date, the decision shall be considered final.

Sincerely,



Heather Richards, PCED
Planning Director

HR:sjs

Attachments: *DECISION, CONDITIONS OF APPROVAL, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF A MINOR PARTITION AT 1730 SW 2ND STREET. (Docket MP 7-17)*