

A G E N D A 4 - 14

1. Approval of Minutes: March 20, 2014

2. Public Hearing (Quasi Judicial)

◆ [Docket CU 2-14](#)

Request: Approval of a conditional use permit to allow for the operation of a vacation home rental business within an existing residence.

Location: 926 NE Davis Street, and more specifically described as Tax Lot 5200, Section 21BB, T. 4 S., R. 4 W., W.M.

Applicant: Dewey and Lindalee McCandlis

3. Public Hearing (Quasi Judicial)

◆ [Docket ZC 1-14 / S 1-14](#)

Request: Approval of a tentative subdivision plan on 4.89 acres of land that, if approved, would provide for the construction of 30 single-family homes. Concurrent with this application is a request for approval to amend Planned Development Ordinance No. 4953 to allow for a reduction in the front-yard setback from 15 feet to 10 feet; a reduction in the exterior side-yard setback from 20 feet to 15 feet for all proposed lots; and a reduction in the side-yard setback from six feet to zero feet for all garages proposed for construction in the development.

Location: North of NE Grandhaven Street and east of NE Hembree Street, and more specifically described as a portion of Tax Lot 2100, Section 9, T. 4 S., R. 4 W., W.M.

Applicant: Alan Ruden Inc.

4. Old/New Business

5. Adjournment

Notification Map



CU 2-14

Dewey and Lindalee McCandlis are requesting approval of a conditional use permit to allow for the operation of a vacation home rental business within an existing residence.

Recorded Owner:

Dewey & Lindalee McCandlis
423 Avenue D
Snohomish, WA 98290

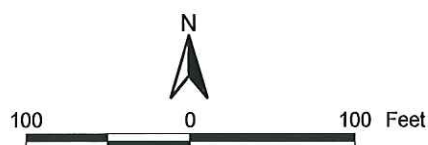


Geographic Information System

APPROVED BY: PLANNING COMMISSION

CITY COUNCIL

ATTESTED TO BY: _____



City of McMinnville
Planning Department
231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7311

Request: Approval of a conditional use permit to allow for the operation of a vacation home rental business within an existing residence.

Location: The subject site is located at 926 NE Davis Street, and is more specifically described as Tax Lot 5200, Section 21BB, T. 4 S., R. 4 W., W.M.

Applicant: Dewey and Lindalee McCandlis

EXHIBITS

1. Staff Report
2. CU 2-14 Application and Fact Sheets
3. Plot plan submitted by applicant
4. Assessor Map submitted by applicant
5. McMinnville Historic Resources Survey Sheet #D-379
6. List of property owners to whom notice was sent
7. Affidavit of Publication
8. Referrals
9. Vicinity Sketch

SUBJECT SITE

The subject site is located on the east side of Davis Street, mid-block between 9th Street and 10th Street. The site is relatively narrow, measuring 35 feet by 120 feet and is topographically flat. A two-story residence is situated in the front third of the property, to the south of which is attached a single-car carport. Architecturally, the residence is of a rural vernacular style with a sloped gable roof oriented east-west on the property. A window is centered on the upper front façade, while the lower portion consists of a large picture window and entry door. Horizontal lap siding is found on the lower portion of the building, and vertical siding on the upper façade. A covered porch extends along the length of the front façade. According to the applicant, the residence's interior consists of a living room, dining room, kitchen, bathroom, and laundry on the first floor, with two bedrooms on the upper floor.

The site is fronted by Davis Street, a local residential street, that has curbs, a wide planting strip, and public sidewalks on both sides of this right-of-way. A paved driveway extends from Davis Street along the site's southern border to the single-car carport and parking pad. A private sidewalk extends directly to the front door from the public sidewalk.

Site landscaping in the front portion of the property is minimal, consisting predominantly of turf. A single shrub is situated at the residence's northwest corner, near the home's entrance; a small tree is found within the northern side yard. A brick planter is located along the building's front façade, but is currently empty. A single street tree is situated in the public planting strip that fronts the property. The rear of the property is fenced.

The subject site is zoned R-3 (Two-Family Residential), as are the surrounding properties. Adjacent uses consist of single-family housing of an age similar to the subject residence. Of interest, the residence to the immediate south appears to be a "twin" to the subject property.

OBSERVATIONS

- The applicant is requesting approval of a conditional use permit to allow a vacation home rental business within an existing two-story, two-bedroom residence at 926 NE Davis Street. The Planning Commission's responsibility regarding this type of land-use request is to conduct a public hearing and, at its conclusion, render a decision to approve, approve with conditions, or deny the request for a conditional use permit.
- According to City records, the subject residence was constructed between 1902 and 1912, and is listed in the McMinnville Historic Resources Survey as an "environmental" resource (Survey Sheet #D-379; Exhibit 4). This classification includes all resources surveyed that were not classified as distinctive, significant, or contributory, but provided historic context within the community. Historic properties that bear this classification are not subject to the City's Historic Resources Ordinance or review by the City's Historic Landmarks Committee, should they propose exterior alterations or demolition.
- As the home has been most recently used as a single-family residence, the applicants observe that the impact of the proposed use will be very similar and will not result in a noticeable impact on the surrounding neighborhood. The applicants also note that this home is located six blocks from the downtown historic district and in an area already presenting an established mix of residential, business, and governmental uses, as well as an approved vacation home rental (at 314 NE 9th Street).
- To operate a vacation home rental business in McMinnville, the applicant must meet the requirements as stated in Section 17.18.020 (P) of the McMinnville Zoning Ordinance. Based upon the applicants' submitted narrative, several of these requirements appear to have already been met. Specifically, the house is designed and operated as a single-family residence and is functionally and architecturally compatible with the surrounding residential development. Further, while the applicant is not proposing any signage for the proposed use at this time, signage on the property would be limited to one non-illuminated or indirectly illuminated wooden sign not exceeding three (3) square feet of face area. Furthermore, the applicant has provided contact information, should an emergency or complaint situation arise. While the applicant has not stated specifically if smoke detectors are in place, this is a requirement for operating a vacation home rental business.
- This proposed use would require two off-street parking spaces to accommodate the two existing guest rooms. These can be provided within the covered carport and driveway that are situated along the site's southern edge.
- The applicant asserts that this home has been upgraded and is very well maintained both inside and out. As it is the applicant's intent to utilize this residence as a business venture, it would not serve the owner to allow the exterior to fall to disrepair or acquire an unkempt appearance. The owner has indicated to staff that the property and residence will be maintained to an acceptable neighborhood standard.
- As the Planning Commission is aware, vacation home rental businesses have been regulated since 2008 following the adoption of Ordinance No. 4902 which was codified into the McMinnville Zoning Ordinance and can be found at Section 17.12.020 (R). Through this ordinance, vacation home rental businesses are regulated in a fashion similar to bed and breakfast establishments. More specifically, vacation home rentals are subject to limits on the size and type of signs that may be placed at the business location, the number of consecutive days that a guest may stay, availability of adequate off-street parking, and having owner residency or emergency contact person within the McMinnville city limits. Operation of this proposed vacation rental would be subject to these conditions, if approved.

The vacation home rental ordinance also provides a process for reviewing complaints from neighbors to the proposed use, and the ability of the Planning Commission to void a prior approval upon finding that the vacation rental has been operating in violation of its permit. To date, staff has not received a complaint on any of the vacation home rental businesses currently in operation.

- The City of McMinnville Fire Department, Engineering Department, Building Department, City Manager, and City Attorney; McMinnville School District No. 40; McMinnville Water and Light; Yamhill County Public Works; Yamhill County Planning Department; Frontier; ComCast Cable; and Northwest Natural Gas were provided opportunity to review this request and provide comment. As of the drafting of this staff report, no comments were received from public agencies.
- Notice of this request was mailed to property owners located within 200 feet of the subject site. As of the date this report was written, no comments in opposition to the applicant's request had been received by the Planning Department from those who were notified.
- The findings of fact and conclusionary findings are attached as Exhibit "A" to this report and are by this reference herein incorporated.

RECOMMENDATION

Staff believes that use of the subject property for a vacation home rental business is compatible with surrounding development and with development within the R-3 (Two-Family Residential) zone. The use of the residence as a vacation home rental business will ensure (through ongoing maintenance) that the property will remain an asset to the neighborhood in addition to allowing for the ongoing preservation of an older home. It is staff's opinion that use of the subject site for this proposed use is reasonable and is consistent with both the goals and policies of Volume II of the Comprehensive Plan, and the requirements of the McMinnville Zoning Ordinance as they relate to development in the R-3 (Two-Family Residential) zone. We further believe that the conditions that exist in the City's zoning ordinance relative to operating a vacation home rental business will ensure ongoing compatibility.

For these reasons, staff recommends that based on the findings of fact, the conclusionary findings for approval, and the materials submitted by the applicant, that CU 2-14 be approved, subject to one condition of approval, below:

That prior to use of the subject property for vacation home rental purposes, the applicant shall register with the McMinnville Finance Department as a transient lodging provider. Local Transient Lodging Tax shall be collected and remitted to the City as provided in McMinnville Ordinance No. 4974.

MOTION

The Planning Department recommends the Commission make the following motion for approval:

THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, THE PLANNING COMMISSION APPROVES CU 2-14, SUBJECT TO ONE CONDITION OF APPROVAL AS PROVIDED IN THE STAFF REPORT.

DRM:pjk

EXHIBIT "A"
FINDINGS OF FACT AND CONCLUSIONARY FINDINGS
DOCKET CU 2-14

FINDINGS OF FACT

1. The applicant is requesting approval of a conditional use permit to allow for the operation of a vacation home rental business within an existing residence located at 926 NE Davis Street.
2. The subject site is designated Residential on the McMinnville Comprehensive Plan Map, 1980, and is zoned R-3 (Two-Family Residential) and is more specifically described as Tax Lot 5200, Section 21BB, T. 4 S., R. 4 W., W.M.
3. This matter was referred to the following public agencies for comment: McMinnville Fire Department, Engineering Department, Building Department, Parks Department, City Manager, and City Attorney; McMinnville School District No. 40; McMinnville Water and Light; Yamhill County Public Works; Yamhill County Planning Department; Frontier; ComCast Cable, and Northwest Natural Gas. As of the date of this report, no comments in opposition to this application have been received from these agencies.
4. Goals and policies from Volume II of the McMinnville Comprehensive Plan which are applicable to this request include:

Parking:

- | | |
|--------|--|
| 126.00 | The City of McMinnville shall continue to require adequate off-street parking and loading facilities for future developments and land use changes. |
|--------|--|

Sanitary Sewer System:

- | | |
|--------|--|
| 136.00 | The City of McMinnville shall insure that urban developments are connected to the municipal sewage system pursuant to applicable city, state, and federal regulations. |
|--------|--|

Storm Drainage:

- | | |
|--------|---|
| 142.00 | The City of McMinnville shall insure that adequate storm water drainage is provided in urban developments through review and approval of storm drainage systems, and through requirements for connection to the municipal storm drainage system, or to natural drainage ways, where required. |
|--------|---|

Water System:

- | | |
|--------|---|
| 144.00 | The City of McMinnville, through the City Water and Light Department, shall provide water services for development at urban densities within the McMinnville Urban Growth Boundary. |
| 147.00 | The City of McMinnville shall continue to support coordination between City departments, other public and private agencies and utilities, and the City Water and Light Department to insure the coordinated provision of utilities to developing areas. The City shall also continue to coordinate with the City Water and Light Department in making land use decisions. |
| 178.00 | The City of McMinnville shall encourage a compact urban development pattern to provide for conservation of all forms of energy. |

5. The following sections of the McMinnville Zoning Ordinance (ORD 3380) are applicable to this request:

General Provisions:

"17.03.020 Purpose. The purpose of this ordinance is to encourage appropriate and orderly physical development in the City through standards designed to protect residential, commercial, industrial, and civic areas from the intrusions of incompatible uses; to provide opportunities for establishments to concentrate for efficient operation in mutually beneficial relationship to each other and to shared services; to provide adequate open space, desired levels of population densities, workable relationships between land uses and the transportation system, and adequate community facilities; to provide assurance of opportunities for effective utilization of the land resource; and to promote in other ways public health, safety, convenience, and general welfare."

Section 17.18.020 of the McMinnville Zoning Ordinance states:

"Conditional uses. In an R-3 zone, the following uses and their accessory uses may be permitted, subject to the provisions of Section 17.74.030:"

[...] P. Vacation home rentals, subject to the provisions of Section 17.12.020 (S):

Section 17.12.020 (R) of the McMinnville Zoning Ordinance states:

1. That the structure be designed for and occupied as a single-family residence. The structure shall retain the characteristics of a single-family residence.
2. That a minimum of one off-street parking space be provided for each guest room.
3. That signage is limited to only one non-illuminated or incidentally illuminated wooden sign not exceeding three (3) square feet of face area.
4. That the duration of each guest's stay at the residence be limited to less than 21 (twenty one) consecutive days.
5. That smoke detectors be provided as per the requirements for "lodging houses" in Ordinance No. 3397.
6. That the property owner shall live within the city limits or shall provide contact information of a person living within the city limits who shall be available to respond immediately to any emergency or complaint related to the vacation home rental.
7. Permits may be renewed for one-year periods upon request of the applicant by filing a renewal application with the Planning Department and upon payment of a \$25 fee, provided that the permit has not been terminated under the provisions of Section 17.12.020(R)8 below.
8. Complaints on conditions 1 through 7 above will be reviewed by the Planning Commission at a public hearing. The Planning Commission will review complaints based on the criteria listed in Sections 17.74.030 and 17.74.040 of the zoning ordinance. If the vacation home rental is found to be in violation of the criteria, the Planning Commission may terminate the use. (Ord. 4902 §1(b), 2008; Ord. 4732, 2000; Ord. 4534 §6(part), §8(part), 1993; Ord. 4479A §4(part), 1991; Ord. 4292 §2(b), 1984; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

Section 17.60.060.C.22 provides requirements for off-street parking for a vacation home rental business at a ratio of one space for each guest room.

Section 17.74.030 of the McMinnville Zoning Ordinance states:

"Authorization to grant or deny conditional uses. A conditional use listed in this ordinance shall be permitted, altered, or denied in accordance with the standards and procedures of this chapter. In the case of a use existing prior to the effective date of this ordinance and classified in this ordinance as a conditional use, a change in the use or in lot area, or an alteration of any structure shall conform with the requirements for conditional uses. In judging whether or not a conditional use proposal shall be approved or denied, the Planning Commission shall weigh its appropriateness and desirability or the public convenience or necessity to be served against any adverse conditions that would result from authorizing the particular development at the location proposed and, to approve such use, shall find that the following criteria are either met, can be met by observance of conditions, or are not applicable:

- A. The proposal will be consistent with the Comprehensive Plan and the objectives of the zoning ordinance and other applicable policies of the City;
- B. That the location, size, design, and operating characteristics of the proposed development are such that it can be made reasonably compatible with and have minimal impact on the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration to be given to harmony in scale, bulk, coverage, and density; to the availability of public facilities and utilities; to the generation of traffic and the capacity of surrounding streets; and to any other relative impact of the development;
- C. That the development will cause no significant adverse impact on the livability, value, or appropriate development of abutting properties of the surrounding area when compared to the impact of permitted development that is not classified as conditional;
- D. The location and design of the site and structures for the proposal will be as attractive as the nature of the use and its setting warrants;
- E. The proposal will preserve environmental assets of particular interest to the community;
- F. The applicant has a bona fide intent and capability to develop and use the land as proposed and has no inappropriate purpose for submitting the proposal, such as to artificially alter property values for speculative purposes."

Section 17.74.040 of the McMinnville Zoning Ordinance states in part:

"Placing conditions on a permit. In permitting a new conditional use or the alteration of an existing conditional use, the Planning Commission may impose, in addition to those standards and requirements expressly specified by this ordinance, additional conditions which it finds necessary to avoid a detrimental environmental impact and to otherwise protect the best interest of the surrounding area or the community as a whole [...]"

CONCLUSIONARY FINDINGS FOR APPROVAL

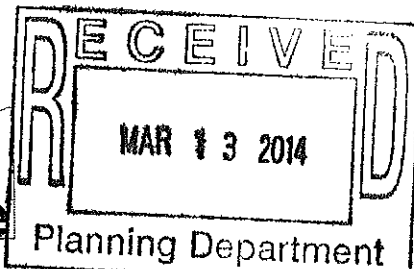
1. The subject request complies with applicable goals and policies of the McMinnville Comprehensive Plan, 1981 (Finding of Fact No. 4) as follows:
 - a. The subject site is properly designated and zoned for the proposed use on the McMinnville Comprehensive Plan Map, 1980, and the McMinnville Zoning Map.

- b. Policy 126.00 is satisfied in that provision of adequate, paved, off-street parking sufficient to support the proposed use is currently available.
 - c. Policies 136.00, 142.00, 144.00, and 147.00 are satisfied by the request as adequate levels of sanitary sewer collection, storm sewer, and drainage facilities, municipal water distribution systems and supply, and energy distribution facilities, presently serve the site. Additionally, the Water Reclamation Facility has adequate capacity to continue to sufficiently serve the proposed use of this site. All municipal water and sanitary sewer systems guarantee adherence to federal, state, and local quality standards, and the City shall continue to support interagency cooperation to insure the coordinated provision of utilities to developing and redeveloping areas.
 - d. Policy 178.00 is satisfied in that approval of this request encourages a pattern of urban development that is energy efficient in that the subject site is within close proximity to downtown McMinnville and the use of this property as a vacation home rental would be anticipated to add to the existing commercial activity in the area.
 2. The subject request complies with the applicable requirements of the McMinnville Zoning Ordinance (Finding of Fact No. 5) as follows:
 - a. Section 17.03.020 is satisfied by the request for the reasons enumerated in Conclusionary Finding for Approval No. 1.
 - b. The proposal complies with the requirements of Section 17.18.020 (P) as a vacation home rental business is a conditional use allowed under the provisions of Chapter 17.12.020 (R) and the procedure defined in Chapter 17.74.030 (Authorization to Grant or Deny a Conditional Use) of the McMinnville Zoning Ordinance. The applicant has met or will meet these requirements for the operation of a vacation home rental business in an R-3 (Two-Family Residential) zone in that: 1) The structure will be designed and operated as a single-family residence; 2) adequate off-street parking is available within the subject site; 3) signage will be limited as noted in the McMinnville Zoning Ordinance; 4) the duration of guests will be limited to a maximum of 21 days; 5) smoke detectors will be required, consistent with the Uniform Building Code; and 6) the applicant's contact information will be kept on file should an emergency or complaint situation arise which requires staff to contact the applicant.
 - c. The proposal complies with the requirements of Section 17.60.060 (C) (22) as the subject residence has two bedrooms and the required off-street parking spaces (two) can be provided within the existing driveway and single-car carport.
 3. The proposal complies with the requirements of Section 17.74.030 as follows:
 - a. The subject site is properly designated and zoned for the proposed use on the McMinnville Comprehensive Plan Map, 1980, and the McMinnville Zoning Map 1980, respectively. A vacation home rental is a conditional use allowed in the R-3 zone as stated in Section 17.18.020.
 - b. There was no evidence submitted that would indicate that there would be any impact on the livability or appropriate development of the surrounding properties and neighborhood when compared to the impact of any single-family residence or other uses permitted in the R-3 zone. Based upon the history of similar vacation home rentals in McMinnville, the Commission finds that impacts of the proposed use will be similar or less when

compared to uses that are permitted outright in this zone. The off-street parking is provided direct vehicular access from NE Davis Street, (a Local Residential street) which is designed to accommodate the traffic generated by this use. Adequate public facilities and services necessary to serve the proposed use are available to the site.

- c. Operation of the proposed facility will be compatible with the surrounding neighborhood and is not anticipated to cause any significant adverse impact on the livability, value, or appropriate development or use of abutting properties.
 - d. The proposed facility is presently designed, landscaped, and situated in a manner that is complementary to existing development, and will not visually detract from the surrounding area.
 - e. The subject site has no environmental assets of particular interest to the community; therefore, Section 17.74.030 (E) is not applicable to the subject request.
 - f. The applicant has a bona fide intent and capability to use the land as proposed. There is no known inappropriate purpose for submitting the proposal.
4. Section 17.74.040 allows additional conditions to be imposed on a new conditional use. In this instance, in addition to those requirements provided in the McMinnville Zoning Ordinance and building, fire, life, and safety codes, the City has determined that there is no detrimental environmental impact to the surrounding area or community as a whole that necessitate the attachment of conditions to this request.

DRM:pjk



Planning Department
231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7311 Office
(503) 474-4955 Fax
www.ci.mcminnville.or.us

CONDITIONAL USE APPLICATION

APPLICANT/OWNER INFORMATION

Name of Applicant Dewey and Lindalee McCandlis Phone (Hm) 425-359-2948

Address 926 NE Davis Street Phone (Wk) _____

City, State, Zip McMinnville, OR 97128

Email LMJ1002@aol.com

Applicant is: ☒ Property Owner ☐ Contract Buyer ☐ Option Holder
☐ Agent ☐ Other (specify) _____

Name of Property Owner Same as Above Phone (Hm) _____
(If different than above)

Street Address 423 Ave D Phone (Wk) _____

City, State, Zip Snohomish, WA 98290

Email DWM 1048 @ AOL . com

LEGAL DESCRIPTION OF PROPERTY

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

Property Address 926 NE Davis Street McMinnville, OR 97128

Assessor Map No. R4421 - BB - 5200 Total Lot Size 4200 sf

Subdivision John's Addition Block 13 Lot 3 & 4

Comprehensive Plan Designation Residential Zoning Designation R-3

Office Use Only:

File No. CU2-14 Date Received 3-13-14 Fee \$1000.00 Receipt No. 444444 Staff pjk

State nature of the request in detail: We are requesting a conditional use permit for a residence to be used as a vacation home rental as defined in 17.12020 of the city zoning ordinance. This is an older home which has been upgraded and remodeled and is very well maintained both inside and out. It has a single car carport with 1 additional parking space in the driveway.

Describe in detail how the request will be consistent with the McMinnville Comprehensive Plan and the objectives of the zoning ordinance: The requested use of this property is fully consistent with the McMinnville comprehensive plan. This plan encourages the development of a land use pattern which intergrates residential, commercial and governmental activities in and around the downtown area. The proposed use is consistent with the intent of this zone as a mixed use area with an incentive to preserve old structures. This request supports the downtown development plan of July 2000 and will bring visitors to the restaurants and shopping opportunities downtown and throughout the city.

Describe how the location size, design, and operating characteristics of the proposed development are such that it can be made reasonably compatible with, and have minimum impact on, the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration given to harmony in scale, bulk, coverage, and density; to the availability of public facilities and utilities; to the generation of traffic and the capacity of surrounding streets; and to any other relative impact of the development:

The requested use should have no noticeable impact on the surrounding neighborhood.

This home is located 6 blocks from downtown 3rd Street in an already mixed use area of residential, and business. It is ideally suited for walking to the downtown areas. It has been described as having a lot of character and charm: vacation rental use will assure this 80 year old house is preserved. Just around the corner at 314 NE 9th Street is an exisiting vacation rental. We do not feel that there would be any negative impact on the neighborhood.

Describe what impact the proposed development may have on the livability, value, or appropriate development of abutting properties or the surrounding area when compared to the impact of permitted development that is not classified as conditional:

The short term stay of a successful vacation home means the property will need to be run and maintained in an exemplary manner. This will have a positive impact livability and value of abutting properties and surrounding area.

Describe how the location and design of the site and structures for the proposal will be as attractive as the nature of the use and its setting warrants: As previously stated the charm and character of the house will be maintained.

Has the development been specifically designed to preserve any environmental assets or unique topography or vegetation of the site? If so, how? _____

All vegetation will be maintained or replaced if necessary. There is no special design or topography.

Explain how the development and use of the land as proposed has no inappropriate purpose, such as to artificially alter property values for speculative purposes: _____

The proposed use is consistent with existing zoning and the comprehensive plan and does not support any inappropriate purposes.

In addition to this completed application, the applicant must provide the following:

- ✓ *One (1) site plan drawn to scale indicating all required information as shown on page one of the information sheet. If the size of the site plans are larger than 11x17 inches 20 (twenty) copies will be required to be submitted with the application.*
- ✓ *A legal description of the property, preferably taken from deed.*
- ✓ *Payment of the applicable review fee.*

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.

Dewey McCannell's
Applicant's Signature

3/11/14
Date

Dewey McCannell's
Property Owner's Signature

3/11/14
Date

Pam Anderson

From: Lindalee McCandlis [lmj1002@aol.com]
Sent: Saturday, March 15, 2014 3:19 PM
To: Pam Anderson
Subject: Re: conditional use permit application

Hello There,
As per our conversation the layout of the home is as follows:

The entry level consists of a living room, dining room, kitchen, bathroom, and a landary/pantry area. The upper level consists of 2 bedrooms.

The property management company and local emergency contact is:

Michele Bertagna, Wild Haven Property Management Co.
503-474-4520

Thank You,
Dewey McCandlis
-----Original Message-----
From: Pam Anderson <Pam.Anderson@ci.mcminnville.or.us>
To: 'lmj1002@aol.com' <lmj1002@aol.com>
Sent: Thu, Mar 13, 2014 1:07 pm
Subject: conditional use permit application

Hello Dewey,

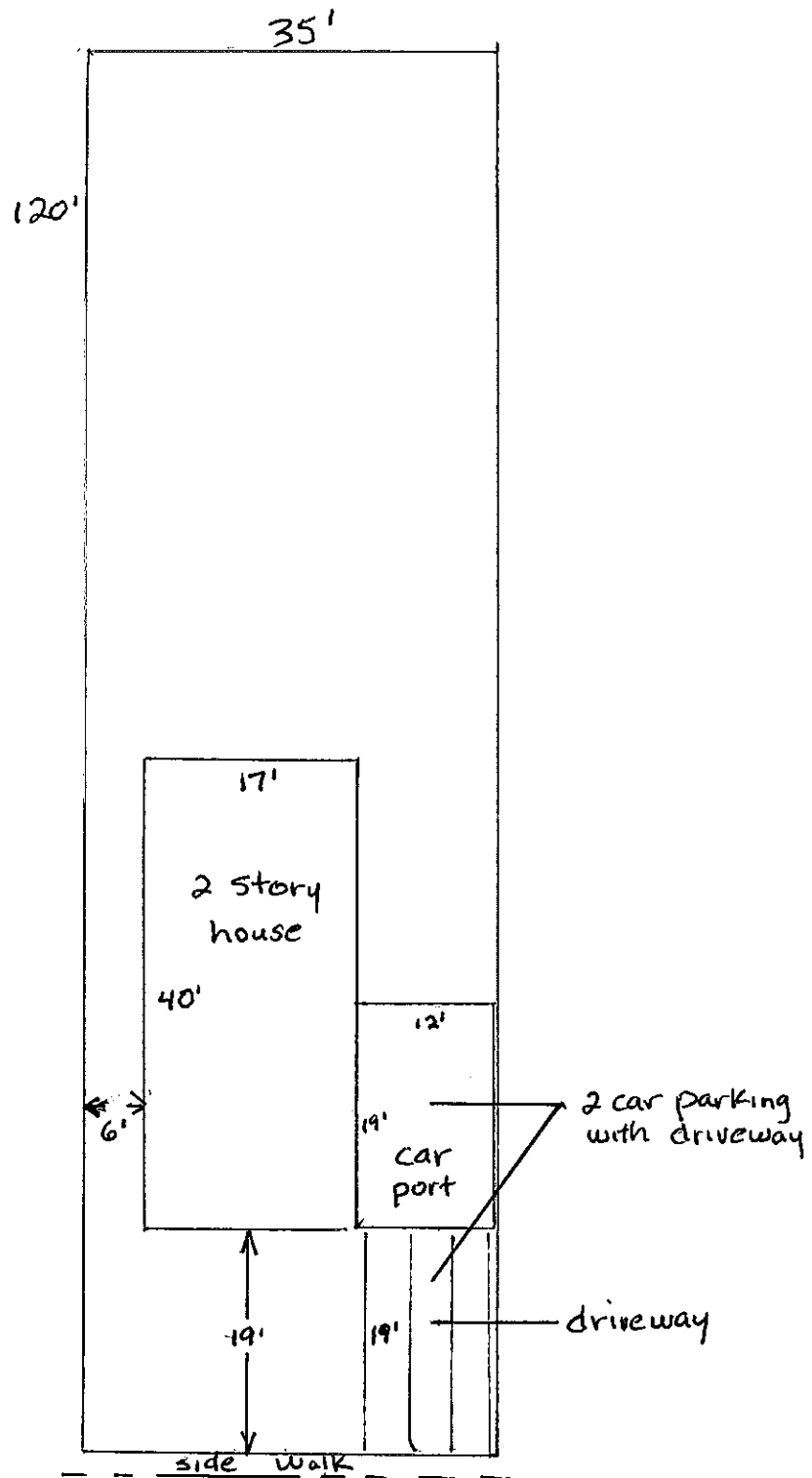
I just wanted to let you know that your application arrived a short while ago, and is in time to meet the deadline to be included on the agenda for the April 17, 2014, Planning Commission meeting.

For your information, a copy of the meeting agenda and staff report for your application will be mailed to you on Friday, April 11, and will also be available by that date on our web page at <http://www.ci.mcminnville.or.us/city/departments/planning-department-2014-agendas-and-minutes/>

Feel free to contact me if you have any further questions about any of this.

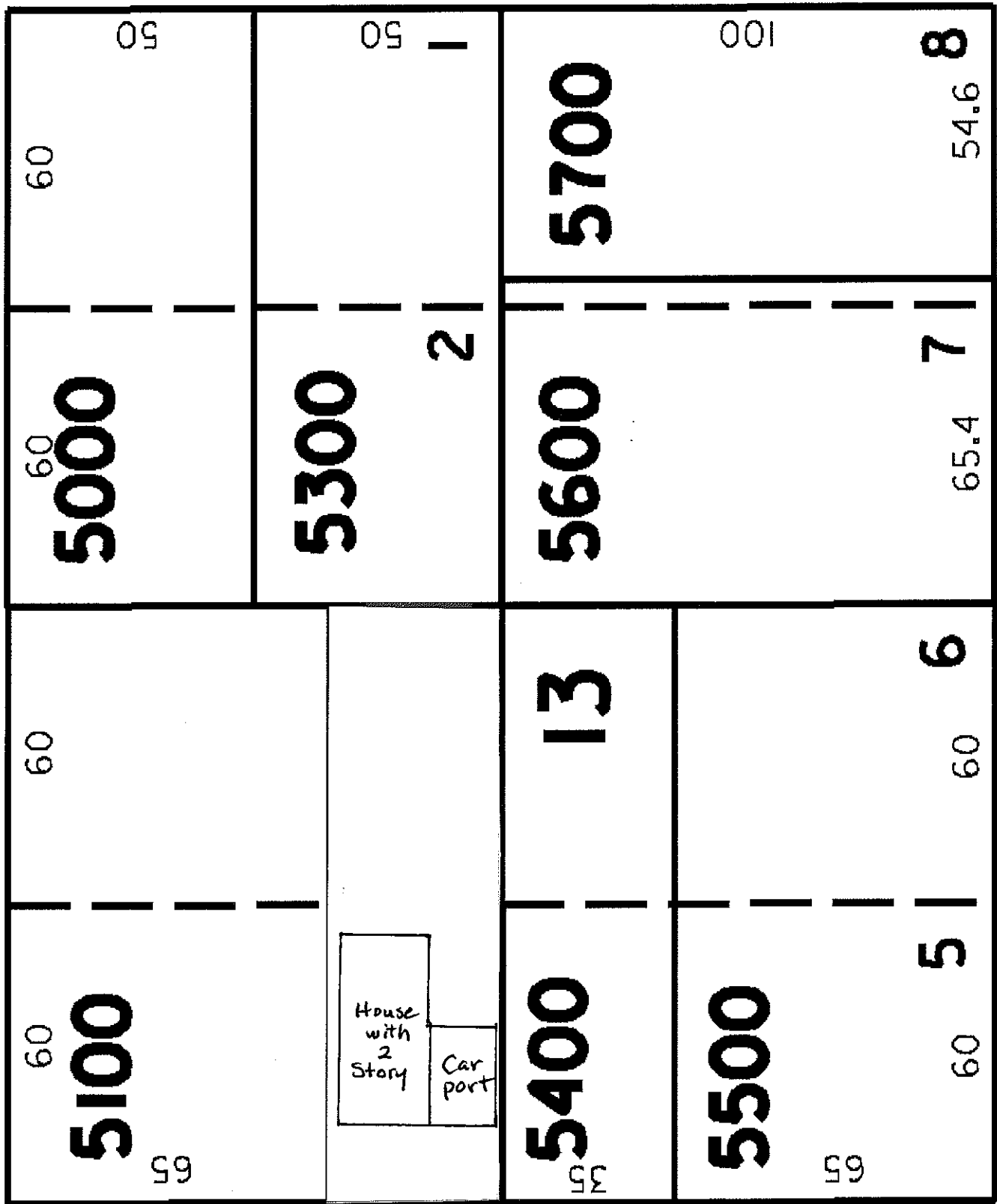
Pam Kindel
City Planning Department
231 NE 5th Street
McMinnville, OR 97128

503-434-7311



926 NE. Davis

10th Street



926 NE Davis

Historic Resources Survey
City of McMinnville
Yamhill County, Oregon



Site No. 4.24 Aerial Map J-10
Block 13 Lot 3 & 4
Addition John's
Tax Lot 4421BB 5200
Address 926 North Davis
Common Name -----
Historic Name -----
Present Owner Dennis Armone
Present Use Residence
Original Use Residence
Builder or Architect Unknown
Outbuildings None
Date of Construction Between 1902-1912
-Condition Assessment on Reverse Side-

Statement of historical significance and description of property:

Rectangular rural vernacular of one-and-one-half stories with attic crawl space; oriented east/west, facing west.

Roof is covered with composition shingles and sides with 12-inch plywood bevel siding. It appears there is a cement foundation and perhaps a basement. There is an interior chimney. Upper window has artificial shutters. A shallow slant roof supported by four posts shelters entry way which is off-center, gable facade.

General condition is excellent, in contrast with its "twin" to the south (920).

This house was identical to the one next to it to the south. They were probably built by the same builder.

Condition of structure:

 X A Excellent

 B Good

- 1. Slight damage to porch steps.
- 2. Small cracks in walls, chimneys.
- 3. Broken gutters or downspouts.
- 4. In need of paint.

 C Fair

- 1. Holes in walls.
- 2. Open cracks.
- 3. Missing material in small area.
- 4. Rotten sills or frames.
- 5. Deep wear on stairs.
- 6. Poor or no foundation.

 D Poor

- 1. Sagging walls or roof.
- 2. Holes, open cracks, missing material over large areas.
- 3. Unrepaired storm or fire damage.

Recorded by John Day

Date June, 1980

Sources Consulted:

Sanborn maps, McMinnville, 1902, 1912

NOTICE

NOTICE IS HEREBY GIVEN that the McMinnville Planning Commission will hold a public hearing on the 17th day of April, 2014, at the hour of 6:30 p.m. in the McMinnville Civic Hall Building at 200 NE Second Street in the City of McMinnville, Oregon, to take testimony and evidence on the following matter:

DOCKET
NUMBER

CU 2-14 Dewey and Lindalee McCandlis are requesting approval of a conditional use permit to allow for the operation of a vacation home rental business within an existing residence. The subject site is located at 926 NE Davis Street and is more specifically described as Tax Lot 5200, Section 21BB, T. 4 S., R. 4 W., W.M.

Persons are hereby invited to attend the McMinnville Planning Commission hearing to observe the proceedings, to register any statements in person, by attorney, or by mail to assist the McMinnville Planning Commission in making a decision.

The Planning Commission's decision on the above public hearing item must be based on findings that a specific set of criteria have been or have not been met. Testimony and evidence at the public hearing must be directed toward those criteria, which are generally as follows:

1. The goals and policies of the McMinnville Comprehensive Plan.
2. The requirements of McMinnville Ordinance No. 3380 (Zoning Ordinance) with particular emphasis on Chapter 17.03.020 (Purpose), Chapter 17.18 (R-3 Two-Family Residential Zone), Chapter 17.72 (Applications and Review Process), and Chapter 17.74 (Review Criteria).

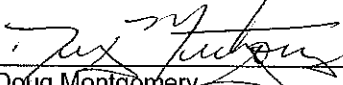
Failure to raise an issue in person or by letter prior to the close of the public hearing with sufficient specificity to provide the Planning Commission opportunity to respond to the issue, precludes appeal to the City Council on that issue.

The failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow this Commission to respond to the issue precludes an action for damages in circuit court.

The decision-making criteria, application, and records concerning this matter are available in the McMinnville Planning Department office at 231 NE Fifth Street, McMinnville, Oregon, during working hours.

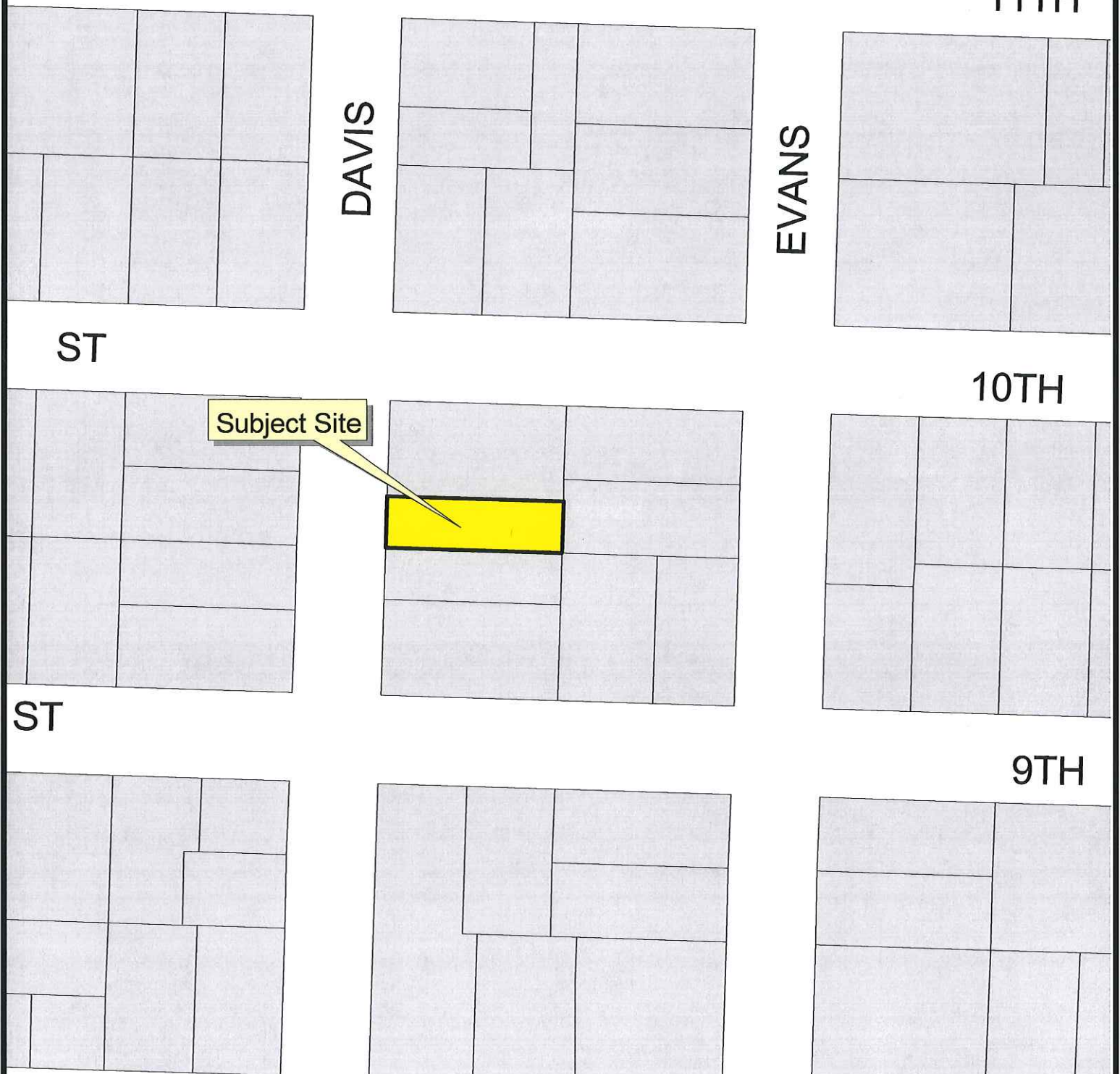
For additional information contact Ron Pomeroy, Principal Planner, at the above address, or phone (503) 434-7311.

The meeting site is accessible to handicapped individuals. Assistance with communications (visual, hearing) must be requested 24 hours in advance by contacting the City Manager (503) 434-7405 – 1-800-735-1232 for voice, or TDY 1-800-735-2900.


Doug Montgomery
Planning Director

(Map of area on back)

Vicinity Map



Geographic Information System



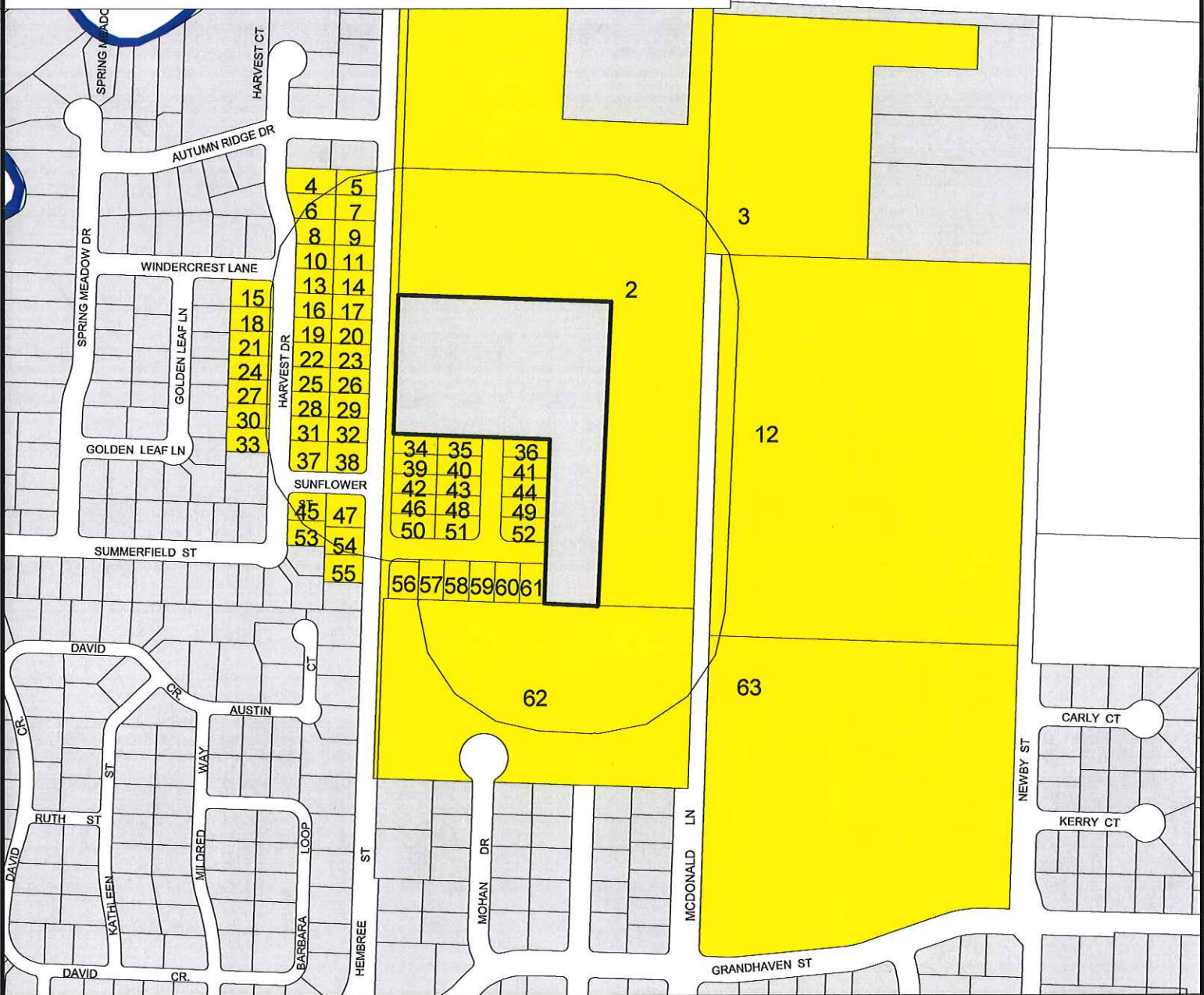
City of McMinnville
Planning Department
231 NE Fifth St
McMinnville, OR 97128
(503) 434-7311

CU 2-14

Map NO.	Tax lot	Site Address	Owner	Attn:	Mailing Address	City State	Zip
2	R4421BB01701	1019 NE EVANS ST	LOHOFF ROCKY	LOHOFF ROCKY & MELODY	20457 CURRAN PL	MT VERNON WA	98274
3	R4421BB02900	331 NE 10TH ST	BLANKENSHIP DELORES	JENSEN RODNEY H	2070 NW DORAL ST	MCMINNVILLE OR	97128
4	R4421BB03000	343 NE 10TH ST	BLATTNER CHRISTOPHER	BLATTNER CHRISTOPHER	117 SW TAYLOR #200	PORTLAND OR	97204
5	R4421BB02100	407 NE 10TH ST	WRIGHT WESTON	WRIGHT WESTON H	PO BOX 252	MCMINNVILLE OR	97128
6	R4421BB02200	417 NE 10TH ST	SCHEER MARK	SCHEER LIVING TRUST	417 NE 10TH ST	MCMINNVILLE OR	97128
7	R4421BB02300	1007 NE EVANS ST	VANCALCAR JOHN	VANCALCAR JOHN C & VERNA M	1007 NE EVANS ST	MCMINNVILLE OR	97128
8	R4421BB04500	316 NE 10TH ST	REDMOND EDWARD	REDMOND EDWARD J & KAYE	316 NE 10TH ST	MCMINNVILLE OR	97128
9	R4421BB04400	939 NE DAVIS ST	BURCHAM BRIAN	BURCHAM CAROLE	637 SW KECK DR SUITE 214	MCMINNVILLE OR	97128
10	R4421BB05100	934 NE DAVIS ST	WINTER GORDON	WINTER GORDON L & RACHEAL N	934 NE DAVIS ST	MCMINNVILLE OR	97128
11	R4421BB05000	935 NE EVANS ST	ROST BARBARA	ROST BARBARA J	114 NW 16TH ST	MCMINNVILLE OR	97128
12	R4421BB06100	504 NE 10TH ST	TUTTLE NANCY	TUTTLE NANCY A	504 NE 10TH ST	MCMINNVILLE OR	97128
13	R4421BB04401	929 NE DAVIS ST	BURCHAM BRIAN	BURCHAM BRIAN L & CAROLE	637 SW KECK DR SUITE 214	MCMINNVILLE OR	97128
14	R4421BB05300	921 NE EVANS ST	JAEGER ANNA	JAEGER ANNA M	921 NE EVANS ST	MCMINNVILLE OR	97128
16	R4421BB04700	317 NE 9TH ST	HARNEY JEROD	HARNEY SINEL	317 E 9TH ST	MCMINNVILLE OR	97128
17	R4421BB04800	909 NE DAVIS ST	WICHERT FRANK	WICHERT FAMILY TRUST	931 SW ORIOLE ST	MCMINNVILLE OR	97128
18	R4421BB05400	920 NE DAVIS ST	PARTIDA AGUSTIN	PARTIDA AGUSTIN & MARIA A	920 N DAVIS ST	MCMINNVILLE OR	97128
19	R4421BB05600	429 NE 9TH ST	CARRILLO KIRK	CARRILLO KIRK A & CATHY R	429 E 9TH ST	MCMINNVILLE OR	97128
20	R4421BB05700	905 NE EVANS ST	TAYLOR JIMMIE	TAYLOR JIMMIE L	905 NE EVANS ST	MCMINNVILLE OR	97128
21	R4421BB06200	509 NE 9TH ST	COE JACK	COE JACK & JUNE L	509 NE 9TH ST	MCMINNVILLE OR	97128
22	R4421BB05500	906 NE DAVIS ST	CONKLIN MATTHEW	CONKLIN MATTHEW R & LINDSEY A	906 NE DAVIS ST	MCMINNVILLE OR	97128
23	R4421BB04900	907 NE DAVIS ST	GRANGER HERBERT	GRANGER HERBERT & BEVERLY A	907 N DAVIS	MCMINNVILLE OR	97128
24	R4421BB10300	350 NE 9TH ST	WALLACE ANDREW	WALLACE FAMILY TRUST	807 NW BIRCH ST	MCMINNVILLE OR	97128
25	R4421BB09800	826 NE DAVIS ST	FIRST CHURCH	FIRST CHURCH OF CHRIST SCIENTIST	806 N DAVIS ST	MCMINNVILLE OR	97128
26	R4421BB09700	418 NE 9TH ST	SANDERS WILLIAM	SANDERS FAYE (WROS)	5200 IRVINE BLVD NO 204	IRVINE CA	92620
27	R4421BB09500	835 NE EVANS ST	AMERSON PEARL	AMERSON UNRECORDED LIVING TRUST	11150 NW REX BROWN RD	CARLTON OR	97111
Owner	R4421BB05200	926 NE DAVIS ST	MCCANDUS DEWEY	MCCANDUS DEWEY W & LINDALEE J	423 AVENUE D	SNOHOMISH WA	98290

Date Sent 3/27/14
Sent By [Signature]

Notification Map



ZC 1-14/S 1-14

Alan Ruden Inc. is requesting approval of a tentative subdivision plan on 4.89 acres of land that, if approved, would provide for the construction of 30 single-family homes. Concurrently, the applicant is requesting approval to amend Planned Development Ordinance No. 4953 to allow a reduction in the front yard setback from 15 to 10 feet, a reduction in the exterior side yard setback from 20 feet to 15 feet for all proposed lots, and a reduction in the side yard setback from six feet to zero feet for all garages proposed for construction in this development.

Recorded Owner:
Chegwyn Village
c/o Mark Smith
PO Box 6614
Portland, OR 97228



Geographic Information System

APPROVED BY: PLANNING COMMISSION

CITY COUNCIL

ATTESTED TO BY: _____



City of McMinnville
Planning Department
231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7311

Request: Approval of a tentative subdivision plan on 4.89 acres of land that, if approved, would provide for the construction of 30 single-family homes. Concurrently, the applicant is requesting approval to amend Planned Development Ordinance No. 4953 to allow a reduction in the front-yard setback from 15 to 10 feet, a reduction in the exterior side-yard setback from 20 feet to 15 feet for all proposed lots, and a reduction in the side-yard setback from six feet to zero feet for all garages proposed for construction in this development.

Location: North of NE Grandhaven Street and east of NE Hembree Street, and is more specifically described as a portion of Tax Lot 2100, Section 9, T. 4 S., R. 4 W., W.M.

Applicant: Alan Ruden Inc.

EXHIBITS

1. Staff Report and Findings of Fact
2. ZC 1-14 Application and Fact Sheets ("Planned Development Amendment")
3. S 1-14 Application and Fact Sheets
4. Additional materials submitted by the applicant:
 - a. Tentative Subdivision Plan for The Bungalows at Chegwyn Village II
 - b. Overall (future development) plan
 - c. Conceptual Site Plan, dated April 7, 2014
 - d. Preliminary Title Report
5. Vicinity Sketch
6. Affidavit of Publication
7. List of property owners to whom notice was sent
8. Referrals
9. Planned Development Ordinance No. 4953
10. Memorandum from Community Development Director Mike Bisset providing comments on the proposal (dated April 2, 2014).

SUBJECT SITE

The subject site comprises some 4.89 acres, is somewhat flag-shaped and is devoid of built improvements. The site is located north of Grandhaven Street and borders the north and east edges of the recently constructed "The Bungalows at Chegwyn Village" residential subdivision; the site is east of Hembree Street and a portion of the Autumn Ridge residential subdivision. Approximately one-quarter of the site's southernmost edge also abuts a portion of the northern boundary of the Chegwyn Farms Neighborhood Park.

Topographically, the subject site exhibits a modest upward slope of less than one percent from southeast to northwest. There is a recently deposited large mound of dirt reaching some 12 feet in height located near the western portion of the site's southern edge (in the vicinity of proposed lots 39 and 40); this mound was created as a result of the construction of the adjacent Phase I of this subdivision. The site's history has been exclusively agricultural and most recently used for grass seed production. The property is currently grass covered on the western three-quarters of the site and a portion of an older hazelnut orchard covers the eastern one-quarter.

The subject site is zoned R-4 PD (Multifamily Residential Planned Development) and abuts single-family residential uses to the south and west on property also zoned R-4 PD. Adjacent land to the north and east are similarly zoned R-4 PD and remains undeveloped.

OBSERVATIONS

- In May, 2012, the City Council approved zone change ZC 2-12 adopting a Planned Development designation for a 22.26-acre site that includes the subject site of this current application. The approval of this planned development overlay (Exhibit 9): 1) adopted a master plan, referred to as an "Overall Plan," for the entire 22.26-acre site; and, approved certain setback adjustments for benefit of the portion of the Overall Plan identified as The Bungalows at Chegwyn Village I (phase one of the Overall Plan). Building setbacks on the balance of the original site (some 18.33 acres) currently remain standard R-4 setbacks as identified in the McMinnville zoning ordinance.
- The applicant has submitted a proposal which seeks approval of the following:

Zone Change: Amending Planned Development Ordinance No. 4953 specific to setbacks (ZC 1-14) -

As noted previously, the 2012 approval of Ordinance No. 4953 (Exhibit 9) amended setbacks only for that portion of the 22.26-acre parent parcel that was to become the first phase of The Bungalows at Chegwyn Village. The setback requirements for the balance of the parent parcel (some 18.36 acres) retained the standard R-4 setbacks as found in the McMinnville Zoning Ordinance.

The applicant is requesting to amend Ord. No. 4953 (Exhibit 9) to permit setback adjustments to the proposed The Bungalows at Chegwyn Village II residential subdivision similar to those approved for the first phase of The Bungalows at Chegwyn Village development. The requested setback amendments would apply to all proposed lots and are represented below:

Setbacks			
	Existing PD Requirement (Standard R-4)	Proposed Amendment	For Comparison Only – The Bungalows at Chegwyn Village - Phase I
Front Yard Setback	15 feet	10 feet	10 feet
Exterior Side Yard Setback	20 feet	15 feet	15 feet
Interior Side Yard Setback for Garages Only	6 feet	0 feet	0 feet -- Only for certain lots

Tentative Subdivision Plan (S 1-14) -

The applicant seeks approval of a tentative 30-lot residential subdivision tentative plan on some 4.89 acres of land. This development proposes lots ranging in size from 4,230 square feet to 7,504 square feet with an average lot size of 5,282 square feet. Proposed development would be exclusively single-family housing with alley access provided to each lot for driveway access, except for lots 22 and 23 that are shown to be located in the southeast corner of the site (adjacent to the north edge of the neighborhood park), which would access Samson Street. Average residential density is calculated at 6.1 dwelling units per acre. The applicant estimates a completion date of Fall, 2014, for the project. This tentative subdivision plan is referred to in the application, and this report, as "The Bungalows at Chegwyn Village II."

- The Planning Commission's responsibility regarding the zone change (i.e., planned development amendment) is to forward to the City council a recommendation for approval, approval with conditions, or denial. With regard to the subdivision application, the Commission's responsibility is to approve, approve with conditions, or deny the application.

It is important to note that, as part of this set of land use actions, a land partition is required to first create the 4.89-acre parcel that is referenced in this report as the "subject site." This partition application has been submitted to the Planning Department and is currently in the process of being reviewed. A condition requiring its approval and recording is included as a condition of this subdivision approval.

- The master plan design that was adopted in 2012 prescribed single-family housing within the western two-thirds of the parent site and multi-family housing to be located on the site's eastern portion fronting NE McDonald Lane, across from the existing Grandhaven Elementary school and future middle school site. Public streets were shown to extend through this larger property in a grid-like pattern. The first phase of that plan, The Bungalows at Chegwyn Village, was designed in a manner that began the implementation of that master plan. Similarly, the proposed subdivision also complies with the master plan's intent and furthers the continuation of the design of the first phase of the Bungalows residential development. For further details of this master plan, please refer to the applicant's submitted "Overall Plan."
- The proposed subdivision is to be the second phase of the Overall Plan for the 22.26-acre site and is a northerly and easterly extension of the first phase of this residential development. With this proposal, *NE Samson Street* that was constructed as part of Phase I is to be extended further to the east, and *NE Joel Street* is proposed to extend further north. Additionally, a new local street, identified as *A Avenue* on Exhibit 4A, is proposed to extend northward from the proposed new easterly terminus of NE Samson Street. Toward the northern end of this proposed subdivision phase, a second new street would be constructed, identified as *B Street* on Exhibit 4A. The two private alleys that presently exist in Phase I of The Bungalows at Chegwyn Village are proposed to be extended northward through this proposed phase to end at its northern boundary. The two alleys and two north-south streets would then also be available for extension northward to further serve an additional future phase of the approved master plan.

Three of the local residential streets, *NE Joel Street*, *Samson Street*, and *B Street*, are each proposed to be constructed with a 28-foot-wide paved section (14-foot lanes), curbs, five-foot-wide curbside planting strips and five-foot-wide sidewalks bracketed with 10-foot-wide public utility easements within a 50-foot right-of-way. As noted by the Community Development Director (Exhibit 10), the plans indicate that the proposed *A Avenue* will only be constructed to include a 26-foot-wide paved section including only 12 feet of pavement and no curb/gutter east of centerline. The plans do not indicate how the drainage for the east side of proposed *A Avenue* will be accommodated. Staff believes that the lack of curb/gutter and drainage facilities on the east edge of proposed *A Avenue* could cause issues with the street subgrade and will complicate the future completion of the *A Avenue* pavement section. Therefore, staff is recommending that proposed *A Avenue* be constructed to the City's adopted Local Residential street standard, including a 28-foot-wide paved section (with curb/gutter on both sides) within a 50-foot right-of-way.

- The Community Development Director has also noted in Exhibit 10 that the existing improvements to Hembree Street adjacent to the site predate the City's adoption of its Transportation System Plan (TSP) in May, 2010, and were constructed to the minor collector standard contained in the City's 1994 Transportation Master Plan. That standard included a 36-foot-wide paved section, six-foot-wide curbside planting strips, and five-foot-wide sidewalks placed one foot from the property line within a 60-foot right-of-way.

Hembree Street directly adjacent to the site was constructed in 2003 in conjunction with the Autumn Ridge subdivision located across Hembree Street to the west. At that time, the west side of Hembree Street was fully constructed to the minor collector standard and the developer constructed 12 feet of traveled way east of centerline, for a total improvement width of 30 feet.

The preliminary plans for this current request indicate that the developer will complete the improvements to Hembree Street adjacent to the site, including the construction of six additional feet of pavement; curb and gutter; and a curbside planter strip. Additionally the developer is proposing to construct a meandering sidewalk adjacent to the subject site. Upon completion of the improvements, Hembree Street adjacent to the site will be fully constructed to the minor collector standard.

The existing right-of-way for Hembree Street adjacent to the site measures 60 feet, and the plans indicate that the developer will dedicate an eight-foot-wide public access easement adjacent to the Hembree Street right-of-way to accommodate the proposed meandering sidewalk.

- That portion of Hembree Street adjacent to the subject site would be constructed to minor collector street standards (i.e., 36-foot-wide paved travel surface, six-foot-wide curb-side planting strips, and five-foot-wide sidewalks placed one foot from the property line). Submitted plans indicate that an eight-foot-wide public access easement to accommodate a five-foot-wide meandering sidewalk along the east side of Hembree Street is part of a 20-foot-wide sidewalk and planter strip improvement plan adjacent to Lots 45-51. Staff notes that while this is an atypical development with regard to sidewalk construction requiring a public access easement (noted on the submitted plan) to accommodate the proposed meandering sidewalk, this does carry forward the design approved for Phase I of this master plan. Further information regarding Hembree Street is provided in the Community Development Director's submitted comments.
- The first phase of The Bungalows at Chegwyn Village provided 21 single-family residential lots. The phase that is the subject of this application proposes the creation of an additional 30 such lots. This yields a total of 51 single-family residential lots, combined, to be provided egress to the larger surrounding transportation network by only one improved public street: NE Samson Street. Emergency access requirements dictate that residential development in excess of 30 lots must be served by at least two egress points. To address this, the applicant proposes to provide a 20-foot-wide gravel roadway connecting the eastern terminus of Samson Lane with NE McDonald Lane, improved to emergency access standards as directed by the Fire Department (see department comments below).
- Phase II of this overall development plan will result in a residential density of approximately 6.1 dwelling units per acre; as compared with a residential density of 6.2 dwelling units per acre in Phase I. The dwelling units are proposed to be single-family bungalow-style homes with front porches and are requested to be set back 10 (ten) feet from the front property line. Also, all garages are proposed to be rear-facing except for those on Lots 22 and 23, adjacent to the neighborhood park. The main focus of the design is to create a strong relationship between the residences and the street, hence the garages placed behind the residence and the deviation from the typical front-yard setback in the R-4 zone. The applicant feels this will result in a safe, pedestrian-friendly development as opposed to one that is auto dominated.
- As was established with the first phase of this master plan, the alleys are to be used for access only and strict covenants will prohibit parking both within the alley and within the apron between the alley and an adjacent garage. Parking will be allowed within the garages and along the subdivision's interior public streets as well as along NE Hembree Street.
- The standard side-yard setback in the R-4 zone is six feet for an interior side yard and 15 feet for an exterior side yard. As proposed, garages would be constructed to the interior side property line resulting in zero lot line construction, allowing a larger and more usable

backyard. Staff notes that with zero lot line development, a maintenance agreement shall be required for such lots to ensure that structures built to the property line can be maintained on the zero lot line side, which in some instances will require the home owner to access the neighbor's property.

While garages facing the rear of the property and accessed through a shared alley is not typical of relatively newer subdivision development in McMinnville, this proposal continues the design approved for Phase I of the approved master plan and that found in older residential neighborhoods in McMinnville. As shown on the tentative subdivision plan (Exhibit 4A), the applicant proposes two north-south oriented 20-foot-wide access easements (alleys) centered on the property lines common to Lots 39-51, and Lots 29-38; the portion of the alley serving Lots 24-28 was already dedicated and improved as part of Phase I serving Lots 11-15. Additionally, a 20-foot-wide access easement (alley) is also proposed between Lots 42 and 43 connecting *Alley X* and *NE Joel Street*. Garages accessed by these easements (alleys) will be placed a minimum of 20 feet from this alley's centerline, thereby meeting the R-4 zone's standard minimum rear-yard setback requirement.

- The applicant has submitted a Conceptual Site Plan (Exhibit 4C) that provides a general idea of how the residences could be laid out in this subdivision. This plan shows only the general pattern of residences within this proposed neighborhood and not the actual building footprints of the future residences. It is interesting to note that, while a zero setback allowance for all garages would accommodate attached garages centered on the side lot line, the applicant depicts all garages as stand-alone structures detached from all others. In fact, the applicant has stated that none of the garages would be attached to each other in this subdivision. The conceptual layout of these residences and garages is very similar and complementary to those in Phase I.
- To further enhance the pedestrian character of this development, staff also supports the applicant's proposal to provide a 10-foot-wide pedestrian pathway between Lots 21 and 22 connecting NE Samson Street and the adjacent neighborhood park. This feature would provide for direct pedestrian connectivity between the proposed development and open, shared space. This pathway connection is proposed to be centered on the lot line common to Lots 21 and 22 and be provided for by a 10-foot-wide easement on each lot along the length of this common property line.

A condition of the approval of Phase I was that *should* the applicant proceed with the construction of this pathway as part of Phase I, that improvement was to: 1) be coordinated with the Parks Director (as to location and construction); 2) provide a concrete surface for the pathway; 3) provide landscaping and underground irrigation along both sides of the path as approved by the Landscape Review Committee; and, 4) complete all such improvements prior to filing of the final plat. As the applicant did not elect to move forward with this improvement as part of Phase I, it is now incumbent upon the applicant to complete this work prior to filing of the final plat of this current phase.

- As in Phase I of the development plan, covenants for this phase would need to be developed to include a prohibition of parking within the alleys. It is recommended that the applicant submit to the Planning Director for approval, covenants for the subdivision clearly illustrating the restrictions with regard to alley access and parking, and who will oversee the enforcement of such covenants. This was a requirement of Phase I and, for consistency and clarity, should be continued for this phase of the development.
- In Phase I of this development, the covenants of the neighborhood require that placement of trash and recycling containers be allowed only on the adjacent lots and their driveways to the alleys. Such containers are not to be stored anywhere within the 20-foot-wide alleyway at any time. As the current proposal includes both extension of alleys and creation of new

alleys in the manner of Phase I, those same covenant restrictions relative to trash and recycling containers shall be required of Phase II.

- Staff notes that the placement and design of rear-yard fencing, given the presence of garage entrances and tight sight lines, may need special attention. At a minimum, fencing standards (placement and design) will need to be addressed as part of the private covenant development for the subdivision, similar to what is in place for Phase I. In addition, to mitigate any future vision clearance issues and safety concerns for pedestrians and motorists, staff is recommending that fencing be placed no closer to the access easement (alley) than the nearest building line of the garage. (Staff notes that the zoning ordinance allows the Planning Director to make such adjustments to fence setbacks, provided clear vision is maintained.)
- The planned development ordinance (Exhibit 9) that is currently attached to and governs the future development of this site requires that the average lot size for residential lots shall be a minimum of 5,000 square feet. With this application, the applicant is proposing an average minimum lot size 5,282 square feet which satisfies this requirement. There are no other provisions of the planned development that affect this site.
- Copies of this application and requests for comment were forwarded to the City of McMinnville Fire Department, Engineering Department, Building Department, Parks Department, Police Department, City Manager, and City Attorney; McMinnville School District No. 40; McMinnville Water and Light; Yamhill County Public Works; Yamhill County Planning Department; The Oregon Department of Transportation (ODOT), Verizon; ComCast Cable; and Northwest Natural Gas. As of the writing of this report, comments were received from the City Engineering Department, McMinnville Water and Light, McMinnville Fire Department and Frontier Communications which are provided below.

City Engineering Department-

- The City Engineering Department has provided a comprehensive review of the applicant's tentative subdivision and offers several suggested conditions for its approval. Those conditions have been incorporated into the Planning Department's list of recommended conditions, as noted in the "Recommendation" section of this report. Refer to Exhibit 10 for comments provided by the department.

McMinnville Water & Light-

- An extension agreement will be required for water and power extensions which shall include: development fees, engineered/approved drawings, etc.
- "Public utility easement" noted on the tentative plan should be changed to "utility easement" and radius on corners should be changed to straight line corners as in the initial phase of The Bungalows at Chegwyn Village.

Staff notes that the applicant is responsible for contacting McMinnville Water and Light regarding the specific design of the utility plan and to determine if additional easements are necessary.

McMinnville Fire Department-

- "This site has over thirty proposed residences and requires a second egress. We would allow this to be the gravel road that is shown and already exists however it would need to meet our minimum road access standards, to include:

- Driving surface a minimum of 12-feet in width,
- Since the current gravel road in question is some 450-feet in length, this road would require turnouts that are a minimum of 10-feet in width and 30-feet in length. If this roadway proves to be 20-feet in width as suspected, there would be no need to construct turnouts.
- The gravel driving surface must consist of 6-inches of base rock with 2-inches of surface rock.
- Since this roadway is not approved for through traffic, there would either need to be removable and lockable guard posts equipped with padlocks from the Knox Corporation designed with McMinnville Fire Department's key specifications; the order form may be obtained from the McMinnville Fire Department. If the roadway is gated it would also need to be padlocked with a lock from the Knox Corporation designed to McMinnville Fire Department's key specifications."

Frontier Communications-

- The developer should contact Frontier for conduit plans.
- Notice of this request was mailed to property owners located within 300 feet of the subject site. As of the date this report was written, no written comments had been received by the Planning Department from those who were notified.
- The findings of fact and conclusionary findings are attached to this report as Exhibit "A" and are, by this reference, incorporated herein.

DISCUSSION

The development as proposed is unique to McMinnville but not without precedent. This proposal continues the setbacks and design features approved and implemented in Phase I of this master plan. This design includes garages that have been relocated to the rear of the property which are accessed by shared access easements (alleys).

The development proposes a density that not only relates to the goals and policies listed in Exhibit "A," but is compatible with The Bungalows at Chegwyn Village to the south. The property is ideally located given its proximity to the adjacent neighborhood park and nearby elementary school. This proposal would efficiently utilize development opportunities on existing undeveloped land while also providing development which is compatible with existing adjacent land uses.

Staff finds that the requested exceptions to the City's setback standards, when reviewed together, are necessary to an attractive development that is unique to McMinnville and that offers housing in a prime location when considering the proximity to the park, schools, and commercial area. While it is entirely conceivable that this property could be developed to meet the current R-4 zone setbacks, with street-facing garages and minimum setbacks met, staff recognizes that the alternative development plan offers much more with regard to human scale development and aesthetics than if the R-4 development standards were required. Staff is confident that these exceptions are not being proposed at the expense of the overall development and that safe vehicular passage has not been compromised in the effort to promote a more pedestrian-oriented development. Further, it is consistent with the overall plan for this neighborhood.

RECOMMENDATION

Based upon staff's review of the materials provided in the record as of the date this report went to print, and after considering carefully the policies and plans contained in the applicable McMinnville comprehensive plan policies, it is our conclusion that the applicant has satisfied the

requirements for the submitted planned development ordinance amendment (zone change) and subdivision requests.

Therefore, based on the materials submitted by the applicant, the findings of fact, and the conclusionary findings for approval, staff recommends that ZC 1-14 be recommended to the City Council for approval subject to the following conditions:

1. That Section 2 of Planned Development Ordinance No. 4953 be amended to provide minimum setback requirements for lots within The Bungalows at Chegwyn Village II as follows:
 - a) Front yard – 10 feet
 - b) Side yard – A zero foot side-yard property line setback for garage construction for all lots (Lots 22-51)
 - c) Exterior side yard – 15 feet
 - d) Rear yard – 20 feet
2. That all other provisions of McMinnville Ordinance No. 4953 shall remain in effect.

With regard to S 1-14:

Based on the materials submitted by the applicant, testimony received, the findings of fact, and the conclusionary findings for approval, staff recommends that S 1-14 be approved subject to the following conditions:

1. That the subdivision approval does not take effect until and unless:
 - a. The associated land partition (MP 1-14) is approved and recorded;
 - b. The associated zone change request is approved by the City Council.
2. That the applicant shall submit a draft copy of the subdivision 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 subdivision 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.

UTILITIES

3. That a detailed, engineered sanitary sewage collection plan, which incorporates the requirements of the City's adopted Conveyance System Master Plan, must be submitted to and approved by the City Engineering Department. Any utility easements needed to comply with the approved sanitary sewage plan must be reflected on the final plat. Any offsite public easements must be dedicated to and accepted by the City prior to the City's approval of the final plat.
4. That a detailed, engineered storm drainage plan, which satisfies the requirements of the City's Storm Drainage Master Plan must be submitted to and approved by the City Engineering Department. Any necessary offsite storm drainage improvements shall be completed prior to the City approval of the final plat. Any utility easements needed to comply with the approved plan must be reflected on the final plat.

5. That if the final storm drainage plan incorporates the use of backyard collection systems and easements, including those in the proposed alleys, such systems must be private rather than public, and private maintenance agreements for them must be approved by the City prior to the City's approval of the final plat.
6. That prior to the construction of any private storm facilities, the applicant shall obtain the necessary permits from the City's Building Division.
7. That no additional storm drainage runoff shall be conveyed onto any adjacent property without the appropriate public and/or private storm drainage easements. Copies of recorded private easements must be provided to the City prior to the City's approval of the final plat. Any offsite public easements must be dedicated to and accepted by the City prior to the City's approval of the final plat.
8. That the final plat shall include 10-foot public utility easements along both sides of all public rights-of-way for the placement and maintenance of required utilities.

STREETS

9. That the final plat shall reflect that direct vehicular access to Hembree Street for lots 45, 46, 47, 48, 49, 50, and 51 is not permitted.
10. That Hembree Street adjacent to the development shall be improved with a total of 18 feet of pavement east of centerline, a curbside planting strip, and a five-foot-wide sidewalk. The saw-cut location for the proposed street widening shall be as directed by the City Engineer.
11. That if the applicant proceeds with the proposed meandering sidewalk along Hembree Street, the final plat shall reflect the dedication of an eight-foot-wide public access easement adjacent to the Hembree Street right-of-way on lots 45, 46, 47, 48, 49, 50, and 51.
12. That the interior streets, including NE Joel Street, NE Samson Street, "A" Avenue, and "B" Street shall be improved with a 28-foot-wide paved section with curb and gutter, five-foot-wide curbside planting strips, and five-foot-wide sidewalks placed one foot from the property line within a 50-foot right-of-way, as required by the McMinnville Land Division Ordinance for local residential streets; sidewalks to be provided at time of construction of residences on each lot.
13. That the applicant shall install barricades at the northerly terminus of proposed "A" Avenue, the northerly terminus of Joel Street, and the easterly terminus of proposed "B" Street consistent with City standards. The barricades shall include signage with text stating: "This street is planned for extension to serve future development."

That a secondary access meeting the requirements of the Fire Department shall be constructed, extending east from Samson Street. The secondary access shall be secured at both ends so that it cannot be used as a public connection between the development and McDonald Lane. Since this roadway is not approved for through traffic, gates shall be installed at both ends and shall be padlocked with a lock from the Knox Corporation designed to McMinnville Fire Department's key specifications. These two gates shall include signage with text stating: "This street is planned for extension to serve future development."
14. That on-street parking will not be permitted within a 30-foot distance of street intersections measured from the terminus of the curb returns. Additionally, on-street parking will not be permitted adjacent to where the private alleys intersect the proposed public streets.
15. That the City Public Works Department will install, at the applicant's expense, the necessary street signage (including stop signs, no parking signage, and street name

signage), curb painting, and striping (including stop bars) associated with the development. The applicant shall reimburse the City for the signage and markings prior to the City's approval of the final plat.

16. That the final plat shall include the appropriate access easements for the lots served by the proposed alleys. The private alleys shall have private maintenance agreements which must be approved by the City prior to the City's approval of the final plat.
17. The final plat shall include use, ownership, and maintenance rights and responsibilities for all easements and tracts.
18. That the applicant shall submit proposed street names to the Planning Director for review and approval prior to the submittal of the final subdivision plat.
19. That cross sections for the entire street system shall be prepared which show utility location, street improvement elevation and grade, park strips, sidewalk location, and sidewalk elevation and grade. Said cross sections shall be submitted to the Community Development Director for review and approval prior to submittal of the final plat.
20. That the applicant construct a 10-foot-wide concrete-surface pedestrian pathway connecting Samson Street to the adjacent Chegwyn Farms Neighborhood Park to be located between Lots 21 and 22. This pathway connection is to be centered on the lot line common to Lots 21 and 22 and be provided for by a 10-foot-wide easement recorded on each lot along the length of this common property line. In addition, the applicant shall also provide landscaping and underground irrigation within the five-foot-wide landscape areas along both sides of the pathway as per plans to be reviewed and approved by the McMinnville Landscape Review Committee. All required improvements to the pedestrian path shall be completed prior to filing of the final plat.
21. That the applicant shall provide for a landscape design and irrigation plan for the planter strip on Hembree Street that, to the extent practicable, is consistent with the landscaping provided for the Hembree Street planter strip within The Bungalows at Chegwyn Village phase I. Plans shall be submitted to the Landscape Review Committee for review and approval. All required plantings and irrigation along Hembree Street shall be installed prior to recording of the final subdivision plat.
22. That the applicant shall submit a street tree plan for the park strips along the interior public streets, and the section of Hembree Street adjacent to this proposal. The plans shall identify species, caliper size, and spacing for all proposed trees. Plans will be forwarded for review and approval by the Landscape Review Committee and by McMinnville Water & Light. All street trees shall have a two-inch minimum caliper measured at six inches above ground surface, shall exhibit size and growing characteristics appropriate for the particular planting strip, and shall be spaced as appropriate for the selected species and as may be required for the location of above-ground utility vaults, transformers, light poles, and hydrants. In addition, street trees shall not be planted within 30 feet of street intersections. All street trees shall be of good quality and shall conform to American Standard for Nursery Stock (ANSI Z60.1). The Planning Director reserves the right to reject any plant material that does not meet this standard.
Street trees shall be planted in accordance with the approved street tree plan. All required trees shall be installed by the applicant prior to final platting, or security equal to 120 percent of the cost of installing the required street trees shall be posted with the City. The amount and form of such security shall be as required by the Planning Director.

For trees not installed prior to final platting, each year the applicant/owner shall install street trees, from November 1 to March 1, adjacent to those properties on which a structure has been constructed and has received final occupancy, or adjacent to any non-buildable tracts for which street trees are required. This planting schedule shall continue until all platted lots have been planted with street trees. It shall be the applicant's responsibility to relocate 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 that may die due to neglect or vandalism, for two years from the date of planting.

23. That restrictive covenants (CC & R's) shall be prepared for the development and must meet with the approval of the Planning Director. The submitted CC & R's shall indicate any necessary maintenance agreements between each lot approved for zero lot line construction for the garages and each neighboring property in addition to developed "no-parking" standards and enforcement within the alley and individual aprons, and maintenance agreements for common areas.

LOT DEVELOPMENT

24. That 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.
25. That the applicant shall secure from the Oregon Department of Environmental Quality (DEQ) any applicable storm runoff and site development permits prior to construction of the required site improvements. Evidence of such permits shall be submitted to the City Engineer.
26. That park fees shall be paid for each housing unit at the time of building permit application as required by McMinnville Ordinance 4282, as amended.
27. That the required public improvements shall be installed to the satisfaction of the responsible agency prior to the City's approval of the final plat. Prior to the construction of the required public improvements, the applicant shall enter into a Construction Permit Agreement with the City Engineering Department, and pay the associated fees.
28. That fencing placed along the rear property lines of Lots 22-23 (abutting the park) should be consistent with regard to height, construction materials, and design (including color) as existing fencing installed along the southern edge of Lots 16-21 of The Bungalows at Chegwyn Village I. This requirement should also be stated in the CC&Rs for the development.
29. That fencing in the rear of Lots 24-51 shall be no closer to the access easement than the nearest building line of the garage.
30. That nothing in these conditions may be construed to require lesser standards than those required by Chapter 17.53 (Land Division Standards) of the McMinnville Zoning Ordinance and all requirements of that ordinance shall be met, unless otherwise permitted by the planned development overlay for the subject development.
31. That approval of this tentative subdivision plat will expire 12 (twelve) months after the date of mailing of said approval. If the owner of the property wishes a one-year extension of the Commission approval of this tentative plan under the provisions of Section 17.53.075 of Chapter 17.53 (Land Division Standards) of the McMinnville Zoning Ordinance.

NOTE: An application approved by the Planning Commission may be appealed to the City Council within 15 (fifteen) days of the date of mailing said approval. If no appeal is filed with the Planning Department on or before the 15-day period ends, the decision of the Planning Commission will be final.

MOTION

The Planning Department recommends the Commission make the following motions for approval:

ZC 1-14 -

THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, THE PLANNING COMMISSION RECOMMENDS THAT THE CITY COUNCIL APPROVE ZC 1-14 SUBJECT TO THE CONDITIONS AS NOTED IN THE STAFF REPORT.

S 1-14 -

THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, THE PLANNING COMMISSION APPROVE S 1-14, SUBJECT TO THE CONDITIONS AS NOTED IN THE STAFF REPORT.

RP:pjk

EXHIBIT "A"
DOCKET ZC 1-14 / S 1-14
FINDINGS OF FACT AND CONCLUSIONARY FINDINGS

FINDINGS OF FACT

1. Alan Ruden Inc. is requesting approval of a tentative subdivision plan on 4.89 acres of land that, if approved, would provide for the construction of 30 single-family homes. Concurrently, the applicant is requesting approval to amend Planned Development Ordinance No. 4953 to allow a reduction in the front-yard setback from 15 to 10 feet, a reduction in the exterior side-yard setback from 20 feet to 15 feet for all proposed lots, and a reduction in the side-yard setback from six feet to zero feet for all garages proposed for construction in this development. The property is located north of NE Grandhaven Street and east of NE Hembree Street, and is more specifically described as a portion of Tax Lot 2100, Section 9, T. 4 S., R. 4 W., W.M.
2. The subject property is designated Residential on the McMinnville Comprehensive Plan Map and is currently zoned R-4 PD (Multiple Family Residential Planned Development) on the McMinnville Zoning Map.
3. Sanitary sewer and municipal water and power are all available to the site, or can be extended to the site by the applicant, as a requirement of this proposed development. The municipal Water Reclamation Facility has sufficient capacity to accommodate expected waste flows resulting from residential development of the property.
4. This matter was referred to the following public agencies for comment: McMinnville Fire Department, Engineering, Building and Parks Departments; City Manager and City Attorney; McMinnville School District No. 40; McMinnville Water and Light Department; Yamhill County Public Works; Yamhill County Planning Department; Verizon; AT&T Cablevision, and Northwest Natural Gas. As of the date of this report, concerns or comments have been received from those agencies noted in the staff report.
5. Goals and policies from Volume II of the McMinnville Comprehensive plan of 1981 applicable to this request are as listed in the narrative submitted by the applicant (Exhibits B, C, and D).

GOAL V 1: TO PROMOTE DEVELOPMENT OF AFFORDABLE, QUALITY HOUSING FOR ALL CITY RESIDENTS.

GOAL V 2: TO PROMOTE A RESIDENTIAL DEVELOPMENT PATTERN THAT IS LAND INTENSIVE AND ENERGY EFFICIENT, THAT PROVIDES FOR AN URBAN LEVEL OF PUBLIC AND PRIVATE SERVICES, AND THAT ALLOWS UNIQUE AND INNOVATIVE DEVELOPMENT TECHNIQUES TO BE EMPLOYED IN RESIDENTIAL DESIGN.

Policies:

- 68.00 The City of McMinnville shall encourage a compact form of urban development by directing residential growth close to the City center and to those areas where urban services are already available before committing alternate areas to residential use.
- 71.00 The City shall designate specific lands inside the urban growth boundary as residential to meet future projected housing needs. Lands so designated may be developed for a variety of housing types. All residential zoning classifications shall be allowed in areas designed as residential on the Comprehensive Plan Map.

- 71.05 The City of McMinnville shall encourage annexation and rezonings which are consistent with the policies of the comprehensive plan so as to achieve a continuous five-year supply of buildable land planned and zoned for all needed housing types (as amended by Ordinance No. 4243, Apr. 5, 1983).
- 73.00 Planned residential developments which offer a variety and mix of housing types and prices shall be encouraged.
- 81.00 Residential designs which incorporate pedestrian and bikeway paths to connect with activity areas such as school, commercial facilities, parks, and other residential areas shall be encouraged.
- 82.00 The layout of streets in residential areas shall be designed in a manner that preserves the development potential of adjacent properties if such properties are recognized for development on the McMinnville Comprehensive Plan Map.
- 99.00 An adequate level of urban services shall be provided prior to or concurrent with all proposed residential development. Services shall include, but not be limited to:
1. Sanitary sewer collection and disposal lines. Adequate municipal waste treatment plant capacities must be available.
 2. Storm sewer and drainage facilities (as required).
 3. Streets within the development and providing access to the development, improved to city standards (as required).
 4. Municipal water distribution facilities and adequate water supplies (as determined by City Water and Light).
 5. Energy distribution facilities and adequate energy resource supplies.

Chapter VI Transportation System

GOAL VI 1: TO ENCOURAGE DEVELOPMENT OF A TRANSPORTATION SYSTEM THAT PROVIDES FOR THE COORDINATED MOVEMENT OF PEOPLE AND FREIGHT IN A SAFE AND EFFICIENT MANNER.

- 117.00 The City of McMinnville shall endeavor to insure that the roadway network provides safe and easy access to every parcel.
- 118.00 The City of McMinnville shall encourage development of roads that include the following design factors:
1. Minimal adverse effects on, and advantageous utilization of, natural features of the land.
 2. Reduction in the amount of land necessary for streets with continuance of safety, maintenance, and convenience standards.

3. Emphasis placed on existing and future needs of the area to be serviced. The function of the street and expected traffic volumes are important factors.
 4. Consideration given to incorporating other modes of transportation (public transit, bike and foot paths).
 5. Connectivity of local residential streets shall be encouraged. Residential cul-de-sac streets shall be discouraged where opportunities for through streets exist.
- 126.00 The City of McMinnville shall continue to require adequate off-street parking and loading facilities for future developments and land use changes.

Chapter VII Community Facilities and Services

GOAL VII 1: TO PROVIDE NECESSARY PUBLIC AND PRIVATE FACILITIES AND UTILITIES AT LEVELS COMMENSURATE WITH URBAN DEVELOPMENT, EXTENDED IN A PHASED MANNER, AND PLANNED AND PROVIDED IN ADVANCE OF OR CONCURRENT WITH DEVELOPMENT, IN ORDER TO PROMOTE THE ORDERLY CONVERSION OF URBANIZABLE AND FUTURE URBANIZABLE LANDS TO URBAN LANDS WITHIN THE McMINNVILLE URBAN GROWTH BOUNDARY.

Sanitary Sewer System:

- 136.00 The City of McMinnville shall insure that urban developments are connected to the municipal sewage system pursuant to applicable city, state, and federal regulations.
- 142.00 The City of McMinnville shall insure that adequate storm water drainage is provided in urban developments through review and approval of storm drainage systems, and through requirements for connection to the municipal storm drainage system, or to natural drainage ways, where required.

Water System:

- 144.00 The City of McMinnville, through the City Water and Light Department, shall provide water services for development at urban densities within the McMinnville Urban Growth Boundary.
- 147.00 The City of McMinnville shall continue to support coordination between city departments, other public and private agencies and utilities, and the City Water and Light Department to insure the coordinated provision of utilities to developing areas. The City shall also continue to coordinate with the City Water and Light Department in making land use decisions.

Water and Sewer - Land Development Criteria:

- 151.00 The City of McMinnville shall evaluate major land use decisions, including but not limited to urban growth boundary, comprehensive plan amendment, zone changes, and subdivisions using the criteria outlined below:

1. Sufficient municipal water system supply, storage and distribution facilities, as determined by the City Water and Light Department, are available or can be made available, to fulfill peak demands and insure fire flow requirements and to meet emergency situation needs.
 2. Sufficient municipal sewage system facilities, as determined by the City Public Works Department, are available, or can be made available, to collect, treat, and dispose of maximum flows of effluent.
 3. Sufficient water and sewer system personnel and resources, as determined by the Water and Light Department and City, respectively, are available, or can be made available, for the maintenance and operation of the water and sewer systems.
 4. Federal, state, and local water and wastewater quality standards can be adhered to.
 5. Applicable policies of the Water and Light Department and the City relating to water and sewer systems, respectively, are adhered to.
- 155.00 The ability of existing police and fire facilities and services to meet the needs of new service areas and populations shall be a criterion used in evaluating annexation, subdivision proposals, and other major land use decisions.

Parks and Recreation:

- 163.00 The City of McMinnville shall continue to require land, or money in lieu of land, from new residential developments for the acquisition and/or development of parklands, natural areas, and open spaces.

Chapter VIII ENERGY

GOAL VIII 2: TO CONSERVE ALL FORMS OF ENERGY THROUGH UTILIZATION OF LAND USE PLANNING TOOLS.

- 178.00 The City of McMinnville shall encourage a compact urban development pattern to provide for conservation of all forms of energy.
6. Sections of the McMinnville Zoning Ordinance (ORD No. 3380) applicable to this request include:

General Provisions:

"17.03.020 Purpose. The purpose of this ordinance is to encourage appropriate and orderly physical development in the City through standards designed to protect residential, commercial, industrial, and civic areas from the intrusions of incompatible uses; to provide opportunities for establishments to concentrate for efficient operation in mutually beneficial relationship to each other and to shared services; to provide adequate open space, desired levels of population densities, workable relationships between land uses and the transportation system, and adequate community facilities; to provide assurance of opportunities for effective utilization of the land resource; and to promote in other ways public health, safety, convenience, and general welfare."

R-4 Multi-Family Residential Zone:

"17.21.010 Permitted Uses. In an R-4 zone, the following uses and their accessory uses are permitted:

A. Single-family dwelling."

Planned Developments:

"17.51.030 Procedure. The following procedures shall be observed when a planned development proposal is submitted for consideration: [. . .]

C. The Commission shall consider the preliminary development plan at a meeting at which time the findings of persons reviewing the proposal shall also be considered. In reviewing the plan, the Commission shall need to determine that:

- (1) There are special physical conditions or objectives of a development which the proposal will satisfy to warrant a departure from the standard regulation requirements;
- (2) Resulting development will not be inconsistent with the comprehensive plan objectives of the area;
- (3) The development shall be designed so as to provide for adequate access to and efficient provision of services to adjoining parcels (as amended by Ordinance No. 4242, April 5, 1983);
- (4) The plan can be completed within a reasonable period of time;
- (5) The streets are adequate to support the anticipated traffic, and the development will not overload the streets outside the planned area;
- (6) Proposed utility and drainage facilities are adequate for the population densities and type of development proposed;
- (7) The noise, air, and water pollutants caused by the development do not have an adverse effect upon surrounding areas, public utilities, or the City as a whole.

Review Criteria:

"17.74.020 Comprehensive Plan Map Amendment and Zone Change - Review Criteria. An amendment to the official zoning map may be authorized, provided that the proposal satisfies all relevant requirements of this ordinance, and also provided that the applicant demonstrates the following:

- A. The proposed amendment is consistent with the goals and policies of the comprehensive plan;
- B. The proposed amendment is orderly and timely, considering the pattern of development in the area, surrounding land uses, and any changes which may have occurred in the neighborhood or community to warrant the proposed amendment;
- C. Utilities and services can be efficiently provided to service the proposed uses or other potential uses in the proposed zoning district."

CONCLUSIONARY FINDINGS FOR APPROVAL:

1. The subject request complies with applicable goals and policies of the McMinnville Comprehensive Plan, 1981 (Finding of Fact No. 5) as follows:
 - a. Goal V-1 and V-2 and Policy 68.00 are satisfied by the request as additional housing stock will be added to the City (30 single-family homes for this phase of the development); the application of the Uniform Building Code guarantees the quality of the housing; and an urban level of services is available to the development. According to the applicant, the development pattern will be land intensive and energy efficient given the location and unique development proposal.
 - b. Policy 71.00 is satisfied in that the subject site is planned for residential use, as designated on the Comprehensive Plan Map, and the proposal to modify the site's R-4 PD designation would allow for the construction of 30 single-family homes in a manner that complements adjacent development. This development plan is also part of a larger (future) mixed-housing type development plan.
 - c. Policy 71.05 is satisfied by the request in that the modification of the Planned Development of this R-4 PD zoned site, and its subsequent development consistent with the plan submitted by the applicant, would move the city closer to the creation of a continuous five-year supply of land for all needed housing types.
 - d. Policy 73.00 is satisfied by the request as the proposed development will help to provide for a variety and mix of housing types and prices within the city.
 - e. Policy 81.00 is satisfied as the development will provide pedestrian connectivity between the subject site and adjoining development including the elementary school to the east, and neighborhood park to the south.
 - f. Policy 82.00 is satisfied in that the layout of public streets as part of this development preserves the development potential of the remainder of the property proposed for future residential development.
 - g. Goal VI-1 and policies 117.00, 118.00, and 126.00 are satisfied as the proposed development will develop to city standards as regard off-street parking, street construction, and sidewalk improvements as required by this planned development and the McMinnville Zoning Ordinance. As noted previously, the proposed street system will be designed to provide safe and easy access to every lot, and will provide connection to adjacent properties. Streets within and adjacent to the subject site have adequate capacity to accommodate the expected trips from this project. As noted on the submitted plans, the minimum number of off-street parking spaces has been met.
 - h. Goal VII-1 and Policies 99.00, 136.00, 144.00, and 151.00 are satisfied by the request as adequate levels of sanitary sewer collection, storm sewer facilities and energy distribution facilities are all available to the site. This site can be served by NE Hembree Street and the proposed interior streets. In addition, the sewage treatment plant easily has capacity to serve and accommodate the project, and all municipal water and sanitary sewer systems guarantee adherence to federal, state, and local quality standards.

- i. Policies 142.00 and 147.00 will be satisfied by the request in that the subject site will be converted in an orderly manner to urbanizable standards through the coordinated extension of utilities, and as conditioned by this planned development. In addition, adequate storm water facilities will be designed and constructed to the satisfaction of the City Engineer when the property is developed.
 - j. Policy 155.00 is satisfied in that emergency services departments have given approval to the subject request and do not foresee complications with providing police and fire protection to the subject area, provided the required secondary access is provided.
 - k. Policy 163.00 is satisfied in that payment of parkland system development charges (SDCs) will be required for each new residence constructed within this proposed subdivision. This revenue will be dedicated to the City for parkland purposes.
 - l. Goal VIII-2 and policy 178.00 are satisfied by the request as the development proposes a compact urban development, thereby increasing density and conserving energy. Utilities presently abut the property or are nearby and can be extended to the site in a cost effective and energy efficient manner.
- 2. The subject request complies with the applicable provisions and requirements of the McMinnville Zoning Ordinance No. 3380. (Finding of Fact No. 6) as follows:
 - (a) Section 17.03.020 is satisfied by the request for the reasons enumerated in Conclusionary Finding for Approval No. 1.
 - (b) The applicable sections of Section 17.51.030 are also satisfied by the request as follows:
 - (1) The objectives of the proposed development, with a pedestrian-oriented design, compact residential development, and improved streetscape appearance warrants a departure from some of the standard setback regulation requirements.
 - (2) As noted in the conclusionary findings for approval, the proposed development will be consistent with the comprehensive plan objectives for the area.
 - (3) Adequate access and services will be provided to the proposed development through the construction of streets and sidewalks, and as conditioned by this approval.
 - (4) The project, if approved, is expected to be completed within the next five (5) years. This is a reasonable period to complete a project of this scale.
 - (5) As noted in the conclusionary findings for approval, the existing and planned streets are adequate to support the anticipated traffic.
 - (6) Utility facilities presently serving the area are adequate to serve the proposed development of the subject site.
 - (7) No air, noise or water pollutants will be generated by the proposed development that are greater than those generated by any other residential development.
 - (c) Section 17.74.020 is satisfied by the request as the proposed change is consistent with the applicable goals and policies of the McMinnville comprehensive plan (see Conclusionary Finding for Approval No. 1), and utilities and services can be provided to the site.



Planning Department
231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7311 Office
(503) 474-4955 Fax
www.ci.mcminnville.or.us

PLANNED DEVELOPMENT AMENDMENT APPLICATION

APPLICANT/OWNER INFORMATION

Name of Applicant ALAN RUDEN, INC. Phone (Hm) _____
Address PO BOX 570 Phone (Wk) 503 435-2412
City, State, Zip McMINNVILLE, OR 97128
Email ALANRUDEN@COMCAST.NET

Applicant is: ☐ Property Owner ☒ Contract Buyer ☐ Option Holder
☐ Agent ☐ Other (specify) _____

Name of Property Owner CHEGWYN VILLAGE LLC Phone (Hm) 503 423 7578
(If different than above)
Street Address PO BOX 6614 Phone (Wk) _____
City, State, Zip PORTLAND, OR 97228
Email MARKCSMITH@MAC.COM

LEGAL DESCRIPTION OF PROPERTY

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

Property Address PARCEL 1 OF PARTITION PLAT NO. 2012-09
Assessor Map No. R4 W SEC9. TL 2100 Total Lot / Parcel Size _____
Subdivision _____ Block _____ Lot 18.62
Comprehensive Plan Designation RESIDENTIAL Zoning Designation R-4 PD
Existing Planned Development Ordinance No. 4953 and date of approval 5/8/12

Office Use Only:

File No. 2C114 Date Received 3-21-14 Fee \$415.00 Receipt No. 440048 Staff Member DJK

Revised May 2010

FACT SHEET

(Add Additional Pages as Needed)

1. Show in detail how your request seeks to amend the existing planned development overlay. State the reason(s) for the request and the intended use(s) of the property:

REQUEST CHANGE TO ZERO LOT LINE FOR ALL LOTS (22-51)
FROM 6 FT SIDE YARD SETBACK. THIS CHANGE WOULD APPLY TO
GARAGES ONLY.

ALSO: A) FRONT YARD SETBACK - 10 FT.

B) EXTERIOR SIDE YARD SETBACK - 15 FT.

C) REAR YARD SETBACK - 20 FT.

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 (Volume II):

The requested zone change complies with the following applicable McMinnville Comprehensive Plan Goals and Policies:

- Policy 68.00 is satisfied. Urban services exist adjacent to the subject site and are available to serve the subject property.
- Policy 71.00 is satisfied. The proposed zone change from EFU-80 to R-4PD is allowed within the Residential designation on the Comprehensive Plan. The Applicant proposes to develop bungalow style housing with garages placed behind the homes and served by a rear alley access. This style of housing is not common to the McMinnville housing market and will help to diversify the types of housing available to the community.
- Policy 71.05 is satisfied. The property was recently annexed with voter approval. Approval of the requested zone change from a low density county zone EFU-80 to R-4PD will ensure the properly zoned urban land is available to help the City achieve the continuous five-year supply of buildable land.
- Policy 86.00 is satisfied. The overall plan for the subject property identifies approximately 4 acres of multiple family housing adjacent to McDonald Lane. This proposed multiple family is dispersed from a larger area of multiple family housing several blocks to the southwest of the subject property. The proposed multiple family lands are across the street from an existing elementary school and future middle school and within short walking distance of a City park site.

- Policy 90.00 is satisfied. McDonald Lane is designated as a minor collector in Figure 21 of the City's Transportation Plan. Higher density multiple family housing is proposed in the property master plan along McDonald Lane. Lower density single family housing is proposed west of the multiple family housing areas.
- Policy 99.00 is satisfied. Urban services can be provided concurrently with the proposed urban development. Water and power are available to serve the subject property. Off-site sanitary sewer needs to be extended to the site from either Maloney Drive or McDonald Lane to serve Phase **2** of the subject property. The point of disposal for sanitary sewer for the northwest portion of the site is subject to the capacity of the existing OMI and Autumn Ridge pump stations. A new pump station is required in the north end of the subject property if the OMI and Autumn Ridge pump stations are undersized and it's determined to not be feasible to upsize the pump stations to accept the additional flows. Storm sewer for 5.6 acres in the southwest corner of the subject property (which includes the 3.4 acres in Phase 1) is proposed to drain to the existing storm drain system in Autumn Ridge, which has been found to have capacity to accept the additional stormwater with some surcharging. Storm sewer for the northwest portion of the subject property can drain to the Baker Creek floodplain (with procurement of an easement from Mark Smith). Storm sewer for the northeast portion of the subject property will drain to the northeast corner of the subject property. A culvert on Grandhaven Drive, downstream of this NE portion of the site, will need to be upsized as it's currently undersized. Storm sewer for the southeast portion of the subject property can drain into the public 21-inch storm drain in McDonald Lane.
- Policies 117.00 and 118.00 are satisfied. Every parcel will be served by access to a public street. Some residential lots in Phase **2** are proposed to have rear facing garages that take access from rear lot access easements. These access easements will be paved and access public streets via a driveway approach constructed to City standards. Sidewalks with planter strips will be provided along both sides of all public streets as required by the City's roadway standards. The street layout proposed for Phase **2** is planned for connection to future developable areas of the subject property and existing streets that front the subject property. A public access easement is proposed at the east boundary of Phase 1 is proposed for public pedestrian access to the northeast corner of the adjacent City neighborhood park. A meandering sidewalk is proposed along the subject property's Hembree Street frontage with the goal of connecting pedestrians to the northwest corner of the adjacent City park and a potential public pathway within the 60-foot BPA utility easement that fronts the north edge of the subject property.
- Policy 120.0 is satisfied. Public local street access to McDonald Lane and Hembree Street is limited to two, well spaced connections. Multiple family parcel access to McDonald Lane will be limited to well spaced locations that are coordinated with any School District driveways across the street, and are subject to City site plan review upon development.

- Policy 122.00(3) is satisfied. Through-traffic is minimized within the internal portion of the subject property. The higher density, multiple family housing is proposed adjacent to the higher rated street, McDonald Lane, so access should not come thru the subject property. All housing within the subject property is within 350 feet of McDonald Lane or Hembree Street, so traffic demand for local streets should not exceed 1,000 trips per day, which is roughly equivalent to 100 single family housing units.
- Policies 126.00 and 127.00 are satisfied. A two-car garage will be provided for each single family dwelling.
- Policy 132.00 is satisfied. The tentative plan for the subject property provides for public walkways that connect to adjacent neighborhoods, the adjacent City park and provide direct access to the Grandhaven Elementary School and future middle school site.
- Policy 136.00 and 139.00 are satisfied. A public sanitary sewer collection system will be constructed with the development of the streets and public utilities to provide service to each individual lot within the subject development. Further studies are required to determine if the northwest portion of the subject property can connect to the existing sewer in Hembree Street or if a new pump station is required to pump sewage to an existing public sewer in McDonald Lane.
- Policy 142.00 is satisfied. Adequate capacity is available in the downstream storm drain collection system to serve the subject property. Further study is required to determine if one section of 12-inch pipe within the Autumn Ridge development should be replaced to improve its flow capacity to prevent excessive surcharging.
- Chapter 17.15.010 is satisfied as single family, common wall single family and multiple family dwellings are permitted uses in an R-4 zone. Only single family dwellings are proposed for Phase 1.

3. Considering the pattern of development in the area and surrounding land uses, show, in detail, how the proposed amendment is orderly and timely: _____

_____ The proposal is orderly in that it conforms to the property owner's (Mark and Alyssa
_____ Smith's) desire to achieve a higher density single family development that is different
_____ from the typical single family housing with front entry garages occupying a large portion
_____ of the lot frontage. Rear entry garages and front porches will give more emphasis to the
_____ front of the structure and promote a more neighborly and pedestrian friendly and
_____ aesthetically pleasing neighborhood. _____

4. Describe any changes in the neighborhood or surrounding area which might support or warrant the request: _____

_____ The subject property was approved by the voters for a residential use. The Applicant's
_____ proposed R-4 residential use is consistent with the City's desire to achieve higher density
_____ in the northeast area of town. _____

5. 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: A 10-inch water line exists in Hembree Street. MW&L's water master plan calls for a 12-inch water line to be constructed between McDonald Lane and Hembree Street. The 12-inch line is shown for extension thru the subject property on the Applicant's Tentative Plan. Power, natural gas and telephone all exist in Hembree Street and can be extended the site.

AN 8" SANITARY SEWER MAIN WILL EXTEND THROUGH THE PROJECT TO EXISTING MAIN IN MACDONALD. ALL STORM SEWER WILL GO EAST TO MACDONALD EXCEPT FOR LOT 45-51 THAT WILL BE SERVED BY HEMBREE

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

Based on the ITE daily trip rate of 9.6 trips per day, the proposed 30 lots are anticipated to generate approximately 288 vehicle trips per day. Until a local street connection is made to the east to connect to McDonald Lane, the traffic from the subject property will take full access from Hembree Street, which is connected to Grandhaven Street and 27th Street. Grandhaven Street and 27th Street are intended to receive higher volumes of traffic based on their designation in the City's Transportation Plan.

In addition to this completed application (which must to be signed by the legal owner(s) of the affected property, proof of title may be required), the applicant must provide the following:

- ✓ An accurate, scaled site plan(s) indicating all required information as shown on the information sheet. Additional copies will be required if the size of the site plan is larger than 11x17 inches.
- ✓ A copy of the current planned development overlay ordinance.
- ✓ A legal description of the subject site, preferably taken from the deed.
- ✓ Payment of the applicable review fee

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

3/21/14
Date

Property Owner's Signature

Date



Planning Department
231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7311 Office
(503) 474-4955 Fax
www.ci.mcminnville.or.us

TENTATIVE SUBDIVISION APPLICATION

APPLICANT/OWNER INFORMATION

Name of Applicant Alan Ruden, Inc. Phone (Hm) _____

Address PO Box 570 Phone (Wk) 503-435-2412

City, State, Zip McMinnville, OR 97128

Email alanruden@comcast.net

Applicant is: ☐ Property Owner ☒ Contract Buyer ☐ Option Holder
☐ Agent ☐ Other (specify) _____

Name of Property Owner Chegwyn Village LLC Phone (Hm) 503-423-7578
(If different than above)

Address PO Box 6614 Phone (Wk) _____

City, State, Zip Portland, OR 97228

Email markcsmith@mac.com

LEGAL DESCRIPTION OF PROPERTY

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

Property Address Parcel 1 of Partion Plat No. 2012-09 (See Attached Title Report)

Assessor Map No. T4S R4W. -Sec. 9 -TL 2100

Total Lot Size: 18.62 Acres

Subdivision _____ Block _____ Lot _____

Comprehensive Plan Designation Residential Zoning Designation R-4PD

Office Use Only

File No 51-14

Date Received 3-13-14

Fee 1770⁰⁰

Receipt No Amoate

Staff PJK

SUBDIVISION INFORMATION:

What is this application for?

- ☐ Subdivision (up to 10 (ten) lots)
- ☒ Subdivision (more than 10 (ten) lots)
- ☐ Expedited Land Division

Briefly describe the project: Proposal consists of 30 single family lots in an R-4 PD overlay.

Housing proposed to be bungalow-style homes with rear facing garages with rear lot access.

Garage setbacks to be 10 feet from edge of 20 foot access easement.

Front yard setbacks proposed to be 10 feet for front porch and 15 feet to house structure.

Name of proposed subdivision: The Bungalows at Chegwyn Village No. 2

Size of proposed subdivision in acres or square feet: Approx. 4.89 Acres

Number of lots: 30 lots Minimum lot size: 4,230 square feet

Number and type of Residential Units: 30 single family, detached residential dwelling units.

Average lot size: 4,762 SF (net) Gross density per acre of entire subdivision: 6.1 unit/acre

Total anticipated population: 75 (2.5 capita per dwelling)

Size of park(s)/open space in acres or square feet: Zero, subject site is adjacent to City park.

General description of the subject site and current land use: _____

No structures exist on the subject property, which has historically been used for agricultural practices. Subject property has most recently been used for grass seed production.

Describe existing uses and zoning of surrounding properties:

	<u>Zoning</u>	<u>Current Use</u>
North	<u>County EFU-80</u>	<u>Tree orchard and rural residential</u>
South	<u>R-2 PD</u>	<u>Single family and City park</u>
East	<u>R-2 PD</u>	<u>Tree orchards and an elementary school</u>
West	<u>R-4 PD</u>	<u>Single family, detached residential housing</u>

Describe the topography of the subject site: Property generally slopes from west to east.

The land slopes increase in the northeast, southeast and northwest corners of the parent parcel. The subject parcel (4.89 acres) has slopes less than one percent and slopes from west to east with a small portion adjacent to Hembree Street sloping west towards Hembree.

Does the site contain any existing structures, wells, septic tanks? Explain No.

How will the proposed subdivision be served by utilities? Note the location and size of all service lines (water, sanitary sewer, storm sewer, natural gas, electricity). _____

21-inch storm sewer exists in MacDonald Lane and 12 inch exists in Joel Street.

There is an existing 8-inch sanitary sewer and 8-inch water in Sampson and Joel St.

Power, natural gas and phone exist in Hembree, Sampson & Joel Streets.

What is the anticipated date construction will begin? Summer, 2014

What is the anticipated date of completion? Fall 2014

If applicable, explain how the subdivision will be phased? One phase with 30 lots

Does your tentative subdivision plan delineate the general location of all previously recorded easements and encumbrances presently binding upon the subdivision site? (A current title report or subdivision guarantee for the site would disclose such easements or encumbrances).

Yes ☒ No ☐ N/A ☐

Does your tentative subdivision plan delineate necessary access and utility easements?

Yes ☒ No ☐ N/A ☐

In addition to this completed application the applicant must provide the following:

- ✓ For a tentative subdivision with up to 10 (ten) lots, 15 (fifteen) copies of the site plan and supplementary data are required. For a tentative subdivision with more than 10 (ten) lots, 25 (twenty-five) copies of the site plan and supplementary data are required. The site plan shall indicate all required information as listed in the information sheet and in Chapter 17.53.070 of the McMinnville Zoning Ordinance. Tentative plans should be accompanied by improvement plans so that the general programs and objectives are clear to the reviewer.
- ✓ In addition to the above site plan, applications for an expedited land division shall include a narrative addressing the approval criteria listed in Section 17.53.090 of the zoning ordinance.
- ✓ Payment of the applicable review fee.

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

3/21/14
Date

Property Owner's Signature

Date

This is a detailed plat map of a residential subdivision in Chicago, Illinois. The map shows a grid of streets including A Avenue, B Avenue, C Avenue, D Avenue, E Avenue, F Avenue, G Avenue, H Avenue, I Avenue, J Avenue, K Avenue, L Avenue, M Avenue, N Avenue, O Avenue, P Avenue, Q Avenue, R Avenue, S Avenue, T Avenue, U Avenue, V Avenue, W Avenue, X Avenue, Y Avenue, and Z Avenue. The lots are numbered 1 through 51. The map also shows the locations of the Chicago River, Lake Michigan, and the city of Chicago. The map is a black and white line drawing with text labels for streets, lot numbers, and other features.



**Ticor Title Company
PRELIMINARY REPORT**

In response to the application for a policy of title insurance referenced herein Ticor Title Company hereby reports that it is prepared to issue, or cause to be issued, as of the specified date, a policy or policies of title insurance describing the land and the estate or interest hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an exception herein or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations or Conditions of said policy forms.

The printed Exceptions and Exclusions from the coverage of said policy or policies are set forth in Exhibit A. The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. Copies of the policy forms should be read. They are available from the office which issued this report.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby.

The policy(s) of title insurance to be issued hereunder will be policy(s) of Chicago Title Insurance Company, a/an Nebraska corporation.

Please read the exceptions shown or referred to herein and the Exceptions and Exclusions set forth in Exhibit A of this report carefully. The Exceptions and Exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects and encumbrances affecting title to the land.

This preliminary report is for the exclusive use of the parties to the contemplated transaction, and the Company does not have any liability to any third parties nor any liability until the full premium is paid and a policy is issued. Until all necessary documents are placed of record, the Company reserves the right to amend or supplement this preliminary report.

Countersigned

Peter Harris



Ticor Title Company

105 NE 4th Street, McMinnville, OR 97128
(503)472-6101 FAX (503)434-5311

PRELIMINARY REPORT

ESCROW OFFICER: Kimberly Duncel
TITLE OFFICER: Deborah Clark

ORDER NO.: 471814030988-TTMIDWIL36

TO: Ticor Title Company
Attn: Kimberly Duncel
105 NE 4th Street
McMinnville, OR 97128

OWNER/SELLER: Chegwyn Village, LLC

BUYER/BORROWER: Alan Ruden, Inc.

PROPERTY ADDRESS: Parcel 1 of Partition Plat No 2012-09
McMinnville, Oregon 97128

EFFECTIVE DATE: March 6, 2014, 08:00 AM

1. THE POLICY AND ENDORSEMENTS TO BE ISSUED AND THE RELATED CHARGES ARE:

	<u>AMOUNT</u>	<u>PREMIUM</u>
Owner's Standard - Amount to Follow		
Governmental Service Fee		\$ 25.00

2. THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO COVERED BY THIS REPORT IS:
A Fee
3. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:
Chegwyn Village, LLC, an Oregon limited liability company
4. THE LAND REFERRED TO IN THIS REPORT IS SITUATED IN THE CITY OF MCMINNVILLE IN THE COUNTY OF YAMHILL, STATE OF OREGON, AND IS DESCRIBED AS FOLLOWS:
SEE EXHIBIT "ONE" ATTACHED HERETO AND MADE A PART HEREOF

PRELIMINARY REPORT
(Continued)

Order No.: 471814030988-TTMIDWIL36

EXHIBIT "ONE"

Parcel 1, PARTITION PLAT NO. 2012-09, recorded July 23, 2012, Recorder's No. 2012-10290, in the City of McMinnville, Yamhill County, Oregon.

AS OF THE DATE OF THIS REPORT, ITEMS TO BE CONSIDERED AND EXCEPTIONS TO COVERAGE IN ADDITION TO THE PRINTED EXCEPTIONS AND EXCLUSIONS IN THE POLICY FORM WOULD BE AS FOLLOWS:

GENERAL EXCEPTIONS:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
5. Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.

SPECIFIC ITEMS AND EXCEPTIONS:

6. The Land has been classified as Farm Use, as disclosed by the tax roll. If the Land becomes disqualified, said Land may be subject to additional taxes and/or penalties.
7. City Liens, if any, in favor of the City of McMinnville. None found as of March 6, 2014.
8. Rights of the public as to any portion of the Land lying within the area commonly known as Hembree Street and McDonald Lane.
9. Reservations for the purpose(s) shown below and rights incidental thereto as set forth and disclosed by numerous instrument and in the following instrument;

Purpose: Road purposes
Recording Date: June 26, 1951
Recording No: Book 162, Page 36, Deed Records

10. Reservations for the purpose(s) shown below and rights incidental thereto as set forth and disclosed by numerous instrument and in the following instrument;

Purpose: Road purposes
Recording Date: March 23, 1955
Recording No: Book 176, Page 408, Deed Records

11. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: United States of America
Purpose: Electrical transmission lines and appurtenances
Recording Date: February 23, 1965
Recording No: Film Volume 43, Page 515, Deed and Mortgage Records

12. Reciprocal Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

Entitled: Statutory Warranty Deed
Recording Date: December 28, 2007
Recording No: 200727179

13. Declaration of Water Line Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

Entitled: Statutory Warranty Deed
Recording Date: December 28, 2007
Recording No: 200727179

14. Agreement to Dedicate Land

Executed by: Percy Charles Chegwyn and Coleman LLC, an Oregon limited liability company
Recording Date: December 28, 2007
Recording No.: 200727181

15. Agreement for McDonald Lane Extension

Executed by: Coleman LLC and McMinnville School District #40, a political subdivision of the State of Oregon
Recording Date: December 28, 2007
Recording No.: 200727186

and Re-Recording Date: April 9, 2008
and Re-Recording No: 200806237
Reason: For correction to the legal description

16. Road Development Agreement

Executed by: McMinnville Water & Light and Yamhill County, Oregon, acting through its Director of Public Works and Director of Planning and Development
Recording Date: August 27, 2008
Recording No.: 200814668

17. Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on the map of said tract/plat;

Purpose: Utilities, being 45 feet in width
Affects: Easterly property line

18. Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on the map of said tract/plat;

Purpose: Utilities, being 35 feet in width
Affects: Easterly lot line

19. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: City of McMinnville, a municipal corporation of the State of Oregon, acting by and through its Water & Light Commission, a municipal public utilities commission
Purpose: Utilities
Recording Date: September 5, 2008
Recording No: 200815205

20. Unrecorded Agreement, as disclosed by Memorandum of Agreement

Executed by: Coleman LLC, an Oregon limited liability company and City of McMinnville, a municipal corporation of the State of Oregon, acting by and through its Water & Light Commission
Recording Date: September 5, 2008
Recording No.: 200815207

21. Restrictions, but omitting restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said restriction is permitted by applicable law, as shown on that certain plat

Name of Plat: Partition Plat No. 2012-09
Recording Date: July 23, 2012
Recording No: 2012-10290

22. Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on the map of said tract/plat;

Purpose: Utilities
Affects: Various locations - See partition plat for specifics

23. Please be advised that our search did not disclose any open Deeds of Trust of record. If you should have knowledge of any outstanding obligation, please contact the Title Department immediately for further review prior to closing.

24. If requested to issue an extended coverage ALTA loan policy, the following matters must be addressed:

- a) The rights of tenants holding under unrecorded leases or tenancies
- b) Any facts which would be disclosed by an accurate survey of the Land
- c) Matters disclosed by a statement as to parties in possession and as to any construction, alterations or repairs to the Land within the last 75 days. The Company must be notified in the event that any funds are to be used for construction, alterations or repairs.

ADDITIONAL REQUIREMENTS/NOTES:

- A. Note: Property taxes for the fiscal year shown below are paid in full.

Fiscal Year: 2013-2014
Amount: \$261.24
Levy Code: 40.0
Account No.: 124724
Map No.: R4409 02100

Prior to close of escrow, please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.

- B. NOTE: In addition to the standard policy exceptions, the exceptions enumerated above shall appear on the final 2006 ALTA policy unless removed prior to issuance.
- C. A copy of the terms and provisions of the operating agreement for the limited liability company set forth below should be furnished for our examination prior to closing. Any conveyance or encumbrance of said company's property must be executed by all of the members unless otherwise provided for in the operating agreement. In addition, if there have been any changes in membership from the date of original creation of the limited liability company to the present date, copies of approval of withdrawal and/or acceptance of such member should be furnished for our examination.

Limited Liability Company: Chegwyn Village, LLC

- D. The Company will require the following documents for review prior to the issuance of any title assurance predicated upon a conveyance or encumbrance by the corporation named below.

Name of Corporation: Alan Ruden, Inc.

- a) A Copy of the corporation By-laws and Articles of Incorporation
- b) An original or certified copy of a resolution authorizing the transaction contemplated herein.
- c) If the Articles and/or By-laws require approval by a 'parent' organization, a copy of the Articles and By-laws of the parent.

The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

- E. Note: There are NO conveyances affecting said Land recorded within 24 months of the date of this report.
- F. Note: There are no matters against the party(ies) shown below which would appear as exceptions to coverage in a title insurance product:

Parties: Alan Ruden, Inc., an Oregon corporation

- G. For many real estate transactions, Federal law requires that a settlement statement show the allocation of title insurance charges between title insurer and title insurance agent. For the transaction that is the subject of this report, the allocation is as follows:

Ticor Title Company of Oregon (agent): 88%
Chicago Title Insurance Company, a Nebraska corporation (insurer): 12%

- H. **NOTICE REGARDING RECORDING CHARGES:** The basis for collection for recording charges in a closing differs between those transactions subject to and those not subject to the Real Estate Settlement Procedures Act (RESPA) For a RESPA transaction, the recording charge is based on an area average, in accordance with RESPA rules. For a non-RESPA transaction, the recording charges will be those charged by the county. The basis for recording charges is as follows:

Recording charge for a RESPA transaction (all transfer and loan documents) for Yamhill County:

RESPA Residential Sale and Purchase \$160.00
RESPA Residential Loan/Refinance \$119.00

Recording charge (per document) for a non-RESPA transaction (such as an all cash sales and purchase, a commercial loan or a commercial sale and purchase) :

COUNTY	FIRST PAGE	EACH ADDITIONAL PAGE
Yamhill	\$41.00	\$5.00

**NOTE A multiple transaction document bears an additional \$5.00 charge for each additional transaction. A document that fails to conform to certain formatting and page one requirements bears an additional \$20.00 charge

RECORDING CHARGES ARE SUBJECT TO CHANGE WITHOUT NOTICE.

Note: When possible, the company will record electronically. An additional charge of \$5.00 applies to a document recorded electronically.

- I. **PLEASE NOTE: ALL DOCUMENTS INTENDED FOR RECORDING IN THIS TRANSACTION SHOULD BE SENT TO:**

Portland Title Group
1433 SW 6th Avenue
Portland, OR 97201
Phone: (503) 646-4444
e-mail: or-ttc-yamhillrecording@ticortitle.com

- J. Note: Effective January 1, 2008, Oregon law (ORS 314.258) mandates withholding of Oregon income taxes from sellers who do not continue to be Oregon residents or qualify for an exemption. Please contact your Escrow Closer for further information.

- K. **THE FOLLOWING NOTICE IS REQUIRED BY STATE LAW: YOU WILL BE REVIEWING, APPROVING AND SIGNING IMPORTANT DOCUMENTS AT CLOSING. LEGAL CONSEQUENCES FOLLOW FROM THE SELECTION AND USE OF THESE DOCUMENTS. YOU MAY CONSULT AN ATTORNEY ABOUT THESE DOCUMENTS. YOU SHOULD CONSULT AN ATTORNEY IF YOU HAVE QUESTIONS OR CONCERNS ABOUT THE TRANSACTION OR ABOUT THE DOCUMENTS. IF YOU WISH TO REVIEW TRANSACTION DOCUMENTS THAT YOU HAVE NOT SEEN, PLEASE CONTACT THE ESCROW AGENT.**

- L. Note: This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances or acreage shown thereon.

EXHIBIT A

2006 AMERICAN LAND TITLE ASSOCIATION LOAN POLICY (06-17-06) EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

- (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to:
 - the occupancy, use, or enjoyment of the Land;
 - the character, dimensions, or location of any improvement erected on the Land;
 - the subdivision of land; or
 - environmental protection;or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
- Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
- Defects, liens, encumbrances, adverse claims, or other matters:
 - created, suffered, assumed, or agreed to by the Insured Claimant;
 - not known to the Company, not recorded in the Public Records at Date of Policy, but known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
- (c) resulting in no loss or damage to the Insured Claimant;
- (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
- (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
- Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
- Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
- Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is:
 - a fraudulent conveyance or fraudulent transfer; or
 - a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
- Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

SCHEDULE B- GENERAL EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

- Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
- Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
- Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.
- Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
- Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.

2006 AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY (06-17-06) EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

- (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to:
 - the occupancy, use, or enjoyment of the Land;
 - the character, dimensions, or location of any improvement erected on the Land;
 - the subdivision of land; or
 - environmental protection;or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
- Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
- Defects, liens, encumbrances, adverse claims, or other matters:
 - created, suffered, assumed, or agreed to by the Insured Claimant;
 - not known to the Company, not recorded in the Public Records at Date of Policy, but known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
- (c) resulting in no loss or damage to the Insured Claimant;
- (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
- (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
- Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is:
 - a fraudulent conveyance or fraudulent transfer; or
 - a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
- Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

SCHEDULE B- GENERAL EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) that arise by reason of:

- Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
- Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
- Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.
- Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
- Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.

Fidelity National Financial, Inc. Privacy Statement

Fidelity National Financial, Inc. and its subsidiaries ("FNF") respect the privacy and security of your non-public personal information ("Personal Information") and protecting your Personal Information is one of our top priorities. This Privacy Statement explains FNF's privacy practices, including how we use the Personal Information we receive from you and from other specified sources, and to whom it may be disclosed. FNF follows the privacy practices described in this Privacy Statement and, depending on the business performed, FNF companies may share information as described herein.

Personal Information Collected

We may collect Personal Information about you from the following sources:

- Information we receive from you on applications or other forms, such as your name, address, social security number, tax identification number, asset information, and income information;
- Information we receive from you through our Internet websites, such as your name, address, email address, Internet Protocol address, the website links you used to get to our websites, and your activity while using or reviewing our websites;
- Information about your transactions with or services performed by us, our affiliates, or others, such as information concerning your policy, premiums, payment history, information about your home or other real property, information from lenders and other third parties involved in such transaction, account balances, and credit card information; and
- Information we receive from consumer or other reporting agencies and publicly recorded documents.

Disclosure of Personal Information

We may provide your Personal Information (excluding information we receive from consumer or other credit reporting agencies) to various individuals and companies, as permitted by law, without obtaining your prior authorization. Such laws do not allow consumers to restrict these disclosures. Disclosures may include, without limitation, the following:

- To insurance agents, brokers, representatives, support organizations, or others to provide you with services you have requested, and to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure in connection with an insurance transaction;
- To third-party contractors or service providers for the purpose of determining your eligibility for an insurance benefit or payment and/or providing you with services you have requested;
- To an insurance regulatory authority, or a law enforcement or other governmental authority, in a civil action, in connection with a subpoena or a governmental investigation;
- To companies that perform marketing services on our behalf or to other financial institutions with which we have joint marketing agreements and/or
- To lenders, lien holders, judgment creditors, or other parties claiming an encumbrance or an interest in title whose claim or interest must be determined, settled, paid or released prior to a title or escrow closing.

We may also disclose your Personal Information to others when we believe, in good faith, that such disclosure is reasonably necessary to comply with the law or to protect the safety of our customers, employees, or property and/or to comply with a judicial proceeding, court order or legal process.

DISCLOSURE TO AFFILIATED COMPANIES - We are permitted by law to share your name, address and facts about your transaction with other FNF companies, such as insurance companies, agents, and other real estate service providers to provide you with services you have requested, for marketing or product development research, or to market products or services to you. We do not, however, disclose information we collect from consumer or credit reporting agencies with our affiliates or others without your consent, in conformity with applicable law, unless such disclosure is otherwise permitted by law.

Effective Date: 5/1/2008

Fidelity National Financial, Inc.
Privacy Statement
(continued)

DISCLOSURE TO NONAFFILIATED THIRD PARTIES - We do not disclose Personal Information about our customers or former customers to nonaffiliated third parties, except as outlined herein or as otherwise permitted by law.

Confidentiality and Security of Personal Information

We restrict access to Personal Information about you to those employees who need to know that information to provide products or services to you. We maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard Personal Information.

**Access to Personal Information/
Requests for Correction, Amendment, or Deletion of Personal Information**

As required by applicable law, we will afford you the right to access your Personal Information, under certain circumstances to find out to whom your Personal Information has been disclosed, and request correction or deletion of your Personal Information. However, FNF'S CURRENT POLICY IS TO MAINTAIN CUSTOMERS' PERSONAL INFORMATION FOR NO LESS THAN YOUR STATE'S REQUIRED RECORD RETENTION REQUIREMENTS FOR THE PURPOSE OF HANDLING FUTURE COVERAGE CLAIMS.

For your protection, ALL REQUESTS MADE UNDER THIS SECTION MUST BE IN WRITING AND MUST INCLUDE YOUR NOTARIZED SIGNATURE TO ESTABLISH YOUR IDENTITY. Where permitted by law, we may charge a reasonable fee to cover the costs incurred in responding to such requests. Please send requests to:

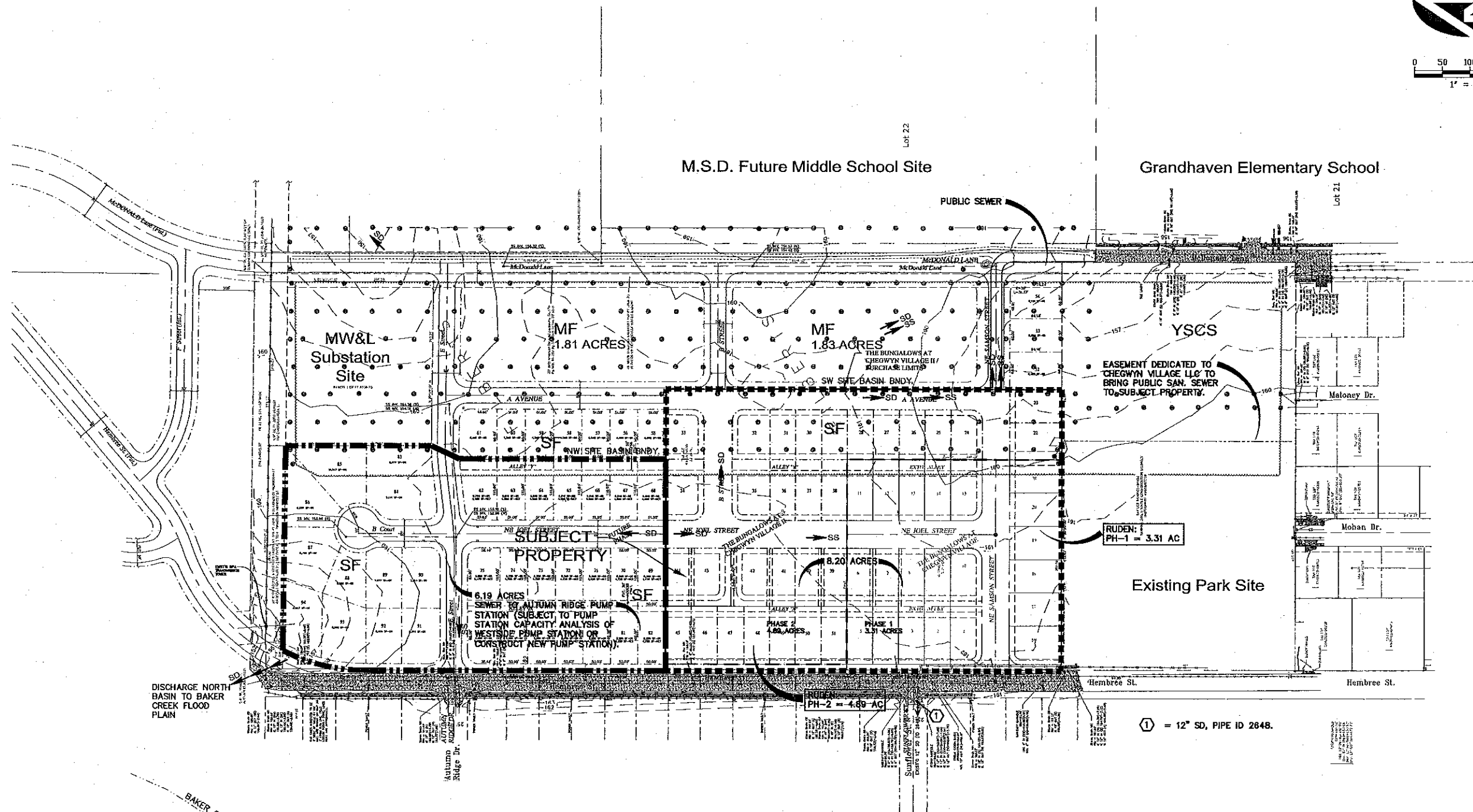
Chief Privacy Officer
Fidelity National Financial, Inc.
601 Riverside Avenue
Jacksonville, FL 32204

Changes to this Privacy Statement

This Privacy Statement may be amended from time to time consistent with applicable privacy laws. When we amend this Privacy Statement, we will post a notice of such changes on our website. The effective date of this Privacy Statement, as stated above, indicates the last time this Privacy Statement was revised or materially changed.



0 50 100 200
1" = 100'



TOTAL SUBDIVISION AREA
18.62 ACRES

LOTS
73 S.F. LOTS AND 2 M.F. PARCELS

AVE. NET LOT SIZE (DOES NOT INCLUDE ACCESS ESM'T'S.)
5,369 S.F.

MAX. LOT SIZE
10,547 S.F. (LOT NO. 87)

MIN. LOT SIZE
4,230 S.F. (LOT NO. 25-31, 36-38)

ALAN RUDEN, INC. McMinnville, OR

THE BUNGALOWS AT CHEGWYN VILLAGE II

OVERALL PLAN

DRAWING C3

JOB NUMBER 2794.2000

VERIFIED SCALE
BAR IS ONE INCH ON ORIGINAL DRAWING
THIS SCALE APPLIES TO ALL SCALES INDICATED ON THIS DRAWING
DATE: 3/5/2014

REGISTERED PROFESSIONAL ENGINEER
WESTTECH ENGINEERING, INC.
CONSULTING ENGINEERS AND PLANNERS
384 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302
Phone: (503) 585-2474 Fax: (503) 585-3989
E-mail: westtech@westtech-eng.com

REVIEW
WILLIAM J. STEIN
REGISTERED PROFESSIONAL ENGINEER
DATE: 4/20/2014

NO.	DATE	DESCRIPTION	BY
1	JW		
2	TSN		
3	JW		
4	CKD		

ORDINANCE NO. 4953

An Ordinance rezoning certain property from a County EF-80 (Exclusive Farm Use – 80-Acre Minimum) zone to a City R-4 PD (Multi-Family Residential, Planned Development) zone on a 22.26-acre parcel of land.

RECITALS

The Planning Department received an application (ZC 2-12/S 1-12) from Alan Ruden Incorporated, dated February 9, 2012, for a zone change from a County EF-80 (Exclusive Farm Use – 80-acre minimum) zone to a City R-4 PD (Multi-Family Residential, Planned Development) zone on a 22.26-acre parcel of land to accommodate future residential development. Concurrent with this zone change request was an application for a tentative subdivision plan to provide for the construction of 21 single-family homes. The subject site is located north of NE Grandhaven Street and east of NE Hembree Street, and is more specifically described as Tax Lot 2100, Section 9, T. 4 S., R. 4 W., W.M.

A public hearing was held on March 15, 2012, at 6:30 p.m. before the McMinnville Planning Commission after due notice had been given in the local newspaper on March 7, 2012, and written notice had been mailed to property owners within 300 feet of the affected property; and

At said public hearing, testimony was received, the application materials and a staff report were presented; and

The Planning Commission, being fully informed about said request, found that said change conformed to the zone change review criteria listed in Chapter 17.74.020 of Ordinance No. 3380 based on the material submitted by the applicant and findings of fact and the conclusionary findings for approval contained in the staff report, all of which are on file in the Planning Department, and that the zone change is consistent with the Comprehensive Plan; and

The Planning Commission approved said zone change and has recommended said change to the Council; and now, therefore,

THE CITY OF McMINNVILLE ORDAINS AS FOLLOWS:

Section 1. That the Council adopts the findings and conclusions of the Planning Commission, staff report on file in the Planning Department, and the application filed by Alan Ruden Incorporated.

Section 2. That the property described in Exhibit "A," is hereby rezoned from a County EF-80 (Exclusive Farm Use – 80-acre minimum) zone to a City R-4 PD (Multiple Family Residential, Planned Development) zone, subject to the following conditions:

1. That minimum setback requirements for properties within the Phase One development are as follows:
 - a) Front yard – 10-feet
 - b) Side yard – A zero foot side-yard property line setback for garage construction only for Lots 2, 4-7, 9, 11, 12, 14, and 16-20. All other development shall provide a minimum six-foot side yard setback.
 - c) Exterior side yard – 15 feet
 - d) Rear yard – 20 feet

2. That the average lot size for single-family lots within the subject site (22.36-acre property) shall be 5,000 square feet.
3. That final development plans as approved by the Planning Commission as part of this zone change shall be placed on file with the Planning Department and become a part of the zone and binding on the owner and developer. The developer will be responsible for requesting permission of the Planning Commission for any major change of the details of the adopted site plan. Minor changes to the details of the adopted plan may be approved by the Planning Director. It shall be the Planning Director's decision as to what constitutes a major or minor change. An appeal from a ruling by him may be made only to the Commission. Review of the Planning Director's decision by the Planning Commission may be initiated at the request of any one of the commissioners.

Passed by the Council this 8th day of May 2012, by the following votes:

Ayes: Hill, Jeffries, Menke, Yoder

Nays: _____

Abstain: Ruden

Approved this 8th day of May 2012.



MAYOR

Attest:



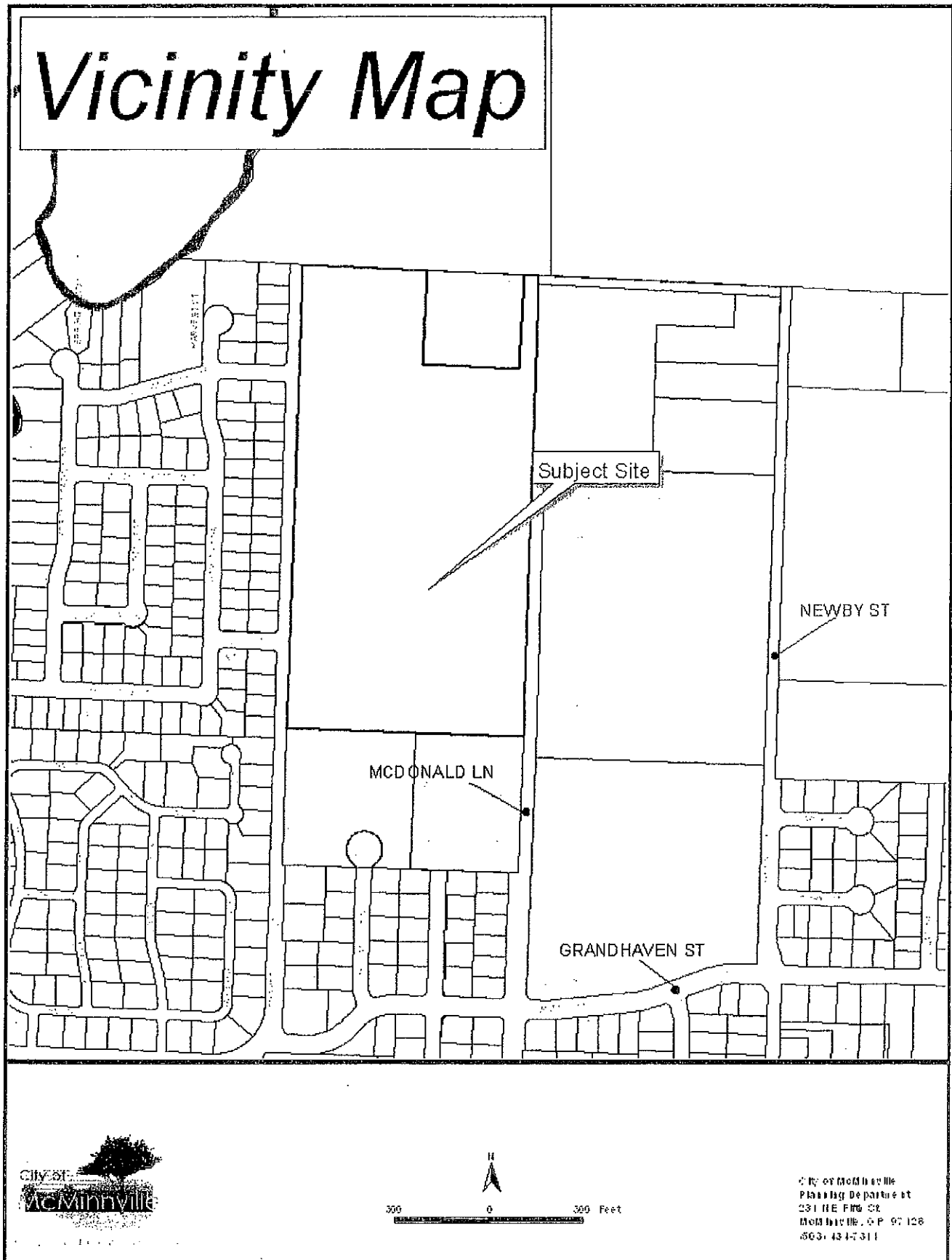
CITY RECORDER

Approved as to form:



CITY ATTORNEY

Exhibit "A"





DATE: April 3, 2014

TO: Doug Montgomery, Planning Director
Ron Pomeroy, Principal Planner

FROM: Mike Bisset, Community Development Director

SUBJECT: **ZC1-14/S1-14**
The Bungalows at Chegwyn Village II

Here are our comments and suggested conditions of approval regarding the above listed applications:

ZC 1-14 COMMENTS:

- -

S 1-14 COMMENTS:

TRANSPORTATION

The proposed subdivision is located adjacent to and east of Hembree Street, just north and east of the recently completed Bungalows at Chegwyn Village Phase I. The existing improvements to Hembree Street adjacent to the site predate the City's adoption of Transportation System Plan (TSP) in May of 2010, and were constructed to the minor collector standard contained in the City's 1994 Transportation Master Plan. That standard included a 36-foot-wide paved section, 6-foot wide curbside planting strips, and 5-foot wide sidewalks placed one foot from the property line within a 60-foot right-of-way.

Hembree Street directly adjacent to the site was constructed in 2003 in conjunction with the Autumn Ridge subdivision. At that time, the west side of Hembree Street was fully constructed to the minor collector standard and the developer constructed 12-feet of traveled way east of centerline, for a total improvement width of 30-feet.

The preliminary plans for S1-14 indicate that the developer will complete the improvements to Hembree Street adjacent to the site, including the construction of six additional feet of pavement; curb and gutter; and a curbside planter strip. Additionally the developer is proposing to construct a meandering sidewalk adjacent to the subject site. Upon completion of the improvements, Hembree Street adjacent to the site will be fully constructed to the minor collector standard.

The existing right-of-way for Hembree Street adjacent to the site measures 60-feet, and the plans indicate that the developer will dedicate an 8-foot public access easement adjacent to the Hembree Street right-of-way to accommodate the proposed meandering sidewalk.

As proposed, the extension of NE Joel Street, the extension of NE Samson Street, and the completion of the "B" Street within the phase limits will be constructed to the City's adopted Local Residential street standard, including a 28-foot wide paved section, 5-foot wide curbside planting strips, and five-foot-wide sidewalks placed one foot from the property line within a 50-foot right-of-way.

The plans indicate that proposed "A" Avenue will only be constructed to include 26-foot of pavement, including only 12-feet of pavement and no curb/gutter east of centerline. The plans do not indicate how the drainage for the east side of proposed "A" Avenue will be accommodated. Staff believes that the lack of curb/gutter and drainage facilities on the east edge of proposed "A" Avenue could cause issues with the street subgrade and will complicate the future completion of the "A" Avenue pavement section. Therefore, staff is recommending that proposed "A" Avenue be constructed to the City's adopted Local Residential street standard, including a 28-foot wide paved section (with curb/gutter on both sides) within a 50-foot right-of-way.

The Institute of Transportation Engineers estimates that each single family residence will generate 9.57 vehicle trips per day (*ITE Trip Generation Manual*, 8th Edition, 2008). Given that, the 30 lots proposed with this phase of the development will generate approximately 287 vehicle trips per day. The 21 lots in phase 1 of the development are expected to generate approximately 201 vehicle trips per day. Therefore, the total traffic generated by phase 1 and phase 2 is approximately 488 vehicle trips per day. The City's Local Residential streets are designed to carry up to 1,200 vehicles per day. Thus, the proposed streets within the subdivision can accommodate the traffic expected from both phases of the development.

There are approximately 140 lots (generating approximately 1,340 vehicle trips per day) in the Autumn Ridge subdivision development adjacent to Hembree Street. The City's Minor Collector streets are designed to carry up to 3,000 vehicles per day. Thus, upon completion of the proposed improvements, Hembree Street can accommodate the additional traffic expected from both phases the Bungalows at Chegwyn Village development (the total expected traffic on Hembree Street would be approximately 1,828 vehicles per day).

Given that the total number of lots for Phase 1 and Phase 2 of the development is more than 30, a second access is required per the City's Land Development Ordinance. The proposed plan shows a "secondary gravel access road" connecting from the east end of Samson Street to northerly end of McDonald Lane. That gravel access shall meet the requirements of the Fire Department, and shall be secured at both ends so that it cannot be used as a public connection between the development and McDonald Lane.

The proposed plans indicate that a 10-foot wide pedestrian path, connecting Samson Street to the adjacent Chegwyn Farms Neighborhood Park, will be constructed on lots 21 and 22. The developer should coordinate with the Parks Director regarding the location of the path and its construction.

Suggested conditions of approval related to transportation include:

- 1. That the final plat shall reflect that access to Hembree Street for lots 45, 46, 47, 48, 49, 50, and 51 is not permitted.**
- 2. That Hembree Street adjacent to the development shall be improved with a total of 18 feet of pavement east of centerline, a curbside planting strip, and a five-foot-wide sidewalk. The saw-cut location for the proposed street widening shall be as directed by the City Engineer.**

3. That if the applicant proceeds with the proposed meandering sidewalk along Hembree Street, the final plat shall reflect the dedication of an eight-foot-wide public access easement adjacent to the Hembree Street right-of-way on lots 45, 46, 47, 48, 49, 50, and 51.
4. That the interior streets, including NE Joel Street, NE Samson Street, "A" Avenue, and "B" Street shall be improved with a 28-foot-wide paved section with curb and gutter, five-foot-wide curbside planting strips, and five-foot-wide sidewalks placed one foot from the property line within a 50-foot right-of-way, as required by the McMinnville Land Division Ordinance for local residential streets.
5. That the applicant shall install barricades at the northerly terminus of proposed "A" Avenue, the northerly terminus of Joel Street, the easterly terminus of proposed "B" Street, and the easterly terminus of Samson Street, consistent with City standards. The barricades shall include signage with text stating: "this street is planned for extension to serve future development."
6. That on-street parking will not be permitted within a 30-foot distance of street intersections measured from the terminus of the curb returns. Additionally, on-street parking will not be permitted adjacent to where the private alleys intersect the proposed public streets.
7. That the City Public Works Department will install, at the applicant's expense, the necessary street signage (including stop signs, no parking signage, and street name signage), curb painting, and striping (including stop bars) associated with the development. The applicant shall reimburse the City for the signage and markings prior to the City's approval of the final plat.
8. That the final plat shall include the appropriate access easements for the lots served by the proposed alleys. The private alleys shall have private maintenance agreements which must be approved by the City prior to the City's approval of the final plat.
9. That the final plat shall include use, ownership, and maintenance rights and responsibilities for all easements and tracts.
10. That cross sections for the entire street system shall be prepared which show utility location, street improvement elevation and grade, park strips, sidewalk location, and sidewalk elevation and grade. Said cross sections shall be submitted to the Community Development Director for review and approval prior to submittal of the final plat.
11. Per the City's Land Development Ordinance, a secondary access meeting the requirements of the Fire Department shall be constructed. The secondary access shall be secured at both ends so that it cannot be used as a public connection between the development and McDonald Lane.
12. That the plans for the construction of a pedestrian pathway connecting Samson Street to the adjacent Chegwyn Farms Neighborhood Park, must be coordinated with the Parks Director as to the location of the path and its construction. At a minimum, the applicant shall provide a concrete surface for the pedestrian path in addition to providing landscaping and underground irrigation along both sides of the path. Improvement plans for the pedestrian way shall be submitted to the McMinnville Landscape Review Committee for their review and approval prior to its improvement. All required improvements to the pedestrian path shall be completed prior to filing of the final plat.

SANITARY SEWER

The site is served by an existing 8" sanitary sewer mainline in Samson Street (flowing east to mainline in McDonald Lane) constructed as part of Phase 1 of the development. There is adequate capacity in the line to accommodate the proposed development of Phase 2.

A portion of the subject site is within the basin boundary established by Resolution No. 1994-37 that established system development charges (SDC's) for the NE Sanitary Trunk sewer project. The SDC fees were developed to reimburse the City for expenses related to the construction of the NE Pump Station and pressure main, and were to be applied to all properties that drain to that pump station. As noted above, sewer service for the subject site will be provided by the mainline flowing east to mainline in McDonald Lane. That mainline does not drain to the basin served by the NE Pump Station. Thus, the NE Sanitary Trunk SDC will not apply to this project.

Suggested conditions of approval related to sanitary sewer service include:

- 1. That a detailed, engineered sanitary sewage collection plan, which incorporates the requirements of the City's adopted Conveyance System Master Plan, must be submitted to and approved by the City Engineering Department. Any utility easements needed to comply with the approved sanitary sewage plan must be reflected on the final plat. Any offsite public easements must be dedicated to and accepted by the City prior to the City's approval of the final plat.**

STORM DRAINAGE

Unfortunately, the proposed subdivision plans did not include grading information, so it is a bit difficult to ascertain the plans for the site drainage. It appears that a portion of the storm drainage from the development will drain to the existing public storm drainage system in Hembree Street at Sunflower Street. A detailed engineering analysis and associated calculations were provided as part of phase 1 that demonstrated that the existing storm drainage system has the capacity to carry the additional run-off from that portion of the proposed development (the analysis did indicate that piping improvements will be needed to accommodate any additional drainage from future phases of the proposed development).

It also appears that a portion of the site will drain to the south and east to the existing 21" storm line in McDonald Lane.

Suggested conditions of approval related to storm drainage include:

- 1. That a detailed, engineered storm drainage plan, which satisfies the requirements of the City's Storm Drainage Master Plan must be submitted to and approved by the City Engineering Department. Any necessary offsite storm drainage improvements shall be completed prior to the City approval of the final plat. Any utility easements needed to comply with the approved plan must be reflected on the final plat.**
- 2. If the final storm drainage plan incorporates the use of backyard collection systems and easements, including those in the proposed alleys, such systems must be private rather than public, and private maintenance agreements for them must be approved by the City prior to the City's approval of the final plat.**
- 3. Prior to the construction of any private storm facilities, the applicant shall obtain the necessary permits from the City's Building Division.**
- 4. No additional storm drainage runoff shall be conveyed onto any adjacent property without the appropriate public and/or private storm drainage easements. Copies**

of recorded private easements must be provided to the City prior to the City's approval of the final plat. Any offsite public easements must be dedicated to and accepted by the City prior to the City's approval of the final plat.

MISCELLANEOUS

Additional suggested conditions of approval include:

- 1. The final plat shall include 10-foot public utility easements along both sides of all public rights-of-way for the placement and maintenance of required utilities.**
- 2. The final plat shall include use, ownership, and maintenance rights and responsibilities for all easements and tracts.**
- 3. The applicant shall secure from the Oregon Department of Environmental Quality (DEQ) any applicable storm runoff and site development permits prior to construction of the required site improvements. Evidence of such permits shall be submitted to the City Engineer.**
- 4. That 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.**
- 5. That the required public improvements shall be installed to the satisfaction of the responsible agency prior to the City's approval of the final plat. Prior to the construction of the required public improvements, the applicant shall enter into a Construction Permit Agreement with the City Engineering Department, and pay the associated fees.**
- 6. That the applicant shall submit a draft copy of the subdivision 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 subdivision 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.**

NOTICE

NOTICE IS HEREBY GIVEN that the McMinnville Planning Commission will hold a public hearing on the 17th day of April, 2014, at the hour of 6:30 p.m. at the McMinnville Civic Hall Building at 200 NE Second Street in the City of McMinnville, Oregon, to take testimony and evidence on the following matter:

DOCKET NUMBER

ZC 1-14/S 1-14

Alan Ruden Inc. is requesting approval of a tentative subdivision plan on 4.89 acres of land that, if approved, would provide for the construction of 30 single-family homes. Concurrently, the applicant is requesting approval to amend Planned Development Ordinance No. 4953 to allow a reduction in the front yard setback from 15 to 10 feet, a reduction in the exterior side yard setback from 20 feet to 15 feet for all proposed lots, and a reduction in the side yard setback from six feet to zero feet for all garages proposed for construction in this development. The subject site is located north of NE Grandhaven Street and east of NE Hembree Street, and is more specifically described as a portion of Tax Lot 2100, Section 9, T. 4 S., R. 4 W., W.M.

Persons are hereby invited to attend the McMinnville Planning Commission hearing to observe the proceedings, to register any statements in person, by attorney, or by mail to assist the McMinnville Planning Commission in making a decision.

The Planning Commission's decision on the above public hearing item must be based on findings that a specific set of criteria have been or have not been met. Testimony and evidence at the public hearing must be directed toward those criteria, which are generally as follows:

1. The goals and policies of the McMinnville Comprehensive Plan.
2. The requirements of McMinnville Ordinance No. 3380 (the Zoning Ordinance) with particular emphasis on Section 17.03.020 (Purpose), Chapter 17.21 (R-4 Multi-Family Residential Zone), Chapter 17.51 (Planned Development Overlay), Chapter 17.53 (Land Division Standards), Chapter 17.72 (Applications and Review Process), and Chapter 17.74 (Review Criteria).
3. Planned Development Ordinance No. 4953

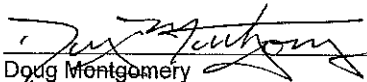
Failure to raise an issue in person or by letter prior to the close of the public hearing with sufficient specificity to provide the Planning Commission opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals (LUBA) on that issue.

The failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow this Commission to respond to the issue precludes an action for damages in circuit court.

The decision-making criteria, application, and records concerning this matter are available in the McMinnville Planning Department office at 231 NE 5th Street, McMinnville, Oregon, during working hours.

For additional information contact Ron Pomeroy, Principal Planner, at the above address, or phone (503) 434-7311.

The meeting site is accessible to handicapped individuals. Assistance with communications (visual, hearing) must be requested 24 hours in advance by contacting the City Manager (503) 434-7405 – 1-800-735-1232 for voice, or TDY 1-800-735-2900.


Doug Montgomery
Planning Director

(Map of area on back)

Vicinity Map



Geographic Information System



300 0 300 Feet

City of McMinnville
Planning Department
231 NE Fifth St
McMinnville, OR 97128
(503) 434-7311

ZC 1-14/S 1-14

Map No.	Tax Lot	Site Address	Owner	Attn:	Mailing Address	City State	Zip
2	R4409 02100		CHEGWYN VILLAGE	C/O SMITH MARK C	PO BOX 6614	PORTLAND OR	97228
3	R4409 02400		MCMINNVILLE SCHOOL	MCMINNVILLE SCHOOL DISTRICT #40	1500 NE BAKER ST	MCMINNVILLE OR	97128
4	R4409CA06400	3688 NE HARVEST DR	TANIMOTO DANIEL	TANIMOTO PEGGY B	3688 NE HARVEST DR	MCMINNVILLE OR	97128
5	R4409CA06700	3683 NE HEMBREE ST	THAYER BRAD	THAYER HEATHER C	3683 NE HEMBREE ST	MCMINNVILLE OR	97128
6	R4409CA06300	3662 NE HARVEST DR	MARTINS MURILLO	MARTINS MEGHAN J	3662 NE HARVEST DR	MCMINNVILLE OR	97128
7	R4409CA06800	3667 NE HEMBREE ST	SCHADEWITZ RICK	SCHADEWITZ CARRIE M	3667 NE HEMBREE ST	MCMINNVILLE OR	97128
8	R4409CA06200	3654 NE HARVEST DR	SHIELDS RONALD	SHIELDS MARGARET F	3654 NE HARVEST DR	MCMINNVILLE OR	97128
9	R4409CA06900	3643 NE HEMBREE ST	WESTVALE PROPERTY	WESTVALE PROPERTY MANAGEMENT LLC	1312 NE HIGHWAY 99W	MCMINNVILLE OR	97128
10	R4409CA06100	3638 NE HARVEST DR	MURDERS BRIAN	MURDERS KORIN L	3638 NE HARVEST DR	MCMINNVILLE OR	97128
11	R4409CA07000	3625 NE HEMBREE ST	DALY ANGELA	DALY ANGELA M	3625 NE HEMBREE ST	MCMINNVILLE OR	97128
12	R4409 02500	3200 NE McDONALD LN	MCMINNVILLE SCHOOL	MCMINNVILLE SCHOOL DISTRICT NO 40	1500 N BAKER ST	MCMINNVILLE OR	97128
13	R4409CA06000	3596 NE HARVEST DR	FOWLER CLIFFORD	FOWLER ANGELA L	3596 NE HARVEST DR	MCMINNVILLE OR	97128
14	R4409CA07100	3593 NE HEMBREE ST	DOWNS EVAN	DOWNS PAMELA J	1836 NW SUZANNA CT	MCMINNVILLE OR	97128
15	R4409CA02300	3595 NE HARVEST DR	MONTIEL ANDRES	MONTIEL ANDRES	3595 NE HARVEST DR	MCMINNVILLE OR	97128
16	R4409CA05900	3594 NE HARVEST DR	BRISBIN MATTHEW	BRISBIN ERIN M	3594 NE HARVEST DR	MCMINNVILLE OR	97128
17	R4409CA07200	3589 NE HEMBREE ST	WESTVALE PROPERTY	WESTVALE PROPERTY MANAGEMENT LLC	1312 NE HIGHWAY 99W	MCMINNVILLE OR	97128
18	R4409CA02400	3593 NE HARVEST DR	ANDERSON PAMELA	ANDERSON PAMELA S	17560 NW BAKER CREEK RD	MCMINNVILLE OR	97128
19	R4409CA05800	3586 NE HARVEST DR	MENDEZ RAMON	MENDEZ RAMON	3586 NE HARVEST DR	MCMINNVILLE OR	97128
20	R4409CA07300	3581 NE HEMBREE ST	BRATCHER NORVAL	BRATCHER VICTORIA L	3581 NE HEMBREE ST	MCMINNVILLE OR	97128
21	R4409CA02500	3583 NE HARVEST DR	WEEKS BRIAN	WEEKS BRIAN M	3583 NE HARVEST DR	MCMINNVILLE OR	97128
22	R4409CA05700	3580 NE HARVEST DR	TOTH ROBERT	TOTH ROBERT S LIVING TRUST	3580 NE HARVEST DR	MCMINNVILLE OR	97128
23	R4409CA07400	3571 NE HEMBREE ST	TERRA RICHARD	TERRA ALICIA M	3571 NE HEMBREE ST	MCMINNVILLE OR	97128
24	R4409CA02600	3579 NE HARVEST DR	REESER ALTA	REESER ALTA M	3579 NE HARVEST DR	MCMINNVILLE OR	97128
25	R4409CA05600	3566 NE HARVEST DR	GARZA TOMAS	GARZA TOMAS A	3566 NE HARVEST DR	MCMINNVILLE OR	97128
26	R4409CA07500	3557 NE HEMBREE ST	EATON ROBERT	EATON SHARON K	1548 SE DAVIS ST	MCMINNVILLE OR	97128
27	R4409CA02700	3561 NE HARVEST DR	LALLEY JOE	LALLEY JOE	3561 NE HARVEST DR	MCMINNVILLE OR	97128
28	R4409CA05500	3558 NE HARVEST DR	ABT MANUEL	ABT MANUEL U	1757 NW GREENELL LP	MCMINNVILLE OR	97128
29	R4409CA07600	3543 NE HEMBREE ST	QUIROZ JOSE	QUIROZ VERONICA	3543 NE HEMBREE ST	MCMINNVILLE OR	97128
30	R4409CA02800	3547 NE HARVEST DR	MYATT DONALD	MYATT DEENA C	3547 NE HARVEST DR	MCMINNVILLE OR	97128
31	R4409CA05400	3536 NE HARVEST DR	ELENWOOD FRANK	ELENWOOD FRANK A	3536 NE HARVEST DR	MCMINNVILLE OR	97128
32	R4409CA07700	3525 NE HEMBREE ST	USCANGA ANGEL	USCANGA SHANNA R (WROS)	3525 NE HEMBREE ST	MCMINNVILLE OR	97128
33	R4409CA02900	3533 NE HARVEST DR	RCS PROPERTIES	RCS PROPERTIES LLC	298 NW WEST HILLS DR	MCMINNVILLE OR	97128
34	R4409CA09700	3520 NE HEMBREE ST	ALAN RUDEN	ALAN RUDEN INC	PO BOX 570	MCMINNVILLE OR	97128

Date Sent 3/21/14
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ZC-1-14/S-1-14

Map No.	Tax Lot	Site Address	Owner	Attn:	Mailing Address	City State	Zip
35	R4409CA09600	3517 NE JOEL ST	ALAN RUDEN	ALAN RUDEN INC	PO BOX 570	MC MINNIVILLE OR	97128
36	R4409CA08700	3520 NE JOEL ST	ALAN RUDEN	ALAN RUDEN INC	PO BOX 570	MC MINNIVILLE OR	97128
37	R4409CA05300	3526 NE HARVEST DR	RUSSO JESSE	RUSSO EMILEE V	3526 NE HARVEST DR	MC MINNIVILLE OR	97128
38	R4409CA07800	3517 NE HEMBREE ST	MEYER DIANA	MEYER FAMILY REVOCABLE LIVING TRUST	457 E 14TH ST	LA FAYETTE OR	97127
39	R4409CA09800	3514 NE HEMBREE ST	ALAN RUDEN	ALAN RUDEN INC	PO BOX 570	MC MINNIVILLE OR	97128
40	R4409CA09500	3511 NE JOEL ST	ALAN RUDEN	ALAN RUDEN INC	PO BOX 570	MC MINNIVILLE OR	97128
41	R4409CA08800	3516 NE JOEL ST	MORRIS PATRICIA	MORRIS PATRICIA M	3516 NE JOEL ST	MC MINNIVILLE OR	97128
42	R4409CA09900	3500 NE HEMBREE ST	ALAN RUDEN	ALAN RUDEN INC	PO BOX 570	MC MINNIVILLE OR	97128
43	R4409CA09400	3505 NE JOEL ST	STEIN MICHELLE	STEIN MICHELLE	3505 NE JOEL ST	MC MINNIVILLE OR	97128
44	R4409CA08900	3508 NE JOEL ST	ALAN RUDEN	ALAN RUDEN INC	PO BOX 570	MC MINNIVILLE OR	97128
45	R4409CA04800	3492 NE HARVEST DR	SIMMS RYAN	SIMMS RYAN S	1107 WILSON AVE	LINCOLN CA	95648
46	R4409CA10000	3494 NE HEMBREE ST	ALAN RUDEN	ALAN RUDEN INC	PO BOX 570	MC MINNIVILLE OR	97128
47	R4409CA04900	3491 NE HEMBREE ST	MCCLEAN TERESA	MCCLEAN TERESA M	3491 NE HEMBREE ST	MC MINNIVILLE OR	97128
48	R4409CA09300	3497 NE JOEL ST	ALAN RUDEN	ALAN RUDEN INC	PO BOX 570	MC MINNIVILLE OR	97128
49	R4409CA09000	3498 NE JOEL ST	ALAN RUDEN	ALAN RUDEN INC	PO BOX 570	MC MINNIVILLE OR	97128
50	R4409CA10100	3480 NE HEMBREE ST	HOLTE GAIL	HOLTE GAIL A	3480 NE HEMBREE ST	MC MINNIVILLE OR	97128
51	R4409CA09200	3489 NE JOEL ST	ALAN RUDEN	ALAN RUDEN INC	PO BOX 570	MC MINNIVILLE OR	97128
52	R4409CA09100	3494 NE JOEL ST	ALAN RUDEN	ALAN RUDEN INC	PO BOX 570	MC MINNIVILLE OR	97128
53	R4409CA04700	3474 NE HARVEST DR	CECHOVIC MATTHEW	CECHOVIC JESSICA D	1223 NE GALLOWAY ST	MC MINNIVILLE OR	97128
54	R4409CA05000	3473 NE HEMBREE ST	GONZALEZ LUCIANO	GONZALEZ LUCIANO BOLANOS	3473 NE HEMBREE ST	MC MINNIVILLE OR	97128
55	R4409CA05100	3451 NE HEMBREE ST	WESTVALE PROPERTY	WESTVALE PROPERTY MANAGEMENT LLC	1312 NE HIGHWAY 99W	MC MINNIVILLE OR	97128
56	R4409CA10200	832 NE SAMSON ST	VARGO BRIAN	VARGO ANNIEKA M	832 NE SAMSON ST	MC MINNIVILLE OR	97128
57	R4409CA10300	848 NE SAMSON ST	ALAN RUDEN	ALAN RUDEN INC	PO BOX 570	MC MINNIVILLE OR	97128
58	R4409CA10400	880 NE SAMSON ST	HOLDER LAWRENCE	HOLDER PATRICIA	880 NE SAMSON ST	MC MINNIVILLE OR	97128
59	R4409CA10500	900 NE SAMSON ST	ALAN RUDEN	ALAN RUDEN INC	PO BOX 570	MC MINNIVILLE OR	97128
60	R4409CA10600	914 NE SAMSON ST	CARLSON KENNETH	CARLSON NANCY S	914 NE SAMSON ST	MC MINNIVILLE OR	97128
61	R4409CA10700	930 NE SAMSON ST	ALAN RUDEN	ALAN RUDEN INC	PO BOX 570	MC MINNIVILLE OR	97128
62	R4409CD00100	3210 NE HEMBREE ST	YAMHILL SOIL	YAMHILL SOIL AND WATER CONSERVATION DIST	2200 SW 2ND ST	MC MINNIVILLE OR	97128
63	R4409 02501		MC MINNIVILLE SCHOOL	MC MINNIVILLE SCHOOL DISTRICT NO 40	1500 N BAKER ST	MC MINNIVILLE OR	97128
Applicant			ALAN RUDEN	ALAN RUDEN INC	PO BOX 570	MC MINNIVILLE OR	97128

Date Sent 3/27/14
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